

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, SEPTEMBER 14, 2016

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: JANET DUNN, SUPERVISOR
EDWARD A. CAREY, JR, CLERK
KAREN GOODHUE, TREASURER
DINO F. BUCCI, JR, TRUSTEE
CLIFFORD W. FREITAS, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Scott, Legal Counsel
Thomas Esordi, Legal Counsel
Patrick Meagher, Planning Consultant
James VanTiflin, Township Engineer
(Additional attendance on file at the Clerk's Office)

Supervisor DUNN called the meeting to order at 7:00 p.m. and Eric Moss, Shawn Moss, Jeffrey Kirby, Nicholas Kirby, Cameron Skeem, William Skeem and Jacob Corless of Scout Troop 1940 lead everyone in reciting the Pledge of Allegiance.

ROLL CALL

1. Clerk CAREY called the roll and the Board of Trustees was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and item 7, AT&T Agreement was tabled until the meeting of 9/28/16, Item 12, Carpeting in Recreation Center, was removed and item 12a, Gym Resurfacing was added.

MOTION by Bucci seconded by Nevers to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE BILLS

3. All bill runs were reviewed and there were no additions, deletions or corrections.

MOTION by Nevers seconded by Goodhue to approve all the bill runs in the amount of \$1,227,478.07, \$94,893.31 and \$1,507,619.25.

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MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on August 24, 2016 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by Goodhue seconded by Carey to approve the minutes of the meeting of August 24, 2016 as presented.

MOTION carried.

5. **Consent Agenda Items:**

Supervisor DUNN reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

A. Engineering Department

1. Request to approve easement agreement: 2015 Pathway Gap Closure Program (Parcel No. 08-33-226-016)
2. Request to approve easement agreement: 2015 Pathway Gap Closure Program (Parcel No. 08-33-226-033)
3. Request to approve easement agreement: 2015 Pathway Gap Closure Program (Parcel No. 08-33-226-035)
4. Request to approve easement agreement: 2015 Pathway Gap Closure Program (Parcel No. 08-33-226-036)
5. Request to approve easement agreement: 2015 Pathway Gap Closure Program (Parcel No. 08-34-101-019)
6. Request to approve easement agreement: 2015 Pathway Gap Closure Program (Parcel No. 08-34-101-004)
7. Request to approve easement agreement: 2015 Pathway Gap Closure Program (Parcel No. 08-34-101-018)

B. Clerks Office

1. SEMCOG Membership Renewal in the amount of \$10,026.00

C. Building Department

1. Indemnity & Hold Harmless Agreement, 24211 Caspian Dr., Legacy Farms Sub., Lot 6 (Parcel No. 08-24-456-015)

D. Fire Department

1. Request to purchase Fire Prevention Materials in the amount of \$8,150.00

E. Water & Sewer Department

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1. Request authorization to pay William H. Stinson and Karen K. Stinson, for an easement (26 Mile Road & Hayes Road) special assessment district (Parcel No. 08-06-100-010) in the amount of \$1.00.00
2. Easement Encroachment Agreement: Lot 70, Emerald Green Subdivision (Parcel No. 08-05-253-010)
3. Request authorization to pay Michigan Meter Technology Group in the amount of \$5,137.00 for a hydrant meter and customer installation supplies

F. Human Resources Department

1. Request for a Personal Leave of Absence for Employee #1034
2. Approval of position description

MOTION by Krzeminski seconded by Freitas to approve the Consent Agenda as earlier amended.

MOTION carried.

6. Public Comments, Agenda Items Only

There were none.

OLD BUSINESS

7. AT&T Agreement – **Tabled until 9/28/16.**

NEW BUSINESS

ENGINEERING

8. Request to schedule a Public Hearing for Street Lighting: Christenbury Creek Site Condominiums

MOTION by Bucci seconded by Goodhue to approve the request to schedule a public hearing for street lighting for Christenbury Creek Site Condominiums on October 12, 2016.

MOTION carried.

RECORDS

9. Request for a Liquor License Transfer to Frenata, Inc., 50750 Romeo Plank, MLCC ID# 851768

The Records Manager reviewed the request with the Township Board and informed them that this matter is handled at the State level and that local jurisdictions are contacted as a courtesy. He also stated that the petitioner will be keeping the license at its current establishment, there will be no changes to the establishment

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and that the petitioner has executed the Township's Declaration of Covenants and Restrictions prohibiting lewd and lascivious behavior. Based upon these facts and the concurrence of the Township Department Heads, he recommended the approval of the transfer.

MOTION by Freitas seconded by Nevers to approve the request from Frenata, Inc. to transfer of ownership of a 2004 Class C Licensed Business with Dance Permit, located at 50750 Romeo Plank, Macomb Township, MI 48044, Macomb County from 23 RP Investments, L.L.C. Michigan Liquor Control Commission ID # 851768

**Roll Call: Ayes: Freitas, Nevers, Bucci, Krzeminski, Goodhue, Carey, Dunn
Nays: None**

RESOLUTION declared adopted.

SUPERVISOR

10. Request to change deferred compensation plan provider.

Mr. Steve Gibson of Plante Moran Financial Advisors (PMFA) reviewed this matter with the Board and answered questions regarding Empower Retirement Plans. Mr. Gibson informed the Board that currently the Township is paying between \$112,000 and \$113,000 per year in fees, excluding MERS fees. By changing to Empower Retirement Plans the Township will only pay \$48,000 a year in fees. He also indicated that PMFA would be available within the next two weeks to meet with Township employees and answer questions. The plan has not been put together yet so Mr. Gibson could not tell the Board what funds would be administered in the plan, however he felt that the funds offered would be mostly the same as those in the current plans.

**MOTION by Krzeminski seconded by Freitas to designate Empower Retirement Plans as the new 457(b) and 401(a) in conjunction with MERS.
MOTION carried.**

MOTION by Krzeminski seconded by Nevers to terminate the contracts with Nationwide and Voya and to transfer the plan assets to Empower Retirement Plans.

MOTION carried.

MOTION by Krzeminski seconded by Carey to authorize the Retirement Committee to enter into and execute all contracts and documents related to making Empower Retirement Plans the new provider for the Macomb Township 457(b) and 401(a) plans, in conjunction with MERS.

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MOTION carried.

WATER & SEWER

11. Request approval to pay the North Avenue Water Main (Contract: 0249-0068); Pay Estimate No. 1

MOTION by Bucci seconded by Goodhue to approve the request to pay the North Avenue Water Main (Contract: 0249-0068); Pay Estimate No. 1, in the amount of \$655,523.10.

MOTION carried.

PARKS & RECREATION

12. Carpeting in Recreation Center - **Removed**

- 12a. Gym Resurfacing

The Parks & Recreation Director stated that the bids have been reviewed and that he is recommending Sports Floor Refinishing.

Motion by Goodhue seconded by Carey to award the bid for the gym resurfacing in the Recreation Center to Sports Floor Refinishing in the amount of \$5,420.91.

MOTION carried.

PLANNING

13. Extension of Time for Final Preliminary Plat; Twin Rivers Subdivision No. 3; located on the north side of Hall Road, approximately ¼ mile east of Romeo Plank Road; Section 33; Twin River Development, LTD Petitioner (Parcel No. 08-33-376-016).

MOTION by Krzeminski seconded by Nevers to approve the request for an Extension of Time for Final Preliminary Plat; Twin Rivers Subdivision No. 3; located on the north side of Hall Road, approximately ¼ mile east of Romeo Plank Road; Section 33; Twin River Development, LTD Petitioner (Parcel No. 08-33-376-016).

MOTION carried.

14. Extension of Time Preliminary Plan: Sheffield Forest Site Condominium; Located on the west side of Fairchild Road, ½ mile north of 22 Mile Road; Section 24; Lombardo Homes, Petitioner (Parcel No. 08-24-401-005).

MOTION by Bucci seconded by Goodhue to approve the request for an Extension of Time Preliminary Plan: Sheffield Forest Site Condominium;

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Located on the west side of Fairchild Road, ½ mile north of 22 Mile Road; Section 24; Lombardo Homes, Petitioner (Parcel No. 08-24-401-005).

MOTION carried.

15. Home-A-Rama Special Event; Christenbury Creek; Section 23

MOTION by Carey seconded by Bucci to approve the Special Event Request for the Home-A-Rama at Christenbury Creek; Section 23.

MOTION carried.

Public Comments, Non-Agenda Items Only - (3 minute time limit)

There were none.

BOARD COMMENTS

16. The Supervisor reminded residents that 10/1 is Hazardous Waste Day in the Township. Collections are being done at the Senior Center from 9 a.m. to 1 p.m. Check the website for what will be accepted. The Family Fun & Fitness Day is also on 10/1 at Macomb Corners Park from 11 a.m. to 1 p.m. Following the event will be an old time baseball game. The Supervisor also had Township Engineer inform the residents that 25 Mile and Romeo Plank will be closed starting September 26 until sometime in November for the installation of a roundabout. Hayes between 25 & 26 Mile is also set to begin getting paved.
17. The Clerk informed the Board that the court upheld keeping the straight party voting options on the ballot for the November election. Ballots can now be printed and the Township should be receiving them on September 23rd or 24th. He anticipates mailing them out the first week of October. The Clerk's Office currently has 10,000 ballots ready to mail and anticipates it could get as high as 15,000.
18. The Treasurer stated that today was the last day to pay taxes on time. Now a 1% penalty fee will be placed on the bill. Each month the bill is late an additional 1% will be added onto the bill.
19. Trustees Nevers commented on the forms for the Township War Memorial and indicated that she would be getting new ones to the Township Offices this week.

Trustee Krzeminski thanked people for bringing in flags for disposal. He stated that memorial bricks are in the process of being redone.

CLOSED SESSION

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MOVED by Bucci seconded by Goodhue to enter into closed session at 7:45 p.m. to discuss IAFF Local 5023 Appeal of Grievance No. 16-002, update regarding MAFF negotiations and RML v. Macomb Township.

MOTION carried.

The Township Board entered back into open session at 9:00.

20. IAFF Local 5023 Appeal Grievance No. 16-002

The grievant had his appeal heard by the Township Board. No action was taken.

21. Update regarding MAFF Negotiations

This was for informational purposes only. No action was taken.

22. RML v. Macomb Township

The attorney updated the Township Board regarding the process and will continue as previously directed.

ADJOURNMENT

MOTION by Bucci seconded by Freitas to adjourn the Board meeting at 9:05 p.m.

MOTION carried.

Respectfully submitted,

Janet I. Dunn
Macomb Township Supervisor

Edward A. Carey, Jr
Macomb Township Clerk