



**CANTON ADMINISTRATION BUILDING
1150 S. CANTON CENTER ROAD
CANTON, MI 48188
REGULAR BOARD MEETING
JANUARY 25, 2022**

To mitigate the spread of the COVID-19 pandemic, protect the public health, and provide essential protections to Canton Township residents; the Canton Township Board of Trustees will also offer this meeting by video teleconference.

Individuals may attend the meeting in person or join the video teleconference by going to:
<https://us02web.zoom.us/j/89992392720>

Or One tap mobile:
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Or Telephone:
1-301-715-8592 or 1-312-626-6799

Webinar ID: 899 9239 2720

International numbers available: <https://us02web.zoom.us/j/89992392720>

6:15 P.M.:

CALL TO ORDER
ROLL CALL: BORNINSKI, FOSTER, GANGULY, GRAHAM-HUDAK, SIEGRIST, SLAVENS,
SNEIDEMAN
ADOPTION OF AGENDA

DANGEROUS BUILDING SHOW CAUSE HEARING – 1822 N. SHELDON

APPROVAL OF MINUTES: JANUARY 11, 2022
PUBLIC COMMENT ON AGENDA ITEMS ONLY
PAYMENT OF BILLS

CONSENT CALENDAR:

- 1) REQUEST APPROVAL TO ESTABLISH A COMMAND MERS HYBRID PLAN (FBD)
- 2) REQUEST APPROVAL OF 2022 BLANKET PURCHASE ORDERS (FBD)
- 3) CONSIDER APPROVAL OF APPLICATION FOR MLCC SPECIAL LIQUOR LICENSES (CLS)
- 4) CONSIDER PURCHASE OF WATER METERS AND METERING CONTROL DEVICES FOR 2022 (MSD)

GENERAL CALENDAR:

- 1) CONSIDER FIRST READING OF AN AMENDMENT TO CHAPTER 22, ARTICLE III, DIVISION 2 OF THE CANTON CODE OF ORDINANCES ENTITLED “TAX EXEMPTION FOR LINCOLNSHIRE APARTMENTS” (FBD)
- 2) CONSIDER CHIPOTLE PLANNED DEVELOPMENT DISTRICT AMENDMENT (AMENDMENT #3 OF WAL-MART PDD) (MSD)
- 3) CONSIDER SPECIAL LAND USE FOR FAST FOOD DRIVE-THRU RESTAURANT (DUNKIN’ DONUTS) (MSD)
- 4) CONSIDER PANDA EXPRESS PLANNED DEVELOPMENT DISTRICT AMENDMENT (AMENDMENT #2 OF WAL-MART PDD) AND SITE PLAN APPROVAL (MSD)
- 5) CONSIDER FIRST READING OF AN ORDINANCE TO AMEND CHAPTER 74, ARTICLE II, DIVISION 2, SUBDIVISION II TO ESTABLISH A PUMPED SANITARY SEWER DISTRICT AND OTHER UPDATES (MSD)
- 6) CONSIDER APPROVAL OF PAYMENT TO KIESLER’S POLICE SUPPLY FOR AMMUNITION PURCHASED IN EXCESS OF THE 2021 PURCHASE ORDER (POLICE)
- 7) CONSIDER APPROVAL OF PAYMENT TO THE MICHIGAN HUMANE SOCIETY FOR SERVICES PROVIDED IN EXCESS OF THE 2021 PURCHASE ORDER (POLICE)
- 8) CONSIDER APPROVING A ONE-YEAR CONTRACT RENEWAL WITH MICHIGAN POLICE LEGAL ADVISOR GROUP, INC., AND ASSOCIATED AMENDMENT TO THE 2022 POLICE BUDGET (POLICE)
- 9) CONSIDER WAIVING THE BIDDING PROCESS AND APPROVING THE PURCHASE OF ELEVEN CHEST COMPRESSION SYSTEMS AND ACCESSORIES FROM STRYKER (FIRE)
- 10) CONSIDER APPROVING THE FIRE DEPARTMENT TO TEMPORARILY INCREASE THE HEADCOUNT BY ONE ADDITIONAL FIREFIGHTER IN ANTICIPATION OF ONE FIREFIGHTER RETIREMENT IN JUNE 2022 (FIRE)
- 11) APPROVAL OF COMPENSATION OF THE HUMAN RESOURCES MANAGER (PERSONNEL DIRECTOR TO MERIT COMMISSION) AS REQUIRED BY MERIT ORDINANCE NO. 85 (SUPERVISOR)
- 12) CONSIDER REAPPOINTMENT AND NEW APPOINTMENTS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADVISORY COUNCIL (SUPERVISOR)
- 13) CONSIDER THREE NEW APPOINTMENTS AND ONE REAPPOINTMENT TO THE ZONING BOARD OF APPEALS (SUPERVISOR)

PUBLIC COMMENT
BOARD COMMENT
ADJOURN

ACCESS TO PUBLIC MEETINGS

In accordance with the Americans with Disabilities Act, individuals with disabilities who require special accommodations, auxiliary aids or services to attend or participate at the meeting/hearing should contact the Human Resources Manager at 734-394-5260. Reasonable accommodations can be made with advance notice. A complete copy of the Access to Public Meetings Policy is available at www.canton-mi.org.

Charter Township of Canton
Board Proceedings – January 11th, 2022

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, January 11, 2022, in-person and virtually. Supervisor Graham-Hudak called the meeting to order at 7:02 p.m.

Members Present: Borninski, Foster, Ganguly, Graham-Hudak, Siegrist, Slavens, Sneideman
Members Absent: None

Adoption of Agenda:

Motion by Sneideman, supported by Slavens to adopt the agenda as presented. Motion carried unanimously.

Approval of Minutes:

Motion by Siegrist supported by Slavens to approve the December 7th, 2021 and December 14th, 2021 Board minutes as presented. Motion carried unanimously.

Public Comment: Public comment was held.

Payment of Bills:

Motion by Slavens supported by Borninski to approve the payment of bills as presented. Motion carried unanimously.

CHARTER TOWNSHIP OF CANTON EXPENDITURE RECAP FOR THE TOWNSHIP BOARD MEETING OF December 28, 2021		
101	GENERAL FUND	774,362.67
204	ROADS FUND	366,030.46
206	FIRE FUND	258,081.99
207	POLICE FUND	332,084.27
208	SUMMIT OPERATING (General)	80,081.14
219	STREET LIGHTING	21,847.15
230	CABLE TV FUND	9,254.56
246	TWP (COMMUNITY) IMPROVEMENT	23,170.00
248	DDA - CANTON	21,760.15
261	E-911 UTILITY	73,310.00
265	ORGANIZED CRIME - DRUG ENFORCEMENT	0.00
274	CDBG	10,088.92
276	NSP GRANTS FUND	0.00
285	AMERICAN RESCUE PLAN ACT	142.09
401	CAP PROJ - ENERGY PROJECT	4,675.00
402	CAP PROJ - SUMMIT CONSTR	0.00
403	CAP PROJ - ROAD PAVING	14,475.00
584	GOLF FUND	18,000.11

592	WATER & SEWER FUND	5,302,977.56
596	SOLID WASTE	371,511.56
661	FLEET	29,780.91
701	TRUST & AGENCY FUND	28,857.13
702	CUSTODIAL FUND	359.40
736	POST EMPLOYMENT BENEFITS	96,412.19
852	SPECIAL ASSESSMENT DEBT	0.00
301	ENERGY PROJECT DEBT SVCE FUND	0.00
302	CAPITAL PROJECT DEBT SERVICE FUND	0.00
TOTAL - ALL FUNDS		7,837,262.26

CHARTER TOWNSHIP OF CANTON EXPENDITURE RECAP FOR THE TOWNSHIP BOARD MEETING OF January 11, 2022		
101	GENERAL FUND	396,013.61
204	ROADS FUND	20,134.86
206	FIRE FUND	317,608.39
207	POLICE FUND	418,346.43
208	SUMMIT OPERATING (General)	76,875.46
219	STREET LIGHTING	0.00
230	CABLE TV FUND	8,622.98
246	TWP (COMMUNITY) IMPROVEMENT	27,223.43
248	DDA - CANTON	5,197.04
261	E-911 UTILITY	1,016.13
265	ORGANIZED CRIME - DRUG ENFORCEMENT	43,785.39
274	CDBG	75,000.00
276	NSP GRANTS FUND	0.00
285	AMERICAN RESCUE PLAN ACT	0.00
401	CAP PROJ - ENERGY PROJECT	0.00
402	CAP PROJ - SUMMIT CONSTR	0.00
403	CAP PROJ - ROAD PAVING	0.00
584	GOLF FUND	15,157.37
592	WATER & SEWER FUND	821,651.85
596	SOLID WASTE	1,317.88
661	FLEET	29,351.11
701	TRUST & AGENCY FUND	0.00
702	CUSTODIAL FUND	34,991.47
736	POST EMPLOYMENT BENEFITS	101,414.50
852	SPECIAL ASSESSMENT DEBT	0.00
301	ENERGY PROJECT DEBT SVCE FUND	0.00
302	CAPITAL PROJECT DEBT SERVICE FUND	0.00
TOTAL - ALL FUNDS		2,393,707.90

Presentation:

Status of CIP Projects WSG PLANTE MORAN CRESA

Consent Calendar:

Item C-1. Consider 2022 Meeting Dates for the Commission for Culture, Arts & Heritage

Motion by Siegrist, supported by Borninski to move to establish the 2022 Canton Commission for Culture, Arts & Heritage meeting schedule at 6:00 p.m. either as a hybrid or in-person in the Lower Level Meeting Room E of the Administration Building, 1150 S. Canton Center Road, quarterly on the designated Thursday of the established months.

Meeting Dates:
February 10, 2022
May 12, 2022
August 11, 2022
November 10, 2022.

Motion carried unanimously.

Item C-2. Consider Approving Electric Vehicle Infrastructure Planning Program

Motion by Siegrist, supported by Borninski to move to approve the following Budget Adjustment:

Increase Revenue:

246-000.539	State Grants	\$28,648
246-000.695	Fund Balance Appropriation	11,352

Increase Expenditures:

246-265.970_0030	Capital Outlay Mach & Equipment	\$40,000
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Furthermore, move to approve a Purchase Order in the amount of \$40,000 to Mannik Smith Group to perform the infrastructure planning per the grant we received from SEMCOG.

Motion carried unanimously.

Item C-3. Consider Awarding Contract and Approve Purchase Order for Fire I Lighting Upgrades in Connection with the Capital Improvement Program

Motion by Siegrist, supported by Borninski to approve the contract and approve a purchase order for Allied Building Services, 1801 Howard St. Detroit, MI 48216 in the total amount of \$19,800 to complete LED lighting upgrades at Fire I as identified in the Capital Improvement Plan:

Project #	Description	Account#	Amount
210040	Fire Station #1 LED Lights	401-336.970_0020	\$19,800

Motion carried unanimously.

Item C-4. Consider Awarding Contract and Approve Purchase Order Fellows Creek Golf Course and Summit Pump Project in Connection with the Capital Improvement Program

Motion by Siegrist, supported by Borninski to move to approve the contract and approve a purchase order for Northern Pump & Well, 6837 W Grand River Ave., Lansing MI 48906 in the amount of \$131,740 to complete the repairs and replacements of pumps and motors at Fellows Creek Golf Course and Summit on the Park as identified in the Capital Improvement Plan:

Project #	Description	Account#	Amount
210005	Fellow Creek Pump Station	584-772-78.970_0080	\$66,092
200019	Summit Controls / Pumps	401-757.970_0020	\$65,648

Motion carried unanimously.

Item C-5. Consider Authorization of a Purchase Order to Spalding DeDecker and Associates, Inc. for Professional Engineering Services for the 2022 Residential Road Improvement Program

Motion by Siegrist, supported by Borninski to move to approve a purchase order contract for the 2022 Residential Road Improvement Projects to Spalding DeDecker Associates, Inc. in the amount of \$400,000 with a five percent contingency of \$20,000 for a total contract amount of \$420,000. Motion carried unanimously.

General Calendar:

Item G-1. Consider Approving Budget Amendment and Headcount Adjustment for the Municipal Services Building Division

Motion by Siegrist, supported by Foster to move to approve the following Budget Amendment:

Increase (Decrease) Expenditures:

101-371.703_0010	Salaries and Wages Full Time	\$71,989
101-371.703_0015	Salaries and wages Part Time	(\$35,000)
101-371.724_XXXX	Various Fringes	\$33,460

Increase Revenue:

101-000.695	Fund Balance Appropriation	\$70,449
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Furthermore, move to approve the addition of a Full Time Electrical Inspector in the AFSCME Union to Municipal Services Division headcount.

Motion carried unanimously.

Item G-2. Consider Special Land Use for Canton Banquet and Convention Center

Motion by Siegrist, supported by Slavens to move to approve the resolution as presented.

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MICHIGAN

Approval of the Special Land Use for Canton Banquet and Convention Center

WHEREAS, the Project Sponsor has requested special land use approval for a banquet and convention center on parcel no. 71-141-99-0027-716, located on the east side of Lotz Road south of Michigan Ave.; and

WHEREAS, the Planning Commission reviewed the request and applicable criteria and voted 8-0 to recommend approval, with conditions, as the request meets the criteria of special land use approval in Section 27.03(C) of the Zoning Ordinance;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the special land use for a banquet and convention center use on parcel 71-141-99-0027-716, as the request meets the Special Land Use criteria of the Canton Township Zoning Ordinance pursuant to the information and plans provided, subject to the items noted by staff being addressed or corrected at the time of site plan review.

Motion carried unanimously.

Item G-3. Consider Special Land Use for Canton Business Center (Automobile Service Station)

Motion by Siegrist, supported by Sneiderman to move to approve the resolution as presented.

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MICHIGAN

Approval of the Special Land Use for Canton Business Center

WHEREAS, the Project Sponsor has requested special land use approval for automobile service station uses on parcel 71-008-99-0001-021 at 42000-42040 Koppernick Road; and

WHEREAS, the Planning Commission reviewed the request and applicable criteria and voted 8-0 to recommend approval, with conditions, as the request meets the criteria of special land use approval in Section 27.03(C) of the Zoning Ordinance;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the special land use automobile service station uses on

parcel 71-008-99-0001-021 at 42000-42040 Koppernick Road, as the request meets the Special Land Use criteria of the Canton Township Zoning Ordinance pursuant to the information and plans provided, subject to the following conditions:

- The automobile service station use is prohibited in Building A and prohibited within any areas of Buildings B-E that are within 85 feet of the front lot line or 30 feet of a side or rear lot line.
- Not more than one vehicle being serviced shall be parked outside a building at any time. • All service installations and/or removals shall be conducted indoors with all overhead doors closed.
- No parking of any unlicensed or inoperable vehicles shall be allowed on site.
- The following automobile services are prohibited:
 - Painting, undercoating, or similar repair or treatment service.
 - Oil change, coolant change, transmission fluid change, or similar fluid service.
 - Engine, transmission, collision, frame or fender straightening, or similar vehicle repairs or service.
 - Installation, maintenance, or repair of tires, brakes, shocks, mufflers, exhaust, or similar equipment.

Motion carried unanimously.

Item G-4. Consider Special Land Use for Mini Storage Depot (Mini-Warehouse)

Motion by Siegrist, supported by Slavens to move to approve the resolution as presented.

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MICHIGAN

Approval of the Special Land Use for Mini Storage Depot

WHEREAS, the Project Sponsor has requested special land use approval for a mini-warehouse establishment use on parcel 131-02-0015-000 at 4985 Research Dr.; and

WHEREAS, the Planning Commission reviewed the request and applicable criteria and voted 8-0 to recommend approval, with conditions, as the request meets the criteria of special land use approval in Section 27.03(C) of the Zoning Ordinance;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the special land use for a mini-warehouse establishment use on parcel 131-02-0015-000 at 4985 Research Dr., as the request meets the Special Land Use criteria of the Canton Township Zoning Ordinance pursuant to the information and plans provided, subject to the items noted by staff being addressed or corrected at the time of site plan review.

Motion carried unanimously.

Item G-5. Consider Approval of Renewing FOIA Software

Motion by Siegrist, supported by Borninski to move to approve the NextRequest renewal expenditure in the total amount of \$17,900.04 with 75% being charged to Canton Police Department account 207-301-50.801_0050 and the remaining to the Clerk's Office 101-215.801_0050 account. Motion carried unanimously.

Item G-6. Consider a Request to Approve Letter of Agreement Between Canton Township and the Canton Command Officers Association Police Officers Labor Council (CCOA)

Motion by Siegrist, supported by Slavens to move to approve the Letter of Agreement between Canton Township and the Canton Command Officers Association Police Officers Labor Council (CCOA). Motion carried unanimously.

Item G-7. Appointments to the Canton Tax Board of Review

Motion by Siegrist, supported by Foster to move to approve the appointments of Joseph Opara and Asim Mohammad to the Canton Tax Board of Review for two-year terms to expire on 3/1/24. Motion carried unanimously.

Item G-8. Consider Approval to Amend the Premium Bonus to Essential Employees other than Elected Officials and the Deputy Supervisor Working During Pandemic

Motion by Siegrist, supported by Slavens to move to amend the previously approved \$1,000 premium bonus to all full-time employees other than elected officials and the Deputy Supervisor, and a \$500 premium bonus to all continuing part-time, part time staff levels 10 and above and those not part of the \$2.50/hour premium incentive, and all Public Safety Aides who work during the pay period ending January 22, 2022 to include part-time employees below level 10, other than interns, who did not receive the \$2.50/hour premium incentive. Motion carried unanimously.

Additional Public comment was held.
Additional Board comment was held.

Adjourn: Motion by Siegrist, supported by Slavens to adjourn the meeting at 8:08 p.m. Motion carried unanimously.

Michael A. Siegrist, Clerk

Anne Marie Graham-Hudak, Supervisor

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #C-1

<u>ITEM:</u> Request Approval to Establish a Command MERS Hybrid Plan
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PRESENTER: Wendy Trumbull, Finance & Budget Director

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: A former POAM member was recently promoted from Police Officer to Police Sergeant, thus moving from the POAM Union to the Command Union. The retirement plan the employee is enrolled in is the MERS Hybrid plan, of which there has not yet been a division created for the Command Union. Therefore, we are requesting the Board to establish a division within MERS to account for this and all future employees with the benefits mirroring those of the POAM MERS Hybrid division.

BACKGROUND: In May of 2011, Canton began enrolling newly-hired POAM employees in the MERS Hybrid retirement plan instead of the MERS Defined Benefit retirement plan. This significantly reduced Canton's legacy costs while still providing a high-quality retirement plan for Canton employees.

An employee was recently promoted from Police Officer to Police Sergeant, thus moving from the POAM Union to the Command Union. Before this promotion, all members of Canton Township's Command union were enrolled in the MERS Defined Benefit Plan, and a Command MERS Hybrid Plan was not needed. However, since this employee is enrolled in the MERS Hybrid Plan, Canton needs to establish a Command division of our MERS Hybrid Plan. Although this employee will currently be the only member enrolled in this plan, this plan will be open for new participants, as more employees enrolled in the MERS POAM Hybrid Plan join the Command Union. Additionally, this employee's move from the POAM Hybrid retirement plan to the Command Hybrid retirement plan will not incur any additional costs besides those budgeted by his promotion.

STRATEGIC PLAN/GOALS: Provide quality benefits to Canton employees.

ACTION REQUESTED: Establish the Command MERS Hybrid Plan provided by MERS of Michigan.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: None

IMPLEMENTATION PLAN: Once approved, payroll will submit the required paperwork to MERS of Michigan to establish the Command MERS Hybrid Plan.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION: I move to establish the Command MERS Hybrid Plan provided by MERS of Michigan.

ATTACHMENTS: 1) Command Hybrid Agreement 2) Command Hybrid Compensation
3) Command Hybrid Employee Contributions

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #C-2

ITEM: Request Approval of 2022 Blanket Purchase Orders

PRESENTER: Wendy Trumbull, Finance & Budget Director

INDIVIDUALS IN ATTENDANCE: None Anticipated

EXECUTIVE SUMMARY: Blanket Purchase Orders allow for recurring purchases of a specific service or commodity when the quantity of items or frequency of service cannot be fully determined. Attached is the list of 2022 Blanket Purchase Orders for those that either exceed \$30,000 or are expected to have a single purchase in excess of \$1,000.

BACKGROUND: Per Canton's Purchasing Policy F:10, Blanket Purchase Orders will not be issued in excess of \$30,000, nor will a single purchase in excess of \$1,000 be approved without the Boards approval.

STRATEGIC PLAN/GOALS: Identify cost efficiencies

ACTION REQUESTED: Approve the Blanket Purchase Orders.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: The list of Blanket Purchase Orders is attached.

IMPLEMENTATION PLAN: The Blanket Purchase Orders will be entered.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION: I move to approve the 2022 Purchase Orders as attached.

ATTACHMENT: List of 2022 Blanket Purchase Orders

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #C-3

ITEM: Consider Approval of Application for MLCC Special Liquor Licenses

PRESENTER: Greg Hohenberger, Leisure Services Director

INDIVIDUALS IN ATTENDANCE: None Anticipated

EXECUTIVE SUMMARY:

In 2022, six fundraising events are planned to be held in conjunction with Canton Leisure Services at various township facilities that will require application to the Michigan Liquor Control Commission for special liquor licenses:

- 30th Annual Liberty Fest: June 16-18, 2022
- 8th Annual Rally on Ridge: July 23, 2022
- 12th Annual Brew, Brats & Bands at the Barn: September 10, 2022
- Thursday Night Live concerts: June 30 - August 18, 2022
- Bites for the Barn - July 12, Aug 2, Sept 13 from 6:00pm-8:00pm
- Pride OUTside - July 16th from 6:30pm to 8:30pm

Leisure Services is requesting Township Board approval to submit application to the Michigan Liquor Control Commission and to authorize the sale and consumption of alcohol at these fundraisers.

No penalty or additional expenses will be incurred should the event be canceled.

BACKGROUND:

- Canton's 30th Annual Liberty Fest will take place June 16-18, 2022 in Heritage Park. In a partnership with Canton Leisure Services, the Canton Rotary Club will once again be making the application to the Michigan Liquor Control Commission for a special license. Canton Rotary will secure the appropriate permits and will keep the proceeds from the actual alcohol sales over the course of the three days.
- Canton Leisure Services will host the 8th Annual Rally on Ridge event on July 23, 2022 from 4:00 p.m. to 9:00 p.m. at Ridge Road between Cherry Hill and Roanoke. In addition to the food trucks, we will be selling beer and wine with proceeds to benefit the Canton Farmers Market. Canton Leisure Services will apply for the one-day special liquor license for this event.
- The Canton Historical Society is hosting the 12th Annual "Brew, Brats & Bands at the Barn," a fundraiser to be held at the Cady-Boyer Barn in Preservation Park on Saturday, September 10, 2022 from 6-9 p.m. The event will feature a concert with beer and food being sold for the purpose of raising funds to benefit the Canton Historical Society. The Canton Historical Society will apply for the one-day special liquor license for this event.
- Canton Leisure Services will again be doing the Thursday night concert series this summer,

which offers weekly music at the amphitheater in Heritage Park. Again this year will be food trucks, local restaurants, and beer/wine sales. Maraschino's Bar & Restaurant will be making application to the Michigan Liquor Control Commission, and all alcohol sales will benefit the Second Chance at Life charity. (June 30, July 14, 21, 28, August 4, 11 & 18)

- Canton Leisure Services will host the Bites for the Barn event where people enjoy delicious small plate eats from local chefs and food trucks, drink beer and wine options, listening to the various performers all while supporting local artists at Canton's new community dinner nights. These al fresco dinners will take place at Preservation Park on Jul 12, Aug 2, and Sept 13 from 6-8pm. Maraschino's Bar & Restaurant will be making application to the Michigan Liquor Control Commission, and all alcohol sales will benefit the Second Chance at Life charity
- Canton Leisure Services will host the Pride OUTside event taking place at the amphitheater stage in Heritage Park on July 16th from 6:30-8:30pm. This LGBTQ+ Pride Event is FREE and for all ages and will include local vendors, food trucks, and beer & wine from Maraschino's Pub. Maraschino's Bar & Restaurant will be making application to the Michigan Liquor Control Commission, and all alcohol sales will benefit the Second Chance at Life charity

STRATEGIC PLAN/GOALS: Welcoming Community

ACTION REQUESTED: Authorize the sale and consumption of alcohol at the above-listed 2022 fundraiser events.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: \$150 application fees for the 7-23-22 Rally on Ridge event are available in Account #101-756-59.762 – Recreation/Special Events/Program Activity Supplies. The Canton Historical Society will be seeking the liquor license for the Brew, Brats and Bands at the Barn event and will be responsible for all of the application fees, The Canton Rotary Club will be seeking the liquor licenses for the Liberty Fest event and will be responsible for those application fees. Maraschino's Bar & Restaurant will be seeking liquor licenses for the Thursday Night Live concerts, Bites for the Barn and Pride OUTside and will be responsible for those application fees.

IMPLEMENTATION PLAN: The sites will be set up according to the requirements of the Liquor Control Commission.

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION:

I move to authorize the sale and consumption of alcohol at the Liberty Festival on June 16-18, 2022, and furthermore; I move that the following resolution be adopted:

That the Canton Rotary, through its duly elected officers, make application to the MLCC for a Special License for the sale of alcohol for consumption on the premises to be in effect on June 16-18, 2022 during Liberty Festival at Heritage Park located at 1010 Canton Center Rd, Canton, Michigan, County of Wayne.

I further move to authorize the sale and consumption of alcohol at The Rally on Ridge event on

Saturday, July 23, 2022; and furthermore; I move that the following resolution be adopted:

That the Charter Township of Canton, through its duly elected officers, make application to the MLCC for a Special License for the sale of alcohol for consumption on the premises to be in effect on Saturday, July 23, 2022 at Ridge Road between Roanoke and Cherry Hill in Canton, Michigan, County of Wayne and that the Township Supervisor and Clerk be authorized to sign and submit this application.

I further move to authorize the sale and consumption of alcohol at The Canton Historical Society's "Brew, Brats & Bands at the Barn" fundraiser on Saturday, September 10, 2022; and furthermore; I move that the following resolution be adopted:

That the Canton Historical Society, through its duly elected officers, make application to the MLCC for a Special License for the sale of alcohol for consumption on the premises to be in effect on Saturday, September 10, 2022 at the Cady-Boyer Barn in Preservation Park located at 500 N. Ridge Road in Canton, Michigan, County of Wayne.

I further move to authorize the sale and consumption of alcohol at the Thursday Night Live concerts being held on June 30, July 14, July 21, July 28, August 4, August 11, and August 18, 2022; and furthermore; I move that the following resolution be adopted:

That Maraschino's Bar & Restaurant, through its duly elected officers, make application to the MLCC for a Special License for the sale of alcohol for consumption on the premises to be in effect on the following dates during the Thursday Night Live concerts at Heritage Park located at 1010 Canton Center Rd, Canton, Michigan, County of Wayne.

- June 30, 2022
- July 14, 2022
- July 21, 2022
- July 28, 2022
- August 4, 2022
- August 11, 2022
- August 18, 2022

I further move to authorize the sale and consumption of alcohol at the Bites for the Barn event being held on July 12, Aug 2, Sept 13 from 6:00pm-8:00pm; and furthermore; I move that the following resolution be adopted:

That Maraschino's Bar & Restaurant, through its duly elected officers, make application to the MLCC for a Special License for the sale of alcohol for consumption on the premises to be in effect on Jul 12, Aug 2, and Sept 13 during the Bites for the Barn event at Preservation Park located at 500 N. Ridge Rd, Canton, Michigan, County of Wayne.

I further move to authorize the sale and consumption of alcohol at the Pride OUTside Event being held at the amphitheater stage in Heritage Park on July 16, 2022 from 6:30-pm-8:30pm; and furthermore; I move that the following resolution be adopted:

That Maraschino's Bar & Restaurant, through its duly elected officers, make application to the MLCC for a Special License for the sale of alcohol for consumption on the premises to be in effect on July 16, 2022 during the Pride Outside Event at Heritage Park Amphitheater located at 1010 Canton Center Rd, Canton, Michigan, County of Wayne.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM:C-4

ITEM: Consider Purchase of Water Meters and Metering Control Devices for 2022

PRESENTER: Jade Smith, Municipal Services Director

INDIVIDUALS IN ATTENDANCE: None Anticipated

EXECUTIVE SUMMARY: In order to supply and maintain water service for residential and commercial accounts, The Public Works Division maintains an inventory of supplies. This inventory is replenished yearly in order to meet projections for the upcoming year. Equipment such as water meters and radio read transceivers (MXU) are installed for new projects and also replaced as equipment wears out.

The Public Works Division continues an on-going replacement program for older meters and MXU devices. This on-going program allows for older, less accurate devices to be replaced with new accurate devices that provide less water loss in our system. Canton's 26,000 plus active water accounts are now all equipped with radio read devices which allow a streamlined, less labor-intensive collection of meter data.

In the past, Canton has purchased from Etna Supply Company, a sole source supplier for Sensus meters and equipment. For this reason, we are requesting a waiver of the purchase policy requirements to solicit bids. Most of the unit prices stayed the same for 2022 compared to last year. The total value of the inventory required for 2022 is \$473,338.50.

BACKGROUND: Nothing additional

STRATEGIC PLAN/GOALS: Projections indicate that several new residential developments, as well as condominiums and commercial buildings will be constructed in 2022. All new sites will require a water meter and MXU to be installed to accurately measure water consumption. Our on-going maintenance procedures also include monitoring and maintaining present equipment and replacing ineffective equipment when necessary.

ACTION REQUESTED: Accept the quote from Etna Supply Company and approve a purchase order not to exceed \$473,338.50. The Public Works Division proposes to purchase; (150) 5/8x3/4inch Iperl water meters, (400) 1 inch Iperl meters, (400) 1" angle meter stops, (400) 1" meter couplings, (150) 2 inch Omni T2 meters, (5) 3 inch Omni T2 meters, (2) 6 inch Omni T2 meters, and associated maintenance equipment and supplies during the 2022 calendar year.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: The funds for this purchase are budgeted in account #592-536.939 (Inventory Purchased). Revenue offsets a significant amount of this cost from new developments.

IMPLEMENTATION PLAN: Upon approval by the Board of Trustees, the Finance Department will contact the Etna Supply Company 529-32nd Street S.E. Grand Rapids, MI 49548-2392

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION: I move to accept the quote from Etna Supply Company and approve a purchase order not to exceed \$473,338.50 and authorize the Public Works Division to purchase the necessary meter equipment and supplies. I further move to waive the Finance Purchasing Policy requiring formal bids, as these items are supplied under a sole-source contract through the Etna Supply Company.

ATTACHMENTS:

1. 2022 Etna Supply Company Quote

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #G-1

ITEM: Consider First Reading of an amendment to Chapter 22, Article III, Division 2 of the Canton Code of Ordinances entitled “Tax Exemption for Lincolnshire Apartments”

PRESENTER: Wendy Trumbull

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: Lincolnshire Village Apartments on Joy Road participates in the state of Michigan’s low-income housing tax credit program. As such, they are eligible to pay a service charge to Canton Township in lieu of taxes. The service charge, or payment in lieu of taxes (“PILOT”) was originally established by Township ordinance. Due to a recent change in ownership of the complex, an amendment to the ordinance is required.

BACKGROUND: In 2008, Canton Township adopted an ordinance granting Lincolnshire Village Apartments a Payment In Lieu of Taxes (“PILOT”). As is required by state law, an ordinance was adopted by the Township Board establishing the PILOT, which is a payment of 4% of net shelter rents as the service fee in lieu of taxes. A separate Regulatory Agreement was entered into between the property owner and the state of Michigan.

Recently, Lincolnshire Village Apartments was acquired by Lincolnshire Preservation Limited Dividend Housing Association, LLC. This change in ownership requires an amendment to the ordinance. I have attached correspondence from the new owner requesting the change, along with the current PILOT ordinance, and the Regulatory Agreement with the state. The new owner is asking the Township to continue the 4% service fee previously established in the ordinance, although the Township can charge up to 10% of the annual shelter rents obtained from the development. The exemption from taxation can last not longer than 50 years; the current Regulatory Agreement allows for tax exemption through 2039, or a total of 30 years.

A second change to the ordinance is the removal of a reference to a separate, third party beneficiary agreement that has not been enforced since 2016.

STRATEGIC PLAN/GOALS: Ensure all Township agreements are current and in compliance with the law.

ACTION REQUESTED: Introduce, hold the first reading, and schedule the second reading of an amendment to Chapter 22, Article III, Division 2, “Tax Exemption for Lincolnshire Apartments.”

BUDGET IMPLICATIONS & ACCOUNT NUMBER: None, if the 4% service fee remains unchanged.

IMPLEMENTATION PLAN: If approved, a second reading will be scheduled. If the ordinance is approved following the second reading, the ordinance will be published and the property owner will be notified.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approved

SUPERVISOR'S RECOMMENDATION: Approved

MODEL RESOLUTION:

- (1) I move to introduce and hold the first reading of an ordinance amending Chapter 22, Article III, Division 2, "Tax Exemption for Lincolnshire Apartments."
- (2) I further move to schedule a second reading for February 8, 2022.

ATTACHMENTS:

1. Draft text amendment to Chapter 22, Article III, Division 2.
2. Correspondence from Ginosko Development Company and attachments.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #G-2

ITEM: Consider Chipotle Planned Development District Amendment (Amendment #3 of Wal-Mart PDD)

PRESENTER: Jade Smith, Municipal Services Director

OWNER/REPRESENTATIVE: Heather Henika (Applicant) and Mitchel Harvey (Engineer)

EXECUTIVE SUMMARY: The applicant proposes to split 1.1 acres from the Walmart parcel on Michigan Avenue with the intent of constructing a Chipotle fast food restaurant with a pickup window in a 2,432-sq. ft. building. The current 1.1-acre site consists of a parking lot and is part of the Wal-Mart PDD, which was originally approved in 2007 for the current store. The PDD has been amended once for the Walmart store, and a PDD amendment has recently been recommended for approval by the Planning Commission for a Panda Express restaurant west of the proposed Chipotle restaurant (i.e., west of the main Walmart drive from Michigan Ave.). Therefore, the proposed Chipotle PDD amendment will be the third amendment to the Wal-Mart PDD. The site is located on the south side of Michigan Avenue, west of Belleville Road and north of the existing Walmart. The site is zoned C-3, and fast food restaurants are special land uses in the C-3 district. Therefore, a use modification for the proposed fast food restaurant is not necessary in the PD Agreement, and the PDD is in lieu of a Special Land Use. Because Walmart is the only user of the site, allowing another use on the site and party to the PDD Agreement requires a PDD Amendment application.

At its meeting on December 6, 2021, the Planning Commission recommended approval of the PDD Amendment for Chipotle, subject to conditions which have since been satisfied. If the PDD Amendment is approved, the next step will be for the applicant to submit a site plan application, which will be reviewed by the Planning Commission and Township Board.

BACKGROUND AND ANALYSIS:

Location: South side of Michigan Ave., between Belleville Rd. and Beck Rd. (45555 Michigan Ave.; parcel no. 132-99-0003-701)

Existing Zoning: C-3, Regional Commercial (Wal-Mart PDD)

Net Acres: 1.11 acres (proposed Chipotle site)

Existing Land Use: Parking lot

Surrounding Zoning and Land Uses:

North – C-3, Regional Commercial (Shopping Center with Home Depot, Dick's Sporting Goods, and other commercial uses)

South – C-3, Regional Commercial and PDD (Walmart)
RR, Single-family residential

East – C-3, Regional Commercial (Tim Hortons)

West – C-3, Regional Commercial; Panera

Comprehensive Plan: General Commercial

Land Uses. The site is zoned C-3, and fast food restaurants are special land uses in the C-3 district. Therefore, a modification from the Zoning Ordinance is not necessary.

Traffic Impact. Chipotle proposes to use 3 existing access points: 1 on the south side and 2 on the east side. The project sponsor has submitted a Traffic Impact Study (TIS), which states that the operational analysis indicates that the approaches of the study intersections would operate at acceptable levels during both the mid-day and PM peak hours with no proposed improvements. The Township's traffic engineering consultant (Wade Trim) reviewed the TIS and stated that it was prepared according to standard procedures and guidelines required by Wayne County and Canton Township. Wade Trim also stated that, based on the information presented in the TIS, the new trips added to the network as a result of the development will not cause a capacity problem in the area.

Previously, the plans proposed the existing access in the north side of the west site boundary near Michigan Ave. to be converted from a two-way to one-way exit only. However, Wade Trim recommended removing this right-out access point due to the existing problem and delay of this driveway, and the availability of other access points to accommodate this traffic. While this western access drive at Michigan Ave. is signalized and functions at an acceptable Level of Service "C," Wade Trim's concern was that the proximity of Chipotle's intersection with the drive to Michigan Ave. may cause backups onto Chipotle's site. In other words, if a couple of northbound vehicles are stacked at the light at the intersection of the western drive and Michigan Ave., a vehicle trying to exit via the one-way exit in the northwest part of Chipotle's site might not be able to do so unless a vehicle allows them to cut in. As a result, the Planning Commission recommended removal of this one-way exit drive as a condition of approval, and the applicants have since removed this access drive from the plans.

Schedule of Regulations and Modifications. The Chipotle plan meets the Zoning Ordinance requirements of the C-3 district for: front yard setback (85 feet minimum); side yard setback (15 feet minimum); rear yard setback (30 feet minimum), and building height (35 feet maximum).

The following modifications to the Zoning Ordinance standards are as follows:

- **Section 4.01(C)(6) (Number of Parking Spaces and Drive-Through Stacking Spaces).** The current PDD Agreement requires 761 spaces and the proposed number of spaces is 625. As noted below, 625 spaces are sufficient for the existing and

proposed uses. The applicant requests a modification to permit a drive-through lane with 7 stacking spaces instead of the minimum number of 10 stacking spaces. The drive through-lane is for pickup only, and there will not be a menu board. We recommend approval, and the PD Agreement includes language prohibiting a menu board.

- **Section 5.03(C)(2).** The minimum width of interior landscape islands is 12 feet, and 8 feet is proposed. The Planning Commission can also administratively adjust the landscape width during site plan review.
- **Section 5.03(A)(4) (Foundation Landscaping).** A 10-foot deep foundation landscape area is required on the front and sides of buildings that face a public road or parking lot. A minimum depth of 10 feet is proposed, except for a portion of the north side. The Planning Commission can also administratively adjust the foundation landscape depth during site plan review.
- **Section 2.13(C) (Light Intensity).** A maximum light intensity of 0.3 footcandles is permitted along a non-residential lot line. A maximum light intensity of 3.4 footcandles is shown on the west lot line, but the illumination doesn't exceed 0.3 footcandles along most areas of the lot lines. The Planning Commission can also administratively adjust the maximum illumination during site plan review.

Parking and Loading. The First Amendment to the Wal-Mart PDD allowed Walmart's parking lot to be reduced from 811 spaces to 761 spaces. The Panda Express plan (proposed Second PDD Amendment) will result in a reduction of 85 spaces and the Chipotle plan (proposed Third PDD Amendment) will result in a reduction of 51 spaces, which will lower Walmart's parking lot to 625 spaces. Based on the size of the Walmart building (172,298 sq. ft.), number of employees (104), and parking requirements for supermarkets and retail (1 space per 150 sq. ft. plus 1 space per employee), 1,253 parking spaces are required by the Zoning Ordinance. Our review of 24 aerial photographs taken at various times from 2015-2021 indicate that parking levels are far less than the parking lot's capacity. Section 4.01(C)(6) of the Zoning Ordinance allows the Planning Commission to approve a modification to the minimum number of parking spaces. According to the Parking Generation Manual, 5th Edition, published by the Institute of Transportation Engineers, the average peak parking demand for a 172,298-sq. ft. Free-Standing Discount Superstore is between 357 spaces (non-December Saturday) and 419 spaces (December Saturday). Therefore, we believe that the remaining 625 spaces are sufficient for Walmart and recommend approval of this number for the site.

Based on the size of the Chipotle fast food restaurant (1,964 sq. ft. of eating area), number of employees (5), and parking requirements for fast food restaurants (1 space per 50 feet of eating area plus 1 space per employee), 44 spaces are required. Chipotle proposes 44 parking spaces.

The applicant requests a modification to Section 4.01(C)(6) of the Zoning Ordinance to permit a drive-through lane with 7 stacking spaces instead of the minimum number of 10 stacking spaces. The drive through-lane is for pickup only, and there will not be a menu board. At its meeting on December 6, 2021, the Planning Commission recommended approval of this modification, provided that the PD Agreement includes language prohibiting

a menu board. The applicant has since modified the PD Agreement to prohibit a menu board.

Section 4.02 of the Zoning Ordinance requires a loading area. Since the December 6, 2021 Planning Commission meeting, the plans have been revised to include a 10' x 50' loading area south of the southern drive aisle, just west of the dumpster.

Architecture. The elevations of the building indicate that more than 50% of the façade material will be brick as required by Section 26.06 of the Zoning Ordinance; however, the plans will be required to include the exact percentage of brick during site plan review. The height of the proposed building from grade to the top of the parapet is 21 feet, and Sheet PP-3 illustrates a sufficient parapet height from the top of the roof to screen the rooftop mechanical equipment pursuant to Section 2.26 of the Zoning Ordinance.

Sidewalks. A sidewalk is proposed to connect the existing sidewalk along the south side of Michigan Ave. to the north side of the proposed building. Additionally, sidewalks are proposed along the west, north, and south sides of the building. Sidewalks meet the minimum width requirement of 5 feet, except that the sidewalks on the north and west sides of the building are 7 feet wide to allow for up to 2 feet of vehicle overhang from the adjacent parking spaces.

Landscaping. Although a landscape plan is not required at the time of PD review, a landscape plan is provided that is designed to comply with the requirements of Article 5 of the Zoning Ordinance for: frontage landscaping along Michigan Ave.; parking lot landscaping (except where a modification is requested); divider median landscaping; building foundation landscaping (except where a modification is requested); general site landscaping; and mechanical equipment screening. The applicant requests a modification to the interior landscaping area requirements to allow a minimum dimension to be 8 feet wide instead of the required width of 12 feet. The Planning Commission can also administratively adjust the foundation landscape depth during site plan review. The applicant proposes to comply with the tree replacement standards of Article 5A of the Zoning Ordinance.

Since the December 6, 2021 Planning Commission meeting, the plans have been revised to include the size and species of existing trees that are to remain on the site and a requirement to replace any existing landscaping material that may be damaged during construction. At the time of site plan review, the plans must provide cross-section details for the berm along Michigan Avenue to ensure compliance with Section 5.03(A)(1) of the Zoning Ordinance, as well as a grading plan to provide the required berm heights.

Lighting. Locations of light poles and fixtures are shown on the plans. During site plan review, plans must be revised to ensure that all wall-mounted fixtures (Fixture 'E') are full cutoff pursuant to Section 2.13 of the Zoning Ordinance. The applicant requests a modification to Section 2.13 of the Zoning Ordinance that requires the light level intensity at a non-residential lot line to not exceed 0.3 footcandles. The applicant proposes a maximum intensity of 3.4 footcandles at one of the lot lines. The Planning Commission can also administratively adjust the maximum illumination during site plan review.

Signage. Signs are reviewed by the Building & Inspection Services Division after site plan review. We will defer to the Building & Inspections Division on the permit review for all signs. A ground sign is proposed, but the applicant may want to consider partnering with Walmart and other potential users for a larger multi-tenant sign.

Dumpster Enclosure. The dumpster enclosure is designed to comply with the requirements of Section 2.14 of the Zoning Ordinance, and the dumpster enclosure wall will match the building.

PD Agreement. The PD Agreement has been drafted to meet Township's requirements.

- **Community Planner's Recommendation:** Approval of the Planned Development District Amendment for Chipotle on parcel no.: 71-132-99-0003-701, as provided in the Planned Development Agreement and plan documents, including a modification to the minimum number of parking spaces, minimum number of drive-through stacking spaces, minimum foundation landscape depth, minimum parking lot landscape depth, and maximum illumination as stated in the plan documents and PD Agreement, subject to all applicable state, county, and municipal development requirements except where modifications to the Zoning Ordinance have been granted.
- **Planning Commission's Recommendation:** At its meeting on December 6, 2021, the Planning Commission voted 8-0 to recommend approval of the Planned Development District Amendment for Chipotle on parcel no. 132-99-0003-701, as provided in the Planned Development Agreement and plan documents, including a modification to the minimum number of parking spaces, minimum number of drive-through stacking spaces, minimum foundation landscape depth, minimum parking lot landscape depth, and maximum illumination as stated in the plan documents and PD Agreement, subject to the following: (1) addressing any remaining requirements of the Township Attorney in the PD Agreement; (2) including language in the PD Agreement prohibiting a menu board and stating that the drive through-lane is for pickup of previously-ordered food; (3) showing compliance with the Zoning Ordinance on the PD plans for other items noted by Township staff; and (4) removing the right-out access point located on the north side of the west site boundary.

After the December 6, 2021 Planning Commission meeting, the applicants revised the PD Agreement to prohibit a menu board, and the applicants revised the PD plans to remove the right-out access point, add a conforming loading area, include the size and species of existing trees that are to remain on the site, and included a requirement to replace any existing landscaping material that may be damaged during construction.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Approve Amendment No 3 to the Wal-Mart Planned Development District on tax parcel no. 71-132-99-0003-701 at 45555 Michigan Avenue, as provided in the Planned Development District Agreement Amendment and plan documents, subject to all applicable state, county, and municipal development requirements except where modifications to

the Zoning Ordinance have been granted.

BUDGET IMPLICATION & ACCOUNT NUMBER: N/A.

IMPLEMENTATION PLAN: N/A.

MUNICIPAL SERVICES DIRECTOR'S RECOMMENDATION: Approval

ENGINEERING SERVICES DIVISION'S RECOMMENDATION: Approval of Final PDD, subject to outside agency permits required during Engineering review.

FIRE MARSHAL'S RECOMMENDATION: Approval of Final PDD, subject to the following being satisfied during site plan review: locations of fire department connections; locations of staging of construction material and construction parking; and locations of fire lane signs.

BUILDING OFFICIAL'S RECOMMENDATION: N/A.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: N/A.

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION:

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MICHIGAN

Approval of Wal-Mart Planned Development District Amendment No. 3 for Chipotle

WHEREAS, the Project Sponsor has requested approval of Amendment No. 3 to the Wal-Mart Planned Development District for Chipotle, located on the south side of Michigan Avenue between Belleville Road and Beck Road; and,

WHEREAS, the Planning Commission reviewed the Amended Planned Development Plan and Planned Development Agreement, and voted 8-0 to recommend approval of the request, with conditions, as it is consistent with the Wal-Mart Planned Development and complies with the applicable site design requirements of the Zoning Ordinance except where modifications are approved;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve Amendment No 3 to the Wal-Mart Planned Development District on tax parcel no. 71-132-99-0003-701 at 45555 Michigan Avenue, as provided in the Planned Development District Agreement Amendment and plan documents, subject to all applicable state, county, and municipal development requirements except where modifications to the Zoning Ordinance have been granted.

ATTACHMENTS:

1. Planning Commission Minutes
2. Zoning Map and Location Map
3. PDD Plan
4. Traffic Impact Study and Wade Trim Review
5. Proposed PDD Agreement

NEXT STEPS: If the PDD Amendment is approved, the next step will be for the applicant to submit a site plan application, which will be reviewed by the Planning Commission and Township Board. The PDD plans include more details than are typically required on a PDD plan, so many of the staff comments are regarding elements that will be addressed at the time of site plan review.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #G-3

<u>ITEM:</u> Consider Special Land Use for Fast Food Drive-Thru Restaurant (Dunkin' Donuts)
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PRESENTER: Jade Smith, Municipal Services Director

OWNER/REPRESENTATIVE: Becky Klein (PEA Group)/Amit Patel (OM Canton Realty, LLC)

EXECUTIVE SUMMARY: The project sponsor proposes to construct a 1,836-sq. ft. Dunkin' Donuts fast food drive-thru restaurant on a parcel located on the east side of Haggerty Rd between Michigan Ave and Old Michigan Ave. The parcel is split into two (2) separate zoning districts. The western area is zoned C-3, Regional Commercial, and the east area is zoned C-4, Interchange Service. The fast food drive-thru restaurant is proposed to be located entirely on the area of the parcel that is zoned C-3. Fast food drive-thru restaurants are special land uses in the C-3 district.

At its meeting on January 3, 2022, the Planning Commission recommended approval of the special land use, subject to conditions. If the special land use is approved, the next step will be for the applicant to submit a site plan application, which will be reviewed by the Planning Commission and Township Board. The special land use plans include more details than are typically required on a special land use plan, so many of the staff comments are regarding elements that will be addressed at the time of site plan review.

BACKGROUND AND ANALYSIS:

Location: East side of Haggerty Rd, between Michigan Ave. and Old Michigan Ave. (parcel no. 142-99-0020-000; no address)

Net Acres: Approximately 1.75 acres

Existing Land Use(s): Vacant

Existing Zoning: C-3, Regional Commercial, except that the eastern portion of parcel 142-99-0020-000 is zoned C-4 (see plans).

Surrounding Zoning and Land Uses:

North – WC, Wetlands Conservation, outdoor recreation and Western Townships Utility Authority

South – RMH, Mobile Home Park, Sherwood Village

East – C-4, Downer Cemetery

West – C-3, Marathon Gas Station, Jimmy John's

Comprehensive Plan Future Land Use Map Classification: General Commercial

Surrounding Comprehensive Plan Future Land Use Map Classifications:

North – Community Facilities

South – General Commercial

East – General Commercial

West – General Commercial

Proposed Special Land Use: The proposed use of a fast food drive-thru restaurant is a special land use in the C-3 zoning district. The proposed use is similar to the adjacent uses to the west (i.e., Marathon Gas Station & Jimmy John's). Our findings on the special land use criteria of the Zoning Ordinance are addressed at the end of this review letter.

Schedule of Regulations: Based on the configuration of the lot, which has a building envelope of about 144 sq. ft., it is not possible for the development of the parcel in compliance with the dimensional requirements for commercial structure in the Zoning Ordinance. Therefore, the applicant applied for and received variances by the Zoning Board of Appeals at its December 9, 2021 meeting for the following requests:

- Required 85 ft. Front Yard Setbacks (Michigan Ave and Old Michigan Ave)
 - Principal structure to encroach 8 ft. into the required 85-foot front yard setback along Michigan Ave.
 - Principal structure to encroach 32.32 ft. into the required 85-foot front yard setback along Old Michigan Ave.
- Trash Enclosure Location
 - Trash enclosure to be located in front yard along Michigan Ave.
- Loading Area
 - Loading area to be located in front yard along Michigan Ave.

The updated plans illustrate that the proposed development is designed to comply with the dimensional requirements for fast-food drive-thru restaurants in the C-3 zoning district for: minimum frontage (125 feet), maximum building height (3 stories), minimum front yard setback from Michigan Ave. (77 feet per ZBA), minimum front yard setback from Haggerty Rd. (85 feet), minimum front yard setback from Old Michigan Ave (52.68 feet per ZBA), minimum rear yard setback (30 feet).

Traffic Impact: There is one proposed means of ingress/egress: from Old Michigan Ave. The applicant has submitted a traffic impact study (TIS), dated October 19, 2021. The TIS included operational analysis for the six (6) intersections surrounding the subject site:

- US-12 (Michigan Avenue) and Haggerty Road (North Intersection)
- US-12 (Michigan Avenue) and Haggerty Road (South Intersection)
- Eastbound US-12 (Michigan Avenue) at crossover approximately 680 feet west of Haggerty Road
- Westbound US-12 (Michigan Avenue) at crossover approximately 520 feet east of Haggerty Road

- Haggerty Road and Old Michigan Avenue
- Old Michigan Avenue and Site Driveway
 - Proposed driveway approximately 310 feet east of Haggerty Road

The TIS stated that most approaches of the study intersections would operate at acceptable levels during both the AM and PM peak hours and that, overall, the proposed development does not have a significant impact on the surrounding public road network.

Canton Townships transportation engineering consultant (Wade Trim) reviewed the TIS and noted that the TIS was prepared according to standard procedures and guidelines required by Wayne County and Canton Township. However, Wade Trim recommends that consideration be given to using “Stop” bars on Haggerty Road at the intersection of Old Michigan Avenue and traffic signs “Do Not Block Intersection” to permit a gap in the queue on northbound Haggerty Road for traffic turning into and out of the Dunkin’ facility. When the Planning Commission recommended approval of the Special Land Use at its January 3, 2022 meeting, it adopted a condition that the “Stop” bars and “Do Not Block Intersection” signs be installed, if permitted by Wayne County.

Access Management and Drive-Thru Lanes: The plans include turning radii and travel path for a semi-trailer, garbage truck, and fire truck. The turn movements of large vehicles is very tight and will interfere with the drive-thru aisle and possibly cause damage to the landscape area. We recommend that these circulation issues be addressed during site plan review.

Parking: The parking requirement for drive-thru restaurants is: 1 parking space per 50 sq. ft. of eating area, 1 parking space per employee, and 10 stacking spaces.

The plans indicate that there will be 540 sq. ft of eating area out of the 1,836 sq. ft. of total building area, which requires 11 spaces. The eating area dimension must be confirmed on the floor plan during site plan review. The plans indicate that there will be 5 employees, so a total of 16 spaces are required. There are 16 parking spaces proposed. Additionally, there are 13 stacking spaces proposed.

The Planning Commission will review the parking requirements in greater detail during site plan review. The applicant must include more details on the eating area to ensure that the square footage is accurate for calculating the parking requirement at that time.

Loading: Section 4.02(B)(1) of the Zoning Ordinance requires loading areas to be located in the side or rear yards. As noted above, the Zoning Board of Appeals granted the requested variance to permit the loading area to be located in the front yard along Michigan Ave. The loading area, measured 10 ft. x 50 ft., is located outside of the drive-thru stacking area and is proposed to be screened from Michigan Avenue by a guard rail and landscaping.

Architecture: The submitted plans include elevation pages with material and color specifications. The percentages of each material used has not been included and must be included on the site plan when the site plan application is made. However, the building

appears to have the minimum 50% brick required by Section 26.06 of the Zoning Ordinance. The Planning Commission will review the building materials in more detail during site plan review.

When the site plan is submitted, it must also include the height of the structure from grade to parapet.

Landscaping, Screening, and Tree Preservation: A landscape plan is not required at the time of Special Land Use plan review. Sheet C-2.0 includes an illustrative landscape plan with a note that a full landscape plan in compliance with all standards of Article 5 will be submitted during site plan review.

Sheet C-2.0 also includes a note of requested waivers from the landscaping requirements, which will be determined at the time of site plan review:

- Reduce 20-ft. landscape belt to 9 ft. along Haggerty Rd.
- Reduce 20-ft. landscape belt to 18 ft. along Michigan Ave.

As part of the submittal for site plan review, a tree preservation/removal plan is required, including a detailed sheet noting the vegetation to be preserved and removed on the subject site.

Sidewalks: A 5-foot wide sidewalk is proposed along the site's frontage adjacent to Old Michigan Ave. Additionally, internal sidewalks and crosswalks are proposed from the south property line along the drive-thru lane to the principal structure. A sidewalk along the Michigan Ave. frontage is not recommended by the Planning Division and Engineering Division due to safety concerns along the site's Michigan Ave. frontage.

Lighting: A photometric plan is not required at the time of Special Land Use review, but will be required at the time of site plan review pursuant to Section 2.13 of the Zoning Ordinance.

Signage: In addition to the variances for the front yard setbacks and location of the dumpster enclosure and loading area, the applicant requested a variance for a 12 ft. tall ground sign to be located on the northwest corner of the site. The Zoning Board of Appeals denied the request. The revised plans include an 8 ft. wide x 6 ft. high ground sign. The maximum height for ground signs is 6 ft. and the maximum area is 24 sq. ft. Additionally, the elevation pages include wall signs on the north, south, and west elevations. Compliance with Article 6A will be reviewed at the time of site plan review, and we will defer to the Building and Inspection Services Division regarding whether the signs illustrated meet the requirements of the Zoning Ordinance. Required changes will include removing the pre-menu board, removing the side panels from the menu board, and revising any sign that does not meet the legibility and design requirements of Section 6A.25.

Dumpster Enclosure: One dumpster is proposed east of the building. At its December 9, 2021 meeting, the Zoning Board of Appeals granted the requested variance for the location of the dumpster enclosure in the front yard. The plans include details for the enclosure,

including the height of the masonry walls, bollards, and gate/screening materials. At the time of site plan review, the plans must show compliance with Section 2.14 of the Zoning Ordinance. At its meeting on January 3, 2022, the Planning Commission adopted a condition of approval to limit dumpster pick-up to the hours of 7 a.m. to 7 p.m.

Special Land Use Review Standards: Based on the items noted above, we find that the proposed fast food drive-thru restaurant in Canton Township meets the Special Land Use criteria of Section 27.03(C) of the Zoning Ordinance as follows, subject to the above items being corrected or otherwise addressed at the time of site plan review:

- The proposed fast food drive-thru restaurant use will be compatible with adjacent nonresidential land uses to the west, as well as the residential uses to the south.
- The proposed fast food drive-thru restaurant use will be compatible with the principles and objectives of the Canton Township Master Plan with regard to the General Commercial classification on the Future Land Use Map and the commercial land uses along Michigan Ave.
- The proposed uses will continue to be adequately served by essential public facilities and services, subject to any requirements of the Canton Township Engineering Division regarding necessary installations for water and sanitary sewer facilities.
- The site will have access to Old Michigan Ave. which will serve to prevent curb cuts on Michigan Ave.
- The site will have a pedestrian circulation system, including sidewalk along Old Michigan Ave., and internal sidewalks and crosswalks for employees and visitors.
- The proposed use is not expected to be detrimental to public health, safety, and welfare.
- The proposed uses will enhance the surrounding environment.
- The proposed use will not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings.
- The location of the proposed use will not result in a residential use being surrounded by non-residential uses.
- The proposed use is expected to enhance the economic well-being and welfare of the Township.

- **Community Planner's Recommendation:** Approval of the special land use for a fast food drive-thru restaurant use on parcel no. 142-99-0020-000 for the reasons stated in the above analysis, subject to specific design criteria noted by staff to be addressed and corrected at the time of site plan review, installation of "Stop" bars and "Do Not Block Intersection" signs, if permitted by Wayne County, and to limit dumpster pick-up to the hours of 7 a.m. to 7 p.m.
- **Planning Commission's Recommendation:** At its meeting on January 3, 2022, the Planning Commission voted 7-0 to recommend approval of the special land use for a fast food drive-thru restaurant use on parcel no. 142-99-0020-000 as the request meets the Special Land Use criteria of the Canton Township Zoning Ordinance pursuant to the information and plans provided, subject to specific design criteria noted by staff to be addressed and corrected at the time of site plan review, installation of "Stop" bars and "Do Not Block Intersection" signs, if permitted by Wayne County, and to limit dumpster pick-up to the hours of 7 a.m. to 7 p.m.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Approval of the special land use for a fast food drive-thru restaurant use on parcel no. 142-99-0020-000 as illustrated on the Special Land Use Plan for the reasons stated in the above analysis, subject to specific design criteria noted by staff to be addressed and corrected at the time of site plan review, installation of “Stop” bars and “Do Not Block Intersection” signs, if permitted by Wayne County, and to limit dumpster pick-up to the hours of 7 a.m. to 7 p.m.

BUDGET IMPLICATION & ACCOUNT NUMBER: N/A.

IMPLEMENTATION PLAN: N/A.

MUNICIPAL SERVICES DIRECTOR’S RECOMMENDATION: Approval

ENGINEERING SERVICES DIVISION’S RECOMMENDATION: Approval, with concerns noted on future traffic impact.

FIRE MARSHAL’S RECOMMENDATION: Approval.

BUILDING OFFICIAL’S RECOMMENDATION: N/A.

FINANCE AND BUDGET DIRECTOR’S RECOMMENDATION: N/A.

SUPERVISOR’S RECOMMENDATION: Approval

MODEL RESOLUTION:

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MICHIGAN

Approval of the Special Land Use for Dunkin’ Donuts

WHEREAS, the Project Sponsor has requested special land use approval for a fast food drive-through restaurant use on parcel 142-99-0020-000, located on the east side of Haggerty Rd between Michigan Ave and Old Michigan Avenue; and

WHEREAS, the Planning Commission reviewed the request and applicable criteria and voted 7-0 to recommend approval, with conditions, as the request meets the criteria of special land use approval in Section 27.03(C) of the Zoning Ordinance;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the special land use for a fast food drive-through restaurant use on parcel on parcel 142-99-0020-000, located on the east side of Haggerty Rd between Michigan Ave and Old Michigan Avenue, as the request meets the Special Land Use criteria of the Canton Township Zoning Ordinance pursuant to the information and plans

provided, subject to specific design criteria noted by staff to be addressed and corrected at the time of site plan review, installation of “Stop” bars and “Do Not Block Intersection” signs, if permitted by Wayne County, and to limit dumpster pick-up to the hours of 7 a.m. to 7 p.m.

ATTACHMENTS:

1. Planning Commission Minutes
2. Zoning Map and Aerial Map
3. Special Land Use Plans
4. Traffic Impact Study and Wade Trim Review
5. Special Land Use Criteria

NEXT STEPS: If the Special Land Use is approved, the next step will be for the applicant to submit a site plan application, which will be reviewed by the Planning Commission and Township Board. The special land use plans include more details than are typically required on a special land use plan, so many of the staff comments are regarding elements that will be addressed at the time of site plan review.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #G-4

ITEM: Consider Panda Express Planned Development District Amendment (Amendment #2 of Wal-Mart PDD) and Site Plan Approval

PRESENTER: Jade Smith, Municipal Services Director

OWNER/REPRESENTATIVE: Valentino Mancini (Project Sponsor) and Michael McPherson (Engineer)

EXECUTIVE SUMMARY: The applicant proposes to split 1.3 acres from the Walmart parcel on Michigan Avenue with the intent of constructing a Panda Express fast food drive-through restaurant in a 2,300-sq. ft. building. The current 1.3-acre site consists of a parking lot and is part of the Wal-Mart PDD, which was originally approved in 2007 for the current store. The PDD has been amended once for the Walmart store, and the proposed Panda Express PDD amendment will be the second amendment to the Wal-Mart PDD. Additionally, a PDD amendment has recently been recommended for approval by the Planning Commission for a Chipotle restaurant east of the proposed Panda Express (i.e., east of the main Walmart drive from Michigan Ave.). The proposed Chipotle restaurant would be the third amendment to the Wal-Mart PDD, which will be reviewed by the Township Board of Trustees under a separate agenda item. The Panda Express site is located on the south side of Michigan Avenue, west of Belleville Road and north of the existing Walmart. The site is zoned C-3, and fast food restaurants are special land uses in the C-3 district. Therefore, a use modification for the proposed fast food restaurant is not necessary in the PD Agreement, and the PDD is in lieu of a Special Land Use. Because Walmart is the only user of the site, allowing another use on the site and party to the PDD Agreement requires a PDD Amendment application.

At its meeting on January 3, 2022, the Planning Commission recommended approval of the PDD Amendment and site plan for Panda Express, subject to conditions which have since been satisfied. If the PDD Amendment and Site Plan is approved, there will be no further reviews by the Planning Commission or Township Board unless amendments are proposed to the PDD or site plan.

BACKGROUND AND ANALYSIS:

Location: South side of Michigan Ave., between Belleville Rd. and Beck Rd. (45555 Michigan Ave.; parcel no. 132-99-0003-701)

Existing Zoning: C-3, Regional Commercial (Wal-Mart PDD)

Net Acres: 1.31 acres (proposed Panda Express site)

Existing Land Use: Parking lot

Surrounding Zoning and Land Uses:

North – C-3, Regional Commercial (Shopping Center with Home Depot, Dick’s Sporting Goods, and other commercial uses)

South – C-3, Regional Commercial and PDD (Walmart)
RR, Single-family residential

East – C-3, Regional Commercial (Tim Hortons)

West – C-3, Regional Commercial; Panera

Comprehensive Plan: General Commercial

Land Uses. The site is zoned C-3, and fast food restaurants are special land uses in the C-3 district. Therefore, a use modification for the proposed fast food restaurant is not necessary in the PDD Agreement.

Traffic Impact. Panda Express will have one (1) entry point from the existing access drive to the south, located in the southeast corner of the site. Panda Express will have three (3) exit points: two exit points onto the existing access drive to the south (one of which is at the entry point) and one exit point to the west drive which is also an exit point for Panera to the west. The project sponsor has submitted a Traffic Impact Assessment (TIA) prepared by ROWE, which states that the northbound approach on West Site Drive (Panera drive aisle) will have a Level of Service “E.” Additionally, the TIA states that the eastbound-to-westbound crossover on Michigan Ave. has the potential to queue back past the West Site Drive, causing additional queuing on the northbound approach at the West Site Drive. In its July 29, 2021 review letter of the TIA, the Township’s traffic engineering consultant (Wade Trim) recommended removal of the proposed driveway to the West Site Drive. Since that time, ROWE and Wade Trim have discussed the TIA, and Wade Trim agreed with leaving the proposed driveway to the West Site Drive because the on-site traffic in that area moved in a counterclockwise direction. Wade Trim’s review letter of November 30, 2021 concludes the following: *“The traffic impact study was prepared according to standard procedures and guidelines required by Wayne County and Canton Township. Based on the information presented in the study report, the new traffic at the existing and proposed driveways will add to the capacity limitations on eastbound US-12 (Michigan Avenue). This development will not have a major negative impact on the capacity of US-12 (Michigan Avenue).”* Although Wade Trim also stated that a calibration and validation process was required, Wade Trim subsequently clarified that the calibration and validation process was not necessary because the 2019 counts in the study were actual counts and not projections.

The applicants have revised the plans to add a sign in the northwest corner that reads “Do Not Enter” on the side facing west and “Right Turn Only” on the side facing east. This will indicate to drivers in the west site drive that they cannot enter the Panda site and it will inform drivers on Panda’s site they must turn right to exit.

Schedule of Regulations and Modifications. The Panda Express plan meets the Zoning Ordinance requirements of the C-3 district for: front yard setback (85 feet minimum); side yard setback (15 feet minimum); rear yard setback (30 feet minimum), and building height (35 feet maximum).

Parking and Loading. The First Amendment to the Wal-Mart PDD allowed Walmart's parking lot to be reduced from 811 spaces to 761 spaces. The Panda Express plan (proposed Second PDD Amendment) will result in a reduction of 85 spaces and the Chipotle plan (proposed Third PDD Amendment) will result in a reduction of 51 spaces, which will lower Walmart's parking lot to 625 spaces. Based on the size of the Walmart building (172,298 sq. ft.), number of employees (104), and parking requirements for supermarkets and retail (1 space per 150 sq. ft. plus 1 space per employee), 1,253 parking spaces are required by the Zoning Ordinance. Our review of 24 aerial photographs taken at various times from 2015-2021 indicate that parking levels are far less than the parking lot's capacity. Section 4.01(C)(6) of the Zoning Ordinance allows the Planning Commission to approve a modification to the minimum number of parking spaces. According to the Parking Generation Manual, 5th Edition, published by the Institute of Transportation Engineers, the average peak parking demand for a 172,298-sq. ft. Free-Standing Discount Superstore is between 357 spaces (non-December Saturday) and 419 spaces (December Saturday). Therefore, we believe that the remaining 625 spaces are sufficient for Walmart and recommend approval of this number for the site.

Based on the size of the Panda Express fast food restaurant (1,155 sq. ft. of eating area), number of employees (8), and parking requirements for fast food restaurants (1 space per 50 feet of eating area, plus 1 space per employee), 31 spaces are required. Panda Express proposes 42 parking spaces, which partially makes up for the reduction in the number of spaces for Walmart. However, as noted above, Walmart's remaining parking lot is sufficient for its parking demand. Section 4.01(C)(6) of the Zoning Ordinance allows the maximum number of parking spaces to be 10% greater than the minimum number of spaces unless a larger number of spaces can be justified. According to the applicant, the restaurant will have 66 seats and they estimate about 1.5 customers per vehicle. At full capacity with 66 seats and 8 employees, 42 spaces could be occupied.

Pursuant to the Planning Commission's condition of approval at its January 3, 2022 meeting, the applicants have revised the plans to remove the bumper blocks adjacent to the sidewalks.

Architecture. The architectural plans submitted show the 50% brick/masonry required by Section 26.06 of the Zoning Ordinance, and the proposed elevations exceed this requirement. The building will be a mix of brick (53%), stone (14%), glazing/windows (8%), fiberon (12%), EIFS (7%), and metal (6%). The height of the building from grade to the top of the parapet is 22 feet, and Sheets A-200 and A-201 illustrate a sufficient parapet height from the top of the roof to screen the rooftop mechanical equipment pursuant to Section 2.26 of the Zoning Ordinance.

Sidewalks. A concrete sidewalk is proposed to connect the existing sidewalk along the south side of Michigan Ave. to the north side of the proposed building. Additionally, concrete

sidewalks are proposed along the west, north, and east sides of the building. Sidewalks meet the minimum width requirement of 5 feet, except that the sidewalks on the north and east sides of the building are 7 feet wide to allow for up to 2 feet of vehicle overhang from the adjacent parking spaces.

Landscaping. The landscape plan is designed to comply with the requirements of Article 5 of the Zoning Ordinance for: frontage landscaping along Michigan Ave.; parking lot landscaping; divider median landscaping; building foundation landscaping; and mechanical equipment screening. To increase traffic visibility from Michigan Ave. to the building, some of the required frontage evergreen trees and ornamental trees have been located south of the required berm but are still located within the required front yard area.

At its meeting on January 3, 2022, the Planning Commission approved a modification to the foundation landscaping requirements to allow the depth of the foundation landscaping to be less than 10 feet, as widening these landscape areas would interfere with the fire lane and cause major realignments to the site. The depth of the foundation landscaping ranges from 4 feet to 7.2 feet. The required foundation plantings are shown on the plans, with all of the required shrubs adjacent to the building but the required ornamental trees are relocated to the southwest median.

Lighting. Locations of light poles and fixtures are shown on the plans. Pursuant to the Planning Commission's condition of approval at its January 3, 2022 meeting, the applicants have revised the lighting plans to ensure that all wall-mounted fixtures are full cutoff pursuant to Section 2.13 of the Zoning Ordinance.

Signage. Signs are reviewed by the Building & Inspection Services Division after site plan review. The sign plans have been prepared with the intent of complying with the signage standards of Article 6A of the Zoning Ordinance, and we will defer to the Building & Inspections Division on the sign administration.

The "Walmart" ground sign at the northeast corner of the site is proposed to be removed and replaced on Walmart's site. If a multiple-tenant sign is proposed, it must be included on a future site plan for the Planning Commission's review. While a multiple-tenant sign is illustrated in the sign package, it requires a separate Master Sign Plan application for review.

Dumpster Enclosure. The dumpster enclosure is designed to comply with the requirements of Section 2.14 of the Zoning Ordinance, and the dumpster enclosure wall will match the brick building. The dumpster enclosure is located in the side yard on the west side of the building, which is permitted by the Zoning Ordinance. During its January 3, 2022 meeting, the Planning Commission expressed concern with the visibility of the dumpster enclosure from Michigan Ave. There are seven (7) Arborvitae proposed on the north side of the dumpster enclosure to partially screen it from Michigan Ave., and the applicants have revised the plans to increase the height of these Arborvitae to 6 feet. The dumpster gates will face westward toward the west access drive, which will be partially screened from the adjacent site to the west (Panera) by a row of spruce trees proposed in the western landscape island.

PD Agreement. The PDD Agreement and Access Easement have been revised to meet Township's requirements, and we will defer to the Township Attorney on any remaining requirements.

- **Community Planner's Recommendation:** Approval of the Planned Development District Amendment and Site Plan for Panda Express on parcel no.: 71-132-99-0003-701, as provided in the Planned Development Agreement and plan documents, including modifications to the minimum number of parking spaces and to the minimum foundation landscape depth, subject to all applicable state, county, and municipal development requirements except where modifications to the Zoning Ordinance have been granted.
- **Planning Commission's Recommendation:** At its meeting on January 3, 2022, the Planning Commission voted 7-0 to recommend approval of the Planned Development District Amendment and Site Plan for Panda Express on parcel no. 132-99-0003-701, including modifications to the landscape requirements to allow foundation landscaping depths of less than 10 feet, subject to receipt of revised plans prior to action by the Township Board that include the following: (1) removal of bumper blocks; (2) adjustment of the lighting plan to comply with Section 2.13 of the Zoning Ordinance; (3) reduction in the wall sign area pursuant to Section 6A.17 of the Zoning Ordinance; and (4) any necessary modifications to the PDD Agreement and access easement to the satisfaction of the Township Attorney.

After the January 3, 2022 Planning Commission meeting, the applicants revised the PD plans and site plan to remove the bumper blocks, modify the lighting plan to comply with Section 2.13 of the Zoning Ordinance, and adjust the sign area with the intent of complying with Article 6A of the Zoning Ordinance. Additionally, the applicants revised the plans to increase the height of the Arborvitae on the north side of the dumpster enclosure to 6 feet, and to add a sign in the northwest corner that reads "Do Not Enter" on the side facing west and "Right Turn Only" on the side facing east.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Approve Amendment No 2 to the Wal-Mart Planned Development District and approval of the site plan for Panda Express on tax parcel no. 71-132-99-0003-701 at 45555 Michigan Avenue, as provided in the Planned Development District Agreement Amendment and site plan documents, subject to any necessary modifications to the PDD Agreement and access easement to the satisfaction of the Township Attorney and subject to all applicable state, county, and municipal development requirements except where modifications to the Zoning Ordinance have been granted.

BUDGET IMPLICATION & ACCOUNT NUMBER: N/A.

IMPLEMENTATION PLAN: N/A.

MUNICIPAL SERVICES DIRECTOR'S RECOMMENDATION: Approval

ENGINEERING SERVICES DIVISION'S RECOMMENDATION: Approval.

FIRE MARSHAL’S RECOMMENDATION: Approval.

BUILDING OFFICIAL’S RECOMMENDATION: N/A.

FINANCE AND BUDGET DIRECTOR’S RECOMMENDATION: N/A.

SUPERVISOR’S RECOMMENDATION: Approval

MODEL RESOLUTION:

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MICHIGAN

**Approval of Wal-Mart Planned Development District Amendment No. 2 for Panda Express
and Site Plan**

WHEREAS, the Project Sponsor has requested approval of Amendment No. 2 to the Wal-Mart Planned Development District and approval of a site plan for Panda Express, located on the south side of Michigan Avenue between Belleville Road and Beck Road; and,

WHEREAS, the Planning Commission reviewed the Amended Planned Development Plan, Planned Development Agreement, and site plan, and voted 7-0 to recommend approval of the request, with conditions, as it is consistent with the Wal-Mart Planned Development and complies with the applicable site design requirements of the Zoning Ordinance except where modifications are approved;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve Amendment No 2 to the Wal-Mart Planned Development District and Site Plan on tax parcel no. 71-132-99-0003-701 at 45555 Michigan Avenue, as provided in the Planned Development District Agreement Amendment and site plan documents, subject to any necessary modifications to the PDD Agreement and access easement to the satisfaction of the Township Attorney and subject to all applicable state, county, and municipal development requirements except where modifications to the Zoning Ordinance have been granted.

ATTACHMENTS:

1. Planning Commission Minutes
2. Zoning Map and Location Map
3. PDD Plan/Site Plan
4. Traffic Impact Study and Wade Trim Review
5. Proposed PDD Agreement

NEXT STEPS: If the PDD Amendment and Site Plan are approved, there will be no further reviews by the Planning Commission or Township Board unless amendments are proposed to the

PDD or site plan. The next step will be for the applicant to submit plans to the Engineering Services Division and Building & Inspections Services Division for review prior to construction.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #G-5

ITEM: Consider First Reading of an Ordinance to Amend Chapter 74, Article II, Division 2, Subdivision II to Establish a Pumped Sanitary Sewer District and Other Updates

PRESENTER: Jade Smith, Municipal Services Director

INDIVIDUALS IN ATTENDANCE: None Anticipated

EXECUTIVE SUMMARY: There is an approximately 148-acre undeveloped area south of Ford Road along Lotz Road that does not have access to sanitary sewer [generally south of Home Depot]. Due to the Willow Creek this area requires a sewer pump station to allow sewer service. Most of the area is currently master-planned as high to medium density mixed use (residential/commercial). Biltmore, the developer of a proposed 38-acre apartment complex south of Willow Creek (Tremont), is preparing detailed engineering plans, and asked if the Township could financially assist with the pump station construction. They made this request in the interest of not bearing the entire estimated \$1,100,000 cost. This sanitary facility will be turned over to the Township as a public asset, and will ultimately serve the larger sewer district.

Municipal Services Department (MSD) and Legal Counsel drafted an ordinance amendment to allow for the Township to participate in the construction of the pump station *and* create a mechanism for the Township to recover those expenditures through a unit charge for any future development, thus spreading the pump station costs amongst the current and future developments. Based on anticipated development, the unit charge has been determined to be \$1,213 per unit. Biltmore has agreed to construct the pump station, with reimbursement from the Township for a fixed amount over their committed unit charge. The commitment from the Township for the pump station will have a not-to-exceed amount of \$774,916, paid out of the Sewer fund [NOTE: This amount was calculated by subtracting the Tremont Place per unit charges (\$325,084) from \$1,100,000]. Any costs for construction of the pump station beyond the \$1.1M estimate will be borne entirely by Biltmore.

The Board must amend the Township's Utilities Ordinance to establish the Lotz Road Sewer District which requires property owners within the district to pay this charge prior to tapping into the system. The draft Legal Summary for Publication and Ordinance Amendment are attached. Following adoption of the Ordinance, a separate board action will be forthcoming concerning the contract between the Township and Biltmore, including the terms of reimbursement and provisions for design and turnover of the facilities.

This amendment will also allow the Township Board the ability to approve water rates and charges by resolution, updating the process from the historical process of amending the ordinance on an annual basis.

BACKGROUND: Biltmore is planning to start this development in 2022 and has an approved preliminary PDD and Site Plan. MSD met with the developer in spring of 2021 to request the Township's participation and establish the design parameters for this pump station that will serve the Lotz Road Sewer District. The pump station will be designed to handle expansion of sewer capacity as the district sewers expand to the south. Biltmore will construct a portion the collector sewer serving the district along Lotz Road at their own cost. MSD is currently working with

developer to ensure the pump station meets our needs for service in this area, and to ensure it has proper controls and remote data acquisition/controls to integrate with our existing control system.

The pump station and force main will be located on the east side of Lotz Road, south of the creek and has an estimated cost of \$1,100,000. As noted above, the commitment from the Township will have a not-to-exceed amount of \$774,916, paid out of the Sewer fund. These costs that are borne by the Township up front will be reimbursed as a charge to developers of \$1,213.00 per unit. Using the total number of units estimated based on future master plan densities and assumptions for future development, the per unit charge was calculated as follows:

New unit count within district affected by Ordinance	907 units
Total estimated costs	\$1,100,000
Proposed per unit charge	\$1,213 / unit

A second developer (Clover) is planning a senior apartments facility on the west side of Lotz Road, however, their final Site Plan that has been approved. The pump station will be constructed by Biltmore and their contractors. The actual costs will be tracked and confirmed by MSD, and Biltmore will then be reimbursed by the Township. Expenditures will be paid to Biltmore out of the Sewer Fund, with a not-to-exceed cost of \$1,100,000, less the development unit charges for Tremont. For other parcels in the district, the cost recovery unit charge will be paid by the developer prior to commencing construction on any parcel(s). The assessed unit charges for the two proposed developments would be as follows:

Tremont	268 units	\$325,084
Clover	125 units	\$151,625

Given that the Tremont development is currently active, the Township has calculated the amount that will be reimbursed to Biltmore assuming only the Tremont project will be moving forward. The Clover development has not completed their Final Site Plan and the Township does not know their planned schedule for construction. The attached ordinance amendment includes a drawing, Appendix D, that shows the borders of this district: Willow Creek on the north, ITC corridor on the north, Westland to the east and I-275 to the west.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Introduce, hold the first reading, and schedule the second reading of an amendment to Chapter 74 of the Canton Code of Ordinance, entitled “UTILITIES.”

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Outlay for future reimbursement to Biltmore has been established as \$774,916, which will be paid from the Sewer Fund. These funds will ultimately be paid back through development charges as the area develops. This contract with Biltmore will be established in a future board action, after Ordinance amendment is passed.

IMPLEMENTATION PLAN: If approved, a second reading will be scheduled for February 8, 2022.

DIRECTOR’S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR’S RECOMMENDATION: Approval

SUPERVISOR’S RECOMMENDATION: Approval

MODEL RESOLUTION:

1. I move to introduce and hold the first reading of an amendment to Chapter 74, “UTILITIES”, Article II, Division 2, Subdivision II entitled “RATES AND CHARGES.”
2. I further move to schedule a Second Reading for February 8, 2022.

ATTACHMENTS:

1. Legal Summary for Publication
2. Ordinance Amendment (redlined)
3. Map of District

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #G-6

**ITEM: Consider Approval of Payment to Kiesler's Police Supply for Ammunition
Purchased in Excess of the 2021 Purchase Order**

PRESENTER: Chad Baugh, Director of Police Services

INDIVIDUALS IN ATTENDANCE: n/a

EXECUTIVE SUMMARY: The Police Department is requesting to pay an additional \$6,200 to Kiesler's Police Supply for ammunition purchased in excess of the 2021 purchase order. This increase is to accommodate payment of upgraded ammunition from that which was originally approved by the board.

BACKGROUND INFORMATION: In May, 2021, the Board approved \$54,242 for 9 mm and .223 ammunition. When the order was placed, upgraded .223 was listed but not caught until the order was received in late December. For this reason, the purchase order is short \$6,200 to make a payment in full to Kiesler's Police Supply.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Approve payment of an additional \$6,200 to Kiesler's Police Supply for ammunition purchased in excess of the 2021 purchase order.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Funds for this expense will be from the 2021 Police Operating Supplies Account #207-301-50.760_0001.

IMPLEMENTATION PLAN: n/a

DIRECTOR'S RECOMMENDATION: Approve

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION: I move to approve an additional payment to Kiesler's Police Supply of \$6,200 for ammunition purchased in excess of the approved purchase order #2021-1583.

ATTACHMENTS: None

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #G-7

**ITEM: Consider Approval of Payment to the Michigan Humane Society for Services
Provided in Excess of the 2021 Purchase Order**

PRESENTER: Chad Baugh, Director of Police Services

INDIVIDUALS IN ATTENDANCE: n/a

EXECUTIVE SUMMARY: The Police Department is requesting to pay an additional \$2,795 to the Michigan Humane Society for services rendered in excess of the 2021 blanket purchase order.

BACKGROUND INFORMATION: The Board approved a contract with Michigan Humane Society for the calendar year 2021, which included a flat monthly fee of \$2,675 and an additional \$1,460 annually toward ancillary services as needed. Last year, the department exceeded the ancillary services amount due to additional lodging requirements of two separate animals involved in animal cruelty cases. These additional charges put the blanket purchase order short for paying the November and December monthly service fees.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: The Police Department is requesting to pay an additional \$2,795 to the Michigan Humane Society for services rendered in excess of the 2021 blanket purchase order.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Funds for this increase will be expensed from the 2021 Police Animal Care Expense Account #207-301-50.870.

IMPLEMENTATION PLAN: n/a

DIRECTOR'S RECOMMENDATION: Approve

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION: I move to approve an additional payment to the Michigan Humane Society of \$2,795 for services rendered in excess of the approved purchase order #2021-241.

ATTACHMENTS: None

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #G-8

ITEM: Consider Approving a One-Year Contract Renewal with Michigan Police Legal Advisor Group, Inc., and Associated Amendment to the 2022 Police Budget

PRESENTER: Chad Baugh, Director of Police Services
Christopher Stoecklein, Director of Fire Services

INDIVIDUALS IN ATTENDANCE: n/a

EXECUTIVE SUMMARY: The Police and Fire Department is requesting to renew its annual contract with the Michigan Police Legal Advisor Group, Inc., for legal advice on administrative and operational issues, department policies, and legal update training. The contract renewal is based on 192 hours per year, and is paid in monthly installments, for a total cost of \$30,000.

In addition, the Police Department is requesting an amendment to its 2022 budget for this expense.

BACKGROUND INFORMATION: The Police and Fire Departments have maintained this contract since 2018, validating the importance of legal services and consultation specific to police and fire agencies. In addition to training and policy recommendations, the contract provides for 24/7 access to legal advice for management of all public safety-based scenarios with potential legal implications such as employee management, critical incidents and legislative actions. The contract was originally split between Police and Fire, but this year the bulk of the services will be specific to Police, with a small retainer for special requests from Fire. This change in the contract significantly increases the financial percentage being paid by the Police Department.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Approve a one-year contract renewal for legal services with Michigan Police Legal Advisor Group LLC, in the amount of \$30,000, and an associated budget amendment to the 2022 Police budget.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: \$5,000 will be charged to the 2022 Fire Professional & Contractual Services – Legal Account #206-336-50.801_0020.

The 2022 Police budget requires an amendment to accommodate the change in this year's contract; therefore, the department is requesting to increase the 2022 Police Fund Balance Appropriation Account #207-000-695 by \$7,000, and to increase Professional & Contractual

Services - Legal Account #207-301-50.801_0020 by \$7,000.

IMPLEMENTATION PLAN: Upon Board approval, the departments will work with legal to prepare a contract based on this proposal, for signature by the Township Supervisor.

DIRECTOR'S RECOMMENDATION: Approve

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION:

- 1) I move to approve a one-year contract renewal for police legal services with Michigan Police Legal Advisor Group LLC, in the amount of \$30,000.
- 2) In addition, I move to approve the below amendment to the 2022 Police budget:

<i>Increase 2022 Revenues:</i>		
Police Fund Balance Appropriation	#207-000.695	\$7,000

<i>Increase 2022 Appropriations:</i>		
Police Professional & Contractual Services - Legal	#207-301-50.801_0020	\$7,000

ATTACHMENTS: Attachment A – MPLAG Contract Proposal

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #G-9

ITEM: Consider Waiving the Bidding Process and Approving the Purchase of Eleven Chest Compression Systems and Accessories from Stryker

PRESENTER: Christopher Stoecklein, Director of Fire Services

INDIVIDUALS IN ATTENDANCE: n/a

EXECUTIVE SUMMARY: The Fire Department is requesting to waive the bidding process due to sole source provider, and purchase eleven Lucas 3 Chest Compression Systems from Stryker, in the amount of \$239,986.22.

BACKGROUND INFORMATION: The Stryker Lucas 3 device is a CPR compression system that accurately provides constant compression depth and rate during cardio pulmonary resuscitation events. The devices deliver automated, uninterrupted compressions aimed at sustaining lifesaving circulation during prolonged resuscitation efforts. Additionally, the devices offer operational efficiency by allowing paramedics to focus on other important tasks during the event and leveraging post-event analysis and quality improvement to increase overall survivability. The Stryker Lucas 3 device is a new purchase aimed at enhancing the fire departments comprehensive approach to improving patient outcomes with return of spontaneous circulation and good neurological status.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Approve the purchase of eleven Lucas 3 Chest Compression Systems and accessories from the sole-source provider, Stryker, in the amount of \$239,986.22.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Funds in the amount of \$240,000.00 are budgeted in the 2022 Fire Capital Outlay Machinery & Equipment Account #206-336-50.970_0030.

IMPLEMENTATION PLAN: n/a

DIRECTOR'S RECOMMENDATION: Approve

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION: I move to approve the purchase of eleven Lucas 3 Chest Compression Systems and accessories from the sole-source provider, Stryker, in the amount of \$239,986.22.

ATTACHMENTS: Attachment A – Stryker price quote
Attachment B – Stryker sole-source provider letter

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM #G-10

ITEM: Consider Approving the Fire Department to Temporarily Increase the Headcount by One Additional Firefighter in Anticipation of One Firefighter Retirement in June 2022

PRESENTER: Christopher Stoecklein, Director of Fire Services

INDIVIDUALS IN ATTENDANCE: n/a

EXECUTIVE SUMMARY: In preparation of a firefighter retirement expected in June, the Fire Department is requesting to hire a replacement firefighter now, causing an approximate 2-3 month overlap of salaries/benefits. This overlap is not anticipated to have a budget impact as the new firefighter is coming in at a lower wage scale. Once the retirement occurs, the headcount will return to the amount approved with the 2022 budget.

BACKGROUND INFORMATION: Having the ability to hire and train a firefighter prior to the retirement taking place will allow the Fire Department to stay fully-staffed and avoid future overtime to cover the vacancy.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Approve to temporarily increase the Fire Department headcount by one additional firefighter to backfill for one firefighter retirement in June, 2022.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

IMPLEMENTATION PLAN: n/a

DIRECTOR'S RECOMMENDATION: Approve

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION: I move to approve temporarily increasing the Fire Department headcount by one additional firefighter to backfill for one firefighter retirement in June, 2022.

ATTACHMENTS: None

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM # G-11

ITEM: Approval of Compensation of the Human Resources Manager (Personnel Director to Merit Commission) as required by Merit Ordinance No. 85

PRESENTER: Anne Marie Graham-Hudak, Township Supervisor

INDIVIDUALS IN ATTENDANCE: None anticipated

EXECUTIVE SUMMARY: On January 10, 2022, the Merit Commission approved the certification of the highest three candidates on the eligibility list for the Human Resources Manager position. The Township Supervisor selected Rachelle Howell to fill this position. On January 10, 2022, the Merit Commission also approved the salary recommendation as permitted under Rule 4.241(A).

Merit Ordinance No. 85 states that the Human Resources Manager position falls under the requirement for board approval. It is requested that Rachelle Howell start at Grade 10, Step 5 (\$105,617 annually) based on her experience and qualifications. Rachelle has over 15 years of professional leadership experience and is skilled in all key areas of Human Resources.

BACKGROUND INFORMATION: The Human Resources Manager position became vacant on September 28, 2021. The position was posted, and employment applications were accepted from October 16, 2021 through Wednesday, November 3, 2021. On November 5, 2021, a Selection Questionnaire was sent to all applicants, and was due back by November 15th, 2021.

Applicants are notified that the selection questionnaire is treated as a first round interview. Twelve applicants returned questionnaires, and after screening the questionnaires, seven applicants were selected for an oral board interview.

Oral board interviews took place on the week of December 6th. The top three finalists were determined once the interviews were completed, and those three candidates were scheduled to meet with the Township Supervisor on the week of December 20th. After completing interviews with the top three candidates, Supervisor Graham-Hudak selected Rachell Howell as the top candidate for the Human Resources Manager position.

The process to fill this position was rigorous, and the Supervisor commends everyone who took the time to fill out the extensive questionnaire. The Supervisor also extends thanks to Denise Maier, The Human Resources Director from Livonia who helped with oral board interviews.

STRATEGIC PLAN/GOALS: To appoint a replacement for Kerreen Conley, Human Resources Manager, who resigned on September 28, 2021.

ACTION REQUESTED: Request that the Board approve the compensation of Rachelle Howell, Human Resources Manager, effective February 15, 2022.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Rachell Howell has been placed at Grade 10, Step 5 (\$105,617 annually).

IMPLEMENTATION PLAN: The appointment will be effective February 15, 2022.

DIRECTOR'S RECOMMENDATION: NA

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION: I move to approve the compensation of Rachelle Howell, Human Resources Manager, effective February 15, 2022.

ATTACHMENTS: None.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM # G-12

ITEM: Consider Reappointment and New Appointments to the Community Development Block Grant (CDBG) Advisory Council

PRESENTER: Anne Marie Graham-Hudak, Supervisor

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: Under CDBG Bylaws, the confirmation of all Advisory Council members must be approved by a majority of the Board of Trustees. Elaine Thomas' term expired on 12/31/21. Mike Sheppard, employee liaison for CDBG, recommends Elaine's reappointment due to her expertise and excellent attendance.

In addition, new appointments are needed to fill vacancies created by the loss of two Advisory Council members:

- John Spencer's term expired on 12/31/21; he declined to apply for reappointment after many years of service.
- Sylvester Noetzel's term expires on 12/31/22; he has notified the Township that he does not wish to fulfill his term.

The interview committee has chosen Ethan Petzold and Kevin Zielinski to fill the two vacancies. Ethan Petzold has served on the Tax Board of Review for the last year, but the committee felt he would be a good fit for CDBG, so he will transfer from the Board of Review to CDBG. Kevin Zielinski was interviewed in December of 2021 and was identified as a great candidate for CDBG.

BACKGROUND INFORMATION: The Community Development Block Grant Advisory Council is an advisory group to the Canton Board of Trustees. The seven-member Advisory Council reviews requests for CDBG project funding, holds the required CDBG public hearings, makes program recommendations to the Board, and provides guidance for the overall CDBG program. The Council meets several times a year as needed, except during the summer. All members are Canton residents.

STRATEGIC PLAN/GOALS: Welcoming Community: A township in which all residents can fully and effectively access services, influence policy and direction, and feel a sense of belonging and safety.

ACTION REQUESTED: Approve the reappointment of Elaine Thomas to the CDBG Advisory Council, and approve the new appointments of Ethan Petzold and Kevin Zielinski to the CDBG Advisory Council.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: There are no budget implications as CDBG Advisory Council members are volunteers.

IMPLEMENTATION PLAN: Once approved, the Finance department will notify Ms. Thomas of her reappointment, and contact Ethan and Kevin to start their orientation.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION:

I move to reappoint Elaine Thomas to the CDBG Advisory Council for a three-year term to expire on December 31, 2024.

I move to appoint Ethan Petzold and Kevin Zielinski to the CDBG Advisory Council for a three-year term to expire on December 31, 2024.

ATTACHMENTS:

1. Ethan Petzold bio
2. Kevin Zielinski bio

**CANTON COMMUNITY
REQUEST FOR PLANNING BOARD ACTION**

MEETING DATE: January 25, 2022

AGENDA ITEM # G-13

ITEM: Consider Three New Appointments and One Reappointment to the Zoning Board of Appeals

PRESENTER: Anne Marie Graham-Hudak, Supervisor

INDIVIDUALS IN ATTENDANCE: None Anticipated

EXECUTIVE SUMMARY: Four vacancies have been created on the Zoning Board of Appeals:

1. James Cisek, Chair of the ZBA, has indicated he is ready to step down after many years of excellent service.
2. Greg Greco's term is expiring in February 2022, and he did not apply for reappointment.
3. Craig Engel was the liaison between the Planning Commission and ZBA; his service ended at the conclusion of 2021. A new person was appointed to replace him on the Planning Commission, but a Planning Commission member with experience is needed for the ZBA to act as the new liaison.
4. Greg Demopoulos serves as the alternate board member for the ZBA, and his term expired on 12/31/21.

The interview committee has chosen Clarence Lee to fill the remainder of Mr. Cisek's term, and Aaron Tassell to replace Mr. Greco. Aaron Tassell was educated in Urban and Regional Planning at EMU and has spent his career in residential development and commercial construction. Clarence Lee has a degree in architecture and over 30 years of experience in planning and development.

Alan Okon, current member of the Planning Commission, has been chosen to replace Mr. Engel and act as the liaison between the Planning Commission and ZBA. The committee has also chosen to reappoint Greg Demopoulos as the alternate.

BACKGROUND INFORMATION: The Zoning Board of Appeals shall consist of at least five members who shall be appointed in accordance with Michigan Public Act No. 110 of 2006 (MCL 125.3601).

James Cisek has been on the ZBA since 1995, and served as the Chair since 2012. James' long-time service has been a true asset to Canton Township. His knowledge and proficiency brought a high degree of professionalism to the ZBA. The Board is truly thankful to James for giving his time and expertise for over 25 years.

Greg Greco has served on the ZBA since 2016. His service and attendance on the ZBA have

been stellar and the Board thanks Mr. Greco for his time and dedication.

Alan Okon began his boards and commissions career with the ZBA in 2014 before moving to the Planning Commission in 2015, so he is familiar with the ZBA process. He is being appointed to a two-year term to align with his Planning Commission term. The Supervisor is grateful that Mr. Okon is willing to give his time to both groups.

Greg Demopoulos has served as the ZBA alternate since 2012. Greg is always prepared and ready to serve when called upon. His knowledge of the ZBA process as well as his law background are very valuable in this time of transition.

Aaron Tassell's term will be adjusted to expire on 12/31/24 in an effort to get all ZBA term expirations to end on 12/31 in staggered years. Clarence Lee is fulfilling the rest of Mr. Cisek's term until August of 2022 – at that time, whoever is appointed will have their term adjusted to line up with the 12/31 expiration date.

ACTION REQUESTED: Approve the appointments of Clarence Lee, Aaron Tassell, and Alan Okon to the Zoning Board of Appeals, and reappoint Greg Demopoulos as the alternate to the Zoning Board of Appeals.

STRATEGIC PLAN/GOALS: Welcoming Community: A township in which all residents can fully and effectively access services, influence policy and direction, and feel a sense of belonging and safety.

BUDGET IMPLICATIONS & ACCOUNT #: NA

IMPLEMENTATION PLAN: The Planning Services Division will inform Mr. Lee and Mr. Tassell of their appointments and begin orientation. Mr. Okon is familiar with the ZBA, but MSD staff will ensure he is up to speed on current ZBA procedures. Mr. Demopoulos will be notified of his reappointment.

DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTIONS:

1. I move that the Canton Board of Trustees appoint Clarence Lee to fulfill the remainder of James Cisek's term, which expires on 8/31/22.
2. I move that the Canton Board of Trustees appoint Aaron Tassell to the Zoning Board of Appeals for a term to expire on 12/31/24.
3. I move that the Canton Board of Trustees appoint Alan Okon to the Zoning Board of Appeals for a term to expire on 12/31/23.
4. I move that the Canton Board of Trustees reappoint Greg Demopoulos as the alternate to the Zoning Board of Appeals, with a term to expire on 12/31/24.

ATTACHMENTS: None