



**CANTON ADMINISTRATION BUILDING
1150 S. CANTON CENTER ROAD
CANTON, MI 48188
REGULAR BOARD MEETING
AUGUST 22, 2023**

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/81208609198>

Or One tap mobile:

1-309-205-3325 (81208609198#) or 1-312-626-6799 (81208609198#)

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Webinar ID: 812 0860 9198

International numbers available: <https://us02web.zoom.us/j/81208609198>

6:30 P.M.:

CALL TO ORDER

ROLL CALL: BORNINSKI, FOSTER, GANGULY, GRAHAM-HUDAK, SIEGRIST, SLAVENS,
SNEIDEMAN

ADOPTION OF AGENDA

APPROVAL OF MINUTES: AUGUST 8, 2023

PUBLIC COMMENT ON AGENDA ITEMS ONLY

PAYMENT OF BILLS

CLOSED SESSION: DISCUSS PENDING LITIGATION (STEFANI HORENSTEIN V. CHARTER
TOWNSHIP OF CANTON, ET AL.)

RECOGNITION:

- 1) RESOLUTION RECOGNIZING MEGAN DONAHUE, MARK JONES, JIM POLTURANUS,
PEYTON STEELE AND KEITH WELTY

CONSENT CALENDAR:

- 1) CONSIDER INCREASING BLANKET PURCHASE ORDER FOR MUNICIPAL SERVICES
(MSD)
- 2) CONSIDER INCREASING ONE BLANKET PURCHASE ORDER FOR MUNICIPAL
SERVICES (MSD)
- 3) CONSIDER APPROVAL OF 2023 BUDGET ADJUSTMENTS (FBD)

GENERAL CALENDAR:

- 1) CONSIDER WTUA ANNUAL BUDGET APPROVAL (SUPERVISOR)
- 2) CONSIDER FIRST READING OF AN AMENDMENT TO APPENDIX A – ZONING OF THE CODE OF ORDINANCES REGARDING FORD & NAPIER REZONING (MSD)
- 3) CONSIDER FIRST READING OF AN AMENDMENT TO APPENDIX A – ZONING OF THE CODE OF ORDINANCES REGARDING NAMETI REZONING (MSD)
- 4) CONSIDER APPROVING AN ANIMAL SHELTERING AGREEMENT WITH THE MICHIGAN HUMANE SOCIETY (POLICE)
- 5) CONSIDER APPROVING AN AGREEMENT FOR EMERGENCY VETERINARY SERVICES (POLICE)
- 6) CONSIDER APPROVING AN EXTENSION TO THE EMBEDDED SOCIAL WORKER CONTRACT WITH HEGIRA HEALTH, INC. (POLICE)
- 7) CONSIDER A REQUEST TO APPROVE A LETTER OF AGREEMENT BETWEEN CANTON TOWNSHIP AND THE POLICE OFFICERS ASSOCIATION OF CANTON/POLICE OFFICERS ASSOCIATION OF MICHIGAN (POLICE)
- 8) CONSIDER APPROVING A THREE-YEAR ANIMAL CONTROL SERVICES CONTRACT (POLICE)
- 9) CONSIDER APPROVING THE PURCHASE OF GRAYKEY FROM GRAYSHIFT, LLC, AND ACCEPT A DONATION FROM THE OPERATION UNDERGROUND RAILROAD TOWARD THE PURCHASE (POLICE)
- 10) CONSIDER APPROVAL OF A PURCHASE ORDER TO OHM ADVISORS FOR ENGINEERING SERVICES FOR THE INITIAL PHASE OF CHERRY HILL VILLAGE (CD)
- 11) CONSIDER APPROVAL OF RESOLUTION APPROVING SETTLEMENT AGREEMENT IN OPIOID LITIGATION INVOLVING WALGREENS (SUPERVISOR)
- 12) CONSIDER PURCHASE OF PROPERTY LOCATED AT 50755 CHERRY HILL ROAD, COMMONLY REFERRED TO AS THE VILLAGE ARTS FACTORY (SUPERVISOR)
- 13) CONSIDER AWARD OF A CONTRACT TO AKT PEERLESS ENVIRONMENTAL SERVICES TO PERFORM AN ENVIRONMENTAL ASSESSMENT AT THE VILLAGE ARTS FACTORY WAREHOUSE, 50755 CHERRY HILL (SUPERVISOR)
- 14) CONSIDER FOIA 23-457 SECOND APPEAL (CLERK)

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 Rachelle Howell, 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 – August 8, 2023**

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, August 8, 2023, in-person. Supervisor Graham-Hudak called the meeting to order at 6:00 p.m.

Members Present: Borninski, Foster, Ganguly, Graham-Hudak, Siegrist, Slavens, Sneiderman
Members Absent: none

Adoption of Agenda:

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

Approval of Minutes:

Motion by Siegrist, supported by Borninski to approve the minutes from July 11, 2023. Motion carried unanimously.

Public Comment: Public comment was held.

Payment of Bills:

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

CHARTER TOWNSHIP OF CANTON EXPENDITURE RECAP FOR THE TOWNSHIP BOARD MEETING OF July 25, 2023		
101	GENERAL FUND	867,196.23
204	ROADS FUND	75,606.10
206	FIRE FUND	525,368.54
207	POLICE FUND	840,282.37
208	COMMUNITY CENTER FUND	65,593.76
219	STREET LIGHTING FUND	24,641.80
230	CABLE TV FUND	14,936.54
246	COMMUNITY IMPROVEMENT FUND	16,723.50
248	DDA - CANTON	26,951.62
260	INDIGENT DEFENSE FUND	1,172.33
261	E-911 UTILITY	23,589.22
265	ORGANIZED CRIME - DRUG ENFORCEMENT	0.00
274	CDBG FUND	11,747.61
276	NSP GRANTS FUND	0.00
285	AMERICAN RESCUE PLAN ACT	0.00
301	ENERGY PROJECT DEBT SVCE FUND	0.00
302	CAPITAL PROJECT DEBT SERVICE	0.00
401	CAPITAL PROJECTS FUND	7,600.00
402	CAP PROJ - WATER & SEWER	0.00
403	CAP PROJ - ROAD PAVING	0.00
404	CAP PROJ - CHV DEVELOPMENT	0.00

584	GOLF FUND	39,649.12
592	WATER & SEWER FUND	156,397.48
596	GARBAGE & RUBBISH COLLECTIONS	5,278.50
661	FLEET MAINTENANCE FUND	31,170.90
701	TRUST & AGENCY FUND	0.00
702	CUSTODIAL FUND	0.00
736	POST EMPLOYMENT BENEFITS FUND	113,805.49
852	SPECIAL ASSESSMENT DEBT SERVICE	0.00
TOTAL - ALL FUNDS		2,847,711.11

CHARTER TOWNSHIP OF CANTON EXPENDITURE RECAP FOR THE TOWNSHIP BOARD MEETING OF August 8, 2023		
101	GENERAL FUND	853,973.24
204	ROADS FUND	132,829.80
206	FIRE FUND	191,761.08
207	POLICE FUND	408,434.13
208	COMMUNITY CENTER FUND	63,693.01
219	STREET LIGHTING FUND	0.00
230	CABLE TV FUND	8,183.73
246	COMMUNITY IMPROVEMENT FUND	14,225.00
248	DDA - CANTON	2,221.43
260	INDIGENT DEFENSE FUND	8,806.88
261	E-911 UTILITY	175,429.67
265	ORGANIZED CRIME - DRUG ENFORCEMENT	43,514.80
274	CDBG FUND	45,386.00
276	NSP GRANTS FUND	0.00
285	AMERICAN RESCUE PLAN ACT	0.00
301	ENERGY PROJECT DEBT SVCE FUND	0.00
302	CAPITAL PROJECT DEBT SERVICE	0.00
401	CAPITAL PROJECTS FUND	24,030.44
402	CAP PROJ - WATER & SEWER	0.00
403	CAP PROJ - ROAD PAVING	0.00
404	CAP PROJ - CHV DEVELOPMENT	9,258.50
584	GOLF FUND	39,992.83
592	WATER & SEWER FUND	2,375,059.33
596	GARBAGE & RUBBISH COLLECTIONS	416,889.78
661	FLEET MAINTENANCE FUND	54,528.54
701	TRUST & AGENCY FUND	4,742.50
702	CUSTODIAL FUND	14,864.25
736	POST EMPLOYMENT BENEFITS FUND	349,644.47
852	SPECIAL ASSESSMENT DEBT SERVICE	0.00
TOTAL - ALL FUNDS		5,237,469.41

Closed Session: Update on Union Negotiations

Motion by Siegrist, supposed by Sneiderman to go into closed session under MCL 15.268 Sec 8 (1) (c) for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement. Motion carried unanimously by roll call vote.

Motion by Siegrist, supported by Borninski to return to open session. Motion carried unanimously.

Presentation:

- 1) Growth Works

Consent Calendar:

Item C-1. Consider Second Reading of an Ordinance to Amend Chapter 74, Article II, Division 2, Subdivision II for the Lotz Road Sewer District

Motion by Siegrist, supported by Borninski to remove from the table and hold the second reading of the proposed amendment to Chapter 74, "UTILITIES", Article II, Division 2, Subdivision II entitled "RATES AND CHARGES." Further, to adopt and publish the ordinance amending Chapter 74, "UTILITIES", Article II, Division 2, Subdivision II entitled "RATES AND CHARGES." Motion carried unanimously.

Item C-2. Consider Increasing One Blanket Purchase Order for Municipal Services

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

Increase Revenue:

661-000.695	Fund Balance Appropriation	\$14,000
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Increase Expenditure:

661-530.930_0040	Maintenance and Repair Vehicles	\$14,000
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Further, to approve amendment to the following purchase orders: PO #2023-0000287 Bob Jeannotte increase from \$14,000 to \$28,000. Motion carried unanimously.

Item C-3. Consider Approving an Amendment to the 2023 Fire Budget

Motion by Siegrist, supported by Borninski to approve the below listed amendment to the 2023 Fire budget:

Increase Revenues:

Fund Balance Appropriation:	#206-000.695	\$25,000
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Increase Appropriations:

Operating Supplies:	#206-336-50.760_0001	\$25,000
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Motion carried unanimously.

Item C-4. Consider Approving an Increase to the Blanket Purchase Order Issued to Zoll Medical Corporation

Motion by Siegrist, supported by Borninski to approve increasing blanket purchase order #2023-00000471 issued to Zoll Medical Corporation by \$15,000. Motion carried unanimously.

Item C-5. Consider Request to Decrease/Increase Fire Department Blanket Purchase Orders

Motion by Siegrist, supported by Borninski to approve decreasing the blanket purchase order issued to Phoenix by \$300 and increase the blanket purchase order issued to Municipal Emergency Services by \$300 to accommodate the Fire Department's turnout gear purchases in 2023. Motion carried unanimously.

General Calendar:

Item G-1. Consider the Purchase of a John Deere 3046R Compact Utility Tractor with Grooming Mower Deck

Motion by Siegrist, supported by Slavens to authorize the purchase order contract to Hutson John Deere in the amount of \$51,328.59 for the purchase of a new 3046R Compact Utility Tractor and a Grooming Mower Deck. Motion carried unanimously.

Item G-2. Consider Award of Residential ASR Roadway Evaluation to Spalding DeDecker

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

Increase Revenue:

204-000.695	Fund Balance Appropriation	\$31,000
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Increase Expenditures:

204-446-12.970_0050	Capital Outlay Infrastructure	\$31,000
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Further, to issue a Purchase Order in the amount of \$31,000 to SDA to perform a residential ASR Roadway Evaluation. Motion carried unanimously.

Item G-3. Consider Purchase Order for Crimboli Nursery, Inc. for Tree Planting Services

Motion by Siegrist, supported by Borninski to approve the issuance of a purchase order from expenditure account #101-585.801_0050 to Crimboli Nursery, Inc. for an amount not to exceed \$100,000. Motion carried unanimously.

Item G-4. Consider Purchase Orders for PPM Tree Service & Arbor Care for Tree Removal and Pruning Services

Motion by Siegrist, supported by Borninski to approve the issuance of purchase orders from expenditure account #101-585.930_0070 to PPM Tree Service & Arbor Care for an amount not to exceed \$75,000 and from expenditure account #101-752-50.930_0072 to PPM Tree Service & Arbor Care for an amount not to exceed \$30,000. Motion carried unanimously.

Item G-5. Consider Approving the Payment of the 2023-24 ProQA Software Licensing and Support Renewal and the Purchase of Two Additional Licenses

Motion by Siegrist, supported by Slavens to approve the payment of the 2023-24 annual licensing and support renewal for ProQA, and the purchase of two additional licenses, in the amount of \$32,950.00, to Priority Dispatch Corporation. Motion carried unanimously.

Item G-6. Consider FOIA 23-457 Appeal

Motion by Siegrist, supported by Sneideman to grant the appeal in part regarding the name, and to deny the appeal in part regarding any phone number or email. Motion carried unanimously.

Additional Public comment was held.

Additional Board comment was held.

Adjourn: Motion by Siegrist, supported by Slavens to adjourn the meeting. Motion carried unanimously.

Michael A. Siegrist, Clerk

Anne Marie Graham-Hudak, Supervisor

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MCHIGAN

**Resolution Recognizing Megan Donahue, Mark Jones, Jim Polturanus,
Peyton Steele and Keith Welty**

Whereas the Canton Police and Fire Departments recognizes the importance of heroic citizens and their involvement in the accomplishment of public safety;

Whereas on July 18, 2023, Megan Donahue, Mark Jones, Jim Polturanus, Peyton Steele and Keith Welty were at their homes located in the 3500 block of S. Canton Center Road when they heard a female neighbor screaming for help;

Whereas these five neighbors ran from their homes toward the screams to discover a female sitting on the roof of her home with flames visible on the first floor;

Whereas one neighbor quickly retrieved a ladder from his property and everyone assisted in getting the female down from the roof of the burning residence;

Whereas firefighters and police officers arrived to find one victim who had made her way out from the first floor, and the second victim who had been assisted safely to the ground by her neighbors;

Whereas these five individuals demonstrated unwavering courage and compassion going above and beyond to make a positive impact on their neighbor's life;

Resolved, the Board of Trustees of the Charter Township of Canton upon recommendation of the Directors of Police and Fire Services does hereby recognize Megan Donahue, Mark Jones, Jim Polturanus, Peyton Steele and Keith Welty for their commendable contribution to the Canton community.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM:C-1

ITEM: Consider Increasing Blanket Purchase Order for Municipal Services

PRESENTER: Jade Smith, Municipal Services Director

INDIVIDUALS IN ATTENDANCE: None Anticipated.

EXECUTIVE SUMMARY: Public Works Division staff extensively use blanket purchase orders for acquisition of goods and services that vary in quantity throughout the year. Blanket purchase order limits are generally set once at the beginning of the fiscal year based on historical average costs. Due to the increased application rates, warrants the increase in the current blanket purchase order amount.

The existing blanket purchase order requires an amendment at this time as follows:
PO#2023-00001029 Suburban Calcium Chloride Sales from \$13,000 to \$13,500

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Approve the blanket purchase order increase.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: The following account will be increased by \$500.00 using account number 101-447-03.801 0090

IMPLEMENTATION PLAN: Upon approval by the Township Board, the staff will enter the increases in TYLER.

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION: I move to approve the amendment to the following purchase order:
PO#2023-00001029 Suburban Calcium Chloride Sales increase from \$13,000 to \$13,500 using account # 101-447-03.801__0090

ATTACHMENTS: N/A

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM#C-2

ITEM: Consider Increasing One Blanket Purchase Order for Municipal Services

PRESENTER: Jade Smith, Municipal Services Director

INDIVIDUALS IN ATTENDANCE: None Anticipated.

EXECUTIVE SUMMARY: Fleet Services staff extensively use blanket purchase orders for acquisition of goods and services that vary in quantity throughout the year. Blanket purchase order limits are generally set once at the beginning of the fiscal year based on historical average costs. Due to increased cost of parts and an above average number of golf carts requiring repair, Fleet has a need to increase the current blanket purchase order for Golf Cars Plus. Golf Cars Plus is used extensively for parts to repair the carts at Pheasant Run Golf Club. Pheasant Run has over 100 carts that are maintained by Fleet Services.

The existing blanket purchase order requires an amendment as follows:

- PO #2023-00000291 Golf Cars Plus from \$19,000 to \$29,000 using account number 661-530.939 (Inventory Purchased).

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Approve the blanket purchase order increase.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Account Number 661-530.939 (Inventory Purchased) will be used to increase the purchase order as noted above. The following Budget Amendment is needed:

Increase Revenue:

661-000.695 Fund Balance Appropriation	\$10,000
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Increase Expenditure:

661-530.939 Inventory Purchased	\$10,000
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IMPLEMENTATION PLAN: Upon approval by the Township Board, the staff will enter the increases in TYLER.

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION:

1) I move to approve the following Budget Amendment:

Increase Revenue:

661-000.695 Fund Balance Appropriation	\$10,000
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Increase Expenditure:

661-530.939 Inventory Purchased	\$10,000
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2) I move to approve amendment to the following purchase orders:

PO #2023-0000291 Golf Cars Plus increase from \$19,000 to \$29,000.

ATTACHMENTS: N/A

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM #C-3

ITEM: Consider Approval of 2023 Budget Adjustments

PRESENTER: Wendy N. Trumbull, Finance and Budget Director

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: The Township adopted the 2023 budget at the November 22, 2022 Board Meeting and various adjustments have been made to it since then.

At this time, I am asking the Board of Trustees to approve the attached budget adjustments to the 2023 budget year. A description of the budget adjustments is explained on the attachments.

BACKGROUND: State law mandates that Municipalities adopt an annual budget and that the fiscal year-end expenses do not exceed that budget as amended. The adopted budget is a working document, and as unexpected events occur during the year, adjustments are required to meet the States mandate at year-end.

STRATEGIC PLAN/GOALS: Financial Stability

ACTION REQUESTED: To approve the recommended budget adjustments.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: See attached listing.

IMPLEMENTATION PLAN: If approved, the budget adjustments will be posted to the appropriate accounts.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION: I move to approve the attached listing of budget adjustments to the 2023 budget.

ATTACHMENTS: Charter Township of Canton 2023 Budget Adjustments

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM # G-1

ITEM: Consider WTUA Annual Budget Approval

PRESENTER: Anne Marie Graham-Hudak, Supervisor

INDIVIDUALS IN ATTENDANCE: None anticipated

EXECUTIVE SUMMARY: According to Section 7.5 of the Western Townships Utilities Authority (WTUA) Finance and Service Agreement with the Charter Townships of Canton, Northville, and Plymouth, WTUA shall annually submit a budget to each of the Townships for its approval in August of each year.

BACKGROUND INFORMATION:

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Approve WTUA's 2023/24 budget.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: WTUA costs assigned to Canton have been incorporated into our 2023 and 2024 budgets.

IMPLEMENTATION PLAN: Supervisor's office will advise WTUA of the Board's action.

DIRECTOR'S RECOMMENDATION: N/A

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION: I move to approve the attached resolution affirming approval of WTUA's proposed budget for the fiscal year ending September 30, 2024.

ATTACHMENTS:

1. Resolution
2. WTUA 2023-2024 Budget
3. WTUA Asset Management & Capital Improvement Plan Summary
4. WTUA Asset Management & Capital Improvement Plan Funding Requirements

RESOLUTION OF THE CHARTER TOWNSHIP OF CANTON

Whereas, Western Townships Utilities Authority has prepared a proposed budget for the fiscal year ending September 30, 2024, which has been reviewed by the Finance Committee on July 12, 2023 and the Board of Commissioners on July 24, 2023; and

Whereas, the Authority is required to submit a budget to each of the member Townships for approval in August of each year; now therefore be it

Resolved, that the departmental budget for the Authority as presented on page 1 of the Proposed Annual Budget for the fiscal year ending September 30, 2024, in the amounts presented, is hereby approved.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED:

I, Michael A. Siegrist, Clerk of the Charter Township of Canton, County of Wayne, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution of action approved by the Board of Trustees at their regular meeting on August 22, 2023.

Michael A. Siegrist, Canton Township Clerk

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM #G-2

ITEM: Consider First Reading of an Amendment to Appendix A – Zoning of the Code of Ordinances Regarding Ford & Napier Rezoning

PRESENTER: Jade Smith, Municipal Services Director

INDIVIDUALS IN ATTENDANCE: M/I Homes of Michigan LLC, on behalf of the Beatrice L. Coleman Trust, Ellen J. Powers Trust, Evelyn Jorgensen Trust, and Margaret Jorgensen Trust.

EXECUTIVE SUMMARY: The applicant proposes to rezone parcel located at the southeast corner of Ford Rd. & Napier Rd. (71-070-99-0002-702), from RA, Rural Agricultural to R-2, Single Family Residential. The subject property is 25.5 acres and includes a creek in the southwest corner that is a tributary to the Lower Rouge River. The site is vacant and has been used for agriculture. The applicant proposes to construct a detached single-family residential development on the site if the rezoning is approved.

BACKGROUND AND ANALYSIS:

Location: Southeast corner of Ford Rd. and Napier Rd., which is adjacent to the western township boundary.

Net Acres: 25.5 acres

Existing Land Use(s): Vacant/agricultural

Existing Zoning: RA, Rural Agricultural (minimum lot area of 40 acres)

Surrounding Zoning and Land Uses:

North – RR, Rural Residential (Rider Estates Subdivision; single-family detached residences) and R-1, Single Family Residential (Parkside Estates-North; single-family detached residences)

South – RA, Rural Agricultural (single-family detached residences) and R-2, Single Family Residential (Westridge Estates; single-family detached residences)

East – R-2, Single Family Residential (Parkside Estates-South; single-family detached residences and Westridge Estates; single-family detached residences)

West (Superior Township) – C-2, General Commercial (Children’s Garden Montessori) and A1, Agricultural (agriculture and single-family detached residence)

Existing Comprehensive Plan Future Land Use Map Classification: Low Density Residential (2 dwelling units per acre)

Surrounding Comprehensive Plan Future Land Use Map Classifications:

North – Very Low Density Residential (1 dwelling unit per acre)

South – Low Density Residential (2 dwelling units per acre)

East – Low Density Residential (2 dwelling units per acre)

West (Superior Township) – Small Commercial Center, and Agricultural Lands, Conservation, and Rural Residential

Application Review History: At its meeting on June 5, 2023, the Planning Commission held a public hearing on the rezoning application and held deliberations. At the conclusion of its deliberations, the Planning Commission adopted a motion to table action on the rezoning subject to acquiring additional information on the following:

1. Township Traffic Consultant's review of the Traffic Impact Study.
2. Review by Canton Township's Engineering Services Division of the water and sewer capacity.
3. Obtain data from Canton Township's Public Safety Department regarding crashes in the area.
4. Comments from DTE related to the electrical capacity.
5. Wetland data.

The information addressing the above items was subsequently submitted after the June 5, 2023 Planning Commission meeting and was provided to the Planning Commission for its August 7, 2023 meeting. This information is addressed in the review considerations below.

Review Considerations: Section 27.06(D)(4) of the Zoning Ordinance consists of 10 standards of review to be considered prior to action. Based on our review of the application materials, the Comprehensive Plan, and the site area, we find that the application meets each of the 10 rezoning standards of review as follows:

(1) Will the proposed amendment be in accordance with the basic intent and purpose of the zoning ordinance?

The proposed amendment will be in accordance with the basic intent and purpose of the Zoning Ordinance, as the amendment is consistent with the Comprehensive Plan whose policies the Zoning Ordinance is intended to implement.

Section 1.02 (Purpose) of the Zoning Ordinance is very general and includes the regulation of land development and the establishment of districts. To that end, there are provisions for land development in the Zoning Ordinance, many of which are unique to the underlying zoning district or the zoning district of an adjacent parcel. Land development standards in the Zoning Ordinance include density, setbacks, building height, land use, parking and loading, access management, landscaping and screening, lighting, signage, building design, tree preservation, and natural features setbacks. The Zoning Ordinance also includes provisions for a Planned Development District (PDD), which is an optional development procedure that results in definite benefits to the site and the community while allowing for certain modifications from the Zoning Ordinance standards to allow for a more efficient development.

When a rezoning application is proposed, Section 27.06(B) of the Zoning Ordinance requires a plot plan that contains data about the site (existing lot lines, natural features, utilities, access, adjacent uses and structures, etc.) as well as a proposed layout plan, if known at the time. Please note that the Conceptual Development Plan submitted by the applicant is **not** an official PDD Plan or Site Plan, nor is it a condition of the rezoning; rather, the purpose of the Conceptual Development Plan is to illustrate **how** a proposed residential development **could** be located on the site **if** the proper rezoning, PDD, and Site Plan approvals are obtained accordingly. Therefore, a recommendation to approve the rezoning application is **not** a tacit or preliminary approval of the Conceptual Development Plan or a future PDD or Site Plan application. Staff's comments on the Conceptual Development Plan are as follows:

- 51 units are shown, which is a density of 2 units per acre. The density shown is consistent with the proposed R-2 district and the Low Density Residential classification on the Future Land Use Map of the Comprehensive Plan.
- The Conceptual Development Plan indicates a future PDD application, as modifications are shown from the following standards of the proposed R-2 district: minimum lot area, minimum lot width, front yard setbacks, side yard setbacks, and rear yard setbacks. Planning staff will defer comments on these modifications, site design, and any definite benefits of a PDD until a development application is submitted.
- The Conceptual Development Plan shows 38.5% open space, most of which is shown around the periphery of the site, including the southwest corner which includes a creek and is heavily wooded. Planning staff will defer comments on the open space until a development application is submitted.
- One access to the site is proposed from Ford Rd. (paved), with a secondary access proposed from Napier Rd. (gravel) for emergency vehicles only. Site access is subject to change during PDD review or site plan review. The TIS submitted by the applicant was prepared by a traffic engineer and shows current traffic conditions and levels of service, impacts of the proposed development on future traffic conditions and levels of service, and any necessary improvements to the roads as a result. The TIS has been reviewed by Canton Township's traffic engineering consultant, and will be required to be reviewed by the applicable public road agencies.
- The Conceptual Development Plan shows a proposed utility layout for water, sanitary sewer, and storm sewer, which will be subject to future review by the Canton Township Engineering Services Division.

(2) Is the proposed amendment consistent with the comprehensive plan of the Township?

The proposed amendment is consistent with the Comprehensive Plan of the Township. The Future Land Use Map of the Comprehensive Plan designates the subject property as Low Density Residential, which recommends a density of 2 dwelling units per acre. The subject property has been classified as Low Density Residential on the Future Land Use Map since 2004. Currently, the RA zoning classification of the subject property stipulates the minimum lot area is 40 acres, which is a density of one unit per 40 acres.

The proposed R-2 zoning district permits a density of 2 dwelling units per acre, which most accurately reflects the Low Density Residential classification on the Future Land Use Map.

(3) *Have conditions changed since the zoning ordinance was adopted, or was there a mistake in the zoning ordinance, that justify the amendment?*

Conditions have changed since the Zoning Ordinance was adopted in 1990, as the owners of the subject parcels desire to sell their property for the purposes of development in accordance with the Comprehensive Plan and Zoning Ordinance. The demand for single-family residential use continues in Canton Township and the availability of undeveloped parcels in the community is scarcer.

For example, the following properties east and south of the subject site are classified as Low Density Residential on the Future Land Use Map of the Comprehensive Plan and have been rezoned to R-2 in recent years for subsequent developments:

- 070-RZ-023, which was approved in 2005 to rezone 17.81 acres adjacent to the east side of the subject site from RA to R-2. This site subsequently became Parkside Estates-South, which has 21 of the 94 single-family residences of Parkside Estates. Parkside Estates-North, which is located on the north side of Ford Rd. and is part of the same development, is zoned R-1 and contains 73 single-family residences.
- 069-RZ-020, which was approved in 2004 to rezone 168.13 acres adjacent to the south and east sides of the subject site from RA, R-1, and CHV Overlay to R-2. The site subsequently became Westridge Estates, which has 274 single-family residences.

(4) *Will the amendment correct an inequitable situation created by the zoning ordinance rather than merely grant special privileges?*

The amendment will correct an inequitable situation created by the Zoning Ordinance rather than grant special privileges because the Comprehensive Plan recommends a zoning of 2 units per acre and the subject parcel is adjacent to the R-2 district to the east and south, which was rezoned to R-2 in 2004-2005.

Denial of a rezoning request that has been granted to adjacent properties within Low Density Residential classification on the Future Land Use Map could create an inequitable situation for the applicant.

(5) *Will the amendment result in unlawful exclusionary zoning?*

The amendment will not result in exclusionary zoning, as the amendment is a result of an application by the owner of the subject property, and the subject parcel is adjacent to R-2 zoned properties to the east and south. The density of the proposed R-2 zoning district is in accordance with the recommended density of 2 units per acre by the underlying Future Land Use classification of Low Density Residential.

(6) *Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes?*

The amendment will not set an inappropriate precedent, as it is consistent with the Comprehensive Plan policies and Future Land Use Map, and the subject parcel is adjacent to R-2 zoned properties to the east and south. As noted above, other properties in the Low Density Residential Future Land Use classification have been rezoned to R-2 in recent years for similar purposes.

(7) *If a rezoning is requested, is the proposed zoning consistent with the existing land uses of surrounding property?*

The proposed rezoning is consistent with the existing land uses of surrounding properties. All existing surrounding land uses in Canton Township to the north, east, and south are detached single-family residential uses, which is a permitted use in the proposed R-2 zoning district. The adjacent Parkside Estates-South site to the east and the Westridge Estates site to the south are classified as Low Density Residential on the Future Land Use Map of the Comprehensive Plan and were rezoned to R-2 from 2004-2005.

To the west in Superior Township, the commercially-zoned area at the southwest corner of Ford Rd. and Napier Rd. is not incompatible based on use (Children's Garden Montessori), and many residential areas in Canton Township are adjacent or across a street from commercial areas. Any incompatibilities in uses can be addressed during site plan review with screening, setbacks, and access management.

(8) *If a rezoning is requested, could all requirements in the proposed zoning classification be complied with on the subject parcel?*

If the proposed rezoning is approved, all the requirements of the proposed zoning classification can be complied with on the subject parcel. The subject parcel will comply with the standards of the R-2 district for minimum lot area (20,000 sq. ft.), minimum lot width (100 ft.), and maximum lot depth-to-lot width ratio (3 times). However, specific development requirements and allowable number of units will be addressed at the time of site plan review and, if applicable, Planned Development District.

As previously stated, the Conceptual Development Plan submitted by the applicant indicates a future PDD application if the rezoning to R-2 is approved. If a Planned Development District application is submitted, the applicant will likely request modifications from the lot area, width, and setback requirements to cluster lots and preserve open space primarily around the periphery of the site, including the southwest corner which includes the creek and is heavily wooded.

Section 2.24(C) of the Zoning Ordinance requires a 25-foot natural stormwater protection buffer along the creek, measured either from the edge of the easement or the top of bank, whichever is greater. The easement will be determined by Wayne County during the plan review process, at which time we will know whether the applicant will seek a modification from Section 2.24(C).

(9) *If a rezoning is requested, is the proposed zoning consistent with the trends in land*

development in the general vicinity of the property in question?

The proposed zoning, R-2, Single Family Residential, is consistent with the trends in land development in the general vicinity of the subject property, as the subject parcel is adjacent to R-2 zoned properties to the east and south, which consist of single-family residential developments (Parkside Estates-South and Westridge Estates).

(10) *If a rezoning is requested, what is the impact on the township infrastructure?*

- **Water and Sewer.** The subject property is proposed to be serviced by water and sanitary sewer service, which is available in the area. Water main is located on the north side of Ford Rd. and through a stub located at the southeast corner of the site. Connections to both points are illustrated on the Conceptual Development Plan, which will allow for looping within the water system. Sewer access will most likely be from a stub located near the southeast corner of the site. Connections to the water and sewer systems will be reviewed in more detail by the Canton Township Engineering Services Division once a development plan is submitted.

Canton Township's water engineering consultant, OHM, sent an email on June 26, 2023 that provides an analysis of the available water supply. The analysis concludes that the system is not undersized to support the proposed increased demand, but water pressures will depend on final building elevations and valve closures in the system.

Canton Township's sewer engineering consultant, Wade Trim, sent an email on June 15, 2023 that provides an analysis of the total peak flow of the proposed development. The current model predicts existing capacity and suggests sufficient capacity for the new development at the collection point.

The water and sewer capacity will be reviewed at the time of site plan review if the proposed rezoning application is approved, and the applicant will be required to comply with all water and sewer requirements of Canton Township.

The Comprehensive Plan, which recommends a density of 2 units per acre, recognizes a synchronous relationship between the Township's Sanitary Sewer Master Plan and the Comprehensive Plan. Therefore, there is expected capacity in the water and sewer systems to serve the subject property in accordance with the density recommended by the Comprehensive Plan Future Land Use Map.

- **Roads.** Ford Rd. is paved and Napier Rd. is gravel. Ford Rd. is under the jurisdiction of the Michigan Department of Transportation (MDOT) and Napier Rd. is under the jurisdiction of Washtenaw County. The applicant has submitted a TIS, dated June 1, 2023, from Fishbeck. The TIS concludes the following on page 13:

The analyses conducted for this TIS indicate the proposed development will not result in any significant impact to the adjacent road network operations. The proposed site access configuration is appropriate and will acceptably facilitate site ingress and egress. The intersection of M-153 (Ford Road) and

Ridge Road operates with poor LOS and significant queue lengths under existing and background traffic conditions. The intersection of M-153 (Ford Road) and Napier Road operates with poor LOS for Napier Road approaches under existing and background traffic conditions. Capacity improvements are necessary at the study area intersections to achieve acceptable LOS and queuing results without the proposed development. The additional trips associated with the proposed development will have a negligible impact on overall intersection delay and operations.

Based on the findings of the HCM operational analyses and site traffic generation, Table 9 – Proposed Improvements includes the recommended improvements to the study intersections to mitigate traffic impacts. While a left turn lane is warranted at the site driveway, it will not significantly reduce delays or queue lengths at the intersection. Regardless of this proposed development, corridor and intersection improvements should be considered by MDOT in the study area to improve operations due to the delay and queueing associated with the existing conditions.

Canton Township's traffic engineering consultant, Wade Trim, reviewed the TIS and concluded the following in its review letter of July 11, 2023:

Wade Trim agrees with the results of the Traffic Impact Study and recommends that the 100-foot left-turn lane on Ford Road at the site driveway be constructed to reduce the potential for future rear-end and angle crashes at this location. We also agree with the Consultant that geometric and traffic control changes at the intersections of Ridge Road and Napier Road to improve capacity are not within the scope of this traffic impact assessment.

The road capacity and traffic impact are also addressed during subsequent site plan review and, if applicable, Planned Development District review. Because the subject application is not a Conditional Rezoning application, the recommendations of the TIS cannot be adopted as a condition of rezoning approval. However, the recommendations of the TIS can be conditions of PDD review.

Finally, on June 12, 2023, the Canton Public Safety Department prepared a report summary of crashes at Ford & Napier from January 1, 2017 through June 11, 2023 (6.5 years). The report states that there were 16 crashes during this time period, 6 of which involved an injury and none of which involved a fatality.

- **Natural Features.** The applicant has submitted a Wetland Delineation Report, dated May 25, 2023, from Barr. The report concludes that there are 2 wetland areas on the north side of the site that do not appear to be regulated by EGLE, 1 wetland area in the southeast corner of the site that is likely regulated by EGLE, and 1 wetland area in the southwest corner of the site that would be regulated by EGLE. While EGLE's Wetland Inventory Map shows hydric soils in some of these areas and no wetlands identified by NWI and MIRIS, an on-site evaluation by a qualified

professional is more reliable.

A creek is located in the southwest corner of the site that is a tributary to the Lower Rouge River. The area around the creek is also heavily wooded. Therefore, if the site is rezoned and the applicant submits a Planned Development application, we will emphasize clustering lots outside of the southwest corner of the site.

- **Stormwater Management.** Stormwater management is under the jurisdiction of Wayne County and will be reviewed once a development application is submitted. The Conceptual Development Plan submitted by the applicant shows a proposed stormwater pond in the southwest part of the site, with an outlet to the creek. For any outlets or impacts in the Ford Road right-of-way, MDOT will have jurisdiction.
- **Electrical Capacity.** DTE's service planner sent Planning Division staff an email on June 12, 2023 that summarizes the process of determining whether sufficient electrical capacity exists for a development. Before DTE can determine capacity, an approved site plan and proof of ownership (warranty deed) must be submitted to DTE. Once DTE's Regional Engineering conducts an analysis, it determines whether the applicant/customer would be responsible for system upgrades.

- **Community Planner's Recommendation:** Approval.

- **Planning Commission Recommendation:** At its meeting on August 7, the Planning Commission voted 8-0 to recommend approval of the request to rezone parcel no. 070-99-0002-702 from RA, Rural Agricultural to R-2, Single Family Residential, as the proposal meets the standards of Section 27.06(D)(4) of the Zoning Ordinance as stated in the staff report. Prior to recommending approval of the rezoning, the Planning Commission held a duly noticed public hearing on June 5, 2023 and there were several public comments received. At its June 5, 2023 meeting, the Planning Commission deferred action on the application pending receipt of additional information to address questions from the Planning Commission and the public.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Introduce, hold the first reading, and table the proposed rezoning amendment to Appendix A – Zoning of the Code of Ordinances, which proposes to rezone parcel no. 070-99-0002-702 from RA, Rural Agricultural to R-2, Single Family Residential.

BUDGET IMPLICATION & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: N/A

MUNICIPAL SERVICES DIRECTOR'S RECOMMENDATION: Approval

ENGINEERING SERVICES DIVISION'S RECOMMENDATION: N/A

FIRE MARSHAL'S RECOMMENDATION: N/A

BUILDING OFFICIAL’S RECOMMENDATION: N/A

FINANCE AND BUDGET DIRECTOR’S RECOMMENDATION: N/A

SUPERVISOR’S RECOMMENDATION: Approval

MODEL MOTIONS:

1. I move to introduce and hold the first reading of the proposed amendment to Appendix A – Zoning of the Code of Ordinances of the Charter Township of Canton as provided in the attached ordinance of Planning Application #070-RZ-7754, which rezones tax parcel no. 070-99-0002-702 from RA, Rural Agricultural to R-2, Single Family Residential.
2. Further, I move to table consideration of the amendment for a second reading on September 12, 2023.

ATTACHMENTS:

1. Draft Ordinance
2. June 5, 2023 Planning Commission Minutes
3. August 7, 2023 Planning Commission Minutes
4. Zoning Map, Aerial Map, and Future Land Use Map
5. Location Maps, Conceptual Development Plan, and Conceptual Home Elevations
6. Traffic Impact Study (Fishbeck) and Township Engineering Consultant Review (Wade Trim)
7. Water Data (OHM) and Sewer Data (Wade Trim)
8. Vehicle Crash Data from Canton Township Public Safety Department
9. Email from DTE Service Planner
10. Wetland Delineation Report
11. Rezoning Criteria

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM #G-3

ITEM: Consider First Reading of an Amendment to Appendix A – Zoning of the Code of Ordinances Regarding Nameti Rezoning

PRESENTER: Jade Smith, Municipal Services Director

INDIVIDUALS IN ATTENDANCE: Admirim & Aurora Nameti.

EXECUTIVE SUMMARY: The applicant proposes to rezone parcel 71-121-99-0007-000 (no address), located on the west side of Denton Rd. between Geddes Rd. and Michigan Ave., from R-1, Single Family Residential to R-2, Single Family Residential. The subject property is 0.81 acres and is vacant. The applicant proposes to construct a detached single-family residential development on the site if the rezoning is approved.

BACKGROUND AND ANALYSIS:

Location: West side of Denton Rd. between Geddes Rd. and Michigan Ave.

Net Acres: 0.81 acres

Existing Land Use(s): Vacant

Existing Zoning: R-1, Single Family Residential (minimum lot area of 1 acre)

Surrounding Zoning and Land Uses:

North – R-1, Single Family Residential (single-family detached residence)

South – RR, Rural Residential (single-family detached residence)

East – R-4, Single Family Residential (vacant, but approved for Anand Village at a density of approximately 4 units/acre)

West – RR, Rural Residential (single-family detached residence)

Existing Comprehensive Plan Future Land Use Map Classification: Low Density Residential (2 dwelling units per acre)

Surrounding Comprehensive Plan Future Land Use Map Classifications:

North – Low Density Residential (2 dwelling units per acre)

South – Low Density Residential (2 dwelling units per acre)

East – Medium Density Residential (4 dwelling units per acre)

West – Low Density Residential (2 dwelling units per acre)

Application Background: The current parcel was previously owned by the owner of the parcel to the north (parcel 71-121-99-0008-000 at 4130 Denton Rd., which is a lot in the R-1 zoning district that is 1.63 acres and 200 feet wide). In the R-1 zoning district, the minimum required lot area is 1 acre and the minimum required lot width is 150 feet. Because the parcel subject to the rezoning request is 0.81 acres and 100 feet wide, the subject parcel is a nonconforming parcel which means it was lawfully created prior to the adoption or amendment of the Zoning Ordinance. Section 3.05(D) of the Zoning Ordinance states:

If two or more lots or combination of lots with contiguous frontage in single ownership are of record at the time of adoption or amendment of this ordinance, and if all or part of the individual lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an individual parcel for the purposes of this ordinance. No portion of said parcel shall be used, occupied, or sold in a manner which diminishes compliance with lot width and area requirements established by this ordinance, nor shall any division of a parcel be made which creates a lot with width or area less than the requirements stated in this ordinance.

Therefore, in order for the applicant to construct a single-family home on the subject parcel, the lot area and width must be conforming. The R-2 zoning district requires a minimum lot area of 20,000 sq. ft. and a minimum lot width of 100 feet. Therefore, if the subject parcel is rezoned to R-2, it will comply with the lot area and lot width requirements of the R-2 zoning district.

Review Considerations: Section 27.06(D)(4) of the Zoning Ordinance consists of 10 standards of review to be considered prior to action. Based on our review of the application materials, the Comprehensive Plan, and the site area, we find that the application meets each of the 10 rezoning standards of review as follows:

(1) Will the proposed amendment be in accordance with the basic intent and purpose of the zoning ordinance?

The proposed amendment will be in accordance with the basic intent and purpose of the Zoning Ordinance, as the amendment is consistent with the Comprehensive Plan whose policies the Zoning Ordinance is intended to implement.

Section 1.02 (Purpose) of the Zoning Ordinance is very general and includes the regulation of land development and the establishment of districts. To that end, there are provisions for land development in the Zoning Ordinance, many of which are unique to the underlying zoning district or the zoning district of an adjacent parcel. Land development standards in the Zoning Ordinance include density, setbacks, building height, land use, parking and loading, access management, landscaping and screening, lighting, signage, building design, tree preservation, and natural features setbacks.

(2) Is the proposed amendment consistent with the comprehensive plan of the Township?

The proposed amendment is consistent with the Comprehensive Plan of the Township. The Future Land Use Map of the Comprehensive Plan designates the subject property as Low Density Residential, which recommends a density of 2 dwelling units per acre. The R-2 zoning district is the corresponding zoning district to the Low Density Residential Future Land Use classification. The subject property has been classified as Low Density Residential on the Future Land Use Map since 2012.

(3) *Have conditions changed since the zoning ordinance was adopted, or was there a mistake in the zoning ordinance, that justify the amendment?*

Conditions have changed since the Zoning Ordinance was adopted in 1990, as the previous owners of the subject parcel desired to sell their property for the purposes of development in accordance with the Comprehensive Plan and Zoning Ordinance. The demand for single-family residential use continues in Canton Township and the availability of undeveloped parcels in the community is scarcer.

(4) *Will the amendment correct an inequitable situation created by the zoning ordinance rather than merely grant special privileges?*

The amendment will correct an inequitable situation created by the Zoning Ordinance rather than grant special privileges because the Comprehensive Plan recommends a zoning of 2 units per acre. For example, on May 13, 2014 the 5.78-acre parcel located about 300 feet south of the subject site was rezoned from RR, Rural Residential to R-2 (121-RZ-2018). The parcel rezoned to R-2 is also classified as Low Density Residential on the Future Land Use Map of the Comprehensive Plan.

Denial of a rezoning request that has been granted to a nearby property within Low Density Residential classification on the Future Land Use Map could create an inequitable situation for the applicant.

(5) *Will the amendment result in unlawful exclusionary zoning?*

The amendment will not result in exclusionary zoning, as the amendment is a result of an application by the owner of the subject property, and the subject parcel is near other R-2 zoned properties to the west (about 600 feet) and south (about 300 feet). The density of the proposed R-2 zoning district is in accordance with the recommended density of 2 units per acre by the underlying Future Land Use classification of Low Density Residential.

(6) *Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes?*

The amendment will not set an inappropriate precedent, as it is consistent with the Comprehensive Plan policies and Future Land Use Map, and the subject parcel is near R-2 zoned properties to the west and south. As noted above, at least one other property nearby in the Low Density Residential Future Land Use classification has been rezoned to R-2 in recent years for similar purposes.

(7) *If a rezoning is requested, is the proposed zoning consistent with the existing land uses of surrounding property?*

The proposed rezoning is consistent with the existing land uses of surrounding properties. All existing surrounding land uses to the north, west, and south are detached single-family residential uses, which is a permitted use in the proposed R-2 zoning district. While the site to the east across Denton Rd. is vacant, it is zoned R-4 and has obtained preliminary site plan approval for Anand Village at a density of approximately 4 units per acre.

(8) ***If a rezoning is requested, could all requirements in the proposed zoning classification be complied with on the subject parcel?***

If the proposed rezoning is approved, all the requirements of the proposed zoning classification can be complied with on the subject parcel. The subject parcel will comply with the standards of the R-2 district for minimum lot area (20,000 sq. ft.) and minimum lot width (100 ft.). The subject parcel is about 35,275 sq. ft. and 100 feet wide, so it cannot be divided if it is rezoned to R-2. While the lot depth-to-lot width ratio of 3.88 exceeds the maximum ratio of 3 permitted by the Zoning Ordinance, the maximum depth-to-width ratio is the same in the R-1 and R-2 zoning districts, so a rezoning will not change the site's compliance with this standard. Specific development requirements for lot line setbacks and wetland setbacks will be addressed when the Engineering Division and Building & Inspection Services Division reviews the plans.

Section 2.24(C) of the Zoning Ordinance requires a 25-foot setback from any wetland. The wetland boundaries will be determined at the time of building plan review by the Engineering Division and Building & Inspection Services Division, at which time the applicant will know whether an EGLE permit is required and/or they will seek a variance from Section 2.24(C).

(9) ***If a rezoning is requested, is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?***

The proposed zoning, R-2, Single Family Residential, is consistent with the trends in land development in the general vicinity of the subject property, as the subject parcel is near R-2 zoned properties to the west (Grandview Estates, about 600 feet away) and south (about 300 feet away).

(10) ***If a rezoning is requested, what is the impact on the township infrastructure?*** If the subject parcel is rezoned to R-2, there will not be sufficient lot area to divide the parcel. Therefore, the following findings are based on the subject parcel remaining as one lot.

- **Water and Sewer.** The subject property is proposed to be serviced by water and sanitary sewer service, which is available in the area. The water main and sewer main are both located along the east side of Denton Road, across the street from the subject parcel.
- **Roads.** Denton Rd. is a paved road under the jurisdiction of Wayne County.
- **Natural Features.** According to FEMA, there are no floodplains on the site. According to EGLE, the site has a substantial amount of wetlands and hydric soils; however, only an on-site survey by a qualified professional can determine the

wetland boundaries, at which time the applicant may be required to obtain a permit from EGLE and/or apply for a wetland setback variance. The identification of wetlands is generally required before a building permit is reviewed by the Engineering Services Division and Building & Inspection Services Division.

- **Community Planner's Recommendation:** Approval.
- **Planning Commission Recommendation:** At its meeting on August 7, the Planning Commission voted 8-0 to recommend approval of the request to rezone parcel no. 71-121-99-0007-000 from R-1, Single Family Residential to R-2, Single Family Residential, as the proposal meets the standards of Section 27.06(D)(4) of the Zoning Ordinance as stated in the staff report.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Introduce, hold the first reading, and table the proposed rezoning amendment to Appendix A – Zoning of the Code of Ordinances, which proposes to rezone parcel no. 71-121-99-0007-000 from R-1, Single Family Residential to R-2, Single Family Residential.

BUDGET IMPLICATION & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: N/A

MUNICIPAL SERVICES DIRECTOR'S RECOMMENDATION: Approval

ENGINEERING SERVICES DIVISION'S RECOMMENDATION: N/A

FIRE MARSHAL'S RECOMMENDATION: N/A

BUILDING OFFICIAL'S RECOMMENDATION: N/A

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: N/A

SUPERVISOR'S RECOMMENDATION: Approval

MODEL MOTIONS:

1. I move to introduce and hold the first reading of the proposed amendment to Appendix A – Zoning of the Code of Ordinances of the Charter Township of Canton as provided in the attached ordinance of Planning Application #121-RZ-7853, which rezones tax parcel no. 71-121-99-0007-000 from R-1, Single Family Residential to R-2, Single Family Residential.
2. Further, I move to table consideration of the amendment for a second reading on September 12, 2023.

ATTACHMENTS:

1. Draft Ordinance

2. August 7, 2023 Planning Commission Minutes
3. Zoning Map, Aerial Map, and Future Land Use Map
4. Site Map
5. Rezoning Criteria

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM #G-4

ITEM: Consider Approving an Animal Sheltering Agreement with the Michigan Humane Society

PRESENTER: Chad Baugh, Director of Police Services

INDIVIDUALS IN ATTENDANCE:

EXECUTIVE SUMMARY: The Police Department is requesting approval to enter into an animal sheltering agreement with the Michigan Humane Society. The proposed agreement consists of a flat monthly rate of \$3,493.75, through December 31, 2025. Additional specialty service fees (as needed) are listed on page 5 of the contract.

BACKGROUND INFORMATION: In late 2014, the Board approved entering into an agreement with the Michigan Humane Society (MHS), Westland Shelter, to provide animal sheltering services for animals found in Canton. For the first time since the initial agreement in 2014, the flat rate is increasing by \$698 per month. Specialty service fees will be included in the purchase order based on past history of use.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Approve the proposed agreement with Michigan Humane Society for animal sheltering services through December 31, 2025, in the total annual amount of \$46,925 (\$41,925 in flat monthly fees, plus \$5,000 for ancillary specialty services as needed, per contract.)

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Funds budgeted in the 2023+ Police Animal Care Account #207-301-50.836_0008 will be utilized for this expense.

IMPLEMENTATION PLAN: This agreement has been reviewed by Township legal counsel, and will be forwarded to the Township Supervisor for signature, upon board approval.

DIRECTOR'S RECOMMENDATION: Approve

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION: I move to approve the proposed agreement with Michigan Humane Society for animal sheltering services through December 31, 2025, in the total annual amount of \$46,925 (\$41,925 in flat monthly fees, plus \$5,000 for ancillary specialty services as needed, per contract.)

ATTACHMENTS: Attachment A – Proposed contract with Michigan Humane Society

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM #G-5

ITEM: Consider Approving an Agreement for Emergency Veterinary Services

PRESENTER: Chad Baugh, Director of Police Services

INDIVIDUALS IN ATTENDANCE: n/a

EXECUTIVE SUMMARY: The Police Department is requesting to enter into a service agreement with Veterinary Emergency Service West, to receive and triage injured or sick animal during off-business hours of the Michigan Humane Society. This annual agreement would be for an amount not-to-exceed \$6,000 per year.

BACKGROUND INFORMATION: Due to a change in the hours of the Michigan Humane Society's veterinary services at the Westland shelter, the department is requesting to enter into an after-business hours agreement with Veterinary Emergency Services West (VESW), located on Ann Arbor Road in Plymouth. With this agreement VESW would accept and triage injured and/or sick animals recovered during off-business hours of the MHS Westland Shelter. Triage care is defined as minor wound care/stabilization. VESW estimates the cost per incident to be \$200-\$300. Charges will be billed to the Township on a month basis, as services are received.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Approve an agreement with Veterinary Emergency Service West, for an annual amount not to exceed \$6,000. This agreement will be effective upon approval, and valid through December 31, 2024, with an option for a two-year renewal at that time.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Funds budgeted in the Police Animal Care Account #207-301-50.836_0008 will be utilized for this expense.

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 agreement with Veterinary Emergency Service West, for an annual amount not to exceed \$6,000. This agreement will be effective upon

approval, and valid through December 31, 2024, with an option for a two-year renewal at that time.

ATTACHMENTS: Attachment A – Veterinary Emergency Services West Service Agreement

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM #G-6

ITEM: Consider Approving an Extension to the Embedded Social Worker Contract with Hegira Health, Inc.

PRESENTER: Chad Baugh, Director of Police Services

INDIVIDUALS IN ATTENDANCE: n/a

EXECUTIVE SUMMARY: The Police Department is requesting an extension through November 30, 2023, on its contract with Hegira Health Inc., for Embedded Social Worker services. Hegira has agreed to this extension, with the existing terms and conditions of the agreement.

BACKGROUND INFORMATION: At the Board Meeting on March 23, 2021, the original contract for Embedded Social Worker services was approved (G-13) in the amount of \$6,908.92 per month for twelve months, which began on August 29, 2021. The police department has requested extensions to this contract while focusing on developing enhancements to its social worker program. These extensions ensure services to the public are maintained during this interim phase.

STRATEGIC PLAN/GOALS: Employ embedded social workers to support police.

ACTION REQUESTED: Approve an extension to the Embedded Social Worker Contract with Hegira Health, Inc., to run through November 30, 2023.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Funds currently budgeted for a year-long social worker program will be used for this expense.

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 extension to the embedded social worker contract with Hegira Health, Inc, to run through November 30, 2023.

ATTACHMENTS: Attachment A – Extension agreement letter from Hegira Health, Inc.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM #G-7

ITEM: Consider a Request to Approve a Letter of Agreement Between Canton Township and the Police Officers Association of Canton/Police Officers Association of Michigan

PRESENTER: Chad Baugh, Director of Police Services

INDIVIDUALS IN ATTENDANCE: None Anticipated

EXECUTIVE SUMMARY: Canton Township is always striving for good rapport with its labor force. Toward this end, a Letter of Agreement (LOA) was reached between Canton Township and the Police Officers Association of Canton (POAC) to establish a promotional process for the Police Department's new Telecommunication Supervisor positions(s) to be classified in the Canton Command Officers Association.

BACKGROUND INFORMATION: For the past 8 years, the Public Safety Department's Dispatch and IT Systems Supervisor positions have been combined and classified within the Township's Merit System. Due to increased responsibilities and liabilities in both dispatch supervision and IT Systems, the department is separating the combined positions. The PSD-IT Systems Manager position will remain in the Merit System and the Dispatch Supervisors (Telecommunication Supervisors) is going to be classified in CCOA (LOA in process).

This agreement between the Township and the POAC establishes the criteria for bargaining unit members to apply and test for the new dispatch supervisor positions.

STRATEGIC PLAN/GOALS: Organizational Climate and Culture

ACTION REQUESTED: Approve the LOA between Canton Township and the POAC to provide for the establishment of a promotional process for the positions of Telecommunications Supervisor.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: This LOA has no implication to the 2023 Police budget.

IMPLEMENTATION PLAN: Upon approval, the Township Supervisor and associates will sign the Letter of Agreement that the POAC bargaining team has already agreed upon.

DIRECTOR'S RECOMMENDATION: Approve

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION: I move to approve the LOA between Canton Township and the POAC/POAM to provide for the establishment of a promotional process for the positions of Telecommunications Supervisor.

ATTACHMENTS: Attachment A - Letter of Agreement.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM #G-8

ITEM: Consider Approving a Three-Year Animal Control Services Contract

PRESENTER: Chad Baugh, Director of Police Services

INDIVIDUALS IN ATTENDANCE: None anticipated

EXECUTIVE SUMMARY: Canton Township solicited bids for contracted animal control services for the police department. One vendor, Varmint Police, Inc., submitted a flat rate bid of \$6,064.12 per month (\$72,769.53 annually). The police department is recommending Varmint Police, Inc., be awarded the three-year service contract, with the option to extend for an additional three years.

BACKGROUND INFORMATION: Varmint Police, Inc., has been providing Canton with excellent animal control services for the past 25 years. Varmint Police personnel have continually maintained a strong working relationship with the township staff and residents. Varmint Police, Inc., bid a rate of \$6,064.12 per month, \$72,769.53 annually. This is the first increase in their service fee since 2008. (Previously \$60,641.28 annually.)

With the Township Board's approval of the proposed bid, Varmint Police Inc., agrees to continue to provide a trained animal control officer to urgently respond to animal complaints utilizing efficient and humane means, 24-hours a day, seven days a week. Varmint Police, Inc., also provides animal transportation to either a designated shelter, humane society or rehabilitation center.

Privatization of animal control services is the most cost-effective way of providing a high level of animal control service to the community, as opposed to the costs associated with utilizing/hiring township personnel to handle animal control.

STRATEGIC PLAN/GOALS: Welcoming community.

ACTION REQUESTED: Award a three-year animal control contract, with the option to extend an additional three years, to Varmint Police, Inc., of Willis, MI, in the amount of \$6,064.12 a month (\$72,769.53 annually), from August 1, 2023 – July 31, 2026.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Funds for this expense are budgeted in the 2023 Police Expense Animal Care Account #207-301-50.836_0008, and will subsequently

be budgeted for the remaining years of the contract.

IMPLEMENTATION PLAN: n/a

DIRECTOR'S RECOMMENDATION: Approve

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION: I move to award a three-year animal control contract, with the option to extend an additional three years, to Varmint Police, Inc., of Willis, MI, in the amount of \$6,064.12 a month (72,769.53 annually), from August 1, 2023 – July 31, 2026.

ATTACHMENTS: Attachment A – Bid Tabulation Sheet
Attachment B – Varmint Police, Inc., Bid Proposal
Attachment C – Township Bid Solicitation

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM #G-9

**ITEM: Consider Approving the Purchase of GrayKey from GrayShift, LLC, and Accept
a Donation from the Operation Underground Railroad Toward the Purchase**

PRESENTER: Chad Baugh, Director of Police Services

INDIVIDUALS IN ATTENDANCE: n/a

EXECUTIVE SUMMARY: The Police Department is requesting to purchase GrayKey Essential with Artifact IQ, a mobile extraction device for cell phone forensics, in the amount of \$14,120. This includes the initial purchase of hardware and licensing. GrayShift, LLC, is the sole-source provider of GrayKey, with no competitors offering this product line. GrayKey is only available to government agencies of law enforcement, public safety, and national defense.

The department has also secured a donation from the non-profit organization, Operation Underground Railroad (OUR), in the amount of \$5,260.25, to be paid directly to GrayShift, LLC for the purchase of this product.

BACKGROUND INFORMATION: Cell phone forensics are being utilized by law enforcement investigators as a tool for effectively and efficiently investigating crimes. GreyKey Essentials and Artifact IQ is a web-based product that allows investigators to begin analyzing phones that are having their data extracted by GrayShift, within minutes versus hours. Cell phones provide pertinent information on a variety of cases, including abducted and missing persons, which brings the vested interest of the OUR non-profit to the forefront of this valued resource provided by GrayShift, LLC.

STRATEGIC PLAN/GOALS: n/a

ACTION REQUESTED: Approve the purchase of GrayKey Essential with one-year annual licensing in the amount of \$14,120. Additionally, accept a donation from the non-profit organization Operation Underground Railroad in the amount of \$5,260.25, to be applied toward the \$14,120, and paid directly to GrayShift, LLC.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Funds budgeted in the 2023 Police Capital Outlay Computers Account #207-301-50.970_0010 will be utilized for this purchase.

IMPLEMENTATION PLAN: Upon approval, the department will request a purchase order in the amount of \$8,860 to GrayShift, LLC. Once paid, the OUR non-profit will pay the remaining balance of \$5,260.25 to GrayShift, LLC.

DIRECTOR'S RECOMMENDATION: Approve

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

MODEL RESOLUTION:

- 1) I move to approve the purchase of GrayKey Essential with one-year annual licensing in the amount of \$14,120.
- 2) Additionally, accept a donation from the non-profit organization Operation Underground Railroad in the amount of \$5,260.25, to be applied toward the \$14,120, and paid directly to GrayShift, LLC.

ATTACHMENTS: Attachment A – Quote from GrayShift, LLC.
Attachment B – Contribution Agreement from OUR

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM #G-10

ITEM: Consider Approval of a Purchase Order to OHM Advisors for Engineering Services for the initial phase of Cherry Hill Village
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PRESENTER: Jon LaFever, Community Development Director

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: Through a combination of ARPA funds (American Rescue Plan Act), insurance proceeds, park millage funds, and existing fund balance, Canton is able to invest \$9.5 million dollars towards the Canton Town Square project at Cherry Hill Village. The Town Square project will invest in some of the Community's most treasured assets, including the Village Square Park, Historic Arts Factory Building, Factory Park, Cherry Hill School, Preservation Park, trails, public parking improvements, wayfinding, and programming in the Town Square. OHM Advisors have provided planning services to help develop the associated concepts to date. Canton team members and OHM Advisors have now identified the next steps and initial phases of the project, which includes additional concept planning, topographic survey, detention pond conversion, parking lot design, and bidding assistance.

OHM has played a key, instrumental role in developing the Cherry Hill Village Square project concept. To continue this significant momentum, staff are requesting the bidding process be waived and to approve a purchase order to OHM Advisors for these services, with a total not-to-exceed fee of \$117,500.

BACKGROUND: Through the Wayne County ARPA Agreement, Canton will coordinate the work to the design and develop the Village Square (surrounding the Cherry Hill School), Factory Community Center, Preservation Park, a trails network, marketing and promotion, and wayfinding.

STRATEGIC PLAN/GOALS: Welcoming Community and Quality Infrastructure

ACTION REQUESTED: Waive the bid process and consider approval of a purchase order to OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150 for professional engineering services for the initial phase of the Cherry Hill Village Square development.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

Funds are budgeted in the Community Improvement account # 404-727.801_0050 – Professional Services.

IMPLEMENTATION PLAN: If approved, a purchase order will be created for OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150 for professional engineering services for the initial phase of the Cherry Hill Village Square development.

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION: I move to waive the bidding process and approve a purchase order to OHM Advisors, 34000 Plymouth Road, Livonia, MI 48150 for professional engineering services for the initial phase of the Cherry Hill Village Square development. A purchase order will be submitted in the amount of \$117,500 to be paid from Account #404-727.801_0050 Professional Services.

ATTACHMENTS:

Attachment A: OHM Advisors Proposal

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM # G-11

ITEM: Consider approval of resolution approving settlement agreement in opioid litigation involving Walgreens

PRESENTER: Anne Marie Graham-Hudak, Supervisor

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: The Board has been asked to adopt a resolution approving participation in the national settlement agreement in ongoing opioid litigation with manufacturers and distributors of opioids. The settlement agreement is with Walgreens, for their role in the opioid epidemic.

BACKGROUND: In December of 2017, the Board of Trustees authorized the filing of a lawsuit on Canton's behalf against various opioid manufacturers and distributors. Canton's suit was then merged with a number of lawsuits already pending as part of a nationwide class action. Since that time, a number of the defendants have gone out of business and/or filed bankruptcy.

The Michigan Department of Attorney General has reached a settlement with Walgreens Pharmacy regarding opioids. This settlement allows Michigan and eligible local governments to participate in the Walgreens National Settlement. The deadline to submit the participation form is September 6th, 2023.

STRATEGIC PLAN/GOALS: Resolve pending litigation; take advantage of available funds to help mitigate the on-going opioid epidemic.

ACTION REQUESTED: Approve the Resolution approving the filling out of the National Settlement Participation Agreement Form and submitting it to the National Prescription Opioids Litigation Consortium.

IMPLEMENTATION PLAN: If approved, a copy of the certified resolution and the signed settlement agreement will be sent to national counsel for the opioid litigation. Once funds are received, they will need to be earmarked for use and accounted for in accordance with the settlement agreements.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approved.

SUPERVISOR'S RECOMMENDATION: Approved.

MODEL RESOLUTION:

1. I move to approve the resolution approving the settlement agreement in opioid litigation involving Walgreens and authorize the Township Supervisor to sign any necessary documents in order to effectuate the settlement.

ATTACHMENTS:

1. Resolution authorizing participation of Canton Township in the Walgreens National Opioid Settlement

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM # G-12

ITEM: Consider purchase of property located at 50755 Cherry Hill Road, commonly referred to as the Village Arts Factory.
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PRESENTER: Anne Marie Graham-Hudak, Supervisor

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: The Board is being asked to consider purchasing the property located at 50755 Cherry Hill Road, Tax ID 71-074-99-0006-705, with fund balance resulting from American Rescue Plan Act (ARPA) funds. This is commonly referred to as the Village Arts Factory and its surrounding property. The proposed sale price for the property and all of the buildings, including costs, is \$2,085,831.18.

The Township Board previously committed fund balance resulting from the American Rescue Plan Act in the amount of \$2 million for the construction of a fourth fire station. Since that time, the Township has received notification of a grant in excess of \$7 million for the construction of a fourth fire station. As a result, we are asking the Board to reallocate those dollars for this purchase.

BACKGROUND: The Village Arts Factory is located just one block west of The Village Theater at Cherry Hill in the heart of Canton's Town Square. The recently opened Arts Warehouse is now a vibrant space that integrates arts, culture, and creativity, and encourages commercial and economic revitalization in the Square.

Located in the heart of Cherry Hill Village, the Village Arts Factory serves as a nexus for the arts, culture, music, humanities and community engagement. The historic, multipurpose arts studio complex is dedicated to providing equitable, innovative, and inclusive arts programming and experiences for all Canton residents to enjoy.

The purchase of this property will guarantee all Canton residents have the opportunity to enjoy arts and humanities programming in the future, with a flagship location for the arts in the heart of the Canton Town Square.

STRATEGIC PLAN/GOALS: Welcoming Community and Quality Infrastructure.

ACTION REQUESTED: Approve the purchase of the Village Arts Factory and surrounding property for the amount of \$2,085,831.18.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: A budget amendment of \$2,085,832.00 is necessary to accommodate this purchase. We are recommending to reallocate \$2 million of the committed fund balance resulting from the American Rescue Plan Act from Fire Station #4 construction as the Township has received multiple grants exceeding that amount for that purpose since the Board previously earmarked these funds.

IMPLEMENTATION PLAN: Upon Board approval, Supervisor Anne Marie Graham-Hudak will sign all documents necessary to complete the purchase of the property.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approved.

SUPERVISOR'S RECOMMENDATION: Approved.

MODEL RESOLUTION: I move to approve the purchase of the property at 50755 Cherry Hill Road for an amount not to exceed \$2,085,831.18 and approve the following budget amendment:

Increase Revenues:

246-000.695	Fund Balance Appropriation	\$2,085,832.00
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Increase Expenditures:

246-261.970_0070	Capital Outlay Land	\$2,085,832.00
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I further move to recommit the fund balance previously committed for Fire Station #4 in the amount of \$2 Million to fund the purchase of this property and authorize the Township Supervisor to sign all of the necessary documents to finalize the sale, pending the results of an environmental assessment on the property, and final approval by legal counsel.

ATTACHMENTS: None.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 23, 2023

AGENDA ITEM #G-13

Item: Consider Award of a Contract to AKT Peerless Environmental Services to Perform an Environmental Assessment at The Village Arts Factory Warehouse, 50755 Cherry Hill

PRESENTER: Joseph Hawver, Deputy Township Supervisor

INDIVIDUALS IN ATTENDANCE: None Anticipated

EXECUTIVE SUMMARY: Canton Township is in the process of procuring The Village Arts Factory Warehouse, 50755 Cherry Hill. Prior to closing on the purchase and as a component of the Township's due diligence process, the Township is seeking to perform an environmental assessment of the property. The assessment would include a Phase I Environmental Site Assessment, Phase II Environmental Site Assessment, Baseline Environmental Assessment, and a Due Care Plan. Based upon the information and data provided by the assessment, the Township may take further steps to remedy any onsite environment at a later date.

To accomplish the assessment, AKT Peerless Environmental Services has provided a quote of \$17,550 to perform the required work. AKT Peerless Environmental Services has provided timely and accurate services to the Township in the past.

BACKGROUND: Canton Township is pursuing a reimagining and redevelopment of the Cherry Hill Village District. A component of this redevelopment is the contribution of the arts and cultural institutions of the Township. Within this context, the Township is pursuing the purchase of The Village Arts Factory Warehouse at 50755 Cherry Hill. To complete the purchase the Township is completing a due diligence process that includes an environmental assessment of the property.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Approve the contract for AKT Peerless Environmental Services to perform an environmental assessment at 50755 Cherry Hill. The environmental assessment will include a Phase I Environmental Site Assessment, Phase II Environmental Site Assessment, Baseline Environmental Assessment, and a Due Care Plan.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

IMPLEMENTATION PLAN: Upon Board approval, the Township will award the contract to AKT Peerless Environmental Services. The contractor will perform the environmental assessment as outlined in their quote.

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION:

I move to waive the bidding process and award a contract for environmental assessment at 50755 Cherry Hill to AKT Peerless Environmental Services, 22725 Orchard Lake Rd, Farmington, MI 48336 in the amount of \$17,550 to be paid from account 404-727.801_0050 Professional Services.

ATTACHMENTS:

1. AKT Peerless Proposal

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: August 22, 2023

AGENDA ITEM # G-14

ITEM: Consider FOIA 23-457 Second Appeal

PRESENTER: Michael A. Siegrist, Clerk

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: On Tuesday, August 14, 2023 the Public Safety Records Department received a faxed FOIA appeal from The Sam Bernstein Law Firm in regards to the partial denial of their FOIA request 23-457. We are asking the Board to consider this appeal to the denial issued on May 15, 2023.

BACKGROUND: The Sam Bernstein Law Firm entered a FOIA request for a copy of the initial Dog Bite Report and all supplemental reports, including any photos and/or videos. On May 15, the FOIA was partly redacted and denied under the Freedom of Information Act Sec. 13(1) A public body may exempt from disclosure as a public record under this act any of the following:

- (a) Information of a personal nature if public disclosure of the information would constitute a clearly warranted invasion of an individual's privacy.
- (z) Information that would identify or provide a means of identifying a person that may, as a result of disclosure of the information, become a victim of a cybersecurity incident or that would disclose a person's cybersecurity plans or cybersecurity-related practices, procedures, methods, results, organizational information systems, infrastructure, hardware, or software.

The report given had the witness and dog owner's names and personal information redacted (a), along with officer badge number (z).

On August 14, 2023 The Sam Bernstein Law Firm faxed the Public Safety Records Department requesting an appeal to the redaction of the dog owner's identity. This was forwarded to the Supervisor's office to be heard at the next scheduled board meeting.

STRATEGIC PLAN/GOALS: Welcoming Community.

ACTION REQUESTED: Consider FOIA appeal and respond per discussion.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: Notify appellant of Board Action and proceed in accordance with established policy.

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION:

SUPERVISOR'S RECOMMENDATION:

MODEL RESOLUTION:

I move to deny the appeal in full, keeping the dog owner's identity redacted

Or

I move to grant the appeal in full: giving the dog owner's identity to The Sam Bernstein Law Firm

ATTACHMENTS:

1. Request 23-457
2. Appeal Fax for FOIA 23-457 including:
 - a. Appeal letter
 - b. Denial letter
 - c. Redacted Case Report