

**Proposed MINUTES OF THE REGULAR BOARD MEETING
OF
THE CHARTER TOWNSHIP OF CHESTERFIELD**

July 2, 2012

The meeting was called to order by Supervisor Lovelock at 7:00 pm in the Charter Township of Chesterfield Municipal Offices at 47275 Sugarbush, Chesterfield, MI 48047.

Present: Supervisor Lovelock, Clerk Uglis, Treasurer Hartman
Trustees: Alexie, DeMuynck, Ficht, Bell
Also Present: Deputy Clerk Wurmlinger, Township Attorney Seibert

The Pledge of Allegiance was led by the 2011 Miss Chesterfield Jennifer Jean Gerlando. **PLEDGE OF ALLEGIANCE**

Supervisor Lovelock requested a moment of silence for Mrs. Joan Wojcik. **MOMENT OF SILENCE**

2011 Miss Chesterfield, Jennifer Jean Gerlando gave a summary of her activities as Miss Chesterfield and thanked the Township Board for their continued support of the program. **2011 MISS CHESTERFIELD SUMMARY OF ACTIVITIES**

Supervisor Michael E. Lovelock presented Clerk Janice M. Uglis her Certified Municipal Clerk plaque. **CERTIFIED MUNICIPAL CLERK PRESENTATION**

Supervisor Lovelock announced the donation of a Splash Park to be constructed at Brandenburg Park by the Wayne and Joan Weber Foundation. **SPLASH PARK DONATION ANNOUNCEMENT**

Motion by DeMuynck, supported by Alexie to: **4A)** Approve the Agenda as submitted. **4B)** Approve the minutes of the Regular Board Meeting of June 18, 2012. **4C)** Approve the Payment of Bills as submitted by the Finance Department. **4D)** Approve a request from Sandra Greenberg at 52361 Creek Lane for an Easement Encroachment Agreement to permit the encroachment on a public utility easement to repair a deck and pergola, subject to and abiding by comments from the DPW and Building Department officials. **4E)** Approve a request from Larry and Michelle Boren at 49543 Brockton Court for an Easement Encroachment Agreement to permit the encroachment on a public utility easement to construct a pool, subject to and abiding by comments from the DPW and Building Department officials. **4F)** Approve the Clerk's Department request to renew the **CONSENT AGENDA /APPROVED**

Repair and Service Contract with Election Systems & Software for the AccuVote tabulators and the assist AutoMARK units from July 1, 2012 through June 30, 2013. The total cost is \$3,819.00

Roll Call Vote:

Ayes: DeMuynck, Alexie, Bell, Uglis, Ficht, Hartman, Lovelock

Nays: None

MOTION CARRIED

Motion by Lovelock, to approve Fire Chief Charbonneau's Employment Agreement effective June 16, 2012 through June 16, 2016. Motion received no support.

MOTION TO APPROVE THE FIRE CHIEF'S EMPLOYMENT AGREEMENT/NO SUPPORT

Motion by DeMuynck, supported by Ficht to continue negotiations with Fire Chief Charbonneau on an Employment Agreement.

Roll Call Vote:

Ayes: DeMuynck, Ficht, Hartman, Uglis, Bell, Alexie

Nays: Lovelock

MOTION CARRIED

MOTION TO APPROVE CONTINUED NEGOTIATIONS ON AN EMPLOYMENT AGREEMENT WITH THE FIRE CHIEF/APPROVED

Motion by Lovelock, supported by Alexie to approve the request from J.M.D. Vecchio, Inc to add a New Entertainment permit, to be held in conjunction with a 2012 Class C & SDM license at 49434 N. Gratiot, Chesterfield Twp., MI 48051 subject to signing the covenant as read into the record by Clerk Uglis.

THIS COVENANT is made this ____ day of July, 2012, by and between JMD VECCHIO, INC., a Michigan corporation, by John A. Vecchio, Its: President, whose address is 22831 Hartman, Clinton Township, Michigan 48036 ("Proprietor") and the Charter Township of Chesterfield, a Michigan municipal corporation, whose address is 47275 Sugarbush, Chesterfield, Michigan 48047 ("Township").

WHEREAS, Proprietor is the operator of The Fillin Station Bar & Grill located at 49434 Gratiot Avenue, Chesterfield, Michigan 48051; and

WHEREAS, Proprietor currently possesses a 2012 Class C Liquor License, being license number 71737; and

WHEREAS, Proprietor is requesting from the State of Michigan, Department of Licensing and Regulatory Affairs; Michigan Liquor Control Commission ("MLCC"), a New Entertainment Permit and Sunday Sales Permit (AM); and

WHEREAS, the MLCC requires local governmental approval prior to issuance of a Sunday Sales Permit (AM) and New Entertainment Permit; Proprietor has requested such approval from the Charter Township of Chesterfield; and

WHEREAS, Proprietor has represented to the Chesterfield Township of Board of Trustees that the entertainment he is seeking to provide is that of stand-up comedians, together with "contest" similar to road rallies. Proprietor has represented that such contests would not include jello fights, jello wrestling, pudding wrestling, pudding fights, mud wrestling, swimsuit competitions or any such similar contests;

MOTION TO APPROVE A NEW ENTERTAINMENT PERMIT FOR J.M.D. VECCHIO, INC. SUBJECT TO SIGNING A CONVENT RESTRICTING TYPES OF ENTERTAINMENT /APPROVED

and

WHEREAS, Proprietor is desirous of assuring the Chesterfield Township of Board of Trustees that the above representations are accurate and has voluntarily agreed to the execution of this Covenant which will be binding upon the undersigned Proprietor, its heirs, personal representative and assigns; and

WHEREAS, the Chesterfield Township of Board of Trustees is desirous of approving the New Entertainment Permit to be held in conjunction with the 2012 Class C Liquor License expressly contingent upon the execution of this Covenant; and

WHEREAS, the Township, in order to grant local governmental approval requires written assurances with respect to same; and

WHEREAS, Proprietor acknowledges and consents to the Township's requirement as set forth and desires to place this Covenant on any Entertainment Permit granted by the MLCC for the Class C license, being license number 71737, for the purpose of binding all subsequent transferees, holder or possessors of Class C license, being license number 71737, issued by the MLCC.

NOW, THEREFORE, Proprietor agrees to the following covenants and restriction for entertainment presented or authorized to be presented at 49434 Gratiot Avenue (The Fillin Station Bar & Grill), or any establishment possessing the MLCC License No. 71737, entertainment shall not include contests similar to or in the nature of the following: jello fights, jello wrestling, pudding wrestling, pudding fights, mud wrestling, swimsuit completion or any such similar contests.

Proprietor acknowledges and fully understands that any violation of this Covenant may give rise to revocation of the New Entertainment Permit and/or MLCC License No. 71737 by the Township.

Proprietor voluntarily and knowingly executes this Covenant.

Roll Call Vote:

Ayes: Lovelock, Alexie, Bell, Uglis, Hartman, Ficht, DeMuyneck

Nays: None

MOTION CARRIED

**MOTION TO APPROVE
FOUR MASSAGE
THERAPIST FOR
RADIANT BEINGS
LLC/APPROVED**

Motion by Lovelock, supported by Alexie to approve four Massage Therapist, for Radiant Beings LLC located at 25962 Knollwood S., Chesterfield Twp., MI 48051.

Roll Call Vote:

Ayes: Lovelock, Alexie, Ficht, DeMuyneck, Hartman, Uglis, Bell

Nays: None

MOTION CARRIED

**MOTION TO APPROVE
POSTPONING UNTIL
AUGUST 6, 2012
APPROVAL OF A
LETTER OF
UNDERSTANDING
WITH AFSCME LOCAL
1917.42/APPROVED**

Motion by DeMuyneck, supported by Ficht to postpone until the August 6, 2012 Regular Township Board Meeting approval of a Letter of Understanding between the Charter Township of Chesterfield and AFSCME Local #1917.42 for an Assessor Level IV, an Assistant Parks and Recreation Director and Department Head Wage Scale.

Roll Call Vote:

Ayes: DeMuyneck, Ficht, Hartman, Bell, Alexie

Nays: Lovelock, Uglis

MOTION CARRIED

Motion by DeMuynck, supported by Ficht to approve Resolution No. 1, for the Lottievue Subdivision Street Lighting Special Assessment District, and requesting transfer of payment from the Lottievue Improvement Association to the individual homeowner in accordance with Public Act 80 of 1989, and set a Public Hearing for July 16, 2012 at 7:00 pm.

**MOTION TO APPROVE
RESOLUTION #1
SETTING A PUBLIC
HEARING FOR THE
LOTTIEVUE
SUBDIVISION STREET
LIGHTING
S.A.D./APPROVED**

Roll Call Vote:

Ayes: DeMuynck, Ficht, Hartman, Lovelock, Alexie, Bell, Uglis

Nays: None

MOTION CARRIED

**MOTION TO APPROVE
A COMPUTER
SERVICE CONTRACT
WITH HI-TECH
/APPROVED**

Motion by Lovelock, supported by Alexie to approve a Computer Service Contract with HI Tech at a total cost of \$35,222.00 from July 1, 2012 through June 30, 2013.

Roll Call Vote:

Ayes: Lovelock, Alexie, Bell, Uglis, Hartman, Ficht, DeMuynck

Nays: None

MOTION CARRIED

**MOTION TO APPROVE
A NEW CLASS C
LIQUOR LICENSE FOR
CHESTERFIELD
BURGERS/APPROVED**

Motion by Hartman, supported by Uglis to approve a new Class C Liquor License for Chesterfield Burgers, Inc. doing business as Bagger Dave's Legendary Burger Tavern located at 51364 Gratiot Ave., Chesterfield, Michigan 48051.

Roll Call Vote:

Ayes: Hartman, Uglis, Lovelock, DeMuynck, Alexie, Bell, Ficht

Nays: None

MOTION CARRIED

PUBLIC COMMENT

ADJOURNMENT

David Joseph addressed the Board during Public Comment.

Motion by Lovelock, supported by DeMuynck to adjourn the meeting at 7:56 pm.

Ayes: All

Nays: None

MOTION CARRIED

Janice M. Uglis, Clerk

Michael Lovelock, Supervisor