

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

**June 3, 2013**

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 Berry, Treasurer Hartman  
Trustees: Anderson, Bell, DeMuynck, Joseph  
Also Present: Deputy Clerk Wurmlinger, Township Attorney Siebert

The Pledge of Allegiance was led by the Anchor Bay Air Force Junior ROTC. **PLEDGE OF ALLEGIANCE**

Motion by Berry, supported by DeMuynck to: **4A)** Amend the agenda as submitted. Item **6A** is a request by the Department of Public Works for \$15,000.00 for road repairs and Item **6B** is a request by the Department of Public Works to upgrade a clerical position. Also there will be a Closed Session after Board Comments to consult with the Township Attorney regarding Circuit Court Case No.2011-4006-CK. **4B)** Approve the minutes of the Regular Board Meeting of May 20, 2013. **4C)** Approve the Payment of Bills as submitted by the Finance Department. **CONSENT AGENDA WITH ADDENDUMS /APPROVED**

Roll Call Vote:

Ayes: Berry, DeMuynck, Joseph, Anderson, Bell, Hartman, Lovelock

Nays: None

**MOTION CARRIED**

Motion by Lovelock, supported by Joseph to approve ABC Warehouse's request for a variance to an Outdoor Merchandising Permit for a 20'x40' tent at 51600 Gratiot from June 15, 2013 through June 23, 2013. **MOTION TO APPROVE A TENT VARIANCE FOR ABC WAREHOUSE'S TENT SALE/APPROVED**

Roll Call Vote:

Ayes: Lovelock, Joseph, Anderson, DeMuynck, Bell, Hartman, Berry

Nays: None

**MOTION CARRIED**

Motion by Hartman, supported by Joseph to approve a 20' x 40' tent request submitted by Calvin Hanna to sell legal Michigan fireworks at 54800 Gratiot Ave., Chesterfield, MI from June 24, 2013 through July 5, 2013 during the hours of 9am to 10pm. **MOTION TO APPROVE A TENT TO SELL FIREWORKS FOR CALVIN HANNA /APPROVED**

Roll Call Vote:

Ayes: Hartman, Joseph, Bell, DeMuynck, Anderson, Lovelock, Berry

Nays: None

**MOTION CARRIED**

Motion by Bell, supported by DeMuynck to adopt Resolution 2013-10, The Charter Township of Chesterfield Code of Ethics.

Roll Call Vote:

Ayes: Bell, DeMuynck,

Nays: Hartman, Lovelock, Anderson, Joseph, Berry **MOTION DENIED**

**MOTION TO ADOPT  
RESOLUTION 2013-10,  
CODE OF ETHICS  
/DENIED**

Motion by Lovelock, supported by Joseph to remove the Police Department Lay-off Moratorium and that no lay-offs would occur in 2013.

Roll Call Vote:

Ayes: Lovelock, Joseph, Anderson, DeMuynck, Bell, Hartman, Berry

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE  
REMOVING THE  
POLICE DEPT. LAY-  
OFF MORATORIUM/  
APPROVED**

Motion by Lovelock, supported by Berry to approve the request by the Department of Public Works and allocate a total amount not to exceed \$15,000.00 to make a road repair on Peggy Lane and to assist Macomb County with a road repair on Carriage Way.

Roll Call Vote:

Ayes: Lovelock, Berry, Hartman, Bell, Anderson, Joseph, DeMuynck

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE  
STREET REPAIRS TO  
PEGGY LANE AND  
CARRIAGE  
WAY/APPROVED**

Motion by Hartman, supported by DeMuynck to approve a permanent level step upgrade for an AFSCME clerical position in the Department of Public Works from a level 3 to a level 4.

Roll Call Vote:

Ayes: Hartman, DeMuynck, Lovelock, Joseph, Anderson, Berry

Nays: Bell

**MOTION CARRIED**

**MOTION TO APPROVE  
A CLERICAL  
UPGRADE IN THE  
DPW/APPROVED**

Motion by Lovelock, supported by DeMuynck to enter into closed session at 8:19 pm to consult with the Township Attorney regarding trial or settlement strategy in Macomb County Circuit Court case No. 2011-4006-CK, Pollack v Chesterfield Township. The closed session is held pursuant to section 8(e) of the Open Meetings Act.

Roll Call Vote:

Ayes: Lovelock, DeMuynck, Bell, Hartman, Anderson, Joseph, Berry

Nays: None

**MOTION CARRIED**

**MOTION TO ENTER  
CLOSED SESSION  
/APPROVED**

Motion by Lovelock, supported by Anderson to return to Open Session at 8:29 pm.

Roll Call Vote:

Ayes: Lovelock, Anderson, Joseph, DeMuynck, Bell, Hartman, Berry

Nays: None

**MOTION CARRIED**

**MOTION TO RETURN  
TO OPEN SESSION  
/APPROVED**

Motion by Lovelock, supported by DeMuyneck to direct the Township Attorney to appeal the Circuit Court's decision regarding Macomb County Circuit Court case No. 2011-4006-CK, Pollack v Chesterfield Township.

Roll Call Vote:

Ayes: Lovelock, DeMuyneck, Bell, Hartman, Joseph, Anderson, Berry

Nays: None

**MOTION CARRIED**

**MOTION TO  
AUTHORIZE THE  
TWP. ATTORNEY TO  
APPEAL COURT  
CASE POLLACK V  
CHESTERFIELD  
/APPROVED**

Joe Miller, Elaine Manciero, David Novak, Nancy Orewyler and Michelle Ficht addressed the board during public comment.

**PUBLIC COMMENT**

Motion by Lovelock, supported by DeMuyneck to adjourn the meeting at 8:30 pm.

Ayes: All

Nays: None

**MOTION CARRIED**

**ADJOURNMENT**

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Cindy Berry, Clerk

Michael Lovelock, Supervisor