

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

May 5, 2014

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: Joseph, DeMuynck, Bell, Anderson
Also Present: Deputy Clerk Wurmlinger, Township Attorney Siebert

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

Motion by DeMuynck, supported by Berry to: **4A)** Approve the Agenda as submitted. **4B)** Approve the minutes of the Regular Board Meeting of April 21, 2014. **4C)** Approve the Payment of Bills as submitted by the Finance Department. **CONSENT AGENDA /APPROVED**

Roll Call Vote:

Ayes: DeMuynck, Berry, Anderson, Joseph, Bell, Hartman, Lovelock
Nays: None **MOTION CARRIED**

Motion by DeMuynck, supported by Joseph to open the Public Hearing at 7:04pm to hear comments on an application for an Industrial Facilities Exemption Certificate (IFEC) for real and personal property submitted by Global Advanced Products, LLC located at 30707 Commerce Blvd. **MOTION TO APPROVE OPENING A PUBLIC HEARING ON AN IFEC FOR GLOBAL ADVANCED PRODUCTS LLC/APPROVED**

Roll Call Vote:

Ayes: DeMuynck, Joseph, Anderson, Bell, Lovelock, Hartman, Berry
Nays: None **MOTION CARRIED**

Gene Carswell, Vice President and General Manager addressed the board and answered questions.

Motion by DeMuynck, supported by Berry to close the Public Hearing at 7:07pm. **MOTION TO CLOSE PUBLIC HEARING/APPROVED**

Roll Call Vote:

Ayes: DeMuynck, Berry, Anderson, Joseph, Bell, Hartman, Lovelock
Nays: None **MOTION CARRIED**

Motion by Berry, supported by Anderson to approve an application for an Industrial Facilities Exemption Certificate (IFEC) for real and personal property submitted by Global Advanced Products, LLC located at 30707 Commerce Blvd for eight years.

Roll Call Vote:

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

Nays: None

MOTION CARRIED

MOTION TO APPROVE AN IFEC FOR GLOBAL ADVANCED PRODUCTS LLC/APPROVED

Motion by DeMuynck, supported by Berry to approve introduction and first publication of Ordinance No. 142, amending the Code of Ordinances Chapter 64, Article III, Division 2, Organization and Financial Management of the Sewer and Water Department.

(Postponed from the April 21, 2014 Regular Township Board Meeting.)

Roll Call Vote:

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

Nays: None

MOTION CARRIED

MOTION TO APPROVE INTRODUCTION AND FIRST PUBLICATION OF ORD. NO. 142, FINANCIAL MANAGEMENT OF THE WATER AND SEWER DEPT. /APPROVED

Motion by Hartman, supported by Berry to approve a request with a variance to the Vending License Application to allow USA Fireworks to sell legal Michigan fireworks from a 30'x 40' tent located at 47025 North Gratiot, from June 24 through July 5, 2014 from 9am to 9pm.

(Postponed from the April 21, 2014 Regular Township Board Meeting.)

Roll Call Vote:

Ayes: Hartman, Berry, Bell, Lovelock

Nays: DeMuynck, Anderson, Joseph

MOTION CARRIED

MOTION TO APPROVE THE SALE OF FIREWORKS BY USA FIREWORKS /APPROVED

Motion by DeMuynck, supported by Lovelock to approve the Department of Public Works request to design and acquire right-of-ways for the Chesterfield and 25 Mile Roads Water Main Loop.

Roll Call Vote:

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

Nays: None

MOTION CARRIED

MOTION TO APPROVE THE DESIGN AND ACQUIRE THE RIGHT OF WAYS FOR THE CHESTERFIELD/25 MILE RDS. WATER MAIN LOOPS /APPROVED

Motion by Berry, supported by Lovelock to approve a request with a variance to the Vending License Application to allow Motor City Fireworks to sell legal Michigan fireworks from a 40'x 30' tent located at 29430 23 Mile Rd., from June 23 through July 4, 2014 from 9am to 9pm on the condition that all Township requirements are met regarding the resurfacing of the parking area.

MOTION TO APPROVE THE SALE OF FIREWORKS BY MOTOR CITY

FIREWORKS/DENIED

Roll Call Vote:

Ayes: Berry, Lovelock

Nays: DeMuynck, Anderson, Joseph, Bell, Hartman

MOTION DENIED

Motion by Lovelock, supported by Hartman to authorize the Township Attorney to commence appropriate Circuit Court action against the owner(s) of property located on 26 Mile Road (Parcels 09-04-100-016 and 09-04-100-024) to compel compliance with applicable state law.

Roll Call Vote:

Ayes: Lovelock, Hartman, Bell, DeMuynck, Anderson

Nays: Berry, Joseph

MOTION CARRIED

MOTION TO APPROVE THE TOWNSHIP ATTORNEY TO SEEK COMPLIANCE IN CIRCUIT COURT REGARDING PROPERTY ON 26 MILE RD/APPROVED

Motion by Hartman, supported by Berry to approve a request with a variance to the Vending License Application to allow Javen Dado, JD & SY, Inc. to sell legal Michigan fireworks from a 20'x 30' tent located at 29230 23 Mile Rd., from June 24 through July 5, 2014 from 9am to 9pm.

Roll Call Vote:

Ayes: Hartman, Berry, Joseph, Bell, Lovelock

Nays: DeMuynck, Anderson

MOTION CARRIED

MOTION TO APPROVE THE SALE OF FIREWORKS BY JD & SY, INC/APPROVED

Motion by Hartman, supported by Bell to approve a request with a variance to the Vending License Application to allow Freebies Fireworks, to sell legal Michigan fireworks from a 20'x 60' tent located at 33157 23 Mile Rd., from June 24 through July 5, 2014 from 9am to 9pm.

Roll Call Vote:

Ayes: Hartman, Bell, Lovelock, Berry

Nays: DeMuynck, Anderson, Joseph

MOTION CARRIED

MOTION TO APPROVE THE SALE OF FIREWORKS BY FREEBIES FIREWORKS /APPROVED

Motion by Anderson, supported by Bell to authorize the Township Attorney to commence appropriate Circuit Court action to appeal Judge Hackel's decision issued in 42-2 District Court, between the Township of Chesterfield v Michael Inagro Case No. C 131299A.

Roll Call Vote:

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

Nays: Joseph

MOTION CARRIED

MOTION TO APPROVE THE TOWNSHIP ATTORNEY TO APPEAL IN CIRCUIT COURT CASE NO. C 131299A CHESTERFIELD TWP V MICHAEL INAGRO

/APPROVED

Motion by Lovelock, supported by Joseph to enter into closed session at 8:16pm to consult with the Township Attorney regarding ongoing litigation between the Charter Township of Chesterfield and Fox LLC dba Rosie O'Grady's Case No. 11-2208-CH, pursuant to Section 8(e) of the Open Meetings Act.

**MOTION TO ENTER
INTO CLOSED
SESSION/APPROVED**

Roll Call Vote:

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

Nays: None

MOTION CARRIED

Motion by Lovelock, supported by Berry to return to open session at 8:43pm.

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

Roll Call Vote:

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

Nays: None

MOTION CARRIED

Walter Heinz, Paul Raggario, Steven Mickel and Gary Gendernalik addressed the board during Public Comment.

PUBLIC COMMENT

Motion by Lovelock, supported by Joseph to adjourn the meeting at 9:10 pm.

ADJOURNMENT

Ayes: All

Nays: None

MOTION CARRIED

Cindy Berry, Clerk

Michael Lovelock, Supervisor

