

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

**June 2, 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, DeMuyck, 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 DeMuyck, supported by Bell to: **4A)** Approve the Agenda as submitted. Board Comments will be made after the Closed session. **4B)** Approve the minutes of the Special Board Meeting of May 12, 2014 and the Regular Board Meeting of May 19, 2014. **4C)** Approve the Payment of Bills as submitted by the Finance Department. **CONSENT AGENDA /APPROVED**

Roll Call Vote:

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

Motion by Berry, supported by Anderson to adopt Ordinance No. 143, amending the Code of Ordinances Chapter 6, Article I, Section 6.2, Application for Alcoholic Liquors License. **MOTION TO ADOPT ORD. NO. 143 AMENDING THE APPLICATION FOR ALCOHOLIC LIQUORS LICENSE/ADOPTED**

**AN ORDINANCE amending the Charter Township of Chesterfield Code of Ordinances, by amending Chapter 6, Article I, Section 6.2 (Application for New License) to clarify that the licenses are not subject to annual renewal by the Township Board and affirm conditions, which if violated, may constitute, a basis for the Township Board to object to annual renewal of a license by the State and repealing any and all ordinances and/or resolutions in conflict therewith.**

Roll Call Vote:

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

Motion by DeMuynck, supported by Berry to adopt Ordinance No. 144, amending the Code of Ordinances Chapter 68, Article 36, Section c, Noxious Weeds Notification.

**AN ORDINANCE amending the Charter Township of Chesterfield Code of Ordinances, by amending Chapter 68, Article 36, Section (c) (A postcard shall be sent by regular mail to all vacant property owners listed on the township tax rolls before May 1st of each year as well as any property found in violation the previous year by the township) by resolution of the Township Board, and repealing this section of the ordinance and any and all ordinances and/or resolutions in conflict therewith.**

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO ADOPT  
ORD. NO. 144  
AMENDING THE  
NOXIOUS WEED  
NOTIFICATION  
/ADOPTED**

Motion by Lovelock, supported by Berry to approve the Planning Commission’s recommendation of Rezoning Petition No. 328, located at the northwest corner of William Rosso Highway and Jefferson Avenue from M-1 to C-3.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE  
REZONING PETITION  
NO. 328/APPROVED**

Motion by Lovelock, supported by Berry to approve the Planning Commission’s recommendation of Rezoning Petition No. 329, located at Chesterfield Crossing from C-2 to C-3.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE  
REZONING PETITION  
NO. 329/APPROVED**

Motion by Lovelock, supported by Berry to approve payment of annual (July 1, 2014 through June 30, 2015) dues to the Michigan Township Association (MTA) in the amount of \$6,139.83.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE  
PAYMENT OF MTA  
ANNUAL  
DUES/APPROVED**

Motion by DeMuynck, supported by Bell to approve the Police Department’s request to hire EMPCO, Inc. to conduct the Lieutenant Promotion Assessment at a cost of \$ 9,950.00 plus expenses.

Roll Call Vote:

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

Nays: Berry

**MOTION CARRIED**

**MOTION TO APPROVE  
HIRING EMPCO TO  
CONDUCT  
LIEUTENANT  
PROMOTION  
ASSESSMENT**

**/APPROVED**

Motion by Lovelock, supported by Berry to approve Supervisor Lovelock's recommendation to reappoint Tom Yaschen, John Herzog and Wayne Nemeth to the Beautification Committee with their terms expiring July 3, 2017.

Roll Call Vote:

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

Nays: Joseph

**MOTION CARRIED**

**MOTION TO APPROVE REAPPOINTMENT OF YASCHEN, HERZOG, AND NEMETH TO BEAUTIFICATION COMMITTEE /APPROVED**

Motion by Lovelock, supported by Berry to approve Supervisor Lovelock's recommendation to appoint Al Meneghin to the Beautification Committee with his term expiring July 3, 2018.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE THE APPOINTMENT OF MENEGHIN TO THE BEAUTIFICATION COMMITTEE /APPROVED**

Motion by Lovelock, supported by Joseph to approve the Department of Public Works' request to have the Annual Consumer Confidence Report printed by Metcom, the lowest quote, for a total cost of \$2,667.00.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE THE PRINTING OF THE DPW CONSUMER CONFIDENCE REPORT TO METCOM/APPROVED**

Motion by DeMuynck, 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, 2014 through June 23, 2014.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE A VARIANCE TO AN OUTDOOR MERCHANDISING PERMIT FOR ABC WAREHOUSE /APPROVED**

Motion by DeMuynck, supported by Berry to approve AEW's request to award the Callens Road Water Main Replacement project to the low bidder, Pamar Enterprises, Inc. for a total cost of \$498,641.85.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE THE CALLENS WATER MAIN REPLACEMENT PROJECT TO PAMAR ENTERPRISES /APPROVED**

Motion by Lovelock, supported by Berry to approve the purchase of 36 desktop computers from the low bidder, Sehi Computer Products, Inc. for a total cost of \$22,233.04.

Roll Call Vote:

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

Nays: None

**MOTION TO APPROVE  
THE PURCHASE OF  
COMPUTERS FROM  
SEHI/APPROVED**

**MOTION CARRIED**

Motion by Hartman, supported by Anderson to approve the installation of 36 desktop computers by HI-Tech for a total cost of \$4,750.00.

Roll Call Vote:

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

Nays: None

**MOTION TO APPROVE  
THE INSTALLATION  
OF COMPUTERS BY  
HI-TECH/APPROVED**

**MOTION CARRIED**

Motion by Hartman, supported by Bell to approve the Police Department's request to accept the Byrne Justice Assistance Grant in the amount of \$11,449.00 for technological upgrades to replace departmental computers.

Public Comments were made by Joe Miller and Jan Uglis.

Roll Call Vote:

Ayes: Hartman, Bell, Lovelock, DeMuynck

Nays: Joseph, Anderson, Berry

**MOTION TO APPROVE  
ACCEPTANCE OF THE  
BYRNE JUSTICE  
ASSISTANCE GRANT  
APPROVED**

**MOTION CARRIED**

Joe Miller, Mike Hunyady and Janice Uglis addressed the board during Public Comment.

**PUBLIC COMMENT**

Motion by Lovelock, supported by Berry to enter into closed session at 7:53pm to consult with the Township Attorney regarding pending litigation between the Charter Township of Chesterfield and Fox LLC dba Rosie O'Grady's, Michigan Court of Appeals Docket No. 309229, pursuant to Section 8(e) of the Open Meetings Act.

Roll Call Vote:

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

Nays: None

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

**MOTION CARRIED**

Motion by Hartman, supported by Lovelock to return to open session at 8:46pm.

Roll Call Vote:

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

Nays: None

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

**MOTION CARRIED**

Motion by Hartman, supported by Bell to direct the Township Attorney to file an application for leave of appeal to the Michigan Supreme Court regarding litigation between the Charter Township of Chesterfield and Fox LLC dba Rosie O'Grady's.

Ayes: Hartman, Bell, Lovelock, DeMuynck

Nays: Joseph, Anderson, Berry

**MOTION CARRIED**

**MOTION TO  
AUTHORIZE THE TWP.  
ATTORNEY TO  
APPEAL TO THE  
MICHIGAN SUPREME  
COURT THE ROSIE  
O'GRADY'S  
DECISION/APPROVED**

Motion by Lovelock, supported by DeMuynck to adjourn the meeting at 9:08 pm.

Ayes: All

Nays: None

**MOTION CARRIED**

**ADJOURNMENT**



