

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

July 7, 2014

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

Present: Clerk Berry, Treasurer Hartman
Trustees: Bell, Joseph, DeMuynck, Anderson
Excused: Supervisor Lovelock
Also Present: Clerk 5, Mary Geremesz, and Township Attorney Siebert

The Pledge of Allegiance was led by the Township Board of Trustees. **PLEDGE OF ALLEGIANCE**

Motion by Berry, supported by Hartman to appoint Trustee DeMuynck chairperson for the meeting. **MOTION TO APPOINT CHAIRPERSON FOR THE MEETING /APPROVED**
Roll Call Vote:
Ayes: Berry, Hartman, Joseph, Anderson, Bell, DeMuynck
Nays: None **MOTION CARRIED**

Jan Uglis and members of the North Gratiot Cruise Foundation presented the Township and Chief Bruce Smith with a donation check for \$7,500.00, to be used by the township police department. **DONATION FROM THE NORTH GRATIOT CRUISE FOUNDATION**

Motion by Berry, supported by Hartman to: **5A)** Approve the Agenda as submitted. **5B)** Approve the minutes of the Regular Board Meeting of June 16, 2014 as corrected. **5C)** Approve the Payment of Bills as submitted by the Finance Department. **CONSENT AGENDA /APPROVED**
Roll Call Vote:
Ayes: Berry, Hartman, Joseph, Bell, Anderson, DeMuynck
Nays: None **MOTION CARRIED**

Motion by Hartman, supported by Berry to open the Public Hearing at 7:09pm to hear comments concerning the estimate of cost and expense of providing Police protection as determined by the Township Board and on the distribution of the existing Special Assessment Levy for said Police protection as approved by the voters in 1996. **MOTION TO APPROVE OPENING A PUBLIC HEARING ON THE POLICE DEPT. BUDGET AND SPECIAL ASSESSMENT LEVY/APPROVED**
Roll Call Vote:
Ayes: Hartman, Berry, Anderson, Joseph, Bell, DeMuynck
Nays: None **MOTION CARRIED**

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Joe Katich, Cas Chirco, John Shibbish, Michelle Ficht, Paul LaFata, Joe Miller, Lou Nigro, Rick Boylan, Tom Dunn, Mike Kononovich, Mike Hunyady and Rich Supanich addressed the board.

Motion by DeMuynck, supported by Berry to close the Public Hearing at 7:47pm.

Roll Call Vote:

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

Nays: None

MOTION CARRIED

**MOTION TO CLOSE
PUBLIC
HEARING/APPROVED**

Motion by Joseph, supported by Anderson to postpone to the August 18, 2014 Regular Board Meeting, adoption of the 2015 Police Department Budget.

Roll Call Vote:

Ayes: Joseph, Anderson, Berry

Nays: Bell, Hartman, DeMuynck

MOTION FAILED

**MOTION TO
POSTPONE
ADOPTION OF
POLICE DEPT.
BUDGET/FAILED**

Motion by DeMuynck, supported by Bell to adopt the 2015 Police Department Budget.

Ayes: DeMuynck, Bell, Hartman

Nays: Joseph, Anderson, Berry

MOTION FAILED

**MOTION TO ADOPT
THE POLICE DEPT.
BUDGET/FAILED**

Motion by Joseph, supported by DeMuynck to continue postponement to the August 18, 2014 Regular Board Meeting the request by Gerald Tocco for approval of an Easement Encroachment Agreement to permit the encroachment on a public utility easement to construct a deck, subject to and abiding by comments from the DPW and Building Department officials. **(Postponed from the June 16, 2014 Regular Township Board Meeting.)**

Roll Call Vote:

Ayes: Joseph, DeMuynck, Hartman, Anderson, Berry

Nays: Bell

MOTION CARRIED

**MOTION TO
POSTPONE
APPROVAL OF AN
EASEMENT
ENCROACHMENT
AGREEMENT FOR
GERALD TOCCO
/APPROVED**

Motion by Hartman, supported by DeMuynck to approve Code Enforcement's request, authorizing the Township Attorney to proceed in Circuit Court, litigation regarding a violation of Township Ordinance Section #76-34-61 through 64, Blight at 49100 Fuller.

Roll Call Vote:

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

Nays: None

MOTION CARRIED

**MOTION TO APPROVE
CIRCUIT COURT
LITIGATION
REGARDING CODE
VIOLATION AT 49100
FULLER/APPROVED**

Motion by Berry, supported by DeMuyneck to adopt Resolution No. 2014-17 allowing James Gates to purchase five additional years of credit service as provided by the Michigan Employees' Retirement System and in accordance with the employee's contract.

Roll Call Vote:

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

Nays: None

MOTION CARRIED

**MOTION TO ADOPT
RESOLUTION NO.
2014-17 ALLOWING
JAMES GATES TO
PURCHASE CREDIT
SERVICE AS
PRESCRIBED BY
MERS/ADOPTED**

Motion by DeMuyneck, supported by Berry to adopt Resolution No. 2014-18 allowing Jason Dawidowicz to purchase two additional years of credit service as provided by the Michigan Employees' Retirement System and in accordance with the employee's contract.

Roll Call Vote:

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

Nays: None

MOTION CARRIED

**MOTION TO ADOPT
RESOLUTION NO.
2014-18 ALLOWING
JASON DAWIDOWICZ
TO PURCHASE
CREDIT SERVICE AS
PRESCRIBED BY
MERS/ADOPTED**

Motion by Hartman, supported by Anderson to adopt Resolution No. 2014-19 allowing Deron Myers to purchase five additional years of credit service as provided by the Michigan Employees' Retirement System and in accordance with the employee's contract.

Roll Call Vote:

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

Nays: None

MOTION CARRIED

**MOTION TO ADOPT
RESOLUTION NO.
2014-19 ALLOWING
DERON MYERS TO
PURCHASE CREDIT
SERVICE AS
PRESCRIBED BY
MERS/ADOPTED**

Motion by Hartman, supported by Berry to set a Public Hearing for July 21, 2014 at 7 p.m. on an application for an Industrial Facilities Exemption Certificate (IFEC) for real and personal property submitted by Achatz Handmade Pie Co. located at 30301 Commerce Blvd.

Roll Call Vote:

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

Nays: None

MOTION CARRIED

**MOTION TO APPROVE
A PUBLIC HEARING
ON 7/21/14 FOR AN
IFEC FOR ACHATZ
HANDMADE PIE
CO./APPROVED**

Motion by DeMuynck, supported by Anderson to enter into closed session at 8:33pm to consult with the Township Attorney regarding trial or settlement strategy in conjunction with pending litigation between the Charter Township of Chesterfield and Beckman, Macomb County Circuit Court Docket No. 14-1963-CZ, pursuant to Section 8(e) of the Open Meetings Act.

MOTION TO ENTER INTO CLOSED SESSION/APPROVED

Roll Call Vote:

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

Nays: None

MOTION CARRIED

Motion by DeMuynck, supported by Anderson to return to open session at 8:45pm.

MOTION TO RETURN TO OPEN SESSION /APPROVED

Roll Call Vote:

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

Nays: None

MOTION CARRIED

Ton Dunn, Paul Lafata, Joe Miller, Jan Uglis and Merl Stover addressed the board during public comment.

PUBLIC COMMENT

Motion by DeMuynck, supported by Berry to adjourn the meeting at 9:10 pm.

ADJOURNMENT

Ayes: All

Nays: None

MOTION CARRIED

Cindy Berry, Clerk

Michael Lovelock, Supervisor