

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

**December 7, 2015**

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 Seibert

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

Supervisor Lovelock asked for a moment of silence for those killed and injured in the San Bernardino attack and for Macomb County Treasurer Ted B. Wahby. **MOMENT OF SILENCE**

Supervisor Lovelock presented commendations to Emergency Dispatcher Geri Hall, Police Officer Michelle Ogden, Firefighter Sergeant Jake Prialux and Firefighter Jon Reh. **PRESENTATIONS**

Clerk Berry Administered the Oath of Office to new Firefighter Ronald Gnesda.

Trustee Joseph narrated a PowerPoint report from the Water and Sewer Advisory Board.

Motion by Lovelock, supported by Demuynck to: **5A)** Approve the Agenda as submitted and add an addendum **7M** regarding court case 2014-3913-CZ **5B)** Approve the minutes of the Regular Board Meeting of November 16, 2015 and the Special Board Meeting of November 23, 2016. **5C)** Approve the Payment of Bills as submitted by the Finance Department. **CONSENT AGENDA /APPROVED**

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

Motion by Lovelock, supported by Berry to open the Public Hearing at 7:39pm to hear comments on the proposed 2016 Township Budget.

Roll Call Vote:

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

Nays: None

Paul Lafata addressed the Board

**MOTION TO OPEN  
PUBLIC HEARING  
REGARDING 2016  
TOWNSHIP BUDGET  
/APPROVED**

Motion by Lovelock, supported by Berry at 7:43pm to close the Public Hearing.

Roll Call Vote:

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

Nays: None

**MOTION TO CLOSE  
PUBLIC HEARING/  
APPROVED**

Motion by Lovelock, supported by Hartman to approve the 2016 Township Budget.

Roll Call Vote:

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

Nays: Bell

**MOTION TO APPROVE  
THE 2016 TOWNSHIP  
BUDGET/APPROVED**

Motion by Lovelock, supported by Berry to approve the Finance Department's request for final budget amendments to the 2015 budget and to complete all Inter-fund transfers.

Roll Call Vote:

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

Nays: None

**MOTION TO APPROVE  
FINAL BUDGET  
AMENDMENTS AND  
TRANSFERS FOR THE  
2015 BUDGET  
/APPROVED**

Motion by Lovelock, supported by DeMuynck to approve Ordinance No. 154 adopting and amending a new section of the Charter Township of Chesterfield, Zoning Ordinance Chapter 76, regarding regulations to control yard clipping compost facilities and authorize final publication. ***AN ORDINANCE amending the Charter Township of Chesterfield Zoning Ordinance, being Ordinance No. 154 of the Township Ordinances, as amended, by adding a new section to locate and regulate yard clipping composting and facilities to ensure composting facilities are located, designed and regulated to protect the public health and environment and repealing any and all Ordinances and/or Resolutions in conflict therewith.***

Roll Call Vote:

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

Nays: None

**MOTION TO APPROVE  
ORD. NO. 154,  
REGARDING  
CONTROL OF YARD  
CLIPPING COMPOST  
FACILITIES  
/APPROVED**

**MOTION CARRIED**

Motion by Berry, supported by Anderson to approve Ordinance No. 155, adopting the 2012 edition of the International Property Maintenance Code and authorize final publication. *An ordinance to adopt the 2012 edition of the International Property Maintenance Code, to regulate and govern the conditions and maintenance of all property, buildings and structures by providing for: the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the Township; and for the issuance of permits.*

**MOTION TO APPROVE  
ORD. NO. 155,  
ADOPTING THE  
INTERNATIONAL  
PROPERTY  
MAINTENANCE CODE  
/APPROVED**

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

Motion by Lovelock, supported by DeMuyndck to approve amending the Charter Township of Chesterfield, Zoning Map, rezoning eight (8) parcels located south of 25 Mile Rd., continuing north to 26 Mile Rd., along the east side of Bates Rd. and authorize final publication.

**MOTION TO APPROVE  
AMENDING ZONING  
MAP AT BATES RD.  
AND 26 MILE  
RD./APPROVED**

- *Parcel 015-09-08-200-015 from A-1 to M-1 west of the railroad tracks and from A-1 to M-2 east of the railroad tracks.*
- *Parcel 015-09-08-200-016 from A-1 to M-1.*
- *Parcel 015-09-05-226-001 from A-1 to M-1.*
- *Parcel 015-09-08-275-001 from A-1 to M-1.*
- *Parcel 015-09-08-400-002 from A-1 to M-1.*
- *Parcel 015-09-08-400-003 from A-1 to M-1.*
- *Parcel 015-09-08-400-005 from A-1 to M-1.*
- *Parcel 015-09-08-400-006 from A-1 to M-1.*

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

Motion by Lovelock, supported by Berry to approve Ordinance No. 156 Amendment 76-377, C-4 Multi Use District, allowing ancillary drive-through and authorize final publication. *AN ORDINANCE amending the Charter Township of Chesterfield Code of Ordinances, Chapter 76 (Zoning), Article X (Office and Commercial Districts) to allow for ancillary drive-through uses as a permitted accessory use in the C-4 (Multi-Use District) and repealing any and all ordinances and/or resolutions in conflict therewith.*

**MOTION TO APPROVE  
ORD. NO. 156,  
ALLOWING  
ANCILLARY DRIVE  
THROUGH IN MULTI-  
USE DISTRICTS  
/APPROVED**

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

Motion by Lovelock, supported by Berry to postpone to the February 16, 2016 Regular Board Meeting Resolution 2015-28 establishing the Water and Sewer rates.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO  
POSTPONE  
APPROVAL OF  
RESOLUTION 2015-28  
/APPROVED**

Motion by Lovelock, supported by Berry to postpone to the February 16, 2016 Regular Board Meeting Resolution 2015-29 establishing the Nonresidential Sewer rates.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO  
POSTPONE  
APPROVAL OF  
RESOLUTION 2015-29  
/APPROVED**

Motion by Lovelock, supported by DeMuynck to approve the Department of Public Work's request to repair the CAT 420E Backhoe, by Michigan CAT for a total cost of \$5,165.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE  
REPAIRS TO DPW  
BACKHOE  
/APPROVED**

Motion by Lovelock supported by Anderson to adopt Resolution No. 2015-27 for a Charitable Gaming License to be issued to Anchor Bay Rotary Charities Inc.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO ADOPT  
RESOLUTION NO.  
2015-27 FOR A  
CHARITABLE GAMING  
LICENSE TO ANCHOR  
BAY ROTARY  
/ADOPTED**

Motion by DeMuynck, supported by Anderson to approve the 2016 Township Meeting Calendar.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE  
THE 2016 MEETING  
CALENDAR  
/APPROVED**

Motion by Lovelock, supported by Anderson to approve a request from the Police Department to make contingent offers of employment to three Police Officer applicants.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE  
THREE CONTINGENT  
OFFERS OF  
EMPLOYMENT FOR  
THE POLICE  
DEPARTMENT  
/APPROVED**

Motion by Lovelock, supported by Joseph to authorize the Township attorney to sign the Stipulated Order of Injunctive Relief in connection with pending litigation: Charter Township of Chesterfield v. Talmer Bank and Trust, Macomb County Circuit court Docket No. 2014-3913-CZ.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO AUTHORIZE ATTORNEY TO SIGN STIPULATED ORDER WITH TALMER BANK AND TRUST NO. 2014-3913-CZ /APPROVED**

Karen Cynowa and Andrew Miller addressed the board.

**PUBLIC COMMENTS**

Motion by Lovelock, supported by DeMuynck to enter into closed session at 8:55pm, pursuant to Section 8(d) of the Open Meetings Act, to consider purchase or lease of real property.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

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

Motion by Lovelock, supported by DeMuynck to return to open session at 9:15pm.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

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

Motion by DeMuynck, supported by Joseph to proceed with the consideration to purchase property, as was discussed in closed session.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO PROCEED IN THE CONSIDERATION OF PURCHASING PROPERTY /APPROVED**

Motion by Lovelock, supported by Berry to adjourn the meeting at 9:17 pm.

Ayes: All

Nays: None

**MOTION CARRIED**

**ADJOURNMENT**