

**CHARTER TOWNSHIP OF CHESTERFIELD  
REGULAR BOARD MEETING  
TO BE HELD AT THE MUNICIPAL OFFICES, 47275 SUGARBUSH RD.  
CHESTERFIELD, MI 48047  
586-949-0400**

**May 2, 2016  
7:00 P.M.**

**AGENDA**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE-Anchor Bay Junior Air Force ROTC**
- 3. ROLL CALL**
- 4. CONSENT AGENDA:** All items under the Consent Agenda are considered routine by the Board and will be enacted in one motion. There is no separate discussion of these items. If discussion of any item(s) is required by a Board Member, it will be removed from the Consent Agenda and considered separately. Public comments on the Consent Agenda items are permitted.
  - A)** Approval of the Agenda (with Addendum if necessary).
  - B)** Approval of the Minutes of the Regular Board Meeting of April 18, 2016.
  - C)** Approval of the Payment of Bills as submitted by the Finance Department.
- 5. PROCLAMATIONS:**
  - A)** Charter Township of Chesterfield as a Monarch Butterfly Sanctuary.
  - B)** May 8<sup>th</sup> through May 15<sup>th</sup> 2016 as Beautification Week in Chesterfield Township.
- 6. REGULAR AGENDA:**
  - A)** Adopt Ordinance No. 159, repealing Chapter 18, (Businesses) Article IV (Used Car Lot), sections 18-159 through 18-166 and authorize final publication.
  - B)** Approve the Planning Commission's recommendation to grant a Special Land Use, No. 2016-02, for a chemical addition station and underground tanks located on the southwest corner of 21 Mile Rd. and Sugarbush Rd. for Giffels Webster and subject to meeting the requirements of the Township Engineer.
  - C)** Approve Motor City Fireworks' request for a Vending License Permit variance for a 30' x 40' tent at 29500 23 Mile Rd. for the sale of fireworks from 10am-10pm June 25, 2016 through July 6, 2016.

- D) Approve Motor City Fireworks' request for a Vending License Permit variance for a 10' x 40' tent at 45690 Gratiot for the sale of fireworks from 10am-10pm June 25, 2016 through July 6, 2016.
- E) Approve Phantom Fireworks' request for a Vending License Permit variance for a 40' x 40' tent at 45500 Market Place Blvd. for the sale of fireworks from 10am-10pm, June 24, 2016 through July 5, 2016.
- F) Approve a request from the Macomb Intermediate School District (MISD) for a Right-of-Way Telecommunications Permit and authorize the Township Attorney to make necessary modifications and forward to the MISD and Metro Authority.
- G) Approve the DTE Street Lighting project along Gratiot Ave. from Market Place Blvd. to 23 Mile Rd. at a total cost of \$88,147.89 with the total amount to be reimbursed upon completion from the Suburban Mobility Authority for Regional Transportation (SMART) Community Credits and authorize the Supervisor to sign agreement.

**7. ADDENDUM: (If Necessary)**

**8. PUBLIC COMMENTS: (Five-Minute Time Limits)**

**9. BOARD COMMENTS:**

**10. CLOSED SESSION:**

Consultation with the attorney regarding trial or settlement strategy in connection with pending litigation –Aldea v. Charter Township of Chesterfield, Macomb County Circuit Court Docket No. 2016-000323-AA, pursuant to Section 8(e) of the Open Meetings Act.

**11. ADJOURNMENT**

**NEXT REGULAR BOARD MEETING IS MONDAY, MAY 16, 2016 AT 7 P.M. THE DEADLINE FOR THE SUBMITTAL OF ITEMS FOR THE AGENDA IS NOON WEDNESDAY, MAY 11, 2016. IF YOU HAVE ANY QUESTIONS, PLEASE CALL 949-0400 EXT. 5.**

**The Charter Township of Chesterfield fully embraces the spirit and letter of the law as it pertains to the American with Disabilities Act. In accordance with the law, any individual who needs accommodation is asked to contact the Clerk's Office during normal business hours at 586-949-0400 ext. 5. To provide appropriate accommodation, the Clerk's Office needs two (2) business days notice prior to the meeting.**

**POSTED: April 27, 2016**

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

**April 18, 2016**

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, Joseph, DeMuyndck  
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**

Police Chief Kersten recognized Ms. Savannah Saccucci and Mr. Daniel Stroinski for their acts of concern and assistance at two separate emergency situations. **PRESENTATIONS**

Motion by Joseph, supported by Berry to: **5A)** Approve the Agenda as submitted. **5B)** Approve the Minutes of the April 4, 2016 Regular Board meeting. **5C)** Remove the Payment of Bills as submitted by the Finance Department from the Consent Agenda and place as the first item for consideration in the Regular Agenda. **CONSENT AGENDA /APPROVED**

Roll Call Vote:  
Ayes: Joseph, Berry, Anderson, DeMuyndck, Bell, Hartman, Lovelock  
Nays: None **MOTION CARRIED**

Motion by DeMuyndck, supported by Joseph to approve the Payment of Bills as submitted by the Finance Department. **MOTION TO APPROVE THE PAYMENT OF BILLS/APPROVED**  
Roll Call Vote:  
Ayes: DeMuyndck, Joseph, Bell, Anderson, Hartman, Lovelock, Berry  
Nays: None **MOTION CARRIED**

Motion by Lovelock, supported by Hartman, to approve the Supervisor's request to replace exterior lighting at the Police Department, Fire Stations 1, 2 and 3 and the Department of Public Works building to the lowest quote submitted by Hunter Electric at a total cost of \$72,127.00. **MOTION TO APPROVE REPLACEMENT OF EXTERIOR LIGHTS AT VARIOUS MUNICIPAL BUILDINGS /APPROVED**  
Roll Call Vote:  
Ayes: Lovelock, Hartman, DeMuyndck, Anderson, Bell, Joseph, Berry  
Nays: None **MOTION CARRIED**

Motion by Joseph, supported by Berry to approve JD & SY Inc.'s request for a Vending License Permit variance for a 20' x 40' tent and 12 days of sales at 29230 23 Mile Rd. for the sale of fireworks from June 24, 2016 through July 5, 2016. (The vender will be allowed to set up on June 23<sup>rd</sup>.)

Roll Call Vote:

Ayes: Joseph, Berry, Bell, Hartman, Lovelock

Nays: Anderson, DeMuyneck

**MOTION CARRIED**

**MOTION TO APPROVE  
VENDING LICENSE  
VARIANCE FOR JD &  
SY INC. AT 29230 23  
MILE RD./APPROVED**

Motion by Lovelock, supported by Joseph to approve JD & SY Inc.'s request for a Vending License Permit variance for a 20' x 40' tent and 12 days of sales at 54800 Gratiot Ave. for the sale of fireworks from June 24, 2016 through July 5, 2016. (The vender will be allowed to set up on June 23<sup>rd</sup>.)

Roll Call Vote:

Ayes: Lovelock, Joseph, Bell, Hartman, Berry

Nays: Anderson, DeMuyneck

**MOTION CARRIED**

**MOTION TO APPROVE  
VENDING LICENSE  
VARIANCE FOR JD &  
SY INC. AT 54800  
GRATIOT  
AVE./APPROVED**

Motion by Lovelock, supported by DeMuyneck to approve the Department of Public Works' request to award a two year agreement for emergency generator testing and maintenance at the Fire, Police, Municipal, DPW buildings and the Gratiot Maintenance yard to the low bidder W.W. Williams at a total cost of \$21,000.00.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE  
A TWO YEAR  
TESTING &  
MAINTENANCE  
AGREEMENT FOR  
THE TOWNSHIP'S  
EMERGENCY  
GENERATORS  
/APPROVED**

Motion by Lovelock, supported by Joseph to approve the Parks and Recreation Department's request to print and mail the 2016 Summer Program Brochure to all Chesterfield mailing addresses at a cost not to exceed \$4,290.00. The printer is Litho Printing Service.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE  
THE PRINTING AND  
MAILING OF THE  
PARKS AND  
RECREATION  
BROCHURE  
/APPROVED**

Motion by Joseph, supported by Anderson to approve the introduction and first publication of Ordinance No. 159, repealing Chapter 18, (Businesses) Article IV (Used Car Lot), sections 18-159 through 18-166.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE INTRODUCTION AND FIRST PUBLICATION OF ORDINANCE NO. 159/APPROVED**

Motion by Lovelock, supported by Berry to approve a Relinquishment Agreement for the Luckino Drive vacation and plat revision and authorizing the Township Supervisor to sign.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE A RELINQUISHMENT AGREEMENT FOR LUCKINO DRIVE/APPROVED**

Motion by DeMuynck, supported by Anderson to approve the Police Department's request to renew their recording system maintenance and service agreement with DVS Analytics from April 4, 2016 through March 31, 2017 at a total cost of \$4,481.00.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE THE RENEWAL OF THE POLICE DEPT. RECORDING SYSTEM MAINTENANCE AGREEMENT /APPROVED**

Motion by Joseph, supported by Anderson to approve the Police Department's request to purchase the VESTA-911 telephone system upgrade from Carousel Industries at a total cost of \$322,173.04.

Roll Call Vote:

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

Nays: None

**MOTION CARRIED**

**MOTION TO APPROVE THE PURCHASE OF A 911 UPGRADE FOR THE POLICE DEPT./APPROVED**

Motion by Lovelock, supported by DeMuynck to adopt Resolution No. 2016-4 establishing a new fee schedule for building permits, inspection and review fees.

Roll Call Vote:

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

Nays: Berry

**MOTION CARRIED**

**MOTION TO APPROVE NEW BUILDING DEPT. FEES/APPROVED**

Lou Nigro, Dave Murphy, Carl Peters, Joe Miller and Jo Surilly addressed the board.

**PUBLIC COMMENTS**

Motion by Lovelock, supported by DeMuyneck to adjourn the meeting at 8:45pm. **ADJOURNMENT**

Roll Call:

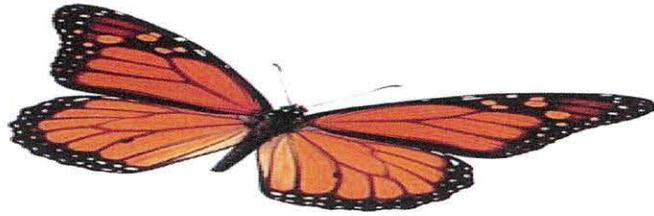
Ayes: Lovelock, DeMuyneck, Anderson, Joseph, Bell, Hartman, Berry

Nays: None

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Cindy Berry, Clerk

Michael Lovelock, Supervisor



*A regular meeting of the Township Board of the Charter Township of Chesterfield, county of Macomb, Michigan held on May 2, 2016 at 7:00pm. in the Chesterfield Township Offices, located at 47275 Sugarbush, Chesterfield, Michigan 48047*

***Whereas,** the monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and*

***Whereas,** 20 years ago, more than one billion Eastern monarch butterflies migrated to Mexico, but in the winter of 2014, only 60 million made the trip; and*

***Whereas,** cities, towns and counties have a critical role to play to help save the Monarch butterfly; and*

***Whereas,** every citizen of Chesterfield can make a difference for the monarch by planting native milkweed and nectar plants to provide habitat for the monarch and pollinators in locations where people live, work, learn, and worship; and*

***Whereas,** I encourage other city officials across our great state to take a stand with me so that the monarch butterfly will once again flourish across the continent.*

**NOW, THEREFORE BE IN RESOLVED that** the Charter Township of Chesterfield Board of Trustees does hereby proclaim A **Monarch Butterfly Sanctuary** in the Township of Chesterfield, Dated this 2<sup>nd</sup> Day of May 2016

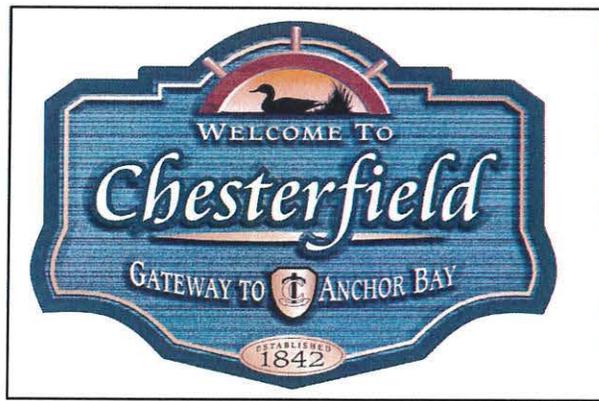
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Michael E. Lovelock, Supervisor

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Cindy Berry, Clerk





*A regular meeting of the Township Board of the Charter Township of Chesterfield, county of Macomb, Michigan  
Held on May 2, 2016 at 7:00pm.in the Chesterfield Township Offices, located at 47275 Sugarbush, Chesterfield, Michigan 48047*

*Whereas, promote the planting of trees, shrubs and flowers in public and private areas; and.*

*Whereas, promote adopt-a-spot , plant a Michigan native perennial, grow vegetable garden with family, friends or community, property clean cleanup; recycling awareness; and,*

*Whereas, promote restoration and maintenance of our community's natural resources, parks, and wetlands, our arbor plant a tree day may 15<sup>th</sup> and*

*Whereas, residents are invited to stop by the chesterfield township offices from -2-4pm May 12<sup>th</sup> to receive a free tree, sunflower and monarch butterfly milkweed seeds packets courtesy of the beautification committee.;*

*Whereas , 2016 marks' the 53<sup>rd</sup> anniversary of the chesterfield beautification committee;*

**NOW, THEREFORE BE IT RESOLVED** that the Charter Township of Chesterfield Does hereby proclaim May 8-15<sup>th</sup>, 2016 Beautification Week in Chesterfield Township

*Dated this 2<sup>nd</sup> Day of May 2016*

\_\_\_\_\_  
**Michael E. Lovelock, Supervisor**

\_\_\_\_\_  
**Cindy Berry, Clerk**





Agenda Item # *B*

**April 11, 2016**

**Charter Township of Chesterfield Board  
47275 Sugarbush Road  
Chesterfield, Michigan 48047**

**RE: Special Land Use #2016-02  
Macomb County Wastewater  
21777 Dunham Road  
Clinton Twp., MI 48036**

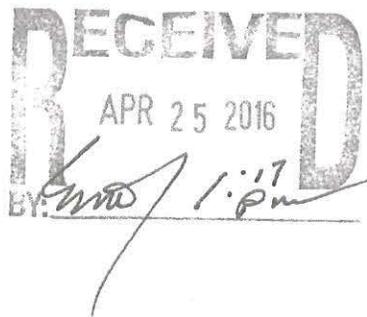
**Dear Board Members, at their regularly scheduled meeting held on February 23, 2016, the Planning Commission reviewed the proposed utility improvement for a chemical addition station and underground tanks, located on the southeast corner of 21 Mile Road and Sugarbush Road.**

**Recommendation:**

**The applicant has addressed our prior concerns, at this time the Planning Commission would like to recommend approval subject to the applicant meeting the requirements of the Township Engineer. This is only a recommendation to the Township Board, and a sewer connection agreement should be worked out prior to the Township Board approval.**

Sincerely,

  
\_\_\_\_\_  
Paul Miller  
Planning Commission Chairman



*Chesterfield Charter Township, MI  
Tuesday, March 8, 2016*

## Chapter 58. Land Division Regulations

### Article VIII. Improvements (Utility)

#### Sec. 58-71. Generally.

[Ord. No. 53, 8-17-1998]

The improvements set forth under this article are to be considered as the minimum acceptable standard. All those improvements for which standards are not specifically set forth shall have said standards set by ordinance or by published rules of the township. All improvements must meet the approval of the township board.

The approvals required under the provisions of this chapter shall be obtained prior to the installation of any subdivision or project improvements within the township, in public streets, public alleys, public rights-of-way, and public easements, and/or under the ultimate jurisdiction of the county.



**Community Planning & Management, P.C.**

*Planning Communities Since 1973*

February 23, 2016

Charter Township of Chesterfield Planning Commission  
47275 Sugarbush Road  
Chesterfield Township, MI 48047

**Re: Chemical Addition Station  
S. Side of 21 Mile, E. of Sugarbush**

Dear Commission Members:

The applicant is requesting special land use approval for a chemical addition station, and underground tanks.

**Recommendation:**

The applicant has addressed our prior concerns and we are recommending approval subject the applicant meeting the requirements of the Township Engineer. This is only a recommendation to the Township Board, and a sewer connection agreement should be worked out prior to Township Board approval.

Respectfully,

**COMMUNITY PLANNING & MANAGEMENT, P.C.**



Patrick S. Meagher, AICP  
Planning Consultant

Mr. DeMuynck gave the applicant copies of both reports.

**Motion by Mr. LaBelle to approve Site Plan #2016-01 subject to having approval from Engineering and the Building Department.**

**Supported by Mr. Miller**

**Ayes: All**

**Nays: None**

**Motion Carried**



**E. SPECIAL LAND USE #2016-02: Giffels Webster, 6303 26 Mile Rd., Washington, MI 48094. Request is for a Chemical Addition Station, proposed under-ground tanks to correct a moderate to severe corrosion to the Lakeshore Interceptor, located on the South side of 21 Mile, East of Sugarbush Rd. Public Hearing closed, tabled on 2/9/16.**

**Motion by Mr. LaBelle to recommend approval of Special Land Use #2016-02 by the Township Board.**

**Supported by Mr. Alexie**

**Ayes: LaBelle, Alexie, Miller, DeMuynck, Stabile, and Leonard**

**Nays: Eckenrode**

**Motion Carried**

**F. SITE PLAN #2016-04: MGM Construction, 29920 Little Mack, Roseville, MI 48066. Proposed addition to Applegrove Condos containing 63 units located on the east side of Gratiot, south of 22 Mile Road tabled on January 26, 2016.**

Mr. LaBelle stated that there are still questions to be answered for Community Planning Management and AEW; therefore they would like to table it at this time.

**Motion by Mr. LaBelle to Table Site Plan #2016-04 for up to two meetings.**

**Supported by Mr. Miller**

**Ayes: All**

**Nays: None**

**Motion Carried**

## SEWER CONNECTION AGREEMENT

This Sewer Connection Agreement (hereinafter referred to as the "Agreement") is made and will be effective on the 11 day of APRIL, 2016

between

Macomb County Wastewater Disposal District (MCWDD)  
c/o Macomb County Public Works Commissioner Anthony V. Marrocco  
21777 Dunham Road, Clinton Township, MI 48036

and

Charter Township of Chesterfield  
47275 Sugarbush Road, Chesterfield Township, MI 48047

Whereas:

The North Gratiot Interceptor, a component of the MCWDD, is subject to severe corrosion from hydrogen sulfide, as evidenced by a study completed in March, 2011 by the engineering firms of V&A Consulting Engineers and Bowker & Associates,

and

MCWDD determined chemical addition to be the preferred method of addressing the corrosion problem, as recommended by an engineering report by Giffels-Webster Engineers and Bowker & Associates dated November 23, 2011 for minimizing the damage to its interceptor,

and

MCWDD purchased a parcel of land for the necessary chemical addition facilities at 28390 21 Mile Road adjacent to a 54 inch diameter Chesterfield Township sanitary sewer tributary to the North Gratiot Interceptor,

and

MCWDD agrees to execute a sewer maintenance agreement for the Chesterfield 54 inch diameter sewer, as requested by the Township,

and

The chemical addition at this location will mitigate corrosion within the Chesterfield sewer to the Township's benefit,

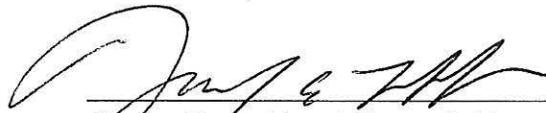
Therefore:

MCWDD requests the Township's permission to use the Township's 54 inch diameter sewer to convey the corrosion control chemicals to the North Gratiot Interceptor in substantial accordance with the Plans submitted to the Township on February 11, 2016.

The Township grants its permission to the MCWDD to use the Township's 54 inch diameter sewer to convey the corrosion control chemicals to the North Gratiot Interceptor, subject to execution of a maintenance agreement between the parties.

This Agreement may be amended by the parties only by a written contract. This Agreement shall be signed on behalf of Macomb County Wastewater Disposal District by Anthony V. Marrocco, Macomb County Public Works Commissioner, and on behalf of Charter Township of Chesterfield by Michael Lovelock, Township Supervisor. The parties hereto agree that facsimile signatures shall be as effective as if originals.

  
\_\_\_\_\_  
Macomb County Wastewater Disposal District *W.M.*  
By Anthony V. Marrocco  
Macomb County Public Works Commissioner

  
\_\_\_\_\_  
Charter Township of Chesterfield  
By Michael Lovelock, Supervisor



# Agenda Item # C

**Motor City Fireworks®**  
Douglas Burda, Esq.  
douglas@motorcityfireworks.com  
248-217-0002  
2038 Cass Lake Road, Suite 5  
Keego Harbor, MI 48320

April 20, 2016

Chesterfield Township (the "Township")  
47275 Sugarbush Road  
Chesterfield, MI 48047

**Re: Request for Vending License Permit Variance under Sec. 18-138**

Dear Madam or Sir,

Kindly consider this request by Motor City Fireworks-Express, LLC ("Motor City") for a Vending License Permit variance for a 30' x 40' tent in the parking lot at Meldrums Nursery, 29500 23 Mile Road for the sale of Michigan-approved consumer fireworks from 10am to 10pm, June 25, 2016 through July 6, 2016.

Motor City believes that strict application of the applicable code provision(s) will result in financial burden which will prevent Motor City from engaging in vending as originally contemplated by Motor City. Specifically, Motor City requires a larger tent than currently provided for in the Township's Code so as to recoup the required monetary investment to operate its business during the short Independence Day selling season.

As the Township regularly approves requests for Vending License Permit variances under the same and similar circumstances, Motor City respectfully requests that the Township approve Motor City's present request for same.

Best regards,

Elissa Burda, Member  
Motor City Fireworks-Express, LLC



"Redacted"

CHARTER TOWNSHIP OF CHESTERFIELD RECEIVED  
VENDING LICENSE APPLICATION  
"Fireworks"

DATE: 4/20/16 LICENSE #: [Signature]

Name of Applicant or Organization: Motor City Fireworks

Name of Person Responsible: Elissa Burdan

Driver's License #: \_\_\_\_\_

Business Address: 2038 Cass Lake Rd #5 Telephone # 248-212-7170

Home Address: \_\_\_\_\_

Names of Persons Participating: Motor City Staff City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

General Location of Vending: Meldrum Brothers Nursery + Supply, Inc

Parcel Number or Address: 29500 23 Mile Rd., Chesterfield, MI

Product(s) Description: Retail Sales - Consumer Fireworks

Sales Tax License #: 47-2983303 Exp 12/31/16

Dates of Vending: 6/25/16 - 7/6/16 - 12 days

Note: Allowed a maximum of four (4) permits per year, per applicant, or location, for a maximum of three (3) days each).

Special seasonal commercial vending permits may be used for the sale of seasonal trees, wreaths and blankets. (USE THE BOX ON THE BACK OF THIS SHEET TO SHOW THE LOT SIZE, PARKING LOCATIONS & THE REQUIRED PERMIT NUMBERS). Permits shall be valid from Thanksgiving Day to December 31.

In the event of questions, the following person is to be contacted and is responsible for the site and vending:

Name: Tray Wolf Address: 2038 Cass Lake Rd #5  
Phone #: 248 221-7170

The undersigned has read, understands and agrees to comply with Chapter 18, Article III of the Charter Township of Chesterfield municipal code. Violation of any township code or ordinance may result in licenses or permits being suspended or revoked.

APPLICANT SIGNATURE: [Signature]

OWNER SIGNATURE: \_\_\_\_\_

\*\*\*NO VEHICLES, MERCHANDISE OR SIGNS ARE ALLOWED IN THE RIGHT OF WAYS\*\*\*

29500 23 Mile Rd.

CHESTERFIELD TOWNSHIP CLERK'S OFFICE

CHECKLIST FOR FIREWORK VENDOR APPLICATION PACKAGE

APPLICANT: Motor City Fireworks

DATE RECEIVED: 4/20/16

- COMPLETED APPLICATION
- SIGNED ROADSIDE VENDORS STATEMENT *"Applied"*
- MI DEPARTMENT OF LICENSING & REGULATORY AFFAIRS CERTIFICATE
- COPY OF MI SALES TAX LICENSE *"Add clause"*
- CERT. OF INSURANCE WITH TOWNSHIP NAMED AS "ADDITIONAL INSURED"
- COPY OF APPLICANT'S DRIVER'S LICENSE
- LETTER OF PERMISSION FROM PROPERTY OWNER *Lease*
- MAP OF VENDING LOCATION
- COPY OF TRANSIENT MERCHANT LICENSE (IF APPLICABLE)
- ELECTRICAL PERMIT (IF APPLICABLE)
- TENT PERMIT (IF APPLICABLE)
- SIGN PERMIT (IF APPLICABLE)
- VARIANCE REQUEST LETTER (IF APPLICABLE) *rent 30'x40'*

MISC. /COMMENTS OK w/10am - 10pm & cr on dates

DEPARTMENT APPROVALS:

FIRE 4/27/16 POLICE 4/26/16 BUILDING 4/26/16

*For Clerk office use only:*

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ By: \_\_\_\_\_

REASON FOR DENIAL: \_\_\_\_\_

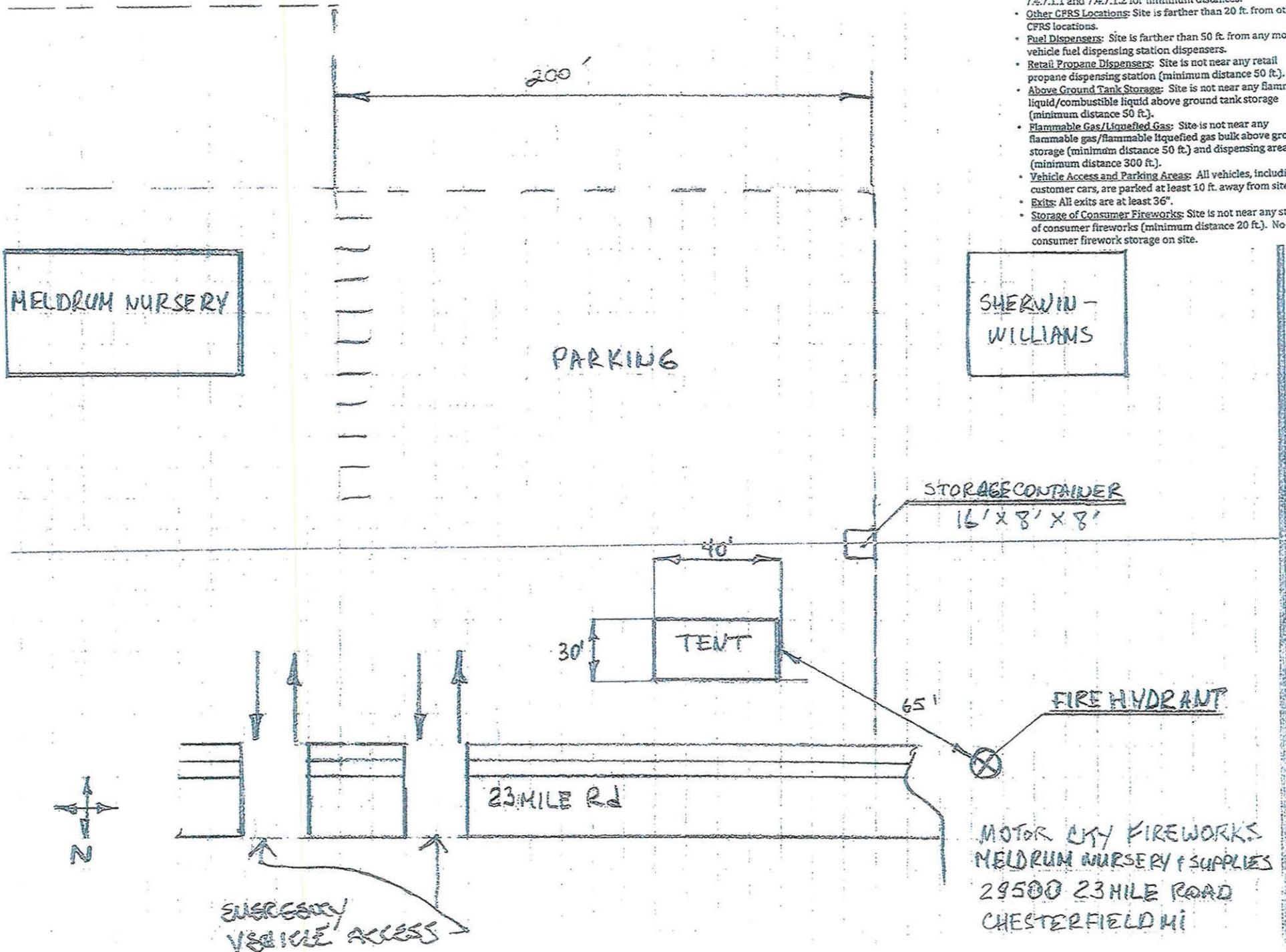
Vending Permit Fee: \$ 200<sup>00</sup> pd 4/20/16 Vending Bond Fee: \$ 100<sup>00</sup> pd 4/20/16  
Bond refund: Yes / No \_\_\_\_\_ Bond refund amount \$ \_\_\_\_\_  
Reason Forfeited: \_\_\_\_\_

Date bond refund submitted: \_\_\_\_\_

Date submitted for Agenda: 4/27/16 Agenda Date: May 2<sup>nd</sup>, 2016

Board: APPROVED: \_\_\_\_\_ DENIED: \_\_\_\_\_ DATE: \_\_\_\_\_

Rev. 04/2014 *e-mailed Dept's for recommendations on 4/25/16.*



- Other Buildings: Site complies with NFPA1124, Sec. 7.4.7.1.1 and 7.4.7.1.2 for minimum distances.
- Other CFRS Locations: Site is farther than 20 ft. from other CFRS locations.
- Fuel Dispensers: Site is farther than 50 ft. from any motor vehicle fuel dispensing station dispensers.
- Retail Propane Dispensers: Site is not near any retail propane dispensing station (minimum distance 50 ft.).
- Above Ground Tank Storage: Site is not near any flammable liquid/combustible liquid above ground tank storage (minimum distance 50 ft.).
- Flammable Gas/Liquefied Gas: Site is not near any flammable gas/flammable liquefied gas bulk above ground storage (minimum distance 50 ft.) and dispensing areas (minimum distance 300 ft.).
- Vehicle Access and Parking Areas: All vehicles, including customer cars, are parked at least 10 ft. away from site.
- Exits: All exits are at least 36".
- Storage of Consumer Fireworks: Site is not near any storage of consumer fireworks (minimum distance 20 ft.). No consumer firework storage on site.



# Agenda Item # D

**Motor City Fireworks®**  
Douglas Burda, Esq.  
douglas@motorcityfireworks.com  
248-217-0002  
2038 Cass Lake Road, Suite 5  
Keego Harbor, MI 48320

April 20, 2016

Chesterfield Township (the "Township")  
47275 Sugarbush Road  
Chesterfield, MI 48047

**Re: Request for Vending License Permit Variance under Sec. 18-138**

Dear Madam or Sir,

Kindly consider this request by Motor City Fireworks-Express, LLC ("Motor City") for a Vending License Permit variance for a 10' x 40' tent in the parking lot at Fairview Plaza, 45690 - 46420 Gratiot for the sale of Michigan-approved consumer fireworks from 10am to 10pm, June 25, 2016 through July 6, 2016.

Motor City believes that strict application of the applicable code provision(s) will result in financial burden which will prevent Motor City from engaging in vending as originally contemplated by Motor City. Specifically, Motor City requires a larger tent than currently provided for in the Township's Code so as to recoup the required monetary investment to operate its business during the short Independence Day selling season.

As the Township regularly approves requests for Vending License Permit variances under the same and similar circumstances, Motor City respectfully requests that the Township approve Motor City's present request for same.

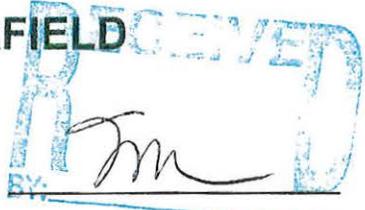
Best regards,

Elissa Burda, Member  
Motor City Fireworks-Express, LLC



"Redacted"

CHARTER TOWNSHIP OF CHESTERFIELD  
VENDING LICENSE APPLICATION  
"Fireworks"



DATE: 4/20/16

LICENSE #:

Name of Applicant or Organization: Motor City Fireworks

Name of Person Responsible: Elissa Burda

Driver's License #: \_\_\_\_\_

Business Address: 2038 Cass Lake Rd. #5 Telephone # 248-212-7170

Home Address: \_\_\_\_\_

Names of Persons Participating: Motor City Staff City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

General Location of Vending: Fairview Plaza

Parcel Number or Address: 45690 - 46420 Grafton

Product(s) Description: Retail Sales - Consumer Fireworks

Sales Tax License #: 47-2983303 Exp 12/31/16

Dates of Vending: 6/25/16 - 7/6/16 12 days

Note: Allowed a maximum of four (4) permits per year, per applicant, or location, for a maximum of three (3) days each).

Special seasonal commercial vending permits may be used for the sale of seasonal trees, wreaths and blankets. (USE THE BOX ON THE BACK OF THIS SHEET TO SHOW THE LOT SIZE, PARKING LOCATIONS & THE REQUIRED PERMIT NUMBERS). Permits shall be valid from Thanksgiving Day to December 31.

In the event of questions, the following person is to be contacted and is responsible for the site and vending:

Name: Tracy Wolf  
Phone #: 248-221-7170

Address: 2038 Cass Lake Rd #5

The undersigned has read, understands and agrees to comply with Chapter 18, Article III of the Charter Township of Chesterfield municipal code. Violation of any township code or ordinance may result in licenses or permits being suspended or revoked.

APPLICANT SIGNATURE: [Signature]

OWNER SIGNATURE: \_\_\_\_\_

\*\*\*NO VEHICLES, MERCHANDISE OR SIGNS ARE ALLOWED IN THE RIGHT OF WAYS\*\*\*

Return completed application and all other required documentation to: Chesterfield Township Clerk  
47275 Sugarbush Rd., Chesterfield Twp. MI 48047 Phone: 586-949-0400 Fax: 586-949-4018

45690-46420

CHESTERFIELD TOWNSHIP CLERK'S OFFICE

Gratiot Ave.

CHECKLIST FOR FIREWORK VENDOR APPLICATION PACKAGE

APPLICANT: Motor City Fireworks

DATE RECEIVED: 4/20/16

- COMPLETED APPLICATION
- SIGNED ROADSIDE VENDORS STATEMENT "Applied"
- MI DEPARTMENT OF LICENSING & REGULATORY AFFAIRS CERTIFICATE "Add clause"
- COPY OF MI SALES TAX LICENSE
- CERT. OF INSURANCE WITH TOWNSHIP NAMED AS "ADDITIONAL INSURED"
- COPY OF APPLICANT'S DRIVER'S LICENSE
- LETTER OF PERMISSION FROM PROPERTY OWNER
- MAP OF VENDING LOCATION
- COPY OF TRANSIENT MERCHANT LICENSE (IF APPLICABLE)
- ELECTRICAL PERMIT (IF APPLICABLE)
- TENT PERMIT (IF APPLICABLE)
- SIGN PERMIT (IF APPLICABLE)
- VARIANCE REQUEST LETTER (IF APPLICABLE) Sent 10'x40'

MISC. / COMMENTS OK w/ 10AM-10pm & CR on dates

DEPARTMENT APPROVALS:

FIRE 4/27/16 POLICE 4/26/16 BUILDING 4/26/16

For Clerk office use only:

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ By: \_\_\_\_\_

REASON FOR DENIAL: \_\_\_\_\_

Vending Permit Fee: \$ 200<sup>00</sup> pd 4/20/16 Vending Bond Fee: \$ 100<sup>00</sup> paid 4/20/16

Bond refund: Yes / No \_\_\_\_\_ Bond refund amount \$ \_\_\_\_\_

Reason Forfeited: \_\_\_\_\_

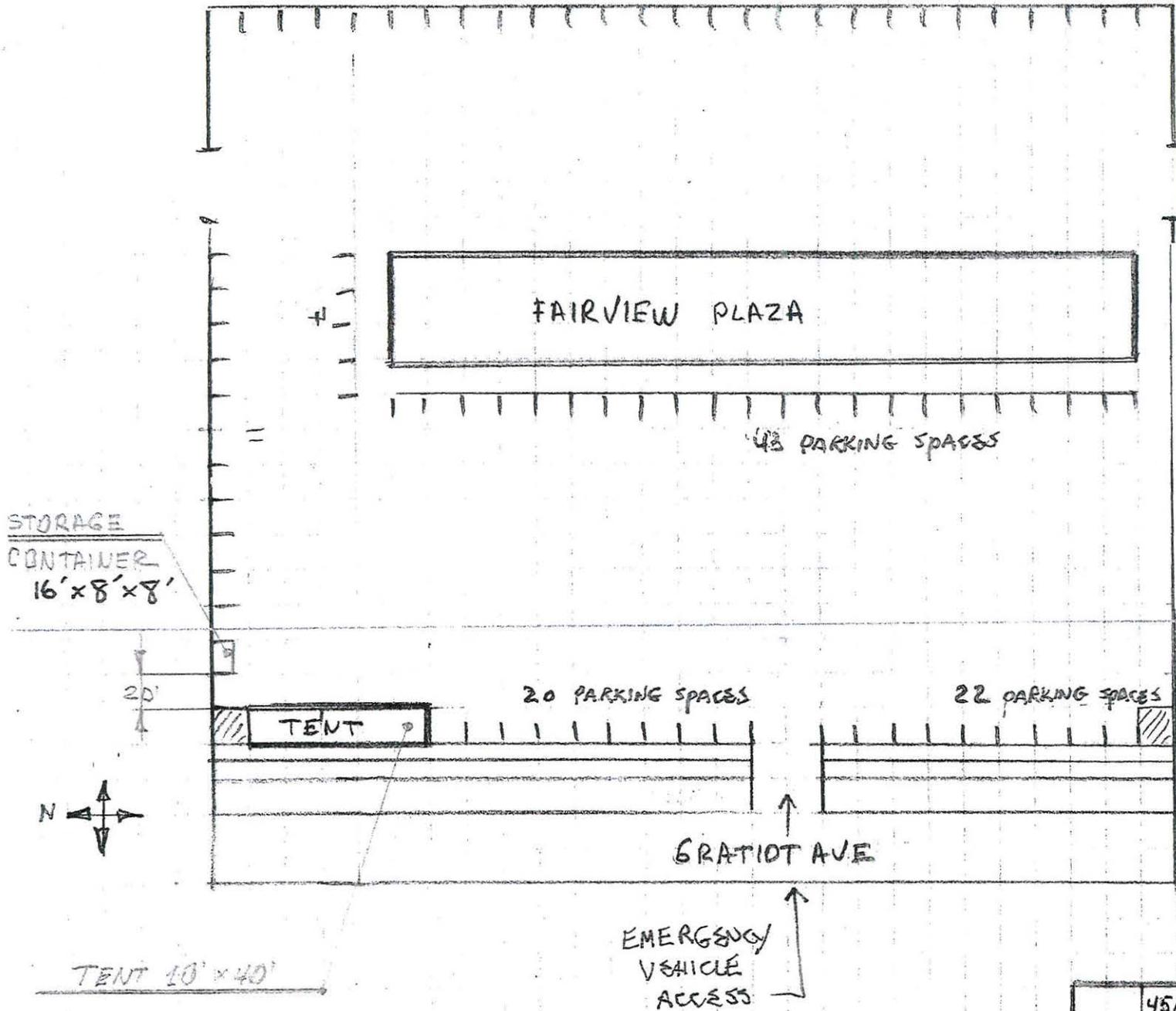
Date bond refund submitted: \_\_\_\_\_

Date submitted for Agenda: 4/27/16 Agenda Date: May 2nd, 2016

Board: APPROVED: \_\_\_\_\_ DENIED: \_\_\_\_\_ DATE: \_\_\_\_\_

Rev. 04/2014

*E-mailed Depts for recommendations 4/28/16.*



- **Public Ways:** Site is within 150 feet of a public way and approved fire apparatus access.
- **Other Buildings:** Site complies with NFPA1124, Sec. 7.4.7.1.1 and 7.4.7.1.2 for minimum distances.
- **Other CFRS Locations:** Site is farther than 20 ft. from other CFRS locations.
- **Fuel Dispensers:** Site is farther than 50 ft. from any motor vehicle fuel dispensing station dispensers.
- **Retail Propane Dispensers:** Site is not near any retail propane dispensing station (minimum distance 50 ft.).
- **Above Ground Tank Storage:** Site is not near any flammable liquid/combustible liquid above ground tank storage (minimum distance 50 ft.).
- **Flammable Gas/Liquefied Gas:** Site is not near any flammable gas/flammable liquefied gas bulk above ground storage (minimum distance 50 ft.) and dispensing areas (minimum distance 300 ft.).
- **Vehicle Access and Parking Areas:** All vehicles, including customer cars, are parked at least 10 ft. away from site.
- **Exits:** All exits are at least 36".
- **Storage of Consumer Fireworks:** Site is not near any storage of consumer fireworks (minimum distance 20 ft.). No consumer firework storage on site.

	45690-46420 GRATIOT
4-19-16	MOTOR CITY FIREWORKS
TENT	10' x 40'
	CHESTERFIELD TWP

## Agenda Item # E

March 20, 2016

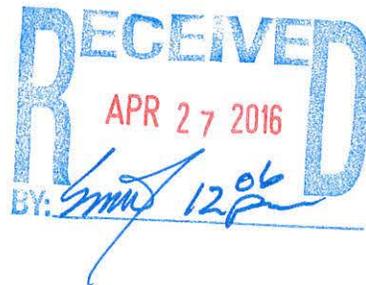
Dear Chesterfield Township Board,

We (Phantom Fireworks) would like to operate a temporary tent sale on the Menards property at 45500 Market Place Blvd. The event will run from June 24<sup>th</sup> through July 4<sup>th</sup>. The hours of operation is 10am –10 pm. We are asking for a variance to install a 40X40 tent with an 8'X40' storage unit on the property. Each night the product is pack up and unpack in the morning. This way no one has to stay in the tent 24 hours a day.

Thank you,

Richard Tapper

Regional State Manager/ Phantom Fireworks



Redacted

# CHARTER TOWNSHIP OF CHESTERFIELD

VENDING LICENSE APPLICATION  
"Fireworks"

DATE: 4/16/16 LICENSE #: \_\_\_\_\_

Name of Applicant or Organization: Richard Tapper

Name of Person Responsible: Richard Tapper

Driver's License #: \_\_\_\_\_

Business Address: 535 MUL JR BLVD Youngstown Ohio 44502 Telephone #: 3305590776

Home Address: \_\_\_\_\_

Names of Persons Participating: MATT STUBBINS - RICK TAPPER REXY EMMERT  
City State Zip

General Location of Vending: MEMPHIS PARKING 101

Parcel Number or Address: 45500 MarketPlace BLVD

Product(s) Description: FIREWORKS

Sales Tax License #: 45-2015127

Dates of Vending: JUNE 24 - JULY 4<sup>th</sup> 2016

Note: Allowed a maximum of four (4) permits per year, per applicant, or location, for a maximum of three (3) days each.

Special seasonal commercial vending permits may be used for the sale of seasonal trees, wreaths and blankets. (USE THE BOX ON THE BACK OF THIS SHEET TO SHOW THE LOT SIZE, PARKING LOCATIONS & THE REQUIRED PERMIT NUMBERS). Permits shall be valid from Thanksgiving Day to December 31.

In the event of questions, the following person is to be contacted and is responsible for the site and vending:

Name: Rick Tapper Address: \_\_\_\_\_  
Phone #: 330 559 0776

The undersigned has read, understands and agrees to comply with Chapter 18, Article III of the Charter Township of Chesterfield municipal code. Violation of any township code or ordinance may result in licenses or permits being suspended or revoked.

APPLICANT SIGNATURE: Richard Tapper

OWNER SIGNATURE: \_\_\_\_\_

**\*\*\*NO VEHICLES, MERCHANDISE OR SIGNS ARE ALLOWED IN THE RIGHT OF WAYS\*\*\***

Return completed application and all other required documentation to: Chesterfield Township Clerk  
47275 Sugarbush Rd., Chesterfield Twp. MI 48047 Phone: 586-949-0400 Fax: 586-949-4018

**CHESTERFIELD TOWNSHIP CLERK'S OFFICE**

**CHECKLIST FOR FIREWORK VENDOR APPLICATION PACKAGE**

APPLICANT: Phantom Fireworks / Richard Papper

DATE RECEIVED: 4/22/16

- COMPLETED APPLICATION
- SIGNED ROADSIDE VENDORS STATEMENT
- MI DEPARTMENT OF LICENSING & REGULATORY AFFAIRS CERTIFICATE
- COPY OF MI SALES TAX LICENSE
- CERT. OF INSURANCE WITH TOWNSHIP NAMED AS "ADDITIONAL INSURED" *"Add clause"*
- COPY OF APPLICANT'S DRIVER'S LICENSE
- LETTER OF PERMISSION FROM PROPERTY OWNER *"Lease"*
- MAP OF VENDING LOCATION
- COPY OF TRANSIENT MERCHANT LICENSE (IF APPLICABLE)
- ELECTRICAL PERMIT (IF APPLICABLE)
- TENT PERMIT (IF APPLICABLE)
- SIGN PERMIT (IF APPLICABLE)
- VARIANCE REQUEST LETTER (IF APPLICABLE) *40'x40' sent + an*

MISC. / COMMENTS 11 days 6/24/16 to 8'x40" Storage Unit

**DEPARTMENT APPROVALS:** *7/4/16*  
FIRE 4/27/16 POLICE 4/26/16 BUILDING 4/26/16

***For Clerk office use only:***

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ By: \_\_\_\_\_

REASON FOR DENIAL: \_\_\_\_\_

Vending Permit Fee: \$ 200<sup>00</sup> pd 4/22/16 Vending Bond Fee: \$ 100<sup>00</sup> pd 4/22/16  
Bond refund: **Yes / No** Bond refund amount \$ \_\_\_\_\_  
Reason Forfeited: \_\_\_\_\_

Date bond refund submitted: \_\_\_\_\_

Date submitted for Agenda: 4/27/16 @ 10:40AM Agenda Date: May 2, 2016

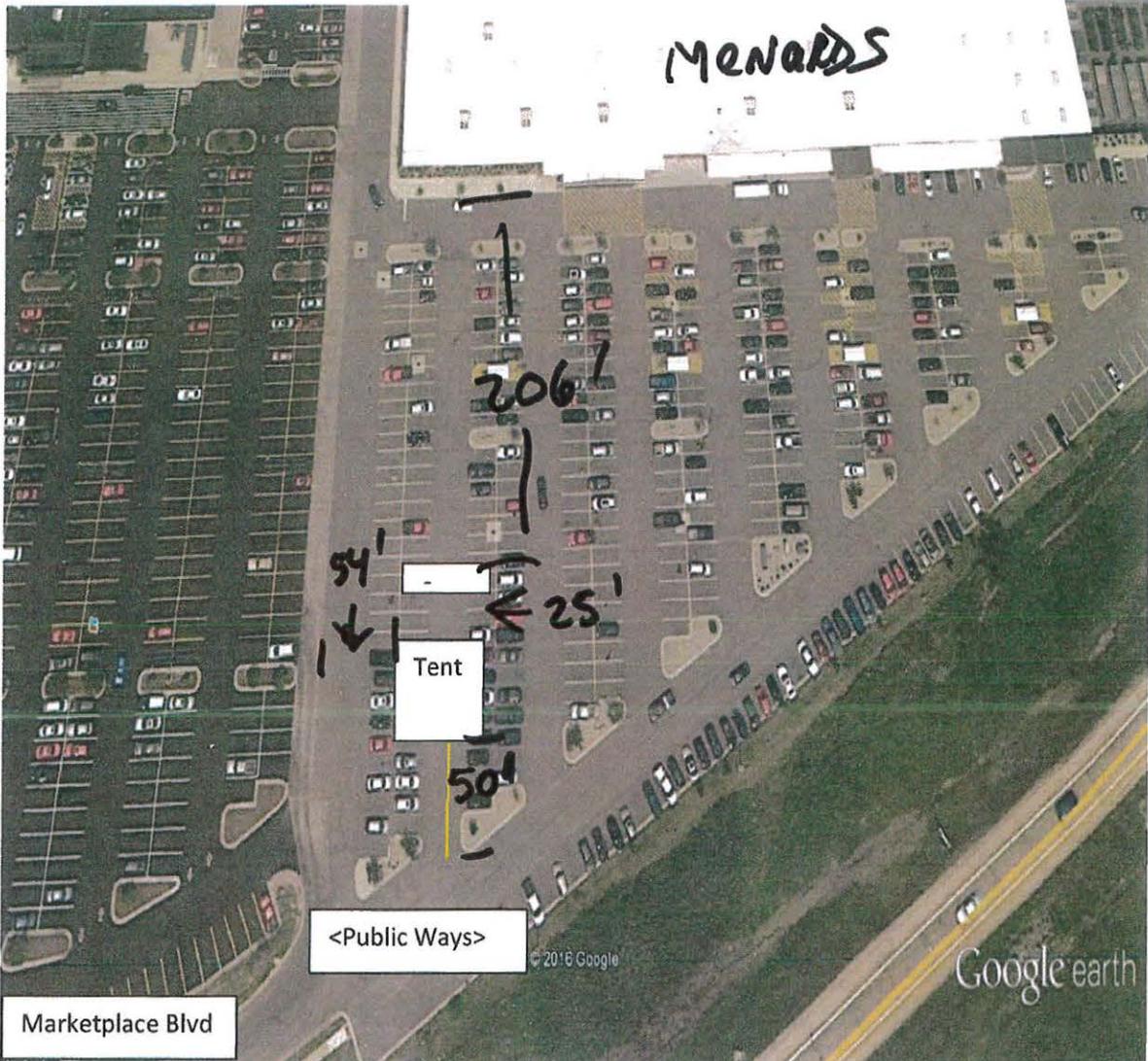
Board: APPROVED: \_\_\_\_\_ DENIED: \_\_\_\_\_ DATE: \_\_\_\_\_

Rev. 04/2014  
*Emailed for Dept. Approvals 4/25/16.*



Exhibit A

Chesterfield- Menards, 45500 Marketplace Blvd, 48051



T- Pole Tent 40'X40' S- Storage Unit 8'X40' X-Generator

There are no gas stations, propane stations, flammable gas bulk dispenser, etc on this property or surrounding properties within 300 feet. There are public ways within 150 feet of the tent and storage unit.

There are over 300 car spaces available for use on the asphalt. There will be no parking within 10' of the tent.

X \_\_\_\_\_

LAW OFFICES  
**SEIBERT AND DLOSKI**  
PROFESSIONAL LIMITED LIABILITY COMPANY  
19500 HALL ROAD, SUITE 101  
CLINTON TOWNSHIP, MICHIGAN 48038

ROBERT J. SEIBERT  
LAWRENCE W. DLOSKI  
CHRISTINE D. ANDERSON

TELEPHONE  
(586) 469-3800  
FACSIMILE  
(586) 469-2443

April 25, 2016

## Agenda Item # *F*

Michael Lovelock, Supervisor  
Charter Township of Chesterfield  
47275 Sugarbush Road  
Chesterfield, Michigan 48047

Re: MISD Application for Right-of-Way Telecommunications Permit

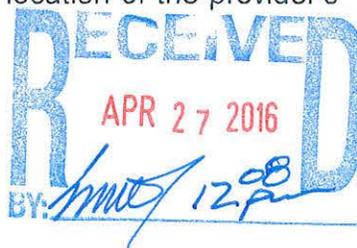
Dear Mr. Lovelock:

We have received and reviewed the Application for Use of Right-of-Way and proposed permit submitted by Macomb Educational Telecommunications System, pursuant to Metropolitan Extension Telecommunications Right-of-Way Oversight Act ("Metro Act"). I contacted the MISD and confirmed that they do not anticipate any new construction within Chesterfield Township during the term of this permit. Route maps were not provided with the application but will be provided within 90 days.

The Metro Act governs the system under which municipalities regulate the use of municipal public rights-of-way by telecommunication providers. With respect to its provisions, the Metro Act preempts local ordinances. Section 50 of the Metro Act requires the Township to approve or deny a permit for a telecommunication provider's access to and the ongoing use of public rights-of-way within 45 days of receiving an application. The Michigan Public Service Commission (MPSC) has prescribed the application and permit forms to be utilized by providers. Any changes to the forms prescribed by the MPSC must be agreed upon by both the municipality and the telecommunication provider. If the changes to the prescribed forms cannot be agreed upon, the MPSC must be notified and it will decide the dispute. The Metro Act prohibits the unreasonable denial of a permit and limits the conditions of the permit to the telecommunication provider's access and usage of any public right-of-way. The Metro Act does not specifically limit a Township's right to review and approve a telecommunication provider's access to and ongoing use of a public right-of-way or the Township's authority to insure and protect the public health, safety and welfare of the general public.

The Township is required to notify the MPSC whether the Township grants or denies a permit, including the date the application was filed and the date the permit was granted or denied. The Metro Act requires that route maps showing the location of the provider's

*ok Per Mike  
4/27/16 @ 12:00*



existing and proposed facilities be provided to the Township. If requested by the provider the information on a route map is exempt from the Freedom of Information Act. The Metro Act further requires all providers to pay an annual maintenance right-of-way fee based upon the number of linear feet of right-of-way occupied. The required fees are paid to the Metro Authority, which Authority then in turn remits an annual disbursement to the Township. Fees received from the Metro Authority may only be used by the Township for right-of-way related purposes. Such purposes do not include constructing or utilizing telecommunication facilities to serve residential or commercial customers.

The application submitted by MISD is on the form promulgated by the MPSC and substantially provides all required information and, therefore, we recommend that the Township Board grant a Right-of-Way Telecommunications Permit to Macomb Educational Telecommunications System for a period of 10 years conditioned upon adding the following paragraph to the proposed permit:

8.2 No new construction is anticipated during the term of this Permit. No new construction is authorized by this Permit without the posting of a bond in an amount satisfactory to the Township Engineer.

If the Township Board so directs, our office will prepare the necessary modifications to the proposed permit and forward to MISD for their execution and provide correspondence to the Metro Authority indicating the Township Board's approval. If the Township Board denies the Application, correspondence noting the reasons for denial must be forwarded to both the applicant and the MPSC. I trust the foregoing will be of assistance to you. If you have any questions, please call me.

Sincerely,

SEIBERT & DLOSKI  
Professional Limited Liability Company



Christine D. Anderson  
CDA/kj

cc: Cindy Berry, Clerk



## Agenda Item # 9

April 22, 2016

Dear Honorable Board Members,

Recommendation to authorize the Township Supervisor to sign contract with DTE to provide lighting between Market Place Drive and 23 Mile Road. The total project cost is \$88,147.89.

The Township will be reimbursed the total cost by SMART for the capital costs of the lighting project on Gratiot by re-purposing Chesterfield's older Community Credit funds. The total due to start the project is \$44,073.95, which will be reimbursed.

Thank you for your consideration.

Michael E. Lovelock  
Chesterfield Township Supervisor





DATE 4/13/16

Mr. Fredric J. Barbret  
Community Ombudsperson  
SMART Macomb  
22900 15 Mile Road  
Clinton Township, MI 48035

Dear Fred:

As you know, we have been meeting to discuss pedestrian safety along Gratiot in Chesterfield Township. Many of the pedestrians are SMART bus riders and we believe proper lighting at bus stops would improve safety for all traveling in the corridor.

DTE has conducted a photometric study and provided an estimated cost to install lighting between Market Place Drive and 23 Mile Road. The project calls for 127 new street lights (LED) supported by 18 ft. arms placed on the existing poles. The total project cost is \$88,147.89. We wish to use Chesterfield's Fiscal Year 13, 14, and 15 Community Credits to cover the cost of this project.

Please let me know if this is an acceptable use of these funds and if so, how to secure reimbursement for this expense.

Sincerely,

Michael E. Lovelock  
Supervisor



**Suburban Mobility Authority for Regional Transportation**

Buhl Building • 535 Griswold Street, Suite 600 • Detroit, MI 48226 • (313) 223-2100

April 15, 2016

Mr. Michael Lovelock, Supervisor  
Charter Township of Chesterfield  
47275 Sugarbush Road  
Chesterfield, MI 48047

Dear Mike:

I am writing in response to your letter dated April 13, 2016 in which you ask that SMART re-purpose Chesterfield's older Community Credit funds. I am happy to report that the re-purposing has been approved and that SMART will reimburse the Township for the capital costs of the lighting project on Gratiot.

In order to receive reimbursement, Chesterfield will need to submit documentation of the expenses incurred, similar to how the Township seeks reimbursement for its other transportation operating expenses. Once the project commences, I assume that DTE will submit invoices to the Township. The Township will need to pay the invoices and then submit copies of everything to SMART. This would include copies of the DTE invoices, the Township checks paying the invoices, and a letter from you (or other appropriate official) asking that SMART reimburse the Township for the expense.

Call me if you have any questions concerning the reimbursement process. In the meantime, please know that I look forward to working with you on this project to improve safety on Gratiot in Chesterfield.

Sincerely,

Fredric J. Barbret  
Macomb Community Ombudsperson

cc: J. Hertel  
R. Cramer  
J. Foster



April 7, 2016

Chesterfield Township  
47275 Sugarbush  
Chesterfield Township, Michigan 48074  
Attention: Chesterfield Township

Re: Proposed new street lighting installation equipment will be installed in the proximity of Market Place Blvd-N. Gratiot Ave., between 21 Mile Rd up to 23 Mile Rd - Chesterfield Township, Michigan 48047

Mike Lovelock,

This letter confirms recent discussions between The Detroit Edison Company (the "Company") and [Chesterfield Township] ("Customer") regarding a service request.

1. Customer has requested Company to perform the following services (the "Services"): The installation of (127) Overhead Fed 135 watt Autobahn Roadway LEDs streetlight fixtures on existing "As Built" wood poles. This will include (127) new 18 foot support arms. This will be fed by overhead lines and infrastructure.
2. The estimated cost to complete the Services is **\$88,147.89(SEE ATTACHED PURCHASE AGREEMENT FOR COMPUTATION OF CIAC AMOUNT)**. In developing this estimate, Company has assumed the following: After installation the total cost for additional modification, relocation or removal will be the responsibility of requesting party.
3. Customer acknowledges and agrees that the estimate provided herein is an estimate only, does not represent a guarantee of the cost of the Services and is not a contract for Services. A more detailed engineering estimate will be prepared after this estimate has been approved by Customer. Customer acknowledges that the final cost to complete the Services may be different from the estimate provided herein or any other estimate provided to Customer by Company.
4. The Services are subject to the applicable provisions of the Company's Rate Book for Electric Services issued by the Michigan Public Service Commission, including Rate Schedule No. E1.

Please do not hesitate to contact me at 734-397-4241 with any questions or concerns.

Sincerely,

Reggie B. Brown  
DTE Energy Electric  
Account Manager  
8001 Haggerty Rd.  
Belleville, Michigan 48111  
734-397-4241(O)  
313-300-3693(C)

## Exhibit A to Master Agreement

### Purchase Agreement

This Purchase Agreement (this "Agreement") is dated as of [April 6, 2016] between The Detroit Edison Company ("Company") and [Chesterfield Township] ("Customer").

This Agreement is a "Purchase Agreement" as referenced in the Master Agreement for Municipal Street Lighting dated [October 26, 2015] (the "Master Agreement") between Company and Customer. All of the terms of the Master Agreement are incorporated herein by reference. In the event of an inconsistency between this Agreement and the Master Agreement, the terms of this Agreement shall control.

Customer requests the Company to furnish, install, operate and maintain street lighting equipment as set forth below:

1. DTE Work Order Number:	[44468906]	
2. Location where Equipment will be installed:	The Location where Equipment will be installed- will be in the proximity of Market Place Blvd-N. Gratiot Ave., Between 21 up to 23 Mile Rd - Chesterfield Township, Michigan 48047	
3. Total number of lights to be installed:	[127]	
4. Description of Equipment to be installed (the " <u>Equipment</u> "):	Description of Equipment to be installed will be the following: Install (127) new 135 watt LEDs on (127) existing "As Built" wood poles. This will also include 18 foot support arms. This will be fed by overhead lines and infrastructure.	
5. Estimated Total Annual Lamp Charges	\$22,847.30	
6. Computation of Contribution in aid of Construction (" <u>CIAC Amount</u> ")	Total estimated construction cost, including labor, materials, and overhead:	\$161,064.89
	Credit for 3 years of lamp charges:	\$72,917.00
	<b>CIAC Amount (cost minus revenue)</b>	<b>\$88,147.89</b>
7. Payment of CIAC Amount:	Due promptly upon execution of this Agreement: \$88,147.89	
8. Term of Agreement	5 years. Upon expiration of the initial term, this Agreement shall continue on a month-to-month basis until terminated by mutual written consent of the parties or by either party with thirty (30) days prior written notice to the other party.	
9. Does the requested Customer lighting design meet IESNA recommended practices?	(Check One) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If "No", Customer must sign below and acknowledge that the lighting design does not meet IESNA recommended practices <div style="background-color: yellow; width: 200px; height: 15px; margin-left: 100px;"></div>	
10. Customer Address for Notices:	Chesterfield Township 47275 Sugarbush Chesterfield Township, Michigan 48074	

11. Special Order Material Terms:

All or a portion of the Equipment consists of special order material: (check one)  YES  NO

If "Yes" is checked, Customer and Company agree to the following additional terms.

A. Customer acknowledges that all or a portion of the Equipment is special order materials ("SOM") and not Company's standard stock. Customer will purchase and stock replacement SOM and spare parts. When replacement equipment or spare parts are installed from Customer's inventory, the Company will credit Customer in the amount of the then current material cost of Company standard street lighting equipment.

B. Customer will maintain an initial inventory of at least posts and luminaires and any other materials agreed to by Company and Customer, and will replenish the stock as the same are drawn from inventory. Costs of initial inventory are included in this Agreement. The Customer agrees to work with the Company to adjust inventory levels from time to time to correspond to actual replacement material needs. If Customer fails to maintain the required inventory, Company, after 30 days' notice to Customer, may (but is not required to) order replacement SOM and Customer will reimburse Company for such costs. Customer's acknowledges that failure to maintain required inventory could result in extended outages due to SOM lead times.

C. The inventory will be stored at. Access to the Customers inventory site must be provided between the hours of 9:00 am to 4:00 pm, Monday through Friday with the exceptions of federal Holidays. Customer shall name an authorized representative to contact regarding inventory: levels, access, usage, transactions, and provide the following contact information to the Company:

Name: Title

Phone Number: Email: \_\_\_\_\_

The Customer will notify the Company of any changes in the Authorized Customer Representative. The Customer must comply with SOM manufacturer's recommended inventory storage guidelines and practices. Damaged SOM will not be installed by the Company.

D. In the event that SOM is damaged by a third party, the Company may (but is not required to) pursue a damage claim against such third party for collection of all labor and stock replacement value associated with the damage claim. Company will promptly notify Customer as to whether Company will pursue such claim.

E. In the event that SOM becomes obsolete or no longer manufactured, the Customer will be allowed to select new alternate SOM that is compatible with the Company's existing infrastructure.

F. Should the Customer experience excessive LED equipment failures, not supported by LED manufacturer warranties, the Company will replace the LED equipment with other Company supported Solid State or High Intensity Discharge luminaires at the Company's discretion. The full cost to complete these replacements to standard street lighting equipment will be the responsibility of the Customer.

12. Experimental Emerging Lighting Technology ("EELT") Terms:

All or a portion of the Equipment consists of EELT: (check one)  YES  NO

If "Yes" is checked, Customer and Company agree to the following additional terms.

A. The annual billing lamp charges for the EELT equipment has been calculated by the Company are based upon the estimated energy and maintenance cost expected with the Customer's specific pilot project EELT equipment. .

B. Upon the approval of any future MPSC Option I tariff for EELT street lighting equipment, the approved rate schedules will automatically apply for service continuation to the Customer under Option 1 Municipal Street Lighting Rate, as approved by the MPSC. The terms of this paragraph B replace in its entirety Section 7 of the Master Agreement with respect to any EELT equipment purchased under this Agreement.

\*\*\*\*\*

Company and Customer have executed this Purchase Agreement as of the date first written above.

Company:

The Detroit Edison Company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Customer:

[Chesterfield Township]

By:  \_\_\_\_\_

Name:  \_\_\_\_\_

Title:  \_\_\_\_\_

**CHARTER TOWNSHIP OF CHESTERFIELD  
REGULAR BOARD MEETING  
TO BE HELD AT THE MUNICIPAL OFFICES, 47275 SUGARBUSH RD.  
CHESTERFIELD, MI 48047  
586-949-0400**

**May 2, 2016  
7:00 P.M.**

**AGENDA**

**\*\*\* ADDENDUM\*\*\***

**7) Update from the Water and Sewer Rate Advisory Board**

**NEXT REGULAR BOARD MEETING IS MONDAY, MAY 16, 2016 AT 7 P.M.  
THE DEADLINE FOR THE SUBMITTAL OF ITEMS FOR THE AGENDA IS  
NOON WEDNESDAY, MAY 11, 2016. IF YOU HAVE ANY QUESTIONS,  
PLEASE CALL 949-0400 EXT. 5.**

**The Charter Township of Chesterfield fully embraces the spirit and letter of the law as it pertains to the American with Disabilities Act. In accordance with the law, any individual who needs accommodation is asked to contact the Clerk's Office during normal business hours at 586-949-0400 ext. 5. To provide appropriate accommodation, the Clerk's Office needs two (2) business days notice prior to the meeting.**

**POSTED: April 29, 2016**