

**CHARTER TOWNSHIP OF VAN BUREN
BOARD MEETING MINUTES
NOVEMBER 19, 2013**

Supervisor Combs called the meeting to order at 7:00 p.m. in the Board Room. Present: Supervisor Combs, Clerk Wright, Treasurer Budd, Trustee Hart, Trustee Jahr, Trustee McClanahan and Trustee Miller. Absent: None. Others in attendance: DPW Director Taylor, Planning and Economic Development Director Mullen, Secretary Cline and an audience of eighteen (18).

APPROVAL OF AGENDA: Hart moved, McClanahan seconded to approve the agenda as amended. To remove New Business Item #2 “Consider authorizing the Supervisor and Clerk to execute the proposed Consent Judgment with Victoria Park, LLC for completion of Victoria Park subdivision.” Carried.

APPROVAL OF CONSENT AGENDA: Wright moved, Hart seconded to approve the Consent Agenda [Work Study Minutes November 4, 2013; Closed Session Minutes November 4, 2013; Regular Board Meeting Minutes November 5, 2013; Special Work Study Minutes November 6, 2013; 2014 Board of Trustees Meeting Schedule; 2014 Holiday Schedule; Suburban Mobility Authority for Regional Transportation Municipal (SMART) fiscal year 2014 Municipal Credit Contract; Voucher List of November 19, 2013.] as presented. Carried.

PUBLIC HEARING: None.

CORRESPONDENCE: None.

PUBLIC COMMENT: None.

UNFINISHED BUSINESS: Jahr moved, Budd seconded to approve the second reading for adoption of Rezoning Ordinance 11-5-13 to amend the Township Zoning Ordinance 06-02-92, as amended, by rezoning parcel V125-83-086-99-0002-000, also known as 45109 S. I-94 Service Drive, from R-1B (Single Family Residential) to C-1 (General Business). Roll Call Vote. Yeas: Miller, McClanahan, Jahr, Hart, Budd, Wright and Combs. Nays: None. Absent: None. Abstained: None. Carried.

*(A copy of Rezoning Ordinance 11-05-13 follows the minutes. Copies may also be obtained in the Clerk’s Office, Township Hall, 46425 Tyler Road during normal business hours.)

NEW BUSINESS: Hart moved, Jahr seconded to approve easement acquisition at 12249 Ryznar Drive in the amount of \$14,000, as presented. Carried

Hart moved, McClanahan seconded to approve Resolution 2013-20 to be submitted with the SAW (Stormwater, Asset Management and Wastewater) Grant application to the State of Michigan Department of Environmental Quality, as presented. Carried.

Wright moved, Miller seconded to approve lease agreement between Van Buren Charter Township and Wayne Disposal, Inc. and to authorize the Supervisor and Clerk to execute the agreement. Carried.

Wright moved, McClanahan seconded to approve awarding Beck Ball Field Community Development Block Grant (CDBG) funding improvements (phase 1 contract) to Sole Building for

new dugouts in the amount of \$111,775; Davenport Brothers for new fencing Field #7 in the amount of \$23,038; and Superior Play for playground in amount of \$52,621.09, as presented. Carried.

REPORTS: None.

ANNOUNCEMENTS: Supervisor Combs announced the following Public Notices: Charter Township of Van Buren Board of Trustees Notice of Public Hearing on Tuesday, December 3, 2013 at 7:00 p.m. during the Board of Trustees regular meeting in the Board Room at Van Buren Township Hall to discuss the 2013 Amended General Fund Budget, 2014 Proposed General Fund Budget and Special Revenue Funds: Community Development Block Grant (CDBG), Downtown Development Authority (DDA, Local Development Finance Authority (LDFA), Landfill Fund, Lohr Road Project Special Assessment District, Belleville Area Museum, 911 Service Fund, Federal Forfeiture Fund and State Forfeiture Fund. Also, the Van Buren Charter Township Board of Trustees request for Proposals from interested parties to sub-lease its youth baseball/softball fields at the Beck Road ball diamonds for the 2014 season. Please complete the Form of Interest in the Recreation Department by or before 4:00 p.m. on Thursday, November 21, 2013. Candidates will participate in a formal panel interview on Monday, November 25, 2013, beginning at 5:00 p.m. in the Denton Room at Van Buren Charter Township Hall.

Clerk Wright announced the Township Administrative Offices will be closed on Thursday, November 28th and Friday, November 29th for the Thanksgiving holiday.

AUDIENCE (Non-Agenda Items): Comments were made from 7:18 p.m. to 7:53 p.m. by the audience and Board members regarding the following topics: Township Budgets; Board Rules of Conduct regarding Audience participation; Revenues; Visteon bonds, Landfill Fund Revenue; Van Buren Township tax rates; Wayne County tax rates; Budget process; property values; Cobblestone Ridge Planned Residential Development (PRD); forfeiture properties; blight; Cobblestone Ridge performance bonds; Cobblestone Ridge Developer; request for a response to residents regarding complaints in Cobblestone Ridge Development.

ADJOURNMENT: Jahr moved, Hart seconded to adjourn at 7:54 p.m. Carried.

Respectfully submitted,

Leon Wright, Township Clerk

Linda H. Combs, Township Supervisor

**Please Use the Attached Resolution “As Is”
(Do Not Substitute Your Own Form)**

THE FORM WILL NOT BE ACCEPTED IF IT HAS BEEN EDITED, ALTERED, RETYPED, OR CONVERTED TO ANY OTHER FORMAT.

RESOLUTION 2013-20

Charter Township of Van Buren
County of Wayne

Resolution Authorizing the SAW Grant Agreement

Minutes of the regular meeting of the Township Board of the Charter Township of Van Buren County of Wayne _____, State of Michigan, (the "Municipality") held on November 19, 2013.

PRESENT: Supervisor Combs, Clerk Wright, Treasurer Budd, Trustee Hart, Trustee Jahr, Trustee McClanahan and Trustee Miller.

ABSENT: None.

Board member Trustee Hart offered and moved the adoption of the following resolution, seconded by Board member Trustee McClanahan.

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and

WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to municipalities for sewage collection and treatment systems or storm water or nonpoint source pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to (*select one or more*) establish an asset management plan, establish a stormwater management plan, establish a plan for wastewater/stormwater, establish a design of wastewater/stormwater, pursue innovative technology, or initiate construction activities (up to \$500,000 for disadvantaged community).

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed \$700,000.00 ("Grant") be requested from the MFA and the DEQ to pay for the above-mentioned undertaking(s); and

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WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Public Works Director _____ (*title of the designee's position*), a position currently held by James Taylor _____ (*name of the designee*), is designated as the Authorized Representative for purposes of the SAW Grant Agreement.
2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.
3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.
4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.
5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.
6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.
7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.
8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

YEAS: Members: Combs, Wright, Budd, Hart, Jahr, McClanahan and Miller.

NAYS: Members: None.

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RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Charter Township of Van Buren, County of Wayne, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Leon Wright
Charter Township of Van Buren, Clerk
Charter Township of Van Buren County of Wayne

**CHARTER TOWNSHIP OF VAN BUREN
WAYNE COUNTY, MICHIGAN
REZONING ORDINANCE 11-05-2013**

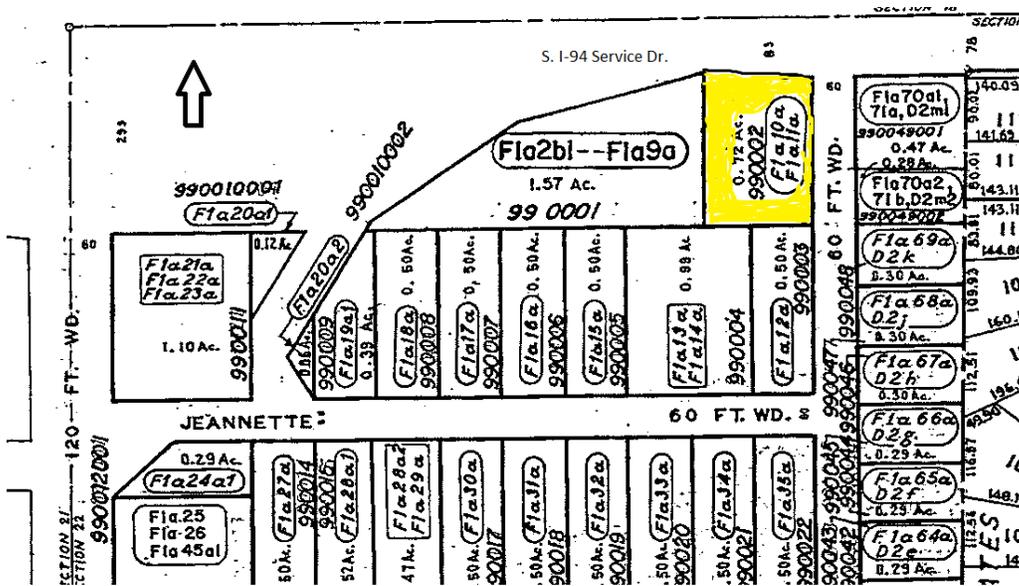
Second reading for adoption.

AN ORDINANCE TO AMEND THE CHARTER TOWNSHIP OF VAN BUREN ZONING ORDINANCE 06-02-92, AS AMENDED, BY AMENDING THE ZONING MAP IN CONNECTION THEREWITH.

The Charter Township of Van Buren Ordains:

SECTION 1. ORDINANCE AMENDMENT.

The Zoning Map in connection with the Charter Township of Van Buren Zoning Ordinance shall be amended as follows:



Ordinance No. 11-05-2013

A request to amend the Charter Township of Van Buren Zoning Ordinance 06-02-92, as amended, to amend the zoning map by rezoning approximately .72 acres of land consisting of parcel V-125-83-086-99-0002-000 from R-1B (Single Family Residential) all C-1 (General Business).

Legal Description of Property:
, .72 acres.

This property is located at the southwestern corner S. I-94 Service Drive at Dewitt Road.

SECTION 2. SEVERABILITY

In the event any article, section, paragraph, sentence, clause, or word of this ordinance is deemed invalid or unconstitutional by any court of competent jurisdiction, such portion deemed severable and shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. REPEALER.

Any and all ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 4. EFFECTIVE DATE.

The provisions of this ordinance are hereby ordered to take effect immediately after adoption and publication in a newspaper of general circulation within the Township.

This Ordinance is hereby declared to have been adopted by the Board of Trustees of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a Regular Meeting, called and held on the 19th day of November, 2013.

YEAS: Miller, McClanahan, Jahr, Hart, Budd, Wright and Combs.
NAYS: None.
ABSENT: None.
ABSTAINED: None.

This Ordinance shall be immediately recorded by the Township Clerk in the Township Ordinance Book as soon as it is adopted, which record shall be authenticated by the signatures of the Supervisor and Clerk and shall be published in a newspaper of general circulation in the Township within ten (10) days of passage.

I hereby approve the foregoing Ordinance,

Leon Wright, Clerk

Linda Combs, Supervisor