



MACOMB TOWNSHIP

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES
WEDNESDAY, AUGUST 11, 2021

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD, MACOMB MI 48042

Call Meeting to Order

Meeting was called to order by Supervisor Viviano at 6:30 PM.

Pledge of Allegiance to the Flag of the United States

Pledge of Allegiance was recited by all in attendance.

1. Roll Call

Clerk POZZI called the roll:

Present: Peter J. Lucido III, Leon Drolet, Nancy Nevers, Charles Oliver, Frank A. Cusumano Jr., Frank Viviano, Kristi Pozzi

Absent:

2. Approval of Agenda Items (with any corrections)

MOTION by Leon Drolet seconded by Peter J. Lucido III to approve the agenda as corrected.

The correct Macomb County Circuit Court Case No. is 2019-005235-CZ for Closed Session Item Number 12.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

3. Approval of Bills

MOTION by Charles Oliver seconded by Peter J. Lucido III to approve the bills as presented.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver,

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Leon Drolet, Kristi Pozzi, Frank Viviano
Nays - None
Abstain - None

THE MOTION Passed.

4. Approval of Previous Meeting Minutes from July 28, 2021

MOTION by Kristi Pozzi seconded by Nancy Nevers to approve meeting minutes from July 28, 2021 as presented.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

PUBLIC COMMENTS, AGENDA ITEMS ONLY - (3 MINUTE TIME LIMIT)

None

CONSENT AGENDA ITEMS:

MOTION by Leon Drolet seconded by Peter J. Lucido III to approve the Consent Agenda items as presented.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

5. Water and Sewer Department

a. Request to Approve the Easement Agreement; 25 Mile Road and Romeo Plank Road/Garfield Road Water Main Project. 16661 25 Mile Road, Parcel No. 20-08-05-351-006

b. Easement Encroachment Agreement; Lot 48, Westwood Pointe Subdivision. Parcel No. 20-08-16-192-018

- c. Florence Cement Temporary Batch Plant (Elite Corporate Park) Paving of Roads - Section 20

PUBLIC HEARING:

6. Public Hearing and Resolution Adoption for Street Lighting SAD Corrective Resolution for Strathmore Site Condominiums II

Supervisor Vivano opened and close Public Hearing at 6:40 PM. There were no public comments.

MOTION by Leon Drolet seconded by Kristi Pozzi to Adopt Corrective Resolution Ordering Establishment of Street Lighting District for Strathmore Site Condominiums II.

Street Lighting Strathmore Site Condominiums II

**CORRECTIVE RESOLUTION
ORDERING ESTABLISHMENT OF STREET LIGHTING DISTRICT**

WHEREAS, on January 24, 2018, the Township Board of the Township of Macomb, County of Macomb, Michigan, established a Special Assessment for the installation and maintenance of street lighting of Strathmore Site Condominiums II pursuant to a certain Resolution Ordering Establishment of Street Lighting District, which was recorded on January 25, 2018, in Liber 25183, Page 286, Macomb County Records.

WHEREAS, said Resolution Ordering Establishment of Street Lighting District as recorded contains errors within Exhibit "A." On page 1 of Exhibit "A" the address identified as 56301 Barnes Court is hereby corrected to 56031 Barnes Court. In addition, on pages 1 and 2 of Exhibit "A" all unit numbers identified as Units 153-281 are hereby corrected to Units 1-129.

WHEREAS, the Township Board of the Township of Macomb, County of Macomb, Michigan, wishes to remedy and correct the errors contained within the previously recorded Exhibit "A" by way of recordation of this Corrective Resolution Ordering Establishment of Street Lighting District with the Macomb County Register of Deeds.

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on August 11, 2021 at 6:30 P.M., Eastern Standard Time.

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Present: Viviano, Pozzi, Drolet, Cusumano, Lucido, Nevers, Oliver
Absent: None

The following preamble and resolution were offered by Member Drolet and supported by Member Pozzi.

WHEREAS, pursuant to 1989 PA 80 (the "Act"), the Township Board is empowered to establish a Special Assessment for the installation and maintenance of street lighting on its motion or upon the submission of petitions as prescribed in the Act; and

WHEREAS, the Township Board has determined that the installation of a street light or lights illuminating street serving lands described in Exhibit "A" is necessary to preserve the public health; and

WHEREAS, the Township Board desires to establish a Special Assessment District obligating the benefited owners to pay for the cost of installation and operation of street lighting; and

WHEREAS, a public hearing for the establishment of a Special Assessment District for street lighting was held coincident with this meeting and was prefaced by published and mailed notice as required by the Act and 1962 PA 162 on January 24, 2018 per Resolution Ordering Establishment of Street Lighting District, which was recorded on January 25, 2018, in Liber 25183, Page 286, Macomb County Records.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:

1. It is hereby directed that a street light or lights shall be installed at Strathmore Site Condominiums II, which will illuminate streets, serving and benefiting the lot(s) and/or parcel(s) of land described in Exhibit "A".

1. A Special Assessment District consisting of the lot(s) and parcel(s) described in Exhibit "A" is hereby established and the cost for installation of said street lights(s) and all future electrical service be levied against the parcel(s) and/or lot(s) so described in direct proportion to the benefit conferred.

1. The annual electrical service charge is Seven Thousand Nine Hundred Twenty Three dollars and 96/100 (\$7,923.96). Three times the annual cost is Twenty Three Thousand Seven Hundred Seventy One dollars and 88/100 (\$23,771.88). Total project cost is Seventy Seven Thousand Six Hundred Three dollars and 61/100 (\$77,603.61). The petitioner contribution amount is Fifty Three Thousand Eight Hundred Thirty One dollars and 73/100 (\$53,831.73). The Townships at large contribution is zero dollars and 00/100 (\$0.00)

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2. The Township Board shall hereafter annually determine the amount to be assessed in the district for lighting and shall direct the assessor to levy this amount. The assessment may be made either in a special assessment roll or in a column provided in the regular tax roll. The assessment shall be spread and become due and be collected at the same time as the other Township taxes are assessed, levied and collected and shall be returned in the same manner for nonpayment.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

UNFINISHED BUSINESS:

7. **Postponed from July 28, 2021 Meeting:** Request Permission to Execute a Cost Sharing Agreement for Design and Right-of-Way Costs with Macomb County Department of Roads for Romeo Plank Road Widening and Intersection Work from 0.5 Miles North of 21 Mile Road to 23 Mile Road

MOTION by Kristi Pozzi seconded by Leon Drolet to Authorize the Supervisor to Execute a Cost Sharing Agreement for Design and Right-of-Way Costs with Macomb County Department of Roads for Romeo Plank Road Widening and Intersection Work from 0.5 Miles North of 21 Mile Road to 23 Mile Road.

Roll Call Vote Summary: (7 - 0 - 0)

Ayes - Kristi Pozzi, Leon Drolet, Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

NEW BUSINESS:

WATER AND SEWER DEPARTMENT:

8. Construction Pay Estimate No. 2; 2021 Sanitary Sewer Cleaning and CCTV Investigation.

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Project No. 0249-0215; Pipetek Infrastructure Services, LLC. (\$26,726.34)

MOTION by Charles Oliver seconded by Peter J. Lucido III to Approve the Payment of Construction Pay Estimate No. 2; 2021 Sanitary Sewer Cleaning and CCTV Investigation. Project No. 0249-0215; Pipetek Infrastructure Services, LLC. (\$26,726.34).

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

9. Purchase Requisition; Pamar Enterprises Inc., Emergency Sewer Lead Repair (Broadmoor Ln.) \$53,843.02

MOTION by Leon Drolet seconded by Kristi Pozzi to Approve Payment to Pamar Enterprises., LLC, for the Emergency Sewer Repair (56394 Broadmoor Ln.). Parcel No. 20-08-05-127-017 (\$53,843.02)

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

PLANNING AND ZONING DEPARTMENT:

10. Conditional Rezoning; Residential, One-Family Urban (R-1) to Residential, Multiple-Family Low-Density (R-2-L); Located on the east side of Romeo Plank Road, north of 25 Mile Road; Permanent Parcel 08-05-301-008

MOTION by Charles Oliver seconded by Leon Drolet to Approve to accept the Planning Commission recommendation and approve or deny (TBD) the Conditional Rezoning; Residential, One-Family Urban (R-1) to Residential, Multiple-Family Low-Density (R-2-L); Located on the east side of Romeo Plank Road, north of 25 Mile Road; Permanent Parcel 08-05-301-008

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

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Abstain - None

THE MOTION Passed.

11. Conditional Rezoning; General Commercial (C-2) to Residential Multiple Family High Low-Density (R-2-L); Located on the northwest corner of 24 Mile Road and future Garfield Road; Permanent Parcel #08-07-400-016

MOTION by Kristi Pozzi seconded by Leon Drolet to Accept the Planning Commission recommendation and approve or deny (TBD) Conditional Rezoning; General Commercial (C-2) to Residential Multiple Family Low-Density (R-2-L); Located on the northwest corner of 24 Mile Road and future Garfield Road; Permanent Parcel #08-07-400-016

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

PUBLIC COMMENTS, NON-AGENDA ITEMS ONLY - (3 MINUTE TIME LIMIT)

Mike Willemsen spoke regarding the plan to build a Meijer at 24 Mile Road and Hayes.
Linda Maynarich spoke regarding the plan to build a Meijer at 24 Mile Road and Hayes.
David Pieper spoke concerning an upcoming canned food drive.

BOARD COMMENTS:

Trustees Comments

Trustee Oliver mentioned the recent Township-sponsored concert and thanked the staff.
Trustee Cusumano had no comments.
Trustee Lucido had no comments.

Treasurer Comments

Treasurer Drolet had no comments.

Clerk Comments

Clerk Pozzi had no comments.

Supervisor Comments

Supervisor Viviano spoke in regards to the location of the property to be discussed in

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closed session.

CLOSED SESSION

12. Discuss Consent Judgement Pending Litigation - Sal-Mar Royal Village, LLC v Macomb Township - Macomb County Circuit Court Case No. 2019-004506-CC. Closed Session per MCL 15.268(e)

MOTION by Charles Oliver seconded by Peter J. Lucido III to enter into Closed Session to discuss consent judgement pending litigation - Sal Mar Royal Village, LLC vs Macomb Township - Macomb County Circuit Court Case No. 2019-005235-CZ. Closed Session per MCL 15.268(e).

Roll Call Vote Summary: (7 - 0 - 0)

Ayes - Charles Oliver, Peter J. Lucido III, Frank A. Cusumano Jr., Nancy Nevers, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

The Board entered into Closed Session at 7:05 PM and reconvened into Open Session at 7:26 PM.

MOTION by Leon Drolet seconded by Kristi Pozzi to Approve the Consent Judgement as Presented in the Case of Sal Mar Royal Village LLC vs Macomb Township Case #2019-005235-CZ Which Approves the Development and Conceptual Site Plan at the Property of Hall and Heydenreich. The Development Would Be a Four-Story Senior Housing Building, a Three-Story Indoor Self-Storage Building, and an Outlot Closest to Hall Road For a Drive-Thru Restaurant.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Leon Drolet, Peter J. Lucido III, Nancy Nevers, Charles Oliver, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

ADJOURNMENT

MOTION by Kristi Pozzi seconded by Nancy Nevers to adjourn the August 11, 2021 Board meeting at 7:28 PM.

Vote Summary: (7 - 0 - 0)

Aye - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

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Nay - None
Abstain - None

THE MOTION Passed.