



SPECIAL MEETING OF THE BOARD OF TRUSTEES

April 21, 2020

To mitigate the spread of the COVID-19 pandemic, protect the public health, and provide essential protections to Canton Township residents; the Canton Township Board of Trustees are conducting all meetings by video teleconference.

Public comments may be submitted to Michael.Siegrist@Canton-mi.org at any time prior to the meeting. Additionally, a public drop box is located outside of the Township Administration Building at 1150 S Canton Center Rd. Canton, MI 48188. The Clerk will read comments submitted within the Rules of the Township Board during the meeting. Members of the public who attend by telephone or video may address the Board during the public comment period via videoconference.

Individuals may join the video teleconference by going to <https://zoom.us/j/97601399375>

Or iPhone one-tap:

1-312-626-6799 (97601399375#)

Or Telephone:

1-312-626-6799

Webinar ID: 976 0139 9375

International numbers available: <https://zoom.us/u/auxKi2toZ>

6:00 P.M.:

CALL TO ORDER

ROLL CALL: ANTHONY, FOSTER, GRAHAM-HUDAK, SIEGRIST, SLAVENS, SNEIDEMAN & WILLIAMS

CLOSED SESSION: PENDING LITIGATION (MEIER VS. CANTON TOWNSHIP)

Immediately following closed session:

ADOPTION OF AGENDA

APPROVAL OF MINUTES: MARCH 31, 2020

CITIZEN'S NON-AGENDA ITEM COMMENTS/PUBLIC COMMENT

PAYMENT OF BILLS

CONSENT CALENDAR:

- 1) CONSIDERATION OF SECOND READING OF AN ORDINANCE REPEALING CHAPTER 10 ARTICLE II (TEEN CLUBS) AND ARTICLE III (AMUSEMENT DEVICES AND ARCADES), CHAPTER 14 ARTICLE VI (KENNELS) AND VII INDOOR PET BOARDING FACILITIES), AND CHAPTER 46 SEC. 46-5 (FORTUNETELLING AND PALMISTRY) OF THE CANTON CODE OF ORDINANCES AND AMENDING CHAPTER 18, SEC. 18-1 TO 18-800, BUSINESSES (CLERK)

GENERAL CALENDAR:

- 1) CONSIDER APPROVAL OF EMERGENCY PURCHASE ORDERS (FBD)

OTHER
ADJOURN

ACCESS TO PUBLIC MEETINGS

In accordance with the Americans with Disabilities Act, individuals with disabilities who require special accommodations, auxiliary aids or services to attend or participate at the meeting/hearing should contact Kerreen Conley, Human Resources Manager, at 734-394-5260. Reasonable accommodations can be made with advance notice. A complete copy of the Access to Public Meetings Policy is available at www.canton-mi.org.

**Charter Township of Canton
Board Proceedings – March 31, 2020**

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, March 31, 2020 virtually. Supervisor Williams called the meeting to order at 6 p.m.

Members Present: Anthony, Foster, Graham-Hudak, Siegrist, Slavens, Sneideman, Williams
 Members Absent: None
 Staff Present: Director Smith, Director Trumbull, Director Hohenberger, Kristin Kolb

Adoption of Agenda

Motion by Siegrist, supported by Foster to adopt the agenda as amended, adding items G-0a and G-0b. Motion carried unanimously.

Approval of Minutes

Motion by Siegrist, supported by Slavens to approve the proposed March 17, 2020 minutes. Motion carried unanimously.

Public comment was held.

Payment of the Bills:

Motion by Slavens, supported by Anthony to approve payment of the bills as presented. Motion carried unanimously.

CHARTER TOWNSHIP OF CANTON		
EXPENDITURE RECAP FOR THE TOWNSHIP BOARD MEETING	OF	
March 24, 2020		
101	GENERAL FUND	613,028.39
204	ROADS FUND	2,203.55
206	FIRE FUND	394,537.71
207	POLICE FUND	552,649.94
208	SUMMIT OPERATING (General)	60,702.78
219	STREET LIGHTING	22,206.90
230	CABLE TV FUND	50,868.84
246	TWP (COMMUNITY) IMPROVEMENT	10,837.09
248	DDA - CANTON	28,323.08
261	E-911 UTILITY	425.40
265	ORGANIZED CRIME - DRUG ENFORCEMENT	1,253.93
274	CDBG	54,116.38
276	NSP GRANTS FUND	0.00
401	CAP PROJ - ENERGY PROJECT	0.00
402	CAP PROJ - SUMMIT CONSTR	0.00
403	CAP PROJ - ROAD PAVING	9,596.01
584	GOLF FUND	53,826.25
592	WATER & SEWER FUND	2,196,648.97
596	SOLID WASTE	3,042.66
661	FLEET	42,859.85
701	TRUST & AGENCY FUND	4,143.50

702	CONSTRUCTION ESCROW	420.00
736	POST EMPLOYMENT BENEFITS	165,265.36
852	SPECIAL ASSESSMENT DEBT	0.00
TOTAL - ALL FUNDS		4,266,956.59

General Calendar:

Item G-0a. Designation of Infrastructure Workers and Necessary Employees to Conduct Minimum Basic Operations in Compliance with the Order of the Governor of the State of Michigan 2020-21

Motion by Siegrist, supported by Slavens adopt the following resolution. Motion carried unanimously.

**RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON,
MICHIGAN**

Designation of Critical Infrastructure Workers in Compliance with the Order of the Governor of the State of Michigan 2020-21

Whereas order 2020-21 requires that the employer (the Charter Township of Canton) shall designate, no later than March 31st, workers that are defined as Critical Infrastructure Workers;

Whereas, businesses and operations must determine which of their workers are necessary to conduct minimum basic operations, and inform such workers of that designation. Businesses and operations must make such designations in writing, whether by electronic message, public website, or other appropriate means. Such designations, however, may be made orally until March 31, 2020 at 11:59 p.m.;

Whereas with full intent to comply with the spirit and intent of the Order, the Township examined the position, classifications and functions of the workers in its employ, and

Whereas following such review, the leadership team comprised of Department Directors, Deputy Directors, Managers and Elected officials have identified critical employees that may be called upon during the stay at home executive order; now therefore be it,

Resolved,

1. that the Board of Trustees of the Charter Township of Canton, in compliance with Governors Executive Order 2020-21, Public Safety, designates Public Works and Essential Administrative Operations Workers, as workers that “are necessary to sustain or protect life” or “to conduct minimum basic operations,” and are defined as “critical infrastructure workers”;

2. For purposes of this designation, necessary government activities include activities performed by critical infrastructure workers, including workers in law enforcement, public safety, and first responders;
3. Such activities also include, but are not limited to, public water and sewer services, trash pick-up and disposal, activities necessary to manage and oversee elections, operations necessary to enable transactions that support the work of a business or operation's critical infrastructure workers, and the maintenance of safe and sanitary public parks;
4. All in-person government activities must be performed consistently with the social distancing practices, and other mitigation measures, to protect workers and patrons described in section 5(c) of the Executive Order as follows:
 - Restricting the number of workers present on premises to no more than is strictly necessary to perform the business's or operation's critical infrastructure functions.
 - Promoting remote work to the fullest extent possible.
 - Keeping workers and patrons who are on premises, at least six feet away from one another, to the maximum extent possible, including customers who are standing in line.
 - Increasing standards of facility cleaning and disinfection to limit worker and patron exposure to COVID-19, as well as adopting protocols to clean and disinfect in the event of a positive COVID-19 case in the workplace.
 - Adopting policies to prevent workers from entering the premises if they display respiratory symptoms or have had contact with a person who is known or suspected to have COVID-19.

 - Any other social distancing practices, and mitigation measures recommended by the Center for Disease Control (CDC); and
5. With this action, the Charter Township of Canton has complied with the full spirit and intent of the Executive Order and where disagreement regarding interpretation may present itself, there is no willful intent of the Township to violate the Executive Order.

Item G-0b. Consider Adoption of Second Resolution of Canton Township Regarding COVID-19

Motion by Siegrist, supported by Slavens to adopt the following resolution. Motion carried unanimously.

**RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON,
MICHIGAN**

Second Resolution of Canton Township Regarding COVID-19

Whereas on or about March 17, 2020, the Township adopted a certain Resolution of Canton Township Regarding COVID-19;

Whereas on March 23, 2020, Governor Gretchen Whitmer issued Executive Order No. 2020-21, issuing a state-wide shelter in place order, prohibiting in-person work that is not necessary to sustain or protect life;

Whereas this Executive Order lasts until 11:59 p.m. on April 13, 2020;

Whereas Canton's prior resolution established a closure only through April 6, 2020;

Whereas in order to be in compliance with Executive Order 20-21, additional action is required of the Township Board; and

Whereas except as modified herein, the Resolution of Canton Township Regarding COVID-19 remains in full force and effect; now therefore be it,

Resolved,

1. That the Township Board of Trustee of the Charter Township of Canton is complying with the Covid-19 isolation order, and all township facilities shall remain closed to the public and non-critical employees through 11:59 p.m. on Monday, April 13, 2020;
2. That during this same time period, all in-person work that is not necessary to sustain or protect life or perform the minimum basic business operations of Canton Township is prohibited;
3. That any critical employees who are able to work from home shall be required to do so;
4. That all employees without scheduled PTO through the time period ending 11:50 p.m. on April 13, 2020, shall be subject to callback with 24-hours advance notice, except in the case of a Township emergency, in which case the employee shall be required to report to work;
5. That any employee who decides to take a vacation during the time period ending April 13, 2020, shall notify their division manager or department director and shall be required to use paid-time off;
6. That any employee who is deemed essential under EO 2020-21 subject to report to work during the closure during their normal and customary work hours shall be compensated at their usual and customary hourly rate for all time worked;
7. That any employee called in on an emergency outside of their normal and customary work hours shall be given two hours advance notice to report for work and shall be

compensated in accordance with the requirements of their respective collective bargaining agreement;

8. That all employees called in on 24-hours' notice or on an emergency basis, whether during or after regular and customary work hours, shall not be paid any premium or overtime pay until the first full paycheck after the Township resumes normal operations;
9. That part-time employees shall be afforded Paid Sick Leave under the Families First Coronavirus Response Act (FFCRA), which goes in to effect on April 1, 2020. The Paid Sick Leave for part-time employees is the equivalent of an average two-weeks' of pay as calculated under the March 17, 2020 Resolution of Canton Township Regarding COVID-19. Part-time employees will be paid their weekly average beginning on April 5, 2020 thru April 11, 2020. Should EO 2020-21 be extended past April 13, 2020, part-time employees may use the remainder of their available Paid Sick Leave to cover the following week;
10. That beyond April 18, 2020, part time employees will no longer be paid by the Township until the Township resumes normal operations;
11. That full-time employees will be afforded Paid Sick Leave in accordance with the Families First Coronavirus Response Act (FFCRA), which goes in to effect on April 1, 2020. The FFCRA provides 80 hours of Paid Sick Leave for employees, and under the EO 2020-21, Canton Township employees may use this Paid Sick Leave during the stay at home order. Full-time employees may use Paid Sick Leave beginning April 6, 2020 through April 13, 2020 to cover regularly scheduled work hours, not including Friday, April 10th, which is a paid holiday. Should the State-imposed stay at home order be extended beyond April 13, 2020, employees may use their remaining Paid Sick Leave. Employees who choose not to use Paid Sick Leave will be required to use PTO, Comp or go unpaid;
12. That employees required to work at Township facilities will be paid for the actual hours worked and available Paid Sick Leave will remain in the employee's leave bank to be utilized in accordance with the FFCRA;
13. That in the event EO 2020-21 is revised or extended into the week beginning April 19, 2020, the 8 hours of remaining Paid Sick Leave will be applied during this week. In addition, employees will be required to use 8 hours of PTO or comp time with the Township paying the remaining hours, to a maximum of 40. During the week of April 26, 2020, employees will be required to use 8 hours of PTO or comp. The Township will pay the employee's regular salary for the remaining 32 hours. The hours paid by the Township shall not count as "days worked" for PTO accrual purposes;
14. That full-time, exempt employees who are required to work shall be entitled to accrue compensatory time as approved by the Merit Commission;

15. That in the event the state and/or national emergency declaration(s) are withdrawn, normal Township operations shall resume and all employees shall be ordered to return to work with no less than 24 hours' notice; and
16. That the Township Board shall continue to monitor the situation, and upon dissolution of Governor Whitmer's shelter in place order, shall notify all employees of their expected return to work date.

Item G-1. Consider Renewal of VMware Software Support Agreement

Motion by Siegrist, supported by Slavens to approve a purchase order in the amount not to exceed \$26,233 payable to Dell Computers for the renewal of software support and maintenance services for VMware Software Support covering a period of three (3) years. Motion carried unanimously.

Item G-2. Consider Renewal of Veeam Software Support Agreement

Motion by Siegrist, supported by Slavens to approve a purchase order in the amount not to exceed \$24,826 payable to CDW Government for a renewal of software support and maintenance services provided by Veeam Inc. covering a period of three (3) years. Motion carried unanimously.

Item G-3. Consider the Emergency Purchase of an Uninterruptible Power Supply System with Electrical Installation and an Associated Budget Amendment

Motion by Siegrist, supported by Foster to waive the bidding process and approve the emergency purchase of a UPS System from Eaton Corporation in the amount of \$51,002.41, and electrical installation of the system by Corby Energy Services, Inc., in the amount not to exceed \$29,975. Additionally, approve a budget amendment to use 911 Fund Balance for this project expense. Motion carried unanimously.

Item G-4. Consider Adoption of the Recommendation from Municipal Services and Finance and Budget Departments for the 2020 Water and Sewer Rates to Remain Unchanged from 2019

Motion by Siegrist, supported by Foster to approve that the 2020 Water and Sewer Rates remain the same as 2019. Motion carried unanimously.

Item G-5. Consider Approval of an Exemption of Emergency Responders from the Provisions of the Family First Coronavirus Response Act (FFCRA)

Motion by Siegrist, supported by Slavens to approve the following resolution. Motion carried unanimously.

RESOLUTION OF

**BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON,
MICHIGAN**

Resolution of Canton Township to Exempt First Responders from Emergency Responders Emergency Paid Sick Leave Family Medical Leave Expansion Provisions of the Family First Coronavirus Response Act (FFCRA)

Whereas the novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death that can easily spread from person to person;

Whereas in response to the outbreak on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a Public health emergency; and

Whereas on March 10, 2020, Governor Gretchen Whitmer declared a state of emergency across the State of Michigan pursuant to Executive Order No. 2020-4;

Whereas, on March 13, 2020, President Donald Trump declared a national state of emergency due to the outbreak;

Whereas in response to the present public health crisis, the House of Representatives adopted House Resolution 6201 establishing the Emergency Family Medical Leave Expansion Act; and

Whereas pursuant to the language in the statute which goes into effect on April 1, 2020, Section 3105, special rules for health care providers and emergency responders provides that employer of an employee who is a health care provider or an emergency responder may elect to exclude such employees from the application of this provision and the amendments made under Section 3102 of this Act;

Whereas additional protections have also been afforded to first responders because of the important and critical nature of their continued working and responding to duty during this emergency;

Whereas the public safety of the residents of Canton Township remains the critical concern at present and the necessity of acting in accordance with this special rule is in the best interests of the residents of Canton Township; now therefore be it,

Resolved;

1. That the Township Board of Trustees of the Charter Township of Canton has determined that effective as of March 31, 2020 all emergency first responders will be exempted from the provisions of the Families First Coronavirus Response Act (FFCRA) include the Emergency Paid Sick Leave provision and the expanded Family and Medical Leave provision related to COVID – 19.

Additional Public comment was held.

Adjourn: Motion by Sneideman, supported by Siegrist to adjourn. Motion carried unanimously.

Michael A. Siegrist, Clerk

Pat Williams, Supervisor

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: April 21, 2020

AGENDA ITEM # C1

ITEM: Consideration of an Ordinance Repealing Chapter 10 Article II (Teen Clubs) and Article III (Amusement Devices and Arcades), Chapter 14 Article VI (Kennels) and VII Indoor Pet Boarding Facilities), and Chapter 46 Sec. 46-5 (Fortunetelling and Palmistry) of the Canton Code of Ordinances and Holding a second Reading.

PRESENTER: Michael Siegrist

INDIVIDUALS IN ATTENDANCE: None

EXECUTIVE SUMMARY: The Township Clerk, Public Safety, Building and Inspection Services, and Legal Services Division analyzed the existing structure of business and related ordinances under the direction of the Township Board from last year, in an attempt to streamline the process and create uniformity in the application, suspension, revocation, and disapproval of licenses and permits. It is recommended that one process govern all regulated businesses.

Changes to existing ordinances would eliminate the 1,000 foot limitation in the massage ordinance and replace it with Public Safety monitoring and compliance checks. Additionally, it is recommended that we no longer regulated industries which are monitored by more stringent state and federal regulations. As a result, Amusement Devices and Arcades, Service Stations, and used car dealers will no longer be regulated, but will continue to be monitored by compliance checks.

BACKGROUND INFORMATION: The following changes to the structure of ordinance can be summarized as follows:

Repealed Ordinances:

Chapter 10 - AMUSEMENTS AND ENTERTAINMENTS (Repealed)

ARTICLE II. - TEEN CLUBS (added to new Chapter 18)

ARTICLE III. - AMUSEMENT DEVICES AND ARCADES (Repealed)

Chapter 14 – ANIMALS

ARTICLE VI. – KENNELS (added to new Chapter 18)

ARTICLE VII. - INDOOR PET BOARDING FACILITIES (added to new Chapter 18)

Chapter 18 – BUSINESSES

ARTICLE II. – JUNKYARDS (added to new Chapter 18)

ARTICLE III. – MASSAGE (added to new Chapter 18)

ARTICLE IV. - SEXUALLY ORIENTED BUSINESSES (added to new Chapter 18)

ARTICLE V. - USED CAR DEALERS (Repealed)

ARTICLE VI. - AUTOMOTIVE SERVICE STATIONS (Repealed)

ARTICLE VII. - SMOKING LOUNGES (added to new Chapter 18)
ARTICLE VIII. - MARIHUANA ESTABLISHMENTS (added to new Chapter 18)

Chapter 46 - OFFENSES AND MISCELLANEOUS PROVISIONS
Sec. 46-5. - Fortunetelling and palmistry. (Repealed)

New Structure:

Chapter 18 –Businesses

ARTICLE I. In General (Purpose, Universal Definitions)

Sec. 18-4. Monitored Businesses Defined.

Used Car Dealers

Automotive Service Stations

Amusement Devices and Arcades.

Sec. 18-5. Marihuana establishments prohibited.

ARTICLE II. Licensing (Reservation of Authority, transferability, Conflicts, Application Process, Renewal Process, Suspension/Revocation/Denial Process, Appeals Process)

ARTICLE III. Individual Business Guidelines

DIVISION 1. Junkyards.

DIVISION 2. Massage Establishments.

DIVISION 3. Sexually Oriented Businesses.

DIVISION 4. Smoking Lounges.

DIVISION 5. Teen Clubs.

DIVISION 6. Kennels.

DIVISION 7. Indoor Pet Boarding Facilities.

STRATEGIC PLAN/GOALS: To strengthen operational efficiency and meet the service needs of a changing community.

ACTION REQUESTED: Hold the second reading of an ordinance repealing and replacing Chapter 10 Article II (Teen Clubs) and Article III (Amusement Devices and Arcades), Chapter 14 Article VI (Kennels) and VII Indoor Pet Boarding Facilities), Chapter 18 (Businesses), and Chapter 46 Sec. 46-5 (Fortunetelling and Palmistry) of the Canton Code of Ordinances.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: None

IMPLEMENTATION PLAN: Publish an ordinance repealing and replacing Chapter 10 Article II (Teen Clubs) and Article III (Amusement Devices and Arcades), Chapter 14 Article VI (Kennels) and VII Indoor Pet Boarding Facilities), Chapter 18 (Businesses), and Chapter 46 Sec. 46-5 (Fortunetelling and Palmistry) of the Canton Code of Ordinances on March 30, 2020.

DIRECTOR'S RECOMMENDATION: Approve

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approve

SUPERVISOR'S RECOMMENDATION: Approve

***MODEL RESOLUTION:** I move to remove from the table and hold the second reading of an ordinance repealing and replacing Chapter 10 Article II (Teen Clubs) and III (Amusement Devices and Arcades), Chapter 14 Article VI (Kennels) and VII Indoor Pet Boarding Facilities), Chapter 18 (Businesses), and Chapter 46 Sec. 46-5 (Fortunetelling and Palmistry) of the Canton Code of Ordinances.

ATTACHMENTS:
Draft Ordinance

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: April 21, 2020

AGENDA ITEM # G-1

ITEM: Consider Approval of Emergency Purchase Orders

PRESENTER: Wendy Trumbull, Finance & Budget Director

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: In accordance with the resolution passed by the Board of Trustees on March 17, 2020 regarding Covid-19 which reiterated that the emergency provisions in the purchasing policy would be relied upon for any purchases needed during the state of emergency, there were four purchases requiring Board approval that exceeded the \$10,000 limit. The majority of the purchases were for Covid-related equipment or supplies, but all were medically related. The public safety department has been pricing out all of the supplies, searching for the best cost available, or purchasing as a sole source when supplies were unavailable elsewhere. All the purchases were approved by the requesting department head, the Finance Director, and two Full-Time Elected Officials prior to the purchases being made. In accordance with our purchasing policy, any emergency purchase is required to come before the Board of Trustees at the next Regular Board meeting.

STRATEGIC PLAN/GOALS: Continuity of operations during the State of Emergency as a result of Covid-19

ACTION REQUESTED: Approve the attached purchase orders.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: Amounts can currently be absorbed within the adopted Township Budget. However, the budget will continue to be monitored and budget adjustments brought before the Board when more costs are known.

IMPLEMENTATION PLAN: Purchases have already occurred for the emergency items noted.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION: I move to approve the following emergency purchase orders:

Apollo Fire	\$16,823.00
Bound Tree Medical	\$18,302.83
J&B Medical	\$11,215.43
MioTech	\$19,800.00

ATTACHMENTS:

Manual Purchase Orders Completed