

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, APRIL 11TH, 2016

PRESENT:	ROBERT J. CANNON	SUPERVISOR
	KIM MELTZER	CLERK
	WILLIAM SOWERBY	TREASURER
	PAUL GIELEGHEM	TRUSTEE
	KENNETH PEARL	TRUSTEE
	DEAN REYNOLDS	TRUSTEE
	JENIFER WEST	TRUSTEE

ABSENT: NONE

The Regular Meeting of the Board of Trustees was called to order at 6:30 p.m. in the Township Board Chambers, Clinton Township Civic Center. Also in attendance was Mr. Jack Dolan, Township Attorney. The Pledge of Allegiance was recited, led by Judge Linda Davis.

APPROVAL OF AGENDA

Ms. Meltzer requested the following deletion to tonight's agenda:
Item #3 – Request Permission to Use Pavilion for Open Audition

Ms. Meltzer requested the following additions to tonight's agenda:
Item #21 - Request to Discuss "McLaren Let's Move Festival of Races"
April 28-30, 2016
Item #22 - Request Closed Session to Discuss Pending Litigation

Ms. Meltzer requested moving Item #16 to Item #3A and Item #21 to Item #3B.

Motion by Mr. Pearl, supported by Ms. West, to approve the agenda with the deletion of Item #3, the addition of Items #21 and #22, and moving Item #16 to Item #3A and Item #20 to Item #3B. Roll Call: Ayes – Pearl, West, Reynolds, Gieleghem, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

1. REQUEST PERMISSION FOR SIGNS ADVERTISING FAN'S (FAMILIES AGAINST NARCOTICS) ANNUAL "RUN DRUGS OUT OF TOWN" EVENT

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter from Judge Linda Davis, and approve her request to put up signs advertising FAN's (Families Against Narcotics) Annual Run Drugs Out of Town event to be held on July 16th, 2016, with the sign put up at various businesses in Clinton Township thirty days prior to the event, and removed within 48 hours after the event. Discussion ensued.

Mr. Cannon thanked the Judge for the work they have been doing for this organization. He recognized it as an epidemic but added he knows she is doing her best to put a dent in it.

Roll Call: Ayes – Pearl, West, Reynolds, Gielegem, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

2. REQUEST APPROVAL FOR AN ON-SITE TEMPORARY BATCH PLANT

Mr. Gielegem inquired as to whether Ms. Bednar has reviewed this specific request.

Ms. Bednar replied she has not looked at this request, but assured it is a typical request to have a batch plant near the project location.

Mr. Anthony Sarotte, 34046 Northwood, Farmington Hills, Michigan, representing Florence Cement, replied to inquiry that this will be located north of Weybridge.

Mr. Gielegem felt this is a good location and will be close to the work site. He felt it is an area that does not affect residents to an overwhelming degree.

Ms. Meltzer commented that the petitioner's letter addresses the Township Board as "Gentlemen", and she noted he may want to update that in the future to include the two women also on the Board.

Mr. Sarotte apologized. He also assured they will obtain permits from the Macomb County Department of Roads.

Motion by Ms. West, supported by Mr. Reynolds, to receive and file the letter dated March 14th, 2016 from Mr. Anthony Sarotte, P.E., Engineer, Florence Cement Company, and approve the request to place a temporary batch plant on a site located on the west side of Groesbeck Highway, north of Metropolitan Parkway (Parcel 16-11-22-301-019), to be used solely for the paving of the

streets for the Charter Oaks Reconstruction project, with hours of operation limited to 7:00 a.m. to 8:00 p.m. Monday through Saturday, as outlined in the correspondence. Roll Call: Ayes – West, Reynolds, Gielegem, Pearl Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

3. REQUEST PERMISSION TO USE PAVILION FOR OPEN AUDITION

This item was deleted from tonight's agenda.

3A. REQUEST TO ADOPT "DESTRUCTION OF INFORMATION" POLICY (formerly Item #16)

Ms. Meltzer indicated that Ms. Jennifer Baranski, Records Manager, has worked hard on this policy with the Township attorney, noting that it is in draft form at this point. She urged the Board members to look it over and if they have any questions within the next couple of weeks, to contact Ms. Baranski to get their questions answered so they are prepared to make any changes and approve it at the next Board meeting.

Ms. Baranski acknowledged that some of the Board members may have not had time to read the entire draft, and she added they want to make sure it is a strong policy, so she would appreciate the input of the Board members. She explained this is in regard to destroying data, which is important as having a retention policy. She added that a Destruction policy lessens the Township's liability, and where a Retention policy outlines what records need to be kept, a Destruction policy is what needs to be destroyed to lessen the Township's liability if they get away from the Retention policy. They have worked on this with the I.T. Department, the Public Works Division and legal counsel. She noted that the Township's practices may require a cross-cut shredder. She has been working with various departments on what records they will need to scan and keep, and what they need to discard. She stressed, however, that these discarded records are not something they want in a garbage can, but they should be shredded.

Mr. Cannon thanked Ms. Baranski for the good overview, and he also urged Board members with any questions to contact Ms. Baranski within the next couple of weeks so they are ready to make any changes and adopt this at the next Board meeting.

Ms. Baranski replied to inquiry that data destruction does not always involve paper, and it could be microfilm, microfiche and CD's. It could involve large-scale data destruction such as what the Township does on "Shred Day", or it could involve small-scale destruction on a day-to-day basis by the use of a shredder at desks for documents that do not need to be retained.

Motion by Mr. Reynolds, supported by Ms. West, to receive and file the letter dated April 4th, 2016 from the Township Clerk regarding the “Destruction of Information” Policy, which addresses the destruction of paper, physical and electronic records. Roll Call: Ayes – Reynolds, West, Gielegem, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

3B. REQUEST TO DISCUSS “McLAREN LET’S MOVE FESTIVAL OF RACES” ON APRIL 28TH-30TH, 2016 (formerly Item #21)

Ms. West indicated this is Mr. Busquaert’s third year with this race and each year their numbers have surpassed previous years. She noted that they are bringing the Expo back into Clinton Township.

Mr. Busquaert explained that they had to make some changes, and he felt the Concorde Inn in Clinton Township was such a beautiful facility for their Health and Fitness Expo. He commented that it is a way for vendors and sponsors to share their products that they offer, and they are proud to host this event for the two days prior to the race. He added that the race logistics for the race to be held on April 30th are identical to the past years. Last year they implemented the marathon, which involves the marathon runners completing the one-half marathon twice. They will be meeting with the appropriate authorities with regard to road closures and the placement of barricades and officers at certain locations. He added that meeting will be his opportunity to address any additional questions from a traffic or safety standpoint. He replied to inquiry that he does not know the date of that meeting because the gentleman in charge, Mr. Ken Webb, has not yet set the date. He added that they are generally given about a one-week notice by email prior to the meeting. Mr. Busquaert replied to further inquiry that the route has not changed.

Ms. West inquired as to whether the route has changed at all.

Mr. Busquaert replied it has not changed.

Motion by Mr. Reynolds, supported by Mr. Gielegem, to receive and file the information provided regarding McLaren Let’s Move Festival of Races, and to approve the event, to be held on Saturday, April 30th, 2016, as outlined in the correspondence. Discussion ensued.

Mr. Sowerby inquired as to the route for the race.

Mr. Busquaert replied that all of the events start on Market Street, between Main Street and Gratiot, proceeding east down Dickenson. The half marathon and full marathon runners will take Rathbone, which turns into South River Road, then continue to Jefferson, along Jefferson to Lake St. Clair Metropark. The marathon runners will go out to the point, but the half-marathon runners will hug the outside

of the park. They will then take Jefferson, entering at the Harrison Township Senior Center, to the Spillway bike path, and proceed on that to Harper, then heading north on the southbound lane. The half-marathon runners will turn left onto Wooster Street and run through the subdivision before they exit onto Crocker, taking that to Gratiot to the finish line. The 5K proceeds down Rathbone to Avery, then south on Avery to Wooster, where they make a right turn.

Ms. West recalled that for the half-marathon relay, this particular relay was the first in the nation and now there are others.

Mr. Busquaert replied they were one of the first, if not the first. The relay generally consists of five persons, and it is very rare to find a half marathon relay, so he agreed they may have been the first.

Mr. Gielegghem commented that he has participated in this event twice, and it is a nice route. He noted that the route within the Township is actually quite short; however, it is heavily travelled, so he felt they need more of a presence than most communities. He recalled there have been some negotiations after the fact in previous years with the Police Department.

Mr. Busquaert assured he has made contact with someone from the Police Department and has reviewed the specific intersections and what is needed for public safety, noting they never want to take short-cuts on that. They have identified the need, the cost for those needs, and he felt they have it clearly identified ahead of time.

Mr. Gielegghem acknowledged that some people will be inconvenienced but the opportunity afforded for the community to come together is a true benefit, and he felt that outweighs some minor inconveniences.

Mr. Busquaert agreed with Mr. Gielegghem, and assured they want the race to be the pride of Macomb County. He informed they will be sending out a postcard to everyone affected on the route about a week prior to the event, and inform them that there are ways for them to get where they want to go. The postcard will contain options for them to get around these race routes.

Ms. West commented that the Macomb Health and Fitness Foundation actually started these races.

Mr. Busquaert explained that about two years ago, they had the idea of uniting Macomb County races and started up "Run Macomb". This now consists of thirty races in Macomb County. They talked about marketing and pulling resources together to make them cheaper, and most of them are tied into charities in the area. Mr. Busquaert stated they meet once a month at McLaren Macomb and

talk about how to promote and advertise their events. They would like to see people coming in from outside of Macomb County.

Ms. West added that McLaren Macomb has been a sponsor of this event from the start.

Roll Call: Ayes – Reynolds, Gielegghem, Pearl, Cannon, West, Sowerby, Meltzer.
Nays – None. Absent – None. Motion carried.

4. REQUEST TO ATTEND THE GREAT LAKES HOMELAND SECURITY TRAINING CONFERENCE

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated April 1st, 2016 from the Emergency Management Coordinator, and approve the request for Mr. Richard Philippi, Deputy Coordinator and Mr. Brouwer to attend the Great Lakes Homeland Security Conference and Expo, to be held from May 3rd through 5th, 2016 at the DeVos Center in Grand Rapids, Michigan, with \$850 of the cost to be reimbursed by Macomb County Emergency Management under the 2015 U.A.S.I. Grant. Roll Call: Ayes – Pearl, West, Reynolds, Gielegghem, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

5. APPROVAL TO ATTEND FIRE INVESTIGATION COURSE

Motion by Mr. Pearl, supported by Mr. Gielegghem, to receive and file the letter dated April 1st, 2016 from the Fire Marshal, and approve the request for Fire Inspector Peter Bailey and Lieutenant Steven Burich to attend the 72nd Fire Investigator I class hosted by the Michigan State Police in Lansing on Monday through Friday, April 11th through April 22nd, 2016, with the budgeted class being \$965 per person plus local lodging the nights of April 11th through April 21st at \$75 per night per person; further, to receive and file the letter dated April 5th, 2016 from the Fire Marshal, and approve the request for Fire Inspector Michael Bobzin to attend two seminars, “Investigating Residential Dryer Fires” and “Residential Electricity for Fire Investigator”, to be held in Benton Harbor on May 3rd through May 6th, 2016, with the cost of training and lodging estimated at \$1,597 and transportation estimated at \$248, all of which is budgeted. Roll Call: Ayes – Pearl, Gielegghem, Reynolds, Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

6. REQUEST APPROVAL TO PURCHASE A 2016 FORD PICKUP TRUCK THROUGH THE MACOMB COUNTY VEHICLE BID PROGRAM

Motion by Mr. Reynolds, supported by Ms. West, to receive and file the letter dated March 24th, 2016 from the Building Department Superintendent and approve the request to purchase a 2016 Ford Pickup Truck through the Macomb County Vehicle Bid program with the total cost of the budgeted vehicle being

\$22,822.00 delivered. Roll Call: Ayes – Reynolds, West, Gielegghem, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

7. APPROVAL OF APPOINTMENTS TO THREE (3) PART-TIME PARK MAINTENANCE POSITIONS – PUBLIC SERVICES DEPARTMENT

Motion by Mr. Pearl, supported by Mr. Reynolds, to receive and file the letter dated March 30th, 2016 from the Human Resources Director, and appoint Mr. David Schafer, Mr. Vincent Roy and Mr. Robert Lowry to the part-time Park Maintenance positions in the Public Services Department, with the hourly wage for these budgeted authorized positions starting at \$15.15, as specified in the AFSCME Local 1103.12 collective bargaining agreement, with a start date of April 12th, 2016, each subject to successful completion of a background investigation and a pre-employment medical examination. Roll Call: Ayes – Pearl, Reynolds, Gielegghem, Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Cannon commented that this brings the department to where they should be with regard to part-time park maintenance positions.

8. APPROVAL OF APPOINTMENT TO MAINTENANCE WORKER POSITION – PUBLIC SERVICE DEPARTMENT

Motion by Ms. West, supported by Mr. Gielegghem, to receive and file the letter dated March 24th, 2016 from the Human Resources Director, and appoint Mr. William Lieberman to the position of Maintenance Worker in the Facilities & Operations Division, which constitutes a promotion within the Public Services Department, with a starting salary of \$38,480, as specified in the AFSCME Local 1103.12 collective bargaining agreement, with the promotion date effective April 25th, 2016. Roll Call: Ayes – West, Gielegghem, Reynolds, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

9. REQUEST TO PROMOTE AN OFFICER TO SERGEANT

Mr. Cannon noted that this promotion, as well as the other positions approved this evening, are all part of the approved budget.

Motion by Mr. Pearl, supported by Mr. Sowerby, to receive and file the letter dated April 4th, 2016 from the Police Chief, and approve the promotion of Officer Preston Susalla to the rank of Sergeant, which is a budgeted position with the vacancy caused by a recent retirement. Roll Call: Ayes – Pearl, Sowerby, Reynolds, Gielegghem, Cannon, West, Meltzer. Nays – None. Absent – None. Motion carried.

10. REQUEST TO HOST A POLICE OPEN HOUSE ON MAY 21ST, 2016

Motion by Mr. Sowerby, supported by Ms. West, to receive and file the letter dated April 4th, 2016 from the Police Chief, and approve the request for the Police Department to host an open house on Saturday, May 21st, 2016 between 10:00 a.m. and 1:00 p.m. Roll Call: Ayes – Sowerby, West, Reynolds, Gielegem, Pearl, Cannon, Meltzer. Nays – None. Absent – None. Motion carried.

11. REQUEST TO SELL EIGHT (8) POLICE VEHICLES

Motion by Mr. Gielegem, supported by Mr. Reynolds, to receive and file the letter dated April 4th, 2016, and approve the request to sell eight (8) police vehicles which are no longer in use, with Motor City Auto Auction, of Roseville, to handle the sale of the vehicles. Roll Call: Ayes – Gielegem, Reynolds, Pearl Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

12. APPOINTMENTS TO HISTORICAL COMMISSION

Mr. Cannon commented that all three candidates up for reappointment have done an excellent job, and he is recommending the reappointment of all three.

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated April 4th, 2016 from the Administrative Aide, and reappoint Mr. Maxwell Heiderer, Mr. Jim Hungerford and Ms. Karen Stephens to the Historical Commission, each for three-year terms expiring April 13th, 2019. Roll Call: Ayes – Cannon, Pearl, Reynolds, Gielegem, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

13. APPOINTMENTS TO THE CLINTON MACOMB PUBLIC LIBRARY BOARD

Mr. Cannon noted that there are two members requesting reappointment, and they have also received another application for consideration.

The votes were as follows:

Mr. Reynolds:	Mr. Deyak and Mr. Gibson
Mr. Gielegem:	Mr. Deyak and Mr. Gibson
Mr. Pearl:	Mr. Deyak and Mr. Gibson
Mr. Cannon:	Mr. Deyak and Mr. Gibson
Ms. West:	Mr. Deyak and Mr. Gibson
Mr. Sowerby:	Mr. Deyak and Mr. Gibson
Ms. Meltzer:	Mr. Deyak and Mr. Gibson

Motion by Mr. Pearl, supported by Mr. Reynolds, to receive and file the letter dated April 4th, 2016 from the Administrative Aide, in concurrence with the Library Director and the Library Board President, and reappoint Mr. Michael Deyak and Mr. Fred Gibson to the Clinton-Macomb Library Board, with both of these appointments for representation from Clinton Township, each effective for a four-year term until April 30th, 2020. Roll Call: Ayes – Pearl, Reynolds, Gieleghem, Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

14. ZONE 6 SANITARY SEWER CIPP

Ms. Bednar explained that several years ago, they came to the Board with the idea of looking at televising and cleaning all of the sewers in the Township. Zone 6 was the first area they selected, and they determined they had to make some repairs. The repairs are completed and they are now following up with the lining. She noted that Zone 8 and part of Zone 10 are currently being cleaned, and once that is completed, they will then know what repairs are necessary. She cautioned that this is a big project, and it may have to be spread over the next ten years before they have gotten through the entire Township, but once it is done, they will know all about the sewers and their integrity.

Mr. Gieleghem felt that will assure there is no seepage of the water and sewer lines, and they can make sure there is no unnecessary water seeping into the system.

Ms. Bednar agreed, adding that they have already done the lining in some of those areas, but that has been twenty years so they feel they have to go back and look again. They are now going into other areas to see if there are any defects.

Mr. Chabot replied to inquiry that Zone 6 is made up of the area between Millar and Metro Parkway, and between Garfield and Groesbeck, and this has been the first area of intense review of the infrastructure. He noted the repairs will be trenchless which helps to maintain the structural integrity but it will also help reduce overflows. It will help to create an asset management plan that the State of Michigan has been trying to implement. He added that the Township's Water and Sewer Division has been making some great strides, with the help of their GIS system, to get this information into their system.

Mr. Cannon requested that Mr. Chabot explain the CIPP plan, which is much more cost-effective and less invasive.

Mr. Chabot explained they take a bag that can go into the sewer, and they use an epoxy lining to adhere this material to the pipe, actually creating "a pipe within

a pipe”, and it restores the structural integrity of the original pipe. He added that it can end up being as strong as a concrete pipe.

Mr. Sowerby stated he lives just north of Millar, and he has observed a lot of “water” and “sewer” flags in his area. He inquired as to whether that area is also included in this Zone.

Mr. Chabot replied affirmatively, noting it is along Moravian. He replied to further inquiry that this area was selected to be first because it is one of the older areas outside of the ACL district, with all non-reinforced concrete pipe. He explained that seemed to be the best area to start with to see if there were any deficiencies. He acknowledged that there were some issues that had to be addressed right away.

Mr. Sowerby recalled the Millar Pump Station is situated just to the east off of Moravian, and he inquired as to whether this will help that station.

Mr. Chabot replied affirmatively, noting that they found a few structural deficiencies with the pump downstream, and were able to do an open-cut repair. He explained that one of the pipes had sagged into the sanitary sewer pipe, so they were able to separate the line and refortify it. This will help them pump from the pump station downstream.

Mr. Sowerby commented that there have been flooding problems in the past in this area, and added that this should help. He saw that the low bidder is Corby Energy Services, and he inquired as to whether the Township has used them in the past.

Mr. Chabot replied they worked with Corby in the Barclay Estates Subdivision. They have also done work in Lathrup Village and Kalamazoo, so they have a good presence here in Michigan. He indicated he is not sure where their headquarters are located, but he believed they are out of Belleville.

Ms. Meltzer commented that the project cost is listed as \$337,240.80 and she inquired as to whether that is the amount the Board should be approving.

Ms. Bednar clarified that \$290,780.00 is the total bid price, whereas the \$337,240.80 is the total project cost, which includes Giffels costs as well as all other soft costs associated with this project. She explained that she is asking the Board to approve the contract for the amount of the bid. She added that the other page she included is for the Board’s information so they can see the project is still within budget.

Mr. Pearl recalled that Insituform pipe was a system they used about 15 years ago. They seal it using high pressure and use an adhesive. They then send a

robot in when it is completed to make sure everything is connected properly. He recalled it increased the flow when they were done, but that was a smoother surface.

Mr. Chabot stated that is similar to what they do now, and even though the diameter is changing only slightly, they get a much better flow because it is a smoother surface.

Motion by Mr. Pearl, supported by Mr. Gielegghem, to receive and file the letter dated April 7th, 2016 from Mr. Scott J. Chabot, PE, Senior Project Manager, Giffels Webster, and award the Zone 6 Sanitary Sewer C.I.P.P. to the apparent low bidder, Corby Energy Services, Inc. in the amount of \$290,780.00, as outlined in the correspondence. Roll Call: Ayes – Pearl, Gielegghem, Reynolds, Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

15. FIRE STATION #4 FUEL TANK REPLACEMENT

Mr. Cannon indicated that this is being done for safety reasons.

Motion by Ms. West, supported by Mr. Reynolds, to receive and file the letter dated April 7th, 2016 from Mr. Scott J. Chabot, PE, Senior Project Manager, Giffels Webster, and award the Clinton Township Fire Station #4 Fuel Tank Replacement to Matzak, Inc., the apparent low bidder, in the amount of \$69,991.00, as outlined in the correspondence. Discussion ensued.

Mr. Pearl inquired as to whether there are any grants available for this replacement.

Mr. Chabot replied he is not aware of any grants, and he pointed out that there is no leak.

Fire Chief Phy clarified that this is a preemptive measure and there is no leak. They have an issue with the equipment not being current to today's standards, so it is important to remove the tanks and replace them with something above ground.

Mr. Chabot offered to look into the possibility of grants.

Roll Call: Ayes – West, Reynolds, Gielegghem, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

16. REQUEST TO ADOPT "DESTRUCTION OF INFORMATION" POLICY

This item was moved up to Item #3A.

17. SCHOOL TAX COLLECTION AGREEMENTS

Mr. Sowerby explained that this is their contract for the five school districts in the Township, which gives the Township the authority to collect their property taxes, and this outlines the fees per parcel that the Township charges the school districts for reimbursement of their services.

Motion by Mr. Pearl, supported by Mr. Gielegghem, to approve the 2016 Tax Collection and Distribution Agreements made between the Charter Township of Clinton and the five (5) school districts within the Township, as presented. Roll Call: Ayes – Pearl, Gielegghem, Reynolds, Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

18. SALE OF TAX FORECLOSED LOTS ON ATHENS – PARCEL NUMBER 16-11-30-330-066 AND 16-11-30-330-054

Motion by Ms. West, supported by Mr. Reynolds, to receive and file the letter dated April 7th, 2016 from the Planning and Community Development Director, and approve the sale of two Township-owned tax-foreclosed lots in the Superhighway City Subdivision to Joe and Thomas Giambanco in the amount of \$10,000.00 as follows: Lot 146 (15933 Athens) for \$5,000.00 and Lot 148 (15907 Athens) for \$5,000.00. Roll Call: Ayes – West, Reynolds, Gielegghem, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

19. DISCUSSION OF SANTA BARBARA AND SANTA ANNA SAD PROJECTS

Mr. Pearl stated he is a resident on Santa Barbara Street. Although he did not circulate the petitions, he would be affected by this so he requested the Board's permission to abstain from voting on this item.

Mr. Dolan replied that it is appropriate for Mr. Pearl to abstain, and the Board would need to make a motion to that effect, to accept his request to abstain.

Motion by Mr. Cannon, supported by Mr. Gielegghem, to accept Mr. Pearl's request to abstain from voting on this item because of the close proximity of his home to the area being discussed. Roll Call: Ayes – Cannon, Gielegghem, Reynolds, Pearl, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

At this point, Mr. Pearl left the Board Chambers and returned for the next Board item.

Mr. Cannon stated he was surprised the Township was given this opportunity, and as a result, the residents will have the benefit of having this loan from the Township. He commended Ms. Bednar on being instrumental in setting this up.

Mr. Dolan stated his recommendation would be that the Board make a motion to authorize Ms. Bednar to enter into an agreement for repayment through the Macomb County Department of Roads, to be followed by the commencement of the Special Assessment process for the road improvements under the appropriate Special Assessment statute.

Mr. Sowerby inquired as to whether the water line projects will be impacted by the funding of these two roads.

Ms. Bednar replied they would handle this similar to what they did in Charter Oaks. They will bid it out to one contractor or company that would oversee the entire project. The water lines would be done first, and then they would come back and put the road in.

Mr. Sowerby recalled in Charter Oaks where there was some impact on the roads, there were some Water and Sewer funds that went into that project.

Ms. Bednar clarified that the lines in Charter Oaks were very close to the road so that is how they were able to use some of those funds. In this case, there will be some crossings, but they did not want to turn around and have to replace the water main five years after the road completion. She reiterated they were able to use Water and Sewer funds in Charter Oaks because of the close proximity of the lines to the road.

Mr. Chabot noted there are a few road crossings and some driveways.

Mr. Sowerby inquired as to whether this road will be impacted by the project of replacing the pipes.

Mr. Chabot replied it will not be affected by that project, and they do not believe there will be a need to replace any pipes in that area. He added that a lot of the work is in the Charter Oaks area.

Ms. Bednar stated when the petitioner asked for the road to be done, she had Giffels Webster and the Water and Sewer staff look at the pipes to determine if they need to be replaced. She commented that the water lines need replacement because of the number of breaks, but the sewer lines were in good shape.

Mr. Sowerby heard that his neighborhood has that problem. He commented that Mattson Street has a lot of water and sewer flags, and Mattson crosses both

Santa Barbara ad Santa Anna. He questioned whether they know if the CIPP Project is going to impact this road in any way.

Mr. Chabot replied negative, they reviewed all of the tapes and there is no need for CIPP or open-cut rehab.

Ms. Bednar clarified that not every street will need to have pipes replaced.

Mr. Sowerby reminded that the Special Assessment District (SAD) process has to come back before the Board, but what they are proposing to do is front the County's portion of the cost of this road, and the County will reimburse the Township in their allocation of dollars for their 2017-2018 fiscal year.

Ms. Bednar explained the budget year for the Macomb County Department of Roads starts on October 1st. Mr. Hoepfner will ask for \$2 million as he has in the past. He is willing to say that \$750,000 will be committed to these two streets. She stated that if the Board decides to go forward with that, before they go through the SAD process, they will get a signed agreement from the Department of Roads so they understand they will be reimbursed for one-half of the cost. Ms. Bednar admitted that Mr. Hoepfner is committing next year's funds, but he has assured he will do it.

Mr. Sowerby inquired as to whether this will be a contract signed between the Township and the Macomb County Department of Roads specifying that these dollars will be reimbursed to the Township after October 1st of this year.

Mr. Cannon replied affirmatively.

Mr. Sowerby inquired as to Mr. Chabot's confidence that these costs are fairly accurate.

Mr. Chabot replied they are comfortable with the numbers presented in the estimate, and they planned the proper contingencies.

Mr. Sowerby inquired as to whether there will be storm drain improvements at this location.

Mr. Chabot replied that, as part of the estimate, they included some of the improvements to the storm drain in the low areas.

Mr. Sowerby inquired as to when the SAD process will come forward.

Ms. Bednar replied that they will proceed with that process once they get the contract signed by the Department of Roads.

Mr. Sowerby inquired as to when Ms. Bednar anticipated that document will be signed.

Ms. Bednar replied that if the Board moves forward tonight to authorize them to work with the Department of Roads, she would ask that they authorize Giffels to start putting the topographical survey together so they can get it bid out this year.

Mr. Sowerby inquired as to whether the project is expected to be completed this year.

Mr. Chabot replied affirmatively.

Ms. Meltzer requested clarification as to whether they are guaranteed to be reimbursed whether or not that \$2 million is allocated for this.

Mr. Cannon replied that is correct.

Ms. Bednar noted that is what they will be looking for in the contract. She has an email saying Mr. Hoepfner is willing to put it into an agreement, and she will contact them tomorrow requesting they prepare that agreement, stating they will be reimbursing the Township part of that \$2 million. She reminded they still have to go through the public hearing process where the Board would determine the project necessity, but tonight's motion would be to move forward to get the signed agreement from the Macomb County Department of Roads, committing to pay their portion, and to authorize Giffels to start the topographical survey so they can get this project done this year.

Mr. Gielegthem inquired as to whether this will come back to the Board for their authorization.

Mr. Dolan replied that, because this is a Special Assessment process, they have the opportunity all the way throughout the process, all the way up to Resolution 5, which would be passed at the second public hearing, to abandon the SAD.

Mr. Gielegthem felt this is very creative and shows a true commitment to the residents on behalf of the Township. He pointed out that the Department of Roads is promising to pay half the costs, but the funds are not even available for them to commit until next year, so the Township is entering into a contract prior to the County approving the designation of those funds. He questioned how this can be done with the assurances they need, and felt that is a rather precarious position to be entering into a contract when the promised funds have not been allocated.

Mr. Santia replied that it is a program that is repeated year after year. The funds are routinely allocated for these types of projects. They have done this to fund

ongoing projects for about ten years. This is a new project but they want to continue to fund them because there are no other local monies coming in. The burden ends up falling on the residents so this takes some of that burden off of them. In order to help support local road improvements, the Macomb County Department of Roads has funded this.

Mr. Gielegghem argued that the funds have not yet been authorized. He acknowledged that they are working on behalf of those residents, but he felt it is important for the Township to verify that they will be entering into a “lock-tight” agreement. He did not want to have to end up telling the residents that the Department of Roads backed out of the funding, and the residents will be responsible for the entire cost.

Mr. Santia informed that the Board of Commissioners also has to approve the contract.

Mr. Gielegghem questioned how they can do that when they do not yet know if the funds are going to be there. He felt it will be interesting to read the language of the contract.

Mr. Dolan acknowledged that Mr. Gielegghem’s comments are appropriate and raise legitimate concerns, but he commented that offsetting that is the difficulty they have experienced is if they postpone a project when signatures have already been gathered for an SAD and go into another fiscal year, they can run into the issue of escalated costs and what may have been a doable project when it was initiated earlier becomes an undoable project if they wait and the costs rise. That is the balancing they are trying to do, and they are trying to initiate something when they have a much clearer forecast from the Engineer as to the cost.

Mr. Gielegghem stated he just wants to make sure the money is there and that they are entering into this “with eyes wide open”.

Mr. Cannon pointed out they do not care where the Department of Roads has to pull the money from, but they will be committing in a signed contract.

Mr. Reynolds questioned who will pick up the extra cost if this project ends up coming in \$70,000 higher. He inquired as to whether that is the responsibility of the Township, the residents or the County.

Ms. Bednar replied that when they get the agreement, which is approximately \$750,000, it needs to be written that they would pay one-half. They could write it with up to 10% more as a contingency because that is the way the SAD is written. She noted they have gone back and forth in emails, but she wanted to make sure the Board is interested in this before they enter into an agreement.

Mr. Reynolds just wanted to determine where the money is going to come from if there is an overrun. He felt it is a good idea to have specified in the agreement that the Department of Roads will pay one-half.

Ms. Bednar assured that Mr. Dolan will be reviewing the agreement as well.

Mr. Sowerby requested that the Township attorney talk to the Macomb County Department of Roads to find out whose names will be attached to this contract and who will be signing. He stated that Mr. Hoepfner is a decision-maker, but he inquired as to whether it will be signed by the County Executive or Mr. Hoepfner. He felt they need concrete answers, because they are taking a “giant leap” if the funding is not there next year.

Mr. Reynolds inquired as to whether this was the Department of Road’s idea.

Ms. Bednar replied that one of the petitioners approached her and requested she ask the Department of Roads if this would be possible. She has the emails to this effect.

Motion by Mr. Gielegem, supported by Mr. Reynolds, to receive and file the letter dated April 5th, 2016 from the Director of Public Services, and approve moving forward with the process for establishing Special Assessment Districts (SAD’s) for Santa Anna and Santa Barbara, allocating the necessary funds with the understanding that these Township funds will ultimately be recovered in two ways: 1) Half of the Township’s fund allocations for the road-related costs will be reimbursed by the Macomb County Department of Roads (MCDR) after October 1st, 2016; and 2) The other half of the funds would be paid back by the residents through the road SAD; further, this approval is contingent upon the language of the contract to be entered in with the MCDR to come back to the Board at the time of the public hearing for the SAD, as well as confirmation as to who will be signing the contract on behalf of the MCDR. Roll Call: Ayes – Gielegem, Reynolds, Cannon, West, Sowerby, Meltzer. Nays – None. Abstain – Pearl. Absent – None. Motion carried.

20. REQUEST CLOSED SESSION TO DISCUSS CONTRACT NEGOTIATIONS

Mr. Smith clarified that the Board will actually need to come out of Closed Session for this item.

Motion by Ms. West, supported by Mr. Reynolds, to schedule a Closed Session for immediately after the last item on tonight’s agenda for the purpose of discussing contract negotiations. Roll Call: Ayes – West, Reynolds, Gielegem,

Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

21. REQUEST TO DISCUSS “McLAREN LET’S MOVE FESTIVAL OF RACES” ON APRIL 28TH-30TH, 2016

This item was moved to Item #3B.

22. REQUEST CLOSED SESSION TO DISCUSS PENDING LITIGATION

Mr. Dolan explained this is regarding Banes v. Clinton Township, and the Board will not need to come out of Closed Session.

Motion by Ms. West, supported by Mr. Reynolds, to schedule a Closed Session immediately following tonight’s meeting for the purpose of discussing pending litigation. Roll Call: Ayes – West, Reynolds, Gielegghem, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF MINUTES OF MARCH 21ST, 2016 REGULAR TOWNSHIP BOARD MEETING

Motion by Mr. Sowerby, supported by Ms. West, to approve the minutes of the March 21st, 2016 Regular Township Board Meeting as presented. Roll Call: Ayes – Sowerby, West, Reynolds, Gielegghem, Pearl, Cannon, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF BILLS

Motion by Mr. Reynolds, supported by Mr. Gielegghem, to approve the bills as presented. Roll Call: Ayes – Reynolds, Gielegghem, Pearl, Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT INTO CLOSED SESSION

The Board adjourned into Closed Session at 7:45 p.m. and reconvened at 8:11 p.m.

20. CONTRACT NEGOTIATIONS

Mr. William Smith, Human Resource Director, recommended that the Township adopt the Labor Agreement between the Township and UAW Local 412 Unit 76

Water Workers with the wage adjustment of 1% in 2016, 1-1/2% in 2017 and 1-3/4% in 2018.

Motion by Mr. Pearl, supported by Ms. West, to concur with the recommendation of the Human Resource Director and adopt the Labor Agreement between the Charter Township of Clinton and UAW Local 412 Unit 76 Water Workers, as presented. Roll Call: Ayes – Pearl, West, Reynolds, Gielegem, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Smith recommended that the Township adopt the Labor Agreement between the Township and UAW Local 412 Unit 52 Technical Office Professionals with a wage adjustment of \$700 to the base rate in 2016, \$775 to the base rate in 2017 and \$775 to the base rate in 2018.

Motion by Mr. Sowerby, supported by Mr. Gielegem, to concur with the recommendation of the Human Resource Director and adopt the Labor Agreement between the Charter Township of Clinton and the UAW Local 412 Unit 52 Technical Office Professionals as presented. Roll Call: Ayes – Sowerby, Gielegem, Reynolds, Pearl, Cannon, West, Meltzer. Nays – None. Absent – None. Motion carried.

ADJOURNMENT

Motion by Mr. Sowerby, supported by Mr. Reynolds, to adjourn the meeting. Roll Call: Ayes – Sowerby, Reynolds, Gielegem, Pearl, Cannon, West, Meltzer. Nays - None. Absent – None. Motion carried. The meeting adjourned at 8:13 p.m.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON