

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, APRIL 25TH, 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.

APPROVAL OF AGENDA

Ms. Meltzer requested the following additions to tonight's agenda:

- Item #14 - Approval of Revised Consent Agreement for the Proposed Verizon Cell Tower at Henderson Glass on Hall Road (M-59), west of Romeo Plank Road
- Item #15 - Request to Promote a Budgeted Lieutenant Position
- Item #16 - Recommendation of Personnel Vacancy Review Committee

Motion by Mr. Pearl, supported by Mr. Reynolds, to approve the agenda with the addition of Items #14, #15 and #16. Roll Call: Ayes – Pearl, Reynolds, Gieleghem, Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

1. REQUEST APPROVAL FOR 20' X 40' TENT FOR ANNUAL TENT SALE: ABC WAREHOUSE, 35200 GRATIOT

Motion by Mr. Reynolds, supported by Ms. West, to receive and file the letter dated April 6th, 2016 from Mr. Greg Arnold, Store Manager for ABC Warehouse, 35200 Gratiot, and approve the request for a 20-foot by 40-foot tent for their annual tent sale to be held June 19th through June 26th, 2016, as requested. Roll

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

2. REQUEST TO OBSERVE “NATIONAL DAY OF PRAYER” ON MAY 5TH, 2016

Mr. Cannon commented that this has been a very nice event for the last 20+ years it has been held here at the Civic Center.

Mr. Gieleghem inquired as to the starting time of the event.

Mr. Cannon replied it starts at noon, and he indicated there will be a podium and microphone available.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated April 1st, 2016 from Pastor Mark Reynolds, Bethany Baptist Church, 19700 15 Mile Road, and approve the request to observe National Day of Prayer on the front steps of the Township Offices at noon on Thursday, May 5th, 2016. Roll Call: Ayes – Pearl, West, Reynolds, Gieleghem, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

3. REQUEST APPROVAL FOR AN OUTSIDE RAILING: FREDDY’S BAR & GRILL, 40000 GARFIELD

Ms. Meltzer confirmed that he has submitted a Liquor License Application that the applicants have applied for through the State of Michigan. She added they have paid the associated fees.

Mr. Sowerby inquired as to what this means for the requested outdoor area.

Ms. Meltzer confirmed that there is no fee at the State level. The Township requires the \$300 application fee to be paid, which the applicant has done. He has applied through the State, and it takes approximately 10 days. She felt it could be approved by the Board tonight contingent upon approval by the State. She mentioned that someone from the Building Department has been out to look at it.

Mr. Joseph Magolan, applicant, assured that as soon as he receives approval from the State of Michigan, he will bring it in to Ms. Meltzer.

Ms. Meltzer stated she can look it up on line and requested that Mr. Magolan just call and advise her when he receives his approval.

Mr. Sowerby reminded that the outdoor patio request needs community approval, and that is separated from what is done by the State's Liquor Control Commission.

Mr. Dolan outlined that in the Alcohol Beverage section of the Township's ordinance, there is an Outdoor Activity Permit process, and that is to allow areas of a facility to have outdoor seating.

Mr. Sowerby pointed out that a big part of the liquor license process has been taken over by the State, but this is still one of those processes that needs Township approval. He pointed out that the State of Michigan cannot override the Township if, for some reason, they would deny the outdoor approval.

Mr. Dolan clarified that the Township is not regulating the alcohol, but rather the time and place with which the alcohol can be served outdoors. He assured that the State has not preempted the local communities from regulating this.

Mr. Sowerby inquired as to whether the petitioner is talking about the southernmost door.

Mr. Magolan replied affirmatively. He replied to inquiry that the proposed outdoor area measures 6 feet by 18 feet, and they are planning on putting about three high-top tables with chairs out on the patio if they are granted approval to do so. He replied to further inquiry that would result in seating for six patrons. He acknowledged that there could be people who would go outside and stand, but he did not feel there will be a lot of people wanting to stand around outside. Mr. Magolan replied to further inquiry that they intend to use the patio on Friday and Saturday evenings for dinner, and they would close it around 10 p.m. He emphasized there is no way to access the patio without first going through their bar.

Mr. Sowerby inquired as to whether the petitioner would be willing to have a condition place on approval that it is limited to Friday and Saturday evenings only and it will close at 10 p.m.

Mr. Magolan replied that, although it would primarily be open on Friday and Saturday nights, he would not want to see it limited to that because there may be a different night of the week when they have an event where they would like to be able to offer that seating. He added that the weather might be very conducive to the outdoor seating, but it could be mid-week. He replied to further inquiry that he has no problem with the Township placing a condition on approval to restrict the patio use to no later than 10 p.m.

Mr. Pearl commented that the Township has granted similar approval for Wise Guys, Great Baraboo, and another business at Harper and 14 Mile Road, so he

felt this request and the 10 p.m. condition is not out of line. He commented that they have recently expanded their facility and they do a good job, and he felt that shopping center could use the Township's help. He assured he has no problem with this request.

Motion by Mr. Pearl, supported by Ms. Meltzer, to receive and file the letter dated April 6th, 2016 from Mr. Joseph Magolan, Freddy's Bar & Grill, 40000 Garfield, and approve the request to install an outside railing around the area outside of the garage door leading to the outside, as outlined in the correspondence, and further, to allow the patio to be open until 10 p.m., or whatever established time that similar facilities have been allowed according to their respective covenants; further, this approval is contingent upon approval of the Liquor License from the State of Michigan. Discussion ensued.

Mr. Sowerby inquired as to whether only one of the doors is currently allowed to be open.

Mr. Barry Miller, Superintendent of the Building Department, replied that is the case until this request is approved and the fence is installed. He noted they have always required a 42-inch rail enclosing such an area so that people cannot go back and forth with their drinks from the patio to the parking lot. He added that bollards are in place and have been in place for a long time, so crash protection is in place. He advised they are waiting on the Board's approval and the installation of the fence before the second door can be opened.

Mr. Sowerby observed that the door was partially open this past Sunday, and he cautioned that cannot occur until they have full approval and the fence is up.

Ms. Meltzer requested clarification as to whether they were referring to the garage door.

Mr. Sowerby replied affirmatively.

Mr. Gielegem commented that bars are establishing places for their patrons to smoke, and he inquired as to whether that is the intent of this patio area.

Mr. Magolan assured they will not be going out there to smoke because it would not be convenient. He responded to further inquiry that their patrons currently smoke outside of the main entrance door.

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

**4. REQUEST TO BE RECOGNIZED AS A NON-PROFIT ORGANIZATION:
ST. JOSEPH HIGH SCHOOL ALUMNI ASSOCIATION**

Ms. Meltzer reported that there were some questions raised as to why this was being brought to the Township rather than to the City of Warren, but she pointed out it was filed in Clinton Township. She verified with the State of Michigan that they are in compliance, and the State is actually doing this with many other organizations because every ten years they need to update. This is the State's formality to make sure those listed as non-profit are still in compliance.

Motion by Mr. Gielegem, supported by Ms. West, to receive and file the letter from Mr. John Gawryk, Treasurer, St. Joseph High School Alumni Association, 40466 Juniper Court, Clinton Township, Michigan 48036, and approve the request for their organization to be recognized as a non-profit organization in the community. Roll Call: Ayes – Gielegem, West, Reynolds, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

Ms. Meltzer advised the petitioner she will have the Resolution on this completed tomorrow, and the petitioner indicated he will pick it up.

**5. REQUEST FOR APPROVAL OF CLASS C AND SDM LIQUOR
LICENSE TRANSFER FOR POLSKY'S PUB & GRUB, 38730 HARPER**

Ms. Meltzer stated there are no issues with this, and everything is up to date, noting this is for a Class C and SDM license transfer.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated April 19th, 2016 from the Clinton Township Clerk, and approve the transfer of ownership of 2015 Class C & SDM License for Polsky's Pub & Grub, 38730 Harper Avenue, Clinton Township. Discussion ensued.

Mr. Sowerby inquired as to whether this is any relation to the former "Club Polsky's" that was a business operating in Hamtramck years ago.

Mr. Carl Owsiany replied there is no relation to the Hamtramck location, but "Polsky" is what he called his sister. They are new owners and will offer Polish-style cooking, and he added that they may be coming back at some point to request permission for an outdoor patio.

Ms. Meltzer clarified this location is currently operating as "Brooksy's".

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

6. TRANSFER OWNERSHIP OF SDD & SDM LICENSE FOR GRATIOT-SCHAFFER INC.

Motion by Mr. Pearl, supported by Mr. Gielegem, to receive and file the letter dated April 15th, 2016 from the Clinton Township Clerk, and approve the transfer of ownership of SDD & SDM License for Gratiot-Schafer, Inc., as requested. Roll Call: Ayes – Pearl, Gielegem, Reynolds, Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried

7. PRESENTATION FROM REGIONAL TRANSIT AUTHORITY ON BUS RAPID TRANSIT

Mr. Michael Ford, Chair of the Regional Transit Authority of Southeast Michigan (RTA), presented an update on the Regional Transit Master Plan, which will be released on May 31st. This incorporates the routes along Michigan Avenue, Woodward Avenue and Gratiot Avenue; however, he is going to concentrate on the features in the plan that will affect the Gratiot corridor. They will be seeking input on this plan, and the Board will be taking action on it in July, noting that they are on an aggressive timeline.

Mr. Brad Strader, MKSK Studios, along with Ms. Sarah Binkowski, Project Engineer for Parsons Brinckerhoff, explained that this plan will tie in with all of the current transportation lines, including the SMART System, The Ride, M-1 Rail, DDOT and the PeopleMover, and they are all under the RTA of Southeast Michigan. They have been holding workshops on their plan, with the most recent of these workshops in Mt. Clemens, and together, they have had over 2,000 attendees. They provided some mock-up stations in Detroit to show what it will look like, and they have received a lot of input. The proposed Rolling Rapid Transit will traverse on Gratiot all the way up to M-59, where they will have a Park-&-Ride. Mr. Strader explained that, to make this travel “rapid” they have to be ready to make fewer stops. He added they have been referring to it as “rolling rapid transit” in order to get away from thinking of it as a “bus”. Some of the features that make it “rapid” include dedicated traffic lanes, a favored traffic signal system and pre-boarding tickets. He noted that the stations are level with the vehicle, and they are challenged by their committee to be competitive with the car. They have done studies and determined the rapid transit will take about the same amount of time to get downtown as a car that is driving on Gratiot. He indicated that car travel on I-94 is unpredictable because one traffic jam or accident can bring everything to a standstill. He assured the rapid transit system will be more predictable. They had to determine whether having dedicated lanes in the center of the road would be more advantageous, or whether they would prefer to have dedicated lanes on the right-hand side of the road. They determined it would be much faster to use the center lanes (closest to the median). They looked into capital costs, ridership and environmental impacts, and had a lot of discussion on routing, both in Mount Clemens and in Detroit.

They looked at two optional routes for the City of Mount Clemens, with advantages and disadvantages to both. Mr. Strader stressed that some of the stations will have the ridership right away, while other stations will not, so that will be one of their challenges to develop ridership around the stations. The plan is for the stops to be in the lane adjacent to the median, running every 10 to 15 minutes. They will operate longer hours than the current bus stations. Mr. Strader made a PowerPoint presentation, showing pictures of what some of these stations may look like along Gratiot near Eastern Market and the Macomb Mall. Implementation of this plan will involve having to make some changes in the “Michigan-left” turnarounds as well as providing for some cross-overs. He showed an artist’s rendering of a station adjacent to the Macomb County Court Building. Mr. Strader replied to inquiry that bikes/wheelchairs/strollers can roll right on because riders will be entering the vehicle at ground level, and there will be a place to secure the bikes inside the front portion of the vehicle.

Mr. Strader explained they are looking at approximately \$255 million in capital costs, with an additional \$17.5 million annually for operating and maintenance costs. They have done some estimates on transit time, noting that the time estimated to go the length of the Gratiot route, from Hall Road to Detroit, on the Rolling Rapid Transit is 52-56 minutes, and travelling that same route by car is estimated to take 52-57 minutes. He added that anticipated environmental impacts are little to none, but he cautioned that public transportation projects are very expensive. He informed that their next step is to finalize the local preferred alternative and they will be going to the RTA Board for their adoption. They will then get that information out, along with the Master Plan, and if they get the funding approved in the fall, they are looking to move on to the Environmental/Design phase of the project.

Mr. Strader showed a short video depicting similar services currently running in Cleveland, Nashville and Hartford.

Ms. Binkowski reported that all stations would be enclosed so riders waiting for transportation will be protected from the elements of the weather. She also pointed out that there will be a “one-pay system” so it will not matter whether a rider is using the Rapid Transit, SMART or DDOT. She replied to inquiry that the type of vehicle has not yet been chosen, but they have received a lot of positive feedback in having vehicles where the bikes can be wheeled on, so she believed that will be the favored option.

Mr. Strader thanked the Board for allowing them to make this presentation, and he assured they will keep the Board informed and provide updates. He showed a few more photos, and indicated that the videos shown tonight are available for viewing on line as well.

Ms. West inquired as to how many stations are proposed for Gratiot.

Mr. Strader replied they have designated 19 stations from Hall Road to Downtown Detroit.

Ms. West inquired as to whether they will all be large stations. She inquired as to how many vehicles will be running north, and how many will be running south.

Ms. Binkowski replied they will run every 10 minutes during peak hours, but there will be 18 vehicles on the Gratiot route at any given time.

Mr. Strader explained that all of the vehicles will be of a similar design so they can be adaptive to go on any of the routes. Amenities that are unique to each community may be optional to add to stations.

Mr. Sowerby thanked them for their good presentation. He stressed he has been a proponent of public transportation for a long time, having served on the SMART Board, and in doing so, has learned a lot about what the public wants, especially residents in Macomb County. He inquired as to a breakdown of how many stations will be in the Macomb County section of the Gratiot route.

Ms. Binkowski replied that there will be ten stations in Macomb County. She replied to further inquiry that there are 15 stations on the Woodward Route, and Wayne County, including Detroit, has about 30 stations.

Mr. Sowerby inquired as to how the millage will look, and whether it will be regional-wide.

Mr. Ford replied that all four counties will have to pass it in order for the plan to move forward, and those counties include Washtenaw, Wayne, Oakland and Macomb. It will be a majority vote of the total amount of votes from those four counties, and he replied it would be a set millage for everyone.

Mr. Sowerby acknowledged that Washtenaw County comes into the picture because a small section of the transit system falls within its boundaries between Ann Arbor and Ypsilanti. He inquired as to what type of improvements have to be done for the rail portion of the system.

Mr. Ford replied that they have to make improvements on the infrastructure. They plan on making eight trips daily between Ann Arbor and Detroit, running from early morning to late evening.

Mr. Sowerby expressed concern about what Macomb County is going to get with this system. He felt it is about perceptions and he emphasized that he will be looking out for Macomb County. He pointed out that Oakland County will have 15 stations, while Macomb County is only getting 10, yet he claimed that it has

been Macomb County that has always been the one out front embracing mass transit. He recalled it was Macomb County that supported the SMART millage, unlike both Wayne and Oakland County, and that is why he feels Macomb County deserves “the bigger piece of the pie” because they deserve it. He added he is concerned that he is not seeing that reflected in this plan.

Mr. Ford assured the entire plan will show all of the benefits that will be provided to the residents of Macomb County.

Mr. Sprader replied to inquiry they realize the importance of east/west connectors on M-59 and Metro Parkway, as well as a few other east/west routes, so people can get to Woodward, and he replied to further inquiry that SMART will drive those routes.

Mr. Ford clarified that SMART will be contracted to provide those east/west services. He also informed that 85% of the funds that come out of the millage will stay in the jurisdiction from where they were generated through the millage.

Mr. Sowerby understood that would be proportionate to those dollars that were generated by each county, which means 85% of those total dollars generated from Macomb County will stay in Macomb County. He pointed out that SMART handles the east/west routes now, and he inquired as to whether there will be additional routes added and the RTA millage dollars will be supplementing the SMART budget to provide extra east/west routes.

Mr. Ford replied they are looking to increase the frequency, band width and the incremental cost, so more direct service, earlier in the morning and later at night, and less transfer service will all be components. These details will all be contained in the “roll-out”. He added that there will be services for the elderly and disabled that come along with the plan, so he was confident they will see a lot more in Macomb County when the full plan is released.

Mr. Sowerby noted that, while the hub is in downtown Detroit, the riders’ transit will be going both ways, and people living within Detroit or Wayne County will be coming out to Macomb County for jobs, and vice-versa. He added that, while it is great that the infrastructure and job opportunities have improved in Detroit, there is still a lot of big improvement needed in Macomb County for the east/west routes. He wanted to make sure that Macomb County “gets its fair share”.

Mr. Ford agreed with Mr. Sowerby and explained that the plan reflects where a lot of the jobs are located. He informed that the goal of the Master Plan is to get people to where the jobs are. He acknowledged that the east/west routes are rich with job opportunities, and they will be addressing that in late May. He stated it will be important to get people to where they need to go. As far as the timeline for this plan, he explained that the roll-out for the Master Plan is May

31st, and it will include much more in the way of detail, including where the east/west connections are proposed. They will be out for about four weeks gathering input from all four counties, and it will be placed on the ballot this fall for a millage proposal.

Mr. Sowerby commented that there has been a lot of controversy with the amount of money MDOT is proposing to spend on I-75 in Oakland County, and other counties are saying they could use those dollars for roads in their communities. He questioned whether this is optimum timing for a millage proposal, and how the RTA intends to sell their mass transit plan to the public, getting them to give up their cars in exchange for good mass transit.

Mr. Ford claimed that the millennials do not necessarily want to drive cars or carry insurance, and dynamics have changed. The disabled want freedom of mobility, and people want to be where the density is located. Businesses that want to grow have to get people to their location. The Detroit/Metro Detroit area only invests about \$67 per capita on transportation, where Cleveland is about \$137, or Chicago at \$272, and he pointed out these other cities have made the investment. He stressed the RTA will have to be clear on the plan and its benefits, and he added that at \$67 per capita, they are not where they need to be.

Mr. Sowerby agreed that millennials move to area where there is mass transit available, but he questioned how they intend to get the millennials out in mass to vote on this millage and felt that is going to be an important factor.

Mr. Gielegem felt this is good progress and he thanked Mr. Ford, Mr. Strader and Ms. Binkowski for their presentation this evening. He felt that for a long time, when mass transit was discussed, it was always in terms of “rail”, which is an extremely expensive option. He pointed out that what is being proposed is essentially a “rail on wheels” at about one-third of the cost.

Mr. Strader stated that it will be one-third to one-half of the cost of a rail system.

Mr. Gielegem was glad to see the emphasis on Gratiot but felt the east/west routes are just as important. He acknowledged that they will need a majority vote from all four counties, but he added that the feeder system is just as important, and urged them to place greater emphasis on the M-59 corridor, even though he admitted that is a challenge.

Mr. Ford advised that M-59 is addressed in the Master Plan, and he assured it is a priority.

Mr. Cannon thanked the representatives from the RTA for their presentation.

Mr. Strader thanked the Board for loaning them their key staff, noting that they have been extremely helpful in attending the meetings and getting this plan moving forward.

Motion by Ms. West, supported by Mr. Gielegem, to receive and file the presentation from the Regional Transit Authority on the Bus Rapid Transit plan. Roll Call: Ayes – West, Gielegem, Reynolds, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

8. FIRE DEPARTMENT PROMOTIONS AND NEW HIRE

Motion by Mr. Pearl, supported by Mr. Reynolds, to receive and file the letter dated April 11th, 2016 from the Fire Chief, and approve the promotions of Inspector Michael Bobzin to the position of Fire Marshal, Lt. Steven Burich to the position of Fire Inspector and Firefighter Timothy Duncan to the position of Lieutenant, all effective on April 20th, 2016; further, to approve the hiring of John Schultz to the position of Firefighter to fill the opening created by Firefighter Duncan's promotion, contingent upon successful completion of a department physical, with a tentative start date of May 9th, 2016, which begins a 2-week orientation period, after which time he will be assigned to a fire company serving the needs of the citizens. Discussion ensued.

Mr. Cannon commented that the only change should be the effective date, which he understood to be May 20th.

Ms. Meltzer confirmed that she was told by the Fire Department that the effective date is April 20th.

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

9. REQUEST FOR APPROVAL TO PURCHASE 10-YARD TANDEM DUMP TRUCK

Motion by Mr. Reynolds, supported by Ms. West, to receive and file the letter dated April 25th, 2016 from the Assistant Superintendent of the Water & Sewer Division, Department of Public Services, and approve the purchase of a 10-yard tandem dump truck from the low bidder, Wolverine Freightliner-Eastside, Inc., in the amount of \$97,124.00; further, to award the dump body and associated accessories to Knapheide Truck Equipment in the amount of \$42,064.00 for a total of \$139,188.00, with this purchased budgeted for \$160,000.00 in the current fiscal year. Ayes – Reynolds, West, Gielegem, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

10. PURCHASE OF OFFICE CHAIRS

Motion by Ms. West, supported by Mr. Reynolds, to receive and file the letter dated April 13th, 2016 from the Building Department Superintendent and approve the budgeted purchase of thirteen (13) office chairs from OEX at a total cost of \$3,923.92, delivered. Roll Call: Ayes – West, Reynolds, Gielegem, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

11. BID AWARD: CIVIC CENTER PARKING LOT

Mr. Pearl inquired as to what is involved in the reconstruction of the parking lot.

Mr. Scott Chabot, Giffels Webster, replied that the base bid includes the full removal of the upper layer of the pavement, which is asphalt, and the 7- to 10-inch layer of concrete under the asphalt. It will be replaced with a new aggregate base and top layer of asphalt, including curb and gutter. In addition to the pavement improvements, they are including storm water improvements by installing raingarden bio retention areas which will serve as the storm water collection system and discharge into the existing drainage ditch that goes out to Canal Road. He replied to inquiry that a number of options were evaluated and pulverization of the concrete was not one of the options because they would have to bring up the grade, and it would not work. They looked at milling off the existing asphalt and replacing it, utilizing the existing cement base. They also looked at different storm water treatment alternatives, although he added that none of these alternatives were bid out. They felt the proposed plan is the best long-term option.

Mr. Pearl inquired as to when the parking lot was last capped.

Mr. Chabot estimated it to have been recapped in approximately 2000.

Mr. Sowerby clarified that was not a cap but a new seal coating of tar.

Mr. Chabot believed that the original concrete pavement was installed in 1980.

Mr. Pearl commented that, although the Township really does not have the money to spend on this, they do not have a choice because it has become a liability issue. He stated he would rather spend that money on the roads, but added that the Township has a responsibility to maintain this parking lot and this is long overdue. He did not believe there are any grant monies available that would help defray the Township's costs for this project.

Mr. Chabot confirmed that there are no grants available for just paving.

Mr. Gieleghem was pleased that this came in well under budget. He noted that there are alternatives that have been bid, and it will be up to the Board as to whether or not to add them to this project. He stated that all of the options total and additional \$1.9 million.

Mr. Chabot confirmed that the four options were part of the bid, so those were the “as bid” prices provided.

Mr. Gieleghem mentioned that they are seeing all of the road projects coming in at dramatically higher prices, and this came in lower.

Mr. Chabot attributed that to a good bidding environment and the timing of the bid.

Mr. Gieleghem appreciated the containment of the storm water, and felt it speaks to the future. He was glad that this is going to be a long-term solution and not just a cap.

Ms. Meltzer also appreciated the emphasis on the storm water runoff, and the green infrastructure that was a priority. They discussed this with other entities such as the Clinton River Watershed Council, who was very active in making Clinton Township a Water Town Community. She appreciated their influence on the Township’s thinking about greener infrastructure and how they want to go in this direction. She felt the timing is very good. There were other things they could have taken advantage of other options but they would have cost much more, such as porous parking lot structures. She appreciated the work Mr. Chabot has put into this, and the fact that they have stayed under budget. She requested that Mr. Chabot address the timetable for this project.

Mr. Chabot replied it similar to the schedule he presented at previous meetings. The contract has a “progress clause” written in where certain items will be required to be done by certain dates, and he felt they are reasonable expectations. The first phase is cleaning out the ditch from where the current storm water system discharges all the way to the Canal drain, and that will need to be done between mid-May and mid-June. That will help to bring down the existing water level that could be part of the problem with the excessive moisture below the existing pavement. They will then be able to examine the existing storm system. Sometime in July after the fireworks, they will begin the west one-half of the parking lot and the access road to Romeo Plank, which should take until mid-August. At such time that the contractor has the pavement in place to reestablish traffic, they will shift to the Canal Road access and the eastern one-half of the parking lot. Their goal is to have this completed one week prior to the Festive of the Senses in September, and that is written in the contract.

Ms. Bednar explained that the current storm system is underwater and is holding water, so they have not been able to evaluate it. When they are able to look at it closely, they may need to make repairs that are not included in the contract, and she advised if that is the case, they will be coming back to the Board for further discussion.

Motion by Mr. Pearl, supported by Mr. Gielegghem, to receive and file the letter dated April 21st, 2016 from Mr. Scott J. Chabot, P.E., Senior Project Manager, Giffels Webster, and authorize DTE Energy to remove and replace the Civic Center parking lot lighting poles, fixtures and all related appurtenances in accordance to the submitted Purchase Agreement for the total amount of \$58,320.51. Roll Call: Ayes – Pearl, Gielegghem, Reynolds, Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

Motion by Mr. Sowerby, supported by Mr. Gielegghem, to award the Clinton Township Civic Center Parking Lot Improvements, which includes the base bid and all bid options, to James P Contracting, Inc., in the amount of \$1,673,296.65, as recommended by the Public Services Director. Roll Call: Ayes – Sowerby, Gielegghem, Reynolds, Pearl, Cannon, West, Meltzer. Nays – None. Absent – None. Motion carried.

12. ADOPTION OF TOWNSHIP DESTRUCTION OF INFORMATION POLICY

Ms. Meltzer stated that this was postponed from the last meeting, and there have been no questions raised on the proposed policy. She added that she advised Ms. Baranski that she did not need to be present this evening.

Motion by Mr. Gielegghem, supported by Ms. West, to adopt the Township Destruction of Information Policy, as presented. Roll Call: Ayes – Gielegghem, West, Reynolds, Pearl, Cannon, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

13. AMENDED CLINTON TOWNSHIP INVESTMENT POLICY

Mr. Sowerby explained this is an update of the current investment policy for several reasons: 1) To better comply with rulings that limit the types of investments, which is 10% to any one issuer; 2) Spell out the ability to purchase investment bonds, which has always been allowed but not clearly indicated; 3) Provide an appendix at the end of the Investment Policy; and 4) Per guidelines, no investment should be any longer than three years from the date of investment.

Motion by Mr. Pearl, supported by Mr. Gielegghem, to adopt the Amended Clinton Township Investment Policy, as presented. Discussion ensued.

Ms. West inquired as to whether Section 4.1.3 Concentration Risk has been changed to limiting the exposure with a single security issuer to 10% of the total portfolio.

Mr. Sowerby clarified that he included a copy of the current document, along with a copy of the proposed document, and added that the changes are highlighted on the proposed copy.

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

14. APPROVAL OF REVISED CONSENT AGREEMENT FOR THE PROPOSED VERIZON CELL TOWER AT HENDERSON GLASS ON HALL ROAD (M-59), WEST OF ROMEO PLANK ROAD

Ms. Meltzer explained that the Board needs to approve and sign the Revised Consent Agreement for the proposed Verizon Cell Tower at Henderson Glass, located on Hall Road (M-59), west of Romeo Plank Road.

Mr. Dolan stated that the sidewalk is shown on the site development plan attached to the document. He informed that the Township has also received a \$25,000 bond as required, and that the Planning Department is satisfied with this. He added that he has reviewed it and is satisfied as well.

Mr. Cannon inquired as to whether there is a sidewalk or a bike path in front.

Mr. Santia replied they have installed a bike path, which is the same as all other developments have along that frontage.

Motion by Mr. Sowerby, supported by Ms. West, to approve the Revised Consent Agreement for the proposed Verizon Cell Tower at Henderson Glass on Hall Road (M-590, west of Romeo Plank Road, as submitted. Roll Call: Ayes – Sowerby, West, Reynolds, Gielegem, Pearl, Cannon, Meltzer. Nays – None. Absent – None. Motion carried.

15. REQUEST TO PROMOTE A BUDGETED LIUTENANT POSITION

Motion by Mr. Pearl, supported by Mr. Reynolds, to receive and file the letter dated April 25th, 2016 from the Police Chief, and approve the promotion of Sergeant Steven Blasky to the rank of Lieutenant and Officer Nicholas Mixon to the rank of Sergeant, with these vacancies caused by the retirement of Lieutenant Daniel Dohring; further, these are budgeted positions, effective May 6th, 2016.

16. RECOMMENDATION OF PERSONNEL VACANCY REVIEW COMMITTEE

Ms. Meltzer explained that her office processes passport applications, and although that is not new, the surge in the number of applications has dramatically increased. She claimed the purpose for the part-time position is because they anticipate this surge to last about two years based on what the federal government has predicted, and she pointed out that she included that letter in the Board packets. They would like the flexibility to continue the position if they find it necessary. Ms. Meltzer commented that the Township's Clerk's Office has one of the best reputations around for processing passports, and their staff is always given very positive input as to how quickly they are processed. She explained that there are other communities in the area where the City/Township Clerks handle this service, but they all stop taking passport applications one month prior to elections. She provided a breakdown of their costs for this service month by month, and they have handled anywhere from 4 applications to 41 applications a day. She felt if they can hire one part-time person for the sole purpose of handling the passports, they would no longer have to stop accepting passport applications just as the other communities do, and would therefore be able to capitalize on all of those passport requests they would receive as a result of the other communities closing. She read a letter from the Finance Director, outlining the money taken in from passports. Revenues collected from passports for the last two fiscal years have been \$42,795 for FY ending March 31, 2015 and \$63,545 for FY ending March 31, 2016. Over the first two weeks of this fiscal year, they collected almost \$6,000. She stressed this is a big source of revenue for the Township, and if they continue to collect at the same pace as they have collected the last three months, they are on track to collect between \$120,000 and \$140,000 annually. She stressed that the proposal to add a part-time position will cost no more than \$20,000 annually. She added a full-time union position would cost approximately \$70,000 which would exhaust any profit made from these passports. Ms. Meltzer advised that she spoke with representatives from the Technical Professionals union just prior to the start of tonight's meeting, and there are a couple of things she would like to look into before she requests the Board's approval on this, such as whether it is possible to create a union position at a lower wage, and whether some of these duties have been union work all along. She emphasized that this was not something that was brought to her until just before tonight's Board meeting. Ms. Meltzer felt if they had this as a union position, it would cost two-thirds more than it would with her proposal for a part-time employee at \$20,000 per year with no benefits. She felt there is some advantage to having a person for 29 hours a week, because when they are not processing passports, they could be working on records retention. She clarified this would not be records management, but they would have to work that out with the union. Ms. Meltzer urged the Board to consider this because it is a great revenue-maker for the Township.

Mr. Cannon inquired as to Ms. Meltzer's request this evening.

Ms. Meltzer replied that, in light of the new information from the union, she would like to have a couple of questions answered and talk to the Department of Finance again. If this work that has been done by unions, they will have to address that issue. She claimed she contacted the union representative months ago and they assured her this is not a problem; however, things have changed. She stated she will bring this back in two weeks. She obtained approval through Civil Service, and emphasized there is an urgency to get this done because they are coming up to the August election, followed by the presidential election, so she would like to have this person in place. Ms. Meltzer indicated her staff is doing so much as it is, and felt they need a person dedicated to these passports.

Mr. Cannon inquired as to whether Ms. Meltzer intends to eliminate the passports if she does not get the position.

Ms. Meltzer responded that she would love to have this position for a while as long as this is working, but if it ceases to be a revenue-maker for the Township, she has no problem ending that position.

Motion by Mr. Reynolds, supported by Mr. Pearl, to postpone further consideration of the Personnel Vacancy Review Committee's recommendation to create and fill one (1) temporary part-time position for a two-year term limit in the Clerk's office, with further consideration of this matter to be placed on the next Township Board agenda scheduled for May 16th, 2016 at 6:30 p.m. Discussion ensued.

Mr. Sowerby felt the public likes the easy access to get passports, but part of that equation is determining who "the public" is. He questioned who attended the Personnel Vacancy Review Committee meeting.

Ms. Meltzer replied that meeting was attended by Ms. Donna Lauretti, Mr. Cannon, Ms. Lisa Murray, Mr. Reynolds, and herself. She replied to further inquiry that Mr. Smith was out-of-town, but his name is on the letter because everything in this regard goes through the Human Resource Director.

Mr. Sowerby inquired as to whether Mr. Smith had comment on this recommendation.

Ms. Meltzer replied that he did not have comment at that meeting because he was not present.

Mr. Sowerby stated that, in all of his years here at the Township, he could not recall seeing a temporary part-time position, because generally temporary positions go through their temporary services agency and people are hired in for

a finite period of time to cover illnesses or short-time vacancy, but not for two years. He looks at this more as a permanent part-time position that may have a two-year limit on it. He did not know how the Board could place a time limit on a position like this, especially for that long. Mr. Sowerby had a problem with that, and felt Mr. Smith may have some problems with that as well.

Mr. Cannon believed the verbiage in the letter came from Ms. Murray, Civil Service Director.

Mr. Sowerby understood the Human Resource Director and Civil Service Director are two separate roles, but he felt that needs clarification and Mr. Smith may be able to shed light on it. He added he is concerned about the union issue. He inquired as to the outcome of the Civil Service meeting.

Ms. Meltzer confirmed that the Civil Service Meeting was held earlier this evening, and she relayed that they liked this proposal and directed her to bring this back. They would then create the job duties, description and expectations, which Ms. Meltzer assured she has already done; however, the Civil Service Commission wants to hear from the Board first. She indicated it was after that meeting that she spoke with the union, so a lot occurred within the hour before this Board meeting with regards to this issue.

Mr. Sowerby noted that if this position is approved and this part-time employee takes care of passports, he inquired as to what else they will do during down times. He recalled Ms. Meltzer had indicated that person would assist in other duties in the Clerk's office if there are not passport duties going on at the time.

Ms. Meltzer responded it is possible they could do record retention and election work. Any candidate for this position would have to pass an additional test with the federal government before they could do this job. They would receive an agent number, so it is regulated by the federal government.

Mr. Sowerby commented that this has always been a part of the clerical duties within the Clerk's office. He felt they can look at this but it has to come back, and he questioned why a part-time position is assigned to passports when, for so long, everyone in the department has been assisting in these passport applications.

Ms. Meltzer replied that the demand for these passports has greatly increased, and although they have all chipped in helping with the applications as they have come to the counter, whether they were represented or non-represented employees. She mentioned it was a rotation and they all stepped up to do it. She claimed in the past it was never made clear to her that this was a union position because there were other non-represented people doing it. She also elaborated on the two-year time period proposed for this position, stating it was

based on the federal government's estimate that they are anticipating approximately 25 million passports expiring between 2016 and 2018. The Clerk's office is already observing this surge in passport applications.

Mr. Sowerby inquired as to what steps were taken to identify what Ms. Meltzer's staffing needs are when determining the need for this additional person.

Ms. Meltzer replied they look at the time it takes for their Office Clerk and Elections person spend going to the counter, consulting with the applicant and coaching them through the process. She added the Township has an excellent reputation for helping applicants through this process. She had provided some data to the Board as to the number of passports applications they have handled, and stressed that for each of those, the employee has to get up from their desk and go to the counter to assist, taking their time away from their statutory duties. She was adamant that they should not compromise their statutory duties to take on this position. She cited an example where they had 41 applications in one day, and stated there is no way the employees can get their statutory work done having to go up to the counter 41 times to help someone through the passport process. She also cited an example of six families that may be at the counter at a given time to obtain passports, which means 24 passport applications. In those instances, she and her entire staff are at the counter assisting, but pointed out that there is nowhere else that offers that type of expedient service and attention to their needs. Ms. Meltzer admitted if they have one dedicated person for passports, it may take the applicants a little longer because they will be waiting for the service of that one person, but she assured they will still be getting a great service, and it would also free up her staff to do their statutory duties, as well as the increased duties of the election.

Mr. Sowerby stated he would like to see what type of tracking is being done to demonstrate the need for this additional person, such as how many passports are processed in a given week, which he understood was handed out this evening. He would also like to see how long it takes to process each passport for a customer and what other passport work is involved after the customer leaves, and how long that takes. He inquired as to how much time the passport activities take away from normal Clerk duties in a day, and what this other person will do if they cannot perform union duties, if that is what is determined. He further questioned whether there are certain times of the days or weeks that have larger numbers of applicants than others. With his office located directly across from Clerk's, he has observed times when their entire staff is scrambling, trying to do what they can to assist everyone at the counter, but noticing there are other times when there is no one there, so he inquired as to how they address down time.

Ms. Meltzer replied she currently has four staff members handling these passports, including herself, the Deputy Clerk, the Elections Specialist and the Senior Staff Secretary.

Mr. Sowerby questioned as to another employee in their office and inquired as to whether she helps with this process as well.

Ms. Meltzer replied she does not handle passports. It is not allowed by federal law because anyone processing applications has to be issued an agent number by the federal government. She stated this individual does help by taking the passport photos, which can be a timely endeavor with babies and children. This also adds to the customer service they offer.

Mr. Sowerby inquired as to whether this person is there every day and whether she is considered part-time.

Ms. Meltzer confirmed that she is part-time and works less than 29 hours per week. She also works in Elections. She replied that this person is not “permanent”.

Mr. Sowerby noticed that she has been there a lot over the last couple of years. He wanted to look at her budget for part-time help to make sure, as they go forward, that they are still fiscally watching the dollars. He has noticed that her part-time budget has doubled from what it was, and if this is approved, it will be going up again. He felt it is important to know who they are serving, and if taxpayer dollars are supplementing this, they need to know how many of these applicants are Clinton Township residents versus others from outside the community.

Ms. Meltzer noted that if a non-resident comes in, that is a 100% revenue stream because the Township is essentially bringing in revenue from another community.

Discussion took place regarding other local communities that offer passport services.

Ms. Meltzer confirmed that Shelby Township and Chesterfield Township are other local government entities that offer this service, along with the post office.

Mr. Sowerby pointed out that two of the largest communities in the area do not offer it. He also understood that Clinton Township is the only one offering evening hours and questioned how that works.

Ms. Meltzer confirmed they have evening hours, explaining that when there are children involved, both parents must be present, and that is often difficult to do

for working parents. They came up with the first and third Thursdays of the month to extend their office hours, and anyone desiring to come in during those times is required to apply on line for an appointment. She indicated those appointments are always full, and she replied to inquiry that they currently have two or three of their staff members work those later hours to accommodate these applicants.

Mr. Sowerby inquired as to how they handle the overtime.

Ms. Meltzer replied the employees are given comp time and there is no overtime.

Mr. Sowerby thought the union members got paid overtime and the non-union members got comp time.

Ms. Meltzer replied that was a recent change, but the employee can choose either way.

Mr. Sowerby did not doubt Ms. Meltzer's dedication to the program and serving the public, but as a Board he felt they need to look at whether this is the best use of dollars within the constraints of their budget, and if there is revenue, they need to look at the actual dollars rather than what is going to be estimated, as well as looking at the expenditures.

Ms. Meltzer assured there is very little in the way of expenditures. They got the camera from a grant, and they spend \$1,200 a year for supplies and another \$1,400 for mailing costs. She stressed this is a huge revenue-maker, and while she appreciated Mr. Sowerby's concern, she assured she would never consider doing this if it was not bringing in a strong revenue stream. She added that the City of St. Clair Shores and Harrison Township also offer this service. When this came across her desk, she saw it as a great opportunity to capitalize on creating revenue because all other communities discontinue offering this service one month prior to each election. She stated she would like to limit the position because she does not want to back the Township into a corner where they would lose money should the trend change. She added that she does not see this happening because they are getting so many more applications.

Mr. Sowerby clarified he is not saying he is against this but would like more information, including detailed expenditures.

Ms. Meltzer assured she provided that information to the Board members.

Mr. Sowerby acknowledged he received some information tonight before the meeting but it was not in the packet. He felt they need details, including total salaries that were spent on this process, as well as understanding who has what roles in the department to serve the community. He pointed out that they have

peak times and slow times, as does his department, and he noted that he curtailed in staffing and streamlined his department. He is aware at tax time they will be extremely busy, but could not justify requesting a part-time person for a small window of time.

Ms. Meltzer stressed that this is a different situation because it is strictly for a service that is revenue-generating.

Mr. Sowerby admitted she had a good point, but still felt the information needs to be looked at and the questions answered.

Mr. Reynolds acknowledged that Mr. Sowerby brought up good questions, but when he sat in on the committee as alternate for Ms. West, questions were raised. When he made the motion, it included following all Civil Service rules and did not violate the union contract.

Mr. Andrew Toth, 52463 Cleveland Street, New Baltimore, Michigan 48047, UAW Local 412 servicing and representing Unit 52, recalled the question being raised as to whether this position would be the best use of Township dollars, and he felt that if this is made into a union position, it would be the best use of dollars. He advised that there is a non-union person in that office doing work for the bargaining unit. She is working from 25 to 29 hours a week, so they are looking at 11 to 15 hours additional if they make this a union position. Ms. Meltzer would then have the opportunity to use that person in any capacity in her office, so if she needs that person to handle passport applications, document retention/disposal, answering phone calls or interacting with the general public, she has that opportunity. There is a part-time temporary person who has been there for a little over a year, and the union is asking that they follow the job description for the Election Clerk II position that has been established in the Township. Mr. Toth pointed out that there will not be comp time because if that person is busy with passports, that is their first priority; however, if they receive only four applications in a day, they can work on records retention or any of the other duties of the Clerk's office.

Mr. Sowerby inquired as to whether Mr. Toth is recommending they hire another full-time person in the Clerk's office.

Mr. Toth replied affirmatively, pointing out they already have someone there for 25 to 29 hours a week as a temporary.

Mr. Cannon did not feel it is appropriate for the union to recommend to a Department Head whom they should be hiring and for how many hours.

Mr. Toth is recommending they follow the union bargaining agreement.

Mr. Reynolds stated that was part of the motion that they not violate Civil Service rules and as long as the contract allows it.

Mr. Gieleghem felt they need to clarify who is doing this work now, and what would they be doing if they were not doing this work. He could understand the surge in the number of applicants, but questioned who will continue to do this work if the Board does not approve it. He also mentioned that it may be a revenue stream, but if it inhibits the work they are statutorily obligated to do, they need to take that into consideration.

Ms. Meltzer assured she has taken that into consideration.

Mr. Gieleghem responded that he would like to look at it. He also mentioned that it is not a problem to put a time limit on a union position. Quite often services are offered through grants, and when that occurs, the service ceases when the grant money is gone, and the person who fulfilled that service is also gone at that point.

Ms. Meltzer admitted that is a good point to be taken into consideration.

Ms. Jessica Holden, 26712 Fairfield, Warren, Michigan 48089, Unit 52 Chairperson, noting that Ms. Ciaramella is not able to attend this evening. She stressed the union is not trying to recommend what the Township does and whether the position is filled is a Board decision. She thanked Ms. Meltzer for listening to them before the meeting on such short notice, but this had just come to light to them today. There has been a little debate going back and forth as to whether or not the position assuming the duties of passports and also assisting with the records retention program is union work being done by a non-represented union employee. She explained in 2014 they created an Election Clerk II position, with the merger between Elections and Clerk's. She cited the job description for the Election Clerk II, noting Item #6 of the Principal Duties states that it is to assist in document retention and disposal, and Item #10 states that it performs other related duties required, but not limited to, processing passports. Ms. Holden explained it is the union's standpoint that it is the work of the Election Clerk II work, although that position is not currently filled because the person who previously held that job was promoted to Election Specialist, and is still doing those same duties, as well as additional duties. There has been some discussion about a permanent part-time position, but she indicated that, unfortunately, their contract does not allow part-time positions within their bargaining unit, so they would have concerns on that.

Mr. Cannon inquired as to whether their union contract specifies that only bargaining unit members can do passport work.

Ms. Holden replied that it does not state that specifically. In the past, non-union employees have done it as a back-up. The primary person who has handled these duties is the Senior Staff Secretary. She replied to further inquiry that their contract does not specifically address whether or not non-union employees can process passport applications.

Roll Call (on motion to postpone until the next regular meeting): Ayes – Reynolds, Pearl, Gielegem, Cannon, West, Sowerby, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF MINUTES OF APRIL 11TH, 2016 REGULAR TOWNSHIP BOARD MEETING

Motion by Mr. Reynolds, supported by Mr. Sowerby, to approve the minutes of the April 11th, 2016 Regular Township Board Meeting as presented. Roll Call: Ayes – Reynolds, Sowerby, Gielegem, Pearl, Cannon, West, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF BILLS

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

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Motion by Ms. West, supported by Mr. Reynolds, to adjourn the meeting. Roll Call: Ayes – West, Reynolds, Gielegem, Pearl, Cannon, Sowerby, Meltzer. Nays - None. Absent – None. Motion carried. The meeting adjourned at 8:38 p.m.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON