

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, JANUARY 22ND, 2018

PRESENT:	ROBERT J. CANNON	SUPERVISOR
	KIM MELTZER	CLERK
	PAUL GIELEGHEM	TREASURER
	JOE A. ARAGONA	TRUSTEE
	MIKE KEYS	TRUSTEE
	KENNETH PEARL	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 State Representative William Sowerby.

APPROVAL OF AGENDA

Ms. Meltzer stated there are no additions to tonight's agenda, and she requested the deletion of the following items:

7. Bid Award: Zone 8 & 10 Sanitary Sewer Point Repair
9. Renewal of Heritage Estates Management Contract
10. Final Approval of SBJ Holdings Request

Motion by Mr. Pearl, supported by Mr. Aragona, to approve the agenda as amended, with the deletion of Items #7, #9 and #10. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Cannon stated that the Township, along with Macomb County, is celebrating its 200th anniversary this year, and he explained he will be providing historical information throughout the year. He noted that Clinton Township started as a lumbering community, and eventually became a farming community. There were a lot of saw mills and grist mills, so it had an interesting start.

1. LEGISLATIVE UPDATE

Mr. Cannon introduced State Representative William Sowerby from Lansing to provide an update.

Mr. William Sowerby stated it is nice to be back, and it is his first time back here since having left for Lansing. He commented that he has heard more about lumbering and the importance of it since serving on one of his committees, and it is tremendously important to the economy of this state. He introduced himself, noting he is the State Representative for District 31, which encompasses a large portion of Clinton Township, Fraser and Mount Clemens. He serves on three policy committees in Lansing: the Education Reform Committee; the Judiciary Committee, which deals with a lot of court and policing issues, gun laws, etc.; and the Minority Vice-Chair of Natural Resources, dealing with forestry and water issues and anything to do with the State's natural resources, including removal of minerals from the ground.

Mr. Sowerby stated in his first year in Lansing, they focused on the Fraser sinkhole interceptor collapse so he, along with the nine State Representatives who represent Macomb County, worked very hard to come up with dollars for it. He explained they tried to come up with much more, but it is difficult to get the money out of Lansing when it is a local issue, but after much consternation and argument, they were able to secure \$3 million out of special grants through transportation funds, and that money helped to pay certain bills to the County's Department of Public Works.

Mr. Sowerby reviewed some of the legislation he has introduced, including House Bill 4777, which has to do with fracking, an issue that the Township dealt with when he served on the Township Board where companies would come in and not have clear communication with local residents and the various boards. This bill would require public hearings to occur anytime there is going to be any kind of attempt for fracking within that community. He introduced House Bill 4908, which dealt with the Unemployment Insurance Act. He stated there was a problem in Lansing with unemployment insurance due to serious computer malfunctions that charged people with fraud unfairly and incorrectly, so people were having to pay large fees to the State that were wrongly attributed to them. They found the actual system was at fault, but as the State recognized this and people fought back, the statute of limitations had run out, and his bill would allow the statute of limitations for this issue to be waived and allow persons who lost homes and paid out tens of thousands of dollars to be able to recoup those dollars in lawsuits to the State. He noted the State has started to fix the issue, but it has taken a long time. Mr. Sowerby stated he introduced the bill for mandatory kindergarten, noting that kindergarten is not mandatory in this state. He indicated he introduced a few other bills as well.

Mr. Sowerby reviewed some of the legislation they have worked on this past year was regarding retiree health care pension benefits. He stated they all know the promises they made to firefighters, police officers, first responders and other government employees were likely to be taken away due to some attempt in Lansing to regulate how communities were going to deal with that going forward. He stated it had to do with the commitment they gave to these employees, and making sure they properly funded their retiree health care and any kind of pension system benefits. He acknowledged many communities have struggled with that issue, but in Clinton Township, they did the right thing for years and properly funded their health care and pensions, while other communities struggled. He noted a lot of that was that there was not enough revenue-sharing going into those communities. The State made an attempt to change that, and the Governor had introduced legislation last year that created a bi-partisan task force, and that task force recommendation. Legislature was trying to bypass that recommendation, but with the help of many first responders who converged on Lansing, that got pushed back, and what was approved was the task force recommendation. Mr. Sowerby stated the other big issue they addressed was no-fault insurance. It has been pushed back but it was a no-fault plan that was introduced by only one representative (Speaker of the House Tom Leonard), and there was no support. He and Mayor Duggan from Detroit were the only ones supporting this seriously flawed plan. Mr. Sowerby admitted that, while their no-fault system is in need of reform, this plan did not guarantee rate relief and it did not prohibit discriminatory insurance rate-setting factors, such as zip codes, credit scores, education, etc. The bill ended up failing when it came up for a vote, but there is a better plan called the Fair Affordable No-Fault Reform Package, which has true bi-partisan support and will give rate relief for seniors and for people not having zip codes required. He added that in most states, it is against the law to discriminate based on zip code or credit, but it is not against the law in Michigan. Mr. Sowerby explained the Catastrophic Fund, which takes care of persons when they are injured, is not properly managed, and the bi-partisan plan would create full transparency on that fund. He is hoping this will come up this year for action. Mr. Sowerby stated the first bill they dealt with was the income tax cut, which would have reduced the income tax from 4.25% to 3.9%, and the first year of that cut, \$800 million would have been lost, with more than \$1 billion every year after that. That bill was introduced with no attempt to channel in any funding to the State except for that cut, so that bill failed with bi-partisan support. He noted that if this had gone through, every city and township would have had seriously-cut budgets.

Mr. Sowerby noted there has been a number of economic development bills, one of those being the Good Jobs Bill, which brought in incentives for large employers to come to the State. That would have created jobs based on the average regional wage, and they would have been eligible to receive withholding taxes based on the employees and what they were generating from those

employees. Another bill introduced was the Brownfield Redevelopment Program for major redevelopments, and that bill was to capture income tax and use those captured taxes for new developments as long as those developments met certain benchmarks. He noted the big push from the Chambers of Commerce in Macomb County to support that bill was the Lakeside Mall issue, with the concern the mall is starting to deteriorate and what will be done with it. He noted this could generate money for the incinerator site for redevelopment as zoned.

Mr. Sowerby stated they continue to work on fireworks, and there are a number of bills that have not made it to a vote, but there is a bi-partisan interest in that issue. He explained the current “hot button” in Lansing is prevailing wage. A citizen issue would have repealed prevailing wage, and the backers of this proposal do have enough signatures. He stated the legislature should not vote on it but let the people decide on the ballot in November. If the signatures are there, the legislature has the option to vote to repeal prevailing wage. The first attempt at bringing the signatures through failed, and more signatures were obtained. A lot of the construction trade workers and others converged on Lansing and held rallies on this because it is important, not only to the quality of work being done, but also good-paying jobs. If it is repealed, wages will be cut and persons will be coming in from out of state to do the work that could be done by the residents of Michigan. He informed that they have had a few gun issues in Lansing, both through his committee and judiciary. He explained one of those was that if someone carried a concealed weapon, they would not have to go through the training for it. The current CCW plan required training in gun ranges and take a written test. A number of gun range owners came in, strong on the Second Amendment and concealed carry, and they spoke to the importance of getting that training. The Michigan State Police, along with sheriff’s departments and police departments from all over, came in to speak, but he added that unfortunately, it passed by vote. Mr. Sowerby concluded his report by noting that he holds monthly coffee hours at either the South Branch of the Clinton-Macomb Library on Gratiot, the Fraser Library or at the Mount Clemens Library, and these are listed are on his House website. He welcomed everyone to attend the coffee hours, and offered to answer questions.

Mr. Pearl inquired as to whether anything has been done on road funding.

Mr. Cannon stated that is their number one complaint they are receiving.

Mr. Sowerby replied that there is no new serious funding coming in for infrastructure. What they fail to fund today only makes the problems worse down the road. He stated they have a new budget that will get introduced, and appropriations committees will be meeting on it, but it is not expected that there will be an influx of money coming in for infrastructure.

Mr. Cannon stated every time the Township is cut with revenue-sharing, they have to figure out a different way to fund what they do on a daily basis, but they are additionally being asked to work with the Department of Roads. The Township has no dollars for roads. He pointed out that if the tax cut referred to by Mr. Sowerby had gone through, it would have greatly cut their revenue-sharing. He complained the State has a way of balancing their budget on the backs of local communities and local schools.

Mr. Sowerby stated the big “hot button” issues for people in this state are properly funding education and properly funding good infrastructure. He explained those are underfunded, and they recently passed a controversial bill this past week in the House where there are county-wide ISD millages. For communities who have those, the funds only went to traditional public schools, but now they will go to charter schools, and the bigger issue is private charter schools, which means that tax dollars will go for the profit of those private charter schools. He clarified that Macomb County does not have one of those here, but several counties do, and if the County would introduce an enhancement millage, it would be affected.

Mr. Cannon questioned whether Mr. Sowerby is familiar with Bill 723.

Ms. Meltzer clarified that is a Senate Bill.

Mr. Sowerby inquired as to whether that has to do with the exemption of property taxes.

Mr. Cannon replied affirmatively.

Mr. Sowerby stated there are a number of bills that he has not yet had a chance to research because they have not yet had their hearings. He introduced a bill because there was a change in Lansing this year that affected the surviving spouse of a fully-disabled veteran. The change was that if that disabled veteran passed away, the spouse was still able to get the exemption, which was always the case since this bill was first introduced to the public in 2013. Suddenly there was a tax tribunal ruling that said the surviving spouse cannot get that exemption. He pointed out they had gotten it all along, and suddenly they were told they could not get it if they had purchased a different house than when they were married to the disabled veteran. If the disabled veteran passed away, and the surviving spouse bought a different house to downsize, that exemption carried on with them, but the tribunal’s decision meant that people who had the exemption lost it, which was tragic. January 1st of this year they lost it, although Mr. Sowerby stated he tried very hard to get something passed to help those veterans. Mr. Sowerby stated he is not fully familiar with the new bill, but if it does come up for a hearing, he would be glad to talk with Mr. Cannon, the Treasurer and the Assessor.

Mr. Cannon stated he talked with Mr. Elrod, who feels Senate Bill 723 is a good bill in that it is fair.

Mr. Sowerby assured he will review it and get back with Mr. Cannon. He added there are a lot of bills that get introduced and come out of the Senate but never make it to the House.

Mr. Pearl thanked Mr. Sowerby for representing them in Lansing and for the update this evening.

Motion by Ms. West, supported by Mr. Pearl, to receive and file the legislative update provided by Representative William Sowerby. Roll Call: Ayes – West, Pearl, Keys, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

2. APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Mr. Cannon stated that all three members up for reappointment do an outstanding job, and he appreciates their efforts.

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated January 11th, 2018 from the Administrative Aide and reappoint Ms. Cyd Lucas, Ms. Donna Sassin and Mr. Peter Thomas to the Downtown Development Authority, each for a four-year term to expire on January 5th, 2022. Roll Call: Ayes – Cannon, Pearl, West, Keys, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

Ms. West noted that Ms. Lucas is here this evening.

3. APPOINTMENTS TO THE HOUSING COMMISSION

Mr. Cannon commented that Ms. Lucas does an excellent job.

Motion by Mr. Cannon, supported by Ms. West, to receive and file the letter dated January 11th, 2018 from the Administrative Aide, and reappoint Ms. Cyd Lucas to the Housing Commission for a five-year term expiring January 3rd, 2023. Roll Call: Ayes – Cannon, West, Keys, Pearl, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

Ms. West noted that, in addition to Ms. Lucas being present this evening, the Executive Director of the Housing Commission is present, and she invited her up to introduce herself.

Ms. Tamika Sutton, Executive Director for the Clinton Township Housing Commission, stated she comes from the Detroit Housing Commission, where she served for eight years, and she was over 504 units of senior housing. She added that this will be a new challenge for her.

Ms. Meltzer welcomed Ms. Sutton to the community.

4. APPOINTMENTS TO THE ZONING BOARD OF APPEALS

Mr. Cannon stated that the member up for reappointment is one of the most dedicated and thorough members of any committee in the Township.

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated January 11th, 2018 from the Administrative Aide, and reappoint Mr. Robert Campbell to the Zoning Board of Appeals for a three-year term to expire on December 31st, 2020; further, to advertise for the open term for an additional sixty (60) days. Roll Call: Ayes – Cannon, Pearl, West, Keys, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

5. APPROVAL OF APPOINTMENT TO SENIOR STAFF SECRETARY POSITION – FIRE DEPARTMENT

Motion by Mr. Pearl, supported by Mr. Gielegem, to receive and file the letter dated January 17th, 2018 from the Human Resources Director, and appoint Ms. Kelly Reed to the budgeted position of Senior Staff Secretary in the Fire Department, which constitutes a promotion to a higher classification within the Township, at an annual starting salary of \$44,346, effective February 12th, 2018. Roll Call: Ayes – Pearl, Gielegem, West, Keys, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

6. APPROVAL OF CROWN CASTLE CELL TOWER LEASE EXTENSIONS

Mr. Cannon stated that a lot of work and thought went into these leases.

Ms. Meltzer stated the Township Attorney finalized some minor details, and they believe they have a good contract.

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated January 10th, 2018 from the Budget/Ways & Means Committee Chairperson, and approve extending the existing Crown Castle Cell Tower leases, which include the following terms:

- \$1,900 per month base rent on each site;
- Annual Escalator of 3% or CPI, whichever is greater;
- Six (6) additional lease periods of five (5) years each for thirty (30) year extension;

- 50% revenue share for future collocation on each site; and
- \$60,000 signing bonus per site (\$120,000 total)

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

7. BID AWARD: ZONE 8 & 10 SANITARY SEWER POINT REPAIR

This item was deleted from tonight's agenda.

8. REQUEST APPROVAL FOR ENROLLMENT IN RECORDS MANAGEMENT COURSE

Motion by Mr. Gielegem, supported by Mr. Keys, to receive and file the letter dated January 4th, 2018 from the Township Clerk, and approve the request to enroll Ms. Kimberly Irvine, Deputy Clerk, into the Records Manager Certificate Course, a 6-month online course offered through "ed2go" and approved by the IIMC (International Institute of Municipal Clerks), with an enrollment fee of \$1,595, which includes the required textbooks; further, these funds can be taken from the Education and Training line item in the budget. Roll Call: Ayes – Gielegem, Keys, West, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

9. RENEWAL OF HERITAGE ESTATES MANAGEMENT CONTRACT

This item was deleted from tonight's agenda.

10. FINAL APPROVAL OF SBJ HOLDINGS REQUEST

This item was deleted from tonight's agenda.

11. INTRODUCTION OF TOWNSHIP ORDINANCE #440 – REVISION OF COIN OPERATED AMUSEMENT DEVICE ORDINANCE

Ms. Meltzer explained this is in response to these types of devices that are popping up all over as well as those that previously existed. She stated the current ordinance only specifies the coin-operated amusement devices, but the majority of these devices now have credit card or debit card capabilities. She noted that they have a separate fee schedule so they do not have to continue coming back if they want to make changes to that schedule in the future.

Motion by Mr. Cannon, supported by Mr. Aragona, to receive and file the letter dated January 3rd, 2018 from the Township Attorney, and to introduce, with the intent of adopting at the next Regular Meeting of the Township Board, Township Ordinance #440, which is a revision of the Coin-Operated Amusement Device Ordinance by expanding it to include amusement devices but not limit it to coin-

operated devices; further, that the fee schedule is to be amended simultaneously. Roll Call: Ayes – Cannon, Pearl, West, Keys, Aragona, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

12. REQUEST CLOSED SESSION TO DISCUSS CONTRACT NEGOTIATIONS

Mr. Cannon informed that the Board will not be coming out of Closed Session.

Motion by Mr. Pearl, supported by Mr. Aragona, to schedule a Closed Session immediately following the last item on tonight's agenda for the purpose of discussing contract negotiations. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF MINUTES OF JANUARY 8TH, 2018 REGULAR TOWNSHIP BOARD MEETING

Motion by Mr. Pearl, supported by Mr. Gieleghem, to approve the minutes of the January 8th, 2018 Regular Township Board Meeting as submitted. Roll Call: Ayes – Pearl, Gieleghem, West, Keys, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF BILLS

Motion by Ms. Meltzer, supported by Mr. Aragona, to approve the bills as presented. Roll Call: Ayes – Meltzer, Aragona, West, Keys, Pearl, Cannon, Gieleghem. Nays – None. Absent – None. Motion carried.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Motion by Mr. Keys, supported by Ms. West, to adjourn the meeting. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays - None. Absent – None. Motion carried. The meeting adjourned at 7:03 p.m. and went into Closed Session.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON

ces:01/24/18