

**CHARTER TOWNSHIP OF CLINTON**  
**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**MONDAY, FEBRUARY 5<sup>TH</sup>, 2018**

<b>PRESENT:</b>	<b>ROBERT J. CANNON</b>	<b>SUPERVISOR</b>
	<b>KIM MELTZER</b>	<b>CLERK</b>
	<b>PAUL GIELEGHEM</b>	<b>TREASURER</b>
	<b>JOE A. ARAGONA</b>	<b>TRUSTEE</b>
	<b>MIKE KEYS</b>	<b>TRUSTEE</b>
	<b>KENNETH PEARL</b>	<b>TRUSTEE</b>
	<b>JENIFER WEST</b>	<b>TRUSTEE</b>

**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 stated there are two deletions from tonight's agenda:

1. Request Approval to Hold a 5K Walk/Run on March 4, 2018
2. Request Temporary Tent Approval in Chippewa Valley Shopping Center on Hall Road to Host the 7<sup>th</sup> Annual Cinco De Mayo Party on Saturday, May 5<sup>th</sup>, 2018

Ms. Meltzer stated there are two additions to tonight's agenda:

14. Approval of Appointment to Office Clerk II Position – Planning Department
15. Request Closed Session to Discuss Contract Negotiations

Motion by Mr. Pearl, supported by Ms. West, to approve the agenda as amended, with the deletion of Items #1 and #2, and the addition of Items #14 and #15. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Cannon stated that he will continue to provide a little Clinton Township history at each Board meeting in honor of its 200<sup>th</sup> anniversary this year. He stated that on July 20<sup>th</sup>, 1838, Michigan's first governor, Stevens Mason, came to

Mount Clemens and dedicated the beginning of the canal that is in Clinton Township. The actual start and first sections were completed in Clinton Township, but the canal was never finished and did not follow the success of the Erie Canal.

### **PUBLIC SERVICE ANNOUNCEMENTS**

Mr. Gielegem reminded those watching this meeting live that the Clinton Township Blood Drive will take place tomorrow, Tuesday, February 6<sup>th</sup> and Wednesday, February 7<sup>th</sup>. He announced that all of their locations have been filled, but appointments are available on Wednesday at the Clinton-Macomb Library-South Branch, and he encouraged people to go to the Red Cross website at [www.redcrossblood.org](http://www.redcrossblood.org) and type in the key word “Clinton Township” to sign up for the blood drive. He explained the theme this year is “Be a superhero – give blood”, noting that superheroes are folks who do extraordinary things, but this is the opportunity for everyday citizens to become heroes by giving blood.

Ms. Meltzer directed an announcement to those watching this meeting live that an annual “Skate for the Hungry” event will be held at the Mount Clemens Ice Arena, located at 200 N. Groesbeck, Mount Clemens, from 1:00 to 3:20, to help with their food program. She explained it is during mid-winter break, so kids can come in and skate and all they have to bring is a non-perishable food item. She stressed they generally get a good turnout, and it helps people in the community. She added people often think of helping the hungry during the holidays, but the pantry shelves become depleted quickly after the holidays, and this has been a good time for the food program to receive donations. She reiterated the skating is free but there is a skate rental fee for those who need skates.

#### **1. REQUEST APPROVAL TO HOLD A 5K WALK/RUN ON MARCH 4, 2018**

This item was deleted from tonight’s agenda.

#### **2. REQUEST TEMPORARY TENT APPROVAL IN CHIPPEWA VALLEY SHOPPING CENTER (HALL ROAD) TO HOST THE 7<sup>TH</sup> ANNUAL CINCO DE MAYO PARTY ON SATURDAY, MAY 5<sup>TH</sup>, 2018**

This item was deleted from tonight’s agenda.

#### **3. REQUEST APPROVAL OF A TRANSFER SDD LIQUOR LICENSE WITH SUNDAY SALES FOR WOODWARD DETROIT CVS, LLC – 37050 S. GRATIOT**

Motion by Ms. West, supported by Mr. Pearl, to receive and file the letter dated January 31<sup>st</sup>, 2018 from the Township Clerk, and approve the Liquor License with Sunday Sales Transfer Request for Woodward Detroit CVS, LLC, located at

37050 S. Gratiot. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

#### **4. REQUEST APPROVAL TO ATTEND OUT-OF-STATE CONFERENCE**

Ms. Meltzer stated this came in under budget.

Motion by Ms. West, supported by Mr. Pearl, to receive and file the letter dated January 22<sup>nd</sup>, 2018 from the Director of the Senior Citizens Department, and approve his request to attend an out-of-state conference to be held in San Francisco, California from March 25<sup>th</sup>, 2018 through March 29<sup>th</sup>, 2018, and is a budgeted expense. Roll Call: Ayes – West, Pearl, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

#### **5. REQUEST TO SCHEDULE A PUBLIC HEARING ON THE 2018 COMMUNITY BLOCK GRANT AND HOME PROGRAM**

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated January 23<sup>rd</sup>, 2018 from the Director of the Department of Planning and Community Development, and schedule a public hearing for the 2018 Community Development Block Grant and Home Program Year for the purpose of seeking input regarding the Township's 5-Year Consolidated Plan and Annual Plan, with the public hearing to be scheduled for the next Township Board Meeting, to be held on Tuesday, February 20<sup>th</sup>, 2018 at 6:30 p.m., Township Board Chambers, Clinton Township Civic Center. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

#### **6. RECOMMENDATION OF PERSONNEL VACANCY REVIEW COMMITTEE**

Mr. Cannon stated there are currently several people doing the same work, and this will provide continuity but will not change the amount they are paying for this service.

Motion by Ms. Meltzer, supported by Mr. Gielegem, to receive and file the letter dated January 26<sup>th</sup>, 2018 from the Human Resources Director, and concur with the Personnel Vacancy Review Committee's recommendation to authorize the creation of one (1) permanent part-time Recreation Assistant position in the Parks & Recreation Department, with the hourly wage for this position set at \$12.50 and hours of work are limited to twenty-nine (29) hours per week, with the funds for this position appropriated beginning with the 2019 budget. Roll Call: Ayes – Meltzer, Gielegem, West, Keys, Pearl, Cannon, Aragona. Nays – None. Absent – None. Motion carried.

## **7. SEWER COMMITTEE UPDATE**

Mr. Scott Chabot, of Giffels Webster, reported that on January 23<sup>rd</sup>, 2018, there was a Sewer Committee Meeting, and he felt this is a good opportunity to review what was discussed at the meeting, and to provide a quick update on the status of the projects relating to their Administrative Consent Order (ACO). A copy of the agenda from that meeting was included in the Board packet. He provided an update on the settlement at 15 Mile and Little Mack, as well as the ACO timetable, the District “A” and “E” relief sewer projects, the 2018 and 2019 flow monitoring, and smoke testing that they have done and plan to do in these districts to identify inflows contributing to wet weather issues in the sanitary sewer system.

Mr. Chabot explained they had a meeting with the contractor on January 30<sup>th</sup>, and he summarized those discussions that have been ongoing. They are ready to begin the work this week to fix the taps at the MID interceptor. They have provided an approved work plan which has been approved by their engineers, as well as the Township and the County. They are continuing to do some final evaluations as to the causes of the settlement, but at this point, they believe it is related to how they over-excavated the shaft when they installed it. The borings are showing a lot of loose soil material on the outside of the shaft that has settled over time and has caused most of the settlement. They are doing a few more soil borings to confirm that finding. He stated they will also be looking at Beaconsfield to make sure there are no other issues or similar problems, because they are assuming the means and methods of installing the shaft were similar. The County will be using their engineers to perform the borings and evaluations at that location. The contractor has agreed to pay for all their construction costs related to the repairs for both the taps and anything related to the surface settlement. Because these causes were related to the project and some of their work, they have also agreed that any of the direct issues related to the soft costs will be incorporated as part of their costs. They are moving forward with the repairs and following their contractual obligations of the costs related to the fixes.

Mr. Pearl inquired as to whether they will be taking the brick out and re-grouting.

Mr. Chabot replied affirmatively. He added the County will have their inspector on site with the contractor to inspect them while they are doing the work.

Mr. Pearl inquired as to whether they are going to do the work from the inside.

Mr. Chabot replied they will be doing the work from the inside. Mr. Chabot replied to further inquiry that they are doing the test boring after the work is completed so they can confirm the problem is resolved. They do not believe that they will find more issues, but they want to make sure. If there is a problem, they

will have more to do. He felt the fix will be to try to grout or fill the voids. He replied to further inquiry that if they find something from the outside, they will try to fix it from the surface, but the fix to the taps will be from the inside.

Mr. Cannon was glad that the contractor stepped up, and he commended Mr. Chabot and Ms. Bednar for doing a good job negotiating.

Mr. Chabot stated it was a matter of following their contractual requirements.

Mr. Gielegem appreciated the update, and he inquired as to when they anticipate the 15 Mile Road project will be completed.

Mr. Chabot replied that the tap repairs will be on February 7<sup>th</sup> and February 9<sup>th</sup>, and the test borings will be done about a week after. He estimated the fix will be done in late February or early March.

Ms. Bednar anticipated the fix will be done in about six weeks. She pointed out they still have to do the boring and evaluate it, and they must have everything approved.

Mr. Chabot added that the road may take a little longer because it is weather-dependent.

Ms. Bednar cautioned that the tap repairs scheduled for February 7<sup>th</sup> and 9<sup>th</sup> are also weather-dependent.

Mr. Chabot provided an update on the ACO timetable. They have met their deadlines and the extensions they have been given related to the work. They noted in the Sewer Committee meeting that there are some additional projects that are necessary based on some of the flow meter they have done over the last three years, and those projects were discussed at the committee meeting. They budgeted \$1.5 million for those projects, and the reason is because of the detailed monitoring they have done, and they are seeing more inflows than originally assumed. He assured they are getting close to completion, and the remaining projects proposed are relatively minor.

Mr. Chabot outlined the Phase II projects, and they must complete certain projects by the end of this year, with the flow monitoring commencing next year, and the report due after next year's flow monitoring. He stated the flow-monitoring has been ongoing. He explained they have been through two phases of the relief sewer projects in Sewer District "E", and there is one additional project on Golden, which does not need to be completed until 2019, per conversations with the Department of Environmental Quality (DEQ). He noted that the timelines for District "A" are similar, but they get an additional year with District "E". Through a PowerPoint slide presentation, he showed a color-coded

diagram of the projects that have been completed in District “A”, explaining they have done a TV and cleaning and lining of pipes throughout the system, and have installed a lot of force mains and pump stations that have been converted. He pointed out the areas in red are additional projects they feel are necessary. He showed another slide depicting the projects that have been completed in District “E” since 2015. He emphasized that Golden Street needs to be done, from Danbury to 15 Mile Road. It does not need to be completed until 2019, but in the meantime, they are doing additional metering in this area to confirm that these projects are going to be in compliance with their ACO, and to make sure there are no other projects necessary.

Mr. Cannon pointed out that both Beaconsfield and Little Mack, south of 15 Mile Road, were able to be repaved in a partnership with the County because of these projects.

Mr. Chabot felt that, knowing they have an extra year, it would be possible to request the same thing for Golden Street this year. He felt Golden Street would be a candidate for open-cut construction, which would basically result in a new road. He compared it to what they did on Little Mack and on Beaconsfield. Mr. Chabot addressed the flow monitoring, showing nine flow meters and two level sensors they will need over the next two years in District “A”. In District “E”, they have a much more detailed monitoring plan, so they have ten flow meters and three more level sensors. He stated he is aware there is an item on the agenda tonight regarding the purchase of the flow meters. He reviewed the matter of smoke testing, and they have talked about the necessity of looking for areas of inflow coming from private residences or public sources. He stated the area bordered by Metro Parkway to the north, 15 Mile to the south, Gratiot to the west and Harper to the east had smoke-testing done by ADS Environmental Services. He noted that smoke was injected into all the public sewers and they looked for any areas for inflows that could be contributing to the wet weather issues in the sewer system. They found 28 sources of sewer inflows, some more significant than others, and since that report, the Department of Public Services has been working with the private property owners on corrective actions to get these fixed. Mr. Chabot stressed their goal is to break down these flows, especially during the higher rain events, and based on what they have found, they are recommending the expansion of this testing to all ACO areas, including District “A” and all of District “E”. This is planned for Summer 2018, and they have done some trial areas with the Department of Public Services and the Water and Sewer Division on conducting this test. He indicated they were on site during last year’s testing, and they had a trial run last week that went well. He suggested the Water and Sewer Division of the Department of Public Services could do this testing rather than having an outside company do the work.

Ms. Bednar explained that the Water & Sewer Division went out last week and did some smoke testing. It was easy because they were using some old

equipment that they borrowed from the City of Mount Clemens. She indicated that if the Township opts to go that route, they will have to purchase the smoke testing machine, which is approximately \$2,000 to \$3,000; however, she stressed it will save the Township because the cost of having an outside company do the work this past summer was close to \$30,000. She felt they can spend a little money to save money, and she also felt the employees know the residents and know how to talk to them. She felt it is better for the Township employees to do the work rather than having the employees only present as observers.

Mr. Chabot stated the goal under the ACO is to build the relief sewers to reduce sanitary sewer overflows but also to try to dry up the system and keep it maintained so they are not adding any additional flows for wet weather.

Mr. Pearl inquired as to whether they will save money in the long run.

Mr. Chabot replied if they can reduce their flow in wet weather and get it out of the system, it will be less they have to pay.

Mr. Aragona thanked Mr. Chabot for his presentation. He recalled Mr. Chabot had made a comment that there were more inflows than expected. He questioned whether the infrastructure is adequate to handle the flow once these inflows are fixed.

Mr. Chabot replied they were asking that question themselves, but based on what they found, and on some estimates on flow reduction, it has to do with metering. He noted there is less surcharge in the system because they have extra capacity. A lot of water was being held up before and it was difficult to tell how much was coming in, but they now have a much better idea of what is coming in. He agreed they will have to provide a little more capacity to accommodate for that.

Mr. Pearl understood they are taking care of the south end of the Township, but he inquired as to whether the increased residential development at Partridge Creek will create a problem in the north end, or whether the system can handle the additional development.

Mr. Chabot replied that has all been designed to the current standards. He noted that anything built prior to 1974 and 1975 had footing drains connected into the sanitary collection system and that was one of the big contributors that caused such a problem in the ACO districts. Most of the homes and business in the north end of the Township were built after that time and there is a separate storm sewer infrastructure that has been installed, and sump pumps are diverting a lot of that flow through that network and not through the sanitary sewer system.

Motion by Mr. Keys, supported by Mr. Aragona, to receive and file the letter dated February 1<sup>st</sup>, 2018 from the Director of the Department of Public Services and the presentation from Mr. Scott Chabot, of Giffels Webster, regarding the Sewer Committee Update. Roll Call: Ayes – Keys, Aragona, West, Pearl, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

## **8. PURCHASE OF FLOW METERS FOR ACO MONITORING**

Ms. Bednar summarized the proposal for the purchase of flow meters for ACO monitoring. She explained that in the past, they have purchased flow meters because they can save money by purchasing them rather than leasing them. They know they have at least two years where they need all these meters in place, and one year of leasing costs the same as purchasing the meters. She explained these are the same meters they have purchased, and it is a sole source provider, so they were able to work with them in negotiations and were offered last year's rates, plus a 10% discount because of the amount of business the Township has done with this company. Ms. Bednar explained when they went to the Sewer Committee, the cost estimate for the meters at that time came to \$50,000; however, they have been able to get that cost down to \$36,760.70.

Mr. Chabot explained that the meters can be used in the future, not only for ACO areas but there are other areas for master-planning and understanding capacities of other sewers in the Township. He added that the staff of the Water and Sewer Division can install the meters and monitor the results.

Ms. Bednar noted that in the 1970's and 1980's, the Township was growing, so their staff was looking at installing, inspecting and moving forward with the growth. They are now in an area where they are redeveloping and maintaining, so their staff is changing a lot of what they are doing because they are maintaining the system by having these meters in place. They can then pinpoint where they may need to do repairs.

Ms. Meltzer clarified the total purchase cost is \$36,760.70. The savings over a two-year period is \$34,384.30, which she felt is great, and the meters can be used again in the future.

Mr. Chabot added that the meters carry some salvage value as well.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated February 1<sup>st</sup>, 2018, from Mr. Scott J. Chabot, Senior Project Manager, Giffels Webster, and approve the purchase of six (6) Teledyne Isco 2150 area-velocity flow meters, three (3) Teledyne Isco 2110 ultrasonic level sensors and the related mounting equipment in the amount of \$36,760.70, as outlined in the correspondence. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Pearl inquired as to whether the Board needs to waive the bidding requirement.

Mr. Dolan replied the Township bid policy indicates that they are permitted to not utilize bids when there is a sole source supplier, and there has already been an explanation furnished outlining the nature of the sole source.

#### **9. BID AWARD: OPEN CUT SEWER REPAIRS – ZONE 8 AND 10**

Motion by Ms. West, supported by Mr. Keys, to receive and file the letter dated January 31<sup>st</sup>, 2018 from Mr. Scott J. Chabot, Senior Project Manager, Giffels Webster, and award the Zones 8 & 10 Sanitary Sewer Open Cut Point Repairs to the lowest bidder, Lawrence M. Clarke, in the amount of \$398,278.00. Discussion ensued.

Mr. Gielegghem inquired as to whether they are approving a “cost not to exceed”. He pointed out there are also engineering-related fees and a construction contingency.

Mr. Chabot replied the \$398,278.00 is the hard cost related to the project. He explained the engineering-related fees and construction contingency are all part of the break-down for the project.

Ms. Bednar clarified they are approving the contract, and the soft costs of the engineering fees are per Giffels Webster’s contract with the Township, and it is based on percentage. The contingency costs are based on the bid policy the Township has in place. The Board is being asked to approve only the contractor’s amount at this point. Any change orders are always brought back to the Board for their approval. She stated this gives her a chance to put the entire project cost in her budget.

Mr. Gielegghem clarified the motion is just for the construction cost.

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

#### **10. UPDATE TO METRO ACT PERMIT FOR FIBERTECH NETWORKS**

Motion by Mr. Pearl, supported by Mr. Gielegghem, to receive and file the letter dated February 1<sup>st</sup>, 2018 from Mr. Scott J. Chabot, Senior Project Manager, Giffels Webster, and approve the modifications to Exhibit A of the current Metro Act Permit with Fibertech Networks. Roll Call: Ayes – Pearl, Gielegghem, West, Keys, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

**11. REQUEST APPROVAL OF MOVING LOCATION OF PRECINCTS 4 & 28**

Mr. Cannon inquired as to whether this will take effect for the May election with the college.

Ms. Meltzer replied affirmatively, stating this is a permanent move, and in cases such as this, she will send out voter ID cards, letting the voters in that precinct know their location has changed and where they can go and vote.

Mr. Cannon stated this is at the request of the school district.

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated February 5<sup>th</sup>, 2018 from the Township Clerk, and approve the request to move the location of Precincts 4 and 28 from the Dianne M. Pellerin Center to the Harry L. Wheeler Community Center, 24076 F. V. Pankow Boulevard, Clinton Township, Michigan 48036. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

**12. ADOPTION OF TOWNSHIP ORDINANCE #440 – REVISION OF COIN-OPERATED AMUSEMENT DEVICE ORDINANCE**

Ms. Meltzer informed that this was introduced at the last meeting and is proposed for adoption this evening.

Motion by Mr. Gielegghem, supported by Mr. Cannon, to adopt and publish Township Ordinance #440 Amending the Code of Ordinances for the Charter Township of Clinton Section 814 Coin-Operated Amusement Devices, as presented. Roll Call: Ayes – Gielegghem, Cannon, West, Keys, Pearl, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

**13. RESOLUTION REVISING FEE SCHEDULE ORDINANCE FOR AMUSEMENT DEVICES**

Ms. Meltzer reviewed the fees included in this ordinance for amusement devices.

Motion by Mr. Aragona, supported by Mr. Gielegghem, to adopt the Resolution Revising Fee Schedule Ordinance for Amusement Devices, as presented. Roll Call: Ayes – Aragona, Gielegghem, West, Keys, Pearl, Cannon, Meltzer. Nays – None. Absent – None. Motion carried.

**14. APPROVAL OF APPOINTMENT TO OFFICE CLERK II POSITION – PLANNING DEPARTMENT**

Motion by Ms. West, supported by Mr. Gielegem, to receive and file the letter dated February 1<sup>st</sup>, 2018 from the Human Resources Director and appoint Ms. Lisa Wolfe to the position of Office Clerk II in the Planning Department, which constitutes a lateral move within the Township, at a starting annual salary of \$34,337, with the appointment effective February 8<sup>th</sup>, 2018. Roll Call: Ayes – West, Gielegem, Keys, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried

**15. REQUEST TO SCHEDULE CLOSED SESSION TO DISCUSS UNION NEGOTIATIONS**

Motion by Ms. Meltzer, supported by Mr. Keys, to schedule a Closed Session immediately following tonight's meeting for an update on union contract negotiations. Roll Call: Ayes – Meltzer, Keys, West, Pearl, Cannon, Aragona, Gielegem. Nays – None. Absent – None. Motion carried.

**APPROVAL OF MINUTES OF JANUARY 22<sup>ND</sup>, 2018 REGULAR TOWNSHIP BOARD MEETING**

Motion by Ms. West, supported by Mr. Keys, to approve the minutes of the January 22<sup>nd</sup>, 2018 Regular Township Board Meeting as submitted. Roll Call: Ayes – West, Keys, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

**APPROVAL OF BILLS**

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

**PUBLIC COMMENTS**

There was one public comment:

Mr. Harley M. Sherman, 14071 Manhattan, Oak Park, Michigan 48237, also provided his business address of 42657 Garfield, #216, Clinton Township, Michigan 48038. He stated he is a CPA, recently acquired a business here in December and he would like to let the Board know that he has a plethora of construction contracts and accounting experience, and he would like to work with the Township, possibly the auditors to provide services to those who cannot afford tax services to help them get

the property tax credit, if possible. He thanked the Board for allowing him to speak.

Mr. Cannon welcomed Mr. Sherman to Clinton Township.

**ADJOURNMENT**

Motion by Mr. Aragona, supported by Ms. West, to adjourn the meeting. Roll Call: Ayes – Aragona, West, Keys, Pearl, Cannon, Gielegem, Meltzer. Nays - None. Absent – None. Motion carried. The meeting adjourned at 7:17 p.m. and went into Closed Session.

Respectfully submitted,

KIM MELTZER, CLERK  
CHARTER TOWNSHIP OF CLINTON