

**CHARTER TOWNSHIP OF CLINTON**  
**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**MONDAY, MARCH 13<sup>TH</sup>, 2017**

<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 requested deletion of the following item from tonight's agenda:  
Item #3 - Request Closed Session: Attorney Client Privileged Written Opinion

Ms. Meltzer requested the addition of the following items to tonight's agenda:  
Item #20 - Disposition of Tax-Forfeited Parcel Located at 36201 Garfield / Vacant (Parcel 16-11-30-277-082)

Motion by Mr. Pearl, supported by Mr. Aragona, to approve tonight's agenda with the deletion of Item #19 and the addition of Item #20. Roll Call: Ayes – Pearl, Aragona, Keys, Cannon, West, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

**1. CLINTON TOWNSHIP BOARD OF APPEALS ANNUAL 2016 REPORT**

Motion by Mr. Gieleghem, supported by Ms. West, to receive and file the letter and the Clinton Township Zoning Board of Appeals 2016 Annual Report dated February 24<sup>th</sup>, 2017 from the Vice-Chairperson of the Board of Appeals. Roll

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

**2. REVISED SITE DEVELOPMENT PLAN: CLINTON CREEK ASSISTED LIVING & MEMORY CARE – 3.03 ACRES OF VACANT LAND E/GARFIELD, S/18 MILE, ADDRESSED AS 40500 GARFIELD (SECTION 17)**

Motion by Mr. Pearl, supported by Ms. West, to receive, file and concur with the letter dated February 27<sup>th</sup>, 2017 from the Secretary of the Clinton Township Planning Commission, and approve the Revised Site Development Plan for Clinton Creek Assisted Living & Memory Care, to be located on 3.03 acres of land fronting the east line of Garfield Road, south of 18 Mile Road, addressed as 40500 Garfield Road (Section 17), as submitted. Roll Call: Ayes – Pearl, West, Aragona, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

**3. REVISED SITE DEVELOPMENT PLAN: DTE MT. CLEMENS SERVICE CENTER EXPANSION – 10.84 ACRES N/ELIZABETH, E/GROSBECK, ADDRESSED AS 43230 ELIZBETH (SECTIONS 2/11, P.C. 139)**

Mr. Gielegem stated that, as Chair of the Conservation Committee, he is pleased to see plans that are designed in a more environmentally-friendly manner. He commended DTE for developing this project in a way that is mindful of that concept, and he stated the Township is aware of the importance of that type of development, having recently redone their own Civic Center parking lot in a way that encompasses natural storm water run-off into naturally-designed areas to handle it rather than the water going into the sewer system.

Mr. Cannon commended DTE for working quickly over this past week to get electricity service restored as quickly as possible. He stated they have been very informative and have kept the Township well-informed as to their progress. He stated he is pleased to see this expansion because it will be good for them to have more trucks.

Ms. Meltzer appreciated Mr. Cannon's kind words about DTE and stated her experience with DTE was not the same as Mr. Cannon's, and she felt they need to be more prepared for a situation like what has occurred this past week in this area. She pointed out there are still a lot of people without power, and she felt DTE should have brought more people in much earlier to take this on. She claimed when the economy was bad and people were struggling with unemployment, having a difficult time paying their bills, DTE was very strict on insisting those bills had to be paid on time with the threat of losing power. She noted that now, when DTE is in a situation where they are unprepared, they want understanding from the community; however, she claimed she did not recall that same understanding on their behalf when it came to payments owed in 2007 and

2008. She cited an incident where an elderly Purple Heart veteran died because of his electricity being turned off. She stressed there are things DTE needs to work on.

Mr. Cannon stood behind what he said about DTE and felt they did a fabulous job under very trying circumstances. He felt if Ms. Meltzer has some personal experiences that were not so favorable, she needs to let them know, and he was confident they will work on it, because they are representative of a great company.

Motion by Mr. Pearl, supported by Ms. West, to receive, file and concur with the letter dated March 6<sup>th</sup>, 2017 from the Secretary of the Clinton Township Planning Commission and approve the Revised Site Development Plan for DTE Mt. Clemens Service Center Expansion, to be located on 10.84 acres of land located north of Elizabeth, east of Groesbeck, addressed as 43230 Elizabeth Road (Sections 2/11, Private Claim 139), as submitted. Roll Call: Ayes – Pearl, West, Aragona, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

**4. SPECIAL LAND USE: A RETAIL GAMING / PC SERVICES FACILITY SELLING NEW AND USED VIDEO GAMES IN THE B-3 GENERAL BUSINESS DISTRICT (XTREME GAMING & PC SERVICES) – LOT 49, GROESBECK-NUNNELEY SUBDIVISION, E/GROESBECK, N/CARLIER, ADDRESSED AS 36454 GROESBECK (SECTION 28)**

Mr. Christopher Bacho, petitioner, was present to answer questions.

Mr. Keys inquired as to how customers will be monitored to assure they are over the age of 18. He inquired as to whether they will have their ID's checked.

Mr. Bacho replied affirmatively, noting that they will check ID's to assure legal age. He replied to further inquiry that he currently has a vape shop on Canal Road in Clinton Township that has been in operation for about three years.

Mr. Barry Miller, Superintendent of the Building Department, explained that a Township Cert will need to be obtained prior to the petitioner occupying the building. He informed that if this is approved this evening by the Board, the petitioner can fill out the paperwork at the Building Department, pay the \$160 fee and have the form signed by the Planning Department for zoning verification. Arrangements will then be made to send an inspector to the site.

Ms. Meltzer inquired as to whether there will be smoking allowed on the premises.

Mr. Bacho replied they do not have a smoking lounge, and his facility is strictly retail.

Mr. Carlo Santia, Director of the Department of Planning and Community Development, stated there is one facility in the Township that has a smoking area.

Ms. Meltzer stated she learned there is a THC in a liquid form that is illegal and consumers may not know that is what they are getting. She felt it is something the Board will need to look at in the future to determine how they will manage it.

Mr. Bacho informed that THC is illegal and is not sold in vape shops. He assured they sell only e-liquids, which are legal and manufactured in the United States.

Mr. Gielegghem stated these are offered as a “healthy alternative” to cigarette smoking, but he claimed there are more and more statistics on the contaminants through these e-liquids and e-vapors. He stated the Township does not have regulatory authority on these businesses, but they are required to go through Special Land Use approval so they can determine whether the proposed business is within the scope of a business that can operate legally within the Township. He noted, as Ms. Meltzer pointed out, that there are very specific rules about being over the age of 18 to enter this type of business. Mr. Gielegghem assured these will be strictly enforced, and he noted that in previous approvals for this type of business, the Police Chief has indicated there are measures they will take to monitor enforcement. He claimed this is a dangerous product that is legally available but is not a healthy alternative to smoking.

Mr. Bacho agreed with Mr. Gielegghem’s comments. He stated the first shop he opened was in Clinton Township, and he now has five locations. This proposed shop will be his sixth location. He assured they do not advertise and offer their product as a “healthy alternative”. Mr. Bacho explained he has an attorney who works specifically for his company and sends information to him as to what he can market and how he can market it. He stated it is looked at not only locally but nationally, and there have been a lot of changes in the last couple of years, so he has also made changes in that time as to how he markets the product. He added they market it as an “alternative” to smoking and do not include the word “healthy”. He reiterated that everything they sell is legal, but they do not tell their customers that “this is a way to get off of cigarettes”.

Mr. Keys inquired as to whether the petitioner manufactures the e-vapors.

Mr. Bacho replied they own their product at all their centers. He explained every product in his shop has a tobacco number registered by the FDA, so they are considered a manufacturer of the liquid, but he does not manufacture it and sell it

to other shops. They are considered a manufacturer only because they are bottling the juice and selling it to the customer.

Mr. Keys inquired as to whether the health department gets involved with the bottling of the product.

Mr. Bacho replied they do not involved at this point, but as this type of business moves forward, there are more rules to which they must comply. He cited the example that when he opened his first shop, there was no such thing as a tobacco number for these liquids, and now that is required. This number assures them of the exact ingredients, where their products are purchased, the type of flavoring, so there is more control. He assured they have been doing everything possible to comply.

Ms. West inquired as to what type of warning labels are on their products.

Mr. Bacho stated a lot of regulations are passed down by the FDA and information is received through his lawyers. It is considered a tobacco product, so there are similar warnings about nicotine addiction. He explained that the new information and requirements get forwarded to them, they change their labels to meet the requirements, and continue to do business.

Ms. Meltzer inquired as to whether the police have received any complaints about Mr. Bacho's existing location in the Township.

Police Chief Posavetz replied they have received no complaints regarding the location on Canal.

Mr. Aragona inquired as to whether the shops are inspected by the FDA.

Mr. Bacho replied FDA inspections are not required now, but he suspected that they may be conducting inspections going forward. He explained the FDA got fully involved in August 2016 so he anticipated between now and 2019, a lot of shops will shut down because they will not be able to comply. He stated the FDA wants to treat these shops like restaurants, where inspectors will come in and inspect the facility. He stated they are currently required to register their products and have them labeled appropriately, so he anticipated in the future there will be inspections to make sure that is occurring. He replied to further inquiry that he has never been found in violation.

Motion by Mr. Aragona, supported by Mr. Gielegem, to receive, file and concur with the letter dated March 6<sup>th</sup>, 2017 from the Secretary of the Clinton Township Planning Commission, and approve the Special Land Use request for a smoke/vapor retail facility in the B-3 General Business District (The Vapor Shoppe @ North Pointe Plaza), located on part of 6.07 acres of land at the

northwest corner of Metropolitan Parkway and Gratiot Avenue, addressed as 37129 Gratiot Avenue (Section 22 / Private Claim 138), as presented, with the following conditions being met: 1) Must be 18 years of age or older to enter the facility; 2) The hours of operation are limited to between 10 a.m. and 7 p.m. on Mondays through Saturdays, and between 10 a.m. and 5 p.m. on Sundays; 3) If it is determined by the Police Department or the Building Department that the business is allowing the admittance of persons under the age of 18, or distributing or furnishing the e-vapors/e-cigarettes and/or related accessories to those under the age of 18, or operating beyond the hours of 7 p.m., the violations will be subject to additional action with a first-time offense of \$250, a second-time offense of \$500 and a third-time offense being the revocation of the Special Land Use Permit, and any court costs/ attorney fees related to the collection of these fines will be paid by the business owner. Roll Call: Ayes – Aragona, Gielegem, Keys, Pearl, Cannon, West, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Cannon commented that this Board voted legally the way they should have voted. He noticed hesitation in that vote, and added he feels the same way.

**5. SPECIAL LAND USE: A RETAIL GAMING/ PC SERVICES FACILITY SELLING NEW AND USED VIDEO GAMES IN THE B-3 GENERAL BUSINESS DISTRICT (XTREME GAMING & PC SERVICES) – LOT 49, GROESBECK-NUNNELEY SUBDIVISION, E/GROESBECK, N/CARLIER, ADDRESSED AS 36454 GROESBECK (SECTION 28)**

The petitioner was not present.

Mr. Carlo Santia, Director of the Department of Planning and Community Development, replied to inquiry that the petitioner is proposing to sell used game systems such as X-Box and Nintendo, along with the used games. They also intend to repair PC's. He replied to further inquiry that they also intend to buy games, and often customers trade in their old games toward the purchase of new games. He pointed out that the national chain, Game Stop, provides the same service, and if they were to be in the Township, they would also be required to obtain a Special Land Use approval.

Ms. West recalled discussion at the Planning Commission meeting, and the question arose as to whether they will be holding game tournaments at their facility. She indicated the petitioner had assured they will not be hosting tournaments and have no place inside their facility to set up and play games.

Mr. Barry Miller, Superintendent of the Building Department, stated that if this is approved by the Board this evening, the petitioner will be required to go through the Building Department to obtain Township Certifications and must have a Zoning Verification form signed and submitted as well.

Motion by Mr. Keys, supported by Mr. Pearl, to receive, file and concur with the letter dated March 6<sup>th</sup>, 2017 from the Secretary of the Clinton Township Planning Commission, and approve the Special Land Use request to permit a retail gaming facility selling new/ used games in the B-3 General Business District (Xtreme Games & PC Services), to be located on Lot 49, Groesbeck-Nunneley Subdivision (Section 25), fronting the east line of Groesbeck Highway, south of Metropolitan Parkway, addressed as 36454 Groesbeck, as requested, subject to the petitioner obtaining Building Department and Fire Department approval as well by obtaining either a Township Cert or a Building Permit. Roll Call: Ayes – Keys, Pearl, Aragona, Cannon, West, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

**6. SPECIAL LAND USE: A USED AUTO SALES FACILITY IN THE B-3 GENERAL BUSINESS DISTRICT (LARIDON AUTO SALES, FKA PART OF JOHN'S LUMBER) – 0.45 ACRE AT THE SW/CORNER OF GRATIOT & KEMP, ADDRESSED AS 34165 GRATIOT (SECTION 34)**

Mr. Pearl expressed support of the proposed request, stating it cleans the area up and will look a lot better than a vacant building. He added that John's Lumber is the owner, and they are good people.

Motion by Mr. Pearl, supported by Ms. West, to receive, file and concur with the letter dated March 3<sup>rd</sup>, 2017 from the Secretary of the Clinton Township Planning Commission, that, in consideration of grant of variance by the Clinton Township Board of Appeals, the Special Land Use be granted to permit a used auto sales facility in the B-3 General Business District (Laridon Auto Sales, fka part of John's Lumber), located on 0.45 acre of land at the southwest corner of Gratiot and Kemp, addressed as 34165 Gratiot (Section 34), as requested. Roll Call: Ayes – Pearl, West, Aragona, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

**7. APPROVAL OF THE 2017 / 2018 FISCAL YEAR TOWNSHIP BUDGET**

Mr. Cannon stated he appreciated the Board members obtaining answers to their questions ahead of time because this is a big budget to review.

Ms. Donna Lauretti, Finance Director, presented three changes to the proposed budget that were discussed at the last meeting:

- Clerk's Department – Add one-half position of Office Clerk II, changing the budget from \$849,669 to \$882,419, which is an increase of \$32,750. She noted the increase raises to \$41,231 at the end of the three-year projection.
- Parks & Recreation Department – Elimination of two Recreation Programmers to be replaced by two Recreation Coordinators, changing

the budget from \$1,052,698 to \$1,063,913, which is an increase of \$11,215. She noted the increase raises to \$28,348 at the end of the three-year projection.

- In the “Streets and Highways”, \$5,000,000 was removed.

She summarized that in the March 31<sup>st</sup>, 2018 Requested Expenditure Budget, the total is \$17,933,295.

Mr. Cannon stated they had discussed these changes, and this is just incorporating them into the budget.

Mr. Aragona thanked the Finance Department for sitting down with him and going through the budget, and the department heads and staff who answered his questions. He highlighted the increase in the Cable Department, and had asked Mr. Perpich to be here to outline how those increases are going to benefit the citizens. He stated that Mr. Perpich was not here but wrote a letter, indicating the upgrades would be in the control room, the studio and the Board chambers, allowing for virtual background sets as well. It will be easier for them to see the documents.

Mr. Cannon stated it has been a long time since they made this type of investment, and for those watching at home, they are seeing it from a type of camera that was designed for security in parking lots, so the quality has not been very good. He assured the clarity will be much better.

Mr. Gielegem also thanked the Budget and Finance Department for their work on this budget, which is a plan that serves as a roadmap. He stated the Township is a service provider for the people who live in Clinton Township, and although they do not sell products, they provide services. He noted that people are hired to provide those services, and this budget is a commitment to the services provided as well as to the people who provide those services. He explained that, when looking at legacy costs, they are promises that were made to those service providers and they must be kept, but the Township also should look at holding the line because there are fewer people who are paying for those who are retired. Mr. Gielegem felt this is a conservative budget, and he raised the issue of roads, noting that as a township, they receive no money for road improvements. He added the biggest source of funding for roads comes from the gas tax and car registration at the state level, and is funneled through the cities and, in the case of townships, it goes through the county. He concluded that this budget is a statement of priorities but it will change and the Township must be adept to change. He stated Mr. Cannon has an active group looking at how the local resources can be used to pull more money down from those organizations.

Mr. Cannon stated the next time they have an opportunity to do something like what they did on 19 Mile or Cimarron, he will be bringing it to the Board for consideration.

Ms. West apologized that she was home sick with the flu during the last meeting, but thanked the Finance Department for their thorough job on covering the budget.

Ms. Lauretti outlined the items that need to be included in the motion.

Motion by Ms. West, supported by Mr. Gielegem, to adopt the 2017-2018 Fiscal Year Township Budget as presented this evening; further, to adopt the “Year Ending 3/31/17 Estimated” column as the “2016-2017 Amended Budget”; further, to include the proposal for the additional retiree health care contribution as presented; and further, to include the sanitation increase of \$1.75 per month, from \$13.00 to \$14.75, beginning April 1<sup>st</sup>, 2017. Roll Call: Ayes – West, Gielegem, Aragona, Keys, Pearl, Cannon, Meltzer. Nays – None. Absent – None. Motion carried.

#### **8. APPROVAL OF APPOINTMENTS TO PART-TIME OFFICE AIDE POSITION – SENIOR CENTER**

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated March 6<sup>th</sup>, 2017 from the Human Resources Director, and appoint Ms. Nadia Maguire to the budgeted position of part-time Office Aide in the Senior Center, with starting wage of \$13.04 per hour, and a start date of March 20<sup>th</sup>, 2017, contingent upon successful completion of a background investigation and pre-employment medical examination, including drug screen. Roll Call: Ayes – Pearl, West, Aragona, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

#### **9. APPROVAL OF APPOINTMENT TO PART-TIME ASSOCIATE PRODUCER – CABLE DEPARTMENT**

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated March 6<sup>th</sup>, 2017 from the Human Resources Director, and appoint Mr. David Perzyk to the budgeted and approved position of part-time Associate Producer, with a starting wage of \$19.15 per hour, and a start date of April 4<sup>th</sup>, 2017, contingent upon successful completion of a background investigation and pre-employment medical examination, including drug screen. Roll Call: Ayes – Pearl, West, Aragona, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

#### **10. UPDATE REGARDING ZONE 6 SANITARY SEWER OPEN CUT POINT REPAIRS – EMERGENCY SEWER REPAIR AT 36566 S. GRATIOT AVENUE**

Motion by Mr. Keys, supported by Mr. Aragona, to receive and file the letter dated March 9<sup>th</sup>, 2017 from Mr. Scott J. Chabot, P.E., Senior Project Manager,

Giffels Webster, regarding the update on the emergency sewer repair at 36566 Gratiot Avenue as part of the Clinton Township Zone 6 Sanitary Sewer Point Repairs. Roll Call: Ayes – Keys, Aragona, Pearl, Cannon, West, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

#### **11. PURCHASE OF ONE (1) SIX-YARD DUMP TRUCK BODY**

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated February 28<sup>th</sup>, 2017 from the Director of Public Services, and approve the purchase of one (1) six-yard dump truck body with equipment at a cost of \$20,191, to be purchased from Truck and Trailer Specialties, through State of Michigan Contract #071B1300074; further, this purchase is to come out of the 2016/2017 repair and maintenance budget. Discussion ensued.

Ms. Bednar explained she was informed this will take a couple of months to receive so it should come out of next year's budget. She indicated she discussed this with the Department of Finance, and they can amend the budget later, but it cannot be paid for until it is received.

Mr. Gielegghem noted this is a 17-year-old truck. He inquired as to the cost for a new truck.

Ms. Bednar replied they have two six-yard dump trucks and the cost of a new truck is approximately \$350,000.

Mr. Gielegghem stated this is a repair for \$20,000 instead of buying a new truck.

Ms. Bednar clarified they have two six-yard dump trucks, and they may be looking at replacing the older one next year.

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

#### **12. ADOPTION OF TOWNSHIP ORDINANCE NO. 426: RODENT, VERMIN HARBORAGE, RAT WALLS AND SLABS SPECIFICATIONS**

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

Mr. Keys asked for clarification on Section 3 addressing penalties.

Mr. Dolan replied that the Township Code has a General Administration section, and in that section, the penalty provisions are spelled out in detail, whether it is a civil infraction or, in this case, a misdemeanor. He explained that a misdemeanor, as authorized under state statute for local ordinances, allows a

maximum penalty of up to 93 days in the county jail and a maximum fine of up to \$100. In addition, the court can impose probation costs and supervision of the person during the period of probation. He replied to further inquiry that this is the maximum penalty under this ordinance.

Mr. Keys thanked Mr. Dolan for the clarification.

Motion by Mr. Keys, supported by Mr. Pearl, to adopt Ordinance No. 426, which amends the Code of Ordinances, Chapter 1496.05, Rodent, Vermin Harborage, Rat Walls and Slabs Specifications, as presented, effective immediately upon publication. Roll Call: Ayes – Keys, Pearl, Aragona, Cannon, West, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

### **13. ADOPTION OF TOWNSHIP ORDINANCE NO. 427: REVISIONS TO VIDEO SURVEILLANCE ORDINANCE**

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

Motion by Mr. Keys, supported by Mr. Pearl, to adopt Ordinance No. 427, which amends the Code of Ordinances to add Chapter 864, Surveillance Cameras Required for Certain Businesses, as presented, effective immediately upon publication. Roll Call: Ayes – Keys, Pearl, Aragona, Cannon, West, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

### **14. ADOPTION OF TOWNSHIP ORDINANCE NO. 428: REVISION OF ORDINANCE 1401.18 (B) WATER OVER CHARGES**

Mr. Cannon clarified this is a revision to an ordinance that was already in existence to make it fair for both the customers and the Township.

Ms. Meltzer noted that she had distributed a copy of a change to be made in the wording.

Mr. Aragona questioned whether this is regarding an overpayment or an underpayment.

Mr. Cannon confirmed it is for both, and they are going back six years. If it is discovered that someone was underpaying, the Township can go back for six years and bill them. If someone was overpaying, the Township will go back six years and refund their overpayment.

Mr. Aragona inquired as to how they chose the period of six years.

Mr. Dolan replied that six years coincides with the statute of limitations for enforcing the contract. By state law in Michigan, if there is a claim for money due, there is a six-year period where that claim can be brought forth; otherwise, the statute of limitation ends and they have lost their claim. He clarified the Township is trying to be consistent with state law as it would apply to one person's claim.

Mr. Cannon recalled discussing this some time ago.

Motion by Mr. Pearl, supported by Mr. Aragona, to adopt Ordinance No. 428, which amends existing Ordinance 1401.18(B), Adjustments to Water Rates, as presented this evening, effective immediately upon publication. Roll Call: Ayes – Pearl, Aragona, Keys, Cannon, West, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

**15. ADOPTION OF TOWNSHIP ORDINANCE NO. 429: AMENDMENTS TO THE FIRE CODE ADOPTING CHAPTER 1620-21 PROHIBITION, OPEN FLAMES AND SPARKS EMITTED BEYOND PROPERTY BOUNDARIES; UNMANNED AIRBORNE DEVICES EMITTING OPEN FLAMES OR SPARKS**

Motion by Mr. Keys, supported by Mr. Pearl, to adopt Ordinance No. 429, which amends the Fire Code by adding Chapter 1620-21, Prohibition, Open Flames and Sparks Emitted Beyond Property Boundaries; Unmanned Airborne Devices Emitting Open Flames or Sparks, as presented, effective immediately upon publication. Roll Call: Ayes – Keys, Pearl, Aragona, Cannon, West, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

**16. INTRODUCTION OF TOWNSHIP ORDINANCE NO. 430: REPEAL OF TOWNSHIP ORDINANCE: TAXI CABS**

Ms. Meltzer explained this is on tonight's agenda for introduction. The purpose is the legislature recently enacted Act 345 of Public Acts of 2016, and one of her goals as Clerk is not only to clean up the ordinances as they exist but those that become rescinded or repealed by the legislature so there are cleaner ordinances on the books. She contacted Mr. Dolan and appreciated his work on this.

Motion by Mr. Pearl, supported by Mr. Gielegghem, to receive and file the letter dated March 3<sup>rd</sup>, 2017 from the Township Attorney, and to introduce and publish proposed Ordinance No. 430, which repeals Ordinance No. 412, Chapter 880.01, Taxi Cabs, with the intent of adopting this ordinance at the next Regular Meeting of the Township Board scheduled for Monday, March 27<sup>th</sup>, 2017. Roll Call: Ayes – Pearl, Gielegghem, Aragona, Keys, Cannon, West, Meltzer. Nays – None. Absent – None. Motion carried.

## **17. 2017 SCHOOL TAX COLLECTION AGREEMENTS**

Mr. Cannon stated this is a nice service the Township Treasurer is providing to the community, noting it is cheaper for the schools to collect the taxes in this manner than if they had to collect them on their own or contract it out.

Motion by Mr. Keys, supported by Mr. Aragona, to approve the 2017 Tax Collection and Distribution Agreements made between the Charter Township of Clinton and the five (5) school districts within the Township, as presented. Roll Call: Ayes – Keys, Aragona, Pearl, Cannon, West, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

## **18. UPDATE DESIGNATION OF DEPOSITORIES RESOLUTION**

Mr. Gielegghem stated it is his responsibility to the Board and community to look at all investments of the Township and analyze them based on three criteria: 1) Safeguarding funds; 2) Liquidity, making sure dollars are available as needed; and 3) Maximizing returns on dollars. He explained his predecessor started the strategy of considering their investment vehicles that are compliant with Public Act 20 and very secure, with little risk of losing money. He explained they want to invest money in ways that will result in a better rate of return. He has provided a third quarter report, but also needs a list of depositories and indicated they are asking to widen the list for those with which they can enter the contract.

Mr. Pearl stated that there is currently about \$100 million that is either deposited or invested. He added Mr. Gielegghem has agreed to put provide information once they decide where those investments are going. He questioned whether Mr. Gielegghem is going to put together a report.

Mr. Gielegghem replied that information is included in the quarterly reports he prepares as required by state law. He added he is always available to answer questions.

Mr. Pearl stated he would like to see where those investments are and how the Township is investing those funds. He suggested looking at investing into T-bills. He admitted it is difficult to guarantee, but he stated they do not want losses. He appreciated Mr. Gielegghem looking into this and bringing this forward.

Motion by Mr. Pearl, supported by Mr. Keys, to adopt the updated Designation of Depositories Resolution, as presented. Discussion ensued.

Ms. Meltzer inquired as to what the lowest rating in which the Township can invest.

Mr. Gielegghem stated that is all spelled out in Public Act 20.

Mr. Pearl stated they will be getting a report that will also indicate what each fund is rated.

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

**19. REQUEST CLOSED SESSION: ATTORNEY-CLIENT PRIVILEGED WRITTEN OPINION**

This item was deleted from tonight's agenda.

**20. DISPOSITION OF TAX-FORFEITED PARCEL LOCATED AT 36201 GARFIELD / VACANT (PARCEL #16-11-30-277-082)**

Mr. Keys stated he is happy this is in front of the Board this evening. He questioned as to whether there was a reason why it was added on to the agenda.

Mr. Cannon affirmatively, explaining the reason is that if the first developer is to be awarded the purchase of this property, they would like to have it included with the project he has started, so time is of the essence. He stated there were a few different options, and this seemed to be the best and the fairest for all concerned.

Mr. Gielegghem clarified that the Board is going to reject all bids and direct Mr. Santia to reach out to realtor agents to try to find the best sale for this property for someone who can put it into good productive use.

Mr. Dolan recommended the motion should be to approve with the conditions as presented.

Motion by Ms. West, supported by Mr. Cannon, to receive and file the letter dated March 9<sup>th</sup>, 2017 from the Director of the Department of Planning and Community Development, reject all bids received for the disposition of the vacant tax-forfeited parcel located at 36201 Garfield (Parcel #16-11-30-277-082), and to rebid the property with the conditions as presented in the correspondence. Roll Call: Ayes – West, Cannon, Aragona, Keys, Pearl, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

**APPROVAL OF MINUTES OF FEBRUARY 27<sup>TH</sup>, 2017 REGULAR TOWNSHIP BOARD MEETING**

Ms. Meltzer explained she distributed to the Board members' clarification of one change to the minutes, noting the original package contained the wrong name regarding Item #12.

Motion by Mr. Pearl, supported by Mr. Aragona, to approve the minutes of the February 27<sup>th</sup>, 2017 Regular Township Board Meeting with the correction as noted. Roll Call: Ayes – Pearl, Aragona, Keys, Cannon, West, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

### **APPROVAL OF BILLS**

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

### **PUBLIC COMMENTS**

There were no public comments.

Ms. West indicated she will not attend the next meeting because she will be in Washington D.C. for an event for the Housing Commission.

### **ADJOURNMENT**

Motion by Mr. Pearl, supported by Ms. West, to adjourn the meeting. Roll Call: Ayes – Pearl, West, Aragona, Keys, Cannon, Gieleghem, Meltzer. Nays – None. Absent - None. The meeting adjourned at 7:32 p.m.

Respectfully submitted,

KIM MELTZER, CLERK  
CHARTER TOWNSHIP OF CLINTON