

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, MARCH 19TH, 2018

PRESENT:	JENIFER WEST	TRUSTEE, ACTING CHAIR
	KIM MELTZER	CLERK
	PAUL GIELEGHEM	TREASURER
	JOE A. ARAGONA	TRUSTEE
	MIKE KEYS	TRUSTEE
	KENNETH PEARL	TRUSTEE
ABSENT:	ROBERT J. CANNON	SUPERVISOR (EXCUSED)

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.

Ms. Meltzer requested that a motion be made and supported to appoint Ms. West to chair the meeting tonight in Mr. Cannon's absence.

Motion by Mr. Keys, supported by Mr. Pearl, to appoint Ms. West as Acting Chairperson for tonight's Board meeting in Mr. Cannon's absence. Roll Call: Ayes – Keys, Pearl, West, Aragona, Gieleghem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

APPROVAL OF AGENDA

Ms. Meltzer stated there are no deletions from tonight's agenda.

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

18. Request Approval of SDD/SDM Liquor License Transfer – RSK Group Inc., 34705 S. Gratiot
19. Recommendation of Personnel Vacancy Committee

Ms. Meltzer also requested that Item #18 be moved to Item #1 because there are some young children present, and it could be rather late by the time they would get to that item.

Motion by Mr. Pearl, supported by Mr. Aragona, to approve tonight's agenda with the addition of Items #18 and #19, and to move Item #18 to Item #1, with Item #1 becoming Item #1A. Roll Call: Ayes – Pearl, Aragona, Keys, West, Gielegghem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

PUBLIC ANNOUNCEMENT

Ms. Meltzer announced that Saturday, March 24th, 2018, from 10 a.m. to 4 p.m., they will be hosting a Passport Day. She advised that the Clerk's office processes passport applications and explained that the cost of implementing them is going up, so this will provide a last opportunity for those who are interested in applying for a new passport to do so at current rates. She clarified this will not apply to renewals, only new passports. She explained it will be on a first come, first served basis. She advised there is information available on www.travel.state.gov as to the documents that would need to be filled out before coming in, as well as the cost. Ms. Meltzer encouraged anyone who needs a new passport to come to the Township Clerk's Office on Saturday, March 24th from 10 a.m. to 4 p.m. to take advantage of the prices before they go up.

1. REQUEST APPROVAL OF SDD/SDM LIQUOR LICENSE TRANSFER – RSK GROUP INC., 34705 S. GRATIOT (formerly Item #18)

Ms. Meltzer stated the reason for adding this on to tonight's agenda is that this is a conditional license, and they are waiting for the State of Michigan to approve it. Once that happens, they are all set. She indicated they are in compliance with all local requirements, so the decision was made to move forward with this request. She added that the applicants are present tonight.

The applicant identified herself (name inaudible), and explained they are seeking approval to open their liquor store.

Ms. Kristen Redding, on behalf of the applicant's attorney's office, explained they have processed all the applications on behalf of the applicant and are working through the Michigan Liquor Control Commission (MLCC) for the transfers. They have applied for the Conditional Liquor License as well as the regular Liquor License, and they will be going through the regular process as required by the MLCC for verification of finances, non-criminal history backgrounds, etc.

Motion by Mr. Pearl, supported by Mr. Gielegghem, to receive and file the letter dated March 14th, 2018 from the Township Clerk, and approve the request for the SDD/SDM Liquor License Transfer to RSK Group, Inc., 34705 S. Gratiot, Clinton Township, Michigan 48035. Roll Call: Ayes – Pearl, Gielegghem, Keys, West, Aragona, Meltzer. Nays – None. Absent – Cannon. Motion carried.

1A. APPROVAL OF 2018 / 2019 FY BUDGET (formerly Item #1)

Motion by Mr. Gieleghem, supported by Mr. Pearl, to adopt the requested March 31st, 2019 budget for the 2018/2019 Fiscal Year, as well as the estimated March 31st, 2018 amended budget, including the proposal for additional retiree health care and MERS contributions, as presented. Discussion ensued.

Mr. Gieleghem stated the budget was distributed to all the Board members and was brought to the previous meeting, where they had a discussion, followed by questions and answers. The goal tonight is to adopt the budget. He addressed a schedule he had requested which speaks to the overall health of the community's budget. It looks at items like strong fund balance, whether they are an indebted community, whether they are meeting commitments in the future for the people who provide the services within the community. He felt this budget meets the goals of all three of those categories. He addressed the bond schedule and noted that if all bond indebtedness is added from General Fund, Police and Fire, it amounts to approximately \$61 million. He calculated the bonded debt at approximately \$15 million. He felt that indicates the Township is healthy in all those areas. He addressed the issue of Water and Sewer, with \$44 million in revenue, but the bond of indebted ratio of about \$64 million of water and sewer debt, largely due to the Township being under a Consent Agreement and are actively trying to upgrade all sewer systems to ensure compliance with the Department of Environmental Quality (DEQ), and trying to keep anything underground from entering into residents' basements, and making sure it does not get out into the waterways. Mr. Gieleghem felt that overall, the Township is still healthy in this area as well.

Mr. Pearl mentioned that most of those bonds are obligations that the Macomb-Oakland Interceptor District imposed onto the Township and the bonds the Township floated for \$25 million they have used for improvements over the last ten years is much smaller than the indebtedness they inherited when Detroit sold the interceptor system to the Macomb-Oakland Interceptor District.

Mr. Gieleghem noted that the Township's debt is not necessarily of their doing. He stated although it is assessed to their residents, it is assessed from drain boards and other operators of the sewer system, including the county and the Great Lakes Water Authority. He pointed out this budget includes a double contribution beyond what they are required to provide for long-term liability for pensions and retiree health care.

Ms. Laretti confirmed they have been doing this for the past four years for retiree health care, but this is the first year they are addressing the MERS pension.

Mr. Gielegem stated they must be mindful of the fact that they are a mature community and he estimated they have more retirees than current employees, so they must try to hold the line regarding expenses. He also mentioned the “wild cards” for which they need to be aware, including the roads that are under the jurisdiction of the County, yet the County is requesting the Township fund 50% of the roads. He also noted sewer infrastructure is another “wild card”; however, he felt they are providing the services that the residents have let them know that they want. He thanked Ms. Laretti and Ms. Hein for the great job they did on the budget, and what they do for the Township.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, inquired as to whether this budget includes the body cameras for police officers, and if so, under which line item.

Ms. Hein replied that was in the current budget and not the upcoming budget, because it has been completed. She indicated it is included in the Capital Outlay line item, although she clarified there were other expenditures included in the Capital Outlay line item.

Mr. Hogan inquired as to how many police officers and firefighters the Township has currently.

Ms. Laretti replied there are 93 sworn police officers and 75 firefighters.

Mr. Hogan noted there are fewer firefighters than police officers, yet he questioned why the firefighters have \$20,000 budgeted for college expenses, and the police officers have only half that amount.

Ms. Laretti explained the budgeted amount is based on history. The amount budgeted is for current police officers and firefighters to go back to college on their own, and the firefighters have been taking advantage of that more than the police officers in the last few years.

Mr. Hogan inquired as to the \$40 fee per permit charged for sidewalks, and he questioned where this line item is in the budget.

Mr. Miller explained that is through the Building Department and is under “Sidewalks” under the Building Department permit revenues. He clarified it is \$50 per sidewalk approach permit, noting the price went up last year.

Mr. Hogan noted that the budget indicates \$350,000 for sidewalks, and he inquired as to where those sidewalks will be going. He questioned whether they are located on Groesbeck in front of the businesses, or in neighborhoods.

Ms. Bednar stated they went out for bid on this project. She replied they conducted a survey of the entire Township and determined the locations of the defective sidewalks throughout the Township, clarifying that they are sidewalks having a defect of two inches or more. She noted there is also a project located in the Smokler-Clinton Subdivision.

Mr. Hogan inquired as to whether the Township would be paying for sidewalks in front of businesses.

Ms. Bednar assured these sidewalk repairs would then be reimbursed by those businesses or residents.

Ms. Meltzer inquired as to whether the police body cameras were paid for through forfeiture dollars.

Ms. Lauretti replied that was a budgeted item.

Mr. Pearl thanked Ms. Lauretti and Ms. Hein for putting this together, noting the auditors have always given them high grades on their work. He appreciated the hard work and recognized the tough times they got through a few years ago. He did not feel they are spending anything excessive now, but they must look at everything closely, and he felt they have a conservative budget.

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

2. SITE DEVELOPMENT APPROVAL: PARKSTONE VILLAGE APARTMENTS – PART OF LOT 30 (1.31 ACRES) FRONTING THE EAST LINE OF HARPER, SOUTH OF METRO PARKWAY (PARCELS #16-11-25-101-008 AND -009)

Mr. Ron Chiesa, of RA Chiesa Architects, offered to answer questions.

Mr. Pearl inquired as to whether the parcels have been combined.

Mr. Chiesa replied that the paperwork for the parcel combine has been submitted to Assessing.

Mr. Pearl inquired as to whether Mr. Chiesa has addressed the objections noted from the Fire Department.

Mr. Chiesa clarified that the Fire Department has since contacted the Planning Department, indicating their original objection was a miscommunication in their comments on the review, and they have no objections.

Mr. Santia confirmed that has been resolved, and he indicated any objections previously noted by the reviewing agents have also been resolved, except for the combining of the lots, which is currently in process.

Mr. Chiesa stated he spoke with the Fire Marshal, who indicated he is happy with the plan. Mr. Chiesa also noted that his engineer, Mr. Mitch O'Connor, has drafted and submitted the paperwork necessary for the property combine.

Mr. Pearl inquired as to whether this development will have eighteen two-bedroom units.

Mr. Chiesa confirmed that is correct.

Mr. Keys inquired as to whether there is a community area in this development.

Mr. Chiesa replied it is a small development so there is no common area. He added that the Fire Department is please with the fact that each unit will have its own access, and there will be no common hallways or stairways. All stairs will be internal to each unit.

Mr. Keys appreciated Mr. Chiesa's commitment to put in so many trees in the area.

Mr. Chiesa replied they are trying to increase the tree canopy and are putting in more than the required number of trees.

Motion by Mr. Gielegem, supported by Mr. Pearl, to receive, file and concur with the letter dated March 9th, 2018 from the Secretary of the Clinton Township Planning Commission, concerning the Site Development Plan for Parkstone Village Apartments, to be located on 1.31 acres of vacant land, being part of Lot 30, Supervisor's Plat #7 Subdivision, generally located east of Harper, south of Metro Parkway, that the site development plan be approved as presented, subject to combining the two lots through the Department of Assessing. Roll Call: Ayes – Gielegem, Pearl, Keys, West, Aragona, Meltzer. Nays – None. Absent – Cannon. Motion carried.

Mr. Chiesa inquired as to how long the combine process generally takes.

Mr. Santia replied the process of combining lots through Assessing generally takes about two or three weeks. He added it will depend on how busy the County is, because they finish the process.

3. SENIOR CENTER CLUB CAR UTILITY VEHICLE – FUNDRAISING EXPENDITURE

Ms. Debbie McClellan, Assistant Director of the Senior Center, stated the seniors have worked hard with fundraising, and this club car utility vehicle will be used for the gardening group in their growing of vegetables and healthy foods for the community. She added it will also be used for events such as the Festival of the Senses.

Ms. West commented that it is great the seniors have raised the money for different items, and they have done a great job.

Ms. McClellan agreed, noting the fundraising goes on throughout the year. She noted they are going on their fifth year with this garden, and it could not be done without the hard work of the seniors. She stated they are a great group of people.

Mr. Keys stated he knows this vehicle will help them get water out to the garden.

Ms. McClellan thanked the Board for their support.

Motion by Mr. Keys, supported by Ms. Meltzer, to receive, file and concur with the letter dated March 14th, 2018 from the Chairperson of the Budget/Ways & Means Committee, and approve the purchase of a Club Car Utility Carryall 500 Electric Vehicle for the Senior Center, to be purchased from U.S. Communities in the amount of \$10,466, to be paid with monies from the Senior Center's fundraising efforts. Roll Call: Ayes – Keys, Meltzer, Pearl, West, Aragona, Gielegghem. Nays – None. Absent – Cannon. Motion carried.

4. APPROVAL OF APPOINTMENT TO PART-TIME CUSTODIAL MAINTENANCE POSITION – PUBLIC SERVICES

Motion by Mr. Pearl, supported by Mr. Gielegghem, to receive and file the letter dated March 13th, 2018 from the Human Resources Director, and appoint Mr. David McKenna to the budgeted position of Part-Time Custodial Maintenance, at an hourly wage of \$15.38, with the first day of employment on March 20th, 2018, subject to successful completion of a background investigation and a pre-employment medical examination, including drug screen. Roll Call: Ayes – Pearl, Gielegghem, Keys, West, Aragona, Meltzer. Nays – None. Absent – Cannon. Motion carried.

5. APPROVAL OF AMENDMENTS TO NON-REPRESENTED EMPLOYEE PAY AND BENEFITS POLICY

Ms. Meltzer noted that this proposed policy increases the tuition reimbursement from \$3,000 up to \$4,000 per year.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated March 13th, 2018 from the Human Resources Director, and approve the amended Non-Represented Employee Pay and Benefits Policy, as presented. Roll Call: Ayes – Pearl, Aragona, Keys, West, Gielegghem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

6. CABLE TV DEPARTMENT NAME CHANGE / REVISED JOB DESCRIPTIONS

Mr. Jim Perpich, Cable TV Director, explained this is a change to reflect the times. The “Cable Television” name by itself was fine for many years, but its primary function was to produce cable television, which was the primary medium on which all programming was telecast. Their videos are now being put on social media and the YouTube channel, providing on-demand service, so it has extended beyond cable television. The Township does not have a formalized community relations function, and looking at communities such as Sterling Heights, Warren and St. Clair Shores, to name a few, they have gone to a “Community Relations” name and function, with the television operation being part of it. He mirrored that setup, and the change in job titles reflects more of the duties of the staff. He noted the Community Relations function is to serve all the department’s directors, as well as the Board.

Mr. Keys thanked Mr. Perpich for being here tonight to speak on this, and he appreciated the summary. He stated he always tries to look at how the residents are affected, and this highlights the fact that cable television has moved beyond only television but is focusing on social media and other outlets as well. He is also hearing that it is important for the Township to speak with one voice, including the letterhead or sending out media postings for committees and updating committee websites. He stated he is in favor of that, and it appears Mr. Perpich’s department is ready to take that on. He appreciates what has been done so far, and what will be done in the future.

Mr. Gielegghem is in support of the change, noting it is reflective of the additional responsibilities they have taken on. He pointed out if they have a press release they want to go out after hours, they contact Mr. Perpich. When they want to put out a letter in the Clinton Currents, showing charts and graphs of where taxes go, they contact Mr. Perpich and his department to help them put something

together. He appreciated the work they do and indicated the title change makes sense.

Mr. Dana Dugger, 37852 Suburban, Clinton Township, Michigan 48036, welcomed this change, and complained that often municipality websites are very old and outdated. He felt someone looking after and coordinating the website is very much needed in the Township.

Motion by Mr. Keys, supported by Mr. Pearl, to receive and file the letter dated March 6th, 2018 from the Cable TV Director, and approve the change in name from the Cable TV Department to Community Relations and Media Services; further, to change the titles of the existing staff working in the department from the Director of Cable TV to Director of Community Relations and Media Services; from the Assistant Director of Cable TV to the Manager of Media Services; and from Producer to Media Specialist, effective April 2nd, 2018. Roll Call: Ayes – Keys, Pearl, West, Aragona, Gielegem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

7. PUBLIC HEARING – MNRTF LAND ACQUISITION GRANT FUNDING REQUEST TO ACQUIRE PARCEL #16-11-15-153-002 (21150 BELLVIEW) FOR FUTURE RECREATION PURPOSES

Ms. Meltzer read the letter into the record, noting it is for Items #7, #8, #9 and #10 on tonight's agenda.

Mr. Scott Chabot, of Giffels Webster, stated the letter provided a summary to the background. He provided more information related to the grant, explaining that the Michigan Natural Resources Trust Fund is part of Public Act 101 of 1985. It provides a source of funding for public acquisition of land for resource protection and public outdoor recreation. The funding is derived from royalties on the sale and lease of state-owned mineral rights (oil and gas). The State Constitution requires these royalty payments be paid through the trust fund, and to be used to promote recreation opportunities throughout the State. He outlined the two types of eligible projects: recreation and land development. He clarified they are here tonight for the recreation grant, although this process could lead to the Township, in future years, applying for the development grant, which would provide for amenities for recently-acquired or existing properties in the Township. The eligible projects must be related to outdoor recreation uses or protection of the land for environmental importance or scenic beauty. He explained that for the land acquisition grants, a good appraised price must be available prior to submitting application, but there is no minimum or maximum acquisition request amount. There are several requirements, including a willing seller, and he understands the Township has a willing seller for both properties. It must have access to the public, and he noted there is public road with access for both. If the grant is approved, all non-recreation structures must be removed; however, it

takes about a year-and-a-half to two years to complete that process. Mr. Chabot noted one of the biggest components of this is the public input process, and prior to any Resolutions to move forward, they must hold a public hearing. Because there are two separate properties, there would be two applications and therefore, they are holding two separate public hearings related to the land acquisition request for the Trust Fund Grant. He informed that the deadline for submitting these grant applications is April 1st, 2018.

Ms. West inquired as to whether a sign-in sheet is needed from tonight's public hearing.

Mr. Chabot replied the most important thing they need is the minutes.

Mr. Dolan advised they will need a motion to close the public hearing, but Ms. West, as Acting Chair, can open the public hearing.

Ms. West opened the public hearing for the parcel off Bellview, and she opened the floor for comments and questions from the audience.

Mr. Dana Dugger, 37852 Suburban, Clinton Township, Michigan 48036, stated that the Bellview property looks like a good fit for the Township, and adding it to the park facilities in the area would be a plus for the Township. He stated it appears to be riverfront property when looking at the aerial, and he supported the Township pursuing the grant for acquisition of this parcel.

Mr. Aragona thanked Mr. Chabot, Ms. Bednar and others who have worked on these projects. He noted that Ms. Meltzer and Mr. Gielegem were both State Representatives, along with Mr. Sowerby, who is also present tonight, and he indicated he served as Chief of Staff for another State Representative, commenting that they can all attest to the fact that Macomb County receiving money out of the Trust Fund is not common. It is hard to do because of the point system on which the projects are rated. He felt these projects look promising, and he is excited to see these go forward.

Mr. Gielegem stated that, of the two grants being discussed tonight, this is the one they knew they needed to apply for. He explained that many years ago, Woodrow W. Woody Park was established, noting it is a great parcel behind the house that was donated to the Township. George George Park came next, which was directly adjacent to Woodrow W. Woody Park. He noted the big concern at George George Park is the need for more parking; however, they are restricted because there is a house on that adjacent property. They believe they have a willing seller of that house, they own the property directly behind it, so they feel it is a benefit to the resident as well as the Township for the Township to acquire this. It is an opportunity to open and expand access to George George

Park, so he felt this is a “win-win”. He acknowledged part of the problem in the Trust Fund grants is that a lot of communities in Macomb County have not submitted applications for those grant dollars, so he commended the Township staff for being proactive on this. He replied to inquiry that they have been turned down in the past for grants, but he also pointed out they have not been as aggressive as they need to be.

Mr. Pearl inquired as to who owns the land around this parcel.

Mr. Santia replied the Township owns the property on both sides. The west side of the river is privately-owned. The Township owns everything on the east side except for this home and another home further south. He replied to further inquiry that this parcel does not abut the main parcel but abuts the auxiliary parking area off Bellview. He replied to further inquiry that there is a house, two accessory buildings and a pool.

Mr. Pearl inquired as to who owns the pool.

Mr. Santia replied the Township will own the pool if they are able to acquire the property.

Ms. West inquired as to whether anyone else from the audience wished to speak, but there were no more comments or questions from the audience.

Motion by Mr. Pearl, supported by Mr. Keys, to close the public hearing on the Michigan Natural Resources Trust Fund (MNRTF) Land Acquisition Grant Funding Request to acquire Parcel #16-11-15-153-002 (21150 Bellview) for future recreation purposes. Roll Call: Ayes – Pearl, Keys, West, Aragona, Gielegem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

8. RESOLUTION TO AUTHORIZE CLINTON TOWNSHIP TO MATCH MNRTF WITH NO DONATED FUNDS – LAND ACQUISITION OF PARCEL #16-11-15-153-002 (21150 BELLVIEW) FOR FUTURE RECREATION PURPOSES

Motion by Ms. Meltzer, supported by Mr. Aragona, to adopt the Resolution of Authorization – Local Unit of Government Match Without Donated Funds for the Michigan Natural Resources Trust Fund (MNRTF) Land Acquisition Grant Funding Request to acquire Parcel #16-11-15-153-002 (21150 Bellview) for future recreation purposes. Roll Call: Ayes – Meltzer, Aragona, Keys, Pearl, West, Gielegem. Nays – None. Absent – Cannon. Motion carried.

**9. PUBLIC HEARING – MNRTF LAND ACQUISITION GRANT FUNDING
REQUEST TO ACQUIRE PARCEL #16-11-24-301-004 (VACANT PARCEL ON
SHEFFIELD) FOR FUTURE RECREATION PURPOSES**

Ms. West opened the public hearing for the parcel on Sheffield.

Mr. Gielegem stated this request is one the Township, as well as Mr. Chabot and Giffels Webster, had to scramble to meet the deadline. He appreciated all the work they have done that had to happen very quickly. He explained this was brought to his attention by Representative William Sowerby, who had talked with several residents in the area. He noted this parcel has been owned by one of the intercounty drain boards for about sixty-five years. They spent a lot of Great Lakes Restoration Fund money along the spillway and noted the name “spillway” should be changed. They found out from Ms. Candace Miller, Macomb County Public Works Commissioner, the reason they are selling this is to unload the maintenance cost. The County has set a priority of creating a “blue water economy” and to do that, public access to bodies of water that can access Lake St. Clair is needed. He pointed out this parcel could provide that public access. He reminded that the first step is acquiring the property, and the second step is to come up with a plan for it. One of the conditions of the grant is to make sure this is a property that serves the entire community, it is for recreation purposes and needs to be open and available to everyone. He indicated that can create some challenges, but they have received a great response from the MDNR Trust Fund, so he thanked all who worked on this, including Mr. Sowerby and Ms. Candace Miller, who has been very open to working with them on this.

Ms. Kathy D’Andrea, 24084 Alpine, Clinton Township, Michigan 48036, stated her property extends back to the spillway. She expressed concern about an article she claimed was in the Journal that there are going to be 15 homes built in that area.

Mr. Santia believed they were talking about this property, and that was the original plan to sell it to a developer. He assured they do not have plans to develop homes on this property, and there is no other project in the area.

Mr. Gielegem stated the County has a goal of trying to preserve open space. He clarified this owned not just by the Macomb County Drain Board but the Inter-County Drain Board, with representatives from Lapeer, St. Clair, Sanilac and other counties, so they have questioned why they are holding on to this property. Their plan was to sell it and make money but applying for this grant money to purchase the property is the plan in lieu of their selling it to a developer. He thanked the Public Works Director for working cooperatively with them and giving them some time to come up with a plan that protects the open space.

Mr. Dana Dugger, 37852 Suburban, Clinton Township, Michigan 48036, stated he has lived in the area since 1979, and he recalled in the 1980's, that property was allowed to be overgrown with weeds that he claimed were ten feet tall. He cited a sad incident where an elderly gentleman had wandered from a local nursing home and died in a ditch on Sheffield and was not found for several weeks. They put up with dirt bikes running on the property, and he claimed former Commissioner Welch gave dirt from the property for fill on the I-696 project, having heavy equipment on the property moving dirt until late at night. Mr. Dugger pointed out that the purposes for which this grant application can be made also cite for "protection of the resource" and "to preserve scenic beauty". He stated when the property is maintained, it is beautiful. Last year, he witnessed a wedding party doing a photo shoot on that property. There is wildlife in the area and is used for dog-walking and other recreation. He could not understand why the Inter-County Drain Board would feel the need to dispose of this property, cautioning that once property is lost from the public trust, it is most often gone forever. He thanked Commissioner Candace Miller for being receptive to postponing action on putting this property up for sale. She thanked the Board and staff for putting the groundwork together on short notice to find a way for the Township to acquire this property and keep it in the public trust and available. It is serene and an asset to the Township, and he expressed support of this endeavor.

Mr. Rodney Tolbert, 43600 Naves Court, Clinton Township, Michigan 48038, referred to the comment that the Inter-County Drain Board is trying to dispose of this property because of the maintenance cost. He inquired as to how much maintenance cost will be incurred by the Township if they acquire the property. He clarified he is not of the opinion that they should not get it, but he questioned how much the maintenance cost will be to maintain this property.

Mr. Gielegghem explained that was the will of the Drain Board, and not necessarily Ms. Miller's opinion. He explained they hire private contractors, whereas the Township has internal staff to maintain their property. During the application period, they will have to work out an agreement with Public Works because they still own it. After that, the idea is to develop a plan that provides for recreational opportunities, but those costs have not yet been determined. He clarified there are a couple of phases, and that includes helping with the maintenance during the grant application phase.

Mr. Tolbert inquire as to whether the maintenance cost would be made public.

Mr. Gielegem replied affirmatively, noting it would be like all other Township costs.

Ms. Kristina Howard, 37950 Suburban, Clinton Township, Michigan 48036, stated her property is at the dead-end, and she can see the subject property from her house. She stated she has a three-year-old and a ten-year-old and they love to take walks and run around that property. She commented that everyone has childhood memories, and she would like the children in the area to be able to spend time in such a beautiful and refreshing area. She appreciated what the Township is doing to try to preserve this property.

Mr. Robin Burnett, 24325 Alpine, Clinton Township, Michigan 48036, property owner around the corner from the subject parcel, explained he used the subject property to run and play with his two Labrador dogs. He questioned what the Township's plan is, should they acquire the property. He indicated if they are going to put in a boat launch or some public access in that will draw a lot of people, then he would rather see a couple of houses on the property. He admitted it makes sense to go after grant dollars, but he is concerned about the ultimate plan for the property, and he felt the neighbors may have a lot more to say about what that property should be used for in the future. He understood if grant dollars are used, it must be on something that the entire Township can enjoy, and everyone wants to have a place to "play", but he expressed concern as to what that will mean for his neighborhood, and the traffic and parking problems it may create up and down the street. He stressed that when the Township comes up with a plan, they would like to see it and help the Township decide how it should be used. He appreciated Mr. Dugger bringing this to the attention of the neighbors so they could have some input.

Mr. Chabot stated the Township may opt to develop the property in the future, and at such time, there will be a public input process required as part of that. He noted it helps in the scoring of the application to have that amount of public input moving forward.

A resident at 24344 Chelsea, Clinton Township, Michigan 48036, stated he has lived there for 21 years. He stressed he loves his neighborhood the way it is, and Mr. Dugger has gone out of his way to try to keep the neighborhood the way it is. He felt a boat launch would require the removal of two bridges, including I-94 as well as one on Jefferson because boats would not be able to get under those bridges. He claimed the only ones to benefit will be the builders and the Township to get additional tax dollars.

State Representative Bill Sowerby, 37860 Saddle Lane, Clinton Township, Michigan 48036, stated he is excited for this project. He assured he will be working hard in Lansing to work with the Township and DEQ on this grant. He serves on the Natural Resources Committee as the Minority Vice-Chair, and knows several employees of the DEQ, with whom he will be working. He thanked Mr. Dugger for initially contacting his office and bringing it to his attention, and then reaching out to speak to Mr. Gillegghem on this. The concern was that the Drain Board was on a mission of selling this land and building homes. He applauded Commissioner Candace Miller for recognizing that open space is extremely important. He assured that whatever happens with this land after it is purchased will take place through another entire process, with grants available for that as well. Mr. Sowerby explained that when he looked at the trust fund grants that were distributed in the process around the State, which go by region, counties all over the State are getting these dollars, but not Macomb County. He felt they have a “great shot” at this because Macomb County is clearly not getting their fair share of these grant dollars. He assured that if they can acquire this land, it will remain open space and that is a benefit for everyone in the neighborhood and the community. He assured he is available to help in any way he can and urged residents with questions to contact him and he will be happy to answer their questions.

Ms. Nancy Ladd, 24343 Chelsea, Clinton Township, Michigan 48036, questioned the process for the next stage if the land is acquired. She inquired as to whether there will be public hearings to determine what will be done with the property.

Mr. Chabot replied it will depend upon the Township’s intent, noting it must be used for recreational purposes. One option would be to pursue a development grant through the Trust Fund, and that has matching dollars they could apply for, so they can make improvements. He explained that grant requires public input, as do most other grant opportunities. They have a public input process to make sure constituents of the area and the people who are going to be near there have a voice as well. He assured it is a transparent process, where they come up with a concept plan ahead of time, and that becomes refined during the public input process.

Mr. Burnett questioned whether they have an initial plan at this time.

Mr. Chabot replied they do not have a plan.

Ms. West clarified the initial plan is to acquire the property first.

Mr. Burnett understood that, if this moves fast, the neighbors would like to be notified as soon as there is a plan.

Mr. Chabot informed that the acquisition process can take from 1-1/2 to 2 years, so it will not be a quick process. He assured once there is a development stage, the residents will be notified.

Ms. West reminded that the property acquired through the grant must be used for recreational purposes.

Mr. Pearl stated there was another community to the south that received a grant, they built a senior center and years later tried to sell it, only to find out they did not own it because it was a grant, and nothing should have been built on it. He assured the Township will not do that, and it will be used for recreation only.

Mr. Duggar claimed that these acquisitions through the grant process can be for resource protection and to maintain the scenic beauty. He understood that they do not have to develop it as something more than retaining and maintaining.

Mr. Chabot replied that is correct.

Ms. Tiffany Taylor, 17790 Mattson, Clinton Township, Michigan 48036, questioned whether there will be an opportunity for residents to give input before a proposal is made, or will it be reactive, where they can see what the team has created and then give input.

Ms. Bednar explained the Township has a Parks & Recreation Master Plan, and in that Master Plan they have asked the public what kind of assets they would like to see. If they go forward with any kind of development, they will be using that document to look at what the residents of Clinton Township want to see and will use that as their guideline moving forward. At that point, they would then come to a public meeting with a plan and would have concept drawings. She reiterated they use their Master Plan documents to move forward.

Ms. Taylor asked if the Township has ever veered away from that process and allowed the community, along with the Township, to determine the plan.

Ms. Bednar assured the Master Plan has community input in it, and that five-year plan was approved by the Board about a month ago.

Ms. Melzer apologized to Representative Sowerby for not reading his letter into the record. She proceeded to read the letter, indicating his support of this application.

Mr. Chabot requested that Ms. Meltzer make sure the minutes are certified prior to submittal.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, questioned the options that would be available for this park, such as a boat launch, fishing pier, etc. He questioned whether it will come back to a public meeting with five options listed, and whether the public present at the meeting will get to vote for one of those options. If the property remains as is, becoming a small park for the neighborhood, the only residents benefitting are the 15 to 20 residents of the neighborhood. He pointed out there are 100,000 people in Clinton Township and they may prefer to see options other than a neighborhood park.

Ms. Bednar replied that, at this point, there has been no decision as to the future use of the property. This has been a fast process, and she indicated they have some ideas for the other parcel because they have been looking at it for some time. They do not have ideas for this parcel at this point, but she assured her department as well as the Department of Parks and Recreation and Township Board, will be looking at the Master Plan to see what fits best for where it is located. At this point, they know it is an ideal property to have in their control.

Mr. Hogan commented that he did not get an answer to his question, and sooner or later, someone will have to come up with a plan. He inquired once again as to who will be able to vote on it.

Mr. Gielegem assured the Township has a lot of guiding documents, and this is a two-year process to acquire the property. They have a Parks & Recreation Master Plan that they can use, as well as grant requirements. They have the balance of obtaining property and using General Fund dollars to obtain it and balancing the concerns of the neighborhood with the fact that everyone in the Township is served. The Board must balance those items, and he assured they will be talking with the residents and coming up with plans they feel the entire Township will like, although he cautioned not everyone will agree with everything all the time.

Mr. Dolan clarified the Township Board has the responsibility of the way Township-owned property is utilized so ultimately, the development of this site will be done under the control of the Township Board, as with all properties owned by the Township. He stated the most important thing is to be mindful of the circumstances they face now. The property is owned by an Inter-County Drain Board, and only one person on that board has accountability to all the surrounding property owners and remaining citizens in the Township, and that person is Public Works Commissioner Candace Miller. All the other participants in the Inter-County Drain Board serve residents outside of Macomb County, and

do not have a substantial interest in what is done with this property, other than to get what they consider to be the fairest return on their money. The Township is not in a position tonight to announce any direction because there is more work to be done regarding the future utilization of the property. He reminded, however, the alternative is to have this property disposed of by a body that does not have a lot of accountability to the people who are directly affected.

Mr. Hogan agreed the Township should purchase the property, but he complained he still did not get the answer as to who decides the ultimate use of this property.

Mr. Dolan replied it is up to the seven members of the Township Board to make that decision.

Motion by Mr. Pearl, supported by Mr. Keys, to close the public hearing on the Michigan Natural Resources Trust Fund (MNRTF) Land Acquisition Grant Funding Request to acquire Parcel #16-11-24-301-004 (vacant parcel on Sheffield) for future recreation purposes. Roll Call: Ayes – Pearl, Keys, West, Aragona, Gielegghem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

10. RESOLUTION TO AUTHORIZE CLINTON TOWNSHIP TO MATCH MNRTF WITH NO DONATED FUNDS – LAND ACQUISITION OF PARCEL #16-11-24-301-004 (VACANT PARCEL ON SHEFFIELD) FOR FUTURE RECREATION PURPOSES

Motion by Mr. Keys, supported by Mr. Aragona, to adopt the Resolution of Authorization – Local Unit of Government Match Without Donated Funds for the Michigan Natural Resources Trust Fund (MNRTF) Land Acquisition Grant Funding Request to acquire Parcel #16-11-24-31-004 (vacant parcel on Sheffield) for future recreation purposes. Roll Call: Ayes – Keys, Aragona, Pearl, West, Gielegghem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

Ms. West thanked everyone for their input on these requests.

11. APPROVAL OF THE SCHOOL TAX COLLECTION AGREEMENTS

Mr. Pearl inquired as to whether the rates changed from last year.

Mr. Gielegghem replied affirmatively. He explained they did an analysis of their costs for doing this, and there is a charge per parcel to provide this service on behalf of the schools, which was \$1.75 last year. He explained it has been raised to \$1.80 per parcel this year, even though they calculate their actual cost is closer to \$1.91 per parcel. They will not pass on the full cost, and they have negotiated what they feel is a fair deal with the school districts.

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated March 12th, 2018 from the Township Treasurer, and approve the 2018 Tax Collection and Distribution Agreements with Clintondale Community Schools, Chippewa Valley Schools, Fraser Public Schools, L'Anse Creuse Public Schools, Mount Clemens Community Schools, Macomb Intermediate School District, and Macomb Community College, as presented. Roll Call: Ayes – Pearl, Keys, West, Aragona, Gielegem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

12. ADOPTION OF TOWNSHIP ORDINANCE #441 – REGULATION OF COLLECTION BOXES

Ms. Meltzer explained that this was introduced at the last meeting, and is ready to be adopted this evening, with changes. She requested that Mr. Dolan summarize the changes that have been made.

Mr. Dolan explained that on Page 4, under Section 1469-05-A-6-i, has been changed as follows:

Changed from:

- i. Not be permitted on any land zoned or used for residential purposes.

Changed to:

- i. Not be permitted on any land zoned or used for residential purposes other than land zoned residential used as a church or school with a paved parking lot with completely contiguous parking for at least 75 vehicles.

He advised this is the change to the ordinance from the time it was introduced, and the idea was to try to permit some of the churches and schools that have already utilized collection boxes, where there appears to be a sufficient setback area because of the size of the parking area, to continue to have that available.

Motion by Mr. Aragona, supported by Mr. Keys, to adopt and publish Township Ordinance #441 – Regulation of Collection Boxes, with the change as noted by Mr. Dolan. Roll Call: Ayes – Aragona, Keys, Pearl, West, Gielegem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

13. RESOLUTION REVISING FEE SCHEDULE PROVIDING FOR DONATION BIN PERMIT FEES

Ms. Meltzer explained these are the initial permit costs of \$50 per box. She noted the previous submittal indicated \$100 per box, so that cost was reduced, with a renewal cost of \$25 per box.

Mr. Pearl questioned why the permits must be renewed every year.

Mr. Dolan stated that was discussed administratively, and it was mentioned that the Township must do a lot of policing and site inspections on these boxes, so there is a continuing administration cost that relate to them. He pointed out these boxes must be closely monitored, because in some locations, they can become areas where people feel they can drop off used furniture or other items and leave them there to dispose of them.

Mr. Pearl inquired as to who will be monitoring these boxes.

Mr. Barry Miller, Superintendent of the Building Department, replied they will be monitored through his department as part of ordinance enforcement. It gives them a way to track which boxes were permitted and renew them each year. The Ordinance officer will be able to easily identify those that have been approved. This will also provide them with a tool to contact someone who is responsible for that bin, so each one will be assigned a number with a sticker on it. The Ordinance officer can run the sticker through the computer system to follow up with whoever oversees a box to clean up any mess. He explained they have come across quite a few that have overflow items and occasional dumping.

Motion by Ms. West, supported by Ms. Meltzer, to adopt the Resolution Revising Fee Schedule Ordinance Establishing Building Department Fees Providing for Collection Box Permit Fees, as presented. Roll Call: Ayes – West, Meltzer, Keys, Pearl, Aragona, Gielegem. Nays – None. Absent – Cannon. Motion carried.

14. REQUEST CLOSED SESSION TO DISCUSS CONTRACT NEGOTIATIONS

Ms. West indicated this is to schedule a Closed Session, and the Board will be returning.

Motion by Mr. Pearl, supported by Mr. Keys, to schedule a Closed Session immediately following the last item on tonight's agenda for the purpose of discussing Contract Negotiations. Discussion ensued.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, questioned why this item is not last on the agenda when there are people present for the remaining items. He did not understand why this would not be the last item on the agenda.

Ms. West clarified that the Board is voting to schedule a Closed Session that will follow the last item on the agenda, and they are not going into Closed Session now.

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

15. INTRODUCTION OF TOWNSHIP ORDINANCE #442: EDITING AND INCLUSION FOR TOWNSHIP CODIFIED ORDINANCES

Ms. Meltzer explained that these were fifteen ordinances that were approved last year, and this is part of the codification done on an annual basis.

Motion by Mr. Pearl, supported by Ms. West, to introduce Township Ordinance #442: Editing and Inclusion for Township Codified Ordinances, with the intent to adopt at the next Regular Meeting of the Township Board. Roll Call: Ayes – Pearl, West, Keys, Aragona, Gielegghem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

16. AMENDMENT TO THE CLINTON TOWNSHIP PROCUREMENT POLICY: CONTRACT, SERVICE PROVIDERS AND RECURRING VENDOR LIST

Mr. Gielegghem explained that the Board talked about this several times. It was adopted as part of the Procurement Policy, later rescinded and subsequently went to the Budget/Ways & Means Committee; however, there was no resolution by Budget/Ways & Means. From the comments at that meeting, as well as comments from the Directors, they made a few changes which he was confident accomplished the goal in providing clear direction. He stated Mr. Cannon was concerned about this being on the agenda without him being here, and for that reason, he would like to move to postpone this until the April 9th meeting, so he has an opportunity to weigh in on it. He assured it is never his intention to try to “sneak something through”. He pointed out that each year for the budget, as well as every ordinance that comes before the Board, they hold a public hearing and adopt it at the following meeting.

Motion by Mr. Gielegghem, supported by Mr. Pearl, to postpone the consideration of the proposed amendment to the Clinton Township Procurement Policy: Contract, Service Providers and Recurring Vendor List, to the next Regular Meeting of the Township Board, scheduled for Monday, April 9th, 2018. Roll Call: Gielegghem, Pearl, Keys, West, Aragona, Meltzer. Nays – None. Absent – Cannon. Motion carried.

17. REQUEST APPROVAL TO PUBLISH A REQUEST FOR PROPOSAL (RFP) IN REGARD TO OPIOID LITIGATION

Ms. Meltzer wanted to make sure these requests are a suggestion, and if more time is necessary for the Board to read the responses, that is acceptable. She indicated they want to move forward with this because there is a statute of limitations requirement, but she did not feel an additional two or three weeks will create a problem. She noted that Mr. Gielegem brought forth the first law firm, Goodman Acker, along with Sommers Schwartz, to bring this opportunity to the Township. She explained they heard from them at Budget/Ways and Means, and Ms. Meltzer stated she requested Mr. Dolan contact the Bernstein Law Firm, who also represents Macomb County on this issue. She had spoken with Judge Linda Davis and learned of the Miller Law Firm, who partners with Robbins Geller. She stated all three of those firms have a distinct history and have certain attorneys sitting on Executive Committee that will give the Township a strong presence in a decision-making process. Ms. Meltzer commented that they have narrowed the request for RFP to these three firms, noting there were other firms that came forward but did not have the same connection as these on a broader and more experienced scope.

Mr. Keys inquired as to why the RFP is limited to the three law firms mentioned.

Ms. Meltzer explained the idea is to have firms that have experience in the opioid litigation process, as well as the bodily injury component and representation on specific committees.

Mr. Dolan clarified this type of litigation is referred to as “mass tort”. It is not a true class action, but because there are so many different parties suing a group of defendants, all utilizing the same theories, the federal courts take these cases and consolidate them together. They enter an order and there is a combination of different committees that are formed to handle different parts of the pre-trial litigation process. These firms have been involved in these types of processes. He pointed out that the Miller Law Firm had representation on behalf of the state in the tobacco settlement, and Sommers Schwartz has handled mass torts that relate to different medical appliances. He added the Bernstein Law Firm has that type of experience as well. Each of these firms are also working in conjunction with out-of-state firms that already have presence on the committees that the court has established in this federal lawsuit in Cleveland, Ohio. Mr. Dolan explained he felt it would benefit the Township to have firms more experienced in mass tort, and although he handled a mass tort case in the 1980’s, he would not consider himself as the proper attorney to handle it. He would prefer to see an attorney who has been involved in these on a repetitive basis and currently has some position in this litigation in terms of being on one of these committees.

They had a dialog-type review with each of these firms with the three full-time officials present.

Mr. Gieleghem explained a lot of communities are stepping forward and stating they have a huge epidemic of opioid addictions, related deaths and the explosion of heroin, which starts with opioids. He noted they have found that this was a drug designed for end-of-life and, through deceptive practices, mis-marketed to a wide group of people and patients. He claimed they did misleading studies to encourage doctors to prescribe these drugs, and distributors did not follow the rules, so a lot of communities are recognizing that there is a real basis for this case. Mr. Gieleghem met with the Police Chief and inquired as to how many runs this involves in the Township and looked at whether there is the ability for reimbursement on this if the Township wins this case. He informed that, since there are so many communities coming forward with this, the court has referred all these cases to one federal judge in Cleveland. He noted that the first attorney firm on the list approached the Township, and the other two have partnered with law firms that are well-adapted at handling these mass torts. He admitted others may want to do it, but they have not come forward.

Mr. Pearl inquired as to why they selected March 29th as the date for a pre-bid submittal conference.

Ms. Meltzer explained that is the Thursday before Good Friday, and they are looking at the timetable for the statute of limitations. She felt they can get a good time frame to have the attorneys respond, noting they have already been experienced in these cases.

Mr. Pearl inquired as to whether the RFP has been prepared.

Ms. Meltzer replied affirmatively.

Mr. Pearl inquired as to whether anyone has been successful in this up to this point because they are “just starting”.

Mr. Dolan replied that is correct.

Mr. Pearl inquired as to how long the tobacco litigation took.

Mr. Dolan stated he cannot answer that, but at this stage, it is clear that the federal judge handling this case is most interested in handling the non-monetary relief portion on this case, which involves entering orders to see that these marketing strategies are changed and that better controls are in place with regard to the opioid distribution issues that have existed in the past. They have no idea how long the compensation of dollars could take. He stressed the important thing is that once they file, no matter how long it takes as the case is

pending, they could recover any damages that accrue. He cautioned the Township has expenses that have gone back for years, the longer they wait to file, the more they potentially stand to lose. He stated the statute of limitations on a case like this is three years.

Mr. Pearl inquired as to whether the attorneys will take a percentage of the settlement.

Mr. Dolan replied affirmatively, noting that is the way the proposal is drafted. They can present a contingent fee, and the RFP also asks for a very clear definition as to how costs will be charged.

Mr. Pearl stated he wants to know what it will cost the Township at this time.

Mr. Dolan replied that, in the discussions they have had up to this point, each of these firms has made it clear to him that they will front the costs. He added that legally, in the State of Michigan, the client would be responsible for the costs, but the law firms have stated they will front those costs.

Mr. Pearl noted these lawsuits can take years, and he did not see it as a big problem unless the Township is paying as they go.

Mr. Aragona inquired as to whether fronting the costs is the main criteria in selection, or whether it is expertise.

Mr. Dolan replied that these types of cases are done on a contingent fee basis. He believed each one of these firms would front the costs, so there is no question that they are done on a contingent-fee basis, although there are costs, so the issue is whether those will be completely fronted by the law firm, or whether they will come back to the client on a repeating basis for reimbursement. In this instance, they believe the costs will be fronted 100%. If it happens that they lose the case completely in trial, the Township would still have a responsibility for costs. He reiterated these three firms already have engagements with other entities, which could include counties, cities and/or townships.

Mr. Aragona inquired as to whether any law firms were left out for any reason.

Mr. Dolan replied that, of these three who were interviewed, none have been left out. He noted there may be some other firms who want to get involved, but he did not hear from any of them. He recalled a telephone conversation with Ms. Meltzer, who indicated a firm had spoken to her about wanting consideration, but he did not know whether they would be in the same category as the three firms mentioned.

Ms. Meltzer stated she had a conversation with a local firm, but they did not follow up with her or get back to her. She explained the conversation she had with this law firm was that their firm partnered with a firm out of Chicago. There was some concern with the firm being out of the State of Michigan. She added that each of the three law firms mentioned work in and have a presence in this State, as well as outside of the State. She reiterated they did not follow up with her.

Mr. Aragona stated he was the Chief of Staff in Lansing for Representative Forlini, and he claimed they were the first to introduce and pass bills regarding the opioid crisis. They made sure Narcan was in ambulances, police cars, and made sure friends and family could obtain a script for Narcan. He pointed out it is not just adults but also high school athletes who have “straight A’s” and would never be expected to be addicted to drugs. He stated it is amazing to see the different walks of life affected by this huge issue, and he supports this effort.

Motion by Mr. Aragona, supported by Ms. Meltzer, to receive and file the letter dated March 15th, 2018 from the Township Clerk, and authorize the publication of a Request for Proposal (RFP) in regard to opioid litigation; further, that a pre-bid submittal conference be scheduled for March 29th, 2018, the proposed submittal date be April 2nd, 2018 at 4:00 p.m., and the award date be at the Township Board meeting on April 9th, 2018. Discussion ensued.

Mr. Gielegem stated there are multi-levels of legal representation in Cleveland. There is a group who will try the case, a steering committee, an advisory panel, and others. The three firms to receive the RFP have indicated they have partners who are part of the different levels of the case. He stated he is open to the idea of leaving the bidding open, but he pointed out Ms. Meltzer is the one who must administer this, so he would defer to her. He questioned whether there would be viable proposals if the bidding was left open. He doubted there would be, so there would most likely not be much harm in leaving it open. He stressed he would first like to look at the proposals from the three law firms mentioned.

Ms. Meltzer stated they have invested the time in these firms and did not seek out anyone else. She inquired as to whether Mr. Dolan has concerns about the choices they have made at this time.

Mr. Dolan replied he is satisfied that these firms can carry forward successfully with the litigation. He noted this is a policy decision for the Board to determine how they want to handle it; however, based on the dialog they have had to date with these firms, he is convinced that any of them have the requisite qualification to handle a case like this. He does not know about other firms, noting the Township would have to look at their qualifications and proposals.

Ms. Meltzer expressed concern about postponing this because she felt the statute of limitations is an issue.

Mr. Dolan explained that, as the days and weeks go by, they deploy a lot of resources, through Fire, Police and elsewhere because of this crisis, and he referred to Mr. Aragona's reference to Narcan. He explained the Township carries that in all its vehicles and do a lot of resuscitation on people who have had opioid-related overdoses and spend a lot of manpower time and out of pocket costs on these. When they can only go back three years, claims start to drop off in instances where they had those expenses. He indicated the longer they wait, the more they are losing. He clarified that, once they file suit and it is in place, at that time, they have their suit in court and have gone back three years, so as time goes on, they are not losing those earlier days.

Mr. Gielegem assured he is not suggesting they postpone this, and he is confident these three firms are all capable of handling this, and if they want to entertain other proposals, he did not anticipate there will be a lot of them.

Mr. Dolan stated he does not know how they would advertise for that quote.

Ms. Meltzer added they did interviews because they wanted to treat each of the three firms equally.

Ms. West stated she sat in on the first interview, and recalled they directed Mr. Dolan to look at some of the others. They addressed the contingency concern, and she felt if the RFP is already together, she did not have a problem keeping it as is.

Mr. Keys stated he felt Mr. Dolan stated it well when he indicated it is a policy issue in terms of what the Board wants to do. He explained they have a Budget/Ways and Means Committee, who called their contacts in the community, and brought law firms in. He could see no harm in having this open to others for bidding and could not see why they would limit themselves to three firms. He stated he sat through two presentations, not through Budget/Ways and Means but for the County, and he agreed that one of these three firms will likely be the choice. He reiterated that he could see no harm in opening it to others for bidding. He pointed out the Board members will have the final say in who they choose, and they will know that these three firms have gone through presentations in the committee process. He felt as policy, they should always be on the side of going out to bid and taking in as much information as possible.

Ms. Meltzer inquired as to whether the County had other firms they interviewed as well, in addition to the three firms proposed for the Township's bid.

Mr. Keys explained the County Executive's office went through a process where they interviewed multiple firms and took in suggestions. When it got to the Board level, he knew there was only one recommendation made, and that was highly scrutinized. He was aware there were a lot of people on the Board who objected to the fact that there was only one firm presented. He acknowledged that is a different style of government. He replied to further inquiry he does not know if there were firms other than the three being recommended to receive the RFP, because it was handled by the Executive's office.

Ms. Meltzer stated they talked about putting this on MITN but felt that law firms generally do not respond in that manner. She stated she has a lot of respect for Judge Linda Davis, who started Families Against Narcotics (FAN) and helped draft legislation with Representative Forlini and the Governor. She noted Mr. Gieleghem knew Mr. Mark Brewer and his experience, and she added they are all aware of the experience offered by the Bernstein law firm. She felt they looked at the experience, and felt they have good firms from which to choose. She felt they should move forward.

Mr. Pearl questioned what happens with all these separate lawsuits in Cleveland, and whether they all combine.

Mr. Dolan replied there is a committee put together to try to complete certain discovery processes, so they are not doing the same thing repeatedly. That can be used in multiple cases, and the court may end up trying to establish a process where certain cases get selected for trial. They will do this based on the overall nature of the cases. Once they are tried and the outcome is looked at, that will hopefully give some additional insight to the parties as to how the cases should be resolved. He noted there could be other cases that could be tried, but the attorneys selected by the Township will be watching those cases, and ultimately, the case may get settled based on the outcome of other trials, or it may get settled based on negotiations.

Mr. Pearl questioned who they are suing.

Mr. Dolan replied they are suing manufacturers and distributors. There is also a group of plaintiffs that go beyond the municipal entities.

Mr. Pearl stated he would normally be glad to open the bidding process, but he pointed out this is a specialized area, and the three firms mentioned have already been reviewed by the Budget/Ways and Means Committee. They are looking at the best firm to represent them, and he felt they will also be looking at costs down the road regarding the Township's share. He felt if they cannot pick one of the three, then they could open it up.

Ms. Meltzer clarified there are no costs for the Township.

Mr. Pearl acknowledged the fact there are no costs but noted the percentage of any settlement will be a factor.

Mr. Gielegghem noted it offsets how much the Township recovers.

Ms. Meltzer clarified that the motion includes the bids are to go out tomorrow, the pre-bid conference will be on March 29th, and the bids will be due on April 2nd. She cautioned that will give the Board members only a week to review those bids before their next Board meeting on April 9th. She suggested if that is too tight of a time frame, they can place this on the Board agenda for April 30th, but she reminded there are three weeks between those two meetings. She indicated that the Board can opt later to change it to the April 30th meeting.

Ms. West stated if the bids are lengthy, with a lot of time needed to review them, they can change the date to April 30th; however, she felt they should go with the April 9th meeting at this time.

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

**18. REQUEST APPROVAL OF SDD / SDM LIQUOR LICENSE TRANSFER
– RSK GROUP INC., 34705 S. GRATIOT**

This item has been moved to Item #1 on tonight's agenda.

19. RECOMMENDATION OF PERSONNEL VACANCY COMMITTEE

Ms. Meltzer explained that this is about her office. In the past, they have had an Elections Coordinator; however, they eliminated that position and lowered the expectation and cost to an Election Specialist position. She explained that the Department of Public Works was very engaged in what the Clerk's Office did for the election. After looking at UAW rules, they realized this was outside of their duties, so they can no longer rely on the Department of Public Services as much as they did in the past. As a result, after discussions with both the Human Resources Director and the Director of the Department of Public Services, they decided she could go out and hire someone from the private sector. She indicated she did that and was successful in having someone in that position to take on some of the work, which is about 100 to 150 hours of work prior to the election. She explained that person later rescinded their offer to work, which made her realize she cannot rely on the private sector in this regard. She felt it would be best for their office if they can reimplement the Elections Coordinator position. She indicated they will eliminate the Elections Coordinator position.

Motion by Mr. Aragona, supported by Mr. Keys, to receive and file the letter dated March 15th, 2018 from the Human Resources Director, and concur with the recommendation of the Personnel Vacancy Review Committee to authorize an Election Coordinator position in the Clerk's Office, negotiating an annual salary for the position, and its accretion into the UAW Technical Office Professionals bargaining unit is required; further, that funding this position requires a budget amendment to the FY2019 budget; further, that the Election Specialist position is to be eliminated. Roll Call: Ayes – Aragona, Keys, Pearl, West, Gielegghem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

APPROVAL OF MINUTES OF MARCH 5TH, 2018 REGULAR TOWNSHIP BOARD MEETING

Motion by Mr. Keys, supported by Mr. Pearl, to approve the minutes of the March 5th, 2018 Regular Township Board Meeting, as submitted. Discussion ensued.

Ms. West indicated she will be abstaining from this vote because she was absent from the last meeting.

Discussion took place regarding whether Ms. West can abstain or whether she must obtain the permission to do so from the Board.

Mr. Dolan advised that, for Ms. West to abstain, the Board has to vote on her request to do so.

Motion by Mr. Gielegghem, supported by Mr. Aragona, to allow Ms. West to abstain from voting on the approval of the minutes, since she was excused from last month's meeting. Ayes – Gielegghem, Aragona, Keys, Pearl, West, Meltzer. Nays – None. Absent – None. Motion carried.

Roll Call (on the vote to approve the minutes as submitted): Ayes – Gielegghem, Aragona, Keys, Pearl, West, Meltzer. Nays – None. Absent – Cannon. Abstain – West. Motion carried.

APPROVAL OF BILLS

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

PUBLIC COMMENTS

Ms. West stated there are public comments this evening:

Mr. Joseph Frontiera stated he has lived in a building at 38280 Fairway Court for the last year and a half, and he claimed there has been black mold growing in the crawl spaces. He stated he has contacted Mr. Miller, Superintendent of the Building Department, as well as the Environmental Protection Agency (EPA), Department of Health and Human Services (MDHHS) and Community Health; however, he claimed they have reached a dead end. He further claimed that testing has shown four different types of mold present, and he noticed last week that a school in Detroit is closed for the same issue. He questioned why it has taken over two years for something to be done. He understood there are no government laws on mold, but he quoted MCL554.139 which addresses tenants' rights regarding maintenance of property. He complained that the landlord and management company have not done what they are supposed to do, and he has sent emails to the Building Inspectors "without response". He stated he has tried to reach out to attorneys, but they have not responded.

Ms. West inquired as to whether Mr. Miller can work with Mr. Frontiera on this issue.

Mr. Miller assured he has spoken with Mr. Frontiera and is in the process of dealing with Stamper & Company regarding that issue. He added a mold remediation expert has submitted a report to Building, indicating he could not get an accurate read due to "cold conditions". He felt they are getting to the point where they will soon be able to get a good outdoor reading. The crawl space mold scenario had been addressed, but they are waiting on a report to confirm that the air quality within that crawl space is clear. Mr. Miller assured he has kept Mr. Frontiera informed of all of this and acknowledged that Mr. Frontiera has full right to pursue this legally against his landlord. He submitted reports that confirmed the existence of, and it was resolved.

Ms. West recommended that Mr. Frontiera continue to work with Mr. Miller.

Mr. Frontiera stated he is going to contact his attorney.

Ms. Barbara Towner, community member and volunteer in this community for about thirty years, working on the Library Board for many years, as well as Goodfellows. In addition, she works with the Chippewa Valley Coalition for Youth and Families, and they partner not only with the community but the Township on many events, such as their Suicide Walk, the drug take-backs, and others. They work together on national substance abuse resolutions, baby ordinances, and provide research-based information about the marijuana issues, and other events. She noted that the Clinton Township Planning Commission and Township Board are considering allowing large-scale grow operations for commercialization of medical

marijuana and selling of medical marijuana products, noting this may be going to a recreational level. She has been educated of the negative effect on communities and states that have adopted this, and she sees it every day. She felt the path is something they can learn from, and cited Colorado with the highest youth and adult marijuana use rates in the nation, adding that they also have the highest school drop-out rate in the nation. Ms. Towner was concerned with changing the face of the community by allowing these businesses in. She also expressed her concern about the marketing and advertising of these products, stressing she is an advocate for youth. She claimed recent research concludes that marijuana is associated with the increase risk of prescription opioid use and indicated she can provide a lot of information about it. She encouraged everyone to do their research and be informed on their decisions.

Mr. Dana Dugger addressed the topic of spillway property that is not available for sale. He stressed he has battled for forty years to get them to cut the grass, which grows to waist-high before it is cut. He felt anything they can do to encourage them to be good land owners would be appreciated. He thanked the Board for their hard work.

ADJOURNMENT INTO CLOSED SESSION

The meeting adjourned into Closed Session at 8:52 p.m. and reconvened at 9:10 p.m.

14. CONTRACT NEGOTIATIONS

Mr. William Smith, Human Resources Director, recommended the ratification of the Collective Bargaining Agreement between the Charter Township of Clinton and AFSCME 1917.29 Supervisory Employees, as presented.

Motion by Mr. Pearl, supported by Ms. Meltzer, to approve the Collective Bargaining Agreement between the Charter Township of Clinton and AFSCME 1917.29 Supervisory Employees, as presented. Roll Call: Ayes – Pearl, Meltzer, Keys, West, Aragona, Gielegghem. Nays – None. Absent – Cannon. Motion carried.

Mr. Smith recommended the ratification of the Collective Bargaining Agreement between the Charter Township of Clinton and AFSCME 1917.31 Mid-Management Group, as presented.

Motion by Mr. Gielegghem, supported by Mr. Keys, to approve the Collective Bargaining Agreement between the Charter Township of Clinton and AFSCME 1917.31 Mid-Management Group as presented. Roll Call: Ayes – Gielegghem,

Keys, Pearl, West, Aragona, Meltzer. Nays – None. Absent – Cannon. Motion carried.

Mr. Smith recommended the ratification of the Collective Bargaining Agreement between the Charter Township of Clinton and Police Officers Labor Counsel Lieutenants and Sergeants, as presented.

Motion by Mr. Pearl, supported by Mr. Aragona, to approve the Collective Bargaining Agreement between the Charter Township of Clinton and Police Officers Labor Counsel Lieutenants and Sergeants, as presented. Roll Call: Ayes – Pearl, Aragona, Keys, West, Gielegem, Meltzer. Nays – None. Absent – Cannon. Motion carried.

Mr. Smith recommended the ratification of the Collective Bargaining Agreement between the Charter Township of Clinton and Deputy Fire Chiefs as presented.

Motion by Mr. Aragona, supported by Ms. Meltzer, to approve the Collective Bargaining Agreement between the Charter Township of Clinton and Deputy Fire Chiefs, as presented. Roll Call: Ayes – Aragona, Meltzer, Keys, Pearl, West, Gielegem. Nays – None. Absent – Cannon. Motion carried.

ADJOURNMENT

Motion by Mr. Aragona, supported by Mr. Keys, to adjourn the meeting. Roll Call: Ayes – Aragona, Keys, Pearl, West, Gielegem, Meltzer. Nays – None. Absent – Cannon. Motion carried. The meeting adjourned at 9:12 p.m.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON