

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, APRIL 10TH, 2017

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

ABSENT: NONE

The Regular Meeting of the Board of Trustees was called to order at 6:30 p.m. in the Township Board Chambers, Clinton Township Civic Center. Also in attendance was Mr. Jack Dolan, Township Attorney. The Pledge of Allegiance was recited.

APPROVAL OF AGENDA

Ms. Meltzer requested the addition of the following item to tonight's agenda:

Item #24 - Request Approval of Employee Dismissal

She added the Board will be going into Closed Session.

Motion by Mr. Pearl, supported by Ms. West, to approve tonight's agenda with the addition of Item #24. Roll Call: Ayes – Pearl, West, Aragona, Keys, Cannon, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

1. RESOLUTION HONORING RENEE S. ARRINGTON-JOHNSON

Mr. Cannon stated that Ms. Arrington-Johnson is not present so they will come back to this item later in the meeting.

2. REQUEST PERMISSION TO HOLD CAR SHOW ON JUNE 10TH, 2017 AT 44880 HEYDENREICH

Mr. Barry Miller, Superintendent of the Building Department, replied to inquiry that he talked with the petitioner, who has hired someone who is familiar with hosting car shows. He indicated they intend to bring the traffic in off Heydenreich

to avoid excessive traffic on Hall Road, and he was confident that they have a good plan in place. He clarified that there is no event permit needed other than approval from the Township Board, and there is not a tent large enough to require any permit from his department.

Mr. Pearl stated there is plenty of room for parking at this location, and there are currently some vacancies in the shopping center, including the corner unit which has been vacant for a few months. He felt this is a good thing for them to do at this location.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated March 27th, 2017 from Mr. Elmer Szutkowski, owner of EJ's Auto Shop, 44880 Heydenreich, Clinton Township, Michigan 48038, and approve his request to hold a car show on Saturday, June 10th, 2017 from 11 a.m. to 5 p.m. at Pointe Plaza, as outlined in the correspondence. Discussion ensued.

Mr. Keys thanked Mr. Szutkowski for coming to the Board meeting tonight to provide information about this event, and he was glad to hear it is free of charge. He inquired as to whether the prizes will be raffled off.

Mr. E.J. Szutkowski, petitioner, explained they will bring the cars in around the back of the building, and once they get toward the front where his business is located, they will have a small table set up with donated tote bags that are filled with fliers from the local businesses. Everyone will receive a raffle ticket on their way in, and he emphasized there will be no cost for these tickets because he is not looking for any money. He added he is looking to "wake the area up", and they are hoping to have some Tiger tickets, a set of tires and one or two break jobs. The other businesses in the plaza will also be donating small items. He reiterated there will be no cost to the attendees for any of this.

Mr. Keys commended Mr. Szutkowski, noting that it is great to see a business owner take that initiative, and this is a way to promote the local businesses but also give back to the Township.

Mr. Szutkowski confirmed that the hours of the event will be from 11 a.m. to 5 p.m.

Mr. Gielegem inquired as to how Mr. Szutkowski communicated this event with the other business owners in the plaza.

Mr. Szutkowski replied his wife walked from business to business, introduced herself and provided each one with a business calendar. He noted that he has received business cards from almost all businesses in the plaza, and assured they are in full support of this. He stated that, on

the day of the event, they will make sure that everyone stays clear of their work zones, and he will be informing those business owners that he was before the Board this evening to obtain approval.

Mr. Gieleghem felt it is great to draw more people in, and he noted it is the first year for this event. He inquired as to whether Mr. Szutkowski has someone helping him with it.

Mr. Szutkowski replied that he has one of his customers helping him, and this customer takes care of all the car shows at the Packard Proving Grounds. He noted that the day after this event, the Proving Grounds will be holding a 700- to 800-car show, and his customer is the one who handles all of that. He stated he has met with this gentleman twice in the evening, walked the parking lot and mapped out where they will be keeping the aisles open. He assured that he will make the Township proud of this event.

Mr. Gieleghem stated as these events grow, they want to make sure there is the capacity to handle the crowds, so he wanted to make sure they have all the help and resources they need.

Mr. Szutkowski explained that one of the business owners in Pointe Plaza owns a business across the street, and if next year's event is larger, they may be able to filter cars over to the other side.

Mr. Gieleghem commented that as events grow, there may be more presence or services that are required from the Township, and there are costs associated with those services. He hopes the event is successful and that it will be back next year.

Mr. Szutkowski encouraged the Board members to attend.

Ms. Meltzer wished Mr. Szutkowski good luck in this endeavor, and she added that the timing is appropriate because the parking lot has been redone since last year and looks very nice.

Mr. Keys inquired as to whether there will be any live music or entertainment outside.

Mr. Szutkowski assured there will no live music and the only entertainment will be the people looking at the cars on display. He explained they will have six different categories, such as "Best Chevy", "Best Ford", "Best in Show", etc. He named a couple of the vehicles anticipated to be there, and stated it will not be only the old classics, but also some of the high-end autos.

Mr. Pearl inquired as to how many cars are anticipated that day.

Mr. Szutkowski guessed that there may be about 125 cars, noting that he currently has 78 signed up. He was confident that this can be orchestrated into a very clean event.

Mr. Pearl wished Mr. Szutkowski success.

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

Mr. Szutkowski inquired as to his next step to obtain a permit.

Ms. Meltzer explained there is no permit necessary, and he received the approval tonight that he needs from the Township Board.

3. REQUEST TO REPLACE BACKSTOP AND FENCING AT DIAMOND #5

Ms. Bednar stated that Mr. Brian Girard, Assistant Superintendent of Public Works talked with the petitioners and they have agreed to take off all the Township requirements they would like and now would like to move forward with the removal and replacement of the backstop as a donation to the Township. They are not going to do the concrete in the dugouts or in the outfield at this point. They will bring it to Budget/Ways & Means in the future.

Ms. Bednar replied to inquiry that they will fill in the holes because that is typically something they do. She noted that they are not present at tonight's meeting but they would like approval to donate the backstop to be removed and replaced.

Motion by Mr. Pearl, supported by Mr. Keys, to approve the donation from Clinton Valley Little League for \$7,800, which is the cost for removing and replacing the backstop at Diamond #5. Discussion ensued.

Ms. Bednar confirmed that there will be no additional work on the backstop at this point. There was talk about a temporary fence and they would like to go to Budget/Ways & Means to discuss it. She further noted they are not proposing the cement work now.

Ms. Meltzer inquired as to whether the cost being approved is \$7,773.14.

Mr. Cannon stated they are accepting the donation.

Ms. Bednar recommended not including the amount in the motion because what they are donating is the removal and replacement.

Mr. Pearl **amended** the motion, and Mr. Keys **amended** his support, to be worded as follows:

To approve the donation from Clinton Valley Little League for the cost of removing and replacing the backstop at Diamond #5.

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

4. REQUEST FOR OUTDOOR TENT SALE APRIL 8TH, 2017 THROUGH AUGUST 31ST, 2017 AT 41941 GARFIELD - KROGER

Mr. Cannon stated that this petitioner always does a nice job with their display.

Mr. Keys inquired as to whether the petitioner is present this evening. He noted that there is an agenda item this evening that proposes an ordinance amendment, which, if passed, will allow them to sell their flowers in the tent.

Mr. Cannon stated that Kroger does not want to conduct their sales outside and it is for display purposes only.

Mr. Miller stated he talked with the engineer, and confirmed that Kroger is not interested in conducting their sales outside. They take the money inside, and this area outdoors is strictly for display purposes. He mentioned he talked with the petitioner about obtaining a permit.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated March 31st, 2017 from Mr. Stephen Tanner, Kroger Store #528, 41941 Garfield Road, and approve the request for the temporary outdoor tent from April 8th, 2017 through August 31st, 2017 for display of Spring and Summer Outdoor Garden items, as outlined in the correspondence. Roll Call: Ayes – Pearl, Aragona, Keys, Cannon, West, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

5. SITE DEVELOPMENT PLAN: THE PLAZA OF LAKESIDE SENIOR LIVING (SENIOR APARTMENTS) – 6.68 ACRES OF VACANT LAND E/HAYES, N/19 MILE, ADDRESSED AS 43400 HAYES (SECTION 6)

Motion by Ms. West, supported by Mr. Gielegghem, to receive, file and concur with the letter dated March 29th, 2017 from the Secretary of the Clinton Township Planning Commission, concerning the Site Development Plan for The Plaza of Lakeside Senior Living (senior apartments), to be located on 6.68 acres of vacant land fronting the east line of Hayes Road, north of 19 Mile Road, addressed as 43400 Hayes Road (Section 6), and approve the Site Development Plans as submitted. Roll Call: Ayes – West, Gielegghem, Aragona, Keys, Pearl, Cannon, Meltzer. Nays – None. Absent – None. Motion carried.

6. SITE DEVELOPMENT PLAN: GARFIELD SHOPPES (FKA BURGER KING) – 0.92 ACRE W/GARFIELD, S/CANAL, ADDRESSED AS 41591 GARFIELD (SECTION 7)

Ms. West noted that neighbors present at the Planning Commission meeting voiced their concerns about the difficulty they currently have making a left onto Garfield, and the increased traffic that may result from this new development. She inquired as to whether the petitioner has given any thought to this.

Mr. Chris Jonna, 6476 Orchard Lake Road, Suite A, West Bloomfield, Michigan 48322, stated that they have eliminated their southernmost curb cut, so there is only one ingress/egress point on Garfield.

Mr. Gieleghem inquired as to whether they will still have the cross-access easement to the adjacent K-Mart parking lot.

Mr. Jonna replied affirmatively. He replied to further inquiry that they do not have the tenants determined at this point, but they will build to fit. He confirmed it will conform to the site development plan submitted.

Mr. Gieleghem noted that this is a plan for a small plaza with no drive-thru windows.

Motion by Mr. Gieleghem, supported by Mr. Pearl, to receive, file and concur with the letter dated March 29th, 2017 from the Secretary of the Clinton Township Planning Commission, concerning the Site Development Plan for Garfield Shoppes (fka Burger King), located on 0.92 acre of land fronting the west line of Garfield Road, south of Canal Road, addressed as 41591 Garfield (Section 7), and approve the Site Development Plan as submitted. Roll Call: Ayes – Gieleghem, Pearl, Aragona, Keys, Cannon, Meltzer. Nays – West. Absent – None. Motion carried.

7. PUBLIC HEARING #1 – SPECIAL ASSESSMENT PROJECT P-2009: SANTA BARBARA PAVING

Mr. Pearl requested to abstain from voting on this item because he lives on Santa Barbara.

Motion by Mr. Cannon, supported by Mr. Keys, to approve Mr. Pearl's request to abstain from consideration of Items #7 and #8 this evening due to a conflict of interest. Roll Call: Ayes – Cannon, Keys, Aragona, Pearl, West, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Gieleghem stated this item and Item #9 are more like one project, and suggested they be discussed at the same time.

Ms. Bednar clarified that they are two separate projects that will be bid out together by the Department of Roads.

Mr. Cannon informed that the comments will have to be received separately for each project, and they will be hearing comments regarding the Santa Barbara paving first.

Mr. Paul Kemp, 38509 Santa Barbara, Clinton Township, Michigan 48036, stated he is glad to see the roads are finally going to be done. He questioned where the residents should park during the repaving process.

Ms. Bednar believed they will be breaking the project down into sections, but she will have to verify that with the Department of Roads, and will be able to advise the residents as it gets closer. She stated they typically repave one side of the road, and then work on the other side.

Mr. Dwight Quertermous, 37943 Santa Barbara, Clinton Township, Michigan 48036, stated his house is at the corner of Santa Barbara and Mattson. He stated that he is glad this is going to be done, and noted that a portion of Mattson will be paved, but he questioned who will be paying for that portion.

Ms. Bednar clarified that, for corner lots, the portion the property owner on the corner pays for is the front footage just to the back property line, and the remainder of the cost gets absorbed by the entire district. She noted that Mr. Quertermous' frontage is about the same or a little more, but it will get absorbed by the whole district.

Mr. Quertermous inquired as to how real estate transactions are handled regarding the Special Assessment.

Mr. Dolan replied that is a matter of contractual arrangement between the buyer and seller of real property. When property is purchased, both the title company issuing the mortgage policy and the title company issuing the owner's policy will do a specific check for Special Assessments and will make a note on Schedule B of the Title Commitment that there is an outstanding Special Assessment, so it will be red-flagged for the property owners. He added how that is treated is a matter of the purchase agreement between buyer and seller. He noted that, often, the Special Assessment is listed as an obligation for the seller, but it can be prorated or it can be delegated all as a buyer expense.

Mr. Quertermous questioned whether that would have to be disclosed at the time of sale. He felt doing so could “upset the apple cart”.

Mr. Dolan pointed out that the positive side of that is the fact they will have a brand-new road.

Mr. Gielegghem stated that quite often, the lenders want to see these Special Assessment costs paid at closing and “off the books”.

Mr. Anthony Migliorati, 38502 Santa Barbara, Clinton Township, Michigan 48036, understood that the formula for determining the amount is based on front lineal footage. He inquired as to whether they know yet whether there will be a percentage of this paid for by the Township or the County.

Ms. Bednar replied the Department of Roads has decided to pay 50% of the cost of this project. She added that once they open the bids, they will be able to establish the portion to be paid for by the residents, the Township and the County.

Mr. Dolan stated that at this time, the project involves 5,094 lineal feet, and the estimated cost in total is \$177.50 per lineal foot, as put together by the Township’s consulting engineer. The anticipated one-half cost will be \$88.75 per lineal foot, which will be able to be paid in full up front or over time with interest.

Mr. Migliorati questioned whether this will take care of their drainage issues.

Ms. Bednar explained that the Department of Water and Sewer will be replacing the water main prior to the roads being done. She stated they are trying to be proactive so they do not have to tear up new roads in a couple of years. She clarified this is not part of the residents’ cost, but will be part of the Water and Sewer Division Water Replacement Program. She stated they have addressed some of the drainage issues.

Mr. Scott Chabot, of Giffels-Webster, the consulting engineering firm for the Township, explained that the existing asphalt will be pulverized, which he estimated will take about a day. They will then machine-grade the pulverized millings to create a new base for the road. They intend to replace driveways from the edge of the road to the right-of-way line to make the new road fit with the driveways. As part of the road project, they are trying to work with the existing drainage system but with improvements. Mr. Chabot stated they will be adding inlets between most of the driveways to aid in drainage. They intend to do cleaning of existing storm sewers on both sides of the road and if they find any substantially deteriorated pipes, they will budget for it. He indicated this will be the same procedure for both Santa Barbara and Santa Anna.

Mr. Migliorati complained that there are a lot of motorists who speed down their street, and he felt the installation of a couple of speed bumps would be great to slow down the traffic.

Ms. Bednar informed that the Department of Roads does not endorse speed bumps so they will not be part of the project.

Mr. Migliorati inquired as to whether stop signs could be installed at Santa Marie, Mattson and Nardy.

Ms. Bednar advised that once the road project is done, then if it is an issue, a study can be done to determine whether there is a need for stop signs.

Mr. Cannon commented that stop signs have been shown to cause motorists to go faster to make up time.

Mr. Keys noted Ms. Bednar indicated the Department of Roads does not “endorse” speed bumps, and he inquired as to whether that is their policy or whether the new director does not want them.

Ms. Bednar replied that it is a policy and has to do with maintenance of the roads.

Mr. Bob Ochmanski, 18621 Santa Marie, Clinton Township, Michigan 48036, homeowner at the corner of Santa Marie and Santa Barbara, questioned what the changes on his taxes may be because he is a corner lot.

Mr. Cannon assured this will not change his taxes.

Ms. Bednar informed that Mr. Ochmanski falls under the “corner lot policy” as well, so the frontage on Santa Marie will be paved but the cost will be absorbed by the entire district. She replied to further inquiry that it is a 60-foot right-of-way.

Mr. Chabot confirmed that the existing road rights-of-way throughout the entire project are 60 feet. The road itself is 20 feet wide, but the distance between the edge of the road and the right-of-way line is approximately 20 feet.

Mr. Ochmanski stated they had problems years ago with mailboxes being knocked over and at that time, a lot of the property owners brought in huge boulders to put on the edge of their property. He stated he has boulders at his corner which have deterred his lawn from being damaged. He realized those rocks will have to be moved out of the right-of-way for this road work, and inquired as to whether he will have to move them.

Ms. Bednar stated that she would have to defer that question to the Department of Roads but suspected they will have to be moved.

Mr. Ochmanski stated he understands and has no problem with that.

Motion by Mr. Keys, supported by Ms. West, to receive and file the comments made regarding Special Assessment Project P-2009: Santa Barbara Paving, and to close Public Hearing #1. Roll Call: Ayes – Keys, West, Aragona, Cannon, Gielegem, Meltzer. Nays – None. Abstain – Pearl. Absent – None. Motion carried.

8. ADOPTION OF RESOLUTION 3 – SPECIAL ASSESSMENT PROJECT P-2009: SANTA BARBARA PAVING

Motion by Mr. Gielegem, supported by Mr. Aragona, to adopt Resolution No. 3 for Special Assessment Project P-2009: Santa Barbara Paving, as presented. Roll Call: Ayes – Gielegem, Aragona, Keys, Cannon, West, Meltzer. Nays – None. Abstain – Pearl. Absent – None. Motion carried.

9. PUBLIC HEARING #1 – SPECIAL ASSESSMENT PROJECT P-2010: SANTA ANNA PAVING

Mr. Cannon stated this is a Public Hearing on the Santa Anna Paving Project, and he invited comments from the audience.

Mr. Lino Scamardella, 38450 Santa Anna, Clinton Township, Michigan 48036, a resident here for nearly 30 years, stated the residents in the area have a lot of questions regarding the road as it relates to the poor drainage in the area. He recalled talk about fixing some of the existing drainage, and he felt that is just as important as fixing the roads; otherwise, the new roads will deteriorate quickly with all the standing water. He thanked the Township for addressing the condition of their roads.

Ms. Mary Buccellado, 38203 Santa Anna, Clinton Township, Michigan 48036, complained that at times she has “lakefront property” because of the poor drainage in the area. She indicated there is a drain at the corner, but because of the standing water, her property has sunk and cannot properly drain. She inquired as to what impact this will have on the new roads.

Mr. Chabot assured they will be adding new inlet structures between the driveways to handle some of this drainage. He indicated that more of the water

will go onto the property, and they will be putting in more basins to capture the water into the storm system.

Ms. Buccellado claimed her husband did that a few years ago on their property, but they could only find one basin. They could cut out the dirt so the water would flow through the sewer. She inquired as to whether they intend to use construction materials that will last.

Mr. Chabot replied affirmatively.

Ms. Buccellado complained that once their roads are replaced, the residents on Horseshoe Drive and other neighboring streets will then be using their street because it will be in better shape.

Mr. Gielegem stated he lives on East Horseshoe and some of his neighbors are trying to go through the process of establishing a Special Assessment District for their street. He noted they do not have the number of signatures needed, so it is an ongoing effort.

Considerable discussion took place regarding the condition of the roads in the neighborhood and how much money is being spent to fill in the holes when those repairs do not last.

Mr. Pearl stated that is why the Department of Roads is willing to pay 50% of the cost. It is much better for them to pay the 50% than to continue to spend money sending crews out to fill holes.

Ms. Meltzer could understand the frustration of the residents, but she pointed out that having the new roads will greatly increase the property values of the homes on those streets. She felt the residents on Horseshoe will see how nice the new roads are and will see the logic in having their own road replaced. She stated the residents are wise to move on this now.

Mr. Mark Durocher, 38324 Santa Anna, Clinton Township, Michigan 48036, stated he has lived at this location for 25 years, and he claimed his street has never been in good condition. He claimed the road is down to the dirt in front of his driveway, so he did not anticipate that there will be enough asphalt to crush and make a base. He complained that he constantly has rocks from the deteriorating road in his driveway. He claimed that two good trucks of his have been “trashed” by the poor condition of the road, but he is concerned about the cost. He felt that \$180 per lineal foot seems exorbitant.

Mr. Cannon inquired as to whether Mr. Durocher is in favor of or opposed to the project.

Mr. Durocher felt it must be done, and stressed that the drainage issue is serious.

Mr. Cannon stated that the drainage issue is being addressed as part of this project.

Mr. Durocher questioned whether this will address the issue of drainage in their rear yards.

Mr. Dolan clarified that the drainage issues relating solely to the road are what will be addressed.

Mr. Durocher felt it is cause and effect and they need to address the entire drainage problem.

Mr. Dolan explained that the project will be bid out and will be widely advertised. They will get final bid numbers, which could differ from the numbers they received as estimates from the engineer. He indicated the amounts will be available at the next public hearing, and if they decide to continue with the project, the construction costs from the bid process will be available.

Mr. Cannon stated the Township has a very qualified engineering firm that will make sure it is done properly.

Mr. Joseph Cassatta, 38309 Santa Anna, Clinton Township, Michigan 48036, stated he was one of the two individuals who took up the petition on Santa Anna. He inquired as to dates when construction would commence and an estimated date of completion. He explained that people are asking him this information.

Ms. Bednar explained if this is approved this evening, it will go out to bid in late April, with the bid opening scheduled for mid-May. She anticipated they would begin the work right after Memorial Day, and hope to have the project done by the end of this summer or early fall. She advised that they will start with the water main and then come back to do the road.

Mr. Patrick Desantis, 37944 Santa Anna, Clinton Township, Michigan 48036, stated he is one of the few in the area that still has a ditch in front of his home, and he inquired as to how that will be addressed.

Mr. Chabot replied that most the open ditches will be enclosed.

Mr. Steve Gunn, 38109 Santa Anna, Clinton Township, Michigan 48036, questioned whether the sidewalks will be replaced, although he noted only a few houses have sidewalks.

Mr. Chabot replied that per requirements from the Department of Roads, any houses that had sidewalks where permits were pulled, those will be replaced; otherwise, it will be restored with grass.

Ms. Desantis, 37944 Santa Anna, Clinton Township, Michigan 48036, stated she understood that it is difficult for the Township to provide specific dates at this point, but she is hosting a very important event at her house in July and inquired as to whether they will have started the work in front of her house by that time. She inquired as to whether they will be working on Santa Anna first, or whether they will do the work on Santa Barbara first.

Ms. Bednar replied that once they select a contractor, they will be sitting down to establish a schedule. She clarified that the contractor dictates the schedule, so they will not know anything more specific in the way of dates until mid-May.

Mr. Gielegem anticipated that if both Special Assessment Districts are approved, they will work on the drainage for both at the same time before they move on to the next phase of replacing the roads.

Ms. Bednar agreed, noting it will be bid out as one project. She stated they will most likely do all the water main work at one time, then come back to do the pavement. She suggested Ms. Desantis contact her and they will look at the dates a little closer.

A resident from Santa Barbara inquired as to how they are going to cut in between the pavement and the lawn, and whether they will be leaving it in a condition where the residents will have to smooth it out.

Mr. Cannon assured the work will be completed and that is not something they will be leaving for the residents to complete.

Ms. Monika Jendhoff, 37950 Santa Barbara, Clinton Township, Michigan 48036, questioned whether everyone must pay for this, even if they voted against it.

Mr. Cannon explained the Township serves as a conduit for the residents, and if 50.1% of the residents want the project and 49.9% do not want it, it is a democratic vote for “yes”. The Township prepares the paperwork and everyone pays, but he reminded that even those who did not vote in favor will receive the benefit for their property.

Ms. Jendhoff had talked to someone in the area who told her they “absolutely will not be paying”.

Mr. Cannon assured that everyone will pay.

Mr. Michael Couck, 38339 Santa Barbara, Clinton Township, Michigan 48036, understood that this is two separate projects under one program. He requested that the Township provide the residents with more information as to cost, start date, estimated date of completion, etc.

Mr. Cannon assured they will be keeping the residents informed, and he commended Ms. Bednar for doing a great job on this. He pointed out that the water lines would not have been scheduled now, but they moved that project up. He assured they will get the information to the residents as quickly as possible.

Ms. Bednar advised that, based upon a tentative schedule they received on Friday, they will hold a public hearing on May 30th, and the residents will receive notification by mail about a week to ten days prior to that date. At that time, they will have the bids open and will know the price. She cautioned that the May 30th date is tentative, because this also must go to the County Board of Commissioners.

Motion by Mr. Gielegem, supported by Mr. Keys, to receive and file the comments made regarding Special Assessment Project P-2010 Santa Anna Paving, and to close Public Hearing #1. Roll Call: Ayes – Gielegem, Keys, Aragona, Pearl, Cannon, West, Meltzer. Nays – None. Absent – None. Motion carried.

10. ADOPTION OF RESOLUTION 3 – SPECIAL ASSESSMENT PROJECT P-2010: SANTA ANNA PAVING

Motion by Ms. Meltzer, supported by Mr. Aragona, to adopt Resolution 3 – Special Assessment Project P-2010: Santa Anna Paving, as presented. Discussion ensued.

Mr. Cannon thanked all the residents for attending tonight’s meeting, and he emphasized his confidence that, although the roads are bad now and this is an emotional issue, the residents will be happy once it is done.

Mr. Keys stated this is scheduled to go before the Macomb County Board of Commissioners at their May 25th meeting; however, he noted that is listed as a “Reserve Meeting” so it may not go on that date. He inquired as to whether that will push the schedule back.

Ms. Bednar stated that would affect the schedule. She explained they looked at all the agendas to determine dates, and the dates she had mentioned would be “best case scenario”. She indicated they moved their bid opening date up to make the tentative May 25th meeting date.

Discussion took place regarding whether this could make the deadline for the Macomb County Board of Commissioners meeting.

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

**1. RESOLUTION HONORING RENEE S. ARRINGTON-JOHNSON
(postponed from earlier in the meeting)**

Mr. Cannon recalled some time ago there was effort to get a Cultural Diversity Committee in Clinton Township, and not all Board members were receptive. He stated that Ms. Arrington-Johnson was very helpful in getting things started, and he thanked her for what she has done for Clinton Township. He wished her great success in her next endeavor.

Ms. Renee Arrington-Johnson thanked the Township and expressed her appreciation for the recognition, but also appreciated the cooperation, the teamwork and comradery with all the people she has worked with from the Township. She stated she came to this area in 1993 from upstate New York, and she has seen the Township grow, along with a lot of changes, and she has a lot of hope that there will be more change in the future. She was happy to be able to be part of something positive for the community, and she thanked the Board for this recognition.

Motion by Ms. West, supported by Mr. Keys, to adopt the Resolution Honoring Ms. Renee S. Arrington-Johnson for her dedication and service to the community and contributions to her profession, as presented. Roll Call: Ayes – West, Keys, Aragona, Pearl, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

11. RESOLUTION FOR STATE DISASTER CONTINGENCY FUND

Ms. Meltzer confirmed the dollar amount in this Resolution is \$22,568.63.

Mr. Cannon stated this is the first time the Governor of Michigan has given the Township money to help offset their cost in helping to take care of the sinkhole disaster on 15 Mile Road. This is the money the Township will be reimbursed to the penny of what DPW, Police and Fire, along with other emergency responders during that crisis.

Motion by Mr. Pearl, supported by Ms. Meltzer, to adopt the Resolution for State Disaster Contingency Fund in the amount of \$22,516.63, as presented. Roll Call: Ayes – Pearl, Meltzer, Aragona, Keys, Cannon, West, Gieleghem. Nays – None. Absent – None. Motion carried.

12. REQUEST EXTENSION OF TOWNSHIP STATE OF EMERGENCY DECLARATION

Motion by Mr. Aragona, supported by Ms. West, to receive and file the letter dated March 16th, 2017 from the Township's Emergency Management Coordinator and extend the State of Emergency Declaration status regarding the 15 Mile Road sewer incident for two weeks, to April 24th, 2017. Roll Call: Ayes – Aragona, West, Keys, Pearl, Cannon, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

13. APPOINTMENTS TO HISTORICAL COMMISSION

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated April 6th, 2017 and reappoint Ms. Sharron Butula and Mr. James Kowalski to the Historical Commission, each for three-year terms expiring on April 13th, 2020; further, to advertise the open position for an additional sixty (60) days. Discussion ensued.

Mr. Keys was disappointed that they did not get a third applicant. He urged people watching at home or in the audience who have an interest in serving on this commission to contact the Township.

Mr. Aragona noted that there were only two applications for three vacancies, and although he would prefer to see the public sit on that Commission, he indicated if they do not receive a third application, he would be happy to sit on that Commission. He noted that he had mentioned it to Ms. Staller.

Mr. Pearl stated the Township is having some trouble with their web-posting company, and when looking for the openings on the Boards and Commissions, there is a blank page.

Mr. Cannon stated there is nothing they can do about it until they get it repaired.

Mr. Pearl stated he made some calls to the Information Technology (IT) Department and hoped the company will be able to fix it soon.

Mr. Keys inquired as to whether a representative from the Information Technology Department could be requested to attend the next meeting to provide an update as to what is going on with the website. He added that there have been a couple of meetings where the agenda package has not been able to be

posted on line. He stressed that the Clerk's Office and Cable TV have done a great job to make sure the agendas are still posted in some way, but he would like an update from IT for the Board's benefit and the public's benefit as well.

Mr. Cannon stated he will see if the IT Director is available, although he would typically not be available this late in the evening.

Mr. Keys suggested a memo would suffice.

Roll Call: Ayes – Cannon, Pearl, Aragona, Keys, West, Gielegghem, Meltzer.
Motion carried.

14. BID AWARD: PRINTING AND MAILER SERVICES

Motion by Mr. Pearl, supported by Mr. Gielegghem, to receive and file the letter dated March 28th, 2017 from the Recreation Director, and award the bid for printing and mailer services for six (6) future publications to the low bidder, Stafford Media, with a bid price of \$41,988, or \$6,998 per issue, with set-up and postage not included in the bid and are to be paid for by each department separately; further, this bid is valid from April 2017 through December 2018. Roll Call: Ayes – Pearl, Gielegghem, Aragona, Keys, Cannon, West, Meltzer. Nays – None. Absent – None. Motion carried.

15. APPROVAL OF 2017 FORD EXPLORER

Motion by Ms. West, supported by Mr. Keys, to receive and file the letter dated April 4th, 2017 from the Fire Chief, and approve the budgeted purchase of a 2017 Ford Explorer at a cost of \$28,945, using the State of Michigan/Macomb County pricing, as outlined in the correspondence. Discussion ensued.

Mr. Keys requested explanation as to "State of Michigan/Macomb County pricing".

Mr. Dolan explained there is a state-negotiated purchasing arrangement for vehicle purchases and, over the years, the pricing that is obtained through this process is lower than if the Township attempted to bid it out, advertising to local dealerships and having them submit their pricing directly to the Township. He added that they have also used county purchasing systems as well, noting that Oakland County had a purchasing system which the Township went through years ago.

Mr. Aragona inquired as to whether this is the same type of agreement the Township used when purchasing DPW vehicles a few weeks ago.

Ms. Bednar replied affirmatively, noting the state and county, along with larger organizations, will go out and commit to the purchase of so many fleet vehicles. They will get pricing based on this, and other communities can then jump on and order as well. She noted that they will honor those prices but the original process was bid out. It was a competitive bidding system, but it was not done by the Township.

Mr. Aragona inquired as to whether this will come out of the Fire Fund.

Mr. Canon replied affirmatively.

Mr. Steve Brostick, 43304 Mariner Court, Clinton Township, Michigan 48038, questioned whether the State or County purchasing arrangement dictate the manufacturer of the vehicle in the bid, such as Ford, GM or Chrysler. He noticed that every vehicle in the Township has been a Ford.

Ms. Bednar replied they can decide the type of vehicle, and the Township opts for Ford because the parts are interchangeable. She explained they do their own maintenance, so it is much better to have the interchangeable parts on hand.

Mr. Brostick inquired as to whether the fact that the Township is captive to Ford play a part in the bid price.

Ms. Bednar replied it does not matter because they did not bid these out. They go through a book and look for what they need for competitive bids. They look for the best deal for their particular vehicle but are not bidding it out.

Mr. Gielegem noted that, during the economic crisis at the County, the Sheriff's Department vehicles were all Ford Crown Victoria's. Chrysler started making the Charger and GM was offering the Impala, so there was a lot of resistance to support all three automakers. He noted opting to go with all three resulted in additional costs because all the overhead light systems were designed for the Crown Victoria. At that time, they felt it was warranted to spend a little extra money to make sure all big three automakers were supported. Mr. Gielegem stated that, in this case, there is a compelling argument to stay with Ford because it is very competitive and Signature Ford specializes in all the fleet vehicles.

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

16. REQUEST APPROVAL TO REPLACE THREE (3) VEHICLES FOR WATER AND SEWER DEPARTMENT

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated April 10th, 2017 from the Assistant Superintendent of Water & Sewer, and award the bid for three (3) budgeted replacement vehicles for the Water Department to Signature Ford through the State of Michigan MiDeal Extended Purchasing Program in the amount of \$31,246.00 for the 2017 Ford F150 Super Cab Pickup and \$27,371.00 each for the two (2) 2017 F150 Regular Cab Pickups. Roll Call: Ayes – Pearl, West, Aragona, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

17. APPROVAL OF OUTDOOR ACTIVITIES PERMIT – POLSKI’S PUB & GRUB

Mr. Carl Owsiany, petitioner, explained their plans for a small outdoor patio off the north side of their facility, Polski’s Pub and Grub. They would like to offer customers the opportunity to dine outside from sun up to sun down, and he assured there will be no music outside.

Mr. Cannon stated this is the former Oxford Lounge, and he added that the food is fantastic.

Mr. Owsiany replied to inquiry that he will not have music outdoors.

Motion by Ms. West, supported by Mr. Pearl, to receive and file the letters dated February 1st, 2017 from Mr. Carl Owsiany, owner of Polski’s Pub and Grub, and dated April 5th, 2017 from the Township Clerk, and approve the request for the addition of a small outdoor patio, to be open from sun up to sun down, with no outdoor music, as outlined in the correspondence. Discussion ensued.

Mr. Keys inquired as to whether Mr. Owsiany has any plans to add flowers and plants on the patio to enhance the appearance.

Mr. Owsiany replied they will be planting arborvitaes and will add some plant boxes.

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

18. PROPOSED TEXT AMENDMENT TO PLANNING AND ZONING CODE, CHAPTER 1299.01-(m), OUTDOOR SALES AND DISPLAY OF GOODS, TENT FACILITIES, FUNERALS, HEALTHCARE EMERGENCIES

Motion by Ms. Meltzer, supported by Mr. Pearl, to receive, file and concur with the letter dated March 30th, 2017 from the Secretary of the Clinton Township Planning Commission, and approve the Text Amendment to the Planning and Zoning Code, Chapter 1299.01-(m), Outdoor Sales and Display of Goods, Tent

Facilities, Funerals, Healthcare Emergencies, as presented, effective immediately.

Mr. Pearl agreed this should be approved, and the concept was addressed at the Ordinance Update Committee.

Ms. Meltzer clarified that the approval for a business to have an outdoor sale and take money in the tent is still on a case-by-case basis, and the Board still reserves the right to deny a request.

Mr. Gielegem stated this was something that came about years ago to prohibit the taking of money outside to avoid the possibility of people setting up shop on a street corner for a weekend. He explained this is to differentiate between the brick-and-mortar businesses as opposed to businesses who set up shop temporarily on a street corner. Those businesses who have made a commitment to the community, want to expand and host events, and create more opportunity for their business and for the community, and this will allow the Board to consider those requests in certain circumstances.

Mr. Keys inquired as to whether there is a cost for this.

Mr. Barry Miller, Superintendent of the Building Department, clarified that there are still building permit requirements for hosting these events in a tent. If necessary, they would have to provide bathroom facilities outside if it goes beyond their capacity on the inside. This ordinance amendment allows the Board to make the decision whether to allow the request.

Mr. Dolan reminded that there are three minimum requirements, each of which must be met.

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

19. INTRODUCTION OF TOWNSHIP ORDINANCE #432: 2015 INTERNATIONAL FIRE CODE

Ms. West inquired as to whether this is Ordinance #432 or #425.

Mr. Dolan felt they have moved to Ordinance #432, although when this was originally submitted, they were on Ordinance #425.

Ms. Meltzer confirmed that it is Ordinance #432.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated March 13th, 2017 from the Township Attorney and introduce and publish

proposed Ordinance #432, which adopts the 2015 International Fire Code with its appendices, with the intent to adopt at the next Regular Township Board Meeting. Roll Call: Ayes – Pearl, West, Aragona, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

20. RENEWAL OF THE TELECOMMUNICATIONS RIGHT-OF-WAY PERMIT FOR THE EDUCATIONAL FIBER OPTIC NETWORK OPERATED BY THE MACOMB INTERMEDIATE SCHOOL DISTRICT (MISD) FOR THE MACOMB EDUCATIONAL TELECOMMUNICATIONS CONSORTIUM

Mr. Pearl stated this was fiber optic system put in by Chippewa Valley and it ties into the MISD, and Clinton Township piggybacked on this, along with other communities. He stated it is a great system and should be approved.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated April 3rd, 2017 from the Director of the Department of Planning and Community Development, and approve the renewal of the Right-of-Way permit for the educational fiber optic network operated by the Macomb Intermediate School District (MISD) in and around Macomb County. Roll Call: Ayes – Pearl, West, Aragona, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

21. SALE OF LOTS TO HABITAT FOR HUMANITY TO BE USED FOR CHIPPEWA VALLEY SCHOOLS – DAKOTA SCHOOL BUILD PROGRAM

Mr. Santia noted that Parcels #16-11-327-008 and -009 should be for the 2016/2017 Dakota Home Build.

Motion by Ms. Meltzer, supported by Mr. Keys, to receive and file the letter dated April 6th, 2017 from the Director of the Department of Planning and Community Development, with the noted correction, and approve the sale of Parcels #16-11-327-002, #16-11-327-008 and -009 to Habitat for Humanity for the token amount of \$100 each, to be used for the Dakota Student Build Home program; further, to authorize the Township Supervisor and Township Clerk to sign the Quit Claim Deeds. Discussion ensued.

Mr. Pearl questioned whether the Dakota Home Build program is holding an open house again in June. He noted that Board members, along with the public, is invited to see how these houses are built. He stated this program has worked well with Habitat for Humanity.

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

22. SALE OF FIVE (5) ACRES (PARCEL #16-11-33-126-005) LOCATED ON GROESBECK HIGHWAY (BEHIND K-MART) TO GROESBECK HOLDING LTD PARTNERSHIP / GROESBECK-FIFTEEN LLC

Mr. Santia clarified that the purchaser is paying for all closing costs. He added it was not included in the memo, but should be included in the motion.

Mr. Cannon stated they want to make sure it will be a development that this community will be proud of.

Mr. Santia stated he and Mr. Dolan can add some language to give the Township an opportunity to look at the development being proposed and limit them to a retail-type development.

Mr. Gielegem stated his concern in doing this without knowing what will be going in is that the Township may lose some of their leverage with the type of development. He added, however, that the Township has owned this property for a long time, the price they are getting is higher than what they paid, and it gets it back on the tax rolls. He also noted the Township will still have the ability to approve or deny projects as they are submitted, so he is cautiously supportive of this.

Mr. Keys inquired as to whether the petitioner is present. He stated he receives many calls about this property, and he would like some direction from the purchaser as to what is being planned.

Mr. Cannon stated the purchaser has provided to Mr. Santia several distinct possibilities he is working on, although nothing concrete.

Mr. Santia stated that Kroger does not appear to be an option at this time. He also owns the property at Canal and Garfield, and Kroger's leases from him. He also has another Kroger's leasing from him in West Bloomfield. He has had significant conversations with them and has talked with others, including some home improvement stores, and he is trying hard to find a good user for the site. He believes being able to offer the site with the additional five acres will give him additional leverage for a larger-type facility. He replied to further inquiry that the property is landlocked.

Mr. Aragona inquired as to why there was no easement built in.

Mr. Santia replied the Township acquired it in 1992 as a result of a tax foreclosure.

Mr. Pearl felt this needs to be approved to give the owner every opportunity to develop this parcel.

Motion by Mr. Keys, supported by Mr. Pearl, to receive and file the letter from the Director of the Department of Planning and Community Development and authorize the sale of five (5) acres of property (Parcel #16-11-33-126-005), located on Groesbeck Highway, behind the former K-Mart, to Groesbeck Holdings LTD Partnership/Groesbeck Fifteen LLC in the amount of \$50,000, as outlined in the correspondence, and the buyer is to pay all closing costs. Roll Call: Ayes – Keys, Pearl, Aragona, Cannon, West, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

23. REQUEST PERMISSION FOR OUT-OF-STATE TRAVEL TO ATTEND AUTO THEFT TRAINING CONFERENCE

Mr. Cannon explained this is before the Board because it involves out-of-state travel.

Motion by Ms. West, supported by Mr. Gielegghem, to receive and file the letter dated March 23rd, 2017 from the Police Chief and approve the request for Detective Thomas Hill to attend an Auto Theft Training Conference in Indianapolis, Indiana from May 1st through May 4th, 2017, with all expenses to be paid by MATS and no overtime is being paid. Roll Call: Ayes – West, Gielegghem, Aragona, Keys, Pearl, Cannon, Meltzer. Nays – None. Absent – None. Motion carried.

24. REQUEST APPROVAL OF EMPLOYEE DISMISSAL

Motion by Ms. West, supported by Mr. Pearl, to go into Closed Session to discuss an employee dismissal. Roll Call: Ayes – West, Pearl, Aragona, Keys, Cannon, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF MINUTES OF MARCH 27TH, 2017 REGULAR TOWNSHIP BOARD MEETING

Ms. Meltzer noted that Item #22 did not include the cost, so the following should be added to that motion: “At a cost of \$985”.

Motion by Mr. Gielegghem, supported by Mr. Keys, to approve the minutes of the March 27th, 2017 Regular Township Board Meeting, with the change as noted. Roll Call: Ayes – Gielegghem, Keys, Aragona, Pearl, Cannon, West, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF MINUTES OF APRIL 3RD, 2017 SPECIAL TOWNSHIP BOARD MEETING

Mr. Pearl noted that the minutes reflected that he arrived at 6:38 p.m., and he stated it was Mr. Keys who arrived at 6:38 p.m.

Motion by Ms. Meltzer, supported by Mr. Aragona, to approve the minutes of the April 3rd, 2017 Special Township Board Meeting, with the correction noted. Roll Call: Ayes – Meltzer, Aragona, Keys, Pearl, Cannon, West, Gielegghem. Nays – None. Absent – None. Motion carried.

APPROVAL OF BILLS

Mr. Keys requested that, if possible, he would like to see the bills listed on an Excel spread sheet rather than in the current PDF format.

Mr. Gielegghem agreed with Mr. Keys, and felt that makes a lot of sense.

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

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT INTO CLOSED SESSION

The Township Board adjourned into Closed Session at 8:18 p.m. and reconvened at 8:46 p.m.

24. REQUEST APPROVAL OF EMPLOYEE DISMISSAL

Motion by Mr. Cannon, supported by Aragona, to dismiss Ms. Jennifer Baranski from her employment with the Charter Township of Clinton. Roll Call: Ayes – Cannon, Aragona, Keys, Pearl, West, Gielegghem, Meltzer. Nays – None. Absent - None.

ADJOURNMENT

Motion by Aragona, supported by Pearl, to adjourn the meeting. The meeting adjourned at 8:47 p.m.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON

ces:04/13/17