

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, APRIL 24TH, 2017

PRESENT: ROBERT J. CANNON SUPERVISOR
KIM MELTZER CLERK

JOE A. ARAGONA TRUSTEE
MIKE KEYS TRUSTEE
KENNETH PEARL TRUSTEE
JENIFER WEST TRUSTEE

ABSENT: PAUL GIELEGHEM TREASURER (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, led by Judge Linda Davis.

APPROVAL OF AGENDA

Ms. Meltzer requested the deletion of the following item from tonight's agenda:
Item #12 – Request Approval of the Use and Operation Policy of Newsletters and Website & Use and Operation

Ms. Meltzer requested the addition of the following items to tonight's agenda:
Item #17 – Request to Recognize Volunteers and April 23-29, 2017 as National Volunteer Week
Item #18 – Personnel Vacancy Review Committee Recommendation

Motion by Mr. Pearl, supported by Mr. Keys, to approve tonight's agenda with the deletion of Item #12 and the addition of Items #17 and #18. Roll Call: Ayes – Pearl, Keys, Aragona, Cannon, West, Meltzer. Nays – None. Absent – Gieleghem. Motion carried.

1. REQUEST PERMISSION FOR SIGNS ADVERTISING FAN'S (FAMILIES AGAINST NARCOTICS) ANNUAL "RUN DRUGS OUT OF TOWN" EVENT

Judge Linda Davis apologized that the run date is scheduled for July 15th, 2017, and not July 22nd, as indicated in her letter. She explained they would like to put signs up on June 17th and added that they are usually removed the same day as

the event, although if a sign gets missed, they would like to have the 72-hour grace period.

Mr. Cannon commended Judge Davis on the fabulous job she has done organizing a group that does so much good, when many of the members have had a lot of bad things happen in their own personal lives, and he thanked her for taking this on. He mentioned that the schools are having problems with some vaping products and they have approached him to request the Township change their ordinance. He indicated they now have a draft that he will be bringing to the Board in two weeks for consideration, and he provided a copy to Judge Davis for her review and input.

Judge Davis explained that about ten weeks ago, they launched a “Hope Not Handcuffs” switch in the Clinton Township Police Department, along with the Sheriff’s Department and other local police departments in Macomb County. She explained this has “caught fire” and they have met with over twelve other police departments in the state that are looking to mimic this program. She stated that in the last ten weeks, they have already placed 161 people into treatment in less than two hours of time.

Mr. Pearl complimented Judge Davis on the fantastic job she is doing, and he thanked her for all she does.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter from Judge Linda Davis, and approve your request to put up signs advertising FAN’s (Families Against Narcotics) Annual Run Drugs Out of Town event, to be held on July 22nd, 2017, with the signs being put up at various businesses in Clinton Township, with the owner’s permission, approximately thirty (30) days prior to the event and removed within 72 hours of the event. Discussion ensued.

Mr. Aragona commended FAN for being a great organization. He stated that he works in the House of Representatives, and they passed two bills last year that opened up access to “lock zone”. He stated that would not have gotten done without Judge Davis being there.

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

2. REQUEST TO APPOINT JAMES A McGRIL AS MAGISTRATE

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated April 3rd, 2017 from the Hon. Carrie L. Fuca, Chief Judge, 41B District Court, and approve the appointment of Mr. James A. McGrail as a Magistrate for the 41B District Court. Discussion ensued.

Ms. Meltzer was confident Mr. McGrail will do a great job as magistrate. She stated he introduced himself to her office staff earlier today, and she felt he knows how to reach out to people.

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

3. REQUEST PERMISSION TO CONDUCT THE ANNUAL CHIPPEWA VALLEY HOMECOMING PARADE

Motion by Ms. West, supported by Mr. Pearl, to receive and file the letter dated April 10th, 2017 from Ms. Kristin DeLuca, Chippewa Valley High School Activities Director, and approve the request to conduct the annual Chippewa Valley Homecoming Parade on Friday, September 29th, 2017 from 4:00 to 5:30 p.m., as outlined in the correspondence. Roll Call: Ayes- West, Pearl, Aragona, Keys, Cannon, Meltzer. Nays – None. Absent – Gielegthem. Motion carried.

4. REQUEST APPROVAL OF OUTDOOR SALES FROM A TEMPORARY TENT ON MAY 5TH, 2017: JUAN MIGUEL'S

Motion by Ms. West, supported by Ms. Meltzer, to receive and file the letter dated April 18th, 2017 from Mr. Kevin Abdallah, owner of Juan Miguel's Authentic Mexican Restaurant & Spirits, 21342 Hall Road, and approve the request for a temporary tent and outdoor sales in the Chippewa Valley Shopping Center to host their annual Cinco de Mayo party on Friday, May 5th, 2017. Roll Call: Ayes – West, Meltzer, Aragona, Keys, Pearl, Cannon. Nays – None. Absent – Gielegthem. Motion carried.

5. REQUEST EXTENSION OF TOWNSHIP STATE OF EMERGENCY DECLARATION

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter from the Township's Emergency Management Coordinator regarding the extension of the Township State of Emergency Declaration on the 15 Mile Road sewer incident and will not renew as requested. Roll Call: Ayes – Pearl, Aragona, Keys, Cannon, West, Meltzer. Nays – None. Absent – Gielegthem. Motion carried.

6. REQUEST APPROVAL OF TRANSFER OF NEW SDM LICENSE: OM HANUMAN, INC. 39749 GARFIELD ROAD

Mr. Cannon explained that there is a one-year moratorium on smaller businesses that sell "party store items", such as snacks, soft drinks, etc. so they can have a license to sell beer and wine. There is only one gas station in Clinton Township that currently sells beer and wine. He explained that one company, Speedway,

is requesting this tonight for three of their locations in the Township, and he assured it is all above-board and legal, but there is a window of opportunity for them. He anticipated there will be a few more coming in front of the Board during this window of opportunity.

Mr. Aragona replied the law was changed because of some of the larger stores could already do this and it was a matter of fair competition.

Ms. Meltzer clarified that this first request does not fall into that category, but Mr. Cannon's comments apply to Items #7, #8 and #9.

Mr. Cannon apologized and clarified that this request is for a Smoker's Express on Garfield.

Motion by Mr. Pearl, supported by Ms. Meltzer, to receive and file the letter dated April 18th, 2017 from the Township Clerk and approve the transfer of ownership of a new SDM license to OM Hanuman, Inc., located at 39749 Garfield Road. Roll Call: Ayes – Pearl, Meltzer, Aragona, Keys, Cannon, West. Nays – None. Absent – Gieleghem. Motion carried.

**7. REQUEST APPROVAL OF TRANSFER OF NEW SDM LICENSE:
SPEEDWAY LLC 18650 HALL ROAD**

Mr. Cannon stated that this item, along with Items #8 and #9, are all from the same company but they are requests for different locations.

Mr. Keys requested an overview of this law.

Mr. John Dellinger, District Manager for Speedway, a corporate-owned company through Marathon Oil, explained that the Governor signed into law a one-year opening for stores selling less than \$150,000 of inventory to apply for a beer/wine license. This was opened up for one year because the big box stores were able to get their licenses and they were not afforded to the smaller businesses. They subsequently applied to the State for licenses for the three locations being requested tonight, and he is hoping to receive local approval tonight.

Mr. Aragona confirmed that the big box stores can sell beer and wine even though they sell less than \$150,000 of inventory in their gas station.

Mr. Dellinger stated that is why they are applying now, because even if they build a new Speedway facility, this opportunity will not be open to them after a year.

Ms. Meltzer inquired as to whether that could change in a year.

Mr. Aragona mentioned it could change, but he is not seeing any movement in Lansing to change it.

Mr. Dolan stated Mr. Aragona summed it up correctly. This is a legislative change that is a policy change enacted at the state level, and for whatever reasons, they are in a situation where there is a window of opportunity that has opened up for these smaller facilities. He added that over the years, there have been some dramatic changes and a significant decrease in local authority over these issues, even though the local communities bear the burden of enforcement on these local businesses.

Mr. Keys stated that having the Fire and Police Departments check out these facilities makes a lot of sense, but he inquired as to why the Building Department is involved in the review, and he questioned whether they are looking for violations.

Mr. Dolan replied there is a specific rule with regard to any type of license transfer and it is employed at the same time of issuance of a new type of license that permits local units of government to have input on matters that relate to health and safety, such as electrical and mechanical issues.

Mr. Keys thanked the petitioner for coming in, and noted he visited all three of the properties earlier in the week. He stated the facility on Hall Road at Romeo Plank can become very littered with plastic bags from shoppers and people throwing trash, and he was impressed that the site has been cleaned up.

Mr. Roger Holtlander, 23140 Wellington Crescent, Clinton Township, Michigan 48036, inquired as to whether the license extends beyond the year for those who take advantage of applying during this one-year window of opportunity.

Mr. Cannon replied affirmatively.

Mr. Holtlander felt the State will be allowing these licenses, collecting the fees, but the enforcement will fall on the local communities. He was concerned that it will affect the Township's budget for the Police Department. He added that a lot of these smaller businesses are not aware of the rules for selling beer and wine. He inquired as to whether the decision on this is out of the hands of the Township.

Mr. Cannon replied this is something the State is allowing, but he stated there are schools that take this very seriously, and they sent out students last week to the stores in the community to let them know the rules so the Police Department does not have to be sent out.

Mr. Dellinger assured their corporation takes this very seriously. He stated that every individual hired has to have a background check. They are required to watch a video on tobacco and alcohol and take a test. He explained they have hired an outside company that comes in and sends in “sting” people. They request to buy cigarettes and if the employee hands them cigarettes without carding them, they are given a red card and are written up or terminated immediately. He assured that as a company, these are the internal measures they take.

Mr. Cannon stated that is good to know.

Mr. Aragona inquired as to how many of those measures are mandated by the State.

Mr. Dellinger replied that none of it is required by the State, and it is all required and paid for by their corporation.

Mr. Keys inquired as to whether all three of these locations have appropriate surveillance cameras to meet the surveillance camera ordinance.

Mr. Cannon stated that the ordinance is not going to be enforced for the first six months, and in that time, they are trying to educate those who need it; however, he felt there are already surveillance cameras in the gas stations.

Mr. Dellinger replied that they have sixteen cameras in each store.

Ms. Meltzer stated she discussed a concern she has with Mr. Dolan, and they have to apply to the State of Michigan for a renewal of the license on an annual basis. If there are any violations or issues, the Township would have the opportunity on an annual basis to contact the State and advise whether or not they would like them to approve or revoke their license. She agreed that law enforcement will have to become more involved.

Motion by Ms. West, supported by Mr. Pearl, to receive and file the letter dated April 18th, 2017 from the Township Clerk and approve the transfer of ownership of a new SDM license to Speedway LLC, located at 18650 Hall Road. Roll Call: Ayes – West, Pearl, Aragona, Keys, Cannon, Meltzer. Nays – None. Absent – Gielegem. Motion carried.

**8. REQUEST APPROVAL OF TRANSFER OF NEW SDM LICENSE:
SPEEDWAY LLC 18665 15 MILE ROAD**

Motion by Ms. Meltzer, supported by Mr. Aragona, to receive and file the letter dated April 18th, 2017 from the Township Clerk and approve the transfer of ownership of a new SDM license to Speedway LLC, located at 18665 15 Mile

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

9. REQUEST APPROVAL OF TRANSFER OF NEW SDM LICENSE: SPEEDWAY LLC 44989 N. GROESBECK

Motion by Mr. Aragona, supported by Ms. West, to receive and file the letter dated April 18th, 2017 from the Township Clerk and approve the transfer of ownership of a new SDM license to Speedway LLC, located at 44989 N. Groesbeck Highway. Roll Call: Ayes – Aragona, West, Keys, Pearl, Cannon, Meltzer. Nays – None. Absent – Gielegthem. Motion carried.

10. REQUEST APPROVAL TO ATTEND CONFERENCE

Motion by Mr. Pearl, supported by Ms. Meltzer, to receive and file the letter dated April 24th, 2017 from the Police Chief and approve his request to attend the annual in-state 2017 Michigan Association of Chiefs of Police Summer Conference, to be held at Shanty Creek Resort, Bellaire, Michigan, and is budgeted. Roll Call: Ayes – Pearl, Meltzer, Aragona, Keys, Cannon, West. Nays – None. Absent – Gielegthem. Motion carried.

11. REQUEST APPROVAL OF SENIOR CENTER SECURITY CAMERAS UPGRADE

Ms. Meltzer noted this is a much-needed opportunity for the seniors to implement. It is something the Township has recently implemented in the main building.

Ms. West inquired as to whether someone will be watching these cameras.

Ms. Meltzer replied they will not be watched on a regular basis, but the usefulness of the cameras will come if they have to replay anything should they need it. She stated there are a lot of active people in the Senior Center so there is not a necessity to watch the camera as things are happening. If there is something that occurs in the parking lot or at the facility, they have the camera available to review it.

Mr. Cannon stated they do not have the personnel to watch all of these cameras.

Ms. West stated she was concerned because there may be people working out in the fitness room with cameras that would enable others to watch.

Ms. Meltzer stated there is always someone in the fitness room so there is no need to have someone monitor the cameras.

Mr. Keys inquired as to whether this project went through the bid system or whether they selected the same company because they have used them before.

Ms. Meltzer replied they used the same company that recently installed the cameras at the Civic Center.

Ms. Mary Bednar, Director of the Department of Public Services, stated they use the same company to have continuity and compatibility with the equipment. She indicated by having the same equipment in both places, whoever is authorized to view the cameras will be able to see both locations.

Mr. Keys inquired as to whether the cameras at the Civic Center went out for bid.

Ms. Bednar replied they already had a contractor in place for the service so it did not go out for bid.

Mr. Pearl inquired as to the storage time on the cameras.

Mr. Cannon recalled that it was for at least thirty days.

Ms. Bednar stated she can find out and report that information back to the Board.

Ms. Meltzer stated there was discussion in Budget/Ways and Means as to how long they want to keep the recorded information from the cameras.

Mr. Keys stated the quote referenced that the quality of these cameras is much better than the previous versions, which results in taking up much more space for storage. He questioned who pays for that additional storage.

Ms. Bednar replied they work with IT and they have a storage area for this data.

Mr. Roger Holtslander was glad to see this being proposed, and he hoped the data will be retained for more than thirty days. He felt having these cameras will save the Township money if someone comes back to sue for one reason or another, because the video can show what actually occurred.

Mr. Pearl inquired as to whether this will tie into the internet.

Ms. Bednar replied affirmatively.

Mr. Pearl stated the Chippewa Valley School District received a grant to put them in the schools, and they were able to tie into the Sheriff's Dispatch Center.

Ms. Bednar confirmed these cameras will tie into the Township's security system but will not be tied into the Sheriff's system.

Mr. Pearl urged them to look into it, because if it is ever needed, the Sheriff's office could call it up on their camera.

Ms. Bednar assured she will talk with IT to see if there is anything they should do.

Mr. Keys announced that he intends to support this purchase, but cautioned that he anticipates IT may have to come back for additional storage space, which can be costly. He pointed out it is mentioned in the quote that the increased quality of the videos will result in more data storage.

Motion by Mr. Pearl, supported by Mr. Keys, to receive, file and concur with the letter dated April 12th, 2017 from the Budget/Ways & Means Committee Chairperson, and approve the upgrades to the camera system at the Senior Center from Interstate Security, with total install costs for the cameras and installation not to exceed \$12,660; further, to approve the budget amendment for this amount, as outlined in the correspondence. Roll Call: Ayes – Pearl, Keys, Aragona, Cannon, West, Meltzer. Nays – None. Absent – Gielegem. Motion carried.

12. REQUEST APPROVAL OF THE USE AND OPERATION POLICY OF NEWSLETTERS AND WEBSITE & USE AND OPERATION POLICY OF THE GOVERNMENT CHANNEL REVISIONS

This item was deleted from tonight's agenda.

13. INTRODUCTION OF TOWNSHIP ORDINANCE #433: EDITING AND INCLUSION FOR TOWNSHIP CODIFIED ORDINANCES

Motion by Mr. Aragona, supported by Ms. West, to introduce, with the intent to adopt at the next regular meeting of the Township Board, Ordinance No. 433, which approves the editing and inclusion of certain ordinances and resolutions as part of the various component codes of the Codified Ordinances. Roll Call: Ayes – Aragona, West, Keys, Pearl, Cannon, Meltzer. Nays – None. Absent – Gielegem. Motion carried.

14. ADOPTION OF TOWNSHIP ORDINANCE #431: REVISION OF SIGN ORDINANCE – CHAPTER 1488

Motion by Mr. Pearl, supported by Mr. Aragona, to adopt Ordinance No. 431, which amends Chapter 1488 of the Code of Ordinances regulating the size, location, placement, number and character of signs. Roll Call: Ayes – Pearl,

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

**15. ADOPTION OF TOWNSHIP ORDINANCE #432 – 2015
INTERNATIONAL FIRE CODE**

Motion by Ms. West, supported by Mr. Aragona, to adopt Township Ordinance No. 432, which adopts the 2015 edition of the International Fire Code, effectively immediately upon adoption and publication. Ayes – West, Aragona, Keys, Pearl, Cannon, Meltzer. Nays – None. Absent – Gielegthem. Motion carried.

**16. REQUEST CLOSED SESSION TO DISCUSS CONTRACT
NEGOTIATIONS**

Mr. Cannon advised that the Board will be coming out of Closed Session with a decision.

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

**17. REQUEST TO RECOGNIZE VOLUNTEERS AND APRIL 23RD-29TH,
2017 AS NATIONAL VOLUNTEER WEEK**

Ms. West stated for the last four years, she has sat on the Planning Commission with these two individuals, and they did an outstanding job.

Motion by Ms. West, supported by Ms. Meltzer, to receive and file the letter dated April 5th, 2017 from the Township Supervisor, and recognize former committee members whose appointments expired or those who resigned in 2016, in honor of National Volunteer Week from April 23rd through 29th, 2017. Roll Call: Ayes – West, Meltzer, Aragona, Keys, Pearl, Cannon. Nays – None. Absent – Gielegthem. Motion carried.

18. PERSONNEL VACANCY REVIEW COMMITTEE RECOMMENDATION

Mr. Cannon explained that this is at the request of the Police Chief and the related unions.

Motion by Ms. West, supported by Ms. Meltzer, to receive and file the letter dated April 20th, 2017 from the Finance Director, and approve the following based on the recommendation of the Personnel Vacancy Review Committee: Reduce the number of budgeted Lieutenants from seven (7) to six (6); increase the number of budgeted Captains from two (2) to three (3); reduce the number of budgeted

Sergeants from eleven (11) to ten (10); and increase the number of budgeted patrol officers from seventy-two (72) to seventy-three (73), all resulting in the number of Police department sworn personnel remaining at ninety-three, and with a savings of \$9,800.00 to the budget. Roll Call: Ayes – West, Meltzer, Aragona, Keys, Pearl, Cannon. Nays – None. Absent – Gielegthem. Motion carried.

APPROVAL OF MINUTES OF APRIL 10TH, 2017 REGULAR TOWNSHIP BOARD MEETING

Ms. Meltzer apologized that, since the April 10th minutes were not included in the Board packets and were distributed this evening at the meeting, the approval can be postponed to the next meeting so everyone has an opportunity to review them.

Motion by Ms. West, supported by Mr. Pearl, to postpone the approval of the minutes of the April 10th, 2017 Regular Township Board Meeting, until the next regular meeting scheduled for Monday, May 8th, 2017. Roll Call: Ayes – West, Pearl, Aragona, Keys, Cannon, Meltzer. Nays – None. Absent – Gielegthem. Motion carried.

APPROVAL OF BILLS

Motion by Ms. Meltzer, supported by Mr. Pearl, to approve the bills as presented. Discussion ensued.

Mr. Keys thanked the Finance Department for their cooperation in providing the list of bills in an Excel format rather than a PDF format.

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

PUBLIC COMMENTS

There was one public comment:

Mr. Russell Holtlander, 23140 Wellington Crescent, Clinton Township, Michigan 48036, expressed concern about the agendas for the Township Board meetings being revised at the last minute, with some items being added and some being deleted after publication, and with very little or no explanation as to the reason for the additions/deletions. He understood that there is a certain amount of lead time needed to publish, but he suggested having a cut-off date with no changes permitted after that time. He questioned whether the two items added on tonight were properly published according to the law. He felt that rather than deleting an item at

the last minute, the item should remain on the agenda, and those interested in that item who have attended the meeting for that purpose should be able to speak about it. He added the Board can then postpone further action until the next meeting, but the residents would have an opportunity to speak when they set aside the time and made the effort to attend the meeting.

Mr. Dolan assured that the Township is fully compliant with all applicable laws.

ADJOURNMENT INTO CLOSED SESSION

Mr. Cannon announced that the Board will be going into Closed Session.

The meeting recessed at 7:18 p.m. and reconvened at 7:30 p.m.

16. CONTRACT NEGOTIATIONS

Motion by Ms. West supported by Mr. Pearl to approve labor agreement with POAM Patrol Unit.

ADJOURNMENT

Motion by Mr. Aragona, supported by Ms. West, to adjourn the meeting. The meeting adjourned at 7:35 p.m.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON