

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, MAY 29TH, 2018

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 stated there is one deletion from tonight's agenda:

12. Bid Award: Log Cabin Restoration

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

1. Clinton Township Police Officer's Association Scholarship Presentation
21. Schedule Public Hearing for Redistribution Approval of Allocated CDBG Funds Available July 1, 2018 as Outlined in Consolidation Plan

Motion by Mr. Pearl, supported by Ms. West, to approve tonight's agenda with the deletion of Item #12 and the addition of Items #1 and #21. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

1. CLINTON TOWNSHIP POLICE OFFICER'S ASSOCIATION SCHOLARSHIP PRESENTATION

Ms. Meltzer explained this will be presented to Rio Wade.

Officer Daniels, of the Clinton Township Police Department, stated that this year, he, along with other members of the Clinton Township Police Officers Association, wanted to give back to the community, and they felt it would be a great idea to have a scholarship. He outlined some of the requirements, including being a high school senior, attending college to study criminal justice and law enforcement as a major and complete an essay. Several students submitted applications along with their essays, and after careful review by he and his partners, they selected Mr. Wade Jr. to be the recipient of the \$1,000 scholarship this fall. Officer Daniels stated Mr. Wade attends Clintondale High School and is captain of the football team, so they are pleased he won and could not ask for a better applicant.

Mr. Gielegem asked Mr. Wade to explain a little about what he wrote in his essay. He thanked the Police Officers Association for reaching out within the community. He emphasized that Clinton Township has great officers and they have pulled officers from other areas who want to work in Clinton Township. He felt, however, that home-grown officers are missing on the force, and he appreciated the reaching out through the scholarship program to find those who want to go into this line of work.

Mr. Wade replied to inquiry that in his essay, he addressed his life and the struggles he had as a child to work harder than anyone because of his disability. He stated he pushed himself harder than anyone else to make people believe in him.

Officer Daniels thanked the Board for their support.

Mr. Cannon stressed it is the Board's pleasure to have a young man come before the Board to receive this scholarship.

Motion by Mr. Keys, supported by Ms. West, to receive and file the Clinton Township Police Officer's Scholarship Presentation to Mr. Wade Jr. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

2. RESOLUTION TO HONOR EDEN HOFFMANN – WINNER OF THE 2018 NATIONAL MISSING CHILDREN'S DAY POSTER CONTEST

Mr. Keys thanked the Board for supporting this Resolution. He was honored when a City Councilwoman from Mount Clemens contacted him and informed him about Eden's great efforts. He felt the language of the Resolution sums it up, and he pointed out that her mom and dad, Brenda and Derek, are here and they are both Michigan State Police Officers, so their service is appreciated. He added that Eden's sister, Ruby, is also present this evening.

Motion by Mr. Keys, supported by Ms. West, to receive and file the Resolution to Honor Eden Hoffmann, Winner of the 2018 National Missing Children's Day Poster Contest, as presented. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

3. PRESENTATION OF 2018 SENIOR SCHOLARSHIPS

Ms. Debbie Travis, Program Coordinator for the Senior Center, explained that these recipients both came highly recommended and were selected after reviewing their applications, community service logs and essays. On behalf of the Scholarship Review Board and the Friends of the Clinton Township Senior Center, she presented Ms. Eva Steepe of Fraser High School and Ms. Turia Moore of Chippewa Valley High School with a \$1,000 scholarship each and wished them well in their endeavors. A photograph was taken of Ms. Steepe and Ms. Moore with the Township Board.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated May 29th, 2018 from the Senior Citizens Department and the presentation of the 2018 Senior Scholarships. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

4. RECOGNITION OF THE FESTIVAL OF THE SENSES ART COMMITTEE

Ms. West felt this recognition is long overdue to honor this committee. She provided a brief history of the Festival of the Senses, which started in 2007 as an idea and ended up building into a destination where artists, musicians, dancers, etc. come each year to participate in a two-day festival. She stated it was a success right from the start, citing the experience one of the artists had the first year, selling his paintings in the first four hours of the festival. Ms. West noted that many of the other committees of the Township also participate in this festival, including the Cultural Diversity Committee and the Historical Commission. She explained that the entire festival was always monetarily self-sustained, with enough money raised each year to completely pay for all services involved, including Medstar, and there was enough money left to give back for scholarships, non-profits, and to put a cumulative \$30,000 into an account over the years. She explained a portion of this money will be spent for a fountain to go in a designated spot at the Civic Center, and this would not have been possible without the generous hard work and dedication of the people on the Festival of the Senses Committee. Ms. West stated she wants to personally thank those involved for their dedication and hard work. She also thanked Ms. Bednar and Ms. Vogel for their hard work on putting this together. She explained they had four dedicated employees who served on this Committee and worked hard on this event for the first ten years and now it is handled by the Parks and

Recreation Department. She credited Ms. Mary Ann Hosey, now retired, along with Mr. Mike Scott, Ms. Jessica Holden and Ms. Debbie Staller.

A Certificate of Appreciation was presented to Mr. Maxwell Heiderer as being one of the first organizers of the festival. Ms. West noted that he was the person who designed the original posters advertising the festival, and those are now in the Supervisor's office for viewing.

Mr. Heiderer thanked the Board for the privilege of being able to work on a committee and bring this festival from its beginning to become the success it is.

Certificates of Appreciation were also presented to Mr. Todd Swanboro, who served on the Festival's Advisory Committee and as Master of Ceremonies, and Ms. Sherry Banuelos, who was instrumental in artist procurement and conducted the judging for the juried art fair. Ms. West acknowledged Ms. Sue Bano, Mr. Jim Caldwell and Mr. Jim Hungerford who also worked hard on the Festival of the Senses Committee but could not be present this evening. She was certain that the Festival would not have been as successful without all the hard work of this Committee.

Motion by Mr. Keys, supported by Mr. Gielegem, to receive and file the Recognition of the Festival of the Senses Committee. Discussion ensued.

Ms. Kathy Voss, 20215 Webster, Clinton Township, Michigan 48035, stated she was unable to attend the last Township Board meeting when this artwork, in the form of a fountain, was discussed. She indicated she has some issues and questions on it.

Mr. Cannon explained this item on the agenda is recognition of the workers, and Ms. Voss is more than welcome to address her concerns in the Public Comment section of the meeting. He advised her to fill out a card.

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

5. REQUEST TO POST SUMMER READING BANNERS

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated May 16th, 2018 from Mr. Larry P. Neal, Library Director for the Clinton-Macomb Public Library, and approve their request to post two 8-foot by 2.5-foot banners promoting their free summer reading program, as outlined in the correspondence. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

6. REQUEST APPROVAL TO HOLD PARKING LOT SALE WITH 20' BY 20' TENT – HARBOR FREIGHT TOOLS, 34900 GROESBECK

Mr. Cannon stated they have never had any problems with this event in all the years they have held it.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter from Mr. Michael Szymanski, Store Manager of Harbor Freight Tools, and approve the request to hold a parking lot sale and allow a temporary 20-foot by 20-foot tent at their location at 34900 Groesbeck Highway from June 7th through 10th, 2018, as outlined in the correspondence. Discussion ensued.

Mr. Michael Szymanski, Store Manager of Harbor Freight Tools, stated they have a total of four of these proposed parking lot sales, and he inquired as to whether all four can be approved this evening.

Mr. Barry Miller, Superintendent of the Building Department, stated he has no objection to the request and they have not had a problem in the past. He believed precedent has already been set with Art Van, who came forward with multiple dates at one time. He reiterated he has no problem with granting them all at one time, as long as they come in and pull permits each time.

Ms. Meltzer inquired as to the proposed dates of the sales.

Mr. Szymanski replied the dates are June 8th through 10th, August 17th through 19th, October 12th through 14th, and November 23rd through 25th, 2018. He submitted a copy of those dates to Ms. Meltzer.

Mr. Pearl **amended his motion**, and Mr. Aragona **amended his support** to include the following:

Further, to also include approval of three additional parking lot sales with the 20-foot by 20-foot tent each time on August 17th through 19th, October 12th through 14th and November 23rd through 25th, 2018.

Discussion ensued.

Mr. Miller explained the policy, noting they are only allowed four events per year per business. He noted there are four 90-day intervals allowed per year, and the events are typically for a week at a time, but he acknowledged that since these sales are only for a few days at a time, he did not know how the Board would like to handle this.

Mr. Cannon stated they have been such good business people in the community, he would like to approve their request.

Ms. Meltzer inquired as to how many sales they have already held this year.

Mr. Szymanski replied that they were going to hold one in March, but it was canceled due to the weather.

Mr. Cannon pointed out that will then make a total of four sales, which is allowed by ordinance.

Mr. Miller inquired as to whether they had applied for a permit for their March sale.

Mr. Szymanski believed they canceled the March date prior to applying.

Mr. Pearl **amended his motion**, and Mr. Aragona **amended his support**, to include the following:

Further, that the requirement allowing the sales only once every ninety days (for a total of four times a year) be waived because of the short time of each sale and the fact that there will still be only four parking lot sales this year.

Roll Call (**on original motion and two amendments**): Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

7. REQUEST APPROVAL FOR EJ'S AUTO SERVICE SECOND ANNUAL ALL PERFORMANCE CAR SHOW – 44880 HEYDENREICH

Mr. Cannon stated all the reports they have back from all the departments indicate last year's show was a big success with no problems.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated May 9th, 2018 from Mr. Elmer Szulkowski, owner of EJ's Auto Shop, and approve the request to hold EJ's Auto Service Second Annual All Performance Car Show at 44880 Heydenreich, as outlined in the correspondence. Discussion ensued.

Mr. Gielegem read the flyer that Mr. Szulkowski provided and noted it refers to "Rat Rods". He questioned the definition of a "Rat Rod".

Mr. Szulkowski replied that there will be one at the show, and it is a 1931 or 1932 car that has a V8 engine with headers that come straight up. He indicated it will be brought in on a trailer and will be pushed off the trailer for viewing, noting it will not be run.

Mr. Gielegem thanked Mr. Szulkowski for the explanation.

Mr. Aragona thanked Mr. Szulkowski for being here tonight. He commented that last year's event was a lot of fun, noting he attended at the end of the day and was able to view a lot of cool cars. He invited the public to attend, including the Gratiot Cruise Committee, and hoped they will be bringing some cars to the show.

Mr. Keys inquired as to whether there are any plans to bring in a DJ or have live music.

Mr. Szulkowski stated he will not be having a DJ or live music.

Mr. Keys stated he was unable to attend last year's event but attended the ribbon-cutting for the opening of the business shortly before that. He appreciated the service Mr. Szulkowski is providing to the community. From the reception he got last year, he felt it is something for which they can look forward.

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

8. REQUEST PERMANENT OUTDOOR SEATING PATIO AREA AT STRAY CAT LOUNGE – 40813 GARFIELD

Ms. Meltzer informed that this request has been made and all inspections have been completed. They have also received approvals from Police, Fire and Building Departments.

Mr. Cannon noted they temporarily set something up last year, and when they were notified they could not have that set-up, they immediately took it down and worked to come up with a plan to make it safe.

Mr. Miller clarified that Ms. Meltzer is addressing the outdoor liquor license when she indicated that all departments have given their approvals. He stated the Building Department will not approve it until once it is set up, and they will then look at the bollard protection that they discussed. The plans are in place, and the petitioner will have to file her permits.

Mr. Keys questioned whether they are approving the ability for outdoor seating, but they cannot serve liquor outdoors.

Mr. Dolan explained they need a permit from the State of Michigan to serve in that area. They have obtained approval from the State. The Township has an ordinance that regulates outdoor seating in connection with businesses like this, and Mr. Miller is indicating that, if they complete the work as proposed on the plan, he will be satisfied. The motion for approval tonight would be to approve

the seating patio arrangement under the ordinance, subject to the actual verification of completion by Mr. Miller.

Mr. Gieleghem requested clarification as to whether there will be service outside, but people will be in the enclosed area with drinks from the restaurant.

Ms. Jackie Baumgart, owner, 40813 Garfield, Clinton Township, Michigan 48038, confirmed there will be service outside.

Ms. Meltzer confirmed that is the reason for this application.

Mr. Dolan clarified the approval is conditional upon the Building Department verifying that what is shown on the plans is what has been installed.

Mr. Pearl inquired as to whether this is inside the area of the shopping center and questioned the distance from this area to the first car.

Mr. Miller confirmed that is the distance to the curbing. He explained that Stray Cat Lounge sits in the crux of the complex, and he explained the layout.

More discussion took place regarding the exact location of the seating area.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter from Ms. Jackie Baumgart, owner of Stray Cat Lounge, located at 40813 Garfield, that the request for permanent outdoor seating in a patio area at this address be approved, subject to Mr. Barry Miller's further approval. Discussion ensued.

Mr. Gieleghem inquired as to whether they have letters of support from the complex.

Ms. Meltzer replied that is not required nor has it ever been required.

Mr. Gieleghem inquired as to whether the other business owners in the complex are notified of this.

Ms. Baumgart replied they all come to her facility.

Mr. Gieleghem inquired as to whether Ms. Baumgart intends to have music outside.

Ms. Baumgart replied she will not have music, but it will be a place to relax.

Mr. Keys inquired as to whether a plan like this is generally sent to the Planning Commission prior to coming to the Township Board.

Mr. Miller indicated that he talked with Mr. Santia, who has looked at the plans, which he generally does administratively prior to Mr. Miller releasing the permit. He verified that Mr. Santia had already given him his verbal approval.

Mr. Dolan confirmed that he also spoke with Mr. Santia today about this item, and he had indicated he had no objections.

Mr. Keys noted in the initial set-up that was taken down last year, there was one concern from the Fire Department and questioned whether that has been addressed.

Mr. Miller replied affirmatively, noting it was addressed through the Building Code. The concern they had was about egress width. They have a maximum occupancy limit of 99, which cannot be increased by having an outdoor seating area. They must have a wide enough path of egress out of the building. By putting a bollard protection in the middle, it puts an object in the middle of the way out, so they want to widen that area and allow them to go about seven feet apart, so they do not interfere with the egress.

Mr. Keys commended them for coming up with a creative way to resolve the problem and improve the business at the same time.

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

Mr. Miller replied to inquiry by the applicant that she needs to obtain a Building Permit application on line, fill it out and come in with the drawings of the bollards, including the depth of the posts. He suggested she give him a call if she has any questions.

9. SITE DEVELOPMENT APPROVAL FOR GALLOUP DISTRIBUTION CENTER: PART OF LOT #16, SUPERVISOR'S PLAT #10 SUBDIVISION, BEING 19.52 ACRES LOCATED S/15 MILE, W/HARPER, ADDRESSED AS 23350 15 MILE (PARCEL 16-11-35-201-001)

Mr. Cannon stated they are very excited about this project coming to Clinton Township, and the building will be approximately 100,000 square feet. They do a lot of distribution in the area and already employ 75 people, with more probably hiring in the future. He added that the construction of the project will also provide many jobs. He stated this is a larger site than they had in Warren, and he reiterated the Township is glad to have them here.

Mr. Andrew Grimes, 10712 North 45th Street, Augusta, Michigan 48012, offered to answer questions.

Mr. Cannon noted there are about 20 acres and they will be using about 10 of those acres for this development and will be able to sell the balance for other projects like this.

Mr. Pearl questioned whether the curbing waiver should be done after approval of the site development plan, or whether it should be done before.

Mr. Dolan replied that there are separate numbered items, but typically the curb waiver is granted first, and the site development plan is then approved.

Mr. Cannon stated Ms. Bednar was at the staff meeting today, and indicated she is very much in favor of what is being requested. He felt the waiver is very appropriate for the site.

Mr. Cannon stated they will go to Item #10 and act on the curbing waiver request first, then they will come back to this item.

10. REQUEST APPROVAL OF CURB WAIVER FOR GALLOUP INDUSTRIES

Motion by Mr. Pearl, supported by Ms. West, to approve the waiver of the parking lot curbing for Galloup Industries, to be developed on part of Lot 16, Supervisor's Plat #10 Subdivision, being 19.52 acres of land fronting the south line of 15 Mile Road, west of Harper Avenue, addressed as 23350 15 Mile Road. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

9. SITE DEVELOPMENT APPROVAL FOR GALLOUP DISTRIBUTION CENTER: PART OF LOT #16, SUPERVISOR'S PLAT #10 SUBDIVISION, BEING 19.52 ACRES LOCATED S/15 MILE, W/HARPER, ADDRESSED AS 23350 15 MILE (PARCEL 16-11-35-201-001) (continued)

Motion by Mr. Pearl, supported by Mr. Aragona, to receive, file and concur with the letter dated May 23rd, 2018 from the Secretary of the Clinton Township Planning Commission, and, in consideration of waiver of the parking lot curbing, approve the Site Development Plan for Galloup Distribution Center, to be located on part of Lot 16, Supervisor's Plat #10 Subdivision, being 19.52 acres of land fronting the south line of 15 Mile Road, west of Harper, addressed as 23350 15 Mile Road, as presented. Discussion ensued.

Ms. West inquired as to whether the petitioner will be selling the other portion of property that is not part of the development.

Mr. Grimes replied that they do not know what they will be doing with that land at this time. They have options but have not yet decided, adding that there is “nothing set in stone”.

Ms. West explained the petitioner came before the Planning Commission and a lot of people expressed concern that there may be lights shining onto their property across the street because of this development. She stated the petitioner addressed those concerns by offering to put in a berm and trees, and she commended the petitioners for being very respectful corporate citizens.

Mr. Cannon requested confirmation that they are putting in the sidewalk.

Mr. Grimes clarified that they are not putting in a sidewalk.

Ms. Meltzer recalled they discussed that at the Budget/Ways and Means Committee meeting. She understood there would be no connection of this sidewalk to another sidewalk.

Mr. Grimes replied that the two properties to their west do not have existing sidewalks, and they will not be developing the portion of property to the east, which is the location of the Clinton Drain. He pointed out that if there is a sidewalk on this site, it would be isolated, and if the next site to the east would be developed with a sidewalk, it would stop at the Clinton Drain, and there is not enough room for a sidewalk without putting a bridge or elevated walkway to continue.

Ms. Meltzer stated they discussed it at Budget/Ways and Means and did not think it was a benefit. They had discussed putting the money into an escrow, or possibly have the petitioner install the sidewalk across the street. She requested that Ms. Bednar and/or Mr. Dolan can address that.

Mr. Grimes explained they are also taking on the water onto their site off 15 Mile Road, which creates additional challenges because they must deal with that drainage to manage that storm water, so it would create additional hardship to have that sidewalk between the two driveways of the site.

Ms. Meltzer emphasized that they want sidewalks in place wherever possible to encourage alternate forms of safe transportation. They discussed putting this money in escrow for a later date to implement a sidewalk across the street, or they could require it tonight.

Mr. Dolan stated that, in the past, the Township has utilized sidewalk covenants as another option. They are recorded and are promises to install a sidewalk at a future date should conditions arise from the Township where sidewalks would be deemed appropriate. In this case, they could use a sidewalk covenant for

installation, either on their side or paying for installation on the opposite side if there comes a time when a sidewalk would be appropriate.

Mr. Cannon stated the petitioner made a good point, and Mr. Santia was at the meeting where this was discussed. He noted that Mr. Pearl was going to bring up that exact compromise.

Mr. Dolan explained the sidewalk covenant to the applicant, noting it is a recordable document where the petitioner promises he will install the sidewalk when requested by the Township. If the petitioner refuses to do so, the Township has the option of putting in the sidewalk and imposing a lien on the property. He questioned whether this is something to which the petitioner would agree.

Mr. Grimes stated he believed they would agree, but he would need to talk with his legal counsel before making that commitment.

Mr. Mark Wassink, 50101 South Sprinkle Road, Portage, Michigan 49002, stated that is something they would consider. He pointed out the Township put together a significant berm restriction on them, and he assured they have no problem meeting those requirements with the additional trees as outlined on the plans, but if they were to sign a covenant, they would want to make sure that one-third of the berm and or trees does not have to “go away”.

Mr. Dolan clarified they are talking about potentially construct the sidewalk on the opposite side of the street. He had already mentioned having problems with drainage and having to evacuate drainage from the road, so the idea would be that, if the circumstances were appropriate in the future, to try to get sidewalks started and interconnected on the opposite side of the road in the public right-of-way.

Mr. Wassink questioned whether they would share that cost with the property owner across the road.

Mr. Gielegem felt whatever the cost would be to put a sidewalk in on his side of the road is the amount to which he is agreeing to pay at some point based on where the Township feels it would be appropriate.

Mr. Dolan specified that the Township ordinances require sidewalks, and they have waived them in the past when a covenant is executed so they know they can have them in the future.

Mr. Wassink assured he does not want to be difficult, but his company needs to understand the agreement. It is something they had talked about with Mr. Santia in the very early stages of the planning, especially since they could see there are

no sidewalks to the west of their property, and the sidewalk would lead right up to the Clinton Drain to the east. He pointed out they have 1,400 feet of frontage, and that is a big commitment they need to understand before moving forward.

Mr. Dolan stated they try to enforce a covenant to the time when they can create a usable form of sidewalk.

Mr. Wassink reiterated they want to understand their obligations when they are talking about covenants.

Mr. Dolan explained they will call in covenants when it appears they can create a workable sidewalk area. He assured they will not call in a covenant to build a sidewalk “in the middle of nowhere”. He noted he has been with the Township since 1977, and in those forty years, they have been using sidewalk covenants that entire time.

Mr. Pearl did not feel they have called in very many of those covenants.

Mr. Gielegem questioned whether the petitioner will be applying for, and most likely receiving, an Industrial Facilities Tax Abatement.

Mr. Wassink replied they hope so.

Mr. Gielegem stated they are excited to have this company here in Clinton Township, and that they have tried to accommodate the residents of the Church of Christ Care Center. He explained the Township’s goal is to create a walkable community, which is important and why they feel the need to enforce the covenant.

Mr. Pearl **amended his motion**, and Mr. Aragona **amended his support**, to include the following in the motion on the floor:

Further, this approval is contingent upon execution of a sidewalk covenant to be drafted by the Township attorney.

Mr. Keys noted that the hard copy of the site plan does not show as many trees as the site plan on his computer.

Mr. Grimes replied the hard copy of the site plan is from the original Planning Commission meeting and he did not reprint with the modifications. He assured the plans in front of the Township Board are accurate.

Mr. Keys appreciated the petitioner adding the trees, and he stated one of his specific concerns in that area is the lack of trees and walkability. He understood the sidewalk would be burdensome on his side of the street, but he appreciated the compromise that Mr. Pearl suggested because it is important to create a

walkable community, especially between Harper and Gratiot. He added there are many bus stops in the area and a lot of them do not have covers or cement stops, and when considering the lack of sidewalks in the area, that becomes a problem.

Mr. Wassink assured they are not “anti-sidewalk”, and they encourage their employees to find ways to walk. He does have a problem spending a lot of money on sidewalks that go nowhere. He assured they are putting in a top-notch facility, putting in additional landscaping, but they want to participate in something that is real.

Mr. Keys stated he lives near this facility on Grandy Street, and he appreciated the petitioner’s willingness to work with the Township. He observed that the plan reflects the trees in a line, and he suggested if they can spread them out, it would be appreciated.

Roll Call (**on motion and amendment**): Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

11. APPROVAL OF NICHOLSON NATURE CENTER SHARED MAINTENANCE AND OPERATIONS AGREEMENT

Mr. Cannon stated the Township was approached by County Commissioner Candace Miller and her staff to take over the maintenance of the Nicholson Nature Center because it is not used. He noted there is a beautiful restroom facility that they claim is used only one day a year, and it will be able to be opened daily like other Clinton Township parks. He explained this is another park that the Township will be able to use through a joint ownership with the County, and the Township will maintain portions of it. The major repairs of any bridges or bricks on the restroom facility will be borne by the County. He informed it is a ten-year agreement, with extensions possible. They will be able to let the residents of Clinton Township, as well as residents of Macomb County, know that area is there for them to use.

Motion by Mr. Pearl, supported by Mr. Gielegem, to approve the Nicholson Nature Center Shared Maintenance and Operations Agreement between the County of Macomb and the Charter Township of Clinton, as presented, contingent upon approval of this contract by the County. Discussion ensued.

Ms. West stated she has walked in that area numerous times with her husband and dog, and it is a beautiful area.

Mr. Cannon assured they will be promoting it, and it will be much more visible to the public.

Ms. West explained it is located off Dunham, behind the Verkuilen building and the new Public Works building.

Mr. Cannon commented that the name of the park will remain the same, adding that the Nicholson's donated the property.

Ms. Bednar clarified that approval of this needs to be made subject to the County's approval.

Mr. Cannon concurred, but added he is confident the County will approve this.

Mr. Keys questioned whether the County, once they approve it, will send over a finalized agreement.

Ms. Bednar replied this agreement was reviewed by County staff and attorneys as well as Township staff and the Township attorney. She anticipated it is in its final form.

Mr. Keys inquired as to whether Mr. Cannon can sign the agreement if it is approved this evening.

Mr. Cannon replied affirmatively.

Mr. Gieleghem questioned whether it comes back to the Board if there are any changes.

Mr. Cannon confirmed that is correct.

Mr. Keys questioned how confident Ms. Bednar is that the Township's staff can handle the day-to-day maintenance of this park.

Ms. Bednar replied that the Township's official park hours during the week will be from 8 a.m. to 3 p.m. so the current staff can shut the bathroom down at 3 p.m. before the end of their workday. The park rangers will allow it to remain open a little later on weekends. Using current staff and current equipment, they will be able to maintain this park for its day-to-day operations.

Mr. Keys inquired as to whether the Township is currently opening all the restroom facilities in all their parks daily.

Ms. Bednar replied affirmatively, although she noted they are closed and winterized for the winter months. If for some reason they need to shut it down for maintenance, they do that on occasion. She pointed out when the path is flooded, they may not open the restrooms during that time because they do not want to encourage people to walk through the flood waters.

Mr. Gieleghem noted that, under this agreement, it will remain a passive park. He understood the existing pavilion can only be used for education.

Ms. Bednar clarified it can be used for education and stewardship purposes.

Mr. Gieleghem encouraged people to use this park because it is a nice area along the north branch of the Clinton River.

Mr. Cannon noted with the addition of signage and the fact they are in partnership with the County, they will be attracting many more people to enjoy this area.

Ms. Bednar announced that tomorrow, Six Rivers Land Conservancy, in partnership with the County, will be conducting a mustard weed pull and trash pickup in the Nicholson Nature Center. She urged those who have extra time to help.

Mr. Keys inquired about insurance for this park.

Ms. Bednar replied they talked to the Township attorney and Mr. Steve Saph Jr., who assured their current policy will cover this park as well.

Mr. Dolan stated they are adding the properties as additional insured without any additional cost.

Mr. Keys questioned when a business pulls a permit to use the parks, they have access to all parks except for George George Park. He questioned whether this will be on that list. He cited the example of a yoga studio obtaining a permit to perform yoga classes in the park and questioned whether this park will be included.

Ms. Bednar clarified when someone pulls a permit, it is for a specific park. She added it cannot be rented for a family picnic, although if someone wants to use it for a picnic, they are more than welcome to do so, but official reservations will not be accepted like they are for other parks that have pavilions.

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

Ms. Kathy Voss, resident, questioned the time for the clean-up.

Ms. Bednar replied it starts at 9 a.m. and they anticipate being done by about 1 p.m. She added that the Township's DPW will pick up the debris and trash that

is gathered and dispose of it, noting they have been doing this for the County and Six Rivers Conservancy.

12. BID AWARD: LOG CABIN RESTORATION

This item was deleted from tonight's agenda.

13. REQUEST APPROVAL TO PURCHASE REPLACEMENT VEHICLES – WATER DEPARTMENT

Motion by Ms. West, supported by Mr. Gielegem, to receive and file the letter dated April 30th, 2018 from the Assistant Superintendent of the Water & Sewer Division, Department of Public Services, and approve the purchase of replacement vehicles from Signature Ford for a 2018 Ford F150 Super Cab Pickup in the amount of \$34,032.00 and a 2018 F150 Regular Cab Pickup for \$29,811.00, with both replacement vehicles being budgeted. Roll Call: Ayes – West, Gielegem, Keys, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

14. PURCHASE OF ONE 2019 F250 PICK-UP TRUCK

Motion by Ms. West, supported by Mr. Keys, to receive and file the letter dated May 16th, 2018 from the Director of Public Services, and approve the purchase of one 2019 F250 pick-up truck from Signature Ford through the Macomb County bid Process, Bid #71-15 in the amount of \$24,406, which is a budgeted purchase. Roll Call: Ayes – West, Keys, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

15. PURCHASE OF ONE JOHN DEERE TRACTOR

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated May 16th, 2018 from the Director of Public Services, and approve the purchase of one John Deere Tractor, Model 575E with attachments in the amount of \$58,085.38, which includes a trade-in of a 1978 Ford backhoe in the amount of \$5,000, with the purchase through the Distributing Corp of America, State Bid MI Ag. Grounds and Roadside Equipment #071B7700085. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

16. REQUEST TO PARTICIPATE IN PHRAGMITES CONTROL RFP WITH DEPARTMENT OF ROADS AND OTHER TOWNSHIPS

Ms. Meltzer inquired as to how many locations this would involve.

Mr. Cannon stated they have some idea, but there will probably be more added.

Ms. Bednar stated they are looking at the phragmites along Metro Parkway, Canal Road (which impact the Township's parking lot and property), 14 Mile Road, Little Road and other areas. She pointed out wherever there are open ditches throughout the Township, they are present, and they want to get as much of it as they can with these grants. They also have some in George George Park that will be addressed, as well as some additional in Budd Park.

Mr. Cannon clarified that \$1,500 is 10%, which is the Township's share, and the \$5,000 would be a match with the County's Department of Roads.

Motion by Mr. Pearl, supported by Ms. Meltzer, to receive and file the letter dated May 25th, 2018 from the Director of Public Services, and approve up to \$6,500 as the Township's share of the cost to participate in the Phragmites Control Spraying in the road rights-of-ways by the Macomb County Department of Roads, as outlined in the correspondence. Discussion ensued.

Ms. Meltzer inquired as to whether this is an invasive species.

Ms. Bednar replied affirmatively.

Ms. Meltzer stated it is very hard to manage, and she noted they had to spray for it on her street. There is a process where they spray, wait a certain amount of time and then remove it. She felt it is important to share the costs.

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

17. INTRODUCTION OF TOWNSHIP ORDINANCE #444 – WATER DETECTOR CHECK METER ORDINANCE

Mr. Dolan explained this is to introduce and publish, with the intent of adopting at the next meeting.

Mr. Pearl inquired as to whether this will be feasible to install.

Ms. Bednar replied that is their goal, and this will allow them to retrofit and bring it back into places that do not have it.

Mr. Pearl inquired as to whether they have to shut their water systems down while this is being done.

Ms. Bednar replied they will have to shut them down temporarily.

Mr. Pearl questioned whether there will be any review if they do not have room.

Ms. Bednar assured they will work with the individuals.

Motion by Ms. West, supported by Ms. Meltzer, to introduce and publish proposed Township Ordinance #444 – Water Detector Check Meter Ordinance, with the intent to adopt at the next Township Board meeting, scheduled for Monday, June 11th, 2018 at 6:30 p.m., Township Board Chambers, Clinton Township Civic Center. Roll Call: Ayes – West, Meltzer, Keys, Pearl, Cannon, Aragona, Gielegghem. Nays – None. Absent – None. Motion carried.

18. TREASURER'S QUARTERLY REPORT

Mr. Gielegghem summarized his Quarterly Report, noting it appears both online and in the agenda package. He explained it is his obligation as Treasurer to report to the public and the Board each quarter what is happening with the funds that come into the Township. He noted they work very closely with the Budget & Finance Department. They have an investment policy, guided by: 1) safety of principal of those dollars; 2) liquidity of funds; and 3) yield, or returns they get from the investments into which they put those funds. He talked about Public Act 20, which is very restrictive and dictates they can only invest in top-rated funds. He added that, as his first full fiscal year as Treasurer, he is proud to report to the Board and the community that some of the fees they invested right from their office into some of those compliant vehicles resulted in increased interest income by 195% net, amounting to \$549,760.66 of new money coming into the Township. He also credited the Finance Department because one of the things he did as Treasurer was to stress to them he needed to know when the money is coming in and when it is going out, so cash flow reports were requested. By getting these cash flow reports, he indicated they can take the money out longer and get active returns. He explained the bulk of Township dollars from tax revenue comes in from the December collection, so they are now in the process of guiding those funds for the next fiscal year. He stated this is the snapshot of where the dollars are and how they have put them to work, as well as the returns they are receiving on these.

Mr. Pearl commended Mr. Gielegghem and his staff, as well as the Finance Department, for the good job. He questioned whether they prepare an amended budget to show the increases.

Mr. Gielegghem stated that will be part of the amended budget when that is done.

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the Treasurer's Quarterly Investment Report dated May 22nd, 2018 from the Township Treasurer, as presented. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

19. APPROVAL OF OPIOID LITIGATION PROPOSAL

Mr. Cannon noted there are four firms that have submitted bids, and all the Board members have had those bids in their possession for quite some time.

Ms. Meltzer read the information provided by Mr. Dolan, which included a breakdown of fees and costs for each of the bidders based on a \$1 million settlement:

Litigation costs at 2% and at 6% of the total settlement:

Bernstein White	\$342,000 (6%)	\$314,000 (2%)
Sommers Schwartz	\$310,000 (6%)	\$270,000 (2%)
Miller Law	\$295,000 (6%)	\$265,000 (2%)
Kirk Huth & Edelson	\$360,800 (6%)	\$333,600 (2%)

Ms. Meltzer pointed out that in both instances, the Miller Law Firm was the lowest.

Representation on committees:

Miller Law	Executive (1%)	Settlement (1%)
Sommers Schwartz	1 attorney as part of Lead Counsel Group	
	3 attorneys on Executive Committee	
Bernstein White	1 attorney on Executive Committee	
Kirk Huth & Edelson	No attorneys on any committees	

Ms. Meltzer explained that Miller Law has the State Pension System, as well as Oakland and Wayne Counties. Sommer Schwartz has three Michigan entities, including the City of Livonia and Canton Township. Bernstein has over forty Michigan communities, mostly consisting of counties but with a significant number of cities in Michigan as clients. Kirk Huth & Edelson has the City of Warren and the City of Sterling Heights.

The votes were as follows:

West	Sommer Schwartz Goodman Acker
Keys	Sommer Schwartz Goodman Acker
Pearl	Sommer Schwartz Goodman Acker
Cannon	Kirk & Huth
Aragona	Miller Law Firm
Gielegem	Sommer Schwartz Goodman Acker
Meltzer	Miller Law Firm

Discussion took place regarding the cost and that Sommer Schwartz Goodman Acker is not the lowest bid.

Mr. Cannon reminded that this is a contract for professional services and it does not have to be the lowest bid. He advised that everyone has made their choice,

and a motion is now in order for Sommers Schwartz Goodman Acker to be awarded this contract.

Motion by Mr. Gielegghem, supported by Ms. West, to receive and file the letter dated May 18th, 2018 from the Township Attorney, and award the contract for the Opioid Litigation Proposal to Sommers Schwarz Goodman Acker, as outlined in the correspondence. Roll Call: Ayes – Gielegghem, West, Keys, Pearl, Cannon, Aragona. Nays – Meltzer. Absent – None. Motion carried.

20. REQUEST APPROVAL TO PAY MTA ANNUAL MEMBERSHIP DUES

Motion by Mr. Keys, supported by Mr. Gielegghem, to receive and file the Invoice dated May 15th, 2018 from the Michigan Townships Association (MTA) and authorize payment of the annual dues covering July 1st, 2018 through June 30th, 2019 in the amount of \$6,738.26. Roll Call: Ayes – Keys, Gielegghem, West, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

21. SCHEDULE PUBLIC HEARING FOR REDISTRIBUTION APPROVAL OF ALLOCATED CDBG FUNDS AVAILABLE JULY 1ST, 2018 AS OUTLINED IN CONSOLIDATION PLAN

Ms. Meltzer explained they expected to receive \$514,000 for this program, and the actual monies just came in at \$561,000. She indicated they are scheduling a public hearing tonight to discuss redistribution of those additional dollars.

Motion by Ms. Meltzer, supported by Mr. Keys, to schedule a public hearing for the next Township Board meeting on Monday, June 11th, 2018 at 6:30 p.m. to consider the redistribution of allocated Community Development Block Grant (CDBG) Funds available July 1st, 2018 as outlined in the Consolidation Plan. Discussion ensued.

Mr. Keys inquired as to whether this will be coming back to the Board from Budget/Ways & Means as to how that money will be spent.

Mr. Cannon stated it may not have to go to Budget/Ways & Means but Mr. Santia will speak to it.

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

APPROVAL OF MINUTES OF MAY 14TH, 2018 REGULAR TOWNSHIP BOARD MEETING

Motion by Ms. West, supported by Mr. Keys, to approve the minutes of the May 14th, 2018 Regular Township Board Meeting, as submitted. Roll Call: Ayes – West, Keys, Pearl, Cannon, Aragona, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF BILLS

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

PUBLIC COMMENTS

Ms. Kathy Voss, 20215 Webster, Clinton Township, Michigan 48035, commented on the Festival of the Senses and how the money raised by the committee is being used. She felt the scholarship program is great and questioned why they cannot continue with it. She was disappointed that the artist is not from this area. She felt the Memorial Garden is a great idea for the Civic Center but hoped some of the remainder of the funds that will be used for art work will be spread throughout the Township. She pointed out that, while many people visit the Civic Center and will be able to see this art, there are a lot of people who do not come to the Civic Center or are coming in and out, not paying attention to the other amenities here. She would like to see some of the art on Gratiot or spend some of that money to try to beautify Groesbeck. She urged the Board to get the businesses to put in some flower boxes. She felt that would add appeal to Groesbeck. If that money is being used for art work, she felt that would fall into the enhancement of Groesbeck. She concluded she would like to see the money spread out more so more people would be able to enjoy it.

Ms. Ava McDowell, 19862 Abrahm, Clinton Township, Michigan 48035, addressed the recent approval of the fountain for the 9-11 Memorial Garden. While she understood it is already approved and will be going forward, she expressed concerns to prevent the same type of situation from arising in the future. She questioned whether there are not any artists in Clinton Township or this area who could have designed this fountain. She pointed out that the artist is from Colorado, and he is taking money that was raised here in Clinton Township. She stressed the Clinton Township money should be kept in Clinton Township or at least in Macomb County. She stated her daughter has been very involved with

the Festival of the Senses from the beginning. She complained about the design, noting it pays homage to the three branches of the Clinton River, and has nothing to do with the tragedy of 9-11. She felt they could have come up with a design that truly would have memorialized those lives lost on that tragic day. She suggested the fountain just purchased should be renamed as a Bicentennial Commemoration Fountain and find a better way to memorialize those lost on 9-11. She felt art installation needs to be under the purview of the Parks & Recreation Department. She urged the Board to establish an Art Committee, and she indicated she would like to be its first member, although she does not want to chair it. She suggested the Township consider small art installations throughout the Township, similar to what Atlanta, Georgia has done. They are put in front of businesses, and those businesses have the responsibility of maintaining that artwork.

ADJOURNMENT

Motion by Mr. Keys, supported by Ms. Meltzer, to adjourn the meeting. Roll Call: Ayes – Keys, Meltzer, West, Pearl, Cannon, Aragona, Gieleghem. Nays – None. Absent – None. Motion carried. The meeting adjourned at 7:59 p.m.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON