

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, JUNE 11TH, 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 are three deletions from tonight's agenda:

3. Site Development Plan: Mini-Maxi Storage North – Lots 20 through 23, Meadows Subdivision, being 2.59 acres of vacant land located at the northeast corner of Gratiot and Iroquois (Section 23)
7. Medical Marihuana Facility Licensing Act (MMFLA) – Proposed Regulatory Ordinance
8. Medical Marihuana Facility Licensing Act (MMFLA) – Proposed Amendment to the Planning and Zoning Code, Chapter 1291, Medical Marihuana Facilities (including map)

Ms. Meltzer stated there is one addition to tonight's agenda:

15. Request Approval to Install Garage Doors and Outside Patio for Clancy's Irish Pub

Motion by Mr. Pearl, supported by Mr. Keys, to approve tonight's agenda with the deletion of Items #3, #7 and #8, and the addition of Item #15. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

1. REQUEST APPROVAL TO SELL CONSUMER FIREWORKS FROM A TEMPORARY TENT AT IMPERIAL LANES – 44650 GARFIELD

Mr. Cannon stated Mr. Barry Miller, Building Department Superintendent, indicated they were at this location last year and there were no problems.

Mr. Miller confirmed they ran the program the correct way. They took the money inside the bowling alley.

Mr. Virgil Johnson, applicant, explained that last year was their first year selling fireworks in Clinton Township, and he recalled everything went smoothly.

Motion by Mr. Pearl, supported by Ms. Meltzer, to receive and file the letter to the Clerk from Mr. Virgil Johnson, and approve his request to use the parking lot located at 44650 Garfield Road for the sale of Michigan Classic “C” fireworks by Red Falcon Fireworks LLC from a tent, to be held June 26th to July 6th, 2018. Discussion ensued.

Ms. Meltzer spoke with Mr. Johnson earlier today and emailed him a notice that should be displayed at the subject location, delineating the Township Ordinance regarding fireworks.

Mr. Dolan inquired as to whether the insurance matter has been cleared up.

Ms. Meltzer replied affirmatively, stating that the additional insured reads “Charter Township of Clinton – coverage primary and contributory”.

Mr. Cannon inquired as to whether Mr. Johnson is aware of the form referred to by Ms. Meltzer.

Mr. Johnson assured he is familiar with the form, adding that he handed a copy of that to every customer last year, so they could become aware of it.

Ms. Meltzer mentioned they had an interesting conversation, and he brought up an interesting point that many of the people who purchase fireworks from him come from outside this community, so they will take it back into they community in which they live. She also noted there are people who live in the Township, purchase the fireworks and take them outside of the Township. She emphasized that the Township can make a request to post the sheet explaining the ordinance, but last year, the petitioner went above and beyond and distributed a copy to all his customers. She cautioned it needs to be posted in a conspicuous place in the store, so people know there is an ordinance in Clinton Township.

Mr. Keys noted Ms. Meltzer had emailed the petitioner a form, and he questioned whether they could come up with a form because the requests often come in as a handwritten note.

Ms. Meltzer stated there is an agenda management system she is looking at that may have that template for anyone who wants to place a request on the agenda, but at this time, they get some requests on letterhead and some are handwritten like this.

Mr. Keys felt an agenda management system would be great, but he felt a quick form could be generated in Microsoft Word, with the recommended steps listed on the bottom. He admitted those who have applied before may be familiar with the information, but for those who are applying for the first time, a form including the necessary information may be helpful. He felt it would be nice to have something uniform on behalf of the Township, and it makes the Township's priorities clear.

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

2. REQUEST PERMISSION TO HOLD ANNUAL HOMECOMING PARADE ON FRIDAY, SEPTEMBER 28TH, 2018 FROM 4:00 P.M. TO 5:30 P.M.

Mr. Cannon stated this is the same route they have been taking for years, with no problems.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated May 31st, 2018 from Ms. Kristin DeLuca, Chippewa Valley High School Activities Director, and approve her request to conduct their annual Homecoming Parade on Friday, September 28th, 2018 from 4:00 p.m. to 5:30 p.m., with the route as outlined in the correspondence. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

3. SITE DEVELOPMENT PLAN: MINI-MAXI STORAGE NORTH – LOTS 20 THROUGH 23, MEADOWS SUBDIVISION, BEING 2.59 ACRES OF VACANT LAND LOCATED AT THE NORTHEAST CORNER OF GRATIOT AND IROQUOIS (SECTION 23)

This item was deleted from tonight's agenda.

4. REQUEST TO SCHEDULE A PUBLIC HEARING ON REQUEST FOR A NEW INDUSTRIAL DEVELOPMENT DISTRICT – KENDALL ELECTRIC, INC., D/B/A GALLOUP

Motion by Ms. West, supported by Mr. Pearl, to receive and file the letter dated May 23rd, 2018 from the Township Assessor, and schedule a Public Hearing on the request for a New Industrial Development District, Kendall Electric, Inc., d/b/a Galloup, to be held at the next Board Meeting, scheduled for Monday, June 25th, 2018 at 6:30 p.m., Township Board Chambers, Clinton Township Civic Center. Roll Call: Ayes – West Pearl, Keys, Cannon, Aragona, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

5. REQUEST APPROVAL TO UPGRADE TO LASERFICHE RIO

Mr. Keys questioned whether there is an update on this project.

Ms. Stephanie Cheung, Records Analyst, stated they now have thirteen processes that are running, eight of which involve multiple departments. She added there are another three processes that are in the final testing phases, and another ten that are in the “rough draft” form for various departments, including Human Resources for new employee information, as well as for Department Heads to conduct annual reviews.

Mr. Keys questioned the eight processes involving multiple departments, and questioned which departments are involved.

Ms. Cheung replied these processes involve Clerk’s, Building, Fire, Planning, Police and Treasurer. She added there are about three departments using a process where they can keep what they have but they fill out the information and it puts it in the right spot, so they do not have to convert all their files, which could take many hours. She talked with Public Services today, and explained they do projects based off a job number, which includes an entire neighborhood. They want to limit the information put into it, so it is consistent.

Mr. Keys stated he can see the huge improvement they have made since the last update in getting information into the system. He requested that Ms. Cheung explain the advantages of the upgrade. He could understand the ability of having more users, especially if they are indicating they are “ready to go”, and he further questioned the additional steps, including why the upgrade is needed at this point.

Ms. Cheung replied that there are so many departments involved in the applications she is making, and she has created a template for a lot of them, so they do not have to start over each time, so tailoring it to each department will go

quicker. She cited Accounting as an example, where they could use this program to save the Building Authority meeting minutes, but they would have to take one of the ten usable licenses away from someone else, so the additional licenses will help. She also noted that Laserfiche Rio has an extensive audit trail, which will also help them.

Mr. Keys stated he had anticipated that this upgrade would come when the Township was ready for the public portal because that is the benefit he sees in the upgrade. He indicated he struggles with the number of licenses, noting that many companies have unlimited licenses. He added it bothers him to be paying per license.

Ms. Meltzer felt Mr. Keys' criticism indicates he does not understand their system and how it is utilized. She stated she had not received a call from Mr. Keys but would be happy to meet and share that information with him. Ms. Meltzer stated that they have talked with Laserfiche and they are ready to move on. They need more employees utilizing it and stressed the priority is to get the employees familiar with using the program before they have the public portal available, where they will have to answer questions from residents about it. She felt it is very critical that the employees have a good understanding of a new system, especially because there can be resistance to change. Ms. Meltzer felt the biggest advantage to purchasing Rio is the additional licenses. She agreed that the portal will come eventually, but not at this time. She emphasized the other big advantage is the extensive audit trail they will be able to capture. She stressed that the goal is to break down the "silos" that have existed for years, which creates duplicates of efforts and storage.

Mr. Keys appreciated Ms. Meltzer's comments, but he felt she is using a lot of terminology in the workflows and processes that confuse people. He commented they are dealing with an agenda management system and a document depository, which are two separate things. With Laserfiche, they are getting both the workflows built into the document depository. He stressed has continued to ask questions on this platform and how it will be implemented, and he has taken the initiative as a Trustee to try to access it, which has been a struggle. He felt the first phase of this program was outdated, because there are limited users, it was not web-based, and the program had to be installed on the computer are all factors that corporations and communities no longer must deal with.

Ms. Cheung assured that the upgrade to Rio is web-based. The workflows are geared to be all electronic, so it goes right into the depository. It is mainly based off the "forms" part of the software, or "suite", which is web-based, but for anyone to use it, they need a license.

Mr. Keys recalled Ms. Meltzer had sent him a couple of documents that were in Laserfiche and he could not access them.

Ms. Cheung explained that was because they were on the local LAN system within the Township offices.

Mr. Keys noted he would have to get a computer approved by the Township, download a VPN to that computer, then download a desktop management feature to then allow him to remotely log in to a computer within the Township offices, which he felt is outdated technology. He appreciated the focus on web-base, and he commended the progress since the last presentation. He felt they have spent a lot of money on this project. He looked at his last email from Finance the last time this was discussed, and with staffing, software and training, the Township has spent over \$300,000 on this project. He commented the number of documents last time was not acceptable to him, but he reiterated they have made a lot of progress and they have since pushed a lot of information into the program. He stated he would like to see a more complete product before they move forward with an upgrade. He questioned whether this purchase extends their contract another three years.

Ms. Meltzer replied that the contract is from year to year, and the maintenance cost of \$6,700 is what they will be paying annually.

He noted that was a confusing part to him. It was included in the Board packet they received on Thursday, and the contract was just added. The letter explaining the reason for the purchase was received this afternoon. He stated he would like to see I.T. here to assure this is the best way to go and to confirm that they do not need to go out for bid. He understands the Laserfiche contract will be expiring soon, and he wants to make sure this is not an extension but is an upgrade until the date set by the previous contract.

Ms. Meltzer noted it is prorated so the monies that are still left for the Avante will be applied towards the Rio. She assured it is a great system and is not outdated. She explained that Oakland County and many other communities are using it as a repository for their records because the State of Michigan is requiring that they can retain and retrieve them when asked. She stressed it is very much a part of what the Clerk's office does. She stated that, while Mr. Keys is not in the Clerk's industry, it is her responsibility and she takes it very seriously. She felt Stephanie has done a great job to this point and added there is a learning curve. She cited the example of the Planning Department, with the elimination of their Deputy position.

Mr. Keys stated he was not aware that the Deputy position is being eliminated, and he indicated the Planning Director is shaking his head.

Ms. Meltzer clarified that the Deputy retired, in addition to the retirement of his support staff, so it is hard for the Planning Department to move forward in this

area. She respects and understands it, noting there are circumstances that those who are not here daily do not see or prioritize, but she stressed that she prioritizes the people in this Township and makes sure she recognizes what they are going through before she implements a system. She indicated they are making huge strides in this technology, and although this is not the most expensive system, she felt they do not need the most expensive because they have the talent here in the Township. She claimed that a company that provides everything, possibly out of New York, does not know what Clinton Township needs, so they have developed a Records Manager position, and changed it to the Records Analyst position because she realized they could do some of the records management in the Clerk's office. The Records Analyst is there to accommodate training and business practices being implemented. She noted Ms. Cheung has her degree in this, and it is a lot of work to be able to write the business processes and forms, so they adapt to what is best for the people of Clinton Township.

Mr. Pearl inquired as to whether the records are being backed up and, if so, who is doing that back-up.

Ms. Cheung replied it is backed up automatically by I.T. because they have the main server.

Mr. Pearl inquired as to whether they have a back-up to that and how it is done.

Ms. Cheung replied they have backups off-site and that is done daily.

Mr. Pearl inquired as to whether the contractor hired to do all the scanning has completed it.

Ms. Cheung replied that Building is completed, and they had started with their microfilm. She indicated that the contractor they have now working on the Planning Department's microfilm is doing a very good job.

Mr. Pearl inquired as to whether developers are now required to provide digital copies of documents and site plans.

Mr. Miller replied that the Building Department scans all plans that come into their office.

Ms. Meltzer replied that they could accept it, and they are trying to make it so when the portal is implemented, they can use that.

Mr. Santia replied to inquiry that at this time, they do not require a digital copy, although he indicated they can do that in the future once they have the equipment to be able to stamp and approve a digital copy and make sure it is a

true copy of the approved plan. At this point, they take the approved plan to the Township Board in paper form. It is stamped as the approved copy, and the Planning Department keeps a copy of it, which will be scanned into Laserfiche and maintained in a file. He added it will become more efficient as they require digital copies.

Mr. Pearl inquired as to whether this system is proprietary.

Ms. Cheung replied they have the scans and the records, so it is not like the CLEMIS system that the Police Department used.

Mr. Pearl inquired as to whether a new system could read those files.

Ms. Cheung stated that would depend upon the system and how they read the files.

Mr. Pearl inquired as to whether they will be unable to read the records if Laserfiche goes out of business.

Ms. Cheung replied no and stated the records will be able to be viewed, but it will depend upon the software they get. One of the features of Rio is a feature called “Capture”, and data can be entered right away on mobile devices, especially for the inspectors who are out on the road. She added Laserfiche Rio has Cloud, but at this point it is difficult to get the processes off Cloud.

Mr. Gielegghem thanked Ms. Cheung for coming by his office to answer questions about this for him. He was on the Board when they signed up for the Laserfiche. He understands the concept of records retention and the concept that the Township is required by law to keep these records for a set amount of time, which is under the purview of the Clerk’s office, but he has never had a fundamental understanding.

Ms. Cheung agreed it is new to everyone and difficult to understand if they are not able to see it.

Mr. Gielegghem explained he talked with Ms. Meltzer earlier today and understood there is a records retention part, as well as the workflow processes. He questioned whether departments that need to keep track of expenses can do so through this system.

Ms. Cheung replied affirmatively.

Mr. Gielegghem inquired as to whether Avante and Rio are just different versions of the same program.

Ms. Cheung replied Rio is an upgrade because it offers more than the current package, including more licenses. She added that Rio has the capability for users to add their digital signatures. It also has capabilities for the mobile devices, as well as additional apps. She replied to further inquiry that once they have more of the departments using it and the public portal, anything submitted would go directly to that department and the process is set up. Currently, for the departments that are using it, she has the process set up so when an application comes in, the basic information is put in, and the original document with the signature can be uploaded and forwarded to all the departments that need it. She explained it is the same process departments were using with the paper product, but this is much easier and quicker, and can be sent out with one button.

Mr. Gielegghem asked if there are currently ten processes.

Ms. Cheung replied there are currently thirteen, with eight of those used by multiple departments.

Mr. Gielegghem inquired as to what the process will be for reaching out to the other departments with these 25 licenses providing access for 75 people to use the program. He pointed out that someone doing this has to understand the fundamental operations of the departments.

Ms. Cheung responded that they determine daily work that is done, and that becomes a process. She then creates a workflow for that process. She explained how there are “folders” set up, and for example, one Treasurer’s “folder” may have documents the rest of the department can look at, but they may have another “folder” set up with different securities that are only available to the Treasurer and Deputy Treasurer. There could be yet another folder available to the Treasurer, Deputy Treasurer and the Office Clerks only.

Mr. Gielegghem understood that Ms. Cheung visits each department, trying to understand the operation and the program, and telling them how the program will be helpful to them.

Ms. Cheung replied affirmatively, noting they want each department to work with it. If they see a process that would help them daily, that is what she is looking for.

Mr. Gielegghem can see the value of it. He felt the frustration is understanding the cost. He recalled this all started when he was a Trustee in 2014. The idea was to bring in a person, work with all the departments to find a system that could be helpful for them and have them come up with a plan. They hired someone to find the program and implement it, and although there were a few “hiccups” along the way, they have spent a lot of money. He questioned how much they are

proposing to spend today, and how long they are obligating the Township to this program. He questioned whether they are “re-upping” for a year.

Ms. Meltzer explained the annual fee is for maintenance. She clarified that this is for the purchase of Rio at a cost of \$22,700.33. That is a one-time cost, and going forward next year, they will spend \$6,567 annually for maintenance. She added that, up to this point, they have been spending the annual maintenance fee for Avante in the amount of \$3,871.87. She clarified the quoted maintenance fee of \$6,567 per year is for the Rio system as delineated. If they want to implement a portal, there will be other fees associated with that; however, she indicated that can be addressed at that time.

Mr. Gielegghem confirmed that the portal enables public access to view documents that the employees can access.

Ms. Cheung replied that is somewhat the case. She explained the helpful feature of the portal is that the public will be able to submit applications or “pick-up” documents through that portal.

Mr. Gielegghem felt they need to be careful about what people do and do not understand. He pointed out they are all elected to serve on this Board, and it is incumbent upon those departments that the Trustees understand exactly what it is they are doing, how the dollars are being spent, and why they are being spent, and this needs to be done in an appropriate way.

Mr. Cannon commented that Ms. Meltzer has invited Mr. Keys to meet with her and she would be glad to explain the program and answer any questions he has regarding the program.

Mr. Gielegghem noted Mr. Keys had indicated he has been trying to access the program and has been unsuccessful doing so.

Mr. Cannon suggested that is why Mr. Keys should meet with Ms. Meltzer. He added that the Township needs to “catch up” with the State mandate. He also cautioned that they cannot use salaries associated with the Clerk’s department because their salaries are taking care of the entire Township and not only the Clerk’s Office. He commended Ms. Meltzer for tackling this issue, noting it is a State mandate and they are insisting that communities do this.

Motion by Mr. Cannon, supported by Mr. Aragona, to receive and file the letter dated May 31st, 2018 from the Township Clerk, and approve her request to upgrade the Township’s Electronic Content Management System to Laserfiche Rio at a cost of \$22,700.33, as outlined in the correspondence. Roll Call: Ayes – Cannon, Aragona, West, Pearl, Gielegghem, Meltzer. Nays – Keys. Absent – None. Motion carried.

6. PUBLIC HEARING FOR REDISTRIBUTION APPROVAL OF ALLOCATED FUNDS THAT WILL BE AVAILABLE AS OF JULY 1ST, 2018 FOR CDBG AS OUTLINED IN THE CONSOLIDATED PLAN

Mr. Cannon stated this is good news, because it involves additional monies that are being put into the funds.

Mr. Santia stated this should be approved in two separate motions: one to accept the redistribution as allocated; and the second to approve the publishing of Public Notice for the 2018 Action Plan.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated June 7th, 2018 from the Director of the Department of Planning and Community Development, and approve the redistribution of the 2018 Community Development Block Grant (CDBG) funds, as allocated. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

Motion by Ms. West, supported by Mr. Aragona, to approve publishing the Public Notice for the Community Development Block Grant (CDBG) 2018 Action Plan, as requested. Roll Call: Ayes – West, Aragona, Keys, Pearl, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

7. MEDICAL MARIHUANA FACILITY LICENSING ACT (MMFLA) – PROPOSED REGULATORY ORDINANCE

This item was deleted from tonight's agenda.

8. MEDICAL MARIHUANA FACILITY LICENSING ACT (MMFLA) – PROPOSED AMENDMENT TO THE PLANNING AND ZONING CODE, CHAPTER 1291, MEDICAL MARIHUANA FACILITIES (INCLUDING MAP)

This item was deleted from tonight's agenda.

9. APPROVAL OF APPOINTMENT TO ELECTION COORDINATOR POSITION

Motion by Mr. Keys, supported by Mr. Pearl, to receive and file the letter dated June 8th, 2018 from the Human Resources Director, and appoint Ms. Mary Swiacki to the position of Election Coordinator, at a starting annual salary of \$46,616, as required by the UAW Local 412, Unit 52 collective bargaining agreement, with a start date of June 25th, 2018, subject to successful completion of a background investigation and a pre-employment medical examination, including drug screen. Discussion ensued.

Ms. Meltzer explained that Civil Service did a job review based on her submission of the responsibilities of this position, and they came up with a pay scale for this position starting at about \$50,763, and this is also based on what other communities pay for this same position. She stated she was surprised when the union came in with this lower position of \$46,616; however, she noted it is in her budget, so she has no complaints if that is how the Board wants to go with this position. She cautioned there may be some requests to reevaluate that in the future as she claimed other communities are paying much more for this position.

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

10. REQUEST TO PURCHASE VAC-ALL SEWER CLEANING TRUCK

Mr. Cannon stated this is a much-needed item in the Water & Sewer Division.

Motion by Ms. West, supported by Mr. Gielegem, to receive and file the letter dated June 11th, 2018 from the Assistant Superintendent of Water & Sewer, and approve the budgeted purchase of a replacement combination sewer cleaning truck for the Water Department from Southeastern Equipment Company in the amount of \$396,446.96 for a VacAll (Brand) Combination Sewer Cleaning Truck, as outlined in the correspondence. Discussion took place.

Mr. Pearl stated he has no problem with the request; however, he noted that it was submitted on old Township letterhead.

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

11. REQUEST TO PURCHASE COMBINATION SEWER AND MANHOLE DIGITAL VIDEO CAMERA SYSTEM

Mr. Gielegem pointed out that this is a purchase of an amount that would generally require the Township go out for bid; however, because the Township has access to the statewide system, it is the same as going out for bid because local governments can attach to that statewide system and receive the same pricing. The State vets the vendors, and that is how they assure they are getting the best price on these high-ticket items.

Mr. Pearl questioned whether this is for both the sewer cleaning and camera system.

Mr. Cannon stated Ms. Bednar is not here, but he believed it is just for the camera system.

Mr. Pearl understood that they clean the pipes first and the camera follows.

Ms. Meltzer pointed out the itemized list of what is included and not included is attached to the letter to the Board, and the sewer cleaning is not included.

Mr. Cannon stated he will ask Ms. Bednar to contact Mr. Pearl tomorrow.

Motion by Mr. Gieleghem, supported by Ms. Meltzer, to receive and file the letter dated June 11th, 2018 from the Assistant Superintendent of Water & Sewer, and approve the budgeted purchase of a new Cues (Brand) replacement sewer camera system from The Safety Company LLC, aka MTech in the amount of \$165,788.31, as offered through the Michigan Intergovernmental Trade Network (MITN) as solicited by Oakland County Purchasing. Roll Call: Ayes – Gieleghem, Meltzer, West, Keys, Pearl, Cannon, Aragona. Nays – None. Absent – None. Motion carried.

12. RESOLUTION URGING THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY TO RECONSIDER THE NESTLE WATER PERMIT

Mr. Aragona summarized the proposed Resolution, noting that the Nestle Water issue has been in the papers recently. He explained the County passed a similar Resolution, and he adopted some of their same language in this Resolution. He worked closely with a friend of his who sponsored that resolution. He explained that Nestle is pumping out a lot more water out of their Michigan aquifers at over 200 million gallons per year at a cost of only about \$200 per year. He pointed out his own water bill is over \$200 per year, and he is hoping this is something in which they can join their voices. He felt it needs to be investigated at the State level, so this Resolution is being sent to the State Representatives and Senators. He pointed out that Michigan is surrounded by the Great Lakes, they have a “blue-water economy”, and the Office of the Great Lakes published a study that billions of dollars come into the State’s economy because of water, which equates to millions of jobs. He felt they need to be diligent in watching over their water systems and make sure they are protected, noting this issue is just one facet they need to look at. He noted there has been more and more pollution of the lakes, including Lake St. Clair, and it does not matter who fixes the issue, but it needs to be fixed.

Motion by Mr. Pearl, supported by Mr. Gieleghem, to adopt the Resolution Urging the Michigan Department of Environmental Quality to Reconsider the Nestle Water Permit, as presented. Discussion ensued.

Mr. Gielegghem pointed out the Nestle Company is an international conglomerate that makes large amounts of money, and they can drain in these aquifers. He noted the second largest industry in this State is agriculture, and the farmers depend on these aquifers. Mr. Gielegghem felt this is the “tip of the iceberg” and if this is allowed, then it is not that big of a step if a state such as Arizona wants to connect a pipeline to Lake Michigan. He stressed he supports this and thanked Mr. Aragona for bringing it forward, noting that, although it is an issue that needs to be addressed in Lansing, he is willing to lend his support through the Township.

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

13. ADOPTION OF TOWNSHIP ORDINANCE #444 – WATER DETECTOR CHECK METER ORDINANCE

Ms. Meltzer explained this was introduced at the last meeting.

Motion by Mr. Pearl, supported by Mr. Aragona, to adopt Township Ordinance #444 – Water Detector Check Meter Ordinance, as presented, and to publish as required. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

14. REQUEST CLOSED SESSION TO DISCUSS LITIGATION

Mr. Cannon stated that the Board will be coming back out of Closed Session.

Motion by Mr. Keys, supported by Ms. West, to schedule a Closed Session immediately following the last item on tonight’s agenda to discuss litigation. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

15. REQUEST APPROVAL TO INSTALL GARAGE DOORS AND OUTSIDE PATIO FOR CLANCY’S IRISH PUB

Mr. Donny Palushaj, owner of Clancy’s Irish Pub, explained they would like to install garage doors leading out to the patio, and they would like to do some remodeling to give the facility a fresh look in the community.

Ms. Meltzer explained this was added on this evening because there is an urgency for the petitioner to take advantage of the summer months. She indicated she spoke with Mr. Miller, Superintendent of Building, and Mr. Santia, Director of Planning, and she claimed both felt this is a good plan that can move forward.

Mr. Dolan conferred with both Mr. Santia and Mr. Miller on this request. He noted the Township did something similar in the past with Freddy's, on Garfield, and it would be the recommendation of all three of them to impose similar controls, which would be limitation of the doors to their hours of operation and the Township has control over when the doors would close if noise complaints are received and verified by their Police Department. He suggested that is how this request was handled at another location, and it would be a positive way to handle this situation.

Mr. Cannon questioned the hours they would be referring to regarding the outdoor seating and the overhead doors being open.

Mr. Miller replied that the hours are typically based on the noise ordinance with regard to loud music, which falls within the 11 p.m. to 7 a.m.

Mr. Palushaj questioned whether they could keep the patio and overhead doors open past 11 p.m. if there are no noise complaints.

Mr. Miller replied that is what they did with Freddy's, and if there are any complaints, it is at the discretion of the Police Department. He noted it could become mandatory that they close early.

Mr. Dolan cautioned they do not want the owner to wait until complaints come in before addressing an issue. If repeated complaints come in, it may establish a more permanent cut-off of 11 p.m. or earlier.

Mr. Miller inquired as to whether they have live music.

Mr. Palushaj stated they have live music once a month.

Mr. Miller noted that was one of the conditions at Freddy's is that any time live music is playing, the doors would be closed.

Mr. Palushaj assured he will keep them closed when they have live music, and he assured he does not want to start issues with anyone living around there. He explained there are no windows and it is dark inside, so when the doors are open, it provides a fresh look and a fresh breeze. He pointed out it would help them to stay in competition with other bars that have the overhead doors and outdoor seating.

Mr. Cannon noted that the owner is putting a lot of money into the renovations, and he is certain that he will want to follow all the Township's rules, so he can remain open.

Mr. Gielegghem stated he knew the previous owners because he was a sub on the Clancy's golf league. He felt this is a nice improvement to the building, but he felt the doors should be closed at 11 p.m. in conjunction with the noise ordinance, although he indicated it will not be enforced unless there are noise complaints. He cautioned, however, that this facility is on the border of Sterling Heights, so he reminded they need to be good neighbors to them as well.

Mr. Palushaj assured they will exercise good judgment.

Motion by Mr. Gielegghem, supported by Mr. Pearl, to receive and file the request from Mr. Donny Palushaj, owner of Clancy's Irish Pub, located at 41202 Hayes Road, that his request to install garage doors and an outside patio for the subject location be approved, subject to certain controls being imposed, including the hours the doors are to remain closed are between 11 p.m. and 7 a.m., and further, that the Township has control over when the doors will close if complaints are received and verified by the Police Department, as recommended by the Township Attorney. Discussion ensued.

Mr. Keys appreciated Mr. Dolan and Mr. Miller addressing the issue of noise, noting he has worked in restaurants in the past that have had overhead doors, and they have had issues with the noise. He stated he has been in this facility and admitted it is rather dark, so he agreed the doors will give this a new look and feel, and he felt they will be attracting a lot of new customers.

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

APPROVAL OF MINUTES OF MAY 29TH, 2018 REGULAR TOWNSHIP BOARD MEETING

Motion by Mr. Keys, supported by Ms. West, to approve the minutes of the May 29th, 2018 Regular Township Board Meeting, as submitted. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF BILLS

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

PUBLIC COMMENTS

Mr. Sam Bushell stated he lives at the corner of Whalen and Kelly and there is a utility pole at that location, shared by all the utility companies.

He indicated Wide Open West (WOW) came out on June 1st, 2018 and when they were working, they were parked on the street. They then went on their break, and instead of remaining parked in the street, he claimed they drove over the curb and sidewalk and parked on the lawn. The vehicle was sitting for two hours with the motor running, resulting in the grass under the truck being extremely burnt. He noted that he had just watered the lawn the day before; otherwise, there would have been a brush fire. Mr. Bushell stressed when he purchased his house, it was a rental, but he has fixed it up and has greatly improved the landscaping, to the point where he has had compliments from people throughout the subdivision. Mr. Bushell called WOW the next day to complain that the grass is now dead, and they assured they would send someone out to fix it. They sent someone out later that day, and that individual informed him that is the Township's property. Mr. Bushell pointed out, however, that as the homeowner, he must take care of the sidewalks and the lawn regardless of whether it is in the easement. He visited the Supervisor's office and was told Mr. Cannon was at a seminar, but he claimed he was also told the property is his responsibility and the Township could not make a call to WOW to request the repair of the lawn. He stated that if the Board decides it is indeed his responsibility, he will contact the Police tomorrow to file a report, but he wanted to make sure he let them know. He felt the problem could have been taken care of if the Township had contacted WOW to let them know they cannot destroy property and not repair it. He stressed he will let his entire subdivision know that if they are calling WOW, they will not fix what they damage.

Mr. Cannon could understand why Mr. Bushell is angry and complimented him for keeping up his property.

ADJOURNMENT INTO CLOSED SESSION

The meeting adjourned to go into Closed Session at 7:34 p.m., and reconvened at 7:47 p.m.

14. REQUEST CLOSED SESSION TO DISCUSS LITIGATION

Mr. Peter Peacock, attorney, recommended that the Township Board approve the settlement on the case as discussed in Closed Session.

Motion by Mr. Gielegem, supported by Ms. West, to concur with the attorney's recommendation to approve the settlement in the case of Quinn v. Falk. Roll Call: Ayes – Gielegem, West, Keys, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

ADJOURNMENT

Motion by Mr. Keys, supported by Mr. Aragona, to adjourn the meeting. Roll Call: Ayes – Keys, Aragona, West, Pearl, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried. The meeting adjourned at 7:48 p.m.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON

ces:06/15/18