

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, JANUARY 14TH, 2019

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 two deletions from tonight's agenda:

Item #5 – Request Approval of New Stockholder FoodFirst Global Holding, Inc., due to merger with Bravo Brio Restaurant Group, Inc. for Class C and SDM transfer

Item #13 – Neopost Mail Meter Contract Renewal

Ms. Meltzer stated there are no add-ons to tonight's agenda.

Motion by Mr. Pearl, supported by Ms. West, to approve the agenda with the deletion of Items #5 and #13. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

PUBLIC SERVICE ANNOUNCEMENT

Ms. Meltzer explained the Clerk's office continues to process the demand for passports. She informed that, as of last year, they provided their highest service of 2,285 passports and photos, bringing in a revenue of \$88,155. She stated it is a great service, the community loves it, and they continue to provide that service.

1. REQUEST RECONSIDERATION OF SIDEWALK WAIVER DENIAL – PAULA COURT

Ms. Meltzer stated the petitioner is seeking to have the action of the sidewalk waiver denial rescinded. She explained the Board initially sent the request for the sidewalk waiver back to the Planning Commission, who unanimously sent it back to the Board. The Board denied the waiver, but when she spoke with Mr. Al Santia, petitioner, after the meeting, he was unaware it was denied and was not at the Planning Commission meeting. At the first Board meeting when he made his request, he indicated it is a small area and he cited other similar areas where that request was granted. He indicated he would like to have the waiver of the sidewalks along Millar in a covenant so he could contribute in the future if sidewalks are installed. He did not understand the process, so he is requesting the previous action be rescinded and taken up as a new motion to approve his request for waiver of the interior sidewalks, and possibly have a covenant in place for the sidewalk along Millar.

Mr. Albert Santia, 37598 Paula Court, Clinton Township, Michigan 48036, explained he was not at the meeting because there was a mix-up as to who was supposed to be at the meeting. He noted he has a partner involved in the project, and his partner was out of town and did not notify him about the meeting. He stated he started this project about twelve years ago and they are now building houses. They did not want sidewalks because it is a private gated community, so they would like a waiver.

Mr. Cannon inquired as to whether Mr. Santia would be willing to front the money to the Township so they can use it to install sidewalks where they feel they are needed.

Mr. Santia replied that if the Township can get everyone along Millar to front the money for sidewalks, he will agree to front his portion. He did not see where anyone along Millar was required to put in sidewalks.

Mr. Cannon explained at the time the majority of homes were built along Millar, the ordinance did not require sidewalks.

Mr. Santia claimed there are no sidewalks on either side of Millar between Moravian and Utica. He questioned why this is being required of him.

Mr. Cannon replied that sidewalks are required by ordinance.

Mr. Santia emphasized that is why he is requesting the waiver.

Mr. Dolan noted that Mr. Santia was at a Budget/Ways & Means meeting, and there was a discussion at that meeting with respect to the manner in which the

development was occurring. There was action taken at that meeting that advised him that no occupancy permits were going to be allowed for any homes until a Master Deed was recorded since he indicated he was proceeding to develop that area as a site condominium residential project under the Condominium Act. He spoke with Mr. Penna who was representing Mr. Santia at that point, and Mr. Penna indicated Mr. Santia was considering retaining Mr. Abdo, an attorney who specializes in condominium work, to assist him. Mr. Dolan had expressed concern because it appeared he was attempting to proceed on executory purchase agreements for two lots. He was concerned about the ability to successfully record a Master Deed without those two lot owners having to join in as developers. Mr. Abdo had indicated he had discussions with Mr. Santia, but Mr. Dolan stated he does not know whether Mr. Abdo was fully retained at that time. He inquired as to whether Mr. Santia has fully retained Mr. Abdo and whether he is working to process all of the documents so he has the Master Deed in place before any work is completed.

Mr. Santia replied he retained Mr. Abdo, and he clarified there was only one lot sold. Mr. Abdo is working with the lender to give the deed back, and they would then give it back to the condo association.

Mr. Dolan advised that the Master Deed has to be properly recorded and in place before they can issue an occupancy permit.

Mr. Santia replied he understands.

Mr. Cannon explained the reason for sidewalks in the subdivision is that if there are any children in the neighborhood, they would have to walk to the corner to catch the bus.

Mr. Santia stated he has two little girls and he is at the very end of the street, so he felt if anyone is concerned about it, it should be him. He stressed he is not concerned about the sidewalks because there will be a gate in front so there will not be cars “zooming in and out”. He claimed his partners do not want the sidewalks.

Ms. Meltzer stated she is aware the Township wants sidewalks throughout the Township, because this is an internal sidewalk, she felt the request is reasonable. She pointed out there are several other similar developments in the Township where the waiver of interior sidewalks was granted. She understood they would need a motion to rescind the previous denial, and a second motion to approve.

Mr. Dolan confirmed that is correct, but they need to clarify whether the waiver of sidewalks applies only to Paula Court or whether it is also being waived on Millar. He indicated Mr. Santia’s comments seem to be addressing both locations.

Mr. Cannon expressed concern that if the sidewalks along Millar are waived, the next person will be able to come in and use the same reasoning that there are no other sidewalks along Millar. He stated he is opposed to waiving the sidewalks along Millar and felt they need to start somewhere so they can have sidewalks along that beautiful area. He was not opposed to waiving the sidewalks on the interior of the development but suggested the money those sidewalks would have cost should be paid to put the sidewalks somewhere else in the Township where they are needed and they cannot afford them.

Mr. Santia assured he would be willing to specify in their covenant and Master Deed that if the Township wants the sidewalk along Millar, they will pay for it at such time as it is deemed necessary.

Mr. Cannon recalled that occasionally in the past where sidewalk waivers have been granted, that the petitioners have been required to make a monetary donation so the Township can use it to pay for sidewalks in another area.

Mr. Dolan recalled they have done it a couple of times, specifically on Hall Road, where a payment was made in lieu of sidewalks, so there is some precedent.

Mr. Cannon inquired as to the current price of installing sidewalks.

Ms. Bednar recalled they recently put out a bid and it was approximately \$8 per square foot.

Mr. Gielegem reviewed that this came to the Board on August 8th and August 20th, it went to the Planning Commission, and the Planning Commission denied waiver of the sidewalks. He questioned the situation with another owner of part of the site condominium development.

Mr. Dolan explained they were in front of Budget/Ways & Means because they wanted to start construction of a home and at that time, there was no Master Deed, yet they were advised the project was being developed as a site condominium project. Under the Act, a developer has to record the deed, so title will have to be conveyed back to Mr. Santia, and he would have to reconvey it after the deed is recorded, or the property owner would have to join as the developer. Mr. Abdo felt he could effect the necessary procedures in a timely fashion but at that time he was not retained. According to Mr. Santia tonight, Mr. Abdo has now been retained.

Mr. Santia clarified that there were originally four lots when the street was put in. He has sold one of the lots and had a hard time with his engineer to get the deed done. The gentleman who purchased the lot wanted to start building, so he received approval.

Mr. Gielegem questioned whether that issue is before the Board this evening because they do not have approval of a site development plan.

Mr. Dolan replied they do not have a recorded Master Deed establishing the site condominium project.

Mr. Santia clarified there are still a couple of houses that need to be torn down on the street before everything will be completely done. He replied to inquiry that he submitted his site development plans about six months ago, and the sidewalks were depicted on the site plan. He has currently been waiting about two months for site development approval.

Mr. Gielegem commented that he has no problem with whatever the developer wants to do with interior sidewalks inside his gated community, but he felt it is necessary for sidewalks to be installed along the Millar frontage. As far as requiring fees to be paid in lieu of interior sidewalks, he recalled it has been done before; however, he does not know whether that has been required of every developer of gated communities in the Township.

Ms. Meltzer agreed with Mr. Gielegem that sidewalks can be waived on the interior of gated area, but they should be waived along Millar. She inquired as to whether that could be handled by a covenant on Millar.

Mr. Pearl felt the sidewalks should be put in along Millar at this time. He questioned whether they have to rescind the entire motion or just the portion addressing the waiver on the interior sidewalks.

Mr. Dolan replied the proper way would be to rescind the action taken previously, and then proceed to take whatever course of action they desire. He stated they have a number of options available to them.

Motion by Ms. Meltzer, supported by Mr. Pearl, to receive and file the letter dated December 3rd, 2018 from Mr. Albert M. Santia, requesting reconsideration of the previous sidewalk waiver denial for Paula Court Estates Condominiums, to be located on 5.3 acres of land fronting the south line of Millar, east of Paula Court, and rescind previous Board denial to waive the sidewalks. Discussion ensued.

Mr. Dolan replied to inquiry there are four options available to the Board: require the sidewalks; waive the sidewalks; execute a recorded covenant for them to be installed later; or require donated funds in lieu of the sidewalks.

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

Discussion took place regarding the language for the second motion to require sidewalks along Millar.

Mr. Santia complained it does not seem fair that he will be the only property with sidewalks along the two-mile stretch of Millar.

Mr. Aragona anticipated that within the next several years, there will be more sidewalks along Millar, and Mr. Santia will lead the way.

Mr. Santia felt they should be able to include it in their Master Deed that each individual will have to pay their share of the sidewalks along Millar at such time as it is necessary.

Mr. Gielegghem stated he voted in favor of rescinding the previous motion to deny the waiver, which is against his nature, but feels they are necessary along Millar. He added they have “bent over backwards” for this development, considering the ownership issue and the fact they now are allowing him a waiver of sidewalks within the development.

Mr. Santia stressed he is trying to build high-end homes, which will be great for the Township, but he claimed the people who purchase these homes do not want sidewalks in front of their houses.

Mr. Gielegghem stated they will not have them in front of their homes within the interior of the development, but the front footage along Millar will have sidewalks.

Discussion took place regarding a motion to require the sidewalks along Millar, and when those sidewalks should be required to be installed.

Ms. Bednar stressed she would need clarification as to when they should go in. This property was originally developed as lot splits, so the pavement, sanitary sewer and water is already in. She suggested the sidewalks should be installed prior to the first Certificate of Occupancy (C of O) being issued so it is clear to her, as well as to the Building Department, as to when they will be going in. She clarified they should be in prior to the C of O being issued for the first lot.

Mr. Gielegghem stated he will make the motion to require the sidewalks along Millar.

Mr. Pearl inquired as to whether the motion will include the waiver of the interior sidewalks.

Mr. Gielegghem noted they have already been rescinded.

Ms. West questioned whether that would have to be included in a motion.

Mr. Dolan replied the motion is to require, on or before issuance of a C of O of the first lot of the development, the installation of the sidewalk on Millar, with the further understanding that the sidewalks on Paula Court are waived.

Motion by Mr. Gielegghem, supported by Mr. Pearl, regarding the Paula Court Estates site condominium project, to require installation of sidewalks on Millar before issuance of a C of O on the first lot of the development, with the further understanding that the sidewalks on Paula Court are waived.

Ms. Meltzer stated she is all in favor of sidewalks in the Township, and she understood Mr. Aragona's comment that Mr. Santia could "lead the way" in the sidewalk development along Millar, but if they are put in ten years before the rest of the area has sidewalks, that will end up being a sidewalk that is degraded by ten years and will have to be replaced. She would prefer to wait and require the installation at a later date when everyone will pay for it at that time. She indicated she will not be voting in favor of the motion, although she appreciated the Board's willingness to work with the petitioner on the interior sidewalks, and she felt this is a great compromise.

Mr. Pearl stated he wants children waiting for the school bus to be able to have a place to stand rather than waiting in the middle of the street. He noted the bus will not be going inside the gated community.

Mr. Gielegghem commented that the shoulders along Millar are very tight.

Mr. Aragona sympathized with Mr. Santia that it will be a gated community and the residents may not want sidewalks, but he felt it would be good for Mr. Santia to lead the way with the sidewalks along Millar. He felt Mr. Thompson, Planning Director, would agree that it is desirable for communities to be more bikeable and walkable because it gives a good feel for the Township and allows residents to better use the assets of the Township.

Mr. Santia stated he has lived there for twenty years and would love to see more sidewalks in the area. He commented it has been extremely difficult for them to get to the bike path along Metro Parkway, but he felt everyone should be made to install the sidewalks, and that would make sense. He added that he would be in favor of this if everyone were doing it. He could not see how having a 170-foot stretch of sidewalk along Millar, being the only portion of sidewalk between Moravian Drive and Utica Road, makes sense.

Mr. Keys stated the Board just allowed for the sidewalks to be waived on the interior of the development. He questioned whether he is agreeing to that if he votes on this motion, or whether it is just considered a point of clarification in the motion.

Mr. Cannon stated voting yes on this motion indicates an agreement to waive sidewalks on the interior but not on Millar.

Mr. Dolan stated that is correct, and the motion is two-fold in its result. The sidewalks on Millar are to go in prior to the issuance of the first occupancy permit on one of the lots in this development, and the sidewalks on Paula Court are waived.

Mr. Keys inquired as to whether these two actions can be separated.

Mr. Dolan replied it is currently one motion, but they can move to separate if they so desire.

Mr. Keys inquired as to whether the motion makers are willing to separate the current motion into two separate motions.

Mr. Gielegem stated a motion to separate is always in order according to Robert's Rules of Order.

Mr. Dolan stated it is in order, but it has to be voted on.

Motion by Mr. Keys, supported by Ms. West, to separate the two actions included in the motion on the floor. Roll Call: Ayes – Keys, West, Cannon, Gielegem, Meltzer. Nays – Pearl, Aragona. Absent – None. Motion carried.

Motion by Mr. Gielegem, supported by Mr. Pearl, to waive the interior sidewalks along Paula Court, in the Paula Court Estates site condominium development, as requested by the petitioner. Roll Call: Ayes – Gielegem, Pearl, West, Aragona, Meltzer. Nays – Keys, Cannon. Absent – None. Motion carried.

Motion by Mr. Gielegem, supported by Mr. Pearl, to require the installation of the sidewalk on Millar prior to the first Certificate of Occupancy being issued. Roll Call: Ayes – Gielegem, Pearl, West, Keys, Cannon, Aragona. Nays – Meltzer. Absent – None. Motion carried.

2. SITE DEVELOPMENT PLAN: SMART MACOMB TERMINAL UPGRADES (FKA SEMTA BUS TERMINAL) – PART OF LTO 1, SUPERVISOR'S PLAT #10 SUBDIVISION, LOCATED S/15 MILE, W/CENTAUR DRIVE, ADDRESSED AS 22700 AND 22900 15 MILE ROAD (SECTION 35)

Motion by Mr. Pearl, supported by Ms. West, to receive, file and concur with the letter dated January 8th, 2019 from the Secretary of the Clinton Township Planning Commission, concerning Part of Lot 1, Supervisor's Plat #10

Subdivision (Section 35), being 17.0 acres of land fronting the south side of 15 Mile Road, west of Centaur Drive, addressed as 22700 and 22900 15 Mile Road, and approve the Site Development Plan for SMART Macomb Terminal Upgrades (fka SEMTA Bus Terminal), as presented. Discussion ensued.

Mr. Gieleghem noted the community liaison from SMART is present.

Mr. Cannon stated it is a nice project and they keep their projects up very well. He appreciated the nice partnership they have with SMART and the senior buses in the community, and he is thankful the millage passed.

Mr. Mike Walter, Facilities Project Manager for SMART, introduced Mr. Fred Barbret from SMART and Mr. Tom Lacrosse and Mr. Patrick Herr from Hubbell, Roth & Clark, Inc. (HRC).

Mr. Cannon thanked Mr. Walter for keeping the facility so nice.

Mr. Keys inquired as to the details of the landscape plan.

Mr. Tom Lacrosse explained along 15 Mile they are putting in additional trees and berms to buffer the headlights from any of the busses.

Mr. Walter noted they currently have quite a few trees in front.

Mr. Lacrosse stated they are adding a couple of pavilion and landscape areas on the interior of the site. He added they will have all new pavement on the site.

Mr. Keys stated he appreciates the improvements, noting he lives in that area and it can get very busy at times. He questioned whether their drivers are encouraged to drive on 15 Mile Road to get to the other two entrances and exits, or whether most of the driving is internal within their property boundaries.

Mr. Walter stated pulling out gets very busy in the morning, so they do a little of both.

Mr. Keys agreed but complimented them on doing a good job of handling the traffic.

Mr. Lacrosse explained they are creating more staging area in the back, and what used to be bus storage is actually drivable pavement.

Mr. Keys complimented SMART on the text alert system, noting that is a great tool for those using the bus system.

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

3. CONDITIONAL REZONING FROM RML MULTIPLE-FAMILY RESIDENTIAL TO B-1 NEIGHBORHOOD BUSINESS FOR HEALING TOUCH PHYSICAL THERAPY – PART OF LOT 887, ROSECROFT SUBDIVISION AND 0.7946 ACRES LOCATED SW/SHOOK, W/HARPER, ADDRESSED AS 23880 SHOOK ROAD (SECTION 26)

Mr. Gielegghem stated he is confused because he did not know that Shook went west of Harper. When he pulled up an aerial map, he saw a garage, a shed and another building, and he looked at the plan, depicting a non-profit, wellness center and a business. He requested clarification on what is being proposed.

Mr. Erik Heiderer, Polyarch, 44045 Gratiot, Clinton Township, Michigan 48036, representing the owner, explained there are a number of buildings on the property that the petitioner purchased for the purpose of establishing a massage therapy business geared to cancer patients. They will renovate those three buildings as massage therapy rooms, which is an expansion of the house Ms. Lakip-Ochoa had in Harrison Township. He stated they are putting in a new parking lot, renovating the house and converting the three buildings into massage therapy rooms for cancer patients. He admitted it looks rough now but they will be renovating the site.

Mr. Gielegghem felt it looks very rough, especially for that type of work.

Ms. Lakip-Ochoa agreed, stressing that is why they need the rezoning first in order to get the permits to continue building. She explained “A Healing Garden” provides free massages for cancer patients and those with multiple sclerosis and other types of chronic illnesses. She clarified it is a two-fold operation, with their profit-portion of the company is called “A Healing Touch Massage Therapy”. For each person who comes to get a massage, so much of their fee goes to “A Healing Garden” to support the non-profit portion of the business. She claimed they do not ask for donations because that comes from the profit-portion of the business and is referred to as a “self-sufficient non-profit”.

Mr. Gielegghem noted that Ms. Lakip-Ochoa does this type of work in Harrison Township, and he inquired as to whether she can conceptualize these buildings as purposeful for this business.

Ms. Lakip-Ochoa replied absolutely, noting they started their business in Harrison Township in a house that they converted for this purpose, and they also had gazebos that are in a beautiful garden area. She stressed it will have flowers, arborvitaes and fountains, and they presented that plan, along with pictures, to the Planning Commission.

Mr. Heiderer detailed the floor plan in each of the three buildings. He replied the house will serve as the maintenance building for the entire property.

Ms. Lakip-Ochoa added the house will also be used for storage. She replied to further inquiry that the house will also be getting a “facelift”. She explained the house cannot be used for the public because the doors are so small, but it is a 1923 farmhouse, so they did not want to tear it down.

Mr. Pearl noted this is a Conditional Rezoning, so the property and buildings can only be used for this purpose. He inquired as to whether they will be seeing a plan at a later date, or whether he can go forward and specify what they are going to do in the contract.

Mr. Thompson explained there is a site plan and landscape plan of record, as well as elevations, so those will be exhibits to the agreement. They will have to comply with all of that before they receive the Certificate of Occupancy. He replied to further inquiry that this is all part of the approval they are seeking this evening.

Mr. Dolan requested the motion include that the approval is subject to the petitioner fully executing and recording the Conditional Rezoning Agreement.

Motion by Ms. West, supported by Mr. Gielegem, to receive, file and concur with the letter dated January 8th, 2019 from the Secretary of the Clinton Township Planning Commission, concerning Part of Lot 887, Rosecroft Subdivision and 0.7946 acre of adjacent land being part of the vacated Rosecroft Shores Subdivision, generally located southwest of Shook Road, west of Harper, addressed as 23880 Shook Road (Section 26), and approve the Conditional Rezoning Agreement from RML Multiple-Family Residential (Low-Density) to B-1 Neighborhood Business for development of a massage therapy facility (A Healing Garden), subject to the approval of the Conditional Rezoning Agreement by the Township attorney, and in consideration of a signed executed waiver from the Department of Public Works for the dumpster; further, this approval is subject to the petitioner fully executing and recording the Conditional Rezoning Agreement; further, this is to be known as Ord. #260-A-476. Roll Call: Ayes – West, Gielegem, Keys, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

4. REQUEST APPROVAL FOR SDM TRANSFER WITH SUNDAY SALES PERMIT (AM) – TJJM, INC., 33452 HARPER

Ms. Meltzer replied to inquiry that everything is in order to approve this request.

Motion by Mr. Pearl, supported by Mr. Gielegthem, to receive and file the letter dated January 3rd, 2019 from the Township Clerk, and approve the Transfer of SDM License with Sunday Sales Permit to TJJM, Inc., 33452 Harper Avenue, Clinton Township, Michigan 48035.

Mr. Gielegthem mentioned this was the site of the Moonlight Party Store, where a very tragic accident occurred, so it has been closed for a long time. He felt the new owners should be cautioned to be very careful.

Ms. Meltzer replied to inquiry that the petitioners are not here this evening.

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

5. REQUEST APPROVAL OF NEW STOCKHOLDER FOODFIRST GLOBAL HOLDING, INC. DUE TO MERGER WITH BRAVO BRIO RESTAURANT GROUP, INC. FOR CLASS C AND SDM TRANSFER

This item was deleted from tonight's agenda.

6. REQUEST APPROVAL FOR ONE (1) OF THREE (3) REMAINING TOWNSHIP QUOTA LICENSES – TAVERN LICENSE FOR KABOB VILLAGE, 39890 GARFIELD

Mr. Cannon explained that there have been a number of different businesses at this location. The Township has three (3) quota licenses left, and they are designed to help bring people into the community. They are considered "enticements", and it is up to the Board to decide whether this meets those intentions. He added he would like to save a couple of these licenses for Gratiot Avenue and Groesbeck Highway.

Ms. Meltzer clarified this liquor license is different than what the Board has approved in the past, because those were not quota licenses but were allocated licenses from the State of Michigan, considered "off-premise" licenses. She noted this is a "tavern" license, which counts against their quota, so the concern is that these are tools for economic development. She cited Ms. Mary's and Pete Too, a small establishment that was granted one of the Class C quota licenses based on their commitment to the community, their longevity and their ability to ride out the economic storms. She added that, although they do not know the applicant or his record, she had the opportunity to meet him and he is very nice. She does not know if this is the best way to utilize this license to attract business in the area. She reminded that this is personal property, so even if the person is not successful in this business, that does not mean the license comes back to the Township, but it goes with the owner.

Motion by Mr. Keys, supported by Mr. Pearl, to receive and file the letter dated January 3rd, 2019 from the Township Clerk and deny the request for one of the remaining three Township Quota Licenses for Kabob Village, LLC, located at 39890 Garfield Road, Clinton Township, Michigan 48038. Discussion ensued.

The petitioner's representative admitted this is a new business and the owner is just starting out. He added that it is not as large and cannot employ as many people as some other businesses, noting it is his intention to employ eight to ten people. He added the applicant would not be opposed to giving the license back to the Township if his business does not work out for whatever reason. He assured it is not the petitioner's intent to get a license, close up and open at another location. He is determined to make this business work at this location, and this would be considered "an additional tool in his toolbox to bring in additional business". He noted it is the tavern license being requested, which does not allow the sale of alcohol but only beer and wine.

Mr. Gielegghem reminded that these licenses are available on the open market, and although there is a cost, there is an economic benefit. He could not see a large enough of economic benefit that this will bring in to justify the granting of a free quota license. He would be in support of denying the request. Although he appreciated the offer of the petitioner to give the license back to the Township if his business does not work out, it is not something that can legally be required by law. They did it successfully with the former Palm Palace.

Ms. Meltzer clarified it was a reversion clause that was included.

Mr. Gielegghem stated it was difficult to enforce so they need to save the quota license for a larger business with a more established track record.

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

7. PRESENTATION OF PASER STUDY FOR TOWNSHIP LOCAL ROADS

Mr. Cannon stated they knew the roads were bad, and the last time they did a PASER study on local roads in the Township was ten years ago. They applied for and received a grant from SEMCOG and just recently completed the survey. He announced this is the first time it is being released to anyone, and they felt it would be good for the Board to see it, and tomorrow morning it will be prominently displayed on the Township's webpage. He invited Mr. Scott Chabot, of Anderson, Eckstein & Westrick (AEW), Ms. Mary Bednar, Director of the Department of Public Services, and Ms. Magda DiFranco, GIS Specialist, give a presentation on the PASER Study.

Mr. Chabot provided a background of the study, noting in November 2018, AEW performed a PASER study for the local roads in Clinton Township. He stated PASER stands for Paved Area Surface Evaluation and Rating, which is a condition assessment tool that ranks pavement based on its structural condition, rated from 1 to 10, with 1 being in a failed condition and 10 being in excellent condition. The roads in the Township are owned and maintained by the Macomb County Department of Roads, and they do not do PASER studies of local roads, although they do the primary roads every two years. Clinton Township was awarded the grant, and AEW was able to complete all of the work for the study within that grant amount to evaluate 203 miles of local roads in the Township. They have turned the data to SEMCOG, and SEMCOG has accepted it.

Ms. Bednar complimented Ms. DiFranco on putting together the dashboard, adding it goes above and beyond her expectations. She noted that the dashboard shows the current study and the 10-year-old study side-by-side. She reviewed the data from 2008, and compared it to the data from 2018, indicated as follows:

<u>2008 (192.17 miles)</u>	<u>2018 (202.98 miles)</u>
21.4% of roads rated poor (1-3)	45.4% of roads rated poor (1-3)
48.13% rated fair (4-5)	40.15% rated fair (4-5)
23.9% rated good (6-7)	10.01% rated good (6-7)
6.51% rated very good (8-10)	4.44% rated very good (8-10)

She stated the study indicates the linear footage of roads increased by about ten miles in ten years due to new development or paving of what was previously a gravel or dirt road. She zoomed in on several different areas to show the condition of the roads before and after Special Assessment District improvements, as well as showing some areas that have not been improved and their ratings have deteriorated over the ten years.

Ms. Bednar showed the PASER results from the SEMCOG for the main roads in the Township, noting that SEMCOG does this every two years but only for the main roads. She noted that 45% of the main roads are categorized as “poor” and 17% are “fair”. She noted there is a tab that shows which roads in the Township are public and which are private, and this has been verified with County records, noting private roads can be owned by individuals, condominium associations or whoever lives on that street. Ms. Bednar explained the fourth tab reflects Special Assessment Districts over the last ten years, as well as the road projects where the Township partnered with the County. She explained there is a resource tab where maps can be printed out, and there are links to SEMCOG for the major roads.

Mr. Pearl complimented Mr. Chabot, Ms. Bednar and Ms. DiFranco for doing a great job putting this presentation together. He felt a lot of residents are aware of the conditions of the roads, but this presentation shows it. He was appreciative of the study, the grant that paid for it and the work they did putting this together.

He hoped the Township will be able to get a millage going and that the State government will send some money to the local Townships to get this work done. He suggested the link to this study should be sent to the State, noting these roads are only going to get worse.

Ms. Bednar explained this will be on the Township's website, and they will have interactive direction of what the tabs represent.

Mr. Gielegghem noted clicking on the tabs brought them to various areas of the Township, and he requested to see the Rivergate area once again.

Ms. Bednar clarified that they have selected certain areas to show for their presentation this evening, but the tabs will allow residents to zoom in or pan out anywhere in the Township, similar to Google Maps. They can also add an address or a street.

Ms. DiFranco confirmed she only added bookmarks for tonight's presentation.

Discussion took place regarding the information available when a certain address is entered, noting it will show what the street was rated in 2008 and what it was rated in 2018.

Mr. Gielegghem questioned that in ten years, they only have ten new miles of roads in Clinton Township. He felt there was a lot of development.

Ms. Bednar replied that is an additional ten miles of public roads, but private roads are not included in this study.

Mr. Gielegghem questioned if they see a road without a ranking, that could represent the road as a private road. He also pointed out there are large areas without color, such as the area west of Rivergate, and he questioned why that was not indicated in color in the 2008 study.

Ms. Bednar replied that was a new development and under construction in 2008, so it was not evaluated.

Mr. Gielegghem questioned why part of Partridge Creek Boulevard is already orange in color.

Ms. DiFranco replied that section of Partridge Creek Boulevard is rated 5.

Ms. Bednar reminded that this is an evaluation and has some subjectivity to it. They are trained by MDOT, but their ratings may vary by a point.

Mr. Gielegghem questioned how the ratings were done.

Ms. Bednar replied the study was done by AEW, but one of the Township's DPW employees drove two AEW employees. They had to drive it at 8 miles per hour, so it took a long time to get through the Township. There are segments that are rated. Someone trained by MDOT will look at it and determine the rating, so in this case, the two AEW employees work together on it. She clarified that the Township's DPW employee does not evaluate it at all but just makes sure he is driving slow enough.

Mr. Gielegghem inquired as to whether there are categories of deterioration that would have influence on the rating.

Mr. Cannon stated there is a training they can go to, but the Township employees have not gone through the training.

Ms. Bednar explained that, as a civil engineer, she can tell which roads are worse, but she does not know what number "spider cracking" is considered. She noted that the inspectors are looking at certain levels of deterioration, and they do not know whether the road was done three years ago or thirty years ago.

Mr. Gielegghem mentioned he heard someone from AEW speak at an event and he talked about alkali-silica reaction (ASR), which has to do with the amount of silica in the sand, noting that they switched from one type of sand to another, and concrete that was poured in the State of Michigan from around 1995 to 2005 is deteriorating at the joints. He felt the complaint that people have is that "they are using inferior product". He questioned how they get information to the public about what deteriorates the roads.

Ms. Bednar replied that part of it is age. She recently had someone say to her that they cannot believe Rivergate Subdivision is having problems with their roads because "that is a new subdivision". She reminded that it was built in the early 1980's, which makes the roads 35 years old. Age of roads is a big factor and they have a lifetime. She also pointed out that when the roads were put in, they used the best information they had at that time. Over the years, their cross-section requirements have changed.

Discussion took place regarding the changes in road construction requirements over the years.

Mr. Gielegghem felt this is a great tool for residents to use, but he felt the problem is the Township is not getting enough money from the County, and the County is not getting enough money from Lansing because the funding formula is based on lineal mileage and does not take into consideration the number of lanes. He suspected if a comparison PASER study had been done for some of the newer communities such as Macomb Township or Chesterfield Township, they would

have had a lot of additional miles of road in the last ten years, and yet the Township is in competition with those dollars. He felt the focus has to be on repairing existing roads rather than building new roads. He reiterated this is a great resource and complimented them on the great job in putting this together.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, questioned whether Ms. West felt that the street she mentioned, Aldo Court, should be rated a 4 or a 7.

Mr. Cannon replied that Ms. West has not had the training to make that determination.

Ms. West confirmed that she has not been trained in the PASER study.

Mr. Hogan questioned whether Ms. West thinks her road is in fair or poor condition.

Mr. Cannon clarified that a rating of “4” is considered “fair condition”.

Ms. West commented she should have used the example of Nebel Court rather than Aldo Court, because when she drove over it, she noticed water coming up, and she suspected there may be a sinkhole. She added they are checking into it. She added that she was trying to determine how bad some of these roads are deteriorating.

Mr. Hogan questioned whether Ms. West could visually notice that her road went from a 7 to a 4 in the last ten years.

Ms. West replied that she has noticed it has deteriorated in the last ten years.

Ms. Bednar explained that in the link under the “Resources” tab, there is a manual that better explains what each category represents.

Ms. Meltzer pointed out that Ms. West’s street is a very small cul-de-sac, so it is likely the only cars driving on it are the people who live there, yet the deterioration still occurs. Each road is designed to have a lifespan, so more traffic does not necessarily mean the roads will be in worse shape.

Ms. West questioned whether the deterioration of the segments along Partridge Creek Boulevard is a result of the construction trucks traveling the road as the area is developed. She questioned whether the builders pay for the replacement.

Ms. Bednar replied it could be a result of a number of factors, but this study only provides the rating of the road on a numerical scale but does not indicate the

reasons for what caused it. It could be construction traffic, or it could be cut-through traffic as a result of people travelling that road from Romeo Plank Road to the Mall at Partridge Creek. She added she has heard causes such as freeze/thaw, heavy trucks, school busses and garbage trucks that can add to the deterioration, but the study does not specify the reason.

Mr. Pearl recalled that many of the older roads were not required to have a base, whereas the newer roads have a limestone base.

Ms. Bednar replied affirmatively. She recalled they were putting a base in in the 1990's, so she does not know exactly when it changed to require the base. She noted when they were working on Romeo Plank Road, the County engineer had verified there was no base under that old road.

Mr. Cannon stated this will be a tool that residents can use but reminded it will not include roads such as 19 Mile or Hall Road, because this PASER study only includes local roads.

Ms. Bednar clarified the second tab does indicate the main roads.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated January 10th, 2019 from the Director of the Department of Public Services, and the 2018 Pavement Surface Evaluation and Rating (PASER) study, as presented. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

8. 2019 HARDSHIP EXEMPTION GUIDELINES AND APPLICATION

Mr. Cannon explained this is prepared annually by the Township's Assessing Department, with the information obtained from the federal government. It is a dollar amount put out by the federal government for each person in a family unit. He briefly explained the changes from last year's guidelines. He added that there are applications for Board of Review for lower-income individuals also included in the packet.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated December 18th, 2018 and approve the 2019 Hardship Exemption Guidelines and Application, as presented. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

9. SALE OF TOWNSHIP-OWNED LOT TO HABITAT FOR HUMANITY FOR VETERAN BUILDING HOME – 42525 STEPnitz, PARCEL #16-11-12-308-033

Mr. Cannon thanked Mr. Gielegem and Mr. Dolan for the extra work they have put in on this project.

Mr. Gielegem mentioned that Habitat for Humanity has been doing phenomenal work. He explained this is a veteran-build home and they have had contractors and groups of veterans building this home. He felt this was an oversight from previous people working on this home. There is a veteran close to being ready to move in, so they would like to get this property ready. He explained there is a \$99 transfer fee, so it is basically a \$99 donation to Habitat for Humanity.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated December 19th, 2018 from the Township Attorney, and approve the sale of a township-owned parcel, being part of Lots 188, 189 and 190, Slush and High Subdivision No. 1 (Parcel #16-11-12-308-033), addressed as 42525 Stepnitz Drive, to Habitat for Humanity for a sum of ninety-nine dollars (\$99.00), subject to easements and restrictions of record. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

10. INTRODUCTION OF TOWNSHIP ORDINANCE #448 – ENHANCED PENALTY PROVISIONS FOR SUPER DRUNK DRIVING

Mr. Cannon stated they need this ordinance to keep money in Clinton Township.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated December 10th, 2018 from the Township Attorney, and introduce Ordinance #448 – Enhanced Penalty Provisions for Super Drunk Driving, which revises the Code of Ordinances for the Charter Township of Clinton, Part Two, Chapter 202, Section 202.99(a), with the intent to adopt at the next meeting scheduled for Monday, January 28th, 2019. Roll Call: Ayes – Pearl, Aragona, West, Cannon, Gielegem, Meltzer. Nays – None. Absent – Keys. Motion carried.

11. INTRODUCTION OF TOWNSHIP ORDINANCE #449 – AMENDMENT TO ALCOHOLIC BEVERAGE SALES

Mr. Dolan stated they are altering the current ordinance relating to alcoholic beverages, using the more generic term for alcoholic license they are dealing with. That is the result of the proliferation within the State through the State LLC of the different types of permits, including microbreweries, distilleries, and other new permits, and there may be additional changes legislatively in the future. By utilizing the general terminology, they are picking up all of these licenses and separating them into two categories. One is they can only issue with the Township's approval, and the second is they can only issue on the Township's recommendation, where input is considered but not required.

Motion by Mr. Pearl, supported by Ms. West, to introduce Ordinance #449 – Amendment to Alcoholic Beverage Sales, which revises Ordinance #804, with the intent to adopt at the next meeting scheduled for Monday, January 28th, 2019. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

12. ADOPTION OF TOWNSHIP ORDINANCE #447 – AMENDING ALL BUSINESS LICENSES TO EXPIRE/RENEW ON DECEMBER 31 AND FEES FOR SALE OF SAND AND EARTH

Mr. Dolan stated this is a proposed ordinance that was introduced at the last meeting. It is consolidating all of the permit dates so that they expire on December 31st. They had several ordinances which had an expiration date other than December 31st. This was done at the request of the Clerk's office, and they feel they can more efficiently operate their office and keep track of these permits if they have a single expiration date.

Ms. Meltzer clarified that those required to renew their licenses in March would not have to do so, and they received an extension to December of this year.

Ms. Meltzer questioned whether that is to eliminate the possibility of a taking.

Mr. Dolan replied it is basically modifying the ordinance for clarity and adding the fees.

Motion by Mr. Pearl, supported by Ms. West, to adopt Township Ordinance #447 – Amending All Business Licenses to Expire/Renew on December 31 and Fees for Sale of Sand and Earth, as presented. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

13. NEOPOST MAIL METER CONTRACT RENEWAL

This item was deleted from tonight's agenda.

14. APPROVAL TO PURCHASE "I VOTED" STICKERS

Ms. Meltzer explained in the last election, they had some smaller "I voted" stickers, but the stickers purchased this time are slightly larger. She added it has become very important to voters to have these stickers, and students and some employees have stressed they need those as proof to their school or employer that they voted. Some precinct workers were getting creative trying to come up with an "I voted" sticker out of masking tape or post-it notes. She would like to make sure they have the stickers to give to voters on Election Day.

Ms. West noted on the bill, it reflects that there were more stickers for absentee voters than for the “I voted today” stickers.

Ms. Meltzer replied they have more absentee voters and anticipate having even more with the passage of the “no reason absentee”.

Ms. West questioned the large order of 700,000 stickers.

Ms. Meltzer replied there was a drastic decrease in cost for any orders over 500,000. She added they will last for about twelve elections, or about five years.

Ms. West inquired as to an order for “500” and questioned whether those are boxes.

Ms. Meltzer replied they come in rolls of 1,000.

Motion by Ms. West, supported by Mr. Keys, to receive and file the letter dated January 5th, 2019 from the Township Clerk, and authorize the budgeted purchase of “I Voted” stickers from Baytech Label, who submitted the lowest quote in the amount of \$2,703.00. Roll Call: Ayes – West, Keys, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

15. APPROVAL OF 2019 MEMBERSHIP DUES – CLINTON RIVER WATERSHED COUNCIL

Mr. Cannon stated Clinton Township gains more than any other community because the three branches of the Clinton River converge in the Township. He thanked Ms. Bednar for her leadership in that organization, providing a nice presence for Clinton Township.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated November 29th, 2018 from Ms. Anne Brasie, Executive Director, Clinton River Watershed Council, and approve payment of the 2019 Clinton River Watershed Council membership dues in the amount of \$5,000. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

16. REQUEST FOR COST SHARE OF ROAD PROJECTS WITH THE DEPARTMENT OF ROADS

Mr. Cannon reminded the Board that they have previously committed two Little Mack projects for early next year. One is Little Mack from Weybridge to Groesbeck, and the second is Little Mack from 15 Mile to just before St. Thecla Church. He stated Executive Mark Hackel was very gracious in helping the

Township get the additional \$9 million of federal funds to do Garfield. He noted it was not on the “front burner”, but stressed it is in horrible condition. The projects have been sped up, the federal government allocated \$9 million, and Executive Hackel took \$3 million from another project so they can get started on it next year. He noted the obligations are listed in the last paragraph on the second page, including \$305,000, \$1,549,000 and \$750,000 down the road for 2020 to finish Garfield Road. He stressed he has put a lot of work into this along with Ms. Bednar and Mr. Chabot, as well as Executive Hackel and his staff. They have put a lot of thought into it, and he is looking for approval this evening.

Mr. Pearl inquired as to how much of the original \$5 million the Township set aside for road projects in cooperation with the County and the federal government will be left if this is approved this evening.

Mr. Cannon replied this will use up all of that money, so there will be nothing left.

Ms. Meltzer questioned what happens if there are overruns.

Ms. Bednar replied they will have a cost-share agreement with the Department of Roads and they will work with them on it. They do not typically see overruns because of the way they are bid, but she assured they will have to address it because it is an estimated amount.

Discussion ensued regarding the amount for these projects.

Ms. Bednar clarified that the first bullet point in the last paragraph, where it refers to \$305,000, the Department of Roads is going to participate in a cost share with the Township, and they are Water and Sewer projects; therefore, the \$305,000 is the County’s cost. The amount listed in the second bullet point, \$1,549,000, is a total of the Garfield/Millar to Metro Parkway, Garfield/Hall to 19 and also Kelly Road. The last amount, \$750,000, is the remainder of Garfield, which the Township will contribute to in the future. She explained if they add the \$1,549,000 and the \$750,000 together, that is the amount that is going against the remainder of the \$5 million referred to by Mr. Pearl.

Mr. Pearl calculated it would come to \$2.299 million.

Mr. Gielegem inquired as to how much money the federal government is contributing and how much the County’s Department of Roads is contributing.

Mr. Cannon replied the federal government is contributing \$9 million and that is for Garfield.

Ms. Bednar replied that the Department of Roads is matching the \$2.299 million, which is 10% of the overall project.

Mr. Gielegghem pointed out the County receives money for roads, but the Township does not receive any money for roads, so he pointed out this is money that has to come from the Township's General Fund.

Mr. Cannon explained that the Department of Roads is cooperating with Ms. Bednar in her projects, and they did not originally want to participate, but through negotiation, the Township convinced them that it would not make sense to directional bore, then in three years have a road that is rated 1 or 2 and have to figure out how to repave that road with nothing coming from the Department of Roads. The way it was negotiated, the Township is paying half out of Water and Sewer Fund for that specific project, and the Department of Roads is paying the other half.

Mr. Gielegghem inquired as to whether they would have been replacing only a small section of the road if they directional drilled.

Mr. Cannon replied affirmatively.

Ms. Bednar explained they had the option of directional drilling or open-cutting it, but with water, they have to reconnect all of the services, so they would have to dig it all up. It would not make sense because they would do that in front of every home and they would have sections of old in between the new sections. She pointed out that, as far as asset management, the roads and pipes are the same age, so this is the idea of being proactive and doing it together.

Mr. Gielegghem questioned when they are matching dollars, what money does the Department of Roads use. He questioned whether it comes out of the local road match money that the Township has been able to utilize for projects like Thornton, Tessens, etc.

Mr. Cannon replied no.

Ms. Bednar confirmed they asked for projects from that fund as well.

Mr. Gielegghem pointed out that Nunneley is unique because when working on a Special Assessment District (SAD) project, properties on both sides of the street are assessed; however, Nunneley only has residents on one side of the street. He noted that the residents on Thornton and Tessens went out for an SAD and the residents are paying a 50% match with the County, and now the other streets are being done with the Township picking up that 50% match share. Logistically it makes sense, but he felt that financially, there is a lack of equity because some residents are paying and some are not.

Ms. Bednar reminded they are doing a water replacement there, and that is a transmission line that feeds water to the majority of the Township and not just the residents on Nunneley. They are fixing the water line first, but because they are being proactive, they are looking to do the roads at the same time. She reminded they did the same thing on both Beaconsfield and on Little Mack. She pointed out that, while these are still local roads, they are “feeders” that carry more traffic to feed into the abutting neighborhoods. It is considered a collector road.

Mr. Gieleghem commented that Charter Oaks Boulevard is a collector road, with a school in that area, yet the residents still had to step up and pay 50%. He recalled the Township had to scramble because it was technically out of the 10% and they came up with a larger share of pavement dollars because of the amount of water line work.

Mr. Pearl recalled that everyone who lived on the courts that emptied out onto Charter Oaks were levied, including the co-op and the condominiums. He expressed his appreciation for the work they put into it and the County is agreeing to come up with a lot of money. He is not happy it is coming out of General Fund, but he does not feel they have a choice.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated January 10th, 2019 from the Director of Public Services, and approve the funding for the cost share of road projects with the Macomb County Department of Roads, as outlined in the correspondence: \$1,549,000 cost share for the two 2019 Garfield projects (Millar to Metropolitan Parkway & Hall Road to 19 Mile) and the Kelly Road (15 Mile to Groesbeck) project; and \$750,000 for the 2020 Garfield Road Improvements (19 Mile to 17 Mile). Discussion ensued.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, questioned whether the portion of S. Nunneley they are referring to is between 16 Mile Road and Theodore, in front of the church.

Ms. Bednar replied affirmatively, stating she refers to it as from Gratiot to Theodore, although she noted that it does not go all the way through to Gratiot.

Mr. Hogan pointed out if that access is blocked, the only other access to Thornton would be from Harper.

Ms. Bednar replied there is access to Thornton from both S. Nunneley and Harper.

Mr. Hogan recalled on Garfield, between Millar and 17 Mile Road, repair work was done a few years ago but only portions of the road were

completed, while other sections were left in place. He questioned whether they are going to do the same with the balance of Garfield.

Mr. Cannon replied from Millar to 16 Mile Road, it will be done exactly the same as the portion between Millar and 17 Mile Road; however, from Hall Road to 17 Mile Road will new construction.

Mr. Hogan questioned how they do the bed when certain portions are left intact. He admitted it is a smooth finish, but he is looking for longevity.

Mr. Cannon replied he does not know how they do it, but there are different standards today than there were ten years ago. He recalled it took quite some time but they did a thorough job.

Ms. Bednar clarified that on Garfield, from Hall Road to 17 Mile Road, they will be doing a “mill and fill”, which is similar to what they did on 19 Mile Road.

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

17. UPDATE OF WATER AND SEWER PREQUALIFICATION REQUIREMENTS

Mr. Cannon had requested Mr. Pearl’s name be added to this committee because of his experience even though he had not asked him ahead of time.

Mr. Pearl accepted the appointment.

Motion by Ms. Meltzer, supported by Mr. Aragona, to receive and file the letter dated January 10th, 2019 from the Director of the Department of Public Services, and approve the revised document for the Contractor Prequalification Review Process, which includes a change to clarify the three members of the Prequalification Committee, and to add “pipe bursting” as an acceptable form of construction for a water and sewer project; further to appoint Scott Chabot, P.E., Anderson, Eckstein & Westrick, Inc., Ken Pearl, Township Trustee, and Mary Bednar, Director of Public Services, to the Prequalification Committee. Roll Call: Ayes – Meltzer, Aragona, West, Keys, Pearl, Cannon, Gielegem. Nays – None. Absent – None. Motion carried.

18. APPROVAL OF CONSULTING ENGINEERING CONTRACT

Mr. Pearl noted they were provided with an updated copy, and he inquired as to the changes.

Mr. Dolan explained there is one change relating to the indemnity section, and it is an unrestricted indemnity with regard to the amount of source of the indemnity. He clarified it is Paragraph 11 and he is fully satisfied with it.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated January 10th, 2019 from the Director of Public Services, and approve the Consulting Engineering Contract for Anderson, Eckstein and Westrick, Inc., as submitted. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

19. REQUEST TO AMEND BUDGET FOR DPW OVERTIME

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated January 9th, 2019 from the Director of Public Services, and approve a budget amendment of an additional \$20,000 to cover overtime in the Department of Public Works, as outlined in the correspondence. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

20. REQUEST APPROVAL FOR SALE OF OUT-OF-SERVICE POLICE VEHICLES

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated December 3rd, 2018 from the Police Chief and approve the sale of four (4) out-of-service police vehicles, to be auctioned off at Motor City Auction, in Roseville, as outlined in the correspondence. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

21. REQUEST APPROVAL TO ATTEND THE 2019 MICHIGAN ASSOCIATION OF CHIEFS OF POLICE MID-WINTER TRAINING CONFERENCE

Motion by Ms. Meltzer, supported by Mr. Keys, to receive and file the letter dated December 3rd, 2018 from the Police Chief and approve his request to attend the budgeted 2019 Michigan Association of Chiefs of Police Mid-Winter Training Conference on February 5th through 8th, 2019 at the Amway Grand Plaza Hotel in Grand Rapids, Michigan. Roll Call: Ayes – Meltzer, Keys, West, Pearl, Cannon, Aragona, Gielegem. Nays – None. Absent – None. Motion carried.

22. REQUEST FOR A COST ADJUSTMENT RELATED TO THE 2018 FIREHOUSE EXPO DUE TO ADDITIONAL EXPENSES RELATED TO THE EVENT

Mr. Cannon noted that there was an additional cost to this expo; however, the Fire Chief felt the Department reaped a benefit from attending.

Motion by Ms. Meltzer, supported by Mr. Keys, to receive and file the letter dated January 7th, 2019 from the Fire Chief, and approve a cost adjustment related to the 2018 Fire House Conference and Exhibition held last October, in the amount of \$1,501.29, to cover increased hotel fees, parking fees and pre-conference workshops. Roll Call: Ayes – Meltzer, Keys, West, Pearl, Cannon, Aragona, Gielegthem. Nays – None. Absent – None. Motion carried.

23. DISPOSITION OF TOWNSHIP-OWNED PROPERTY KNOWN AS PARCEL #16-11-35-304-016 – VACANT WALTER STREET PROPERTY

Motion by Mr. Pearl, supported by Mr. Gielegthem, to receive and file the letter dated January 3rd, 2019 from the Director of the Department of Planning and Community Development, and concur with the Property Disposition Committee's recommendation to approve the sale of Clinton Township-owned property known as Parcel #16-11-35-304-016, which is vacant property on Walter Street, to Ms. Yvonne Listenbee Brownlee for the sum of \$8,000. Discussion ensued.

Mr. Gielegthem explained that, per Township policy, these properties have gone out for bids in the past, and when no bids are received, the Township is able to entertain offers. He felt this is a good offer, noting the Township obtained this property in 2013 for \$3,733, and even though it has been off the tax rolls and there is a certain amount it costs the Township to carry the property, this is a good return for the parcel.

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

24. DISPOSITION OF TOWNSHIP-OWNED PROPERTY KNOWN AS PARCEL #16-11-35-178-011

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated January 3rd, 2019 from the Director of the Department of Planning and Community Development, and concur with the Property Disposition Committee's recommendation to approve the sale of Clinton Township-owned property, known as Parcel #16-11-35-178-011, to the adjacent property owner, Mr. Jose Olivian, of 34370 Oakview, for the sum of \$2,500. Discussion ensued.

Mr. Gielegthem felt there is something that should be included as a condition of this sale, as well as the sale of the property on the previous agenda item, and that is that the purchaser is responsible for picking up the cost of the transfer tax and recording fees.

Mr. Dolan stated he is assuming that they are following Township policy on the sale and disposition of surplus property, which requires that the property be transferred by Quit Claim Deed only and sold as-is, and any and all costs associated with the sale, including transfer taxes at County and State, are paid by the purchaser.

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

25. CLINTON TOWNSHIP ETHICS POLICY

Discussion took place regarding whether there was a letter to the Board regarding this item.

Mr. Keys thanked Ms. West and Mr. Gielegem for putting this on the agenda for discussion. This has been brought forward to the Board in previous meetings and was directed to go to Budget/Ways & Means with a time frame on it. He claimed that date has passed, so it is being brought forward tonight as a discussion with the Board members the eight priorities they want to see in such a policy.

Mr. Cannon stated the Budget/Ways & Means Committee has had three meetings since it came before the Board. Two of the three meetings have had the item on the agenda but they never got to the item because the meeting was too long, and they had to leave for lunch and other commitments. He explained Ms. Meltzer is going to have a special meeting as soon as she can schedule it so that this can be addressed at an earlier morning hour. He admitted that, although the time frame discussed at the earlier Board meeting was correct, he reminded that Ms. Meltzer had also noted she had an election and there were a number of holidays between that time and today, so it may need an extension. He assured it will be done, but they will need an extension. He assured everyone on this Board wants it done.

Motion by Mr. Pearl, supported by Mr. Aragona, to refer this back to Budget/Ways & Means Committee with a report due back from them within thirty (30) days. Discussion ensued.

Ms. Meltzer stated she would like this on a special meeting.

Mr. Pearl assured he does not disagree with that request.

Ms. Meltzer replied she does not have a problem with the thirty days.

Mr. Gielegem recalled discussing at the previous Board meeting when this item was considered the recommendation to send this to Budget/Ways & Means, and

he explained it is not a public meeting, but rather a meeting of a functioning work group in the Township. It does not provide the opportunity for anyone to come in and observe or participate. He recommended setting up a committee for this rather than sending it to Budget/Ways & Means. He stressed the Township needs a strong ethics policy, and he provided a little background of when this first came to the Board. He felt transparency to the public is important, and there should be a public debate about it, so he indicated he will be voting no on this motion to send it to Budget/Ways & Means. He felt they need a special committee and that needs to be a public meeting with the proper postings so the public can attend and provide their input or observe.

Mr. Cannon stated the recommendation will come back from Budget/Ways & Means, and the debate will be here at a public meeting of the Township Board, but not at a workshop or staff meeting where they are trying to “iron it out” so they can get it back to a Township Board meeting where they can debate it publicly.

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

Ms. Meltzer confirmed this will go to the Budget/Ways & Means Committee at a special meeting and will be brought back to the Board within thirty (30) days.

Motion by Mr. Keys, supported by Ms. West, to direct the Clerk’s Office to post the special Budget/Ways & Means meeting so it would be open to the public as well as the four Trustees. Discussion ensued.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, stated he would like to be at that meeting or at least have the opportunity to attend. He came prepared for some conversation tonight that will not take place.

Mr. Cannon explained the problem with having the public at a meeting like that is they are trying to get it done within a thirty-day time period, and it may end up taking a lot longer.

Mr. Hogan admitted it may take longer, but he stressed it would be done right. He would like to be able to voice his input at a meeting where it will be taken seriously.

Ms. Meltzer clarified this motion is for a Special Board meeting.

Mr. Cannon stated he is opposed to a Special Board meeting. He felt it needs to be discussed among staff and the three full-time officials, and it will be brought back to the full Board for consideration.

Mr. Keys clarified that voting yes on this motion will allow the public and the four trustees to attend the meeting and participate in the conversation. He stated voting no on this motion would continue the process of keeping this as an internal meeting, not allowing the public to attend. He added there are no minutes from this meeting for the public.

Ms. Meltzer clarified that there are minutes taken at the Budget/Ways & Means Committee meetings.

Mr. Keys acknowledged there are minutes, and a copy can be requested through a FOIA request.

Discussion took place regarding the motion.

Mr. Pearl requested clarification that the Budget/Ways & Means Committee meeting will not be held in this chamber, will not be televised but the public can attend if they wish.

Mr. Cannon stated that is not true and it is not open to the public.

Mr. Dolan confirmed that Budget/Ways & Means Committee meetings are not public meetings. There is not a quorum of the Board, and there is discussion of policy. Whatever action is taken is subject to the approval of the full Board. As outlined by Mr. Keys, because the Trustees would be present and would have opportunity to have input at that meeting, that meeting must be scheduled as a Special Board meeting since there would be a potential of a quorum of the Board, and compliance with the Open Meetings Act has to be met.

Mr. Keys understood the postings required by the Open Meetings Act, but pointed out that in this committee meeting, they would not have the power to approve any budget amendments or the policy itself, but the Budget/Ways & Means Committee only has the power to make a recommendation to this body. He added that not attending this meeting would not result in missing any votes or attendance to a meeting. He suggested it can be called a “workgroup” but the main idea is to provide a setting where the general public, as well as the four Trustees, can attend to participate.

Further discussion took place regarding whether the meeting proposed is a Special Board meeting.

Roll Call: Ayes – Keys, West, Gielegem. Nays – Pearl, Cannon, Aragona, Meltzer. Absent – None. Motion failed for lack of votes.

26. DISCUSSION REGARDING THE TOWNSHIP'S CASUAL DAY PROGRAM

Mr. Keys added this to the agenda for discussion. He explained that, in working with the Administrative Aide, there are many functions in which she participated throughout the Township. To try to help with the workload, some of which has been taken on by the Supervisor's office and Clerk's office, the Supervisor's office took over administration of the Casual Day Program. He explained he spent some time with the Administrative Aide, learning the process, as well as some upcoming changes she wanted to make. He explained he tried to administer the program and was advised by the Supervisor's office to stop. He would like to make a motion to direct the Supervisor's office to allow the Trustee's Department to continue to administer the Casual Day Program.

Mr. Cannon stated he is perplexed as to how a Trustee would think he could send out a Township directive. He reviewed the correspondence and events that led up to the Supervisor's office administering the Casual Day Program in the absence of an Administrative Aide. He claimed he actually started the program in 2002 and asked for help from the Administrative Aide. Mr. Cannon referenced a claim in one of Mr. Keys' emails that indicated he coordinated the collection of the Casual Day funds with the Human Resources and Civil Service Departments. He inquired as to whether Mr. Keys coordinated this with Mr. Smith.

Mr. William Smith, Human Resources Director, replied no.

Mr. Cannon felt what Mr. Keys did was inappropriate. He assured once the Trustees have an Administrative Aide in place, he fully intends to have that person handle the program. He commented that Mr. Aragona is the Trustee in charge, and if Mr. Aragona had a problem, he would have contacted him.

Ms. West commented that it is a misnomer when they refer to one of the Casual Days being a "free day" because a lot of staff has automatic payroll deductions for this purpose.

Mr. Cannon stated it has nothing to do with this discussion but explained the "free" day is when they take the money collected through the deductions and put it into an account for an especially large donation they want to make to a special group. He questioned why Mr. Keys claimed to have coordinated with Mr. Smith.

Mr. Keys apologized to Mr. Smith if he felt Mr. Keys had not coordinated with him. He spoke with Ms. Murray, Civil Service Director, who indicated she and Mr. Smith share a secretary, and she felt it would be inappropriate to ask the secretary to accept donations until she coordinated it with Mr. Smith. Mr. Keys claimed Ms. Murray called him two days later to let him know she had asked Mr. Smith for his permission.

Mr. Cannon stressed that the Human Resources Department does not coordinate the Casual Day. He has limited staff, and it is not right to ask him to start taking in money for Casual Day.

Mr. Keys emphasized that is why he asked if it would be ok, and he received the indication that it would. He had worked with the former Administrative Aide about this program and how to administer it. He claimed the Trustees are the legislative branch of government, and he felt it is inappropriate for the executive branch to take a program away without letting the Trustees know. He agreed with Ms. West and confirmed that they do not have “free” Casual Days. It is only those who pay per week who have a “free” day, but for those individuals who pay through payroll deduction, as he does, have money taken out of their checks every single week into a pot that an administrator decides what charities are going to be picked. He and Ms. West have worked with Ms. Staller to come up with a policy that every donation is going to be allocated for a charity and they will no longer have “a pile of money” where they decide what charities or groups will be benefited. He added that other programs like this in the County are administered by the Human Resources Department, and he felt that is the appropriate department that should be handling it. A policy should be established as to how charities are approved, what credentials they have to meet to be approved, and how those charities are selected, and this policy needs to be published on the website. He apologized that his first email was confusing and added he should have clarified that the funds collected from the paychecks would be going to that charity rather than sitting in the fund. He apologized on the miscommunication that went out on the original email. He admitted it may look funny for the Board to be discussing casual days, but he stressed the Trustees have an oversight role in the Township.

Mr. Pearl claimed he was not aware of it as a Trustee, and he talked with Mr. Aragona, their Lead Trustee as of January 1st, about their problem to try to coordinate things with the Supervisor’s Office. He stated he was unaware that Mr. Keys was doing this on his own, and he claimed there was no correspondence with the other Trustees, or the Supervisor’s office, that something was being done.

Mr. Cannon claimed that what Mr. Keys did was “inappropriate and unacceptable”, and he assured the Trustee’s office will be getting the program back once they hire an Administrative Aide.

Ms. Meltzer stated this program has been a huge hit in the Township from its inception, and she was concerned about a political leaning if whoever is looking at it is making the decisions as to where the money should go. It has been a great program for charitable organizations and non-profits, and she requested

clarification on Mr. Keys' statement about who determines where that money goes. She stated that is a concern for her.

Mr. Keys replied to inquiry that currently, a single administrator is the only one who decides which charities are picked and which ones are not. There are no licensing requirements. He agreed with Ms. Meltzer's concern that it could get political, and he would like to model a policy similar to other communities, where they have to meet two or three requirements, and once it is approved, the list should be published on the website so everyone knows which charities are receiving the money. Ms. Staller had shown him where they made donations in the past to an organization, they later found out was using the money fraudulently, and they had to return the money to the employees.

Mr. Cannon stated he started the program that began one day a month, and it ended up being one day a week, and it has been a successful program.

Mr. Aragona explained he took over as Lead Trustee for when they get the Administrative Aide and has talked with the Deputy Supervisor about taking over any of the roles of the Administrative Aide until that position is filled, including the Casual Day program. He claimed Ms. Staller knew the Supervisor's Office was going to be taking over most of the functions of her office until they fill her position. He claimed that neither Mr. Keys nor Ms. Staller let him know about this, although he felt if there was more communication, this could have been resolved. He agreed with Mr. Keys that the selection of the charities should possibly be changed, but he claimed he knew nothing of Mr. Keys taking over this responsibility. He was under the impression that the Supervisor's office was taking care of this, noting that not every township has an Administrative Aide.

More discussion took place regarding the process.

Ms. West stated she will take the blame about Mr. Keys not conversing with Mr. Aragona and Mr. Pearl, adding that she knew about this at the time Ms. Staller was leaving. She recalled Mr. Keys had stated he would handle it because he had met with Ms. Staller and he was going to teach the new Administrative Aide; however, they did not have a new Administrative Aide to teach. She claimed it was Ms. Mary Ann Hosey, the Administrative Aide prior to Ms. Staller's appointment to that position, who came to Mr. Cannon and suggested the Casual Day, indicating that is something Rotary does and it would be a good thing. She claimed Mr. Cannon gave his approval. She also clarified the charity Mr. Keys indicated in his letter is a charity that was supported in the past through this program. She expressed concern that communication in the Trustee's office has been lax, but she stressed that, similar to Mr. Aragona and Mr. Pearl, she and Mr. Keys are also very much in support of this program and want to make sure nothing falls through the cracks. She felt that the problem and

miscommunications have been discussed, and they need to go forward from this point, so she would like to make a motion to receive and file.

Motion by Ms. West, supported by Ms. Meltzer, to receive and file the discussion regarding the Township's Casual Day Program. Discussion ensued.

Mr. Gieleghem felt there was a lack of communication. He was involved in a Casual Day program at the County where \$1 was collected from each person for Casual Day, and the office collecting the funds sent out a letter to everyone, inviting suggestions for organizations worthy of support. The County weighed these organizations against certain criteria, and he recalled the organizations were told to contact the County. The County would send them the paperwork, and once the completed paperwork was received back, that organization would be added to the list from which the County would determine where the funding goes. He felt the Township's program was rather "haphazard", even when it was being administered by the Trustee's office, and he felt they need to have established criteria as to where those dollars go and that needs to occur. He urged whoever is administering this to take a hard look at it. Mr. Gieleghem addressed the term "free casual day", stated he has his Casual Day donations taken out as a payroll deduction, so he is still paying for "free days". He felt there should be no "free days", and either they have the program or they do not have it, rather than some paying and some not paying.

Ms. West suggested in the motion to receive and file, they should appoint someone to be in charge of this. She questioned whether this will be Mr. Aragona's job as the lead Trustee.

Roll Call (on motion to receive and file discussion): Ayes – West, Meltzer, Keys, Pearl, Cannon, Aragona, Gieleghem. Nays – None. Absent – None. Motion carried.

27. DIRECT THE REFUSE COMMITTEE TO PREPARE A REQUEST FOR PROPOSALS FOR WASTE HAULING SERVICE AND DIRECT THE TOWNSHIP ATTORNEY TO PROVIDE CONTRACTUAL NOTICE TO INCUMBENT WASTE HAULER OF TOWNSHIP'S INTENT TO GO OUT FOR BID

Mr. Pearl stated he reviewed this and has some questions. He explained he does not have a problem with referring this to the Refuse Committee, but he has a problem with notifying the current contractor prior to the Refuse Committee reviewing it. He felt if they want to go out for bid, but it is indicated by Mr. Dolan that they do not want to notify Green for Life (GFL) and risk losing the current contract in the event the bids are higher. Other communities have found out that going out for bid results in higher bids. Mr. Dolan indicated that the Township

does not have to notify GFL, but only to extend the courtesy that they will go out for bids if they so desire to do so.

Mr. Cannon agreed and stated he will make a motion to send this to the Refuse Committee for their review and recommendation. He explained GFL's top management team met with himself, Ms. Bednar and a few of her key staff, indicating they have to change the cost for recycling, or not recycle at all, so that is something the Refuse Committee needs to discuss. Mr. Cannon also noted that he spoke with Mr. Dan Acciavatti, Supervisor of Chesterfield Township, who told him they were in the same position and went out for bid. When the bids came in, they started at 14% higher, and in 2022, it goes up to 29% more than the current bid. He cautioned when they look at the rates being charged by GFL now, even in the last year of the current contract, which is 2026, it is still lower than what Chesterfield Township is paying today. He agreed with Mr. Pearl that it should be analyzed but it should also not be advertised that they would be going out for bids. He admitted every contract is different, and Clinton Township has a very good contract, but recycling has changed and that needs to be discussed by the Refuse Committee. He explained that recycling has changed because of China. They were sending a lot of their recycled materials to China on the boats that would come here loaded and go back empty. They are no longer able to do that.

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter from Mr. Gielegghem, Treasurer, and Ms. West and Mr. Keys, Trustees, regarding the Township's waste hauling services, and refer the letter to the Refuse Committee for their discussion and review. Discussion ensued.

Mr. Gielegghem noted the motion made mirrors the letter. He reviewed the letter to the Board.

Discussion took place regarding the three bullet points in the letter.

Mr. Gielegghem explained that he serves on the Refuse Committee along with Ms. West, Ms. Meltzer and relevant staff. He felt this Board has the responsibility to do that, and as a member of the Committee, he is ready to do that.

Mr. Aragona confirmed that they are not going out for bid but are directing the Refuse Committee to do research, which is fiscally responsible. He compared it to doing a financial review of assets and making sure what they are doing is the best thing for the Township.

Mr. Gielegghem agreed, noting they are researching the rates to determine the right direction for the Township, but he confirmed there is no bid going out.

More discussion took place regarding what is being done.

Mr. Cannon stated he has a letter from GFL and he offered to provide it to Mr. Gielegem as a member of the Refuse Committee, but he emphasized it has to be addressed as to whether they are going to continue recycling.

Mr. Dolan stated the Refuse Committee is a sub-committee of the Board. He explained the sub-committee of the Board does not have the authority to direct or to effect any type of re-bid, but all it can do is make a recommendation. By sending it to the sub-committee, they are not terminating any contract or approving any bid process. He understood the request is to examine the pricing on the contract, to determine whether they may want to consider rebidding, and also to examine GFL's request as they presented it with their concerns and proposals on recycling. He advised the second extension, Paragraph 11, sets forth a provision by which the Township is empowered to terminate the contract, if it chooses, upon written notice of 120 days. He stressed they are not doing that now in any way, shape or form, nor is that the goal of the Refuse Committee. Any recommendation from that Committee would require a vote of the Township Board, and that would end the contract and any extensions. At this point, as the motion has been stated, they are addressing those two points, and asking the Refuse Committee, upon completion of its task, to come back to the Board.

Mr. Cannon requested Ms. Bednar compare the Township's refuse rate in 2026, based on the last year of the current contract, and compare it to the new rate in Chesterfield Township.

Ms. Bednar replied that, based on the Township's second extension, their per-month cost is \$13.65 per month per resident through March 31st, 2026. She informed that Chesterfield Township bid out in July 2018, with rates going into effect January 1st, 2019, and their current rate is \$17.15.

Mr. Cannon pointed out Chesterfield's rates are already much higher than Clinton Township's rates will be through 2026.

Mr. Gielegem commented that Chesterfield Township is a smaller community that is more spread out, so he felt they need a more apples-to-apples comparison, but he felt this letter and agenda item were structured for three things, and they are now adding a fourth, based on tonight's discussion.

Mr. Pearl stated he does not have a problem going out for bid even if they find the smaller communities are paying more as long as it does not jeopardize the current price, and Mr. Dolan can guarantee that going out for bid does not automatically end the current contract.

Mr. Cannon noted there are two representatives from GFL here tonight, and they are both shaking their heads that if we go out and bid, and they come in with a higher bid, that is the rate.

Mr. Keys asked if they could introduce themselves because he never met any representatives from the company.

Mr. Cannon indicated there is already someone at the podium who wishes to speak.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, recalled GFL provided the trash receptacles. He questioned as to who will pay for those if the contract is canceled.

Mr. Gielegem replied that the first contract provided the recycling containers. In the second contract, Rizzo came and said they would like to provide the trash containers and extend the contract for 18 years. He recalled the former Treasurer, Mr. Sowerby, stated no, indicating the Township would buy the containers and extend the contract with Provision 11, which specified that, at the end of the first contract, the Township can go out for bid with a 120-day notice. By the Township buying the containers rather than Rizzo paying for them gave the Township the ability to go out for bid unilaterally.

Mr. Hogan inquired as to how many trash haulers are in the area. He could not imagine there would be more than a half-dozen.

Ms. Bednar recalled when they bid in the past, they had four or five bids.

Mr. Cannon recalled there were two that bid in Chesterfield.

Mr. Hogan felt if there are only two or three, they would have to be spread out and he suspected it would cost more if they went out for bid.

Mr. Cannon agreed and commented that today he received a number of notices from residents who are extremely happy with the current hauler, the way they pick things up, the trash and things that fall out of the bins and the way they respect the community and the neighborhoods. He stated 100% of the letters he received were in favor of the current contractor.

Mr. Hogan stated that, while he is not one of those residents who wrote a letter, he is also 100% behind the current contractor.

Mr. Keys once again thanked Mr. Gielegem and Ms. West for bringing this forward. He felt it is important because, although they have to factor in price, they have to factor in the integrity of the contract. He stated it bothers him that

there was no bid the second round and it is an 18-year contract, which he felt is “eye-opening”.

Ms. Bednar clarified that is with the extension of the contract, but Paragraph 11 states they can go out for bid, with the 120-day notice, after December 31st, 2018. They are discussing that at this time. It has years four through six, which takes them through 2022, and years seven through ten, which takes them through 2026.

Mr. Keys wanted to make sure the Committee looks at the quality of service. He agreed with Mr. Cannon that the staff of GFL has always been very friendly, but he commented he lives off of 15 Mile Road, and a lot of the roads in the south end are very narrow. He noted that with the size of the bins, on pickup day the entire street is blocked off by the truck, and there is generally a line of cars lined up behind. He stated they have to keep in mind they had a contractor bid on this and they were awarded a contract at a certain price, but he does not know that they are maintaining the same standards the Township envisioned when this contract was signed. He felt it is important to improve the Township’s contract policy and put a list of all the contractors, their services, their terms and the costs for that contract on the website. He explained that would not only help the public, but also Board members who were not sitting on this Board when those contracts were signed.

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

28. DISCUSSION REGARDING ADMINISTRATIVE AIDE POSITION

Mr. Aragona stated there is no letter but he wanted to report the status of the Administrative Aide position. He indicated they met a little over a month ago, selected a candidate that all four Trustees agreed upon, and that person turned the job offer down. He wanted to bring it back up and see if anyone had comments on it going forward. He felt they could lower the salary, or possibly share the position with the Senior Center, but he added that was a concept that did not go anywhere. He recognized he is part of a Board and if that is the wishes of the Board, he is ok with that.

Ms. West felt the idea of sharing the Administrative Aide with the Senior Center is a wonderful idea; however, the employees at the Senior Center are union employees so that would cause a problem.

Mr. Aragona inquired as to whether the part-time people are union.

Ms. West replied the full-time employees are union employees.

Mr. Aragona clarified his idea was to share with the part-time position. He had suggested taking one of those part-time positions and making it a full-time position with the Administrative Aide position.

Ms. West recalled the part-time position has now been made a full-time position at the Senior Center. She also noted that if they lower the salary, they would have to start the process all over again, and they would not be able to use the 79 people who applied before because they applied with the understanding of that position being paid the higher salary. Ms. West stressed that they offered the position to one person who turned the offer down, and one other candidate took a job elsewhere for better pay. She reminded that they still have two others remaining that they had selected, and she claimed both of those candidates are stellar. She felt if the four Trustees could get together and select one of those two, they could offer the position to one of those two.

Mr. Cannon clarified they do not have to advertise and they can choose whomever they like.

Ms. Meltzer questioned when they may fill the position. She appreciated her deputy, Ms. Kim Irvine, and also the Supervisor's Deputy, Ms. Liz Vogel, who have stepped up to temporarily take on some of the responsibilities of the Administrative Aide, but she stressed they both have very heavy workloads, and she hoped this has an end near.

Ms. West agreed with Ms. Meltzer.

Mr. Aragona assured Ms. Meltzer he is trying to get some input, and his next step is to meet with Mr. Smith within the next week or two once they have a plan going forward. He hoped they will have someone in place within the next couple of months.

Mr. Keys inquired as to whether Mr. Aragona would work to schedule a meeting with the four Trustees, similar to what Ms. West had done, possibly on Monday, January 21st, when there is no Township Board meeting, or on Monday, January 28th, prior to the Board meeting so they can discuss some ideas. He knows they came up with a list of four names, and although two are no longer available, he would like to select from the two remaining candidates. If they can meet and come to a decision on one of those two, they can forward their recommendation to the Board. If not, possibly they can come up with a different recommendation such as lowering the pay or some other option.

Mr. Aragona did not feel that will be a good idea because he does not feel they have consensus on either one of those two at this point.

Mr. Pearl agreed the Trustees should have a meeting.

Mr. Aragona had no objection to having a meeting of the Trustees, but he could not see voting on the two remaining candidates.

Discussion took place on a possible meeting date and time.

Ms. West mentioned that is two weeks away, and even if they hire one of the two potential candidates, it would be another two weeks prior to that person being in place, so she cautioned Ms. Meltzer that the timeline for this will be at least another month.

Mr. Keys recalled in previous Board meetings they talked about getting a temporary employee, and he felt if either Mr. Cannon or Ms. Meltzer would like them to pursue that, he urged them to let them know. He asked if Ms. Meltzer would post the Trustee's meeting on behalf of the Trustees.

Mr. Aragona also asked Ms. Meltzer if her Deputy would mind coming to that meeting to take the minutes.

Ms. Meltzer assured she will ask her.

Motion by Mr. Keys, supported by Mr. Aragona, to schedule a meeting of the four (4) Trustees on January 28th, 2019 at 5:30 p.m. for the purpose of discussing the Administrative Aide position; further, this will be an open meeting. Roll Call: Ayes – Keys, Aragona, West, Pearl, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

29. RECOMMENDATION OF PERSONNEL VACANCY REVIEW COMMITTEE

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated December 20th, 2018 from the Human Resources Director and concur with the recommendation of the Personnel Vacancy Review Committee to authorize one (1) additional Operator position and a reduction of one (1) Utility Worker position, as outlined in the correspondence. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

30. REQUEST CLOSED SESSION TO DISCUSS CONTRACT NEGOTIATIONS

Mr. Peacock replied to inquiry that the Board will need to come out of Closed Session for his item.

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

31. REQUEST CLOSED SESSION TO DISCUSS PENDING LITIGATION – WOJKOWICZ V. CLINTON TOWNSHIP

Motion by Ms. West, supported by Mr. Gielegghem, to schedule a Closed Session immediately following the last item on tonight's agenda for the purpose of discussing pending litigation – Wojkowicz v. Clinton Township. Roll Call: Ayes – West, Gielegghem, Keys, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

32. REQUEST CLOSED SESSION TO DISCUSS PENDING LITIGATION – CLINTON TOWNSHIP V. PURDUE ET. AL.

Motion by Ms. Meltzer, supported by Mr. Aragona, to schedule a Closed Session immediately following the last item on tonight's agenda for the purpose of discussing pending litigation – Clinton Township v. Purdue et al. Roll Call: Ayes – Meltzer, Aragona, West, Keys, Pearl, Cannon, Gielegghem. Nays – None. Absent – None. Motion carried.

33. REQUEST CLOSED SESSION TO DISCUSS LEGAL OPINION IN REGARD TO LIPKE STREET WATER EASEMENT ACQUISITION

Motion by Ms. West, supported by Mr. Aragona, to schedule a Closed Session immediately following the last item on tonight's agenda for the purpose of discussing legal opinion in regard to Lipke Street water easement acquisition. Roll Call: Ayes – West, Aragona, Keys, Pearl, Cannon, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

APPROVAL OF MINUTES OF DECEMBER 10TH, 2018 REGULAR TOWNSHIP BOARD MEETING

Motion by Mr. Keys, supported by Ms. West, to approve the minutes of the December 10th, 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 Ms. Meltzer, supported by Mr. Aragona, to approve the bills as presented. Roll Call: Ayes – Meltzer, Aragona, West, Keys, Pearl, Cannon, Gielegghem. Nays – None. Absent – None. Motion carried.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT INTO CLOSED SESSION

The meeting adjourned into Closed Session at 9:47 p.m. and reconvened at 10:05 p.m.

31. REQUEST CLOSED SESSION TO DISCUSS PENDING LITIGATION – WOJTOWICZ V. CLINTON TOWNSHIP

Mr. Peacock explained that, based on discussion in Closed Session, he is recommending that the Township settle the case Wojtowicz v. Clinton Township for the sum stated in the Closed Session.

Motion by Ms. West, supported by Mr. Gieleghem, based on the attorney's recommendation, to settle the case Wojtowicz v. Clinton Township for the sum stated in the Closed Session. Roll Call: Ayes – West, Gieleghem, Keys, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

ADJOURNMENT

Mr. Cannon noted that they will be adjourning back into Closed Session for the purpose of discussing three more items, comprised of one contract and two lawsuits. He added they will not be coming out of Closed Session.

Motion by Ms. West, supported by Mr. Pearl, to adjourn the meeting and go into Closed Session. Roll Call: Ayes – West, Pearl, Keys, Cannon, Aragona, Gieleghem, Meltzer. Nays - None. Absent – None. Motion carried. The meeting adjourned at 10:38 p.m.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON