

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
MONDAY, APRIL 9TH, 2018

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

ABSENT: NONE

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

APPROVAL OF AGENDA

Ms. Meltzer stated there is one deletion from tonight's agenda:

19. Scope Change – 17 Mile Road Water Main Replacement Project

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

27. Purchase of Mowers and Sprayer/Spreader
28. Request Approval to Attend Conference – Michigan Public Services Institute
29. Request Approval to Attend Conference – 2018 Great Lakes Homeland Security Conference
30. Request Approval to Attend Conference – 76th Fire Investigation 1 School
31. Request Approval to Attend Conference – NEPA Fire Inspector 1
32. Request Approval to Attend Conference – IAAI Arson School
33. Update on Opioid Litigation
34. Request for Kroger Outdoor Tent Sale from April 22nd through July 9th, 2018 – 41941 Garfield Road

Ms. Meltzer also requested that the following agenda items be moved as follows:
Item #34 moved to Item #4A

Item #24 moved to Item #6A
Item #21 moved to Item #5B

Motion by Mr. Pearl, supported by Ms. West, to approve tonight's agenda with the deletion of Item #19, the addition of Items #27 through #34, and to move Item #34 to Item #4A, Item #24 to Item #6A and Item #21 to Item #5B. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Cannon stated that he will continue to provide a little Clinton Township history at each Board meeting in honor of its 200th anniversary this year. He provided a brief history of Mr. William Little, born in Clinton Township in 1833. His paternal grandfather was Robert Little Sr., a native of Virginia who came to the west when there were very few settlers in Michigan. He farmed the land where the City of Mount Clemens now stands. Mr. Cannon stated that for years, he thought Little Road was named that way because it was a little road, but it was named that way because Robert Little Sr. was Supervisor of Clinton Township from 1879 to 1880, and someone decided to name the road after him.

1. REQUEST APPROVAL TO DISPLAY SIGNS FROM MAY 16TH THROUGH JUNE 18TH, 2018 AT VARIOUS BUSINESS LOCATIONS FOR FAN'S ANNUAL RUN DRUGS OUT OF TOWN EVENT

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter from Judge Linda Davis, and approve her request to display signs at various businesses in Clinton Township, advertising FAN's (Families Against Narcotics) annual Run Drugs Out of Town event to be held on June 16th, 2018, as outlined in the correspondence. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

2. PRESENTATION OF LUCAS CPR DEVICE DONATED BY THE KIWANIS CLUB OF CLINTON TOWNSHIP

Fire Chief Tim Duncan explained that this donation was made by the Clinton Township Kiwanis Club, and the acquisition of this expensive equipment would not have been possible without them. He reviewed the benefits of this exceptional life-saving device, which performs CPR and operates with nearly 100% effectiveness. It will reap benefits greatly to the community for years to come. He explained it has been in use for about a month, and it has already paid dividends. He stated Clinton Township and Roseville are the only communities in the area having the availability of this device at this time. He explained how, in many senior complexes, it can be a three- to five-minute walk out to the vehicle, and it is extremely difficult for the paramedics trying to stay on the side of the stretcher and perform proper CPR, many times reaching only 30% to 40% effectiveness. He added with this device, they get 100% effectiveness all the

time. He stated this is an expensive undertaking, and the Township is fortunate that the Kiwanis stepped up to help them. He introduced Ms. Lori Stillwell, president of the Clinton Township Kiwanis, to come up to the podium, and noted when they are done with the demonstration this evening, they will take the device to another room to show interested residents how it works and give them an opportunity to ask questions.

Ms. Lori Stillwell, president of the Clinton Township Kiwanis Club, felt fortunate and honored on behalf of the Kiwanis to present this gift to the Township to save lives for many years to come. She informed that the Kiwanis Club meets every Wednesday at 7:30 a.m. at J. Baldwin's. They do service in the community, host fundraisers, with their annual golf outing coming up on July 23rd, and they are always looking for new members.

Mr. Cannon acknowledged the Kiwanis have been doing this for years, helping the children of the community, and he acknowledged this is not the first time they have worked with the Police and Fire Departments. He commended their group for doing a fantastic job, and he thanked them on behalf of the Board. He added if there are other businesses or groups who would want to donate another one or two of these devices, they will put them to good use as well.

Chief Duncan stated they have had other groups approach them, recognizing it is a huge undertaking for only one group. He stated he is extremely impressed with the effectiveness of this device and commented that this is probably one of the greatest tools he has seen in his 19 years working at the Township. He presented a Certificate of Merit to Ms. Stillwell, who accepted on behalf of the Kiwanis.

Mr. Cannon requested the Kiwanis members present to stand so they can be recognized.

Chief Duncan demonstrated the device, explaining they tested various devices last summer, and this one won overwhelmingly. He pointed out it is transportable and comes in a backpack, weighing about 17 pounds. Once in position and operating, it frees up their members and paramedics the ability to use their minds to deliver the next proper dose of drugs and proper electrical therapy they may need. This gives them the ability to perform much-needed functions, and it is a remarkable device.

Mr. Cannon inquired as to the cost of one of these units.

Chief Duncan replied it cost \$16,000.

Mr. Cannon inquired as to whether they carry it on the fire truck, and how they ensure it is on the right truck at the right time.

Chief Duncan replied that, unfortunately, they only have the one device at this time, so they have been rotating it. They intend to have it at one of the busier stations, although there is almost no station not as busy as the next. They want their medics and EMT's to get familiar with it, so they have been rotating it on a weekly basis.

Mr. Pearl inquired as to whether the price will go down as the company manufactures more of them.

Chief Duncan replied that it appears the price is going up. They were fortunate the company honored a quoted price, but he estimated the cost is now up to about \$17,000.

Mr. Keys thanked the Fire Department for coming here tonight to demonstrate this device and thanked the Kiwanis for this generous donation. He stated when working the shifts with the Fire Department, the thing that most impressed him was the fact they not only have to know everything about firefighting, but they also require vast medical knowledge. He appreciated talking to their staff and finding out what this machine means to them. He thanked the Kiwanis Club once again.

Mr. Cannon commented that years ago, when Mr. Steiner was on the Board, they went to the voters in Clinton Township and made a proposal to them that the firefighters be trained in medical as well. It was a wise investment on behalf of the voters because they are saving a lot of lives, and many seniors are moving into the Township because of the great protection they receive from both Police and Fire Departments, and he stated he is very proud of that. He inquired as to whether it is a durable piece of equipment.

Chief Duncan assured it is durable and noted that it must be when they are pushing 16,000 runs a year.

Motion by Ms. West, supported by Mr. Pearl, to receive and file the presentation of the LUCAS CPR Device that was donated by the Kiwanis Club of Clinton Township, and to thank the Kiwanis Club for this very generous donation. Roll Call: Ayes - West, Pearl, Keys, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

3. REQUEST TEMPORARY TENT APPROVAL FOR ART VAN SUMMER TENT SALES FROM MAY 1ST THROUGH MAY 16TH, 2018 AND JULY 24TH THROUGH AUGUST 15TH, 2018 – 33801 GRATIOT AVENUE

Mr. Cannon stated they have never had any problems with this event in the past, and he recommended approval of the request.

Motion by Mr. Pearl, supported by Mr. Gielegem, to receive and file the letter dated March 26th, 2018 from Mr. Paul J. Evola, Store Manager of Art Van Furniture at 33801 Gratiot Avenue, to approve the request for a temporary outdoor tent for Art Van's Summer Tent Sales from May 1st through May 16th, 2018, and from July 24th through August 15th, 2018, at their store location, as outlined in the correspondence. Roll Call: Ayes – Pearl, Gielegem, West, Keys, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

4. REQUEST APPROVAL FOR OUTDOOR DISPLAY OF SEASONAL GOODS FROM MAY 8TH THROUGH AUGUST 8TH, 2018 FOR LAKESHORE LANDSCAPING, INC. – 34339 HARPER

Mr. Cannon inquired as to whether this meets with the Building Department's approval.

Mr. Barry Miller, Superintendent of the Building Department, replied that he talked with the petitioner. He stated they did this last year but did not have the tent. They are also adding a temporary greenhouse next to the building, and he added that they have had no problem with them in the past.

Motion by Ms. West, supported by Mr. Aragona, to receive and file the letter dated March 26th, 2018 from Mr. Jim Botzen, owner of Lakeshore Landscaping, Inc., and approve the request for an outdoor display of seasonal goods from May 8th through August 8th, 2018 for their location at 34339 Harper, including a 20-foot by 30-foot temporary green house next to the building, and a 20-foot by 40-foot tent at the opposite side of the vacant part of the lot. Roll Call: Ayes – West, Aragona, Keys, Pearl, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

4A. REQUEST FOR KROGER OUTDOOR TENT SALE FROM APRIL 22ND THROUGH JULY 9TH, 2018 – 41941 GARFIELD (formerly Item #34)

Mr. Cannon stated they have had no trouble with this event in the past, and he added Kroger has been a good corporate neighbor.

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated April 4th, 2018 from Mr. Leonard Nadolski, of Kroger Store #528, located at 41941 Garfield Road, to approve the request for a temporary outdoor shade structure from April 22nd to July 9th for their seasonal spring and summer outdoor garden selling, as outlined in the correspondence. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

5. RESOLUTION RECOGNIZING APRIL 15TH THROUGH 21ST, 2018 AS NATIONAL VOLUNTEER WEEK

Motion by Mr. Pearl, supported by Ms. West, to adopt the Resolution Recognizing April 15th through April 21st, 2018 as National Volunteer Week. Discussion ensued.

Mr. Cannon stated he recently had a discussion with a couple of Board members about how important the volunteers are in this community, noting it keeps people “younger” and provides positive input to the community.

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

5B. REQUEST APPROVAL FOR CLERK’S OFFICE TO PURCHASE SOCIAL MEDIA ARCHIVE SOFTWARE (formerly Item #21)

Ms. Meltzer stated the community is more and more involved in social media, and as a result, her responsibility as keeper of the records is to ensure those records are captured and retained in the event someone wants to review them through a Freedom of Information (FOIA) request. She cautioned that they may be opened to litigation if there is an instance where they cannot capture information in a timely manner, and it places the Township in a position of liability. She explained that is the reason for this purchase.

Mr. Keys questioned whether there is someone here from the Police Department.

Ms. Meltzer replied that Detective Burns is here tonight to answer questions.

Detective Burns, from the Clinton Township Police Department, 37985 Groesbeck, Clinton Township, Michigan 48036, stated he is a digital forensics expert.

Mr. Keys inquired as to the benefit for the Police Department to purchase this new software.

Detective Burns replied that social media is being used more and more on a daily basis. He added he is a forensics expert, not only on digital media, but also on cellular phones and he is on the FBI’s DIVRT (Digital Imaging & Video Recovery Team). He stressed one of the biggest obstacles from the law enforcement side is that when people post things to Facebook, the minute the item is removed, they are at the mercy of the company to try to go back and recover that information. He stated it is an incredibly arduous process in trying to get search warrants, etc. A software such as this to monitor the Township’s social media site would allow them to retrieve the information instantaneously as opposed to

issuing a search warrant to Facebook, which could take two weeks or more to get the information back.

Mr. Keys understood that this software is only effective if someone posts a threat to the Township's Facebook page, but it does not monitor the individual's Facebook page.

Detective Burns replied that is correct. He clarified that if anyone were to post any type of threat on any social media accounts within the Township, such as school threats, or if something were to be shared to the page from another source, or posted through Instagram and then shared, they could backtrack it, and it would be cataloged and saved where they would not have to file search warrants and lose valuable time.

Mr. Pearl thanked Detective Burns for coming tonight. He understood that this software does not alert them to such a post, but it allows them to backtrack on Facebook or other page and follow up with other postings this person may have made.

Detective Burns replied affirmatively.

Mr. Pearl stated he talked with the Police Chief earlier, who felt this will be a good tool.

Mr. Gielegem noted this was discussed at Budget/Ways & Means, and it does not involve a lot of money, but he understood this software comes in handy when someone posts something to the Township Facebook page and then subsequently deletes it. Without this software, they would not automatically be able to recover that post but would have to go through search warrants.

Detective Burns stated that is correct, and he indicated when he wants to capture information, he must use screen capture, and he uses Facebook quite frequently during investigations and prosecution. This software takes the guesswork out, and it is a constant monitoring of the Township's social media accounts and will catalog information only on those accounts. If something is posted and missed, but someone calls the Police Department to report the post, they can go back and look at the cached data through the software and be able to see who the individual was who posted it, and will be able to move forward in terms of doing search warrants to that individual's house, etc.

Mr. Gielegem questioned whether this is only to capture information that was put on a Township Facebook page.

Detective Burns replied if someone posted a threat to a friend's Facebook page, who in turn shared it on the Township's Facebook page, it could be recovered.

Anything that reaches the Township's social media in any form would be cached. He stated in looking at the software, it is a very robust platform

Ms. Meltzer replied she is not aware of any Township Instagram accounts, only YouTube, Facebook and Twitter.

Mr. Gieleghem stated they are in the process of developing a social media policy.

Ms. Meltzer recalled a conversation with Detective Burns regarding falsification of postings on Facebook, making them look like it comes from the Township, but it does not. She understood in these cases, they can detect who is doing this because of the metadata associated with those interactions. She reiterated this opens the Township up for lawsuits, and this software is a great tool for protection.

Mr. Cannon clarified that this is a situation of letting the Board know what is going on, but this is something that Ms. Meltzer is charged with doing.

Detective Burns stated there are currently about one billion users of Facebook, and over a million posts on Instagram daily, so this is how people communicate. He estimated he performs 200 to 250 forensic examinations annually on cell phones alone. He explained how they can detect these postings, and felt the software is very good.

Mr. Keys appreciated Detective Burns' input and his being present tonight, but he felt they are "putting the cart before the horse". He understood the benefit of the Township's Facebook page, but did not feel it would be likely that someone who wants to make a threat or commit a crime post directly onto the Township's Facebook page, or that their family member would share it on the Township's social media. Mr. Keys stated he looked it up today, and there are three steps to export a page, and it also provides all the comments and friends.

Detective Burns clarified that is available if the post has not been deleted.

Mr. Keys understood that even if it is deleted, there are ways to retrieve it through Facebook. He understood it is a timely process, and he assured he wants to respect Detective Burns' time and felt the software could be beneficial down the road, but he felt there should be a social media policy in place before they go ahead and purchase this. He questioned who will have the user name and password for this account, because he noticed they are only allotted one person. He recalled the conversation he had with Ms. Meltzer and asked what the procedure would be if someone were to make a FOIA request on the Cable Department's Facebook page, to which Ms. Meltzer responded that she would contact Mr. Perpich, Director of Community Relations and Media Services.

Ms. Meltzer replied this is part of the policy they have been working on, Mr. Perpich would be the most likely one to handle it, but if they see a need to change that, they can do so.

Mr. Keys felt they should wait until the policy is adopted, and he understood that it may go to the next meeting.

Ms. Meltzer felt there is no connection between the policy and this purchase. She clarified this purchase is about transparency in government and she could see no reason to delay it. She referred to it as an insurance policy and added that just because they do not think someone will do something does not mean that they will not do it. She pointed out it is very inexpensive but very helpful. She noted that it is already budgeted, but she brought it forward because when she does things that affect the Township, she likes the Board's participation and having them become educated on it. Ms. Meltzer explained that if she cannot get approval for this tonight does not mean she cannot move forward with this, and she felt it is very important for transparency and accountability. She added that she would like to see the entire Board approve this tonight in an open and transparent way.

Mr. Cannon agreed and stated the Police Department can use this software immediately.

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated April 2nd, 2018 from the Township Clerk, and approve the request to purchase Page Freezer, a social media archive software, which is the lowest cost option at \$1,200 per year with a one-time set-up fee of \$300 and is a budgeted cost. Discussion ensued.

Mr. Pearl understood Mr. Keys' concerns and would have preferred waiting until April 30th, but he understood this is a decision that the Clerk has the right to make. He added it is not expensive, and he felt it is a needed tool for the Police Department, considering the high use of social media in today's world and the concerns for safety of the schools and community.

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

6. RECOGNITION OF TOWNSHIP COMMITTEE MEMBERS AND VOLUNTEERS

Mr. Cannon apologized for accidentally leaving out a couple of committees in his letter, including the Gratiot Cruise, the Library Board and the Cultural Diversity Committee. He requested they be included in the letter of record.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated April 5th, 2018 from the Township Supervisor, and in honor of National Volunteer Week, to recognize and thank all citizen volunteers who give their time to support the Township, especially those who serve on various committees and the dozens of seniors who volunteer at the Senior Adult Life Center. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Gielegem requested that that any committee members present stand, so they can be recognized. He noted that Mr. Chuck Lumpkin and Mr. Scott Chabot are both present and serve on the Conservation Committee. He added that, while they were not on the list, the Conservation Committee was the recipient of the Clinton River Watershed Council's Johanna Rosскоп Award for the work they have done on conservation efforts. He informed that will take place at the Clinton River Watershed Council's meeting on Thursday, April 12th, and they are very honored by that recognition. He thanked all of those who serve on committees in Clinton Township.

6A. REPORT AND RECOMMENDATION FROM THE ROAD STUDY COMMITTEE (formerly Item #24)

Mr. Cannon explained this is the recommendation and report from the Road Study Committee, which has been working on this for nearly two years. He charged a committee with finding alternative ways to repair roads in Clinton Township, and they took it very seriously. They recruited a Township resident who is also a big part of SEMCOG, Mr. Tom Bruff, and another Township resident and long-time volunteer, Mr. Bob Campbell, who headed up this committee. They worked with Mr. Carlo Santia, Director of the Department of Planning and Community Development, and will be making a presentation this evening.

Mr. Carlo Santia, Director of the Department of Planning and Community Development, provided an overview and background of the roads, who has jurisdiction, who is responsible for funding, and current road conditions. He explained the Citizens Advisory Committee for Roads was formed in June 2016, and he provided a brief history as to how that committee was formed. He noted that they came up with their preliminary report January 2017, updated the report in March 2018 and are here tonight to present it to the Board. The purpose was to study the County's Condition of Roads Report, which is based on information gathered as to the surface condition of the roads. They had an older study for local roads, which included a great majority of the local residential streets. The committee undertook a study of the sampling of local roads with the help of SEMCOG and the County's Department of Roads. The Committee was charged with becoming familiar with the road funding, which includes several sources. They looked at options for road improvements, including resurfacing, total

reconstruction, preventative maintenance and considered a “mix of fixes”, which includes all the afore-mentioned options to help spread the dollars further. He indicated their most important task was to prioritize improvements given the limited funding. They were going to request funds from SEMCOG to collect road surface condition data to analyze it with a program called PASER (Pavement Surface Evaluation and Rating), which rates the roads on a scale from 1 to 10, equating to “good”, “fair” or “poor”, and use that information as a prioritization. The breakdown on jurisdiction of roads in the Township is as follows: 25.1 miles are State trunk line; 62.1 miles are County primary roads; 202.7 miles are County local roads, and 92.2 miles are private roads. He clarified that residential streets were not included. Using a Power Point presentation, a road jurisdiction map was displayed, and Mr. Santia explained that the Township does not own any roads, and all roads other than private and state roads are owned by the County. He stated that Clinton Township is one of the largest communities in the County when considering population, and he provided a breakdown of the local road conditions. Based on the 2016/2017 PASER summary for major roads, not residential streets, 31% were rated as good, 28% fair, and 41% in poor condition. He stated there are about 200 miles of residential streets in the Township. He explained road funding, which is provided under Public Act 51 of Michigan, established in 1951 to fund roads (known as the Michigan Transportation Fund), and the breakdown of money for this fund coming from vehicle registration fees, gas tax money and diesel fuel taxes and related carrier license fees. He provided a breakdown of how this fund is distributed, with a portion off the top for the Bridge Fund and public transportation, and the remainder distributed as follows: 39.1% to MDOT (Michigan Department of Transportation); 39.1% to the road commissions for Michigan’s 83 counties; and the remaining 21.8% to cities and villages.

Mr. Cannon stated in 1951, much of Michigan’s population lived in cities and villages, which were also the people making most of the laws at that time, so the townships did not have fair representation in Lansing. He pointed out that today, more people live in townships, but Public Act 51 has not changed, so therefore, the Township has no control over their roads, and they receive no money for them.

Mr. Santia clarified that the townships do not receive any gas tax, and it all goes to their respective counties. He pointed out that in neighboring cities, they receive funding, with the City of Sterling Heights receiving approximately \$22 million from the State, and the City of Warren receiving between \$20 million and \$24 million. He reiterated that Clinton Township receives nothing.

Mr. Santia displayed a map of local road conditions. Of the funding the County received from the State in 2017, approximately \$3,114,648 was a breakdown of Clinton Township’s “share”, and \$3,097,877 of that was spent in maintenance alone, leaving almost nothing extra for road repairs or reconstruction. He added

that over the last five years, the County has spent at least the amount determined as Clinton Township's share, if not more, on the maintenance of the roads.

Mr. Cannon inquired as to where they generate that \$3+ million.

Mr. Santia replied to inquiry that the amount the County gets, and how that is broken down by township, is based on the number of miles of the roads, the population factor and some traffic counts as well. He pointed out that snow removal, as well as other repairs and reconstruction, has to come from this fund, and that aspect is 100% responsibility of the Department of Roads, although they have been asking local jurisdictions for cost participation. He pointed out that if the Township had not agreed to participate in the 19 Mile Road project, it would not have been done. Mr. Santia added that they are even asking the City of Sterling Heights to participate, and the City of Sterling Heights is putting 1 mil in their budget for one time to recover some of the match required by the County on roads such as Schoenherr, 19 Mile and others.

Mr. Pearl inquired as to how Sterling Heights uses the \$22 million, and whether it is all maintenance, or whether there is also reconstruction.

Mr. Santia replied it is for construction and maintenance. He noted the City of Sterling Heights also must maintain the odd-numbered mile roads, as well as Ryan, Dodge Park and other responsibilities that they do not pass on to the residents, considering they do get some road funding and are a little better off in this respect than the Township.

Mr. Pearl noted that the City of Sterling Heights also must plow and salt their streets.

Mr. Santia agreed and pointed out they have other mechanisms, such as a millage, Safe Streets.

Mr. Gielegem noted they receive this money, but he requested Mr. Santia quantify the Act 51 monies and inquired as to whether this is money received by the Department of Roads that originated from Clinton Township.

Mr. Santia explained it was money that was received. When the County's Department of Roads receives its allocation from MDOT as part of Act 51, it is based on an elaborate formula, calculated on a number of primary miles, local miles, miles within urban areas and miles with rural areas, and different factors apply.

Mr. Gielegem questioned whether the Public Act 51 monies are earmarked for road maintenance only.

Mr. Santia replied no.

Mr. Dolan explained the statute has an elaborate matrix of formulas for the money as it comes back to the community. Of the money that comes back to the County, it is calculated per community, and the number being discussed here is the portion of money that comes back to Macomb County and represent the matrix for local roads in Clinton Township. Out of the larger amount of \$57 million that comes back to Macomb County, this is the money that is allocated out for local roads in Clinton Township. Act 51, within its terms, requires expenditures for local road construction to have a match of other sources. He referred to Mr. Cannon's earlier comments about townships getting the short end of the stick, so it is not only a combination of the lack of funding they get, but they cannot utilize the dollars on road construction unless there is an equal matching amount from

Mr. Gieleghem stated the chart referred to 317 lane miles in Clinton Township, comprised of state, county primary and county local. He noted that for everything that needs to be done to these roads, a formula is calculated that gives them \$3.114 million for all those roads, and he inquired as to whether that has all been spent on maintenance.

Mr. Santia clarified they are just talking about the local road, which equates to approximately 200 miles. This is strictly for neighborhood/subdivision residential streets. He stated this was the topic of their study, and although they are concerned with primary roads and are going to recommend that they participate to cover some of the cost of primary roads to expedite the reconstruction and repair of those roads in this community, but their major focus is the residential streets. He added that the County is also going to do a study on their primary roads. Mr. Santia explained that 83% of their local residential streets are in poor condition.

Mr. Gieleghem inquired as to whether these are the dollars Public Act 51 specifically designates for the work on local streets.

Mr. Santia replied it does not state that, but they broke it out. He clarified it is all in "one pot", and although it does specify that it must be used for maintenance of roads, it does not necessarily have to be spent on maintenance in Clinton Township. He explained this is the Township's share based on the matrix referred to by Mr. Dolan. They must show where that money is spent,

Mr. Gieleghem inquired as to how much MDOT gets.

Mr. Santia replied he does not have that number in this study, but he stated he can get that information for Mr. Gieleghem.

Mr. Gieleghem stated he does not need it now, but it would help him put this into perspective.

Mr. Santia showed a chart that is a representation of what the Department of Roads budget may look like, showing their revenues, federal dollars, cost-share participation from cities, villages and now townships, special funds, monies from developers for developments, and they end up with approximately \$80 million to \$90 million in their budget. Mr. Santia introduced Mr. Tom Bruff to continue the presentation.

Mr. Tom Bruff, Vice-Chairperson of the Citizen's Advisory Committee for Roads, Clinton Township resident and employee at SEMCOG, resides at 36180 Harcourt, which he noted is a gravel road. He pointed out that, although the previous slide showed revenues going up, the State has a Transportation Asset Management Council, and they administrate the collection of the data on an annual basis. They work with the Transportation Commission on how much money can be allocated, and how it can best be used to fix the roads. He showed a chart that depicts revenues continuing to rise, but the roads are continuing to deteriorate, even with the increase of the gas taxes and registration fees, which will generate \$600 million. Approximately \$600 million of General Fund money will also be allocated to roads, equating to \$1.2 billion. These are large numbers, but the roads have been neglected for the last twenty or thirty years, so the projection is that the roads will continue to deteriorate even with the additional revenue. Mr. Bruff reviewed the PASER system, which was developed in Wisconsin, to determine road conditions. Michigan has adopted this system to give every road a rating from 1 to 10. It is a visual inspection, and everyone is trained the same way, the data is collected the same way, and it goes into one database. There are pictures showing the deficiencies in each rank, whether they are on concrete or asphalt. The manual also includes relative fixes. Those collecting the data can be trained or certified and the data is stored in software called Roadsoft. He explained the procedure and noted there is a representative on each team from MDOT, the County and SEMCOG, and they must come to a consensus. This started in 2003, and up until 2007, they were collecting all the data each year. Since 2007, they collect half the data one year, and the other half the second year. He explained if local communities want to collect data on local roads, they can do that as well. As part of the ratings, there are a "mix of fixes", and he showed roads eligible for federal aid, broken down by those owned by the State and those owned by the County. Mr. Bruff explained he is concentrating on the local residential streets, noting the last time the Township collected data on those was in 2008. He showed a color-coded map of the local roads rated by their condition and pointed out very few are in good condition.

Mr. Santia replied to inquiry that the Township was not involved in the ranking, and it was done by the Department of Roads.

Mr. Bruff stated they will be doing them again this year. In 2008, 2% were good, 50% were fair and 48% were poor. Several Committee members, along with SEMCOG staff, did random sampling of some of the local roads and collected the conditions of those roads. They compared the ratings from 2016 to those done in 2008, and they came down about 1-1/2 points from the PASER system. They took those reductions and applied it to all the roads, so they now estimate 1% are good, 17% are fair, and 82% are poor.

Mr. Keys questioned how large of a sample was taken.

Mr. Bruff could not recall, but he could go back and let them know.

Mr. Bob Campbell, on Kentvale Drive for forty years, replied they sampled three neighborhoods in 2016 to get a mixture of good, fair and poor streets. He stated he is looking forward to solutions. He talked about how this problem can be fixed, taking into consideration there is no money coming into the Township from the MTF, so they need to come up with resources. He indicated the bottom line will be a combination of different ways. He addressed the possible sources of funds, including the MTF or Act 51 Fund, General Fund, matches, and they indicated last week they are borrowing from their delinquent tax fund to supplement that, which they will have to pay back with future revenues from the gas tax. He talked about Township funds, which are not funds they have but rather ways at the Township level where they can get funds, such as a road millage, Community Development Block Grants (CDBG), which is not viable, or Township General Funds, from which the Township has drawn to come up with matching funds. He cited the example of 19 Mile, which was done because the Township was able to participate 50%.

Mr. Cannon clarified that the Department of Roads started out requiring a 50% match, but the Township ended up paying only a 10% match.

Mr. Campbell stated there are also property owner funds in the way of Special Assessment Districts, which over time have been the traditional local subdivision roads to be reconstructed. He explained there are a lot of disadvantages to it and has been met with a lot of citizen resistance in the past. He outlined the funding at State and Federal levels, noting that none of those can be allocated for subdivision streets. He noted that the use of the County's General Fund, in addition to borrowing from the delinquent tax fund, has had the stipulation that the money is being made available if there is a local match. He indicated the only way available for a Township to raise money to reconstruct roads and providing the most diverse source of use of money that can be allocated by the Township Board, is a millage. Mr. Campbell stated the Committee's recommendation is for 1.9 mils for five years to be applied to subdivision streets and be used as a match for County primary road projects. He indicated this is a

way to escalate or approve what the County will work on. He cited the example of Garfield, which is something that needs to be done, and the County is looking for help from the Township on that road. He added a millage also gives the Township the flexibility to expand bike, pedestrian trails, sidewalk gaps and similar uses. If this is the options they select, this would project to increase the number of miles of good and fair roads from approximately 2% to approximately 36% within five years, which he pointed out is a significant increase. He reiterated the resistance to Special Assessment Districts (SAD's) because people cannot deduct it from their income tax; however, since the change in tax laws, it does not have as much of an impact unless someone has more than \$24,000 in itemized deductions. The SAD's could be used in combination with a millage or a grant from the County to prioritize road selection. For residents seeking to establish an SAD, it may help them get their street moved up on the priority list. It would reduce the property-owner contribution if it is combined with the Township millage, which would reduce the cost by 50%. He explained if it is combined with both the Township millage and county contributions, it reduces the cost to one-third for the homeowner.

Mr. Campbell advised the only time Community Development Block Grant funds can be used is in lower-income census tracts, although it could impact many other service and construction activities. He concluded that as a general solution to solve road problems, it is very limited and does not help.

Mr. Pearl stated the County was looking at limited funds to help with the SAD's, where they County pays 50% and the residents, through a Special Assessment District, pay 50%. He felt the County will run out of money, so this millage would supplement the County's share. He stated the Township is currently looking at four SAD approvals because the County is responsible for all the roads. If the Board decides to put this on the ballot, and the voters approve it, he questioned whether the County will pay to engineer all these roads.

Ms. Bednar replied that for the SAD's they have been working on, their consulting engineer, Giffels Webster, has done the engineering. She indicated that Giffels has submitted a plan to the Department of Roads to make sure they meet the standards, and if it is approved, the Department of Roads will bid it out and have inspectors on the project. She indicated if it gets too busy, the Township may have to do its own inspections.

Mr. Santia assured it can be covered by the engineers at the Department of Roads, their consultants, or the Township staff. He stated they have to schedule it into the number of projects they do on an annual basis. Mr. Santia noted there is \$2 million of the County's General Fund money, which is designed for Townships within the County for which to apply. He added Clinton Township has been the only community utilizing it.

Ms. Bednar stated that both Shelby Township and Harrison Township have used it; however, the Township has submitted the most applications, and five projects were awarded to them and one project awarded to Shelby Township.

Discussion took place regarding SAD's.

Mr. Gieleghem stated he likes to see that money coming into Clinton Township. He stressed that the Township is not turning farm fields into subdivisions but are trying to repair all the existing roads and their aging infrastructure. He does not believe there are any plans to increase the allocation of dollars

Mr. Cannon stated it is a year-to-year decision at the County level, made by the County Executive.

Mr. Cannon assured the County Department of Roads and Executive's Office understand there is a need to take care of the Township's residential streets because there has not been any other mechanism in which to do so. He indicated he used to work for the Department of Roads, formerly the Macomb County Road Commission, and they tried year after year to change the legislation to make available money for the residential streets. He stressed they cannot neglect the need. They are up to 82% of the local roads being rated poor, and that percentage could rise once they complete their 2018 study, so they must address the problem. He does not believe the County can ignore it because the roads are ultimately the responsibility of the County.

Mr. Gieleghem inquired as to whether the County has stated that they want a 50% match on all primary roads in the Township.

Mr. Santia replied those are special projects, and the Township has no responsibility for primary roads under Act 51.

Ms. Meltzer stated she would be opposed to using the money from this one-time millage for any county roads.

Mr. Cannon explained they all voted to support the 19 Mile Road project, and they ended up paying 10%. He added it is all about negotiation. He met with the Department of Roads and they wanted the Township to participate in the repair of Garfield by paying 50% of the cost. He emphasized the General Fund budget cannot support that; however, the County is no longer asking the Township for any money for that project, and they intend to do quality work on it this year on their dime. He pointed out that if the Township had not agreed to a portion of the cost of the Hall Road improvements, the section between Hayes and Romeo Plank would not have been done. The Township opted to participate and will realize advantages from doing that. He cited some of the local roads, such as Moravian, Kelly, Little Mack and Greenfield, to name a few, that will not be

touched unless the Township participates in the cost. If the millage is approved, the Township will be able to help with the subdivision roads that are crumbling. He pointed out that if 40% to 50% of the Township's roads become improved, it will be beneficial to everyone.

Mr. Campbell explained that in determining what they would need, they looked at the individual property owner of a median house, which in the Township is \$150,000, with a taxable value of \$75,000. That property owner would pay \$143 per year, breaking down to \$12 per month. He pointed out a Special Assessment District runs about \$200 per lineal foot of frontage, and a typical 60-foot lot would total \$12,000, or \$1,200 per year over a 10-year period. He explained the roads have to be a joint partnership between the property owners, Township and County. Mr. Campbell explained the priorities for road improvements being determined by road conditions (PASER ratings), approved SAD's, traffic counts, traffic crash data, and proximity to schools, hospitals and medical facilities.

Mr. Keys inquired as to what would happen if a group from a neighborhood came in for a SAD and got the signatures needed, but did not meet the PASER rating, and whether the Township would deny them to prioritize according to PASER.

Mr. Campbell replied if all funds available are allocated to the poorer roads for approved SAD's, that would be true. He explained they would have to fall in line to wait until those roads that are worse are repaired.

Mr. Cannon stated that would assume everything else is equal and they have their SAD completed. He recalled a time in the 1990's when the Township was booming in growth and they had a healthy fund balance, and the Board offered to community subdivisions that the Township would pay 75% of their SAD's, but he only recalled one subdivision coming forward. The Township continued to offer that assistance for SAD's at a rate of 50% and no one came forward, and then at 25%, but he claimed no one was lined up to participate because people did not want to have to pay anything toward the roads.

Mr. Campbell explained the committee recommended that the proposal go to the voters, with the specification that some of the funds can be allocated for a match with the County on primary road projects, which could include sidewalk completions, recognition of completion of bike and walking trails. He added the recommendation is that at least 70% of the funds raised from the millage would be devoted to subdivision streets, with up to 15% for matches with the county on other road projects, up to 10% on walking trails and up to 5% or 10% on preventative maintenance projects.

Mr. Santia outlined the next steps. He indicated the consulting engineer has trained staff, they applied for funds through SEMCOG for a PASER study, so

they can rate all their local residential roads for 2018 and will have that information input into the Roadsoft system. They will also include the 2018 Road Surface Condition data for federal aid roads that will be collected by the Department of Roads, and the approximate 13 miles of local non-federal aid roads that are supplemental, such as Greenfield, Kelly, Clinton River Road, and others not designated as primary. They have applied for reimbursement for collection of the road surface data. Mr. Santia thanked Mr. Campbell and Mr. Bruff for preparing the entire presentation, noting they did a fantastic job. He thanked the remainder of the committee members, some of whom are present this evening. He thanked the Board for hearing this presentation and offered to answer questions.

Mr. Cannon stated it took a long time to do the study because he wanted to see what the County and State were going to do, as well as what monies would be available for roads in Clinton Township. He pointed out that the State is not stepping up, and even with all the money promised to them, they would still be falling behind and will continue to do so if they do not partner and pick up some of the pieces. He cited the widening of Cass Avenue, 15 Mile Road and 19 Mile Road as projects that have taken place since he took office and people thought would never be completed. He noted that they have observed entire subdivisions changed because of having their roads redone. He stressed when they can get participation, they maximize their dollars. He could see no other way to solve this problem except to proceed ahead with this Committee's recommendation. He admitted there are things in the Committee's report that he would change, but he stressed he would not ask them to change it because they are the ones who did all the legwork. He felt this is a solid report, and he assured no committee, board or supervisor wants to recommend a tax hike unless it can be shown that the community will get something for it, and he assured they can show that they will get something for this five-year request of the voters. This Board opts to put it out for a vote, so the voters have a choice.

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated April 4th, 2018 from the Township Supervisor, and the presentation from the Citizen's Advisory Committee on Clinton Township Roads, and accept the Citizen's Advisory Committee's recommendation on roads for a 1.9 mil road tax for a period of five (5) years, to be submitted to the Township voters on the primary ballot to be held in August 2018, with verbiage to be submitted to the County by May 15th, 2018. Discussion ensued.

Mr. Cannon commented that the report is very thorough and they "left no stone unturned". He pointed out they have a number of experts on that committee, and a lot of interested, concerned citizens involved, some of whom live on dirt roads and know they will never get any of that money.

Mr. Pearl stated he is not happy about having to ask the voters for this, recognizing the police and fire millage in addition, but he stressed all he hears are complaints about the bad condition of the roads, and it is costing drivers a lot of money in car repairs. He pointed out the homeowners in the SAD districts now have beautiful subdivisions because of the improved roads, and he was confident they will get that money back when they sell their homes. He added that the Water & Sewer Department is working in conjunction with these projects to put in watermains, so they will not have to tear up new streets to do that, and that is not a cost to the homeowner. He stated that, in his full-time job for the last 35 years, he has observed the cement and asphalt costs continuing to rise. He pointed out the roads used to be put on clay, with no base that will hold up, whereas now they put in limestone or crushed concrete bases, so they will hold up much better. He does not want to see anyone have to pay for this, but he reminded it will cost everyone much more in the long run if they do not opt to put the money into roads at this time.

Mr. Cannon stated the Detroit Free Press had an article this week called “Pothole Punishment”, talking about engine parts that are shifting and breaking as a direct result of driving on damaged roads this winter. If the cars are not repaired, there will be additional damage and possible accidents as a result, and this was quoted from AAA, which is a very reliable source. He informed that the voters in Warren voted in a 2.1 mil road tax, so they could be part of the program that County Executive Mark Hackel has been talking about. He added that Sterling Heights is proposing to put in a 1.0 mil tax without even going to the voters. Mr. Cannon pointed out that if this goes to the voters and is approved, it will be a year before they see any of the money, so it takes a long time, and they will be in worse shape in that year.

Mr. Cannon opened the floor for comments from the public.

Mr. Don Stuart, 17390 Eider Drive, Clinton Township, Michigan 48038, acknowledged the Township does not have a road fund. He referred to Mr. Cannon’s explanation that if a road project comes up, they discuss it with the Department of Roads, a contribution percentage is arrived at, and that amount is brought back to the Board, a vote is taken, and if approved, he questioned whether that money is taken from the General Fund balance.

Mr. Cannon replied affirmatively.

Mr. Stuart questioned that if this 1.9 mils passes through a ballot vote, will they continue to take money from the General Fund, or will this 1.9 mil replace what they have been doing.

Mr. Cannon clarified the 1.9 mils will replace what they have been doing. He stressed they cannot continue doing what they are doing, noting the General Fund runs the Township, and they cannot touch the Police Fund, Fire Fund or Water and Sewer Funds for any purpose other than for which they were intended.

Mr. Stuart claimed the General Fund balance is at approximately \$21 million. He questioned whether the money for Hall Road, in the amount of \$300,000+, came out of General Fund.

Mr. Cannon replied that is correct.

Mr. Stuart felt that is a small percentage of the General Fund balance. He noted recent projects on 19 Mile, Cimarron, Cass and Romeo Plank have all had contributions made towards them out of General Fund, and that has been the Township practice. He questioned whether there is a way they can establish a fund within the budget where a small amount is put into that fund that would establish a Road Fund for projects to they do not have to take it away from somewhere else. He suggested this be looked at in addition to the 1.9 mils. He suggested they could possible find \$300,000 each year to put in that fund, and he felt that is not a huge amount. He noticed they have a loan on the Cass Avenue project.

Mr. Cannon stated they had the opportunity to take advantage of a wonderful loan at 1% interest, so they took advantage of that.

Mr. Stuart emphasized he would like to see a fund established in addition to the 1.9 mils, and he compared this to a “bait and switch” where they have been using money from General Fund and will now have a tax increase, which in five years will most likely come up for a renewal if they do not make an effort to save for the future. He complained that would be like a permanent tax increase.

Mr. Cannon stated he tried to put a line item for roads into the budget, but the Board talked him out of it because the concern was that everyone would think that money should be applied to their road. He emphasized that this Board has not refused to participate in any road project request he has brought forward, including the Cimmaron project, and he stated he is thankful for that.

Mr. Stuart reiterated his feeling that the Township should be putting away a small amount each year in a road fund, in addition to the 1.9 mil tax increase. He also objected to the money being used for bike paths, sidewalks, etc., and felt it should be strictly used for road projects. He pointed out there is already money budgeted for bike paths every year.

Mr. Cannon stated there is a very little amount for bike paths each year.

Mr. Stuart felt if this is a road millage, it should be strictly for roads.

Mr. Cannon stated that, having been a long-time member of SEMCOG, they like various methods of transportation, including the ability to ride bikes, walk, etc. on a reasonably-nice surface.

Mr. Stuart inquired as to whether anyone in the Township or any legislators trying to change the disbursements based on Public Act 51.

Mr. Cannon felt the communities who are benefiting from the way it is set up now, which is the majority, do not want to change it. He complained there is a sense of fairness that they do not get in southeast Michigan, and Lansing controls the votes. He explained that Commissioner Hackel is taking the State on their word that they are going to give him the money they promised him on a sheet of paper, and he stated he is considering that a promissory note. He has assured he will hold the State to their word.

Mr. Gielegghem stated there are two problems with Public Act 51. The first is that PA 51 rates the length of the road more than the width of the road. In southeast Michigan, where there are five-lane roads versus rural areas in Michigan where there are two lanes, the rural areas get a disproportionate share of the funding. The second problem is the declining revenue, subject to the law of diminishing returns. As cars become more fuel-efficient, they use less gas, and most of tax dollars in PA 51 are derived from the gas tax. There is a proposal to raise the sales tax, and that is the only thing he has seen coming out of Lansing.

Mr. Campbell was involved in a meeting at the end of January that was held at a “coffee hour” run by State Representative William Sowerby, and the question was asked of him as to what is going on in Lansing this year with respect to road funding, and his one-word answer was “nothing”.

Mr. Cannon stated he has heard that repeatedly as well.

Mr. Stuart was concerned this 1.9 mil proposal for roads will be doing a disservice to the Police and Fire millage proposals that are due for renewal in the same election. He expressed concern that people will choose only one or the other and will not opt to vote in favor of all three.

Mr. Cannon disagreed and expressed confidence that the voters know the value of police and fire. He pointed out when the Township asked for the increase for Police and Fire, it passed by a margin of 2 to 1. He reminded that the Police and Fire millage is only a renewal, not an increase, and he emphasized that they cannot put off the roads any longer.

Mr. Stuart inquired as to whether the vote on the road millage can wait until the General Election in November of this year.

Mr. Cannon noted that it is anticipated there will be a vote to legalize recreational marijuana on the General Election ballot in November. He added the number one complaint he gets is on the condition of the roads, and the number one compliment he gets on a regular basis is the public safety, involving the Police and Fire Departments.

Dave, a resident in Judson Gardens Subdivision involved in real estate, stressed that millages are needed for police, fire and roads, but to put them all together on one ballot is concerning because there are seniors and others on fixed incomes that may not vote on all three because they cannot afford it. He stressed the Township needs to make sure this is not a “band-aid” for a recurring problem. He also emphasized there needs to be more business drawn to the south end of the Township.

Mr. Aragona questioned what type of return can be anticipated for improved roads in a subdivision when selling a house, in relation to the amount of money the homeowner invested in it.

Dave replied that when people are making one of the biggest decisions in their lives to purchase real estate, they are very selective, and there is a limited inventory. If there are two houses for sale in the same neighborhood, one on a crumbling road and one on a good road, the estimated value of the house on the good street could be as much as 25% higher; however, senior citizens or others who do not want to move may not realize that value.

Mr. Pearl stated he lives in an older neighborhood and the community petitioned and got enough signatures to establish an SAD. He explained he did not vote on it due to a conflict of interest, but the majority of residents in his neighborhood are older and wanted this. He pointed out that there is some creative financing available, and some people pay for an SAD using a home equity loan, where interest can be deducted on taxes.

Dave pointed out that people on a limited income do not have the option of taking on an equity loan, where monthly payments will be required of them. He pointed out a lot of people have lost money on their investments and do not have a pension.

Ms. Kathy Voss, 20215 Webster, Clinton Township, Michigan 48035, stated she will vote in favor of the 1.9 mils because they need to do something about the roads. She stressed community involvement and

talked about marketing the south end of the Township to attract businesses.

Mr. Cannon thanked Ms. Voss, noting she is a big advocate for the community. He pointed out that all areas of the Township are affected, and Carson's at The Mall at Partridge Creek may be closing soon as they have recently filed for bankruptcy. He stressed the Township has to reinvent itself.

Mr. James Nowc, 20761 Marvindale, Clinton Township, Michigan 48035, felt they need to make it clear to State Representatives that something must be done, and doing "nothing" is not an acceptable answer to the problem.

Mr. Cannon stated that SEMCOG has indicated they are disproportionately not represented on key committees.

Mr. Nowc urged citizens to get involved and write to their representatives to complain.

Ms. Voss announced an upcoming "Nosy Neighbors" meeting that will be held at 6:00 p.m. on May 9th, 2018 at Clintondale High School, where State Representative William Sowerby will be addressing concerns on roads and infrastructure. She invited the public to attend.

Mr. Jared Maynard stated he first looked at this as "just another tax increase" and it took him a while to "get on board" with it; however, he stated he is tired of waiting for Lansing to fix problems. He admitted that a tax increase is not optimal, but it is obviously up to the local governments to deal with this. He pointed out that the latest increase in gas tax money will not even be seen until 2021 or 2022, and he is more at ease seeing Mr. Cannon is going to oversee this because he claimed Mr. Cannon has a good track record. He stressed that the majority of money is going to their roads that would not otherwise get fixed, and it is better to have it administered by the Township to make sure it is done fairly. He complained about the south two lanes on Groesbeck which are in bad need of repair.

Mr. Campbell stated he is a senior on a fixed income, but he pointed out the roads in many other states are much better than here in Michigan. He noted the roads in Ohio are in better shape, and he stated he and his wife come from the east and the roads are better in those states. He cautioned, however, that those states also pay a lot more in taxes, noting the property taxes in a comparable home are double what homeowners in Michigan pay. He pointed out that SEMCOG provided information showing that in most states, local road funding

ranges between 30% to 35%, but in Michigan, that amount is 5%, which is why Michigan ranks 50th out of 50 states in per capita road expenditures.

Mr. Anthony Flores, 37267 Charter Oaks Boulevard, Clinton Township, Michigan 48035, stated their community passed an SAD, and their roads are now beautiful. He questioned how residents can be convinced to vote for this millage. He pointed out that many feel since they had to enter into an SAD and pay a share for their own roads, they do not feel they should have to pay any more. He inquired as to whether the Board intends to hold town hall meetings on this issue prior to it going to a vote of the public.

Mr. Cannon replied that they cannot spend any money asking people to vote yes or no on a millage, but they can get the information out and let voters know what they will get if they choose to pass this millage. He added that the City of Warren passed their millage.

Mr. Santia noted that the City of Warren will bring in \$24 million a year from their millage.

Mr. Cannon stated there will always be a reason why not to include this on a ballot, but he reminded how much is being spent by motorists in major car repairs because of the bad roads, so everyone is paying in one way or another.

Mr. Gielegem stated he cannot support putting this issue on the ballot at this time. He pointed out there has been a dramatic shift in the State of Michigan from what has been the State's responsibility and has now shifted down to the local level repeatedly, and the Township has been left to deal with the problem. From revenue-sharing to all the regulatory issues coming down, more burdens have been placed on local government. He explained that this would generate \$5.4 million to \$5.6 million, and when multiplied by 70%, equates to \$3.9 million. He noted that amount is for local roads, and that is at the same time they are trying to get a share of the \$2 million from the County. He stated residents are paying two or three times while getting less and less of the dollars that should be applied to local roads. He appreciated the work the committee put into this study and recommendation, but he questioned what has been the public's ability to comment on this process to this point. He noted that the committee has met and done work for two years, but no public hearings have been held. He pointed out that when ordinances or other laws are created in the Township, they are required to publish for the public hearing, and then adopt the law or ordinance at the next meeting. He felt there needs to be more public discussion on this issue, and he recalled this was only mentioned by the Township Supervisor at the State of the Township address, where people had to pay to attend. He felt police, fire, the County and now this proposal are all being "pitted against each other at one time". He felt they should be forcing solutions to come from where the solutions

should be coming from. He stressed Macomb County has jurisdiction over the roads, and if this money is raised and spent on roads, the Township will be paying for more than their share. Mr. Gieleghem pointed out that, while the economy is on the rise, it is not recovering quick enough for everyone, and this puts residents in a difficult position in having to make difficult choices.

Mr. Keys echoed Mr. Gieleghem's concerns. He stated he received this report on Thursday night and does not like the idea of having to vote on it already this evening. He stated he wants to talk with people and get their input. He questioned who came up with this process, and he felt the PASER element is key in determining what needs to be done. He appreciated the hard work put into this by the Committee, and felt it is something the Township may want to look at in the future, but he did not feel they should rush into this. He questioned how much they can pull from their Fund Balance to help with this. He further questioned how the roads they mentioned scored on the PASER evaluation. Mr. Keys explained that this was just put on the website, and he did not feel they should vote on it tonight.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, suggested the Board members should have a meeting at the Senior Center to get input.

Roll Call (on the motion on the floor): Ayes – Cannon, Pearl, Aragona, Meltzer. Nays – West, Keys, Gieleghem. Absent – None. Motion carried.

Mr. Cannon thanked the committee for the work they have done, and he assured the Township will now begin to educate the public as to the information they will have on which to base their decision at the polls.

7. RESOLUTION IN SUPPORT OF MICHIGAN TOWNSHIPS ASSOCIATION SCHOLARSHIP APPLICANT ADAM OWZCARZAK

Motion by Mr. Keys, supported by Ms. West, to receive and file the letter dated April 3rd, 2018 from the Township Treasurer, and adopt the Resolution in Support of Adam Owzcarzak for the Robert R. Robinson Memorial Scholarship. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

8. REQUEST APPROVAL OF NEW SDM LIQUOR LICENSE FOR A & B ONE STOP INC. – 35891 UTICA ROAD

Motion by Mr. Pearl, supported by Mr. Gieleghem, to receive and file the letter dated April 5th, 2018 from the Township Clerk, and approve the request for a New SDM Liquor License for A & B One Stop, LLC, located at 35891 Utica Road.

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

9. INTRODUCTION OF APPOINTMENT APPLICANTS TO THE CIVIL SERVICE COMMISSION

Mr. Dave Austin, 17013 Smugglers Cove, Clinton Township, Michigan 48038, stated he is applying for the Civil Service Commission. He explained he has vast experience in municipal and labor, having served as a City Councilman in Eastpointe for four years, the mayor for four years, as well as on the Zoning Board and Planning Commission, and liaison to every other committee within the community. He served on the SMDA, SMSD, and as president of the International Brotherhood of Electrical Workers. He also served on many labor management boards, and stated he appreciates the Board's consideration for appointment.

Motion by Mr. Keys, supported by Ms. West, to receive and file the letter dated March 28th, 2018 from the Administrative Aide, and the introduction of appointment applicants to the Civil Service Commission. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

10. INTRODUCTION OF APPOINTMENT APPLICANTS TO THE CLINTON MACOMB PUBLIC LIBRARY BOARD

Ms. Elizabeth Pugh, 22651 Katzman, Clinton Township, Michigan 48035, stated she is a Trustee on the Clinton Township Library Board. She stated she was originally from Virginia, with degrees from Eastern Michigan University and Wayne State University. She stressed she loves to read, has taught reading, and is excited about teaching children to read. As a retired teacher from the Clintondale School District, she wants to continue doing that, and she thanked the Board for this opportunity to introduce herself to them.

Ms. Rose Ventimiglia, 43604 River Bend Boulevard, Clinton Township, Michigan, stated she recently retired from the Detroit Medical Center, where she was a nurse for 45 years, serving as staff nurse, educator, case manager and Director of Nursing. She graduated with her master's and bachelor's degrees from Wayne State University. She outlined some of her volunteer experience, including working with a senior group at Macomb Community College. She stressed she loves the library and has been active in their classes and programs. She stated she felt there are a lot of amenities in the library that are underutilized, with one of those being the library for the blind.

Mr. Aragona thanked Ms. Ventimiglia for a comment he heard her say regarding the Library for the Blind. He explained his mother was a teacher for the blind

throughout all of Macomb County for several years, and she always wanted to make sure her students were utilizing all the resources they had available to them. He thanked Ms. Ventimiglia for the work she is doing in the community.

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated March 21st, 2018 from the Administrative Aide, and the introduction of appointment applicants to the Clinton Macomb Public Library Board. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

11. INTRODUCTION OF APPOINTMENT APPLICANTS TO THE HISTORICAL COMMISSION

Mr. Cannon noted that neither of the applicants is present tonight.

Motion by Mr. Keys, supported by Ms. West, to receive and file the letter dated March 21st, 2018 from the Administrative Aide regarding the introduction of appointment applicants to the Historical Commission. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

12. INTRODUCTION OF APPOINTMENT APPLICANTS TO THE ZONING BOARD OF APPEALS

Mr. Mike Deyak, 20244 Huron Drive, Clinton Township, Michigan 48038, stated he is seeking appointment to the Zoning Board of Appeals. He explained that he served on that Board for seven years, and then moved on to the Library Board and the Planning Commission. He indicated he is having scheduling conflicts with the Planning Commission meetings but would like to continue his service in the Township.

Mr. Keys thanked the individuals who came in to introduce themselves, and especially since they had to sit through the first three hours of tonight's meeting to do so. He indicated in the future, he will try to remember to ask the Supervisor to move these introductions up on the agenda, but he thanked those who sat through the meeting tonight.

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated March 28th, 2018 from the Administrative Aide and the introduction of appointment applicants to the Zoning Board of Appeals. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

13. COMMUNITY DEVELOPMENT BLOCK GRANT 2017-2018 PROGRAM YEAR FUNDING ALLOCATION & RECOMMENDATION

Mr. Santia explained that the Township has not yet received their allocation, so it could go up or down. He requested that, if the Township Board approves the recommendation and allocation, they include language that the allocation will be adjusted at a percentage amount throughout all the items.

Mr. Cannon noted that everyone would go up or down by the same percentage amount.

Mr. Santia replied that is correct.

Motion by Mr. Cannon, supported by Aragona, to receive, file and concur with the letter dated March 20th, 2018 from the Budget/Ways & Means Committee Chairperson, and approve the Community Development Block Grant Program Funding Allocation for the 2018/2019 Program Year, as presented; further, if the allocation to the Township is changed, the funding allocations will be adjusted pro-rata. Roll Call: Ayes – Cannon, Aragona, West, Keys, Pearl, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

14. APPROVAL OF APPOINTMENT TO OFFICE CLERK II POSITION – POLICE DEPARTMENT

Motion by Ms. Meltzer, supported by Mr. Gielegghem, to receive and file the letter dated March 26th, 2018 from the Human Resources Director, and appoint Ms. April Ventimiglia to the budgeted position of Office Clerk II in the Police Department, which constitutes a lateral transfer within the Township, at her same annual salary of \$35,112, effective April 10th, 2018. Discussion ensued.

Ms. Meltzer stated Ms. Ventimiglia served part-time with her in the Clerk's Office, and she stressed they enjoyed working with her and will miss her.

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

15. PUBLIC HEARING TO DETERMINE SIDEWALK REPAIR PROJECT AT MISCELLANEOUS LOCATIONS THROUGHOUT THE TOWNSHIP

Mr. Cannon stated this is where sidewalks exceed two inches from one slab to the next. He invited comments from the audience.

Ms. Bednar confirmed that the Board members have her letter as well as the map.

Mr. Ransom Pounds, 24446 Cottrell, Clinton Township, Michigan 48035, stated he is a senior citizen on a fixed income. He explained that his sidewalk has been marked, and he lives in the furthest east house in Clinton Township. He explained that the only other marked sidewalk on his street is the house at the opposite end of the street toward Harper. He added they are the only two houses that have trees in the easement, and he questioned whether he is responsible for the sidewalk and the trees.

Ms. Bednar replied this project will address the tree roots and they will be cutting the tree roots out, but it does not include removal of the tree, which is the property owner's responsibility.

Mr. Pounds questioned whether the easement is his property.

Mr. Dolan explained that the property between the street and the sidewalk is the road right-of-way. He stated the Township will assess each of the tree situations and come up with some solution. It often involves cutting the roots and pulling them out from underneath the sidewalk slabs they are replacing, and then they try to come up with some process to deter those roots from growing back in the same location.

Mr. Pounds explained there is a sidewalk in front of his house, and a house with a half of a sidewalk, but there are no sidewalks beyond that house.

Mr. Cannon stated that Mr. Pounds has the right to appeal and that will be discussed on the next agenda item.

Mr. Pounds questioned his cost on this replacement.

Ms. Bednar replied the purpose of this letter was to inform residents of the public hearing per Township ordinance. She informed that the letter coming out shortly will have the cost as well as the explanation for the appeal process.

Mr. Pounds questioned whether he has the right to curve the sidewalk around the tree without cutting the tree.

Mr. Dolan replied that the petitioner has the right to do the work himself, but it must be in conformance with the specifications that the Township Engineer and Township engineering consultant establish. He added that curving the sidewalk is not an option.

Ms. Bednar stated that during the appeals process, he can bring up that he would like to do something different, but it needs to be in accordance with

Township standards and Department of Roads standards, so a curved sidewalk is generally not acceptable because they want it within the right-of-way. She added if he has a proposal, they will look at it because there are other utilities and reasons why it must be where it is.

Mr. Miller stated if he would like to forego the process they are discussing now, they have the right to hire their own contractor, apply for a permit through the Building Department and do it themselves before they get to the point where the Township contracts it.

Mr. Pounds stated the letter indicated that he will have to pay when the bill comes due, and the letter provided him no option.

Mr. Dolan advised that Mr. Pounds may want to find out the Township's price first, because they are bidding this on many parcels and the contractor will be mobilizing one time, so there is generally less of a cost than if he would do it on his own.

Ms. Bednar recalled that the cost was about \$11 per square foot, but she was not sure of the exact cost.

Mr. Donald McCullen, 40841 Groveland, Clinton Township, Michigan 48038, stated when he contacted the Township today, he was told this was going to be the only item on tonight's meeting, and he complained that the residents have had to sit here for three hours waiting for this public hearing.

Mr. Cannon apologized for the residents having to wait, but he assured no one on his staff would have ever instructed him that this is the only item tonight.

Mr. McCullen stated he called the number listed on the letter he received. He explained that, while he does not disagree that his sidewalk needs to be repaired, he pointed out that it was the Township who originally installed the sidewalk. He recalled when they put in the water main, they replaced eight sidewalk sections, and only two of them have sunk, but they are close to where the water main broke, so he is not sure the water stopped leaking underground. He questioned why he should have to pay for a sidewalk when he claimed the Township put it in wrong. He also complained that his lawn has sunk as well, where they replaced the grass.

Mr. Cannon advised they are setting up the process for residents to appeal.

Mr. McCullen complained that should have been outlined in the letter, noting he had to "sit through a whole meeting" just to find out he must go to another meeting.

Mr. Cannon apologized that he was misinformed, but that information came from a department which he does not currently supervise.

Mr. Bednar stated they are setting up the meeting and will be sending out the letters this week. She advised they have a contractor and are trying to get this done in a timely fashion, so they are looking at May 1st for appeal appointments. She reiterated that will be spelled out in a letter going out this week.

Mr. Cannon advised that once Mr. McCullen receives the letter, he can contact the Township to set up an appointment to appeal.

Ms. Bednar clarified that Mr. McCullen will have to notify them within seven days that he intends to appeal.

Mr. McCullen questioned why the Water Department does not have to absorb the cost when “they messed up”.

Mr. Cannon stated they do not know that, but that is what the appeals process is for. He replied to further inquiry from Mr. McCullen that he should bring any documentation he has to the appeal appointment.

Mr. Pearl suggested if Mr. McCullen has pictures, he should bring those as well.

Mr. Michael Passmore, 42801 McCarthy, Clinton Township, Michigan 48038, stated the letter he received in the mail indicated this item was going to be first on the agenda.

Ms. Bednar clarified she provided the Board with a copy of the letter that was sent out and it did not indicate that this would be the first item on tonight's agenda.

Mr. Steven Grabowski, 43760 Catawba, Clinton Township, Michigan 48038, questioned whether the Township recognizes concrete leveling should he decide to take care of this issue on his own.

Ms. Bednar explained that concrete leveling is more of a temporary fix, but if he were to do that and it sunk again in a year, he would be right back where he is now and will be responsible for the repair. She stated the Township does not recognize it for the work they do, but as a homeowner, he has the right to look at it as an option.

Mr. Grabowski inquired as to whether the \$11 per square foot is accurate.

Ms. Bednar replied that is the approximate cost. She does not have that figure with her tonight, but she assured it will be in the letter they will be sending out.

Motion by Mr. Keys, supported by Mr. Pearl, to receive and file the letter dated March 23rd, 2018 from the Public Services Director, and close the public hearing for the Miscellaneous Sidewalk Project throughout the Township. Roll Call: Ayes – Keys, Pearl, West, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

16. ESTABLISH THE SIDEWALK APPEALS COMMITTEE

Mr. Cannon advised that the meeting date will be May 1st, 2018, and those wishing to appeal will have to make an appointment within seven days of receiving their next letter.

Ms. Bednar wanted to make sure that the motion designates the Department Head or their representative.

Motion by Mr. Gielegghem, supported by Mr. Pearl, to receive and file the letter dated March 28th, 2018 from the Public Works Director, and establish a Sidewalk Appeals Committee, consisting of the Department Head or their representative from the Building Department, the Assessing Department and the Water & Sewer Department, to meet on May 1st, 2018. Roll Call: Ayes – Gielegghem, Pearl, West, Keys, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

17. APPROVAL OF REPLACEMENT OF KING PUMP STATION CONTROL PANEL

Mr. Keys thanked Ms. Bednar and her staff for being available to answer his questions on this item.

Mr. Pearl inquired as to whether they need a separate motion to waive the bid process before they approve this purchase.

Mr. Dolan felt the circumstances have been laid out and a separate motion to waive the bid process is not necessary.

Motion by Ms. West, supported by Mr. Aragona, to receive, file and concur with the letter dated March 20th, 2018 from the Budget/Ways & Means Committee Chairperson, and approve the request to by-pass the bid process and proceed with the replacement of the King Pump Station Control Panel by Motor City Electric Technologies at a deductible cost of \$5,000. Roll Call: Ayes – West, Aragona, Keys, Pearl, Cannon, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

18. PURCHASE OF THREE NEW BATTERY MODULES FOR TOWNSHIP-OWNED ISCO 2110 SEWER METER ULTRASONIC LEVEL SENSORS

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated April 4th, 2018 from Mr. Scott J. Chabot, PE, Senior Project Manager, Giffels Webster, and approve the purchase of three (3) Teledyne Isco 2191 flow meter/level sensor battery modules for Clinton Township ACO Flow Monitoring, in the amount of \$2,095.30. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

19. SCOPE CHANGE – 17 MILE ROAD WATER MAIN REPLACEMENT PROJECT

This item was deleted from tonight's agenda.

20. REQUEST APPROVAL TO ATTEND 2018 MICHIGAN ASSOCIATION OF CHIEFS OF POLICE SUMMER CONFERENCE IN BELLAIRE, MI

Motion by Ms. West, supported by Mr. Aragona, to receive and file the letter dated April 9th, 2018 from the Police Chief, and approve his request to attend the annual in-state 2018 Michigan Association of Chiefs of Police Summer Conference being held at Shanty Creek Resort in Bellaire, Michigan from June 24th through 27th, 2018, which is a budgeted cost. Roll Call: Ayes – West, Aragona, Keys, Pearl, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

21. REQUEST APPROVAL FOR CLERK'S OFFICE TO PURCHASE SOCIAL MEDIA ARCHIVE SOFTWARE

This item was moved to Item #5B on tonight's agenda.

22. INTRODUCTION OF TOWNSHIP ORDINANCE #443 – DISHONORED CHECKS

Mr. Gielegem summarized his letter, explaining that the Treasurer's office has tried to create as many payment opportunities for people as possible, with a number of those being electronic payments. He explained any time there are electronic payments, there is a low percentage of payment fails, and as a result, there are bank fees and staff time related to that. He stated the proposed change is to create an ordinance putting the three full-time elected officials in charge of an appeal, although he indicated that step may be premature because there are some intermediate steps. They are looking at other systems and working with their current bank, even though the percentage is extremely low, they are trying to cut it down even further. He did not know whether it makes

sense to create an arbitrary process because they have not had evidence of someone coming forward and being able to pinpoint the error back to the bank or the processor. He commented that most of these errors occur because of people typing in the wrong number.

Mr. Cannon stated the reason he brought this the Budget/Ways & Means Committee was because he had a very upset neighbor who was charged a \$25 fee which he felt was not just. He felt the Treasurer's Office made an error. Mr. Cannon explained that his wife typed in a wrong number one time for her routing number when paying taxes, and he had to pay the check and \$25 the next day, yet it did not cost the Township \$25. He felt if he had given the Treasurer's Office a bad check, he would fully expect to have to pay that amount. He commented that a lot of people have complained to him about this same thing throughout the years. Mr. Cannon stated his wife will not pay anything electronically to the Treasurer's Office after that experience, even though it is easier and quicker for the Treasurer's Office. He added when people ask him whether they should pay electronically, he advises against it because there is no appeal process.

Mr. Gielegghem pointed out the ordinance to which Mr. Cannon is referring was adopted unanimously by the Board in November 2015. The appeal process is for items that cannot go on the agenda, because if there is a delinquent balance due, they are not eligible for variances and waivers, etc. He maintained there are costs in staff time for dishonored checks. He acknowledged that the percentage of these payment failures is still much lower than private industry sites, and they are still working on the issue, but he felt there are better options than creating an arbitrary process.

Mr. Cannon disagreed, noting there must be some process for people who have been charged a fee which they feel was taken erroneously.

Mr. Gielegghem mentioned in his letter that he felt it makes sense to tell those individuals to come in within three days and make the payment and give the authority to the Treasurer to waive the fee. He did not like being put in the position of imposing the fee, only to have the other two elected officials opt to waive it, and he did not feel that makes sense.

Mr. Pearl inquired as to Mr. Gielegghem's recommendation.

Mr. Gielegghem replied he does not have a recommendation at this point, but he felt it is premature to bring forth this recommendation.

Mr. Pearl inquired as to whether Mr. Gielegghem wants to leave it the same.

Mr. Gielegghem stated he would like some time to bring forward recommendations that make sense.

Mr. Pearl stated he would support that, adding that the Treasurer's Office, both under Mr. Gielegghem and former Treasurer William Sowerby, has done a lot to make this easier. If taxes go late, that is a bigger issue than the \$25 fee, because they could be assessed up to 3% of the amount they owe. He had a situation years ago where his bookkeeper was paying a \$16,000 water bill and she paid too much. They sent the payment back, but it became late by the time they received it in the mail, and he then had an additional \$500 added because it was late. He stated they now pay everything electronically to avoid that situation. He admitted that those paying electronically must make sure they enter the numbers correctly. He suggested they postpone this to give Mr. Gielegghem more time to work on this.

Discussion took place regarding how they handle this since it is an introduction of the proposed ordinance.

Mr. Dolan replied they are not required to introduce it just because it is presented. If they want to defer acting to introduce and publish, they can postpone.

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated March 15th, 2018 from the Township Attorney, and defer the introduction of Township Ordinance #443 – Dishonored Checks, for three (3) months. Roll Call: Ayes – Pearl, West, Keys, Cannon, Gielegghem. Nays – Aragona, Meltzer. Absent – None. Motion carried.

23. ADOPTION OF ORDINANCE #442 – EDITING AND INCLUSION FOR TOWNSHIP CODIFIED ORDINANCES

Motion by Mr. Keys, supported by Ms. West, to adopt Ordinance #442 – Editing and Inclusion for Township Codified Ordinances, as introduced at the March 19th, 2018 Meeting, and will be effective immediately upon publication. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

24. REPORT AND RECOMMENDATION FROM THE ROAD STUDY COMMITTEE

This item was moved to Item #6A on tonight's agenda.

25. AMENDMENT TO THE CLINTON TOWNSHIP PROCUREMENT POLICY: CONTRACT, SERVICE PROVIDERS AND RECURRING VENDOR LIST

Mr. Cannon inquired as to what Mr. Gielegem is looking for on this list, adding that his staff is confused.

Mr. Gielegem produced an example from his office to provide a graphic display for which he is looking. In working with some of the larger departments today, an additional change is being proposed, and he distributed copies to the Board members.

Ms. Meltzer questioned the fact this is just now being distributed for review by the Board members.

Mr. Gielegem pointed out that it is a very simple change. He talked it over with Ms. Bednar, and they worked it out that they would start from this point forward. This provides them time to provide the information and it is provided on a calendar basis. It is a list of all the financial decisions involving recurring expenses, which provides Board members the opportunity to review them since the Board is held accountable. He outlined the information on the list.

Mr. Cannon noted that all vendors are on the list, including those who provide ink and toner, daily newspaper, telephones, etc., and he questioned whether every department that gets a paper or has a telephone must report this information.

Mr. Gielegem felt those could be handled through Information Technology.

Mr. Pearl stated he talked with Ms. Bednar, who has the largest vendor list, and he also talked with Ms. Hein, Assistant Finance Director, who recommended they set a minimum dollar limit, so they do not have to include the smaller vendors whose total cost is minimal.

Mr. Pearl stated he talked with Ms. Bednar, who has the largest vendor list, and he also talked with Ms. Mary Hein, Assistant Finance Director, who suggested the Board set a minimum monetary limit, so they do not get “nickel and dime” vendors who pop up regularly. Ms. Hein had suggested a minimum monetary limit of \$10,000, but he noted it could be smaller.

Mr. Cannon felt that would be a good amount because that is their threshold.

Mr. Pearl stated Ms. Hein had requested that it coincide with the fiscal year rather than the calendar year. He indicated he would support this if those two changes are included.

Mr. Gieleghem assured he is open to those two changes. He inquired as to whether they should set the minimum amount at \$5,000.

Mr. Cannon stated he will support it at \$10,000.

Ms. Meltzer pointed out that if they look up the bills, all this information is already available. She felt it will be a lot of work.

Mr. Cannon admitted it will be work, but he felt this is a good compromise. It will only affect amounts over \$10,000.

Mr. Pearl inquired as to whether this entire thing will be posted on the web, and whether that is included in the motion.

Mr. Gieleghem replied affirmatively, noting it is in the language.

Ms. Meltzer questioned the meaning of the part that specifies “Exemptions or redactions for confidential expenses can be granted by consulting with the Clerk with consent of the township attorney”.

Mr. Gieleghem replied there are expenses that are to remain confidential, such as certain expenditures in the Police Department, and he wanted to make sure there is an exemption created.

Ms. Meltzer questioned why that would not go through the Police Department if it is their confidential expense.

Mr. Gieleghem stated that Ms. Meltzer, as Township Clerk, is the record-keeper, and she can consult with the attorney.

Ms. Meltzer stressed this will cause a lot more work for her office.

Mr. Gieleghem felt it will not be more work.

Ms. Meltzer pointed out it also specifies that “Within 30 days, the Clerk will make the compiled list available to township board members” and questioned whether that means she must go department to department and compile this. She felt if this is Mr. Gieleghem’s project, he should do this.

Mr. Dolan felt with this discussion, and some of it being on paper, he wanted to ensure the motion is recorded appropriately. He requested the features of the motion be restated to make sure the record is clear.

Motion by Mr. Gielegem, supported by Mr. Pearl, to approve the amendment to the Clinton Township Procurement Policy: Contract, Service Providers and Recurring Vendor List, with the condition that it will include the specification that it will include a minimum of \$10,000 per fiscal year and the date will be moved to coincide with the Township's fiscal year to March 31st of each year; further, if confidential material may exist, it will be brought to the Clerk's attention, and she can confer with the Township attorney and that confidential material, based on that conference, can be redacted. Roll Call: Ayes – Gielegem, Pearl, West, Keys, Cannon. Nays – Aragona, Meltzer. Absent – None. Motion carried.

26. UPGRADES AND REPLACEMENT OF CONTROLS FOR THE HVAC SYSTEM AT CIVIC CENTER

Mr. Pearl inquired as to the length of time for the payback on this.

Ms. Bednar replied this is just for the control system, so it will help them in keeping a better control of the temperature.

Mr. Pearl questioned whether it will save the Township on energy costs.

Ms. Bednar anticipated it will save energy because they will have better control, but it is not necessarily a nominal number. She explained this is bringing their system up to date to current technologies, noting they have constant problems trying to cool the building in the summer and heating it in the winter. This upgrade will enable them to stabilize it. She replied to inquiry that the proposal also includes dampers, valves, etc.

Mr. Pearl inquired as to whether this will allow them to control it remotely from a laptop.

Ms. Bednar stated she worked on this with Mr. Mike Scott, but does not have the answer to that question.

Mr. Barry Miller, Building Department Superintendent, explained that at the staff meeting, Mr. Scott had indicated he is currently the control, and these upgrades will allow the system to be controlled without Mr. Scott "pushing buttons and moving levers". He had indicated if the project is done in phases, the cost would be considerably higher, so they are proposing to do this in one phase. He clarified this is an upgrade to a system that is very poor.

Ms. Bednar noted it was budgeted a year ago and they decided to do a study, and this is the determination of what is needed because of that study.

Motion by Ms. West, supported by Mr. Gielegem, to receive and file the letter dated March 22nd, 2018 from the Director of the Department of Public Services,

and award the bid for the upgrades and replacement of controls for the HVAC system at the Civic Center to the low bidder, MCMI, at a cost of \$111,066; further, to approve a budget amendment in the amount of \$111,066 so they can do the project at one time. Roll Call: Ayes – West, Gielegem, Keys, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

27. PURCHASE OF MOWERS AND SPRAYER/SPREADER

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated March 23rd, 2018 from the Director of the Department of Public Services, and approve the purchase of mowers and a sprayer/spreader from Weingartz under the state bid system, contract No. 071B0200328, as outlined in the correspondence. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

28. REQUEST APPROVAL TO ATTEND CONFERENCE – MICHIGAN PUBLIC SERVICES INSTITUTE

Motion by Mr. Keys, supported by Mr. Aragona, to receive and file the letter dated April 2nd, 2018 from the Director of the Department of Public Services, and approve the request for Mr. Tom Klapp, DPW employee, to attend the 26th Annual Michigan Public Services Institute Conference in Mt. Pleasant, Michigan from April 8th through April 13th, 2018; further, this is a budgeted item. Roll Call: Ayes – Keys, Aragona, West, Pearl, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

29. REQUEST APPROVAL TO ATTEND CONFERENCE – 2018 GREAT LAKES HOMELAND SECURITY CONFERENCE

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter dated March 16th, 2018 from the Fire Chief, and approve the request for Chief Tim Duncan, Battalion Chief Paul Brouwer, Training Chief Tom Stuck and Captain Art Jones to attend the 2018 Great Lakes Security Conference from May 8th through 10th, 2018, as outlined in the correspondence. Discussion ensued.

Mr. Cannon stated that Mr. Paul Brouwer Sr., Emergency Management Coordinator, is working with the police departments from the entire county, along with the Sheriff's Department, because if they ever have an event, the Township's Police Department is going to be involved in taking down the criminal, so they will need backup and coordination. He stressed it is important that it is a county-wide proposition. He commended Mr. Brouwer Sr. for doing a great job.

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

30. REQUEST APPROVAL TO ATTEND CONFERENCE – 76TH FIRE INVESTIGATION 1 SCHOOL

Motion by Mr. Keys, supported by Mr. Aragona, to receive, file and approve the request from the Fire Department for Mr. Charles Champagne to attend the 6th Fire Investigation I School at the Michigan State Police Headquarters in Lansing, Michigan from April 30th through May 4th, 2018, and May 7th through May 11th, 2018, as outlined in the correspondence. Roll Call: Ayes – Keys, Aragona, West, Pearl, Cannon, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

31. REQUEST APPROVAL TO ATTEND CONFERENCE – NFPA FIRE INSPECTOR 1

Motion by Mr. Keys, supported by Ms. West, to receive, file and approve the request from the Fire Department for Mr. Charles Champagne to attend the National Fire Protection Association (NFPA) Fire Inspector I Conference at St. Clair County Community College on April 7-8, 14-15, 21-22, 28-29, and May 5-6, 2018, as outlined in the correspondence. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

32. REQUEST APPROVAL TO ATTEND CONFERENCE – IAAI ARSON SCHOOL

Motion by Ms. Meltzer, supported by Mr. Gielegghem, to receive, file and approve the request from the Fire Department for Mr. Charles Champagne to attend the International Association of Arson Investigators (IAAI) Arson School Conference at Great Wolf Lodge in Traverse City on May 22nd through 25th, 2018, as outlined in the correspondence. Roll Call: Ayes – Meltzer, Gielegghem, West, Keys, Pearl, Cannon, Aragona. Nays – None. Absent – None. Motion carried.

33. UPDATE ON OPIOID LITIGATION

Ms. Meltzer read an introduction by Sommer Schwartz regarding the opioid epidemic.

Mr. Dolan explained that they interviewed the three firms discussed at the last meeting, they created an RFP, and there was a bid process with proposals submitted. They have been opened and reviewed. He stated he did not feel it is appropriate tonight to discuss the features of each one of those proposals, but indicated he is available by phone or in person to speak personally and individually to each Board member, or to meet in small groups, to provide an overview of the highlights of each of these proposals. Of the three firms that

were included, they have firms in Michigan that specialize in bodily injury claims and have extensive experience in mass torts and are affiliated with out-of-state firms that are involved in mass torts relating to pharmaceuticals and other medical devices. A request has been received by Mr. Huth and Mr. Kirk, and Mr. Dolan explained that at his suggestion, Ms. Meltzer accepted a sealed bid filed by them so that their bid was submitted compliant with the other three bidders submitted in terms of time deadline. He explained that bid has not been opened because prior action of the Board would not have authorized that to occur. He explained that the Board may choose tonight to expand and allow that bid to be opened and reviewed, along with the three bids already received. The action to be considered tonight would be whether to proceed and open the bid submitted by Mr. Kirk and Mr. Huth.

Mr. Aragona stated indicated at the last meeting when this was discussed that he supports moving forward with this litigation. He recalled Ms. Meltzer mentioning a local law firm that was in contact with her but had not submitted a bid at that point. He inquired as to whether this was the law firm to which she referred.

Ms. Meltzer confirmed this was the law firm, and they contacted her a couple of days after the meeting. She pointed out that the Board members received all the RFP's from the original three firms. There were questions, and their responses are included. She noted the idea is to decide on April 30th. She understood it is a lot of information to review, but there are three weeks until the next board meeting.

Mr. Cannon inquired as to how they ended up having three weeks between meetings.

Ms. Meltzer stated it worked out that way with the holidays.

Mr. Robert Huth, of Kirk, Huth, Lange and Badalamenti, 19500 Hall Road, Clinton Township, Michigan 48038, stated he is here with Mr. Bob Kirk this evening. He appreciated Mr. Dolan's synopsis, and explained they are asking the Board tonight to do nothing more than consider their proposal. They have competed against the other three firms in other communities, and he informed the City of Warren and the City of Sterling Heights have chosen their firm and proposal. He requested they be given a chance to compete for a contract on this. He stated their proposal will cost the Township nothing, and all the upside goes to the community. He pointed out they are local and in the community.

Mr. Cannon inquired as to whether Mr. Huth has any knowledge of what the other bidders have put into their proposals.

Mr. Huth assured he has absolutely no knowledge whatsoever, and he believed he turned his sealed proposal in ahead of the others.

Mr. Cannon stated he will recommend accepting the fourth bid for consideration, and it will be on the next Board meeting

Motion by Mr. Cannon, supported by Ms. Meltzer, to consider the fourth bid, submitted from Kirk, Huth, Lange and Badalamenti, as a legitimate bid for evaluation and consideration at the next Board meeting. Discussion ensued.

Mr. Pearl inquired as to whether this creates a legal problem if this fourth bid is accepted.

Mr. Dolan replied that this is considered professional services and they have a wide latitude on how they want to select professional services. To create a very fair and open process, they did do it on a bid basis, with the proposals all being submitted at the same time, with any questions on the RFP being answered at the same time. They have typical language on the RFP document where they can accept and reject any and all proposals, and they can modify them as they choose. He stated there is no harm to the Township if they choose to accept them or choose not to accept them. He stated the motion tonight, they can direct the Clerk to accept and open and tabulate the bid submitted by Kirk, Huth & others.

Mr. Gielegem recalled the conversation at the last meeting about what the harm would be in accepting other proposals, and the motion came forward that they would only accept the three who were interviewed. He did not see any harm in accepting more at that time, and he still does not see any harm in it, so he is in support of the motion.

Ms. Meltzer clarified they did not want to extend it because there is a statute of limitations associated with this, and there is a lot of information that they will have to look at and keeping it open will delay filing. She noted this is a local firm and there was a conversation with this firm before the bids were accepted. When that firm did not get back with her right away, she did not think they would submit a bid.

Mr. Keys stated he is in favor of opening this up and continuing to open it up. He felt the more information they have, the better off they are, and it should be something this Township should want to continue to do. He questioned how this firm knew what to submit when it came to the proposal.

Ms. Meltzer noted there was an RFP.

Mr. Huth looked it up on the website and saw the document, so he followed that.

Mr. Cannon stated this will be on the next Board, and he will be asking each Board member their choice at the meeting, and they will tally up the results, with the majority getting the bid award.

Ms. West inquired as to whether Ms. Meltzer's office is putting anything together in a unified way to grade it.

Ms. Meltzer replied she is not grading them.

Mr. Dolan stated he is not grading them. He noted there is a lot of information about each firm, including fees, costs, claimed skills, and other information. He suggested each Board members look over the documents, and if any of the Board members have questions, they can call him. He indicated they may be sending some additional questions for clarification on the bid to Kirk & Huth, and he hoped they will respond quickly like the other firms did.

Ms. Meltzer inquired as to whether Mr. Huth would be willing to have his office print off seven additional copies for the Board members. She noted all the other firms submitted eight copies, and he submitted only one.

Mr. Huth assured he will do that, although he indicated he presented eight copies to her; however, he apologized for not having time to bind them. He assured he will do that and give it to them, so they can compare.

Mr. Dolan stated they do not have to be bound, and rubber bands will suffice.

Mr. Keys inquired as to whether the Clerk's office has these in electronic format.

Ms. Meltzer replied no.

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

34. REQUEST FOR KROGER OUTDOOR TENT SALE FROM APRIL 22ND THROUGH JULY 9TH, 2018 – 41941 GARFIELD

This item was moved to Item #4A on tonight's agenda.

APPROVAL OF MINUTES OF MARCH 19TH, 2018 REGULAR TOWNSHIP BOARD MEETING

Motion by Ms. Meltzer, supported by Ms. West, to approve the minutes of the March 19th, 2018 Regular Township Board Meeting, as submitted. Roll Call: Ayes – Meltzer, West, Keys, Pearl, Cannon, Aragona, Gielegghem. Nays – None. Absent – None. Motion carried.

APPROVAL OF BILLS

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

PUBLIC COMMENTS

Ms. Charlie McGunn, of Rochester Hills, Michigan, stated she has worked in Clinton Township for over 35 years with students in schools, doing community-based substance abuse prevention work. She expressed concern about a draft ordinance being considered at a public hearing scheduled for this Thursday, April 12th, by the Clinton Township Planning Commission which, if passed, could bring commercialized, legalized large grow operations for medical marihuana, as well as commercial sales of marihuana and marihuana products, including high-potency edibles. She indicated that the Board has received a lot of information over the last few months about the negative aspects of this, as well as a letter signed by twenty-two public school superintendents in Macomb County, asking that this not be approved because of the concern of further infusion of marihuana into the community and the effects on their children. She claimed Mr. Ron Roberts, Superintendent of Chippewa Valley Schools, and Mr. Dave Richards, Superintendent of Fraser Public Schools, have provided information to the Planning Commission about the negative effects of marihuana on students, and they have also received information from Catholic charities and other agencies in the County that do substance abuse prevention work, which highlighted the significant issues of marihuana for use, and the fact that marihuana is the primary drug that brings youth to treatment. She added they are seeing emerging information from their treatment centers that it relates to the opioid issue, showing that youth who use marihuana are much more likely to move on to opioids. She indicated they have provided the Board with information that shows this will not be a money-making proposition for the Township, given the cost of law enforcement and the social costs, including drug driving. She urged the Board to not vote for this ordinance because it is very damaging to the youth and community.

Ms. Amanda Locke, of Bruce Township, a licensed mental health counselor and Student Assistant Specialist at Chippewa Valley High School, explained her role at the high school is a drug prevention specialist, providing brief interventions for students, as well as providing education and resources for treatment to the students and their families. She stressed she opposes large-scale commercial grow operations and the selling of medical marijuana because she has witnessed the desensitizing of the students regarding this drug. She has been told by clients and students alike that they have access to marijuana with those who have cards and has been told by the children that they know which doctors to go to get a card when they turn 18, and they only need to say they have pain. She has talked with students who vape THC in their clear pens, and with the vaping epidemic all over, it is harder to tell the vape from THC. She urged the Board to not pass this ordinance that would allow commercialized medical marijuana grow operations and sales and help them protect the youth.

Ms. Dee Sarosy, of Shelby Township, is a community person, a mom, and she is working with the Clinton Township Coalition for Families and Youth. She stressed Clinton Township is very passionate about their youth, and they are concerned with the vote coming up to legalize recreational marijuana. She noted they already have the medical marijuana, and the youth are very impressionable by bars, pawn shops, vaping establishments, and look at these as acceptable. She pleaded to the Board to deny the ordinance that would permit the growing and selling of medical marijuana in the Township. She explained her son was someone who got involved with marijuana when he was 13 and graduated to heroin. She stated thankfully he has been clean for seven years and is doing good, so she considered herself very fortunate. She pointed out it all started with marijuana. Ms. Sarosy stated she is not as concerned with the people who have been smoking it for fifty years, but putting marijuana in the hands of kids, whether medical or recreational, is damaging.

Ann has been a resident of Clinton Township for almost thirty years, and she wants to ensure a safe and healthy environment for the Township and for Michigan to live, work and play, resulting in a better quality of life for people of all ages. She felt medical marijuana grow centers does not equate to safe and healthy, and the Township needs to do better. She reminded that this drug is still illegal under federal government regulations, so it is a cash-based business. There is a criminal element, and they have placed the word “medical” in front of a drug called marijuana. She questioned how the profits would be tracked properly to determine taxes for this Township. She attended one of the Planning Commission

workshops, and they did a good job, having a consultant come in, but she questioned on what they based their numbers. She questioned the best-case scenario that would make that much of a difference dollar-wise for the Township for what it will cost the Township socially, and for police and security. She urged the Township to slow down and do more research, especially considering the federal government has not made this a legal drug, so she questioned how the Township can “make it ok”.

Abby, a high school student, is opposed to large scale grow operations and the sale of medical marihuana. She has witnessed students getting medical cards, making it easier to buy and dispense to their friends. She noted that a lot of parents have trackers on their teens’ phones, and it is more difficult for them to drive to Detroit to obtain their marihuana, but if they can get it locally, it will be much easier for them. She asked the Board to vote no on this issue, because to vote otherwise gives students the view that “it is ok”.

Christina, a senior at Chippewa Valley High School, stated opposition to grow and sell operations for medical marihuana. She stated her part-time job is waiting on tables, and she has witnessed the effects of medical marihuana in her work place. She complained that a lot of her peers are completely desensitized, and they claim their back hurts, so they can get a card and give it to their friends. She claimed some of her friends have claimed they drive better when they are high. They claim it is not a gateway drug, not addictive, and they claim to be “fine”; however, a few years later they are on acid drips and heroin. She stated she is scared for her safety and the safety of her peers, and She asked the Board to please vote no.

Ms. Kim Zuchora, resident, stated she lives in Macomb Township but has worked in Clinton Township for over twenty years. She has smelled it on customers in the store, and she has been worried as to whether those people can get in the car and drive home safely. She stated she is opposed to these operations, noting they result in less safety on the roads, increased costs in enforcement, and more children on drugs. She urged the Board to protect the citizens and youth of the Township and refuse to allow these facilities to operate in Clinton Township.

ADJOURNMENT

Motion by Mr. Keys, supported by Ms. West, to adjourn the meeting. Roll Call: Ayes – Keys, West, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried. The meeting adjourned at 11:08 p.m.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON

ces:04/15/18