

**CHARTER TOWNSHIP OF CLINTON**  
**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**MONDAY, AUGUST 6<sup>TH</sup>, 2018**

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

**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 Macomb County Sheriff Anthony Wickersham.

**APPROVAL OF AGENDA**

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

24. Request to Attend eRPortal Training Class
25. Request Approval for Clinton Township's Application for the Edward Byrne JAG Grant

Motion by Mr. Pearl, supported by Ms. West, to approve the agenda with the additions of Items #24 and #25. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

**PUBLIC SERVICE ANNOUNCEMENT**

Ms. Meltzer stated she hopes everyone will find time tomorrow to vote in the primary election, if they have not already voted by absentee ballot. She announced that the polls will be open from 7 a.m. to 8 p.m., and this is a mid-term gubernatorial election, which means there is a partisan portion on the ballot. She added there are also ballot issues included on the ballot, and she urged everyone to exercise their right to vote.

**1. SITE DEVELOPMENT PLAN: PAULA COURT ESTATES – 5.3 ACRES OF LAND FRONTING THE SOUTH LINE OF MILLAR, EAST OF PAULA COURT (SECTION 20)**

Mr. Dolan inquired as to whether the petitioner is present this evening to address his request for a sidewalk waiver, which was included in their correspondence.

Mr. Bill Mosher, of Apex Engineering, questioned whether Mr. Dolan is referring to the interior sidewalks or the sidewalk along Millar Road. He indicated that they would like the interior sidewalks waived, and regarding the sidewalk along Millar, they could put it in, but it would not connect to any other sidewalk because there are no other sidewalks along Millar. He stated they could do something in lieu of the sidewalk, sign a covenant or put the money in escrow.

Mr. Dolan explained if they go with a covenant, the entire cost will fall upon the subsequent purchasers and it is considered an off-site improvement. He stated that typically where they have put a covenant into place, it is directly in front of the home where the sidewalk would be located. He felt if the Board would like to waive the sidewalk along Millar, it should be based on an escrow deposit, and he added that would be formulated by the Department of Public Services. If they are seeking a waiver of the internal sidewalks, they would need some commentary based on an analysis by the Department of Public Services or someone else from the Township as to the feasibility of the waiver. If they feel they may want something later regarding internal sidewalks, they can establish covenants on the nine lots.

Mr. Cannon recommended making a motion to approve the plan first and will address the sidewalks after that.

Motion by Mr. Pearl, supported by Ms. Meltzer, to receive, file and concur with the letter dated August 2<sup>nd</sup>, 2018 from the Clinton Township Planning Commission Secretary, and approve the Site Development Plan for Paula Court Estates Condominiums, to be located on 5.30 acres of land fronting the east line of Paula Court, south of Millar (Section 20), as presented. Roll Call: Ayes – Pearl, Meltzer, West, Keys, Cannon, Aragona, Gielegem. Nays – None. Absent – None. Motion carried.

Mr. Sam Bushell, 18546 Whalen Drive, Clinton Township, Michigan 48035, felt continuing to grant sidewalk waivers on a main road will mean that the sidewalk will never be constructed. He suggested all the other covenants in the area be called in, and the sidewalk be put in to protect the citizens in the area.

Ms. West explained that the Planning Commission did not discuss the sidewalk waivers at the Planning Commission meeting, so this is the first she is hearing of that request.

Mr. Cannon felt that Millar needs sidewalks, although he acknowledged this does not involve a large portion of sidewalk.

Discussion took place regarding where the school bus will pick up and drop off students.

Mr. Mosher replied the school bus will most likely pick up the children on the private drive, which will be a cul-de-sac.

Mr. Cannon recommended sending the consideration of a sidewalk waiver back to the Planning Commission for their evaluation and recommendation.

Motion by Ms. West, supported by Mr. Aragona, to refer the request for sidewalk waivers, both internal and external, for Paula Court Estates Condominiums, to be located east of Paula Court, south of Millar Road, back to the Planning Commission for their review and recommendation back to the Township Board. Roll Call: Ayes – West, Aragona, Keys, Pearl, Cannon, Gieleghem, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Mosher inquired as to whether they will be able to have input from the Township engineer.

Mr. Cannon replied affirmatively. He indicated the plan has been approved so they can start the project in the meantime.

## **2. REQUEST TOWNSHIP MAKE DONATION TO MICHIGAN TOWNSHIPS ASSOCIATION LEGAL DEFENSE FUND TO SUPPORT CITY OF ESCANABA**

Mr. Cannon explained the big box stores have taken it upon themselves to pick on the smaller communities because they feel they do not have the resources to fight back. He is requesting the \$2,000 donation for the MTA Legal Defense Fund for the Menard's v. City of Escanaba case to help that small community. He explained it involves Menard's, a big box store, and the "dark store theory" which affects the way they are valued. He noted that past cases heard by the Michigan Tax Tribunal have been decided in favor of big box stores based on what they would be sold for if the store was closed, or "dark". If a store closed or went "dark", traditionally it was because they moved to a different location and put deed restrictions on the remaining vacant store to restrict the type of use from competitors, which greatly affects the selling price. He claimed that litigations of these types of cases directly affects this community as well as all other communities with big box stores. He noted many communities that do not have

big box stores are contributing to this defense fund because of the ramifications. He explained this case was appealed and heard by the Court of Appeals, and they designated their decision as a presidential decision that would be binding on any tax appeals in communities in which dark stores valuation theories are raised, which is here in Clinton Township. This case has been remanded back to the Michigan Tax Tribunal and will be heard by a three-member panel to collectively hear and decide the matter. He noted this is a case that the City of Escanaba is arguing on the behalf of all other communities. He explained big box stores cost about \$100 per square foot to build, and a recent MTT decision has reduced the value of these new stores down to as low as \$25 per square foot, shifting the tax burden from the store to the residents in the community. These issues will affect all communities equally, and he emphasized that is why it is important to support the City of Escanaba in their efforts to reverse the “dark store theory” that has been accepted by the Tribunal in the past.

Mr. Dolan concurred with Mr. Cannon’s remarks.

Motion by Mr. Cannon, supported by Mr. Gielegem, to receive and file the letter dated July 24<sup>th</sup>, 2018 from the Township Supervisor, and approve a donation of \$2,000 to the Michigan Townships Association to be earmarked specifically for the Legal Defense Fund to support the City of Escanaba in their fight to permanently change the State of Michigan’s acceptance of the “Dark Store Theory” concerning taxable values of vacant big box stores. Roll Call: Ayes – Cannon, Gielegem, West, Keys, Pearl, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

### **3. COMTEC UPDATE**

Mr. Cannon invited Sheriff Wickersham to provide an update on COMTEC (Communications and Technology Center).

Sheriff Anthony Wickersham provided an update of the collaborated dispatch center between the Sheriff’s Office and Clinton Township. He provided some statistics, noting that in 2017, the Police Department handled 47,215 calls and Fire Department handled 12,201 calls. To date in 2018, the Police Department has handled 26,791 calls and the Fire Department has handled 7,604 calls, so they are seeing calls coming in to the dispatch center increasing each year. He stated the average dispatch time, from the time the call comes in until it is dispatched, is just under 2 minutes for the Police Department and 1 minute, 35 seconds for Fire Department. He stated they went live with the Clinton Township Fire Department on March 5<sup>th</sup>, 2018. He stressed the system is working, and his staff, along with Chief Posavetz’s staff and Chief Duncan’s staff, are working together to make sure they provide the best dispatch service to the residents of Clinton Township. He added that the new leadership change with the new Fire Chief has been very positive, and with Chief Duncan’s character and skill set, it

has been a very smooth transition. He assured they are only a phone call away when issues arise. Sheriff Wickersham explained they started dispatching last year for the Harrison Township Fire Department, and they had their insurance service office audit, and there is a numbering system for public protective classification, on which a lot of insurance rates are based. In the Emergency Communication section, they scored a 9.83 out of a possible 10.00, which dropped them from Classification 6 to Classification 4, and that will save the residents of Harrison Township some money on their insurance. He assured they will strive for that when the Township's audit comes up.

Mr. Cannon claimed the Township's audit showed their Classification going from a 4 to a 3, and they were only 1-1/2 points away from being a 2, so the Clinton Township residents and businesses can anticipate a reduction in their insurance rates. He indicated they are shooting for this next year as well.

Sheriff Wickersham offered to answer questions.

Mr. Gielegem thanked Sheriff Wickersham for being here and working cooperatively with the Township as they transitioned from having their own dispatch services to signing up with COMTEC. He recalled the Township was one of the first communities to be on board and, up to that time, they were only providing dispatch services for communities for which they were providing a police force, which included the City of Mount Clemens, Harrison Township, Lenox Township, Washington Township, Macomb Township and the Village of New Haven. When they opened up COMTEC, they invited Clinton Township and the City of Sterling Heights. He recalled Clinton Township switched software systems to do that and have been operating since 2012.

Sheriff Wickersham indicated it was December 2012, and they started up in 2013.

Mr. Gielegem explained the theory behind this is to consolidate services and use it to save money. He would like to see the definitive numbers on the cost savings. He was glad Sheriff Wickersham brought up the insurance services and that his helpful for residents, but he noted the Township budget has seen increases each year for providing this service. He requested Sheriff Wickersham speak to this issue, and what they have looking forward to as they move forward. He understands there are some big capital issues coming up with this related to the fire dispatch, such as radios, etc.

Sheriff Wickersham clarified those expenses are not related to this project. The new radio system they all went to is getting past its life cycle, and he knows his agency is getting all new radios, both hand-held and in cars, so there is a cost to that, and he is aware most of the police agencies in Macomb County will be getting those as well, but the capital costs to whatever is going on with Fire

Departments and their radios has nothing to do with COMTEC or the consolidation. He explained price increases in the contract go to wages, which, if Clinton Township had their own dispatch center, they would have employees getting raises as well. Those costs must be budgeted, so those are the costs being passed on to the Township.

Mr. Gieleghem questioned as to whether there have been any new communities coming on board with COMTEC.

Sheriff Wickersham stated they brought on Harrison Township Fire Department, Washington Township Fire Department, and they just gave Macomb Township proposals for fire dispatch. He assured the door is always open, but they are not going out and soliciting.

Mr. Pearl pointed out that with COMTEC taking over full-time fire dispatching, the Township has saved on the cost of those firefighters who were doing the job 24-7, and that must be considered a savings.

Mr. Cannon pointed out the other cost eliminated was the legacy cost of the dispatchers. He noted they had to decide because their equipment was getting old and their staff was retiring, so they had to either get all new equipment and new staff or decide to go with COMTEC. He was confident it was a good decision and is glad the Township opted to go with COMTEC. He assured both Fire and Police are very happy with the service.

Mr. Keys appreciated the insurance information, which results in a cost savings to the residents and businesses. He addressed the quality aspect, noting the Chief has been kind enough to invite him on multiple “ride-alongs” to watch the process. He indicated being impressed with the officers’ eagerness to work with the COMTEC staff, and vice-versa. He was also impressed with the consolidated computer system, where they can look at everything going on in the County rather than just what is on their street. Mr. Keys stressed he was impressed with the fact that Sheriff Wickersham recently went to the Board of Commissioners and asked for another person as a trainer for the Fire Department side, not just for Clinton Township but for all their dispatch. He felt that shows they recognize the difference between Fire and Police, and they needed to make that investment in training.

Sheriff Wickersham explained the training is long, taking five to six months to get a dispatcher ready to become part of the compliment. He noted it is very technical and stressful. Once they opened COMTEC, they started doing full-service fire dispatching, as well as EMS, and they have been training their staff accordingly. They brought in a part-time employee, who was a former Clinton Township employee, Mr. Dave McIntyre, who was part of COMTEC and understood fire science to help the other dispatchers and his executive staff

understand the fire side. He commended Mr. McIntyre for providing them with a lot of valuable information, and added he is now in the part-time position that was originally considered an “emergency” position but is now part of his budget.

Mr. Keys inquired as to whether they can track every police vehicle and every fire engine on the road.

Sheriff Wickersham replied affirmatively. He replied to further inquiry that it is not the same for MedStar and they have not shared that information with COMTEC.

Mr. Pearl inquired as to whether the installation of cameras at the intersections is helping.

Sheriff Wickersham replied it does help. They can zoom the cameras right in to see what is going on.

Mr. Pearl felt the entire idea of central dispatch is working well, and he appreciated Sheriff Wickersham’s cooperation and efforts in putting this together.

Ms. Meltzer appreciated having the cameras at the intersections, but noted that the City of Chicago, Illinois, has a camera that takes pictures of cars as they travel through the intersections. She hoped they will not be doing that here

Sheriff Wickersham stated that is not done in Michigan.

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the update on COMTEC provided by Sheriff Anthony Wickersham. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

#### **4. APPOINTMENT TO THE ECONOMIC DEVELOPMENT CORPORATION**

Motion by Mr. Cannon, supported by Mr. Aragona, to receive and file the letter dated July 27<sup>th</sup>, 2018 from the Administrative Aide, and reappoint Ms. Tiffany Taylor to the Economic Development Corporation for a six-year term to expire July 10<sup>th</sup>, 2024. Roll Call: Ayes – Cannon, Aragona, West, Keys, Pearl, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

#### **5. APPOINTMENT TO THE PLANNING COMMISSION**

Mr. Cannon stated his recommendation is to appoint Ms. Katherine Cherry to the Planning Commission to fill the open term on the Commission due to the resignation of Mr. Michael Deyak.

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated July 27<sup>th</sup>, 2018 from the Administrative Aide, and appoint Ms. Katherine Cherry to the Planning Commission to fill the open term due to the resignation of Mr. Michael Deyak, with term expiration on November 30<sup>th</sup>, 2019. Roll Call: Ayes – Cannon, Pearl, Keys, Aragona, Gielegem, Meltzer. Nays – West. Absent – None. Motion carried.

**6. PUBLIC HEARING #2 – SPECIAL ASSESSMENT PROJECT P-2018 ABELA STREET PAVING**

Mr. Cannon opened Public Hearing #2 for the Special Assessment Project P-2018 Abela Street Paving.

Mr. Nick Stanziola, 16558 Abela, Clinton Township, Michigan 48035, stated he was the original petitioner for this project, and he has several questions he would like to ask. He questioned how the bid process will be handled and whether they will seek more than one bid.

Ms. Bednar explained the four projects were bid out by the Macomb County Department of Roads, and there were multiple bidders. She stated the lowest qualified bidder received the bid.

Mr. Stanziola questioned whether this bidder is the same company that did the Santa Barbara special assessment project.

Ms. Bednar stated the lowest qualified bidder for this project was ProLine Asphalt, which is a different company.

Mr. Stanziola recalled their preliminary bid was approximately \$630,000 and the final bid came in at around \$694,000. He inquired as to where the \$60,000 increase came from.

Ms. Bednar explained that, as they explained when they wrote the petitions, the engineers calculated an estimate and the cost must be within ten percent of that. The first number received did not have engineering plans. The second number was based on the lowest contract bid amount. On Abela, the original plan was to mill and pulverize the surface and cap the street, but due to engineering and poor soil borings, they determined the road will need a full replacement.

Mr. Loren Crandell, P.E., Giffels Webster, explained the original scope, based on a field walk, was to mill off the top and replace the asphalt. After doing the soil borings, they determined the base is not in good condition, so they are taking off the entire base and replacing both the base and asphalt.

Mr. Stanziola understood from the preliminary bid that all driveway approaches would be replaced.

Mr. Crandell confirmed that all driveway approaches will be replaced.

Mr. Stanziola inquired as to whether he can make a deal with whoever is doing the work if he wants additional cement work done on his driveway.

Ms. Bednar replied that is between the homeowner and the contractor, and the Township has nothing to do with that. She advised that if they work out a deal, the homeowner may need to pull a permit from the Township.

Mr. Pearl spoke from his experience having the recent SAD established on his street. He noted many residents asked for that with their contractor, and they are now having to call in other contractors to finish their driveways. He explained they can ask and then pray that the contractors are such a big hurry that they will not complete the work.

Mr. Stanziola understood that if a homeowner currently has stamped concrete, that is only going to be replaced with regular cement.

Mr. Crandell replied that is correct.

Mr. Stanziola commented that their sump pumps are connected to storm sewers and whether they will have an interruption of service while this project is going on.

Ms. Bednar replied that if the sump pumps are currently connected, they will remain connected.

Mr. Stanziola questioned whether the width of the street is wider. He noticed Lakewood is 20 feet.

Ms. Bednar noted Mr. Stanziola is referring to Lakewood, and the Macomb County Department of Roads now requires that minimum standards be met.

Mr. Stanziola inquired as to when this project will start.

Ms. Bednar replied the Department of Roads is waiting for the Township to hold these public hearings; however, everything is approved on their end. As soon as it is approved by the Township, they will contact the contractor and get a schedule. She cautioned that they can only do one road at a time, and that road must be completed before they can start another road. In the meantime, they extend the contract, so the roads would have to be done either in the fall or spring, but they do not know which road will be first.

Mr. Cannon explained that the Township is the conduit for this project, which is a County-project. He encouraged residents to continue asking questions because the Board wants them to be happy, noting these are all good questions being asked tonight. He advised that the County is paying for one-half the cost, and he explained that four of the five projects that have been selected by the County's Department of Roads are in Clinton Township. He added Mr. Hackel is the only executive in the State of Michigan making county funds available for subdivision roads.

Mr. Crandell replied they estimate that this project will take about two months from start to finish.

Mr. Stanziola inquired as to how parking on their street works during construction.

Mr. Crandell explained the contractor generally sends out fliers in the area to keep residents informed. When they go to take out the road, they try to schedule it according to the weather with no rain.

Mr. Pearl explained his neighbors on Santa Barbara circulated the petition for their Special Assessment District. He assured he did not vote on any of it, although as a resident paying his share, he signed the petition. He hoped they have a good contractor, noting there was a miscommunication with their contractor, who sent out notice they were ready to do the concrete approaches and asked residents to park in the street, but forgot the asphalt contractor did not show up the day before, Everyone parked on the street as they were instructed, and the next day, the asphalt contractor showed up. He spent a lot of time going door-to-door, getting cars moved. He hoped the other contractor will be more conscientious. He anticipated they will put a soil erosion fence on both sides along the grass, and that will determine the road right-of-way, and they will need everything moved out of that area, including any landscaping. He inquired as to whether they will have a water main going in.

Ms. Bednar confirmed that Abela will have a water main going in. She explained they will have a Township contractor go in first, do the water main and storm sewer work on that part of the road, and then the contractor doing the road work will come in after that and do the road, as well as the storm sewer on the other side, followed by the restoration. She indicated there is timing involved, and they will be working with both contractors. As far as where to park, she advised that once the contractor provides her office with a schedule, they will sit down with them and do the best they can to get the information out to the residents.

Mr. Pearl stated they were able to get back and forth. He noted when they do the driveways, they try to do half the approach, so they can park on the other

half. The only time from the base to the finish is when they put down an oil additive to get the final base to seal, and that was the only time they did not anyone driving on it that day. He stated asphalt can be driven on within six hours, so they did not have a two-month period where they could not park on their street. He stressed that Santa Barbara is now beautiful and was well worth the aggravation.

Mr. Stanziola inquired as to whether there is any kind of warranty given on the cement, asphalt, etc.

Mr. Crandell believed there is a two-year maintenance warranty, but it is for defective product only.

Mr. Stanziola inquired as to the “normal” life span for this type of work.

Ms. Bednar replied it depends on different situations. She noted the textbook answer is a 20 to 30-year life but it depends on traffic, conditions, soils, etc.

Mr. Crandell replied he would have stated at least 15 years.

Mr. Stanziola inquired as to whether they will be installing storm sewers.

Mr. Crandell replied almost all the storm sewers will be installed.

Mr. Stanziola noted there are a couple of homes that do not have storm sewers but only have a ditch.

Mr. Crandell stated some of the culverts will remain, but he assured everything will be done.

Mr. Stanziola inquired as to what will happen to their mail delivery while all of this is going on.

Mr. Pearl replied that all the mailboxes are relocated to the end of the street in a temporary section during construction. They are all in-line at the end of the street, so the mail carrier does not have to try to get down the street. He noted that the individual mailboxes at each home are within the road easement.

Mr. Stanziola inquired as to the options available for homeowners to pay for this work.

Mr. Dolan explained the Township allows the residents to pay all at once; otherwise, they are approving annual installment payments over a ten-year period at an interest rate of 5 percent. He replied to further inquiry that it will not

be on the same bill as their tax bill, but it will come at the same time and will look like a tax bill.

Mr. Stanziola inquired as to whether there is a plan where payment is not required until the house is sold.

Mr. Cannon stated there is an option like that for homeowners qualifying based on low income.

Mr. Dolan cautioned that the threshold on the requirements for low-income is extremely low.

Mr. Stanziola inquired as to the effect this will have on their property values.

Mr. Cannon replied that will start showing up as they sell their homes.

Mr. Dolan confirmed Mr. Cannon is correct, noting that under the Headlee Amendment, they are capped, and uncapping tends to occur when properties sell.

Mr. Stanziola inquired as to whether there will be a water main replacement as part of this project.

Mr. Cannon replied affirmatively.

Mr. Stanziola questioned who is paying for it and whether they are getting any break on the payment for the street since they are doing it at the same time.

Mr. Cannon replied the Township is paying for that out of their Water and Sewer funds, and that is not part of the Special Assessment to the residents.

Mr. Gielegem clarified the residents pay for it through their water rates, and it makes sense to replace the water main at the same time the street is being done.

Ms. Bednar explained they are saving, and if the water main needs replacement, they like to do that before the road is replaced. She indicated they look at a variety of components to make that determination, and she confirmed they are putting in a new water main on Abela. Some of the storm sewer that the watermain would have had to cross would have had to have been addressed regarding the costs to the residents, but it will be dealt with through the Water and Sewer Fund, so it is somewhat of an offset in cost, which has already been calculated in the total.

Mr. Dolan pointed out it is better to dig up an area once, so it is a cost savings to do it at the same time as the road. The equipment is already there, and they have only one restoration occurring at the same time as opposed to having two restorations at different times.

Mr. Larry Gryniwicz, 16549 Abela, Clinton Township, Michigan 48035, questioned what happens with the sump pumps when they are replaced.

Ms. Bednar replied they will be reconnected to the new system.

Mr. Gryniwicz inquired as to how long that will take to get them reconnected.

Ms. Bednar replied they will be working with the Department of Roads and the contractor on that.

Mr. Pearl assured that no one was without service when it came to their sump pumps, and they were reconnected right away.

Mr. Robert Brown, 16643 Abela, Clinton Township, Michigan 48035, stated it appears the road will be constructed to meet County requirements. He inquired as to whether the County will be monitoring this project.

Mr. Cannon replied affirmatively.

Mr. Brown inquired as to who will be responsible for the quality of the work.

Mr. Cannon emphasized that this is totally a County project, and the Township's part in this is to hold the public hearing and handle the paperwork.

Mr. Pearl stated for the work done on his street, the County always had two inspectors on site, with a field person at times. There was some concern when the contractor put in the base. The County had already done test borings and came back right away to let them know it was defective. The contractor had to mill the base out and replace it. He assured the County did a good job and were right on top of their inspections. They already knew there was something wrong with the base before the residents asked.

Ms. Bednar informed they received a letter from a resident who is not here and was not able to attend. She would like to go on record to indicate she has a problem with the assessment. Ms. Bednar advised the concerned resident's address is 35665 Marty Drive. Ms. Bednar replied to inquiry that the resident did

not want her name removed but wanted to assure her rights are preserved if she decides to appeal this.

Mr. Martin Vreeburg, 16425 Howard Drive, Clinton Township, Michigan 48035, on the corner of Howard and Marty, complained that most of his property is not attached to this area. He questioned why his name is on this list because only six feet of this road touches his property.

Ms. Bednar replied to inquiry it has to do with his driveway location and where the pavement will be replaced. She replied to further inquiry that Mr. Vreeburg is considered part of this Special Assessment District; however, if Howard is ever proposed to be repaved in the future, he will not be part of the Howard S.A.D. She noted it is because of the location of the asphalt.

Mr. Vreeburg expressed his opposition to this project, noting he did not get to vote.

Mr. Cannon stated once the petition circulator receives signatures representing more than 50% of the front footage of the district, they can stop going door-to-door to get signatures. He clarified the Township does not make the rules but are only doing the paperwork.

Mr. Stanziola stated he went to every house on the street and dropped letter off, so he assured no one was “left out in the cold”. He indicated the County oversees this project, so if they observe something going on, he questioned whether they contact Ms. Bednar.

Mr. Cannon stated Ms. Bednar has been cooperative with all the projects they have done so he advised if Mr. Stanziola cannot get his questions answered by the County, he can call Ms. Bednar.

Ms. Bednar replied to inquiry that she has not yet been provided with a list of subcontractors that will be used.

Motion by Ms. West, supported by Mr. Pearl, to close the Public Hearing. Roll Call: Ayes – West, Pearl, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

## **7. ADOPTION OF RESOLUTION #5: CONFIRM ASSESSMENT ROLL – SPECIAL ASSESSMENT PROJECT P-2018 ABELA STREET PAVING**

Mr. Dolan explained that, based on some developments this evening, he recommended completing all the public hearings first before adopting the Resolutions.

This item was intentionally skipped and will be addressed later in the meeting.

**8. PUBLIC HEARING #2 – SPECIAL ASSESSMENT PROJECT P-2015  
LAKEWOOD STREET PAVING**

Mr. Cannon opened Public Hearing #2 for the Special Assessment Project P-2015 Lakewood Street Paving.

Mr. Gerry Eggart, 23256 Lakewood, Clinton Township, Michigan 48035, stated he has about 250 feet of front footage, which includes his lot and the vacant lot next door. He inquired as to the percentage on the tax roll who are in support of this Special Assessment Project.

Ms. Bednar replied that the percentage is at 63.2% in favor.

Mr. Eggart expressed concern about the drainage issue in the area, recalling that the County was going to come out and render an opinion. Much of that creek is exposed and it comes up quite high. He noted that one of the residents must walk through an inch of water at its peak. He was concerned as they redo the roads and culverts, they will be putting more water into that drain. He noted the County came out, and he inquired as to their opinion.

Ms. Bednar explained the Tebo Drain will be closed another 25 feet along the property line along the south side of Lakewood; however, other portions of that drain and the County's clean-out of that drain will be a separate project.

Mr. Eggart inquired as to whether that would be the first 25 feet off Harper.

Ms. Bednar noted that is where the Tebo Drain crosses the road. That culvert will be extended 24 or 25 feet.

Mr. Eggart stated he is happy to hear that because that drain has been an issue. He questioned whether the cost of any work on the Tebo Drain is being paid for by the residents, or whether that cost will be absorbed by the County

Ms. Bednar confirmed that part of that cost is coming out of the Township's Drainage Fund. As far as any clean-out work, that will be a future discussion. She believed that is a Chapter 21 Drain, which means it is usually paid for by the residents, or the Township will come up with something.

Mr. Eggart inquired as to whether the ten-year payment plan will apply to all the Special Assessments being discussed tonight.

Ms. Bednar replied affirmatively.

Mr. Eggart inquired as to whether this will be a full replacement or a recap project.

Mr. Crandell replied to inquiry that they will be milling and replacing the asphalt.

Mr. Eggart noted at prior meetings, some of their residents complained about having rebar placed in the approaches, and he understood they may have to pay for that as an extra. He inquired as to whether that is part of the estimate for the project, or if that is something that must be arranged between homeowner and contractor.

Ms. Bednar replied that would be an arrangement between the subcontractor and the resident. She indicated that the approach will be put in according to Macomb County Department of Roads standards.

Mr. Eggart questioned who at the Township will supply the residents with contact information.

Ms. Bednar assured as soon as she receives the name of a project manager from the Department of Roads, she will forward that information to the residents. She provided her phone number as (586) 286-9300.

Mr. Eggart inquired as to whether the fact this is a recap reduce the amount of time it will take to redo the road.

Mr. Crandell replied affirmatively. He indicated the time frame is much shorter when they are not replacing the base, adding that asphalt can be done in about a week.

Mr. Pearl explained when their road was done, the road was pulverized and used as a base, then they did the approaches. When they were done with all the approaches, the final coat of asphalt was added.

Mr. Cannon noted that every project is different.

Mr. Eggart questioned if they core every 200 to 300 feet and find it is not in good shape, will that raise their cost, or is it fixed.

Ms. Bednar replied as part of the bid they have “undercut” so if they find a part of the road that needs to be cut further, that is part of the bid. She clarified the cost that was sent to the residents would include that.

Mr. Eggart stated when he looked at the numbers in the letter, it appeared to him as though the County match is greater than 50%.

Ms. Bednar clarified that is because of the drain work, and that portion comes from the Township.

Mr. Eggart questioned whether this annual S.A.D. bill will be going out with the winter taxes or with the summer taxes.

Mr. Gieleghem stated he does not like to bill the residents until the work is completed, so it will depend upon the timing. If it is not completed in time for the December billing, it will then go out with next July's bill. He replied to further inquiry the bill goes out once a year, and although it has never been allowed in the past, they now allow residents to make payments on it. It is simple interest, so every time a payment is made, the principal is being reduced. He clarified that each year's bill will be the same.

Mr. Eggart calculated his bill will be approximately \$18,000, so he questioned whether he can make an initial payment of \$10,000 and pay the remainder through his taxes.

Mr. Gieleghem replied affirmatively. He clarified it would be ten increments over ten years, and if there is no balance at some point or a partial remaining balance, that is what they would bill that year.

Mr. Eggart noted the ballot issue on tomorrow's election for a road millage for special assessments, that millage would still require residents to pay 50% of the road repair.

Mr. Cannon confirmed that is correct.

Mr. Eggart questioned whether there is a process in place that would allow the County to pay for half, 25% by the Township through the funds raised by the millage and remaining 25% by the residents.

Mr. Cannon replied that may be a possibility if the millage is passed; however, if the residents drop out of the S.A.D. now and the project is stopped, they would lose the County's contribution of 50% of the cost.

Mr. Eggart understood but wanted the residents to understand that as well. He stated he has two properties and both properties have a cement approach to the driveways. He assumed both will be replaced and questioned whether that is a correct assessment.

Ms. Rachel Jackson, Project Engineer for Giffels Webster, replied if there is concrete there when they come to replace it, they will remove it and replace it. If there is no concrete there, they will not replace it.

Mr. Eggart claimed that is different than what they were told at the last meeting. The driveways are cement, but many of the approaches are currently gravel. They were told if they had an approach, it would be brought up to County standards, which is six inches of cement.

Ms. Jackson replied there were vacant lots that are just under construction. If they are under construction and do not have anything poured yet, they will not be done.

Mr. Eggart explained he has a vacant property adjacent to him, but he has two driveways. He has a large lot, but neither driveway has a cement approach. One driveway is cement and the other is gravel. He questioned whether that gravel driveway, because they are both on a lot with a home, receive an approach.

Ms. Jackson replied affirmatively, noting they can work with the Department of Roads. She referred to a similar situation on Lakewood and let him know that was something they looked at.

Mr. Eggart questioned who he should contact if it turns out they pave his first driveway and not his second driveway.

Ms. Jackson replied he should contact the Macomb County Department of Roads. She indicated Lakewood was special because there were vacant homes and it was something they discussed with the Department of Roads if there was not already a driveway in place.

Mr. Eggart questioned whether the plans are available to the residents.

Ms. Bednar replied the Department of Roads has a copy, but she will obtain a set of the plans that residents can look at if they contact her.

Ms. Jackson assured she will get a set of the plans to Ms. Bednar.

Mr. Eggart stated the Township still has his approval to proceed with the project.

Ms. Karen Estes-Scheidt, 23226 Lakewood, Clinton Township, Michigan 48035, stated she and her husband own the first house off Harper on the south side where the Tebo drain is open. She inquired as to whether the approaches being done will be asphalt or concrete.

Ms. Jackson clarified the approaches are concrete. She indicated they have a permit to enclose the drain where Ms. Scheidt is located.

Ms. Estes-Scheidt questioned whether the cost of the drain is being covered by the Township.

Ms. Bednar clarified the money will come from the Drain Fund.

Mr. David Cooke, 23505 Lakewood, Clinton Township, Michigan 48035, purchased his house six years ago and loves living in Clinton Township. He is in favor of this project going through and thanked the Township.

Motion by Mr. Pearl, supported by Mr. Aragona, to close the Public Hearing for Special Assessment Project P-2015 Lakewood Street Paving. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

Mr. Dan Wojtonek, 23364 Lakewood, Clinton Township, Michigan 48035, expressed his appreciation to those involved for “getting this road done”. He felt it will make the area safer, and he added they do not currently have sidewalks.

**9. ADOPTION OF RESOLUTION #5: CONFIRM ASSESSMENT ROLL – SPECIAL ASSESSMENT PROJECT P-2015 LAKEWOOD STREET PAVING**

This item was intentionally skipped and will be addressed later in the meeting.

**10. PUBLIC HEARING #2 – SPECIAL ASSESSMENT PROJECT P-2019 PICTON COURT PAVING**

Mr. Cannon opened Public Hearing #2 for Special Assessment Project P-2019 Picton Court Paving.

Ms. Andrea Goudie, 16296 Picton Court, Clinton Township, Michigan 48038, questioned whether the curbs will be leveled. She complained about their steep pitch, noting that no one can drive over them without scraping the bottom of their cars.

Ms. Rachel Jackson assured that they will all be designed to meet Macomb County Department of Roads standards.

Mr. Pearl stated they adjust it for the height of the new road.

Ms. Goudie stated she has a vision-impaired child and needs a bus to get to her door to pick her up for school and drop her off. She felt they need to be at the top of the list, if possible, and she was confident her road will not make it through another winter. She expressed concern that their bus will not be able to make it down their road.

Mr. Cannon stated the contractor will be doing one road at a time and they choose the road.

Ms. Bednar replied the County and the contractor will make the final decision and will weigh in the watermain project as well.

Ms. Goudie inquired as to whether there is a way to let them know there is a need for the bus to be able to get down the street to pick up her child.

Ms. Bednar assured she will do her best, but she cannot make any guarantees.

Ms. Goudie is anxious to get this road done. They hate to have to pay for it and are paying more than other streets, but the road is so bad it must be done.

Ms. Meltzer inquired as to whether Ms. Bednar can make sure the County knows Ms. Goudie's concern about the bus. She felt it should be addressed by the County as a big concern.

Ms. Goudie stated when she is at work, her husband is with their children, and he is also vision-impaired. It is dangerous to have two blind people walking to the end of their block for the bus.

Ms. Bednar assured Ms. Meltzer she will do her best but noted there is also a watermain project so there are a lot of timing issues, including weather-related issues.

Ms. Meltzer thanked Ms. Bednar, and understood the complications, but felt this concern should be expressed.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, questioned whether all four projects are being done by the same contractor.

Ms. Bednar replied affirmatively, noting that is how the Macomb County Department of Roads bid it out, and this contractor had the lowest price. She replied to further inquiry she only knows the contractor and not the subcontractors.

Motion by Mr. Pearl, supported by Mr. Aragona, to close the Public Hearing #2 for Special Assessment Project P-2019 Picton Court Paving. Roll Call Vote: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

**11. ADOPTION OF RESOLUTION #5: CONFIRM ASSESSMENT ROLL – SPECIAL ASSESSMENT PROJECT P-2019 PICTON COURT PAVING**

This item was intentionally skipped and will be addressed later in the meeting.

**12. PUBLIC HEARING #2 – SPECIAL ASSESSMENT PROJECT P-2007 THORNTON STREET PAVING**

Mr. Cannon opened Public Hearing #2 on Special Assessment Project P-2007 Thornton Street Paving.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, inquired as to whether this scope of work will include sidewalk replacement as well.

Mr. Cannon replied it does not include repair and/or replacement of the sidewalks.

Mr. Hogan stated he walks on that street three or four times a week and questioned the timing for replacement of the sidewalks.

Mr. Cannon stated the residents can do an S.A.D. for sidewalks if they choose, or the Township has initiated a subdivision-wide project this year. If it is successful, they will be initiating other projects like that.

Mr. Bob Feyers, 36719 Tessens, Clinton Township, Michigan 48035, questioned whether a two-year warranty is typical for work like this.

Mr. Crandell replied that is correct.

Mr. Feyers calculated the average 80-foot lot, and that would amount to \$14,070, and with the interest, that amounts to a monthly payment of about \$160 out of his pocket. He calculated about \$3,600 is the amount they will pay in interest, bringing the total to nearly \$18,000. He broke that down to about \$5.25 per day, which he felt is too expensive. He hoped the people on Thornton understand how much they are paying for this. He felt sorry for the people who cannot afford this and will be losing their homes. He complained they only found out about this a day-and-a-half ahead of time. He stated he would like a copy of the plans, and requested Ms. Bednar provide them to him. Mr. Feyers stated he has a three-car

cement driveway and inquired as to whether that is what he will be getting replaced.

Mr. Crandell replied that they will be replacing whatever the existing width of the driveway is.

Mr. Feyers complained that his road and driveway do not need to be replaced and he felt this is a lot of money for people to pay out of pocket, especially when not everyone wants it. He accused the engineers of not looking at this closely when making the decision as to who should be included in the district.

Mr. Dolan explained that they are following a state statute, which has been on the books since the 1950's. He claimed it is the purest form of democracy in action. It was an initiatory petition taken out by people who live in that area. The legislature set up this process many decades ago. The residents can circulate the petition, and once they gather enough signatures to meet the requirements of the statute, they do not have to continue to knock on additional doors. The Township always encourages people to collect signatures that go some amount above what the minimum requirements are, but he reminded this is the legislature which established this process. He explained this process has been followed on roads, sanitary sewers, watermains, etc., so if someone is unhappy with the process, their complaint rests with the state legislature that enacted this process, not just in Clinton Township, but in other townships throughout the state that follow this for improvements. He noted they are in a fortunate position because in this case, they are getting half of the expected cost of the road paid for by the Macomb County Department of Roads, and the money they have historically spent on local subdivision roads like this has been very low. He noted Mr. Cannon pointed out the Township is getting most of the available project money they have this year, which is why they are trying to take full advantage of it.

Mr. Feyers complained that is "giving us half of the road money back to fix something that is not broken". He further claimed it was not a "democratic process" because the residents did not decide who should be in the district, but that was decided by the Township.

Mr. Darwin Roche, 36611 Tessens, Clinton Township, Michigan 48035, agreed that Thornton needs to be repaired, but he felt those on Tessens do not need the repairs. He suggested the simple remedy would be to end this S.A.D., remove Tessens, then let the residents on Thornton go on their own. He assured he is "all about community" but expressed concern that he cannot "trust the Trustees" any more.

Mr. John Bushell, 18546 Whalen, Clinton Township, Michigan 48035, hoped people realize they are paying that kind of money for only a two-year guarantee. He complained that if a commercial vehicle comes down the street and damage is caused from it, he felt the Township will not do anything about it.

Mr. Gary Goodman stated he, along with his wife, Denise, are homeowners at 36610 Tessens and are here under protest. He noted there are 13 houses on Tessens, and only one signed the petition to agree to this project, so he questioned how they can go forward when they need more than 50% of signatures to proceed.

Ms. Bednar replied there is slightly under 56% of the signatures for the district.

Ms. Denise Goodman, 36610 Tessens, Clinton Township, Michigan 48035, stated she got the list but it does not make sense. She indicated some names are crossed out. She indicated she had sent an email to Ms. Meltzer requesting clarification.

Ms. Meltzer apologized, noting they have been extremely busy with the upcoming election. She clarified the names crossed out are not registered voters, so they cannot confirm their signature.

Ms. Goodman inquired as to how they can count the signature if they cannot confirm it.

Mr. Dolan explained this is a petition under a state statute and provides for the installation of improvements. He emphasized that nowhere in that statute requires that a property owner be a registered voter to follow that available state statute process.

Ms. Meltzer clarified those crossed off were non-registered voters, so they were not able to confirm the signature.

Ms. Goodman questioned how the Township can confirm these people approved this if their signatures cannot be confirmed.

Ms. Bednar explained they look at the assessment roll and verify that the person who signed the petition is the name on the tax roll. If they can look at the voter's registration, which is the only place where they have an actual signature on file, they look at that as well. If they are not a registered voter, they go solely on the assessment roll. She pointed out the petition is notarized saying the person who circulated the petition, to the best of their knowledge, collected the signatures of the owners of the subject properties.

Ms. Goodman questioned how they know the notary is not in on this.

Ms. Meltzer explained a notary has an insurance policy and they must verify the person in front of them is who he/she says they are. They would lose their notary status and there are other consequences if they are falsifying information.

Mr. Dolan stated the process they try to follow parallels a lot of the processes for signature verification that are under the election laws by people following the process there to put something on the ballot by initiative or referendum. They are using information that is reasonably available to them to try to authenticate the signature. The way the statute was set up, and the reason for the notary, is so there are some assurances that the legislature felt were appropriate to verify the signatures. A Notary Public must have the signature of the person who circulated the petition, and they must swear that the information on the petition is correct. He pointed out the process is not a rushed process, and to the extent there was an issue with a specific signature, there has been plenty of time for that to be addressed.

Ms. Goodman complained this involves a lot of money for a lot of people, and she claimed they do not live in a subdivision with houses valuing \$200,000 to \$300,000. She felt this is not going to increase the value of their homes.

Mr. Dolan stated they all must live with the way the laws are constituted in the State of Michigan as far as the roads are concerned. He reminded the Township has no jurisdiction over the roads, but they are spending a lot of taxpayer time and money to get something done for the roads. He reminded getting the allocated dollars from the Department of Roads is a big help, but the Township is happy they can bring those dollars in to help the residents keep the cost down. He sympathized with the residents but reminded this is not the right body to complain about the state laws. The changes, if they can be made, must be done in Lansing through the state senators and representatives who pass the bills, and the governor who puts his signature on it.

Ms. Goodman claimed there are duplicates on the information emailed to her, and there are sheets that contain signatures which she has personal knowledge that have been requested to be removed.

Ms. Bednar stated she has a current list but pointed out there was someone removed from the list as recently as 4:00 this afternoon. She estimated that approximately four people have removed their names since she received the list. She stated she will have to compile the new list.

Mr. Gary Goodman pointed 56% is a very close vote. He questioned whether this Board has the authority to have the thirteen houses on Tessens removed from this list because they do not need it.

Mr. Cannon replied no.

Mr. Dolan clarified that the Township can abandon any of these projects up until they complete the process. He has photographs of Tessens.

Mr. Goodman claimed he has pictures of his own house and stressed he does not need a new driveway or a new curb or ditches.

Mr. Dolan noted that almost all Tessens has been patched with potholes and is “alligatored”, which means it has deterioration and cracking throughout the street.

Mr. Goodman complained that they are going to tear out brand new driveway approaches that do not need to be replaced, and he must pay for that for the next ten years at 5 percent interest.

Mr. Dolan explained the reason on all these projects that they will see that roads are repaired, whether it involves the base or just the top portion, is that the elevation where that actual surface is, changes in terms of height. The driveways must match the road. If there was a 3-inch or 4-inch variation, they cannot put in an 8-inch or 10-inch ramp at the end of each driveway, but they have to have a driveway with an appropriate pitch to it.

Mr. Goodman submitted pictures of his property showing the front of his property and his driveway. He pointed out there is not a 4-inch difference between the street and his driveway.

Mr. Dolan acknowledged there is not a 4-inch difference now, but he does not know what the elevation on this road will be when it is replaced. He clarified that the decisions on driveway replacement are not determined by the Township, and they only serve as the conduit for the Department of Roads. He noted all work will have to follow their standards and processes. He assured the Township can listen and the engineers can try to respond but the decisions as to the quality of the roads and the design specs are decisions made by the County.

Ms. Bednar assured the plans are designed by a registered civil engineer in accordance with the Macomb County Department of Roads and are reviewed by the Department of Roads and a registered engineer. She explained what people do not understand is that they look at the entire project. She cited the example of a drainage issue, where they look at that and may even raise the road in that portion to make sure they do not have ponding. The original design they see today may not end up being the final design they put in because they may raise it

up. They must be able to line up the approaches. Ms. Bednar explained the PASER study, which is a rating study. She has seven pictures and explained a PASER rating is from 1 to 10, with 10 being the best. She explained the three categories: 8-10, which is good; 5-7 is fair; and 4-1 is poor. They focus on the “poor” roads and try to fix them. Although she admitted Tessens is not as bad as Thornton, the PASER study shows a rating of “1” for Tessens. Unfortunately, she indicated Thornton would most likely fall into a negative rating if they went that low. She read the descriptions included on the PASER study, noting it was done by a certified person from the State of Michigan who has been trained in this PASER study process. It includes descriptions such as “closely spaced cracks, frequent potholes, extensive patches in poor condition, greater than 25% alligator cracking, loss of surface, extensive surface distress” and that was for a location on Tessens. She reminded that is a state-wide rating system.

Mr. Goodman stated when his driveway approach was put in ten years ago, the contractor did an excellent job. He hates to see it torn up, and he hates to pay this much money for 88 feet.

Mr. Feyers questioned whether they did a PASER study on Marston.

Ms. Bednar replied they looked at what they felt was a reasonable project. She noted that the corner lots on Marston and Tessens will be replaced, but the rest of Marston was not looked at for this project.

Mr. Feyers complained that Marston is much worse than Tessens. He complained that they do not have complete verification of every name on this list and questioned what they must do to assure complete verification of these signatures. He cited an example where he was told the land contract manager of the property two doors down from him already agreed and signed the petition; however, he claimed that person has been dead for seven years, so he doubted that person was not called. He felt there may be other discrepancies that need to be challenged, and he questioned how they are going to move forward with that process.

Mr. Dolan explained that, under the statute, Mr. Feyers’ ability to challenge was at the initiation when the petition was accepted. The Township, as a matter of policy, has always historically allowed the removal of petitions as the process has gone on, so it is the grace of the Township that has allowed the challenge process to continue through the petition process. He reiterated the Township has always tried to be accommodating in these situations and continue to look at the project as time has gone on to keep track of who is in favor and who is not in favor.

Mr. Matt Schindler, 36600 Tessens, Clinton Township, Michigan 48035, claimed he was told that none of those decisions would be made until tonight, so he questioned whether the rules are changing now.

Mr. Dolan stated they are not changing the rules. He had stated the statute provides that the decision on the count for purposes of meeting the requirements of the statute, is made when the petition is submitted at the beginning of the process. That is what the law says, and the state passes those laws. He also mentioned and will repeat it that the Township, notwithstanding that statute, has always tried to be very accommodating to the wishes of the residents on these Special Assessment projects. There have been instances, as Mr. Cannon indicated, where the project has gone on and if there has been a shift in the residents' attitude and it goes well below the 50%, that project will be abandoned. He hoped the residents understand the difference between what the state law says and what the Township has the authority to follow.

Mr. Schindler wanted to go back to the minutes of the meeting a few months ago when this process was initiated. He recalled what was said that no decisions would be made at that time and they would move forward with the project until it got to a certain point. He claimed he was told it would then come to another vote "where they could have Tessens removed". He admitted Thornton needs their road, but he was opposed to Tessens being included.

Mr. Cannon stated the project would end if Tessens were removed.

Mr. Schindler stated he would be fine with that. He hoped the residents on Thornton do not take it personally, but he would like to be removed. He also commented that, since non-registered voters are being considered, he would like to bring his young children in to sign a petition to have Tessens removed.

Mr. Dolan inquired as to whether Mr. Schindler signed the petition.

Mr. Schindler replied he signed the petition to have Tessens removed. He replied to further inquiry that he originally signed the petition to support the Special Assessment under the pretenses that the scope of work was different.

Ms. Bednar verified Mr. Schindler's signature is not included as an "acceptance" signature and has already been removed.

Mr. Schindler questioned how they can start a petition to remove Tessens.

Mr. Dolan explained the boundaries have already been established.

Discussion took place once again as to how the boundaries are established.

Ms. Bednar stated she and Mr. Scott Chabot went out and made an assessment based on the PASER study. They also took into consideration where they needed high points to take care of drainage and other real engineering concerns and came up with the area to be included.

Mr. Scott Chabot stated he stands behind that decision as well.

Mr. Dolan explained Mr. Chabot is one of the Township's consulting engineers.

Mr. Schindler did not feel Tessens needs to be included, noting it drains to the north. He also questioned how his frontage was calculated.

Ms. Bednar replied they have a policy they have been using for 25 to 30 years, with the idea to make these assessments as close as possible. Most of the properties are 80 feet, but Mr. Schindler's property is on a cul-de-sac and based on the policy set forth years ago, his assessment would be 70.39 feet. He has quite a bit of pavement in front of his home, but it is not along the lineal foot but is around a cul-de-sac.

Mr. Schindler disagreed, noting he has 20 feet of pavement in front of his house.

Considerable discussion took place regarding the way the measurements are calculated.

Mr. Dolan explained each of these lots has the benefit of the road being improved, and when the road is completed, they have a complete road that transcends all these lots. The benefit is proportionate to the value of the property. By establishing these formulas, they are trying to smooth out the allocation of the expense of the road fairly amongst all property owners. If they were to follow Mr. Schindler's calculations, they would have people on a "square lot" having to pick up the extra cost because even though Mr. Schindler gets the benefit of the road, he happens to be on a cul-de-sac which has only the radial area in front. This is a process to allocate fairly where they have the radius lots, and other communities have similar policies in dealing with these types of lots. This is not unique, and the Township is not trying to pick on people who live on cul-de-sacs, but they are following a fair approach to spread the cost.

Mr. Schindler stated he is a contractor by trade, and they go by cubic yards. He has a frontage of forty feet, so he should be paying half of what his neighbors are paying who live on 80-foot-lots. He claims he loves his

neighbors, but he “loves his money more”. He felt there is no way the Township can explain to him it is “fair” if he must pay for 70.39 feet of frontage when he has only 20 feet of curb.

Mr. Dolan stated, following Mr. Schindler’s logic, people on the corner would have to get charged double.

Mr. Schindler had no problem with that. He accused the Township of “not managing their funds properly”.

Mr. Bob Hogan questioned whether Giffels Webster put this together.

Ms. Bednar replied to inquiry that the consulting engineering firm who did the engineering plans and estimate was Giffels Webster.

Mr. Hogan inquired as to whether that was the firm mentioned in the scandal involving former Trustee Dean Reynolds.

Ms. Bednar replied there was an individual who worked for Giffels Webster, but it was not that individual who did the engineering on this.

Ms. Karen Rosenbusch-Dunn, 23626 Thornton, Clinton Township, Michigan 48035, stated she came in earlier to request her name removed from the petition, and she is seeking confirmation that her name was removed.

Ms. Bednar confirmed that was removed.

Ms. Rosenbusch-Dunn indicated she had signed when she thought it was at a much more affordable price. She wants her road fixed, but she stated she cannot afford it. She questioned whether her husband needs to provide something in writing to be removed from the petition.

Ms. Bednar stated that, to be counted, both signatures must be on it, but as soon as one signature comes off, the other is automatically removed.

Mr. Schindler heard that sidewalks and approaches are now included in the plan, when originally, they were not included.

Ms. Bednar confirmed sidewalks are not included but the approaches are included.

Mr. Cannon confirmed the sidewalks are not included.

Mr. Jason Baumann, 36626 Tessens, Clinton Township, Michigan 48035, claimed that under the scope of work, the sidewalks are indicated as being included.

Mr. Crandell clarified that, in places where the curb is being replaced, they are putting in the ADA ramps in place.

Mr. Baumann questioned what the construction equipment is going to do to Marston and Fierz as they enter the subdivision. He felt those roads will be destroyed with all the heavy equipment. He complained that the County then maintains the roads with graders that are too heavy for those roads as well. He stated he lives on the east side of Tessens and does not want the sidewalks, curbs or the driveway approach. He stressed he cannot afford it and wants nothing to do with this project.

Mr. Schindler questioned the sidewalks being replaced.

Mr. Crandell explained they are removing curb and gutter, and if the sidewalk abuts that curb and gutter, they are replacing the portion of the sidewalk at those points. He clarified it is not a lot of sidewalk being replaced.

Ms. Bednar clarified the sidewalk running parallel to the fronts of the properties are not being replaced.

Mr. Schindler questioned why the paperwork indicates that sidewalks are being replaced.

Considerable discussion took place regarding sidewalks and the wording in the contract.

Mr. Roche inquired as to how much this is going to cost for each residence. He stated he wants to know how much this will cost him, so he can prepare, assuming this is going through.

Mr. Cannon replied the cost will vary, based on the calculated footage.

Ms. Bednar explained the average-sized lot in that area is 80 feet. She confirmed that Mr. Roche has an 80-foot lot, so the total is \$14,070.40 plus 5% interest. She confirmed that is the amount it will cost everyone with an 80-foot-wide lot.

Mr. Roche quickly calculated that the interest will bring the total cost to about \$17,500, which will equate to about \$175 per month. He thanked the Board for their time and indicated he appreciates everything they do.

Ms. Denise Goodman questioned whether a request to remove a name from a petition needed to be sent in through mail or email, or whether a phone call request would be honored.

Ms. Bednar stated if she received a call transferred to her from the Clerk's office and they verified the person on the phone was who they said they were, they then would remove them. She stated they have removed four addresses since Friday of last week.

Ms. Goodman inquired as to whether 36630 Barr was removed from the list.

Ms. Bednar confirmed that address has been removed from the list. She indicated that was removed the last time, so it has been off for a while.

Ms. Goodman complained that they do not live in an exclusive subdivision, and most people in that subdivision are young couples. They are on limited incomes, some on social security, and she complained this is an astronomical amount of money the Township is asking them to come up with. She felt there must be an easier way to fix this road, and she did not feel her road should have to be replaced. She felt people living in homes valued at \$300,000 to \$400,000 could afford to do this, but most people in this area cannot. She stated she can personally afford it, noting she and her husband are ready to retire, but she confirmed there are several other people on their street that cannot afford to do this. She urged the Board to take this into consideration.

Ms. Lois Kelley, 23690 Thornton, Clinton Township, Michigan 48035, and Mr. Richard Shaffer, 23741 Thornton, Clinton Township, Michigan 48035, stated they are the two people who initiated this petition. Mr. Shaffer noted he has been called "a piece of garbage", "a liar", but he informed he is an ordained minister so that is between his God and himself. He explained they had three days to gather signatures and get this in under the Macomb County Grant Program, which is why they did it in a weekend. He explained they took their weekend, Friday through Sunday, walking door to door to present this project. He claimed this past weekend, someone put a very official-looking document in the mailboxes to try to scare everyone. It resulted in four individuals requesting to be removed from the list, but he assured he and Ms. Kelley did not coerce anyone. He stressed they need the project done but did not ask for the district to be drawn the way it is. They originally gathered three signatures from residents on Tessens, which have been taken off. He sympathized for the people on Tessens and added if there is a way for Tessens to be taken off without disrupting the process for the people on Thornton, that is

great. He has lived in his house for 25 years, and there have been multiple attempts at getting this done.

Ms. Kelley stated she has lived in her house for 52 years and she recalled this is the fourth time she has tried to get signatures. She understood it is a hardship, but their streets need to be fixed. The last time the streets were done was 15 years after they moved in, so it has paid for itself since that time. She stressed they must sacrifice to make it work.

Mr. Shaffer assured they are not trying to hurt anyone, but the roads are unsafe and unsightly. They went door-to-door again this weekend to talk to everyone, and the letter scared some people away. He hopes the road will increase property values in the future. He reiterated they did not draw the district but appreciate the Township's time.

Mr. Jason Baumann questioned why the entire subdivision cannot split the cost among everyone in the subdivision

Mr. Cannon stated it is not part of the district.

Mr. Bauman felt that should not matter because all the residents utilize these streets to get into the middle of the subdivision where they live.

Mr. Shaffer inquired as to the telephone number people can call to inquire about help on this assessment if they are at poverty level.

Mr. Cannon advised they can contact call the Township offices and ask to talk to Mr. Ed Manninen in the Planning Department.

Ms. Dee Gore, 23642 Thornton, Clinton Township, Michigan 48035, inquired as to whether it is too late to remove her name.

Ms. Bednar stated if the Board would like to honor Ms. Gore's request, she can remove the name, but she indicated they will still be over 50%.

Ms. Gore stated she is retired and on a fixed income, her husband has many medical issues and her health insurance rates are going up.

Mr. Cannon requested that Ms. Gore's name be removed from the petition.

Ms. Bednar confirmed she removed Ms. Gore from the list.

Motion by Mr. Pearl, supported by Mr. Keys, to close Public Hearing #2 for Special Assessment Project P-2007 Thornton Street Paving. Roll Call: Ayes –

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

**13. ADOPTION OF RESOLUTION #5: CONFIRM ASSESSMENT ROLL – SPECIAL ASSESSMENT PROJECT P-2007 THORNTON STREET PAVING**

This item was intentionally skipped and will be addressed later in the meeting.

**7. ADOPTION OF RESOLUTION #5: CONFIRM ASSESSMENT ROLL – SPECIAL ASSESSMENT PROJECT P-2018 ABELA STREET PAVING (skipped from earlier in the meeting)**

Motion by Mr. Pearl, supported by Mr. Gielegghem, to adopt Resolution #5 for Special Assessment Project P-2018 Abela Street Paving, which confirms the assessment roll and directs that the lien be imposed. Discussion ensued.

Mr. Keys stated he wants to confirm that the percent of signatures on the petition in favor of this project are still at 63%.

Ms. Bednar confirmed that is correct.

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

**9. ADOPTION OF RESOLUTION #5: CONFIRM ASSESSMENT ROLL – SPECIAL ASSESSMENT PROJECT P-2015 LAKEWOOD STREET PAVING (skipped from earlier in the meeting)**

Motion by Ms. Meltzer, supported by Mr. Aragona, to adopt Resolution #5 for Special Assessment Project P-2015 Lakewood Street Paving, which confirms the assessment roll and directs that the lien be imposed. Roll Call: Ayes – Meltzer, Aragona, West, Keys, Pearl, Cannon, Gielegghem. Nays – None. Absent – None. Motion carried.

**11. ADOPTION OF RESOLUTION #5: CONFIRM ASSESSMENT ROLL – SPECIAL ASSESSMENT PROJECT P-2019 PICTON COURT PAVING (skipped from earlier in the meeting)**

Motion by Mr. Pearl, supported by Mr. Keys, to adopt Resolution #5 for Special Assessment Project P-2019 Picton Court Paving, which confirms the assessment roll and directs that the lien be imposed. Discussion ensued.

Mr. Keys requested confirmation of the percentage of signatures on this project.

Ms. Bednar replied to inquiry it is at 58.32%.

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

**13. ADOPTION OF RESOLUTION #5: CONFIRM ASSESSMENT ROLL – SPECIAL ASSESSMENT PROJECT P-2007 THORNTON STREET PAVING (skipped from earlier in the meeting)**

Ms. Bednar replied to inquiry that she had calculated the percentage in her head at 54%, and after confirming it on her computer, it is coming up at 54.01%.

Motion by Mr. Gielegghem, supported by Mr. Aragona, to adopt Resolution #5 for Special Assessment Project P-2007 Thornton Street Paving, which confirms the assessment roll and directs that the lien be imposed. Roll Call: Ayes – Gielegghem, Aragona, Keys, Pearl, Cannon, Meltzer. Nays – West. Absent – None. Motion carried.

**14. BID AWARD: DISTRICT A SEWER PROJECT**

Motion by Ms. Meltzer, supported by Ms. West, to receive and file the letter dated August 2<sup>nd</sup>, 2018 from Mr. Loren D. Crandell PE, Partner, Giffels Webster, and award the District “A” Sanitary Relief Sewer to the lowest responsive bidder, Pamar Enterprises, Inc., at a contract price of \$883,467.50. Roll Call: Ayes – Meltzer, West, Keys, Pearl, Cannon, Aragona, Gielegghem. Nays – None. Absent – None. Motion carried.

**15. WORK SCOPE CHANGE FOR ZONE 8 & 10 CIPP LINING PROJECT**

Mr. Scott Chabot, of Anderson, Eckstein & Westrick, showed some slides showing this ongoing project. He explained this is the sewer that takes in the hospital, Macomb Community College and many residences in the area. He explained there are two areas in the contract where they could do an evaluation prior to going in and looking at it. He showed slides of the televising and cleaning around Terra Bella and Garfield. They also did the section of the 27-inch pipe near the former K-Mart to 18 Mile Road. They found the pipe condition very similar to why they were doing the trunk lining along Garfield, since they had the apparatus out there to do the by-pass, they felt it may be worth looking to add this to the scope of the project, especially with competitive pricing provided by the contractor. He explained the type of pipe they are dealing with but showed an example of what they have been finding, resulting from inappropriate-working grease traps or grease traps that have been bypassed. The corrosion from the grease is causing structural degradation of the pipes, and they are losing wall thickness and structural integrity.

Mr. Cannon inquired as to what will happen when these are lined.

Mr. Chabot explained the process, noting they insert a bag with resin. Once it is filled with hot water, the resin binds and becomes its own pipe. He replied to further inquiry that they hope to get another 70 to 80 years of life out of the pipe once this is done.

Ms. Bednar stated it is like getting a new sanitary sewer.

Motion by Mr. Gielegem, supported by Ms. West, to receive and file the letter dated August 2<sup>nd</sup>, 2018 from Mr. Scott J. Chabot, PE, Senior Project Engineer, Anderson, Eckstein & Westrick, Inc., and approve the Work Scope Change Request for Zones 8 & 10, Sanitary Sewer CIPP Lining along Garfield Road at an additional cost of \$411,540.00, with the revised construction cost amount of \$1,936,004.00. Roll Call: Ayes – Gielegem, West, Keys, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

## **16. UPDATE OF CONSULTING ENGINEERING SERVICES REQUEST FOR PROPOSAL**

Ms. Bednar sent out a draft of the proposal for the Board to review. She indicated Mr. Dolan had some comments, and based on their conversation, she will make the corrections. She highlighted a couple of things that are different with this compared to the Request for Proposal (RFP) they went out for eight years ago. She noted Chesterfield Township recently put out an RFP, so she was able to review theirs, and she felt she took the best of both. She thanked Chesterfield for sharing with the Township, just as the Township has shared with them in the past, noting it is great to be able to work with other communities. She referred to Page 2, referring to “Scope of Services”. She indicated the list was implied, but there is a much clearer list of the types of projects. It is a five-year contract with an extension clause, but that has a date, where the previous contract did not have a date. She explained that could be changed if the Board so desires, but it has been put into the contract at this point. She also put in that if the engineering consultant uses sub-consultants to do work on Township projects, they would have to get Board approval to do so. She felt that it will be clear and transparent who is being used and how those prices were obtained. Ms. Bednar explained they are asking for the submittals to be in two different envelopes, with qualifications in one and prices in the other. This is a professional service, so qualifications do matter just as much, if not more, at times, so this way they will be separated. They can review these and make their determination and recommendation to the Board.

Ms. Bednar explained that one of the problems they run into are “as-built” drawings, and they do not see them in private developments for years, if ever. There is a clause in the RFP to have the consultant do the “as-builts” so they can get them into their GIS format, and that would be at a charge to the developer,

which should be the same, if not cheaper, than hiring their own engineer. On the projects that they are “percent construction”, which would include all the projects discussed this evening, they pay the consulting engineering firm based on the percentage of the cost of construction. It is based on the bid amount, and 5% or 8% is paid, depending upon the proposal. She divided it into two categories rather than the previous four categories. This resembles what Chesterfield did, and the categories include the “design phase”, which includes everything required to go out to bid and open bids, and the “construction administration”, which would include the staking of the improvement, all the way through the “as-builts”. In the past, they had the staking and “as-builts” called out as separate percentages, but it all goes together so to simplify it and track it on the Township’s side, it has been reduced to two categories.

Mr. Cannon questioned when they anticipate looking at the proposals.

Ms. Bednar replied that, with permission from the Board, she would like to incorporate the changes from Mr. Dolan and get the draft out this week. She indicated she put out a tentative schedule in the email, and if that looks appropriate to the Board, she would like to try to follow that schedule as close as possible.

Mr. Dolan stated a motion would have to incorporate any changes he made, in addition to any revisions coming back from Mr. Saph, who just received it last week.

Motion by Mr. Pearl, supported by Mr. Gielegghem, to direct the Department of Public Safety Director to put out the Request for Proposal for Consulting Engineering Services, subject to the incorporation of revisions by the Township Attorney as well as any revisions from Mr. Stephen Saph, of Nickel & Saph Insurance, Inc. Discussion ensued.

Ms. Bednar indicated she may not be able to meet the initial date she mentioned in the timeline, but she intends to follow the same timeline. She hoped that would mean by the end of October, they could be done with the process.

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

## **17. WATER MAIN REPLACEMENT ON PICTON COURT**

Ms. Bednar explained they will be replacing the watermain on Picton Court. She noted the street is not very complicated and the Township’s Water and Sewer Department will be able to do the work. They budgeted \$100,000 to do this; however, the material will be \$30,000 to \$40,000 so they will save about \$60,000.

Motion by Ms. Meltzer, supported by Ms. West, to approve the water main replacement on Picton Court, as presented. Roll Call: Ayes – Meltzer, West, Keys, Pearl, Cannon, Aragona, Gielegem. Nays – None. Absent – None. Motion carried.

**18. WATER MAIN REPLACEMENT ON ABELA**

Motion by Ms. West, supported by Mr. Keys, to receive and file the letter dated June 20<sup>th</sup>, 2018 from Ms. Rachel Jackson, PE, Engineer, Giffels Webster, and approve the water main replacement on Abela by C & P Construction for a price of \$285,279.00, which increases their 17 Mile Water Main Replacement project contract cost from \$1,312,220.16 to \$1,597,499.16, contingent upon a contract being awarded for the Abela SAD Paving project, as outlined in the correspondence. Roll Call: Ayes – West, Keys, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

**19. REQUEST PLANNING COMMISSION AND ZONING BOARD OF APPEALS MEETING VIDEOS BE PLACED ON THE TOWNSHIP'S YOUTUBE PAGE**

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated July 26<sup>th</sup>, 2018 from Township Trustee Mike Keys, approve the request to record and make available for viewing the Township's Planning Commission and Zoning Board of Appeals meetings; further, to forward this request to the Budget/Ways & Means Committee and to the Personnel Vacancy Review Committee for recommendation back to the Board on possible budget amendments. Discussion ensued.

Mr. Robert Campbell, 41830 Kentvale, Clinton Township, Michigan 48038, stated he has been a member of the Zoning Board of Appeals for twenty-four years, and he recalled the first time televised meetings were brought up was in the late 1990's. It came back at that time that it would cost too much. He noted that he went on line this time to look at the Board packet, but there was no mention of any costs.

Mr. Cannon stated he tried to push for this twenty-plus years ago. He is in favor of doing this. When he was a Trustee, he wanted Board meetings televised, and he could not get a support on the vote for it. He hired a camera man who sat in the front, filmed the Board meetings, and he then paid Comcast to run their Board meetings. He indicated through hard work and being tenacious, he got them on, and now they are streamlined and available on demand the next day on YouTube. He commended the media service team, under the leadership of Mr. Jim Perpich, for doing a fantastic job. Mr. Cannon stated it is not just about putting them on the air, because there will be an additional three evenings a

month for these meetings. He noted Planning and ZBA meetings can be several hours long and multiplying that by the number of manhours and overtime salary, this would affect Mr. Perpich's budget significantly. He likes the idea, but felt it needs to go to Budget/Ways & Means to discuss the cost of this initiative, and it should be discussed at Personnel Vacancy Review to go over any personnel implications to Mr. Perpich's department, which could include creating a full-time position out of what is now a part-time position. He pointed out these processes are in place, and he would like to add it to Mr. Keys' request to not only put them on YouTube but to stream them live. He hoped Mr. Keys will concur with that, as that is the current practice for their Board meetings. He would only support it if they are providing the same level of transparency as they do for their regular Board meetings. He felt when they tried to do this a number of years ago, they could not determine the cost so that is why they did not approve it. He stated he would like to see this done now. He assured he is 100% in favor.

Mr. Campbell inquired as to whether that will come back to the Board for final approval.

Mr. Cannon replied affirmatively.

Mr. Campbell indicated his personal view is if it was a budget issue in the past, there are a lot of people who were here tonight and left, and who would question whether Township funds should be spent on this versus Township roads.

Mr. Cannon agreed and felt that is why it should go to Budget/Ways & Means and Personnel Vacancy Review Committee to determine costs.

Mr. Keys clarified having a web-based system would mean they would not have to have anyone stay. He has no problem with it going to the various committees to "flush things out", but he wanted to clarify a web-based system would not result in more money. They can have a conversation of whether they want the cable department going out to events on the weekend, such as ribbon-cuttings, or whether they would prefer these meetings televised. He would like to ask the Cable Department as to what they feel the best way to accomplish this would be. He noted he works for the Macomb County Board of Commissioners and they have something similar. When committees come in after hours, a simple box is at the seat and they can press the button "on" and "off" to record and stop recording the meeting. He noted Clinton Township has invested tens of thousands of dollars already for this web-based system. The cameras in this room were installed this last year so they can do this. If it is live-streamed, it will cost money, but he felt the residents just want to see what is going on. Mr. Keys explained he has been pushing for this for about a year and he claimed he was told the Township "does not want all of their meetings on line". Mr. Keys recalled having discussion with Mr. Cannon on this, and he had agreed with Mr. Cannon

about some of the meetings, such as Budget/Ways and Means and others, and he admitted he may have been a little too ambitious. Mr. Keys stated he met with the Planning Director, the Planning Commission Chair as well as Ms. West, who sits on the Planning Commission, to talk about this idea, and he claimed the Planning Director had indicated they are “ready to go with this”. He was later contacted by the Planning Director, who indicated they should wait. Mr. Keys stated he put it on an agenda. He indicated he is not in support of the motion that will send this to Personnel Vacancy and Budget/Ways & Means. He felt they can direct the Cable Department to come up with a cost-neutral way to achieve this. If they decide they want the better-quality video and the live-streaming, then they can decide whether to invest the money to make the current part-time position a full-time position. He felt they need the option to turn the cameras on and off in the Board room, so the meetings can be put on line. He recalled the Township invested between \$30,000 to \$40,000 in the cameras to bring this Board room into a “state-of-the-art studio”. He felt if they approach the Media/Cable Director on this, and if he feels more staff is necessary to provide a better product, he can come to the Board and inform them what he needs to provide the better product.

Mr. Sam Bushell, 18546 Whalen, Clinton Township, Michigan 48035, claimed he filmed the first meetings in Harrison Township, and he recalled Ms. Candace Miller did not want the meetings on tape. He noted the school system paid for the cameras and they gave a bonus to the school students who came in to run it. He noted it has been running for close to thirty years.

Mr. Gielegghem stated he tends to trust Mr. Keys on technology issues, but he felt it makes sense to direct the Communications Director to determine the right way to do this and develop that plan to bring back to the Board.

Mr. Cannon stated that is why they have a Budget/Ways and Means Committee to investigate it.

Mr. Gielegghem felt that is micromanaging and the Communications Director can report back what is needed.

Mr. Pearl was with the understanding that there is a franchise fee paid each year to cover this. As a member of the Zoning Board, he would like to make sure the picture is of a good quality to include people who are talking, and to make sure it does not stop in the middle and not have someone to monitor it to know that is occurring. He does not have a problem with having the Media/Cable Director providing input, and he can do that through Budget/Ways & Means, and this could come back quickly. He thanked Mr. Keys for bringing this forward.

Mr. Keys questioned whether Mr. Cannon would be willing to withdraw the part of the motion sending this to Personnel Vacancy with mention of a possible “budget amendment”.

Discussion took place regarding the motion on the floor.

Mr. Keys inquired as to whether Mr. Cannon would be willing to withdraw the language requesting this be sent to the Personnel Vacancy Review Committee and possible consideration of a budget amendment. He felt it could be forwarded to Budget/Ways & Means so the Director can present the best way to go about it, and that recommendation can be brought back to the Board.

Mr. Cannon stated he would like to know whether this is budget-neutral.

Mr. Pearl suggested the Budget/Ways & Means Committee can bring that report back to the Board. He was in support of amending the motion.

Mr. Cannon agreed to **amend** his motion, and Mr. Pearl **amended** his support, to remove the language requesting it be forwarded “to the Personnel Vacancy Review Committee” and “possible budget amendment”.

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

## **20. ABSENTEE BALLOT APPLICATION UPDATE**

Ms. Meltzer reported on the absentee ballot returns to this point. She read her letter into the record. She indicated that as of today, 11,718 applications have been returned, resulting in the highest application return for a gubernatorial election.

Mr. Gielegghem received a separate application envelope. He recalled Ms. Meltzer stated at the last meeting that she would be sending out applications to all who did not return theirs at that point. He questioned whether that was the envelope he received.

Ms. Meltzer replied affirmatively.

Motion by Mr. Cannon, supported by Ms. West, to receive and file the update by the Township Clerk on the Absentee Ballot applications. Roll Call: Ayes – Cannon, West, Keys, Pearl, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

**21. RESOLUTION APPROVING AMENDMENT TO DISTRICT LIBRARY AGREEMENT**

Mr. Cannon provided a little history of the District Library, noting he started the library with his wife. Mr. Dolan had given him the idea to go to the schools. He went to Chippewa Valley Schools asking them to be a partner, and that was initially turned down. Clintondale Schools agreed to be their partner, but they encouraged him to go back to Chippewa Valley because it would include more children on the other side of Hall Road. They approved it the second time, so they began with the Clinton Township/Chippewa Valley District Library, which started on a shoestring. They have had a fantastic Board of Directors through the years, and today have one of the finest library systems in the State of Michigan. Chippewa Valley talked to Macomb Township a number of years ago about taking over their partnership. Everyone agreed. Now more of Macomb Township residents are participating through the Utica Community Schools part of it. The library expanded, and it took more funds to run the system. Because the Clinton Township portion was larger at the time, it consisted of five members from this Board and three members appointed by the Macomb Township Board. In the process, there was going to be a shift, and as the population shifted, Clinton Township would lose one member and Macomb Township would gain one member as population became closer. He pointed out in Clinton Township, not all residents are part of the district, because a part of the Township population belongs to the Mount Clemens School District, and they are not counted as members of the Clinton-Macomb District. It will be soon that Macomb will have as many and will get their fourth vote. Macomb Township has asked if, in 2022, when one of our Board members does not reapply, they would get their fourth spot at that time. It would possibly be a couple of years early, but in return, they will never ask, as their population continues to grow, for a 5:3 ratio as their population exceeds Clinton Township's population. Mr. Cannon also noted a lot of the language has been cleaned up by Mr. Dolan. The possibility of the Library Board having a one-third say is not part of this agreement.

Mr. Dolan agreed with Mr. Cannon's summary.

Motion by Mr. Gielegem, supported by Mr. Pearl, to adopt the Resolution Approving Amendment to the District Library Agreement, as presented. Roll Call: Ayes – Gielegem, Pearl, West, Keys, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

**22. REQUEST TO ATTEND FBINAA CONFERENCE**

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated July 30<sup>th</sup>, 2018 from the Police Chief and approve his request to attend the annual in-state 2018 FBI Fall Conference hosted by the Federal Bureau of

Investigations (FBI), to be held September 5<sup>th</sup> through 7<sup>th</sup>, 2018 at Mission Point, Mackinac Island, which is a budgeted expense. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

**23. REQUEST CLOSED SESSION TO DISCUSS PENDING LITIGATION – TRUSKI V CLINTON TOWNSHIP**

Mr. Dolan replied to inquiry that the Board will not be returning out of Closed Session.

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

**24. REQUEST TO ATTEND eRPORTAL TRAINING CLASS**

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated August 6<sup>th</sup>, 2018 from the Director of Public Services, and approve the request for Mr. Chuck Bellmore, Assistant Superintendent, and Mr. John Laughhunn, Assistant Foreman, to attend eRPortal Software Training in Chicago, Illinois at a cost of approximately \$2,400 total, to be covered by the education and training budget, and to approve a budget amendment of \$1,200, as outlined in the correspondence. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

**25. REQUEST APPROVAL FOR CLINTON TOWNSHIP'S APPLICATION FOR THE EDWARD BYRNE JAG GRANT**

Motion by Mr. Pearl, supported by Ms. West, to receive and file the letter dated July 31<sup>st</sup>, 2018 from the Police Chief and approve the request for this year's Edward Byrne Memorial Grant (JAG) in the amount of \$23,567, which is a no-match grant, with the intent of using the money to purchase a replacement copier and desktop/laptop computers for the Police Department. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

**APPROVAL OF MINUTES OF JULY 23<sup>RD</sup>, 2018 REGULAR TOWNSHIP BOARD MEETING**

Motion by Ms. West, supported by Mr. Gielegghem, to approve the report of the July 23<sup>rd</sup>, 2018 Regular Township Board Meeting, as presented. Roll Call: Ayes

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

### **APPROVAL OF BILLS**

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

### **PUBLIC COMMENTS**

Mr. Sam Bushell, 18546 Whalen Drive, Clinton Township, Michigan 48035, complained that none of the ads sent out to support the millages included who supported it, as required by law on political mailings. He noted some people are referring to the Police and Fire millages as “renewals”, but he claimed by law they are considered “increases”.

Mr. Cannon claimed that there was a lot of misinformation in the last comment.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, complained that the upcoming millage proposal for roads was “championed by former Planning Director Mr. Carlo Santia”. He claimed Mr. Santia talked at the podium for 45 minutes some time ago about this millage, and Mr. Hogan claimed it was “what the Board members wanted to hear”. He complained it took an Advisory Committee two years to come up with their findings, and he claimed he could have “done it in 15 minutes”. He stressed he is voting “no” and felt the residents of Clinton Township, especially those in Special Assessment Districts, should vote “no” as well.

Mr. Robert Campbell, 41830 Kentvale, Clinton Township, Michigan 48038, stated he has been trying to understand the objections to the road millage raised by various people, including members of this Board and the County Commissioner from Macomb Township, whose organization he claimed has been inundating the residents of the Township with all kinds of misinformed mailings. None of the verbal or newspaper reasons voicing those objections, in his opinion, have nothing to do with the main issue of getting the Township’s roads fixed. He found it amusing that the County Commissioner from Macomb Township led the fight back in February to keep a Regional Transit millage off the ballot in Macomb County with the argument that spending money on roads was a higher priority. He noted the average cost for a Clinton Township homeowner amounts to fifty cents per day. He indicated listening to the people talk earlier this evening shows the system is very broken. It may be democracy in its purest form, but it is broken, and he felt it is the fault of the State legislature in Lansing

that has not acted to address it. There is money available from the County for the people on the four streets being considered for S.A.D.'s to pay half of the cost to get their roads fixed. If the County does not come through with something in the future, the only way homeowners will have any reasonable reduction to get their streets fixed is to pass this millage. He noted that the Township has committee to pay half of the cost to match any S.A.D.'s. He urged residents to vote in favor of the millage, which he felt is the best way to control their costs to get the roads fixed. He hoped that all the objecting parties will come forward at some point to explain why they are objecting and what their alternative plan is.

### **ADJOURNMENT**

Motion by Mr. Pearl, supported by Mr. Aragona, to adjourn the meeting and go into Closed Session. Roll Call: Ayes – Pearl, Aragona, West, Keys, Cannon, Gielegem, Meltzer. Nays-None. Absent – None. Motion carried. The meeting adjourned at 9:50 p.m.

Respectfully submitted,

KIM MELTZER, CLERK  
CHARTER TOWNSHIP OF CLINTON