

CHARTER TOWNSHIP OF CLINTON
REGULAR MEETING OF THE BOARD OF TRUSTEES
TUESDAY, NOVEMBER 13TH, 2018

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

ABSENT: NONE

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

APPROVAL OF AGENDA

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

9. Request to Hire Two (2) Police Officers

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

12. Approval of Appointment to Appraiser III Position – Assessing Department
13. Proposed Ordinance for Civil Liability for Expense of Emergency Responses
14. Public Hearing – New Industrial Development District – Falcon Industries, Inc.
15. Public Hearing – New Industrial Facilities Exemption Certificate – Falcon Industries, Inc.
16. Public Hearing – New Industrial Facilities Exemption Certificate – Freer Tool & Supply
17. Request for Christmas Tree Lot License

Motion by Mr. Pearl, supported by Mr. West, to approve the agenda with the deletion of Item #9 and the addition of Items #12 through #17, as amended. Roll

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

PUBLIC SERVICE ANNOUNCEMENT

Ms. Meltzer thanked the Clinton Township residents, as well as others, who helped with the recent election. She stated they had a record number of absentee ballots, with over 15,000 sent out and nearly that many returned, equating to a 97% return rate. She credited the AV (Absentee Voter) Counting Board for doing an exceptional job. She acknowledged that there were a few glitches at some of the precincts but that is to be expected in any election, and everything was worked out. She reported that 54.88% of Clinton Township's registered voters voted in this past election, and she thanked everyone involved.

1. APPROVAL OF THE 2019 41B DISTRICT COURT BUDGET

Ms. Meltzer read the correspondence into the record sent from the Treasurer, on behalf of the District Court Management Council.

Judge Carrie Fuca requested the Board adopt the proposed 2019 41B District Court Budget and offered to answer questions.

Motion by Mr. Pearl, supported by Mr. Keys, to receive, file and concur with the recommendation of the District Court Management Council and approve the 2019 41B District Court Budget, as presented. Discussion ensued.

Mr. Pearl thanked Judge Fuca and everyone at the Court for what they do, especially the work on the Drug Court. He commended them on doing a fantastic job in trying to rehabilitate people, and he pointed out it is something a lot of other courts have started because of what 41B has done.

Judge Fuca thanked Mr. Pearl and stated she, along with Mr. Jim McGrail, Court Administrator/Magistrate, were fortunate to have a recent half-hour tour of the jail. She explained that, after seeing the conditions of the jail and the inability of the jail to house as many people as they are trying to house and to deal with as many problems as they are trying to deal with, it reminded her that what they are doing to rehabilitate is very important rather than "just putting people in jail". She stressed the jail is not really a good place for people with mental illness, nor for people with substance abuse issues, and unfortunately, that makes up a big share of their population. Judge Fuca stated she is very proud of their court and noted she is very fortunate to have a lot of great people involved with their program outside of 41B District Court that make those programs work. She thanked the Board for approving the budget.

Mr. Aragona commended Judge Fuca, and explained he was at the graduation for some of the participants graduating from the drug court, specifically the veterans. He stated to see some of the service members who were there after making a couple of wrong choices in their lives, and to see what the court does for them, including hooking them up with other veterans, is very impressive. He was glad he could witness it, especially so close to Veteran's Day, and he was impressed how much the participants care about Judge Fuca, and how much she cares about them. He commented she is doing an excellent job.

Judge Fuca thanked Mr. Aragona for attending the graduation.

Mr. Cannon thanked Mr. Gielegem for being a representative on the District Court Management Council, acknowledging that it takes a lot of time.

Mr. Gielegem stated they do a great job.

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

2. SITE DEVELOPMENT PLAN: ZORAN UTICA DUPLEXES – LOTS 119 THROUGH 132, MABAREK PARK SUBDIVISION, LOCATED FRONTING THE EAST LINE OF UTICA ROAD, THE NORTH LINE OF CORAL AVENUE AND THE SOUTH LINE OF EDESEL DRIVE (SECTION 30)

Motion by Mr. Pearl, supported by Ms. West, to receive, file and concur with the letter dated November 5th, 2018 from the Secretary of the Clinton Township Planning Commission, and approve the Site Development Plan for Zoran Utica Duplexes, to be located on Lots 119 through 132, Mabarek Park Subdivision, located fronting the east line of Utica Road, the north line of Coral Avenue and the south line of Edsel Drive (Section 30), as submitted, subject to compliance with Assessing, Building, Fire Department and Macomb County Department of Roads requirements. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

3. SITE DEVELOPMENT PLAN: SALVATION ARMY PARKING EXPANSION – PARCELS 1 & 3 (PART OF LOT 9, SUPERVISOR'S PLAT #8 SUBDIVISION) AND PARCEL 2 (LOTS 1-5, 60-64, CLINTON MANOR SUBDIVISION), BEING 5.7 ACRES LOCATED NORTH OF QUINN ROAD, EAST OF GRATIOT AVENUE, WEST OF MARINO, ADDRESSED AS 21355 QUINN ROAD, ALONG WITH VACANT LAND FRONTING QUINN ROAD AND MARINO (SECTION 34)

Motion by Mr. Gielegem, supported by Ms. West, to receive, file and concur with the letter dated November 6th, 2018 from the Secretary of the Clinton Township Planning Commission, and approve the Site Development Plan for Salvation

Army Parking Expansion, located on parts of Lots 8 and 9, Supervisor's Plat #8 Subdivision, located east of Gratiot Avenue, and north of Quinn Road, addressed as 34150 Gratiot Avenue, as submitted, subject to compliance with the requirements of the Department of Public Works and the Macomb County Department of Roads. Roll Call: Ayes – Gielegem, West, Keys, Pearl, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

4. SPECIAL LAND USE: A LIGHT AUTOMOTIVE REPAIR FACILITY IN THE B-2 COMMUNITY BUSINESS DISTRICT AND SITE DEVELOPMENT PLAN: FIRESTONE COMPLETE AUTO CARE CENTER (FKA BURGER KING FAST-FOOD RESTAURANT) – 0.092 ACRE OF LAND FRONTING THE WEST LINE OF GARFIELD, SOUTH OF CANAL, ADDRESSED AS 41591 GARFIELD ROAD (SECTION 7)

Mr. Cannon stated he is aware this has been recommended for approval by the Planning Commission. He explained it is a B-2 Community Business district and residents in the area purchased their property knowing this is zoned B-2. They are aware they could have a fast-food restaurant there, but he does not believe they deserve to have a Special Land Use approved for an automotive-type business directly behind them. He pointed out the residences are very close to this property, and although he believes B-2 is the correct zoning for this property and the residents purchased their condominiums with that knowledge, he stated he will be making a motion to deny this request.

Motion by Mr. Cannon, supported by Mr. Pearl, to receive and file the letter dated November 1st, 2018 from the Secretary of the Clinton Township Planning Commission, to deny the request for the proposed Special Land Use for a light automotive repair facility in the B-2 Community Business District and Site Development Plan for Firestone Complete Auto Care Center, formerly the location of a Burger King Restaurant, located on 0.92 acre of land fronting the west side of Garfield Road, south of Canal Road, addressed as 41591 Garfield Road (Section 7). Discussion ensued.

Ms. Meltzer stated she received five telephone calls this afternoon from Ms. Marilyn Roberta McLauchlan, Ms. Anne Dunn, Ms. Frances Wertz, Ms. Helena Olech and Mr. Sam Aluia, all of whom are residents in the Macomb Village Condominiums abutting the subject property, expressing their opposition to the proposed development.

Mr. Dolan questioned the reasons for supporting this decision, appearing that this use, unlike the previous use, would have more of an impact with respect to pedestrian and vehicular traffic.

Mr. Cannon stated it would be less traffic with this use, but it would create a lot more noise, which is a concern because the residents are fairly close to the

property line. He read an article today in the Macomb Daily that some of the business owners were worried about the competition. He stressed he would not be voting no if it were just for the competition, because he believes in competition; however, he believes the residents deserve the serenity they have come to enjoy up until this point. He believes when a proper B-2 use goes in, he will be voting yes because he is anxious for the dilapidated building for over five years to come down.

Mr. Dolan explained there are general standards under Special Land Use, and findings are supposed to be made with regard to approval or denial. The Planning Commission recommended approval, and although the Board is absolutely entitled to make a motion and deny the proposal, reasons for that denial need to be included. He understood Mr. Cannon is indicating the nature of the proposed use, based on the likely noise that would emanate from it, in conjunction with the location of activity, which would be behind the front setback line and towards the side and rear of the building, which would produce a less harmonious relationship to the adjoining residentially-zoned and developed parcel.

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

Further, this denial is based on the nature of the proposed use and the likely noise that would emanate from it, in conjunction with the location of activity, which would be behind the front setback line and towards the side and rear of the building, which would produce a less harmonious relationship to the adjoining residentially-zoned and developed parcel.

Mr. Cannon recalled that the Board denied a request for a gas station at this location as well because they felt the neighbors did not deserve to have that use adjacent to their homes.

Mr. Todd Hamula, of Zaremba Group LLC, 14600 Detroit Avenue, Lakewood, Ohio 44107, explained he mentioned at the Planning Commission meeting that they do not own the subject property but are under contract to purchase. They are proposing a 6,000-square-foot Firestone tire and light automotive repair facility, and he is aware it requires a Special Land Use in the B-2 zoning district so they can go over considerations to make it fit, such as sound and light buffers. He talked about compatibility with surrounding uses, and indicated at the Planning Commission, they agreed to put up a sound wall along the back of the property, so they could help buffer the noises. They designed the site so that the bay doors do not face the residential area but face the parking lot of the former K-Mart. He pointed out that the K-Mart building encroaches much further to the west into the abutting neighborhood. Mr. Hamula explained the footprint of the Firestone building is almost identical to the building that is there now, and the hours of operation are what he claimed as more compatible with the surrounding

area than that of a fast-food restaurant, which can be open all night and have sound issues toward the back of the property, although different from the proposed use. He acknowledged that there will be some noise associated with the proposed business because the bay doors will be open during the summer months; however, he reiterated they agreed to construct a sound wall along the back of the property, very similar to the sound wall behind the former K-Mart. He pointed out the property has been out of commission for five years, and he categorized it as a “vacant eyesore” and is not attracting other businesses. He felt the Township will want to see a business go in that will be successful. He stressed that Firestone wants to be in Clinton Township and is making this considerable investment. He understood Mr. Cannon’s concern about sound but pointed out the Planning Commission voted the way they did because they felt those sound issues have been mitigated. He pointed out there are arborvitaes along the back of the property, and he estimated that they are about twenty feet in height. Although they are on the adjacent condominium property, they provide a great physical sound screen from what is going on in the B-2 district, as well as the traffic on Garfield. He reminded their business shuts down at 7 p.m., whereas a Chic-fil-A or other fast-food restaurant that could locate there will not shut down at 7 p.m., so the sounds emanating from that use will be experienced all hours of the night. Mr. Hamula stressed they feel it is a compatible use, both from a sound standpoint and being adjacent to a neighborhood. He stated he is sorry to hear the motion on the floor for a denial, pointing out they also got one vote of opposition at the Planning Commission, but he was confident they can mitigate the sound appropriately and will be a fantastic-looking facility and attraction to the neighborhood and one they can be proud of. He hoped they will reconsider their motion on the floor. Mr. Hamula stated he does not know how long this property will remain vacant if turned down this evening, but businesses like Firestone are looking to enter into Clinton Township, and sites such as this are readily available for redevelopment. He is glad to hear that the competition is not something they consider as far as the evaluation of the project, and he felt competition is good. He felt the consideration is to evaluate the project based on the merits of zoning and whether the project is able to comply with the zone and the existing adjacent zonings to mitigate any adverse impacts they feel may be involved. He urged the Board to reconsider their vote.

Mr. Cannon stated the Township welcomes the petitioner to develop in the Township, but in the properly zoned location. He indicated there are plenty of locations in the Township and offered that the Planning Director would be glad to provide the petitioner with a planning map and help with the selection. He assured the Township welcomes their business into the community, but not at the expense of their neighborhoods.

Mr. Hamula felt the reason they have the Special Land Use provision is so they consider B-2 zoning sites in the community and work within the zoning code by requiring sound walls, landscaping, etc. He felt if the existing fast-food restaurant

went back into commission, it would generate more noise and would have much longer hours of operation.

Mr. Keys questioned the letters referred to by Ms. Meltzer, noting he looked back in the packet and did not see them.

Ms. Meltzer explained one of them was emailed to her at 3:22 p.m. this afternoon, and the others were notes on telephone calls she received. She passed the letter and notes to the Board members for their viewing.

Mr. Peter Zingas, 18400 Tara Drive, Clinton Township, Michigan, a resident of the Township and current owner of the subject site, stated it is disappointing that the Township does not seem to be on board with the proposed Firestone development. He agreed it would be good to get a restaurant on this site; however, it is difficult to ignore the last five years of marketing with different real estate brokers and different users. He stated he has not turned down any users. He commented that all that has been mentioned for denying this proposal has been the noise. He stressed there has been no study done to determine whether the noise will be a nuisance or not controlled. He pointed out the Planning Commission felt the buffer of the wall the applicant agreed to build would be sufficient, so he questioned why they would not listen to the professionals who are making the recommendation. He does not believe it is possible to satisfy everyone, and he claimed there are no food users interested in this site because most of them are on Hall Road or are already in the area. He was concerned the property will sit vacant for a lot longer, and word will get out that it is difficult to develop. He requested the Board reconsider, noting they have been marketing this aggressively for the last five years. He has been successful with other real estate, and he reiterated they are actively looking for users for this site. He felt to say the noise is enough to “kill this deal” is a shame. He complained that, as a Clinton Township resident having property for as long as he has had this, and now coming forward with a strong tenant, he felt it is a shame to tell that company to go elsewhere and ignore the recommendations from the professionals. He appreciated if the Board would reconsider, noting it is a hardship on everyone, but he felt the solution of a sound barrier will work.

Mr. Gielegem stated he is in support of the motion on the floor to deny this request. He explained the Planning Commission is comprised of a group of citizens who do a great job for the Township and they often take the heat at the first level when trying to get these sites back into productive use. Ultimately, it is the elected Board members who hear from the residents, and they are the “last stop”. He pointed out there are residential condominiums directly behind this property with a lot of retirees, families and people who work various shifts. He felt the sound of air hammers and air wrenches and the type of noise that is

going to be generated from this type of business can be very disruptive. He understands that this has been vacant for a long time, but he felt having the wrong use is worse than having it vacant because they cannot go back on having a wrong use. He explained the Township has a new Planning Director with a host of experience helping to fill empty sites, and they have a lot of faith in him. He added that there are representatives from the County's Department of Planning and Economic Development who specialize in this type of work, and he urged the owner to reach out to them. He assured when they can come up with a good use, the Township is ready to move the project forward.

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

5. INTRODUCTION OF APPOINTMENT APPLICANTS TO THE ARBORETUM COMMITTEE

Mr. Tom Layman thanked the Board for providing him with the opportunity to introduce himself. He stated he has owned his retail business for 16 years, so he has experience in setting plans, as well as implementing and following budgets. He completed his Master's Gardening Certificate this summer by working at the Arboretum, and at that time, was able to gain a better understanding of the founders' mission for the arboretum, which spurred him on to apply for this position. He commended the Township Board for the great work they do, citing the great senior citizen's center and the programs they provide, as well as the Japanese Culture Exchange Program. He also commended the Township for allowing students to be involved in the community by planting trees and cleaning the waterways. He added that the election process is awesome.

Mr. Cannon thanked Mr. Layman for doing what he has done and is about to do for the community.

Ms. Meltzer expressed her gratitude to Mr. Layman and his wife, who worked on Election Day, and they also hosted a Japanese student. She added his involvement in the community is commendable.

Mr. Ray Glime, Chairman of the Tomlinson Arboretum Committee, supported Mr. Layman's application to serve on their committee. He stated he has been such a good worker, and he recommends the appointment of Mr. Layman, as well as the reappointment of two other current members whose terms are up.

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated November 5th, 2018 from the Administrative Aide regarding the introduction of appointment applicants to the Arboretum Committee, including Mr. Layman's introduction this evening. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegghem, Meltzer. Nays – None. Absent – None. Motion carried.

6. INTRODUCTION OF APPOINTMENT APPLICANTS TO THE PARKS AND RECREATION COMMITTEE

Mr. Cannon noted that the one applicant for this Committee is not present this evening.

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated November 5th, 2018 from the Administrative Aide regarding the introduction of the appointment applicants to the Parks & Recreation Committee. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

7. INTRODUCTION OF APPOINTMENT APPLICANTS TO THE PLANNING COMMISSION

Ms. Kirkanne Moseley, a member of the Planning Commission, stated she has met everyone on the Board with the exception of Mr. Aragona, so she wanted to introduce herself. She explained she has served on the Planning Commission for over ten years and she, along with her fellow commissioners, tries to “put out fires” when addressing proposals such as the Firestone Auto Care Center that came before the Board earlier in the meeting. She stated she is honored to serve on the Planning Commission and is a true believer in giving back to the community. She added she would love to serve on the Planning Commission for another term.

Ms. West stated she has been able to serve with Ms. Moseley for the last six years, and she commended Ms. Moseley for running a great meeting. She stressed that she is very good at what she does, and she felt the Township should be very proud to have her as the Planning Commission Chairperson.

Motion by Ms. West, supported by Mr. Keys, to receive and file the letter dated November 5th, 2018 from the Administrative Aide regarding the introduction of the appointment applicants to the Planning Commission, including Ms. Moseley’s introduction this evening. Roll Call: Ayes – West, Keys, Pearl, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

8. APPOINTMENTS TO THE CULTURAL DIVERSITY COMMITTEE

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated November 5th, 2018 from the Administrative Aide, and appoint Ms. Carol Allen Sullivan to the Cultural Diversity Committee, with term to expire on November 30th, 2019; further, to advertise the open term expiring November 30th, 2020 for an additional sixty (60) days. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

9. REQUEST TO HIRE TWO (2) POLICE OFFICERS

This item was deleted from tonight's agenda.

10. APPROVAL OF AMENDMENT TO NON-REPRESENTED EMPLOYEE PAY AND BENEFITS POLICY

Motion by Mr. Keys, supported by Ms. West, to receive, file and concur with the letter dated November 1st, 2018 from the Human Resources Director, and approve the amendment to the Non-Represented Employees Pay and Benefit Policy for the Administrative Aide, as presented. Discussion ensued.

Mr. Pearl commented that this is a reduction in current salaries paid to the retiring Administrative Aide.

Ms. Meltzer inquired as to how much this is being reduced.

Ms. West replied it is a reduction of almost \$16,000 annually.

Mr. Gielegem inquired as to whether that reduced amount is in the current posting.

Ms. Meltzer replied that is correct.

Mr. Gielegem noted that the people who are applying will not be coming in under the impression that the salary is at the former pay scale.

Ms. West confirmed that it is posted at the amounts reflected in the correspondence this evening.

Mr. Aragona indicated he will be voting no on this proposal. Although the salary is reduced, he felt they can get some great applicants for less salary than what is being proposed. He added that, although he does not want to be a miser, he wants to pay them fairly and he is confident they can get someone who is well-qualified and will do a good job for far less money. When he came on as Trustee, the current Administrative Aide was making a little over the amount in this pay scale. He did not feel it is fair to cut someone's pay when they are doing the job, and he felt a lot of what they were paying for was not only the salary but experience, or consulting fees. He does not feel this salary is a good reflection as to what they will be getting out of this position. He explained that he was outvoted at the Trustee's meeting on this, and while he understands this is a board of seven members and he will not always get his way, he reiterated he will be voting no.

Mr. Gieleghem stated when he started his first term as a Trustee, prior to becoming Treasurer, this position was vacant at that time, and he recalled they lowered the salary then as well. He pointed out this is the second reduction that has occurred for this position.

Ms. West stated that is correct.

Mr. Pearl reminded that they previously eliminated one part-time position.

Mr. Gieleghem pointed out there have been significant cost savings both times this position has been open, and he stated he would support the recommendation as presented.

Ms. Meltzer explained that the Office Clerk II and Senior Staff Secretary positions start at \$20,000 less annually, and she requested clarification as to what more this position be required to do that would warrant the \$20,000 start increase.

Ms. West assured she will provide Ms. Meltzer with a copy of the job description and stressed this person will be doing a lot more going out in the community and representing the Trustees, whereas that does not fall within the job duties of a Senior Staff Secretary or an Office Clerk II. She explained this person pulls all of the minutes and necessary documents together for Budget/Ways & Means to make it an easier meeting for the Clerk to run. She felt they need to pay this person more than an Office Clerk or Senior Staff Secretary wages. She stated she would like to build this position up and make it more than what it has been in the past, and she indicated she would like to see the name changed from “Administrative Aide” because that person serves as the Deputy to the Trustees. Ms. West also noted that person could be an asset to the various supervisory departments at the Township. She was told they have more than 50 applicants for this position.

Ms. Meltzer felt at that rate of pay, they will get a good amount of people that have high skills.

Ms. West noted that they have required a bachelor’s degree, with a master’s degree preferred, and they have asked for at minimum of five years of experience in governance or similar field. She added it would be nice if this candidate has actually worked in a government setting.

Mr. Pearl pointed out that Ms. Meltzer’s deputy is receiving \$20,000 more than what is proposed. He pointed out this position is between a Senior Staff Secretary and a Deputy.

Ms. Meltzer did not feel it is fair to compare what her deputy makes because she has a lot more responsibility than the Administrative Aide.

Mr. Pearl indicated that is why this person is not getting pay comparable to a Deputy; however, he noted it is an at-will position, so a Senior Staff Secretary would not fit in.

Ms. Meltzer questioned whether the benefits will be the same.

Ms. West replied the benefits will remain the same and confirmed the “non-represented employee” means they are an at-will employee.

Mr. Bob Hogan, 36755 Barr Street, Clinton Township, Michigan 48035, questioned how many non-represented employees are currently working for the Township.

Mr. Cannon replied there are about a dozen non-represented employees.

Mr. Hogan questioned why they would not be addressing the pay for all non-represented employees at the same time.

Mr. Cannon clarified this is a reduction in pay from the salary of the person who is currently in that position and will be retiring. The salaries of the other non-represented employees have already been adjusted.

Mr. Hogan questioned whether this position is for the Trustee’s Department and whether that is the same position that Mr. Pearl wanted to eliminate about four years ago.

Mr. Pearl clarified the Administrative Aide is a full-time position; however, there was another part-time position that was eliminated from their office about four years ago.

Mr. Cannon explained the Trustees voted amongst themselves to bring this recommendation to the Board. As a four-person body, they could not approve it, but they can make the recommendation.

Mr. Hogan questioned when there are four Trustees meeting together, whether that is considered a quorum of the Township Board to make it a public meeting.

Mr. Cannon confirmed it was an open meeting, the doors were open, and it was posted. He stated he attended, and anyone from the outside could have participated. The recommendation brought forward was not on a unanimous vote, but this is what the majority recommended to bring to this Board for a vote.

Mr. Aragona clarified he was the dissenting vote among the four Trustees, but he respects the decision.

Mr. Hogan questioned how the public would have known about this meeting.

Ms. Meltzer assured it was posted in accordance with the Open Meetings Act as are all of their meetings.

Mr. Hogan pointed out the Township Board meetings are posted a year in advance and this meeting was not on that schedule.

Mr. Cannon clarified this was a Special Meeting, and although they do not have them frequently, they do hold them occasionally. He recalled having them at 9:30 a.m. when someone needs a decision instantly, and he assured they were posted to inform as many people as possible.

Mr. Hogan questioned whether that meeting is on the Township's cable channel.

Mr. Cannon replied it is not on cable, although there are minutes to that meeting. He added that he is going to vote yes because it is a higher salary than some of the other positions, and they will get some very qualified candidates.

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

11. BUDGET AMENDMENT FOR PART-TIME EMPLOYEES

Mr. Cannon noted that Mr. Elrod has far fewer employees in his department than when he started, so he felt this is a modest request.

Motion by Mr. Pearl, supported by Mr. Keys, to receive and file the letter dated November 1st, 2018 from the Township Assessor, and approve a budget amendment of \$9,800 for part-time employees due to the reasons out lined in the correspondence. Discussion ensued.

Mr. Gielegghem stated the work this department does is very specialized and difficult work, and there are a lot of state regulations. He felt this is a creative way to address the shortfall they are experiencing, and he is in support of the motion.

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

**12. APPROVAL OF APPOINTMENT TO APPRAISER III POSITION –
ASSESSING DEPARTMENT**

Motion by Mr. Pearl, supported by Mr. Gieleghem, to receive and file the letter dated November 5th, 2018 from the Human Resources Director, and approve the appointment of Mr. Kyle Murphy to the budgeted position of Property Appraiser III, which constitutes a promotion with the Department for Mr. Murphy, with a starting annual salary of \$56,771, effective November 14th, 2018. Roll Call: Ayes – Pearl, Gieleghem, West, Keys, Cannon, Aragona, Meltzer. Nays – None. Absent – None. Motion carried.

**13. PROPOSED ORDINANCE FOR CIVIL LIABILITY FOR EXPENSE OF
EMERGENCY RESPONSES**

Mr. Dolan explained he was approached by Police Chief Posavetz, who requested update of the ordinance for Civil Reimbursement for Emergency Response, so it more directly reflects state statute on the same topic and it is expanded to cover more areas. He drafted a proposed ordinance which moves this from one section in the Code of Ordinances to another section to be coordinated with the sections dealing with police and emergency activity. It expands the Township's opportunity to recover for emergency responses, not only operating under the influence of liquor, which the previous ordinance addressed, but it also includes reckless driving and operating under the influence of controlled substances. It spells out the circumstances under which the Township recovers emergency responses where those occur, and invoice is typically presented as part of the criminal file. The court will typically require that invoice be paid as part of the probation sentence. He clarified the motion tonight is to introduce this ordinance, with the intent to adopt at the next Regular Meeting.

Motion by Mr. Pearl, supported by Ms. Meltzer, to introduce and publish for the first time, an ordinance establishing Civil Liability for Expense of Emergency Responses, with the intent to adopt this ordinance at the next Regular Meeting of the Clinton Township Board, scheduled for Monday, November 26th, 2018 at 6:30 p.m., Board Chambers, Clinton Township Civic Center. Discussion ensued.

Mr. Keys requested that the proposed ordinance be included in the agenda package for the next meeting, noting the Board members received it this time, but it was not included in the package for the general public.

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

14. PUBLIC HEARING – NEW INDUSTRIAL DEVELOPMENT DISTRICT – FALCON INDUSTRIES, INC.

Ms. Meltzer stated this was introduced at the last meeting, so tonight would be the approval.

Mr. Dolan clarified that, under the statute, this creates the eligible area within which an application for an exemption certificate can be issued. It is an opportunity for the public to comment.

Mr. Cannon opened the floor for public comments, but there were no comments from the public.

Motion by Mr. Pearl, supported by Ms. West, to close the Public Hearing and approve the New Industrial Development District for Falcon Industries, Inc., as requested. Roll Call: Ayes – Pearl, West, Keys, Cannon, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

15. PUBLIC HEARING – NEW INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE – FALCON INDUSTRIES, INC.

Mr. Dolan stated this is a public hearing.

Mr. Cannon opened the floor for public comments, but there were no comments from the public.

Motion by Mr. Gielegem, supported by Mr. Keys, to close the Public Hearing and approve the New Industrial Facilities Exemption Certificate for Falcon Industries, Inc., as requested. Discussion ensued.

Mr. Gielegem requested the petitioner provide a summary of his plans for expansion.

The petitioner explained they are a tool and die shop, and they are proposing a 4,800-square-foot addition to accommodate the addition of a press and build space. They currently have 17 employees and intend to add 5 more employees to take on more work. The addition will involve a 60-foot by 80-foot extension to the rear of their building.

Mr. Gielegem confirmed what they are doing tonight is to approve the Industrial Facilities Tax Abatement. Because of their expansion and this request, the Township is giving them a break in the taxes; however, he reminded there is a special provision in that law that taxes all need to be paid on time. They have

had some issues with other tax abatements, but it is for a period of time and then they will be fully on the tax rolls.

Mr. Dolan replied to inquiry that this is a 12-year tax abatement at 50%.

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

16. PUBLIC HEARING – NEW INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE – FREER TOOL & SUPPLY

Mr. Cannon stated this is a public hearing for Freer Tool and Supply, and he opened the floor for public comments.

There were no comments from the public.

Mr. Gielegem requested the petitioner provide a summary of his plans for expansion.

The owner of Freer Tool and Supply stated they have been doing business in Clinton Township for about 19 years, starting with 7 employees. They are up to almost 60 employees at this point. They added 14,000 square feet to another one of their facilities in Clinton Township, and they are growing with plans to stay in the Township. He hoped they will hire between 10 to 20 employees as a result of this expansion.

Ms. Meltzer stated that, due to her relationship with the petitioner, she would like to recuse herself from voting on this item.

Motion by Mr. Cannon, supported by Mr. Pearl, to approve Ms. Meltzer's request to recuse herself from voting on this item due to a conflict of interest. Roll Call: Ayes – Cannon, Pearl, West, Keys, Aragona, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

Motion by Mr. Pearl, supported by Mr. Keys, to close the Public Hearing and approve the New Industrial Facilities Exemption Certificate for Freer Tool & Supply, contingent upon the Certificate of Occupancy being issued. Roll Call: Ayes – Pearl, Keys, West, Cannon, Aragona, Gielegem. Nays – None. Abstain – Meltzer. Absent – None. Motion carried.

17. REQUEST FOR CHRISTMAS TREE LOT LICENSE

Mr. Cannon stated this applicant does a nice job each year, and when they clean up the property after the season is over, it looks nicer than when they started.

Mr. Gielegem understood that this is the last remaining Christmas tree lot in the Township, and he appreciated their commitment to the community.

Mr. Aragona stated he purchased his Christmas tree from these applicants, and he stated the employees hustled and did a good job. He noted the tree was very nice and reasonably priced.

Motion by Mr. Pearl, supported by Mr. Aragona, to receive and file the letter from Mr. Giuseppe Lentini and approve the request for a temporary trailer and Christmas tree lot license for 34607 Gratiot Avenue, as requested, from November 24th, 2017 through December 31st, 2017. Roll Call: Ayes – Pearl, Aragona, West, Keys, Pearl, Gielegem, Meltzer. Nays – None. Absent – None. Motion carried.

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

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

APPROVAL OF BILLS

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

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Motion by Mr. Keys, supported by Mr. Aragona, to adjourn the meeting. Roll Call: Ayes – Keys, Aragona, West, Pearl, Cannon, Gielegem, Meltzer. Nays - None. Absent – None. Motion carried. The meeting adjourned at 7:34 p.m.

Respectfully submitted,

KIM MELTZER, CLERK
CHARTER TOWNSHIP OF CLINTON

ces:11/17/18