

Minutes of the Clay Township Board Meeting held on Monday, June 16, 2003 at 7:30 p.m. in the Clay Township Board Room, 4710 Pte. Tremble Road, Clay Township, Michigan 48001.

PRESENT: Supervisor Joseph H. McKoan IV, Clerk Michael Pellerito, Treasurer Connie Turner, Trustee Pat Sharrow, Trustee Cindy Kirkpatrick, Trustee Beth Engel, Trustee Dr. L. Kasperowicz.

ABSENT: None.

Citizens present: Fifteen.

AMENDMENTS TO THE AGENDA: None.

APPROVAL OF THE MINUTES:

Moved by Turner, supported by Engel, to approve the June 2, 2003 Board Minutes and Synopsis, Executive Minutes and the June 9, 2003 Budget Workshop Minutes with the following changes to the Board Minutes:

Page 2, Building Dept. Renovation Section: motion to accept the door installation quote, remove the word "furnish", already have the doors.

Page 4, bottom of the page, correct the spelling should read "complaint from Lynn Decker....".

Vote on the motion: AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

BILLS PAYABLE:

Moved by Turner, supported by Engel, to pay the Bills Payable in the amount of \$77,693.36.

VOTE ON THE MOTION: AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

PETITIONS: None.

COMMUNICATION:

Memo from MDOT re: Five-Year Road/Bridge Plan Open House for 6-17-03
St. Clair County will hold two informational sessions to discuss emergency responders communication system.

Township Offices will be closed on Friday, July 4, 2003.

6-10-03 Letter from Cindy Babisz, DRC Director to the Township Board re: contribution.

OLD BUSINESS: None.

PUBLIC COMMENTS: Relating to any New Business on the Agenda:

NEW BUSINESS:

Public Hearing on the Proposed 2003-2004 Fiscal Year Budget:

Supervisor Joseph H. McKoan IV opened the public hearing to hear comments from the public.

Bruce Schweikart, Harsens Island Fire Department Chief: Requested Officers Salary be brought back up to the additional \$2,000, procure this amount from the Contingency.

Clerk Pellerito: Five officer's salary, what is the distribution.

No other comments from the public.

Close the public hearing on the Proposed 2003-2004 Fiscal Year Budget.

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Moved by Turner, supported by Kirkpatrick to adopt the 2003/2004 Fiscal Budgets for Clay Township as follows:

● General Fund	\$ 2,390,503.00
● Colony Bridge Assessment	56,725.00
● Colony Road Assessment	135,527.00
● D.A.R.E. Fund	1,750.00
● Drug Enforcement	9,300.00
● Mainland Fire Department	378,780.00
● Clay Township Police Department	1,894,866.00
● Downriver Recreation	163,185.00
● Oaklawn Cemetery	79,135.00
● Russell Island Fire	4,493.00
● Harsen's Island Fire Department	171,603.00
● Garbage Fund	484,530.00
● Downtown Development Authority	277,000.00
● Sewer Fund	639,001.00
● Water Fund	2,397,182.00
● Employee Health Care	110,000.00
● Road Maintenance	30,078.51
● Special Lighting FD.	1,259.00
Total	\$9,224,917.51

Discussion:

Trustee Dr. Kasperowicz: Police Department have to find some cost cutting avenue, redistribute some of the personnel, over 7,000 property parcels paying, suggest we form a Police Commission to find ways to save money.

Supervisor McKoan IV: Police Chief and Deputy Clerk looking at all ways of saving money.

Trustee Engel: Questioned the effect of election of officers re: pay for HIFD.

Trustee Dr. Kasperowicz: Cap on the restoration cost of the Colony Tower.

Supervisor McKoan IV: Grant applied to assist in the Colony Tower cost.

Trustee Sharrow: Approving the budget as presented, bottom line did not change HIFD

R/C VOTE ON THE ADOPTION OF THE 2003-2004 BUDGET:

AYES: Sharrow, Kirkpatrick, Turner, Engel, Pellerito, McKoan IV. NAYS: Dr. Kasperowicz. ABSENT: NONE.

MOTION CARRIED.

Moved by Sharrow to adopt the Resolution to establish the Supervisor's per annum salary remain at \$39,000.00.

NO SECOND.

MOTION DIED FOR LACK OF A SECOND.

Moved by Kirkpatrick, supported by Turner, to adopt the Resolution to establish the Supervisor's per annum salary at \$40,000.00 in place of all per diem charges for services.

R/C VOTE: Ayes: Kirkpatrick, Turner, Engel, Pellerito, McKoan IV. NAYS: Sharrow, Dr. Kasperowicz. ABSENT: None.

MOTION CARRIED.

Moved by Turner, supported by Kirkpatrick, to adopt the Resolution to establish the Clerk's per annum salary at \$49,000.00 in place of all per diem charges for services.

R/C VOTE: Ayes: Turner, McKoan IV. Nays: Engel, Dr. Kasperowicz, Sharrow, Kirkpatrick, Pellerito. ABSENT: None.

MOTION FAILED.

Moved by Sharrow, supported by Dr. Kasperowicz, to adopt the Resolution to establish the Clerk's per annum salary at \$51,000.00 in place of all per diem charges for services.

R/C VOTE: Ayes: Sharrow, Kirkpatrick, Turner, Engel, Dr. Kasperowicz, Pellerito, McKoan IV. NAYS: None. ABSENT: None.

MOTION CARRIED.

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Moved by Sharrow, supported by Dr. Kasperowicz, to adopt the Resolution to establish the Treasurer's per annum salary at \$49,000.00 in place of all per diem charges for services. R/C VOTE: AYES: Sharrow, Kirkpatrick, Engel, Dr. Kasperowicz, Pellerito, McKoan IV. NAYS: Turner. ABSENT: None.

MOTION CARRIED.

Moved by Sharrow, supported by Engel, to adopt the Resolution to have the Township Trustee's salary remain the same as last year at \$2,280.00 per annum plus \$50.00 for any special meeting that is held on a night other than a regular meeting night. R/C VOTE: AYES: Sharrow, Kirkpatrick, Turner, Engel, Dr. Kasperowicz, Pellerito, McKoan IV. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Kirkpatrick, supported by Turner, to approve the Mainland Fire Chief Rick Edler's request for a payoff of his three (3) personal days, seven (7) sick days and twelve (12) hours of flextime for the 2002-2003 fiscal year.

VOTE ON THE MOTION: AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Turner, supported by Pellerito, to approve John Sharrow III as a Mainland Fire Department Trainee as recommended by Fire Chief Edler. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Dr. Kasperowicz, supported by Kirkpatrick, to approve the purchase of the CPR training aids from Bound Tree Medical at a cost of \$369.00 plus shipping for the Mainland Fire Department. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Sharrow, supported by Kirkpatrick, to accept the resignation with regrets from Officer David A. Burley and direct Supervisor McKoan IV to send him a letter of appreciation for serving as a Clay Township Police Officer.

AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Kirkpatrick, supported by Turner, to receive and file the Department Reports from Assessor, Planning, Zoning & Code Enforcement, Building, Downriver Recreation Commission, School Liaison, Police and Algonac/Clay Library.

Discussion: Dr. Kasperowicz questioned Police Report.

AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Request from Zoning Enforcement Officer Tim Wiggle to attend MTA Summer Zoning Series.

Trustee Sharrow feels class subjects not necessary, Michigan Planning Workshops may have more useful topics in the future.

Moved by Dr. Kasperowicz, supported by Sharrow to deny the request from Zoning Official Timothy Wiggle to attend the MTA Summer Evening Zoning Series classes.

AYES: Sharrow, Turner, Engel, Dr. Kasperowicz, Pellerito, McKoan IV. NAYS: Kirkpatrick. ABSENT: None.

MOTION CARRIED.

Moved by Dr. Kasperowicz, supported by Sharrow, to approve the Township's share of the cost to clean the portion of the Marine City Dredge Cut Br#1 Drain between Roberts Road and the intersection of Genaw and Marsh Roads would be 7.6% or \$300.20 per the County Drain Commission accepting the estimate for the work from Ed Schwehofer & Sons. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

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Moved by Sharrow, supported by Engel, to approve the Lot Split #03-08 for 8019 Morrow Road, it does comply with Zoning and the State Land Division Act. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Sharrow, supported by Pellerito, that the request from St. Johns Solutions, Inc. to transfer ownership of 2001 Class C Licensed Business, located in Escrow at 6343 Dyke, Algonac, MI 48001, Clay Township, St. Clair County, from 29th Street Bistro, Ltd., George P. Dakmak, Trustee; and request a new Dance-Entertainment Permit be approved pending Police, Zoning and Fire Department approvals.

R/C VOTE: AYES: Sharrow, Kirkpatrick, Turner, Dr. Kasperowicz, Engel, Pellerito, McKoan IV. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Pellerito, supported by Sharrow to authorize Attorney John McNamee to Proceed with legal action to include Turn-Key in the litigation process in the Leonardo Algonac, L.L.C. vs. the Township of Clay and the Clay Township Planning Commission. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Turner, supported by Kirkpatrick, to approve replacing the Ainsworth booster station door replacement for the cost of \$3,573.00 from Weather-Proof Window & Door Inc. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Motion by Sharrow, supported by Dr. Kasperowicz, to approve the Harsens Island Fire Department purchase of a supply of the foam concentrate from Heiman Inc. and Apollo Fire Co. for a total cost of \$1,014.75. This foam is required for fuel fires and also for the fire department to get the lower ISO rating. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Kirkpatrick, supported by Dr. Kasperowicz, to approve the following purchases for medical gear for the Harsens Island Fire Department fireboat:

- Galls Inc. complete set of medical gear for the fireboat \$1,422.78
 - West Michigan Health and Safety –
Heartstream FR2 AED with accessories 2,462.20
- Total Cost \$ 3,884.98

AYES: Sharrow, Kirkpatrick, Turner, Dr. Kasperowicz, Pellerito, McKoan IV.

NAYS: Engel. ABSENT: None.

MOTION CARRIED.

Moved by Sharrow, supported by Engel, to adopt Resolution No. 3, Garbage and Refuse Removal and Collection Special Assessment Renewal for the purpose of setting the public hearing date for Monday, July 21, 2003 at 7:00 p.m., Clay Township Board Room, 4710 Pte. Tremble Road, Clay Township for the purpose of making any necessary corrections prior to confirmation on the Garbage and Refuse special Assessment Roll.

R/C VOTE: AYES: Sharrow, Kirkpatrick, Turner, Engel, Dr. Kasperowicz, Pellerito, McKoan IV. NAYS: None. ABSENT: None.

MOTION CARRIED.

BOARD MEMBER COMMENTS:

Clerk Michael Pellerito: Update re: FEMA situation, spoke with Congresswoman Candice Miller.

Heard from a resident on St. John Drive re: toxic spill in St. Clair Shores, heard on the news the contaminants are to be brought to Dickinson Island.

Mausoleum update: Jones Monument has proposed changing the roof pitch of the Mausoleum, project quoted at \$265,000, cost would come in at less than 1-1/2 to 2% over cost to make this change, a proper drainage with the roof change.

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DPW Supervisor Jon DeBoyer: Did not like the original pitch of the bldg., proposed steeper pitch to cover the office and bathroom area, structurally and astatically will be a better job with the change.

Trustee Sharrow: Cemetery fence repair update.

Jon DeBoyer: Spoke with Wadhams Fence Co., special order, soon as it is here will repair the fence.

Trustee Dr. Kasperowicz: Flood plain elevation: flooding in the late 1970's and 1980's were not a natural event, using those statistics and impose the flood plain elevation why isn't that considered fraud, would like the Attorney General's opinion.

PUBLIC COMMENTS:

Herb Meyer, 2675 Krispin Rd.,H.I.: Is there an ordinance on the height of a fence?

Referred to Judy Hotchkiss' neighbor constructed a fence, blocked her view.

Zoning Enforcement Officer Tim Wiggle: Fence is in the gentleman's rear yard, totally in compliance with the Ordinance.

John Horvath, Golf Course Road: No response from McNamee re: required documents brought into the Township so would not have to go back to Court.

Next item, discussed at a Board meeting a couple of weeks ago, never contacted me, handed out address, phone numbers, etc. Referred to a copy of a tape made of a Planning Commission meeting re: soil removal permit for Horvath, dragging our feet and want to get this resolved soon, going on for years, costing this Township too much money.

Minutes state there is not any time limit, back to the Board, \$150 inspection fee, behind us, kill it before the next meeting.

Meeting set up to meet the next day with Supervisor Joseph H. McKoan IV.

ADJOURNMENT:

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to adjourn the meeting at 8:30 p.m. AYES: All. NAYS: None. ABSENT: None.

Michael P. Pellerito
Clay Township Clerk