

**FINAL  
CHARTER TOWNSHIP OF COMMERCE  
PARKS AND RECREATION COMMITTEE MEETING**

*Monday, September 27, 2021*

2009 Township Drive  
Commerce Township, Michigan 48390

**CALL TO ORDER:** Secretary Henderson called the meeting to order at 7:04pm.

**ROLL CALL: Present:** Sarah Henderson, Secretary  
Bob Berkheiser  
Barbara Garbutt  
Krystal Schwartz  
Kathryn Duff

**Absent:** William Petsch, Chairperson  
Johnny Walker, Vice Chairperson (excused)

**Also Present:** Emily England, Director of Senior Services/Parks & Recreation  
Allison Kennedy, Asst. to Parks & Recreation Director  
Mark Schoder, Maintenance Director

**COMMUNICATIONS:**

None.

**APPROVAL OF MINUTES:**

**MOTION** by Berkheiser, seconded by Schwartz, to approve the August 23, 2021, Parks and Recreation Committee Regular Meeting Minutes as written.

**MOTION CARRIED UNANIMOUSLY**

**PUBLIC COMMENTS**

**Secretary Henderson opened to Public Comments.**

Mr. Berkheiser – If you're here for something that is on the agenda, just wait until it comes up. If you're here to make a public comment, you get a couple minutes. Please step up, give us your name and address.

Patrick Bevier, 2871 Lauryl Drive, Commerce Township – I was at a meeting a few months ago and spoke about the R.H. Long Nature Park. Several of my colleagues have spoken regarding the park and I know that Debbie has been very involved. I'm here to revisit our concerns about the park. We frequent the park. We're outdoor writers, nature photographers and nature lovers. I'm not kidding that almost every single time we're there, we see dramatic violations of what we would like to see as the rules and regulations for R.H. Long Nature Park.

I took the time to make copies of the Oakland County Parks rules and regulations. I'd love to share them with you and you can have these copies. I've highlighted sections from Page 16-21. They talk a lot about fireworks, animal cruelty, taking of animals, et cetera. Three different times in the last month when we've been at the park, we've seen people violating what should be decent and kind behavior with regard to nature. There was a company draining one of the side ponds at the park. We tried to get information

about that. We still haven't gotten a call back. There are people taking snakes and frogs, and polluting and littering. There are people lighting off fireworks. Every time that we've been there, we've had to call the County Sheriff's Department, and they've responded to their credit. But, we talked about this several months ago. We'd love to see some enforcement, signage that's specific, and this board take action for this nature park. When we were here, we looked at hundreds of thousands of dollars being spent at other parks under your purview. I'm not seeing one penny going into R.H. Long. We're frustrated to be honest.

I'm an outdoor writer and a nature photographer. I write for three major publications here in Michigan. I absolutely intend on writing to your local paper. We're just asking this board and the Commerce Township board to take some legitimate actual action rather than just talk about it.

I appreciate the time. It's very specific in those guidelines, the Oakland County Parks rules and regulations are really well written. I'd love this board to consider using similar verbiage in whatever it is that you publish, along with signage and enforcement.

In Midland, Michigan, they have a person who travels around to different parks to oversee the parks and ask people to stop doing things that are against regulations. This board should consider hiring someone that would be a park liaison or protector.

We've called the Sheriff. There was a guy with a machete taking frogs, people setting off fireworks, there have been people digging up turtle eggs, destroying birds' nests, pumping water. For goodness, we have no idea – they left their pump right on the side of the pond. We had to call the Sheriff to come and get it. There is some stuff going on at R.H. Long. I think this is so close to you guys, and it should be close to your hearts as well. We're asking for action to be taken.

Mr. Berkheiser – We appreciate your time and effort, believe me. This is a recommending body. This body has no true authority. You're looking for us to take action, but we don't have the ability to do that.

I would encourage you to go to the Township Board meeting, and I know you guys have done that. The Board has passed changes to the Ordinance. You have to introduce it one month, then wait a month. There's a process for any law or ordinance to get passed. That has happened. Officers supposedly can't do anything until there are posted signs telling people not to do things. Apparently that's how it works when an ordinance changes. Those things have been done. Signs have been ordered.

Mr. Bevier – Fantastic.

Mr. Berkheiser – I understand your frustration. Nothing seems to move fast in any government area, but it's certainly no different in the locality.

Mr. Bevier – I understand, sure. Thank you for doing that. There's a Board meeting tomorrow night.

Mr. Berkheiser – That's a budget meeting. You're welcome to come and make a comment. That's fine. It might be appropriate if you want to push the issue of having Parks hire people to be able to go around and do that. That would be an appropriate thing to do.

Mr. Bevier – Is there language somewhere on the website about the ordinances, or have they yet to be voted on?

Director England – There will be. They were just approved, so it hasn't been posted yet, but we will get all of that put up on the website.

Mr. Bevier – All right, thank you.

Mr. Berkheiser – If you go online, on the Commerce Township website, you can find your way through to ordinances. You will see ordinances in there, but I don't know that you would see the change yet because it's still in process.

Director England – We will make a direct link on the Parks page.

Mr. Bevier – Thank you, I appreciate that. Thank you for your time.

**Secretary Henderson closed to Public Comments.**

**ITEM 1: LEAGUE AND COMMUNITY SERVICE ORGANIZATION REPORT**

**Friends of Byers – Dean & Karen Schantz, Janice Buchanan**

Mrs. Schantz shared the following with the Committee:

- We're gearing up.
- This coming Saturday is our first annual golf outing, the scramble.
  - Dean is working hard on that.
  - For our first time outing, he has 10 teams.
  - We're looking forward to that.
- Following our gear-up right now is clean-up of the property.
- We're starting to decorate for Boo-Bash, October 23<sup>rd</sup>, 6-8:30pm.
  - We think we're going to extend it.
  - Is there an ordinance in Commerce Township at 8pm or 8:30pm?

Director England – I can check. I don't think so, but I'll double check. Do you normally go to 8pm?

Mrs. Schantz – Yes, and we want to extend to 8:30pm. The reason why we want to extend it to 8:30pm is because we will do the same thing as last year, by appointment. Even though COVID is not the same as last year, it makes people feel a little safer and protected.

Ms. Schwartz – When do those appointments open for people to sign-up?

Mrs. Schantz – I'm posting tomorrow. I've already had 30 phone calls. We kept it at 100 people per half hour. We think we're going to take it to 150 because we turned a lot of people away last year. Our average is about 800 kids. Last year was 300. We'll see what happens. That's our next main event.

- Following that, we have Santa in the barn at the end of the year.
- Other than that, there's one more clean-up before snow starts to fly. This year has been a terrible year on the grounds for downed trees. We'd like to clean it up really good before winter.

- We're also going to try to get the front wall in this year still. It has been a terrible rainy season. We've waited for siding to come back down in price because it almost doubled. We're holding off into October or November.
- Everything is good and the barn is busy. Yesterday I posted that the electrical is done and the barn is open, and it was a floodgate. That's a nice thing. People love the property and they come in from all over.

Mr. Berkheiser – Usually you put up white lights. Is there a plan to do that and getting new lights, because some of them were hit or miss.

Mrs. Schantz – We put orange lights up for Halloween.

Mr. Berkheiser – Then around Christmastime you put the white lights up.

Mrs. Schantz – Yes.

Mr. Berkheiser – Do you have new lights up?

Mrs. Schantz – We'll take down and put up, and we'll replace as they burn out. We have to find some way to keep them propped up. The fence is falling in and the kids break them, but it's part of what we do. We will keep the white lights up full time.

Mr. Berkheiser – It helps to light it up a little. It looks nice and provides some security.

Discussions continued regarding calling the Sheriffs when there are issues at the park, and the excellent assistance and support that has been provided by the Sheriffs.

### **Windmill Farms (Horse Farm) – Carrie Hancock**

Ms. Hancock shared the following with the Committee:

- We just finished up our last three weekends of our Interscholastic District High School Horse Shows. We host all three of the Walled Lake High Schools and I'm pleased to tell you that two of those teams, Western and Central, qualified for the regional competition, which is next weekend. Lakeland qualified as well. We have riders from all of those schools. It's great that they're doing well.
- We've had some projects we've been working on.
  - We've got a dumpster onsite for our clean-up projects.
  - We've got some of the roofing work done. We've had a lot of damage with each storm that came along. The roofing panels keep getting loosened and with every storm they're getting worse. We're getting more rain coming in. Fortunately we have a roofer that has been able to come in and do some repairs, but I think we're going to have to look pretty seriously as to what we need to do with that roof going into winter. Maybe more work sooner than originally anticipated to tighten it up before really bad weather. We were ahead of schedule on getting some of that done.
  - We've been working on our fence post digging. Our original contractor that was going to come in and work, it's too small of a job for him to dedicate his time. We have somebody else now who is going to at least do the panels at the front of the property this weekend, so that should get taken care of.

- We have cleared some trees to remove the smaller trailer, which will be hauled out of there. The second one will be salvaged into the dumpster onsite.

Mr. Berkheiser – So when are the trailers projected to be out of there?

Ms. Hancock – I think he's going to tear it up. We're going to fill that dumpster with other items, and then he's going to tear up the larger trailer next week. The smaller one, we've already moved all of the trees in front of it. I have somebody who is going to haul that small one out of there. He should be in there sometime this week. Those are in the works.

Mr. Berkheiser – So you think by this weekend, the trailers will be gone?

Ms. Hancock – The larger is going to be chopped up and thrown in the dumpster after the weekend. The smaller trailer is going to be removed from the site, and everything is cleared out for their equipment to come in and get it, hopefully in the next few days. We still need a large number of post holes dug on the north end of the property, at least 40 fence posts. I cannot find anybody to come in and do that.

Mr. Berkheiser – Have you worked with your user group people? It was my understanding that they were going to do that.

Ms. Hancock – Dan, our neighbor, he had a tractor for a while and now he has an auger. He's doing fencing at his place. He is the one coming down to do the front posts.

Mr. Berkheiser – That's the neighbor. Is that part of the user group?

Ms. Hancock – Yes, Sarah James.

Mr. Berkheiser – I thought you were working with Mr. Walker to get the parents to do that.

Director England – Sarah was involved with the group. She was in the meeting. That's her husband that was going to come help.

Ms. Hancock – They now have an auger for their tractor so he's coming down this weekend to do the front ones. At least we'll have the front ones done.

Then, back to our activities:

- We are proposing our first Winter Series Schooling Show on November 7<sup>th</sup>. We usually do four through the winter season. We haven't been able to do those since 2019. It will be nice to get back to those.
- October 9<sup>th</sup> we have our pony rides at the Panther Hunt and Fall Festival in Wixom.
- We have some problems with our outdoor lighting again with the storms. We have three of parking lot lights that aren't working. We want to have those looked at. We had some problems with the interior ones. John said he'd come out and take a look at those, but he said the problem may be water.

Director England – I'm going to give an update on the roof that was approved. The roofer has ordered the materials and he expects those to be in any time so he can do replacement of the roof over the observation room in October.  
Your ADA accessible outhouse will be delivered on October 4<sup>th</sup>. We will give you all of the information before you leave today.

Ms. Hancock – Did you pick a location?

Director England – Yes, we have a map we will give to you so you can approve that location.

Ms. Hancock – Very good. Thank you.

Director England – In your packet is an update from Lakes Athletics. I have a few things to follow-up with them on. They want to pay us to do their winterization. I have not had that conversation with them yet. I need to get with Mark about anchoring the bleachers down on the cement pads now that they've been placed there. Everything else is same as what it has been.

### **Lakes Athletics Association – Matt Morelli**

*A report was submitted in the packet:*

- *League Update – The Fall season is a few weeks underway, with 12 teams & 125 players, some divisions crossover partnership with Huron Valley. Games are mostly Sundays with practices during the week.*
- *Upcoming Dates & Information*
  - *Season Dates – Fall Ball in September and October.*
  - *Tournament Dates – October 31, 2021*
  - *Monthly Meeting – Next scheduled is October 6th.*
  - *2022 Capital Improvements – Approved park investment for 2022 including new backstop fencing on F2 & F5 with taller fence and overhang to limit ball flight into parking lots, cars, crowd. (Safety improvement measure). To be funded and paid by LAA.*
- *Needs From Township*
  - *Bleacher Pads – Cement poured for permanent pads for the field bleachers; need Township to anchor bleachers down.*
  - *Parking Lot Construction – Township provided updates; especially schedule, so we can advise scheduled teams around any planned construction. We have water run-off and field flooding issues on F6 due to parking lot grade/slope; please advise contractors to be cognizant of drainage and direct away from fields when completing new parking lot.*
  - *Flagpoles – Flagpoles (Township support flagpole implementation?). We will have representation at September meeting.*
  - *Fence Repairs – Fence repairs after storm damage are also needed at F1 and F7.*
  - *Outside Organizations Unapproved use – It was brought to our attention that outside baseball organizations have been using HG fields without our knowledge or approval. Commerce Cannons/Oakland Reds/others.*
  - *Plumbing Winterization – Can we pay Township for plumbing winterization (bathrooms, concessions)?*

Director England – Allison also received an update from Pete, as follows.

**Lakes Area Hawks – Pete Lesner**

- *We are now at mid-season and all of our teams are filled and heavily involved with our daily schedules.*
- *We have 105 football players, and 33 cheerleaders. Unfortunately, we still haven't received our cheer uniforms.*
- *Hawks and Lakes Baseball are working together in sharing the field in a continuing, community-minded way.*
- *We had the Hawks house building and our equipment shed professionally painted in July and we are very happy with the outcome.*
- *We are in the process of securing one of the high schools for late playoff practices as we do every year.*
- *All of our bills are paid up-to-date and we are already doing our projections for 2022.*

No representatives were present at the meeting for the following leagues:

- Interlakes Girls Softball
- Commerce Little League
- CW3
- Motor City Mountain Biking Association

**ITEM 2: PARKS AND RECREATION DEPARTMENT REPORT**

Director England discussed the following:

- The majority is in my written report that was submitted.
- I just want to note that the ADA accessible pathways that are going in by the Library, from the parking lot to the pavilion, were scheduled to be done in September. Those have been pushed back to October.
- We did meet with an arborist from Oakland County today. We had some diseased maple trees over at Hickory Glen, so we're looking into that. We will be contacting him to come back out and look at Mill Race Park as well.
- The M-5K is in two weeks, next Saturday. We're excited to get that done.

**ITEM 3: TOWNSHIP BOARD REPORT**

Mr. Berkheiser provided the following:

- First, we're into budget season. The way we're going to do it this year is that we're scheduling almost every Tuesday. Starting tomorrow, we'll entertain Police and Fire and hopefully we will come to a tentative agreement. Then throughout the weeks, we'll do other departments and hopefully get it done in 3-4 weeks for final budget approval.
- Our last meeting was a rather long meeting. We selected an architect for 8585 PGA Drive to modify the building as a substation for the Sheriff's Department. I think that is moving forward.
- Mr. Weber gave a really nice presentation of the history of the Wise Road properties, both north and south. I would encourage that Emily email that to all Committee members. The presentation concentrated on the north side. He gave the history as to when it was purchased, the deed restrictions, how it was

acquired, how the millage came about, what the millage says we can do with the money, et cetera. If you're on social media, there was a lot of misinformation.

Director England – The deed restrictions have been added to the website as well, so there is a direct link for people to view what the DNR set as deed restrictions.

Mr. Berkheiser –

- We also had a presentation for the Community Arts Project (CAP). She was here previously before the Committee. The Board listened to that and agreed to move forward. They will work their way through getting their 501c3, whatever needs to be done, and working with the school districts to get things going.
- We also approved the Byers house restoration. It was originally approved, but there was an issue with insurance. The Board decided to approve the extended money to move forward.
- We also approved the Richardson Center catering bid project, so we will go out for bids. As a reminder, it's really just for alcohol. Within reason, folks can do what they want to do on catering their own food.
- We did approve the DDA budget, so that came through.
- There were some SAD's that are coming up. Specifically, snow plowing and dust control. Those will be renewed. Surprisingly, it has been close to ten years, so those will be renewed, but there are also a lot for the lakes in the area. There have been issues with the lakes so we will require those SAD's to go back through the process, where you have to get signatures and define exactly what it is you want done. The issues are mostly on lakes that have multiple groups with houses on the lakes. They all come to the Township and think we can solve those issues. They will need to go back out and get their SAD approved, and provide a defined request.
- We had a meeting with a group that wants to do some BMX bike projects in Victory Park, on the south side of Wise Road.

Director England – They're here tonight. It's on the agenda, Item 9.

Mr. Berkheiser – Right. We've had some initial conversations with them. Hopefully we will start that process of trying to formalize it.

#### **ITEM 4: PARK LIAISON REPORTS**

##### **Berkheiser – Wise Woods & Victory Park**

- Obviously, everybody is aware that we are moving along on the parking lot on the Wise Woods side.
- Some of the items are on the agenda for the Victory Park side.
- Other than that, there's not a whole lot to update.

##### **Schwartz – Byers and Mill Race**

- We looked at Byers Homestead today. There were trees down that we all got to see, but they cleaned up and the wires that were down recently have all been handled by DTE.
- At Mill Race, it has been a couple weeks since I've been there, but everything was super clean last time I was there. It looked really good.



### **Henderson – Dodge Park & Scarlet’s Playground**

- I was there last week. The usual.
- I didn’t notice any trash can issues and I didn’t see anything overflowing.
- Last Thursday, kids were off school, and that was the day I was there.
- Obviously, there are still people who don't clean up after themselves, so as I was walking around I picked cups and other items.

Director England – The brick pavers were put down.

Secretary Henderson – I saw that. Actually, there have been concerns about dogs not being leashes and about skateboarders. I didn’t notice those issues.

Director England – We did get one call in our office about skateboarders, and there is a leash law for the dogs. It’s posted in the park. We just need to encourage people to call when they see it. We may need to put up signs for the skateboarders.

Secretary Henderson – Other than that, there were kids on bikes there, but they were on the pathways.

Mr. Berkheiser – Is everything done?

Director England – There are some loose ends, not with our part of the project. Those have all been done and the punch list has been completed. There are just some loose ends with the landscaping company with Larenne; putting the pavers down and obviously fixing some of the grass. That will have to wait until spring now.

Mr. Berkheiser – There was also a pavilion?

Director England – Larenne is working on that. She has the commitment and the company. She’s just waiting to hear back from them, but they want to donate that pavilion. I believe they were out there last week looking at the path.

### **Garbutt – Long Park & Snowy Ridge Park**

- I can’t disagree with the things that I have heard this evening because I have great love for Long Park.
- I've spent a lot of time there during the day with people picnicking with their children, walking and certainly taking photographs all the time.
- I think that maybe some of those things happen a lot in the evening when I am not inclined to be there, but I appreciate the things that we can keep our eyes on.
- I want to thank Mark publicly for installing my new little free library and taking out the old one.
- I don't know if you've had a chance yet to take a look at the path that goes toward the condos on Welch Road. That needed some work, but I know that you've been very busy with lots of trees down all over the parks.
- As far as I'm concerned, we'll do everything we can to make that park right.

Director England – Regarding the phragmites, we are using Clarke Aquatics now. They bought out our old company. Mark and I met with them onsite last week to view the areas that need treatment. They’re hoping to start that two weeks from now. So, you’ll

be seeing postings about the phragmites treatments. We will shut the park down when that happens.

Ms. Garbutt – I did notice there were lots of phragmites going up again.

Director England – Yes, so we will continue maintenance of it.

Ms. Garbutt – We already talked about the lily pads.

Director England – Yes, we talked to him about that as well. He is going to get us a proposal. He will also talk to somebody about trying to bring the water quality up. Taking out some of the density of the vegetation in the water will help.

Ms. Garbutt – As far as Snowy Ridge, the grass is cut and it looks great. Nobody is sledding, but it won't be long.

Mr. Berkheiser – Is he doing the rest of the phragmites throughout the Township?

Director England – No. He is doing Long Park, and then we did stop at Snowy Ridge because on the back side of the hill there are some phragmites. He's going to treat that. He treats a patch along South Commerce Road, in the right-of-way, next to Multi-Lakes. We've actually requested permission from Multi-Lakes to at least do a strip on their side of the fence to help put a barrier between that, because their phragmites keep reseeding ours. We're never winning that battle. Then at the corner of Commerce and South Commerce, at Dodge, we treat that area and over at Byers.

Mr. Berkheiser – Do we treat the stuff at Richardson, or did he look at it?

Director England – That would be part of the Reed Lake SAD, and he is working with the homeowner's association on that. They have a current SAD, but it doesn't include phragmites so they have to redo it. We would just be part of that SAD in order to treat those phragmites.

Mr. Berkheiser – Technically, we're not part of an SAD.

Director England – And the phragmites are not actually on our property, but it will be eventually.

Secretary Henderson – Yes, sir?

Mr. Bevier – What type of treatment are you doing on the phragmites? Can you share that?

Director England – If you leave your email address with me, I can send you the information on what they put on it.

Mr. Bevier – I'd appreciate that. My card is in that green folder.

Director England – Perfect, I'll reach out to you.

### **Duff – Hickory Glen Park**

- I've regularly been checking out Hickory Glen.
- It looks like they've been able to clean up all the trees that were downed in the last few storms.
- All of the walkways seemed open and it looked great, even in the rain on Saturday.

Mr. Berkheiser – Do you have any updates on what's going on with Hickory? We were over there one day regarding the parking lot.

Director England – We were over there today. We had the arborist out today to look at the trees over there. The maples are diseased and those maples are actually an invasive species maple, which I didn't know, but they're Norway. Also the black cherry trees need to come down. We had concern that we might have more oak wilt in the back of the park, but he reported it was not oak wilt.

George met us over there today too. The arborist identified some oak trees that we really need to save, so we need to move things around. There are some trees that are half dead that we could take out and replant new trees in their place. It will have to be done in phases. The entrance would be part of Phase I, including up to the concession building and then along the strip in the back. That will not make a huge impact on the trees over there, and it will allow us to clean out the dead or diseased trees, fix the issue with one of the entrances, look at it to see what to fix, then be able to look at the area with trees we want to save, and see how we can add parking in there. It has turned into quite a complicated project, but we're going to get it done.

Secretary Henderson – How often is Hickory Glen graded?

Director England – It's bad right now due to all the rain, but typically twice a year. It has been done twice this year, but it needs it again with all the rain we just had. I have a call in to have it redone.

Secretary Henderson – Kathy, we'll just keep going to Item 5.

### **ITEM 5: VILLAGE OF WOLVERINE UPDATE**

Ms. Duff discussed the following with the Committee:

- The Village of Wolverine is going to apply for a grant to replace an existing play structure at Clara Miller Park with two new ADA compliant structures. This will include a new pathway from the parking lot around our hockey area and the tennis court. We're hoping to get the grant in by the end of September.

### **ITEM 6: MAINTENANCE DEPARTMENT REPORT**

Mark Schoder discussed the following with the Committee:

- Just want to apologize for all of the things we probably let go, cutting grass, et cetera. We were pretty busy with the storms and the rain, and we've been down a man for about 6 weeks now.
- We are cleaning up the Trails for the 5K run and the Outrun Hunger run, which should be done tomorrow I hope.

- All of the other trails are cleared of trees.
- At Byers, all the wood you saw will be chipped up and put into the path.
- The other parks look pretty good.
- We're going to start on bridges next week. We have three slated for this year; Byers and both of the bridges in Mill Race.

Director England – As far as clear-cutting them and staining them?

Mr. Schoder – Cleaning them and waterproofing.

Mr. Berkheiser – The one by Leo's; is that worth it? Is it still in good enough shape to put effort into, or do we need to look at that?

Mr. Schoder – I think the flooring part needs an overlay and re-staining, but everything else is pretty good. We have red stain for that. That's the only one we stain with color. Everything else is clear.

Mr. Berkheiser – The flooring overlay was done 6-7 years ago.

#### **ITEM 7: OUTRUN HUNGER BANNER REQUEST**

Director England – They did this last year too for Outrun Hunger. They have to get permission to put their banner on Township property. She wants to put her banner at the Richardson Center, and it has to come here for your approval.

Mr. Berkheiser – It sits on the fence?

Director England – No, it's right at the intersection of South Commerce and Oakley Park. It's on our property, but when you're sitting at the light, you see the sign. I don't have an issue with it. Her event happens on Township property, so I don't have an issue letting her sign be on Township property.

**MOTION** by Berkheiser, supported by Schwartz, to allow the Outrun Hunger banner to be put on Township/Richardson Center property, at Oakley and South Commerce.

**AYES:** Berkheiser, Schwartz, Garbutt, Duff, Henderson

**NAYS:** None

**ABSENT:** Petsch, Walker

**MOTION CARRIED UNANIMOUSLY**

#### **ITEM 8: BATTING CAGES**

Ryan Hoppe discussed the following with the Committee:

- I'm still looking into a lot of things.
- I think the best area of all the parks, if I could pick an area, would be Maple Glen where you put the new parking lot in, on the boys' side. There's an area behind the north field, where the walking path goes through. It looks like you planted some pine trees there in the last few years. Measurement wise, elevation, things of that nature, that seems to make sense. I don't know if you have any interest in moving trees.

Mr. Berkheiser – Is that were the Boy Scout project was?

Director England – No, it's actually where you drive the circle and there's a stand of trees, a bunch of white pines we planted there. Those trees have been there since 2014.

Mr. Hoppe – I could relocate them, but I wouldn't think of cutting them down. That seemed to be a good area.

Director England – What size area do you need?

Mr. Hoppe – Really, 100x100 is what we would need. The cages are slightly smaller than that, but with buffer and landscaping around it. I did speak with Commerce Township. Anywhere I look at going that doesn't have parking would require curb and gutter, things of that nature. Dave suggested to look for areas that are close to existing parking.

I also looked into what benefit does this have for Commerce. I definitely think doing some type of royalty on profits. I also looked into, maybe after 20 years or less, if the little league would want to take over the batting cages. My only thought with that is when someone isn't running it like it's theirs, it may not get maintenance the way it should, especially with getting help nowadays. I worked with Lakes and coached a team. We had a hard time getting parents to want to help with anything. It's a lot easier to pay someone than to ask for free help.

Director England – I need some clarification. Let's not start with location. Let's talk about how you think this is going to operate. You're asking the Parks Committee to put the batting cages in a Township park and then how is that going to operate?

Mr. Hoppe – I would operate it. It would be some type of a lease deal, but I don't know if we would call it that with a park. I know there is a lot of language there regarding what you're allowed to do with parks.

Director England – Are you looking at this as something to be profitable for you?

Mr. Hoppe – It would be profitable for me.

Mr. Berkheiser – That's going to be an issue. I would direct you to make time to talk with Emily, and then maybe get a couple other people; see if George or I can schedule some time to sit down and talk about it. It's public property and we don't generally have public property for a private business.

Mr. Hoppe – I agree 100% with that, definitely.

Mr. Berkheiser – And anything that's put on park land then becomes Township property.

Director England – We don't lease our park property. And, if it's put on our property, then it's our liability. Therefore, any agreement made with any group, it is known that if you build it, it then becomes Township property. Scarlet's Smile built a million dollar playground. They had to have an agreement and a contractor. That now is Township property and it's a great asset to the community, but there's liability issues and we have to have some more conversations about that. The last time you were here, we thought

that it was going to be a donation thing, just to help cover your costs for running the machines. But, if it's for-profit, it changes things on our end.

Mr. Hoppe – It would and I want to be clear, it would definitely be for-profit.

Director England – So maybe we need to set up a meeting.

Mr. Berkheiser – You're going to need to come in so we can sit down and look at the concept or business plan. I'm not sure how that fits into the parks at all.

Mr. Hoppe – My fear would be, let's just say I did donate it, and to get anyone to run that and know the maintenance, I bet you it would be virtually impossible. Maybe overtime you might get someone who would oversee it.

Director England – It's a volunteer thing and it's hard to get volunteers to commit.

Mr. Hoppe – And equipment is not cheap. I think in some situations in business, and I own multiple, it's better to have someone have heart in it than not. I also don't think I should get 100% of any of the profits. That's not where I'm heading with this. I want it to be a mutual benefit for this community. My goal is to definitely keep the batting cages in Commerce. It has been an icon to this area for 40 years.

Director England – Do you have a business plan for this, or could you put one together?

Mr. Hoppe – Yes.

Director England – If you could put that together, I can share that. You and I can sit down with Bob and George Weber who is another Trustee. I can also send that over to our attorneys. I don't support for-profit on public parkland, we just don't, but maybe there's another location in the Township. The Township owns a lot of property that's not parkland. Maybe we can go through that inventory of property that has been deemed to be sold to see if there's a fit for it there. George is on that subcommittee as well.

Mr. Hoppe – I've been looking around. Honestly, I don't want to be tucked way back in a park. I think that a lot of people that go to the batting cages now are from Commerce Township, and are definitely kids from these parks. But you do get the people off the street. It's slim on property, and I don't think the batting cages would be the same in Waterford. I'm definitely open to any suggestions on land that you may have.

Director England – Email me the business plan and I'll get that ball rolling so we can continue that conversation.

Mr. Hoppe – Thank you.

#### **ITEM 9: BMX TRAILS – VICTORY PARK**

Director England – Nick O'Day is here and he has put together a slideshow. I will let him go through it and then I will pull up the aerial of the park. These are already existing, so the aerial will allow us to identify where they currently exist in the park.

Nick O'Day –

- I'm here to talk about a proposal to make a bike park in Commerce, which pretty much already exists and has for a while.
- I'll give you some quick background. These started being built in 2003, and they have been actively running up until I moved out of the area in 2013. The last photo there is 2012, and you can see that they were fully constructed as they are now.
- Currently, this is how they look now. They're open, running, smooth and safe. I developed the trails starting about 3 years ago when I moved back to the area. Obviously I've known about these my whole life and they've existed for 20 years. I went to go check on them and they hadn't been maintained in what looked like a few years. They're pretty overgrown and unsafe, and they were modified to be used for motorcycles. It was causing traffic.
- I went in and redeveloped the trails to make them safer, more fluid and open. As you can see, we added a line in there that would allow for progression and something that anybody can use. There are a lot of kids that like to come ride back there.
- That rolls into the idea of a bike park. A bike park is more than just a trail in the woods. It's a progression that anyone can ride. You can see the pump track, the larger jumps, different skill levels and things like that.
- A lot of people are under the impression that these are built by machines, but they're not. The reason why it takes so long to develop a trail like this is because it's all completely hand dug, all 100% volunteer work. I'm here to represent the trails as the main trail builder and maintainer of that area.
- It's a small part of the woods that is I think part of Victory Park, on the south side of Wise. It takes a while to get to it. Most people access it off the north side of Commerce.
- We have a whole drainage system that runs underneath the trails, and it moves the water back out to the lake. It prevents a lot of the erosion that happens on the pedestrian foot trails.
- We maintain all the ATV damage that happens, at least in the area that it takes to get there, which is pretty much an endless battle. The ATVs are our worst nightmare on these trails because we want them to be nice and smooth.
- The community impact of these trails; there's a ton of kids that love to play out there. That's the inspiration of expanding the line and making something that can be used by everybody. It's nice that it is bringing traffic back out into the parks. A lot of people are really excited that the trails are open and running. A lot of people have reached out to me.
- The mountain bike community in Michigan is pretty fast and relevant. There are a ton of mountain bike trails in our area. What it lacks is just a bike park style, which is somewhere you can progress and mainly hit jumps. Up north, where the skill level of community trails are a little bit higher, there's a lot of bike parks. There is a huge amount of people that leave this area and drive hours up north to access other bike parks. The other main area is down in Ohio. We want to build something that people can have here.
- I'm here to let you know that it exists and it's relevant. I was approached because I didn't realize that my maintenance of the trails was unknown or frowned upon. The original trail builders started when it was owned by Proud Lake, and they got

permission from them. They were approached by them and they turned a blind eye to it. They said, as long it's safe and you're not riding motorcycles back here.

- You can see from the first pictures, the park was sold to you with it currently operating. I didn't really know that things had ever changed, moving back to the area, and I just continued to maintain them.
- My short-term goal is letting you know this exists, and to hopefully get permission that it's okay to at least maintain the infrastructure that is currently there. The main thing is signs. There is no signage in those woods, which makes it fairly confusing for people as far as who owns the land, what can you do on that land. There's a ton of people back there that tell others they own the land, especially when they're on an ATV. It's really confusing, and most of the signs get taken down. I know the signs are not really infrastructure signs.

Director England – Our metal signs are ripped out.

Mr. O'Day – I've never seen them. They get ripped out that fast. I know the no parking sign in the cemetery has lasted a long time.

Director England – We have nonmotorized trail signs all over, but they rip them out.

Mr. O'Day – Aside from the non-ATV trails, but signs for the public, for example the cross mixed traffic sign. If you go out there and you don't see that sign and you see the dirt bike tracks, you might say I'll bring my dirt bike out here next time. But they see the mixed traffic, if you're a hiker or biker, and you know what the mixed traffic sign means. Everyone knows trail etiquette. If they don't, they should. Also adding rules, such as trail etiquette rules, and obviously for the Township for legality purposes. Every trail I've ever been to, whether it's on the grid, off the grid, illegal, owned by the city, they have trail rules posted; don't walk in the jumps, don't ride when they're wet, be safe.

The long term goals are to make this legitimate. Whether I have to piggy-back off an existing organization that you work with, or hopefully if it's feasible, making my own organization that is a little bit more specific to this style of mountain biking. That's how it works up north where bike parks are a lot more popular. It's separate from the cross country trail riding, which we have an abundance of here.

Hopefully that will lead to building some kind of infrastructure back there, with a legitimate roll in so the traffic is contained, fencing around the area so it's more obvious to the public, and working legally with a full understanding that we can promote this area to bring in people that would like to come and use it.

In conclusion, the future for the trails; there is a huge demand for this kind of biking all over the place. It's really popular in this area and in Ohio State. Most people travel to find facilities like this. The mountain biking infrastructure is huge in this area. It would be adding to that. Building these parks is exorbitantly expensive and they're usually built by machines. So, to have a community organization that is going to do this, it's free.

Through fundraising by an organization, we can afford to build additional things, a fence, a shed for tools, et cetera. Then when people come across it, they know it's legitimate.

Director England – To provide more history, this was brought to the Township's attention that these trails existed, about a week before the last Board meeting. I actually found Nick online and we set up a meeting with Larry Gray and Bob to discuss the



issues that these can create for the Township, but then stepping back and understanding how much work has gone into these, and trying to understand when they were created. Nick understands at this point, he cannot do anymore development over there. I believe that the structures you built have been removed.

Mr. O'Day – Yes, they're being worked on despite the weather.

Director England – There were some new structures that were put up over there that Larry asked him to remove. He did have a public event scheduled and he was asked to cancel that. Obviously it's on Township property.

I know that he has discussed this with Mike Kearney who is our rep for the Motor City Mountain Bike Association, a charter of the MMBA. They talked about working together. Mike has approached this board about developing some trails in there. He was out scouting because he is supposed to bring back a plan to us. We had that discussion with Nick about this as a possibility.

There's also liability issues we need to discuss with the attorneys. I think that would probably be seen the same as the sledding hill. Those are conversations that we need to have. The biggest conversation is with the DNR. I need to make sure that this falls within the guidance of our deed restrictions. Even though it came into existence prior to us purchasing it, if we allow it to be there, are we violating those deed restrictions?

There needs to be some clarification, even if it's just from the attorneys.

The purpose of Nick being here tonight is to have open discussion about these trails. I'll pull it up here so we can see where they're at, understand the history of them and not approve them to be there, but at least give us permission to move forward with developing relationships as this is some recreational benefit to the Township, and how this Committee wants to move forward with this.

Mr. Berkheiser – To my knowledge, there's no documentation from the State, and I'd be surprised if you had any because it has been so long, that said you're allowed to do this. Obviously the Township was not aware that any of it was going on out there. There is some concern, just to make sure that it's safe, not just safe for what they're doing, within reason, as riding mountain bikes is inherently dangerous, but for folks that walk trails, making sure there's appropriate signs, et cetera. What we've asked for is to just to inform you and let you know what's going on. Have you talked with the Motor City folks?

Mr. O'Day – I've reached out to them, but I haven't had a conversation yet.

Mr. Berkheiser – The thought at the time was that it might be easier to have them be part of this organization, since we already have an agreement with them and the Township. If not, then we can work on an agreement as we did elsewhere. I don't think we need to take up all of Victory Park doing it, but I also don't believe it is that big of an area that is being used.

I've never had anybody saying I wish we had trails where we could ride bikes back there. That's not saying it wouldn't potentially get used.

Ms. England pulled up the aerial and noted the location of the cemetery. Mr. O'Day reviewed the location of the trails with the Committee, which is a small area, 300x100. It's one hill and it's in a dead zone where the trail was submerged and people had quit using it. There is an old dam and a creek nearby. There are bridges that cross the creek

right behind the cemetery and those need to be addressed as they're not up to meeting requirements. Mr. O'Day noted that most people access the area from the south side.

Ms. Henderson – You said there isn't documentation stating that this can be done?

Mr. Berkheiser – The comment was made that this was created 20 years ago. Well, the property was owned by the State 20 years ago, and they either turned a blind eye or allowed it. I doubt there is any agreement between the State and ... I mean there isn't a group so I'm not sure there's an agreement. If it didn't cause issues, the State wasn't monitoring anything. When it was sold to the Township, we inherited this structure.

Ms. Henderson – Is there any documentation that says this absolutely cannot be done?

Mr. Berkheiser – No.

Ms. Henderson – Okay.

Mr. Berkheiser – Hold on. The only thing that could possibly be construed is Emily's comment that we have to make sure it abides by the deed restrictions.

Director England – There are areas on this side that aren't clear, that can both be active and passive. We just need to make sure this is located in an area that could be considered active, even though it's a semi-active recreation. We just need to have that clarification.

Ms. Henderson – Okay. Then like we have on the bridge, between Scarlet's park and Richardson Center, and Multi-Lakes, the posts, like we have at Byers, if we take preventative measures to keep things like ATVs and motorized dirt bikes out of there, that would lend itself to everyone's safety.

Director England – Correct.

Ms. Henderson – Tonight, my son sent me a picture of my son riding a makeshift bike trail at Clara Miller Park. My kid would love this and I would love to be able to take him here safely, and not worry about people zooming by on motorized vehicles. He's eight, he would love it. I'm definitely interested in learning more on if we can make this happen, how we can make it safe and within the rules we have to abide by.

Ms. Garbutt – Liability, what about that?

Director England – That's a conversation we have to have with the attorney. Obviously I would need the support of this committee before I can make that phone call.

Discussion continued regarding Township liability, insurance, the potential to partner with MMBA, signage, and researching similar parks in other communities. Mr. Berkheiser encouraged Mr. O'Day to gather that information regarding other parks.

Ms. Schwartz – I think I'm willing to look into it, mostly because if we don't, what are we going to do with what exists now? We're going to have to put time, money and effort into that in some form or fashion, so I think it's worth looking into.

Mr. Berkheiser – We've been looking at ways to utilize Victory Park, whether it be a dog park, or other uses. Lots of suggestions were made in the master plan. This is potentially viable.

Ms. Henderson – I agree with Krystal. The flip side of that point is, if we don't look into it, what is our community potentially missing out on? They have maintained this for almost 20 years, unbeknownst to any of us, without any funding. It's all volunteer. Besides it being illegal, it's commendable.

Director England – Can you make a motion to give me approval to move forward with working with them on getting the answers, working forward to come to an agreement?

**MOTION** by Henderson, seconded by Duff, to approve exploring BMX trail opportunities at Victory Park.

Discussion –

Unidentified – The missile base area, is that all nonmotorized vehicles?

Berkheiser – Every park is nonmotorized.

Unidentified – I live on a street that attaches to that, and they ride their ATVs right down the street.

England – We're fighting that right now.

**AYES: Henderson, Duff, Schwartz, Garbutt, Berkheiser**

**NAYS: None**

**ABSENT: Petsch, Walker**

**MOTION CARRIED UNANIMOUSLY**

**ITEM 10: HORSE FARM UPDATE**

The Horse Farm update was provided earlier in the meeting.

**ITEM 11: OTHER MATTERS**

None.

**The next Parks and Recreation Meeting will be Monday, October 25, 2021, at 7:00PM, with park tours at Wise Woods and Victory Park at 6:00PM.**

**ITEM 12: ADJOURNMENT**

**MOTION** by Garbutt, supported by Berkheiser, to adjourn the meeting at 8:17pm.

**MOTION CARRIED UNANIMOUSLY**

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Sarah Henderson, Secretary