

**CHARTER TOWNSHIP OF COMMERCE
TOWNSHIP BOARD OF TRUSTEES MEETING
March 9, 2021**

2009 Township Drive
Commerce Township, Michigan 48390

Due to the Michigan Department of Health and Human Services order this meeting was held via video conferencing technology.

CALL TO ORDER: Supervisor Larry Gray called the meeting to order at 7:04 p.m. and introduced the members of the Board.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Larry Gray, Supervisor
Melissa Creech, Clerk
Molly Phillips, Treasurer
Robert Berkheiser, Trustee
Vanessa Magner, Trustee
Rick Sovel, Trustee
George Weber, Trustee

Also Present: Phillip Adkison, Township Attorney
Hans Rentrop, Township Attorney
Dave Campbell, Planning Director
Jim Dundas, Fire Chief
Emily England, Senior/Parks and Recreation Director
Alyson Lobert, Library Director
Jason Mayer, Giffels Webster Engineers
Ben Sebrowski, Director of Technology
Mark Schoder, Maintenance Director
Debbie Watson, Acting DDA Director

Brian Widdis, MERGE LIVE, Multimedia Group, is the host for the meeting.

Ben Sebrowski, Director of Technology, is co-host for the meeting.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

MOTION by Sovel, supported by Magner, to approve the February 9, 2021 Regular Township Board Meeting minutes, as submitted.

APPROVAL OF MINUTES (Motion continued)

ROLL CALL VOTE

AYES: Sovel, Magner, Berkheiser, Creech, Phillips, Weber, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS

A. Midtown on Haggerty

Because of technical issues the petitioner was having, he asked if this could be moved further down the agenda. The Board was in agreement of his request.

ITEM 1:3-9 APPROVAL OF AGENDA

MOTION by Weber, supported by Berkheiser, to approve the March 9, 2021 Regular Township Board of Trustees Meeting Agenda with the following change: move **PRESENTATIONS A. Midtown on Haggerty** after **ITEM 6:3-9 PURCHASES**.

ROLL CALL VOTE

AYES: Weber, Berkheiser, Magner, Sovel, Creech, Phillips, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 2:3-9 PUBLIC COMMENTS

Supervisor Gray asked Brian Widdis MERGE LIVE, Multimedia Group, if there was anyone who wanted to speak under the Public Comments.

Rachel Kast, 8871 Lakeview Dr., White Lake, Michigan, and Vice Chairperson of the Parks and Recreation Committee recommends Johnny Walker's appointment to the Parks and Recreation Committee.

Supervisor Gray closed Public Comments.

ITEM 3:3-9 BOARD APPOINTMENTS

A. Johnny Walker – Appointment to the Parks and Recreation Committee for a 4-Year Term Ending February 28, 2025

Johnny Walker was present.

MOTION by Berkheiser, supported by Weber, to appoint Johnny Walker to Parks and Recreation Committee for a 4-Year Term Ending February 28, 2025.

ROLL CALL VOTE

AYES: Berkheiser, Weber, Phillips, Creech, Magner, Sovel, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 3:3-9 BOARD APPOINTMENTS (continued)

B. James Dundas – Appointment to the Zoning Board of Appeals as an Alternate Member for a Partial Term Ending March 2022

James Dundas was present.

Discussion on whether there could be a conflict of interest to have a Township employee, who is also the Township's Fire Chief, serve as an alternate member on the ZBA.

Hans Rentrop, Township Attorney, said, on a legal standpoint, there is no conflict of interest.

MOTION by Phillips, supported by Creech, to appoint James Dundas to the Zoning Board of Appeals as an Alternate Member for a Partial Term Ending March 2022.

ROLL CALL VOTE

AYES: Phillips, Creech, Weber, Magner, Gray

NAYS: Berkheiser, Sovel

MOTION CARRIED

ITEM 4: CONTRACT AWARDS AND AGREEMENTS

A. Parks and Recreation Mowing Contract

Emily England, Senior/Parks and Recreation Director, recommends awarding the contract to U.S. Lawns in the amount of \$26,180.00 for the season or \$935.00 per week. Trustee Sovel says U.S. Lawns must provide a new insurance certificate.

MOTION by Magner, supported by Berkheiser, to award the contract for mowing Dodge Park (North and South), Richardson Center, Hickory Glen and Maple Glen to U.S. Lawns in the amount of \$26,180.00 for the season or \$935.00 per week. This is a 2-year contract with the option to renew for one year with the stipulation the Township can end the contract at any time if they are not satisfied with their services.

ROLL CALL VOTE

AYES: Magner, Berkheiser, Weber, Phillips, Sovel, Creech, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 5:3-9 ADOPTIONS

A. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.052 – Hardship Tax Exemption

Hans Rentrop, Township Attorney, explained the Ordinance.

MOTION by Sovel, supported by Creech, to Adopt an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be Known as Code Amendment Ordinance No. 1.052.

ITEM 5:3-9 ADOPTIONS (An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.052 – Hardship Tax Exemption Motion continued)

ROLL CALL VOTE

AYES: Sovel, Creech, Phillips, Weber, Berkheiser, Magner, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 6:3-9 PURCHASES

A. Township Hall Flooring and Repair

Supervisor Gray explained the repairs needed to the floor in the Township Hall.

MOTION by Weber, supported by Magner, to approve the purchase of flooring and repair work to the Township Hall from Imperial Floor Covering Inc in the amount not to exceed \$4,600.00.

ROLL CALL VOTE

AYES: Weber, Magner, Sovel, Berkheiser, Phillips, Creech, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS

A. Midtown on Haggerty

David Campbell, Planning Director, advised the Board this is for a Mixed-Use Development, Commercial and Multiple Family Apartments, located at 155 Haggerty Road, west side of Haggerty, north of 14 Mile Road.

Spencer Schafer with Schafer Development, gave a presentation of the conceptual plans and asked the Board for preliminary feedback.

Trustee Berkheiser supports the development.

Trustee Weber explained concerns the Planning Commission had and said the majority of members on the Planning Commission had positive feedback on the development. He said the petitioner is very receptive to suggestions and concerns made by the Planning Commission.

ITEM 7:3-9 OLD BUSINESS

A. Revised Bid for Township Hall Atrium Blinds

Supervisor Gray said that Jay James, Building Official, is requesting a change to the Motion made at the February 9, 2021 Township Board meeting to replace fixed shade panels to manual roller shades which is \$528.00 more than the previously approved fixed shades.

ITEM 7:3-9 OLD BUSINESS (Revised Bid for Township Hall Atrium Blinds continued)

MOTION by Sovel, supported by Creech, to amend the Motion made at the February 9, 2021 Township Board meeting to read as follows: to award purchase and installation of manual roller shades to the south side windows in the top of the atrium at the Township Hall to The Sheer Shop in an amount not to exceed of \$7,202.00. Funds to come from the Building and Improvement Fund.

ROLL CALL VOTE

AYES: Sovel, Creech, Phillips, Weber, Berkheiser, Magner, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

B. Lower Straits Lake Weed Control SAD Update

Supervisor Gray said there will be a community meeting with the homeowner's association on March 18, 2021 at 7:30 p.m.

C. Township Property Management and Strategy Sub-Committee

Trustee Weber gave an update on the Sub Committee's findings of 166 parcels owned by the Township. He said, if this is approved, the next step is come back to the Township Board with the 18 parcels that are next to adjacent property owners and how they will be categorized between small, medium and large sites, along with a recommended sale price and receipt and review of RFQ documents to help us decide if we want to move forward.

MOTION by Berkheiser, supported by Sovel, to approve the Township Property Management and Strategy Sub-Committee's plan as presented, grant the authority to the sub-committee to obtain evaluations for the parcels that are next to adjacent property owners at a cost not to exceed \$5,000, to move forward with a draft RFQ and bring back to the Township Board and to engage in preliminary discussions with developers for the two parcels of land as discussed.

ROLL CALL VOTE

AYES: Berkheiser, Sovel, Magner, Weber, Phillips, Creech, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

D. 8585 PGA Drive Update

Supervisor Gray said the subcommittee is working with Oakland County Sheriff's Department. The sub-committee will look at sub-stations in Independence and Lake Orion Townships on March 16, 2021. There will be one tenant remaining in the building by April 2021.

ITEM 8:3-9 NEW BUSINESS

A. DDA Parcel L – Goddard School Variance Application – Pathway Waiver Request

Debbie Watson, Acting DDA Director, is requesting the Township grant an administrative waiver of the proposed pathway through Parcel L located on Haggerty Road. This was to allow for the sale of the property and the development of a childcare center and preschool by Goddard School. Goddard School withdrew their purchase agreement last week. The DDA would like to move forward with this request.

MOTION by Weber, supported by Magner, to give the Planning Director administrative authority to decide if the pathway shall remain or be removed on Parcel L, a 1.8-acre parcel on the west side of Haggerty Road between Pontiac Trail and Oakley Park Road.

ROLL CALL VOTE

AYES: Weber, Magner, Berkheiser, Sovel, Phillips, Creech, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

B. DDA Cash Advance

Debbie Watson, Acting DDA Director, is requesting a DDA cash advance of \$1,750,000.00.

MOTION by Sovel, supported by Gray, to approve a Downtown Development Authority (DDA) cash advance in the amount of \$1,750,000.00.

ROLL CALL VOTE

AYES: Sovel, Gray, Creech, Phillips, Weber, Berkheiser, Magner

NAYS:

MOTION CARRIED UNANIMOUSLY

C. Parks and Recreation Committee Bylaws

Emily England, Senior/Parks and Recreation Director, said the Parks and Recreation Committee recommends approval of changes made to their By-Laws.

MOTION by Magner, supported by Berkheiser, to readopt the Parks and Recreation Committee's By-Laws, as amended.

ROLL CALL VOTE

AYES: Magner, Berkheiser, Weber, Phillips, Creech, Sovel, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 8:3-9 NEW BUSINESS (continued)

D. Unified Building Access Control

Supervisor Gray explained how the access control program will work on Township buildings. This system will provide one access card that will work on all Township Buildings.

The Board would like to see another quote and comparison of other systems because of the amount of money that will be spent on an access system.

No action taken

E. Resolution to Enter into the Restaurant Relief Program Interlocal Agreement with Oakland County

Hans Rentrop, Township Attorney, explained the Resolution.

MOTION by Sovel, supported by Creech, to approve the Resolution of The Township Board of The Charter Township of Commerce to Enter into The Restaurant Relief Program Interlocal Agreement Between Oakland County and The Charter Township of Commerce and authorize the appropriate signatures

ROLL CALL VOTE

AYES: Sovel, Creech, Phillips, Berkheiser, Weber, Magner, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 9:3-9 ORDERS

MOTION by Sovel, supported by Magner, to approve the Orders and Add Ons.

ROLL CALL VOTE

AYES: Sovel, Magner, Berkheiser, Weber, Phillips, Creech, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 10:3-9 OTHER MATTERS

Treasurer Phillips –

- Asked if we have Microsoft Exchange service? Ben Sebrowski, Director of Technology answered no.

Trustee Sovel –

- Asked if we received any Cares Act money. Treasurer Phillips said we have, but she does not have the figures with her at the moment.

ITEM 10:3-9 OTHER MATTERS (continued)

Trustee Magner –

- Asked about phone calls that Emily England, Senior/Parks and Recreation Director, is receiving regarding the pavilions by the library building and the Scarlet's Smile Playground. Ms. England said she is receiving calls to rent out the pavilions. She said there are stipulations in the grant fund that was received where rental fees cannot be charged. The pavilions can be used by someone on a first come first serve basis.

Trustee Weber –

- He said the virtual Tammy's Tasting Cocktail Class hosted by the Library that he attended was very interesting.
- He noticed that Ben Sebrowski, Director of Technology, and Alyson Lobert, Library Director, were looking at Chrome Books for patrons to check out. He wanted to make sure there was no connectivity from the books to any of the Township servers. Ben Sebrowski, Director of Technology, said there will be no connectivity to the Township's servers.
- With the number of companies being hacked by Phishing scams to gain access to sites, should we look into some type of training for all Township people. Ben Sebrowski, Director of Technology, feels this would be a good idea to have the Township remind people of what type of scams to watch out for. He will work on some type of educational series on Phishing.
- Asked what is our Insight Commercial Consulting Agreement consists of. Debbie Watson, Acting DDA Director and Clerk Creech will review the agreement.
- Asked Emily England, Senior/Parks and Recreation Director, what the status is on the agreement for using Township parks. Ms. England said the standard form has been agreed upon and accepted. The Township should begin receiving the leagues executed agreements by next month.

Trustee Berkheiser –

- Have we considered having U.S. Lawns also cut grass for the Township, which may be less expensive than hiring a fourth employee for the Maintenance Department? This would also free up the Maintenance Department for other issues that come up. Supervisor Gray said his goal is to eventually have the Maintenance Department take care of everything for the Township.
- He has concerns with increasing bar closing times to 4:00 a.m. He would like to hear from State Representative Ryan Berman or Senator Jim Runestad to see what their thoughts are.

Supervisor Gray –

- He is working on giving a presentation to the Board for an Ordinance Officer at the April 2021 meeting.
- They now have an after-hour emergency phone number for the Maintenance Department – (248) 807-9706.

ITEM 10:3-9 OTHER MATTERS (Supervisor Gray continued)

- Next month there will be a new Oakland County Sheriff's Department Contract. The Township Attorney is reviewing the draft contract.
- Bids will be coming up for 8585 PGA Drive. He will work with Mark Schoder, Maintenance Director, to see if we should purchase another plow or contract out for services.
- A Resolution was approved by the Board on February 12, 2019 to abandon parts of Tamworth, Commercial, Andrews and Elkin Streets. They are working to get final signatures and to complete the process.
- Fire Station #3 phone line – working on getting \$217.00 charges removed.
- He will meet with Emily England, Senior/Parks and Recreation Director, to discuss a potential splash pad project.

ITEM 11:3-9 ADJOURNMENT

As there were no other matters to come before the Board.


MOTION by Weber, supported by Magner, to adjourn the meeting at 10:22 p.m.

ROLL CALL VOTE

AYES: Weber, Magner, Creech, Phillips, Berkheiser, Sovel, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY


Melissa Creech, Clerk
Charter Township of Commerce