

**CHARTER TOWNSHIP OF COMMERCE
REGULAR BOARD OF TRUSTEES MEETING**

Tuesday, October 14, 2003

2840 Fisher Avenue

Commerce Township, Michigan 48390

CALL TO ORDER: Supervisor Thomas Zoner called the meeting to order at 7:00 p.m. and introduced the members of the Board.

PLEDGE OF ALLEGIANCE TO FLAG

Lakeland High School government class students were in attendance.

ROLL CALL: Present: Thomas K. Zoner, Supervisor
Sandra Abrams, Clerk
Susan Gross, Treasurer
Robert J. Long, Trustee
Cheryl Magalski, Trustee
Daniel Munro, Trustee (arrived at 7:06 p.m.)
Rick Sovel, Trustee

Also Present: Phillip Adkison, Township Attorney
Christina Michaels, Township Attorney
Loren Crandell, Giffels-Webster Engineers
Jay James, Giffels-Webster Engineers

APPROVAL OF MINUTES

MOTION by Abrams, supported by Gross, to approve the Regular Township Board Meeting minutes of September 9, 2003 and the Joint Educational Meeting minutes of September 17, 2003, as written.

MOTION CARRIED UNANIMOUSLY

MOTION by Abrams, supported by Sovel, to approve the Resolution acknowledging Thomas R. Kopp who has taught Special Education for the past 33 years at Clifford H. Smart Middle School, served as Department Chairperson and volunteered coaching football, mentor students and players for 35 years.

MOTION CARRIED UNANIMOUSLY

COMMUNICATIONS:

Received and filed

PRESENTATIONS:

None

PETITIONS

None

DIRECTOR REPORTS

Joseph Schornack, Fire Chief
Todd Martin, Fire Marshall
Kathy Pogarch, Assessing Department
Constance Guest, Planning Director
Kelly Knight, Senior Director
Jeffrey Bowdell, Building-Zoning Director

ITEM 1:10-14 APPROVAL OF AGENDA

MOTION by Abrams, supported by Gross, to approve the Agenda with the following changes, hear the Bond Issue as soon as all parties arrive, handouts, add item 9(E) Halloween Hours 6-8 p.m. October 31, 2003, and add ons for orders.

MOTION CARRIED UNANIMOUSLY

ITEM 2:10-14 BOARD APPOINTMENTS (2004 Schedule Included)

None

ITEM 3:10-14 PUBLIC COMMENTS

None

ITEM 4:10-14 PUBLIC HEARINGS

A. Special Projects First of 3 Resolutions #20 Special Assessment District Establishment Resolution

MOTION by Gross, supported by Abrams, to approve the Resolution of the Township Board of the Charter Township of Commerce Determining to

Special Projects #20 S.A.D Establishment Resolution (Motion continued)

Undertake an Improvement Project and to Establish and Maintain a Special Assessment District to pay Costs Associated Therewith and Approving the Plans and Estimates of Costs Therefore known as Special Projects No. 20.

MOTION CARRIED UNANIMOUSLY

ITEM 5:10-14 CONTRACTS AWARD AND AGREEMENTS

A. Intergovernmental Emergency Water Agreement

Removed

B. Grinder Pump Installation Contract

Jay James, Giffels-Webster Engineers explained the contract.

MOTION by Abrams, supported by Gross, to approve the Grinder Pump Installation Contract to C & E Construction for one (1) year with two (2) extensions.

MOTION CARRIED UNANIMOUSLY

C. Seeley Drain Giffels-Webster Engineering

Jay James and Loren Crandell, Giffels-Webster Engineers gave an update on the Seeley Drain. – No action taken

D. Intergovernmental Waste Water Treatment Agreement

Loren Crandell, Giffels-Webster Engineers explained the agreement.

MOTION by Zoner, supported by Abrams, to approve the Intergovernmental Waste Water Treatment Agreement between the Charter Township of Commerce and the Village of Wolverine Lake.

MOTION CARRIED UNANIMOUSLY

E. Snow Plowing Services Contract Renewal

MOTION by Gross, supported by Munro, to approve the Contract for Snow Plowing Services – Snow Plowing Season Mt. Royal Special Assessment District and the Contract for Snow Plowing Services – Snow Plowing Season Commerce Township 2003 – 2004 with Uncle Jim's, Inc. and change from 3 inches to 2 inches.

MOTION CARRIED UNANIMOUSLY

Item 12 C - Bond Purchase Agreement

The following were present: Tom Traciak Financial Advisor, Bill Roach, Oppenheimer & Co. Inc., Bowden Brown, Bonding Attorney.

Mr. Traciak recommended Oppenheimer as the underwriter.

Item 12 C - Bond Purchase Agreement (continued)

MOTION by Munro, supported by Abrams, to approve the Bond Authorizing Resolution, as submitted, for \$13,000,000.00 for the 2003 Taxable Adjustable Rate Downtown Development Bonds (Limited Tax General Obligation) with the modifications to Section 2 and Section 10 and to authorize the appropriate signatures.

ROLL CALL VOTE

AYES: Munro, Magalski, Gross, Abrams, Sovel, Long, Zoner

NAYS:

MOTION CARRIED UNANIMOUSLY

Out of order

ITEM 11:10-14 OLD BUSINESS

A. Purchase Computer Software (Tabled 9-9-03 Regular Meeting)

Bill Garner, BS&Software, was present.

MOTION by Sovel, supported by Gross, to remove Purchase Computer Software from the table. **MOTION CARRIED UNANIMOUSLY**

MOTION by Abrams, supported by Gross, to approve the purchase of computer software from BS&A Software for accounts receivable, accounts payable programs, general ledger, budgeting and fixed assets programs in the amount not to exceed \$30,475.00. **MOTION CARRIED UNANIMOUSLY**

B. Purchase Computer Hardware Server (Tabled 9-9-03 Regular Meeting)

Brad Cheatham, Access Computers, was present.

MOTION by Sovel, supported by Gross, to remove Purchase Computer hardware Server from the table. **MOTION CARRIED UNANIMOUSLY**

MOTION by Sovel, supported by Munro, to approve the purchase of computer hardware (Windows 2003 Server with software assurance), printer and miscellaneous equipment from Access Computers in the amount not to exceed \$13,000.00. **MOTION CARRIED UNANIMOUSLY**

ITEM 6:10-14 INTRODUCTIONS

A. An Ordinance to amend Ordinance No. 79, the Charter Township of Commerce Fee Ordinance, Section 18 Establishing Policies, Procedures and Standards for Liquor Licenses and Permits; to be known as Ordinance 79-03-19.

ITEM 6:10-14 INTRODUCTIONS (continued)

MOTION by Abrams, supported by Munro, to Introduce Charter Township of Commerce, an Ordinance to amend Ordinance No. 79, Fee Ordinance, to be known as Ordinance and to give publication in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

B. An Ordinance 92 to amend Ordinance No. 46, the Charter Township of Commerce Michigan Liquor Control Ordinance, to be known as Ordinance 46-03-04.

MOTION by Abrams, supported by Gross, to Introduce Charter Township of Commerce, an Ordinance to amend Ordinance No. 46-2, Liquor Control Ordinance, to be known as Ordinance 46-03-04 and to give publication in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

C. An Ordinance to amend Ordinance No. 62, the Charter Township of Commerce Water and Sewage Ordinance, to be known as Ordinance 62-03-34.

MOTION by Abrams, supported by Gross, to Introduce Charter Township of Commerce, an Ordinance to amend Ordinance No. 62, Water and Sewage Ordinance, to be known as Ordinance 62-03-34 and to give publication in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

ITEM 7:9-9 ADOPTIONS

A. An Ordinance to amend Ordinance 92, the Charter Township of Commerce Michigan Vehicle Code Ordinance, to be known as Ordinance 92-03-1.

MOTION by Abrams, supported by Gross, to Adopt Charter Township of Commerce, an Ordinance to amend Ordinance No. 92, Michigan Vehicle Code Ordinance to be known as Ordinance No. 92-03-1 and to give publication in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

B. An Ordinance to amend Ordinance 55, the Charter Township of Commerce Zoning Ordinance, a Text Amendment to create a Planned Unit Development (PUD) Provision, to be known as Ordinance 55-03-152.

MOTION by Abrams, supported by Munro, to send An Ordinance to amend Ordinance 55, the Charter Township of Commerce Zoning Ordinance, a Text

PUD (Motion continued)

Amendment to create a Planned Unit Development (PUD) Provision, to be known as Ordinance 55-03-152 back to the Planning Commission for further study and revisions.

MOTION CARRIED UNANIMOUSLY

C. An Ordinance to amend Ordinance 55, the Charter Township of Commerce Zoning Ordinance, to Re-Zone 30334 Greenlawn from R1-D Single Family Residential to P-Parking, to be known as Ordinance 55-03-151.

MOTION by Munro, supported by Magalski, to approve An Ordinance to amend Ordinance 55, the Charter Township of Commerce Zoning Ordinance, to Re-Zone 30334 Greenlawn from R1-D Single Family Residential to P-Parking, to be known as Ordinance 55-03-151.

MOTION CARRIED UNANIMOUSLY

ITEM 8:10-14 SITE CONDOMINIUMS AND PLATS

A. West Woods of Reed Lake Site Plan

Constance Guest, Planning Director, stated the petitioner is requesting the internal sidewalks be removed from the Site Plan.

Trustee Munro urges the Board to keep the sidewalks in the Site Plan, otherwise send it back to the Planning Commission for review.

William Brownfield was present to answer questions.

MOTION by Munro, supported by Magalski, to approve SP 03-14-12, West Woods of Reed Lake, Sidwell No. 17-14-301-001. This is based on the Planning Departments conditions and 1) All of the engineers, Road Commission, and Fire Chief's requirements; 2) Master Deed to include open space preservation areas and landscape buffer area along South Commerce Road; 3) No building in open space areas or on lots # 13-20; 4) MDEQ permits for boat docks and decks on lots #13-20; 5) MDEQ permit for nature path and shared beach; 6) Master Deed note prohibiting building decks into the wetland areas on lots # 2-6; 7) Master Deed note prohibiting gas motor boats, acknowledge adjacent gun club and no sublease of the lakefront outlots; 8) Addition of sidewalks and street lights; and 9) Entranceway signage permit approval.

MOTION CARRIED UNANIMOUSLY

B. Wildwood Commons Site Plan

Constance Guest, Planning Director explained the Site Plan.

David Munroe, Hammond and Oliver was present.

Wildwood Commons Site Plan (continued)

MOTION by Munro, supported by Gross, to approve SP 03-06-08 Wildwood Commons, Sidwell No.: 17-06-376-001. This is based on the Planning Departments conditions. The two legal non-conforming homes (lots 39 & 40) are due to the construction of the new public road (a proper 60-foot roadway). Direct the Township Attorney to draft a Text Amendment for subdivision lots 39 & 40 which would grant them site compliance allowing them to rebuild at their present setbacks but no closer to the road. **MOTION CARRIED UNANIMOUSLY**

ITEM 9:10-14 CONSENT AGENDA

- A. Consider Insurance Plan**
- B. Consider Payroll Proposal**
- C. Consider Resolution to Authorize Electronic Transactions**
- D. Consider Ann Arbor Credit Bureau Items**
- E. Halloween Hours**

MOTION by Gross, supported by Abrams, to approve the Consent Agenda with the removal of Item B.

ROLL CALL VOTE

AYES: Munro, Magalski, Gross, Abrams, Sovel, Long, Zoner

NAYS:

MOTION CARRIED UNANIMOUSLY

B. Consider Payroll Proposal

MOTION by Abrams, supported by Gross, to approve the Payroll Proposal from Paychex Payroll Services for processing the Township payroll and authorize the appropriate signatures. This shall begin with the first payroll in January 2004. \$500.00 installation fee will be billed with the first payroll.

MOTION CARRIED UNANIMOUSLY

ITEM 10:10-14 PURCHASES

A. Fire Department Washer-Extractor

MOTION by Munro, supported by Magalski, to approve the purchase of extractor for washing turn out gear from Universal Laundry Machinery at a cost not to exceed \$4,000.00. **MOTION CARRIED UNANIMOUSLY**

B. Fire Department Vehicle

MOTION by Munro, supported by Gross, to approve the purchase of one Ford Expedition from Hines Park Ford, Inc. and \$2,500.00 for the cost of additional equipment listed, for a total cost not to exceed \$28,500.00

MOTION CARRIED UNANIMOUSLY

ITEM 11:10-14 OLD BUSINESS

C. Great Lakes Waste Services

John Prymack, Great Lakes Waste Services, was present.

MOTION by Munro, supported by Sovel, to accept the agreement with Great Lakes Waste Services for a one-day collection of waste. All other conditions of the contract shall remain the same.

MOTION CARRIED UNANIMOUSLY

D. Intergovernmental Library Services Contract (Tabled 9-9-03 Regular Meeting)

MOTION by Gross, supported by Abrams, to remove Intergovernmental Library Services Contract from the table.

MOTION CARRIED UNANIMOUSLY

MOTION by Gross, supported by Abrams, to approve the Library Services Contract between Charter Township of Commerce, County of Oakland, and the Walled Lake City Library and the West Bloomfield Township Public Library and to approve the Supplemental Agreement.

MOTION CARRIED UNANIMOUSLY

Recess: 10:03 p.m.

Reconvene: 10:11 p.m.

ITEM 12:10-14 NEW BUSINESS

A. Carino's Country Italian Restaurant – Liquor License

MOTION by Abrams, supported by Munro, to approve the Michigan Department of Commerce Liquor Control Commission Resolution for Carino's of Commerce Township, LLC for a new Class C License, SDM License, Sunday Sales Permit, and Official Permit for the sale of food on Sundays, located on Center Drive, north of 14 Mile Road, Commerce Township, Michigan.

ROLL CALL VOTE

AYES: Munro, Magalski, Gross, Abrams, Sovel, Long, Zoner

NAYS:

MOTION CARRIED UNANIMOUSLY

B. Gypsy Moth Bid Process Discussion

It was the consensus of the Board to have the Township Supervisor use Al's Aerial Spray service for Gypsy Moth service.

D. 2004 Township Budget Discussion

Draft document for the 2004 budget was passed out for review.

ITEM 13:10-14 ORDERS

MOTION by Abrams, supported by Gross, to approve the Orders with the deletion of check #42356 and the following additions:

Absopure Water Co.	\$ 128.55
All-Star Paper, Inc.	108.87
SBC/Ameritech	157.93
AT&T	24.01
Auto Parts Express	18.14
Berthiaume & Co.,	540.00
Blue Care Network	3,941.06
Comcast Walled Lake	66.80
Election Systems/Software	420.00
Giffels-Webster Engineers	100.00
McDowell & Associates	1,295.00
McKenna Associates	86.00
Mcleod USA	20.07
Melvin's Hardware	73.20
MSA Nutrition	3,738.68
Retiree Health Care Fund	11,000.00
Staples	37.24
Terminex	103.00

MOTION CARRIED UNANIMOUSLY

ITEM 14:10-14 OTHER MATTERS TO COME BEFORE THE BOARD

A developer to install a water main out to the Wixom Road and Glengary Road area approached Jay James, Giffels-Webster Engineers. He stated that the developer will pay \$400,000.00 for the water main and would like to know if the Township is willing to pay up to \$400,000.00 for the water main? It was the consensus of the Board that the Township is interested in a water main in this area and requested Jay James come back to the Board with further information after discussion with other developers in the area.

ITEM 15:10-14 ADJOURNMENT

MOTION by Sovel, supported by Munro, to adjourn the meeting at 10:40 p.m.

MOTION CARRIED UNANIMOUSLY

Sandra Abrams, Clerk

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