

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

Tuesday, April 8, 2003

2840 Fisher Avenue

Commerce Township, Michigan 48390

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

PLEDGE OF ALLEGIANCE TO FLAG

ROLL CALL: Present: Thomas K. Zoner, Supervisor
Sandra Abrams, Clerk
Susan Gross, Treasurer
Robert J. Long, Trustee
Cheryl Magalski, Trustee
Daniel Munro, Trustee
Rick Sovel, Trustee

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

APPROVAL OF MINUTES

MOTION by Abrams, supported by Gross, to approve the Regular Township Board Meeting minutes of March 11, 2003, as written.

MOTION CARRIED UNANIMOUSLY

COMMUNICATIONS: Received and filed.

PRESENTATIONS

1. Kent Lake-Huron River Management Plan Summary

Chris Riggs gave a presentation on the plan.

No action taken.

PRESENTATIONS (continued)

2. Introduction of Boy Scout Troop 326 Merit Badge Qualification

Jeff O'Connell, Troop Leader, introduced Boy Scout Troop 326.

Boy Scout Troop 326 will clean up parts of Mill Race Park and the Huron River within the park. The project will commence on May 3, 2003.

PETITIONS

Polvadera-Creedmore Bridges – Discussion of Emergency Repairs

Bob Husak, 4690 Camellia was present to explain the repairs needed.

MOTION by Gross, supported by Sovel, to approve by Resolution, creating a Special Assessment District to Pay Costs Associated Therewith and Approving the Plans and Estimates of Costs Therefore to be Known as Polvadera-Creedmore Bridges Special Assessment District and to give publication in the manner prescribed by law.

ROLL CALL VOTE

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

NAYS: Munro

MOTION CARRIED

DIRECTOR REPORTS

Joseph Schornack, Fire Department

Tom Craycraft, Assistant Building Director

Constance Guest, Planning Director

Kelly Knight, Senior Director

Lieutenant Denny Davis, Oakland County Sheriffs Department - excused

Kathy Pogarch, Assessing Director - excused

ITEM 1:4-8 APPROVAL OF AGENDA

MOTION by Gross, supported by Munro, to approve the Agenda with the addition of 1) Appointment of Doug Lanni to the Downtown Development Authority; 2) Approval of Resolution of LTGO Bonds; 3) Job Description - Building Director and 4) Agreement for Carroll Lake Sewer Gravity.

MOTION CARRIED UNANIMOUSLY

LTGO Bonds

Tom Traciak was present.

MOTION by Gross, supported by Abrams, to approve the Resolution LTGO Bonds to award the winning bid from Wells-Fargo at an interest rate of 3.1214%.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 2:4-8 PUBLIC COMMENTS

Chris Riggs, 725 Kentbrook, Cross Creek Subdivision, was present to advise the Board that on March 15, 2003, the drainage easement between phase 1 and 2 did not allow the water to exit adequately. Additionally, some of the homes were not built to specs. He would like the Board to be aware of these problems with the builder.

ITEM 3:4-8 PUBLIC HEARINGS

A. Carroll Cove Offsite Pressure Sewer Special Assessment District Establishment Resolution

Supervisor Thomas Zoner opened the Public Hearing.

No one present had any objections.

Supervisor Thomas Zoner closed the Public Hearing.

MOTION by Munro, supported by Abrams, to approve an Agreement between Commerce Township and Carroll Road Development Partners to construct the sewer for Carroll Cove offsite Pressure Sewer S.A.D. and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

MOTION by Munro, supported by Abrams, to approve the Resolution of the Township Board of the Charter Township of Commerce Determining to 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 Carroll Cove Offsite Pressure Sewer Special Assessment District.

MOTION CARRIED UNANIMOUSLY

ITEM 4:4-8 CONTRACTS AND AGREEMENTS

A. White Lake Amended Agreement for Sewer Connection

Phillip Adkison, Township Attorney, explained the agreement.

MOTION by Sovel, supported by Abrams, to approve the Third Amendment to the First Amended and Restated WasteWater Treatment Agreement and authorize the appropriate signatures. **MOTION CARRIED UNANIMOUSLY**

B. City of Novi-Detroit Water – Commerce Township Water Agreement

MOTION by Abrams, supported by Magalski, to approve the Agreement to Supply Water to Detroit Water and Sewerage Department Booster Station and authorize the appropriate signatures. **MOTION CARRIED UNANIMOUSLY**

C. City of Novi-Detroit Water-Commerce Township Sewer Agreement

MOTION by Sovel, supported by Abrams, to approve the Sewer Agreement between the Charter Township of Commerce, City of Novi, City of Detroit Water and Sewerage Department and Oakland County Drain Commission and authorize the appropriate signatures. **MOTION CARRIED UNANIMOUSLY**

MOTION by Munro, supported by Abrams, to appoint Doug Lanni to the Downtown Development Authority for the replacement and remainder of the term of Dick Morris. **MOTION CARRIED UNANIMOUSLY**

ITEM 5:4-8 INTRODUCTIONS

A. An Ordinance for the Third Amended Development Plan for Downtown Development Authority, to be known as Ordinance 96-03-0.

MOTION by Gross, supported by Munro, to Introduce an Ordinance for the Third Amended Development Plan for Downtown Development Authority, to be known as Ordinance 96-03-0 and to give publication in the manner prescribed by law and bring back to the Board for Adoption.

MOTION CARRIED UNANIMOUSLY

MOTION BY Abrams, supported by Gross, to approve the Resolution of Intent of the Township Board of the Charter Township of Commerce to Adopt the Third Amended Development Plan and Third Amended Tax Increment Financing Plan for Development Area No. 1. **MOTION CARRIED UNANIMOUSLY**

INTRODUCTIONS (continued)

B. An Ordinance to Amend Ordinance No. 62, the Charter Township of Commerce Water and Sewer Ordinance, to be known as Ordinance 62-03-33.

MOTION by Munro, supported by Magalski, to Introduce an Ordinance to Amend Ordinance No. 62, the Charter Township of Commerce Water and Sewer Ordinance, to be known as Ordinance 62-03-33 and to give publication in the manner prescribed by law and bring back to the Board for Adoption.

MOTION CARRIED UNANIMOUSLY

C. Metro Act Ordinance, an Ordinance to Regulate Access to and Ongoing Use of Public Rights-of-Way by Telecommunications Providers, to be known as Ordinance 95-03-00.

MOTION by Abrams, supported by Sovel, to Introduce Metro Act Ordinance, an Ordinance to Regulate Access to and Ongoing Use of Public Rights-of-Way by Telecommunications Providers, to be known as Ordinance 95-03-00 and to give publication in the manner prescribed by law and bring back to the Board for Adoption.

MOTION CARRIED UNANIMOUSLY

ITEM 6:4-8 ADOPTIONS

A. An Ordinance to Amend Ordinance 87-01-00, Street Ordinance, to be known as Ordinance 87-03-1.

MOTION by Munro, supported by Gross, to Adopt An Ordinance to Amend Ordinance 87-01-00, Street Ordinance, to be known as Ordinance 87-03-1 and to give publication in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

ITEM 7:4-8 SITE CONDOMINIUMS AND PLATS

None

ITEM 8:4-8 CONSENT AGENDA

None

ITEM 9:4-8 PURCHASES

A. New Fire Apparatus Appliances

Joseph Schornack, Fire Chief, advised the Board of the prices and options received.

MOTION by Munro, supported by Gross, to approve the purchase of new fire apparatus appliances from Apollo Fire Equipment in the amount of \$19,581.00. Funds to come from the Fire Department Fund.

ROLL CALL VOTE

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

NAYS: Long

MOTION CARRIED

ITEM 10:4-8 OLD BUSINESS

A. Manufactured Fertilizer Ordinance Discussion

MOTION by Sovel, supported by Abrams, to direct the Township Attorney to draft an Ordinance and bring back to the Township Board.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

B. Sale of Old Fire Station Proposal

Mike Powell, Powell & Associates was present. He is representing Ralph Josephson and Brad Glasson, who are interested in purchasing the property for a real estate office.

MOTION by Munro, supported by Abrams, to direct the Township Attorney to prepare an R.F.P. and notice of publication to post in the local newspaper for the sale of Commerce Fire Station No 1 Article I.D. #17-10-403-004 and adjacent residential parcel I.D. # 17-10-403-16. **MOTION CARRIED UNANIMOUSLY**

Recess: 11:25 p.m.

Reconvene: 11:35 p.m.

ITEM 11:4-8 NEW BUSINESS

A. Plot Plan Review

No action taken.

B. Environmental Infrastructure Funds

MOTION by Munro, supported by Gross, to draft a Resolution to the County of Oakland approving the use of the last 3 years of the County Environmental Infrastructure Funds in the amount of \$117,321.87 per year for a total of \$351,965.61 to be used in part to pay for water tap fee required for a 42" Detroit Water Main that will cost \$1,204,000.00. **MOTION CARRIED UNANIMOUSLY**

C. Traffic Signal Re-timing

MOTION by Long, supported by Munro, to approve a Resolution for the Road Commission for Oakland County supporting the Traffic Signal Retiming Project in Commerce Township and authorize the clerk to sign the Resolution.

MOTION CARRIED UNANIMOUSLY

D. Flag for 52-1st Court

MOTION by Sovel, supported by Magalski, to approve the purchase of one (1) community flag and stand at a cost of \$94.77 to be placed in the 52-1st Courthouse.

MOTION CARRIED UNANIMOUSLY

Job Description for Building/Zoning Director

MOTION by Sovel, supported by Gross, to approve the job description for Building/Zoning Director at an annual starting salary of \$55,000.00.

MOTION CARRIED UNANIMOUSLY

ITEM 12:4-8 ORDERS

MOTION by Abrams, supported by Munro, to approve the Orders with add ons as presented. Warrant Add-ons April 8, 2003:

A-1 Business Products	\$2,241.18
AGA Linde Healthcare	33.43
Albin Business Centers	402.43
Clark Fleet Fueling	547.15
Home Depot	231.32\

ITEM 12:4-8 ORDERS (continued)

Lasalle Bank	1,071.68
National City Bank	476.23
Sunrise Home	600.00
Thomson Financial Media	1,350.00

MOTION CARRIED UNANIMOUSLY

ITEM 13:4-8 OTHER MATTERS TO COME BEFORE THE BOARD

Supervisor Thomas Zoner passed out a vehicle maintenance list.

Discussion took place on Tri-Party Projects within the Township.

MOTION by Gross, supported by Abrams to change the title of the Bookkeeper and Assistant to Bookkeeper positions to Finance Manager and Assistant to Finance Manager.

ROLL CALL VOTE

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

NAYS: Long

MOTION CARRIED

ITEM 14:4-8 ADJOURNMENT

MOTION by Long, supported by Sovel, to adjourn the meeting at 12:45 a.m.

MOTION CARRIED UNANIMOUSLY

Sandra Abrams, Clerk

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