

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

Tuesday, June 10, 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
Sharon McClelland, Deputy Clerk
Susan Gross, Treasurer
Robert J. Long, Trustee
Cheryl Magalski, Trustee
Daniel Munro, Trustee
Rick Sovel, Trustee

Absent: Sandra Abrams, Clerk

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

APPROVAL OF MINUTES

MOTION by Gross, supported by Sovel, to approve the Regular Township Board Meeting minutes of May 13, 2003, and the Special Township Board Meeting minutes of May 27, 2003, as written. **MOTION CARRIED UNANIMOUSLY**

COMMUNICATIONS:

MOTION by Magalski, supported by Gross to receive and file communications. **MOTION CARRIED UNANIMOUSLY**

Vicki Crouch from Layton & Richardson, P.C. reviewed and presented the 2002 Audit Report to the Board.

DIRECTOR REPORTS

Lieutenant Denny Davis, Oakland County Sheriffs Department
Joseph Schornack, Fire Chief
Kathy Pogarch, Assessing Department
Kelly Knight, Senior Director
Tom Craycraft, Assistant Building Director
Constance Guest, Planning Director

ITEM 1:6-10 APPROVAL OF AGENDA

MOTION by Munro, supported by Sovel, to approve the Agenda with the addition of the following to the Consent Agenda: 1) Open Door Charity banner request and 2) Ann Arbor Credit Form. **MOTION CARRIED UNANIMOUSLY**

ITEM 2:6-10 PUBLIC COMMENTS

Christie Yee 230 Wakefield, regarding the Mount Royal Bridge. She stated that the bridge is not an emergency issue and the repairs noted in her subdivision newsletter are not necessary.

Christopher L. Eis 321 Elkin Court asked the Board to modify the current camper storage ordinance to the same requirements as boats.

Rod White 4275 Creedmoore, agrees with Ms. Yee.

David Diponio 8150 Barnsbury, spoke of the fence that was installed at the new "Matter of Taste" site on Union Lake Road.

Ken Best 2786 Woodbury, code enforcement complaint at 2783 Woodbury and 1626 Glengary.

Kelly McCallum 2730 Woodbury, code enforcement complaint at 1540 Glengary.

Yvonne Justin, 1634 Glengary, code enforcement complaint at 1626 Glengary.

Ellen Smith, 215 Foxbury, opposed to the Parks and Recreation Report in regards to demolition of residence at Byers Homestead.

ITEM 3:6-10 PUBLIC HEARINGS

A. Downtown Development Authority Third Amended Development/Third Amended Tax Increment Financing Plan

Supervisor Thomas Zoner opened the Public Hearing.

Wynn Berry, D.D.A. Director was present to explain the plan.

The following property owners were present to ask general questions about the plans:

Jeff, property owner at 8230 Goldie Street - in support of the plan.

Augusta Richards

George Villa

Rich Button

Earl Lockwood

John Turcock

Supervisor Thomas Zoner closed the Public Hearing.

ITEM 4:6-10 CONTRACTS AND AGREEMENTS

A. Agreement to Upsize Pump Station 8.

Jay James, Giffels-Webster Engineers explained the agreement.

MOTION by Gross, supported by Magalski, to approve the Pontiac Trail/Beck Agreement to Upsize Pump Station 8.1.

MOTION CARRIED UNANIMOUSLY

ITEM 5:6-10 INTRODUCTIONS

A. An Ordinance to Regulate the Application of Lawn Fertilizer on Turf to be known as Ordinance 94-03-00.

MOTION by Munro, supported by Gross to remove An Ordinance to Regulate the Application of Lawn Fertilizer on Turf to be known as Ordinance 94-03-00 from the table.

MOTION CARRIED UNANIMOUSLY

MOTION by Munro, supported by Gross, to Introduce an Ordinance to Regulate Application of Lawn Fertilizer Application of Lawn Fertilizer on Turf to be known as Ordinance No. 94-03-00, and to give publication in the manner prescribed by law and bring back to the Board for Adoption.

INTRODUCTIONS (Motion continued)

Discussion:

Long – Cited concerns with the following sections of the Ordinance:

- 4.2 - Establishment of phosphorus and nitrogen levels should not be limited to Michigan State
- 5.2 B 5. – do not need the weight of vehicle
- 5.2 C – add: Building Department
- 5.2 D – change 30 days to 7 working days

Sovel –

- 5.2 E – Is this only within the Township?
- 5.2 G 3 – stickers in the lower passenger windshield could result in numerous stickers on windshields in the event all cities and townships require this.

MOTION CARRIED UNANIMOUSLY

ITEM 6:6-10 ADOPTIONS

A. An Ordinance Approving the Third Amended Development Plan and Third Amended Tax Increment Financing Plan for Development Area No. 1 for the Commerce Township Downtown Development Authority, to be known as Ordinance 96-03-0.

MOTION by Munro, supported by Gross, to Adopt An Ordinance Approving the Third Amended Development Plan and Third Amended Tax Increment Financing Plan for Development Area No. 1 for the Commerce Township Downtown Development Authority, to be known as Ordinance 96-03-0 and to give publication in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

ITEM 7:6-10 SITE CONDOMINIUMS AND PLATS

A. Augusta Woods Site Plan

Constance Guest, Planning Director explained the site plan.

MOTION by Munro, supported by Magalski, to grant final site plan approval for SP 02-10-24 as recommended by the Planning Commission and contingent upon the recommendations of the Fire Chief, Township Engineer and the Road Commission for Oakland County and approval of the Township Attorney.

MOTION CARRIED UNANIMOUSLY

SITE CONDOMINIUMS AND PLATS (continued)

B. Addington Corners Site Plan

Constance Guest, Planning Director explained the site plan.

MOTION by Munro, supported by Gross, to grant final site plan approval for SP 02-33-35 as recommended by the Planning Commission with the inclusion of master deed notations by the Township Attorney and Township Engineer.

ROLL CALL VOTE

AYES: Munro, Gross, Long, Zoner

NAYS: Magalski, Sovel

ABSENT: Abrams

MOTION CARRIED

C. Maple Crossing Site Plan

Constance Guest, Planning Director explained the site plan.

MOTION by Munro, supported by Gross, to grant final site plan approval for SP 03-33-07 as recommended by the Planning Commission along with notes in the master deed as requested by the Township Attorney and the Township Engineer.

ROLL CALL VOTE

AYES: Munro, Magalski, Gross, Long, Zoner

NAYS: Sovel

ABSENT: Abrams

MOTION CARRIED

ITEM 8:6-10 CONSENT AGENDA

- A. Consider Approval of Annual Fire Prevention Banner**
- B. Consider Approval of Annual St. Patrick's Church Banner**
- C. Consider Approval of Edgewood Request for Fireworks Display**
- D. Consider Approval of Lake Sherwood Request for Fireworks Display**
- E. Consider Approval of Re-Appointments to Downtown Development Authority**
- F. Consider Two Approvals of Ann Arbor Credit Bureau Suit Authorization (Jeremy Davidson and Michael Gregory)**
- G. Consider Resolution Declaring Bond Reimbursement Expectation for Lower Mount Royal Dredging Special Assessment District**
- H. Consider Appointment to Building Board of Appeals**
- I. Open Door Charity Banner**

MOTION by Munro, supported by Sovel, to approve the Resolution of the Township Board of the Charter Township of Commerce approving Consent Agenda with the additions and the removal of "H".

CONSENT AGENDA (Motion continued)

ROLL CALL VOTE

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

NAYS:

ABSENT: Abrams

MOTION CARRIED UNANIMOUSLY

Item H. Consider appointment to Building Board of Appeals

MOTION by Munro, supported by Magalski, to table Appointment to the Building Board of Appeals.

MOTION CARRIED UNANIMOUSLY

ITEM 9:6-10 PURCHASES

None

ITEM 10:6-10 OLD BUSINESS

None

ITEM 11:6-10 NEW BUSINESS

A. Sale of Building Department 1993 Vehicle

MOTION by Long, supported by Munro, to authorize the sale of one 1993 Blue Jimmy SUV, Vin # 1GK0T13W3P2524678 subject to Township Board approval.

MOTION CARRIED UNANIMOUSLY

B. Charms Road Sanitary Sewer

MOTION by Munro, supported by Zoner, to table Intergovernmental Agreement between Commerce Township and the City of Wixom for the purpose of connecting to public utilities and roadways within the City of Wixom.

ROLL CALL VOTE

AYES: Munro, Gross, Zoner

NAYS: Magalski, Sovel, Long

ABSENT: Abrams

MOTION FAILED

MOTION by Sovel, supported by Magalski, to deny Intergovernmental Agreement between Commerce Township and the City of Wixom for the purpose of connecting to public utilities and roadways within the City of Wixom.

NEW BUSINESS (Motion continued)

ROLL CALL VOTE

AYES: Munro, Magalski, Gross, Long, Sovel

NAYS: Zoner

ABSENT: Abrams

MOTION CARRIED

C. Byer's Sub-Committee Property Report

Supervisor Thomas Zoner recommends this is tabled until the evaluation report is received.

Trustee Long explained the findings of the Parks and Recreation Committee.

Kelly Knight was present to explain the report.

The following were present to voice their objections to the report:

Janice Leonhardt

Ellen Smith

Sandy Gleason

MOTION by Gross, supported by Magalski, to accept the Byer's Sub-committee's Property Report for the Farmhouse, Grandma's Pantry, Outhouse, Duck Barn and Large Barn.

MOTION CARRIED UNANIMOUSLY

ITEM 12:6-10 ORDERS

MOTION by Gross, supported by Zoner, to approve the Orders with the following add ons:

Accumed Billing, Inc.	\$ 74.97
Damman Hardware	10.58
Great Lakes Waste	350.95
Home Depot	289.98
MSA Nutrition	3,553.19
Oakland County Road Commission	234.04
SCN Communications	141.75
Speedway	999.58
Terminix	103.00

MOTION CARRIED UNANIMOUSLY

ITEM 13:6-10 OTHER MATTERS TO COME BEFORE THE BOARD

None

ITEM 14:6-10 ADJOURNMENT

MOTION by Gross, supported by Magalski, to adjourn the meeting at 9:43 p.m.

MOTION CARRIED UNANIMOUSLY

Sandra Abrams, Clerk

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