

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

Tuesday, August 12, 2003

2840 Fisher Avenue

Commerce Township, Michigan 48390

CALL TO ORDER: Clerk, Sandra Abrams 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: Sandra Abrams, Clerk
Susan Gross, Treasurer
Robert J. Long, Trustee
Cheryl Magalski, Trustee
Daniel Munro, Trustee
Rick Sovel, Trustee

Absent: Thomas K. Zoner, Supervisor

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

Clerk Abrams requested nominations from the Board to elect a Chairperson pro term in the absence of the Supervisor.

Nomination by Gross to elect Clerk Abrams as Chairperson pro term in the absence of the Supervisor.

Clerk Abrams stated that as there were no other nominations and hearing no objections she would accept the nomination as Chairperson pro term for the August 12, 2003 Township Board Meeting by unanimous consent.

APPROVAL OF MINUTES

MOTION by Munro supported by Long, to approve the Regular Township Board Meeting minutes of July 8, 2003 with a correction to the spelling of a name on page 4 as follows: Sidwell #17-10-407-003 A.M. Kowal and correction to items 13: 7-8 orders as submitted. **MOTION CARRIED UNANIMOUSLY**

MOTION by Munro, supported by Magalski, to approve the Joint Education – Discussion Meeting minutes of July 22, 2003, as written.

MOTION CARRIED UNANIMOUSLY

COMMUNICATIONS:

Received and filed

PRESENTATIONS:

Joseph Schornack, Fire Chief, presented Brian Chalk, Paid-On-Call Firefighter with a Resolution.

MOTION by Magalski, supported by Gross, to approve the Resolution in recognition of Brian Chalk's commitment and public service to the residents of the Charter Township of Commerce. **MOTION CARRIED UNANIMOUSLY**

PETITIONS

None

DIRECTOR REPORTS

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

ITEM 1:8-12 APPROVAL OF AGENDA

MOTION by Sovel, supported by Gross, to approve the Agenda with the following addition: Resolution for the deficit elimination plan and add ons for warrants.

MOTION CARRIED UNANIMOUSLY

ITEM 2:8-12 BOARD APPOINTMENTS

MOTION by Munro, supported by Magalski, to remove Zoning Board of Appeals – Reappointment from the table. **MOTION CARRIED UNANIMOUSLY**

ITEM 2:8-12 BOARD APPOINTMENTS (continued)

MOTION by Munro, supported by Magalski to accept the resignation of Louise Parker from the Zoning Board of Appeals.

MOTION CARRIED UNANIMOUSLY

MOTION by Sovel, supported by Magalski, to appoint Clarence E. Mills to the Zoning Board of Appeals – new Appointment for a term ending August 12, 2004 (1-year term) as recommended by Supervisor Thomas Zoner.

MOTION CARRIED UNANIMOUSLY

ITEM 3:8-12 PUBLIC COMMENTS

None

ITEM 4:8-12 PUBLIC HEARINGS

A. Mt. Royal Polvadera/Creedmore Bridge Special Assessment District Roll Resolution

To date, 23% of residents (lineal frontage) objected and 107 letters were received (as of 4:30 p.m. on August 12, 2003) in opposition of the Resolution.

MOTION by Sovel, supported by Munro, to terminate the Resolution established by the Township Board for the Mt. Royal Polvadera/Creedmore Bridge Special Assessment District Roll Resolution.

ROLL CALL VOTE

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

NAYS:

ABSENT: Zoner

MOTION CARRIED UNANIMOUSLY

ITEM 5:8-12 CONTRACTS AWARD AND AGREEMENTS

A. Great Lakes Waste Contract Amendment

John Prymack, Municipal Marketing Manager, was present.

MOTION by Sovel, supported by Munro, to approve the concept proposal by Great Lakes Waste to change the service day for the entire Township to Thursday and to bring back a contract amendment for approval.

MOTION CARRIED UNANIMOUSLY

ITEM 5:8-12 CONTRACTS AWARD AND AGREEMENTS (continued)

B. Agreement to Construct Maple Road Force Main and Pump Station
Jay James, Giffels-Webster Engineers, explained the project.

MOTION by Munro, supported by Magalski, to approve the Agreement to Construct Maple Road Force Main and Pump Station and authorize the appropriate signatures (agreement attached).

MOTION CARRIED UNANIMOUSLY

ITEM 6:8-12 INTRODUCTIONS

None

ITEM 7:8-12 ADOPTIONS

A. An Ordinance to Amend Section 23.1A, the Water Charges of Ordinance No. 79, the Fee Ordinance of the Charter Township of Commerce, to be known as Ordinance No. 79-03-18.

MOTION by Munro, supported by Gross, to Adopt an Ordinance to Amend Section 23.1A, the Water Charges of Ordinance No. 79, the Fee Ordinance of the Charter Township of Commerce, to be known as Ordinance No. 79-03-18 and to give publication in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

ITEM 8:8-12 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:8-12 CONSENT AGENDA

- A. Traffic Signal Re-timing and Resolution**
- B. Resolution Declaring Bond Reimbursement Expectation for the Mt. Royal Bridges Special Assessment District**
- C. Lakes Area Community Foundation Re-Appointments**

MOTION by Munro, supported by Magalski, to approve the Consent Agenda with the removal of Items B & C.

ROLL CALL VOTE

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

NAYS:

ABSENT: Zoner

MOTION CARRIED UNANIMOUSLY

ITEM 9:8-12 CONSENT AGENDA (continued)

B. Resolution Declaring Bond Reimbursement Expectation for the Mt. Royal Bridges Special Assessment District

No action taken – pulled from the Agenda

C. Lakes Area Community Foundation Re-Appointments

MOTION by Magalski, supported by Munro, to deny Lakes Area Community Foundation Re-Appointments.

ROLL CALL VOTE

AYES: Munro, Magalski, Gross, Abrams, Sovel

NAYS: Long

ABSENT: Zoner

MOTION CARRIED

ITEM 10:8-12 PURCHASES

A. Fire Rescue Vehicle

Joseph Schornack, Fire Chief, was present to explain the bids received.

MOTION by Munro, supported by Gross, to approve the purchase of one Fire Rescue Vehicle from Pierce with a 100% payment of \$226,713.00 prior to the end of 2003, as recommended by Joseph Schornack, Fire Chief.

MOTION CARRIED UNANIMOUSLY

B. Fence for Fire Station #3

MOTION by Munro, supported by Gross, to approve the purchase of a fence from Northern Fence Company at a cost not to exceed \$3,450.00 as recommended by Joseph Schornack, Fire Chief.

MOTION CARRIED UNANIMOUSLY

ITEM 11:8-12 OLD BUSINESS

A. Rouge River Watershed – Tabled 7-8-03

MOTION by Sovel, supported by Gross, to remove Rouge River Watershed from the table.

ROLL CALL VOTE

AYES: Gross, Abrams, Sovel

NAYS: Munro, Magalski Long

ABSENT: Zoner

MOTION FAILED

ITEM 11:8-12 OLD BUSINESS (continued)

B. Old Fire Station #1 Property

Phillip Adkison, Township Attorney, stated that Mr. Josephson was not present.

MOTION by Munro, supported by Magalski, to Table Old Fire Station #1 property. **MOTION CARRIED UNANIMOUSLY**

ITEM 12:8-12 NEW BUSINESS

A. Evaluation of Distressed Concrete at Wastewater Treatment Plant

Loren Crandell, Giffels-Webster Engineers, was present to explain the project.

MOTION by Gross, supported by Abrams, to award the Oxidation Ditch Repair Contract to Borner Restoration at a cost of \$107,100.00, as recommended by the Township Engineers. This is subject to the Township's ability to claim any insurance funds shall not be affected by the project.

ROLL CALL VOTE

AYES: Gross, Abrams, Magalski

NAYS: Munro, Sovel, Long

ABSENT: Zoner

MOTION FAILED

MOTION by Munro, supported by Long, to direct the Township Attorney to assist the Township Supervisor and/or Clerk in investigating the Township's ability to file an insurance claim to pay for repairs to the Oxidation Ditch.

MOTION CARRIED UNANIMOUSLY

B. Clarifier Maintenance for WWTP

Loren Crandell, Giffels-Webster Engineers, was present to explain the project.

MOTION by Abrams, supported by Gross, to award the Commerce Township Wastewater Treatment Plant (South) Clarifier Sandblasting and Painting to Horizon Brothers Painting Corporation at a cost of \$21,000.00. Additionally, approve \$21,000.00 to sandblast and paint the North Clarifier, if deemed necessary by the Oakland County Drain Commission along with a report submitted to the Township Board for approval. Funds to come from the Operations and Maintenance Fund.

ROLL CALL VOTE

AYES: Munro, Gross, Abrams, Magalski, Sovel

NAYS: Long

ABSENT: Zoner

MOTION CARRIED

ITEM 12:8-12 NEW BUSINESS (continued)

C. Amended and Restated By-Laws of the Downtown Development Authority

Thomas Rauch, Downtown Development Authority Attorney, was present.

MOTION by Gross, supported by Sovel, to approve the Amended and Restated By-Laws of the Commerce Township Downtown Development Authority. The Downtown Development Authority Attorney will review the use of the Township web site for the DDA and bring back his findings to the Township Board.

MOTION CARRIED UNANIMOUSLY

D. DDA Request for Township Concurrence for Bond Sale

MOTION by Munro, supported by Sovel, to approve the Downtown Development Authority's request for Township Concurrence for Bond Sale.

MOTION CARRIED UNANIMOUSLY

E. Richardson Senior Center Policy Changes

Pursuant to discussions with Administrative Directors, Clerk Abrams, suggested the current policy remains the same, but an additional provision could be added so that in the event a refund is requested, the Township Board will make the determination.

MOTION by Gross, supported by Abrams, to leave Section 5.1 (4) of the Richardson Senior Center Policy as is and add a Section 5.1 (5) to read: "request for deviation from this policy shall be at the discretion of the Township Board".

ROLL CALL VOTE

AYES: Munro, Gross, Abrams, Magalski

NAYS: Long, Sovel

ABSENT: Zoner

MOTION CARRIED

ITEM 12(F): 8-12 RESOLUTION FOR THE DEFICIT ELIMINATION PLAN

MOTION by Gross, supported by Sovel, to approve the Resolution for the Deficit Elimination Plan.

MOTION CARRIED UNANIMOUSLY

ITEM 13:8-12 ORDERS

MOTION by Munro, supported by Gross, to approve the Orders with the following:

Page 5, void check to Discount Tire Company

add ons:

SBC/Ameritech	\$ 158.14
Clark Fleet Fueling	380.30
DTE Energy	99.16
Dubois-Cooper	223.10
LaSalle Bank	309.68
Mcleod US	7.58
Refund	88.00

MOTION CARRIED UNANIMOUSLY

ITEM 14:8-12 OTHER MATTERS TO COME BEFORE THE BOARD

Sovel –

MOTION by Sovel, supported by Gross, to require that all forms and applications to the Township be created in Microsoft Word and/or Microsoft Excel so they can be used in conjunction with the web site. **MOTION CARRIED UNANIMOUSLY**

ITEM 15:8-12 ADJOURNMENT

MOTION by Munro, supported by Long, to adjourn the meeting at 9:05 p.m.
MOTION CARRIED UNANIMOUSLY

Sandra Abrams, Clerk

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