

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

Tuesday, October 12, 2004

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

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
Loren Crandell, Giffels-Webster Engineers
Jay James, Giffels-Webster Engineers
Christina Michaels, Township Attorney

APPROVAL OF MINUTES

MOTION by Abrams, supported by Magalski, to approve the Regular Township Board Meeting minutes of September 14, 2004 and the Special Board Meeting minutes of September 28, 2004, as written.

MOTION CARRIED UNANIMOUSLY

COMMUNICATIONS:

Received and filed

PRESENTATIONS:

Vicki Crouch, Auditor, Layton-Richardson

Home Depot Resolution

MOTION by Munro, supported by Magalski, to approve the Resolution thanking Home Depot for their contribution to Bi-Centennial Park.

MOTION CARRIED UNANIMOUSLY

PETITIONS:

Greenlawn/Commerce Low Pressure Sewer Special Assessment District

MOTION by Gross, supported by Abrams, to approve the Resolution of the Township Board of the Charter Township of Commerce, Tentatively Declaring it's Intention to Establish a Special Assessment District to be known as Greenlawn/Commerce Low Pressure Sewer Special Assessment District.

MOTION CARRIED UNANIMOUSLY

Special Projects #22 Special Assessment District

MOTION by Gross, supported by Magalski, to approve the Resolution of the Township Board of the Charter Township of Commerce, Tentatively Declaring it's Intention to Establish a Special Assessment District to be known as Special Projects No. 22.

UNANIMOUSLY

MOTION CARRIED

DIRECTOR REPORTS:

Joseph Schornack, Fire Chief

Todd Martin, Fire Marshall

Lt. Dennis Davis, Oakland County Sheriff's Department - absent

Giffels-Webster Engineering Report

Jeffrey Bowdell, Building-Zoning Director

Kathleen Pogarch, Assessing Director

Kelly Knight, Senior and Community Services Director

ITEM 1:10-12 APPROVAL OF AGENDA

MOTION by Abrams, supported by Gross, to approve the Agenda with the additions of Item 15 - Executive Session and Item 9 (b)- Halloween Hours.

MOTION CARRIED UNANIMOUSLY

ITEM 2:10-12 PUBLIC COMMENTS

A. Welcome Wolverine Lake Village Council

Karen Vickers, President of Wolverine Village, was present along with members of the Wolverine Village Council.

ITEM 3:10-12 BOARD APPOINTMENTS

None

ITEM 4:10-12 PUBLIC HEARINGS

None

ITEM 5:10-12 CONTRACTS AWARDS AND AGREEMENTS

A. Snowplowing for 2004-2005 Contract Award

MOTION by Gross, supported by Munro, to approve the Snowplowing Contract for 2004-2005 to M W G Lawn for the township properties and the Snowplowing Contract for 2004-2005 for Lower Mount Royal to J & J.

ROLL CALL VOTE

AYES: Abrams, Sovel, Long, Munro, Gross

NAYS: Magalski, Zoner

MOTION CARRIED

B. Grinder Pump Contract Renewal

MOTION by Munro, supported by Gross, to approve the Extension of the two-year Contract for the Grinder Pump Installation to C&E Construction.

MOTION CARRIED UNANIMOUSLY

C. Agreement to Construct Timber Trace Sanitary Sewer

Jay James, Giffels-Webster Engineers explained the agreement.

MOTION by Munro, supported by Magalski, to approve the Agreement to Construct Sanitary Sewer between Timber Trace Development L.L.C. and The Charter Township of Commerce and to authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

ITEM 6:10-12 INTRODUCTIONS

A. An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance, Rezoning 15 acres adjacent to the City of Novi from R-1B, Single Family Residential to MHP, Mobile Home Park, to be known as Ordinance No. 55-04-167.

Supervisor Thomas Zoner recommends this be tabled due to information received by the Township and discussion with the Township Attorney.

MOTION by Zoner, supported by Gross to table An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance, Rezoning 15 acres adjacent to the City of Novi from R-1B, Single Family Residential to MHP, Mobile Home Park, to be known as Ordinance No. 55-04-167

MOTION CARRIED UNANIMOUSLY

ITEM 6:10-12 INTRODUCTIONS

B. An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance, Zoning Text Amendments in Sections 2002, 2005, and 2008, to be known as Ordinance 55-04-168.

MOTION by Munro, supported by Abrams, to Introduce An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance, Zoning Text Amendments in Sections 2002, 2005, and 2008, to be known as Ordinance 55-04-168 and to give publication in the manner prescribed by law and bring back for Adoption. **MOTION CARRIED UNANIMOUSLY**

C. Introduction of Ordinance 97-04-0, Charter Township of Commerce Downtown Development Authority Fourth Amended Development Plan and Fourth Amended Tax Increment Financing Plan.

Wynn Berry and Tom Traciak were present.

MOTION by Munro, supported by Sovel, to Introduce Ordinance 97-04-0, Charter Township of Commerce Downtown Development Authority Fourth Amended Development Plan and Fourth Amended Tax Increment Financing Plan and to give publication in the manner prescribed by law and bring back for Adoption. **MOTION CARRIED UNANIMOUSLY**

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

ITEM 7:10-12 ADOPTIONS

A. An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance, to Amend Article XIII, B-4 Restricted General Business District, to be known as Ordinance No. 55-04-166.

MOTION by Munro, supported by Magalski, to Adopt An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance, to Amend Article XIII, B-4 Restricted General Business District, to be known as Ordinance No. 55-04-166 and to give publication in the manner prescribed by law.

ROLL CALL VOTE

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

MOTION CARRIED

ITEM 7:10-12 ADOPTIONS (continued)

B. An Amendment to Ordinance No. 28, the Charter Township of Commerce Omnibus Penal Code, to be known as Ordinance No. 28-04-02.

MOTION by Sovel, supported by Gross, to Adopt An Amendment to Ordinance No. 28, the Charter Township of Commerce Omnibus Penal Code, to be known as Ordinance No. 28-04-02 and to give publication in the manner prescribed by law.
MOTION CARRIED UNANIMOUSLY

ITEM 8:10-12 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:10-12 CONSENT AGENDA

A. Liquor License Class C to Include Dance Permit for Grille on Union Lake

MOTION by Sovel, supported by Magalski, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda with the removal of A.

B. Halloween Hours

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

A. Liquor License Class C to Include Dance Permit for Grille on Union Lake

MOTION by Abrams, supported by Magalski, to table Liquor License Class C to Include Dance Permit for Grille on Union Lake.

MOTION CARRIED UNANIMOUSLY

ITEM 10:10-12 PURCHASES

A. Ten folding tables for Township use.

MOTION by Gross, supported by Magalski, to approve the purchase of ten (10) folding tables for the Township Hall at a cost not to exceed \$1,000.00, funds to come from the General Fund Fund Balance.

MOTION CARRIED UNANIMOUSLY

ITEM 11:10-12 OLD BUSINESS

A. Richardson Senior Center Policies – Tabled 9-14-04

No action taken.

B. Community Center Appointments – Tabled 9-14-04

Remain on the table

C. Emergency Preparedness – No Action Taken 9-14-04

No action taken.

D. Oakland County Generator Pricing – Tabled 9-14-04

E. Walled Lake Consolidated Schools Traffic Light for Northern High School – Tabled 9-14-04

MOTION by Long, supported by Magalski, to remove Oakland County Generator and Walled Lake Consolidated Schools Traffic Light for Northern High School from the table.

MOTION CARRIED UNANIMOUSLY

MOTION by Gross, supported by Abrams, to deny Oakland County Generator.

MOTION CARRIED UNANIMOUSLY

MOTION by Munro, supported by Magalski, to deny the Township's contribution to Walled Lake Consolidated Schools for a traffic light for Northern High School.

MOTION CARRIED UNANIMOUSLY

ITEM 12:10-12 NEW BUSINESS

A. Central West Water Pre-Qualifications

MOTION by Sovel, supported by Abrams, to table Central West Water Pre-Qualifications.

MOTION CARRIED UNANIMOUSLY

B. Budget Amendment

MOTION by Sovel, supported by Abrams, to approve an additional amount not to exceed \$1,000.00 for the Special Edition of the Spirit from the General Fund Fund Balance.

ROLL CALL VOTE

AYES: Abrams, Sovel, Magalski, Zoner

NAYS: Munro, Long, Gross

MOTION CARRIED

ITEM 13:10-12 ORDERS

MOTION by Abrams, supported by Sovel, to approve the Orders with the following additions and changes:

Accumed Billing, Inc.	\$ 245.38
Barry C Brown, Arbitrator	50.00
Clark Fleet Fueling	697.67
Comcast	66.80
Karen Stamper	46.80
Knights Auto Supply	16.64
McKenna Associates	163.75
McLeod USA	18.84
Melvins Hardware	4.18
Metropolitan Uniform	7.98
Michigan State Police	68.75
National Bankers Supply Corp	32.70
National City Bank	4,268.33
Nextel Communications	666.55
Oaktec Professional	400.00
Printing Systems	514.90
SCN Communications	35.40
Sharon McClelland	84.27
White Lake Township	20,000.00
Wixom Towing	600.00
Postmaster	497.02
LaSalle Bank	1,316.20

MOTION CARRIED UNANIMOUSLY

ITEM 14:10-12 OTHER MATTERS TO COME BEFORE THE BOARD

Supervisor Thomas Zoner recommends Kathleen Bartoluzzi, Planning Consultant as the Township's Planner on an interim basis. Kathleen Bartoluzzi, Planning Consultant, has agreed to extend her hours in order to fulfill the duties of Township Planner.

MOTION by Munro, supported by Gross, to authorize the Township Supervisor to appoint Kathleen Bartoluzzi as Township Planner on an interim basis.

MOTION CARRIED UNANIMOUSLY

ITEM 14:10-12 OTHER MATTERS (continued)

Trustee Sovel –

- Asked for an update on the survey regarding encroachments in the Township.
- Some of the Township's applications were out of compliance with the state statutes. The Township Clerk will have all the Township's applications reviewed by the Township Attorney.

Magalski –

- Update on the gas station that burned in the Township.
- West Bloomfield Library told her neighbor that if the Township's Library Millage passed, she would not be allowed to check out books at West Bloomfield Library. Supervisor Thomas Zoner said this is a misunderstanding. There will be agreements in place for library services.

Recess: 8:55 p.m.

Reconvene: 9:15 p.m.

ITEM 15:10-12 EXECUTIVE SESSION

MOTION by Abrams, supported by Gross, to enter into Executive Session for the purpose of discussing pending litigation and to adjourn afterwards.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Entered into Executive Session at 9:20 p.m.

ITEM 16:10-12 ADJOURNMENT

MOTION by Abrams, supported by Munro, to adjourn the meeting at 10:05 p.m.

MOTION CARRIED UNANIMOUSLY

Sandra Abrams, CMC
Clerk, Charter Township of Commerce

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