

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

Tuesday, December 14, 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
Debra Kirkwood, Trustee
Robert J. Long, Trustee
Daniel Munro, Trustee
Rick Sovel, Trustee

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

APPROVAL OF MINUTES

MOTION by Abrams, supported by Sovel, to approve the Regular Township Board Meeting minutes of November 9, 2004, the Special Township Board Meeting minutes of November 16, 2004, the Special Township Board Meeting minutes of November 23, 2004, the Special Township Board Meeting minutes of November 30, 2004 and the Regular Township Board Meeting minute correction of July 13, 2004.

MOTION CARRIED UNANIMOUSLY

COMMUNICATIONS:

Received and filed

PRESENTATIONS:

1. Library Presentation

Chris DeBear was present.

George Hartman, Architect, was present.

2. Interview of Library Consultant

Beverly Papai was present.

PETITIONS:

None

DIRECTOR REPORTS:

Joseph Schornack, Fire Chief
Lt. Dennis Davis, Oakland County Sheriff's Department
Kathleen Bartoluzzi, Interim Planning Director
Jeffrey Bowdell, Building-Zoning Director
Kathleen Pogarch, Assessing Director (excused)
Kelly Knight, Senior and Community Services Director
Loren Crandell, Giffels-Webster Engineering Report

ITEM 1:12-14 APPROVAL OF AGENDA

MOTION by Sovel, supported by Abrams, to approve the Agenda with the following additions: Add Item 5F Library Consultant Agreement, 5G D.D.A. Library License Agreement and Item 7 Dennis Parks 55-04-167 Adoption.

MOTION CARRIED UNANIMOUSLY

ITEM 2:12-14 PUBLIC COMMENTS

Susan Averbuch, President Campbell Creek Homeowners Association regarding D.D.A. Meeting Schedules. She urges the Board to include evening meetings in the D.D.A. meeting schedule.

Glen Ruggles regarding library services. He believes the Links of Pinewood is not a good location to have library services because of traffic problems. He believes we already have good library services from the three surrounding communities.

Kathleen Bieke 3251Mandrake – She believes there should be no rush to build a new library since we already have library services through West Bloomfield and Walled Lake. She does not want library services interrupted due to a temporary library.

Marissa Penrod 3162 Green Oak asked what the contract consists of with West Bloomfield Library and why the Township wants a temporary library.

Comment from public:

There is nothing on the Township website regarding library services.

PUBLIC COMMENTS (continued)

Don Hicks 2622 Pinto. He would like the to have Township create an independent Library Board. He questioned the cost of library service contracts.

Bill Doggett 840 Commerce Road. He asked for a timeline on creating an Independent Library Board.

Cheryl Shumacker 4866 Sundew. Residents are concerned on what they voted for with the library millage.

ITEM 3:12-14 BOARD APPOINTMENTS

A. Board of Review Reappointment

MOTION by Abrams, supported by Gross, to reappoint Robert Reinhart, Sue McFarland, Barbara Rosman, Larry Pawlovich, Pat Russnell, Robert McGee to the Board of Review for a term of one year expiring December 31, 2005.

MOTION CARRIED UNANIMOUSLY

B. Union Negotiator Appointment

MOTION by Abrams, supported by Gross, to table Union Negotiator Appointment.

MOTION CARRIED UNANIMOUSLY

ITEM 4:12-14 PUBLIC HEARINGS

A. Special Projects #22 Special Assessment District Roll Resolution.

Supervisor Thomas Zoner opened the Public Hearing.

No one present had any comments or objections.

Supervisor Thomas Zoner closed the Public Hearing.

MOTION by Gross, supported by Abrams, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Special Projects No. 22.

MOTION CARRIED UNANIMOUSLY

ITEM 5:12-14 CONTRACTS AWARDS AND AGREEMENTS

A. West Bloomfield Township Library Services

MOTION by Gross, supported by Sovel, to approve the Library Services Contract between the Charter Township of Commerce and the West Bloomfield Township Library Board, Walled Lake City Library, if they agree, and authorize the appropriate signatures.

CONTRACTS AWARDS AND AGREEMENTS (continued)

Discussion- Long – would like the Board to inquire if West Bloomfield would be willing to extend library services for a longer period of time.

MOTION CARRIED UNANIMOUSLY

MOTION by Long, to approach the libraries to see if they would consider extending library services for a longer period of time.

FAILED DUE TO LACK OF SUPPORT

- B. Library Architect Contract**
- C. Library Design Consultant**
- D. Library Contract Manager**
- F. Library Consultant Agreement**

MOTION by Abrams, supported by Munro, to authorize the Township Attorney to move forward with the details of the Library Architect Contract, Library Design Consultant, Library Contract Manager, and the Library Consultant Agreement and bring back to the Township Board. **MOTION CARRIED UNANIMOUSLY**

E. Road Construction Contract

MOTION by Munro, supported by Gross, to approve Bob Rousseaux's Excavating, Inc. proposal for Commerce Library Loop Road Connector in the amount of \$43,000.00. **MOTION CARRIED UNANIMOUSLY**

G. D.D.A. Library License Agreement

MOTION by Munro, supported by Abrams, to approve the D.D.A. Library License Agreement.

Discussion – Long – cannot vote on a contract that he has not had an opportunity to review.

ROLL CALL VOTE

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

NAYS: Long

MOTION CARRIED

ITEM 6:12-14 INTRODUCTIONS

None

ITEM 7:12-14 ADOPTIONS

An Amendment to the Charter Township of Commerce Zoning Ordinance No. 55, to Rezone 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 by Munro, supported by Kirkwood, to adopt 55-04-167 and publish and post in the manner prescribed by law.

ROLL CALL VOTE:

AYES: Munro, Kirkwood, Gross, Abrams, Zoner

NAYS: Long, Sovel

MOTION CARRIED

ITEM 8:12-14 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:12-14 CONSENT AGENDA

A. Approve Meeting Schedules for Boards and Commissions for 2005

B. Approve Bank Depositories

C. Budget Amendments

MOTION by Abrams, supported by Gross, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda.

MOTION CARRIED UNANIMOUSLY

ITEM 10:12-14 PURCHASES

A. System Wide-Anti-Virus Software

Jeffery Bowdell, Building and Zoning Director recommends the purchase of 45 licenses from Access Computer at a cost of \$894.65 plus approximately \$1,500.00 for removal of old software installation of the new software and configuring the machines.

MOTION by Abrams, supported by Gross, to approve the recommendation of the Building and Zoning Director to purchase 45 licenses (Trend Micro Client Server Suite) and for removal of old software installation of the new software and configuring the machines from Access Computer at a cost not to exceed \$3,500.00. Funds to come from the General Fund Fund Balance, the Fire Department and the Building Department.

MOTION CARRIED UNANIMOUSLY

PURCHASES (continued)

B. Loose Equipment for Fire Department Tanker Apparatus

Joseph Schornack, Fire Chief recommends the purchase of loose equipment for the new tanker apparatus.

MOTION by Gross, supported by Sovel, to approve the recommendation of the Fire Chief to purchase loose equipment for the new tanker apparatus from Halt Fire, Inc. at a cost not to exceed \$20,500.00, funds to come from the Fire Department Fund.
MOTION CARRIED UNANIMOUSLY

C. Fire Department Radios

Joseph Schornack, Fire Chief recommends the purchase of 2 mobile radios and 4 portable radios with chargers for the new tanker and new GMC utility vehicle.

MOTION by Munro, supported by Sovel, to approve the recommendation of the Fire Chief to purchase 2 mobile radios and 4 portable radios with chargers for the new tanker and new GMC utility vehicle from Radio Equipment at a cost not to exceed \$3,500.00, funds to come from the Fire Department Fund.
MOTION CARRIED UNANIMOUSLY

ITEM 11:12-14 OLD BUSINESS

A. Richardson Senior Center Policies – Tabled 11-9-04

This shall remain on the table.

B. Community Center Appointments – Tabled 11-9-04

This shall remain on the table.

C. Emergency Preparedness – No Action Taken 11-9-04

No action taken

D. Charter Township of Commerce Purchasing Policy – Tabled 11-9-04

This shall remain on the table.

E. Township Planner Job Description – Tabled 11-9-04

This shall remain on the table.

F. Soave Consent Judgment

MOTION by Abrams, supported by Gross, to table Soave Consent Judgment.
MOTION CARRIED UNANIMOUSLY

OLD BUSINESS (continued)

G. Tuomikoski Consent Judgment

MOTION by Abrams, supported by Sovel, to table Tuomikoski Consent Judgment.

MOTION CARRIED UNANIMOUSLY

H. Recording Secretary Wages

MOTION by Abrams, supported by Munro, to approve the wages for the Recording Secretary as follows: Township Board and Zoning Board of Appeals meetings - \$14.00 per hour, minimum \$80.00, maximum \$130.00 per meeting. Planning Commission - \$80.00 per meeting. Parks and Recreation - \$70.00 per meeting.

MOTION CARRIED UNANIMOUSLY

I. Plumbing and Mechanical Inspectors Position

MOTION by Kirkwood, supported by Munro, to approve the job description for the Plumbing and Mechanical Inspectors Position, subject to requirements of the Human Resource Department and review by the Township Attorney and forwarded to the Union for approval.

MOTION CARRIED UNANIMOUSLY

ITEM 12:12-14 NEW BUSINESS

A. Health Care Actuarial Proposals

Susan Gross explained the proposals.

MOTION by Munro, supported by Sovel, to accept the recommendation to approve the Proposal for Retiree Health Care Valuation presented by Gabriel, Roeder, Smith & Company for one year at a cost of \$4,500.00.

MOTION CARRIED UNANIMOUSLY

B. 2005 Tri-Party Program

MOTION by Gross, supported by Kirkwood, to approve Commerce Township's participation in the FY 2005 Tri-Party Program Agreement for road improvements.

MOTION CARRIED UNANIMOUSLY

MOTION by Abrams, supported by Gross, to approve the widening of Oakley Park between South Commerce and South Commerce and the widening of Pontiac Trail to Welch Road as the road improvement projects for the FY 2005 Tri-Party Program (\$204,00.00 from the Road Improvement Fund in addition to the Tri Party funds).

MOTION CARRIED UNANIMOUSLY

Recess: 10: 25 p.m.
Reconvene: 10:30 p.m.

MOTION by Gross, supported by Sovel, to authorize the Township Supervisor to transfer \$880,000.00 from the Building Department Fund to the General Fund and to transfer \$1,616,841.63 from General Fund Fund Balance to the Improvement Fund for Township Hall Building Fund, \$200,000.00 from General Fund Fund Balance to the Cemetery Fund and \$400,000.00 from the General Fund Fund Balance to the Road Improvement Fund.

MOTION CARRIED UNANIMOUSLY

ITEM 13:12-14 EXECUTIVE SESSION

MOTION by Abrams, supported by Kirkwood, to enter into Executive Session for the purpose of discussing attorney privilege information and potential purchase of property.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Entered into Executive Session at 10:37 p.m.
Returned to Regular Session at 11:45 p.m.

MOTION by Munro, supported by Abrams to authorize the Township Attorney to proceed with option to purchase property as discussed in Executive Session.

MOTION CARRIED UNANIMOUSLY

ITEM 14:12:14 ORDERS

MOTION by Abrams, supported by Gross, to approve the Orders with the following additions and changes as attached.

MOTION CARRIED UNANIMOUSLY

ITEM 15:12-14 OTHER MATTERS TO COME BEFORE THE BOARD

Supervisor Thomas Zoner – Joint Planning, D.D.A. and Township Board meeting scheduled for January 24, 2005 at 7:00 p.m.

ITEM 16:12-14 VILLAS OF BOGIE LAKE – FINAL SITE PLAN SP 04-03-14

MOTION by Zoner, supported by Gross, to approve Villas of Bogie Lake Final Site Plan SP 04-03-14.

ROLL CALL VOTE

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

NAYS: Munro

MOTION CARRIED

ITEM 17:12-14 ADJOURNMENT

MOTION by Munro, supported by Abrams, to adjourn the meeting at 11:55 p.m.

MOTION CARRIED UNANIMOUSLY

Sandra Abrams, CMC
Clerk, Charter Township of Commerce

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