

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

Tuesday, November 8, 2005

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
Daniel Munro, Trustee
Rick Sovel, Trustee

Absent: Robert Long, 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 Gross, to approve the Special Township Board Meeting minutes of October 4, 2005, the Regular Township Board Meeting minutes of October 11, 2005, the Special Township Board Meeting minutes of October 28, 2005 and the Quarterly Discussion Meeting minutes of October 25, 2005 as written.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

None

COMMUNICATIONS:

Received and filed

PETITION:

High Pointe Condominium Road Improvement Special Assessment District

Christina Michaels, Township Attorney explained the 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 its Intention to Establish a Special Assessment District to be known as High Pointe Condominium Road Improvement Special Assessment District.

MOTION CARRIED UNANIMOUSLY

DIRECTOR REPORTS:

Joseph Schornack, Fire Chief
Kathleen Bartoluzzi, Planning Director
Emily Dubey, Richardson Senior Center Interim Director
Lt. Dennis Davis, Oakland County Sheriff's Department
Kathleen Pogarch, Assessing Director
Giffels-Webster Engineering Report

ITEM 1:11-08 APPROVAL OF AGENDA

MOTION by Gross, supported by Abrams, to approve the Agenda, with the following additions: Change Item 14 to Executive Session and Adjournment to Item 15, change the agenda by beginning with item #3 then return to Item 2 when a full board is present, and move Item 6B to Item 10B.

MOTION CARRIED UNANIMOUSLY

ITEM 2:11-08 PUBLIC HEARINGS

A. 2006 Millage Public Hearing

Supervisor Thomas Zoner opened the Public Hearing

No one present had any comments or objections.

Supervisor Thomas Zoner closed the Public Hearing

B. Approval of Millage Rates for 2005

1. Resolution of Levy of Operating Millage for the 2005 Tax Year

MOTION by Gross, supported by Munro, to approve the Charter Township of Commerce Resolution of Levy of Operating Millage for the 2005 Tax Year.
(Resolution Attached)

ROLL CALL VOTE:

AYES: Gross, Munro, Sovel, Abrams, Kirkwood, Zoner
NAYS: None
ABSENT: Long

MOTION CARRIED UNANIMOUSLY

2. Resolution of Levy of Library Millage for the 2005 Tax Year

MOTION by Gross, supported by Abrams, to approve the Charter Township of Commerce Resolution of Levy of Library Millage for the 2005 Tax Year.
(Resolution Attached)

ROLL CALL VOTE:

AYES: Gross, Abrams, Sovel, Kirkwood, Munro, Zoner
NAYS: None
ABSENT: Long

MOTION CARRIED UNANIMOUSLY

3. Resolution of Levy for Additional Sheriff Deputies Millage for the 2005 Tax Year.

MOTION by Sovel, supported by Abrams, to approve the Charter Township of Commerce Resolution of Levy for Additional Sheriff Deputies Millage for the 2005 Tax Year. (Resolution Attached)

ROLL CALL VOTE:

AYES: Sovel, Abrams, Kirkwood, Munro, Gross, Zoner
NAYS: None
ABSENT: Long

MOTION CARRIED UNANIMOUSLY

4. Resolution of Levy to Staff all 4 Fire Stations and Purchase Equipment for the 2005 Tax Year.

MOTION by Gross, supported by Abrams, to approve the Charter Township of Commerce Resolution of Levy to Staff all 4 Fire Stations and Purchase Equipment for the 2005 Tax Year. (Resolution Attached)

ROLL CALL VOTE:

AYES: Gross, Abrams, Kirkwood, Munro, Zoner, Sovel
NAYS: None
ABSENT: Long

MOTION CARRIED UNANIMOUSLY

5. Resolution of Levy to Retain Police Services for the 2005 Tax Year.

MOTION by Gross, supported by Kirkwood, to approve the Charter Township of Commerce Resolution of Levy to Retain Police Services for the 2005 Tax Year. (Resolution Attached)

ROLL CALL VOTE:

AYES: Gross, Kirkwood, Abrams, Zoner, Sovel, Munro
NAYS: None
ABSENT: Long

MOTION CARRIED UNANIMOUSLY

6. Resolution of Levy for Additional Police Services Millage for the 2005 Tax Year.

MOTION by Sovel, supported by Munro, to approve the Charter Township of Commerce Resolution of Levy for Additional Police Services Millage for the 2005 Tax Year. (Resolution Attached)

ROLL CALL VOTE:

AYES: Sovel, Munro, Zoner, Abrams, Gross, Kirkwood
NAYS: None
ABSENT: Long

MOTION CARRIED UNANIMOUSLY

7. Resolution of Levy for Public Library Services Millage for the 2005 Tax Year.

MOTION by Abrams, supported by Munro, to approve the Charter Township of Commerce Resolution of Levy for Public Library Services Millage for the 2005 Tax Year. (Resolution Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: Long

MOTION CARRIED UNANIMOUSLY

8. Resolution of Levy for Park Improvements and Creation and Acquisition of Open Space Millage for the 2005 Tax Year.

MOTION by Munro, supported by Kirkwood, to approve the Charter Township of Commerce Resolution for Park Improvements and Creation and Acquisition of Open Space Millage for the 2005 Tax Year. (Resolution Attached)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: Long

MOTION CARRIED UNANIMOUSLY

C. 2006 Budget Public Hearing

1. Township Budget

Supervisor Thomas Zoner opened the Public Hearing

No one present had any comments or objections.

Supervisor Thomas Zoner closed the Public Hearing

2. Downtown Development Authority Budget

Supervisor Thomas Zoner opened the Public Hearing

No one present had any comments or objections.

Supervisor Thomas Zoner closed the Public Hearing

MOTION by Munro, supported by Gross, to approve the Downtown Development Authority Budget.

Downtown Development Authority Budget (Motion Continued)

ROLL CALL VOTE:

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

NAYS: None

ABSENT: Long

MOTION CARRIED UNANIMOUSLY

D. Approval of 2006 Budget

MOTION by Sovel, supported by Munro, to approve the Township Budget as presented including wages and fees with the exception of the elected officials' deputies.

ROLL CALL VOTE:

AYES: Sovel, Munro, Gross, Abrams, Zoner

NAYS: Kirkwood

ABSENT: Long

MOTION CARRIED

E. Public Hearing for Community Development Block Grant Program

Supervisor Thomas Zoner opened the Public Hearing

No one present had any comments or objections.

Supervisor Thomas Zoner closed the Public Hearing

F. Approval for Community Development Block Grant Funds 2006-2007

MOTION by Gross, supported by Munro, to approve the Charter Township of Commerce Resolution Approving the 2006 Community Development Block Grant Funds. (Resolution Attached)

ROLL CALL VOTE:

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

NAYS:

ABSENT: Long

MOTION CARRIED UNANIMOUSLY

ITEM 3:11-08 PUBLIC COMMENTS

Lewis Caponelli 2047A Hiddens Meadow Drive is requesting \$2,000.00 in CDBG funds for The Society of Vincent Paul Fiscal Year 2006 and 2007 to assist low income and disadvantaged residents.

Public Comments (Continued)

Supervisor Thomas Zoner explained that the request is too late for the block grant program this year although, if requested, the board would consider it for next year.

ITEM 4:11-08 CONTRACTS AWARDS AND AGREEMENTS

A. Nextel Communications

Phillip Adkison, Township Attorney apprised the board of negotiations with Nextel West Corporation.

MOTION by Munro, supported by Sovel to conditionally approve the Communications Site Lease Agreement (Grounds) between Nextel West Corp. and the Charter Township of Commerce subject to conditions negotiated and approved by the Township Attorney and the Township Supervisors signature.

MOTION CARRIED UNANIMOUSLY

ITEM 5:11-08 INTRODUCTIONS

A. An Amendment to Ordinance 55, the Charter Township of Commerce Zoning Ordinance, to amend Article II, Definitions, and Article IV – R1A, R-1B, R-1C, R1D, One Family Residential Districts, Section 400, Principal Uses Permitted, Item (12), to add a definition for Phantom Lot Lines and to Amend the Roadside Open Space Preservation Provisions to be known as Ordinance No. 55-05-180

MOTION by Munro, supported by Sovel, to Introduce an Amendment to Ordinance 55, the Charter Township of Commerce Zoning Ordinance, to amend Article II, Definitions, and Article IV – R1A, R-1B, R-1C, R1D, One Family Residential Districts, Section 400, Principal Uses Permitted, Item (12), to add a definition for Phantom Lot Lines and to Amend the Roadside Open Space Preservation Provisions to be known as Ordinance No. 55-05-180 and publish according to law and bring back for Adoption at the next regular scheduled Township Board Meeting.

MOTION CARRIED UNANIMOUSLY

ITEM 6:11-08 ADOPTIONS

A. An Amendment to Ordinance 55, the Charter Township of Commerce Zoning Ordinance, to Rezone Township Land Areas from R-1B, R-1D (Single Family Residential) & RM (Multiple Family Residential), to PRD (Public Recreational District), to be known as Ordinance No. 55-05-179

MOTION by Munro, supported by Abrams, to Adopt an Ordinance to Amend Article II and Article IV of the Zoning Ordinance of Charter Township of

Ordinance 55-05-179 (Motion Continued)

Commerce, to be known as Ordinance No.: 55-05-180 and publish according to law. **MOTION CARRIED UNANIMOUSLY**

ITEM 7:11-08 SITE CONDOMINIUMS AND PLATS

A. Martin Professional Building Commercial Site Condominium Approval

Kathleen Bartoluzzi, Planning Director gave a review.

Peter Stano, Stano Investments was present.

MOTION by Munro, supported by Kirkwood, to approve SP 05-13-12 Martin Professional Building Commercial Site Condominium in the event it is constructed as a site plan condominium subject to review by the Township Attorney of the Master Deed. **MOTION CARRIED UNANIMOUSLY**

ITEM 8:11-08 CONSENT AGENDA

A. Single-Year Special Assessment Districts

B. Delinquent Multi-Year Special Assessment Districts

MOTION by Abrams, supported by Gross, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda with a revision to A. Total of all specials to be placed on 2005 Winter Tax should be \$2,354,020.76.

ROLL CALL VOTE:

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

NAYS:

ABSENT: Long

MOTION CARRIED UNANIMOUSLY

ITEM 9:11-08 PURCHASES

A. Fire Department Classroom Tables

Joseph Schornack, Fire Chief recommends the low bidder

MOTION by Munro, supported by Abrams, to approve the recommendation of the Fire Chief to purchase ten (10) classroom tables for the Fire Department from Midwest Folding Products in an amount not to exceed \$2,690.00. Funds to come from the Fire Departments Millage Fund.

MOTION CARRIED UNANIMOUSLY

ITEM 10:11-08 OLD BUSINESS

A. Wolverine Lake Village Sewer

Phillip Adkison, Township Attorney gave a review. He recommends the Township pursue negotiations with the City of Novi to expand the Benstein Sewer Corridor.

Karen Vickers, Wolverine Lake Village was present.

MOTION by Zoner, supported by Sovel, to authorize the Township Attorney to pursue an agreement with the City of Novi to expand the Benstein Sewer Corridor. **MOTION CARRIED UNANIMOUSLY**

B. An Amendment to Ordinance No. 62, the Charter Township of Commerce Water and Sewage Ordinance, to add Section 3.04A, the Benstein Corridor Sewer Allocation District, to be known as Ordinance 62-05-35.

MOTION by Munro, supported by Abrams, to table an Amendment to Ordinance No. 62, Water and Sewage Ordinance. **MOTION CARRIED UNANIMOUSLY**

ITEM 11:11-08 NEW BUSINESS

A. Social Security Number Privacy Policy

MOTION by Sovel, supported by Abrams, to approve the Charter Township of Commerce Social Security Number Privacy Policy.

MOTION CARRIED UNANIMOUSLY

B. Social Security Number Chief Privacy Officer

MOTION by Gross, supported by Zoner, to approve the Township Clerk as the Chief Privacy Officer.

MOTION CARRIED UNANIMOUSLY

C. Union Negotiator for AFSCME

No action taken. A round table discussion will take place at a Special Meeting on December 6, 2005. Notice of the Special Meeting will be posted as required.

ITEM 12:11-08 ORDERS

MOTION by Gross, supported by Abrams, to approve the Orders, with the following additions: (See Attached)

MOTION CARRIED UNANIMOUSLY

ITEM 13:11-08 OTHER MATTERS TO COME BEFORE THE BOARD

None

ITEM 14:11-08 EXECUTIVE SESSION

MOTION by Abrams, supported by Munro, to enter into Executive Session for the purpose of discussing pending litigation.

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

NAYS:

ABSENT: Long

MOTION CARRIED UNANIMOUSLY

9:30 recess

9:40 reconvene

ITEM 15:11-08 ADJOURNMENT

MOTION by Sovel, supported by Munro, to adjourn the meeting at 10:00 p.m.

MOTION CARRIED UNANIMOUSLY

Sandra Abrams, CMC
Clerk, Charter Township of Commerce

CALL TO ORDER	1
PLEDGE OF ALLEGIANCE TO FLAG.....	1
ROLL CALL	1
APPROVAL OF MINUTES	1
PRESENTATIONS	1
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