

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

*Tuesday, May 10, 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  
Robert Long, Trustee  
Daniel Munro, Trustee  
Rick Sovel, Trustee

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

**APPROVAL OF MINUTES**

**MOTION** by Abrams, supported by Gross, to approve the Regular Township Board Meeting minutes of April 12, 2005 with a correction to page 4 Item 9 Consent Agenda – ***“No action taken on B”*** and the Motion shall read: ***“MOTION by Long, supported by Munro, to approve that Commerce Lake Association can apply for a goose round up.”*** **MOTION CARRIED UNANIMOUSLY**

**COMMUNICATIONS:**

Received and filed

**PRESENTATIONS:**

Library Logo/Slogan Award Announcement – Eric Suess, Library Director

Slogan:

1<sup>st</sup> place: Enriching Our Community One Page at a Time (Annette Quaderer)

2<sup>nd</sup> place: Develops Minds, Builds Community (Marc Waldman)

3<sup>rd</sup> place: Tomorrow's Future Today (Richard D. Perry)

**PRESENTATIONS (continued)**

Logos:

1<sup>st</sup> place: L8 – square inside diamond with cattail design (Stephanie Armstrong)

2<sup>nd</sup> place: L10 – name between columns (Greg Sancricca)

3<sup>rd</sup> place: L28 – globe/book graphic with library name (Al Tanimto)

Library Construction/Renovation Evaluation  
Chuck Kummer, O'Brien Waterford Construction

**PETITIONS:**

**Carpenter Court Paving Petition**

Phillip Adkison, Township Attorney said the Township could require 100% approval of those who hold an interest in the easement or utilize the broad reading of the interpretation clause.

Supervisor Thomas Zoner advised the public that he would like to meet with a representative of the homeowners to discuss their request to pave Carpenter Court.

**DIRECTOR REPORTS:**

Joseph Schornack, Fire Chief

Todd Martin, Fire Marshall

Lt. Dennis Davis, Oakland County Sheriff's Department

Jeffrey Bowdell, Building-Zoning Director

Kelly Knight, Senior and Community Services Director

Eric Seuss, Library Director

Jay James, Giffels-Webster Engineering Report

Kathleen Pogarch, Assessing Director

Kathleen Bartoluzzi, Interim Planning Director

**ITEM 1:5-10 APPROVAL OF AGENDA**

**MOTION** by Sovel, supported by Abrams, to approve the Agenda with the following additions: New Business; E. Township e-mail, F. Acceptance of Internship Program, G. Plumbing and Mechanical Inspectors Position and re-title Consent Agenda Item 9E Downtown Development Authority Bond Resolution.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 2:5-10 PUBLIC COMMENTS**

Glen Short, 5140 Driftwood Drive is requesting the use of a projector for a public meeting that will be held by the Watershed Advisory Group.

Hanna Donnigan 630 Commerce Road would like to see a new larger structure in place of the Byers home.

**ITEM 3:5-10 BOARD APPOINTMENTS**

**A. Appointment of Library Board**

**MOTION** by Gross, supported by Kirkwood, to approve the recommendation of the Township Supervisor to appoint the following to the Library Board:

Jason Pernick, 1 year term  
Betsy Lafond, 1 year term  
Barb Garbutt, 2-year term  
Carol Keeler, 2-year term  
Ann Marie Kelly, 3 year term  
Judy Sternburg, 3 year term  
Rick Sovel, Trustee, end of his term.

**MOTION CARRIED UNANIMOUSLY**

**B. Norman Levine – Downtown Development Authority Reappointment – 4 year term**

Mr. Levine was not present.

**C. James Gotts – Downtown Development Authority Reappointment – 4 year term**

**MOTION** by Gross, supported by Munro, to approve the recommendation of the Township Supervisor to reappoint James Gotts to the Downtown Development Authority for a 4-year term expiring May 10, 2009.

**ROLL CALL VOTE:**

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

**NAYS:** Kirkwood

**MOTION CARRIED**

**MOTION** by Abrams, supported by Zoner, to reappoint Norman Levine, to the Downtown Development Authority for a 4-year term expiring May 10, 2009.

**ROLL CALL VOTE:**

**AYES:** Abrams, Zoner, Long

**NAYS:** Sovel, Munro, Kirkwood, Gross

**MOTION FAILED**

**ITEM 3:5-10 BOARD APPOINTMENTS (continued)**

**D. Mary Ston– Parks and Recreation Committee Reappointment – 3 year term**

**MOTION** by Gross, supported by Kirkwood, to reappoint Mary Ston to the Parks and Recreation Committee for a 3-year term, expiring May 10, 2008.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 4:5-10 PUBLIC HEARINGS**

**A. Mount Royal Polvadera/Creedmore Bridges Special Assessment District Establishment Resolution.**

Jay James, Giffels-Webster Engineers reviewed the SAD.

Supervisor Thomas Zoner opened the Public Hearing.

Rusty Rosman 1081 Island Drive in favor.

Richard Roback 160 Polvadera against the bridge but will go along with it.

Joe Derderian 1045 Commerce Road with objections.

Henry Derderian 1075 Commerce Road with objections.

Andy Kowall 1185 South Lake Drive, Novi (owner of a lot in the subdivision) he stated he received a letter but his sidwell number is not on the roll. He has objections.

Pete Lesner 1050 Polvadera was present with questions.

Ilene Rehse 3141 Ridgemont with objections.

Gary Hooverson 3163 Ridgemont with objections and challenges the efficiency of the petition.

Lisa Carr 4651 Sundew with objections to the Polvadera project but not the Creedmoor project. Would like this project to be separate.

Susan Holden 4293 Creedmoor in favor.

Frederick Weber 4955 Whitlow Court in favor.

**Mount Royal Polvadera/Creedmore Bridges (Public Hearing continued)**

John Brennan 4609 Alban.

Brian 320 Creedmoor in favor.

Jack Holden 4293 Creedmoor in favor.

Bob Husak 4690 Catalina in favor.

Rob Haworth 627 Sherwood in favor.

Mark Mandrake 910 Sherbrook in favor.

George Manor 876 Ridgemont in favor.

Charles Lodge 4920 Whitlow in favor

Supervisor Thomas Zoner closed the Public Hearing.

The following letters of objections were received:

Andrew Kowal, Lot 3 Polvadera

Gary Hooverson 3163 Ridgemont

Carmel & Roseanne Attard, Joseph & Diane Pace, Joseph Pace Jr. 4381 South  
Commerce Road

Carmel & Roseanne Attard and Joseph & Diane Pace 4417 South Commerce  
Road

Barbara Gaul Sidwell 17-10-177-012

William R. Schumacher II and Sheryl L. Schumacher 4866 Sundew St.

Justine Brennecke 245 Foxbury

Joan Cook 877 Commerce Road

Al Szymanski 723 Sherbrooke Drive

Steve Jagusch 4691 Camelina

Letter of approval:

Charlene Clucas 4758 Sundew

**MOTION** by Gross, supported by Munro, to approve the Resolution of the Township Board of the Charter Township of Commerce Determining to Undertake an Improvement Project and to Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith and Approving the Plans and Estimates of Costs Therefore, known as Mt. Royal Polvadera/Creedmore Bridge Special Assessment District.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:5-10 CONTRACTS AWARDS AND AGREEMENTS**

**A. Microbial Testing/Inspection for Byer's Residence**

**MOTION** by Sovel, supported by Munro, to approve Microbial Testing/inspection for Byer's Residence by Santi-Air, cost not to exceed \$2,700.00, funds to come from the Parks and Recreation Millage.

**ROLL CALL VOTE:**

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

**NAYS:** Long, Kirkwood

**MOTION CARRIED**

**B. Library Cleaning Service**

**MOTION** by Munro, supported by Zoner, to approve the Library Cleaning Service to Executive Building Services at a monthly cost of \$1,135.00 to include carpet and floor.

**MOTION CARRIED UNANIMOUSLY**

**B. Consider Library Vending Contract**

**MOTION** by Munro, supported by Abrams, to approve a contract with Vendtek for a snack and drink machine for the library and to monitor the service.

**ROLL CALL VOTE:**

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

**NAYS:** Long

**MOTION CARRIED**

**C. Intergovernmental Water Service Agreement**

Jay James, Giffels-Webster Engineers reviewed the Agreement.

**MOTION** by Zoner, supported by Sovel, to approve the Intergovernmental Water Service Agreement between the Charter Township of Commerce and the Village of Wolverine Lake.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6:5-10 INTRODUCTIONS**

**A. An Amendment to Ordinance No. 79, the Charter Township of Commerce Fee Ordinance, Section 23.1-A and 23.4D Water and Sewer Charges, to be known as Ordinance No. 79-05-26**

**MOTION** by Munro, supported by Sovel, to Introduce the Charter Township of Commerce an Ordinance to Amend Ordinance No. 79, Fee Ordinance to be known as Ordinance No. 79-05-26 and publish and post in the manner

**Ordinance No. 79-05-26 (Motion continued)**

prescribed by law and bring back for Adoption at the next scheduled Township Board Meeting.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 7:5-10 ADOPTIONS**

- A. An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance, Zoning Text Amendment in Section 1500, Light Industrial-Principal Uses Permitted, to be known as Ordinance No. 55-05-171.**

**MOTION** by Munro, supported by Gross, to Adopt the Charter Township of Commerce an Ordinance to Amend Article XV of the Zoning Ordinance of the Charter Township of Commerce, to be known as Ordinance No. 55-05-171 and publish and post in the manner prescribed by law.

**MOTION CARRIED UNANIMOUSLY**

- B. An Emergency Services Cost Recovery Ordinance to Authorize the Collection of Fees for Emergency Police, Fire, Medical and Rescue Services, to be known as Ordinance No. 98-05-0.**

**MOTION** by Munro, supported by Kirkwood, to Adopt the Charter Township of Commerce Emergency Services Cost Recovery Ordinance to be known as Ordinance No. 98-05-0 and publish and post in the manner prescribed by law.

**MOTION CARRIED UNANIMOUSLY**

- C. An Amendment to Ordinance No. 25, the Charter Township of Commerce Curfew Ordinance, to control the Gathering of Minor Children on Streets and in Certain Public Establishments, to be known as Ordinance No. 25-05-02.**

**MOTION** by Abrams, supported by Munro, to table the Charter Township of Commerce an Ordinance to Amend Ordinance No. 29, Curfew Ordinance to be known as Ordinance No. 25-05-02.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 8:5-10 SITE CONDOMINIUMS AND PLATS**

None

**ITEM 9:5-10 CONSENT AGENDA**

- A. Lake Sherwood Fireworks Application with Fire Marshall Recommendation**

**ITEM 9:5-10 CONSENT AGENDA (continued)**

- B. Resolution to Acquire Easement Interests in the Mt. Royal Polvadera/Creedmore Bridges Project**
- C. Resolution Authorizing West Nile Virus Fund Expense Reimbursement Request.**
- D. Library Board Meeting Schedule**
- E. Downtown Development Authority Bond Resolution**

**MOTION** by Munro, supported by Gross, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda with the removal of Items B & E.

**MOTION CARRIED UNANIMOUSLY**

- B. Resolution to Acquire Easement Interests in the Mt. Royal Polvadera/Creedmore Bridges Project**

**MOTION** by Munro, supported by Abrams, to approve Resolution of the Township Board of the Charter Township of Commerce Authorizing Proceedings to Acquire Easement Interests in the Mt. Royal Polvadera/Creedmore Bridges Project.

**MOTION CARRIED UNANIMOUSLY**

- E. Downtown Development Authority Bond Resolution**

**MOTION** by Munro, supported by Long, to table Downtown Development Authority Bond Resolution.

**ROLL CALL VOTE:**

**AYES:** Munro

**NAYS:** Long, Sovel, Abrams, Zoner, Gross, Kirkwood

**MOTION FAILED**

Discussion ensued.

**MOTION** by Munro supported by Gross, to table Downtown Development Authority Bond Resolution.

**ROLL CALL VOTE:**

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

**NAYS:** Long

**MOTION CARRIED**

**ITEM 10:5-10 PURCHASES**

**A. Traffic Safety – Fire Department Flasher/Signal Estimates**

**MOTION** by Zoner, supported by Munro, to table a Flasher/signal for the Commerce Township Fire Station on Commerce Road west of Bogie Lake Road.

**MOTION CARRIED UNANIMOUSLY**

**B. Microsoft Office 2003 Professional Upgrade**

No action taken.

**C. Library Subscription Databases**

**MOTION** by Sovel, supported by Gross, to approve subscription databases for the Township Library at an amount of \$69,725.00 (annual) for the first year with the condition there is a monitor service to indicate usage.

**MOTION CARRIED UNANIMOUSLY**

**D. Purchase/Lease Library Copiers**

**MOTION** by Munro, supported by Abrams, to approve the lease of 1 Konika Minolta 7235 B/W with coin-op up to \$20, 1 Konika Minolta C350 color with coin-op up to \$20, 1 Konika Minolta DiI610fp (copy/scan/print/fax) from Albin Business Centers at a cost not to exceed \$17,757.55 and \$491.87 monthly lease fee for the Township Library.

**MOTION CARRIED UNANIMOUSLY**

**E. Library Printers**

**MOTION** by Sovel, supported by Munro, to approve the purchase of 4 Laserjet 4250ppm Network Ready Monochrome Laser Printers and 1 Laserjet 4250DTN with Duplex Option from Access Interactive for the library in an amount not to exceed \$6,590.00.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 11:5-10 OLD BUSINESS**

**A. Richardson Senior Center Policies – Tabled 4-12-05**

This shall remain on the table.

**B. Community Center Appointments – Tabled 4-12-05**

This shall remain on the table.

**C. Emergency Preparedness – No Action Taken 4-12-05**

No action taken

**D. Tuomikoski Second Amended Consent Judgment – Tabled 4-12-05**

This shall remain on the table.

**ITEM 12:5-10 NEW BUSINESS**

**A. Library Budget**

**MOTION** by Zoner, supported by Gross, to table the library budget.

**MOTION CARRIED UNANIMOUSLY**

**B. Library Publicity Card**

No action taken

**C. Salary Consideration for Senior/Parks and Recreation Director**

**MOTION** by Sovel, supported by Munro, to approve the starting salary for the Senior Parks and Recreation Director at \$40,000.00 annually.

**MOTION CARRIED UNANIMOUSLY**

**D. Salary Consideration for Deputy Supervisor Position**

**MOTION** by Sovel, supported by Munro, to approve the starting salary for the Deputy Supervisor Position at \$52,000.00 annually.

**MOTION CARRIED UNANIMOUSLY**

**E. E-mail**

Rick Sovel gave a review.

**F. Acceptance of Internship Program**

**MOTION** by Zoner, supported by Sovel, for approval to proceed with the Internship Program to assist with senior center functions, West Nile Virus Project and Parks and Recreation projects.

**ROLL CALL VOTE:**

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

**NAYS:** Gross

**MOTION CARRIED**

**G. Electrician Per Diem Wage**

Jeffrey Bowdell Building and Zoning Director discussed this issue.

**MOTION** by Abrams, supported by Kirkwood, to table Electrician Per Diem Wage.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 14:5-10 ORDERS**

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

**MOTION CARRIED UNANIMOUSLY**

**ITEM 15:5-10 OTHER MATTERS TO COME BEFORE THE BOARD**

Long –

- Kathleen Bartoluzzi, Planning Consultant will be in contact with other communities regarding Master Plan updates.
- Byers residence – should not spend unnecessary money for testing if the Township already plans on tearing down the residential home.

Abrams –

- Do we pay for membership dues for contracted employees? No, only for Township employees.

Sovel –

- Need to spend time on updating Township policy books.

Munro –

- Landscape along M-5 in the Township needs attention.

**ITEM 13:5:10 EXECUTIVE SESSION**

**A. Purchase of Property**

**B. Open Space Acquisition**

**MOTION** by Zoner, supported by Gross, to enter into Executive Session for the purpose of discussing purchase of property.

**ROLL CALL VOTE:**

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

**NAYS:**

**MOTION CARRIED UNANIMOUSLY**

Entered into Executive Session at 10:30 p.m.

Returned from Executive Session at 12:05 p.m.

**MOTION** by Zoner to pursue the purchase of property at a cost of \$2.5 million.

**MOTION FAILED FOR LACK OF SUPPORT**

**MOTION** by Abrams to pursue a second appraisal on subject property.

**MOTION FAILED FOR LACK OF SUPPORT**

**ITEM 16:5-10 ADJOURNMENT**

**MOTION** by Munro, supported by Kirkwood, to adjourn the meeting at 12:15 p.m.

**MOTION CARRIED UNANIMOUSLY**

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Sandra Abrams, CMC  
Clerk, Charter Township of Commerce

<b>CALL TO ORDER .....</b>	<b>1</b>
<b>PLEDGE OF ALLEGIANCE TO FLAG .....</b>	<b>1</b>
<b>ROLL CALL .....</b>	<b>1</b>
<b>APPROVAL OF MINUTES.....</b>	<b>1</b>
<b>COMMUNICATIONS .....</b>	<b>1</b>
<b>PRESENTATIONS (LIBRARY LOGO/SLOGAN) .....</b>	<b>1</b>
<b>PETITIONS (CARPENTER COURT PAVING).....</b>	<b>2</b>
<b>DIRECTOR REPORTS.....</b>	<b>2</b>
<b>ITEM 1:5-10 APPROVAL OF AGENDA.....</b>	<b>2</b>
<b>ITEM 2:5-10 PUBLIC COMMENTS.....</b>	<b>3</b>
<b>ITEM 3:5-10 BOARD APPOINTMENTS (LIBRARY, D.D.A.) .....</b>	<b>3</b>
<b>ITEM 4:5-10 PUBLIC HEARINGS (MOUNT ROYAL POLVADERA/CREEDMORE BRIDGE .....</b>	<b>4-5</b>
<b>ITEM 5:5-10 CONTRACTS AWARDS AND AGREEMENTS (BYERS, LIBRARY CLEANING, LIBRARY VENDING, INTERGOVERNMENTAL WATER SERVICE AGREEMENT).....</b>	<b>6</b>
<b>ITEM 6:5-10 INTRODUCTIONS (ORDINANCE NO., 79-05-26).....</b>	<b>6</b>
<b>ITEM 7:5-10 ADOPTIONS (ORDINANCE NO. 55-05-171, 98-05-0, 25-05-02) ...</b>	<b>7</b>
<b>ITEM 8:5-10 SITE CONDOMINIUMS AND PLATS.....</b>	<b>7</b>
<b>ITEM 9:5-10 CONSENT AGENDA (LAKE SHERWOOD FIREWORKS, EASEMENTS MT. ROYAL POLVADERA/CREEDMORE BRIDGES, WEST NILE VIRUS FUND EXPENSE REIMBURSEMENT, LIBRARY BOARD MEETING SCHEDULE, D.D.A. BOND RESOLUTION_ .....</b>	<b>7-8</b>
<b>ITEM 10:5-10 PURCHASES (FIRE DEPARTMENT FLASHER/SIGNAL, MICROSOFT OFFICE 2003 PROFESSIONAL UPGRADE, LIBRARY SUBSCRIPTION DATABASES, PURCHASE/LEASE LIBRARY COPIERS, LIBRARY PRINTERS).....</b>	<b>9</b>
<b>ITEM 11:5-10 OLD BUSINESS (RICHARDSON SENIOR CENTER POLICIES, COMMUNITY CENTER APPOINTMENTS, EMERGENCY PREPAREDNESS, TUOMIKOSKI SECOND AMENDED CONSENT JUDGMENT .....</b>	<b>9</b>

**ITEM 12:5-10 NEW BUSINESS (LIBRARY BUDGET, LIBRARY PUBLICITY CARD, SALARY CONSIDERATION FOR SENIOR/PARKS AND RECREATION DIRECTOR AND DEPUTY SUPERVISOR POSITION, E-MAIL, ACCEPTANCE OF INTERSHIP PROGRAM, ELECTRICIAN PER DIEM WAGE)..... 10**

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**ITEM 14:5-10 ORDERS..... 11**

**ITEM 15:5-10 ADJOURNMENT ..... 12**