

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

Tuesday, June 14, 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 (arrived at 7:17 p.m.)

Absent: 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 May 10, 2005 and the Special Township Board Meeting minutes of May 18, 2005. **MOTION CARRIED UNANIMOUSLY**

COMMUNICATIONS:

Received and filed

PRESENTATIONS:

None

PETITIONS:

Commerce Crossing Street Lighting Special Assessment District Intention Resolution Special Projects #23 Special Assessment District Intention Resolution

PETITIONS (continued)

Christina Michaels, Township Attorney gave a review.

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 Commerce Crossing Street Lighting Special Assessment District.

MOTION CARRIED UNANIMOUSLY

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 Special Projects No. 23.

MOTION CARRIED UNANIMOUSLY

DIRECTOR REPORTS:

Joseph Schornack, Fire Chief
Todd Martin, Fire Marshall
Lt. Dennis Davis, Oakland County Sheriff's Department
Kathleen Bartoluzzi, Planning Director
Jeffrey Bowdell, Building-Zoning Director
Kathleen Pogarch, Assessing Director
Eric Seuss, Library Director

MOTION by Gross, supported by Abrams, to close the library on July 3, 2005 with a permanent schedule for the library to be established.

MOTION CARRIED UNANIMOUSLY

Kelly Knight, Deputy Supervisor
Emily Dubey, Ferris State University Intern – Richardson Senior Center
Giffels-Webster Engineering Report

ITEM 1:6-14 APPROVAL OF AGENDA

MOTION by Gross, supported by Kirkwood, to approve the Agenda with the following additions: under Other Matters: Village of Wolverine Lake correspondence with Mike Powell and under Consent Agenda: Budget Amendment 05-01.

MOTION CARRIED UNANIMOUSLY

ITEM 2:6-14 PUBLIC COMMENTS

None

ITEM 3:6-14 BOARD APPOINTMENTS

A. Randell Thomas – Downtown Development Authority – 4 year term ending June 14, 2009

MOTION by Gross, supported by Abrams, to approve the recommendation of the Township Supervisor to appoint Randell Thomas to the Downtown Development Authority for a 4-year term ending June 14, 2009.

MOTION CARRIED UNANIMOUSLY

B. Marina Bilopolska - Downtown Development Authority – 4 year term ending June 14, 2009

MOTION by Gross, supported by Abrams, to approve the recommendation of the Township Supervisor to appoint Marina Bilopolska to the Downtown Development Authority for a 4-year term ending June 14, 2009.

MOTION CARRIED UNANIMOUSLY

C. Joel Sharpe – Parks and Recreation Committee – 4 year term ending June 14, 2009

MOTION by Gross, supported by Abrams, to approve the recommendation of the Township Supervisor to reappoint Joel Sharpe to the Parks and Recreation Committee for a 4-year term expiring June 14, 2009.

MOTION CARRIED UNANIMOUSLY

ITEM 4:6-14 PUBLIC HEARINGS

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

Jay James, Giffels-Webster Engineers reviewed the SAD.

Supervisor Thomas Zoner opened the Public Hearing.

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

Ilene Rehse 3141 Ridgemont with objections.

Jack Holden 4293 Creedmoor in favor.

George Manor 876 Ridgemont in favor.

Charles Lodge 4920 Whitlow in favor.

Mount Royal Polvadera/Creedmore Bridge (continued)

Letters of objections received from:

Charles Fletcher Sidwell No.: 17-10-330-024-270

Steven Jagusch 4691 Camelina

Joan Cook 877 N. Commerce Road

Roseanne Attard and Carmel Attard 4381 and 4417 S. Commerce Road

Diane & Joseph Pace 4381 and 4417 S. Commerce Road

Joseph Pace Jr. 4381 and 4417 S. Commerce Road

Ken and Ilene Rehse 3141 Ridgemont

Randall Whately Lot 3

Al and Marie Szymanski 723 Sherbrooke Drive

Barbara Gaul 4708 Whitlow

Renee Cramb E 17-10-404-023 and E 17-10-404-025

Letters in favor received from:

Gary Holmes 795 Sherbrooke

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 Mt. Royal Polvadera/Creedmore Bridge Special Assessment District.

MOTION CARRIED UNANIMOUSLY

ITEM 5:6-14 CONTRACTS AWARDS AND AGREEMENTS

A. Lower Mt. Royal Bridge Repair Contract Award

MOTION by Gross, supported by Kirkwood, to award the Lower Mt. Royal Bridge Repair Contract Award to the low bidder, Posen Construction, Inc. at a cost of \$241,862.70.

MOTION CARRIED UNANIMOUSLY

ITEM 6:6-14 INTRODUCTIONS

None

ITEM 7:6:14 ADOPTIONS

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.

Ordinance No. 79-05-26 (continued)

MOTION by Gross, supported by Kirkwood, to Adopt the Charter Township of Commerce Ordinance to Amend Ordinance No. 79, Fee Ordinance to be known as Ordinance No. 79-05-26 and to post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

ITEM 8:6-14 SITE CONDOMINIUMS AND PLATS

A. Final Condominium Site Plan Approval – Green Brier Condominiums

Kathleen Bartoluzzi, Planning Consultant gave a review.

MOTION by Gross, supported by Abrams, to approve PU 04-20-01 Final Condominium Site Plan for Green Brier subject to review and approval of the Master Deed by the Township Attorney and Engineers.

ROLL CALL VOTE:

AYES: Gross, Abrams, Zoner, Kirkwood

NAYS: Long

ABSENT: Munro, Sovel

MOTION CARRIED

ITEM 9:6-14 CONSENT AGENDA

A. Resolution Declaring Bond Reimbursement Expectation Lower Mt. Royal Bridge Repairs Special Assessment District.

B. Resolution Declaring Bond Reimbursement Expectation for Special Projects #23.

C. Resolution to Adopt the Oakland County Hazard Mitigation Plan.

D. Road Commission Placement of Speed Bumps.

E. Orchard Lake Fine Arts Show Banner Application.

F. Resolution for Budget Amendment 05-02 Fiscal Year 2005.

G. Budget Amendment 05-01

MOTION by Gross, supported by Abrams, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda with the removal of Items C, E, F, G.

ROLL CALL VOTE:

AYES: Gross, Abrams, Kirkwood, Long, Zoner

NAYS:

ABSENT: Munro, Sovel

MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA (continued)

C. Resolution to Adopt the Oakland County Hazard Mitigation Plan.

MOTION by Kirkwood, supported by Gross, to approve the Resolution to Adopt the Oakland County Hazard Mitigation Plan.

MOTION CARRIED UNANIMOUSLY

E. Orchard Lake Fine Arts Show Banner Application.

No action taken.

F. Resolution for Budget Amendment 05-02 Fiscal Year 2005.

MOTION by Gross, supported by Abrams, to approve the Resolution Budget Amendment 05-02 Fiscal Year 2005. **MOTION CARRIED UNANIMOUSLY**

G. Budget Amendment 05-01

MOTION by Gross, supported by Abrams, to approve the Budget Amendment 05-01. **MOTION CARRIED UNANIMOUSLY**

ITEM 10:6-14 PURCHASES

None

ITEM 11:6-14 OLD BUSINESS

A. Electrician Per Diem Wage – Tabled 5-10-05

No action taken.

B. Tumomikoski Second Amended Consent Judgment – Tabled 5-10-05

Phillip Adkison, Township Attorney updated the Board.

No action taken.

ITEM 12:6-14 NEW BUSINESS

A. Paid On Call Firefighter Personnel

Joseph Schornack, Fire Chief gave a review.

MOTION by Gross, supported by Kirkwood, to table the wage for the paid on call firefighters. **MOTION CARRIED UNANIMOUSLY**

ITEM 14:6-16 ORDERS

MOTION by Abrams, supported by Kirkwood, to approve the Orders with the following additions:

MOTION CARRIED UNANIMOUSLY

ITEM 15:6-14 OTHER MATTERS TO COME BEFORE THE BOARD

Letter from The Village of Wolverine Lake, Intergovernmental Agreement – Michael Powell was present.

MOTION by Gross, supported by Abrams, to allow The Village of Wolverine Lake water taps subject to their Adoption of the Ordinance within 45 days.

MOTION CARRIED UNANIMOUSLY

Gross asked for clarification of the recent Motion regarding expenditures from the Library Fund. Phillip Adkison, Township Attorney said the expenditures would be for non-operating capital items and suggested the Treasurer check with the Auditor regarding the items that need clarification.

ITEM 13:6:14 EXECUTIVE SESSION

A. Purchase of Property

MOTION by Abrams, supported by Kirkwood, to enter into Executive Session for the purpose of discussing acquisition of property and return back to regular session afterwards.

ROLL CALL VOTE:

AYES: Abrams, Kirkwood, Gross, Long, Zoner

NAYS:

ABSENT: Munro, Sovel

MOTION CARRIED UNANIMOUSLY

Entered into Executive Session at 8:04 p.m.
Returned from Executive Session at 8:20 p.m.

MOTION by Gross, supported by Abrams, to direct the Supervisor to look into the appropriation of the property discussed in Executive Session.

MOTION CARRIED UNANIMOUSLY

ITEM 16:6-14 ADJOURNMENT

MOTION by Abrams, supported by Gross, to adjourn the meeting at 8:26 p.m.

MOTION CARRIED UNANIMOUSLY

Sandra Abrams, CMC
Clerk, Charter Township of Commerce

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