

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

Tuesday, February 14, 2006

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
Loren Crandell, Giffels-Webster Engineers
Christina Michaels, Township Attorney
Kathleen Bartoluzzi, Planning Director
Thomas Rauch, DDA Attorney
Jeffery Bowdell, Building-Zoning Director
Wynn Berry, DDA Director

APPROVAL OF MINUTES

MOTION by Abrams, supported by Sovel, to approve the Regular Township Board Meeting Minutes of January 10, 2006, Regular Township Board Meeting Minutes with the spelling correction of "Foxbury".

MOTION CARRIED UNANIMOUSLY

PRESENTATION:

Downtown Development Authority Presentation

Wynn Berry comments on the DDA project area and successful negotiations with Beaumont Hospital.

Tom McKaskin, Vice President Legal Office, Beaumont Hospital announces the acquisition of 35 acres to construct a medical center with emergency and physician activities, serving the community, bringing the health care closer. They

are also working on an agreement to offer 1.5 acres for construction of a Commerce Fire Department with training facilities which would accommodate 100 persons. They expressed their thanks and appreciation to work with Commerce Township to bring this project to fruition.

Tom Zoner spoke on behalf of the Township to thank and congratulate the parties involved with this new and exciting development.

All Township Board members spoke individually to congratulate and thank the parties involved.

PETITIONS

None

DIRECTOR REPORTS:

Township Directors submitted written and oral reports.

ITEM 1: 2/14 APPROVAL OF AGENDA

MOTION by Sovel, supported by Gross, to approve the Agenda for the meeting of February 14, 2006, with the following revisions:
Add: Item 5C, Contracts Awards & Agreement: QVF Equipment Grant through the Help America Vote Act.

MOTION CARRIED UNANIMOUSLY

ITEM 2: 2/14 PUBLIC COMMENTS

Public Comments were received as follows:

Opposition to the new Beaumont Hospital Project.

Inquiry as to why the residents have to pay for the mistakes of the engineers of the Mt. Royal Polvadera/Creedmore Bridge Project when the engineers were present when the mistakes took place.

ITEM 3: 2/14 PUBLIC HEARINGS

Thomas Zoner, Township Supervisor opened the Public Hearing.

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

Illene Resch, 3141 Ridgemont, in protest. Stands to reserve her right for an appeal with the Michigan Tax Tribunal. .

Gary Hooverson, 3163 Ridgemont, in protest. Has complaints of Griffels/Webster engineering.

George Maitland, Mt. Royal Subdivision, in favor. Thanks the Board and Committee for completing the bridge. The overcharge should not be Griffels and Webster responsibility. The bridge will be there for 50 years. He understands why the community is upset because of the overcharge. It has been difficult for the residents, but the problems could not be foreseen.

Thomas Zoner, Township Supervisor, closed the Public Hearing.

Incoming Letters of Protest:

Gary Hooverson, 3163 Ridgemont,
William and Sheryl Schumacher, 4866 Sundew
A. Szymanski, 723 Sherbrooke
Ronald and Janis Creswell, 3179/3189 Ridgemont
Lorriane Haworth, 627 Sherbrooke
Joan Cook, 877 N. Commerce Rd.
A.M. Kowal, Sidwell # 17-10-407-003
Ken and Illene Rehse, 3141 Ridgemont

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

ROLL CALL VOTE

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

NAYS: Long

- B. Special Projects #24 Special Assessment District Establishment Resolution

MOTION by Sovel, supported by Kirkwood, 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 estimated of cost therefore known as Special Projects #24 Special Assessment District.

MOTION CARRIED UNANIMOUSLY

ITEM 4: 2/14 BOARD APPOINTMENTS

None

ITEM 5: 2/14 CONTRACT AWARDS AND AGREEMENTS

A. Aquatic Services, Inc.

MOTION by Sovel, supported by Abrams, to approve the Service Contract of Aquatic Services.

MOTION CARRIED UNANIMOUSLY

B. Cleaning Contract Award (Tabled 1-10-06)

MOTION by Sovel, supported by Abrams, to remove the Cleaning Contract Award from the table.

MOTION CARRIED UNANIMOUSLY

MOTION by Sovel, supported by Abrams, to award the Cleaning Services Contract to Clean Sweep and the approval of a one-time cleaning prior to the start of the regular monthly cleaning schedule, of all facilities, excluding the tile and carpet cleaning and the after rental cost at the Richardson Center at an annual cost not to exceed \$43,160.00, plus the cost of the one-time cleaning of \$450.00.

A new contract be prepared by the Township Attorneys based on the scope of work contained in the RFP and will contain the addition of any and all language recommendations by the Township Attorneys that should also be included in the contract;

A 30-day written notice be forwarded to the current cleaning company as required by the current cleaning company contract.

ROLL CALL VOTE

AYES: Abrams, Gross, Zoner, Munro, Kirkwood

NAYS: Sovel, Long

MOTION CARRIED

C. New QVF Equipment/Grant Agreement

MOTION by Kirkwood, supported by Munro, to approve QVF Equipment Grant Agreement.

MOTION CARRIED UNANIMOUSLY

ITEM 6: 2/14 INTRODUCTIONS:

None

ITEM 7: 2/14 ADOPTIONS

- A. An Amendment to Ordinance No. 79, the Charter Township of Commerce Fee Ordinance, to Amend Section 23.4-D, Sewer Charges, Section 29 Insufficient funds Check Fess, and Section 31, Miscellaneous Fees, to Set Forth new Fees and Related Charges, to be known as Ordinance 79-06-27.

MOTION by Abrams, supported by Munro, to Adopt the Amendment to the Charter Township of Commerce Fee Ordinance to be known as Ordinance 79-06-27 with correction on Insufficient Fund Return Check Fee of \$27.50 and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 8: 2/14 SITE CONDOMINIUMS AND PLATS

- A. Commerce Pointe – Site Condominium – Plan Approval

Kathleen Bartoluzzi presents the Site Condominium Plan.

MOTION by Munro, supported by Abrams, to approve the Commerce Pointe – Site Condominium Plan contingent upon final approval of the Township Engineers and Township Attorney.

MOTION CARRIED UNANIMOUSLY

ITEM 9: 2/14 CONSENT AGENDA

- A. Resolution Declaring Bond Reimbursement Expectation for Special Projects #24
- B. Resolution Allowing Refund on a Prorated Basis to the Owners of Properties Assessed in the Mt. Royal Roads Special Assessment District.
- C. Waiver of Late Penalty Charges for Eligible Citizens
- C. Resolution Designating Check Signers

MOTION by Gross, supported by Abrams, to approve the Consent Agenda as presented.

MOTION CARRIED UNANIMOUSLY

ITEM 10: 2/14 PURCHASES

- A. Oakland County Sheriff Department Smart Cart

MOTION by Munro, supported by Sovel, to approve the Oakland County Sheriff Department's purchase of a Smart Cart, price not to exceed \$11,727.00.

MOTION CARRIED UNANIMOUSLY

- B. John Deere Mower, Model 1435 – Maintenance Department

MOTION by Long, supported by Sovel, to approve the Maintenance Department's purchase of a John Deere Mower, Model 1435, from D & G Equipment, INC., price not to exceed \$13,476.00

MOTION CARRIED UNANIMOUSLY

ITEM 11: 2/14 OLD BUSINESS

- A. Downtown Development Authority Matters – No Action Taken 1-10-06

Phillip Adkison, Township Attorney explains the two-part agreement, the Letter of Intent and the Conveyance Agreement between the DDA and Commerce Township for the of the Links of Pinewood and the corrections and changes that would be made.

MOTION by Abrams, supported by Munro, to approve the Letter of Intent and Conveyance Agreement with the DDA for the Links of Pinewood.

MOTION CARRIED UNANIMOUSLY

- B. Request for Proposal – Township Hall

MOTION by Abrams, supported by Munro to have Township Attorney review the proposals and thereafter the Township proceed with RFP for the architectural renovations for the Links of Pinewood.

MOTION CARRIED UNANIMOUSLY

ITEM 12: 2/14 NEW BUSINESS

A. Budget Amendment 06-01

MOTION by Abrams, supported by Gross, to approve the Budget Amendment for the Fiscal Year 2006 as presented.

MOTION CARRIED UNANIMOUSLY

B. Purchasing Policy

MOTION by Long, supported by Sovel, to revise the contract language in the Purchasing Policy.

MOTION CARRIED UNANIMOUSLY

MOTION by Kirkwood, supported by Munro, to table the Purchasing Policy.

MOTION CARRIED UNANIMOUSLY

C. Michigan Natural Trust Fund Grant

MOTION by Gross, supported by Abrams, to explore and pursue the issues relative to obtaining the Michigan Natural Trust Fund Grant for Dodge Park # 5.

MOTION CARRIED UNANIMOUSLY

D. Byers Lease

MOTION by Munro, supported by Abrams to approve the Byers Lease Agreement including a Termination Clause with Debbie Howitt and Ponny Morris.

MOTION CARRIED UNANIMOUSLY

ITEM 13: 2/14 ORDERS – See Hard Copy

MOTION by Abrams, supported by Gross, to approve the Orders.

ROLL CALL VOTE:

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

NAYS: None

MOTION CARRIED UNANIMOUSLY

ITEM 14: 2/14 OTHER MATTERS TO COME BEFORE THE BOARD

Tom Zoner tentatively scheduled a Special Joint Meeting on Marcy 16th, 2006 for Planning Commission, DDA and Township Board.

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Robert Long, comments on the Township's job description educational requirements. Requesting reconsideration of a 4-year college degree in all job descriptions for management level positions.

Rick Sovel is putting together a new format for the Spirit Newsletter.

ITEM 15: 2/14 ADJOURNMENT

MOTION by Abrams, supported by Long, to adjourn the meeting at 9:25 p.m.

MOTION CARRIED UNANIMOUSLY

Sandra Abrams, CMC
Clerk, Charter Township of Commerce