

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

Tuesday, November 18, 2008

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 7:09 p.m.)
Daniel Munro, Trustee
Rick Sovel, Trustee

Also Present: Phillip Adkison, Township Attorney
Hans Rentrop, Township Attorney
Jay James, Giffels-Webster Engineers

APPROVAL OF MINUTES

MOTION by Abrams, supported by Gross, to approve the Regular Township Board Meeting Minutes of October 14, 2008 and the Budget Township Board Meeting Minutes of October 28, 2008.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

Commerce Township, DDA

Jim Gotts, Chairperson, was present and stated the DDA formed a Finance Committee at their 11-18-08 meeting for the purpose of reviewing the budget that was presented to The Township Board. Wynn Berry, Director, was present to review Plante & Moran's reports with the Township Board of Trustees.

Item 12A. 2009-2010 Proposed DDA Budget

Review of the Commerce Township Downtown Development Authority Proposed Budget for Calendar Year 2009 and 2010. The Township Board of Trustees voiced their concerns to Jim Gotts and Wynn Berry so they can take them back to the next DDA Finance Committee meeting for discussion. No action was taken on the DDA Budget.

ITEM 1:11-18 APPROVAL OF AGENDA

MOTION by Abrams, supported by Gross, to approve the Agenda with the following changes: Move Item 12A to after Presentations and move Item 12C to after Approval of Agenda.

MOTION CARRIED UNANIMOUSLY

Item 12C. Selection of Underwriter for \$12,000,000 Series A, WWTP Bond
Tom Traciak, ACI Finance, Inc. was present.

MOTION by Gross, supported by Sovel, to engage the services of Fifth Third Securities as the underwriter for the Waste Water Treatment Plant Series A Bonds and to allow further negotiation by Susan Gross, Township Treasurer and Tom Traciak, Financial Advisor to determine an underwriting co-manager and potentially increase the underwriters take down not to exceed .5%.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

PETITIONS:

None

ITEM 2:11-18 PUBLIC COMMENTS

None

ITEM 3:11-18 PUBLIC HEARINGS

None

ITEM 4:11-18 BOARD APPOINTMENTS

Parks and Recreation Committee

MOTION by Abrams, supported by Sovel, to re-appoint David Schultz to the Commerce Township Parks and Recreation Committee for a four-year term expiring December 31, 2012. **MOTION CARRIED UNANIMOUSLY**

Commerce Township DDA Board

NO ACTION TAKEN

ITEM 5:11-18 CONTRACT AWARDS AND AGREEMENTS

A. Hydrogen Sulfide Structure Contract – Tabled from 8-12-08

Jay James, Giffels-Webster Engineers advised the Board the easement should be signed this week. He stated the low bidder, Dano Corporation, advised him they could not commit to the bid they submitted because they took on more work. The second low bidder, WM R. Curtis, Inc. will honor their submitted bid. Jay asked if the Board would like to go with the second low bidder or re-bid.

MOTION by Kirkland supported by Gross, to remove Hydrogen Sulfide Structure Contract from the Table. **MOTION CARRIED UNANIMOUSLY**

MOTION by Kirkwood, supported by Munro, to award the Hydrogen Sulfide Structure Contract to the second low bidder, WM R. Curtis, Inc., contingent on the easement being signed, at a cost of \$83,328.53 and authorize the appropriate signatures. **MOTION CARRIED UNANIMOUSLY**

ITEM 6:11-18 INTRODUCTIONS

A. An Ordinance to Amend Ordinance No. 79 – The Charter Township of Commerce Fee Ordinance Section 32 – Life Support Services – to be known as Ordinance No. 79-08-38.

MOTION by Gross, supported by Zoner, to Introduce an Ordinance to Amend Ordinance No. 79 The Charter Township of Commerce Fee Ordinance Section 32 – Life Support Services – to be known as Ordinance No. 79-08-38 and publish and post in the manner prescribed by law and bring back to the Township Board for Adoption at the next regular scheduled Township Board Meeting.

ITEM 6:11-18 INTRODUCTIONS (Life Support Services)

Motion and support withdrawn by Gross and Zoner.

MOTION by Gross, supported by Munro, to Introduce an Ordinance to Amend Ordinance No. 79 The Charter Township of Commerce Fee Ordinance Section 32 – Life Support Services – to be known as Ordinance No. 79-08-38 establishing the basic life support services fee at \$400.00 for residents and non residents and publish and post in the manner prescribed by law and bring back to the Township Board for Adoption at the next regular scheduled Township Board Meeting.
MOTION CARRIED UNANIMOUSLY

ITEM 7:11-18 ADOPTIONS

A. An Ordinance to Amend Ordinance No. 22 –Subdivision Control Ordinance – to be known as Ordinance No. 22-08-13.

MOTION by Munro, supported by Abrams, to Adopt an Ordinance to Amend Ordinance No. 22 Subdivision Control Ordinance to be known as Ordinance No. 22-08-13, publish, and post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

B. An Ordinance to Amend Ordinance No. 23 - Building Permit Performance Bond Ordinance – to be known as Ordinance No. 23-08-03.

MOTION by Munro, supported by Abrams, to Adopt an Ordinance to Amend Ordinance No. 23 Building Permit Performance Bond Ordinance to be known as Ordinance No. 23-08-03, publish, and post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

C. An Ordinance to Amend Ordinance No. 79 – Fee Ordinance - to be known as Ordinance No. 79-08-37.

MOTION by Abrams, supported by Munro, to Adopt an Ordinance to Amend Ordinance No. 79 Fee Ordinance to be known as Ordinance No. 79-08-37 and publish and post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

ITEM 7:11-18 ADOPTIONS (continued)

- D. An Ordinance to Amend Ordinance No. 88 – Soil Erosion and Sediment Control Ordinance – to be known as Ordinance No. 88-08-01.**

MOTION by Abrams, supported by Munro, to Adopt an Ordinance to Amend Ordinance No. 88 Soil and Sediment Control Ordinance to be known as Ordinance No. 88-08-01 and publish and post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

- E. An Ordinance to Amend Ordinance No. 32F-04-00 – Property Regulation and Maintenance Ordinance - to be known as Ordinance No. 32F-08-01.**

MOTION by Munro, supported by Kirkwood, to Adopt an Ordinance to Amend Ordinance No. 32F-04-00 Property Regulation and Maintenance Ordinance to be known as Ordinance No. 32F-08-01, publish, and post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

- F. Ordinance No. 104-08-00 – Performance Guarantee Ordinance.**

MOTION by Abrams, supported by Munro, to Adopt Performance Guarantee Ordinance, Ordinance No. 104-08-00 and publish and post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

- G. Z-08-06 Proposed Text Amendment – Portable Signs.**

MOTION by Abrams, supported by Munro, to Adopt an Ordinance to Amend Article II and Article XX of the Zoning Ordinance of the Charter Township of Commerce to be known as Ordinance No. 55-08-205 and publish and post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

ITEM 8:11-18 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:11-18 CONSENT AGENDA

None

ITEM 10:11-18 PURCHASES

None

ITEM 11:11-18 OLD BUSINESS

A. Library Construction Approval – Tabled from 6-10-08
Remain on the table.

ITEM 12:11-18 NEW BUSINESS

B. Metro Act Permit – Verizon

MOTION by Abrams, supported by Gross, to approve the Right of Way Telecommunications Permit of Verizon North Inc. and Contel of the South, Inc., d/b/a Verizon North Systems. **MOTION CARRIED UNANIMOUSLY**

D. Resolution to Establish a SAD –Special Projects No. 28

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 Special Projects No. 28. **MOTION CARRIED UNANIMOUSLY**

E. GreenBriar First Amendment to PUD Agreement

MOTION by Kirkwood, supported by Abrams, to approve the First Amendment to Planned Unit Development Agreement (Greenbriar). **MOTION CARRIED UNANIMOUSLY**

F. Class C Liquor License – Glenbill, LLC

MOTION by Abrams, supported by Kirkwood, to approve the transfer of Class C Liquor License from Tuo Gip One, LLC 25750 Novi Road, Ste 101, Novi, Michigan 48375 to Glenbill, LLC 2256 Union Lake Road, Commerce Township, Michigan 48382. **MOTION CARRIED UNANIMOUSLY**

ITEM 13:11-18 ORDERS AND ADD-ONS

MOTION by Abrams, supported by Gross, to approve the orders and add ons.
MOTION CARRIED UNANIMOUSLY

ITEM 14:11-18 OTHER MATTERS

Sovel – a resident inquired if they leave Michigan for the winter can something be done to reduce their water bill. Supervisor Thomas Zoner said the rates would remain the same.

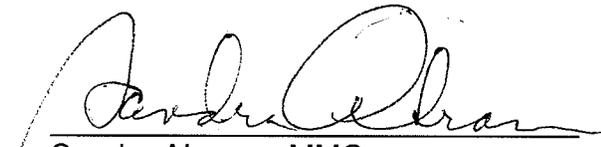
Brief discussion took place regarding going out for bids on waste removal for the Township.

ITEM 15:11-18 EXECUTIVE SESSION

None

ITEM 16:11-18 ADJOURNMENT

MOTION by Kirkwood, supported by Munro, to adjourn the meeting at 9:12 p.m.
MOTION CARRIED UNANIMOUSLY



Sandra Abrams, MMC
Clerk, Charter Township of Commerce