

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

Tuesday, May 13, 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
Daniel Munro, Trustee
Rick Sovel, Trustee

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

APPROVAL OF MINUTES

MOTION by Abrams, supported by Gross, to approve the Regular Township Board Meeting Minutes of April 8, 2008 as submitted and the Discussion Session Board of Trustees Meeting Minutes of April 22, 2008, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

A. John M. McCulloch, Oakland County Drain Commission

John McCulloch gave a presentation on the Master Plan Initiative.

B. Tom Traciak, Township Financial Advisor

Tom Traciak was present to discuss the market ratings and will bring back Resolutions at the July meeting.

PRESENTATIONS (continued)

C. John McGee, Village of Wolverine Lake Council President

John McGee was present to recommend forming a sub committee between Wolverine Lake and Commerce Township to discuss minimizing duplication of services for the citizens of both entities.

D. Wynn Berry, DDA Director

Wynn Berry was present to inform the Township Board of present and future projects.

PETITIONS:

None

ITEM 1:5-13 APPROVAL OF AGENDA

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

MOTION CARRIED UNANIMOUSLY

ITEM 2:5-13 PUBLIC COMMENTS

John McCulloch, President of Village of Wolverine Lake Council introduced their new council member, Brian Nedrow.

ITEM 3:5-13 PUBLIC HEARINGS

None

ITEM 4:5-13 BOARD APPOINTMENTS

None

ITEM 5:513 CONTRACTS AWARDS AND AGREEMENTS

A. Contract with County for Equalization Division Assistance Services

MOTION by Gross, supported by Abrams, to approve the Contract for Oakland County Equalization Division Assistance Services with the Charter Township of Commerce and authorize the appropriate signatures.

CONTRACTS AWARDS AND AGREEMENTS (continued)

**B. Contract with County for Equalization Division Assistance Services
(Motion continued)**

ROLL CALL VOTE:

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

NAYS: Kirkwood

MOTION CARRIED UNANIMOUSLY

C. Irrigation Well – Dodge Park V

Jeff Bowdell was present to discuss the irrigation well at Dodge Park #5.

MOTION by Sovel, supported by Zoner, to award the contract for the well bid to Brown Drilling at a cost of \$14,753.00, the electric bid to Town Center Electric at a cost of \$9,600.00, the electrical service material bid to Town Center Electric at a cost of \$2,295.55, DTE at a cost of \$3,597.50 and miscellaneous parts and OCHD permit at a cost of \$350.00 bringing the total cost to \$30,597.05 and authorize the appropriate signatures. Funds to come from the Parks and Open Space Millage.

MOTION CARRIED UNANIMOUSLY

D. Play Structure Fencing – Maple Glen Park

Robert Long recommends approval.

MOTION by Kirkwood, supported by Abrams, to approve the recommendation of the Parks and Recreation Committee to award the Maple Glen playscape fence to Northern Fence at a cost of \$2,785.00 and authorize the appropriate signatures. Funds to come from the Parks and Recreation Millage.

MOTION CARRIED UNANIMOUSLY

ITEM 6:5-13 INTRODUCTIONS

None

ITEM 7:5-13 ADOPTIONS

None

ITEM 8:5-13 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:5-13 CONSENT AGENDA

- A. North Commerce Lake Fireworks Display**
- B. Lake Sherwood Fireworks Display**
- C. Resolution of Brownfields**
- D. Community Development Block Grant**

MOTION by Abrams, supported by Kirkwood, to approve the Resolution of the Township Board of the Charter Township of Commerce Consent Agenda with the removal of C. Resolution of Brownfields.

ROLL CALL VOTE:

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

MOTION CARRIED UNANIMOUSLY

C. Resolution of Brownfields

Kathleen Cassidy, Township Planner was present to discuss this issue.

MOTION by Gross, supported by Kirkwood, to approve the Resolution Concurring with the Provision of a Brownfield Plan Adopted by the Oakland County Brownfield Redevelopment Authority for the (Commerce Beaumont)

MOTION CARRIED UNANIMOUSLY

MOTION by Abrams, supported by Gross to approve the Concurrent Resolution for the Commerce Beaumont Project.

MOTION CARRIED UNANIMOUSLY

ITEM 10:5-13 PURCHASES

None

ITEM 11:5-13 OLD BUSINESS

Library Advisory Board

The Library Advisory Board would like direction on the expectations of the Township Board. Supervisor Thomas Zoner provided, for their review, a written document outlining the principal role of the Library Advisory Board and asked for their input.

MOTION by Abrams, supported by Gross, to table Library Advisory Board.

MOTION CARRIED UNANIMOUSLY

ITEM 12:5-13 NEW BUSINESS

A. LLC Liquor License Transfer – Uptown Grille

Ryan Adams, owner of Uptown Grill was present.

MOTION by Abrams, supported by Munro, to approve the Resolution for the application for transfer of a Quota Class C Liquor License for UpTown Grille, LLC located at 3100 E. West Maple Road, Commerce Township, Michigan 48390.

MOTION CARRIED UNANIMOUSLY

B. LLC Liquor License Outdoors Sales – Commerce Grill

Kathleen Cassidy, Township Planner was present to discuss this issue.

Scott Smith, Attorney for Commerce Grill stated his client complied with the original Parking Ordinance when the site plan was approved. He is requesting the parking situation be grandfathered because the Parking Ordinance has changed from the original site plan approval. Additionally he stated that Commerce Grill is not going to increase the number of tables served at the establishment.

MOTION by Abrams, supported by Gross, to amend the Liquor License for Commerce Grille, 2528 Union Lake Road to allow outdoor dining subject to the petitioner receiving approval from the Liquor Control Commission.

MOTION CARRIED UNANIMOUSLY

C. Library Policy – Out of State Education Policy

MOTION by Munro, supported by Gross, to allow out of state travel for educational events subject to approval of the Township Board. Travel reimbursement shall be consistent with the current Township Educational Travel Expense Policy.

MOTION CARRIED UNANIMOUSLY

D. Wastewater Treatment Plant Expansion

John Solowczuk, P.E. Senior Project Engineer, Giffels-Webster Engineers gave a financial update of construction costs. Bob Jesse Jr., Project Manager, Spence Brothers was also present to answer questions.

MOTION by Munro, supported by Zoner, to move forward with the 8.5 million gallon a day Wastewater Treatment Plant Expansion.

Motion and support withdrawn.

There will be a special meeting on May 27, 2008 to review the contracts.

NEW BUSINESS (continued)

E. Snow Plowing

MOTION by Munro, supported by Long, to table Snow Plowing.

ROLL CALL VOTE:

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

NAYS: Zoner

MOTION CARRIED

F. Water Main Reliability Study

Jay James, Giffels-Webster Engineers explained the study.

MOTION by Sovel, supported by Munro, to accept the Water Main Reliability Study provided by Giffels-Webster Engineers.

MOTION CARRIED UNANIMOUSLY

Jeff Bowdell discussed water storage towers.

MOTION by Munro, supported by Gross, to authorize Giffels-Webster Engineers to review sites, capacity and preliminary costs for the water towers at an engineering cost not to exceed \$5,000.00.

MOTION CARRIED UNANIMOUSLY

MOTION by Sovel, supported by Munro, to direct the Township Attorney to negotiate the water system with Detroit. **MOTION CARRIED UNANIMOUSLY**

G. Waiver Policy for Senior Center

MOTION by Sovel, supported by Zoner, to approve the Charter Township of Commerce Richardson Community Center Policies and Waiver Application as recommended by the Parks and Recreation Committee.

MOTION CARRIED UNANIMOUSLY

ITEM 14:5-13 ORDERS

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

MOTION CARRIED UNANIMOUSLY

ITEM 15:5-13 OTHER MATTERS

Phillip Adkison, Township Attorney would like to consult a bankruptcy attorney for the purpose of consultation on bankruptcy matters.

MOTION by Abrams supported by Kirkwood, to authorize Phillip Adkison, Township Attorney to consult a bankruptcy attorney.

MOTION CARRIED UNANIMOUSLY

Robert Long would like to review vendor invoices.

ITEM 13:5-13 EXECUTIVE SESSION

MOTION by Abrams, supported by Long, to enter into Executive Session for the purpose of discussing Attorney Client Privileged Information.

ROLL CALL VOTE:

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

NAYS: None

MOTION CARRIED UNANIMOUSLY

Entered into Executive Session at 11:03 pm

ITEM 16:5-13 ADJOURNMENT

MOTION by Abrams, supported by Zoner, to adjourn the meeting at 11:30 p.m.

MOTION CARRIED UNANIMOUSLY

Sandra Abrams, CMC
Clerk, Charter Township of Commerce