

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

Tuesday, June 10, 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
Debra Kirkwood, Trustee
Robert Long, Trustee
Daniel Munro, Trustee
Rick Sovel, Trustee (arrived 7:17 p.m.)

Absent: Susan Gross, Treasurer

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

APPROVAL OF MINUTES

MOTION by Kirkwood, supported by Abrams, to approve the Regular Township Board Meeting Minutes of May 13, 2008 as submitted and the Special Township Board Meeting Minutes of May 27, 2008, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

None

PETITIONS:

None

ITEM 1:6-10 APPROVAL OF AGENDA

MOTION by Abrams, supported by Kirkwood, to approve the Agenda as amended by moving Item 12C Bond Authorizing Resolution to the beginning of the meeting. **MOTION CARRIED UNANIMOUSLY**

ITEM 2:6-10 PUBLIC COMMENTS

None

ITEM 3:6-10 PUBLIC HEARINGS

None

ITEM 4:6-10 BOARD APPOINTMENTS

Property Maintenance Board of Appeals

MOTION by Abrams, supported by Munro, to appoint Mike Powell, David Bywra and Ed Boryn to the Property Maintenance Board of Appeals for a three (3) year term expiring on June 30, 2011. **MOTION CARRIED UNANIMOUSLY**

ITEM 5:6-10 CONTRACTS AWARDS AND AGREEMENTS

A. Parks & Recreation – 5 Year Master Plan

William Petsch was present to recommend Wade-Trim be awarded the contract for the Parks & Recreation 5 Year Master Plan.

MOTION by Munro, supported by Abrams, to award the contract to Wade Trim for the Parks & Recreation 5 Year Master Plan. Funds to come from the CDBG in the amount of \$20,000 and the remainder of the funds to come from the Parks & Recreation Millage. **MOTION CARRIED UNANIMOUSLY**

B. Second Amendment to Construction Management Agreement

MOTION by Abrams, supported by Kirkwood, to approve the Second Amendment to Construction Management Agreement and authorize the appropriate signatures. **MOTION CARRIED UNANIMOUSLY**

ITEM 5:6-10 NEW BUSINESS (continued)

C. Martin Parkway Sewer Bid – Discussion

Loren Crandell, Giffels-Webster Engineers was present to explain the project.

Rick Sovel arrived 7:17 p.m.

MOTION by Kirkwood, supported by Zoner, to amend the Motion from October 9, 2007 from \$1,141,680.00 to \$1,280,000.00 to install the Martin Parkway Forcemain as part of the utility contract for Martin Parkway. Funds in the amount of \$1,280,000.00 from the Sanitary Sewer Fund and approximately \$329,000.00 from the Downtown Development Authority.

ROLL CALL VOTE:

AYES: Kirkwood, Zoner, Abrams, Munro, Sovel

NAYS: Long

ABSENT: Gross

MOTION CARRIED

D. Log Cabin Paving Contract

Jeff Bowdell, Director Building, Zoning, Water & Sewer was present to discuss the paving project.

MOTION by Kirkwood, supported by Abrams, to accept the recommendation of Jeff Bowdell to award the asphalt drive replacement at the Log Cabin Home located at 740 Glengary to Allied Asphalt at a cost not to exceed \$6,576.00 and authorize the appropriate signatures. Funds to come from the General Fund Fund Balance and transferred to Improvement & Building.

MOTION CARRIED UNANIMOUSLY

ITEM 12:6-10 NEW BUSINESS (moved)

Tom Traciak, Township Financial Advisor was present.

C. Bond Authorizing Resolution

MOTION by Sovel, supported by Kirkwood, to approve the Bond Authorizing Resolution 2008 Taxable Adjustable Rate Downtown Development Refunding Bonds (Limited Tax General Obligation) and authorize the appropriate signatures.

C. Bond Authorizing Resolution (Motion continued)

ROLL CALL VOTE:

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

ABSENT: Gross

MOTION CARRIED UNANIMOUSLY

ITEM 9:6-10 CONSENT AGENDA (out of order)

A. Bond Reimbursement Declaration Resolution – Martin Parkway

B. Resolution for Charitable Gaming License – Walled Lake Northern Boosters Club

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 A.

ROLL CALL VOTE:

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

NAYS: None

ABSENT: Gross

MOTION CARRIED UNANIMOUSLY

A. Bond Reimbursement Declaration Resolution – Martin Parkway

MOTION by Kirkwood, supported by Sovel, to approve the Bond Reimbursement Declaration Resolution (Martin Parkway Project).

ROLL CALL VOTE:

AYES: Kirkwood, Sovel, Abrams, Munro, Zoner

NAYS: Long

ABSENT: Gross

MOTION CARRIED

ITEM 6:6-10 INTRODUCTIONS

A. Cemetery Ordinance

MOTION by Abrams, supported by Sovel, to Introduce the Cemetery Ordinance Amendment to be known as Ordinance No. 101-08-01 and bring back to the Township Board for Adoption at the next regular scheduled meeting and publish and post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

ITEM 6:6-10 INTRODUCTIONS (continued)

B. An Amendment to Ordinance 79, the Charter Township of Commerce Fee Ordinance to be known as No. 79-08-35. Water Rates and Charges

MOTION by Abrams, supported by Sovel, to Introduce an Ordinance to Amend Ordinance No. 79, Fee Ordinance to be known as Ordinance No. 79-08-35 and bring back to the Township Board for Adoption at the next regular scheduled meeting and publish and post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

C. An Amendment to Ordinance 79, the Charter Township of Commerce Fee Ordinance to be known as No. 79-08-36. Qualified Voter File

MOTION by Abrams, supported by Kirkwood, to Introduce an Ordinance to Amend Ordinance No. 79, Fee Ordinance to be known as Ordinance No. 79-08-36 and bring back to the Township Board for Adoption at the next regular scheduled meeting and publish and post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

ITEM 7:6-10 ADOPTIONS

None

ITEM 8:6-10 SITE CONDOMINIUMS AND PLATS

None

ITEM 10:6-10 PURCHASES

A. Supplied and Materials for Log Cabin

MOTION by Zoner, supported by Abrams, to approve the purchase of materials to install trench drain system for drive and front entryway at the Log Cabin Home from ETNA Supply at a cost not to exceed \$2,500.00. Funds to come from the General Fund Fund Balance and transferred to Improvement & Building.

MOTION CARRIED UNANIMOUSLY

ITEM 10:6-10 PURCHASES (continued)

B. 2.5" Fire Hose

MOTION by Kirkwood, supported by Sovel, to approve the purchase of a 2.5" fire hose from Apollo Fire Equipment at a cost not to exceed \$11,000.00. Funds to come from the Fire Fund Capital Outlay Account.

MOTION CARRIED UNANIMOUSLY

ITEM 11:6-10 OLD BUSINESS

Snow Plowing

MOTION by Abrams, supported by Sovel, to remove snow plowing from the table.

MOTION CARRIED UNANIMOUSLY

MOTION by Abrams, supported by Zoner, to go out for bids for two snowplows.

ROLL CALL VOTE:

AYES: Kirkwood, Zoner, Abrams, Munro, Sovel

NAYS: Long

ABSENT: Gross

MOTION CARRIED

ITEM 12:6-10 NEW BUSINESS

A. Library Construction Approval

MOTION by Munro, supported by Long, to table Library Construction Approval.

ROLL CALL VOTE:

AYES: Munro, Long, Sovel, Kirkwood

NAYS: Abrams, Zoner

ABSENT: Gross

MOTION CARRIED

B. Taping Policy of Open Meetings

No action taken

ITEM 14:6-10 ORDERS

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

ITEM 15:6-10 OTHER MATTERS

Long – Parks & Recreation Committee made a recommendation to allow advertisement of events on the marquee at the Richardson Center for whoever uses the center at that time. He inquired if this should come before the Township Board or if this would be an internal discussion. Discussion is pending internally.

Kirkwood – inquired if the union agreed on the summer hours. She stated there are several employees complaining about the summer hours. Supervisor Thomas Zoner said those employees should discuss their concerns with him.

Richard Walter 865 Dunreath Wolverine Village was present to advise the Township Board of his displeasure with the language in the Sign Ordinance. He stated that he does sell signs as a business. Phillip Adkison, Township Attorney said the copy Mr. Walter has is a draft copy. Supervisor Thomas Zoner requested that Mr. Walter contact Kathleen Cassidy, Township Planner and discuss this with her.

ITEM 13:6-10 EXECUTIVE SESSION

MOTION by Abrams, supported by Munro, to enter into Executive Session for discussing purchase of property.

ROLL CALL VOTE:

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

NAYS: None

ABSENT: Gross

MOTION CARRIED UNANIMOUSLY

Entered into Executive Session at 9:14 p.m.

Returned to Regular Session at 10:25 p.m.

ITEM 16:6-10 ADJOURNMENT

MOTION by Abrams, supported by Munro, to adjourn the meeting at 10:30 p.m.

MOTION CARRIED UNANIMOUSLY

Sandra Abrams, CMC
Clerk, Charter Township of Commerce