

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

Tuesday, December 14, 2010

2009 Township Drive

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
Loren Crandell, Giffels-Webster Engineers
Jason Mayer, Giffels-Webster Engineers

APPROVAL OF MINUTES

MOTION by Abrams, supported by Gross, to approve the Regular Township Board meeting minutes of November 9, 2010, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

None

PETITIONS:

A. Burnet Road Dust Control Special Assessment District Intention Resolution

MOTION by Abrams, supported by Gross, 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 Burnet Road Dust Control Special Assessment District, Resolution attached.

MOTION CARRIED UNANIMOUSLY

ITEM 1:12-14 APPROVAL OF AGENDA

MOTION by Gross, supported by Kirkwood, to approve the Agenda.
MOTION CARRIED UNANIMOUSLY

ITEM 2:12-14 PUBLIC COMMENTS

No one present had any comments.

ITEM 3:12-14 PUBLIC HEARINGS

None

ITEM 4:12-14 BOARD APPOINTMENTS

A. Board of Review – 2 Year Term

MOTION by Sovel, supported by Abrams, to approve the recommendation of Supervisor Thomas Zoner to re-appoint Arlene DiPaola, Robert McGee, Barbara McNutt, Lawrence Pawlovich, Barbara Rosman, Pat Rusnell and Peter Pace (as the alternate) to the Board of Review for a 2 Year Term to expire on December 31, 2012.
MOTION CARRIED UNANIMOUSLY

B. Planning Commission – Jay James: 3 Year Term

MOTION by Abrams, supported by Kirkwood, to approve the recommendation of Supervisor Thomas Zoner to appoint Jay James to the Planning Commission for a 3 Year Term to expire on December 31, 2013
MOTION CARRIED UNANIMOUSLY

ITEM 5:12-14 CONTRACT AWARDS AND AGREEMENT

A. Fifth Amendment to Contract for Construction Management Services
Phillip Adkison, Township Attorney explained the Contract.

MOTION by Abrams, supported by Sovel, to approve the Fifth Amendment to Contract for Construction Management Services between the Charter Township of Commerce and Spence Brothers, Contract attached.
MOTION CARRIED UNANIMOUSLY

CONTRACT AWARDS AND AGREEMENT (continued)

B. Oakley Park to Glengary Recreational Pathway

Loren Crandell, Giffels-Webster Engineers, explained the proposed pathway and recommends the low bidder, Commerce Construction & Landscaping Inc.

MOTION by Gross, supported by Kirkwood, to award the Oakley to Glengary Recreational Pathway project to the low bidder, Commerce Construction & Landscaping Inc., for \$107,970.00.

MOTION CARRIED UNANIMOUSLY

C. Oakland County Agreement for Ballot Layout and Programming Services

Sandra Abrams explained the Agreement.

MOTION by Abrams, supported by Kirkwood, to approve the Agreement for Ballot Layout and Programming Services between Oakland County and the Charter Township of Commerce, Agreement attached.

MOTION CARRIED UNANIMOUSLY

D. Pentecostal Church of the Eternal Rock Assembly Agreement

MOTION by Sovel, supported by Gross, to approve the Agreement between the Charter Township of Commerce and Pentecostal Church of the Eternal Rock Assembly of God, Agreement attached. **MOTION CARRIED UNANIMOUSLY**

E. Grand Blanc Cement Products Masonry Settlement Agreement

Loren Crandell, Giffels-Webster Engineers explained the Agreement.

MOTION by Munro, supported by Sovel, to approve the Grand Blanc Cement Products Masonry Settlement Agreement, Agreement attached.

MOTION CARRIED UNANIMOUSLY

ITEM 6:12-14 INTRODUCTIONS

None

ITEM 7:12-14 ADOPTIONS

None

ITEM 8:12-14 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:12-14 CONSENT AGENDA

- A. Approve the 2011 Meeting Schedules for the following Boards and Commission: Township Board of Trustees, Planning Commission, Zoning Board of Appeals, Parks and Recreation Committee, Library Board and the Downtown Development Authority.**
- B. Approve the 2011 Holiday Closing for the Township Offices and Township Library.**
- C. Approve the 2011 Bank Depositories**
- D. Approve the Removal of Franchise Phone Number from Comcast Billing**
- E. Budget Amendment 10-05**

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

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 10:12-14 PURCHASES

None

ITEM 11:12-14 OLD BUSINESS

None

ITEM 12:12-14 NEW BUSINESS

A. Amendment of Consent Judgment with Adams Outdoor Advertising
Phillip Adkison, Township Attorney explained the Consent Judgment.

MOTION by Abrams, supported by Sovel, to approve the Amendment of Consent Judgment with Adams Outdoor Advertising.

MOTION CARRIED UNANIMOUSLY

B. Metro Act Right of Way Permit Extension

MOTION by Abrams, supported by Gross, to approve the AT&T Metro Act Right of Way Permit Extension.

MOTION CARRIED UNANIMOUSLY

NEW BUSINESS (continued)

C. Sunday Morning Liquor Sales

MOTION by Munro, supported by Long, to approve the Resolution of the Township Board of the Charter Township of Commerce, Resolution attached.

Discussion:

Abrams – received correspondence from the Clerks Association stating that the Township does not have the right to say Aye or Nay on this because of the way it was written. Phillip Adkison, Township Attorney said there is an error in the language that will be corrected. The Liquor Control Commission will honor the Resolution.

Sovel – If the Board approves the Motion, he would like the Township to send a letter to liquor license holders in Commerce Township and the Sheriff's Department advising them of the Township's decision.

MOTION CARRIED UNANIMOUSLY

D. MDOT Performance Resolution for Annual Application and Permit for Miscellaneous Operations within State Trunkline Right of Way
Hans Rentrop, Township Attorney, explained the Resolution.

MOTION by Gross, supported by Abrams, to approve the Performance Resolution for Governmental Agencies, Resolution attached.

MOTION CARRIED UNANIMOUSLY

E. Summa Association v. Pineview Blvd. Properties Consent Judgment
Hans Rentrop, Township Attorney, explained the Consent Judgment.

MOTION by Gross, supported by Abrams, to direct the Township Attorney to execute the Summa Association v. Pineview Blvd. Properties Consent Judgment.

MOTION CARRIED UNANIMOUSLY

ITEM 13:12-14 ORDERS

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

MOTION CARRIED UNANIMOUSLY

ITEM 14:12-14 OTHER MATTERS

Sovel – We may want to voice our concerns regarding the geese issue and gaming permits with our new legislative body.

Sandra Abrams submitted her letter of resignation announcing her retirement.

MOTION by Gross, supported by Sovel, to accept Sandra Abrams letter of resignation and retirement effective January 12, 2011, and thanked her for her dedication to the citizens and employees of the Charter Township of Commerce.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

MOTION by Zoner, supported by Munro, to allow Sandra Abrams to abstain from voting on the appointment of Township Clerk.

MOTION CARRIED UNANIMOUSLY

MOTION by Sovel, supported by Zoner, to appoint Dan Munro as Clerk for the Charter Township of Commerce effective January 13, 2011, fill the unexpired term of the Township Clerk until the 2012 election.

ROLL CALL VOTE:

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

NAYS:

ABSTAIN: Abrams

MOTION CARRIED UNANIMOUSLY

ITEM 15:12-14 CLOSED SESSION

None

ITEM 16:12-14 ADJOURNMENT

As there were no other matters to come before the Board.

MOTION by Abrams, supported by Munro, to adjourn at 7:40 p.m.

MOTION CARRIED UNANIMOUSLY



Sandra Abrams, MMC
Clerk, Charter Township of Commerce