

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

Tuesday, March 10, 2009

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
Leslie N. Zawada, P.E. Giffels-Webster
Engineers

APPROVAL OF MINUTES

MOTION by Abrams, supported by Munro, to approve the Regular Township Board Meeting Minutes of February 10, 2009 and the Board of Trustees Special Meeting Minutes of February 17, 2009, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

None

PETITIONS

None

ITEM 1:3-10 APPROVAL OF AGENDA

MOTION by Abrams, supported by Gross, to approve the Agenda with the following items under Other Matters. National Child Abuse and Awareness Month, Sale of vehicle, Commerce Cemetery and discussion regarding the fence bid for Dodge Park #5. **MOTION CARRIED UNANIMOUSLY**

ITEM 2:3-10 PUBLIC COMMENTS

Richard Walter, Walled Lake was present to oppose the proposed Sign Ordinance. He believes the Sign Ordinance needs to be revised. He offered his services to re-write the Sign Ordinance.

ITEM 3:3-10 PUBLIC HEARINGS

A. High Pointe Subdivision Paving/Road Replacement SAD

Supervisor Thomas Zoner opened the Public Hearing.

Fred Hooper, Alexander Drive, inquired if corner lots received two votes and asked if the petition contained more than 24 separate addresses because there are 48 homes in the subdivision. He said that the condominium by-laws state each house shall receive one vote.

Supervisor Thomas Zoner said that 53% of those in the subdivision signed the petition and only those who are on the title of the house can sign the petition. All houses will be assessed the same cost.

A resident asked what the amount is that the contractor and Township is charging. Supervisor Thomas Zoner said the total cost will be approximately \$174,000.00+ and the total for each parcel shall be approximately \$3,642.13.

The following residents were present with objections:

Joe Piechocki 320 Alexander Drive
Paula Snively 360 Alexander Drive
Ed Charles 361 Alexander Drive (stated he knows of two couples who just moved in and were not aware of the petition)
Fred Hooper 341 Alexander Drive
Mike Saunder 320 Alexander Drive
William Kritzman 421 Alexander Drive
Ruth Newman 341 Alexander Drive
John Snively 360 Alexander Drive

ITEM 3:3-10 PUBLIC HEARINGS
High Pointe Subdivision (continued)

Robert Long stated the economy has changed since August 27, 2008 when the petition was circulated.

Tim Abbo, President of High Pointe Subdivision said everyone who voted yes on the petition is still in favor of the SAD. He also stated 28 homes voted in favor of the S.A.D.

Supervisor Thomas Zoner closed the Public Hearing.

MOTION by Gross, supported by Munro, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated High Pointe Subdivision Paving/Road Replacement Special Assessment District.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

B. Establishment of an Industrial Development District

Kathleen Cassidy, Planning Planner gave an explanation and introduced representatives of HoMedics.

Mr. Nelson was present and stated the project is an expansion of the offices in their facility.

Michelle Bain gave a brief overview of the project.

David Kurtcz, State Michigan Economic Development Corporation was present and explained the MEGA tax credit that HoMedics received.

Irene Spanos, Oakland County was present in support of the project.

Supervisor Thomas Zoner opened the Public Hearing.

Wynn Berry, Director of D.D.A. was present and stated they are in favor of the project.

Supervisor Thomas Zoner closed the Public Hearing.

MOTION by Munro, supported by Kirkwood, to approve the Resolution Establishing an Industrial Development District for the parcels commonly known as sidwell number 17-25-226-025 and 17-25-226-017.

ITEM 3:3-10 PUBLIC HEARINGS
Industrial Development District (Motion continued)

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 4:3-10 BOARD APPOINTMENTS
Downtown Development Authority

Patrick Dohany was present.

MOTION by Abrams, supported by Kirkwood, to accept the recommendation for the appointment of Patrick Dohany to the Downtown Development Authority for a one-year term expiring March 31, 2010.

MOTION CARRIED UNANIMOUSLY

ITEM 5:3-10 CONTRACT AWARDS AND AGREEMENTS
High Pointe Paving SAD

MOTION by Sovel, supported by Abrams, to award the High Pointe Paving S.A.D. contract to the low bidder, Nagle Paving Company at a bid cost of \$131,597.55.

MOTION CARRIED UNANIMOUSLY

ITEM 6:3-10 INTRODUCTIONS
None

ITEM 7:3-10 ADOPTIONS

- A. An Ordinance to Amend Article XX, Section 2011 Signs, of the Charter Township of Commerce Zoning Ordinance Number 85-12-55-00, in its entirety, to be known as Ordinance 55-09-206**

MOTION by Munro, supported by Kirkwood, to Adopt an Ordinance to Amend Article XX of the Zoning Ordinance of the Charter Township of Commerce to be known as Ordinance No. 55-09-206, publish, post in the manner prescribed by law.
MOTION CARRIED UNANIMOUSLY

ITEM 8:3-10 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:3-10 CONSENT AGENDA

- A. Resolution Approving St. Patrick's Banner Request**
- B. Resolution Recognizing WLC Football Pep Club as Non-profit**
- C. Resolution Recognizing Commerce Little League as Non-profit**

MOTION by Abrams, supported by Munro, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 10:3-10 PURCHASES

None

ITEM 11:3-10 OLD BUSINESS

None

ITEM 12:3-10 NEW BUSINESS

- A. RCOC Tri-Party Local Agreement**

MOTION by Long, supported by Munro, to Table RCOC Tri-Party Local Agreement.
MOTION CARRIED UNANIMOUSLY

- B. Pontiac Trail Right of Way Condemnation Resolution**

MOTION by Munro, supported by Abrams, to approve the Resolution of the Township Board of the Charter Township of Commerce Authorizing Proceedings to Acquire Property.
MOTION CARRIED UNANIMOUSLY

ITEM 12:3-10 NEW BUSINESS (continued)

C. Resolution to Adopt the National Incident Management System

Joseph Schornack, Fire Chief, gave an explanation of the National Incident Management System.

MOTION by Munro, supported by Abrams, to approve the Resolution for the Adoption of the National Incident Management System.

MOTION CARRIED UNANIMOUSLY

**D. Resolution to Appoint the Coordinator of Oakland County
Emergency Management as the Commerce Township Emergency
Management Coordinator**

MOTION by Abrams, supported by Sovel, to approve the Resolution to Appoint the Coordinator as Oakland County Emergency Management as the Commerce Township Emergency Management Coordinator.

MOTION CARRIED UNANIMOUSLY

ITEM 13:3-10 ORDERS AND ADD-ONS

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

MOTION CARRIED UNANIMOUSLY

ITEM 14:3-10 OTHER MATTERS

Vehicle for sale, 1995 Blazer (Fire Department)

The vehicle will be advertised for sale at the same time other equipment is sold by the Township.

National Child Abuse and Awareness Month.

MOTION by Abrams, supported by Gross, to approve a proclamation for National Child Abuse and Awareness Month.

MOTION CARRIED UNANIMOUSLY

ITEM 14:3-10 OTHER MATTERS (continued)
Fence for Commerce Cemetery -

MOTION by Sovel, supported by Abrams, to approve the purchase and installation of 218 feet of fence for Commerce Cemetery from Defense Enterprise at a cost of \$4,985.00 and up to \$5,500.00 if monuments are included, funds to come from the Cemetery Fund. **MOTION CARRIED UNANIMOUSLY**

ITEM 14:3-10 OTHER MATTERS (continued)

Roger Cheyne 3540 Flannery Court was present on behalf of Reed Lake residents. He said for 20 years his house and yard has been dry. The river is now starting to go into his garage. The lake is up almost 14" this year. Most of the backyards in the area are flooded. He is asking for the assistance from the Township to figure out why this is happening and what could be done to resolve the problem. Supervisor Thomas Zoner stated this is private property and in order to dredge a portion of the lake, a SAD needs to be completed. He recommends the subdivision hire an engineer to find out why this is happening.

Sovel – HoMedics – when will the Board decide on the number of years for their tax abatement? Supervisor Thomas Zoner recommends the Board review HoMedics written request before the Board makes a decision.

Sovel - If a home is in foreclosure while an SAD is active – who pays for the assessment? Hans Rentrop, Township Attorney said that if the bank takes the property, there would be a lien placed on it. If it is a tax foreclosure, then the State has the first option to purchase the property. If the State does not purchase the property, then the Township has the right to purchase the property and release the lien.

Abrams – A letter will go out to vendors, signed by Supervisor Thomas Zoner on behalf of the Township Board, requesting donation for an Open House at the new Township Hall for the community.

Abrams – Can a Township hold a meeting by way of teleconferencing? Sandra Abrams will provide a written policy on the subject for the Boards consideration.

Supervisor Thomas Zoner - The County has to install fiber optic connection to the new Township Hall. He will provide more information to the Board for review.

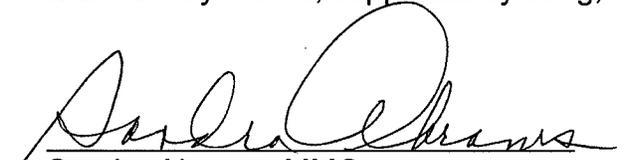
Kirkwood – Does the Board need monthly communications or will quarterly communications be sufficient for review? It was determined quarterly communications would be acceptable.

ITEM 15:3-10 EXECUTIVE SESSION

None

ITEM 16:3-10 ADJOURNMENT

MOTION by Munro, supported by Long, to adjourn the meeting at 9:20 p.m.
MOTION CARRIED UNANIMOUSLY



Sandra Abrams, MMC
Clerk, Charter Township of Commerce