

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

Tuesday, March 8, 2011

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
Daniel Munro, Clerk
Susan Gross, Treasurer
Debra Kirkwood, Trustee
David Law, Trustee
Robert Long, Trustee
Rick Sovel, Trustee

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

Students from Lakeland High School attended.

APPROVAL OF MINUTES

MOTION by Gross, supported by Sovel, to approve the Regular Township Board meeting minutes of February 8, 2011, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

None

PETITIONS:

None

ITEM 1:3-8 APPROVAL OF AGENDA

MOTION by Munro, supported by Gross, to approve the Agenda with the addition of moving Item 14 C. to "Public Comments", the addition of Item 12 D. Library Advisory Board Suggestions and Recommendations and Item 6 A. and B. change "Zoning Amendment" to "Code Amendment".

MOTION CARRIED UNANIMOUSLY

ITEM 2:3-8 PUBLIC COMMENTS

Item 14 C. Penalty Waiver Request

Mary Jane Kashat was present to request a penalty waiver. She stated she mailed the deed transfer to the Township via United States Postal Service. After checking with the Township, she discovered the Township did not receive the paperwork. She said she is requesting waiver of the penalty fee due to the negligence of the post office.

MOTION by Munro, supported by Kirkwood, to authorize waiving the penalty fee assessed to Mary Jane Kashat, parcel E-17-33-106-301, 26200 Chesapeake Circle, Commerce Township, Michigan.

MOTION CARRIED UNANIMOUSLY

ITEM 3:3-8 PUBLIC HEARINGS

A. Burnet Road Dust Control Special Assessment District Roll Resolution

Supervisor Thomas Zoner opened the Public Hearing.

No one present had any questions or comments.

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 Burnet Road Dust Control Special Assessment District. Resolution Attached.

MOTION CARRIED UNANIMOUSLY

B. Establishment Resolution for Special Projects No. 32

Supervisor Thomas Zoner opened the Public Hearing.

No one present had any questions or comments.

Supervisor Thomas Zoner closed the Public Hearing.

Establishment Resolution for Special Projects No. 32 (continued)

MOTION by Gross, supported by Munro, to approve the Resolution of the Township Board of the Charter Township of Commerce Determining to Undertake an Improvement Project and to Establish and Maintain a Special Assessment District to pay costs Associated Therewith and Approving the Plans and Estimates of Costs Therefore Special Projects No. 32. Resolution Attached.

MOTION CARRIED UNANIMOUSLY

ITEM 4:2-8 BOARD APPOINTMENTS

A. Resignation – Rick Sovel ZBA

Rick Sovel is resigning from the Zoning Board of Appeals to allow another board member to represent the Township Board of Trustees.

MOTION by Gross, supported by Kirkwood, to accept the resignation letter from Rick Sovel from the Commerce Township Zoning Board of Appeals effective March 8, 2011.

MOTION CARRIED UNANIMOUSLY

B. Appointment – David Law ZBA – Term ending November 2012

MOTION by Sovel, supported by Munro, to appoint David Law to the Charter Township of Commerce Zoning Board of Appeals for a term ending November 2012.

MOTION CARRIED UNANIMOUSLY

C. Appointment – Patrick Dohany DDA - Term ending March 2014

MOTION by Gross, supported by Kirkwood, to appoint Patrick Dohany to the Charter Township of Commerce Downtown Development Authority for a term ending March 2014.

MOTION CARRIED UNANIMOUSLY

D. Appointment – Jorge Pacheco ZBA - Term ending March 2013

MOTION by Sovel, supported by Munro, to appoint Jorge Pacheco to the Charter Township of Commerce Zoning Board of Appeals for a term ending March 2013.

MOTION CARRIED UNANIMOUSLY

ITEM 5:3-8 CONTRACT AWARDS AND AGREEMENT

None

ITEM 6:3-8 INTRODUCTIONS

- A. An Ordinance to Amend The Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Zoning Code Amendment Ordinance No. 1.012.**

MOTION by Gross, supported by Munro, to Introduce an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.012. Post and publish according to law. Ordinance attached.

Sovel – questioned why there is a change in the Ordinance. Township Attorneys explained the reasons for the Amendment.

ROLL CALL VOTE:

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

MOTION CARRIED

- B. An Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Zoning Code Amendment Ordinance No. 1.013.**

MOTION by Gross, supported by Kirkwood, to Introduce an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.013. Post and publish according to law. Ordinance attached.

ROLL CALL VOTE:

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

MOTION CARRIED

ITEM 7:3-8 ADOPTIONS

- A. An Ordinance to Amend ARTICLE 10, SECTION 10.02, of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan to be known as Zoning Ordinance No. 3.002**

MOTION by Munro, supported by Sovel, to Adopt an Ordinance to Amend ARTICLE 10, SECTION 10.02, of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan to be known as Zoning Amendment Ordinance No. 3.002. Post and publish according to law. Ordinance attached.

MOTION CARRIED UNANIMOUSLY

ITEM 8:3-8 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:3-8 CONSENT AGENDA

- A. Banner Request – St. Mary's Fair
- B. Resolution – Trailway Resolution
- C. Resolution – Tour de Lakes

MOTION by Gross, supported by Munro, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda with the removal of A. Resolution attached.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Item A. Banner Request – St. Mary's Fair

MOTION by Munro, supported by Long, to approve the request from Diane Posa, St. Mary's Preparatory, to hang a banner advertising the St. Mary's Polish Country Fair over Union Lake Road near Cooley Lake Road from May 15, 2011 through June 1, 2011.

MOTION CARRIED UNANIMOUSLY

ITEM 10:3-8 PURCHASES

None

ITEM 11:3-8 OLD BUSINESS

None

ITEM 12:3-8 NEW BUSINESS

- A. Liquor License Annual Review

Kathleen Jackson, Township Planner explained the Liquor License renewal process.

MOTION by Munro, supported by Gross, to approve the annual Liquor License review.

MOTION CARRIED UNANIMOUSLY

- B. Dodge Park No. 5 Paving Project

Supervisor Thomas Zoner explained the project.

MOTION by Munro, supported by Gross, to approve the Dodge Park No. 5 Paving Project and direct the Township Engineers to go out for bids.

MOTION CARRIED UNANIMOUSLY

C. Parks & Recreation Event Budget

Emily England, Director of Senior/Parks and Recreation, explained the budget for the event "Music under the Stars".

MOTION by Munro, supported by Sovel, to recommend the Parks and Recreation Committee allow for a \$15,000 budget for the purpose of a concert in the parks events.

MOTION CARRIED UNANIMOUSLY

Addition to the budget - Emily England requests approval for Wade Trim to apply for grants to repair the bridge at Hickory Glen Park for a fee of \$3,000.00 per grant. After discussion, Emily will provide the Township Board with a breakdown of costs from Wade Trim and to research other alternatives.

Library Advisory Board Suggestions and Recommendations

The Library Advisory Board is requesting a joint meeting with the Township Board of Trustees. They are asking to be on the April 26, 2011 Discussion Meeting agenda. Zoner directed Sovel to coordinate with Library Advisory Board for a joint meeting on April 26, 2011.

ITEM 13:3-8 ORDERS

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

MOTION CARRIED UNANIMOUSLY

ITEM 14:3-8 OTHER MATTERS

A. AFSCME – Part Time Ordinance Enforcement

Supervisor Thomas Zoner stated he received positive feedback from AFSCME for a part time Ordinance Enforcement Officer. No action taken.

B. AFSCME – Restoration of pension benefits

To be discussed under Executive Session.

C. Penalty Waiver request

Gross – Advised the Township Board there are no funds remaining in the Flower Fund.

Kirkwood – Does not believe residents should hire someone to snowplow their subdivision when it is the duty of the Road Commission for Oakland County.

MOTION by Munro, supported by Gross, to enter into Executive Session for discussing property acquisition and labor negotiations.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Recess 8:35pm

ITEM 15:3-8 EXECUTIVE SESSION 8:45pm

A. Discuss Property Acquisition

MOTION by Kirkwood, supported by Gross, to approve the minutes of the Closed Session.

MOTION CARRIED UNANIMOUSLY

Return from Executive Session 9:13pm

MOTION by Sovel, supported by Gross, to resume pension contributions of 13% for current AFSCME employees effective March 13, 2011.

ROLL CALL VOTE:

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

NAYS: Long

MOTION by Sovel, supported by Gross, to limit the cost of an increase in Health Care Premium contributions to 50% for currently enrolled Township employees.

ROLL CALL VOTE:

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

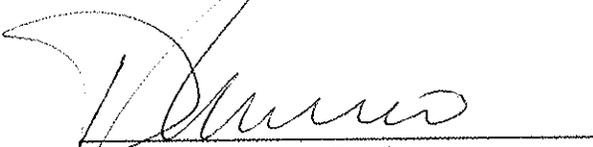
NAYS: Long

ITEM 16:3-8 ADJOURNMENT

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

MOTION by Munro, supported by Gross, to adjourn at 9:18 p.m.

MOTION CARRIED UNANIMOUSLY


Daniel P. Munro, Clerk
Charter Township of Commerce