

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

Tuesday, April 14, 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
Jay James, Giffels-Webster Engineers

APPROVAL OF MINUTES

MOTION by Abrams, supported by Gross, to approve the Regular Township Board Meeting Minutes of March 10, 2009, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

Assessment of New CTFD Apparatus (Medic #2 and Ladder Truck) by T. Moore and M. Leece.

Joseph Schornack, Fire Chief introduced Tom Moore and Marcus Leece.

PETITIONS

None

ITEM 1:4-14 APPROVAL OF AGENDA

MOTION by Gross, supported by Sovel, to approve the Agenda.

MOTION CARRIED UNANIMOUSLY

ITEM 2:4-14 PUBLIC COMMENTS

Richard Walter, Walled Lake was present to advise the Township Board of the poor language in the Sign Ordinance that was passed by the Township Board.

ITEM 3:4-14 PUBLIC HEARINGS

A. High Pointe Subdivision Paving/Road Replacement SAD Amended and Restated Roll Resolution

Hans Rentrop, Township Attorney, spoke of the Amended Roll Resolution.

Supervisor Thomas Zoner opened the Public Hearing.

A resident stated that she received a notice for non-payment. She questioned why she received this because she has not received an invoice and the project has not started. When is the money due and why should she pay for it prior to the start of the project?

Hans Rentrop, Township Attorney, stated that when there is a Special Assessment a lien is automatically placed on the property and filed with the County. The notices she received is just a notice of the lien for the Special Assessment.

Sue Gross, Township Treasurer said the first installment is due by December 14, 2009 or the lien could be paid in full at that time without interest.

Another resident asked how the lien will be discharged after payment. Sue Gross, Township Treasurer gave an explanation.

Supervisor Thomas Zoner closed the Public Hearing.

MOTION by Gross, supported by Abrams, to approve the Amended and Restated 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, Abrams, Long, Munro, Sovel, Kirkwood, Zoner

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 4:4-14 BOARD APPOINTMENTS
Re-appointment to the Library Board - Two

MOTION by Sovel, supported by Abrams, to re-appoint Betsy Lafond and Jason Pernick to the Commerce Township Library Board for a three-year term expiring May 31, 2012.

MOTION CARRIED UNANIMOUSLY

ITEM 5:4-14 CONTRACT AWARDS AND AGREEMENT
Renewal of Billing Agreement with AccuMed Billing, Inc.

MOTION by Gross, supported by Abrams, to approve the Billing Service Agreement with AccuMed Billing, Inc.

Discussion –

Joseph Schornack, Fire Chief, said the only change to the Agreement from last year is a \$25.00 charge for copies, if needed.

The Township Attorney has not reviewed the Agreement.

Motion withdrawn by Gross and Abrams until the Township Attorney reviews the Agreement and the \$25.00 charge

MOTION by Zoner, supported by Long, to Table Renewal of Billing Agreement with AccuMed Billing, Inc.

MOTION CARRIED UNANIMOUSLY

ITEM 6:4-14 INTRODUCTIONS

A. An Ordinance to Amend Article XX of the Zoning Ordinance of Charter Township of Commerce to be known as Ordinance No. 55-09-207.

Kathleen Cassidy, Township Planner, gave an explanation and stated the Planning Commission recommends approval for Introduction.

MOTION by Abrams, supported by Kirkwood, to Introduce an Ordinance to Amend Article XX of the Zoning Ordinance of Charter Township of Commerce to be known as Ordinance No. 55-09-207, publish, post in the manner prescribed by law.

MOTION CARRIED UNANIMOUSLY

B. An Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.002.

Hans Rentrop, Township Attorney, explained the Ordinance.

ITEM 6:4-14 INTRODUCTIONS (Code of Ordinances continued)

MOTION by Abrams, supported by Sovel, 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. 1.002, publish, post in the manner prescribed by law. **MOTION CARRIED UNANIMOUSLY**

ITEM 7:4-14 ADOPTIONS

None

ITEM 8:4-14 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:4-14 CONSENT AGENDA

- A. Resolution Approving Open Door Outreach Banner Request.**
- B. Resolution Recognizing WLC Soccer Booster Club as Non-profit**

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

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 10:4-14 PURCHASES

A. Fencing for Dodge Park No. 5

Jeff Bowdell advised the Township Board of the bids received and recommends the purchase of fencing from Northern Fence.

MOTION by Munro, supported by Abrams, to approve the recommendation of Jeff Bowdell for the purchase of Montage 3 Rail – Steel fencing for Dodge Park No. 5 from Northern Fence at a cost of \$14,680.00.

MOTION CARRIED UNANIMOUSLY

B. Shelving for New Township Hall

Jeff Bowdell advised the Township Board of the bids received and recommends the purchase of shelving from Shelving+Rack Supply, Inc.

ITEM 10:4-14 PURCHASES (Shelving continued)

MOTION by Munro, supported by Kirkwood, to approve the recommendation of Jeff Bowdell for the purchase of shelving for the new Township Hall from Shelving+Rack Supply, Inc for the Mobile Units and Stationary Units at a cost not to exceed \$29,000.00.
MOTION CARRIED UNANIMOUSLY

C. Discuss Work Truck for Fire Department (Pick-up)

Joseph Schornack, Fire Chief, advised the Township Board that GM had to take back the truck they let the Fire Department use for the past four years because it was an asset on their financial records. Cost of a new work truck will be approximately \$26,000.00.

MOTION by Abrams, supported by Sovel, to approve the Township Fire Chief to go out for bids on the purchase of a work truck for the Fire Department and bring back to the Township Board for consideration.

MOTION CARRIED UNANIMOUSLY

D. Discuss New Security Entry System for the 4 Fire Stations

Joseph Schornack, Fire Chief would like to change the security entry system for the four Fire Stations to be compatible with the new Township Hall.

No action taken

E. Copiers for the Library

Eric Suess, Library Director advised the Township Board of the bids received and recommends the purchase of two copier machines from Elite Imaging.

MOTION by Munro, supported by Abrams, to approve the recommendation of The Library Advisory Board for the purchase of two copier machines (Kyocera CS-300ci and Kyocera CS-2560) including a five-year maintenance contract from Elite Imaging not to exceed \$11,520.00.

MOTION CARRIED UNANIMOUSLY

F. Vehicle for the Library

Eric Suess, Library Director advised the Township Board of the bids received and recommends the purchase of a Chevy Equinox from Dick Morris Chevrolet.

Rick Sovel stated for the record that Paul Kirkwood, Sales Consultant for Dick Morris Chevrolet, is the son of Trustee Debra Kirkwood.

MOTION by Zoner, supported by Sovel, to approve the recommendation of The Library Advisory Board for the purchase of one 2009 Chevy Equinox from Dick

ITEM 10:4-14 PURCHASES (Copiers Motion continued)

Morris Chevrolet at a cost including licensing fees of \$20,595.68 with a three-year standard maintenance contract.

MOTION CARRIED UNANIMOUSLY

G. Chairs for the Library

Eric Suess, Library Director advised the Township Board of the quotes received and recommends the purchase of chairs from Vernon.

MOTION by Sovel, supported by Kirkwood, to approve the recommendation of the Library Advisory Board for the purchase of 16 solid wood chairs from Vernon at a cost of \$1,896.72.

MOTION CARRIED UNANIMOUSLY

ITEM 11:4-14 OLD BUSINESS

RCOC Tri-Party Local Agreement (Tabled 3-10-09)

MOTION by Zoner, supported by Gross, to remove RCOC Tri-Party Local Agreement from the Table.

MOTION CARRIED UNANIMOUSLY

Jay James, Giffels-Webster Engineers stated there is \$945,000.00 designated Tri-Party funds for Haggerty Road with the Road Commission for Oakland County. If this Agreement is approved, there will be \$45,000.00 remaining.

MOTION by Kirkwood, supported by Abrams, to approve the Cost Participation Agreement Preliminary Engineering Haggerty Road South of Pontiac Trail to Union Lake Road Charter Township of Commerce Board Project Number 43721 contingent upon the Township Attorney review and revisions.

MOTION CARRIED UNANIMOUSLY

ITEM 12:4-14 NEW BUSINESS

A. LCC Class C Liquor License Transfer

Sandra Abrams gave an explanation of the license transfer and recommends approval.

MOTION by Abrams, supported by Kirkwood, to approve the Resolution for the request to transfer ownership of 2008 Class C Licensed Business, located in escrow at 6263 Orchard Lake, West Bloomfield, Michigan 48322, West Bloomfield Township, Oakland County, from Paparazzi Restaurants, Inc. to Benstein, Inc.; and transfer location to 1050 Benstein, Commerce Township, Michigan 48390, Commerce Township, Oakland County.

ITEM 12:4-14 NEW BUSINESS (Liquor License Transfer Motion continued)

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

B. Refuse, Yard Waste, Recycling Bid Results

Sandra Abrams advised the Township Board of the bids received. Representatives from the companies that submitted bids were present.

Recess: 9:07 p.m.

Reconvene: 9:16 p.m.

Munro asked Supervisor Thomas Zoner for his recommendation. Supervisor Thomas Zoner recommends remaining with Republic Waste Services.

Interviews of the Refuse Companies were conducted.

MOTION by Abrams, supported by Kirkwood, to award the waste service contract to Republic Services for five years, as presented, with fixed fuel option #2. This is pending attorney review. Republic Services has provided the residents with good service. During the next five years, Republic Waste will work closely with the Clerks Department.

ROLL CALL VOTE

AYES: Abrams, Kirkwood, Zoner, Gross

NAYS: Long, Munro, Sovel

MOTION CARRIED

C. LCC Class C Liquor Licensed Outdoor Sales – Willson’s Pub & Grill

Kathleen Cassidy, Township Planner, gave an explanation and stated the Planning Commission recommends approval.

MOTION by Sovel, supported by Abrams, to Amend the liquor license for Willson’s Pub & Grill. 2256 Union Lake Road in order to allow outdoor dining at the restaurant.

MOTION CARRIED UNANIMOUSLY

ITEM 13:4-14 ORDERS AND ADD-ONS

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

MOTION CARRIED UNANIMOUSLY

ITEM 14:4-14 OTHER MATTERS

Sovel – asked for an update on the new Township Hall. Supervisor Thomas Zoner gave an update. Sovel asked how the Township would notify residents when they move into the new Township Hall. A press release will be in the Spinal Column Newspaper and notice would be placed on the Township web site.

ITEM 15:4-14 EXECUTIVE SESSION

Purchase of Property and Pending Litigation

MOTION by Abrams, supported by Sovel, to enter into Executive Session for the purpose of discussing purchase of property and pending litigation.

MOTION CARRIED UNANIMOUSLY

Entered into Executive Session at 10:10 p.m.

Returned from Executive Session at 10:30 p.m.

ITEM 16:4-14 ADJOURNMENT

MOTION by Abrams, supported by Munro, to adjourn the meeting at 10:40 p.m.

MOTION CARRIED UNANIMOUSLY



Sandra Abrams, MMC
Clerk, Charter Township of Commerce