

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

Tuesday, May 11, 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
Jay James, Giffels-Webster Engineers

APPROVAL OF MINUTES

MOTION by Abrams, supported by Gross, to approve the Regular Township Board Meeting minutes of April 13, 2010 and the Quarterly Discussion Township Board Meeting minutes of April 27, 2010, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

A. Oakland County Parks

Daniel Stencil, Executive Officer Parks and Recreation Committee showed a DVD presentation that outlined the services provided by the Oakland County Parks.

PETITIONS:

None

ITEM 1:5-11 APPROVAL OF AGENDA

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

MOTION CARRIED UNANIMOUSLY

ITEM 2:5-11 PUBLIC COMMENTS

None

ITEM 3:5-11 PUBLIC HEARINGS

A. Lake Sherwood Paving Special Assessment District

Debra Kirkwood, Trustee, requests the Township Board of Trustees excuse her from discussion and vote because she lives in the district.

MOTION by Sovel, supported by Abrams, to allow Debra Kirkwood to abstain from discussion and vote.

MOTION CARRIED UNANIMOUSLY

Supervisor Thomas Zoner opened the Public Hearing.

Andy Sarkisian 3398 Tiquewood Circle was present to thank the residents who participated in the petition process and extended his appreciation to the Township Board for their support.

Two letters in opposition were received from:
Marc and Christine Hammond
Lawrence and Susan Kennedy

Supervisor Thomas Zoner closed the Public Hearing.

MOTION by Gross, supported by Abrams, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Lake Sherwood Subdivisions Paving Special Assessment District, post and publish according to law. Resolution attached.

ROLL CALL VOTE:

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

NAYS:

ABSTAIN: Kirkwood

MOTION CARRIED

ITEM 3:5-11 PUBLIC HEARINGS (continued)

B. Sherwood Acres Paving Special Assessment District

Supervisor Thomas Zoner opened the Public Hearing.

There was no one present with 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 Sherwood Acres Paving Special Assessment District, post and publish according to law. Resolution attached.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

C. Special Projects No. 30

Supervisor Thomas Zoner opened the Public Hearing

There was no one present with comments.

Supervisor Thomas Zoner closed the Public Hearing

MOTION by Gross, supported by Sovel, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Special Projects No. 30, post and publish according to law. Resolution attached.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 4:5-11 BOND AUTHORIZING RESOLUTION

Bowden Brown, Dykema Gossett PLLC, gave a summary.

MOTION by Gross, supported by Sovel, to approve the Bond Authorizing Resolution Special Assessment (LTGO) Bonds, Series 2010, Resolution attached.

ITEM 4:5-11 BOND AUTHORIZING RESOLUTION (Motion continued)

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 5:5-11 BOARD APPOINTMENTS

A. Library Advisory Board – Barbara Garbutt: 3 Year Term

MOTION by Sovel, supported by Munro, to approve the recommendation of Supervisor Thomas Zoner to re-appoint Barbara Garbutt to the Library Advisory Board for a 3 Year Term expiring May 31, 2013.

MOTION CARRIED UNANIMOUSLY

B. Library Advisory Board – Carol Keeler: 3 Year Term

MOTION by Sovel, supported by Munro, to approve the recommendation of Supervisor Thomas Zoner to re-appoint Carol Keeler to the Library Advisory Board for a 3 Year Term expiring May 31, 2013.

MOTION CARRIED UNANIMOUSLY

ITEM 6:5-11 CONTRACT AWARDS AND AGREEMENT

A. AFSCME Agreement

MOTION by Sovel, supported by Munro, to tentatively approve the Agreement by and between the Charter Township of Commerce and Local #2720, Michigan Council #25 chartered by the American Federation of State, County and Municipal Employees (AFSCME). In addition, if approved by AFSCME Local #2720 Michigan Council #25, authorize the appropriate signatures.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 7:5-11 INTRODUCTIONS

A. An Ordinance to Amend the Code of Ordinance, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.010 – Outdoor Water Restrictions

Jay James, Giffels-Webster Engineers explained the Ordinance.

ITEM 7:5-11 INTRODUCTIONS Ordinance No. 1.010 (continued)

MOTION by Gross, supported by Abrams, 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. 1.010, post and publish according to law and bring back to the Township Board at the next regular scheduled meeting for Adoption.

MOTION CARRIED UNANIMOUSLY

ITEM 8:5-11 ADOPTIONS

A. Zoning Ordinance No. 3.000

MOTION by Abrams, supported by Kirkwood, to Adopt Zoning Ordinance No. 3.000 with the amendment allowing the agricultural district to remain the same as in the previous Zoning Ordinance, post and publish according to law.

ROLL CALL VOTE:

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

MOTION CARRIED

ITEM 9:5-11 SITE CONDOMINIUMS AND PLATS

None

ITEM 10:5-11 CONSENT AGENDA

- A. Approve the Walled Lake Western Band Booster**
- B. Approve the Permit for the Edgewood Fireworks Display**
- C. Approve the Resolution for the August 3, 2010 Election Receiving Board**
- D. Budget Amendment 10-001**
- E. Approve the Lake Sherwood SAD Bond Reimbursement Expectation**
- F. Approve the Sherwood Acres SAD Bond Reimbursement Expectation**

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

ROLL CALL VOTE:

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

MOTION CARRIED UNANIMOUSLY

ITEM 11:5-11 PURCHASES

None

ITEM 12:5-11 OLD BUSINESS

None

ITEM 13:5-11 NEW BUSINESS

A. Health Insurance Township Policy

No action taken

B. Field Management Policy

MOTION by Munro, supported by Sovel, to approve the Charter Township of Commerce Parks and Recreation Field, Property and Facility Management Policy.

MOTION CARRIED UNANIMOUSLY

C. Liquor License Special Entertainment Permit – Sally’s Saloon

MOTION by Abrams, supported by Kirkwood, to approve the Resolution for a new entertainment permit, to be held in conjunction with 2009 Resort Class C License, issued under MCL 436.1531(2), located at 8245 Wise, Commerce Township, Michigan 48382, Commerce Township, Oakland County at the request of Sally’s Inc. Paperwork shall be submitted from the Oakland County Sheriffs Department, Resolution attached.

MOTION CARRIED UNANIMOUSLY

D. Third Party Insurance Requirements

MOTION by Sovel, supported by Munro, to approve, authorize and implement Third Party Insurance and Indemnification Requirements.

ROLL CALL VOTE:

AYES: Sovel, Munro, Zoner, Gross, Abrams

NAYS: Long, Kirkwood.

MOTION CARRIED

E. Class C Liquor License Resolution

MOTION by Abrams, supported by Sovel, to authorize the Township Clerk to proceed with accepting Class C Liquor License applications and notify the community appropriately.

MOTION CARRIED UNANIMOUSLY

ITEM 14:5-11 BALLOT LANGUGE

Joe Heffernan was present to discuss tax assessed values and a township wide Special Assessment District.

MOTION by Kirkwood, supported by Abrams, to direct the Township Attorney to draft a township wide Special Assessment District ballot proposal for police protection at 2.7 mills for a 10-year period for the August 3, 2010 election. This proposal shall exclude Wolverine Village.

ROLL CALL VOTE:

AYES: Kirkwood, Gross, Abrams Sovel, Zoner

NAYS: Long, Munro

MOTION CARRIED

MOTION by Kirkwood, supported by Gross, to direct the Township Attorney to draft a township wide Special Assessment District ballot proposal for fire protection at 2.0 mills for a 10-year period for the August 3, 2010 election. This proposal shall include Wolverine Village.

ROLL CALL VOTE:

AYES: Kirkwood, Gross, Zoner, Sovel, Abrams

NAYS: Munro, Long

MOTION CARRIED

ITEM 15:5-11 ORDERS

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

The Township Treasurer explained to the Township Board the reason for the number of add-ons was once again due to the Library Director's inability to submit his invoices in a timely manner.

MOTION CARRIED UNANIMOUSLY

ITEM 16:5-11 OTHER MATTERS

Sovel –

MOTION by Sovel, supported by Munro, to Introduce a change to the Code Amendment Ordinance No. 1.010 as follows: Change all water offense to a \$5.00 violation charge.

MOTION CARRIED UNANIMOUSLY

ITEM 16:5-11 OTHER MATTERS (continued)

Kirkwood – the grass at the round a bout at Bogie Lake Road needs mowing. In addition, grass is getting high at several houses that are for sale within the Township.

Kirkwood – the notice for the position of the DDA Director has been removed. Is the Township looking for a new DDA Director? Supervisor Thomas Zoner answered: not at this time.

Sovel - he received several negative comments from Library Advisory Board members of their dissatisfaction with Eric Sues, Library Director. He would like to find a director that would do a better job. Sue Gross has the same concerns.

Abrams – Eric Sues should have the opportunity to answer questions the Township Board may have.

MOTION by Sovel, supported by Gross, to direct the Township Supervisor to dismiss Eric Sues as the Library Director effective May 12, 2010

ROLL CALL VOTE:

AYES: Sovel, Gross, Long

NAYS: Kirkwood, Abrams, Munro, Zoner

MOTION FAILED

Supervisor Thomas Zoner will direct Eric Sues to attend the June 8, 2010 Township Board of Trustees Meeting.

ITEM 17:4-13 CLOSED SESSION

None

ITEM 18:5-11 ADJOURNMENT

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

MOTION by Kirkwood, supported by Munro, to adjourn at 11:09 p.m.

MOTION CARRIED UNANIMOUSLY



Sandra Abrams, MMC
Clerk, Charter Township of Commerce