CHARTER TOWNSHIP OF COMMERCE
REGULAR BOARD OF TRUSTEES MEETING
Tuesday, July 12, 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
David Law, Trustee
Robert Long, Trustee
Rick Sovel, Trustee

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

APPROVAL OF MINUTES

MOTION by Gross, supported by Kirkwood, to approve the Regular Township Board meeting minutes of June 14, 2011, as written.
MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:
A. Parks Master Plan – Maple Glen and Hickory Glen
Emily England introduced Leah Groya from Wade Trim, who gave a presentation on the Maple Glen Park and Hickory Glen Park Concept Plans.

MOTION by Munro, supported by Sovel, to approve the recommendation of the Parks and Recreation Committee to accept the concept plans for the Hickory Glen Master Plan and the Maple Glen Master Plan.
MOTION CARRIED UNANIMOUSLY

PRESENTATIONS (continued)

B. Huron River Watershed Council – Peter Schappach
Peter Schappach gave a presentation on the Huron River Watershed Council, specifically, projects completed in 2010 and upcoming opportunities/programs for 2011.

Peter Pace, Parks and Recreation Committee gave a brief presentation on the second "Concert in the Park" event. He stated there were approximately 400 visitors that attended the first "Concert in the Park" event.

PETITIONS:
None

ITEM 1:7-12 APPROVAL OF AGENDA

MOTION by Zoner, supported by Sovel, to approve the Agenda with the addition of Item 12 E. under New Business: Sunday Morning Alcohol Sales, Item 14 B. under Other matters: Sledding Hill, and Item 15 B. under Closed Session: Discuss Attorney Client Privileged Communication.

MOTION CARRIED UNANIMOUSLY

ITEM 2:7-12 PUBLIC COMMENTS
Dave Flammer, Lakes Area Community Foundation (non-profit organization) was present to describe how the Foundation can allow donors to receive the tax benefits of donating to an IRS Section 501c(3) organization without individual groups applying for this designation.

ITEM 3:7-12 PUBLIC HEARINGS
None

ITEM 4:7-12 BOARD APPOINTMENTS
None

ITEM 5:7-12 CONTRACT AWARDS AND AGREEMENTS

A. Oakland County Sheriff's Department Contract

MOTION by Munro, supported by Gross, to Table the Oakland County Sheriff's Office 2011 Law Enforcement Services Agreement with the Charter Township of Commerce. **MOTION CARRIED UNANIMOUSLY**

B. Proposal for Actuarial Services

Daniel Munro explained the bids received and recommends the Board award the contract to Rodwan Consulting Services.

MOTION by Munro, supported by Sovel, to award the contract for Actuarial Consulting Services to Rodwan Consulting Services in an amount not to exceed $4,500.00 and authorize the appropriate signatures.
MOTION CARRIED UNANIMOUSLY

C. Fire Department Pavement Repairs – Stations 1, 2 & 4

MOTION by Munro, supported by Sovel, to award the contract for pavement repairs at Fire Stations 1, 2 & 4 to Hartwell Cement at a cost of $18,725.90 and authorize the appropriate signatures. **MOTION CARRIED UNANIMOUSLY**

ITEM 6:7-12 INTRODUCTIONS

None

ITEM 7:7-12 ADOPTIONS

A. An Ordinance to Amend the Code of Ordinances, Charter Township of Commerce to be known as Ordinance No. 1.014.

MOTION by Munro, supported by Kirkwood, to Adopt an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.014, post and publish according to law. **MOTION CARRIED UNANIMOUSLY**

ITEM 8:7-12 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:7-12 CONSENT AGENDA

A. **Approve the Banner Permit for St. Patrick's Summer Fair**
B. **Approve the Resolution for SW Union Lake Road Laterals SAD Refund Rolls**
C. **Approve the Resolution for Homestead Industrial Sewer SAD Refund Rolls**
D. **Approve the Resolution for Special Projects #16 SAD Refund Rolls**
E. **Approve the Resolution for Lower Mt. Royal Dredging SAD Refund Rolls**
F. **Approve the Continuation of Bank Reconciliation Services with Plante Moran, PLLC**
G. **Approve the Billboard Policy**
H. **Approve the Appointment of Freedom of Information Coordinator**
I. **Approve the Appointment of Election Commission**

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

ROLL CALL VOTE:
AYES: Munro, Gross, Kirkwood, Long, Sovel, Law, Zoner
NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 10:7-12 PURCHASES
None

ITEM 11:7-12 OLD BUSINESS
A. Appointment of Township Officials – Tabled 5-10-11 and 6-14-11

MOTION by Sovel, supported by Munro, to remove Appointment of Township Officials from the Table. **MOTION CARRIED UNANIMOUSLY**

Phillip Adkison, Township Attorney gave an explanation of the contracts for Planning Services and Building Construction Services for Township Officials.

MOTION by Munro, supported by Zoner, to approve the Charter Township of Commerce Planning Services Agreement with Kathleen Jackson.

ROLL CALL VOTE:
AYES: Munro, Zoner, Sovel, Law
NAYS: Gross, Long, Kirkwood

MOTION CARRIED

ITEM 11:7-12 OLD BUSINESS (Appointment of Township Officials continued)

MOTION by Gross, supported by Munro, to approve the Charter Township of Commerce Building Construction Services Agreement with Jay James.

ROLL CALL VOTE:
AYES: Gross, Munro, Kirkwood, Law, Sovel, Long, Zoner
NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 12:7-12 NEW BUSINESS

A. Grievance 11-002 – I.A.F.F. Local 2154

Kirk Werner, President of I.A.F.F.Local 2154, was present to explain the grievance.

MOTION by Zoner, supported by Munro, to deny Grievance 11-002 – I.A.F.F. Local 2154.

ROLL CALL VOTE:
AYES: Zoner, Munro, Law, Gross
NAYS: Sovel, Long, Kirkwood

MOTION CARRIED

B. Parks and Recreation Committee By-Laws

MOTION by Munro, supported by Gross, to approve the Charter Township of Commerce Oakland County, Michigan Parks and Recreation Committee By-Laws Adopted April 8, 1980.

MOTION CARRIED UNANIMOUSLY

C. Liquor License Special Permit – Uptown Grille MMA Event

Ryan Adams, owner, and a representative from TXC Promoters were present to explain the MMA event.

Kathleen Jackson, Township Planner, stated they would have one Oakland County Deputy on site during the event because of the valet parking that will be across the street from the site. In addition, the sound will be directed away from residents and toward the wetlands.

ITEM 12:7-12 NEW BUSINESS (Uptown Grille MMA Event continued)

MOTION by Munro, supported by Law, to approve the Charter Township of Commerce Application for Alcoholic Liquors Special Permit Code No. 1.000 Chapter 6, Section 6-24 for Uptown Grille MMA Event on July 23, 2011.
MOTION CARRIED UNANIMOUSLY

D. Liquor License Special Permit – Uptown Grille Music Concert Event

MOTION by Munro, supported by Law, to approve the Charter Township of Commerce Application for Alcoholic Liquors Special Permit Code No. 1.000 Chapter 6, Section 6-24 for Uptown Grille for Uptown Grille Music Concert Event on August 27, 2011 **MOTION CARRIED UNANIMOUSLY**

E. Sunday Morning Alcohol Sales

Sovel – The Motion made at the December 14, 2010 Township Board of Trustees Meeting regarding Sunday Morning Alcohol Sales was not clear and needs to be corrected.

MOTION by Munro, Supported by Long, to approve the Resolution of the Township Board of the Charter Township of Commerce to continue the prohibition of the sale of alcoholic beverages in the Township on or off premises between the hours of 7:00am and noon on Sundays.
MOTION CARRIED UNANIMOUSLY

Sovel would like a Motion made to rescind the previous Motion made at the December 14, 2010 Township Board of Trustees Meeting regarding Sunday Morning Alcohol Sales in order to keep in line with other municipalities that voted to approve Sunday morning alcohol sales.

MOTION by Sovel, supported by Munro, to rescind the December 14, 2010 Resolution of the Township Board that continued the prohibition of Sunday morning sales of alcoholic beverages and directing the Township Clerk to notify the Michigan Liquor Control Commission that the Township Board no longer object to such sales.

ROLL CALL VOTE:
AYES: Sovel, Gross, Law
NAYS: Munro, Kirkwood, Long, Zoner
MOTION FAILED

ITEM 13:7-12 ORDERS

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

ITEM 14:7-12 OTHER MATTERS

A. Request for Waiver of Transfer Penalty

Susan Gross stated there was an error assessing a property transfer fee for parcel 17-22-127-006 and recommends the Board waive the fee.

MOTION by Gross, supported by Kirkwood, to waive the property transfer fee of $200.00 for parcel 17-22-127-006.

MOTION CARRIED UNANIMOUSLY

B. Sledding Hill

Sewer Plant – Supervisor Thomas Zoner recommends the Board allocate $42,000 to improve (pave) the parking lot and landscape the sewer treatment plant.

MOTION by Munro, supported by Zoner to allocate $18,000 from the Parks and Recreation fund and $24,000 from the Sewer Fund to pave the parking lot and landscape the residual treatment plant material left over from the sledding hill at the sewer treatment plant. **MOTION CARRIED UNANIMOUSLY**

Long – The names of Hickory Glen and Maple Glen Parks are confusing – we should rename one of the parks. He recommends re-naming Hickory Glen to Commerce Glen. Emily England will take this back to the Parks and Recreation Committee for their input

Gross – Form a committee to discuss library improvements. Sovel said the Library Advisory Board is reviewing the concept of forming a committee.

ITEM 15:7-12 CLOSED SESSION

A. Purchase of Property
B. Discuss Attorney Client Privileged Communication

MOTION by Munro, supported by Kirkwood, to enter in Closed Session for the purpose of discussing purchase of real property and attorney client privileged communication.

ROLL CALL VOTE:
AYES: Munro, Kirkwood, Gross, Long, Sovel, Law, Zoner
NAYS:

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session: 9:33 p.m.
Returned from Closed Session: 10:52 pm

ITEM 15:7-12 CLOSED SESSION (continued)

MOTION by Gross supported by Kirkwood to approve the Closed Session Minutes.

MOTION CARRIED UNANIMOUSLY

MOTION by Munro, supported by Gross, to direct the Township Attorneys to continue with the acquisition of the Wise road property as recommended in the attorney client privileged communication. dated July 6, 2011

MOTION CARRIED UNANIMOUSLY

ITEM 16:7-12 ADJOURNMENT

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

MOTION by Zoner supported by Munro, to adjourn at 10:55 p.m.

MOTION CARRIED UNANIMOUSLY

Daniel P. Munro, Clerk
Charter Township of Commerce