

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

Tuesday, August 10, 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 July 13, 2010 and the Special Township Board Meeting minutes of July 29, 2010, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

None

PETITIONS:

None

ITEM 1:8-10 APPROVAL OF AGENDA

MOTION by Abrams, supported by Sovel, to approve the Agenda with the addition of Union Negotiations under Closed Session.

MOTION CARRIED UNANIMOUSLY

ITEM 2:8-10 PUBLIC COMMENTS

No one present had any comments.

ITEM 3:8-10 PUBLIC HEARINGS

None

ITEM 4:8-10 BOARD APPOINTMENTS

A. Lawrence Haber – Planning Commission: 3 Year Term

MOTION by Abrams, supported by Kirkwood, to approve the recommendation of the Township Supervisor to re-appoint Lawrence Haber to the Planning Commission for a 3 Year Term expiring August 30, 2013.

MOTION CARRIED UNANIMOUSLY

B. Clarence Mills – Zoning Board of Appeals: 3 Year Term

MOTION by Abrams, supported by Sovel, to approve the recommendation of the Township Supervisor to re-appoint Clarence Mills to the Zoning Board of Appeals for a 3 Year Term expiring August 30, 2013.

MOTION CARRIED UNANIMOUSLY

ITEM 5:8-10 CONTRACT AWARDS AND AGREEMENT

A. Lawn Cutting Contract

MOTION by Abrams, supported by Gross, to approve the Lawn Cutting Contract to Lakeside Lawn & Landscape Inc. in the amount of \$30.00 per ½ acre or under; \$45.00 between ½ acre and 1 acre; and \$60.00 per acre or portion thereof over 1 acre. This is subject to providing the proper insurance requirements.

Jay James said the insurance requirements of \$2,000,000.00 might be hard for the contractors to provide.

Abrams amended the Motion to include “Contingent upon the proper insurance submitted as per the recommendation of Ken Hale and the Township Policy.”

Abrams and Gross withdrew their Motion and support.

MOTION by Zoner, supported by Abrams, to approve the Lawn Cutting Contract to the low bidder, Lakeside Lawn & Landscape Inc. in the amount of \$30.00 per ½ acre or under; \$45.00 between ½ acre and 1 acre; and \$60.00 per

CONTRACT AWARDS AND AGREEMENT (Lawn Cutting Contract Motion continued)

acre or portion thereof over 1 acre. The insurance requirements shall be changed from \$2,000,000.00 to \$1,000,000.00 for this contract.

MOTION CARRIED UNANIMOUSLY

ITEM 6:8-10 INTRODUCTIONS

- A. Rezoning petition from B-1 (Local Business) to R-1D (One Family Residential) to be known as Z10-01.

MOTION by Kirkwood, supported by Abrams, to Introduce Rezoning petition from B-1 (Local Business) to R-1D (One Family Residential) to be known as Z10-01, post and publish according to law. **MOTION CARRIED UNANIMOUSLY**

ITEM 7:7-13 ADOPTIONS

- A. An Ordinance to Amend the Code of Ordinance, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.011.

MOTION by Abrams, supported by Kirkwood, to Adopt an Ordinance to Amend the Code of Ordinance, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.011, post and publish according to law. **MOTION CARRIED UNANIMOUSLY**

ITEM 8:8-10 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:8-10 CONSENT AGENDA

- A. Approve the Banner Permit for Huron Valley Sinai DMC Open House Health Fair.
B. Approve the Dreams Accomplished to be recognized as a nonprofit organization for a Charitable Gaming License.

MOTION by Abrams, supported by Gross, to approve the Consent Agenda with the removal of Item B.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA (continued)

B. Approve the Dreams Accomplished to be recognized as a nonprofit organization for a Charitable Gaming License.

Phillip Adkison, Township Attorney said the petitioner's by-laws are not in compliance and he recommends approval subject to amended by-laws that comply with the statute. He discussed this with Pat Northrop.

MOTION by Munro, supported by Abrams, to approve Dreams Accomplished to be recognized as a nonprofit organization for a Charitable Gaming License subject to amended by-laws submitted that comply with the statute.

MOTION CARRIED UNANIMOUSLY

Phillip Adkison, Township Attorney said he will review the by-laws as they come in and advise the Township on how much time he spends on it to determine a possible fee.

ITEM 10:8-10 WOLVERINE LAKE VILLAGE JOINT MEETING

A. Sanitary Sewer System

Sharon Miller, Village Manager and John Magee, Village Council President were present to discuss a proposal for Commerce Township to install a force main along S. Commerce Road in Wolverine Village.

They have over 50% of signatures for the S.A.D.

The cost to the Township would be 1.2 Million Dollars.

MOTION by Gross, supported by Abrams, to approve installation of a force main along S. Commerce Road in Wolverine Village, to service Commerce Township and Wolverine Village residents. The estimated cost will be approximately 1.2 Million Dollars. The sewer shall be extended from Glengary Road to Wolverine Drive with construction not to begin until Wolverine Village has established their S.A.D's to connect to the existing sewer line along S. Commerce Road, from Glengary Road to Wolverine Drive.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 11:8-10 PURCHASES

A. Library RFID System

Ben Sebrowski explained what the security system consists of and how it will benefit the Library.

MOTION by Gross, supported by Sovel, to approve the recommendation of the Library Board to purchase of a RFID (Radio frequency identification) security system at the Township Library from 3M Library Systems for \$81,789.00, proposal attached. Funds to come from the Library's 2010 Computer Services Budget.

MOTION CARRIED UNANIMOUSLY

ITEM 12:8-10 OLD BUSINESS

A. P.E.G. Money – Tabled 6-8-10 and 7-13-10

This will remain on the Table.

B. Water Tower

No action taken.

ITEM 13:8-10 NEW BUSINESS

A. Sale of Township Property – No Action Taken 7-13-10

Wesley Fog was present to offer the Township \$4,000.00 for lot 17-02-154-009, which the Township owns.

MOTION by Long, supported by Sovel, to sell lot 17-02-154-009 for \$4,000.00 to Wesley Fog.

ROLL CALL VOTE:

AYES: Zoner

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

MOTION FAILED

B. Private Letter Ruling Deductibility of SAD payments for Federal Tax Purposes

Phillip Adkison, Township Attorney explained the private letter ruling. No action taken.

C. Grievance #10-002, IAFF Local 21543

Tony Oryszczak was present.

Supervisor Thomas Zoner recommends denial of the grievance.

Grievance #10-002 (Motion continued)

MOTION by Sovel, supported by Kirkwood, to Table Grievance #10-002, IAFF Local 21543.

ROLL CALL VOTE:

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

NAYS: Zoner

MOTION CARRIED

ITEM 14:8-10 ORDERS

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

MOTION CARRIED UNANIMOUSLY

ITEM 15:8-10 OTHER MATTERS

Kirkwood – Weeds growing wild in the front of the Richardson Center building.

Road Commission for Oakland County notified of concern with the weeds growing at Loop Road.

ITEM 16:8-10 CLOSED SESSION

MOTION by Abrams, supported by Sovel, to enter into Closed Session to discuss union negotiations.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session 9:09 p.m.

Returned from Closed Session 9:45 p.m.

MOTION by Zoner, supported by Munro, to approve the minutes of the Closed Session.

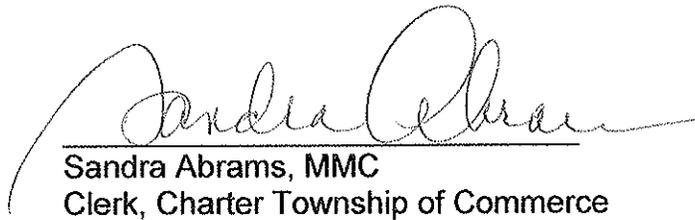
MOTION CARRIED UNANIMOUSLY

MOTION by Munro, supported by Gross, to approve the Letter of Agreement dated August 10, 2010 with regard to Commerce Professional Fire Fighters Union Local 2154, IAFF. **MOTION CARRIED UNANIMOUSLY**

ITEM 17:8-10 ADJOURNMENT

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

MOTION by Zoner, supported by Munro, to adjourn at 9:50 p.m. **MOTION CARRIED UNANIMOUSLY**



Sandra Abrams, MMC
Clerk, Charter Township of Commerce