

**CHARTER TOWNSHIP OF COMMERCE
REGULAR BOARD OF TRUSTEES MEETING
February 14, 2017
2009 Township Drive
Commerce Township, Michigan 48390**

CALL TO ORDER: David Scott, Supervisor, called the meeting to order at 7:00 p.m. and introduced the members of the Board.

PLEDGE OF ALLEGIANCE TO FLAG

MOTION by Magner, supported by Berkheiser, to enter into Closed Session for the purpose of discussing confidential information relating to attorney-client privileged information.

ROLL CALL VOTE:

AYES: Magner, Berkheiser, Creech, Phillips, Hindo, Sovel, Scott

NAYS:

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session 7:04 pm

MOTION by Berkheiser, supported by Sovel, to adjourn from Closed Session and approve Closed Session minutes.

MOTION CARRIED UNANIMOUSLY

Returned from Closed Session 7:35 pm

ROLL CALL: Present: David Scott, Supervisor
Melissa Creech, Clerk
Molly Phillips, Treasurer
Robert Berkheiser, Trustee
John Hindo, Trustee
Vanessa Magner, Trustee
Rick Sovel, Trustee

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

APPROVAL OF MINUTES

MOTION by Magner, supported by Creech, to approve the January 10, 2017 Regular Township Board of Trustees Meeting minutes, the January 24, 2017 Quarterly and Joint Township Board Meeting minutes and the January 31, 2017 Special Meeting minutes.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

A. SAFER Grant – Fire Department

Marcus Leece, Firefighter/Paramedic, Todd Martin, Fire Marshal and Mark Gall, Firefighter/EMT gave a presentation of the SAFER Grant. The application for the grant has been submitted. The Staffing for Adequate Fire and Emergency Response (SAFER) Grants were created to provide funding directly to fire departments and volunteer firefighter interest organizations to help increase the number of trained, "front line" firefighters available in communities.

PETITIONS:

None

ITEM 1:2-14 APPROVAL OF AGENDA

MOTION by Sovel, supported by Hindo, to approve the February 14, 2017 Agenda.

MOTION CARRIED UNANIMOUSLY

ITEM 2:2-14 PUBLIC COMMENTS

Ray Golota, 1595 Vanstone Drive, asked the Board if they could please talk into the microphones so everyone can hear what they are saying. He advised the Board that if he had not heard comments made by Supervisor Scott tonight on the lack of firefighters in the Township he would have voted "no" on any future fire millages.

Regina Roth, 4080 Lake Pointe Lane, questioned why the parking lot lights are not on when leaving a Township Board Meeting. She would like to see the Commerce Township logo on publications by the Township. Her brother was a firefighter in Dearborn and she agrees that the Township needs additional firefighters.

ITEM 3:2-14 PUBLIC HEARINGS

A. Roll Resolution for Woodlawn South Dust Control SAD

Supervisor Scott opened the Public Hearing.

One resident stated that someone was collecting money for the last 20 years for dust control. Supervisor Scott said money will no longer be collected by a resident because this will be handled through the SAD.

Supervisor Scott closed the Public Hearing.

MOTION by Sovel, supported by Hindo, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Woodlawn South Dust Control Special Assessment District.

ITEM 3:2-14 PUBLIC HEARINGS (Roll Resolution for Woodlawn South Dust Control SAD Motion continued)

ROLL CALL VOTE:

AYES: Sovel, Hindo, Creech, Phillips, Berkheiser, Magner, Scott

NAYS:

MOTION CARRIED UNANIMOUSLY

B. Roll Resolution for Demarist Snow Plowing SAD

Supervisor Scott opened the Public Hearing.

No one present had any questions or comments.

Supervisor Scott closed the Public Hearing.

MOTION by Sovel, supported by Berkheiser, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Demarist Snow Plowing Special Assessment District.

ROLL CALL VOTE:

AYES: Sovel, Berkheiser, Creech, Phillips, Hindo, Magner, Scott

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 4:2-14 BOARD APPOINTMENTS

A. Board of Review Alternate member – John Scott

John Scott, Wolverine Lake Village Council member and Realtor by trade, volunteered to sit on the Board of Review as an alternate member. He is in Florida right now and could not attend this meeting. Supervisor Scott advised the Board that Oakland County Assessor's office recommended someone from Wolverine Lake sit on the Board of Review as an alternate member.

MOTION by Sovel, supported by Berkheiser, to appoint John Scott to the Board of Review as an Alternate Member for a 2 year term to expire December 31, 2018.

MOTION CARRIED UNANIMOUSLY

ITEM 5:2-14 CONTRACT AWARDS AND AGREEMENTS

A. KER Engineering, Inc.

Jay James, President of KER Engineering, Inc. was present to propose a change to the contract. Previously, all building inspections, plan reviews and administration have been charged at an hourly rate. He would like to change this hourly rate to a percentage based rate of building permit fees.

Note: The Township Board previously extended his contract to March 2017.

ITEM 5:2-14 CONTRACT AWARDS AND AGREEMENTS (KER Engineering, Inc. continued)

MOTION by Sovel, supported by Hindo, to extend the Professional Services Contract between The Charter Township of Commerce and KER Engineering for 2 years to expire on 12-31-2018. The fee schedule shall change from an hourly rate to

a percentage (40%) based rate of building permit fees for all building inspections, plan reviews and administration charges, and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

ITEM 6:2-14 INTRODUCTIONS

None

ITEM 7:2-14 ADOPTIONS

A. An Ordinance to Amend Article 41, of Zoning Ordinance 3.000, to be Known as Zoning Amendment Ordinance No. 3.031

Dave Campbell, Planning Director, explained the Amendment.

MOTION by Magner, supported by Creech, to Adopt an Ordinance to Amend Article 41, of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan to be known as Zoning Amendment Ordinance No. 3.031, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

B. An Ordinance to Amend the Zoning Map as Adopted by Zoning Ordinance 3.000, to be Known as Zoning Amendment Ordinance No. 3.032

Dave Campbell, Planning Director, explained the Amendment.

MOTION by Sovel, supported by Phillips, to Adopt an Ordinance to Amend the Zoning Map of The Charter Township of Commerce, Oakland County, Michigan as Adopted by Zoning Ordinance 3.000, to be known as Zoning Amendment Ordinance No. 3.032, post and publish according to law and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

ITEM 8:2-14 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:2-14 CONSENT AGENDA

None

ITEM 10:2-14 PURCHASES

None

ITEM 11:2-14 OLD BUSINESS

A. Fire Chief Resumes

Sovel recommends the Board choose 5 applicants to interview. Supervisor Scott said there were 31 applicants. Berkheiser would like additional time to review the resumes.

Supervisor Scott would like Board members to submit their recommendations for applicants to interview at the next Special Township Board Meeting held on February 21, 2017 at 5:00 pm.

ITEM 12:2-14 NEW BUSINESS

A. Huron Valley-Sinai Hospital – Scrub Run

DMC Huron Valley-Sinai Hospital will be holding a Scrub Run event on May 13, 2017. There will be no road closures. This is an annual event.

No action needed.

B. Proposal to Amend Consent Judgement for Property at Decker and 14 Mile Roads

Shahan Sikander, Hamza Sikander, and Scott Bell, Lapham Associates were present to ask the Township Board to consider amending the Second Amended Consent Judgment to permit assisted living use on a portion of the property.

They gave a presentation on Comfort Care Senior Living. This is a family of assisted living and memory care communities within the state of Michigan. They are owned by a group of health care professionals. They would like to build a new state of the art facility in Commerce Township.

Phillip Adkison, Township Attorney gave an explanation of the proposal to amend the Consent Judgement.

MOTION by Berkheiser, supported by Sovel, to move forward on the Second Amended Consent Judgement for the property located at the northeast corner of Decker and 14 Mile Roads. **MOTION CARRIED UNANIMOUSLY**

C. SAFER Grant – Fire Department

Addressed under Presentations. Results of the grant will come back in July 2017.

D. Out of State Travel - Library

Connie Ozinga, Library Director, was present to ask approval for Dustin Brown and Trista Reno to attend the American Library Association Conference from June 22, 2017 through June 26, 2017 in Chicago Illinois.

MOTION by Berkheiser, supported by Magner to approve the request of the Library Director for Dustin Brown and Trista Reno to attend the American Library Association Conference in Chicago, Illinois from June 22, 2017 thru June 26, 2017. The cost for registration fee, membership fee, meals and lodging shall be \$1,468.72 for Dustin Brown and \$1,010.86 for Trista Reno. **MOTION CARRIED UNANIMOUSLY**

ITEM 12:2-14 NEW BUSINESS (continued)

E. M5 Pedestrian Bridge Design-Airline Trail

David Campbell, AICP - Planning Director, was present to discuss the rendering of the non-motorized bridge over M-5 provided by Touchstone Architecture, which includes a number key for the Township-funded enhancements currently being considered. The numbers indicate Bradley Touchstone's recommendations for the priority level of those enhancements, with #1 (curved abutment walls) being the suggested highest priority. Enhancements include decorative sail abutments at either end of the bridge span, a perforated metal wave across the bridge face, decorative signage, and lighting. Mr. Touchstone requests the Township Board review his recommended priority level, and come to a consensus of whether they concur.

The Board concurs with Bradley Touchstone's recommendations with the exception of one change: number 4, change from south elevation to north elevation.

MOTION by Sovel, supported by Berkheiser, to move forward with the rendering of the M-5 bridge that was provided by Touchstone Architecture along with their recommendations for the priority level of enhancements with the exception of number 4, change "south" to "north".

Magner opposed

MOTION CARRIED

F. DDA Request to Advance Funds for Debt Service

Mark Stacey, DDA Director, was present to request an advance of funds for Debt Service.

MOTION by Berkheiser, supported by Phillips, to approve the DDA's request to advance of funds for Debt Service in the amount of \$1,000,000.00.

MOTION CARRIED UNANIMOUSLY

G. Welch Road Manhole Maintenance

Jason Mayer, PE Giffels Webster, advised the Board there are 12 manholes that are 15-20' deep that require rehabilitation. The Township is currently relining the 30" and 36" gravity sewers along Welch Road just upstream of the WWTP. During construction several manhole top sections were removed to facilitate installation of the liners. Upon entry of these manholes by certified personnel it was discovered that the bottom sections of the manholes from Easy Street to the discharge at the WWTP have significant hydrogen sulfide deterioration.

MOTION by Berkheiser, supported by Sovel, to approve the repair of 12 manholes along Welch Road just upstream of the WWTP for \$233,431.35. Funds to come from the Sewer Fund.

MOTION CARRIED UNANIMOUSLY

H. Great Lakes Water Authority Update

Jason Mayer, PE Giffels Webster, advised the Board that at the GLWA Wholesale Customer Rates Rollout Meeting at SEMCOG on January 26, 2017, the GLWA and

ITEM 12:2-14 NEW BUSINESS (Great Lakes Water Authority Update continued)

their rate consultant presented the wholesale customer rates that will start in July 2017. He submitted a Rate Proposal sheet for the Board's review. The breakdown shows the estimated 2017-18 wholesale water cost increase for Commerce Township is approximately 0.6%. This increase is lower than the average increase of 4.7% among all suburban communities mainly because of increased water usage volume in Commerce Township as compared to other communities. The GLWA was also able to offset part of the cost of Genesee County and Flint leaving the system by refinancing some of their bonds to lower rates. In the fall of 2017 he will be meeting with GLWA staff to negotiate Commerce Township's reduced rate based on the water storage being online and operational. This reduced wholesale rate would be implemented for the 2018-19 season that begins on July 1, 2018. He will recommend that another water rate study be performed around this time next year when he knows the actual savings from the water storage facility.

No action needed.

I. 2016 Planning Commission Annual Report

MOTION by Sovel, supported by Hindo to receive and file the 2016 Planning Commission Annual Report. **MOTION CARRIED UNANIMOUSLY**

ITEM 13:2-14 ORDERS AND ADD-ONS

MOTION by Creech, supported by Sovel, to approve the Orders and Add-ons. **MOTION CARRIED UNANIMOUSLY**

ITEM 14:2-14 OTHER MATTERS

Hindo – Advised the Board that at the last Planning Commission Meeting members recommended denial of an item. Discussion with the public became heated and Jay James had to intervene. He will request Oakland County Sheriff attend the next meeting.

Berkheiser – Questioned if the Fire Department Report changed its format. He said previous reports gave a history of what transpired in the Township for the last few years.

Sovel – Asked Supervisor Scott if he had any plans for building security, lighting, storage, and potential e filing documents.

Supervisor Scott reported on the following:

- Phillip Adkison, Township Attorney, will research if there is anything that could prevent the Township from digitizing blueprints and documents and bring his findings back to the Board. Blueprints have to be kept for one year after demolition. The Township has several blueprints in storage that are falling apart from age. Many communities do not retain the blueprints. They are scanned and put into the

ITEM 14:2-14 OTHER MATTERS (Supervisor Scott continued)

computer system. He feels we should digitize blueprints and free up storage space. We are required to keep a hard file for eternity unless the property is demolished.

- Oakland County has adopted Commerce Township into the GIS (Geographic Information Systems).
- Building security – He will change generation 1 cameras into generation 3 cameras with video surveillance for the interior and exterior of Township Buildings.
- The interior sprinkler system in the Township Hall is not working as it should and needs repair.
- He will look into replacing the Township parking lot lighting fixtures with the same fixtures used throughout the DDA.
- Fire suppression system – There are only 3 mechanical smoke detectors in the Township Hall. We need more smoke detectors, especially in the basement where the files are kept.
- Automatic defibrillator has been upgraded and alarms placed back on the box.
- He will check on the alarm system that we have been paying for but has never been turned on.

Sovel – Recommends we place a panic button were the chairperson sits. He stated there are outside cameras that are obstructed by trees. This needs to be taken care of

Supervisor Scott – The Township is officially an owner of the Trailway. The Operating Budget was approved. The historical plan needs to stay in place so we can apply for additional grants. Huron Valley Sinai Hospital would like to donate some signs for the Trailway.


ITEM 15:2-14 CLOSED SESSION

None

ITEM 16:2-14 ADJOURNMENT

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

MOTION by Magner, supported by Berkheiser, to adjourn the meeting at 10:21 p.m.
MOTION CARRIED UNANIMOUSLY


Melissa Creech, Clerk
Charter Township of Commerce