

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

**January 9, 2018**

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**

**ROLL CALL:** Present: David Scott, Supervisor  
Melissa Creech, Clerk  
Molly Phillips, Treasurer  
Robert Berkheiser, 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 Sovel, supported by Creech, to approve the December 12, 2017 Regular Township Board of Trustees Meeting minutes, with a modification to Item 14 Other Matters, change: "Trustee Berkheiser – Rent money received by the Township for Township Buildings should be earmarked for the General Fund so 10-15 years from now we will have money to use for maintenance required for those buildings." to ***"Trustee Berkheiser – Money received by the Township from renting out Township Buildings should be earmarked to a shrinking or support fund to cover maintenance for those buildings that were rented out."***

**MOTION CARRIED UNANIMOUSLY**

**PRESENTATIONS:**

**A. Mark Stacey DDA Update on Purchase Agreement Paragraph 20**

Mark Stacey, Downtown Development Authority (DDA) Director, was present and gave an update on the memorandum of understanding between the DDA and Beaumont. Beaumont agreed to for the cost of the training room. They will pay a fair market value per acre for the property. The total sale price will be paid to the DDA upon the sale of the property by Beaumont. Plante Moran is working out the procedure to properly transfer this from the DDA to the Township.

**PRESENTATIONS:**

**B. Scarlet's Smile Proposed Site Plan**

Larenne Clark, President of Scarlet's Smile Playground, presented a preliminary site plan of the handicapped-accessible playground in Dodge Park.

Jason Mayer, Giffels Webster Engineers, explained the preliminary layout of the site and is looking for any comments from the Township Board before he gives it to the Township Attorney to draft a contractual agreement.

Discussion followed on a parking lot at the south end of the playground with enough spaces to accommodate handicap parking. CW3 wants to put in another soccer field at Dodge Park. If this is approved then they would like the parking lot to be in a location that will service both the soccer field and the playground.

Larenne Clark feels it is the Township's responsibility to take care of the cost and installation of the parking lot.

Phillip Adkison, Township Attorney, will draft an agreement between the Township and Scarlet's Smile.

**ITEM 1:1-9 APPROVAL OF AGENDA**

**MOTION** by Sovel, supported by Magner, to approve the January 9, 2018 Agenda.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 2:1-9 PUBLIC COMMENTS**

Brent Stevens, 2188 Shire Court, advised the Board of the poor customer service being provided by Republic Waste Services. They are not picking up trash on time and he has been picking up the trash that is blowing everywhere. He said he has made numerous phone calls to the company and the Township and nothing has been done to remedy the situation.

Peter Cantillon, 2998 Lankford Lane, also complained about the poor customer service from Republic Waste Services. He is picking up trash around his neighborhood and in the wetlands. He said he has made at least 50 phone calls to the company and the Township.

Supervisor Scott assured Messrs. Stevens and Cantillon the Township is not pleased with the customer service provided by Republic Waste Services either and they are staying on top of this problem and will get it fixed. He has a follow up meeting with Republic Waste Services on Thursday, January 11, 2018.

**ITEM 3:1-9 CONTRACT AWARDS AND AGREEMENTS**

**A. Cleaning Contract - Richardson Center**

Emily England, Senior Director, recommends the Township award the contract to Copeland Cleaning Services as they are the only bid that includes all paper products. Berkheiser - The Township currently spends \$130 - \$150 on paper items.

**MOTION** by Berkheiser, supported by Creech, to award the Richardson Center Cleaning Contract to Copeland Cleaning Services at a monthly cost of \$1,625.00 and a Special Event cleaning cost of \$125.00 flat rate per event.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 4:1-9 INTRODUCTION**

**A. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.036 – Land Divisions**

David Campbell, AICP – Planning Director, advised the Board that the Planning Department would like to amend Chapter 22 of the Township's Code of Ordinances (Land Divisions, Subdivisions, and Development) to allow for land divisions that exceed the 4-to-1 ratio in instances where the property exhibits "exceptional topographic or physical conditions with respect to the parcel and compatibility with surrounding lands".

**MOTION** by Sovel, supported by Phillips, 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. 1.036, Land Division, post and publish according to law.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:1-9 ADOPTIONS**

**A. An Ordinance to Amend the Zoning Map of the Charter Township of Commerce as Adopted by Zoning Ordinance 3.000, to be known as Zoning Amendment Ordinance No 3.037 - Comfort Care of Commerce**

**MOTION** by Berkheiser, supported by Magner, 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.3.037, post and publish according to law. **MOTION CARRIED UNANIMOUSLY**

**ITEM 6:1-9 NEW BUSINESS**

**A. Demolition of Old Library Building**

Supervisor Scott advised the Board that two bids came in: Blue Star Inc. for \$53,500.00 and Milford Salvage Iron & Metal Co., Inc. for \$50,795.00. Demolition will take place after the Sheriff and Fire Departments use the building for training drills.

**MOTION** by Berkheiser, supported by Creech, to award the bid to Milford Salvage (estimate #3091 dated 12-8-2017) for demolition of the old library building at a cost not to exceed \$51,000.00. Funds to come from the Downtown Development Authority.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6:1-9 NEW BUSINESS (continued)**

**B. Resolution Approving Data Sharing with the State of Michigan**

Hans Rentrop, Township Attorney, advised the Board this is a Resolution authorizing Oakland County to release information to the State of Michigan Pursuant to a Data Sharing Agreement between the County of Oakland and the State of Michigan. The purpose of this Resolution is to allow Oakland County to share with the State of Michigan, more specifically SEMCOG, Township water, sewer, and storm water data the County maintains on the Township's behalf.

A discussion followed regarding whether this will benefit the Township.

**MOTION** by Sovel, to Table Resolution Approving Data Sharing with the State of Michigan.

**MOTION FAILED  
LACK OF SUPPORT**

**MOTION** by Sovel, supported by Scott, to approve the Resolution of the Township Board of the Charter Township of Commerce Authorizing Oakland County to Release Information to the State Of Michigan Pursuant to a Data Sharing Agreement between the County of Oakland and the State of Michigan and authorize the appropriate signatures.

Jay James, P.E. Building Official, said he could ask a representative from Oakland County to attend a meeting if they decide to Table.

**ROLL CALL VOTE**

**AYES:** Scott, Creech, Phillips, Magner

**NAYS:** Sovel, Berkheiser

**MOTION CARRIED**

**C. Restated Amendment to Grant of Sewer Easement - Hampton Inn/Marriot Hotels**

Hans Rentrop, Township Attorney, advised the Board when the Hampton Inn and Marriot hotels were constructed certain sewer infrastructure was moved from within an easement granted to the Township to facilitate the construction of the hotels. The owner failed to amend the easement to reflect the new location of the sewer. Now the owner seeks financing and needs to abandon the old easement and grant a new easement for where the sewer is actually located. Jay James has reviewed and approved this Amendment. The Township's consent is required in order to abandon the original easement to which it is a beneficiary. It is his recommendation that the Board pass a motion authorizing Supervisor Scott's signature to the Restated Amendment after it has been signed by the Grantees.

Trustee Sovel asked who is requesting this amendment. Hans Rentrop answered the owners of the Hampton Inn are requesting the amendment. Trustee Sovel said the Hampton Inn that is in Commerce Township is being advertised as Novi with a Commerce Township zip code.

**ITEM 6:1-9 NEW BUSINESS (Restated Amendment to Grant of Sewer Easement - Hampton Inn/Marriot Hotels continued)**

**MOTION** by Sovel, supported by Berkheiser, to Table Restated Amendment to Grant of Sewer Easement - Hampton Inn/Marriot Hotels. **MOTION CARRIED UNANIMOUSLY**

**ITEM 7:1-9 ORDERS AND ADD-ONS**

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

**ITEM 8:1-9 OTHER MATTERS**

Trustee Berkheiser-

- Update on the 2018 Tri-party projects. Jason Mayer said he met with The Road Commission for Oakland County (RCOC) last week and the plan is to start the projects during the summer of 2018. He will submit the permit application to RCOC after Supervisor Scott signs the application.
- Update on the M5 bridge - David Campbell, Planning Director, said they are mobilizing now so we will start to see clearing and grading within the next 2 weeks.
- When does the new narcotics enforcement team detective start and can a report on cases he is working on go into the Lieutenant's monthly report? Lieutenant Gerald Schroeder said he started work on January 1, 2018 and he will try to add to his report the cases he is working on.
- Noticed Michigan Township Association has opened up a salary survey, we may want to look at this. Supervisor Scott said all of the townships and cities are being asked to participate.
- He would like a copy of form 990, from nonprofit organizations that use park property, included in the Township Board's information packet.

Treasurer Phillips -

- We have had problems receiving our money, when requested, from Raphael Chirolla at the Water Resources Commission. She would like direction on how to get access to our unrestricted funds, when appropriate and in a timely manner. Phillip Adkison, Township Attorney, said there was a meeting 3-4 years ago on this subject. He will review the notes and report back to the Board.
- The Oakland County Treasurer's Department places a -0- taxable value and -0- SEV on property for veterans that are eligible for a Michigan property tax exemption. When our bond rating companies see this it could affect our bond ratings. This could be significant to the Township. Phillip Adkison, Township Attorney, suggested the Township may want to obtain a determination from the Attorney General and express the Township's concerns to the State Tax Commission. Hans Rentrop, Township Attorney, will review this and report back to the Board.

**ITEM 8:1-9 OTHER MATTERS (continued)**

Trustee Magner -

- Asked if there is still a joint meeting with the Parks and Recreation Committee. Supervisor Scott said the joint meeting will be held in April, 2018.
- Are there any gas station requests coming up? Supervisor Scott said there is talk about a gas station going in at 14 Mile and Decker Roads that is mainly in the Walled Lake portion. David Campbell, Planning Director, said he reviewed a concept plan of a gas station with a drive thru coffee shop that may go in at the SE corner of Decker and Maple Roads, partly in Commerce Township and Walled Lake. She said it would be helpful to receive information on developments that may come into the Township, even if it is just a concept plan.
- Organizations using parks property - Supervisor Scott said all Board members will have an opportunity to review the contracts between organizations and the Township. Emily England said, as of this date, there are existing and expired contracts with leagues. Trustee Sovel suggested we make all contracts expire at one time. This will allow the contracts to be consistent and any changes made will apply to everyone at the same time.

Trustee Sovel -

- He noticed the billboard is gone and wondered when the new one will be installed. David Campbell, Planning Director, said it will be installed after the M5 bridge is complete.

Supervisor Scott -

- Pictures of the Richardson Center remodel are on the Township's Facebook page. There are security cameras on the exterior and interior of the main entrance to the building. He recommends installing 2 security cameras in the two banquet rooms.

**MOTION** by Magner, supported by Creech to approve the installation of two (2) additional security cameras for two banquet rooms in the Richardson Center at a cost not to exceed \$3,000.00.


**MOTION CARRIED UNANIMOUSLY**

**ITEM 9:1-9 ADJOURNMENT**

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

**MOTION** by Phillips, supported by Creech, to adjourn the meeting at 8:41 p.m.

**MOTION CARRIED UNANIMOUSLY**

  
Melissa Creech, Clerk  
Charter Township of Commerce