

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

Tuesday, July 13, 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 June 8, 2010, with a correction to page 5 Item 10:6-8 Purchases B. change "Fire Department" to "**Maintenance Department**" and a correction to Page 5 add Roll Call Vote with Long voting "Nay".

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

A. Life Saving Awards – Fire Department

Joseph Schornack issued the Life Saving Award to Stacy Gross, Jim Shemanski Shawn Tretinik, Kirk Vogler, Alan Clymer, and Kristin Schnute, and thanked them for saving the life of a child injured with a knife.

Joseph Schornack issued the Life Saving Award to Mark Gall, Jim Shemanski, Tyler Alden, Jason Hennessy, Robert Hollmeyer, Richard Jaslowki. Gerald Moilanen, Craig Moilanen, Gerald Daviskeba, and thanked them for saving the life of a 55-year-old female in cardiac arrest.

PRESENTATIONS - Life Saving Awards (continued)

Joseph Schornack issued the Life Saving Award to Scott Martin, Scott Money, Kristina Peltier, Jim Shemanski, Kurt Vogler, and Shawn Tretinik and thanked them for saving the life of a 15 year old having difficulty breathing.

Joseph Schornack issued the Life Saving Award to Tyler Alden, Michael Bell, Jason Hennessy, James Liker, Jim Shemanski, Douglas Whyte, Mark Pierce, Steve Belenky, Jeff Massey, and Pat Badyna, and thanked them for saving the life of a woman in cardiac arrest.

Joseph Schornack issued the Life Saving Award to Mark Gall, James Liker, Marcus Leece, Robert Hollmeyer, Robert Condne, and Brad Bachor, and thanked them for saving the life of a 90-year-old male found unconscious outside of his vehicle.

B. Drain Commission (Water Resources Commission) - Water Tower

John McCulloch, Water Resources Commissioner, and Jody Caldwell were present and gave a presentation on the DWSD water rates and storage.

No action taken.

PETITIONS:

None

ITEM 1:7-13 APPROVAL OF AGENDA

MOTION by Abrams, supported by Gross, to approve the Agenda with the addition of entering into Executive Session under Item 15.

MOTION CARRIED UNANIMOUSLY

ITEM 2:7-13 PUBLIC COMMENTS

Ms. Lois Shulman running for State Representative for Commerce Township, Wolverine Village and West Bloomfield was present to introduce herself.

Peter Unick, 2719 Welch Road was present to discuss the increase in fire and police services. He objects to the Special Assessment increase in regards to fire and police services. Supervisor Thomas Zoner explained what the ballot language means. Mr. Unick questioned if there will there be another millage for the \$78,000,000.00 D.D.A. debt. He also advised them of the grass that needs cutting at Welch Road and Pontiac Trail. Supervisor Thomas Zoner answered that the procedure for demolition of the building has started.

ITEM 3:7-13 PUBLIC HEARINGS

None

ITEM 4:7-13 BOARD APPOINTMENTS

None

ITEM 5:7-13 CONTRACT AWARDS AND AGREEMENT

A. Lakes Area Youth Assistance Contract

MOTION by Abrams, supported by Munro, to approve the Contract for Services by Lakes Area Youth Assistance for the Charter Township of Commerce from January 1, 2010 – December 21, 2010.

MOTION CARRIED UNANIMOUSLY

B. Library Improvements

Monica Schwanitz, Landscape Architect was present to explain the process to eliminate the drainage problems at the library.

MOTION by Munro, supported by Gross, to award the bid for drainage improvements at the Commerce Township Library to the low bidder, Squeals Landscaping, Inc. in an amount not to exceed \$28,000.00.

MOTION CARRIED UNANIMOUSLY

ITEM 6:7-13 INTRODUCTIONS

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

Discussion took place regarding changing the Outdoor Water Use Fines.

MOTION by Gross, supported by Abrams, to change Introduction of an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.011 as follows: Section 2 – Amendment (b) (4) Outdoor Water Use Fines. The civil fine for any outdoor water use restriction offense shall be in the amount of \$25.00.

ROLL CALL VOTE:

AYES: Gross, Abrams, Zoner

NAYS: Kirkwood, Long, Sovel, Munro

MOTION FAILED

INTRODUCTIONS - Code Amendment Ordinance No. 1.011 (continued)

MOTION by Sovel, supported by Munro, 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. 1.011, post and publish according to law.

ROLL CALL VOTE:

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

MOTION CARRIED

ITEM 7:7-13 ADOPTIONS

- A. An Ordinance to Amend Ordinance No. 2.003 to be known as the Charter Township of Commerce Fee Ordinance No. 2.004**

MOTION by Abrams, supported by Kirkwood, to Adopt an Ordinance to Amend Ordinance No. 2.003 to be known as the Charter Township of Commerce Fee Ordinance No. 2.004

MOTION CARRIED UNANIMOUSLY

ITEM 8:7-13 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:7-13 CONSENT AGENDA

- A. Approve the Banner Permit for the Orchard Lake Art Show**
B. Approve the Oakland Gymnastics Booster Club to be recognized as a nonprofit organization for a Charitable Gaming License
C. Approve the Michigan Municipal League Worker's Compensation Fund.
D. Approve Budget Amendment 10-02
E. Approve Budget Amendment 10-03.

MOTION by Abrams, supported by Munro, to approve the Consent Agenda with the removal of A and B.

ROLL CALL VOTE:

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

MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA (continued)

A. Approve the Banner Permit for the Orchard Lake Art Show
Ms. Patty Narozny was present to request the banner permit.

The location to install the banner will be at Cooley and Union Lake Roads. The event will be in West Bloomfield. The event is not in Commerce Township; therefore, no action was taken.

B. Approve the Oakland Gymnastics Booster Club to be recognized as a nonprofit organization for a Charitable Gaming License
No action taken because additional information is needed.

ITEM 10:7-13 PURCHASES

None

ITEM 11:7-13 OLD BUSINESS

A. P.E.G. Money – Tabled 6-8-10
This will remain on the Table.

B. Wolverine Lake Force Main
Jay James explained the request by Wolverine Village to install a force main along S. Commerce Road from Glengary Road to Wolverine Drive.

Jay James will report back to the Board with more information.

MOTION by Munro, supported by Gross, to allocate up to \$1,000,000.00 to be used toward an 8" force main along S. Commerce Road from Glengary Road to Wolverine Drive for the purpose of providing sewerage capacity to Wolverine Village as depicted on the map provided.

Munro withdrew his Motion and Gross withdrew her support.

ITEM 12:7-131 NEW BUSINESS

A. Library Directors Job Description

MOTION BY Sovel, supported by Munro, to approve the Library Directors Job Description.
MOTION CARRIED UNANIMOUSLY

NEW BUSINESS (continued)

B. Tri-Party Funds

MOTION by Gross, supported by Sovel, to approve the recommendation of the Township Supervisor, Thomas Zoner, to appropriate \$2,075.00 from the Haggerty Road project to the Cooley Lake Road Paving project.

ROLL CALL VOTE:

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

NAYS: Long

MOTION CARRIED

C. Sale of Township Property

No action taken

ITEM 13:7-13 ORDERS

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

ITEM 14:7-13 OTHER MATTERS

Munro –

MOTION by Munro, supported by Zoner, to approve \$1,000.00 from the Parks and Recreation millage fund to purchase "Do not feed the geese" signs.
MOTION CARRIED UNANIMOUSLY

A church group that is interested in using the old township building for eight days (3 hours each day) a month to hold their meetings approached him. They will pay the utilities for the month. He will request this in writing and bring back to the Board.

Phillip Adkison, Township Attorney advised the Board that they should set a policy regarding the rental of township buildings.

Kirkwood –

Requested, in writing, an explanation of the mileages. Phillip Adkison, Township Attorney will provide to the Township an explanation of the mileages.

There is a vacancy in Planning Commission. Supervisor Thomas Zoner placed notice of the vacancy on the Township website.

OTHER MATTERS (continued)

Sovel –

The garage sale will be on July 25, 2010 and is posted on the Library website.

There is a Facebook site called "You know your from Union Lake if..."

Long –

The Drain Commission did not provide an acceptable answer to some residents that approached him as to why the sewer cost increased.

Zoner –

He was advised by some residents that ground covering needs to be placed down under the playscape at the Ralph C. Richardson Center.

MOTION by Abrams, supported by Gross, to authorize the Township Supervisor to obtain the best price possible, up to \$4,000.00, to replace material under the playscape at the Ralph C. Richardson Center

MOTION CARRIED UNANIMOUSLY

ITEM 15:7-13 CLOSED SESSION

MOTION by Abrams, supported by Gross, to enter into Closed Session to discuss union activities.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session 10:50 p.m.

Returned from Closed Session 11:30 p.m.

MOTION by Abrams, supported by Gross, to approve the minutes of the Closed Session.

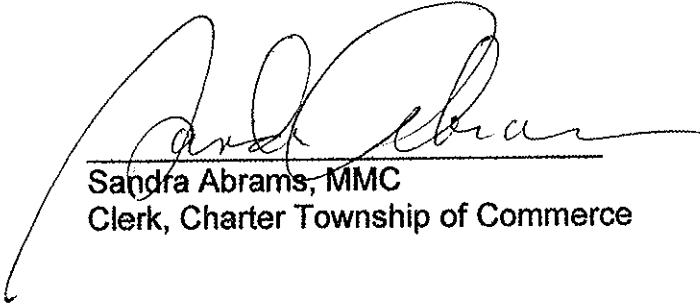
MOTION CARRIED UNANIMOUSLY

ITEM 16:7-13 ADJOURNMENT

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

MOTION by Abrams, supported by Gross, to adjourn at 11:35 p.m.

MOTION CARRIED UNANIMOUSLY



Sandra Abrams, MMC
Clerk, Charter Township of Commerce

**RESOLUTION OF THE TOWNSHIP BOARD
OF THE CHARTER TOWNSHIP OF COMMERCE
APPROVING CONSENT AGENDA**

At the Regular Meeting of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 13th day of July, 2010, in the Township Hall at 7:00 p.m.

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

ABSENT: None

The following resolution approving the Consent Agenda of July 13, 2010 Board of Trustees Meeting of the Charter Township of Commerce was offered by Abrams and supported by Gross.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF COMMERCE:

- A. Approved the Michigan Municipal League Worker's Compensation Fund
- B. Approve Budget Amendment 10-02
- C. Approve Budget Amendment 10-03

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

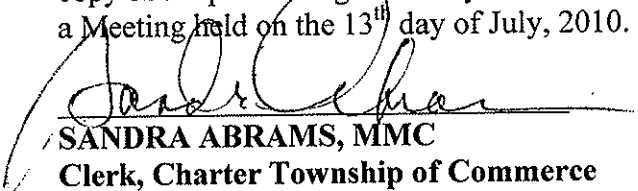
NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED

STATE OF MICHIGAN)
)s.
COUNTY OF OAKLAND)

I, the undersigned duly qualified Township Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify the foregoing is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce at a Meeting held on the 13th day of July, 2010.


SANDRA ABRAMS, MMC
Clerk, Charter Township of Commerce

Dated: 7-14-2010

**CHARTER TOWNSHIP OF COMMERCE
BUDGET AMENDMENT
FISCAL YEAR 2010**

AMENDMENT 10-03

	<u>Amount Budgeted</u>	<u>Amended Budget</u>	<u>Difference</u>
Fund 101 - GENERAL FUND			
Expenditures			
Tax Tribunal Refunds			
101-899-809000	5,000.00	25,000.00	20,000.00
Fund 206 - FIRE FUND			
Expenditures			
206-000-702-003 OVERTIME	27,000.00	35,000.00	8,000.00

The above Resolution was offered by Abrams, supported by Gross at a Regular meeting of the Township Board of the Charter Township of Commerce on the 13th day of July, 2010 at the Township Hall at 7:00 p.m.

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

NOES:

ABSENT:

The Resolution was adopted July 13, 2010.

**CHARTER TOWNSHIP OF COMMERCE
 BUDGET AMENDMENT
 FISCAL YEAR 2010**

AMENDMENT 10-02

	<u>Amount Budgeted</u>	<u>Amended Budget</u>	<u>Difference</u>
Fund 101 - GENERAL FUND			
Expenditures			
Other			
101-895-999-000	1,563,785.00	1,604,224.00	40,439.00
Fund 245 - IMPROVEMENT & BUILDING FUND			
Revenue			
245-000-699-000	0.00	40,439.00	40,439.00

The above Resolution was offered by Abrams, supported by Gross at a Regular meeting of the Township Board of the Charter Township of Commerce on the 13th day of July, 2010 at the Township Hall at 7:00 p.m.

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

NOES:

ABSENT:

The Resolution was adopted July 13, 2010

This budget amendment is need to transfer money to Improvement & Building Fund to eliminated the deficit due to overexpenditure in the New Township Hall Building Account.