

**CHARTER TOWNSHIP OF COMMERCE
TOWNSHIP BOARD OF TRUSTEES MEETING
November 17, 2020
2009 Township Drive
Commerce Township, Michigan 48390**

Due to the Michigan Department of Health and Human Services order this meeting was held via video conferencing technology.

CALL TO ORDER: Supervisor David Scott called the meeting to order at 7.00 p.m. and introduced the members of the Board.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: David E. Scott, Supervisor
Melissa Creech, Clerk
Molly Phillips, Treasurer
Robert Berkheiser, Trustee
Vanessa Magner, Trustee
Rick Sovel, Trustee
George Weber, Trustee

Also Present: Phillip Adkison, Township Attorney
Hans Rentrop, Township Attorney
Janet Bushey, Finance/Human Resources Director
Dave Campbell, Planning Director
Jim Dundas, Fire Chief
Emily England, Senior/Parks and Recreation Director
Alyson Lobert, Library Director
Jason Mayer, Giffels Webster Engineers
Mark Schoder, Maintenance Director
Ben Sebrowski, Director of Technology
Mark Stacey, DDA Director

Rob Widdis, MERGE LIVE, Multimedia Group is the host for the meeting.

Ben Sebrowski, Director of Technology is co-host for the meeting.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

MOTION by Magner, supported by Sovel, to approve the October 13, 2020 Regular Township Board Meeting minutes, and the October 27, 2020 Quarterly Township Board Meeting minutes, as submitted.

APPROVAL OF MINUTES (Motion continued)

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 1:11-17 APPROVAL OF AGENDA

MOTION by Sovel, supported by Berkheiser, to approve the November 17, 2020 Regular Township Board of Trustees Meeting Agenda with the following additions:

PRESENTATION: Plante Moran CRESA Fire Station #3, **PUBLIC COMMENTS:** Senator Jim Runestad, **ITEM 5:11-17 APPROVAL OF 2021 TOWNSHIP BUDGET** break down into 3 components – A. 2021 Non-union Employee Compensation B. 2021 Elected Officials Boards and Commissions and C. Approval of 2021 Township Budget.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 2:11-17 PUBLIC COMMENTS

Supervisor Scott opened Public Comments.

Pam Jackson, 5736 Lancaster Lane, congratulated Larry Gray for being elected as the Township's new Supervisor. After observing Township meetings the last few months, she wanted to commend everyone for their dedicated work. She noticed the work at the Clerk's office is impeccable and very organized. She thanked Supervisor Scott for his service to Commerce Township for the past 4 years and wishes him the best.

Larry Gray thanked Supervisor Scott for his service the past 4 years as the Township Supervisor. He looks forward to working with everyone as the new Township Supervisor Scott. His email is lgray@commercetwp.com for anyone who would like to contact him.

Supervisor Scott closed Public Comments.

PRESENTATIONS

Kevin Donnelly, Plante Moran CRESA, gave an update on the construction of the new fire station #3 on Welch Road. Dailey Company was awarded the contract to build the fire station. All contracts, bonds and insurances have been executed and the required permits for the past couple of months have been procured. Construction started on the site last week and the existing building has been knocked down. They will continue, over the next several weeks, with site demolition and prep work to commence building foundations. Masonry work will begin after that and the building will start going vertical. The end of September 2021 is the anticipated completion date. He will provide the Board with a summary of activities every couple of months.

ITEM 3:11-17 PUBLIC HEARINGS

A. Establishment Resolution – Special Projects No. 46 SAD

Supervisor Scott opened the Public Hearing

Supervisor Scott asked Rob Widdis if there was anyone who wanted to speak under the Public Hearing. There were no “raised hands” from the public.

Supervisor Scott closed the Public Hearing

MOTION by Sovel, supported by Magner, to approve the Resolution of the Township Board of the Charter Township of Commerce Determining to Undertake an Improvement Project and to Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith and Approving the Plans and Estimates of Costs Therefor Special Projects No. 46.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 4:11-17 PUBLIC HEARING FOR 2021 TOWNSHIP BUDGET

Supervisor Scott opened the Public Hearing

Supervisor Scott asked Rob Widdis if there was anyone who wanted to speak under the Public Hearing. There were no “raised hands” from the public.

Supervisor Scott closed the Public Hearing

ITEM 5:11-17 APPROVAL OF 2021 TOWNSHIP BUDGET

A. Non-union Employee Compensation

Supervisor Scott obtained comparables from other communities and shared them with the Board.

Trustee Weber explained the Non-union Employee Compensation Committee’s process and their recommendations.

Their objective is as follows:

- Retain great employees at all levels
- Recognize the work employees have done
- Reward employees for their performance
- Motivate employees to continue to improve

ITEM 5:11-17 APPROVAL OF 2021 TOWNSHIP BUDGET (Non-union Employee Compensation continued)

Trustee Sovel said the committee does recognize the comparables submitted by Supervisor Scott but they feel they did not have enough time to do a full evaluation by setting individual goals or department objectives. They hope to implement these in the first quarter of 2021. Because of the economy, COVID19 pandemic, business being closed and shutting down, to increase the numbers by 20-30% seems excessive to do in one year. It may take a year or two to get to the comparable numbers.

Trustee Magner said Trustees Weber and Sovel explained everything correctly. The committee also talked about developing some ranges they would like each position to be in, but there was no time to do that. They would like to focus on that next year.

Discussion took place on salaries for non-union employees. In place of naming employee positions, the committee recognized the positions as numbers 1-9.

MOTION by Berkheiser, supported by Weber, to set the salaries for non-union employees as follows: #1 - \$90,000.00, #2&3 - \$78,500.00, #4 - \$76,000.00, #5 - \$67,091.00, #6 - \$83,000.00 #7&8 – no change, #9 - \$93,000.00.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Senator Jim Runestad thanked Supervisor Scott for his dedication to Commerce Township for the past 4 years. He read a Proclamation, signed by State Senator Jim Runestad, State Representative Ryan Berman, Lieutenant Governor Garlin Gilchrist and Governor Gretchen Whitmer, honoring David Scott for his four years of service to the elected position of Commerce Township Supervisor.

B. 2021 Elected Official Boards and Commissions

Discussion took place on salaries for elected officials and compensation for members of Township Boards, Commissions and Committees.

MOTION by Sovel, supported by Weber, to approve the 2021 yearly salary for the Township Supervisor at \$97,451.00.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 5:11-17 APPROVAL OF 2021 TOWNSHIP BUDGET (2021 Elected Official Boards and Commissions continued)

MOTION by Sovel, supported by Scott, to approve the 2021 yearly salary for the Township Clerk at \$93,000.00.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

MOTION by Sovel, supported by Scott, to approve the 2021 yearly salary for the Township Treasurer at \$93,000.00.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

MOTION by Sovel, supported by Scott, to approve the 2021 yearly salary for the Township Deputy Clerk and Deputy Treasurer at \$70,753.00, Township Board of Trustees at \$250.00 per meeting, Planning Commission, Zoning Board of Appeals, Parks and Recreation Committee and Library Advisory Board at \$85.00 per meeting and the Board of Review at \$125.00 per meeting.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

C. 2021 Township Budget

MOTION by Sovel, supported by Berkheiser, to approve the 2021 Township Budget with the changes made to salaries and compensation.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 6:11-17 INTRODUCTIONS

A. An Ordinance to Amend Ordinance No. 2.019 to be Known as Fee Ordinance No. 2.020

Hans Rentrop, Township Attorney, said the main purpose for the Amendment is because the Cemetery Sexton adjusted their fee schedule (Section 18 Cemeteries) and Special Board meetings are increased from \$750 to \$1,000 in costs.

Trustee Weber did a review of all our surrounding communities and said their burial fees are consistent with what is being proposed in the Amendment.

MOTION by Magner, supported by Berkheiser, to Introduce the Charter Township of Commerce an Ordinance to Amend Ordinance No. 2.019 to be Known as The Charter Township of Commerce Fee Ordinance No. 2.020. Post and publish according to law.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

B. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.050 – International Property Maintenance Code

Hans Rentrop, Township Attorney, said this is a new version of the International Property Maintenance Code for 2021.

MOTION by Berkheiser, supported by Sovel, to Introduce the Charter Township of Commerce an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be Known as Code Amendment Ordinance No. 1.050. Post and publish according to law.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 7:11-17 PURCHASES

A. Library End Panel Signage

Library Director Alyson Lobert is requesting approval to purchase end panel signs and wooden shelving for board books for the library.

Trustee Weber asked if the Township Directors have any financial authority to purchase items up to a set amount without having to request approval by the Township Board, as long as the expenditures are within the approved budget.

ITEM 7:11-17 PURCHASES (Library End Panel Signage continued)

Trustee Magner said the Township has a policy where Directors have the authority to purchase items up to \$1,500.00 without Township Board approval. We may want to revisit the policy.

Trustee Berkheiser made a comment that the Township Board has a fiscal responsibility for everything in the Township.

Trustee Weber said the Township Board approves the Orders which are of a much greater magnitude.

MOTION by Weber, supported by Scott, to approve the purchase of one (1) (28) acrylic end panel signs and two (2) wooden shelving for board books for the Township library from Library Design Associates Inc. in an amount not to exceed \$10,500.00.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 8:11-17 OLD BUSINESS

A. Ordinance Officer

Supervisor Scott said he and Jay James, P.E. Building Official, put together a job description for an Ordinance Officer.

This needs additional review and will be placed on the December 2020 Township Board of Trustees Meeting agenda.

B. Employee Handbook

MOTION by Weber, supported by Scott, to approve the Employee Handbook with the change to unscheduled PTO as detailed by the Fire Chief (a total of 6 occurrences are allowed in a consecutive 12-month period).

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 9:11-17 NEW BUSINESS

A. Resolution Vacating a Portion of Hardyke Lane

Hans Rentrop, Township Attorney, said the Road Commission for Oakland County (RCOC) received a petition to abandon its interests in Hardyke Lane abutting Lots 94

ITEM 9:11-17 NEW BUSINESS (Resolution Vacating a Portion of Hardyke Lane continued)

and 95 in the Commerce Lake Highland Subdivision. This was abandoned by the RCO's resolution on September 10, 2020. Jurisdiction and control automatically reverted to the Township when it was abandoned by the Road Commission.

MOTION by Sovel, supported by Berkheiser, to approve the Resolution of The Township Board of The Charter Township of Commerce Vacating a Portion of Hardyke Lane.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

B. Bank Depositories

Treasurer Phillips said the Township Board is required to designate bank depositories for Township funds.

MOTION by Berkheiser, supported by Magner, to approve the use of the following financial institutions as bank depositories for the year 2021. If opportunities not on this list arise with more favorable interest rates or costs to the township during the year, they will be brought to the board for approval before investing any township assets. PNC Bank, Flagstar Bank, Comerica Securities, MERS, Huntington Bank, Level One Bank, Chief Financial Credit Union, The State Bank, CIBC, Genysis Credit Union, Michigan Cooperative Liquid Asset Securities System (Michigan CLASS) and Oakland County Local Government Investment Pool.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

C. Conditional Rezoning Petition for 3144 Martin Road

Planning Director David Campbell said this is a petition to conditionally rezone a piece of property on the east side of Martin Road between Township Drive and Oakley Park Road. It is a former driving range property with an office along Martin Road frontage. Pulte Homes hopes to conditionally rezone that property to redevelop it with 103 attached townhomes. The property is currently zoned TLM (technology and light manufacturing) and they want to retain that base zone but take the Towne Center (TC) overlay and extend it one property north to encompass this property. The TC Overlay allows for a residential development where the base zoning of TLM does not. This

ITEM 9:11-17 NEW BUSINESS (Conditional Rezoning Petition for 3144 Martin Road continued)

request is consistent with the Township Master Plan. The Planning Commission recommends approval. If the Township Board approves the Townes at Merrill Park's conditional rezoning petition Pulte would then return to the Planning Commission in the near future for approval of a fully-developed site plan for the owner-occupied attached townhome condominiums.

William Anderson, Project Engineer, Atwell LLC, gave a presentation of the Martin Parkway Townes. Joe Skore, Vice President of Land, Pulte Group of Michigan, LLC, was present.

MOTION by Weber, supported by Scott, to approve PCZ# 19-0001 the Conditional Rezoning Petition for 3144 Martin Road.

ROLL CALL VOTE

AYES: Weber, Scott, Sovel, Magner, Phillips, Creech

NAYS: Berkheiser

MOTION CARRIED

ITEM 10:11-17 ADOPTIONS

A. An Ordinance to Amend the Zoning Map of the Charter Township of Commerce to Known as Zoning Amendment Ordinance No. 3.049 – 3144 Martin road.

Hans Rentrop, Township Attorney, said the Amendment amends the zoning map to coincide with approving the conditional rezoning petition.

MOTION by Weber, supported by Scott, to Adopt the Charter Township of Commerce 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. 3.049. Post and publish according to law.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 11:11-17 ORDERS

MOTION by Weber, supported by Magner, to approve the Orders and Add Ons, as amended.

ITEM 11:11-17 ORDERS (Motion continued)

ROLL CALL VOTE

AYES: Weber, Magner, Creech, Phillips, Berkheiser, Sovel

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 12:11-17 OTHER MATTERS

Supervisor Scott –

- Outrun Hunger – refund of their security deposit.
- Union Lake Boat Launch – he has been in communication with the real estate division of the DNR. They have initiated the process to get the appraisal done. He asked them to look at the value of the boat launch and the parking lot to see if the Township only wants the boat launch site. The boat launch is not a buildable site. We should see a response from the DNR in 60-90 days. We agreed to pay for the appraisal cost. If the Township does not purchase the property, they will refund us the appraisal cost from the sale of the property. He sent communication to Jim Runestad and Ryan Berman to look at the opportunity for us to have a Lame duck session where the legislature in Lansing may convey this property to us at a reduction and not fair market value.
- COVID-19 update – because of Governor Whitmer's new COVID limitations for Michigan, activity at Township Hall has gone back to almost nothing. The Board may want to assist Supervisor Gray to come up with a way to potentially close the north entrance and only allow people to come in the east entrance. Additionally, restrict access to the building by appointments only to help reduce contact with employees.

Trustee Berkheiser –

- Asked for an update from Dave Campbell on the Marathon station. He did not think the property to the south and east could be a gas station. Dave Campbell said the property the gas station currently sits on is split zoned. The front half of it is zoned B3 and the back half of the property is zoned R1D. They refigured their plans and do not need a rezoning now.
- Swearing in for Township Board of Trustees will be on Thursday, November 19, 2020 at 5:30 at the Township Hall.

Trustee Weber –

- Outrun Hunger – 51 volunteers did a great job. The event was staged in four different heats, everyone wore masks and stayed 6' apart and went in 20-minute increments. They had 249 racers, 113 donors that contributed and 12 sponsors. They contributed \$22,189.00 that will provide 1,100 families with a warm Thanksgiving and Christmas meal in our area. All of that money will be donated to Hospitality House and Open door.

ITEM 12:11-17 OTHER MATTERS (continued)

- He noticed Lieutenant Wendy Reyes has not been to a few meetings. Supervisor Scott said she is in quarantine for COVID but she is responsive to texts and emails.

Supervisor Scott would like to have Outrun Hunger contact the Township for approval of tent location so all sprinkler heads can be marked to avoid possible damage from staking.

Trustee Magner –

- She noticed bikers and joggers are darting out into the roadway from the bike trails, especially at Benstein Road and the trail close to Maple Road. Supervisor Scott said Michigan Air Line Trail and The Road Commission for Oakland County have done extensive education and signage on how to cross roadways from the trails.

Trustee Sovel –

- Asked for an update on Cascade. Treasurer Phillips said this will be on the January agenda.

Treasurer Phillips –

- Tax collection will begin December 1, 2020. They will put a small flyer in the tax bills that are mailed to people that do not pay their taxes through a mortgage company advising them if they cannot come into the Township to pay their tax bill, they can make an appointment and we will make arrangements to assist them.

Jason Mayer –

- Volunteers put in approximately \$80,000 worth of landscape at Scarlet's playground. The pavement is complete.

Clerk Creech –

- Thanked David Scott for his leadership as the Township Supervisor for the last four years. Additionally, she thanked him for all of his assistance in the Clerks Department.

Supervisor Scott –

- Extended his thanks to the Board and to the professional staff of the Township. It has been an honor and privilege to work with everyone. Finally, he thanked the community for the opportunity to serve the Township as Supervisor for the last four years. He would like to stay involved with the Township.

ITEM 13:11-17 ADJOURNMENT

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

MOTION by Creech, supported by Magner, to adjourn the meeting at 10:25 p.m.

ROLL CALL VOTE

AYES: Creech, Magner, Phillips, Weber, Berkheiser, Sovel

NAYS: Scott

MOTION CARRIED



Melissa Creech, Clerk
Charter Township of Commerce