

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

**April 9, 2024**

2009 Township Drive  
Commerce Township, Michigan 48390

**CALL TO ORDER:** Supervisor Gray called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Present: Larry Gray, Supervisor  
Melissa Creech, Clerk  
Molly Phillips, Treasurer  
Robert Berkheiser, Trustee  
Vanessa Magner, Trustee  
Rick Sovel, Trustee  
George Weber, Trustee

Also Present: Hans Rentrop, Township Attorney  
David Campbell, Planning Director  
Jim Dundas, Fire Chief  
Emily England, Senior/Parks and Recreation Director  
Jay James, Building Official  
Alyson Lobert, Library Director  
Katelyn Massey, Finance/HR Director  
Jason Mayer, Giffels Webster Engineers  
Mark Schoder, Maintenance Director

**APPROVAL OF MINUTES**

**MOTION** by Sovel, supported by Creech, to approve the March 13, 2024 Regular Township Board Meeting minutes, as submitted.

**MOTION CARRIED UNANIMOUSLY**

**PRESENTATIONS**

**A. Dr. John Bernia – Walled Lake Consolidated School District 2024 School Improvement Bond Proposition**

Dr. John Bernia presented the Walled Lake School District 2024 School Improvement Bond coming up for election on May 7, 2024. The 2024 bond areas of focus are: infrastructure improvements, program enhancements, technology upgrades, and, safety and security. Total bond proposal is \$250,085.00; millage rate of 4.05%. The current bond millage rate is 4.13%.

**ITEM 1:4-9 APPROVAL OF AGENDA**

**MOTION** by Sovel, supported by Magner, to approve the April 9, 2024 agenda, as presented.  
**MOTION CARRIED UNANIMOUSLY**

**ITEM 2:4-9 PUBLIC COMMENTS**

Supervisor Gray opened Public Comments and advised the public that speaking time is limited to 3 minutes. This is for public comments only.

Paul Carlisle, 3351 Buss Dr., Commerce Township – with all the expensive housing being built in the Township, where is all the extra tax money going; is it going to the schools? Why ask for additional money to build nicer schools when enrollment is declining and the average student GPA is not high. He would rather see the money go toward better programs in the schools for the students. Last summer repairs/updates were done to Wixom Elementary School and now they want to tear it down. My tax dollars should not go toward demolishing Wixom school.

Kathleen Kubik 3420 Buss Dr., Commerce Township – The 2019 bond we have is going to be paid off in 2049. The 2020 bond will be paid off in 2050. The 2021 bond will be paid off in 2043 and the 2022 bond will be paid off in 2049. We already have at least 25 years of debt. Now they want to add to this. When will it end?

Michael Devergilio, 150 Demarist, Commerce Township – He is proposing an initiative for a SAD road improvement project in the Demarist/Barkley neighborhood. He said over 80% of the residents are in favor. He is asking the Board to consider the SAD.

Supervisor Gray closed Public Comments.

**ITEM 3:4-9 BOARD APPOINTMENTS**

**A. Tim Hoy – Reappointment to the Downtown Development Authority for a 4-Year Term Expiring May 31, 2028**

Tim Hoy was present.

**MOTION** by Gray, supported by Sovel, to Reappoint Tim Hoy to the Downtown Development Authority for a 4-Year Term Expiring May 31, 2028.

**MOTION CARRIED UNANIMOUSLY**

**B. Ron Krueger – Reappointment to the Park and Recreation Committee for a 4-Year Term Expiring May 31, 2028**

Ron Krueger was present.

**MOTION** by Gray, supported by Creech, to Reappoint Ron Krueger to the Parks and Recreation Committee for a 4-Year Term Expiring May 31, 2028

**MOTION CARRIED UNANIMOUSLY**

**ITEM 3:4-9 BOARD APPOINTMENTS (continued)**

**C. Betsy LaFond – Reappointment to the Library Advisory Board for a 3-Year Term Expiring May 31, 2027**

Betsy LaFond was present.

**MOTION** by Gray, supported by Magner, to Reappoint Betsy LaFond to the Library Advisory Board for a 3-Year Term Expiring May 31, 2027.

**MOTION CARRIED UNANIMOUSLY**

**D. Jason Pernick – Reappointment to the Library Advisory Board for a 3-Year Term Expiring May 31, 2027**

**MOTION** by Gray, supported by Creech, to Reappoint Jason Pernick to the Library Advisory Board for a 3-Year Term Expiring May 31, 2027.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 4:1-CONTRACT AWARDS AND AGREEMENTS**

**A. 2024 – 2027 Fire Dispatch Service Agreement and Resolution Between County of Oakland and The Charter Township of Commerce**

Hans Rentrop, Township Attorney, the Township's previous 2021 – 2024 Fire Dispatch Service Agreement with Oakland County expired on March 31, 2024. The proposed 2024 – 2027 Agreement is substantially like the 2021 – 2024 Agreement as far as the services to be provided. Changes within the proposed 2024 – 2027 Agreement include an increase in price and a modification to the way notice is to be provided under the Agreement. In 2007 the price was \$3,245 per month, in 2018 it was \$7,165, and in 2021 it was \$9,184. The fee for this year is \$9,741.01 per month. Next year it will be \$14,317.69 per month.

**MOTION** by Sovel, supported by Weber, to Approve the Resolution of The Township Board of The Charter Township of Commerce Approving Entry into the 2024 – 2027 Fire Dispatch Service Agreement Between County of Oakland and The Charter Township of Commerce.

**MOTION CARRIED UNANIMOUSLY**

**B. South Commerce Road RRFB Contract Award**

Jason Mayer, Giffels Webster, the low bid was submitted by Rauhorn Electric based in Bruce, MI at \$75,223.51. We recommend that the South Commerce Road RRFB Project construction contract be awarded to Rauhorn Electric in the amount of \$75,223.51.

**MOTION** by Sovel, supported by Creech, to Award the South Commerce Road RRFB Contract to Rauhorn Electric in an amount not to exceed \$76,000, funds to come from the General Fund. The budget for this project shall not exceed \$103,000.00 without prior authorization from the Township Board. **MOTION CARRIED UNANIMOUSLY**

**ITEM 4:1-CONTRACTS AWARDS AND AGREEMENTS (continued)**

**C. Bicentennial Park Improvements Contract Award**

Jason Mayer, Giffels Webster, recommends the contract be awarded to the low bidder, Best Asphalt for \$426,348.55.

Emily England gave an overview of the project.

**MOTION** by Berkheiser, supported by Phillips, to award the Bicentennial Park Improvement contract to Best Asphalt in the amount of \$426,348.55, funds to come from Open Space Fund. The budget for this project shall not exceed \$530,000.00 without prior authorization from the Township Board.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:4-9 ADOPTIONS**

**A. An Amendment to the Code of Ordinances to be Known as Code Amendment No. 1.070 Noxious Weeds**

Hans Rentrop, Township Attorney, said there were no changes made since this was introduced at the last Township Board meeting.

**MOTION** by Gray, supported by Creech, to Adopt an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be Known as Code Amendment Ordinance No. 1.070 noxious weeds, post and publish according to law.

**MOTION CARRIED UNANIMOUSLY**

**B. An Ordinance to Amend Ordinance No. 2.027 to be Known as The Charter Township of Commerce Fee Ordinance No. 2.028**

Hans Rentrop, Township Attorney, said there were no changes made since this was introduced at the last Township Board meeting.

**MOTION** by Sovel, supported by Magner, to Adopt an Ordinance to Amend Ordinance No. 2.027 to be Known as The Charter Township of Commerce Fee Ordinance No. 2.028, post and publish according to law.

**MOTION CARRIED UNANIMOUSLY**

**C. An Ordinance to Amend the Zoning Map to be Known as Zoning Amendment Ordinance No. 3.064 – 8168 Mario Drive**

David Campbell, Planning Director, said this is relative to a petition by Nicholas Green to rezone a parcel of land at 8168 Mario Drive. Mr. Campbell gave an overview of the rezoning request. The Planning Commission recommends approval.

**MOTION** by Weber, 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. 3.064, post and publish According to Law.

**MOTION CARRIED**

**UNANIMOUSLY**

**ITEM 6:4-9 NEW BUSINESS**

**A. Ordinance Introduction Process**

Trustee Weber said it feels like we are introducing a greater frequency of ordinances. The culmination of greater and more complex ordinances can possibly increase an unnecessary burden on our residents and businesses. An ordinance is basically a law. He does not feel the process is as efficient as it could be. By the time the ordinance comes to the Township Board, frequently there has been a tremendous amount of work done by staff and the township attorneys. This work may be completed before there has been any feedback from the Board. He feels it would be beneficial to first have a review of the need for an ordinance with the Township Board during their Quarterly Discussion meeting.

Trustee Sovel put together a list of potential questions to ask during the ordinance introduction process:

- 1) Who requested the potential ordinance?
- 2) What is the need?
- 3) What is the downside to not creating a new ordinance?
- 4) How many people or properties will it effect?
- 5) Are there any current ordinances or laws in place that address this issue?
- 6) What options are there to address this issue without creating a new ordinance?
- 7) Have other boards or commissions had input?
- 8) Has this been discussed with the Township Board?
- 9) What are the estimated creation costs for this ordinance?
- 10)What are the estimated ongoing costs for this ordinance?
- 11)What are the unintended consequences?
- 12)Has the Township Board approved moving forward?

**MOTION** by Weber, supported by Creech, to add "Ordinance Introduction Process" to the Township Board Quarterly Discussion meeting agenda.

**MOTION CARRIED UNANIMOUSLY**

**B. Job Descriptions**

Katelyn Massey, Finance/HR Director, is asking the Board to approve an updated job description for a Clerical Administrator and the job description for a Confidential Assistant for Human Resources, Finance and the Township Supervisor. Eventually, she would like to update all the Township job descriptions.

**MOTION** by Berkheiser, supported by Sovel, to approve the job description for a Clerical Administrator.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Magner, supported by Phillips, to approve the job description for a Confidential Assistant for Human Resources, Finance, and the Township Supervisor, with changes as discussed.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6:4-9 NEW BUSINESS (continued)**

**C. WRC Budget**

Treasurer Phillips said she has not received a Wastewater Treatment Plant Budget Summary for the past couple of years. WRC's 2024 budget started on October 1, 2023 however, she just received the 2024 budget summary last month. The reason she received the budget summary now was because they wanted authority to do some major maintenance and construction projects that are in their budget. The Township must approve their budget before we can tell them to go ahead with these projects.

Jason Mayer, Giffels Webster, said the first two pages of the budget summary are only for the Wastewater Treatment Plant. They contacted him to see if they can proceed with the projects and he advised them they have not submitted a budget summary for a few years. The submitted budget summary is the result of that conversation.

Discussion took place.

Supervisor Gray will contact Jim Nash, Water Resources Commissioner, and request he attend a Township Board Quarterly Discussion meeting.

**MOTION** by Berkheiser, supported by Magner, to Table WRC Budget.

**Treasurer Phillips voted No**

**MOTION CARRIED**

**ITEM 7:4-9 ORDERS**

**MOTION** by Creech, supported by Magner, to approve the Orders and Add Ons.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 8:4-9 OTHER MATTERS**

Trustee Weber –

- Demarist SAD – He is inclined to support the SAD to help residents that want to maintain their roads.

Jay James, Building Official, said historically, the Township does not want to get involved with maintenance of private roads.

Hans Rentrop, Township Attorney, said Township Public Improvements Act 188 provides Township Boards authority to make and specially assess improvements to either public or private roads.

It was the consensus of the Township Board to allow a Demarist SAD.

- He looked at other community websites and noticed they have a drop-down menu titled "How Do I" that will take you to other areas such as "how do I make a complaint," "how do I register to vote," "how do I initiate a SAD," etc. He would like to see this format in the Township's website.

**ITEM 8:4-9 OTHER MATTERS (continued)**

Trustee Berkheiser –

- He saw an email that said health care cost is going to go up next year.

Trustee Magner –

- Is there a calendar stating when all the Board appointments are up? Clerk Creech will email the calendar to Board members.

Supervisor Gray –


- Does the Board want me to continue working with Walled Lake School District to discuss additional resource officers? It was the consensus of the Board for Supervisor Gray to continue discussion with Walled Lake School District.
- All the equipment has been removed at the Log Cabin. The cell tower still needs to be removed. Does anyone have any issues on moving forward with the lawsuit to remove the tower? Hans Rentrop, Township Attorney said they breached the contract. It was the consensus of the Board to move forward with the lawsuit.
- Someone inquired about possibly purchasing 10 acres next to the Wastewater Treatment Plant for the purpose of installing solar panels.
- Walled Lake Northern High School would like to have 25 miles per hour speed limit flashing signs installed. He contacted White Lake Township to see if they would be interested in using Tri-Party Funds and he contacted The Road Commission for Oakland County to give us a quote.
- Multi Lakes Conservation Association inquired about one of our Class C quota licenses for alcohol.
- Michigan DNR changed their verbiage for nest/egg destruction.

**ITEM 9:4-9 ADJOURNMENT**

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

**MOTION** by Weber, supported by Berkheiser, to adjourn at 9:33 p.m.

**MOTION CARRIED UNANIMOUSLY**

  
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Melissa Creech, Clerk  
Charter Township of Commerce