

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

December 10, 2019
2009 Township Drive
Commerce Township, Michigan 48390

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 TO FLAG

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

Absent: Melissa Creech, Clerk (excused)
Robert Berkheiser, Trustee (excused)

Also Present: Jason Mayer, Giffels Webster Engineers
Phillip Adkison, Township Attorney
Hans Rentrop, Township Attorney
Fire Chief Jim Dundas
Lt. Wendy Reyes, Oakland County Sheriff's Office
Dave Campbell, AICP - Planning Director
Emily England, Senior Director
Jay James, P.E. Building Official

APPROVAL OF MINUTES

MOTION by Phillips, supported by Sovel, to approve the November 12, 2019 Special Township Board of Trustees Meeting Minutes, the November 12, 2019 Regular Township Board of Trustees Meeting Minutes, and the November 26, 2019 Special Township Board of Trustees Meeting Minutes, as submitted. **MOTION CARRIED UNANIMOUSLY**

PRESENTATIONS

A. Michigan Horse Council – Kallie Meyers

Kallie Meyers gave a presentation of the benefits on having an equestrian facility in the township. They offered their resources and assistance to help the township obtain information that would be helpful in the planning and implementation of equestrian opportunities.

B. WRC Budget

Brian Coburn, P.E. Chief Engineer, and Jared Buzo, Operations Engineer, gave a presentation on water and sewer budget summaries and year-end financials.

C. Michigan Search and Rescue K9 Team

Emily England, Senior Director, introduced Julie Grinnell, Ted Rockwell and Glory (rescue dog) from K9 Rescue. They would like to use one of the township parks for training purposes. The Parks and Recreation Committee recommends approval. Michigan Search and Rescue is a 501(c) (3) nonprofit organization that utilizes trained K9s to locate and recover missing persons.

MOTION by Sovel, supported by Magner, to authorize Emily England to work with the Township Attorney on a contract between Michigan Search and Rescue K9 Team and Commerce Township and present the contract to the Township Board at their January 2020 meeting.
MOTION CARRIED UNANIMOUSLY

ITEM 1: APPROVAL OF AGENDA

MOTION by Sovel, supported by Magner, to amend the December 10, 2019 Regular Township Board of Trustees Meeting Agenda as follows: Add **B. Employee Pay Scale Evaluation** under ITEM 6: OLD BUSINESS.
MOTION CARRIED UNANIMOUSLY

ITEM 2: PUBLIC COMMENTS

Supervisor Scott asked if anyone present had any public comments.

Ken Casagrande, 2630 Wynclyff Dr. said he is employed in Novi, Michigan and rides his bike to work. He has come upon some obstacles on his way to work and would like to see a path that would accommodate safe travels as he rides his bike to work.

Hans Rentrop, Township Attorney, spoke on the Peninsular Park paving issue. He said West Bloomfield has not entered into an agreement yet on the SAD, therefore the public hearing will not take place during tonight's meeting. West Bloomfield expressed an interest in joining Commerce Township in the SAD. A public hearing will be set as soon as bids on the paving project are received and West Bloomfield signs the agreement.

Jay James, P.E. Building Official, said he received an email from West Bloomfield stating the agreement should be signed by the end of January 2020.

ITEM 3: PUBLIC HEARINGS

A. Establishment Resolution – Special Projects No. 44 SAD

Supervisor Scott opened public hearing.

No one had any comments.

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. 44, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 4: ADOPTIONS

A. An Ordinance to Amend Ordinance No. 2.018 to be Known as Fee Ordinance No. 2.019

MOTION by Magner, supported by Weber, to Adopt an Ordinance to Amend Ordinance No. 2.018 to be Known as The Charter Township of Commerce Fee Ordinance No. 2.019, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

B. An Ordinance to Amend Article 6 of Zoning Ordinance 3.000, to be Known as Zoning Amendment Ordinance No. 3.043

Dave Campbell, Planning Director, explained the amendment and said the Planning Commission recommends adoption.

MOTION by Weber, supported by Phillips, to Adopt an Ordinance to Amend Article 6, of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan to be Known as Zoning Amendment Ordinance No. 3.043, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 5: CONSENT AGENDA

A. 2020 Meeting Schedules

B. 2020 Holiday Closings

C. 2019 Budget Amendments

MOTION by Sovel, supported by Phillips, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda, with a correction to the typo on the RCC Holiday Closings, changing Martin Luther King, Jr. Day from January 2, 2020 to the correct day of January 20, 2020.

MOTION CARRIED UNANIMOUSLY

ITEM 6: OLD BUSINESS

A. Horse Farm Committee Update

Treasurer Phillips is Chairperson of the Horse Farm Committee and said the committee feels that the first step would be to get a new concession agreement in place (as opposed to selling or leasing the property). The concession agreement under which we are operating is currently month-to-month. Establishing an updated agreement with an extended term will allow those involved to proceed without the thought that the rug might be pulled at any moment. It will also allow Carrie to maintain her current level of service to the Community – which is what the Board indicated was the intent when they stopped the eviction from going forward. If the community believes the Township is not backing this project and a shutdown is forthcoming, then the school teams, the other lesson-takers, the staff and the trainers will all be looking for an “elsewhere” to move to. Any of these events would undermine Carrie’s ability to maintain operations. As such, I would like permission to proceed with updating the concession agreement (with discussions between Hans, me and Carrie) into a workable solution to present to the Board for approval.

The Second step would be to have the Board instruct Supervisor Scott to contact Ron Campbell, Oakland County Preservation, and request that he do a report on the property (similar to that which was done for Byers Farm). The request must come from the Supervisor.

Trustee Magner asked if this statement was from the subcommittee or from Treasurer Phillips. Treasurer Phillips advised that while there were items from the subcommittee, she wrote this statement on her own.

Discussion ensued among board members on if there was value in waiting, potentially a year, for Ron Campbell’s analysis or whether it would be more efficient/timely to have Jay James or an independent civil engineer provide the analysis. Mr. James believes he is the best person suited to conduct the analysis of the site and building because he is a civil engineer and is the Township Building Official. The board asked Mr. James if the analysis could be completed by the end of March for inclusion in next April’s Board materials and Mr. James agreed. Trustee Weber advised there were many other decisions which could be finalized in the next few months, including: a new concession agreement, insurance requirements, operating and concession fee financials, property maintenance responsibilities, potential 501(c)(3), etc.

MOTION by Weber, supported by Sovel, to direct Molly Phillips to work with the Township Attorney to draft a concession agreement for the horse farm located at 2552 Wixom Road.

MOTION CARRIED UNANIMOUSLY

B. Personnel Evaluation Process

Trustee Sovel would like the Personnel Evaluation Process Committee to begin working on the process for township employees (supervised employees and supervisory employees) the beginning of 2020. The goal is to develop a process to recognize and reward employees who do an exceptional job in hopes the township will retain hard working, qualified employees. Supervisor Scott advised he has reached out to EctoHR to provide costs for developing materials and resources for a program.

ITEM 7: NEW BUSINESS

A. Michigan Search and Rescue K9 Team

No action – discussed under Presentations

B. Richardson Community Center Rental Policies

Emily England, Senior Director, said the Parks and Recreation Committee recommends approval of the amended Richardson Center Policy.

Hans Rentrop, Township Attorney, reviewed the policy and recommends changes to the policy.

MOTION by Weber, supported by Magner, to approve the amended Richardson Community Center Policies with changes as recommended by the Township Attorney.

MOTION CARRIED UNANIMOUSLY

C. Hickory Glen Field 7 Repair

Emily England, Senior Director, said the Parks and Recreation Committee recommends moving forward with the Hickory Glen Field #7 repairs by Suburban Landscape.

Josh Springer, Lakes Athletics, is asking for \$4,200+ for repairs to the dugout.

MOTION by Weber, supported by Sovel, to approve up to \$4,300.00 for the Hickory Glen Field #7 repairs. Funds to come from the Parks and Recreation Grounds Maintenance Fund.

Discussion –

Supervisor Scott questioned if the Maintenance Department looked at the site to see if they can repair the dugout. Treasurer Phillips questioned if our Maintenance Department had the expertise or equipment to properly handle the job.

Jason Mayer, Giffels Webster Engineers, feels \$4,300 is not an unreasonable amount of money for repairs because of the scope of work needed, including crushed limestone, drainage tubing and grading

Supervisor Scott would like the debris (brush) removed or moved that Lakes Athletics placed at the rear of the property. He said this area is used by Wolverine Village. Mr. Springer said he did not know that Wolverine Village uses that area. Mr. Springer said trucks are getting stuck trying to remove the debris. They will get in contact with Mark to identify where the material needs to be moved, and will take care of this as soon as possible, but no later than May 2020.

ROLL CALL VOTE:

AYES: Weber, Sovel, Phillips

NAYS: Magner, Scott

ABSENT: Creech, Berkheiser

MOTION CARRIED

ITEM 7: NEW BUSINESS (continued)

D. WRC Budget

Discussion took place on why the 2019 costs for personnel and contracted services were substantially over budget, specifically as it relates to overall costs exceeding revenues. Brian Coburn, P.E. Chief Engineer WRC, did not have an immediate answer but will report back to the board on the budget variance. Mr. Coburn is requesting approval for the scope of work that will be done by the WRC.

MOTION by Phillips, supported by Scott, to approve the FY2020 Proposed Budget Summary Commerce Township Sanitary Sewer System December 10, 2019 and authorize the appropriate signatures.
MOTION CARRIED UNANIMOUSLY

E. Resolution for Property Tax Payment Designee Appointments

Treasurer Phillips said a new law was passed and became effective November 21, 2019 that changed the language for tax collection.

MOTION by Magner, supported by Sovel, to approve the Resolution for Property Tax Payment Designee Appointments as stated in the Resolution as long as there are no changes made to the designee appointments.
MOTION CARRIED UNANIMOUSLY

ITEM 8: ORDERS

MOTION by Phillips, supported by Scott, to approve the orders and add-ons.
MOTION CARRIED UNANIMOUSLY

ITEM 9: OTHER MATTERS

Trustee Magner would like the board to keep in mind the need to discuss guidelines for improvements made to Township property.

Trustee Weber – The Planning Commission voted unanimously to again deny the Ordinance amendment that would allow any beer & wine establishment to receive a SSD license to sell off-premises spirits. The original petition focused on the fact they would limit this to only those businesses which received a very restrictive Resort License. The new language eliminates this restriction and makes it easier for any business with a beer & wine license to sell spirits. He also stated a number of residents spoke out against this change at the Planning Commission Public Hearing. Trustee Sovel asked why the Planning Commission again voted to deny this. Trustee Weber stated there were two primary concerns: first was the documented negative secondary effects for selling liquor near schools and residential areas and second, the new language would eliminate the requirement of restricting the number of off premises sales locations within close proximity to one another. For example in Commerce Village, which is very close to a school and neighborhoods, there could be 4 within a quarter mile

Trustee Weber – The township calendar shows the Drug Traffic Agreement expires in one year. What happens then? Supervisor Scott said it depends on if there is federal grant money

ITEM 9: OTHER MATTERS (Trustee Weber continued)

available to oversee the High Intensity Drug Trafficking Area (HIDTA). He also noticed the grinder pump installation agreement expires at the end of the year. Jay James said this can be extended up to 2 years as long as both parties sign the agreement. He will bring this back to the Township Board at the January 2020 meeting.

Supervisor Scott – Library Director Position - they offered interviews to 4 individuals although one applicant accepted a position in another community. Interviews are scheduled on December 17, 2019 for 3 applicants.

Supervisor Scott – GFL is placing waste containers at the Township Hall parking lot. Three lights were stolen from the M5 Bridge.

ITEM 10: CLOSED SESSION

A. Paid On Call Firefighters Contract Negotiations

MOTION by Magner, supported by Scott, to enter into Closed Session to discuss Paid On Call Firefighters Contract Negotiations.

ROLL CALL VOTE:

AYES: Phillips, Weber, Magner, Sovel, Scott

NAYS: None

ABSENT: Creech, Berkheiser

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session: 9:49 p.m.

Returned from Closed Session: 10:20 p.m.

MOTION by Phillips supported by Magner, to adjourn from Closed Session and direct the committee to proceed as discussed

ROLL CALL VOTE:

AYES: Phillips, Magner, Weber, Sovel, Scott

NAYS: None

ABSENT: Creech, Berkheiser

MOTION CARRIED UNANIMOUSLY

ITEM 11: ADJOURNMENT

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

MOTION by Phillips, supported by Magner, to adjourn the meeting at 10:24 p.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce