

**CHARTER TOWNSHIP OF COMMERCE  
TOWNSHIP BOARD OF TRUSTEES MEETING  
December 12, 2023  
2009 Township Drive  
Commerce Township, Michigan 48390**

**CALL TO ORDER:** Supervisor Larry Gray called the meeting to order at 7:00 p.m. and introduced the members of the Board.

**PLEDGE OF ALLEGIANCE**

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

Absent: Melissa Creech, Clerk (excused)

Also Present: Hans Rentrop, Township Attorney  
Dave 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  
Ben Sebrowski, IT Director

**APPROVAL OF MINUTES**

**MOTION** by Sovel, supported by Magner, to approve the November 7, 2023 Special Township Board Meeting minutes, the November 14, Special Township Board Meeting minutes, and the November 14, 2023 Regular Township Board Meeting minutes, as submitted. **MOTION CARRIED UNANIMOUSLY**

**PRESENTATIONS**

**A. Five & Main**

Bruce Aikens, Developer of Five & Main, was present and gave an update on the Five & Main project. Financing for the project can move forward now that 75% of retail space has been secured. Architectural work will begin the first part of 2024. They are on

**PRESENTATIONS (Five & Main continued)**

schedule to close on the residential property in February, with Continental breaking ground in the spring of 2024.

**ITEM 1:12-12 APPROVAL OF AGENDA**

**MOTION** by Magner, supported by Sovel, to approve the December 12, 2023 agenda, as presented.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 2:12-12 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.

There were no public comments.

Supervisor Gray closed Public Comments.

**ITEM 3:12-12 BOARD APPOINTMENTS**

**A. Susan Spelker – Resignation from the Downtown Development Authority**

**MOTION** by Gray, supported by Phillips, to accept the Resignation letter from Susan Spelker from the Downtown Development Authority.

**MOTION CARRIED UNANIMOUSLY**

**B. Robert Sackleh – Appointment to the Downtown Development Authority for a Partial Term Ending March 31, 2026**

**MOTION** by Gray, supported by Weber, to appoint Robert Sackleh to the Downtown Development Authority for a partial term to expire March 31, 2026.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 4:12-12 2024 TOWNSHIP BUDGET**

**A. 2024 Elected Officials' Wages**

Dave Campbell, Planning Director, is requesting a new full-time position named "Associate Planner" position for the Planning Department. The title "Planner" will be renamed to "Senior Planner".

**MOTION** by Sovel, supported by Magner, to approve the 2024 Elected Officials' salary, as submitted by the Supervisor.

Discussion:

Trustee Berkheiser would like #8 changed to a 6% salary increase.

Trustee Magner would like # 7 changed to a 6% salary increase.

**ITEM 4:12-12 2024 TOWNSHIP BUDGET (2024 Elected Officials' Wages continued)**

Trustee Weber would like #8 changed to a 6% salary increase.

Trustee Sovel would like #7 changed to a 6% salary increase.

Supervisor Gray would like #7 changed to a 6% salary increase.

**MOTION** by Sovel, supported by Magner, to Amend the Motion to include a 6% salary increase for the three (3) full time elected officials: Supervisor - \$111,716.00, Clerk and Treasurer - \$107,650.00, and the Deputy Clerk and Deputy Treasurer - \$82,890.00.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Magner, supported by Sovel, to approve the 2024 Director's salary, as presented, with a change to #7 at a 6% salary increase.

**Berkheiser and Weber Opposed**

**MOTION CARRIED**

**B. Boards' and Commissions' Pay**

**MOTION** by Magner, supported by Weber, to approve the 2024 Boards' and Commissions' wages with no increase from 2023.

Discussion:

Trustee Berkheiser would like to increase the wage.

**MOTION** by Gray, supported by Berkheiser, to approve the 2024 Board's and Commission's wages at \$100 per meeting.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Sovel, supported by Phillips, to maintain the 2024 Board of Trustees wages at \$250 per meeting.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Weber, supported by Berkheiser, to approve the Supervisor's recommendations with the following changes: 4% salary increase for non-union employees that were previously designated for a 3% increase, to be consistent with Fire Department and AFSCME Unions employees, and a 6% salary increase for the Parks and Recreation Assistant.

**MOTION CARRIED UNANIMOUSLY**

**C. 2024 Township Budget**

**MOTION** by Sovel, supported by Magner, to approve the 2024 Township Budget, with changes as discussed.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:12-12 CONTRACT AWARDS AND AGREEMENTS**

**A. Welch Road Cost Participation Agreement – Tri-Party Funds and RCOC**  
Supervisor Gray said the total project cost is \$840,000, Township cost is \$280,000 and the remainder cost is paid from Tri-Party Funds.

Discussion took place if the Board should look at other road repairs that are needed in the Township instead of using Tri-Party funds to repave Welch Road.

Supervisor Gray will contact the Road Commission for Oakland County to see if they will repave Welch Road without using Tri-Party money. He will obtain costs for all the studies and intersections that were discussed and bring them back to the Board for review.

**ITEM 7:12-12 ADOPTIONS**

**A. An Ordinance to Amend Ordinance No. 2.025 to be Known as Fee Ordinance No. 2.026**

Hans Rentrop, Township Attorney, said there were no changes from Introduction. He recommends making the effective date January 1, 2024.

**MOTION** by Sovel, supported by Berkheiser, to Adopt the Charter Township of Commerce Ordinance to Amend Ordinance No. 2.025 To Be Known as The Charter Township of Commerce Fee Ordinance No. 2.026, with the effective date changed to January 1, 2024, post and publish according to law.

**MOTION CARRIED UNANIMOUSLY**

**B. An Ordinance to Amend Ordinances to be Known as Code Amendment Ordinance No. 1.066 – To Create an Exemption from Transfer Fee Requirements**

Hans Rentrop, Township Attorney, said there were no changes from Introduction

**MOTION** by Magner, supported by Phillips, to Adopt the Charter Township of Commerce Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be Known as Code Amendment Ordinance No. 1.066, post and publish according to law. **MOTION CARRIED UNANIMOUSLY**

**C. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.067 – To Amend Chapter 36, “Telecommunications,” and to Repeal Article II, “Cable Communications”**

**MOTION** by Sovel, supported by Magner, to Adopt 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. 1.067, post and publish according to law. **MOTION CARRIED UNANIMOUSLY**

**ITEM 7:12-12 CONSENT AGENDA**

- A. 2024 Meeting Schedules**
- B. 2024 Holiday Closures**
- C. 2023 Budget Amendments**

**MOTION** by Sovel, supported by Magner, to Approve the Resolution of the Township Board of the Charter Township of Commerce approving Consent Agenda.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 8:12-12 PURCHASES**

**A. Library Furniture**

Alyson Lobert, Library Director, is asking for approval to purchase additional shelving for the library's Youth Room, upgraded tables for the Robin Room and study pods to be installed in the Adult Department.

**MOTION** by Magner, supported by Sovel, to approve the purchase of Commerce Township Community Library furniture: additional shelving for the Youth Room, upgraded tables for the Robin Room and study pods to be installed in the Adult Department from Library Design Associates, Inc. (Proposals P-37163 dated 11-8-2023, P-34925.1 dated 11-8-2023 and P-34925.1 dated 11-8-2023) in an amount not to exceed \$66,000 from 2024 Budget money.

**MOTION CARRIED UNANIMOUSLY**

**B. KnowBe4 Software – HR and IT Departments**

Katelyn Massey, Finance/HR Director, and Ben Sebrowski, IT Director, are asking for approval to subscribe to Knowbe4, a training and security platform that would allow the IT and HR departments to administer compliance training for all Township employees.

**MOTION** by Magner, supported by Sovel, to subscribe to KnowBe4 (quote Q-929773 dated 11-29-2023) for 3 years at a cost not to exceed \$13,000.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 9:12-12 OLD BUSINESS**

**A. AFSCME Union Contract**

**MOTION** by Sovel, supported by Phillips, to approve the AFSCME Union Contract for the period January 1, 2024 – December 31, 2028.

**MOTION CARRIED UNANIMOUSLY**

**B. LysteGro Marketing and Application Coordination Agreement**

**MOTION** by Sovel, supported by Magner, to remove LysteGro Marketing and Application Coordination Agreement from the Table.

**MOTION CARRIED UNANIMOUSLY**

Jason Mayer, Giffels Webster, provided the Board with answers to questions they had during the Township Board meeting in November 2023.

**ITEM 9:12-12 OLD BUSINESS (LysteGro Marketing and Application Coordination Agreement continued)**

**MOTION** by Weber, supported by Sovel, to approve LysteGro Marketing and Application Coordination Agreement between Lystek International Ltd. and the Charter Township of Commerce and the Consent to Receipt of Confidential Information, and authorize the appropriate signatures. **MOTION CARRIED UNANIMOUSLY**

**C. Resolution – Everstream Metro Act Right of Way Permit Application**

**MOTION** by Sovel, supported by Berkheiser, to approve the Resolution of The Township Board of The Charter Township of Commerce to Approve Everstream Metro Act Right of Way Permit Application. **MOTION CARRIED UNANIMOUSLY**

**ITEM 10:12-12 NEW BUSINESS**

**A. Open Space Millage**

Emily England, Senior/Parks and Recreation Director, said the Parks and Recreation Committee recommends approval.

**MOTION** by Sovel, supported by Phillips, to approve the Renewal of Charter Township of Commerce Millage for Park Improvements and Creation and Acquisition of Open Space to be placed on the August 2024 ballot.

Discussion:

Trustees Berkheiser and Weber requested the millage to be on the November ballot when more residents have historically voted versus the lower turnout Primary Elections.

**Berkheiser and Weber voted no**

**MOTION CARRIED**

**B. Intention Resolution – Special Projects No. 51**

**MOTION** by Berkheiser, supported by Phillips, to approve the Resolution of The Township Board of The Charter Township of Commerce, Tentatively Declaring Its Intention to Establish a Special Assessment District to Be Known as Special Projects No. 51. **MOTION CARRIED UNANIMOUSLY**

**MOTION** by Gray, supported by Berkheiser, to amend the Motion under **ITEM 1:12-12 APPROVAL OF AGENDA** to include **C. Michigan Air Line Trail Application** and **D. Silo Ranch Discussion** under **ITEM 10:12-12 NEW BUSINESS**.

**MOTION CARRIED UNANIMOUSLY**

**C. Michigan Air Line Trailway Application**

Supervisor Gray said the Resolution is the Township's support of the Michigan Air Line Trailway Council's application to the State of Michigan to receive designation as a Pure Michigan Trail.

**ITEM 10:12-12 NEW BUSINESS (Michigan Air Line Trailway Application continued)**

**MOTION** by Sovel, supported by Phillips, to approve the Resolution of the Township Board of the Charter Township of Commerce Supporting Michigan Air Line Trailway Application for Pure Michigan rail Designation. **MOTION CARRIED UNANIMOUSLY**

**D. Silo Ranch Discussion**

Trustee Berkheiser said the new concessionaire needs to have a water line installed from the barn to the pastures for the horses. Also, we should move forward on roof repairs.

Emily England, Senior/Parks and Recreation Director, reminded the Board that we were going to replace 5 fire hydrants and to date we replaced 3 hydrants. Since there is no water source to the pastures right now, we could run a water line and install a Horse drinking post at a cost of \$5,800 in lieu of replacing the remainder 2 hydrants. As the previous concessionaire left the roof in a condition of disrepair, there are several roof leaks at the clear roof panels and metal panel fasteners on the barn. The cost to replace the clear roof panels is \$26,889. The cost to prep and seal the roof will cost \$19,989. Any maintenance issues that come up after the repairs are complete will be the tenant's responsibility to maintain it.

**MOTION** by Weber, supported by Berkheiser, to approve up to \$60,000 for repairs at 2552 Wixom Road as discussed: run a water line from the barn to the pastures and install a drinking post, replace the damaged clear roof panels on the barn, and apply coating to seal the barn roof. **MOTION CARRIED UNANIMOUSLY**

**ITEM 11:12-12 ORDERS**

**MOTION** by Magner, supported by Sovel, to approve the Orders and Add Ons. **MOTION CARRIED UNANIMOUSLY**

**ITEM 12:12-12 OTHER MATTERS**

Trustee Weber –

- Would like to discuss the following during the next Township Board Quarterly Meeting: 1) If the SAD threshold, presently at 51%, should be higher, 2) Framework for discussing Ordinance Amendments, and 3) Review our Fee Ordinances with Jay James.

Trustee Berkheiser –

- The report he received shows -0- signs were removed by the Ordinance Officer. He asked for clarification because there are several signs that are still up in the Township.

**ITEM 12:12-12 OTHER MATTERS (Trustee Berkheiser continued)**

- He asked what the outcome was on cemeteries during the November meeting in regards to pricing for residents/non-residents, etc. The Township Clerk will address this at the January 2024 Township Board Discussion Meeting.

Treasurer Phillips –

- Does anyone have any questions on the reports and communications she submitted? Discussion took place and no changes were made to the reports.

**ITEM 13:12-12 ADJOURNMENT**

**MOTION** by Phillips, supported by Sovel, to adjourn the meeting at 9:09 p.m.

**MOTION CARRIED UNANIMOUSLY**



Melissa Creech, Clerk  
Charter Township of Commerce