

**CHARTER TOWNSHIP OF COMMERCE  
TOWNSHIP BOARD OF TRUSTEES MEETING  
October 11, 2022  
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  
Melissa Creech, Clerk  
Molly Phillips, Treasurer  
Robert Berkheiser, Trustee  
Rick Sovel, Trustee  
George Weber, Trustee

Absent: Vanessa Magner, Trustee (excused)

Also Present: Hans Rentrop, Township Attorney  
John Kummer, Township Attorney  
Janet Bushey, Human Resource/Finance Director  
Dave Campbell, Planning Director  
Jim Dundas, Fire Chief  
Emily England, Senior/Parks and Recreation Director  
Jay James, Building Official  
Alyson Lobert, Library Director  
Jason Mayer, Giffels Webster Engineers  
Mark Schoder, Maintenance Director

**APPROVAL OF MINUTES**

**MOTION** by Sovel, supported by Creech, to approve the September 13, 2022 Regular Township Board of Trustees Meeting minutes, the September 13, 2022 Special Township Board of Trustees Meeting minutes, September 27, 2022 Special Township Board of Trustees Meeting minutes and the October 4, 2022 Special Township Board of Trustees Meeting minutes, as submitted. **MOTION CARRIED UNANIMOUSLY**

**ITEM 1:10-11 APPROVAL OF AGENDA**

**MOTION** by Phillips, supported by Berkheiser, to approve the October 11, 2022 agenda. **MOTION CARRIED UNANIMOUSLY**

**ITEM 2:10-11 PUBLIC COMMENTS**

Supervisor Gray opened Public Comments.

Supervisor Gray stated the decision to terminate the current contract for the horse farm with Carrie Hancock was a long and hard decision. Public comments are limited to two minutes per person.

Carrie Hancock, 2552 Wixom Road, Commerce Township, Michigan, said she was surprised the Township terminated her contract with them for the horse farm (Windmill Farms). She is asking the Board to suspend the Notice to Quit and work towards reinstatement of her contract. She began to share a PowerPoint presentation with the Board.

Because of the two minute limit per person for public comments, the following people continued to read Ms. Hancock's PowerPoint presentation.

Amy Willis, 1875 Greenmeadow Drive, Walled Lake, Michigan. She also stated that she is in support of Windmill Farms.

Lori Watson, 1288 North Pontiac Trail, Walled Lake, Michigan. She also stated that she is in support of Windmill Farms.

Roxanne Sanders, 1510 Furnwall Street, West Bloomfield, Michigan.

Ken Willis, 1875 Greenmeadow Drive, Walled Lake, Michigan.

Ms. Lauren Willis, 1875 Greenmeadow Drive, Walled Lake, Michigan.

Addison Kade, 1288 Pontiac Trail, Walled Lake, Michigan.

Barry Raboutnick, 4910 Carroll Lake Road, Commerce Township, Michigan. He heard a rumor that he was upset because his bid for the horse farm did not go through because Ms. Hancock decided to do otherwise. He said nothing could be further from the truth. Ms. Hancock runs an extremely good program. He was told the sub-committee that was formed to put the process forward to terminate Ms. Hancock's contract was a working group and not open to the public and information was not available for the public to review. He expects more transparency from the Township.

Tim Sawmiller, 3090 Belle Terre, Commerce Township, Michigan. He spoke of the Township library. The First Amendment to the U.S. Constitution protects the freedom of speech, religion and the press. He said this includes an individual's right to receive information on a wide range of topics from a variety of viewpoints. Public funded libraries play an important role in facilitating free and open acts of information. He supports the library's right to free speech.

**ITEM 2:10-11 PUBLIC COMMENTS (continued)**

Supervisor Gray closed Public Comments.

**ITEM 3:10-11 PUBLIC HEARING FOR 2023 TOWNSHIP FIRE & RESCUE PROTECTION SPECIAL ASSESSMENT DISTRICT**

Supervisor Gray opened the Public Hearing.

There were no comments or questions from the public.

Supervisor Gray closed the Public Hearing.

**ITEM 4:10-11 RESOLUTION CONFIRMING 2023 TOWNSHIP FIRE & RESCUE PROTECTION SPECIAL ASSESSMENT ROLL**

**MOTION** by Sovel, supported by Creech, to approve the Township Fire & Rescue Protection Special Assessment District Resolution Confirming 2023 Special Assessment Roll.

**ROLL CALL VOTE**

**AYES:** Sovel, Creech, Weber, Phillips, Berkheiser, Gray

**NAYS:**

**ABSENT:** Magner

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:10-11 PUBLIC HEARING FOR 2023 TOWNSHIP POLICE PROTECTION SPECIAL ASSESSMENT DISTRICT**

Supervisor Gray opened the Public Hearing.

There were no comments or questions from the public.

Supervisor Gray closed the Public Hearing.

**ITEM 6:10-11 RESOLUTION CONFIRMING 2023 TOWNSHIP POLICE PROTECTION SPECIAL ASSESSMENT ROLL**

**MOTION** by Sovel, supported by Creech, to approve the Township Police Protection Special Assessment District Resolution Confirming 2023 Special Assessment Roll.

**ROLL CALL VOTE**

**AYES:** Sovel, Creech, Berkheiser, Weber, Phillips, Gray

**NAYS:**

**ABSENT:** Magner

**MOTION CARRIED UNANIMOUSLY**

**ITEM 7:10-11 INTRODUCTIONS**

**A. An Ordinance to Amend the code of Ordinances to be Known as Code Amendment Ordinance No. 1.060 – Allow Variances from the Restriction of Sec. 34-20(1) and Reduce the Performance Guarantee for Construction of Sidewalks and Recreational Pathways**

Hans Rentrop, Township Attorney, explained the Amendment to the Code of Ordinances addressing streets and sidewalks. This will allow for variances from the restriction of Sec. 34-20(1), which requires that all new roads be public and reduce the performance guarantee for construction of sidewalks and recreational pathways found in Sec. 34-86(b) to 5% in conformity with the Township's Fee Ordinance.

**MOTION** by Weber, supported by Berkheiser, 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. 1.060, post and publish according to law.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 8:10-11 ADOPTIONS**

**A. An Ordinance to Amend Article 2 and Article 30 of the Zoning Ordinance 3.000 to be Known as Zoning Amendment Ordinance No. 3.058 - Signs**

David Campbell, Planning Director, explained the Amendment to the Zoning Ordinance and said the Planning Commission recommends approval.

John Kummer, Township Attorney, reviewed the Amendment and answered questions from Board members.

Trustee Sovel initiated discussion on property owners right to put an unlimited amount of political signs on their property.

Hans Rentrop, Township Attorney, recommends the Board approve the Amendment knowing they can amend this again at any time.

**MOTION** by Creech, supported by Weber, to Adopt an Ordinance to Amend Article 2 and Article 30 of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan to be Known as Zoning Amendment Ordinance No. 3.058, post and publish according to law.

Trustee Sovel voted No

**MOTION CARRIED**

**ITEM 9:10-11 OLD BUSINESS**

**A. Oakland County Sheriff's Substation**

Supervisor Gray gave an update on the substation. He advised the Board that two bids were received. One came in at 2.5 million dollars and the other at 2.3 million dollars, which is \$800,000 over from the last time the Board approved it. The sub-committee

**ITEM 9:10-11 OLD BUSINESS (Oakland County Sheriff's Substation continued)**  
recommends we rebid this in January 2023 because more bids may be received at that time.

**MOTION** by Gray, supported by Berkheiser, to approve \$5,000 to rebid construction of the Oakland County Sheriff's Substation. **MOTION CARRIED UNANIMOUSLY**

**B. Reserve at Crystal Lake Easement Acquisition Project**

Hans Rentrop, Township Attorney, said the Township Board approved the compensation amount of \$2,345.00 for the water, sewer, and temporary construction easements for parcel no. 17-05-200-043, owned by International Transmission Company ("ITC"). Following discussions with representatives of ITC and the Developer, the total compensation now agreed upon and required for all ITC easements is \$13,019.00.

**MOTION** by Weber, supported by Sovel, to approve \$13,019.00, the increased cost of the water, sewer, and temporary construction easements for the ITC-owned parcel no. 17-05-200-043 to be paid for by Commerce Investment Company, LLC.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 10:10-11 NEW BUSINESS**

**A. October 31, 2022 Halloween Trick or Treat Hours – 6:00 p.m. to 8:30 p.m.**

**MOTION** by Sovel, supported by Creech, to approve Commerce Township October 31, 2022 Halloween Trick or Treat Hours – 6:00 p.m. to 8:30 p.m.

**MOTION CARRIED UNANIMOUSLY**

**B. Intention Resolution – Special Projects No. 49**

Hans Rentrop, Township Attorney, explained the Resolution.

**MOTION** by Phillips, supported by Berkheiser, 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. 49.

**MOTION CARRIED UNANIMOUSLY**

**C. Intention Resolution – Golf Lane Snow Plowing SAD**

Hans Rentrop, Township Attorney, explained the Resolution.

**MOTION** by Berkheiser, supported by Creech, 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 Golf Lane Snow Plowing Special Assessment District.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 10:10-11 NEW BUSINESS (continued)**

**D. FEMA Grant – Fire Department**

Jim Dundas, Fire Chief, is asking for approval to accept up to \$91,476.34 in FEMA grant funding to improve their ability to wash and dry firefighter turnout gear in all of the fire stations. It has been proven that dirty turnout gear is a carcinogen. Cancer is the leading cause of death for firefighters. The grant provides a onetime lump sum of up to \$91,476.34 and is structured so that Commerce would have a 10% matching funds obligation (up to \$9,147.64).

**MOTION** by Sovel, supported by Phillips, to accept up to \$91,476.34 in FEMA grant funding for the Fire Department and approve a 10% Township matching fund obligation (up to \$9,147.64). Funds to come from the Fire Department Fund.

**MOTION CARRIED UNANIMOUSLY**

**E. Resolution Opposing Proposed Oakland County Public Transit Millage**  
Supervisor Gray read the Resolution out loud to the public.

**MOTION** by Phillips, supported by Berkheiser, to approve the Resolution of The Township Board of The Charter Township of Commerce Opposing Proposed Oakland County Public Transit Millage with the following changes: reference in the 4<sup>th</sup> WHEREAS paragraph that the \$2,300,000 would be collected from the "taxpayers of the Charter Township of Commerce.", adding an additional WHEREAS paragraph stating that Commerce contracts with People's Express to provide transportation services to residents an annual cost of approximately \$183,000. and adding signature lines for each Township Trustee to the resolution.

**MOTION CARRIED UNANIMOUSLY**

**F. Building Department Fund**

Supervisor Gray explained how the Building Department funds are received and paid out.

As of January 31, 2022 thru August 31, 2022, \$132,480 has been paid to the Township for services in rent from the Building Fund. KER Engineering charges 85%, then in return pays the Township 15% which goes into the Building Department Fund.

**MOTION** by Berkheiser, supported by Creech, to modify the Building Department Fund Formula to 70% for KER Engineering, 22% to the Township, 8% to the Building Department Fund beginning January 1, 2023 and reflect this in the contract with KER Engineering.

**MOTION CARRIED UNANIMOUSLY**

**G. 2023 Township Budget Discussion**

Supervisor Gray discussed a few additions to the 2023 Township Budget that will be discussed during the Township Board Budget Discussion Meeting on October 18, 2022 at 6:00 p.m.

**ITEM 11:10-11 ORDERS**

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

**MOTION CARRIED UNANIMOUSLY**

**ITEM 12:10-11 OTHER MATTERS**

Clerk Creech –

- She had a very nice time at the M-5k Run that was held on Saturday, October 9, 2022. Participation was down this year. She would like to see more participation from Township employees and their families.
- The Household Hazardous Waste collection day was held on Saturday, October 8, 2022. There were 591 cars that participated in the event.

Trustee Weber –

- In the Fire Chief's report, it mentions drywall repairs for Station #4: is this for the roof? Supervisor Gray said they are in the process of looking into what needs to be repaired.

Supervisor Gray –

- Last Monday, Lakeside Marine presented a plan to the Planning Commission to rezone their property to allow for boat storage. They decided to clear their land and store boats on their property without Township approval. He was told to remove all of the boats off of the property. They are in violation of the Township Zoning Ordinance and will be issued a ticket. The Township Attorney will begin legal action because they have violated the Township Ordinances several times in the past dating back to 2006.
- The Township would like to offer an additional health benefit at no charge to full time employees. This will be for a telemedicine program and a virtual mental health program. It will cost \$6.45 for the telemedicine visit and \$1.95 for the virtual mental health visit. The cost to the Township will be \$546 a month for 65 full time employees. If the company feels we have not used the plan, they will reimburse the money back to the Township. This is a one-year contract with the option to renew. The rate is guaranteed for 2 years.

**MOTION** Gray, supported by Berkheiser, to approve the telemedicine program (\$6.45 per month per employee/family) and a virtual mental health program (\$1.95 per month per employee/family) at a cost of \$546 per month for a total of \$6,552 per year for 65 full time Commerce Township employees.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 13:10-11 ADJOURNMENT**

**MOTION** by Creech, supported by Phillips, to adjourn the meeting at 8:55 p.m.

**MOTION CARRIED UNANIMOUSLY**



Melissa Creech, Clerk  
Charter Township of Commerce