CHARTER TOWNSHIP OF COMMERCE
TOWNSHIP BOARD OF TRUSTEES MEETING
October 13, 2026
2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER Clerk Creech called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

At the request of Supervisor Gray, Clerk Creech would like the Board to appoint Trustee Rick Sovel as Interim Chairperson.

MOTION by Creech, supported by Massey, to appoint Trustee Rick Sovel as Interim Chairperson for tonight's meeting. **MOTION CARRIED UNANIMOUSLY**

ROLL CALL: Present: Rick Sovel, Interim Chairperson/Trustee
Larry Gray, Supervisor
Melissa Creech, Clerk
Katelyn Massey, Treasurer
Robert Berkheiser, Trustee
Robert Long, Trustee
George Weber, Trustee

Also Present: Hans Rentrop, Township Attorney
John W. Kummer, Township Attorney
Jason Mayer, Giffels Webster Engineers
Dave Campbell, Planning Director
Jim Dundas, Fire Chief
Jay James, Building Official
Judy Golden, Building Assistant
Alyson Lobert, Library Director
Kay McMahon, Communication Specialist
Ben Sebrowski, IT Director

APPROVAL OF MINUTES

MOTION by Creech, supported by Berkheiser, to approve the September 8, 2026 Regular Township Board Meeting minutes with a correction by Clerk Creech to **ITEM 9: NEW BUSINESS E. Donation Agreement for Lot #1 of Morey's Golf View Subdivision** "Rick Sovel and Laura Powers are donating ***$101,940*** in total with ***$98,440*** ....." **MOTION CARRIED UNANIMOUSLY**

ITEM 1: APPROVAL OF AGENDA

MOTION by Berkheiser, supported by Creech, to approve the October 13, 2026 agenda as presented. **MOTION CARRIED UNANIMOUSLY**

ITEM 2: PUBLIC COMMENTS
Interim Chairperson Trustee Sovel opened Public Comments and advised the public that speaking time is limited to three (3) minutes. This is for public comments only and not for comments regarding the public hearings on the agenda.

James David, 594 Creedmore Street, Commerce Twp., MI was present to request the Township Board immediately suspend the Township's Flock Safety's License Plate Reader System. He believes people should be free to go about their daily lives without the government recording their movements. He is asking the Township to 1) deactivate and cover the Flock cameras, where legally possible, 2) publicly release applicable policies, contract, costs, and aggregate usage, outcome information, and hold a dedicated public hearing where residents can express their views, and 3) following the public hearing, hold a recorded vote of this Board on whether the program should resume. Until that vote takes place, he asks that the cameras remain inactive.

Mike Wiese, Mystic Forest Subdivision, Commerce Twp., MI said E-bike usage is getting out of control. Kids are flying through the subdivision on their E-bikes at 30-40 mph, popping wheelies and driving reckless. Someone is going to get hurt or killed. He is also against Flock cameras in the Township. Milford Board of Trustees voted 7-0 to get rid of Flock cameras.

Bob Mino, member of Mystic Forest Homeowner's Subdivision. He lives next to the pond in the subdivision. Kids on E-bikes are doing donuts on the grass, racing around the pond and destroying flower beds and grass. The Township needs to have restrictions on E-bikes.

Ethan Dean, 300 Phoenix Street, Commerce Twp., MI is against Flock cameras in the Township. He agrees with James David's statement to the Board regarding Flock cameras.

Interim Chairperson Trustee Sovel closed Public Comments.

ITEM 3: PUBLIC HEARING
A. Roll Resolution – Special Projects No 56 SAD
Township Attorney John Kummer was present to answer questions from the Board.

Interim Chairperson Trustee Sovel Opened the Public Hearing.

Seeing None, Interim Chairperson Trustee Sovel Closed the Public Hearing.

ITEM 3: PUBLIC HEARING (Roll Resolution – Special Projects No 56 SAD continued)

MOTION by Weber, supported by Gray, to approve the Resolution Confirming Special Assessment Roll for The Special Assessment District Designated Special Projects No. 56.

Roll Call:
Ayes: Weber, Gray, Creech, Massey, Berkheiser, Long, Sovel
Nays:

MOTION CARRIED UNANIMOUSLY

ITEM 4: CONTRACT AWARDS AND AGREEMENTS

A. Walled Lake Consolidated School District Tax Collection Agreement

Township Attorney Hans Rentrop reviewed the agreement with the Board. Walled Lake and Huron Valley Schools approved the agreements.

Trustee Weber said the language in #3 of the agreement is different than what is in Huron Valley School District's Agreement and it should be the same.

MOTION by Berkheiser, supported by Massey, to approve the Agreement between Walled Lake Consolidated School District and Charter Township of Commerce to establish the conditions and agreement for collection of Summer Taxes and change the language in #3 of the agreement to match Huron Valley School District's Agreement.

MOTION CARRIED UNANIMOUSLY

B. Huron Valley School District Tax Collection Agreement

MOTION by Berkheiser, supported by Massey, to approve the Agreement between Huron Valley School District and Charter Township of Commerce to establish the conditions and agreement for collection of Summer Taxes.

MOTION CARRIED UNANIMOUSLY

C. 2027-2029 Township SAD Snow Plowing Contracts

Building Official Jay James was present to answer questions on the Special Assessment Snow Plow bids. He said the previous SAD, which is a 10-year SAD ran out 3 years ago, and he put it back out to bid. Almost all of the contractors said they cannot give a price for 10 years because they do not know what the costs will be. Understanding that, he put it out to bid for 3 years, although the SAD itself is for 10 years. Based on the bids received, he projected out what the remaining years will be with the intention of rebidding it back out, which is now. He received 6 responsive bids. Out of the nine projects in the SAD, RNA Facilities Management was low bidder on 4 of them, DEQ Property Services was low bidder on 3 of them, and A&C Landscaping was low bidder on 2 of them. These bids came in substantially higher than 3 years ago. Based on 3 years ago when we rebid it, we projected out the cost, only 2 of the 9 SAD's currently, with the new bids, will meet our projections. Meaning that we will collect

ITEM 4: CONTRACT AWARDS AND AGREEMENTS (2027-2029 Township SAD Snow Plowing Contracts continued)

the money from that SAD and it's enough to pay out. The other 7 SAD's will be short. After discussing this with our Township Attorney, our plan was to get the contract approved so we can get the roads plowed this year and then next year we will have to go back and re-assess those remaining 7 SAD's for the shortfalls. He recommends A&C Landscaping be awarded the Lower Mount Royal SAD and Wenonah/Tree Haven Snow SAD. DEQ Property Services be awarded the Whitlow Snow Plow SAD, Lyniss Drive Snow SAD, and Half Penny Court SAD. RNA Facilities Management be awarded Chickory Lane Snow SAD, Golf Lane Snow SAD, Demarist/Barkley Streets SAD and Joe Drive Snow Plow SAD.

MOTION by Sovel, supported by Creech, to award the Township 2027-2029 SAD Snow Plowing Contracts as follows: A&C Landscaping be awarded the Lower Mount Royal SAD and Wenonah/Tree Haven Snow SAD. DEQ Property Services awarded the Whitlow Snow Plow SAD, Lyniss Drive Snow SAD, and Half Penny Court SAD. RNA Facilities Management awarded Chickory Lane Snow SAD, Golf Lane Snow SAD, Demarist/Barkley Streets SAD and Joe Drive Snow Plow SAD, as shown on the attached Bid Tabulation.

Discussion: This is for a 3-yr contract but with a 1-year out.

MOTION CARRIED UNANIMOUSLY

ITEM 5: INTRODUCTIONS

A. Fee Ordinance Amendment No. 2.033 – Updates fees and fines, and revises the collecting entity for water and sewer fees

Township Attorney John Kummer was present to answer questions from the Board.

MOTION by Weber, supported by Berkheiser, to approve the Charter Township of Commerce Ordinance to Amend Ordinance No. 2.032 to be Known as The Charter Township of Commerce Fee Ordinance No. 2.033.

MOTION CARRIED UNANIMOUSLY

ITEM 6: SITE CONDOMINIUMS AND PLATS

A. Wingate Preserve

Planning Director Dave Campbell said this for a 142-unit single family site condominium proposed by Commerce Carey LLC & Commerce Carey East LLC (Mark Kassab & Jim Galbraith) at the northeast corner of E. Commerce and Carey Roads. The Planning Commission recommends approval.

Messrs. Kassab and Galbraith were present.

In-lieu of frontage pathways/boardwalks, the developer will make a contribution (amount to be agreed upon by the Township and the developer) to the Township pathways fund.

ITEM 6: SITE CONDOMINIUMS AND PLATS (Wingate Preserve continued)
Interim Chairperson Trustee Sovel asked Mr. Kassab if he will agree to make the contribution at the closing of the 1st house. Mr. Kassab stated he will agree to this request.

MOTION by Weber, supported by Berkheiser, to approve PSP#26-08, a condominium site plan by Commerce Carey LLC & Commerce Carey East LLC for Wingate Preserve, a 142-unit single-family site condominium for the assemblage of two parcels total of approximately 75 acres on the northeast corner of E. Commerce and Carey Roads. Conditional rezoning approved by the Township Board on September 8, 2026 for recommendations for approval by the Planning Commission on August 10, 2026. In-lieu of frontage pathways/boardwalks, a contribution will be made to the Township Pathways Fund upon sale of the 1st property (amount to be agreed upon between the Township and developer).

Roll Call:
Ayes: Weber, Berkheiser, Creech, Massey, Long, Sovel
Nays: Gray

MOTION CARRIED

ITEM 7: OLD BUSINESS
A. HR/Finance Director

MOTION by Gray, supported by Massey, to promote Natalie Hiney to Director of HR/Finance at a yearly salary rate of $89,000, retroactive to July 13, 2026.

MOTION CARRIED UNANIMOUSLY

ITEM 8: NEW BUSINESS
A. 2027 Medical Insurance Renewal
HR/Finance Director Natalie Hiney said the benefits will remain the same, with the following premium increases:

Medical: I am proposing that we maintain all aspects of our current medical plan offerings for 2027 to provide consistency for our employees. The medical plan selected by the majority of our employees is experiencing a 21.15% premium increase for the upcoming year. While this is a significant increase, maintaining the current plan offerings will allow employees to continue with the coverage they are familiar with and avoid changes to their current benefits.

Dental: The premium for our dental coverage is increasing by 2.9% for 2027. This increase remains within a reasonable range, and I recommend continuing with our current dental coverage to ensure employees have continued access to this benefit.

Vision: Vision premiums will remain unchanged for 2027. I am also happy to report that the transition to Mutual of Omaha has been a positive experience this year. The

ITEM 8: NEW BUSINESS (2027 Medical Insurance Renewal continued)
transition has gone smoothly, and the coverage continues to meet the needs of our employees.

MOTION by Sovel, supported by Massey, to approve the 2027 Health Benefits Renewal Plan as presented. **MOTION CARRIED UNANIMOUSLY**

B. Carroll Lake Heights Subdivision Out Lots 30 & 31 Dangerous Building Enforcement

Township Attorney John Kummer said this is a Dangerous Building Hearing for Carroll Lake Heights Subdivision Out Lots 30 & 31. Pursuant to Township Ordinance, on September 9, 2026, Carroll Lake Heights Civic Association was provided notice of the hearing by first-class certified mail and by posting the notice on the structure. This property is owned by the HOA which is no longer functioning or operational. He is asking for authorization to file circuit court action to obtain an order to demolish the structure deemed dangerous by the Dangerous Building Hearing Officer.

Discussion ensued on how much demolition will cost and who will pay for it.

Building Official Jay James said taxes are not assessed on out lots.

Township Attorney Hans Rentrop said you can put a lien on the property but how would you collect the money and how would you force the sale of the property? The Board can 1) approve the Resolution to proceed in filing complaint for order to demolish dangerous building or 2) take no action until additional information is received; such as an estimate for demolition and reimbursement of costs associated with that.

Building Official Jay James will obtain an estimate to demolish the structure.

No action taken

C. Single Year Special Assessments

Township Attorney Hans Rentrop said this is to assess S.A.D.'s to the 2026 Winter Taxes.

MOTION by Berkheiser, supported by Massey, to approve the S.A.D.'s to be assessed to the 2026 Winter Taxes as written, except for the delinquent, multi-year SAD's, and the snow removal districts. **MOTION CARRIED UNANIMOUSLY**

D. MMRMA Renewal

MOTION by Weber, supported by Sovel, to approve the Michigan Municipal Risk Management Authority Coverage Proposal at an amount not to exceed $389,000.

Discussion took place on building value and contents value. We need to make sure we are appropriately insured on the contents in the buildings.

ITEM 8: NEW BUSINESS (MMRMA Renewal continued)

MOTION CARRIED UNANIMOUSLY

E. AFG Grant – Fire Department

Fire Chief Jim Dundas is asking the Township to allow him to accept $74,557.72 in FEMA grant funding. This grant will improve our ability to communicate at emergency scenes by providing more portable radios. The grant provides a onetime lump sum of $74,557.72 and is structured so that Commerce Township would have a 10% matching funds obligation of $7,455.78

MOTION by Weber, supported by Creech, to authorize the Fire Chief to accept $74,557.72 in FEMA grant funding. Commerce Township's cost obligation will not exceed $7,500.00 from the 2026 Fire Department Budget.

MOTION CARRIED UNANIMOUSLY

F. 2027 Township Budget Discussion

MOTION by Weber, supported by Berkheiser, to move forward with the 2027 SAD Funding amount of 2.6-mill rate to include the hiring of three (3) additional Fire Department personnel.

Discussion: Supervisor Gray said he does not like to see a minimum amount when we have the opportunity to improve our services.

Trustee Berkheiser said we are still going to improve our services and decrease the tax rate.

Interim Chairperson/Trustee Sovel would like it to stay a 2.8-mill rate.

Roll Call:
Ayes: Weber, Berkheiser, Long
Nays: Creech, Massey, Sovel, Gray

MOTION FAILED

MOTION by Sovel, supported by Massey, to move forward with the 2027 SAD Funding to stay at the 2.8-mill rate to include the hiring of three (3) additional Fire Department firefighters.

Discussion: Trustee Berkheiser does not think it's accurate for us to make a decision for 2027 based on numbers that go out in the year 2028 or 2040.

Trustee Long said he is going to vote no because there was a promise made to the residents to lower the mill rate and still increase services. Supervisor Gray said there was discussion, but no promise was made.

ITEM 8: NEW BUSINESS (Motion 2027 Township Budget Discussion continued)

Roll Call:
Ayes: Sovel, Massey, Creech, Gray
Nays: Weber, Berkheiser, Long

MOTION CARRIED

G. Township Trick or Treat Hours

MOTION by Sovel, supported by Weber, to approve the Commerce Township Halloween Trick or Treat hours from 6:00 p.m. to 8:30 p.m. on October 31, 2026.

Discussion: Trustee Berkheiser said the hours should be from 6:00 p.m. to 8:00 p.m.

Roll Call:
Ayes: Sovel, Weber, Creech, Massey, Long, Gray
Nays: Berkheiser

MOTION CARRIED

ITEM 9: ORDERS AND ADD ONS

MOTION by
Sovel, supported by Creech, to approve the orders and add ons.

MOTION CARRIED UNANIMOUSLY

ITEM 10: OTHER MATTERS
Trustee Berkheiser –

- Is there anything we can do about E-bikes? Maybe we could put something on the Township website asking residents to contact their State Representative.

Trustee Long asked if the Township has an Ordinance addressing this. We need to take this up with our State Legislators.

Township Attorney Hans Rentrop said the Township does not have an Ordinance that addresses E-bikes.

Township Attorney John Kummer said the Township has an Ordinance regarding Township parks and land. Public Roadways are addressed by law enforcement.

- Asked for an update on the sidewalk programs. Have we put the ones in from the first section that we looked at?

Building Official Jay James said we are moving forward on the program.

Giffels Webster Engineer Jason Mayer said the first section will be wrapped up in the next 2 weeks and then we will make plans for phase 2.

ITEM 10: OTHER MATTERS (continued)

Supervisor Gray –

- Kroger started the MTT process for their Union Lake Road store.
- We need to replace one of the original rooftop units at the 2019 building. It does not work anymore. Repairing it will cost approximately $8,000, but a new lower unit is no longer available. A new unit has been quoted at $18,000.

MOTION by Berkheiser, supported by Creech, to move forward with the purchase of a new AC/heat unit for the 2019 building in an amount not to exceed $20,000.

MOTION CARRIED UNANIMOUSLY

- We received an offer to purchase the Glengary cell tower for $686,400. We are currently in a contract until 2028, where we receive $21,650 annually with a 3% increase. We also receive $3,600 annually per tenant on the tower. Currently, there are three tenants, bringing the annual rent to approximately $32,300. With these current numbers, the purchase price of the tower would equate to 21.5 years of leasing. The current lease gives 4- and 5-year options at the end of each lease renewal point.

The Board does not want to sell the tower at this time but would like to research this further.

Clerk Creech –

- She had a FOIA request within the last 2 weeks that our Fire Department responded to in Milford. We responded accordingly and requested she submit proof that she was the patient's parent. She responded to our request with an appeal. Then shortly after that, she submitted proof that she was the parent of the patient. We tried to contact her today via email, because she did not provide a phone number. As of the close of business today, she has not responded back. We can fulfill her FOIA request, but the appeal is still ongoing.

Township Attorney John Kummer said the Board can uphold the denial because it was proper exemption by the Township and then provide the documents requested under FOIA because proof of parentage was received by the Township after an appeal was made.

MOTION by Weber, supported by Berkheiser, to authorize the Township Attorney to respond with a written response on behalf of the Township Board, upholding the denial and instructing the FOIA Coordinator to further coordinate a response, if no further exemption applies.

MOTION CARRIED UNANIMOUSLY

Interim Chairperson/Trustee Sovel –

- We should have FOIA training.
- Do we have the authority to regulate E-bikes and would that apply to the Airline Trail?

ITEM 10: OTHER MATTERS (continued)
Township Attorney Hans Rentrop said if the Airline Trail is in the jurisdiction of Commerce Township, then an ordinance would apply to E-bikes.

- MTA magazine had an article on golf cart regulations within each municipality.

Trustee Long –

- He is requesting adding Flock camera contract discussion to the Township Board Discussion Meeting agenda. This will be added to the January 2027 discussion meeting.

ITEM 11: CLOSED SESSION

A. **To Consider Attorney-Client Privileged Communications Pursuant to Section 8(h) of the Open Meeting Act**
B. **To Discuss Measures Designed to Protect the Security and Integrity of Information Systems Pursuant to Section 8(1)(h) of the Open Meeting Act and Section 13(1)(d) of the Freedom of Information Act**

MOTION by Sovel, supported by Weber, to enter Closed Session for the purpose of considering Attorney-Client Privileged Communications Pursuant to Section 8(h) of the Open Meeting Act and to discuss Measures Designed to Protect the Security and Integrity of Information Systems Pursuant to Section 8(1)(h) of the Open Meeting Act and Section 13(1)(d) of the Freedom of Information Act. Request Building Official Jay James attend Closed Session.

Roll Call:
Ayes: Sovel, Weber, Creech, Massey, Berkheiser, Long, Gray
Nays:

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session 9:20 p.m.
Returned from Closed Session 10:26 p.m.

MOTION by Creech, supported by Massey, to adjourn from Closed Session and approve the Closed Session minutes. **MOTION CARRIED UNANIMOUSLY**

MOTION by Creech, supported by Berkheiser, to direct the Township Attorney to proceed as discussed in Closed Session as it pertains to Closed Session Item A. To Considers Attorney-Client Privileged Communications Pursuant to Section 8(h) of the Open Meeting Act. **MOTION CARRIED UNANIMOUSLY**

ITEM 12: ADJOURNMENT

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

MOTION by Berkheiser, supported by Creech, to adjourn at 10:27 p.m.

MOTION CARRIED UNANIMOUSLY

Melissa Creech

Melissa Creech, Clerk
Charter Township of Commerce