

**CHARTER TOWNSHIP OF COMMERCE
TOWNSHIP BOARD OF TRUSTEES QUARTERLY MEETING
2009 Township Drive
Commerce Township, MI 48390
Tuesday, July 23, 2024, 7:00 p.m.**

CALL TO ORDER: Supervisor Gray called the Township Board of Trustees Quarterly Meeting to order at 7:00 p.m.

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

Absent: Vanessa Magner, Trustee

Also Present: Hans Rentrop, Township Attorney
Jim Dundas, Fire Chief
Dave Campbell, Planning Director

ITEM 1: Public Comments

Supervisor Gray opened Public Comments. Seeing none, Supervisor Gray closed Public Comments.

ITEM 2: Proposal for Amendment to Off-Premise Liquor Licensing Zoning Ordinance

Planning Director Campbell summarized for the Trustees that the owner of the Union Lake Liquor shop located at 2535 Union Lake Road would like to sell his liquor license to the gas station owner across the street at 2500 Union Lake Road. The gas station owner currently has a beer and wine license and the transfer would allow the sale of liquor as well. The transfer of the license from 2500 Union Lake Road to 2535 Union Lake Road would eliminate a physical location currently selling alcohol. However, there are 6 special land use limitations that apply to new licenses and the expansion of existing licenses. The 2 that are pertinent to this discussion are:

1. 500-foot spacing requirements.
2. No more than 2 within 1 mile.

The owner of 2500 Union Lake Road is seeking a carve-out exception for expanding the current SDD license by adding an SDM license under very limited circumstances.

The Trustees discussed the special land use limitations, the attractiveness of consolidating liquor licenses into a single location, and the need for smart language to

ITEM 2: Proposal for Amendment to Off-Premise Liquor Licensing Zoning Ordinance (continued)

mitigate the potential for unintended consequences. The Trustees indicated they are ok with the intent of the amendment and are interested in seeing draft proposals.

Supervisor Gray discussed a recent proposal he received about a book bar and asked if the trustees are interested in potentially allowing a quota license to be used in that situation and what types of amendments are needed to the liquor license ordinance. The Township Attorney will look into it.

ITEM 3: Proposed Code of Ordinances Amendment – Firework Insurance Requirements

Clerk Creech indicated that the Township firework ordinance requires applicants for a firework permit to carry workman's comp insurance along with liability insurance. She asked if workman's comp insurance is required in this situation?

The Trustees directed the Township Attorney to amend the ordinance to reflect State Statute. If the State of Michigan requires workman's comp insurance in a given situation, then the Township would also require it. When the State of Michigan does not require it, then the Township will not require it.

ITEM 4: Proposed Zoning Ordinance Amendment – ZBA Special Exceptions

Trustee Sovel is a long-standing member of the ZBA. He summarized how the ZBA historically dealt with requests for variances and how that has changed over time. Trustee Sovel referenced a recent training conducted by Attorney Kummer where the ZBA learned that State Statute does not allow for any common sense exceptions to violations to the zoning ordinance. He wants the ZBA to have some discretion.

The Trustees discussed specific examples where discretion would be helpful and benefit the residents where the hardship was not self-created. The criteria would need to be very narrow and of the common sense variety.

Trustee Sovel said he will work up a proposal and bring it back to the Board.

ITEM 5: Lower 2024 Budget Contribution to Debt Sinking Fund from \$2.5 Million to \$2 Million

Treasurer Phillips said at the July meeting the auditors indicated there's no review of the DDA debt leading her to review the numbers again given current market conditions. The debt Sinking Fund is well capitalized and does not require additional contributions after the \$2 million contribution in 2024. The benefit of not adding additional funds to the Debt Sinking Fund and leaving the additional funds in the General Fund is that the Township has more flexibility over how to use General Fund funds. The Trustees agreed not to make an additional contribution to the Debt Sinking Fund in 2024.

ITEM 6: Discuss and Amend the Capitalization Policy

Treasurer Phillips discussed the low dollar/value amount the Townships uses to determine what is considered a fixed asset and that the Township policy is 10 years old. Trustee Berkheiser asked Treasurer Phillips to update the policy and bring it back to the Board.

ITEM 7: WWTP Unplanned Maintenance

Supervisor Gray brought the unplanned maintenance to the Board's attention. Board agreed it was ok to proceed with the maintenance.

ITEM 8: Fireworks Permit Application – Long Lake

MOTION by Sovel, supported by Creech, to approve the fireworks permit application for Long Lake.
MOTION CARRIED UNANIMOUSLY

ITEM 9: Other Matters

Trustee Weber – We are losing the Rite Aid on Union Lake Road.

Trustee Berkheiser – Asked Clerk Creech about early voting and political signs. Clerk Creech said that political signs fall under the First Amendment and we do not remove them.

Clerk Creech – Vote on August 6th.

Treasurer Phillips – Indicated there's an issue with 2 gravel pits in tax foreclosure and the discrepancy between how they're zoned and how Oakland County has them labeled on the tax rolls.

Supervisor Gray – The OCSO Substation car port is going out for bid soon.

-Regarding current garbage issues, Priority Waste is obtaining additional trucks and all of Friday's complaints about missed pick-ups will be picked up on Wednesday.

-The Township received a \$500 bid per lot for 2 non-adjacent lots on Reed Lake. Does the Board want the Township to accept that bid or send letters to nearby parcel owners giving them the opportunity to bid as well? The Board agreed that the Supervisor should sell the lots for \$500 each, for a total of \$1000.

-Supervisor Gray asked Fire Chief Dundas to update the Board regarding ALS transports since April and recent interviews to hire additional EMS/firefighter personnel.

Chief Dundas indicated the Township has collected \$163,000 in 2024 so far, having started ALS in April and is slightly ahead of the 2024 yearly target. In addition, there

ITEM 9: Other Matters (Supervisor Gray continued)


were 27 applicants with 9 passing scores. He interviewed 14 and 5 did not pass the interview process.

A discussion followed regarding how difficult it can be to find and hire firefighters who are also EMS certified. Chief Dundas said hired firefighters have 3 years to complete the EMS training.

MOTION by Weber, supported by Creech, to give Chief Dundas the authority to hire 3 new firefighters. **MOTION CARRIED UNANIMOUSLY**

ADJOURNMENT

MOTION by Creech, supported by Phillips, to adjourn the meeting at 9:01 p.m. **MOTION CARRIED UNANIMOUSLY**



Melissa Creech, Clerk
Charter Township of Commerce