

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

January 9, 2024

2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER: Supervisor Gray called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Larry Gray, Supervisor
Melissa Creech, Clerk
Molly Phillips, Treasurer
Robert Berkheiser, Trustee
Vanessa Magner, Trustee
George Weber, Trustee

Absent: Rick Sovel, Trustee (excused)

Also Present: John Kummer, Township Attorney
David Campbell, Planning Director
Jim Dundas, Fire Chief
Emily England, Senior/Parks and Recreation Director
Jay James, Building Official
Jason Mayer, Giffels Webster Engineers
Mark Schoder, Maintenance Director

APPROVAL OF MINUTES

MOTION by Magner, supported by Phillips, to approve the December 12, 2023 Regular Township Board Meeting minutes, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS

A. Fire Department EMS

Jim Dundas, Fire Chief, introduced Stacy Gross, Commerce Township EMS Coordinator, and Emergency Medical Service personnel (EMS), who gave a presentation and a demonstration of CPR and the use of the upgraded resuscitation equipment (AED).

ITEM 1:1-9 APPROVAL OF AGENDA

MOTION by Creech, supported by Phillips, to approve the January 9, 2024 agenda with the following change: move **ITEM 8:1-9 NEW BUSINESS A. Application for a Class C**

**ITEM 1:1-9 APPROVAL OF AGENDA (Motion continued)
Redevelopment Liquor License at 2215 Haggerty Road before ITEM 4:1-9 BOARD
APPOINTMENTS. MOTION CARRIED UNANIMOUSLY**

ITEM 2:1-9 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.

State Representative, Noah Arbit, introduced himself and updated the Board on his priorities for 2024 such as: public safety issues, addressing Michigan's mental health crisis, preserving our lakes and climate, a bill to criminalize Artificial Intelligence (AI) involvement in elections, ongoing funding to implement changes in the election law, road funding, and, revenue sharing trust fund. He said there is an appropriation of \$1 million dollars in the 2024 Budget to build non-motorized paths for the public to safely access the Commerce Township Community Library.

Supervisor Gray closed Public Comments.

ITEM 3:1-9 PUBLIC HEARINGS

A. Establishment Resolution for Amended Boyer Street Paving SAD

Jason Mayer, Giffels Webster, explained the resolution is to make improvements to the storm sewer system and Boyer Street. The Township Board approved the Establishment Resolution for the SAD in April 2022. However, prior to passage of a Roll Resolution, it was determined that this project would benefit from further design work and rebids. Unfortunately, after extensive efforts to obtain financially reasonable bids, which included obtaining an alternate bid for a more limited scope of work, the costs still remain too high for the majority of property owners within the SAD. He said 10 out of the 12 residents are opposed to the SAD. Based upon a shift in public support, he recommends that the Township Board make a motion not to proceed with the public improvements.

Supervisor Gray opened the Public Hearing.

Supervisor Gray said the Township received a letter, emails, and phone calls from 11 of the 12 residents opposing the SAD.

Nichole Bourasaw, 3413 Boyer Street, Commerce Township, MI, is in support of the SAD. She said her 5-year-old daughter had a medical emergency in January 2020 and emergency responders could not get their vehicles to her house because of the poor condition of the road. They had to park up the road and walk to her house. She also said other vehicles using the road have sustained damage.

Supervisor Gray closed the Public Hearing.

Trustee Berkheiser said he drove down the road today and it is in poor condition, but Boyer Street is a private road and he does not feel comfortable approving this

ITEM 3:1-9 PUBLIC HEARINGS (Establishment Resolution for Amended Boyer Street Paving SAD continued)

SAD due to the high cost to residents.

John Kummer, Township Attorney, said a SAD petition must have over 50% of resident's approval and this did not. He recommends denial of the SAD Resolution.

Trustee Weber said the road is in poor condition but the Board cannot impose a \$50,000 cost to each resident in the SAD when only 1 resident voted in favor of the SAD.

MOTION by Weber, supported by Berkheiser, to Deny 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 Therefore Amended Boyer Street Paving Special Assessment District.

MOTION CARRIED UNANIMOUSLY

B. Establishment Resolution for Special Projects No. 51 SAD

John Kummer, Township Attorney, recommends approval.

Supervisor Gray opened the Public Hearing.

There were no public comments.

Supervisor Gray closed the Public Hearing.

MOTION by Magner, supported by Berkheiser, to approve the Resolution of 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 Therefore Special Projects No. 51, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

Moved from ITEM 8:1-9 NEW BUSINESS

A. Application for a Class C Redevelopment Liquor License at 2215 Haggerty Road

Clerk Creech received an application for a new liquor license from Enver Jusufi and Muharem Cazimi, (Skydrini, LLC) for 2215 Haggerty Road, Commerce Township.

Enver Jusufi, Applicant, explained the layout of the facility and the services offered at the restaurant.

Clerk Creech said the Health Department has not signed off on the application yet because they cannot inspect anything at this point.

ITEM 8:1-9 NEW BUSINESS (Application for a Class C Redevelopment Liquor License at 2215 Haggerty Road continued)

MOTION by Berkheiser, supported by Magner, to approve the Application for a Class C Redevelopment Liquor License by Skydrini, LLC for 2215 Haggerty Road, Commerce, Michigan 48390.
MOTION CARRIED UNANIMOUSLY

ITEM 4:1-9 BOARD APPOINTMENTS

- A. Krystal Schwartz - Reappointment to the Parks and Recreation Committee for a 4-Year Term ending February 29, 2028.**

MOTION by Gray, supported by Berkheiser, to Reappoint Krystal Schwartz to the Parks and Recreation Committee for a 4-Year Term ending February 29, 2028.
MOTION CARRIED UNANIMOUSLY

ITEM 5:1-9 INTRODUCTIONS

- A. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.068 – International Property Maintenance Code**

John Kummer, Township Attorney, explained the Code Amendment 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. 1.068, 2024 International Property Maintenance Code, post and publish according to law.
MOTION CARRIED UNANIMOUSLY

MOTION by Weber, supported by Berkheiser, to Amend the Motion to include Introduction of the International Fire Code of 2024.
MOTION CARRIED UNANIMOUSLY

- B. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.069 – Hardship Tax Exemptions**

John Kummer, Township Attorney, explained the Code Amendment Ordinance.

MOTION by Berkheiser, supported by Weber, 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. 1.069, to offer the 50% and 100% reduction options and include a one year look back, post and publish according to law.
MOTION CARRIED UNANIMOUSLY

- C. An Ordinance to Amend the Code of Ordinances to be Known as The Charter Township of Commerce Fee Ordinance No. 2.027**

John Kummer, Township Attorney, explained the Fee Ordinance.

ITEM 5:1-9 INTRODUCTIONS (An Ordinance to Amend the Code of Ordinances to be Known as The Charter Township of Commerce Fee Ordinance No. 2.027 continued)

MOTION by Weber, supported by Magner, to Introduce an Ordinance to Amend Ordinance No. 2.026 to be Known as The Charter Township of Commerce Fee Ordinance No. 2.027, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 6:1-9 PURCHASES

A. Fire Department Cardiac Monitor Equipment

Jim Dundas, Fire Chief, is asking for approval to purchase two Lifepack 15 monitors (demo units) from Stryker.

MOTION by Creech, supported by Phillips, to approve the purchase of two (2) Lifepack 15 monitors (demo units) from Stryker (quote 10819009 dated 11-14-2023) at a cost not to exceed \$72,000. Funds to come from the Fire Department's 2024 Budget.

MOTION CARRIED UNANIMOUSLY

ITEM 7:1-9 OLD BUSINESS

A. Rental Inspection Program

Jay James, KER Engineering, Inc., provided the Board with recommendations from the Rental Inspection Work Group consisting of two Board members, a Township resident that has rental properties in other communities, a Commerce Township renter and himself.

No action taken. This will be discussed during the next Township Board Quarterly meeting.

ITEM 8:1-9 NEW BUSINESS

A. Application for a Class C Redevelopment Liquor License at 2215 Haggerty Road

Moved before **ITEM 4:1-9 BOARD APPOINTMENTS**

B. Intent Resolution for Island Club Sanitary Sewer Repair & Improvement SAD

Jay James, Building Official, and Jason Mayer, Giffels Webster, said this will allow for repairs to the sanitary sewer system. The estimated construction cost by Giffels Webster is \$648,246.

MOTION by Gray, supported by Magner, to approve the Intent 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 Island Club Sanitary Sewer Repair & Improvement Special Assessment District.

MOTION CARRIED UNANIMOUSLY

ITEM 8:1-9 NEW BUSINESS (continued)

C. Resolution Adopting the Parks and Recreation Five Year Master Plan 2024-2028

Emily England, Senior/Parks and Recreation Director, said the Parks and Recreation Committee recommends approval of the Master Plan. Leah Royer, livingLAB, gave a Powerpoint presentation of the Master Plan.

MOTION by Berkheiser, supported by Creech, to Adopt the Resolution of Adoption Commerce Township Board of Trustees Parks + Recreation Master Plan 2024-2028.

MOTION CARRIED UNANIMOUSLY

D. EV Study

Supervisor Gray presented the 2023 EV Study results to the Board for their review.

No action taken

ITEM 9:1-9 ORDERS

MOTION by Weber, supported by Magner, to approve the Orders and Add Ons.

MOTION CARRIED UNANIMOUSLY

ITEM 10:1-9 OTHER MATTERS

Treasurer Phillips –

- A check from Mr. Ferrebee, 5030 Winewood Ln, Commerce Township, MI, was sent to the Township, but never received, for partial restitution of money the Township spent on cleaning the exterior of his house. It was sent to the water tank which does not have a mail collection box and no one physically works there. It was returned to sender but there was no return address on the envelope. No one knows where the check is now. A motion to show cause was filed with the court.

Trustee Berkheiser –

- Would like to tour the Sheriff's Department new facility prior to the next Township Board meeting.

Trustee Weber –

- He said there is momentum behind a petition to repeal the legislation that gives the State power to approve wind and solar projects over local objection. Can the Township legally support this? John Kummer, Township Attorney, will research this and report his findings to the Board.
- He would like Ben Sebrowski, IT Director, to include all Township Board and Commission members in the testing for phishing because they all have Township email addresses.

ITEM 10:1-9 OTHER MATTERS (continued)

Supervisor Gray –

- He received more complaints about the potholes on Welch Rd. A representative from The Road Commission for Oakland County (RCOC) called him today asking about using tri-party funds to repave Welch Rd. Trustees Magnier and Berkheiser said Supervisor Gray was going to ask RCOC to repave Welch Rd instead of using tri-party funding because it is a county road.
- He previously sent all the intersections for study back to the RCOC. He also sent a follow up email to the contractor that will do the study. The contractor will provide him with cost for each intersection. RCOC will do the study for the intersection at South Commerce and Sleeth Rds.
- David Campbell, Planning Director, reached out to Danielle Deneau at the RCOC to discuss updating our traffic signals to the SCATS system. We will bid out the following: Oakley Park and Welch Rds, (bid 2024 for 2025 construction), Oakley Park and Newton Rds (bid 2024 for 2025 construction), Oakley Park and South Commerce Rds northbound and southbound (bid 2024 for 2025 construction), Carroll Lake and Wise Rds (bid 2025 for 2026 construction), and, Martin and Richardson Rds (bid 2024 for 2025 construction)
- He will meet with a representative from Walled Lake Schools on January 16, 2024 to discuss contract language for Oakland County Sheriff's Department Liason.

ITEM 11:1-9 ADJOURNMENT

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

MOTION by Phillips, supported by Creech, to adjourn at 9:06 a.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk

Charter Township of Commerce