

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

**April 13, 2021**

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  
Vanessa Magner, Trustee  
Rick Sovel, Trustee  
George Weber, Trustee

Also Present: Hans Rentrop, Township Attorney  
Jim Dundas, Fire Chief  
Emily England, Senior/Parks and Recreation Director  
Alyson Lobert, Library Director  
Jason Mayer, Giffels Webster Engineers

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

**MOTION** by Magner, supported by Sovel, to approve the March 9, 2021 Regular Township Board Meeting minutes, as submitted.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 1:4-13 APPROVAL OF AGENDA**

**MOTION** by Sovel, supported by Creech, to approve the April 13, 2021 agenda with the following additions under ITEM 8 NEW BUSINESS: G. Emergency Ordinance Amendment and H. HIDTA Agreement.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 2:4-13 PUBLIC COMMENTS**

Supervisor Gray opened Public Comments.  
No one present had any questions or comments.  
Supervisor Gray closed Public Comments.

**ITEM 3:4-13 PUBLIC HEARINGS**

**A. Reprogramming of 2017 and 2019 Community Development Block Grant Money**

Emily England, Senior/Parks and Recreation Director, said this project will bring pathways that are ADA accessible from the library parking lot to the pavilion and play structures as well as add ADA accessible grills and picnic tables. The cost estimate from Giffels Webster for the pathway is \$37,201.15. The Parks and Recreation Committee recommends approval.

Supervisor Gray opened the Public Hearing  
No one present had any questions or comments.  
Supervisor Gray closed the Public Hearing

**MOTION** by Berkheiser, supported by Phillips, to approve the Resolution to Reprogram 2017 & 2019 Community Development Block Grant Money by The Charter Township of Commerce.  
**MOTION CARRIED UNANIMOUSLY**

**ITEM 4:4-13 BOARD APPOINTMENTS**

**A. Barbara Garbutt – Reappointment to the Parks and Recreation Committee for a 4-Year Term Ending May 31, 2025.**

Barbara Garbutt was present.

**MOTION** by Berkheiser, supported by Creech, to reappoint Barbara Garbutt to the Parks and Recreation Committee for a 4-Year Term Ending May 31, 2025.  
**MOTION CARRIED UNANIMOUSLY**

**B. Jim Gotts – Reappointment to the Downtown Development Authority for a 4-Year Term Ending May 31, 2025.**

**MOTION** by Sovel, supported by Creech, to reappoint Jim Gotts to the Downtown Development Authority for a 4-Year Term Ending May 31, 2025.  
**MOTION CARRIED UNANIMOUSLY**

**C. Jason Pernick – Reappointment to the Library Advisory Board for a 3-Year Term Ending May 31, 2024.**

**MOTION** by Magner, supported by Sovel, to reappoint Jason Pernick to the Library Advisory Board for a 3-Year Term Ending May 31, 2024.  
**MOTION CARRIED UNANIMOUSLY**

**D. Betsy Lafond – Reappointment to the Library Advisory Board for a 3-Year Term Ending May 31, 2024.**

**MOTION** by Magner, supported by Sovel, to reappoint Betsy LaFond to the Library Advisory Board for a 3-Year Term Ending May 31, 2024.

**ITEM 4:4-13 BOARD APPOINTMENTS (D. Betsy Lafond – Reappointment to the Library Advisory Board for a 3-Year Term Ending May 31, 2024 motion continued)**

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5: CONTRACT AWARDS AND AGREEMENTS**

**A. 2021-2024 Oakland County Police and Fire Dispatch Agreement**

Supervisor Gray said Commerce Township will pay Oakland County \$9,184.77 per month for the months of April 1, 2021 through March 31, 2022, \$9,459.27 per month for the months of April 1, 2022 through March 31, 2023 and \$9,742.01 per month for the months of April 1, 2023 through March 31, 2024.

**MOTION** by Sovel, supported by Weber, to approve the 2021-2024 Fire Dispatch Service Agreement Between County of Oakland and The Charter Township of Commerce (April 1, 2021 – March 31, 2024) and authorize the appropriate signatures.

**MOTION CARRIED UNANIMOUSLY**

**B. Intergovernmental Water Service Agreement with the City of Novi**

Hans Rentrop, Township Attorney, said this Agreement has been approved and executed by the City of Novi and provides the terms for allowing BCS Realty, LLC to tap into the Commerce water system to supply water to its property until such time as Novi can supply water to the property.

**MOTION** by Weber, supported by Phillips, to approve the Intergovernmental Water Service Agreement between the City of Novi, The Charter Township of Commerce, and BCS Realty, LLC; and to authorize the appropriate signatures.

**MOTION CARRIED UNANIMOUSLY**

**C. Emergency Operations Support Plan**

Hans Rentrop, Township Attorney, said the Township's Emergency Operations Support Plan expired on March 31, 2021. A new plan is required to maintain the Township's eligibility for reimbursement in the event of a disaster. He recommends approval.

**MOTION** by Magner, supported by Berkheiser, to approve the Resolution of The Township Board of The Charter Township of Commerce to Adopt the Charter Township of Commerce Emergency Operations Support Plan.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6:4-13 PURCHASES**

**A. Upgraded Fence for Lake-Level Control Structure on Union Lake Road**

Supervisor Gray said The Road Commission for Oakland County (RCOC) asked Commerce Township whether the standard chain link fence would be acceptable, or whether the Township would be agreeable to pay the upcharge for a decorative steel railing. Total cost of the fence will be \$15,000. RCOC will pay \$7,500 and Commerce Township will pay \$7,500.

**ITEM 6:4-13 PURCHASES (A. Upgraded Fence for Lake-Level Control Structure on Union Lake Road continued)**

**MOTION** by Sovel, supported by Creech, to approve a decorative steel railing for the new level control structure at a cost not to exceed \$7,500. Funds to come from the Building and Improvement Fund. **MOTION CARRIED UNANIMOUSLY**

**ITEM 7:4-13 OLD BUSINESS**

**A. Lystek System Update**

Jason Mayer, Giffels Webster, provided the Board with the company's financial stability information and discount pricing. If Lystek happens to go out of business, the equipment being installed is not proprietary and local contractors can service the equipment without Lystek's assistance. The management of distributing the fertilizer product would also have to be done by a third party (such as Synagro) if Lystek is not able to manage it in the future. Lystek will hold the 2020 pricing for Commerce Township but only for 60 days.

Dawn Lund, Utility Financial Solutions, LLC will present her calculated water rates at the May 2021 Township Board of Trustees Meeting.

Discussion ensued on the potential for the Township to submit applications for funding.

Informational only. No action taken.

**ITEM 8:4-13 NEW BUSINESS**

**A. Library Study Room Policy**

Alyson Lobert, Library Director, said the Library Advisory Board recommends approval.

**MOTION** by Magner, supported by Weber, to approve The Commerce Township Community Library Study Room Policy. **MOTION CARRIED UNANIMOUSLY**

**B. Parks Tree and Bench Donation Policy**

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

**MOTION** by Berkheiser, supported by Phillips, to approve The Commerce Township Parks and Recreation Tree & Bench Donation Policy.

**MOTION CARRIED UNANIMOUSLY**

**C. Wise Road Parking Area and Paths**

Emily England, Senior/Parks and Recreation Director, said the estimate for the Wise Road parking area project is \$214,203.78.

**ITEM 8:4-13 NEW BUSINESS (C. Wise Road Parking Area and Paths continued)**

Jason Mayer, Giffels Webster, is waiting for a permit from the Road Commission for Oakland County.

**MOTION** by Berkheiser, supported by Magner, to go out for bids on the Wise Road Parking Area project in an amount not to exceed \$10,000.

**MOTION CARRIED UNANIMOUSLY**

**D. Hope Network Vacating Log Cabin Property**

Treasurer Phillips said the Township accepted the lease termination effective May 24, 2021 from Hope Network for the property at 740 Glengary Road.

Informational only. No action needed.

**E. S. Commerce Lake Weed Control Authorization**

Supervisor Gray explained the weed control for South Commerce Lake.

**MOTION** by Phillips, supported by Weber, to approve the Authorization Form from Aqua-Weed Control, Inc. for South Commerce Lake.

**MOTION CARRIED UNANIMOUSLY**

**F. WWTP Sanitary Sewer Relining Project**

Jason Mayer, Giffels Webster, is requesting approval to move forward with the design and bidding portion of the Sanitary Sewer Relining Project.

**MOTION** by Weber, supported by Creech, to move forward with the design and bidding portion of the Sanitary Sewer Relining Project at the WWTP at a cost not to exceed \$34,000.

**MOTION CARRIED UNANIMOUSLY**

**The following items were taken out of order.**

**G. HIDTA Agreement**

**MOTION** by Sovel, supported by Phillips, to approve the Resolution of the Township Board of the Charter Township of Commerce Declaring its Approval of the Program Year 2021 High Intensity Drug Trafficking Area (HIDTA) Subrecipient Agreement Between the County of Oakland and Township of Commerce and authorize the appropriate signatures.

**MOTION CARRIED UNANIMOUSLY**

**H. Emergency Ordinance Amendment**

Hans Rentrop, Township Attorney, explained the legality to declare a State of Disaster.

**ITEM 8:4-13 NEW BUSINESS (H. Emergency Ordinance Amendment motion continued)**

**MOTION** by Sovel, supported by Creech, to approve an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan, to be Known as Code Amendment Ordinance No.1.053 and authorize the appropriate signatures.

**ROLL CALL VOTE**

**AYES:** Sovel, Creech, Weber, Magner, Gray

**NAYS:** Berkheiser, Phillips

**MOTION CARRIED**

**ITEM 9:4-13 ORDERS**

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

**MOTION CARRIED UNANIMOUSLY**

**ITEM 10:4-13 OTHER MATTERS**

Trustee Weber –

- Board members may want to see the progress of the construction for the new fire station on Welch Road.
- The Township Property Management and Strategy Sub-Committee will hold a meeting next week to discuss Township owned properties that we did not have access to.

Trustee Magner –

- 5 & Main.
- Post for DDA Director position on MTA and SEMCOG.

Trustee Berkheiser –

- There may be a formal presentation to come before the Township Board for construction of a splash pad at Scarlet's Smile Playground.

Supervisor Gray –

- Waiting for receipt of CARES Act money.
- Ordinance Officer update.
- He is discussing the Sheriff's Department Substations with Lt. Reyes.
- The last tenant at 8585 PGA Drive is willing to relocate to the front of the building.
- He is waiting for the appraisal of the Union Lake boat launch. The DNR approached him with a 5-year lease agreement where the Township pays -0- money if we maintain the boat launch.

**ITEM 10:4-13 OTHER MATTERS (Supervisor Gray continued)**

- He requested to be on the committee for the expansion of Beck Road from 6 Mile Road to Pontiac Trail.

**ITEM 11:4-13 ADJOURNMENT**

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

**MOTION** by Phillips, supported by Creech, to adjourn the meeting at 9:07 p.m.

**MOTION CARRIED UNANIMOUSLY**



Melissa Creech, Clerk  
Charter Township of Commerce