

**CHARTER TOWNSHIP OF COMMERCE
QUARTERLY
MEETING OF THE TOWNSHIP
BOARD OF TRUSTEES _____
2009 Township Drive
Commerce Township, MI 48390
Tuesday, July 24, 2018, 7:00 p.m.**

CALL TO ORDER: Supervisor Scott called the Township Board of Trustees meeting to order at 7:00 p.m.

ROLL CALL: Present: David E. Scott, Supervisor
Melissa Creech, Clerk
Molly Phillips, Treasurer
Bob Berkheiser, Trustee
George Weber, Trustee
Vanessa Magner, Trustee
Rick Sovel, Trustee

Absent: None

Also Present: G. Hans Rentrop, Township Attorney
Jay James, Building Department Director
Fire Chief Jim Dundas
Director of Technology Ben Sebrowski
Lt. Schroeder

ITEM 1: PUBLIC COMMENTS

Supervisor Scott asked if anyone present wanted to make public comments.

Joseph Rimarcik, 4945 Wavewood, said he is overwhelmed by the political sign blight in the Township. He did some research and found an opinion by Michigan Attorney General Kelley indicating municipalities have the right to pass ordinances regarding political signs.

Supervisor Scott said the Board would be considering the issue at the August Board meeting.

Brett Mc Donald, 9135 Commerce Road, said that he doesn't want the spirit of the Township to change, doesn't want a lot of laws, and he enjoys reading the political signs while waiting at intersections. In addition, he thinks the Township needs to up its tech game and notify residents using text and email rather than publishing information in newspapers that no one reads anymore. He would like the Township to advertise the

ITEM 1: PUBLIC COMMENTS (continued)

ways to obtain Township information. Also, he is not happy with what's going on at Lower Straits Lake.

Supervisor Scott asked if anyone else would like to make a public comment, as no one came forward he closed public comments.

ITEM 2: POLICE SAD BALLOT LANGUAGE

Trustee Sovel explained the research done to arrive at the proposed millage rate and also the timing of the beginning and the ending of the SAD and whether it ends during an election year.

Attorney Rentrop assisted with the research and discussed the wording and whether to include "Not including the Village of Wolverine Lake".

Clerk Creech said that she will forward a ballot with an SAD proposal from a previous election to Attorney Rentrop.

Treasurer Phillips said the levied amount would be estimated at \$5,277,257 based on a 2% increase in Township wide taxable value for 2019.

MOTION by Phillips, supported by Magner, to approve the Township Wide Police Protection Special Assessment Ballot Proposal as presented with the sum of \$5,277,257 inserted into the blank space referencing the estimated maximum amount of revenue that could be collected the first year.

MOTION CARRIED UNANIMOUSLY

ITEM 3: FIRE SAD BALLOT LANGUAGE

A general discussion took place regarding the different expenses incurred by police protection and fire protection and the reasons for the shorter period of time proposed for the Fire SAD as compared to the proposed Police SAD.

Trustee Weber suggests adding the word "rescue" to the proposal title so the voters understand how important this SAD is to every Township resident.

Attorney Rentrop said he will add the word "rescue" if he has enough character space to do so.

Trustee Berkheiser wants to remove the parentheses from "...on the real property located within Commerce Township (including real property within the Village of Wolverine Lake)..." and change it to read "on the real property located within Commerce Township and the Village of Wolverine Lake...".

ITEM 3: FIRE SAD BALLOT LANGUAGE (continued)

Treasurer Phillips said the levied amount would be estimated at \$5,569,208 based on a 2% increase in Township wide taxable value for 2019.

MOTION by Weber, supported by Berkheiser, to approve the Township Wide Fire Protection Special Assessment Ballot Proposal as presented with the addition to the title of "& rescue" following "Township Wide Fire," revision of the ballot language from "within Commerce Township (including real property within the Village of Wolverine Lake)" to "within Commerce Township and the Village of Wolverine Lake" and with the sum of \$5,569,208 inserted into the blank space referencing the estimated maximum amount of revenue that could be collected the first year.

MOTION CARRIED UNANIMOUSLY

ITEM 4: COST PARTICIPATION AGREEMENT – MICHIGAN AIRLINE TRAIL

Supervisor Scott brought the Board up to date on the Ralph C. Wilson Foundation grant of \$2.2 million.

Trustee Magner is concerned about the City of Walled Lake and their commitment to funding their portion of the Michigan Airline Trail.

Supervisor Scott said some of those concerns have been eliminated since the grant award.

MOTION by Magner, supported by Sovel, to approve the Cost Participation Agreement between the City of Walled Lake, the City of Wixom, and Charter Township of Commerce.

MOTION CARRIED UNANIMOUSLY

ITEM 5: METRO ACT PERMIT RENEWAL – AT&T

Attorney Rentrop indicated the permit renewal application is incomplete and the Board has the options of approving the renewal contingent upon the completion of the application or denying the application.

Trustee Berkheiser recommends denying the permit renewal application.

Attorney Rentrop said that certainly sends a message and may motivate AT&T to complete their application.

MOTION by Berkheiser, supported by Creech, to deny the AT&T Metro Act Permit Renewal.

MOTION CARRIED UNANIMOUSLY

ITEM 6: METRO ACT PERMIT RENEWAL – FIBER TECHNOLOGIES NETWORKS, LLC

Trustee Berkheiser asked when the permit expires and what is missing from the application?

Attorney Rentrop said he's not sure when it expires but he will find out. The application does not include proof of environmental insurance and the AT&T application lacked a map.

MOTION by Berkheiser, supported by Weber, to deny the Fiber Technologies Networks, LLC Metro Act Permit Renewal until all material is provided by the applicant.

MOTION CARRIED UNANIMOUSLY

ITEM 7: HURON VALLEY YOUTH ASSISTANCE

MOTION by Sovel, supported by Creech, to remove Huron Valley Youth Assistance from the table.

MOTION CARRIED UNANIMOUSLY

Supervisor Scott indicated Don Green is asking Commerce Township to support Huron Valley Youth Assistance (HVYA) with a \$2500.00 donation yearly.

A general discussion followed regarding what type of organization HVYA is, what their budget looks like, where they get their funding from, where their clients reside, and how they fund raise.

Trustee Magner would like to speak with Dave Bilson, Oakland County Deputy Court Administrator, regarding HVYA.

Trustee Weber would like to see HVYA's budget before the Township donates any funds.

Supervisor Scott said he would follow up with the Board's concerns with HVYA and possibly put this item on the August agenda.

MOTION by Scott, supported by Sovel, to Table Huron Valley Youth Assistance.

MOTION CARRIED UNANIMOUSLY

ITEM 8: Budget Discussion Dates

Treasurer Phillips reminded the Board that millage rates must be approved and sent to Oakland County by September 30th.

ITEM 8: Budget Discussion Dates (continued)

Supervisor Scott said the department heads are working on their proposed 2019 budgets and were asked to turn them in to HR Director Janet Bushey by August 2nd.

Clerk Creech reminded the Board that the Public Hearing date for the SAD's is October 9th.

A general discussion followed regarding prospective dates and board member availability.

The Board decided to meet on 8-14-18 (Regular Township Board Meeting) at 7:00 p.m., 8-28-18 at 6:30 p.m., 9-11-18 (Regular Township Board Meeting) at 7:00 p.m., 9-18-18 at 6:00 p.m., 10-9-18 at 5:30 (before the Regular Township Board Meeting at 7:00 p.m.).

ITEM 9: OTHER MATTERS

Trustee Sovel asked if the Board approved the contracts in such a way and with enough funding that all of the treatment and potential weed harvesting on Lower Straits Lake can be carried out without additional Board approval?

Attorney Rentrop said the Board approved up to \$10,000.00.

Supervisor Scott asked John Levinson to speak regarding the weed conditions on Lower Straits Lake.

John Levinson, 8770 Oak Beach Drive, said there's been a great and unexpected success with the chemical treatment of weeds on the lake. He recommends further chemical treatment and not weed harvesting at this time.

MOTION by Sovel, supported by Phillips, to authorize another payment to Aquest Corporation for a second chemical treatment of weeds on Lower Straits Lake.

MOTION CARRIED UNANIMOUSLY

Trustee Sovel asked when the M5 pedestrian bridge would be complete and if there will be a ribbon cutting.

Supervisor Scott said the bridge is 2 weeks behind schedule and a ribbon cutting has not been planned at this point in time.

Trustee Magner asked what has been the total cost of the bridge to the Township.

Supervisor Scott answered about \$1.3 million.

ITEM 9: OTHER MATTERS (continued)

Clerk Creech asked Trustee Berkheiser if the Parks and Recreation Committee has discussed the sign at Maple Glen Park as one of the signs looks bad and homemade out of cardboard and marker.

Trustee Berkheiser said the Parks and Recreation Committee has discussed all of the signs at all of the Township parks.

Trustee Sovel asked when Prime 7 will open.

Building Official Jay James said the owner is waiting on Oakland County Health Department approval.

Clerk Creech reminded everyone to vote in the Primary Election on August 7th. The Township has brand new election equipment.

Trustee Berkheiser asked for an update on Wise Road.

Supervisor Scott indicated the Township is still waiting on a determination from the Department of Defense.

Trustee Weber asked about 5&Main.

Supervisor Scott said that Bruce Aikens is very busy getting letters of intent signed by national retailers.

Supervisor Scott also indicated the DEQ has assigned a liaison to Commerce Township to facilitate the removal of phragmites.

ITEM 10: CLOSED SESSION – DISCUSSION OF PENDING LITIGATION IN THE MATTER OF CHARTER TOWNSHIP OF COMMERCE v. CHARTER TOWNSHIP OF WHITE LAKE, OAKLAND COUNTY CASE NO. 2016-155404-CK

MOTION by Sovel, supported by Phillips, to enter Closed Session.

MOTION CARRIED UNANIMOUSLY

Entered Closed Session: 8:30 p.m.

Returned from Closed Session: 9:11 p.m.

MOTION by Phillips, supported by Berkheiser to adjourn from Closed Session.

MOTION CARRIED UNANIMOUSLY

ITEM 10: CLOSED SESSION – DISCUSSION OF PENDING LITIGATION IN THE MATTER OF CHARTER TOWNSHIP OF COMMERCE v. CHARTER TOWNSHIP OF WHITE LAKE, OAKLAND COUNTY CASE NO. 2016-155404-CK (continued)

MOTION by Berkheiser, supported by Weber, to approve the Closed Session Minutes and to direct the Township Attorney to proceed as discussed in Closed Session.

MOTION CARRIED UNANIMOUSLY

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

MOTION by Sovel, supported by Creech, to adjourn the meeting at 9:15 p.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce