

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

*Tuesday, September 9, 2014*

2009 Township Drive

Commerce Township, Michigan 48390

**CALL TO ORDER:** Thomas K. Zoner, Supervisor, called the meeting to order at 7:00 p.m. and introduced the members of the Board.

**PLEDGE OF ALLEGIANCE TO FLAG**

**ROLL CALL:** Present: Thomas K. Zoner, Supervisor  
Vanessa Magner, Clerk  
Susan Gross, Treasurer  
Robert Berkheiser, Trustee  
David Law, Trustee  
Robert Long, Trustee  
Rick Sovel, Trustee

Also Present: Phillip Adkison, Township Attorney  
Jason Mayer, Giffels Webster Engineers  
Hans Rentrop, Township Attorney

**APPROVAL OF MINUTES**

**MOTION** by Magner, supported by Sovel, to approve the Regular Township Board of Trustees Meeting minutes of August 12, 2014, the Special Township Board of Trustees Meeting minutes of August 19, 2014 and the Special Township Board of Trustees Meeting minutes of September 2, 2014, as submitted.

**MOTION CARRIED UNANIMOUSLY**

**PRESENTATIONS:**

**Downtown Development Authority**

Kathleen Jackson and Randy Thomas, discussed the sale of D.D.A. properties. Mr. Thomas also advised the Board of developments proposed for the properties.

**PETITIONS:**

None

**ITEM 1:9-9 APPROVAL OF AGENDA**

**MOTION** by Sovel, supported by Magner, to approve the Agenda with the addition of Union Negotiations under Closed Session. **MOTION CARRIED UNANIMOUSLY**

**ITEM 2:9-9 PUBLIC COMMENTS**

Sharon, a Maple Pointe Beach resident, supports Dodge Park 5 as the location for the new library.

Joseph Schornack, Fire Chief stated he was just made aware of a three story senior citizen center that may be constructed in the Township and urges the Board to keep the Fire Department in mind when discussing the development because this will increase fire and medical responses.

Klint Kesto, State Representative District 39 updated the Board on upcoming issues. He provided pamphlets on the Constitution and Michigan Outdoors for the public. He reminded everyone to vote in the upcoming election in November 2014.

**ITEM 3:9-9 UNION NEGOTIATIONS FOR HEALTH CARE**

John Lorenzo, Michigan Planners was present to discuss health care packages offered by Health Care Plus and Blue Cross Blue Shield. His recommendation would be the Blue Cross Blue Shield Simply Blue Plan with a \$250.00 or \$500.00 deductible with no HRA program. This will be discussed further in Executive Session.

**ITEM 4:9-9 BOARD APPOINTMENTS**

**A. Downtown Development Authority Advisory Committee**

Kathleen Jackson, D.D.A. Director is requesting the establishment of an Advisory Committee to the D.D.A. consisting of two members (each) from the Township Board, D.D.A. Board and Planning Commission. The purpose of this Committee would be to review initial development proposals with respect to site plan issues, architectural items, circulation, uses, etc. The Committee would hopefully be able to give insight to a developer from each of the Boards/Commission perspectives.

The Board was not in favor of creating an Advisory Committee to the D.D.A. at this time.

No action taken.

**ITEM 5:9-9 CONTRACT AWARDS AND AGREEMENTS**

**A. Huron Cemetery Maintenance**

Michael Willenberg, President of Huron Cemetery Maintenance was present to answer questions regarding his proposed contract.

**MOTION** by Long, supported by Law, to approve the Huron Cemetery Maintenance Agreement to commence on January 1, 2015 and terminate on December 31, 2017.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6:9-9 INTRODUCTIONS**

**A. Intent Resolution to Establish Special Assessment District to be known as Bluebird Drive/Rondelay Street Snow Plowing Special Assessment District.**

**MOTION** by Gross, supported by Berkheiser, to Introduce 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 Bluebird Drive/Rondelay Street Snow Plowing Special Assessment District, post and publish according to law.

**MOTION CARRIED UNANIMOUSLY**

**B. An Ordinance to Amend Ordinance No. 1.021 to be known as Code of Ordinance No. 1.024 – Liquor License.**

Hans Rentrop, Township Attorney explained the Ordinance.

**MOTION** by Berkheiser, supported by Magner, 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. 1.024, with a change to the language regarding the use of quota licenses outside of the D.D.A. area and bring back to the Township Board at the next regular scheduled meeting, post and publish according to law.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 7:9-9 ADOPTIONS**

**A. An Ordinance to Amend Ordinance No. 2.008 to be known as The Charter Township of Commerce Fee Ordinance No. 2.009.**

**MOTION** by Gross, supported by Magner, to Adopt the Charter Township Of Commerce an Ordinance to Amend Ordinance No. 2.008 to be known as The Charter Township of Commerce Fee Ordinance No. 2.009, post and publish according to law.

**ROLL CALL VOTE**

**AYES:** Gross, Magner, Berkheiser, Long, Law, Zoner

**NAYS:** Sovel

**MOTION CARRIED**

**ITEM 8:9-9 SITE CONDOMINIUMS AND PLATS**

**A. Golf Ridge of Commerce**

**MOTION** by Berkheiser, supported by Law, to approve Master Deed Golf Ridge of Commerce.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 9:9-9 CONSENT AGENDA**

**A. Banner Permit – Outrun Hunger**

**B. S.M.A.R.T. Municipal Contract 2015**

**MOTION** by Magner, supported by Gross, to approve the Consent Agenda.

Discussion – Sovel questioned if there was a 2-3 week banner placement limit that was discussed in the past.

A Banner Policy will be discussed at the next Regular Township Board Meeting.

**ROLL CALL VOTE**

**AYES:** Magner, Gross, Berkheiser, Long, Sovel, Law, Zoner

**NAYS:**

**MOTION CARRIED UNANIMOUSLY**

**ITEM 10:9-9 PURCHASES**

None

**ITEM 11:9-9 OLD BUSINESS**

**A. Library Location**

D.D.A. area and Dodge Park 5

Chuck Kummer, Kummer Construction showed a footprint of the future library at the D.D.A. property on Martin Parkway and at Dodge Park 5.

Long would like to see an overlay of where the utilities, water and sewer lines would go on the footprint of Dodge Park 5.

No action taken.

**B. Budget Discussion**

Janet Bushey was present to answer questions the Board may have. The fire and police budgets are complete. Community Development and Open Space budget need to be completed.

No action taken.

**ITEM 12:9-9 NEW BUSINESS**

**A. Snow Plow Bids**

Clerk Magner is asking for direction from the Board.

It was the consensus of the Board to have Clerk Magner talk with the current contractor to see if he could keep his numbers status quo and bring the findings back to the Township Board.

**B. Internet Use Policy - Library**

Connie Ozinga, Library Director stated the Library Advisory Board recommends approval of the Internet Use Policy.

**MOTION** by Gross, supported by Berkheiser, to approve the revised Library Internet Use Policy as recommended by the Library Advisory Board.

**MOTION CARRIED UNANIMOUSLY**

**C. Sue Gross' Resignation Letter**

**MOTION** by Long, supported by Berkheiser, to accept the resignation letter from Sue Gross, Township Treasurer.

**MOTION CARRIED UNANIMOUSLY**

**D. Master Plan**

Terry Carroll explained there is a map in a chapter that needs to be revised. He will have it completed as soon as possible.

Long – would like to postpone this so he can review the Master Plan further.

The Master Plan will come back to the Board at the October 2014 Township Board meeting.

No action taken.

**ITEM 13:9-9 ORDERS**

**MOTION** by Magner, supported by Gross, to approve the Order and Add-Ons.

Berkheiser – Why are we reimbursing for the cost of personal cell phones? Supervisor Zoner said the Township reimburses the cost of personal phone use when used for Township business. Berkheiser – we may want to review the policy, if there is one.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 14:9-9 OTHER MATTERS**

Law – Acknowledged and thanked Sue Gross for her dedication to Commerce Township.

Long –

- If tax day falls on a Sunday, will payment on next Monday be considered delinquent? Sue Gross said payment will not be considered delinquent.
- The sign on the door should be changed to state “exterminating wasps” instead of bees.

**ITEM 15:9-9 CLOSED SESSION**

- A. Purchase of Property**
- B. Attorney Privileged Information**
- C. Union Negotiations**

**MOTION** by Sovel, supported by Magner, to enter into Closed Session to discuss Purchase of Property, Attorney Privileged Information and Union Negotiations.

**ROLL CALL VOTE**

**AYES:** Sovel, Magner, Gross, Berkheiser, Long, Law, Zoner

**NAYS:**

**MOTION CARRIED UNANIMOUSLY**

Entered into Closed Session at: 10:35 p.m.  
Returned from Closed Session at: 11:20 p.m.

**MOTION** by Berkheiser, supported by Magner, to adjourn from Closed Session and approved Closed Session Minutes.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Sovel, seconded by Berkheiser, to authorize the attorney to move forward with the Purchase of Property as discussed in Closed Session, not to exceed \$225,000.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Sovel, seconded by Berkheiser, to approve the Township employees insurance to be Blue Cross Blue Shield Simply Blue PPO with a \$500 deductible.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Gross, seconded by Magner, to appoint the negotiating committee for the Paid on Call CTF/FAM Union to consist of Thomas K. Zoner, Rick Sovel and Vanessa Magner as an alternate.


**MOTION CARRIED UNANIMOUSLY**

**ITEM 16:9-9 ADJOURNMENT**

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

**MOTION** by Magner, supported by Gross, to adjourn the meeting at 11:22 p.m.

**MOTION CARRIED UNANIMOUSLY**

  
Vanessa Magner, Clerk  
Charter Township of Commerce

**RESOLUTION OF THE TOWNSHIP BOARD  
OF THE CHARTER TOWNSHIP OF COMMERCE  
APPROVING CONSENT AGENDA**

At the Regular Meeting of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 9<sup>th</sup> day of September, 2014, in the Township Hall at 7:00 p.m.

**PRESENT:** Zoner, Magner, Gross, Long, Sovel, Law, Berkheiser  
**ABSENT:**

The following resolution approving the Consent Agenda of September 9, 2014 Board of Trustees Meeting of the Charter Township of Commerce was offered by Magner and supported by Gross.

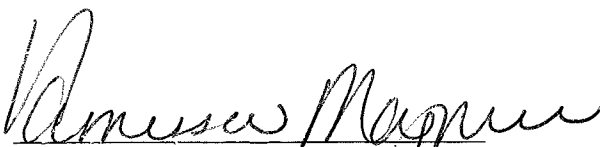
**NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF COMMERCE:**

- A. Approved the Banner Permit for Grace Church – Outrun Hunger
- B. Approved the S.M.A.R.T. Municipal Contract 2015

**AYES:** Magner, Gross, Berkheiser, Long, Sovel, Law, Zoner  
**NAYS:** Zero (0)  
**ABSENT:**

**RESOLUTION DECLARED ADOPTED**  
**STATE OF MICHIGAN**            )  
  )s.  
**COUNTY OF OAKLAND**        )

I, the undersigned duly qualified Township Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify the foregoing is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce at a Meeting held on the 9<sup>th</sup> day of September, 2014.

  
\_\_\_\_\_  
Vanessa Magner, CMMC  
Clerk, Charter Township of Commerce

Dated: 9-10-2014

**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  
BLUEBIRD DRIVE/RONDELAY STREET SNOW PLOWING  
SPECIAL ASSESSMENT DISTRICT**

At the regular meeting of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 9<sup>th</sup> day of September, 2014 in the Township Hall at 7:00 p.m.

**PRESENT:** Thomas Zoner, David Law, Susan Gross, Vanessa Magner, Robert Long, Rick Sovel, Robert Berkheiser

**ABSENT:** None

The following preamble and resolution were offered by Susan Gross and supported by Robert Berkheiser.

**WHEREAS**, the Charter Township of Commerce, Oakland County, Michigan, has received a petition requesting the establishment of a special assessment district to finance the payment of expenses, fees and charges related to snow removal services on Bluebird Drive between Polvadera and Oriole Streets and Rondelay Street between Polvadera and Foxbury Streets, and;

**WHEREAS**, the Charter Township of Commerce has caused to be prepared plans showing the improvement, the location thereof and an estimate of the cost thereof, and;

**WHEREAS**, the Charter Township of Commerce is in receipt of such plans and estimates of costs, the same having been filed with the Township Clerk, and;

**WHEREAS**, the costs associated with this Special Assessment District are of such a nature that periodic redeterminations of the costs will be made from time to time without further notice to the record owners or parties with an interest in property located within this Special Assessment District.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. In accordance with Public Act 188 of 1954, as amended, the Township Board of the Charter Township of Commerce, Oakland County, Michigan, hereby tentatively declares its intention to finance the payment of expenses, fees and charges related to snow removal services for that portion of the Township described in attached Exhibit A. The Township Board tentatively designates the Special Assessment District against which the cost of the improvement is to be assessed as being that portion of the Charter Township of Commerce described in "Exhibit A" attached hereto and made a part hereof.



2. The Township Board of the Charter Township of Commerce, Oakland County, Michigan, will meet on the 14<sup>th</sup> day of October, 2014 at 7:00 p.m. in the Township Hall, located at 2009 Township Drive, Commerce Township, Michigan, 48390, to receive public comments regarding the project, the petitions filed, and the creation of a Special Assessment District to pay costs associated with this improvement project.
3. The Township Board of the Charter Township of Commerce tentatively designates this proposed Special Assessment District as: Bluebird Drive/Rondelay Street Snow Plowing Special Assessment District.
4. In order to appeal the amount of any special assessment, affected owners or parties with an interest must protest the proposed assessment. This may be done by appearing in person at the hearing, having an agent appear at the hearing on behalf of an owner or party in interest or by filing a protest by the hearing date, by letter addressed to the Township Clerk at 2009 Township Drive, Commerce Township, Michigan, 48390. An owner or party having an interest in the real property affected by the special assessment may file a written appeal of the special assessment with the Michigan Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment is protested at the hearing held for the purpose of confirming the special assessment roll.

AYES: Thomas Zoner, David Law, Susan Gross, Vanessa Magner, Robert Long, Rick Sovel, Robert Berkheiser


NAYS: None

ABSENT: None

**RESOLUTION DECLARED ADOPTED.**

STATE OF MICHIGAN    )  
                                  )ss.  
COUNTY OF OAKLAND )

I, the undersigned duly qualified Township Clerk of the Charter Township of Commerce, Oakland County, Michigan, do hereby certify the foregoing is a true and complete copy of the proceedings taken by the Township Board of the Charter Township of Commerce at a meeting held on the 9<sup>th</sup> day of September, 2014.

  
VANESSA MAGNER, Clerk  
Charter Township of Commerce

Dated: September 10, 2014

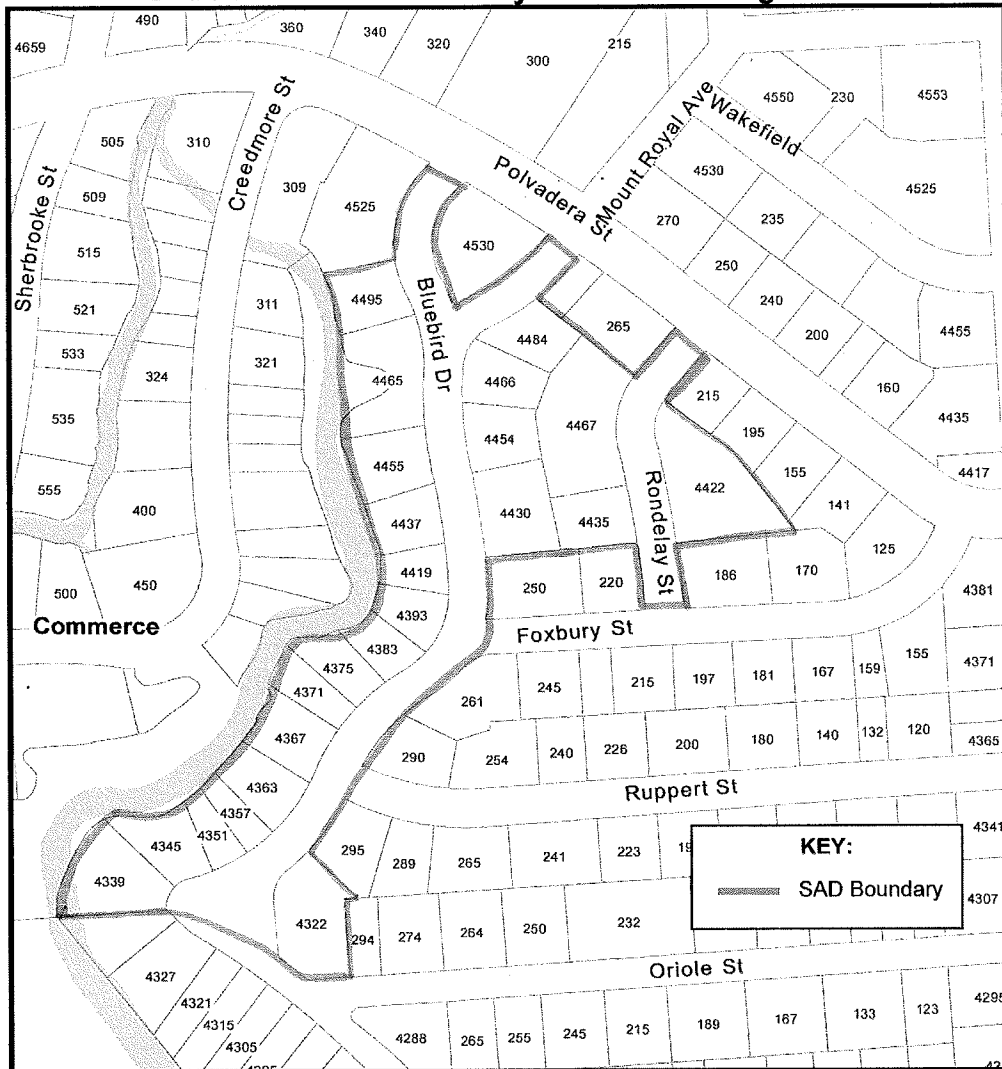
**EXHIBIT A**

**Parcel Nos.**

17-10-428-019	17-10-428-030	17-10-428-039	17-10-430-024
17-10-428-020	17-10-428-031	17-10-428-041	17-10-478-033
17-10-428-023	17-10-428-032	17-10-428-042	17-10-430-016
17-10-428-024	17-10-428-035	17-10-430-005	17-10-431-019
17-10-428-025	17-10-428-036	17-10-430-022	17-10-430-026
17-10-428-029	17-10-428-038	17-10-430-023	

The following map depicts the boundary of the Special Assessment District:

**Bluebird and Rondelay Snow Plowing SAD**



August 18, 2014

Charter Township of Commerce  
Board of Trustees  
2009 Township Drive  
Commerce Twp, Mi. 48390

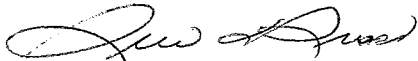
Dear Colleagues:

Please accept this letter as my resignation as Commerce Township Treasurer, effective  
December 31, 2014.

It has been an honor to have served the residents of Commerce Township for nearly 42 years –  
22 of those years as the Township Treasurer.

I wish you continued success.

Sincerely,



Susan L. Gross  
2071 Golf Crest Drive  
Commerce Twp, Mi 48382