

**CHARTER TOWNSHIP OF COMMERCE  
REGULAR BOARD OF TRUSTEES MEETING**  
*Tuesday, August 12, 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 July 8, 2014, the Special Board of Trustees Meeting minutes of July 8, 2014 and the Quarterly Board of Trustees Meeting minutes of July 22, 2014, as submitted. **MOTION CARRIED UNANIMOUSLY**

**PRESENTATIONS:**

**Wise Road Concept Plan** (taken out of order from New Business F.)  
Ms. Groya, Living LAB gave a presentation on the Wise Road Concept Plan, recommended for approval by the Parks and Recreation Committee.

**MOTION** by Berkheiser, supported by Law to accept the Wise Road Concept Plan, as presented. **MOTION CARRIED UNANIMOUSLY**

**PETITIONS:**

None

**ITEM 1:8-12 APPROVAL OF AGENDA**

**MOTION** by Sovel, supported by Magner, to approve the Agenda with the addition of "Attorney Privileged Information" under Closed Session.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 2:8-12 PUBLIC COMMENTS**

Eddy Toubey was present to ask the Township Board if they had any questions regarding a letter that he submitted to the Township. Supervisor Zoner explained to Mr. Toubey that his letter will be addressed under Closed Session.

Susan Averbuch, 9005 Campbell Creek Drive commented on the following:

- Speed limit of 45 mph is not enforced on Martin Road.
- There is a sign announcing a multi family development on Pontiac Trail between M5 and Welch Road. She thought the Planning Department denied multi family development for this area and was surprised to see a sign erected on the site.

**ITEM 3:8-12 PUBLIC HEARING**

None

**ITEM 4:8-12 BOARD APPOINTMENTS**

**A. Clarence Mills, Zoning Board of Appeals, 3 Year Term ending 8-31-2017**

**MOTION** by Sovel, supported by Magner, to re-appoint Clarence Mills to the Zoning Board of Appeals for a 3 year term ending on 8-31-2017.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:8-12 CONTRACT AWARDS AND AGREEMENTS**

None

**ITEM 6:8-12 INTRODUCTIONS**

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

Hans Rentrop, Township Attorney explained the Amendment.

**MOTION** by Gross, supported by Magner, to approve 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.

**ITEM 6:8-12 INTRODUCTIONS (Ordinance No. 2.009 Motion continued)**

**ROLL CALL VOTE**

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

**NAYS:** Berkheiser, Sovel

**MOTION CARRIED**

**ITEM 7:8-12 ADOPTIONS**

None

**ITEM 8:8-12 SITE CONDOMINIUMS AND PLATS**

None

**ITEM 9:8-12 CONSENT AGENDA**

- A. Banner Permit – Fire Prevention Week**
- B. Special Projects #20 – Refund Resolution**
- C. Special Projects #21 – Refund Resolution**
- D. Mimosa Estates Sewer – Refund Resolution**

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

**ROLL CALL VOTE**

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

**NAYS:**

**MOTION CARRIED UNANIMOUSLY**

**ITEM 10:8-12 PURCHASES**

**A. Interior Painting of 3 Fire Stations and Sub Station**

Joseph Schornack, Fire Chief stated this was in the budget and is recommending the contract be awarded to the low bidder, Ready to Roll Painting.

**MOTION** by Gross, supported by Magner, to award the contract to paint the interior of stations #1, #2 and #4, including classroom, lobby and hallways at the Oakland County Sheriff Department sub-station to Ready to Roll Painting not to exceed \$4,000.00. Funds to come from the Police and Fire SAD.

**MOTION CARRIED UNANIMOUSLY**

**B. Fire Department – Portable Radios**

Joseph Schornack, Fire Chief is recommending approval to purchase four additional radios.

**MOTION** by Zoner, supported by Gross, to approve the purchase of four additional portable radios with vehicle charges and desk top charging units from Cynergy Products

**ITEM 10:8-12 PURCHASES (Portable Radios Motion continued)**

(quote 1679) at a cost of \$13,566.00. Funds to come from the Fire SAD Fund Balance.

**MOTION CARRIED UNANIMOUSLY**

**ROLL CALL VOTE**

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

**NAYS:** Berkheiser

**MOTION CARRIED**

**C. Fire Department – Supply Hose**

Joseph Schornack, Fire Chief is recommending approval to purchase supply hose.

**MOTION** by Gross, supported by Sovel, to approve the purchase of (40) lengths of 1.75" hose, (20) lengths of 2.5" hose and (5) lengths of 5" Snap-tite supply hose from Apollo Fire Equipment at a cost of \$13,731.25. Funds to come from the Fire SAD.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 11:8-12 OLD BUSINESS**

None

**ITEM 12:8-12 NEW BUSINESS**

**A. Request for Funding from Lakes Area Youth Assistance 2014-2015**

**MOTION** by Law, supported by Gross, to approve the Contract for Services by Lakes Area Youth Assistance for the Charter Township of Commerce from July 1, 2014 – June 30, 2015.

**MOTION CARRIED UNANIMOUSLY**

**B. Wise Road Concept Plan (addressed under Presentations)**

**C. Employee Health Care Costs – Public Act 152**

**MOTION** by Sovel, supported by Berkheiser, to comply with Act 152 and adopt the 80/20 health care, the employee will be responsible to pay 20% of the cost of the health care program.

**MOTION CARRIED UNANIMOUSLY**

**D. Multi-Lakes Special Event Liquor License – Good Old Days**

**MOTION** by Gross, supported by Magner, to approve Special Event Liquor License for Multi-Lakes Conservation Association for "Good Old Days" event to be held on August 23, 2014.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 13:8-12 ORDERS**

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

**MOTION CARRIED UNANIMOUSLY**

**ITEM 14:8-12 OTHER MATTERS**

Sovel –

- Would like the Fund Balance listed on purchase requests.
- Would like to review the possibility of installing a fence on township park property when it abuts a residential house. Phillip Adkison, Township Attorney will provide information at the next Township Board meeting.

Magner –

- Requested an update on DDA liquor licenses. Hans Rentrop, Township Attorney answered that townships are now included in the law to receive DDA quota liquor licenses.

Berkheiser –

- Requested an update on the water tower. Phillip Adkison, Township Attorney answered that he has not heard back from the hospital attorney.

Law –

- Uncut grass/weeds are out of control on some vacant parcels in the township. Jay James said there is an ordinance that addresses this for established residential areas.
- Explained why he voted against Hunter Pasteur Homes at the last Township Board Meeting but voted for it during the Planning Commission Meeting because there were changes made by the DDA that were not approved by Planning Commission. Law doesn't believe plans should be approved by the Planning Commission and changed before going in front of the Township Board.

Long –

- Mentioned a possible conflict of interest with the Township Planner/DDA Director.

**ITEM 15:8-12 CLOSED SESSION**

**A. Attorney Privileged Information**

**MOTION** by Zoner, supported by Gross, to enter into Closed Session to discuss Attorney Privileged Information.

**ROLL CALL VOTE**

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

**NAYS:**

**MOTION CARRIED UNANIMOUSLY**

Entered into Closed Session at: 8:22 p.m.

Returned from Closed Session at: 8:50 p.m.

**MOTION** by Gross, supported by Sovel, to adjourn from Closed Session and approved Closed Session Minutes.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Sovel, supported by Gross, to authorize Mark Beauchamp to do a rate study to come from the Sewer Fund not to exceed \$5,000.

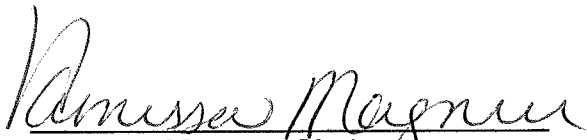
**MOTION CARRIED UNANIMOUSLY**

**ITEM 16:8-12 ADJOURNMENT**

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

**MOTION** by Gross, supported by Magner, to adjourn the meeting at 8:53 p.m.

**MOTION CARRIED UNANIMOUSLY**

  
Vanessa Magner, Clerk  
Charter Township of Commerce



**RESOLUTION OF THE TOWNSHIP BOARD  
OF THE CHARTER TOWNSHIP OF COMMERCE  
Mimosa Estates Sewer Special Assessment Refund Roll  
(Roll #32)**

At the regular of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 12<sup>th</sup> day of August, 2014, in the Township Hall at 7:00 p.m.

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

ABSENT: None

The following preamble and resolution were offered by Gross and supported by Magner.

**WHEREAS**, the improvement associated with Mimosa Estates Sewer Special Assessment District has been completed and the bonds sold in connection therewith have been paid, and;

**WHEREAS**, there remains approximately One Thousand, Seven Hundred Seventeen Dollars and 05/100 (\$1,717.05) in surplus funds in the Special Assessment District following payment of bonds and all expenses related to the project;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Township Board of the Charter Township of Commerce that in accordance with the provision of PA 188 of 1954, as amended, the sum of One Thousand Seven Hundred Seventeen Dollars and 05/100 (\$1,717.05), less costs associated with the refund, shall be paid into the Sewer Improvement Revolving Fund.

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

NAYS: Zero (0)

ABSENT: None

RESOLUTION DECLARED ADOPTED





**RESOLUTION OF THE TOWNSHIP BOARD  
OF THE CHARTER TOWNSHIP OF COMMERCE  
Special Projects #20 Special Assessment Refund Roll  
(Roll #31)**

At the regular of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 12<sup>th</sup> day of August, 2014, in the Township Hall at 7:00 p.m.

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

ABSENT: None

The following preamble and resolution were offered by Gross and supported by Magner.

**WHEREAS**, the improvement associated with Special Projects #20 Special Assessment District has been completed and the bonds sold in connection therewith have been paid, and;

**WHEREAS**, there remains approximately Six Thousand Four Hundred Thirty-Seven Dollars and 81/100 (\$6,437.81) in surplus funds in the Special Assessment District following payment of bonds and all expenses related to the project;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Township Board of the Charter Township of Commerce that in accordance with the provision of PA 188 of 1954, as amended, the sum of Six Thousand Four Hundred Thirty-Seven Dollars and 81/100 (\$6,437.81), less costs associated with the refund, shall be paid into the Sewer Improvement Revolving Fund.

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

NAYS: Zero (0)

ABSENT: None

RESOLUTION DECLARED ADOPTED



**RESOLUTION OF THE TOWNSHIP BOARD  
OF THE CHARTER TOWNSHIP OF COMMERCE  
Special Projects #21 Special Assessment Refund Roll  
(Roll #33)**

At the regular of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 12<sup>th</sup> day of August, 2014, in the Township Hall at 7:00 p.m.

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

ABSENT: None

The following preamble and resolution were offered by Gross and supported by Magner.

**WHEREAS**, the improvement associated with Special Projects #21 Special Assessment District has been completed and the bonds sold in connection therewith have been paid, and;

**WHEREAS**, there remains approximately Five Thousand Fifty Dollars and 09/100 (\$5,050.09) in surplus funds in the Special Assessment District following payment of bonds and all expenses related to the project;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, by the Township Board of the Charter Township of Commerce that in accordance with the provision of PA 188 of 1954, as amended, the sum of Five Thousand Fifty Dollars and 09/100 (\$5,050.09), less costs associated with the refund, shall be paid into the Sewer Improvement Revolving Fund.

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

NAYS: Zero (0)

ABSENT: None

RESOLUTION DECLARED ADOPTED

