

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

Tuesday, December 10, 2013

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
Rick Sovel, Trustee

Absent: Robert Long, Trustee

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

APPROVAL OF MINUTES

MOTION by Magner, supported by Gross, to approve the Regular Township Board Meeting minutes of November 12, 2013 and the Special Township Board Meeting minutes of December 2, 2013, as submitted. **MOTION CARRIED UNANIMOUSLY**

PRESENTATIONS:

A. Huron Valley Schools – HVS-TV

Elizabeth Riley, Huron Valley Schools gave a presentation on the Public Access Education Government Cable Television.

B. Traffic Study – DDA Project Area

Kathleen Jackson and Mark Stacey are requesting Township approval to use \$20,000 out of the Martin Parkway Bond to pay for the traffic study.

MOTION by Magner, supported by Gross to approve the amended 2014 Downtown Development Authority Budget. **MOTION CARRIED UNANIMOUSLY**

PRESENTATIONS:

C. CW3 Soccer

Chris Haney, Assistant General Manager of CW3 and Leah M. Groya, Living LAB gave a presentation on CW3's request to use a parcel of land owned by Commerce Township (Wixom Rd property, Lost Creek property) for soccer fields.

PETITIONS:

None

ITEM 1:12-10 APPROVAL OF AGENDA

MOTION by Magner, supported by Sovel, to approve the Agenda.

MOTION CARRIED UNANIMOUSLY

ITEM 2:12-10 PUBLIC COMMENTS

None

ITEM 3:12-10 PUBLIC HEARING

A. Community Development Block Grant (CDBG) 2014-2015 Funds

Supervisor Zoner opened the Public Hearing.

A representative from Haven thanked the Board for supporting Haven in the past year and hope to have their support again for the year 2014-2015.

Supervisor Zoner closed the Public Hearing.

MOTION by Gross, supported by Sovel, to approve the Charter Township of Commerce Resolution Approving the 2014 Community Development Block Grant Application Adopted on December 10, 2013.

MOTION CARRIED UNANIMOUSLY

ITEM 4:12-10 BOARD APPOINTMENTS

A. Jay Czarnecki - Planning Commission, 3 Year Term ending 12/31/2016

MOTION by Law, supported by Gross, to appoint Jay Czarnecki to the Planning Commission for a 3 year term ending 12-31-2016.

MOTION CARRIED UNANIMOUSLY

B. Daniel Lublin - Downtown Development Authority, 4 Year Term ending 12/31/2017

MOTION by Gross, supported by Sovel, to appoint Daniel Lublin to the Downtown Development Authority for a 4 year term ending 12-31-2017.

MOTION CARRIED UNANIMOUSLY

ITEM 5:12-10 CONTRACT AWARDS AND AGREEMENTS

A. MDOT – Pathway Maintenance Contract

MOTION by Sovel, supported by Magner, to approve the MDOT Pathway Maintenance Contract No. 13-5667 between the Michigan Department of Transportation and Commerce Charter Township, Oakland County Michigan and authorize the Supervisor and Clerk to sign all required documents. **MOTION CARRIED UNANIMOUSLY**

B. Giffels Webster Engineering Consulting Agreement

MOTION by Gross, supported by Magner, to approve the extension of the existing non-exclusive Engineering Consulting Agreement with Giffels Webster Engineering to expire on December 31, 2014, subject to receipt of their insurance within 14 days. **MOTION CARRIED UNANIMOUSLY**

C. KER Engineering Inc. Professional Services Agreement

MOTION by Gross, supported by Law, to approve the extension of the existing non-exclusive Engineering Consulting Agreement with KER Engineering to expire on December 31, 2014, subject to receipt of contractor's insurance within 14 days. **MOTION CARRIED UNANIMOUSLY**

D. Kathleen Jackson Planning Services Agreement

MOTION by Gross, supported by Law, to approve the extension of the existing Charter Township of Commerce Planning Services Agreement with Kathleen Jackson to expire on December 31, 2014, subject to receipt of contractor's insurance within 14 days. **MOTION CARRIED UNANIMOUSLY**

E. Plumbing and Mechanical Inspector Contractor Agreement

MOTION by Gross, supported by Magner, to approve the Charter Township of Commerce Plumbing and Mechanical Inspection Contractor Agreement with Kenneth G. Borycz d/b/a Side Line Services to expire on December 31, 2014, subject to receipt of contractor's insurance within 14 days. **MOTION CARRIED UNANIMOUSLY**

F. Electrical Inspection and Building Official Contractor Agreement

MOTION by Gross, supported by Sovel, to approve the Charter Township of Commerce Electrical Inspection Contractor and Building Official Agreement with Alton R. Kee to expire on December 31, 2014. The 60 percent of fees received by the Township for each permit requiring inspection services by the contractor shall be reduced to 55 percent at the time another Official Building Inspector is contracted by the Township, subject to receipt of contractor's insurance within 14 days. **MOTION CARRIED UNANIMOUSLY**

ITEM 5:12-10 CONTRACT AWARDS AND AGREEMENTS (continued)

G. Maple Ridge

James Galbraith gave an update on the project. He advised the Board that he is currently working on the Conditional Rezoning Agreement. His goal is to start the project near the end of 2014.

ITEM 6:12-10 INTRODUCTIONS - None

ITEM 7:12-10 ADOPTIONS

A. An Ordinance to Amend Zoning Ordinance 3.000 to be known as Zoning Amendment Ordinance No. 3.009 – Outdoor Storage

MOTION by Magner, supported by Sovel, to Adopt the Charter Township of Commerce an Ordinance to Amend:

1. Article 2 Definitions, Section 2.02.
2. Article 23 I, Industrial District, Section 23-01 Table of Permitted Uses.
3. Article 26 Use Standards, Section 26.302 Automobile Fueling Stations (Gas Stations).
4. Article 26 Use Standards, Section 26.304 Automobile Service Centers.
5. Article 28 Parking, Loading and Access Management, Section 28.03 General Standards.
6. Article 28 Parking, Loading and Access Management, Section 28.05 Schedule of Required Parking by Use.
7. Article 30 Signs, Section 30.05 District Standards.
8. Article 33 General Provisions, Section 33.04 Open Parking and Storage of Vehicles, Boats, Travel Trailers, Machinery or Like Items.

Of Zoning Ordinance 3.000, Charter Township of Commerce, Oakland County, Michigan to be known as Zoning Amendment Ordinance No. 3.009, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

B. An Ordinance to Amend Ordinance No. 2.007 to be known as the Charter Township of Commerce Fee Ordinance No. 2.008

MOTION by Sovel, supported by Magner, to approve the Charter Township of Commerce an Ordinance to Amend Ordinance No. 2.007 to be known as the Charter Township of Commerce Fee Ordinance 2.008, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 8:12-10 SITE CONDOMINIUMS AND PLATS – None

ITEM 9:12-10 CONSENT AGENDA

- A. Approve the 2014 Meeting Schedules for the following Boards and Commissions: Township Board of Trustees, Planning Commission, Zoning Board of Appeals, Parks and Recreation Committee, Library Board and the Downtown Development Authority.**

- B. Approve the 2014 Holiday Closing for the Township Offices and Township Library.**

- C. Approve Budget Amendments**

- D. Approve DDA Budget Amendments**

MOTION by Sovel, supported by Berkheiser, to approve the Consent Agenda with the removal of C. and D.

ROLL CALL VOTE

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

NAYS:

ABSENT: Long

MOTION CARRIED UNANIMOUSLY

C. Approve Budget Amendments

MOTION by Sovel, supported by Magner, to approve the 2013 Budget Amendments, Amendment 13-01 with the addition of adding a category and assigning an account number for Pathway Maintenance and appropriate \$25,000.00 from the General Fund and transfer it into the Pathway Maintenance Fund.

ROLL CALL VOTE

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

NAYS:

ABSENT: Long

MOTION CARRIED UNANIMOUSLY

D. Approve DDA Budget Amendments

MOTION by Magner, supported by Gross, to approve the DDA Budget Amendments, Amendment 13-02. **MOTION CARRIED UNANIMOUSLY**

ITEM 10:12-10 PURCHASES

A. Library - Document Station

Connie Jo Ozinga, Library Director is requesting approval to purchase a document station for the library.

ITEM 10:12-10 PURCHASES - Library - Document Station (continued)

MOTION by Magner, supported by Law, to approve the purchase of an Envisionware Document Station from Envisionware not to exceed \$7,500.00, funds to come from 933.000 Computer Services. **MOTION CARRIED UNANIMOUSLY**

A. Richardson Center – Chairs

Emily England is requesting approval to purchase chairs for the banquet room and the senior room at the Richardson Center.

MOTION by Gross, supported by Magner, to approve the purchase of chairs for the banquet room and the senior room at the Richardson Center from National Business Furniture not to exceed \$10,198.38. **MOTION CARRIED UNANIMOUSLY**

ITEM 11:12-10 OLD BUSINESS

A. Water Storage Facility

Jason Mayer, Giffels Webster is requesting approval to move forward with the design of a 2 MG Ground Storage Facility behind Fire Station #1.

MOTION by Berkheiser, supported by Zoner, to approve the request of Giffels Webster to move forward with the design of a 2 MG Ground Storage Facility behind Fire Station #1. This is contingent upon the agreement finalized with Huron Valley Hospital.

ROLL CALL VOTE

AYES: Berkheiser, Zoner, Magner, Gross, Law

NAYS: Sovel

ABSENT: Long

MOTION CARRIED

ITEM 12:12-10 NEW BUSINESS

A. Commerce Crossings Paving SAD

Hans Rentrop and Phillip Adkison, Township Township Attorneys gave a review. They will come back with additional resolutions for the Board to consider.

MOTION by Sovel, supported by Berkheiser, to authorize the Township Attorney and Engineers to move forward on establishing a Special Assessment District for Commerce Crossing and come back with conceptual plans to address repairing and maintenance program.

ROLL CALL VOTE

AYES: Sovel, Berkheiser, Gross, Law, Zoner

NAYS: Magner

ABSENT: Long

MOTION CARRIED

ITEM 12:12-10 NEW BUSINESS (continued)

B. Haggerty and Welch Pump Station Abandonment

Jason Mayer, Giffels Webster is recommending the Township develop a plan to build and finance improvements necessary to abandon two pump stations:

1. Haggerty Road, Pump Station located within an easement on DDA owned property north of Pontiac Trail, and
2. Campbell Creek Pump Station located within an easement on Campbell Creek near Welch Road.

Mr. Mayer recommends Segment #1 and #5 should be constructed by the Commerce Township Sanitary Sewer Fund. It is important that this segment of sewer be installed before Unit 3 is developed because it will be difficult to install once Unit 3 is developed.

MOTION by Gross, supported by Law, to authorize Giffels Webster Engineers to construct the sewer for unit #3 segment #5. **MOTION CARRIED UNANIMOUSLY**

C. CW3 Soccer Field Proposal – Parks and Rec

This was discussed under Presentations.

D. Sheriff Contract

Clarification – two Deputy II positions were approved until Walled Lake Consolidated School District agrees to pay for one officer. The Deputy II positions will be upgraded upon approval by Walled Lake Consolidated School District.

E. Resolution to Waive Recapture of 2011 CDBG Funds

MOTION by Magner, supported by Sovel, to approve the Charter Township of Commerce Resolution to waive Recapture of Community Development Block Grant Funds. **MOTION CARRIED UNANIMOUSLY**

ITEM 13:12-10 ORDERS

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

Recess: 10:42 p.m.

Reconvene: 10:47 p.m.

ITEM 14:12-10 OTHER MATTERS

A. Union Discussion

Kirk Werner proposed a command officer proposal by adding 3 Captains and 3 Lieutenants. In addition, they would like to add Engineers and Sergeants.

ITEM 14:12-10 OTHER MATTERS (continued)

Supervisor Zoner stated he received a proposal from someone to purchase a parcel of property, owned by the Township, at Sleeth and Benstein Roads for \$150,000.00 cash. It was the consensus of the Board not to sell the property.

ITEM 15:12-10 CLOSED SESSION

A. Union Negotiations

MOTION by Sovel, supported by Gross, to enter into Closed Session for the purpose of discussing Union Negotiations.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session: 11:18 pm

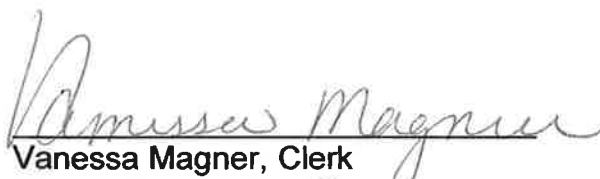
Returned from Closed Session: 12:02 am

ITEM 16:12-10 ADJOURNMENT

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

MOTION by Berkheiser, supported by Law, to approve Closed Session minutes and adjourn at 12:02 a.m.

MOTION CARRIED UNANIMOUSLY



Vanessa Magner, Clerk
Charter Township of Commerce