

**CHARTER TOWNSHIP OF COMMERCE
REGULAR BOARD OF TRUSTEES MEETING**
Tuesday, June 14, 2011
2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER: Supervisor Thomas Zoner 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
Daniel Munro, Clerk
Susan Gross, Treasurer
Debra Kirkwood, Trustee
David Law, Trustee
Robert Long, Trustee

Absent: Rick Sovel, Trustee (excused)

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

APPROVAL OF MINUTES

MOTION by Gross, supported by Kirkwood, to approve the Regular Township Board meeting minutes of May 10, 2011, as written.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

A. Utility Financial Solutions – Mark Beauchamp

Mark Beauchamp gave a presentation on the Commerce Township Wastewater Department Long-Term Financial Projection.

B. Historical Cemetery Clean-Up

Barbara Garbutt was present along with Eagle Scout Andrew Trombley. Mr. Trombley gave a presentation on the Historical Cemetery clean up project. He would like to clean the headstones at the cemetery. The Township Board of Trustees thanked and approved the project.

PRESENTATIONS (continued)

C. DDA Budget Update

Kathleen Jackson, D.D.A. Director gave a presentation on the proposed, amended D.D.A. budget for 2011. James Gotts, Chairperson of D.D.A. and Mark Stacy, Chairperson of Finance for D.D.A. were present.

MOTION by Gross, supported by Munro, to approve the revised D.D.A. Budget for 2011, as presented.

ROLL CALL VOTE:

AYES: Gross, Zoner, Kirkwood, Law, Long, Munro

NAYS:

ABSENT: Sovel

MOTION CARRIED UNANIMOUSLY

PETITIONS:

None

ITEM 1:6-14 APPROVAL OF AGENDA

MOTION by Gross, supported by Munro, to approve the Agenda with the addition of Item 12 E. Permit for Fireworks Sales and Item 12 F. Event Review and Special Permit for Multi Lakes Area Chamber of Commerce.

MOTION CARRIED UNANIMOUSLY

ITEM 2:6-14 PUBLIC COMMENTS

None

ITEM 3:6-14 PUBLIC HEARINGS

None

ITEM 4:6-14 BOARD APPOINTMENTS

None

ITEM 5:6-14 CONTRACT AWARDS AND AGREEMENTS

A. Oakland County Equalization Contract

MOTION by Gross, supported by Munro, to approve the Contract for Oakland County Equalization Division Assistance Services with the Charter Township of Commerce (real and personal property services) and authorize the appropriate signatures.

ROLL CALL VOTE:

AYES: Gross, Munro, Long, Law, Zoner

NAYS: Kirkwood

ABSENT: Sovel

MOTION CARRIED

B. League Contracts

MOTION by Munro, supported by Long, to approve the agreements between the Charter Township of Commerce and Interlakes Girls Softball, Lake Area Athletics and Commerce Little League and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

C. South Commerce Force Main

Jason Mayer, Giffels-Webster Engineers gave an update and recommends the contract be awarded to the low bidder, Lawrence M. Clarke Construction Company.

MOTION by Munro, supported by Kirkwood, to approve the recommendation of the Township Engineers to award the South Commerce Road Sanitary Sewer Force Main contract to the low bidder, Lawrence M. Clarke Construction Company at a cost of \$523,968.00 and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

D. Parking Lot Repairs at Fire Station #3

Chief Joseph Schornack explained the repairs to the parking lot at Fire Station #3 and recommends the contract be awarded to the low bidder, Advanced Sealcoat.

MOTION by Munro, supported by Kirkwood, to approve the recommendation of Fire Chief Joseph Schornack to award the contract to Advanced Sealcoat for parking lot repairs and seal coat at Fire Station #3 in an amount not to exceed \$3,700.00 and authorize the appropriate signatures. Funds to come from the Capital Outlay Account.

MOTION CARRIED UNANIMOUSLY

ITEM 5:6-14 CONTRACT AWARDS AND AGREEMENTS (continued)

E. Real Estate Conveyance Agreement – Township Library

Hans Rentrop, Township Attorney, explained the agreement and recommends approval.

MOTION by Munro, supported by Gross, to approve the Real Estate Conveyance Agreement for the Township Library and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

ITEM 6:6-14 INTRODUCTIONS

A. An Ordinance to Amend the Code of Ordinances, Charter Township of Commerce to be known as Ordinance No. 1.014.

MOTION by Gross, supported by Kirkwood, 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. 1.014, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 7:6-14 ADOPTIONS

A. An Ordinance to Amend Ordinance No. 2.004 to be known as the Charter Township of Commerce Fee Ordinance No. 2.005.

MOTION by Munro, supported by Gross, to Adopt Ordinance to Amend Ordinance No. 2.004 to be known as the Charter Township of Commerce Fee Ordinance No. 2.005 to include Option B as specified by Utility Financial Solutions, LLC to lower the wastewater treatment plant rate increase, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 8:6-14 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:6-14 CONSENT AGENDA

- A. Approve the Banner Permit for Orchard Lake Fine Art Show**
- B. Approve the Lyniss Drive Water SAD Bond Refund Resolution**
- C. Approve the North Commerce Lake Dredging SAD Bond Refund Resolution**
- D. Approve the Special Project #15 SAD Bond Refund Resolution**
- E. Approve the Union Lake Sub Sewer SAD Bond Refund Resolution**

ITEM 9:6-14 CONSENT AGENDA (continued)

- F. Approve Resolution to Participate in Community Development Block Grant**
- G. Approve the Banner Permit for the Fire Department Open House**

MOTION by Munro, supported by Gross, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda with the removal of A.

ROLL CALL VOTE:

AYES: Munro, Gross, Kirkwood, Law, Long, Zoner
NAYS:
ABSENT: Sovel

MOTION CARRIED UNANIMOUSLY

A. Approve the Banner Permit for Orchard Lake Fine Art Show

Elise Richey was present to request approval to place a banner on Union Lake Road, south of Cooley Lake Road from July 13, 2011 to August 1, 2011 for the Orchard Lake Fine Art Show. She stated there are businesses from Commerce Township that will be involved along with several Commerce Township residents that will attend. The location of the event will be west of Orchard Lake Road south of Maple Road.

MOTION by Zoner, supported by Gross, to approve a banner permit to place a 3'x30' vinyl mesh banner on Union Lake Road, south of Cooley Lake Road from July 13, 2011 to August 1, 2011 for the Orchard Lake Fine Art Show.

ROLL CALL VOTE:

AYES: Zoner, Gross, Munro, Kirkwood, Long, Law
NAYS:
ABSENT: Sovel

MOTION CARRIED UNANIMOUSLY

ITEM 10:6-14 PURCHASES

A. Laptop Replacements

Daniel Munro recommends the purchase of 14 Apple iPads for the Township Board, Deputies, and Directors for \$8,218.00.

MOTION by Munro, supported by Zoner, to approve the purchase of 14 Apple iPads in an amount not to exceed \$8,300.00. Funds to come from the PEG Fund.

ITEM 10:6-14 PURCHASES - Laptop Replacements (Motion continued)

ROLL CALL VOTE:

AYES: Munro, Zoner, Law, Long, Kirkwood, Gross

NAYS:

ABSENT: Sovel

MOTION CARRIED UNANIMOUSLY

B. Upgrade to Classroom for Fire Station #4

Chief Joseph Schornack explained the upgrades needed for the classroom.

MOTION by Gross, supported by Kirkwood, to approve \$3,000.00 for updates to the training center for the Fire Department. Funds to come from the Firefighters Building Improvement Fund.

MOTION CARRIED UNANIMOUSLY

ITEM 11:6-14 OLD BUSINESS

None

ITEM 12:6-14 NEW BUSINESS

A. Special Liquor License – Detroit Bike Week

Matt Flynn 13180 Trafalgar, Warren, Michigan, Top Notch Entertainment and Events, Inc., discussed Detroit Bike week events that will be at Multi-Lakes Conservation Association.

MOTION by Kirkwood, supported by Zoner, to approve the request for a special permit for alcohol sales for Detroit Bike Week July 28th-31st 2011 at Multi-Lakes Conservation Association.

ROLL CALL VOTE:

AYES: Kirkwood, Zoner, Munro, Gross, Long, Law

NAYS:

ABSENT: Sovel

MOTION CARRIED UNANIMOUSLY

B. Liquor License Transfer – Richardson Foods, Inc.

MOTION by Munro, supported by Kirkwood, to approve the Resolution to transfer all stock in 2010 Class C Licensed Business, located at 8115 Richardson, Commerce Township, Michigan 48390, Commerce Township, Oakland County, wherein Kousay Asker transfers 100 shares of stock to new stockholder Asker Asker.

MOTION CARRIED UNANIMOUSLY

ITEM 12:6-14 NEW BUSINESS (continued)

C. Byers Barn Roof

Dan Munro updated the Board on the Byers barn roof.

MOTION by Munro, supported by Gross, to approve the recommendation of the Parks and Recreation Committee to award the contract to replace the barn roof at Byers to QHR at a cost not to exceed \$5,300.00 with half of the cost paid for by the Friends of Byers prior to construction. Remaining funds to come from the Parks and Recreation Millage.

MOTION CARRIED

UNANIMOUSLY

D. Water Tower Update

Loren Crandell, Giffels-Webster Engineers gave a presentation. Mr. Crandell recommends the following:

- Begin the process of designing and constructing a water storage facility.
- Form a committee to help decide basic design criteria: site selection, tank design, etc.
- A 2 MG, elevated storage tank.
- Determine design/construction approach.

No action taken

E. Permit for fireworks sales

Steve Yousif is requesting approval to sell fireworks for a period of four weeks at a plaza located at 46670 Pontiac Trail.

MOTION by Munro, supported by Zoner, to grant the Fireworks Sales Permit to Steve Yousif to sell fireworks from at the plaza located at 46670 Pontiac Trail subject to satisfactory completion of items on the permit checklist, specifically the requirements for insurance, building inspection, and State Fire Marshall approval.

ROLL CALL VOTE:

AYES: Munro, Zoner, Long, Law, Kirkwood Gross

NAYS:

ABSENT: Sovel

MOTION CARRIED UNANIMOUSLY

F. Event review and special permit for Multi Lakes Area Chamber of Commerce

Bob McGee, Multi Lakes Chamber of Commerce, was present to request approval to hold a one-day fundraising event at Multi Lakes Conservation Association.

ITEM 12:6-14 NEW BUSINESS (Multi Lakes Area Chamber of Commerce continued)

MOTION by Munro supported by Gross, to approve a special liquor permit to Multi Lakes Area Chamber of Commerce for a one-day fundraising event at Multi Lakes Conservation Association on Saturday, June 18, 2011

MOTION CARRIED UNANIMOUSLY

ITEM 13:6-14 ORDERS

MOTION by Gross, supported by Munro, to approve the orders and additions.

MOTION CARRIED UNANIMOUSLY

ITEM 14:6-14 OTHER MATTERS

Munro - The Township Discussion Session Meeting of July 26, 2011 rescheduled to August 23, 2011.

Zoner – Need to set up a tour of the wastewater treatment plant. Loren Crandell will arrange a date for the tour.

ITEM 15:6-14 CLOSED SESSION

MOTION by Gross, supported by Law, to enter in Closed Session for the purpose of discussing purchase of real property.

ROLL CALL VOTE:

AYES: Gross, Law, Long, Kirkwood, Munro, Zoner

NAYS:

ABSENT: Sovel

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session: 9:58 p.m.

Returned from Closes Session: 10:45pm

Tuesday, June 14, 2011

MOTION by Gross, supported by Law to approve the Closed Session Minutes.

MOTION CARRIED UNANIMOUSLY

MOTION by Munro, supported by Law to direct the Township Supervisor to enter negotiations for the purpose of purchase of real property.

MOTION CARRIED UNANIMOUSLY

ITEM 16:6-14 ADJOURNMENT

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

MOTION by Munro supported by Kirkwood, to adjourn at 10:52 p.m.

MOTION CARRIED UNANIMOUSLY



Daniel P. Munro, Clerk
Charter Township of Commerce

RESOLUTION

At a Regular meeting of the Township Board
(Regular or Special) (Township Board, City or Village Council)

called to order by Thomas K. Zoner on June 14, 2011 at 7:00 P.M.

The following resolution was offered:

Moved by Munro and supported by Kirkwood

That the request from RICHARDSON FOODS, INC., TO TRANSFER ALL STOCK IN 2010 CLASS C LICENSED BUSINESS, LOCATED AT 8115 RICHARDSON, COMMERCE TOWNSHIP, MI 48390, COMMERCE TOWNSHIP, OAKLAND COUNTY, WHEREIN KOUSAY ASKER TRANSFERS 100 SHARES OF STOCK TO NEW STOCKHOLDER ASKER ASKER.

be considered for Approval
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: 6

Yeas: N/A

Nays: 0

Nays: N/A

Absent: 1

Absent: N/A

It is the consensus of this legislative body that the application be:

Recommended for issuance
(Recommended or Not Recommended)


State of Michigan _____)

County of Oakland _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the Township Board at a Regular
(Township Board, City or Village Council) (Regular or Special)

meeting held on June 14, 2011
(Date)

(Signed) 
(Township, City or Village Clerk)
2009 Township Drive
Commerce Township, MI 48390
(Mailing address of Township, City or Village)

SEAL

**RESOLUTION OF THE TOWNSHIP BOARD
OF THE CHARTER TOWNSHIP OF COMMERCE
RETAIN SPECIAL ASSESSMENT RESIDUAL FUNDS
UNION LAKE SUB SEWER
SPECIAL ASSESSMENT DISTRICT**

At the regular of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 14th day of June, 2011, in the Township Hall at 7:00 p.m.

PRESENT: Thomas K. Zoner, Daniel Munro, Susan L. Gross, Debra Kirkwood, David Law, Robert Long

ABSENT: Rick Sovel

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

WHEREAS, the improvement associated with Union Lake Sub Sewer Special Assessment District has been completed and the bonds sold in connection therewith have been paid, and;

WHEREAS, there remains approximately One, Thousand One Hundred Sixty-eight Dollars and 78/100 (\$1,168.78) 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 One Hundred Sixty-eight Dollars & 78/100 (\$1,168.78) plus interest (less costs associated with the refund) shall be paid into the Improvement Revolving Sewer Fund.

AYES: Munro, Gross, Kirkwood, Law, Long, Zoner

NAYS: None

ABSENT: Sovel

RESOLUTION DECLARED ADOPTED

**RESOLUTION OF THE TOWNSHIP BOARD
OF THE CHARTER TOWNSHIP OF COMMERCE
RETAIN SPECIAL ASSESSMENT RESIDUAL FUNDS
SPECIAL PROJECTS #15
SPECIAL ASSESSMENT DISTRICT**

At the regular of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 14th day of June, 2011, in the Township Hall at 7:00 p.m.

PRESENT: Thomas K. Zoner, Daniel Munro, Susan L. Gross, Debra Kirkwood, David Law, Robert Long

ABSENT: Rick Sovel

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

WHEREAS, the improvement associated with Special Projects #15 Special Assessment District has been completed and the bonds sold in connection therewith have been paid, and;

WHEREAS, there remains approximately Four Thousand One Hundred Ninety-three Dollars and 32/100 (\$4,293.32) 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 Four Thousand Two Hundred Ninety-three Dollars and 32/100 & 78/100 (\$4,293.32) plus interest (less costs associated with the refund) shall be paid into the Improvement Revolving Sewer Fund.

AYES: Munro, Gross, Kirkwood, Law, Long, Zoner

NAYS: None

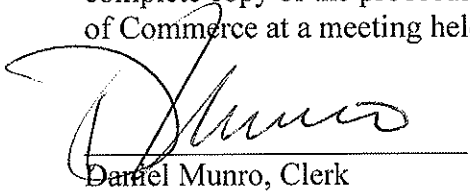
ABSENT: Sovel

RESOLUTION DECLARED ADOPTED

Resolution
Residual Special Assessment Funds
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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 14th day of June, 2011.



Daniel Munro, Clerk
Charter Township of Commerce

Dated: June 15, 2011

**RESOLUTION OF THE TOWNSHIP BOARD
OF THE CHARTER TOWNSHIP OF COMMERCE
RETAIN SPECIAL ASSESSMENT RESIDUAL FUNDS
NORTH COMMERCE LAKE DREDGING
SPECIAL ASSESSMENT DISTRICT**

At the regular of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 14th day of June, 2011, in the Township Hall at 7:00 p.m.

PRESENT: Thomas K. Zoner, Daniel Munro, Susan L. Gross, Debra Kirkwood, David Law, Robert Long

ABSENT: Rick Sovel

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

WHEREAS, the improvement associated with North Commerce Lake Dredging Special Assessment District has been completed and the bonds sold in connection therewith have been paid, and;

WHEREAS, there remains approximately Three Thousand Nine Hundred Forty-Four Dollars and 14/100 (\$3,944.14) 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 Three Thousand Nine Hundred Forty-Four Dollars and 14/100 (\$3,944.14) plus interest (less costs associated with the refund) shall be paid into the Improvement Revolving Sewer Fund.

AYES: Munro, Gross, Kirkwood, Law, Long, Zoner

NAYS: None

ABSENT: Sovel

RESOLUTION DECLARED ADOPTED

**RESOLUTION OF THE TOWNSHIP BOARD
OF THE CHARTER TOWNSHIP OF COMMERCE
RETAIN SPECIAL ASSESSMENT RESIDUAL FUNDS
LYNISS DRIVE WATER
SPECIAL ASSESSMENT DISTRICT**

At the regular of the Township Board of the Charter Township of Commerce, County of Oakland, Michigan, held on the 14th day of June, 2011, in the Township Hall at 7:00 p.m.

PRESENT: Thomas K. Zoner, Daniel Munro, Susan L. Gross, Debra Kirkwood, David Law, Robert Long

ABSENT: Rick Sovel

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

WHEREAS, the improvement associated with Lyniss Drive Water Special Assessment District has been completed and the bonds sold in connection therewith have been paid, and;

WHEREAS, there remains approximately One Thousand One Hundred Ninety-Five Dollars and 13/100 (\$1,195.13) 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 One Hundred Ninety-Five Dollars and 13/100 (\$1,195.13) plus interest (less costs associated with the refund) shall be paid into the Improvement Revolving Water Fund.

AYES: Munro, Gross, Kirkwood, Law, Long, Zoner

NAYS: None

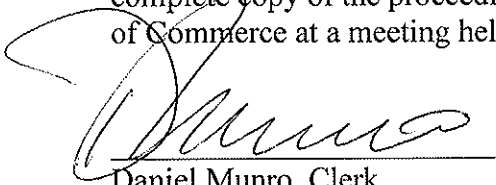
ABSENT: Sovel

RESOLUTION DECLARED ADOPTED

Resolution
Residual Special Assessment Funds
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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 14th day of June, 2011.



Daniel Munro, Clerk
Charter Township of Commerce

Dated: June 15, 2011

**RESOLUTION TO PARTICIPATE IN 2012, 2013 AND 2014
COMMUNITY DEVELOPMENT BLOCK GRANT**

We resolve to participate in Oakland County's Urban County Community Development Block Grant (CDBG) programs for the years 2012, 2013 and 2014. Furthermore, we resolve to remain in Oakland County's Urban county Community Development programs, which shall be automatically renewed in successive three-year qualification periods of time, or until such time that is in the best interest of the local community to terminate the cooperative Agreement.

Motion by: Munro

Seconded by: Gross

Yea: Munro, Gross, Kirkwood, Law, Long, Zoner


Nay: None

Abstaining: None

Absent: Sovel

The Charter Township of Commerce Supervisor declared the resolution adopted.

I, Daniel Munro, the duly elected Clerk of the Charter Township of Commerce, Oakland County, Michigan do hereby certify that the above is a true copy of a resolution adopted by the Charter Township of Commerce Board of Trustees at a meeting held on June 14, 2011 at which time a quorum was present.



Daniel Munro, Township Clerk