

**CHARTER TOWNSHIP OF COMMERCE  
REGULAR BOARD OF TRUSTEES MEETING  
May 14, 2019  
2009 Township Drive  
Commerce Township, Michigan 48390**

**CALL TO ORDER:** David Scott, 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: David Scott, Supervisor  
Melissa Creech, Clerk  
Molly Phillips, Treasurer  
Robert Berkheiser, Trustee  
Vanessa Magner, Trustee  
Rick Sovel, Trustee  
George Weber, Trustee

Also Present: Jay James, P.E. Building Official  
Jason Mayer, Giffels Webster Engineers  
Phillip Adkison, Township Attorney  
Hans Rentrop, Township Attorney

**APPROVAL OF MINUTES**

**MOTION** by Magner, supported by Berkheiser, to approve the April 9, 2019 Regular Township Board of Trustees Meeting minutes and the April 23, 2019 Quarterly Discussion Meeting Minutes, as submitted. **MOTION CARRIED UNANIMOUSLY**

**ITEM 1:5-14 APPROVAL OF AGENDA**

**MOTION** by Phillips, supported by Creech, to approve the May 14, 2019 Agenda. **MOTION CARRIED UNANIMOUSLY**

**ITEM 2:5-14 PUBLIC COMMENTS**

No one present had any questions or comments.

**ITEM 3:5-14 REFUNDING OF 2010 CAPITAL IMPROVEMENT BONDS**

Tom Traciak explained the bond refunding. If the Board has no objections, the Bond Resolution will come before the Board at the June or July, 2019 Township Board Meeting.

**ITEM 4:5-14 BOARD APPOINTMENTS**

**A. William McKeever – Reappointment to the Planning Commission for a 3-Year Term to Expire June 30, 2022**

William McKeever was present.

**MOTION** by Weber, supported by Berkheiser, to reappoint William McKeever to the Planning Commission for a 3-Year Term to Expire June 30, 2022.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:5-14 CONTRACT AWARDS AND AGREEMENTS**

**A. Oakland County Equalization Division Assistance Services 2019-2022 – Tabled 5-14-2019.**

**MOTION** by Sovel, supported by Phillips, to remove Oakland County Equalization Division Assistance Services 2019-2022 from the Table.

**MOTION CARRIED UNANIMOUSLY**

The existing contract between Oakland County Equalization and the Charter Township of Commerce will expire on June 30, 2019.

**MOTION** by Phillips, supported by Creech, to approve the Contract for Oakland County Equalization Division Assistance Services with the Charter Township of Commerce, 2019 – 2022.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6:5-14 SITE CONDOMINIUMS AND PLATS**

**A. Island Club #2 Condominium Site Plan**

David Campbell, Planning Director, gave an overview of the condominium site plan. This is for 7 single-family site condominium units, along with approximately 1 acre of convertible area as requested by the developer, Andrew Marougy.

Andrew Marougy, IC Development of Commerce MI, was present

**MOTION** by Weber, supported by Berkheiser, to approve PSP# 10-0003, Condominium Site Plan for Island Club #2.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 7:5-14 CONSENT AGENDA**

- A. Fireworks Permit – Edgewood Country Club**
- B. Fireworks Permit – Long lake**
- C. Fireworks Permit – Long Lake Cake Show**
- D. Fireworks Permit – North Commerce Lake**
- E. Fireworks Permit – Lake Sherwood**
- F. Banner Permit – Parks & Recreation Summer Concert Series**
- G. West Nile Prevention Reimbursement Program Resolution**

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

**ROLL CALL VOTE**

**AYES:** Sovel, Magner, Creech, Phillips, Weber, Berkheiser, Scott

**NAYS:** None

**MOTION CARRIED UNANIMOUSLY**

**ITEM 8:5-13 PURCHASES**

**A. Township Hall Window Replacement**

Jay James, Building Official, stated the total cost to replace 19 of the existing windows with egress double hung windows is \$57,209.82 installed by Especially Windows, LLC. He said he only checked on prices of Pella brand windows because the existing windows at the Township Hall are Pella windows and he was directed to try to match what was in place.

Supervisor Scott - This came about from an assessment of the building by the Sheriff's Department when they held an active shooter training for Township employees. There were rooms in the building that did not have an escape window. Because we had windows that needed repair, we thought this was a good time to replace the windows, and add escape windows.

**MOTION** by Sovel, supported by Berkheiser, to approve the replacement of 19 windows with egress double hung windows at a cost not to exceed \$57,209.82. Contact will be made with other vendors to see if they can match the existing window style and color at a lower price. The budget shall be amended accordingly.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 9:5-14 OLD BUSINESS**

**A. Horse Farm – 2252 Wixom Road**

Jay James, Building Official, visited the Township owned horse farm located at 2552 Wixom Road on April 11, 2019. Based on the visit he submitted a report dated May 8, 2019 with his recommendations on any improvements that may be needed on the property. He does not have a cost for the improvement work. He believes the following improvements need to be done first: 1) Windmill demolished, 2) Well inside the windmill base capped and abandoned, and 3) Patch the holes in the riding stable's roof.

**ITEM 9:5-14 OLD BUSINESS (Horse Farm – 2252 Wixom Road continued)**

If the Township decides to rent out the facility as it is used today, the public viewing area inside the barn will need to be gutted and brought up to ADA standards.

Trustee Weber - We need to decide what the Township's vision is for this site. If we want to keep it a rental for horses, then we need to figure out how much this will cost the Township for improvements, how much the Township will receive in rent, how many horses will be allowed, etc. in order to see if it is justifiable for the Township to rent it out or keep it.

**MOTION** by Weber, supported by Berkheiser, to approve funding from the Improvement and Building Fund to repair holes on the riding stable's roof, abandon the windmill, cap and abandon the windmill well and provide dumpster service to completely clean out the barn.

Discussion: Trustee Weber - Can we have a contractor give us a price on what it would take to make the barn and the two riding stables meet building code? He would like the Township Board to review the draft Concession Agreement and costs for improvements at the June Meeting.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 10:5-14 NEW BUSINESS**

**A. Richardson Community Center Catering**

Emily England, Senior Director, recommends Angel Food Catering to be the premier caterer for the Richardson Center.

**MOTION** by Berkheiser, supported by Creech, to draft a contract to have Angel Food Catering as the premier caterer for the Richardson Community Center.

**MOTION CARRIED UNANIMOUSLY**

**B. 5560 Blackmoor Demolition Bids**

Jay James, Building Official, advised the Board that two bids were received for demolition of the building at 5560 Blackmoor. He recommends the Board award the contract to RJ Hoffman Management.

**MOTION** by Phillips, supported by Berkheiser, to award the contract to RJ Hoffman Management for demolition of the building at 5560 Blackmoor at a cost of \$9,397.00. Funds to come from the General Fund.

**MOTION CARRIED UNANIMOUSLY**

**C. Fire Station Owner's Representative RFP**

Jim Dundas, Fire Chief, is asking approval to hire an owner's representative for the Station 3 project. He recommends Plante Moran CRESA to be our owner's representative for the project.

**ITEM 10:5-14 NEW BUSINESS (Fire Station Owner's Representative RFP continued)**

**MOTION** by Scott, supported by Magner, to approve Plante Moran CRESA to be the owner's representative for the Fire Station 3 rebuild project. **MOTION CARRIED UNANIMOUSLY**

Fire Chief Dundas introduced Kevin Donnelly, Vice President of Plante Moran CRESA.

**D. Residential Refuse Disposal RFP**

Ms. Mary Jo Van Natter and Mr. Don Barretta, GFL Environmental were present to answer questions of the Board.

**MOTION** by Weber, supported by Sovel, to award the Residential Refuse Disposal Contract to GFL Environmental as per their proposal submitted for the years 2020–2024. Beginning January 6, 2020, Township waste service shall be Tuesday through Friday with a 5% discount, Bin-Plus waste service, weekly recycling, weekly bulk item pick-up and seasonal yard waste collection. GFL will provide one Township hazardous waste day as indicated in the RFP. At the Township's future direction, GFL will also provide either an additional hazardous waste day or a paper shredding day, at an additional cost to the Township, not included in the base bid.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 11:5-14 ORDERS**

**MOTION** by Phillips, supported by Berkheiser, to approve the Orders and Add Ons.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 12:5-14 OTHER MATTERS**

**Five and Main**

Trustee Magner asked if July 31, 2019 is the closing date for the Five and Main property. Supervisor Scott answered yes.

Trustee Berkheiser said the Road Commission for Oakland County is requesting another analysis done on the round-a-bout. The developer already paid for two analysis and does not want to pay for a third one.

Trustee Weber read the latest DDA meeting minutes and asked about the signed lease with the market. David Campbell, Planning Director, was unsure if the lease with the market has been resolved.

Supervisor Scott said when the developer brings in the site plan for approval we will begin to hear the names of tenants that have signed leases for the Five and Main development.

David Campbell, Planning Director, said there was some talk by Mr. Aikens about phased development.

**ITEM 12:5-14 OTHER MATTERS (continued)**

Trustee Magner –

- We need to begin setting dates to discuss the budget.

Trustee Berkheiser –

- Do we know how much the election cost the Township? Clerk Creech said they are working on the figures now.
- First and Main expansion. David Campbell, Planning Director, said independent living is the next phase that will attach 67 units to the existing building. The developer presented conceptual plans to the Planning Commission. They were told if they want another phase, they will have to make some improvements to the existing building.

Trustee Berkheiser –

- Bridge update. David Campbell, Planning Director, said installation of the wave panels will begin on June 20, 2019.
- Loop Road (near the Home Depot site on Haggerty Road) is in bad shape.

Trustee Weber –

- He would like the calendar of projects included in the Board packet.
- He asked about the examples of evaluations Supervisor Scott was going to distribute. Supervisor Scott said he will have them available for review at the July Discussion meeting.

Supervisor Scott –

- He met with Ryan Berman, State Representative 39<sup>th</sup> District, to discuss the Union Lake corridor.
- He met with Haley Stevens staff regarding cleanup of the Nike abandoned missile base.
- Working on letters of support to assist the Fire Department Grant and the SAFER grant.

**ITEM 13:5-14 CLOSED SESSION**

- A. Discussion of Pending Litigation, Edgewood Country Club v. Charter Township of Commerce, Michigan Tax Tribunal Docket #17-002608.**

**MOTION** by Magner, supported by Creech, to enter into Closed Session for the purpose of discussing Pending Litigation, Edgewood Country Club v. Charter Township of Commerce, Michigan Tax Tribunal Docket #17-002608.

**ROLL CALL VOTE**

**AYES:** Magner, Creech, Scott, Phillips, Sovel, Berkheiser, Weber

**NAYS:** None

**MOTION CARRIED UNANIMOUSLY**

**ITEM 13:5-14 CLOSED SESSION (continued)**

Entered into Closed Session: 9:25 p.m.  
Returned from Closed Session: 9:42 p.m.

**MOTION** by Scott, supported by Creech, to adjourn from Closed Session and approve the Closed Session minutes. **MOTION CARRIED UNANIMOUSLY**

**MOTION** by Phillips, supported by Berkheiser, to direct the Township Attorney to proceed as discussed in Closed Session. **MOTION CARRIED UNANIMOUSLY**

**ITEM 14:5-14 ADJOURNMENT**

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

**MOTION** by Scott, supported by Phillips, to adjourn the meeting at 9:45 p.m. **MOTION CARRIED UNANIMOUSLY**

  
\_\_\_\_\_  
Melissa Creech, Clerk  
Charter Township of Commerce