

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

Tuesday, August 15, 2006

2840 Fisher Avenue

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
Sandra Abrams, Clerk
Susan Gross, Treasurer
Debra Kirkwood, Trustee
Rick Sovel, Trustee

Absent: Robert Long, Trustee
Daniel Munro, Trustee

Also Present: Phillip Adkison, Township Attorney
Loren Crandall, Giffels-Webster Engineers
Christina Michaels, Township Attorney

APPROVAL OF MINUTES

MOTION by Abrams, supported by Kirkwood, to approve the Regular Township Board Meeting Minutes of July 11, 2006 with a correction to page 3: Under the First Motion: change "who" to "and"; and the Special Township Board Meeting Minutes of July 25, 2006, as written.

MOTION CARRIED UNANIMOUSLY

DIRECTOR PUBLIC SAFETY REPORT

Joe Schornack, Commerce Fire Chief

Lt. Denny Davis, Oakland County Sheriff

PRESENTATIONS:

1. Raymond Emond, General Manager Red Robin Donation to the Fire Department
2. 3M Tool, Sharon Medwid & Dan Hunter
3. DJ Coffey, Intern, Parks and Recreation

PETITIONS:

None

ITEM 1:8-15 APPROVAL OF AGENDA

MOTION by Gross, supported by Abrams, to approve the Agenda with the following changes: Move Item 13C to Item 6B under Contract Awards and Agreements and Remove Item 8E under Adoptions, with no action taken.

MOTION CARRIED UNANIMOUSLY

ITEM 2:8-15 PUBLIC COMMENTS

Barb Garbutt, Library Board Member, requested a member of the Library Board attend an out of state conference.

ITEM 3:8-15 PUBLIC HEARINGS

A. High Pointe, Road Improvement Special Assessment District

Supervisor Thomas Zoner opened the Public Hearing.

No one present had any comments or objections.

Supervisor Thomas Zoner closed the Public Hearing.

MOTION by Abrams, supported by Gross, to table High Pointe, Road Improvement Special Assessment District until the next regularly scheduled Township Board Meeting.

MOTION CARRIED UNANIMOUSLY

ITEM 4:8-15 SETTLEMENT

Detroit Edison Co V Commerce Township

Phillip Adkison, Township Attorney, gave a review.

MOTION by Gross, supported by Abrams, to approve settlement of Consent Judgment for Detroit Edison and Michigan Consolidated Gas tax appeals and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

ITEM 5:8-15 BOARD APPOINTMENTS

None

ITEM 6:8-15 CONTRACT AWARDS AND AGREEMENTS

A. Commerce/Wolverine Water Agreement

Chris Michaels, Township Attorney, gave a review.

MOTION by Gross, supported by Sovel, to approve the First Amended Intergovernmental Water Service Agreement Between the Charter Township of Commerce and the Village of Wolverine Lake which will include the date (August 16, 2004) the 6% began and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

B. Agreement with Oakland County RE: TIFF Capture

Pat Paruch, DDA Attorney, gave a review.

MOTION by Gross, supported by Abrams, to Approve First Amended Agreement Between the County of Oakland, The Charter Township of Commerce and The Commerce Township Downtown Development Authority.

ROLL CALL VOTE:

AYES: Gross, Abrams, Zoner, Kirkwood

NAYS: Sovel

ABSENT: Long, Munro

MOTION CARRIED

ITEM 7:8-15 INTRODUCTIONS

None

ITEM 8:8-15 ADOPTIONS

A. An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance to Amend Article XX, General Provisions, Section 2004, Off-Street Parking Requirements, to Revise Parking Requirements, to be known as Ordinance No. 55-06-189.

MOTION by Gross, supported by Abrams, to Adopt an Ordinance to Amend Article XX of the Zoning Ordinance of the Charter Township of Commerce, to be known as Ordinance No. 55-06-189 and to publish and post according to law.

MOTION CARRIED UNANIMOUSLY

B. An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance to Rezone 199 Loop Road from B-5 (Highway

ITEM 8:8-15 ADOPTIONS (Continued)

Service Business) to B-2 (Community Business) to be known as Ordinance No. 55-06-191.

MOTION by Gross, supported by Abrams, to Adopt an Ordinance to Amend the Zoning Ordinance of the Charter Township of Commerce, to be known as Ordinance No. 55-06-191 and to publish and post according to law.

MOTION CARRIED UNANIMOUSLY

C. An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance to Rezone 10779 Bogie Lake Road from R-1A (Single Family Residential) to R-2 (Two Family Residential), to be known as Ordinance No. 55-06-192.

MOTION by Gross, supported by Abrams, to Adopt an Ordinance to Amend the Zoning Ordinance of the Charter Township of Commerce, to be known as Ordinance No. 55-06-192 and to publish and post according to law.

ROLL CALL VOTE:

AYES: Gross, Abrams, Kirkwood, Zoner

NAYS: Sovel

ABSENT: Long, Munro

MOTION CARRIED

D. An Amendment to Ordinance No. 55, the Charter Township of Commerce Zoning Ordinance to Amend Pertinent Sections, to bring the Ordinance into compliance with the provisions of the Michigan Zoning Enabling Act, Michigan Public Act 110 of the Public Acts of 2006, to be known as Ordinance No. 55-06-190.

MOTION by Gross, supported by Sovel, to Adopt an Ordinance to Amend the Zoning Ordinance of the Charter Township of Commerce, to be known as Ordinance No. 55-06-190 and to publish and post according to law.

MOTION CARRIED UNANIMOUSLY

E. Ordinance No. 102-06-00, the Michigan Motor Carrier Safety Act and to Provide for Enforcement of the Ordinance and Penalties for Violations.

Removed from the Agenda with no action taken.

F. An Amendment to Ordinance No. 32, the Charter Township of Commerce Building Code Ordinance, to Add Provisions for Enforcement of Appendix G of the Michigan Building Code, to be known as Ordinance No. 32-06-19.

ITEM 8:8-15 ADOPTIONS (Motion Continued)

MOTION by Gross, supported by Abrams, to Adopt an Ordinance to Amend the Building Code Ordinance of the Charter Township of Commerce, to be known as Ordinance No. 32-06-19 and to publish and post according to law.

MOTION CARRIED UNANIMOUSLY

G. An Amendment to Ordinance No. 62, the Charter Township of Commerce Water and Sewage Ordinance, to expand the definitions section and provide requirements for system operations and penalties, to be known as Ordinance 62-06-36.

MOTION by Gross, supported by Kirkwood, to Adopt and Ordinance to Amend the Water and Sewage Ordinance of the Charter Township of Commerce, to be known as Ordinance No. 62-06-36 and to publish and post according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 9:8-15 SITE CONDOMINIUMS AND PLATS

None

ITEM 10:8-15 CONSENT AGENDA

A. Bank Depositories

B. Pay-Off Bond Issue Series 1992-A

MOTION by Gross, supported by Abrams, to approve the Resolution of the Township Board of the Charter Township of Commerce Consent Agenda.

ROLL CALL VOTE:

AYES: Gross, Abrams, Zoner, Sovel, Kirkwood

NAYS: None

ABSENT: Long, Munro

MOTION CARRIED UNANIMOUSLY

ITEM 11:8-15 PURCHASES

A. Postage Machine, recommendation

MOTION by Abrams, supported by Gross, to Approve recommendation to purchase a DM550 Postage Machine from Pitney Bowes for the purchase price of \$5,258.10, Meter Rental for \$237.00 per Quarter, and Maintenance Fee for \$587.00 per year, funds to come from General Fund, Fund Balance and amend budget accordingly.

MOTION CARRIED UNANIMOUSLY

ITEM 12:8-15 OLD BUSINESS

A. Lake Pine Sewer Hook-up letter

Jeffrey Bowdell, Building Director, gave a review.

MOTION by Gross, supported by Abrams, to approve approach for Lake Pine Sewer Hook-up letter and authorize Phil Adkison, Township Attorney to review letter and insert verbage.

MOTION CARRIED UNANIMOUSLY

B. Bids for Township Newsletter

No action taken.

ITEM 13:8-15 NEW BUSINESS

A. Consider Tool & Die Cooperative

MOTION by Sovel, supported by Gross, to table Consideration of Tool & Die Cooperative until the next Township Board Meeting on August 29, 2006.

MOTION CARRIED UNANIMOUSLY

B. Request Educational for Advisory Board Member (out of state)

MOTION by Abrams, supported by Kirkwood, to approve request for Advisory Board Member to attend an out of state conference in an amount not to exceed \$435.00 including meals.

ROLL CALL VOTE:

AYES: Abrams, Kirkwood, Gross, Zoner

NAYS: Sovel

ABSENT: Long, Munro

MOTION CARRIED

ITEM 14:8-15 EXECUTIVE SESSION (out of order)

MOTION by Kirkwood, supported by Sovel, to enter into Executive Session for the purpose of discussing purchase of property.

ROLL CALL VOTE:

AYES: Kirkwood, Sovel, Abrams, Zoner, Gross

NAYS: None

ABSENT: Long, Munro

MOTION CARRIED UNANIMOUSLY

Entered into Executive Session at 8:55 p.m.

Returned from Executive Session at 9:45 p.m.

ITEM 15:8-15 ORDERS (See Hard Copy)

MOTION by Abrams, supported by Kirkwood, to approve the Orders with additions.
MOTION CARRIED UNANIMOUSLY

ITEM 16:8-15 OTHER MATTERS TO COME BEFORE THE BOARD

Discussion of Item 13B: Educational Seminar Request

MOTION by Abrams, supported by Gross, to reconsider Item 13B, Educational Seminar, of the August 15, 2006, Township Board Agenda.
MOTION CARRIED UNANIMOUSLY

MOTION by Abrams, supported by Gross, to rescind the approval of Item 13B, of the August 15, 2006, Township Board Agenda, titled: "Request Educational for Advisory Board Member (out of state)."

ROLL CALL VOTE:

AYES: Abrams, Gross, Sovel, Zoner

NAYS: Kirkwood

ABSENT: Long, Munro

MOTION CARRIED

MOTION by Zoner, supported by Abrams, to direct the Township Attorney, or an appointed attorney from his staff, to attend the American Library Association Lawyers for Libraries Columbus, Ohio, Training Institute. Funds to come from the Library Educational Fund.

ROLL CALL VOTE:

AYES: Abrams, Gross, Sovel, Zoner

NAYS: Kirkwood

ABSENT: Long, Munro

MOTION CARRIED

ITEM 17:8-15 ADJOURNMENT

MOTION by Sovel, supported by Zoner, to adjourn the meeting at 10:30 p.m.
MOTION CARRIED UNANIMOUSLY

Sandra Abrams, CMC
Clerk, Charter Township of Commerce