

**CHARTER TOWNSHIP OF COMMERCE
TOWNSHIP BOARD OF TRUSTEES MEETING
October 10, 2023
2009 Township Drive
Commerce Township, Michigan 48390**

CALL TO ORDER: Supervisor Larry Gray called the meeting to order at 7:05 p.m. and introduced the members of the Board.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Larry Gray, Supervisor
Melissa Creech, Clerk
Molly Phillips, Treasurer
Robert Berkheiser, Trustee
Vanessa Wagner, Trustee
Rick Sovel, Trustee
George Weber, Trustee

Also Present: Hans Rentrop, Township Attorney
Jim Dundas, Fire Chief
Emily England, Senior/Parks and Recreation Director
Jay James, Building Official
Alyson Lobert, Library Director
Jason Mayer, Giffels Webster Engineers
Mark Schoder, Maintenance Director
Katelyn Massey, Finance/HR Director

APPROVAL OF MINUTES

MOTION by Creech, supported by Berkheiser, to approve the September 12, 2023 Regular Township Board Meeting minutes and the September 26, 2023 Special Township Board Meeting minutes, as submitted.

MOTION CARRIED UNANIMOUSLY

ITEM 1:10-10 APPROVAL OF AGENDA

MOTION by Phillips, supported by Creech, to approve the October 10, 2023 agenda with the addition of **ITEM 13:10-10 NEW BUSINESS C. Resolution Opposing Utility Scale Renewable Facilities.**

MOTION CARRIED UNANIMOUSLY

ITEM 2:10-10 PUBLIC COMMENTS

Supervisor Gray opened Public Comments and advised the public that speaking time is limited to 3 minutes. This is for public comments only.

Keith Drews, 1807 Union Lake Road, Commerce Township, MI, said on August 21, 2023 a hit and run accident occurred on their property. There is a sharp curve north of Wise Road on Union Lake Road. Over the years, many cars have missed the curve by going too fast. He is asking the Township to implement safety measures for this dangerous portion of Union Lake Road.

Ajay Raman, Oakland County Commissioner District 14, provided the Board with updates.

- The budget for Oakland County was passed last month.
- Approved increases for public safety and mental health.
- Increased the staff at the animal control center.
- As Vice Chairman of Finance, he will create a team to review programs such as People's Express, transit, etc. to address the number of services we are receiving for the amount of money we are spending.
- We are continuing with the Tri-county broadband survey, to receive resident feedback, through the end of October 2023. Results will be compiled to identify the needs throughout the tri-county area and help guide the most viable alternative broadband options.
- There will be a 2023 Election Process Community Conversation held at the Novi Civic Center Council Chambers located at 45175 West 10 Mile Road at 7:30 p.m. on October 18, 2023.
- The Board of Commissioners has a Special Projects Fund. This is available to communities that have special projects they want for the benefit of the community.

Robert Long, 1342 Commerce Road, Commerce Township, MI, said during the budget meeting held two weeks ago, he heard a comment from a trustee, that he believes was directed toward one Township employee, that the person hired by the Township was satisfied with the salary they hired in as. He stated the Township has the best team of directors and employees that they have ever had in the last 30 years and he feels it is important to retain them at a competitive salary rate.

Trustee Berkheiser read the following letter into the record:

Alex Stetson
Life Scout, Troop 308
441 Low Bank Ct.
Commerce Township, MI 48382

October 4, 2023

ITEM 2:10-10 PUBLIC COMMENTS (Trustee Berkheiser continued)

Mr. Larry Gray, Supervisor
Charter Township of Commerce
2009 Township Drive
Commerce Township, MI 48390

Dear Mr. Larry Gray and the Commerce Township Board of Trustees,

Hello everyone! My Name is Alex Stetson, and I am a Boy Scout with Troop 308. I have been working on my Eagle Scout rank and one of the requirements is to organize and fundraise a project for a beneficiary of my choosing.

After looking around for a project that I thought would help the community, I ended up finding Rose Pioneer Elementary School. They had a nature trail that they used for many community events and classroom learning. After COVID the trail had been left unused and untended for 2 years making it practically unusable because of how overgrown it had become. After two or three months of organizing I had a plan set-up for recutting the trail and then putting a layer of wood chips to keep the trail stable.

For many other service projects that our troop has done for the community we have used wood chips, courtesy of Mr. Mark Schoder and the rest of his team. I figured since he has helped us in the past, I could ask him for some prices on the woodchips. He kindly decided to donate all 15 yards of wood chips we would need. I would like to thank him and his team for this generous donation and for delivering the wood chips. This donation helped make this project significantly easier.

After this donation we held the project successfully on September 30th. We managed to completely renovate the trail thanks to the help of the Commerce Township Maintenance team. I am deeply grateful for the help of the Township. I am ready to lead our troop to help the Township on whatever else they need

Sincerely,

Alex Stetson

Supervisor Gray closed Public Comments.

ITEM 3:10-10 PUBLIC HEARING FOR 2024 TOWNSHIP FIRE & RESCUE PROTECTION SPECIAL ASSESSMENT DISTRICT

Supervisor Gray opened the Public Hearing.

There were no public comments.

Supervisor Gray closed the Public Hearing.

ITEM 4:10-10 RESOLUTION CONFIRMING 2024 TOWNSHIP FIRE & RESCUE PROTECTION SPECIAL ASSESSMENT ROLL

MOTION by Sovel, supported by Magner, to approve the Township Fire & Rescue Protection Special Assessment District Resolution Confirming 2024 Special Assessment Roll.

ROLL CALL VOTE

AYES: Sovel, Magner, Berkheiser, Weber, Phillips, Creech, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 5:10-10 PUBLIC HEARING FOR 2024 POLICE PROTECTION SPECIAL ASSESSMENT DISTRICT

Supervisor Gray opened the Public Hearing.

There were no public comments.

Supervisor Gray closed the Public Hearing.

ITEM 6:10-10 RESOLUTION CONFIRMING 2024 POLICE PROTECTION SPECIAL ASSESSMENT ROLL

MOTION by Sovel, supported by Creech, to approve the Township Police Protection Special Assessment District Resolution Confirming 2024 Special Assessment Roll.

ROLL CALL VOTE

AYES: Sovel, Creech, Phillips, Weber, Berkheiser, Magner, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 7:10-10 PUBLIC HEARINGS

A. Establishment Resolution – Chickory Lane Maintenance SAD

The Public Hearing remained open from the September 2023 Township Board Meeting.

Supervisor Gray asked if anyone wanted to comment on the SAD.

There were no public comments.

Supervisor Gray closed the Public Hearing.

MOTION by Sovel, supported by Phillips, to approve the Resolution of The Township Board of The Charter Township of Commerce Determining to Undertake an Improvement Project and to Establish and Maintain a Special Assessment District to

ITEM 7:10-10 PUBLIC HEARINGS (Establishment Resolution – Chickory Lane Maintenance SAD Motion continued)

Pay Costs Associated Therewith and Approving the Plans and Estimates of Costs Therefor Chickory Lane Maintenance Special Assessment District.

Discussion: Trustee Berkheiser asked if the potential concessionaire uses the back gate for an access, should the Township participate in the SAD?

Jay James, Building Official answered no because the corner of our property touches the neighbor's property.

MOTION CARRIED UNANIMOUSLY

ITEM 8:10-10 CONTRACT AWARDS AND AGREEMENTS

A. IAFF Union Contract

No action taken

B. Snow Removal Services Agreement 2023-2026 – LMC Management

MOTION by Berkheiser, supported by Creech, to award the 2023-2026 Township Snow Removal Services Agreement for Whitlow Court (approximately 980 feet) • Wenonah Hills/Tree Haven Subdivision (approximately 6,211 feet) *includes salting of roads after plowing • Lower Mount Royal Subdivision (approximately 4.4 miles) consisting of the following roads: Bluebird, Ruppert Street, Polvadera Street, Alban Street, Ridgemont Street, Creedmore Street, Foxbury Street, Camelina Street, Vandalia Street, Island Drive, Rowena, Achilla Street, Oakestia Street, Sherbrooke, Sundew, Rondelay • Golf Lane (approximately 2,650 feet) • Half Penny Court (approximately 560 feet) • Chickory Lane (approximately 1,660 feet) to LMC Management in the amount of \$10,767.00 flat fee for the 2023/2024 season, \$11,133.00 flat fee for the 2024/2025 season and, \$11,133.00 flat fee for the 2025/2026 season. **MOTION CARRIED UNANIMOUSLY**

C. Snow Removal Services Agreement 2023-2026 – Michigan Automatic Sprinkler Co.

MOTION by Berkheiser, supported by Creech, to award the 2023-2026 Township Snow Removal Services Agreement for Demarist & Barkley Streets (approximately 437 feet for Demarist and 480 feet for Barkley) • Joe Drive (approximately 486 feet) • Lyniss Drive (approximately 760 feet) to Michigan Automatic Sprinkler Co. in the amount of \$2,400.00 flat fee for the 2023/2024 season, \$2,472.00 flat fee for the 2024/2025 season and, \$2,520.00 flat fee for the 2025/2026 season.

MOTION CARRIED UNANIMOUSLY

ITEM 8:10-10 CONTRACT AWARDS AND AGREEMENTS (continued)

D. GFL Contract

MOTION by Sovel supported by Magner, to approve the GFL Contract for waste removal for a 5-year term beginning on January 1, 2025, ending on December 31, 2029.

MOTION CARRIED UNANIMOUSLY

ITEM 9:10-10 INTRODUCTIONS

A. An Ordinance to Amend Ordinances No. 2.024 to Be Known as Fee Ordinance No 2.025

Hans Rentrop, Township Attorney, explained the changes in the Ordinance.

Jay James, Building Official, said he would like to review the BS&A Online Application Service Fee in the ordinance before approval.

MOTION by Sovel supported by Creech, to Introduce an Ordinance to Amend Ordinance No. 2.024 to be Known as The Charter Township of Commerce Fee Ordinance No 2.025, excluding Section 1.1 N. BS&A Online Application Service Fee, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 10:10-10 ADOPTIONS

A. An Ordinance to Amend the Code of Ordinances to Be Known as Code Amendment Ordinance No. 1.065 – Amends Sidewalk Standards, REU Assignment, and On-Site Disposal Systems

MOTION by Magner, supported by Sovel, to Adopt an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be Known as Code Amendment Ordinance No. 1.065, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 11:10-10 PURCHASES

A. Library Generator

Alyson Lobert, Library Director, said the Library Advisory Board recommends the Township Board approve the purchase of an emergency generator in the amount of \$209,900 from Corby Energy Services, Inc. 2023 budget: \$100,000 budgeted for a generator in 2023 and, 2024 budget: \$110,000 proposed. She said this will assist residents by having a safe place to go when their electricity is out and, if they work from home, they would have access to the Township's internet.

Discussion took place on the need for a generator at the library when we already have generators at various Township buildings that can serve the residents in the event of a power outage.

Clerk Creech said the early voting regional site for Commerce Township, Walled Lake, and Wixom residents is at the Commerce Township Community Library. If there is a

ITEM 11:10-10 PURCHASES (Library Generator continued)

power outage during that time, having a generator would allow the voting process to continue uninterrupted.

MOTION by Magner, supported by Phillips, to approve the purchase of an emergency generator (250kw) in the amount of \$209,900 from Corby Energy Services, Inc. (CES Job No. 4033-8222 dated September 11, 2023) including the preventative maintenance 5-year annual service/inspection for \$10,975, as presented. \$100,000 will be paid from the 2023 budget and \$110,000 will be paid from the 2024 budget.

ROLL CALL VOTE

AYES: Magner, Phillips, Creech, Sovel, Gray

NAYS: Weber, Berkheiser

MOTION CARRIED

B. Fire Department Utility Truck Snow Plow

Jim Dundas, Fire Chief, is asking the Board to approve the purchase of an 8' snow plow from Weingartz for \$7,215.

MOTION by Weber, supported by Sovel, to approve the purchase of an 8' snow plow from Weingartz (Quote 20513173-00 dated 9-22-2023) in an amount up to \$7,300.

MOTION CARRIED UNANIMOUSLY

C. Fire Department Station 4 Carpet Replacement

Jim Dundas, Fire Chief, is asking the Board to approve the purchase and installation of flooring at Fire Station #4 from Winton Design Center at a cost of \$15,458.60

MOTION by Phillips, supported by Creech, to approve the purchase of flooring from Winton Design Center, LLC (Estimate 3419c dated 9-15-2023) for Fire Station #4 in an amount not to exceed \$15,500.

MOTION CARRIED UNANIMOUSLY

ITEM 12:10-10 OLD BUSINESS

A. Wixom Road Property

Emily England, Senior/Parks and Recreation Director, said the agreement for The SILO Ranch of Commerce will be a 5-year agreement. The first 6 months they will pay the Township \$1 and then \$1,400 per month for the concession fee.

Dawn Raye, The SILO Ranch of Commerce, was present. She said she ordered fencing to put around the property. The programming and scheduling calendar will be available soon.

MOTION by Berkheiser, supported by Weber, to approve the Concessionaire Agreement for 2552 Wixom Road between The SILO Ranch of Commerce and The Charter Township of Commerce and authorize the Supervisor's signature.

MOTION CARRIED UNANIMOUSLY

ITEM 12:10-10 OLD BUSINESS (continued)

B. Victory Park Improvements

No action taken

C. Bicentennial Park Improvements

Emily England, Senior/Parks and Recreation Director, said the Parks and Recreation Committee recommends the Board approve the project design portion for Bicentennial Park improvements in an amount not to exceed \$48,555. We received a \$100,000 grant from Oakland County Parks for this project.

MOTION by Berkheiser, supported by Magner, to move forward with the project design portion for Bicentennial Park improvements with Giffels Webster in an amount not to exceed \$49,000. Funds to come from the Parks and Recreation Open Space Fund.

MOTION CARRIED UNANIMOUSLY

D. Commerce Library Sidewalk Extension

Supervisor Gray said the Township was awarded \$1M for a safe non-motorized access between the Library/Dodge Park and the intersection of Commerce & Carroll Lake Roads, which would from there enhance non-motorized access to Commerce Elementary and the Commerce Village area.

ITEM 13:10-10 NEW BUSINESS

A. Trick or Treat Hours

MOTION by Magner, supported by Berkheiser, to approve The Commerce Township Halloween trick or treat hours on October 31, 2023 from 6:00 p.m. to 8:30 p.m.

MOTION CARRIED UNANIMOUSLY

B. 2024 Township Board Discussion

This was discussed in the Special Township Board meeting held prior to this meeting.

C. Resolution Opposing Utility Scale Renewable Facilities

Hans Rentrop, Township Attorney, explained the Resolution.

MOTION by Berkheiser, supported by Phillips, to approve the Resolution of The Township Board of The Charter Township of Commerce Opposing Legislation to Preempt Local Control for the Siting and Permitting of Utility-Scale Renewable Facilities Including Solar, Wind, and Large-Scale Battery Storage Facilities.

MOTION CARRIED UNANIMOUSLY

ITEM 14:10-10 ORDERS

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

MOTION CARRIED UNANIMOUSLY

ITEM 15:10-10 OTHER MATTERS

Trustee Weber –

- Chief Dundas, Trustee Berkheiser and I reviewed the Excel spreadsheet, made by Trustee Berkheiser, to make sure we are on track with the expected union contract impact, operating costs, and capital expenditures through the life of the SAD. We should continue to use the spreadsheet through 2031 (the life of the SAD).

Trustee Berkheiser –

- Will there be a presentation before the Township Board on the sewer/water study? Treasurer Phillips said Dawn Lund, Utility Financial Solutions, was not available at this time to give a presentation. The rates are consistent with her latest update; therefore, no changes are needed and the rates are good for a couple of years. She will come in and give a presentation if requested by the Township Board.

Treasurer Phillips –

- We would like to make a draw on Michigan Finance Authority before the end of the year. Jason Mayer said he is working on this and will send it to her tomorrow.

Trustee Magner –

- We have approached The Road Commission for Oakland County for some basic requests and they seem to say no to a lot of our and resident's requests when it comes to items such as no turning lanes, green arrows, etc. Supervisor Gray said they did not say no, they said they need a study done in order for them to take action on requests.


Supervisor Gray –

- We received the signed agreement for the 2M HUD grant.
- He would like direction for our Ordinance Officers regarding encroachments on Township property. Trustee Sovel said if one option is to allow a resident to use our property, they should provide the Township with an insurance policy on the portion of Township property. Trustee Weber said we should not allow a resident to encroach on Township parks, and a consistent approach should be taken for parks property and Township owned parcels. We need to survey properties (approx. 15 properties) that are encroaching on Township property and look at them individually and then send the resident a letter advising them of the Township's course of action.

ITEM 16:10-10 ADJOURNMENT

MOTION by Phillips, supported by Creech to adjourn the meeting at 8:28 p.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce