

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

**July 9, 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  
Vanessa Magner, Trustee  
Rick Sovel, Trustee  
George Weber, Trustee

Absent: Robert Berkheiser, Trustee (excused)

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 Sovel, to approve the June 11, 2019 Regular Township Board of Trustees Meeting minutes, as submitted.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 1:7-9 APPROVAL OF AGENDA**

**MOTION** by Sovel, supported by Magner, to approve the July 9, 2019 Agenda with the addition B. Real Estate Acquisition under ITEM 9:7-9 CLOSED SESSION.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 2:7-9 PUBLIC COMMENTS**

Michele Lundgren, Detroit Michigan, is producing an event "Woodstock In The "D" and The 50th Anniversary of The Detroit Rock and Roll Revival" on August 10, 2019 at Proud Lake. She stated she is in compliance with all regulations and has turned in all of the required paperwork however, she just learned two weeks ago that Commerce Township has their own set of rules that she needs to comply with. There will be vendor tables, food trucks, beer and wine. She is asking the Township to extend their requirement deadline for 45 days from today's date. Supervisor Scott thanked her for attending the meeting. (She needs to receive a liquor license from the State of Michigan first and then come to the Township for approval)

Bonnie Brown, 4660 Rowena Street, said the house (4663 Rowena Street) across from her has been abandoned for over one year. The power is shut off, the yard is not mowed, trees have fallen, etc. She said she came into the Township Hall to report this and nothing has been done. Supervisor Scott thanked her for coming to the meeting and said he did speak to her on the phone and advised her that the Building Department will look into this. Jay James took her name and phone number and will be in contact with her.

**ITEM 3:7-9 BOND AUTHORIZING RESOLUTION, CAPITAL IMPROVEMENT REFUNDING BONDS (LIMITED TAX GENERAL OBLIGATION), SERIES 2019**

Jim Kiefer, Dykema Gossett PLLC, and Tom Traciak, Financial Advisor, were present.

The Bonds will be issued to refund all of the Township's outstanding Capital Improvement Bonds, Series 2010-A (the "Prior Bonds"). In April of 2017 the Township refunded a portion of the Series 2010-A Capital Improvement Bonds. The Bonds that will be authorized by this Resolution will refund the remaining outstanding Series 2010-A Capital Improvement Bonds.

**MOTION** by Phillips, supported by Weber, to approve the Bond Authorizing Resolution, Capital Improvement Refunding Bonds (Limited Tax General obligation), Series 2019.

**ROLL CALL VOTE**

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

**NAYS:**

**ABSENT:** Berkheiser

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6:7-9 NEW BUSINESS**

**A. Horse Farm Roof Repairs**

Jay James, P.E. Building Official, advised the Board the Building Department solicited bids from six companies and only one bid was returned, from RCI Roofing and Sheet Metal, Inc. at a cost not to exceed \$35,000.00. The roof is in immediate need of repair.

Given the large estimate to replace the roof in the future, the Board will discuss this further at the July 23, 2019 Township Special Meeting.

**ITEM 6:7-9 NEW BUSINESS (Horse Farm Roof Repairs continued)**

**MOTION** by Sovel, supported by Creech, to contract with RCI Roofing and Sheet Metal, Inc. for roof repairs at the Horse Farm located at 2552 N. Wixom Road, Commerce Township, Michigan at a cost not to exceed \$35,000.00 as per their bid dated June 19, 2019. Funds to come from the Improvement and Building Fund. **MOTION CARRIED UNANIMOUSLY**

**B. Real Estate Acquisition**

This will be discussed under closed session.

**C. Resolution Vacating a Second Part of a Public Alley in Luneta Court Subdivision**

David Campbell, AICP - Planning Director, said the alley was abandoned by the Road Commission for Oakland County and the next step is for the Township to abandon it.

**MOTION** by Scott, supported by Phillips, to approve the Resolution of the Township Board of the Charter Township of Commerce Vacating a Second Part of a Public Alley in Luneta Court Subdivision. **MOTION CARRIED UNANIMOUSLY**

**D. Commerce Township Marketing**

Supervisor Scott is asking for the Board to entertain the idea of marketing the Township in the brochure "ASource Relocation-Business Acclimation-Economic Development". He would like the Township to give their own description of our community placed in the brochure. We have until November 2019 to make a decision on whether or not to participate in this type of marketing. The brochure usually gets distributed to hotels, real estate agents, relocation companies, etc.

Trustee Weber feels there is a value to marketing the Township. However, it must be part of a cohesive strategy and include a well thought-out message.

Trustee Sovel questioned if there is a need to market the Township based on the growth and development we are seeing.

Trustee Magner believes there will be quite a bit of marketing already planned for by the developer of the 5 and Main project.

**ITEM 7:6-14 ORDERS**

**MOTION** by Sovel, supported by Creech, to approve the Orders and Add Ons. **MOTION CARRIED UNANIMOUSLY**

**ITEM 8:7-9 OTHER MATTERS**

Trustee Magner –

- Received a pamphlet for Milford's public transportation bus service. Supervisor Scott and Trustee Weber have been researching Milford's transportation service (People's Express), in conjunction with continuing to review WOTA.
- Noticed the lights on the bridge were red, white and blue. She questioned who controls the lights. David Campbell, AICP - Planning Director, is in charge of the lights. He said they were programmed into the system. As of now, this is done by hand. He would like to see this done by using a remote system in the future.

Trustee Sovel –

- Asked for confirmation that Outrun Hunger will hold their event on November 8 and 9, 2019. He discussed with the Township Attorney the need for all insurance documents to have sufficient coverage and the correct names listed on the documents.

Trustee Weber –

- Asked what the status is on employee evaluations. Supervisor Scott said Steve Williams (Human Resource Specialist) will give a presentation to the Board in the near future.
- It appears the Fire Station will have an executed agreement with Plante Moran CRESA. Hans Rentrop, Township Attorney said the agreement is scheduled to be executed on July 10, 2019.
- He received the calendar and noticed the helipad agreement has expired.
- Brief discussion took place on Michele Lundgren's request under Public Comments. He is concerned there will only be two security guards on site because the event could generate 1,000 people with alcohol served.

**ITEM 9:7-9 CLOSED SESSION**

- A. Consideration of Confidential Information Pursuant to MCL 268(h) and MCL 15.243 (i) (f)**
- B. Real Estate Acquisition**

**MOTION** by Magner, supported by Creech, to enter into Closed Session for the purpose of discussing Consideration of Confidential Information Pursuant to MCL 268(h) and MCL 15.2243(i) (f) and Real Estate Acquisition. **MOTION CARRIED UNANIMOUSLY**

Entered into Closed Session: 7:50 p.m.  
Returned from Closed Session: 8:53 p.m.

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

**ITEM 4:7-9 SECOND AMENDMENT TO OPTION AGREEMENT – OLD LIBRARY PARCEL**  
Request by Commerce Downtown, LLC to modify the terms of the proposed Second Amendment to Option Agreement related to purchase of old library parcel from the Township to extend the current option term to the earlier of the date of closing on the DDA Phase I property or October 31, 2019 in exchange for a \$50,000 non-refundable option fee. The new option term could then be further extended to July 31, 2020 by the payment of an additional non-refundable \$150,000 before expiration of the extension ending on October 31, 2019. Both option payments would be credited toward the purchase price.

**MOTION** by Scott, supported by Sovel, to approve the Second Amendment to Option Agreement by the Charter Township of Commerce and Commerce Downtown, LLC.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 5:7-9 REVISED FOURTH AMENDMENT TO MASTER DEED OF COMMERCE TOWNE PLACE, EXCLUDING LIBRARY PARCEL**

At the January 8, 2019 Regular Township Board Meeting, the Fourth Amendment to Master Deed of Commerce Towne Place was approved. That Amendment was never fully executed nor was it recorded with the Oakland County Register of Deeds. Since approval, it has been decided that the Library parcel should not be included in, and that Library Drive should not be removed from, the Commerce Towne Place Condominium. This is a revised Fourth Amendment to Master Deed of Commerce Towne Place reflecting those decisions and are the only changes from the Amendment that was approved in January, 2019.

**MOTION** by Sovel, supported by Phillips, to approve the Fourth Amendment to Master Deed of Commerce Towne Place.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6:7-9 NEW BUSINESS**

**B. Real Estate Acquisition**

**MOTION** by Sovel, supported by Phillips, to enter into an agreement to allow the Supervisor to execute a real estate purchase agreement on Sidwell No. 17-24-176-002.


**MOTION CARRIED UNANIMOUSLY**

**ITEM 10:7-9 ADJOURNMENT**

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

**MOTION** by Sovel, supported by Weber, to adjourn the meeting at 8:57 p.m.

**MOTION CARRIED UNANIMOUSLY**

  
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Melissa Creech, Clerk  
Charter Township of Commerce