

2009 Township Drive
Force Township, Michigan 48390

PLEDGE OF ALLEGIANCE

MOTION by Creech, supported by Berkheiser, to appoint Trustee Rick Sovel as Interim Chairperson for tonight's meeting. **MOTION CARRIED UNANIMOUSLY**

Also Present: Hans Rentrop, Township Attorney
John W. Kummer, Township Attorney
David Campbell, Planning Director
Jim Dundas, Fire Chief
Emily England, Parks and Rec/Senior Director
Natalie Hiney, HR/Finance Assistant
Jay James, Building Official
Mark Schoder, Maintenance Director
Ben Sebrowski, IT Director
Jason Mayer, Giffels Webster Engineers
Sgt. Matt Leggat, Oakland County Sheriff's Office

MOTION by Creech, supported by Berkheiser, to approve the June 9, 2026 Regular Township Board Meeting minutes, and the June 17, 2026 Special Township Board Meeting minutes, as submitted. **MOTION CARRIED UNANIMOUSLY**

ITEM 1:7-14 APPROVAL OF AGENDA

MOTION by Weber, supported by Creech, to approve the July 14, 2026 agenda, as presented.
MOTION CARRIED UNANIMOUSLY

ITEM 2:7-14 PUBLIC COMMENTS

Interim Chairperson Sovel opened Public Comments and advised the public that speaking time is limited to three (3) minutes. This is for public comments only and not for comments regarding the public hearings on the agenda.

Theresa Macfarlane, 2609 Lauryl Drive, Commerce Twp. Michigan - She is submitting a petition on behalf of Woods Edge Estates Homeowners Association to place the moratorium on future installations of fiber optic cable lines in our subdivision. The moratorium is requested to be in place until all current issues have been resolved, and a standard of service can be established with the installations. They are overwhelmed by the AT&T and WOW installations, and we do not understand why 3 or more permits have been issued to a neighborhood of less than 70 homes. They believe as Township taxpayers, their rights have been overlooked. They are asking the Township to be proactive in setting service standards and holding the utility accountable for restoring their property to the condition that they were when they entered the subdivision.

Gary Hanger, 2096 Golf Crest Drive, Commerce Twp. Michigan - He attended the public hearing for the proposed new development (Wingate Preserve) for the area of E. Commerce and Carey Roads. Most of the concerns from residents were over the traffic implications that would perceivably result from the additional vehicle trips that this number of new residents would create and also with cut thru traffic. The amount of traffic will also cause our roads to need ongoing repairs, at our cost.

Abigail Burgess, 5245 Carey Road, Commerce Twp. Michigan – She is grateful that Mr. Kassab has taken the time to speak with many of the residents and listen to their concerns. One major concern was the loss of the perimeter of mature trees and the disruption of sight lines. Mr. Kassab has agreed to consolidate homes to the center of the property and leave the large buffer of mature trees to help mitigate homes from being built in people's backyards, and to ensure that the new homes are not very visible to those who surround the property. He has reduced the number of homes that was initially proposed and plans to landscape the vacant corner. She is in favor of the Township Board approving the rezoning for Wingate Preserve.

Mary Schimmel, 125 S. Houghton, Milford Michigan – She supports the moratorium on AI data centers. She urges the Township Board to lock down some tight restrictions if there will be updates to the amendments.

Chuck Bartlett 1911 Four Oaks Drive, Commerce Twp. Michigan – He is very impressed with Mr. Kassab and his willingness to talk to individuals about their concerns. He is confident the Township Board will address what is the appropriate density for this development (Wingate Preserve).

ITEM 2:7-14 PUBLIC COMMENTS (continued)

Jim Muller, 1895 Falls Pointe Ln., Commerce Twp. Michigan – he lives adjacent to Wingate Preserve. He would like to see it approved with just a pedestrian path to our stub road. This is almost a 25% increase in lots for what that land is zoned for.

Paul Lachner, 8368 Golfside Drive, Commerce Twp. Michigan – He is in support of the purchase of lot #1 in Morey's Golf View Subdivision.

Interim Chairperson Sovel closed Public Comments.

ITEM 3:7-14 PUBLIC HEARINGS

A. Appeal of Massage Permit Denial – JoJo's Spa

Township Attorney John W. Kummer - Before the Township Board is Pling Li's appeal of the Township Clerk's denial of her application for a massage permit for JoJo's Spa. I will submit, into the record, attachments that were part of the agenda packet. This is the time for Ping Li to state reasons for her appeal.

Interim Chairperson Sovel opened the Public Hearing.

Township Attorney John Kummer – At this time, I would make a Motion to submit correspondence from our office dated July 8, 2026, along with the enclosed 3 massage permit applications, specifically pages 18 through 46 of the agenda packet. If the applicant Ping Li is present, she may approach the podium to address the Board.

Ping Li approached the podium. She asked if she should talk or just answer questions.

Township Attorney John Kummer – This is your appeal, so if you have any explanation or reason for why your application should be granted, this is your opportunity to address the Township Board.

Ping Li – I don't know what application I'm missing. I don't know what I did, but I'm here.

Township Attorney John Kummer – Based on the letter that's been entered into the record, there were missing floor plans as well as incomplete and inaccurate information based on the multiple applications that you submitted that contradicted each other. Those were highlighted within the agenda packet that was publicly available.

Ping Li – Before I already applied before. I don't have any paper.

Township Attorney John Kummer – This back and forth is not a forum. If you have reasons for why you feel your application should be granted as a business within the Township, now is your opportunity to address it. But for purposes of your own record keeping, you submitted 3 applications, one to the Township, one in 2021 for Commerce Massage and Spa, and then twice again in 2026 for JoJo's Spa, and the Vital Massage location on Richardson Road.

ITEM 3:7-14 PUBLIC HEARINGS (Appeal of Massage Permit Denial – Jojo's Spa continued)

Ping Li – Sorry about that. I think in 2021 that's why it's not me. It's like the lady was trying to open that place, but she doesn't have a massage license, so she used my license. I don't know she's the one I work in there, so, but she used my license. But I did say it's a (unclear) owner, that's why I say I don't know. I believe you have a record because they did not have a massage license, she doesn't have massage license. Probably later, maybe half a year, she added her massage license, then I take mine down. After since I find out, I take my license down. But the Township don't give me back.

Township Attorney John Kummer – Do you have anything further to add?

Interim Chairperson Sovel - This is your chance to try to convince us to not deny your appeal.

Ping Li – I tell the truth. I don't, I did not do this. She take my massage license.

Trustee Berkheiser – So ma'am, you submitted 3 applications at different times. The signature on every application looks to be exactly the same. That is number one, number two is you did not fill out the application completely. We're missing pieces. There is no floor plan, there is certain information that is missing. That's why it was denied. Now you have requested an appeal, which is why we're here tonight. So, if you have a statement as to cover that, this is your opportunity to say that. Otherwise, the only thing we can go off of is the information we have in front of us.

Ping Li – Can my boyfriend talk for me because he knows.

Trustee Berkheiser – You can do whatever you want. This is your opportunity to address the Board.

Jason Powell 19189 Kinloch St., Redford, Michigan read Ms. Li's statement as follows: good evening, Chairperson and members of the Board. Thank you for giving me the opportunity to speak today. My name is Ping Li, and I'm here regarding the application for JoJo's Spa, Commerce Township. First, I want to express my respect to the Commerce Township and its rules and regulations. I understand the Township has responsibility to carefully review massages and spa businesses, to protect the safety and well-being of the community. I fully support these requirements and am committed to following all the local state regulations. I'm a licensed massage therapist in the State of Michigan and have worked in this field for many years. My goal is to operate a professional clean and safe wellness spa that provides legitimate massage and beauty services to the community. I would also like to address my license history. In the past, my massage license had an administrative issue related to education documentation. That matter had been resolved. I had completed the requirements requested by the state, and my license is currently active. I have no criminal history and no involvement in illegal activities. I want to assure the Township the spa will operate differently than

ITEM 3:7-14 PUBLIC HEARINGS (Appeal of Massage Permit Denial – JoJo's Spa continued)

previous establishments in that area. I'm committed to transparency, professionalism, and full compliance with all Township requirements. If approved, JoJo's Spa will maintain a professional environment, with proper operations, appropriate services, and respect for the community and neighboring businesses. I appreciate your time and consideration. I respectfully ask for the opportunity to move forward and demonstrate that JoJo's Spa can be responsible and positive business in Commerce Township. Thank you.

I want to address specifically any questions or confusion on her previous application submissions, as she stated. This is just from my understanding from what she shared with me. That previously, another business that operated that she was working for, they had her fill out paperwork, submit her license, and sign document, not knowing that they were using that to open the business. You know, they were essentially using her license to open their business. When she discovered that, she separated ties from them and went and worked independently. Then in our initial submission to the Township, she kind of just took it, she did not understand that she had to complete all the history of her residency and previous work history. She just put in there the most recent information that she had. She shared that with me and then she submitted a new application. She was very clear and understood she had to complete everything. So that's why the 3rd application or 2nd application for JoJo's Spa, should be a full and complete application. Again, I'm assuming that the two previous applications from the past, as it reads some kind of discrepancies or something with that again, it was not submitted using her name, using her license, but was not submitted by her. That's my understanding of the history of this.

Trustee Berkheiser – Were you the one in charge in 2021 when it was called Vital Massage?

Ping Li – No, no

Trustee Berkheiser – And that permit for that facility that has your name on the paperwork. I understand what you're saying but that was your name on it. That license was revoked due to issues with Oakland County Sheriff.

Jason Powell – No, in 2021 she was working for Commerce Massage. So, I think that was the previous application. The previous tenant at the place where she is starting to try to do business was Vital Massage which she has no association.

Trustee Berkheiser – So we had an incident again in 2025, so just last year, again with an investigation with the Oakland County Sheriff, and that was closed down at that time. So, we've had two instances over the last, whatever that is, 3 or 4 years.

Jason Powell – Again, no affiliation with that establishment.

ITEM 3:7-14 PUBLIC HEARINGS (Appeal of Massage Permit Denial – Jojo's Spa continued)

Township Attorney John Kummer – Will the Board let me ask questions? Ms. Li what is your business relationship with Xihua Li?

Ping Li – She is doing facial.

Township Attorney John Kummer – And what is your personal relationship with her?

Ping Li – Friend

Township Attorney John Kummer – You have been in massage business for how long together?

Ping Li – We are not together because she just had a license, like, two years ago. She did facials.

Township Attorney John Kummer – If I told you she was on a prior application of yours for Commerce Massage for you to do business together, then, would that be correct? Back in 2021? You two are working together then as well, correct?

Ping Li – No, I don't think so. She don't have license.

Township Attorney John Kummer – In respect to Minjie Wu, how do you know her?

Ping Li – She is the owner. She used my license to apply.

Township Attorney John Kummer – So, Menjie Wu's massage business establishments are in the tri-county area as well, is that correct?

Ping Li – Yes

Township Attorney John Kummer – And you worked with her on massage businesses?

Ping Li – She opened that place and they used my name and massage license and I believe was 2022 maybe. I don't know if she's put on her. You can check out her license.

Township Attorney John Kummer – Was that with or without your consent?

Ping Li – She just give me paper to sign. I didn't even look. She said here's my massage license and I sign it. I thought I was just working for her.

Township Attorney John Kummer – What is your business relationship past or present with her?

ITEM 3:7-14 PUBLIC HEARINGS (Appeal of Massage Permit Denial – Jojo's Spa continued)

Ping Li – It's the same thing, I think, in 2021 after I found out I tried to take my license out.

Township Attorney John Kummer – So, Menjie Wu was the operator of Vital Massage, that was twice raided by the Oakland County Sheriff's Office. Do you understand that?

Ping Li – Vital Massage I don't know.

Township Attorney John Kummer – How did you come in to this property once it was vacated by Vital massage in 2026?

Ping Li – I was looking because the massage there, we have groups, some places that have people, like, sell their business. So, some people say oh um, so a lot of they want to sell, I think they try to sell their place like to next year or January, I think.

Township Attorney John Kummer – Are you assuming the lease that Menjie Wu has for this location, taking over that massage lease?

Ping Li – No, no, my lease started in March.

Township Attorney John Kummer – If I told you that there are LARA records in the State of Michigan where you are a joint member of operating different LLCs with Ms. Xu, Ms. Wu and Ms. Li. Would you agree, or were those full corporate formations created without your permission to sign documents?

Ping Li – I don't know.

Township Attorney John Kummer – There are State records that link you to the prior operator of Vital Massage.

Ping Li – I've never been there. I never working there, I never know that.

Township Attorney John Kummer – Did you review the Commerce Township Code of Ordinances in preparing your application?

Ping Li – Yes

Township Attorney John Kummer – Did you see that it does require a full, complete site plan, showing all locations or massage services that will be offered, sinks and wash stations as well?

Jason Powell – At least in the application packet that she had, and she was seeing, that was not, did not any part of the initial application. At least it was something shared with

ITEM 3:7-14 PUBLIC HEARINGS (Appeal of Massage Permit Denial – Jojo's Spa continued)

her but that was like the 2nd step of the process. After the planning review submitted that there was more of like a building department.

Township Attorney John Kummer – So, you were provided a copy of the Code of Ordinances, correct? And that requires that site plan information you provided at the time of application. And would you agree that your application is lacking that information?

Ping Li and Jason Powell - Yes

Township Attorney John Kummer – Anything else from the Board?

Ping Li and Jason Powell – This is really a wellness center offering massages, facials, spa services.

Township Attorney John Kummer – Is your boyfriend, Mr. Powell involved in the operations of your massage parlor?

Ping Li – No, he is my boyfriend. He's not working.

Township Attorney John Kummer – He seems to know a lot about the business. Does he have any business interest in the massage parlor?

Ping Li – Because I talk to him. I know my English not good, it's not my country language.

Township Attorney John Kummer – I understand. He did represent to the Board that you have no prior criminal history. Is that correct?

Ping Li – Before that one?

Township Attorney John Kummer – That was a statement he made a moment ago that you had no prior criminal history. Is that correct? Do you have a prior conviction that you disclosed?

Ping Li – You cannot know everything I told him about that, because I was, don't know why I denied, so I told him, he said what happened? I don't know.

Township Attorney John Kummer – Was he correct or incorrect when he said you had no prior criminal convictions?

Ping Li – Incorrect.

ITEM 3:7-14 PUBLIC HEARINGS (Appeal of Massage Permit Denial – Jojo's Spa continued)

Township Attorney John Kummer – Because you wrote on your application, not the first time, but the second time, that you were convicted of disorderly person, is that correct?

Ping Li – Yes

Township Attorney John Kummer – So, he was not being truthful with the Board when he said you had no convictions, correct?

Jason Powell – I think she was speaking related to operating a massage business. But I was just reading the writing I was hearing about.

Township Attorney John Kummer – Okay. Who wrote that statement, if you don't mind me asking?

Ping Li – This one?

Township Attorney John Kummer – Who drafted that?

Ping Li – We print out.

Township Attorney John Kummer – Who typed it?

Ping Li – I print out online.

Township Attorney John Kummer – Okay, did you write the statement or did you print something that someone else wrote?

Ping Li – ChatGPT

Township Attorney John Kummer – Understood.

Interim Chairperson Sovel – Is there anything else you would like to add?

Hearing none, Interim Chairperson Sovel closed the Public Hearing.

MOTION by Creech, supported by Sovel, to allow Clerk Creech to abstain from any vote the Board might choose on this matter. This is based on her decision to originally deny the application.

Discussion – As the Township Clerk, she should be able to vote. There is no conflict of interest.

**ITEM 3:7-14 PUBLIC HEARINGS (Appeal of Massage Permit Denial – Jojo's Spa
Motion continued)**

ROLL CALL VOTE:

AYES: Creech, Sovel, Massey, Weber, Gray

NAYS: Berkheiser, Long

MOTION FAILED

Motion failed because the vote must be unanimous.

Township Attorney Hans Rentrop said Clerk Creech shall be allowed to vote on a Motion.

MOTION by Weber, supported by Berkheiser, to deny Appeal of Massage Permit Denial – Jojo's Spa. This is based on inaccurate and incomplete application.

MOTION CARRIED UNANIMOUSLY

ITEM 4:7-14 SITE CONDOMINIUMS AND PLATS

A. Northern Pointe Site Condominium

Planning Director David Campbell said this is for a 46-unit single-family site condominium proposed by Bogie Lake Holdings LLC (Jim Maher) on the south side of Bogie Lake Road upon an assemblage of 7 properties (including the long-abandoned Westwinds nursing home) totaling approximately 15 acres. The Planning Commission recommends approval.

Mike Noles, Project Engineer for The Umlor Group was present.
Jim Maher, Petitioner from Bogie Lake Holdings, LLC was present.

Trustee Berkheiser – In this project, you have written a prohibition on units being used as short-term rentals. I do not remember the Board ever voting on prohibition on short-term rentals. The Board should discuss, in the future, what the definition of short-term rentals is.

David Campbell – In this instance, it is something that the petitioner, Mr. Maher, knows is an important issue to Commerce Township. He volunteered to include that within their Master Deed.

Township Attorney Hans Rentrop – The Petitioner/Developer can include whatever language he sees fit in his Master Deed and it would become a deed restriction. Less than 30 days is considered short-term rentals.

MOTION by Weber, supported by Creech, to approve PSP#26-05, a condominium site plan by Bogie Lake Holdings LLC (Jim Maher) for Northern Pointe, a 46-unit single-family residential condominium to be developed on approx. 14.9 acres on the south side of Bogie Lake Road. This is contingent upon the recommendations by the Planning Commission and review and approval of the Master Deed by the Township Attorney.

ITEM 4:7-14 SITE CONDOMINIUMS AND PLATS (Northern Pointe Site Condominium Motion continued)

ROLL CALL VOTE:

AYES: Weber, Creech, Massey, Berkheiser, Long, Gray

NAYS: Sovel

MOTION CARRIED

ITEM 5:7-14 PURCHASES

A. Security Camera System – Maintenance Garage

Director of Technology Ben Sebrowski is requesting approval for exterior security cameras installed at the Commerce Township Maintenance garage. International Controls and Equipment's proposal add five AI-powered 4K security cameras, associated licensing, network infrastructure, cabling, and programming to the Commerce Township Maintenance Building, integrating the cameras into the Township's existing Vivotek surveillance system for a total cost of \$10,575.

MOTION by Sovel, supported by Creech, to approve the purchase and installation of a security camera system at the Commerce Township Maintenance garage from International Controls & Equipment (quote #80933-R dated 6-15-2026) at a cost not to exceed \$10,575. Amend the Maintenance Budget and authorize the appropriate signatures.

ROLL CALL VOTE:

AYES: Sovel, Creech, Massey, Weber, Gray

NAYS: Long, Berkheiser

MOTION CARRIED

ITEM 6:7-14 NEW BUSINESS

A. Resolution – DIA Partnership in Public Art

Parks and Rec/Senior Director Emily England said the Parks and Recreation Committee is requesting approval to submit an application through the DIA-Partner in Public Art Program to paint a mural on the Scarlets Smile Restroom.

Trustee Weber – Suggested the mural be painted on a piece of fiber board and affixed to the brick instead of painting a mural on the building. This way, if we decide in the future that we want to remove the mural, it would be much easier to remove the fiber board.

Trustee Long - What if we Table this and send it back to the Parks and Recreation Committee with Trustee Weber's suggestion.

Trustee Berkheiser – This is just to submit an application through the DIA-Partner in Public Art Program. This will come back to the Board to approve the mural.

ITEM 6:7-14 NEW BUSINESS (Resolution – DIA Partnership in Public Art continued)

MOTION by Long, supported by Weber, to approve the Resolution supporting an application for The Detroit Institute of Arts' Partners in Public Art Program for Commerce Township to paint a mural on the Scarlets Smile Restroom, subject to this coming back to the Township Board for final approval of the mural and agreement.

ROLL CALL VOTE:

AYES: Long, Weber, Berkheiser, Creech, Massey, Sovel, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

B. Clemis Participation Agreement with Oakland County

Fire Chief Jim Dundas is asking for approval of the Participation Agreement with Clemis.

Lisa Werner and Leanne Robinson, Clemis, were present to answer questions.

Trustee Weber - What is the rationale for creating an authority, which has the ability to tax the public, to make this happen?

Leanne Robinson – Oakland County made the decision to separate Clemis from the County and I believe it was possibly an expense issue. There is strong support from both the police and fire community for this separation. It also gives a stronger voice to all entities; whether it be a council that wants to have a voice and maybe sitting on an Authority Committee, or voting on an item. We do have a 5% increase over the board similar to the increase in 2025.

Discussion ensued on Clemis fee structures for entities.

Trustee Berkheiser – Is there someone that will sit on the Authority Committee that represents Commerce Township?

Leanne Robinson – Any of you can request to sit on a committee and request to be a part of any meetings. We have an Executive Board that has nine members that run the organization in terms of taxing.

Trustee Long – Who are the nine members and how are they appointed?

Leanne Robinson – the following members hold their position for a 4-year term:
Hilarie Chambers, retired from Oakland County
Troy Bevier, Sheriff of Lenawee County
Laura Dodd, Board President for Huron Valley Schools
James Gallagher, Chief of Police Bloomfield Township
Eric Hawkins, Police Commissioner of the City of Warren.

ITEM 6:7-14 NEW BUSINESS (Clemis Participation Agreement with Oakland County continued)

Daniel Keller, Chief of Police retired from White Lake Township

Greg Flynn, Fire Chief West Bloomfield

Joe LaRussa, Mayor of Farmington

David Woodward, Oakland County Board of Commissioners Chairperson

Leanne Robinson – Does not have an answer to how they are rotated after 4 years or who appoints them.

Trustee Long – Ms. Robinson, you said they wanted a broad group of people, who are “they”? One of the first things you said is that this Authority will offer us a stronger voice. But yet it’s apparent that we don’t know how to apply our voice.

Leanne Robinson – the Authority was formed by Bloomfield Township, White Lake and Oakland County signed agreement. This is all new, we are still building an organization from nothing. We have a bank account, assigned a CEO. So, month by month we have been forming the Authority.

Trustee Long – As an Authority, do you know if you have the ability to tax above and beyond the fees you are charging members?

Leanne Robinson – I do not know.

Trustee Long – I would like to make a Motion to Table.

Township Board members will provide Supervisor Gray with a list of questions to be answered by Leanne Robinson.

MOTION by Weber, supported by Berkheiser, to Table the Courts and Law Enforcement Management Information System (CLEMIS) Authority Participation Agreement with Oakland County. **MOTION CARRIED UNANIMOUSLY**

C. Wingate Preserve CRA at Commerce and Carey Roads

Planning Director David Campbell said this is a conditional rezoning petition for Wingate Preserve at the northeast corner of Commerce & Carey Roads proposed by Commerce Carey LLC (Jim Galbraith & Mark Kassab). The two parcels that make up the proposed 75-acre project are currently zoned R-1A (Large Lot One Family Residential). The petitioner proposes to conditionally rezone the two properties from R-1A to R-1D (One Family Neighborhood Residential) to develop a 148-unit single family residential site condominium. The Planning Commission recommends approval.

James Galbraith was present.

Mark Kassab shared a PowerPoint presentation of the development on the overhead screen.

ITEM 6:7-14 NEW BUSINESS (Wingate Preserve CRA at Commerce and Carey Roads Motion continued)

Discussion took place on the increased amount of traffic this development may create and also the density of the development.

MOTION by Weber, supported by Berkheiser, to approve PCZ#26-02, a conditional rezoning petition by Commerce Carey LLC for Wingate Preserve, conditional upon the items identified by the Planning Commission, and on the maximum housing units not to exceed 142 units.

ROLL CALL VOTE:

AYES: Weber, Berkheiser, Creech, Long, Sovel

NAYS: Massey, Gray

MOTION CARRIED

D. Zoning Ordinance Amendment No. 3.069

MOTION by Weber, supported by Berkheiser, to approve an Ordinance to Amend the Zoning Map of The Charter Township of Commerce, Oakland County, Michigan as Adopted by Zoning Ordinance 3.000, to be Known as Zoning Amendment Ordinance No. 3.069.

MOTION CARRIED UNANIMOUSLY

**E. Resolution Extending a Temporary Moratorium on Land Use
Consideration of Data Centers**

Planning Director David Campbell said the original six-month moratorium will expire on August 10, 2026. Given that either the Planning Commission or Township Board might not be prepared to act on the dates specified in the timeline above and may seek additional time for additional research and consideration, the Planning Department and the Township Attorney's office agree that an extension of the moratorium is warranted. The Planning Department and the Township Attorney's office are seeking an extension of four months, which would take the moratorium to December 10, 2026

MOTION by Sovel, supported by Creech, to approve a Resolution of The Township Board of The Charter Township of Commerce Extending a Temporary Moratorium on Land Use Consideration of Data Centers.

ROLL CALL VOTE:

AYES: Sovel, Creech, Massey, Weber, Long, Gray

NAYS: Berkheiser

MOTION CARRIED

ITEM 6:7-14 NEW BUSINESS (continued)

F. Potential Purchase of Lot 1 of Morey's Golf View Subdivision

Township Attorney Hans Rentrop said the Resolution is to authorize the purchase of lot #1 of Morey's Golf View Subdivision. Residents Rick Sovel and Laura Powers have offered to donate sufficient funds to reimburse the Township if the Township purchases the property from the County.

Rick Sovel and Laura Powers were present to request approval to have the Township purchase the property from Oakland County and they would reimburse the Township for the cost of the property, with conditions: 1) the property can never be built on, and, 2) the Township cannot sell the property. The intent is to keep the property as open space and if, in the future, if the trails make their way up to Union Lake Road, the property will be available for the Township to connect to the trail system.

Trustee Berkheiser – Is there an HOA? What about grass cutting and restrictions that were put in?

Rick Sovel – Currently the property has not been assessed by an HOA. It is a small piece of property and is just down the road from the kayak park. When they cut the grass at the kayak park they can cut this piece of property.

Township Attorney Hans Rentrop – The donation being is simply a draft, a template, the starting point of discussions. However, whatever terms and conditions you want to reach is perfectly acceptable. What is before you tonight, probably is a more critical issue, is the fundamental purpose of whether the Township wants to acquire the property or not. My understanding is the Township indicated to Oakland County that it has an interest in purchasing the property. Oakland County is temporarily holding it from an auction sale pending Commerce Township's decision to purchase the property. If the Township is interested in purchasing the property and proceed this way there is a Resolution in your packet authorizing the purchase of the property. That is the only thing you need to decide tonight.

MOTION by Sovel, supported by Long, to allow Rick Sovel to abstain from voting on a Motion for Potential Purchase of Lot 1 of Morey's Golf View Subdivision.

ROLL CALL VOTE:

AYES: Sovel, Long, Creech, Massey, Weber, Berkheiser, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

MOTION by Creech, supported by Massey, to approve the Resolution of The Township Board of The Charter Township of Commerce Authorizing the Purchase of Lot #1 of Morey's Golf View Subdivision in the amount of \$98,440.00. Funds to come from the Open Space Fund.

ITEM 6:7-14 NEW BUSINESS (Potential Purchase of Lot 1 of Morey's Golf View Subdivision Motion continued)

ROLL CALL VOTE:

AYES: Creech, Massey, Weber, Long, Gray

NAYS: Berkheiser

MOTION CARRIED

G. 2732 E. Commerce Road – Dangerous Building

Township Attorney John W. Kummer advised the Board that it is the recommendation of the Dangerous Building Hearing Officer and our office that the Township Board schedule a show cause hearing before the Board for the violation of the Order and to take the necessary action to enforce the Demolition Order pursuant to Article V, Chapter 12 of the Charter Township of Commerce Code of Ordinances for the residential building at 2732 E. Commerce Rd. (Sidwell# 17-05-400 009).

MOTION by Berkheiser, supported by Weber, to schedule a show cause hearing before the Board for the violation of the Order and to take the necessary action to enforce the Demolition Order pursuant to Article V, Chapter 12 of the Charter Township of Commerce Code of Ordinances for the residential building at 2732 E. Commerce Rd. (Sidwell# 17-05-400 009). The hearing shall take place during the August 18, 2026 Regular Township Board of Trustees meeting.

MOTION CARRIED UNANIMOUSLY

H. Union Lake Road/Richardson Road/Martin Road Roundabouts

Planning Director David Campbell said this is for a pair of tandem roundabouts at the intersection of Martin, Richardson, and Union Lake Roads. They are projected to be constructed in the year 2028. Part of the funding for that project comes from two federal grants. One federal grant was meant to be expended in the budget year 2027. The other grant was meant to be in the budget year 2029. Around 5 million dollars of the cost of that project is going to come from a pair of federal grants. The early preliminary estimates for the overall projects were about 9.1 million dollars. The cost has now increased to 13.2 million dollars. The Road Commission for Oakland County said the Township's share of this project to be 2.016 million dollars; 1.26 million dollars of that would be the Township's tri-party allocation. We would need the balance of what we currently have in our tri-party fund, and it would extend out to the year 2031.

In addition to that, the Township would have to go into our own pocket to the tune of \$750,000. The Road Commission is offering 1.264 million dollars in tri-party money, extended out to the year 2031, plus \$752,000 in Ad Cash from the Township for a grand total of 2.016 million dollars as the Township's contribution to this project. If it goes beyond the 13.2 million dollars, then whatever the overage is would be an Ad Cash at a 50-50 split with the Road Commission for Oakland County. We get an estimated cost of \$275,000 per year of tri-party funds from the Road Commission for Oakland County.

ITEM 6:7-14 NEW BUSINESS (Union Lake Road/Richardson Road/Martin Road Roundabouts continued)

MOTION by Weber, supported by Sovel, to authorize the Township Supervisor to budget up to 2.016 million dollars from tri party funds and the General Fund for the Union Lake Road/Richardson Road/Martin Road Roundabouts.

MOTION CARRIED UNANIMOUSLY

I. Lakes Area Youth Association 2026-2027

MOTION by Massey, supported by Berkheiser, to approve the Contract for Services by Lakes Area Youth Assistance for the amount of \$4200 for The Charter Township of Commerce from July 1, 2026 – June 30, 2027. **MOTION CARRIED UNANIMOUSLY**

ITEM 7:7-14 ORDERS AND ADD ONS

MOTION by Sovel, supported by Creech, to approve the orders and add ons.

MOTION CARRIED UNANIMOUSLY

ITEM 8:7-14 OTHER MATTERS

Trustee Weber –

- Who is responsible for managing the restroom project at the Richardson Center? Jason Mayer, Giffels Webster Engineers said he is managing the project. We approved this project last summer and it was supposed to be started in the fall. During a discussion on this, it was mentioned we had to have this done before the concerts start. I was assured that it would be done by late spring. My comment at that time was that late spring, to me, is all the way to June 20th, potentially. And you said it would be done by then. The last discussion I had during the concert, was there is a good chance it will not be finished until all concerts have ended. This cannot be acceptable to any of us; to wait for over a year from approval for the project to be done. Jason said the contractor is to complete the project by the end of next week. For Future projects, we need to have a clear understanding on how long each step will take and why.
- We need to address short term rentals. Does the Board want to have that discussion or does the Board want the Planning Commission to offer their thoughts to them first?
- There is an interesting exposé on channel 7's 6:00 news on Oakland County Commission Chairperson Dave Woodward and his travel expenditures.

Trustee Berkheiser –

- He wanted to make sure we are using the message/billboards because we have the authority to do that.
- Infringement on park property – 1) There appears to be a dock and boat on our property at the kayak launch on Union Lake Road. 2) We may want to cut the

ITEM 8:7-14 OTHER MATTERS (Trustee Berkheiser continued)

- grass at the easement on the backside of Victory Park so people will know it is Township property, and, 3) There are dirt bikes going thru Wise Woods
- Fiber optics employees causing damage to resident's property, placing flags all over their property, and, walking thru resident's yards. Can we make them post a bond to pay for damages?

Building Official Jay James said the Metro Act Permit governs utilities that are placed within the road right-of-way. We do not own the right-of-way. We have an ordinance that sets technical and operational standards for utility companies. The Ordinance could be amended to require a bond at issuance of the permit to cover any damages.

- A comment was made tonight by a developer that we may want to consider a requirement to hold meetings with surrounding residents of the new development to get their input prior to it coming before the Planning Commission and Township Board.

Supervisor Gray –

- Midyear reviews have been completed.
- There are 3 different roof leaks at the Waste water Treatment Plant. We are getting quotes for repairs/replacement.
- I will have Kay McMahon, Communications, Community Engagement Specialist presenting at our Quarterly Discussion Meeting. She will review our growth with social media and communication with our residents.
- I would like to follow the same steps we made when Janet Bushey left her role as Finance/Human Resources and we hired Katelyn Massey to take her place. Katelyn Massey was recently promoted to Township Treasurer. I am looking to do the same with Natalie Hiney. She has been with the Township as Katelyn's assistant for 2 years. I feel she should have the same opportunity as we have offered in the past.

MOTION by Massey, supported by Creech, to approve a 90-day probationary period for Natalie Hiney's role as HR/Finance Director.

MOTION CARRIED UNANIMOUSLY

ITEM 9:7-14 CLOSED SESSION

A. Employment Consideration Request Pursuant to MCL 15.268(a)

MOTION by Berkheiser, supported by Massey, to enter into Closed Session for the purpose of discussing Employment Consideration Request Pursuant to MCL 15.268(a)

ROLL CALL VOTE:

AYES: Berkheiser, Massey, Creech, Long, Weber, Sovel, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session at 10:43 p.m.

Returned from Closed Session at 10:56 p.m.

ITEM 9:7-14 CLOSED SESSION (Employment Consideration Request Pursuant to MCL 15.268(a) continued)

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

Attorney Hans Rentrop said the Board of Trustees came out of Closed Session at the request of Director of Maintenance Mark Schoder to discuss an employment matter in open session.

Treasurer Massey read a prepared statement presenting management's recommendation regarding the employment of Mark Schoder. Over an extended period, management has worked with Mr. Schoder to address significant concerns regarding leadership effectiveness, communication, and workplace conduct. The concerns were discussed on multiple occasions with Mr. Schoder and he was given many opportunities to improve. Despite all efforts, management has determined that necessary and sustained improvements have not occurred. These issues continue to impact Township operations and employees. The letter provided to Mr. Schoder outlined four primary areas of concern.

The first area involves repeated instances of workplace conduct employees described as intimidating, including perceived bullying or the singling out individual staff members. These behaviors were documented over a number of years. Employees have stated they are reluctant to ask questions or seek guidance due to concerns over a negative reaction. Some employees have said they just need to "get through the hazing phase" before they are accepted.

The second area involves communication with staff. Employees have described communications as harsh or dismissive, or a complete lack of response. Maintenance Department employees have sought advice from HR regarding routine matters when they are unable to get guidance from the Maintenance Director for time off requests, work assignments, performance expectations, communications, and professional development. These communication challenges have created confusion, frustration, and diminished employee confidence in the department.

The third area involves leadership effectiveness. Department Directors are responsible for providing direction, mentoring, setting clear employee expectations, and supporting staff development. During employee annual performance evaluations, employees consistently identified similar concerns regarding communication, support, and leadership. As HR/Finance Director, I recognized these recurring themes and I worked directly with Mr. Schoder by establishing performance goals, discussing strategies for improvement and providing opportunities to strengthen his leadership skills. Despite those efforts, meaningful and sustained improvement was not achieved.

The fourth area involves communication and collaboration with fellow department directors. Effective Township operations depend on department leaders working

Employment Consideration Request continued

cooperatively, sharing information, and coordinating efforts across departments. Management documented multiple instances where communication broke down or collaboration was insufficient. One example involved coordination for Parks and Recreation events. As concerns increased, I facilitated meetings between the Parks and Recreation Director and Mr. Schoder to improve communication and establish expectations for working collaboratively. Despite those efforts, communication challenges continued. During the Heart of the Lakes Festival, several maintenance responsibilities were not completed as expected, creating operational challenges for the event. Similar communication issues have also occurred with other department directors, including instances where follow-up on important matters did not occur.

These concerns were not isolated incidents. They represent a pattern that has been documented over time and addressed through discussions and repeated opportunities for improvement. Management's expectation was that these efforts would result in meaningful and lasting change. Unfortunately, that did not occur.

As a result, Mr. Schoder was presented with a letter requesting his voluntary resignation. The letter advised that, if he should choose not to resign, he would be placed on paid administrative leave pending the Board's review of his employment status.

Management's recommendation is based on documented record, the continued impact these issues have had on employees and Township operations, and on our responsibility to maintain a respectful, professional, collaborative, and accountable workplace.

For these reasons, management recommends that the Board terminate the employment of Mark Schoder, effective immediately, in accordance with Township policies and applicable law.

I am prepared to answer any questions the Board may have regarding this documentation, the process followed, or the recommended transition plan.

A discussion followed regarding when the issues began, complaints of intimidation, employees afraid to approach HR with their concerns, Mr. Schoder's evaluations were reviewed, failures during the Heart of the Lakes Festival, communication failures with the Director of Parks and Recreation, treatment of departmental employees, employee turnover in the Maintenance Department and exit interviews, and other directors' frustrations with Mr. Schoder's lack of communication.

Interim Chairperson Sovel asked if the Township has similar issues with any other departments?

Treasurer Massey indicated only with the Maintenance Department.

Employment Consideration Request continued

Trustee Weber asked about moving toward termination versus an improvement plan.

Treasurer Massey said her breaking point was when she witnessed a maintenance department employee being singled out at a Library in-service day. The rest of the team was having lunch as a team and a particular employee was told to go back to the maintenance garage to have lunch. She started an investigation and during the course of the investigation asked for Mr. Schoder's version of events.

Trustee Weber asked if it has been a gradual decline or a steady decline.

Treasurer Massey said it has been a steady decline.

Supervisor Gray said it is an on-going issue.

Discussion followed again regarding Mr. Schoder's evaluations over the last few years and areas that were flagged as needing improvement and also regarding the positive points in the evaluations. Additionally, the Board discussed instances of misrepresentation of work accomplished specifically related to signage in the park and placement of the Maintenance Department pole barn.

Interim Chairperson Sovel asked if there were attendance issues and was told there were no attendance issues.

Trustee Long asked if Mr. Schoder wants to address the Board?

Mr. Schoder addressed the Board and said the signage issue was his first mistake in 14 years. The pole barn placement was changed after digging began. The lunch situation information cited is not factual. All employees were personally told 4 times by Mr. Schoder that lunch was being provided. Mr. Schoder insists a lot of this stuff was made up and this is happening because of an incident with Clerk Creech.

Clerk Creech said that is absolutely not true.

Mr. Schoder said this is 100% retaliation. He doesn't bully his employees; he pushes them to get the job done. They cover the Michigan Airline Trail, the water treatment plant, the pump stations, the water tower, and they keep pushing. He said that he filed a complaint against Clerk Creech for workplace harassment, intimidation, hostile and toxic work environment, threatening behavior, and for putting him in embarrassing situations in front of the public and his staff. That's what this is about.

Treasurer Massey said that's not what it's about.

Clerk Creech said she attended a meeting with Mr. Schoder and Treasurer Massey and Clerk Creech asked Mr. Schoder if his staff works in teams for safety purposes and Mr.

Employment Consideration Request continued

Schoder answered yes. Clerk Creech then pointed out instances when maintenance staff should have been working in teams but were not.

HR/Finance Director Hiney said that this has been going on since she started working at the Township. She said his communication is not good at all and half the time she cannot get a response from him. Multiple times she and Treasurer Massey have tried to initiate ways for Mr. Schoder to improve, they've asked for schedules of staff members and he never provides them and they specifically asked for a schedule of staff members for the Heart of the Lakes Festival and it was not provided by Mr. Schoder. They asked to know who is working A & B and never received the information. Further, you saw last budget season that he was unprepared and he was emailed multiple times and told to provide a memo and all the other directors were able to follow directions. He does not have good leadership and he is not a good manager.

Mr. Schoder says that he's been a manager this long and suddenly this happens with Clerk Creech. He feels this is retaliation.

Interim Chairperson Sovel said that whatever happened with Clerk Creech was 17 days ago but how does this affect going back a few years to employee complaints? What does that have to do with this 17-day period?

Trustee Long asked that when Mr. Schoder requested this meeting with the Board, what were you hoping the outcome would be?

Mr. Schoder said his job and his reputation. He's worked hard for Commerce, he's never complained, and he's been written up once.

Trustee Berkheiser said he has grave concerns that the past few employee evaluations do not reflect that this has been going on but he has graver concerns about harassment and a poor work environment in the Maintenance Department where they have dangerous equipment. He doesn't feel that the Supervisor and HR did a very good job documenting this and it should have been addressed earlier.

Interim Chairperson Sovel agreed that the documentation could have been better but the fact that employees feel intimidated and threatened trumps the lack of ideal documentation. He wants to do whatever he can to protect Township staff.

Supervisor Gray said it was discussed multiple times with Mr. Schoder.

Mr. Schoder said it was discussed once when he was written up.

Trustee Weber agrees with Trustee Berkheiser's comment. He's disappointed in the lack of pointed language in the reviews. He assumes notes were taken during the meetings and those count. The hostile environment where employees are feeling fearful or singled out is not what a director is. Work environment is his largest concern.

Employment Consideration Request continued

Interim Chairperson Sovel said his takeaway is that Mr. Schoder does a good job doing the work but lacks the necessary skills to be the team leader.

Trustee Long asked if Mr. Schoder recalls the last time Commerce Township sent him to leadership or management training?

Mr. Schoder answered never.

Trustee Berkheiser pointed out that we never send any director to that type of training. We've had issues with communication for some time but he was unaware of the other issues.

Interim Chairperson Sovel asked if Supervisor Gray has a recommendation.

Supervisor Gray said that he wants Mr. Schoder to resign. This is an ongoing issue and someday we are going to be sued. Every new employee gets treated like crap and they end up quitting.

Trustee Berkheiser asked if the Board can put Mr. Schoder on administrative leave and interview the departmental directors and at least the 2 maintenance department employees that the Board has not talked to.

Supervisor Gray said of the 2 employees not interviewed, one is Mr. Schoder's best friend and the other one does not want to talk. Additionally, he's received complaints from 4 different department directors.

Interim Chairperson Sovel said the Board needs to make a decision based on the information presented.

Trustee Weber said that he thinks Mr. Schoder is a hard worker and a good doer but is not a leader and is not a good director of people.

Supervisor Gray said his job is to manage staff.

Township Attorney Hans Rentrop said the Supervisor is the chief administrator of the Township, however the Director position is appointed by the Board and only the Board can terminate the position.

Interim Chairperson Sovel asked Mr. Schoder that after hearing this today if he is interested in reconsidering signing the letter asking for his resignation?

Mr. Schoder said he'll speak to an attorney first.

Interim Chairperson Sovel asked Mr. Schoder that if the Board is going to terminate him, would he rather resign.

Employment Consideration Request continued

Mr. Schoder said no.

MOTION by Massey, supported by Gray, to terminate Mark Schoder effective today.
Discussion:

Trustee Berkheiser said that there's an issue with the last few evaluations and while he knows that Attorney Rentrop is not the Township's labor counsel, he asked if the Township would have any exposure in terminating Mark based upon discussions held during the meeting.

Township Attorney Hans Rentrop said he has 2 comments:

1. Correct, I am not an employment/labor attorney; and
2. This is not the appropriate forum to address the question.

Trustee Berkheiser said he struggles with what is going on and, let's say it doesn't pass, and you're just going to put him back in maintenance and in charge? How do you feel about doing that? Whether you believe it or not, Mark, you have disgruntled employees and it seems like it's an awkward situation. He's very concerned about the hostile and toxic work environment.

Interim Chairperson Sovel said that this is difficult and if we had better documentation, it would make us all feel better. Part of our job as trustees is to support the 3 full time officials. This is something they thought about for a while and brought to us. Also, our actions or inactions will send a message to the other directors. We support having the best employees we can possibly have. When one doesn't work out, we need to accept it and move on and find someone who can do a better job. You can't have a toxic work environment and how can we put Mr. Schoder back into the Maintenance Department?

Supervisor Gray stressed that it has been the Supervisor and HR documenting this.

ROLL CALL VOTE:

AYES: Massey, Gray, Creech, Weber, Berkheiser, Sovel

NAYS: Long

MOTION CARRIED

Trustee Berkheiser said that we should not have this again. We need to do a much better job on annual evaluations for all of our employees. If they are not doing well, we need to state that on the evaluation and not be nice. If we are having discussions, we need to formally document and have the employee sign it. They can disagree with it but they need to sign it. We should not have this type of discussion.

Trustee Weber said he agreed 100% with Trustee Berkheiser. There has to be a performance review.

ITEM 10:7-14 ADJOURNMENT

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

MOTION by Weber, supported by Creech, to adjourn at 12:00 a.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce