

**CHARTER TOWNSHIP OF COMMERCE
TOWNSHIP BOARD OF TRUSTEES MEETING
February 10, 2026
2009 Township Drive
Commerce Township, Michigan 48390**

CALL TO ORDER: Supervisor Gray called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Larry Gray, Supervisor
Molly Phillips, Treasurer
Robert Berkheiser, Trustee
Robert Long, Trustee
Rick Sovel, Trustee
George Weber, Trustee

Absent: Melissa Creech, Clerk (excused)

Also Present: Hans Rentrop, Township Attorney
Jason Mayer, Giffels Webster Engineers
Jim Dundas, Fire Chief
Jay James, Building Official
Alyson Lobert, Library Director
Katelyn Massey, HR/Finance Director
Natalie Hiney, HR/Finance Assistant

MOTION by Sovel, supported by Berkheiser, to approve changing New Business I from Bond Counsel Letter of Engagement – Sidewalk Pathway SAD to Bond Counsel Letter of Engagement – Pathway Bond SAD. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF MINUTES

MOTION by Sovel, supported by Phillips, to approve the January 13, 2026 Regular Township Board Meeting minutes and the January 27, 2026 Quarterly Township Board Meeting minutes, as submitted. **MOTION CARRIED UNANIMOUSLY**

PRESENTATIONS

A. Robert Wittenberg, Oakland County Treasurer

Mr. Wittenberg gave a presentation on Preventing Property Tax Foreclosure

- Michigan property tax foreclosure three-year process -
 - Notifications and fees added
 - Year one - Delinquency
 - Year two: Forfeiture

PRESENTATIONS (Robert Wittenberg, Oakland County Treasurer continued)

- Year three – Foreclosure
- After Foreclosure Claims Process
- 2025 Foreclosure Recap
- 2024 Foreclosure Data and Map
- 2025 Foreclosure Data and Map
- 2025 Property Tax Foreclosure Prevention Efforts
- 2026 Property Tax Foreclosure Key Dates
- Community Resources
- OCTO Initiatives and Programs

ITEM 1:2-10 APPROVAL OF AGENDA

MOTION by Sovel, supported by Berkheiser, to approve the February 10, 2026 agenda, as presented.

MOTION CARRIED UNANIMOUSLY

ITEM 2:2-10 PUBLIC COMMENTS

Supervisor Gray 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.

Renee Jasgur, 2625 Welch Road, Commerce Township, MI, said the speed limit of 50-mph is too high on Welch Road and is a hazard, especially at the crosswalks from the trails.

Cori Esterline, 1965 Blue Stone Lane, Commerce Township, MI, travels Welch Road several times a day. She said the 50-mph is too high and is public safety hazard, especially at the crosswalks from the trails and when runs are made from the Fire Station.

Joseph Rimarcik, 4945 Wavewood Drive, Commerce Township, MI, said on January 4th they had a medical emergency and called EMS. He received an invoice for \$948 from EMS/MC, a 3rd party administrator, for the ambulance service. He said the company is requesting his social security number which he does not want to provide. He is curious if the Township contracted with them. He would hope part of the cost would be taken care of by the Township from all the permits, fees, and taxes that we pay. Supervisor Gray said the Township covers the cost after medical insurance pays their portion of the service.

Margaret Rathje, 2151 Welch Road, Commerce Township, MI, said cars are not pulling over on Welch Road when emergency vehicles are on a run. The bushes need to be trimmed because you cannot see people walking near the road. The 50-mph speed limit is too fast.

Supervisor Gray closed Public Comments.

ITEM 3:2-10 BOARD APPOINTMENTS

A. Susan Spelker – Reappointment to the DDA for a 4-Year Term Ending March 3, 2030

MOTION by Gray, supported by Sovel, to Reappoint Susan Spelker to the Downtown Development Authority (DDA) for a 4-Year Term ending March 3, 2030.

MOTION CARRIED UNANIMOUSLY

ITEM 4:2-10 CONTRACT AWARDS AND AGREEMENTS

A. UFS Rate Study

Giffels Webster Engineer Jason Mayer presented a proposal from UFS to provide a water and wastewater financial projection update for the Charter Township of Commerce.

MOTION by Berkheiser, supported by Weber, to approve the Water and Wastewater Financial Projection for the Charter Township of Commerce with Utility Financial Solutions LLC. Project fees for the Financial Projection are Water Financial Projection \$12,500, Wastewater Financial Projection \$12,500, and on-site presentation, if needed, will not exceed \$2,500.

MOTION CARRIED UNANIMOUSLY

ITEM 5:2-10 INTRODUCTIONS

A. Code of Ordinances Amendment No. 1.076 – Update Contractor for Water and Sewer Systems Operation.

Township Attorney Hans Rentrop said contractor names were changed in the amendment.

MOTION by Sovel, supported by Berkheiser, to Introduce the Charter Township of Commerce an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to Be Known as Code Amendment Ordinance No. 1.076. Post and publish according to law. **MOTION CARRIED UNANIMOUSLY**

B. Fee Ordinance Amendment No. 2.032 – Update Contractor for Water and Sewer Operation, Administrative Costs and Services, and to Repeal Conflicting Ordinances.

Township Attorney Hans Rentrop said the amendment reflects the Township's change of its water and sewer operator from the Oakland County Water Resources Commissioner to the Township's contractor, F&V Operations.

Building Official Jay James said he will come back to the Board with fee numbers because he is finding some discrepancies from what was in our Ordinance, what may have been charged by WRC, and what people are getting charged now.

MOTION by Sovel, supported by Berkheiser, to Introduce the Charter Township of Commerce an Ordinance to Amend Ordinance No. 2.031 to Be Known as the Charter Township of Commerce Fee Ordinance No. 2.032. Post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 6:2-10 ADOPTIONS

A. Code of Ordinances Amendment No. 1.075 – Poverty Exemptions

Township Attorney Hans Rentrop said this was Introduced at the Township Board of Trustees Quarterly Meeting on January 27, 2026. There were no changes made.

Assessor Max Griffin was present.

MOTION by Sovel, supported by Phillips, to Adopt the Charter Township of Commerce an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to Be Known as Code Amendment Ordinance No. 1.075. Post and publish according to law. **MOTION CARRIED UNANIMOUSLY**

ITEM 7:2-10 PURCHASES

A. Access Control System Upgrade – WWTP

Supervisor Gray said James Green of F&V Operations and Resource Management recommends International Controls & Equipment, Inc. as the vendor for the access control system at the Wastewater Treatment Plant (WWTP). He explained how the system will work. The warranty will be a 2-year warranty. The total one-time cost for equipment, materials, and training is \$10,675.00. In addition, an annual cloud software subscription of \$1,200 is required to maintain system connectivity, functionality, and security updates.

Trustee Sovel would like the price quote reissued showing Commerce Township as the job location of the WWTP instead of Walled Lake.

MOTION by Sovel, supported by Berkheiser, to approve the purchase of a video intercom and access control system for the Wastewater Treatment Plant (WWTP) from International Controls & Equipment, Inc. (Quote #79457-R dated 1-26-2026) at a cost of \$10,675 and an annual cloud software subscription of \$1,200. Funds to come from the Sewer Fund. **MOTION CARRIED UNANIMOUSLY**

B. Robin Room Chairs – Library

Library Director Alyson Lobert said the Library Advisory Board recommends the purchase of 70 SitOnIt Sprout wire chairs for the Robin Room at the Commerce Township Community Library.

MOTION by Berkheiser, supported by Weber, to approve the purchase of 70 SitOnIt Sprout wire chairs for the Robin Room at the Commerce Township Community Library from ISCG (quote # 2127.001 dated January 26, 2026) at a cost not to exceed \$11,000. Funds to come from the library's 2026 Budget. **MOTION CARRIED UNANIMOUSLY**

C. Fire Stryker Xpedition Power Stair Chairs – Fire Department

Fire Chief Jim Dundas is requesting approval to purchase 4 Stryker Xpedition Power Chairs for the front-line ambulances. The chairs will allow firefighters to safely carry

ITEM 7:2-10 PURCHASES (Fire Stryker Xpedition Power Stair Chairs – Fire Department continued)

heavy patients up or down stairs during care and transport. We will be pursuing a 50% reimbursement to the Township from our insurance provider grant program (MMRMA).

MOTION by Berkheiser, supported by Sovel, to approve the purchase of 4 Stryker Xpedition Power Chairs from Stryker (quote #12217773 dated 11-21-2025 and quote #11248407 dated 1-27-2026) at a cost not to exceed \$81,000. Funds to come from the Fire Department 2026 Budget for EMS Equipment.

MOTION CARRIED UNANIMOUSLY

ITEM 8:2-10 OLD BUSINESS

A. Employee Handbook

HR/Finance Director Katelyn Massey is requesting approval of the Employee Handbook.

Trustee Berkheiser would like it stated in the handbook that the Supervisor and/or Communication Specialist shall be the designated person to represent the Township on social media platforms.

MOTION by Weber, supported by Berkheiser, to approve the Commerce Township Employee Handbook as submitted with the changes as discussed.

MOTION CARRIED UNANIMOUSLY

B. Employee Job Descriptions

MOTION by Weber, supported by Phillips, to approve the employee job descriptions as submitted with the understanding that additional work needs to be done to the job descriptions the next time we go into contract negotiations.

MOTION CARRIED UNANIMOUSLY

C. Accident/Incident Policy

MOTION by Weber, supported by Sovel, approve the Accident/Incident Policy as submitted.

MOTION CARRIED UNANIMOUSLY

D. Poverty Exemption Application

Assessor Max Griffin said he will change the asset test to \$300,000 to include the value of the principal residence.

MOTION by Phillips, supported by Sovel, to approve the Poverty Exemption Application as submitted with the asset test to \$300,000 including the value of the principal residence.

MOTION CARRIED UNANIMOUSLY

ITEM 9:2-10 NEW BUSINESS

A. Class C Liquor License Transfer Application – The Market Table, LLC
Jacob Bahri representing Justin Bahri, Operating Manager was present. Mr. Bahri was also present. Mr. Bahri stated the combined members have decades of experience in operating very similar business operations, specifically restaurant operations with Class C Liquor Licenses and grocery stores with similar licensing. The main reason for the transfer is because of a change in ownership of the operations. The applicants intend to keep the exact same operations, staff, food and alcohol menus. They are purchasing the businesses and properties.

MOTION by Gray, supported by Phillips, to approve the application for a Class C Liquor License Transfer Application for The Market Table, LLC. 3000 E West Maple Road, Commerce Township, Michigan 48390, contingent upon getting the appropriate inspections from the Michigan Department of Agriculture and Rural Development.

MOTION CARRIED UNANIMOUSLY

B. Class C Liquor License Transfer Application – Uptown Table, LLC

MOTION by Gray, supported by Berkheiser, to approve the application for a Class C Liquor License Transfer Application for Uptown Table, LLC 3100 E West Maple Road, Commerce Township, Michigan 48390.

MOTION CARRIED UNANIMOUSLY

Justin Bahri wanted to commend the staff at the Planning and Clerk's Department. They were extremely helpful, especially Christine Dennis.

C. Proposed Abandonment of a Portion of Marshalsea Drive and a Portion of Mario Drive

Supervisor Gray said he received a letter from the Road Commission for Oakland County (RCOC) dated January 14, 2026, regarding a petition they received to abandon a portion of Marshalsea Drive and a Portion of Mario Drive. This is to abandon a portion of the right of way. RCOC is asking if we have any objections or if the easement should be preserved.

Trustee Weber asked why the petitioner wants to abandon this.

Building Official Jay James said the parcel is not buildable but the petitioner could possibly add an addition or something else he could not normally do with his current property.

Trustee Long asked if this could be combined and split.

Jay James said no the property cannot be split. This is the first time he has seen the letter. He said we do have a sewer that looks like it runs through the right of way, but he is not positive.

ITEM 9:2-10 NEW BUSINESS (Proposed Abandonment of a Portion of Marshalsea Drive and a Portion of Mario Drive continued)

Township Attorney Hans Rentrop said he has not reviewed this yet. There is a two-step process to abandon a road. First there is abandonment by RCOC, second is vacation by the Township by a Resolution.

Trustee Long asked if this should be Tabled since it was not reviewed by legal counsel and the Building Official.

MOTION by Long, supported by Berkheiser, to Table abandonment of a portion of Marshalsea Drive and a Portion of Mario Drive.

MOTION CARRIED UNANIMOUSLY

D. Late Tax Payment Penalty Waiver

Treasurer Phillips said this comes before the Board every year. Technically we have the right to charge additional 3% starting February 14th. We usually get an approval that anyone who has a deferment on their taxes saying they do not have to pay any taxes (summer or winter) until February 14th we normally waive that before it goes to the County.

MOTION by Long, supported by Weber, to waive the late penalty charges for those citizens who are eligible pursuant to Section 211.44 (3) of the Michigan Compiled Laws
Trustee Berkheiser voted No

MOTION CARRIED

E. DDA Cash Advance

Treasurer Phillips, on behalf of the DDA, is requesting a cash advance of \$2,000,000 from the Debt Service Fund.

MOTION by Phillips, supported by Sovel, to approve a cash advance up to \$2,000,000 from the Debt Service Fund to the Downtown Development Authority (DDA).
Trustee Long voted No

MOTION CARRIED

F. Resolution Instituting a Temporary Moratorium on Land Use Consideration of Data Centers

Township Attorney Hans Rentrop said this will allow the Planning and Building Departments time to review land use consideration of data centers.

MOTION by Weber, supported by Phillips, to approve the Resolution of The Township Board of The Charter Township of Commerce Instituting a 6-month Temporary Moratorium on Land Use Consideration of Data Centers.

Discussion:

Trustee Sovel – Will there be a committee created to work on this so we know what will happen at the end of the 6-month moratorium.

ITEM 9:2-10 NEW BUSINESS (Resolution Instituting a Temporary Moratorium on Land Use Consideration of Data Centers Motion continued)

Trustee Weber said in the next two weeks there are two different seminars/workshops on data centers. After we are more educated on this, it makes sense to put a timeline together and we should put some milestones where it is reviewed by the Planning Commission with their recommendations to the Township Board.

MOTION CARRIED UNANIMOUSLY

G. Intent Resolution – Special Projects No. 55 SAD

MOTION by Berkheiser, supported by Sovel, to approve the Resolution of The Township Board of The Charter Township of Commerce, Tentatively Declaring Its Intention to Establish a Special Assessment District to Be Known as Special Projects No. 55.

MOTION CARRIED UNANIMOUSLY

H. Bond Counsel Letter of Engagement – Island Club Paving SAD

Treasurer Phillips said we need to issue bonds to be able to finance this project.

MOTION by Phillips, supported by Berkheiser, to approve the Bond Counsel Letter of Engagement – Island Club Paving SAD.

MOTION CARRIED UNANIMOUSLY

I. Bond Counsel Letter of Engagement – Sidewalk Pathway Bond SAD

Treasurer Phillips said this is for the Pathway SAD not the Sidewalk SAD. This will not come to fruition if the vote is not passed.

Township Attorney Hans Rentrop said this is for the Pathway SAD. We wanted bond counsel to be involved because we are going to need a millage for this.

Discussion – What is the need for a bond counsel, especially before we officially go out for a millage.

Mr. Rentrop said since there will be a financial advisor at the March 2026 Board meeting he could have someone from the bond counsel come to the meeting to explain what services they would provide and why, so we have a better understanding.

No action taken

ITEM 10:2-10 ORDERS AND ADD ONS

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

MOTION CARRIED UNANIMOUSLY

ITEM 11:2-10 OTHER MATTERS

Supervisor Gray –

- Is requesting approval to purchase grinder pumps for the sewer system.

MOTION by Weber, supported by Berkheiser, to approve the purchase of grinder pumps from DuBois-Cooper for the Township of Commerce Sewer System in an amount not to exceed \$132,000 (Quote #223123 dated 2-5-2026). Funds to come from the Sanitary Sewer Fund.

MOTION CARRIED UNANIMOUSLY

- Tri-Party Program Summary there is a remaining budget of \$1,909,056 in tri party funds (RCOC, County, Commerce Township each have a share of \$636,352)
- \$45,000 to update Michigan Air Line Trail with amenities including a water station
- We will see a request for a Subdivision requesting an SAD for streetlights soon.

Trustee Long –

- Michigan State Police set the speed limits at the request of the Road Commission for Oakland County.

Trustee Sovel -

- Should we have a countdown timer clock for public time is up to talk during Public Comments.
- Spending items –
Supervisor Gray said he put in for the replacement of the Mill Race bridge behind the 7 Eleven and the sunshade for the Library.

Trustee Berkheiser –

- He would like to see a progress report from Five and Main, specifically the type of businesses that are going in.
- Snowplow contract – the contractor does not do a good job clearing the snow.
- Asked if there is a benefit for the Fire Chief to post his report on the Township's website. The report was well done.

Trustee Weber –

- Are we done with the Federal ARPA money filings? Treasurer Phillips said yes everything is complete.
- Asked Building Official Jason Mayer if we can do a postmortem on Lystek at the end of the year to compare the initial results with the original saving assumptions.
- Five and Main update – There was a meeting last week with the architects, designers, engineers, and Operations Manager. He believes we have turned a corner from around 8 years ago. They have gone from a concept to having a plan. There was talk about building G. He said by April 2026, we should be able to name four of the five businesses that are going in. One business is a drive thru national coffee store. The design of that building exceeded his expectations. This is a tough building because it has two fronts on it. They are doing a nice job hiding utilities that are at the rear of the building that faces Pontiac Trail.

ITEM 11:2-10 OTHER MATTERS (Trustee Weber continued)

It will need to be designed so it appears there are two fronts to that building. The landscaping will include a high berm. The rendering should be submitted in April 2026. Once that building goes in next to the credit union, a roadway will wrap around the interior of Five and Main up to Library Drive. Approximately 70-80 pages of the tenant operations manual was submitted. We expect they will ask for an extension on the library parcel in April 2026. That is critical because a high-end tenant (grocery) will be purchasing a portion of real estate. They signed a letter of intent and expect a completed purchase agreement in the next several months.

- If the Pathway Millage is approved, included are plans for a separate pathway on Welch Road.

ITEM 12:2-10 ADJOURNMENT

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

MOTION by Phillips, supported by Berkheiser, to adjourn at 9:39 p.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce