

**CHARTER TOWNSHIP OF COMMERCE
TOWNSHIP BOARD OF TRUSTEES QUARTERLY MEETING
2009 Township Drive
Commerce Township, MI 48390
Tuesday, July 28, 2026, 7:00 p.m.**

CALL TO ORDER: Clerk Creech called the Township Board of Trustees Quarterly Meeting to order at 7:00 p.m.

At the request of Supervisor Gray, Clerk Creech would like the Board to appoint Trustee Rick Sovel as Interim Chairperson.

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

ROLL CALL: Present: Larry Gray, Supervisor
Melissa Creech, Clerk
Katelyn Massey, Treasurer
Bob Berkheiser, Trustee
Rick Sovel, Trustee
George Weber, Trustee
Robert Long, Trustee

Also Present: Hans Rentrop, Township Attorney
Jim Dundas, Fire Chief
Ben Sebrowski, IT Director
Natalie Hiney, HR/Finance Director
Jay James, P/E Building Official
Andy Miller, Deputy Building Official
Kay McMahon, Communications and Community
Engagement Specialist
Lt. Hix, Oakland County Sheriff's Office

ITEM 1: Public Comments

Interim Chairperson Sovel opened Public Comments.

Kerri Barnett-Novack, 5341 Riverwalk Trail, distributed photos showing yard damage and an excessive number of utility boxes. She thanked Trustee Sovel for coming out and checking out the damage and she thanked all the trustees that responded to her. She wants to express her dissatisfaction for how their neighborhood yards have been torn apart by AT&T, T-Mobile, and a soon to be third company, WOW. She learned today that there could be as many as 4 more companies coming in and she finds that very disturbing. Their sod has been reinstalled higher and it's scalped when mowed, their

ITEM 1: Public Comments (continued)

yards are half seeded during the hottest months of the year which is the same time as higher water costs. Grass in the park and common areas is dying because the sprinklers are capped so workers don't get wet and then they don't reset them. Dozens of huge trucks are parked on the entire street making it very dangerous to drive, bike, walk, or pass others on the street. This lasts for weeks at a time. Now, many houses have three or more unsightly communication towers on their front lawns with possibly a fourth or more coming from WOW and this is not great for resale value. She understands that an informational newsletter from the Township was posted on July 23rd but unfortunately for her, it was posted three days after work began in her neighborhood by the second company. A simple solution would have been for the Township to insist that the companies use the current Xfinity tower sites and the holes already in existence thus fewer holes, less ripping up of the yards, less unsightly towers, less trauma and drama with the neighbors, and lower stress for everyone. Also, limiting the timing of the project to the spring would help the lawns to heal and lower watering costs. Also, sending the newsletter out after 2 or 3 companies have already gone through was a little bit too little too late. So, location, timing, communication, tackling all three properly would really have helped to satisfy our neighbors. She will continue to follow up with these companies as was recommended. She thanked the trustees who have reached out to her and she asks that as the elected representatives they reach out to the companies and let them know that we have high expectations on how they treat their potential customers.

Trustee Long asked P/E Building Official Jay James if he knows how many companies currently have Metro Act Permits?

P/E Building Official Jay James answered seven but they are not all installing fiber. Currently the companies are AT&T, T-Mobile, Comcast, 123 Net, Metro Net, and WOW but they are not all installing in the same locations. We have contacted some of the management in these companies about respecting our residents and their yards. We seem to get better results than the residents when we contact them.

Paul Atisha, 4216 Ascott Lane, said he's a lifelong Commerce Township resident and the owner of Par Golf Club, a golf simulator lounge here in Commerce Township. Over the last few months, he has been working on developing a second location here in Commerce Township and during that process he's learned a lot about the liquor licensing system and he learned that Commerce Township currently has 3 quota licenses available but because of the property location, it doesn't qualify for those licenses. While exploring other options he learned that the Township currently has a liquor license in escrow and he inquired about it yesterday for the first time and learned the Board was discussing it today. His understanding is that the license is set to expire in April and rather than allowing it to expire, he respectfully asks the Board to give his project the opportunity to acquire it and keep it here in Commerce Township. He appreciates the Board's time, thank you.

ITEM 1: Public Comments (continued)

Interim Chairperson Sovel Chairperson closed Public Comments.

ITEM 2: Kailyn McMahon – Communications and Community Engagement Specialist Update

Interim Chairperson Sovel asked Kay McMahon to tell the Board a little about her background.

Kay summarized her personal and professional history and presented a slide presentation regarding her accomplishments in the first months here at Commerce Township and her future goals. Kay discussed her role in establishing and maintaining community partnerships and media relations; facilitating internal communications guidelines; her design and creative work in marketing materials; digital communications and website updates; marketing and campaign highlights in terms of community engagement numbers and increased attendance at Township events; social media management and growth; the increase in residents' engagement with the Township's social media; the addition of video storytelling to the Township's promotions; key achievements in the first months and her goal to reorganize the website in a straightforward way, build communication consistency across departments, and strengthen transparency and trust through proactive communication.

Interim Chairperson Sovel said it is a great beginning.

Trustee Weber asks how she handles untruthful posts?

Kay McMahon answered that she monitors all social media and when she sees those post she talks to the department head to determine the truth and to learn the facts of the situation and she disseminates the fact-based information.

ITEM 3: Parks and Open Space

Interim Chairperson Sovel said he thinks the Township has an obligation to create more open space area. He defined open space as different from a park. He said in August 2014 voters approved a millage increase for a period of ten years for improvement of parks and the acquisition of land and interests to create new publicly owned open space. In August 2024 voters approved the millage to be renewed at up to .3662 mill for an additional 10 years through 2033 for the purpose of improving parks and acquiring land and interests in land to create new publicly owned open space within the Township. He said a possible open space definition could be defined as property on a main or secondary road; usually not in a subdivision; green space to reduce traffic, density, and growth; no improvements to be made to the open space property; and no driveway. He feels the Township has not created enough open space.

A discussion followed regarding the amount of dedicated park land in the Township, the definition of a park vs. open space; the open space at Victory and Wise Woods parks; whether it's possible to acquire more open space in the Township and at what cost?

ITEM 3: Parks and Open Space (continued)

Trustee Berkheiser said he believes the Township is fulfilling its commitment to the voters and residents.

Trustee Long pointed out that the Township controls 2 square miles that will never be developed.

Trustee Weber said that doesn't include all the lakes and Proud Lake State Park. He said a working group needs to be established to identify property of strategic value to residents.

Interim Chairperson Sovel said he will report back to the Board.

ITEM 4: CLEMIS Participation Agreement

Fire Chief Dundas asked the Board to approve the CLEMIS Participation Agreement because it is a vital tool for the Fire Department.

MOTION by Berkheiser, supported by Massey, to authorize the Supervisor for the appropriate signatures.

Discussion:

Trustee Berkheiser asked Chief Dundas to keep an eye on what they do.

Chief Dundas said that he will look for opportunities to better represent Commerce Township.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 5: Short-Term Rentals

Trustee Weber said he is conflicted about short-term rentals and individual property rights and should we allow what are essentially hotels to operate in an area zoned residential without guardrails?

Trustee Long asked how do you define a hotel and what about hotel taxes?

Interim Chairperson Sovel asked if the Board wants to punish a whole group for the actions of a few bad actors?

Trustee Berkheiser said he is not aware of any issues in the Township.

Supervisor Gray said that people don't buy a house to live next door to a hotel. Commerce Township is the only CVT in the area that does not have a short-term rental

ITEM 5: Short-Term Rentals (continued)

ordinance and he thinks the Township needs to get ahead of it before it becomes an issue.

ITEM 6: Lakefront Setbacks

P/E Building Official Jay James said that one of the most common things the Building Department, Planning Department, and Ordinance Department have to address is accessory structures on the lake side of a water-front home. It's hard to explain to a resident that they are not allowed to build a shed, gazebo, pergola, or anything between their house and the water. But, if they want to build an addition to their house, they can build it all the way down to within 50 feet of the water. We won't allow them to put a pergola within 75 feet of the water between the house and the lake. The way the ordinance is currently written, you can't have any structures between the house and the water's edge. It doesn't matter if the house is 30 feet from the water or 150 feet from the water. People on the lake want to have somewhere to store their water toys, their grill, etc., and not have to drag it all the way back up to their garage street-side to store it. It's a common question the Planning Commission gets as well. The Planning Commission thinks it's something that needs to be looked at. He put together a standard and some introductory language and brought it back to the Planning Commission and they provided comments. He addressed those and brought it back again. The Planning Commission felt it is something that should be presented to the Board.

Trustee Berkheiser asked to where can residents build?

P/E Building Official Jay James answered that the current ordinance says the setback from the water is either the average of the setbacks of the 2 adjacent parcels or a maximum of 50 feet. This is so the view of the lake from the adjacent parcels is not blocked by any structure. He said residents should be able to build accessory structures with restrictions such as no metal sheds.

Trustee Weber said the initial draft had resident input and the feedback was good from the Planning Commission.

Interim Chairperson Sovel asked if he wants to allow permanent structures.

P/E Building Official Jay James said yes.

Interim Chairperson Sovel asked if he wants to allow decks to be built to the water?

P/E Building Official Jay James said nothing would be allowed within 25 feet of the water.

ITEM 6: Lakefront Setbacks (continued)

Trustee Weber said the next step is to move forward with a draft ordinance and have the Planning Commission make a recommendation as to whether it comes back to this board.

MOTION by Weber to authorize P/E Building Official Jay James to work with the Township Attorney to draft the ordinance as discussed.

Motion died due to lack of support.

The Board consensus was to discuss the topic at the regular board meeting on August 18, 2026.

ITEM 7: Richardson Center Liquor License

Township Attorney Hans Rentrop advised the Board regarding the status of the Township's quota Class C Liquor License. He said the license is currently in escrow and can only remain in escrow for five years and if the license is not removed from escrow or sold it goes back into the Township's quota system. Further, he said the Township's license is a valuable asset and the Township has held the license long enough that it may now be sold. The Township may choose to whom to sell the license and may dictate the price, within reason. If the Township chooses to sell the license, he recommends that it be sold with a contract stating that it cannot be removed from the Township.

Interim Chairperson Sovel asked if the Township can put it out for a closed bid?

Township Attorney Hans Rentrop said it's usually marketed and sold by a broker.

Trustee Berkheiser asked how many quota licenses the Township has currently?

Clerk Creech said it's 2 or 3.

The Board discussed the available redevelopment licenses for use in the DDA district.

Trustee Berkheiser said he is not opposed to selling the license. The Township has had two festivals and multiple other activities and there's been no pushback where we've had to use our license. He said he knows that was the original concern for rental events at the Richardson Center and then they were concerned about the Heart of the Lakes Festival and they didn't end up needing it for that.

Interim Chairperson Sovel agreed.

Trustee Weber agreed as well and said it doesn't make sense to have an asset sitting there.

ITEM 7: Richardson Center Liquor License (continued)

Trustee Berkheiser feels strongly that it needs to stay in Commerce Township and restrictions need to be placed on it.

Township Attorney Hans Rentrop said he would work with his liquor group to give the Board an idea of the cost, how to market it, and put the restriction agreement together.

ITEM 8: Pre-Con Meetings

Trustee Berkheiser said this came up based on the PUD meetings and presentations we had last month where developers had meetings with the local community for impact and comments were made that it should be something that we require. Maybe it should be tied to size and if you're building more than 10 houses, it should be required.

Interim Chairperson Sovel agreed that it was really positive and the developer agreed to leave the green space between the new development and the existing neighborhood. He said, it sounds like the Board wants it to be with adjacent subdivisions?

Trustee Long said that should always be the case.

Trustee Weber said the developer reached out to the HOA's and went before the Planning Commission several times to show how they incorporated the community's feedback into their draft plan. To Trustee Berkheiser's point, should the Planning Commission or the Planning Department make this a requirement such as anything above 25 homes, or whatever the number is, that prior to coming before the Planning Commission, the developer will have had at least one sit-down with the HOA's that surround the proposed development.

P/E Official Jay James said that if the Board wants it to be a requirement, it must be in the ordinance. Currently, it's highly recommended to every developer and he thinks the majority of them do it but how good of a job they do is an open question.

Trustee Weber said that while the Board decides, Planning Director Campbell should continue to strongly encourage developers to meet with surrounding residents.

ITEM 9: Columbarium

Clerk Creech said that the Cemetery Committee has suggested that the Township should install a columbarium at Commerce Memorial Cemetery. She brought it to the Board to see if they are interested and if she should pursue it by getting pricing.

The Board agreed that Clerk Creech should bring pricing back to the Board.

ITEM 10: Other Matters

Trustee Berkheiser said that a topic of conversation that came up during a Parks meeting was that the pathways are going to need maintenance and he thinks the estimate is in the \$300,000 range. Just FYI.

Supervisor Gray said he thinks they need to look at vacant buildings in Commerce Township. Not all vacant buildings but the ones that have been sitting vacant for 10 or 20 plus years. These buildings do not meet the dangerous building criteria but they are a hassle for the Ordinance Department and the neighborhoods they reside in. Mario and his team spend a lot of time sending out "board up" letters and the owners do board them up but the boards are removed by vandals which includes neighborhood kids and homeless

people. It's dangerous and we need to address it by revisiting our dangerous building code and perhaps create a vacant building registry because these types of buildings are becoming an annoyance. He will invite Mario to an upcoming meeting to share with the Board.

Trustee Berkheiser asked how many vacant buildings do we have?

P/E Building Official Jay James said 5.

Supervisor Gray said we have a new safe pathway connection at the intersection of Commerce and Commerce. What is the thought about abandoning the cross walk by the Library? He said he has a lot of mixed feeling about it because a lot of people from Mount Royal use it and a signalized intersection is much safer.

Supervisor Gray said he would like to create a Maintenance Manager position to replace the Maintenance Director position and he would like the new Maintenance Manager to report to the Parks and Recreation Director for a trial period. He has a Maintenance Manager job description for the Board to overview and approve.

Trustee Berkheiser spoke to Parks and Recreation Director Emily England and she is ok with it but he is concerned about overloading her.

Supervisor Gray said it would be for a trial period.

Trustee Weber is also concerned about overloading the Parks and Recreation Director especially since she is doing twice as much at the Senior Center and with Parks and Recreation compared to earlier years.

Interim Chairperson Sovel said that she does a great job. As the Township continues to grow the Board will need to split Parks and Recreation from the Senior Center.

ITEM 10: Other Matters (Supervisor Gray continued)

The consensus was for Supervisor Gray to move ahead with a trial period.

Clerk Creech reminded everyone that the Primary Election is next week on Tuesday, August 4th.

Trustee Long asked if the Township maintains a list of HOA's and subdivision Associations?

P/E Building Official Jay James said they have tried in the past but the HOA's never updated us regarding board changes and the lists were never accurate.

Clerk Creech reminded the Board that the next meeting is on the third Tuesday of the month, August 18th, and not the second Tuesday as usual.

Adjournment

MOTION by Sovel, supported by Massey, to adjourn the meeting at 8:53 p.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce