

**FINAL
CHARTER TOWNSHIP OF COMMERCE
PARKS AND RECREATION COMMITTEE MEETING**

Monday, February 28, 2022

2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER: Chairperson Petsch called the meeting to order at 6:00pm.

ROLL CALL: Present: William Petsch, Chairperson
Johnny Walker, Vice Chairperson
Barbara Garbutt, Secretary
Bob Berkheiser
Krystal Schwartz

Also Present: Kathryn Duff
Emily England, Director of Senior Services/Parks & Recreation
Allison Kennedy, Asst. to Parks & Recreation Director
Mark Schoder, Maintenance Director
George Weber, Township Board Trustee
Leah Groya, Living Lab

COMMUNICATIONS:

None.

APPROVAL OF MINUTES:

MOTION by Garbutt, seconded by Schwartz, to approve the January 24, 2022, Parks and Recreation Committee Regular Meeting Minutes as written.

MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENTS

Chairperson Petsch opened to Public Comments.

There were no comments.

Chairperson Petsch closed to Public Comments.

ITEM 1: PUBLIC HEARING VICTORY PARK

Ms. Groya delivered a PowerPoint presentation.

Ms. Groya – We have been working with Emily and Township staff on putting together a grant application for improvements to Victory Park. We wanted to review the grant application and the concept at Victory Park, the timeline, costs, options and alternatives. We want you to have discussion and comments, and then have you open for public comment.

This is for a Land and Water Conservation Fund (LWCF) grant application, which is the same funding source used for the restroom building at Dodge Park. Funds are administered by the National Park Service. They're federal funds, but they go through

the Michigan Department of Natural Resources (DNR) to administer on behalf of the National Park Service. Grant applications are for outdoor recreation development projects. The maximum request this year is a half a million. It's a 1:1 match program. Applications are due April 1st to the DNR. Awards are typically made toward the end of the year, so earliest construction would be Fall of 2023 after review of paperwork, plans and bidding.

To orient everyone to the location, Wise Woods cuts through the middle, with Union Lake Road on the right and Carroll Lake Road on the left. Wise Woods Park is on the north and Victory Park on the south. The red circle is approximately where we're talking about potential improvements to Victory Park. This is directly south of the parking lot that was put in last year at Wise Woods. For history's sake, this is the area where the Michigan Works buildings were, and those were demolished and removed just before the Township bought the property.

As a reminder about the deed language on the property, and most of you are aware, when the Township purchased the property, there were deed restrictions on the land. Things that are permitted through the entire property are; building structures, shelters, roads, parking, trails, utilities, outdoor heritage, education and recreation centers, ranges, fishing, and those types of things that are used to enhance outdoor recreation value. You'll probably remember, there's a 74-acre piece on the south side within Victory Park, shown in the hatched line, and that's where additional types of recreational facilities and fields for active recreation could occur. That's all spelled out in the deed restrictions. The project we're talking about tonight is all located within that 74-acre piece of property.

The work that was done about 8 years ago, the community, the Parks Committee and the Township Board went through a process of gathering public input, trying to learn what the community was interested in having happen at this park. The image on the bottom left is the concept plan that was developed back then, after having a number of public meetings, that concept was approved by the Parks Committee and the Township Board. Things that were envisioned in that area were an access drive, parking area, dog park, group camping, pavilion, open space, restrooms and trails. The concept, graphic and cost estimate for this potential LWCF fund grant application is in line with that 2014 concept plan.

Over the past month, we've met with Township staff and various officials to talk about the program at this area of Victory Park, taking those, and revising the updated concept graphic. We've discussed the project with the Road Commission on a preliminary basis. We're still waiting to hear back with an official preliminary review from them. You know from past work on your parks that they often require you to do some improvements in the right-of-way.

We also discussed the project with the disability advocate. We certainly want to make sure that we're thinking about accessibility for all as we're moving forward. We revised the graphic and worked with Giffels Webster to come up with a conceptual cost estimate.

That brings us to tonight's public meeting and having discussion with the Committee. Next Tuesday, this is on the agenda for the Township Board to consider and discuss as well. If you are going to submit an application for April 1st, the Township Board has to adopt a resolution of support at their meeting next week as the funds need to be committed to move this forward.

Ms. Groya continued her detailed review on the overhead, reviewing the entrance and access drive, parking lot, minor lighting, potential restrooms, shelter, dog park, native landscaping and various amenities . She noted that there are no utilities onsite, so the conceptual involves a well and a vault restroom. The parking lot is about 65 spaces, with 3 barrier free spaces, and 3 light poles for ambient light.

Mr. Berkheiser – You said 3 handicap spots. In most of our parks, we have more than that ratio. That meets the requirements?

Ms. Groya – Yes, and we can discuss that as we move into detailed design. I think between 3-7 would be sufficient.

Ms. Groya discussed the restrooms and shelter in detail, along with picnic tables, grills, electricity, group camping, and a potential playground if funding becomes available. There is a nice space for a playground near the pavilion which is fairly open without a lot of mature trees. Distance between the dog park and the pavilion is desirable to avoid conflicts between the two uses. Ms. Groya presented options for the restrooms, design selections and budget flexibilities, along with green, sustainable alternatives. She presented options for the shelters, encouraging a rustic, State Park feel in the design selections.

The dog park area is about 5.5 fenced acres. This includes an estimate to create three separate fenced areas, which allows for rotation and resting of the land. Some clearing of scrub shrub vegetation would be necessary to open up views, however there are lots of great trees that would be retained for shade. There would be a single point of access which would be a secure lockable type gate, which would involve management and registration for a permit or key fob, allowing verification that dogs are vaccinated and licensed. Amenities such as benches, picnic tables, a dog waste station and trash cans were shown inside the fenced areas. Ms. Groya reviewed details of dog parks in nearby communities, and explained that the goal would be a rustic feel.

Ms. Groya reviewed cost estimates, contingencies, phasing options, and alternatives. The restroom would be about \$260,000 in the initial phase, and asphalt vs. aggregate is about a \$160,000 difference. Porta-johns could be used in the interim if restrooms were not included in the first phase.

Ms. Groya – Tonight, we're looking for a public hearing, and a recommendation from the Parks Committee to move forward to the Township Board for their consideration next Tuesday night.

Chairperson Petsch – I'll see if our board has any questions.

Mr. Berkheiser – Leah, I just think 65 parking spots sounds like a lot, but maybe it's not. Is there a breakout of 35, and maybe the rest in Phase II? We want to get down to that magic million. I don't know if supply issues will turn around

Ms. Groya – We've had that discussion. I think from a design and flow standpoint, there's certainly an opportunity to make the parking lot smaller by 10 spaces or so by trimming off a bay.

Discussion continued regarding the number of parking spaces, the multiple uses within the park, parties at the pavilion, trails, future camping and the dog park. Ms. England stated that the size of the lot was discussed, and as a group, it was decided that the cost savings wasn't significant as it would cost more to expand down the road. Mr. Berkheiser also inquired about future parking expansion. Ms. Groya indicated that would be toward Wise Road.

Mr. Walker inquired about dog parks in other communities and the number of fenced-in spaces each had. Mr. Berkheiser discussed visiting dog parks a few years ago. He noted that Northville had three and was set up to rest one area, while the other two were designated for small dogs and big dogs. They also had key fobs and required vaccinations. Ms. Groya pulled up a chart on the overhead which showed comparisons of other local dog parks. Some only have two spaces. She discussed the acreage, park sizes and rotations. Ms. Kennedy noted that Milford's dog park is very small and is divided between large and small dogs, and they have no restrictions. Discussion continued regarding the proposed dog park at Victory and the scale perspective as compared to other communities.

Chairperson Petsch opened the public hearing at 6:27pm.

Barry Rabotnick, 4910 Carroll Lake Road, Commerce Township – How much of this is on the actual site of the old Nike base there? Is there any site remediation that needs to be done there? I know there used to be a fair amount of old concrete and old materials on that site. I didn't know whether this budget entailed the removal or repair of those, or if they were just a non-issue for you at this point.

Chairperson Petsch – We have already had most of that concrete and remediation done on the property. A lot of it was done before we finalized the purchase from the State, and then there was a giant radar platform that we had removed, and all the buildings in that area have all been done. We should not have any further costs for remediation.

Mr. Rabotnick – Okay, so there's nothing remaining underneath.

Chairperson Petsch – No, it's supposed to be done.

Mr. Berkheiser – I know at one time the Township Board had looked at this because we were hoping to get some federal money to do other things, besides remediation. The word we got back from the federal side, congressmen and women, said that the DOD stated that everything was done and there was nothing there. Once we dig out there, who knows ...

Mr. Rabotnick – Who knows what's actually out there. It's the federal government.

Chairperson Petsch – Yes, thank you.

Kylie Kutney, 1920 Nacona, Commerce Township – I had a question on the table of the parks. How many of those actually use the key fob system you were talking about?

Ms. Groya – I can't say offhand. I don't know. I think management is going to be a significant discussion over the next 18 months or so amongst the Township staff and

the parks folks, because it can become something quite significant, or you might handle it in other ways. I think research needs to be done and discussions had with other providers regarding pros and cons of different management styles. I know West Bloomfield does, and Milford doesn't. I thought Oakland County had something about a permit or a sticker, but I can't say for sure.

Chairperson Petsch – Can I ask your feeling on which way you'd like to see it?

Ms. Kutney – I just think it's a long-term investment, not just in issuing fobs, but if you're tying it to the vaccination records, you've got to have somebody maintaining it and looking at it year to year. It's a huge long-term investment.

Chairperson Petsch – I'll explain something about key fobs. Once you buy one, you have it and you paid your \$20 let's say to register your dog. I guess if you own a dog in Commerce Township, you're supposed to get shots and you bring your records in to get your dog tags. That's all computerized. It shows a pet at your address, and you come in to pay for your dog license, so the Township staff will continue to activate the fob. If you don't come in to register the dog, or let the Township know that the dog died, the key fob would be turned off as the dues were not paid. It's not a really serious maintenance issue. Once they are issued, they're data recorded and they're programmed. You just swipe it and it will unlock. It's two-fold for the Township. I know your dog is vaccinated and registered.

Ms. Kutney – I used to work in property management and I remember nightmares of key fobs not working.

Chairperson Petsch – They have improved it. We have access cards to get in here, and at certain clubs and organizations, you need an after-house access card. We did have problems years ago, but nowadays, I think they've made it much easier.

Ms. Kutney – I understand what you're trying to prevent, it's just a cost in trying to help the Township keep track of records. I think that's not fair to put that on a park. What's to stop someone from just letting someone in? Would it fully serve its purpose in that case? You've got your dog pulling on you and you hold the gate for the next person walking through.

Chairperson Petsch – You're right, and there's always going to be abuse no matter what you try to do. But, on the overall, I would surely feel better that if my dog did get nipped by another dog in there, most likely that dog is vaccinated and I wouldn't have to be majorly concerned that my dog might die of rabies. That's where we're going with it, to protect you and your dog. And as Allison said, Milford does not.

Ms. Kutney – I love my dog to death so I completely understand, but I can also see if I'm just walking on the trail and somebody couldn't get in because their dog wasn't vaccinated could still get at my dog. Just my thoughts.

Chairperson Petsch – Yes, I appreciate it. Thank you.

Mr. Rabotnick – I'm just going to pop back in. As opposed to a secondary job, is there any reason that couldn't just be generated as an app on your phone?

Ms. Groya – I'm sure there are a number of vendors that would be happy to tell you about the app.

Chairperson Petsch – There's plenty of things we can do at that time.

Mr. Berkheiser – Maintenance will be an issue. It's an issue at Dodge Park with the playground and facilities there. It's just maintenance of trash blowing around or not being thrown away.

Ms. England – In the design process, we will visit other local communities with dog parks and meet with them to talk about pros and cons, and what they would do differently. We'll probably talk to some users at that point as well.

Tim Bailey, 2095 E. Oakley Park, Commerce Township – Do we know what kind of additional maintenance is involved?

Chairperson Petsch – Not yet.

Mr. Bailey – Do they have to clean up after the dogs? I know the Maintenance department is stretched pretty thin already. That's an additional consideration as there will be some cost involved there.

Mr. Berkheiser – I'm sure everyone will carry bags and pickup after their dogs, like at the baseball fields.

Mr. Bailey – Oh yeah, just like at the baseball fields.

Chairperson Petsch – Maybe we'll contain it to that area, Tim, so it won't be in your fields.

Mr. Bailey – I don't know. We get a lot of people with their dogs walking in from the neighborhoods around there. I'm wondering how this will get used compared to where we're at.

Chairperson Petsch – I get approached a lot with people asking where's a dog park around here? You've got South Lyon and Milford, and nothing really close.

Ms. Schantz – And it already is a dog park. That's what it's used for now.

Ms. Garbutt – I would just like to say, just a comment for those of us who have been on this board for years and years. We have been waiting for this day. No matter what happens, I am thrilled to see that we are finally getting this going. Right, Bill?

Chairperson Petsch – Absolutely, Barb. We've been working on it for a long time.

Chairperson Petsch closed the public hearing at 6:37pm.

Ms. England – We need the motion to be specific as to inclusion or exclusion of the restroom, how you want to do the driveway, etc., so that we can incorporate those choices into the resolution that will be passed by the Board next week.

MOTION by Petsch, supported by Garbutt, that we continue with the Victory Park project and the LWCF grant application, and recommend it to the Township Board, with an aggregate driveway, without restrooms at this time, and have it set up with 60 or so parking spaces, and a designated, paved handicap parking area.

Discussion –

Berkheiser – That’s the minimum amount.

England – Correct.

Berkheiser – In theory, it’s over a million, so we would still be applying for the maximum they’ll give, but we can still change what we want to do at a later time. We can’t go less, but we can always go more.

England - Correct.

Petsch – If we can acquire that grant and it makes it feasible for us to get this project going ... I know they build roads with the base that can be paved later.

England – That’s how we did Dodge Park.

Petsch – We are preparing for that; we just want to get it going.

MOTION CARRIED UNANIMOUSLY

Chairperson Petsch – Thank you, Leah. Very nice to see you. Thanks for coming out.

Ms. Groya – Thank you, good to see you.

Mr. Berkheiser – Are there other grant opportunities that align for restrooms and things along those lines?

Ms. England – Yes.

Mr. Berkheiser – I think the restrooms and running water is important.

Ms. England – There are dog park grants available through different organizations. We’re looking into those options.

Ms. Groya – On running water, we were still anticipating putting the well in during the first phase so there is drinking water available. If the Board agrees next Tuesday, we will put the application for everything that we presented tonight, but we’ll modify the graphic to remove the restroom building and indicate that we’re going to put in porta-johns, with future plans for a restroom. We won’t tie the restrooms to this grant application. It’s also a good point to remind everyone, if you do receive a grant, the property is encumbered in perpetuity because federal or state funds were used to improve it. They won’t want it turned into anything other than public recreation property. Mitigation would be necessary for a cell tower, fire station, Township Hall, Library, etc.

Discussion continued regarding the encumbrance, park space required for the grant, existing deed restrictions, cell towers and other utilities that can generate money to be put back into the park.

ITEM 2: LEAGUE AND COMMUNITY SERVICE ORGANIZATION REPORT

Interlakes Girls Softball – Tim Bailey

- We are about to close registration in another week or so.
- We are filling up teams.
- We have 23 teams, which is up a couple. We might have another.
- Our numbers are up a little bit, which is very promising considering a month ago, we were very nervous.
- We have done a lot of social media advertising.
- At this time next month, we will have teams in order for the younger group, we will have the draft completed for the older groups, and we will be practicing on the fields.

Friends of Byers – Dean & Karen Schantz

Ms. Schantz shared the following with the Committee:

- We voted in officers at our last meeting, which remain the same; Dean is President, I am Treasurer, and Michael is Secretary.
- We discussed our events for the year, which are on the agenda later.
- Our budget will be submitted at the March meeting. We are still waiting for estimates to come in. It will change for the roof of the farmhouse vs. the barn front or the east wall.
- We're gearing up for our next event which is Easter.
- Are we still able to get a handicap porta-pottie?

Ms. England – We are in the process of switching companies, so yes, you will.

Ms. Schantz – Well, if this is the company you're using right now, we love them. They keep them very clean.

Mr. Schantz – I wanted to inquire about the status with the DEQ on the erosion problem.

Ms. England – I'll have to touch base with Jay on that, for the river.

Mr. Schantz – In addition, this past weekend, we polished everything down and washed everything up at the farmhouse. We have painting projects we want to do, contingent on the farmhouse restoration. That's another thing we'd like an update on.

Ms. England – We were in contact with the Daly Company last week. I explained that we need a general contract with them. They were going to reach out to our attorneys. I will follow-up.

Mr. Schantz – At that point, we want to commit to replacing the roof and we have \$10,000.

Lakes Athletics Association Baseball – Jay Fuhs

- Our registrations are going well. As of this morning, we have right around 400 registrations, which is up from last year's 360. Things are going really well.
- We have two new backstops which we replaced over the winter.
- All is good.

Ms. England – Just to give you an update, I see on your written report, you have questions about advertising enrollment through Parks and Recreation. Absolutely, and if you get me the information, we'll include it on our website, Facebook page and the sign in front of the Richardson Center.

And then on the parking lot construction, the permits have been turned in to Wolverine Lake. There were some adjustments that needed to be made, but they're planning on having construction documents ready to go out to bid in the next week or two.

Windmill Farms (Horse Farm) – Carrie Hancock

- Things have been going strong at the farm.
- We've got seven riding instructors ... it will be seven shortly.
- We've got about a dozen working students at the farm.
- We have programs going seven days a week.
- We had a situation come up. I was going to talk about programs and updates on dates, but at the last Board meeting, I was told that the concession is being bid out. I'm under contract and I have ...

Chairperson Petsch – Carrie, we're going to discuss that on Item 12.

Ms. Hancock – Then that's my report. We'll pick it back up at Item 12.

Mr. Berkheiser – Carrie, what's a working student?

Ms. Hancock – We have students that have to be 14 years old and have a particular skill level. They sign an agreement with the trainer and with the farm to come in and assist. Before lessons start, they get the horses, assist with feeding the horses, and assist with the younger students, packing them up and helping the instructor adjust the equipment and get the lesson started. At the end of the lesson, they finish up and put the horses out, sweep the floor, et cetera.

Mr. Berkheiser – Okay, so is that a volunteer thing or do they get paid?

Ms. Hancock – They don't get paid. They have to qualify and it has its own rewards, being with the horses and getting extra riding time.

Chairperson Petsch – Thank you. Anything from Mr. Lester?

Ms. England – Nothing from him. Commerce Little League sent a report.

Commerce Little League – Paul Kammer

- *Registration is wrapping up and teams are ready to be formed.*
- *The number of players are nearly recovered back to pre-covid times.*

Ms. Kennedy – Pete did send an email earlier today.

Lakes Area Hawks – Pete Lesner

- *Completed another great registration for football and cheer.*
- *We are currently in the process of interviewing coaches for the upcoming season.*

- *We are also reviewing our bylaws for possible modification and will update the board accordingly.*
- *Our spring cleanup is being discussed and we are considering the second weekend of May.*
- *No major upgrades to the building or property proposed at this time.*

CW3 also submitted a report via email.

CW3 Soccer – Chris Haney

- *Saturday, April 9th will be opening day of the Spring 2022 season.*
- *CW3 Soccer Association will be reinstalling its annual end of the year celebration, “Jamboree”, Saturday, June 4, 2022 from 8:00am to 2:00pm, with regularly scheduled games, hot dogs and hamburgers on the grill, et cetera.*
- *Sprinkler system electrical issue is in process.*

Chairperson Petsch – Thank you.

No representative was present at the meeting for the Motor City Mountain Biking Association

ITEM 3: TOWNSHIP BOARD REPORT

Mr. Berkheiser provided the following:

- At our last Township meeting, the bid for the Richardson Center sidewalks was awarded. That’s in the springtime, right?

Ms. England – Yes, we will have our pre-construction meeting at the end of March.

Mr. Berkheiser –

- We initiated an introduction of an ordinance on encroachment on Township land. Part of that has to do with folks who live around our parks who generously use our parks as part of their own property. They’re not supposed to do that. The attorneys had issues that if we had to go to court, we need to have an ordinance.
- We’ll talk about the Horse Farm. That was a discussion we had at last month’s Board meeting.
- They approved the Park User Agreements after we looked at them here. Those are good to go.
- The wording of the Library millage was approved. Our millage is coming up, so we need to plan ahead for that. Different millages are staggered. I think ours is in 2024.

ITEM 4: PARKS AND RECREATION DEPARTMENT REPORT

Ms. England discussed the following:

- A majority of my items are already in your written report, and here as agenda items.
- We did meet with JAG today regarding concerts. I know that we have the Magic Bus scheduled for July 29th. It’s the only band I know so far and they’re working on the others.
- We talked to them about doing more senior programming, not a band, but having a performer come in to do a lunch performance for the seniors.

Ms. Schwartz inquired about the old boat launch. Ms. England stated that it belongs to the Township and the paperwork came in last month. It will be coming before the Committee soon and it will need to be named. Mr. Berkheiser noted that it is both sides of the street. Decisions will need to be made regarding parking on the west side. Ms. England added that a project proposal was submitted for CDBG funds for 2022 to put in an ADA accessible kayak launch at the boat launch. Notice of the status of that request will be given at the end of this year.

ITEM 5: PARK LIAISON REPORTS

Garbutt – Long Park & Snowy Ridge Park

- There's not much to say about Long Park.
- Snowy Ridge is going great this year. I've been there several times, lots of kids.
- Last time I was there, only one parking space was left.
- That has really been great!

Walker – Maple Glen & Windmill Farm

- I went through Maple Glen a couple times.
- It's starting to pick back up. There were a couple people wandering around and cleaning up.
- It looks nice in there.

Duff – Hickory Glen Park

- I just ran by Hickory Glen today and it looks good.
- It's still covered in snow, so I couldn't do much walking.

Schwartz – Byers and Mill Race

- Byers looked great today.
- There was some feed down for the ducks and they were enjoying.
- At Mill Race, there is some graffiti on the concrete closest to Carroll Lake Road.

Ms. England – Is it new graffiti?

Ms. Schwartz – I think so.

Ms. England – Mark is sitting out there, so I'm sure he's taking note.

Mr. Schoder – Yes, what I heard is that the kid who did it is supposed to paint over it. That's what we're waiting on.

Mr. Berkheiser – Did you find out what was being taken down or cut up?

Ms. England – I did not find out. Mark, do you know? It looks like there have been trees cleared.

Mr. Schoder – That's on my report. Larry wanted us to clear so we could see that hill and the concrete from the road. The Sheriff's Department can see all that when they drive by. We're going to chip the debris.

Berkheiser – Wise Woods & Victory Park

- We talked about Victory and Wise Woods.
- There's nothing much else going on.
- The parking lot has gathered a lot more users.
- I don't see as much parking along the side of the road. At some point, we might get signs.

Petsch – Bicentennial Park

- Waiting to start our projects in the spring.

ITEM 6: VILLAGE OF WOLVERINE UPDATE

Ms. Duff stated there was nothing new to report this month as they did not have a meeting.

ITEM 7: MAINTENANCE DEPARTMENT REPORT

Mr. Schoder discussed the following with the Committee:

- We covered Mill Race.
- At Wise Woods, I went around and looked at areas where vehicles can come in. There are different things we can do to stop those issues. I have a list I will give to Emily.
- It looks like we have some encroachment, but you might already have that on your list.

Mr. Berkheiser – Are you actually going back into the woods and walking through?

Mr. Schoder – Yes, and there's one spot where there's a swing arm gate with a stop sign on it. They dumped a lot of leaves back there.

Ms. England – I think that's been there.

Mr. Schoder –

- Victory Park, the BMX jump and everything was already cut down. We're waiting for it to clear so we can carry all of the wood out.
- Scarlet's is getting a lot of use now and you can tell by the garbage. We're getting ready for it.

Mr. Berkheiser – When do we open the restroom up?

Ms. England – April, weather dependent.

ITEM 8: BICENTENNIAL PARK

Ms. England – We broke down the survey for you into distances.

Mr. Berkheiser – I found it interesting that people who are over a half mile away rarely use the park. To me, it truly is a neighborhood park. I also found it interesting or confusing; it appears that most would like to see the tennis court redone. Very few want a skate park. I think if there was a way to do tennis and maybe basketball the other direction, I think it would get multiple use.

Ms. England – I think this confirmed that we were heading down the right road. We will get pricing on getting the tennis courts fixed, and continue our journey on the baseball diamond. I think we will have to completely redo the tennis court.

Chairperson Petsch – I think when we do that, we'll look at striping for pickleball also?

Ms. England – We've been advised not to do that. We're putting in pickleball courts at Richardson, so we don't want to take away from the people who are asking for tennis courts.

Mr. Berkheiser – What's going on with the old church and old Township Hall?

Ms. England – They are supposed to vacate March 31st, then I believe Larry will bring it to the Township Board. I don't know if he's still in discussion with Mark about potentially refurbishing that building into a maintenance garage building, or tearing it down to build new.

Mr. Berkheiser – So it's not going to move to anything to do with Parks. It will be maintenance oriented.

Ms. England – Yes, and the footprint of the park should not change.

Dave Dubin, 325 Captains Cove, Commerce Township – My house backs up to the Bicentennial. I'm in the Glengary Hills sub. The biggest concern that we've noticed with people is the lack of equipment for kids. There's minimal equipment. It's full with 5-6 kids. There's a lot more traffic going through there in the past three years. We've stopped the snowmobilers and motorcycles from going through because I've called the police many times. You do have Lacrosse going on in the spring or fall?

Ms. England – That was a one-time event last year. They have not approached us about this year.

Mr. Dubin – There are a lot of people that want to use it. It just needs a big cleanup. As for the tennis courts, I have seen kids constantly playing basketball on them. I have never seen anybody walk over there with a tennis racquet.

Chairperson Petsch – The basketball net is in the parking lot.

Mr. Dubin – There are a lot of kids that go through there. I'm also the president of the association. We are rebuilding that walkway so it's not falling apart with the woodchips. That gazebo, is that ours or is it the Township's?

Ms. England – It was joint venture between the subdivision and the Township. I believe they built it.

Mr. Dubin – So I can clean it up?

Ms. England – Yes.

Mr. Dubin – As for the wood fence going along the back of my yard, who's is that?

Ms. England – That's the same.

Mr. Berkheiser – So the fence and gazebo, to my understanding, is technically on Township property, so they're ours, but the developer in an effort to help clean up the area, had put the fence in and ...

Mr. Dubin – That's fine. I'll clean it up. We like it.

Discussion continued regarding trash and debris in the field, park usage, lack of equipment, working to re-establish the baseball diamond, grills, picnic tables and the budget for the park.

ITEM 9: FLAGPOLE AT HICKORY GLEN

Jay Fuhs discussed the following with the Committee:

- We were able to get quotes, including for lighting.
- I have a breakdown.
- Jared was hopeful there would be some kind of vote so we could move forward with installation prior to our opening day in April.
- Hickory Glen is the only park I've ever played at in Commerce that doesn't have a flagpole.
- The past two years, we've used small temporary flags, but they were stolen. We're hopeful that this flagpole will hinder that from happening.
- The grand total with installation, assembly, lighting and electrical came in just shy of \$3400. We would love for that to be a joint venture.
- From the league standpoint, I think we were looking at adding a second flagpole that would hold our league flag. Obviously that would be funded 100% by us.

Mr. Walker – So what are you looking for from us moneywise?

Mr. Fuhs – I would love \$3377.

Ms. England – Is that the total amount?

Mr. Fuhs – Yes, that's everything from the U.S. flagpole purchase, installation and lighting.

Chairperson Petsch – I do believe that we asked you to go back to your league and look at some of the costs being absorbed by the league on electrical. We didn't feel that would be something that would be contracted out. You have people in-house who are capable of supplying electrical circuit.

Mr. Fuhs – We have discussed that as a league and we are prepared to pick up that cost. The best setup for us would be having the Township cover that flag and the electrical.

Ms. England – Last month, you talked about splitting it, 50/50 on the flagpole, and we asked them to get pricing on the electrical and include that in the split. If they were going to pay for the electrical ...

Ms. Schwartz – My notes were that the labor of the electrical would be absorbed by them, and we would split the cost of the materials.

Ms. England – Yes.

Mr. Berkheiser – To me, it's in the ballpark of about \$2000 that we contribute.

MOTION by Berkheiser, supported by Schwartz, to partner with Lakes Athletics to cover up to \$2000 for the U.S. flagpole project at Hickory Glen.

MOTION CARRIED UNANIMOUSLY

Ms. England would follow up with Lakes Athletics.

ITEM 10: BYERS EVENTS

Ms. Schantz shared the event dates for Byers:

- Pictures with Easter Bunny, Sunday, April 3rd, 11am to 5pm
 - Carrie and I have been talking about partnering at the Easter Bunny event.
 - If it's okay, she could bring ponies and have pony rides for the kids.
 - Nobody does kids better than Byers so it would be a good joint venture.
- Art on the River, Saturday & Sunday, June 25th & 26th
 - We will be there both days with them.
 - I promised her we would make sure we had plenty of water.
- Ugly Duckling Vintage Market, Sunday, August 14th, 10am to 6pm
- Boo Bash, Saturday, October 22nd, 6pm to 8pm
- Pictures with Santa, Sunday, December 11th, 11am to 5pm

Ms. England – Cindy has not reached out to us regarding the Art on the River and the questions she had last month. Can you remind her to do that?

Ms. Schantz – Absolutely.

Mr. Walker – Has she opened up registration yet?

Ms. Schantz – Yes, she sent me the link and I put it on our Facebook site.

Discussion continued regarding registration for events, posting events on the Township site, food vendors and licensing.

The Parks Committee approved the Byers dates as presented.

Ms. Schantz noted that Byers draws about 2500 visitors per year.

Mr. Berkheiser and Ms. England discussed scheduling farmhouse repairs around the event dates.

ITEM 11: PARK BYLAWS

Ms. England – This is a clerical matter. You approved the changes to our bylaws; however, we had a change of Park members so they did not get signed. Now that we have new members, you need to reapprove and they can be signed.

MOTION by Walker, supported by Schwartz, to approve the Park Bylaws.

MOTION CARRIED UNANIMOUSLY

ITEM 12: HORSE FARM UPDATE

Ms. England – I know Carrie started to touch base on this. This was an agenda item at the February 8th Township Board meeting. The Horse Farm Subcommittee went through the letter with the Township Board, the Notice of Unsatisfactory Conditions, that was sent out on October 27th, and reviewed the current status of the facility. At that meeting, the Township Board decided to send that concession agreement out for a RFP. Those postings have been done. It has gone out.

We will do a site visit on March 7th from 9am-12pm, so anyone who is interested can visit the site to do a walk-through. One of the subcommittee members will be onsite, and then on March 14th as well, from 2pm to 5pm, with sealed bids due to the Township by 2pm on March 31st. The Horse Farm Subcommittee will meet on April 5th to go over those proposals and take a recommendation to the Township Board at their April meeting.

Ms. Hancock – I'd like to address this. As I stated earlier, I am under contract at this time. Per my contract, I am required, if I'm of the opinion that I've received a notification that is unwanted, unreasonable, or based on erroneous facts or information, I shall call the same to the attention of the Parks and Recreation Committee within 30 days of receiving notice, and that the parties shall use their best efforts to resolve the dispute to their mutual satisfaction. As a contract requirement, I'm here asking to have this looked into. I'm requesting a meeting to clarify mutual obligations and possible discrepancies in interpretation of contract requirements, and also to address concerns of misinformation discussed at the Commerce Township Board meeting, February 8, 2022, regarding the review of Notice of Unsatisfactory Conditions dated October 27, 2021, as well as the review of Windmill Farm Prioritized Action Plan, dated December 18, 2020. I'm requesting that this Parks and Recreation Committee, whatever format you use, to look into what these discrepancies are, because I'm required to do that by contract.

Ms. Schwartz – Which part of the notice are you ...

Ms. Hancock – There was review of the notice and the status of it at the last Board meeting. Some of the information I felt was inaccurate. I was limited as to the extent that I could address it. Some of it required documented support, and I have that now. So, I would like to have an opportunity to address it.

Ms. England – I'll address this as far as the Parks Committee goes. The notice in your contract that you read, we discussed it with the attorneys today. That was regarding the letter, so that would be the October 27th letter, not the discussion that happened at the Township Board meeting. That's not the same situation.

The Parks Committee is a recommending body. They make recommendations to the Township Board. The Township Board is the one who made the decision. There is

nothing that the Parks and Recreation Committee can do for you today. You would need to attend the Township Board meeting on March 8th to discuss it with them.

Ms. Hancock – Okay. That is one of the possible discrepancies in interpretation of my contract requirements. I did not know there was an issue until the last Board meeting, which was early this month, so that's within 30 days. The notification, we proceeded with my requirements of the notification to the best of my ability. My issue is with the information as it was presented to the Board.

Mr. Berkheiser – Carrie, your notice was sent in October, so technically, your 30 days expired at the end of November. When you got the letter, you had a 30, 60 and 90-day plan. I'm not sure how you can stand here and tell us you didn't know that there were issues.

Ms. Hancock – No, I did know there was issues, and I addressed them. I am talking about this, again, my contract requirements and I am required to bring any issues to this Board, and there was an issue that occurred in review of this information. The issue regarding these notifications came up within the last 30 days. So, I guess that's a point of, same thing, interpretation of contract requirements. I would like to have it reviewed in whatever format. I don't know if I need to go through everything with the whole Parks body. If it would be feasible to have a couple of members meet with me and look into this, and move forward, but we certainly need to work with accurate information, and I think we're working with different sets of information or different interpretations of information. I'd like to have the opportunity to address that.

Mr. Berkheiser – Again, this is a recommending body, and the Board has already made the decision. You would need to bring all of that up with the Township Board.

Ms. Hancock – My contract states otherwise.

Mr. Berkheiser – Those are for issues that you're having at ... when the decision is already made by the Board, it does no good to come back here and ask the Parks to do something about a decision that was already made.

Ms. Hancock – I'm talking about a clarification of facts. You're talking about a decision that was made as a result of the facts, and I'm talking about clarification of facts. I understand the decision was made.

Mr. Raboutnick – Contractually, she's obligated to inform you, whether there's a subsequent decision or not.

Mr. Berkheiser – You've notified us, but the Board is the one who decides.

Ms. England – The reading is, *if concessionaire is of an opinion that the notification by the Parks and Recreation Director is unwarranted, unreasonable, or based upon erroneous facts or information, concessionaire shall call the same to the attention of the Parks and Recreation Committee within 30 days of receiving the notice.* The notice would have been the letter that was sent out in October.

Ms. Hancock – Okay, and that's interpretation, because the discrepancy didn't come until the end of when that was reported. Am I hearing that the Parks and Recreation Committee has no interest in looking into this?

Mr. Berkheiser – They have no ability to look into it when the Board has already made a decision. You received a letter in October; it had 30 days, 60 days and 90 days. Each one had a visit at that time, and you made no comment at that time about your discrepancies. You didn't come to any of the Parks meetings to make notice of that decision that was done by the Parks Director, and actually the Subcommittee to that. So, what I would suggest is that you would then come to the Township Board to state your case as best you can, although their decision has already been made. I would also suggest that you continue, and hopefully you are, working on a plan to fulfill the bid requirement for the RFP. Your contract was not canceled. You're not prevented from bidding, or submitting a proposal, and hopefully you're working on that proposal. You actually got advance notice for that.

Ms. Hancock – What you're stating now, same thing, I reported to all the Parks and Recreation meetings as required by contract, and reported on everything that we were moving along with on all the items that needed to be taken care of. There was not a problem with this until the end. Other than that, it moved forward. There's not a problem of it, and I'm not talking about the decision that the Board made. I understand the decision. I'm talking about the misinformation that led to that decision.

Mr. Berkheiser – Then I would tell you to make your case at the Township Board because they are the ones who made the decision and they're the only ones that could reverse that decision.

Ms. Hancock – You are talking about the decision.

Mr. Berkheiser – If you think facts or opinions that were made at the meeting were incorrect, I suggest you put it in writing and give one to each Board member and then make your case at the Board. Parks can't do anything about it.

Chairperson Petsch – Carrie, we listened to ... every month we ask you to give us a report on what's going on. During that time frame, we wanted to know about how it's progressing, for example, the fence. We went through that month after month after month. Those are the types of things that we deal with here, the everyday, monthly what's going on. Are you having any events? What have you done to promote? Your advertising and things like that. When it goes to that level, this Committee recommends to the Township Board. Decisions on whether this goes out to a RFP do not happen here.

Ms. Hancock – You keep bringing up the RFP. I'm prior to the RFP.

Chairperson Petsch – I understand, but every concession in the Township at some point will go out to rebid.

Ms. Hancock – Is it typically done in the middle of somebody's contract?

Ms. England – Yes.

Chairperson Petsch – Yes.

Ms. Hancock – There are some things that need to be clarified as far as the role of the Subcommittee, and the action that was taken and how it disrupts our operation. Emily, you're Parks Director. How long are you Director for? I mean you have a contract for one year, two, three or five?

Ms. England – I'm an employee. I'm not contracted.

Ms. Hancock – So it's not a contractor position, but you're an employee. Okay.

Chairperson Petsch – We have 4-year terms.

Ms. Hancock – Okay, so at any time they could stroll through and say, "Hey, maybe somebody could do the job better."

Chairperson Petsch – If I do not perform up to the duties that the Supervisor felt I was supposed to be doing, yes, he could terminate my term.

Ms. Hancock – Okay, and that's where we come to some discrepancy in facts. I guess if this body can't address it ... I came here, I presented my case and you gave me your answer. I've done what I felt I needed to do then.

Mr. Berkheiser – Carrie, the Township does send things out. We went out for bids for the new trash service in the middle of the contract because we want appropriate time, if there is a change to be made, to try to continue a good service to the community. We do the same with snow plowing. We don't wait until the end of a contract and go out for bid because we could have a gap in services. You received a notice of issues and it went before the Board. They made the decision to post the bid. You can work on that proposal and have a better program. You know what the issues were and what the Board was looking for. Hopefully you're working on that and you will submit it by March 31st at 2pm. But, you can come to the Board on Tuesday.

Ms. Hancock – I just want this Parks and Recreation Committee to understand, and we've gone through this before a couple of years ago, less than that, where a contract is done. There's a spirit of the contract where people agree, for me to provide a service, and the Township, a place for me to provide it. In a contract, it's done with, your legal term, in good faith and fair dealings. I am of the opinion that there has not been fair dealings in this. I come into this with good faith, and for the Township to take this kind of action just as we're getting back on our feet from all of the other problems we've had in trying to move forward, including a Township Supervisor aggressively working to shut the business down, and personally discredit me, I've got a lot I had to work through just to get back to where we were again. Now, we're having some same problems where I'm not getting the support and there's misinformation that is causing this to happen, and that needs to be addressed. I just want it to be clear to the Parks and Recreation because it's important.

Chairperson Petsch – I'm sure that the proper place with your documentation is Tuesday at the Township Board meeting. Present all your facts on where the misinformation is, and why you feel the way you do. Have it documented, just like a business plan. That's basically what we're asking for here is your business plan to go forward.

Ms. Hancock – So let me ask you this, is it appropriate to go through this entire thing with the entire Board in a public format, or is this done in a meeting prior to review some of this, and then come to the Board with ...

Chairperson Petsch – I really can't speak to that, but it's a public park.

Ms. Hancock – Not yet, but ...

Chairperson Petsch – No, it is. It belongs to the community.

Ms. Hancock – Right, just ...

Chairperson Petsch – The community has the option and should have the ability to know what's going on there.

Ms. Hancock – I understand. There are liability issues that probably should not be discussed in a public format, but we can address that as well.

Mr. Berkheiser – Tomorrow morning, why don't you call the Supervisor and talk to him. He does day-to-day running of the Township. Ask to meet with him and talk with him.

Ms. Hancock – I'll let him know you recommended that and I'll follow-up with your recommendation. I think there's a lot of information that he's getting up to date on, past history, and the direction. Thank you for your time.

ITEM 13: OTHER MATTERS

Mr. Rabotnick – I was looking at that bid. I just printed it. Is this the appropriate venue to ask questions about the contract?

Chairperson Petsch – No.

Mr. Berkheiser – This is not the appropriate venue for that.

Ms. England – There will be a meeting. It's listed in the bid.

Mr. Berkheiser – There's a pre-meeting if you have questions.

Ms. England – Or you can submit them in writing.

Mr. Rabotnick – I'd like to have a meeting. I think it works out better when you're talking to somebody.

The next Parks and Recreation Meeting will be Monday, March 28, 2022, at 6:00PM. No park tours are scheduled from November through March, so meetings begin at 6:00pm during the winter months.

ITEM 14: ADJOURNMENT

MOTION by Garbutt, supported by Walker, to adjourn the meeting at 7:38pm.

MOTION CARRIED UNANIMOUSLY

Barbara Garbutt, Secretary