

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

October 12, 2021

2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER: Supervisor Larry Gray called the meeting to order at 7:00 p.m. and introduced the members of the Board.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Larry Gray, Supervisor
Melissa Creech, Clerk
Molly Phillips, Treasurer
Robert Berkheiser, Trustee
Vanessa Magner, Trustee
Rick Sovel, Trustee
George Weber, Trustee

Also Present: Hans Rentrop, Township Attorney
David Campbell, Planning Director
Jim Dundas, Fire Chief
Jay James, Building Official
Alyson Lobert, Library Director
Jason Mayer, Giffels Webster Engineers
Mark Schoder, Maintenance Director

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

MOTION by Sovel, supported by Magner, to approve the September 14, 2021 Regular Township Board Meeting minutes with a correction to page 40, Item 11:9-14 NEW BUSINESS C. 2021 DDA Cash Advance, change \$2,750,000 to \$2,750,000, the September 16, 2021 Special Township Board Meeting minutes, the September 28, 2021 Special Township Board Meeting minutes and the October 5, 2021 Special Township Board Meeting minutes, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS

A. Karen Stamper – Subdivide Parcel E-17-10-176-029

Mike Powell, 4700 Cornerstone Dr. White Lake, Michigan, representing Karen Stamper and David and Barbara Bell. They would like to purchase a portion of Sidwell No. 17-10-176-029. This piece of property is located directly behind their houses at 4795 and 4796

PRESENTATIONS (Karen Stamper – Subdivide Parcel E-17-10-176-029 continued)
Half Penny Ct. They would like to incorporate this property into their parcels so no one will build behind their houses. Mr. Powell offered the Board options on how the property could be divided.

ITEM 1:10-12 APPROVAL OF AGENDA

MOTION by Sovel, supported by Magner, to approve the October 12, 2021 agenda.
MOTION CARRIED UNANIMOUSLY

ITEM 2:10-12 PUBLIC COMMENTS

Supervisor Gray opened Public Comments

Mike Devergilio, 150 Demarist, is asking the Township to retain parcel E-17-03-433-042 and keep it as it is today. Selling the parcel will take away from the beauty of the area. The parcel consists of wetlands. If the Township decides they want to sell it, he would like the opportunity to bid on it.

Nick Marshall, 5461 Carroll Lake Rd., said he is interested in purchasing parcel E-17-03-433-042.

Supervisor Gray closed Public Comments

ITEM 3:10-12 PUBLIC HEARING FOR 2022 TOWNSHIP FIRE & RESCUE PROTECTION SPECIAL ASSESSMENT DISTRICT

Supervisor Gray opened the Public Hearing.
There were no public comments.
Supervisor Gray closed the Public Hearing.

ITEM 4:10-12 RESOLUTION CONFIRMING 2022 TOWNSHIP FIRE & RESCUE PROTECTION SPECIAL ASSESSMENT ROLL

MOTION by Sovel, supported by Creech, to approve the Township Fire & Rescue Protection Special Assessment District Resolution Confirming 2022 Special Assessment Roll.

Special assessment rate is 2.6 mills for 2022

ROLL CALL VOTE

AYES: Sovel, Creech, Phillips, Weber, Berkheiser, Magner, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 5:10-12 PUBLIC HEARING FOR 2022 TOWNSHIP POLICE PROTECTION SPECIAL ASSESSMENT DISTRICT

Supervisor Gray opened the Public Hearing.
There were no public comments.
Supervisor Gray closed the Public Hearing.

ITEM 6:10-12 RESOLUTION CONFIRMING 2022 POLICE PROTECTION SPECIAL ASSESSMENT ROLL

MOTION by Sovel, supported by Creech, to approve the Township Police Protection Special Assessment District Resolution Confirming 2022 Special Assessment Roll.

Special assessment rate for police services at 2.622 mills

ROLL CALL VOTE

AYES: Sovel, , Creech, Phillips, Weber, Berkheiser, Magner, Gray

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 7:10-12 BOARD APPOINTMENTS

A. Judy Sternberg – Removal from Library Advisory Board.

Supervisor Gray said the Library Advisory Board recommends the removal of Judy Sternberg from her position on the Library Advisory Board because she is unable to attend meetings due to health reasons.

MOTION by Sovel, supported by Berkheiser, to remove Judy Sternberg from the Library Advisory Board because she is unable to continue her tenure on the Board.

MOTION CARRIED UNANIMOUSLY

B. Donald Petersen - Appointment to the Library Advisory Board for a Partial Term Ending May 31, 2023 – Tabled 9-14-2021

Donald Petersen was present.

MOTION by Sovel, supported by Berkheiser, to remove Donald Petersen - Appointment to the Library Advisory Board for a Partial Term Ending May 31, 2023 from the Table.

MOTION CARRIED UNANIMOUSLY

MOTION by Magner, supported by Weber, to appoint Donald Petersen to the Library Advisory Board for a Partial Term Ending May 31, 2023.

MOTION CARRIED UNANIMOUSLY

ITEM 8:10-12 INTRODUCTIONS

A. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.056 – Revised Engineering Design Standards

Hans Rentrop, Township Attorney, explained the Ordinance.

ITEM 8:10-12 INTRODUCTIONS (A. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.056 – Revised Engineering Design Standards continued)

MOTION by Sovel, supported by Weber, to Introduce an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.056, Post and Publish According to Law.

MOTION CARRIED UNANIMOUSLY

ITEM 9:10-12 ADOPTIONS

A. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.055 – to Clarify and Make Consistent with State Law the Types of Lawful Gaming and Gambling

Hans Rentrop, Township Attorney, explained the Ordinance.

MOTION by Magner, supported by Phillips, to Adopt an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.055, Post and Publish according to law.

MOTION CARRIED UNANIMOUSLY

B. An Ordinance to Amend the Zoning Map to be Known as Zoning Amendment Ordinance No. 3.053 – Log Cabin Property

David Campbell, Planning Director, gave an overview of the Ordinance.

MOTION by Phillips, supported by Sovel, to Adopt 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. 3.053, Post and Publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 10:10-12 SITE CONDOMINIUMS AND PLATS

A. The Reserve at Crystal Lake

David Campbell, Planning Director, gave an overview of the 203-unit single family site condominium. The Planning Commission recommends approval.

Andrew Milia, Franklin Property Corp. was present

MOTION by Weber, supported by Berkheiser, to approve PSP #21-11, the PUD Condominium Site Plan for PPU#20-01 Reserve at Crystal Lake Planned Unit Development (PUD) with the corrections to page 13 associated with vinyl siding, as discussed.

MOTION CARRIED

Gray opposed.

ITEM 11:10-12 PURCHASES

A. Utility Trailer – Maintenance Department

Mark Schoder, Maintenance Director, is requesting approval to purchase a utility trailer for the Maintenance Department from American Trailer Mart, Inc.

The Board would like Mr. Schoder to obtain a few more bids.

No action taken.

ITEM 12:10-12 OLD BUSINESS

A. Township Property Management and Strategy Sub-Committee – RFP for Real Estate Services – Tabled 8-10-2021

This will remain on the Table.

ITEM 13:10-12 NEW BUSINESS

A. Offer to Purchase Real Estate – E-17-03-433-042

Supervisor Gray received an offer to purchase from Karen Baruzzini for Township owned parcel E-17-03-433-042 for \$3,500.

Nick Marshall, 5461 Carroll Lake Rd offered to purchase the property for the Township's asking price of \$6,500.

Supervisor Gray will follow up with Mr. Marshall tomorrow.

B. Halloween Hours

MOTION by Magner, supported by Sovel, to approve the Commerce Township Halloween Trick or Treat Hours from 6:00 p.m. – 8:30 p.m. on October 31, 2021.

MOTION CARRIED UNANIMOUSLY

C. Performance Resolution for Municipalities – 2022 Annual Permit for Work on State Trunk Line Right of Way

Jay James, Building Official, said this is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

MOTION by Magner, supported by Sovel, to approve the Performance Resolution for Municipalities.

MOTION CARRIED UNANIMOUSLY

D. Rental Property Ordinance

Supervisor Gray said he receives multiple calls per week regarding renters who have problems with their landlords. He would like to begin the process of creating a Rental Property Ordinance.

ITEM 13:10-12 NEW BUSINESS (D. Rental Property Ordinance continued)

This will be discussed further in a Township Board Discussion Meeting.

E. 2022 Township Budget Discussion

A Budget Discussion Meeting will be held on Tuesday October 19, 2021 at 6:00 pm.

ITEM 14:10-12 ORDERS

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

MOTION CARRIED UNANIMOUSLY

ITEM 15:10-12 OTHER MATTERS

Trustee Weber –

- Are we sending notices via certified mail to property owners that are encroaching on Township Property? Jay James, Building Official, answered yes.
- He would like to make sure we follow up on contracts that are expiring soon. Jay James, Building Official is monitoring the contract's expiration dates.
- Asked Trustee Berkheiser for an update on the contracts for the leagues and Byers Farm. Trustee Berkheiser said that Emily England, Parks and Recreation and Senior Director has that information. He will ask her to put that on her agenda.

Trustee Berkheiser –

- Asked if there is a summary report from the Ordinance Officers. Supervisor Gray will email the reports to him.
- What is the plan to winterize the bathroom at Dodge Park? Mark Schoder, Maintenance Director, said he will obtain bids to winterize the bathroom.
- Asked for an update on Barrington Place. David Campbell, Planning Director, said Barrington Phase 1 was envisioned to be commercial to complement the Five & Main development across the street. Five & Main is still to be determined what it's fate will be. The owners changed course and decided they wanted to use the land for residential buildings. Their site plan was approved by the Planning Commission.
- Should we discuss what options we have when dealing with businesses in the Township such as invoking fines or revoking a license? Hans Rentrop, Township Attorney, said it depends on the type of permit or license issued to a business.

Treasurer Phillips –

- Jason Mayer, Giffels Webster Engineers, said in his report that Peninsular Park paving is pretty much complete and talked about some type of retention for future repairs, etc. Do we have to get approval from everyone that is in the SAD to hold on to the money? Mr. Mayer said he requested the Road Commission put

ITEM 15:10-12 OTHER MATTERS (Treasurer Phillips continued)

together an agreement at least one year ago and he still has not received anything from them. The Road Commission said it is being reviewed. He is waiting to receive it so he can have the Township Attorney review it. He needs to find out what the remaining balance is so he can place that money in escrow.

- When we did the Interlocal Intergovernmental Agreement with West Bloomfield, if there is money left over in the fund that West Bloomfield paid their part into, and we got the bonds for our part, does that money go back to West Bloomfield? Hans Rentrop, Township Attorney, will look at the agreement and get back with her.
- She received an email from someone at alzheimersupport.com and they wanted to know if they could post a link on the Township's website to their website to help people find elder care and places for people to live, specifically those with Alzheimer. Clerk Creech said we do not put outside links on the Township's website.

Trustee Sovel –

- Asked for an update on Tri-Party Funds. Supervisor Gray said he has decided not to bring the road projects back to the Board. He would like to see our traffic lights turned into smart lights so they can communicate with each other and also add additional turn lights.
- Asked the Township Attorney what the difference is between Township businesses that are classified as spa/day spa vs massage therapist businesses. Hans Rentrop, Township Attorney, said he doesn't know if there is any difference except you are supposed to be licensed as a massage therapist if you're going to practice massage therapy.

Clerk Creech –

- Please send her items you would like added to the agenda for the Quarterly Township Board Discussion Meeting on 10-26-2021.
- Another tree has fallen down on the north side of the Commerce Cemetery.

Supervisor Gray –

- There will be a meeting on October 20, 2021 with the Eternal Rock Church to discuss the old Township Hall.
- Budget Discussion Meeting will be on Tuesday October 19, 2021 at 6:00 p.m.
- Lower Straits Lake is keeping their SAD cost the same as previous years and to use leftover money for a weed harvesting trial. He received a contract from Oakland Harvesters for approximately \$500.
- He will obtain quotes for approximately 7,000 sq. ft. of carpet for the Township Hall and report his findings back to the Board.
- Another Township parcel was sold.

ITEM 15:10-12 OTHER MATTERS (Supervisor Gray continued)


- The ending balance fund for the Building Fund can be used to scan old blue prints.
- The 5K run on Saturday turned out good.
- Tomorrow at 2:00 p.m. there will be a MI airline Trail dedication at On The Dunes.

ITEM 16:10-12 ADJOURNMENT

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

MOTION by Creech, supported by Berkheiser, to adjourn the meeting at 8:57 p.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce