

**CHARTER TOWNSHIP OF COMMERCE
TOWNSHIP BOARD OF TRUSTEES MEETING
August 10, 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
Emily England, Senior/Parks and Recreation Director
Jay James, Building Official
Jason Mayer, Giffels Webster Engineers
Jim Dundas, Fire Chief

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

MOTION by Sovel, supported by Berkheiser, to approve the July 13, 2021 Regular Township Board Meeting minutes and the July 27, 2021 Quarterly Township Board Minutes, as submitted. **MOTION CARRIED UNANIMOUSLY**

ITEM 1:8-10 APPROVAL OF AGENDA

MOTION by Sovel, supported by Creech, to approve the August 10, 2021 agenda. **MOTION CARRIED UNANIMOUSLY**

ITEM 2:8-10 PUBLIC COMMENTS

Supervisor Gray opened Public Comments.

Dia Mason, Attorney for Fair Housing Center of Metropolitan Detroit, 5555 Conner St Detroit, Michigan, left brochures for the Board's review and said their mission is to

ITEM 2:8-10 PUBLIC COMMENTS (continued)

ensure equal housing opportunities throughout metropolitan Detroit. Their website is www.fairhousingdetroit.org.

David Bell, 4795 Half Penny Ct., would like to know the status of the property behind his house. He heard the Township may sell the property.

Supervisor Gray closed Public Comments.

ITEM 3:8-10 PUBLIC HEARINGS

A. Resolution Confirming Special Assessment Roll for the SAD Designated Special Projects No. 47

Hans Rentrop, Township Attorney, explained the Resolution.

Supervisor Gray opened the Public Hearing.

There were no public comments.

Supervisor Gray closed the Public Hearing.

MOTION by Sovel, supported by Phillips, to confirm the Resolution Confirming Special Assessment Roll for The Special Assessment District Designated Special Projects No. 47, Post and Publish According to Law.

ROLL CALL VOTE

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 4:8-10 BOARD APPOINTMENTS

A. Sam Karim - Reappointment to the Planning Commission for a 3-Year Term to expire September 30, 2024.

MOTION by Gray, supported by Weber, to reappoint Sam Karim to the Planning Commission for a 3-Year Term to expire September 30, 2024.

MOTION CARRIED UNANIMOUSLY

ITEM 5:8-10 INTRODUCTIONS

A. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.054 – Clarify Restrictions on Fireworks and Make It Unlawful to Remove Wildlife from Township Parks and Lands.

Hans Rentrop, Township Attorney, explained the Ordinance.

MOTION by Magner, supported by Gray, 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. 1.054, Post and Publish According to Law.

ITEM 5:8-10 INTRODUCTIONS (A. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.054 – Clarify Restrictions on Fireworks and Make It Unlawful to Remove Wildlife from Township Parks and Lands - Motion continued)

Discussion:

Trustee Sovel – asked the Township Attorney to clarify page 2 (l).

Trustee Berkheiser – questioned why drones were not included on page 2 (l)

Hans Rentrop, Township Attorney, would like to review State law regarding what the Township can and cannot regulate.

Trustee Weber – asked which lakes on Township owned properties would be affected by the “catch & release” Ordinance.

MOTION by Magner, supported by Gray, to amend the Motion to add language, as discussed, for radio controlled and model air planes and add the word “attempt” back on to page 2 (l) of the Ordinance. **MOTION CARRIED UNANIMOUSLY**

ITEM 6:8-10 SITE CONDOMINIUMS AND PLATS

A. Dissolution of Mill Race Office Park Condominium

David Campbell, Planning Director, said what is proposed is the dissolution of the existing commercial site condominium on the South side of Commerce Road in the Commerce Village area (Mill Race Office Park Condominium).

MOTION by Weber, supported by Sovel, to approve PSP #17-0011, the Agreement to Terminate Mill Race Office Park Condominium Oakland County Condominium Subdivision Plan No. 1973. **MOTION CARRIED UNANIMOUSLY**

ITEM 7:8-10 OLD BUSINESS

A. Township Property Management and Strategy Sub-Committee

Trustee Weber, Sub-Committee member, recommends the Township seek the services of a licensed real estate broker to assist in selling ten (10) Township-owned properties.

Discussion: The Board needs to review a complete package on what will happen with each parcel prior to a RFP sent out.

MOTION by Weber, supported by Sovel, to Table The Charter Township of Commerce – Request for Proposals (RFP) Real Estate Services for Township owned properties. **MOTION CARRIED UNANIMOUSLY**

Log cabin property – Jay James met with an adjacent property owner, Mr. Wattle, to discuss squaring off his parcel and the Township’s parcel. Mr. Wattle was in agreement and also showed an interest to purchase the Township parcel. Mr. James said the

ITEM 7:8-10 OLD BUSINESS (A. Township Property Managements and Strategy Sub-Committee - continued)

Township could split the property into 3 lots and offer them to adjoining property owners at a fair market value. His recommendation would be to obtain an evaluation on the Township parcel, see if Mr. Wattle is interested in purchasing it and if not then split the parcel into 3 additional lots and offer it first to adjacent homeowners before marketing them for sale.

MOTION by Weber, supported by Sovel, to authorize Jay James and David Campbell to obtain a fair market value from Insight Commercial on the property that could be subdivided into 3 parcels, Sidwell No. E-17-22-201-005 and E-17-22-126-049 and work with Mr. Wattle to square off his parcel with the Township's parcel.

MOTION CARRIED UNANIMOUSLY

Hospital property – There are 6 homeowners that are adjacent to the Township parcel. Subdividing the Township parcel would not be economically feasible due to the Oakland County Plats legal requirements.

Trustee Weber said the Sub-Committee member's unanimous recommendation is to sell the property as one parcel. There is interest from a few residents to purchase this parcel.

MOTION by Berkheiser, supported by Magner, to remove the hospital property, Sidwell No. 17-10-176-029, from the RFP, and leave as green space and address any existing encroachments.

MOTION CARRIED UNANIMOUSLY

ITEM 8:8-10 NEW BUSINESS

A. Outrun Hunger Township Hall Use Application

Kari Cotter was present to ask for approval to use the West Wing, Maple room, Cherry room and the Oak Room at the Township Hall for an "Outrun Hunger" event on November 12, 2021 and November 13, 2021.

MOTION by Berkheiser, supported by Sovel, to approve the use of the West Wing, Maple room, Cherry room and the Oak Room at the Township Hall for an "Outrun Hunger" event on November 12, 2021 from 3:00 pm – 8:00 pm and November 13, 2021 from 7:00 am – 2:00 pm. The \$1,000 rental fee shall be waived.

ROLL CALL VOTE

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

NAYS: Creech

MOTION CARRIED

ITEM 8:8-10 NEW BUSINESS (continued)

B. Property Transfer Penalty Waiver for E-17-20-326-114

Treasurer Phillips is asking for a penalty waiver for Zafar Khan. He filed his Property Transfer Affidavit (PTA) with Commerce Township on December 28, 2020, within the 45-day window. Oakland County mistakenly calculated a PTA penalty of \$55.00.

MOTION by Weber, supported by Berkheiser, to waive the PTA penalty of \$55.00 for Zafar Khan, Parcel E-17-20-326-114 due to a clerical error by Oakland County.

MOTION CARRIED UNANIMOUSLY

C. Refund of Lake Sherwood Paving SAD

Treasurer Phillips advised the Board final payment of the Lake Sherwood Paving SAD has been received. There is \$123,932.00 in the Debt Service Account. The original SAD amount was \$1,781,882.36. She would like approval to refund the balance in the Debt Service Account and transfer an extra 85 cents in the account to the General Funds as Administrative Fees.

MOTION by Sovel, supported by Berkheiser, to approve the refund of \$123,932.00 that is in the Lake Sherwood SAD Paving Debt Service Account and transfer the extra \$0.85 in the account to the General Fund as Administrative Fees. Those properties with delinquent taxes will have their refunds sent to Oakland County and the remaining refunds will go to the current owner of record. **MOTION CARRIED UNANIMOUSLY**

D. Horse Farm Update and Roof Quote

Emily England, Senior/Parks and Recreation Director, is requesting approval to repair the roof over the observation room at Windmill Farms due to a leak which has caused issues (no working lights) with the electrical system.

MOTION by Weber, supported by Berkheiser, to award the replacement and repairs to the roof over the observation room at Windmill Farms to E&J Construction in an amount not to exceed \$16,000.00.

MOTION CARRIED UNANIMOUSLY

Ms. Hancock, Windmill Farm, provided the Board with a schedule of events held at the horse farm. She is working with a marketing person to advertise services they provide. She said she is getting a steady stream of new riders and is beginning to hold day camps. She is in the process of cleaning up the barn and has a salvage company coming in to help her. They will leave a dumpster on site. The cost for the salvage company and dumpster is \$2,500 which she will pay with funds that are coming in from the new riders and the day camps. Her target date for clean-up is after the Labor Day weekend. She is installing fence posts along the front of the road and will replace some fence posts on the north side of the property. She does not have a completion date for the posts because she is waiting for the person with the auger and tractor to fit it into his schedule. The arena developed a leaking problem after the storm a couple weeks ago and she has a roofer scheduled to do the repairs this coming Wednesday.

ITEM 8:8-10 NEW BUSINESS (continued)

E. Hart Service and Maintenance – Election Equipment

Clerk Creech advised the Board that the Township's election equipment's five-year Service and Maintenance Contract Renewal with HART Intercivic will become due in 2022. HART offered a 10% discount if the Township pays the entire amount prior to the beginning of year five of the current contract, which is 2022. She is requesting approval to take advantage of the Advanced Payment Discount in the amount of \$120,420.43. She said the second high-speed system is not included in this proposal. She estimates that cost to be approximately \$40,000.

MOTION by Weber, supported by Magner, to approve the Advanced Payment Discount in the amount of \$120,420.43 (Invoice 0000096544 dated July 1, 2021) for the Service and Maintenance Contract for years 2023 – 2027 to HART Intercivic for the Township's election equipment and amend the budget accordingly.

MOTION CARRIED UNANIMOUSLY

F. Proposed Capital Improvement Refunding Bonds – Underwriting Engagement Letter

Treasurer Phillips explained the refunding bonds.

MOTION by Sovel, supported by Berkheiser, to authorize the Township Treasurer to sign the Engagement of Northland Securities as Underwriter for the Charter Township of Commerce, County of Oakland, State of Michigan, Capital Improvement Refunding Bonds. Series 2021 (Limited Tax General Obligation) (Taxable).

MOTION CARRIED UNANIMOUSLY

G. Purchasing Policy Review

MOTION by Magner, supported by Creech, to Adopt the Charter Township of Commerce Purchasing Policy with changes as follows:

- b. Purchases \$150 to \$1,499.99 require a purchase requisition form or signed invoice and must have approval of the Township Supervisor and either the Township Clerk or Treasurer.
- c. Purchases \$1500 to \$4,999.99 require a purchase requisition form, (2) quotes and must have approval of the Township Supervisor and either the Township Clerk or Treasurer.
- d. Purchases \$5,000 to \$9,999.99 require a Purchase Requisition Form, (3) written bids and approval of the Township Board.

MOTION CARRIED UNANIMOUSLY

ITEM 9:8-10 ORDERS

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

MOTION CARRIED UNANIMOUSLY

ITEM 10:8-10 OTHER MATTERS

Clerk Creech –

- Special Election for 2 proposals by Huron Valley Schools that will be placed on the November 2, 2021 ballot.

Trustee Phillips –

- She would like to do a RFP in March 2022. The Township's agreement with PNC ends on September 21, 2022. PNC would like to know if they can do a revised letter of agreement that specifies new terms prior to us doing a RFP because a RFP would cost them a lot of money. She will let them know they can send us a proposal for the Board's review.

Trustee Berkheiser –

- He felt the ordinance officer report given to Board members was hard to read. Supervisor Gray gave an explanation on some of the entries and will provide a different format next month

Supervisor Gray –

- He has not heard back regarding the \$2 million dollars that is earmarked for the Lystek project.
- He will send out the information regarding the budget in the near future.
- Oakland County Sheriff's Office substation remodel architect RFP for 8585 PGA Drive received five submittals he will review with the Sub-committee.

ITEM 11:8-10 ADJOURNMENT

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

MOTION by Gray, supported by Berkheiser, to adjourn the meeting at 9:28 p.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce