

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

October 14, 2025

2009 Township Drive
Commerce Township, Michigan 48390

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

PLEDGE OF ALLEGIANCE

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

Also Present: Hans Rentrop, Township Attorney
John Kummer, Township Attorney
Jason Mayer, Giffels Webster Engineers
Dave Campbell, Planning Director
Jim Dundas, Fire Chief
Jay James, Building Official
Alyson Lobert, Library Director
Katelyn Massey, Human Resources Director
Mark Schoder, Maintenance Director
Deb Watson, DDA Director
Lt. Eric Hix, Oakland County Sheriff's Office
Sgt. Matt Leggat, Oakland County Sheriff's Office

APPROVAL OF MINUTES

MOTION by Sovel, supported by Creech, to approve the September 9, 2025 Regular Township Board Meeting minutes, as submitted.

MOTION CARRIED UNANIMOUSLY

ITEM 1:10-14 APPROVAL OF AGENDA

MOTION by Phillips, supported by Creech, to approve the October 14, 2025 agenda, as submitted.

MOTION CARRIED UNANIMOUSLY

ITEM 2:10-14 PUBLIC COMMENTS

Supervisor Gray opened Public Comments and advised the public that speaking time is limited to three (3) minutes. This is for public comments only and not for comments regarding the public hearings on the agenda.

There were no public comments.

Supervisor Gray closed Public Comments.

ITEM 3:10-14 PUBLIC HEARINGS

A. Roll Resolution – Special Projects No. 54 SAD

Supervisor Gray opened the Public Hearing

There were no public comments.

Supervisor Gray closed the Public Hearing.

MOTION by Sovel, supported by Phillips to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Special Projects No. 54. Post and publish according to law.

Roll Call Vote:

Ayes: Sovel, Phillips, Creech, Weber, Berkheiser, Long, Gray

Nays: None

MOTION CARRIED UNANIMOUSLY

ITEM 4:10-14 CONTRACT AWARDS AND AGREEMENTS

A. Sanitary Sewer Agreement – F&V Operations & Resource Management, Inc.

Township Attorney, Hans Rentrop, said the Township directed his office to engage in discussions with F&V regarding a formal contract. He discussed changes made as the result of those negotiations.

Trustee Weber referred to the last sentence in Article III Contractor Responsibilities 3.1.3 of the contract – “This section shall not prohibit the Township from employing any person who was a former Personnel but has not been employed in that capacity by the Contractor for at least six months.” He asked if we should add wording that the Township will not approach their employees unless we have approval from F&V?

Trustee Long suggested changing the wording to “The Township will not approach their employees for these specific positions.” He said that if they want to work for the Township they can, just not in a job position they are currently in while the contract is in force between F&V and Commerce Township.

Blair Selover, Group Manager, agrees.

ITEM 4:10-14 CONTRACT AWARDS AND AGREEMENTS (Sanitary Sewer Agreement – F&V Operations & Resource Management, Inc. continued)

The Township Board requested that Section 3.1.3 of the Sewer Operations & Maintenance Agreement be revised to state that F&V Personnel could (a) on their own motivation seek employment with the Township regarding matters related to the Agreement but that the Township could not approach F&V Personnel and ask them to work for the Township for such services and (b) that F&V Personnel could work for the Township for matters not related to the services covered by the Agreement.

MOTION by Gray, supported by Berkheiser, to approve the Charter Township of Commerce Wastewater Treatment Facility and Sanitary Sewer Collection System Operation and Maintenance Agreement and approve the appropriate signatures with the revised language of Section 3.1.3 as follows:

This Agreement is neither intended, nor shall it be interpreted, to create, change, or otherwise affect or control, in any manner any employment right, privilege, benefit, or any other term or condition of employment, of any kind or nature whatsoever, in, upon, or for any Personnel. Except as expressly provided for under the terms of this Agreement and/or laws of this State, no Personnel, while such person is currently and/or actively employed by the Contractor and six months thereafter, shall be solicited to perform any Services as set forth in Exhibit B by or for the Township during the term of this Agreement and any renewal/pending renewals thereof. This section shall not prohibit the Township from employing any person to perform Services for the Township who was a former Personnel but has not been employed in that capacity by the Contractor for at least six months.

MOTION CARRIED UNANIMOUSLY

B. Flock Group, Inc. Master Services Agreement

Township Attorney, John Kummer, presented a summary of changes to the Agreement from his negotiations with Flock.

Trustee Weber read an article based out of Atlanta Georgia where a resident was able to find out they had been captured on camera over 500 times during a four-month period. They felt big brother is watching and they had no control over that. We were told Flock deletes data after 30 days, but here is an incident where they kept it for four months. This is a concern to him. Is there a mechanism where someone can download the data and keep it forever even if Flock eliminates it from their servers after a 30-day period?

Trustee Berkheiser questioned how the privacy of our residents is protected.

Township Attorney, John Kummer, said he amended "Flock shall not sell customer data to third parties" to "shall not sell, nor freely distribute."

Trustee Long is not comfortable proceeding with this. He does not think the residents want to be watched all the time.

ITEM 4:10-14 CONTRACT AWARDS AND AGREEMENTS (Flock Group, Inc. Master Services Agreement continued)

Township Attorney, John Kummer, said we can draft additional language to take care of this. We can always go back to Flock and negotiate language the Township would like changed.

Trustee Sovel asked if the Contract is between Flock and Commerce Township then how is the Sheriff's Department involved in having access to the data?

Township Attorney, John Kummer, said the Sheriff's Department is considered a "user."

Trustee Berkheiser is not comfortable approving this currently. He would like to talk about this further in a Township Board Discussion Meeting. He would like to know if there are other companies that offer the same service and if so, why this was not bid out.

Discussion ensued on the possibility of data being received by third parties and the ramifications of that, FOIA requests, who makes the decision to provide data to third parties, invasion of privacy, length of time we need to retain data, etc.

Lt. Hix and Sgt. Matt Leggat, with the Oakland County Sheriff's Office, were present to answer questions.

Trustee Weber asked if we could have Flock give a demo, on screen, so we can visually see how this works.

Township Attorney, John Kummer, will contact Flock and request their attendance and give a demo at the November 4, 2025 Township Special Board Meeting

No action taken.

ITEM 5:10-14 INTRODUCTIONS

A Code of Ordinances Amendment No. 1.073 – Massage Regulations

Township Attorney, John Kummer, said this amendment would expand the types of conduct regulated under the ordinance, as well as those actions expressly prohibited. The goal is to provide the Township with additional tools to regulate massage establishments and combat illegal activity.

Trustee Weber would like wording added to Section 26.12 (i): "A licensed massage therapist must be present at the establishment during hours of operation."

Township Attorney, John Kummer, will change Section 26.12 (i) "It shall be unlawful for any massage parlor, school, or other establishment to use the term "Massage" in its name, signage, or advertising if no licensed massage therapist offering Massage Therapy is employed working at the establishment."

**ITEM 5:10-14 INTRODUCTIONS (Code of Ordinances Amendment No. 1.073 –
Massage Regulations continued)**

MOTION by Weber, supported by Creech, to Introduce Charter Township of Commerce Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be Known as Code Amendment Ordinance No. 1.073 with a change to Section 26.12 (i) "It shall be unlawful for any massage parlor, school, or other establishment to use the term "Massage" in its name, signage, or advertising if no licensed massage therapist offering Massage Therapy is working at the establishment." Post and publish according to law. **MOTION CARRIED UNANIMOUSLY**

B. Code of Ordinances Amendment No. 1.074 – Soil Erosion Violations

Township Attorney, John Kummer, this amendment was requested by EGLE following their review of the Township's Soil Erosion Ordinance as part of the Township's Soil Erosion and Sediment Control (SESC) Audit.

MOTION by Sovel, supported by Phillips, to Introduce Charter Township of Commerce Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be Known as Code Amendment Ordinance No. 1.074. Post and publish according to law. **MOTION CARRIED UNANIMOUSLY**

ITEM 6:10-14 PURCHASES

A. Replacement Air Conditioners – Fire Station 1

Fire Chief, Jim Dundas, is requesting approval to purchase replacement air conditioners for Fire Station 1 from Buckley Mechanical at a cost of \$26,442.00

MOTION by Sovel, supported by Creech, approve the purchase of two (2) furnace and two (2) air conditioner units from Buckley Mechanical (Quote #1593 dated 9-10-2025) at a cost not to exceed \$26,442.00. Funds to come from the Fire Department Facilities Budget. **MOTION CARRIED UNANIMOUSLY**

ITEM 7:10-14 OLD BUSINESS

A. Library Parcel Option Agreement

Supervisor Gray said the Library Parcel Option Agreement is set to expire October 31, 2025. Bruce Aikens is asking for a 6-month extension to April 30, 2026 with a closing date of May 31, 2026.

Trustee Long would like compensation received from those asking for any future extensions.

MOTION by Weber, supported by Sovel, to move forward on the extension for the Library Parcel Option Ninth Amendment to April 30, 2026.

MOTION CARRIED UNANIMOUSLY

ITEM 8:10-14 NEW BUSINESS

A. 2025 Halloween Hours

MOTION by Long, supported by Berkheiser, to approve Commerce Township Halloween hours on Friday, October 31, 2025 from 6:00 p.m. to 8:00 p.m.

MOTION CARRIED UNANIMOUSLY

B. Brownfield Plan for the Springs at Five and Main & Authorizing Resolutions

Township Attorney, Hans Rentrop, said these documents are necessary for Continental Properties to move forward with its proposed Brownfield Redevelopment Program associated with the Springs at Five and Main. To move forward with the Brownfield Project, you will need to approve both the Concurring Resolution and Resolution of Understanding. Following your approval, it will be presented to the Oakland County Board of Commissioners for further review and consideration.

Jordan Teichen, Continental Properties, Erik Hahn, Vice President of Acquisitions Continental Properties, and Jared Belka, Consultant for Continental's Brownfield were present.

Trustee Long said Continental Properties is a company that has the backing, marketing, wherewithal ability and now they are looking for a handout. Although it is not our money, it is State money which is still tax payer money. Also, Brownfield is normally attributed to contamination. I know they advised us the State has changed that regulation but I do not like that catchphrase attached to anything in Commerce Township.

MOTION by Berkheiser, supported by Phillips, to approve the Resolution Concurring with the Provisions of a Brownfield Plan to be Adopted by The Oakland County Brownfield Redevelopment Authority for The Springs at Five and Main Project.

Trustee Long voted No

MOTION CARRIED

MOTION by Berkheiser, supported by Phillips, to approve the Resolution of Understanding of The Township Board of The Charter Township of Commerce of The Oakland County Brownfield Redevelopment Authority's Role in Administering a Brownfield Plan for The Springs at Five and Main Project.

Discussion -

Trustee Sovel asked if this approval means there will be no delay in the continuation of the development?

Jordan Teichen, Continental Properties, answered yes.

Trustee Sovel asked if that was a definitive Yes.

ITEM 8:10-14 NEW BUSINESS (Brownfield Plan for the Springs at Five and Main & Authorizing Resolutions continued)

Mr. Teichen answered yes, I do not think we can ever say that is a definitive yes but I would say very likely, yes.

Jaren Belka said this addresses the issues that were unforeseen for the project, I think to Jordan's point nobody has a crystal ball but this addresses the issues that were unforeseen for the project.

Trustee Sovel said Continental was to continue to build and not say we are going to stop and sell to a new developer to take over the project.

Mr. Belka said that is correct, the intent is to continue forward with the development.

Trustee Sovel asked if this will stay in Continental Properties name?

Mr. Belka said that is correct.

Trustee Weber said his vote was predicated on the assumption that the final three buildings would be going vertical as a normal process. When you say there is no crystal ball, it makes me pause.

Mr. Belka said we have the process that continues, there is some internal equity investor discussions to be had in that regard. They are all aware of the overages. But in terms of securing the housing Brownfield there are two steps that remain and other agencies. We will know in December.

Trustee Weber asked if Brownfield gets approved through the County and the State, the other three buildings are getting built?

Mr. Belka said that is correct.

Trustee Weber said ok.

Trustee Long voted No

MOTION CARRIED

C. Employee Health Care

Human Resource Director, Katelyn Massey, presented the proposed health benefits for 2026.

- Medical Plan will remain the same.
- Vision Plan will switch from Unum to Mutual of Omaha. This will result in a 4.99% decrease in premiums.
- Increase in the premiums and coverage for Long-Term Disability (LTD) and Short-Term Disability (STD) benefits for our non-union employees and elected officials.

ITEM 8:10-14 NEW BUSINESS (Employee Health Care continued)

MOTION by Berkheiser, supported by Weber, to approve the recommended medical, dental, vision plans and an increase in the premiums and coverage for Long-term Disability (LTD) and Short-Term Disability (STD) benefits for our non-union employees and elected officials.

MOTION CARRIED UNANIMOUSLY

D. 2025 Support Emergency Operations Plan

Township Attorney, John Kummer, many years ago, the Township elected to be included in the Oakland County Emergency Management Program, which requires a support plan.

MOTION by Berkheiser, supported by Creech, to approve the Resolution of the Township Board of The Charter Township of Commerce to Adopt the Charter Township of Commerce Emergency Operations Support Plan and approve the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

E. Quarterly Township Board Meeting Temporary Chairperson

Supervisor Gray said he will be on vacation this year. Clerk Creech will also be on vacation during the same time.

MOTION by Berkheiser, supported by Weber, to Appoint Trustee Sovel as Temporary Chairperson for the next Quarterly Township Board Meeting.

MOTION CARRIED UNANIMOUSLY

F. 2026 Township Budget Discussion

This was discussed during the Township Board of Trustees Special Meeting held tonight at 5:30 p.m.

ITEM 9:10-14 ORDERS AND ADD ONS

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

MOTION CARRIED UNANIMOUSLY

ITEM 10:10-14 OTHER MATTERS

Trustee Berkheiser –

- Appreciate the evaluations, they were well done. He would like the Board to consider doing a 360° evaluation. Send out to people that the employee works with to gather feedback on their performance, strengths, areas to improve in, etc.
- The Dog Park opening will be held on October 25, 2025 from 10:00 a.m. to 12:00 noon.
- Do we still maintain a list of board appointments that are expiring? Clerk Creech answered yes, she will make sure they are updated.

ITEM 10:10-14 OTHER MATTERS (continued)

Trustee Weber –

- Sidewalk repair program – residents will receive a letter if repairs are needed advising them how much the repairs will cost. The resident will have the option to do the repairs themselves or have the Township do them and send them an invoice.
- We should start investigating how AI can help the Township run better. E.g. scan and extract documents/information for departments, ordinances, evaluation, making it easier for residents to find information on our website, etc.

Supervisor Gray –

- Sidewalk repairs – how do we handle HOA's? Do we send a letter to the HOA or to the residents of a HOA? Jason Mayer, Giffels Webster Engineers said a letter regarding common areas will be sent to the HOA.
- Ezee Fiber, a fiber optic internet company based in Houston Texas would like to be an internet provider for Commerce Township.
- There are cracks in the exchanger at the 2018 building. Do we want to repair or replace the exchangers? He will investigate the warranties for each service and report back to the Board with his decisions on how he moved forward.

ITEM 11:10-14 ADJOURNMENT

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

MOTION by Phillips, supported by Berkheiser, to adjourn at 8:53 p.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce