

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

**November 12, 2019**  
2009 Township Drive  
Commerce Township, Michigan 48390

**CALL TO ORDER:** Supervisor David Scott called the meeting to order at 7.00 p.m. and introduced the members of the Board.

**PLEDGE OF ALLEGIANCE TO FLAG**

**ROLL CALL:** Present: David E. Scott, Supervisor  
Melissa Creech, Clerk  
Molly Phillips, Treasurer  
Robert Berkheiser, Trustee  
Vanessa Magner, Trustee  
Rick Sovel, Trustee  
George Weber, Trustee

Also Present: Jason Mayer, Giffels Webster Engineers  
Phillip Adkison, Township Attorney  
Hans Rentrop, Township Attorney  
Fire Chief Jim Dundas  
Lt. Wendy Reyes, Oakland County Sheriff's Office  
Janet Bushey, HR/Finance Director  
Emily England, Senior Director  
Jay James, P.E. Building Official

**APPROVAL OF MINUTES**

**MOTION** by Magner, supported by Sovel, to approve the October 8, 2019 Regular Township Board of Trustees Meeting Minutes, the October 8, 2019 Special Township Board of Trustees Meeting Minutes, and the October 22, 2019 Quarterly Township Board of Trustees Meeting Minutes, as submitted. **MOTION CARRIED UNANIMOUSLY**

**ITEM 1: APPROVAL OF AGENDA**

**MOTION** by Sovel, supported by Creech, to amend the November 11, 2019 Regular Township Board of Trustees Meeting Agenda as follows: add **A. Architectural Award** under ITEM 7: **CONTRACT AWARDS AND AGREEMENTS.** **MOTION CARRIED UNANIMOUSLY**

**ITEM 2: CLOSED SESSION**

**A. Pursuant to MCL 15.268(a) – Grievance No. 19-001**

**MOTION** by Scott, supported by Berkheiser, to enter into Closed Session to discuss Grievance No. 19-001.

**ROLL CALL VOTE:**

**AYES:** Scott, Berkheiser, Creech, Phillips, Weber, Magner, Sovel

**NAYS:** None

**ABSENT:** None

**MOTION CARRIED UNANIMOUSLY**

**Entered into Closed Session: 7:06 p.m.**

**Returned from Closed Session: 7:25 p.m.**

**MOTION** by Scott, supported by Phillips, to adjourn from Closed Session.

**ROLL CALL VOTE:**

**AYES:** Scott, Phillips, Creech, Weber, Berkheiser, Magner, Sovel

**NAYS:** None

**ABSENT:** None

**MOTION CARRIED UNANIMOUSLY**

**ITEM 3: ACTION REGARDING GRIEVANCE NO. 19-001**

**MOTION** by Scott, supported by Berkheiser, to deny Grievance No. 19-001.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 4: PUBLIC COMMENTS**

Supervisor Scott asked if anyone present had any public comments.

Linda Hyaduck, District Director for Jim Runestad, State Senator, 15<sup>th</sup> District was present to invite the public to contact Jim Runestad or his staff for any assistance, questions or comments they may have. The office phone number is 517-373-1758 or they can contact him through the website [www.senatorjimrunestad.com](http://www.senatorjimrunestad.com).

**ITEM 5: PUBLIC HEARINGS**

**A. Roll Resolution – Wenonah Hills and Tree Haven Snow Plowing SAD**

Supervisor Scott opened the public hearing.

There were 2 residents present.

No one had any comments.

**ITEM 5: PUBLIC HEARINGS (A. Roll Resolution – Wenonah Hills and Tree Haven Snow Plowing SAD continued)**

Supervisor Scott closed the public hearing.

**MOTION** by Berkheiser, supported by Creech, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Wenonah Hills and Tree Haven Snow Plowing Special Assessment District, post and publish according to law.

**ROLL CALL VOTE:**

**AYES:** Berkheiser, Creech, Phillips, Weber, Magner, Sovel, Scott

**NAYS:** None

**ABSENT:** None

**MOTION CARRIED UNANIMOUSLY**

**B. Resolution Approving the 2020 CDBG Application**

Supervisor Scott opened the public hearing.

No one present had any comments.

Supervisor Scott closed the public hearing.

**MOTION** by Sovel, supported by Creech, to approve the Charter Township of Commerce Resolution Approving the 2020 Community Development Block Grant Application, post and publish according to law.

**ROLL CALL VOTE:**

**AYES:** Sovel, Creech, Phillips, Berkheiser, Weber, Magner, Scott

**NAYS:** None

**ABSENT:** None

**MOTION CARRIED UNANIMOUSLY**

**C. Resolution to Reprogram 2017 CDBG Money**

Supervisor Scott opened the public Hearing.

No one present had any comments.

Supervisor Scott closed the public hearing.

**MOTION** by Sovel, supported by Phillips, to approve the Resolution to Reprogram 2017 Community Development Block Grant Money by the Charter Township of Commerce, post and publish according to law.

**ITEM 5: PUBLIC HEARINGS (C. Resolution to Reprogram 2017 CDBG Money continued)**

**ROLL CALL VOTE:**

**AYES:** Sovel, Phillips, Creech, Weber, Berkheiser, Magner, Scott

**NAYS:** None

**ABSENT:** None

**MOTION CARRIED UNANIMOUSLY**

**ITEM 6: BOARD APPOINTMENTS**

**A. Brian Parel – Reappointment to the Planning Commission for a 3-Year Term to expire December 31, 2022.**

Brian Parel was present.

**MOTION** by Weber, supported by Berkheiser, to approve the reappointment of Brian Parel to the Planning Commission for a 3-Year Term to expire December 31, 2022.

Trustee Weber noted that Mr. Parel offers a significant amount of experience, wisdom and common sense to the Planning Commission.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 7: CONTRACT AWARDS AND AGREEMENTS**

**A. Architectural Award – Fire Station Building**

Board members discussed the three candidates and voiced their opinions on which company they would like to see design and engineer the new Fire Station Building.

**MOTION** by Berkheiser, supported by Sovel, to award the contract to A3C Collaborative Architecture for the new Fire Station Building at a cost not to exceed \$275,000.00. This is contingent upon final negotiations and contract approval by the Township Attorney.

**MOTION CARRIED UNANIMOUSLY**

**B. Agreement for I.T. Services Between Oakland County and Commerce Township**

Hans Rentrop, Township Attorney, reminded the board the agreement may be terminated by either party upon a 120 days written notice for any reason.

**MOTION** by Sovel, supported by Phillips, to approve the Agreement for I.T. Services between Oakland County and Commerce Township and authorize the appropriate signatures.

**MOTION CARRIED UNANIMOUSLY**

**C. Richardson Community Center Generator Contract**

Emily England, Senior Director, said three bids were received. She recommends awarding the contract to the low bidder, Corby Energy Services.

**ITEM 7: CONTRACT AWARDS AND AGREEMENTS (C. Richardson Community Center Generator Contract continued)**

**MOTION** by Sovel, supported by Creech, to award the purchase and installation of a generator at the Richardson Community Center to Corby Energy Services for \$71,975.00 (paid for with CDBG funds) and a 5-year maintenance program in the amount of \$3,900.00. Funds for the 5 year maintenance program shall come from the General Fund.

**MOTION CARRIED UNANIMOUSLY**

**D. Richardson Community Center Catering Service Agreement**

Hans Rentrop, Township Attorney, explained the changes made to the agreement.

**MOTION** by Weber, supported by Berkheiser, to approve the Catering Service Agreement between the Charter Township of Commerce and Angel Food Catering, LLC, and authorize the appropriate signatures.

**MOTION CARRIED UNANIMOUSLY**

**E. Direct Install Lighting Program Agreement with DTE**

Jason Mayer, Giffels Webster, and Hans Rentrop, Township Attorney, explained the agreement.

**MOTION** by Scott, supported by Berkheiser, to proceed with the Direct Install Lighting Program Agreement with DTE in the amount of \$11,548.50. Funds to come from the Sewer Fund.

**MOTION CARRIED UNANIMOUSLY**

**F. Police Services Agreement with the Village of Wolverine Lake**

Phillip Adkison, Township Attorney, was present to answer questions.

**MOTION** by Sovel, supported by Weber, to approve the First Amended and Restated Agreement 2019 between the Village of Wolverine Lake and the Charter Township of Commerce

**MOTION CARRIED UNANIMOUSLY**

**G. Off-Site Water & Sewer Construction Agreement – Glengary Elementary School**

Jay James, P.E. Building Official, explained the need for this agreement.

**MOTION** by Berkheiser, supported by Magner, to move forward with the Off-Site Water & Sewer Construction Agreement between Walled Lake Consolidated Schools and the Charter Township of Commerce, at no cost to the Township. Contingent upon Walled Lake School signing the agreement.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 8: INTRODUCTIONS**

- A. An Ordinance to Amend Ordinance No. 2.018 to be Known as Fee Ordinance No. 2.019**

**MOTION** by Weber, supported by Creech, to Introduce the Charter Township of Commerce an Ordinance to Amend Ordinance No. 2.018 to be known as the Charter Township of Commerce Fee Ordinance No. 2.019, post and publish according to law.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 9: APPROVAL OF 2020 TOWNSHIP BUDGET**

**MOTION** by Sovel, supported by Creech, to approve the 2020 Township Budget.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 10: PURCHASES**

- A. John Deere 5100 Utility Tractor – Maintenance Department**

**MOTION** by Berkheiser, supported by Scott, to approve the purchase of a 2019 John Deere 6100H Utility Tractor and a John Deere 540M Loader from Bader & Sons Co. in the amount not to exceed \$68,000.00

**MOTION CARRIED UNANIMOUSLY**

**ITEM 11: NEW BUSINESS**

- A. Resolution Accepting MDNR Land and Water Conservation Fund Development Project Agreement – Project No. 26-01807 Dodge Park V Universally Accessible Restrooms**

**MOTION** by Sovel, supported by Berkheiser, to approve the Resolution of the Township Board of the Charter Township of Commerce Accepting Michigan Department of Natural Resources Land and Water Conservation Fund Development Project Agreement Project No. 26-01807 Dodge Park V Universally Accessible Restrooms, and authorize the appropriate signatures.

**MOTION CARRIED UNANIMOUSLY**

- B. Hickory Glen Field 7 Repair**

Emily England, Senior Director, said the Parks and Recreation Committee recommends approval.

Patrick Juras, Lakes Athletics Treasurer, said the repairs deal with the runoff of water from the field and the washout it is causing at one of the dugouts.

Trustee Weber said he visited the site and it appears the washout is caused by boards that were placed below the backstop and the way the field was graded. He said the Township is responsible for anything outside of the fence and the leagues are responsible for anything

**ITEM 11: NEW BUSINESS (B. Hickory Glen Field 7 Repair continued)**

inside the fence which surrounds the fields. If we approve this, it will set a precedence for other leagues to ask the Township to pay for repairs.

Supervisor Scott, suggest our Maintenance Director and Township Engineer visit the park and determine if the Township Maintenance Department could channel the water away from the dugout area.

No action taken

**C. Approval of Single Year Special Assessment Districts for the 2019 Winter Tax Roll**

**MOTION** by Berkheiser, supported by Creech, to approve Single Year Special Assessment Districts for the 2019 Winter Tax Roll. **MOTION CARRIED UNANIMOUSLY**

**D. Resolution for Approval of 2020 Bank Depositories**

Molly Phillips, Treasurer, said the board is required to designate bank depositories for Township funds.

**MOTION** by Sovel, supported by Berkheiser, to approve the following institutions as bank depositories for the year 2019 and going forward until the next update: PNC Bank, Flagstar Bank, Comerica Securities, MERS, Huntington Bank, Level One Bank, Chief Financial Credit Union, The State Bank, CIBC, Genysis Credit Union, Michigan Cooperative Liquid Asset Securities System (Michigan Class), Oakland County Local Government Investment Pool.

**MOTION CARRIED UNANIMOUSLY**

**E. Resolution Authorizing the Purchase of Property – 3400 Union Lake Road**

**MOTION** by Scott, supported by Sovel, to approve the Resolution of the Township Board of the Charter Township of Commerce Authorizing the Purchase of Property at 3400 Union Lake Road. **MOTION CARRIED UNANIMOUSLY**

**F. Intent Resolution – Special Projects No. 44 SAD**

Hans Rentrop, Township Attorney, said parcel 17-01-228-015 was added to the Resolution under sewer systems.

**MOTION** by Sovel, supported by Creech, to approve the Resolution of the Township Board of the Charter Township of Commerce, Tentatively Declaring Its Intention to Establish a Special - Assessment District to be known as Special Projects No. 44 with the addition of parcel 17-01-228-015. **MOTION CARRIED UNANIMOUSLY**

**ITEM 11: NEW BUSINESS (continued)**

**G. Sleeth Road Sanitary Rehabilitation Project Revised Project Budget**

Jason Mayer, Giffels Webster, said the project will not exceed \$517,000.00 without prior authorization by the Township Board.

**MOTION** by Weber, supported by Berkheiser, to approve the Sleeth Road Sanitary Rehabilitation revised project budget in the amount of \$518,000.00.

**MOTION CARRIED UNANIMOUSLY**

**H. Library Director Position**

Supervisor Scott would like to set a date for a meeting so the board can discuss applicants for the Library Director position. Board members will review packets submitted by applicants and meet on November 26, 2019 at 7:00 p.m.

**ITEM 12: ORDERS**

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

**MOTION CARRIED UNANIMOUSLY**

**ITEM 13: OTHER MATTERS**

Trustee Weber reviewed the Parks and Recreation Meeting minutes and did not see where Byers was discussed in the conversation under league contracts. Emily England, Senior Director said Byers was at the meeting and they will receive a copy of the contract.

Trustee Berkheiser said the Hunger Race was a success and he thanked everyone for their support. He will provide a summary of the race in the near future.

Trustee Magner asked if the board will discuss banner guidelines. Supervisor Scott said the Planning Commission will discuss this during their next meeting.

Trustee Magner would like the board to discuss guidelines for improvements made to Township property. She would like to see some type of consistency and not give special treatment to certain leagues/groups.

Supervisor Scott said the DNR found 27 illegal hunters on Township property. The hunters were told not to hunt on Township property and to remove hunting blinds they put up.

Treasurer Phillips said a committee was formed to oversee the concession agreement for the horse farm. They received a copy of Maybury State Park's concession agreement to review. Ron Campbell from Oakland County will visit the site and give his recommendation to the committee. Treasurer Phillips asked if the money the Township is spending toward the new Fire Station should be considered "receivable" from the Fire Department and not expensed. Trustee Sovel asked if the General Fund should charge the Fire Department interest (like they



**ITEM 13: OTHER MATTERS (continued)**

do the DDA). Yes, it is due back to the General Fund and no, there shouldn't be interest charged.

Supervisor Scott asked Fire Chief Jim Dundas how many applications were received for the firefighter position. He answered 74 applications filtered down to 47 to interview.

Trustee Magner asked if the Township pays for paid on call firefighter training. Fire Chief Dundas answered they will send them for training if they are a Commerce Township resident.

**ITEM 14: ADJOURNMENT**

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

**MOTION** by Phillips, supported by Berkheiser, to adjourn the meeting at 9.09 p.m.

**MOTION CARRIED UNANIMOUSLY**



Melissa Creech, Clerk  
Charter Township of Commerce