

**CHARTER TOWNSHIP OF COMMERCE
TOWNSHIP BOARD OF TRUSTEES MEETING
May 10, 2022
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
Vanessa Magner, Trustee
Rick Sovel, Trustee
George Weber, Trustee

Absent: Robert Berkheiser, Trustee (excused)

Also Present: Hans Rentrop, Township Attorney
Deborah Watson, DDA Director
Dave Campbell, Planning Director
James Dundas, Fire Chief
Emily England, Senior/Parks and Recreation Director
Jay James, Building Official
Jason Mayer, Giffels Webster Engineers
Mark Schoder, Maintenance Director

APPROVAL OF MINUTES

MOTION by Sovel, supported by Creech, to approve the April 12, 2022 Regular Township Board Meeting minutes, the April 13, 2022 Special Township Board Meeting minutes, and the April 19, 2022 Special Township Board Meeting minutes, as submitted.
MOTION CARRIED UNANIMOUSLY

PRESENTATIONS

A. OCSO NET Program
Cancelled.

ITEM 1:5-10 APPROVAL OF AGENDA

MOTION by Sovel, supported by Magner, to approve the May 10, 2022 agenda with the following change: add **ITEM 8: OLD BUSINESS A. Windmill Farms Update** to the agenda.
MOTION CARRIED UNANIMOUSLY

ITEM 2:5-10 PUBLIC COMMENTS

Supervisor Gray opened Public Comments.

County Commissioner Christine Long, 1342 E. Commerce Road, updated the Board regarding a Fair Housing Resolution passed by the County Board of Commissioners and a SMART millage proposal that may be on the August Primary Election ballot. Also, Barb Garbutt is being awarded Outstanding Senior by Oakland County.

Teresa Renaud, 14205 Golden Avenue, District Director for State Senator Runestad, said she's here to support elected officials in the local community and wanted to reinforce what Commissioner Long said about some very serious issues.

Supervisor Gray closed Public Comments.

ITEM 3:5-10 PUBLIC HEARINGS

A. Establishment Resolution – Dickert Street Water Main SAD

No action taken.

B. Establishment Resolution – Boyer Street Paving SAD

No action taken.

ITEM 4:5-10 BOARD APPOINTMENTS

A. Bill McKeever - Reappointment to the Planning Commission for a 3-Year Term Ending June 30, 2025

Bill McKeever was not present.

MOTION by Gray, supported by Weber, to reappoint Bill McKeever to the Planning Commission for a 3-Year term ending June 30, 2025.

MOTION CARRIED UNANIMOUSLY

B. Bill McKeever - Reappointment to the Zoning Board of Appeals for a 3-Year Term Ending July 31, 2025

MOTION by Gray, supported by Sovel, to reappoint Bill McKeever to the Zoning Board of Appeals for a 3-Year term ending July 31, 2025.

MOTION CARRIED UNANIMOUSLY

ITEM 4:5-10 BOARD APPOINTMENTS (continued)

C. Laura Waterworth – Appointment to the Parks and Recreation Committee for a 4-Year Term Ending May 31, 2026

Laura Waterworth was present.

MOTION by Gray, supported by Creech, to appoint Laura Waterworth to the Parks and Recreation Committee for a 4-Year term ending May 31, 2026.

MOTION CARRIED UNANIMOUSLY

ITEM 5:5-10 CONTRACT AWARDS AND AGREEMENTS

A. Oakland County Equalization Division Contract Extension

Supervisor Gray stated that Oakland County is in the process of hiring a new County Equalization Director and they would like to extend all expiring contracts for one year.

MOTION by Sovel, supported by Phillips, to authorize the signature on the contract for Oakland County Equalization Division Assistance Services Contract extension for 1 year.

MOTION CARRIED UNANIMOUSLY

ITEM 6:5-10 ADOPTIONS

A. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.057 – Sidewalks and Recreational Pathways

Hans Rentrop, Township Attorney, explained the purpose of the ordinance.

Trustee Sovel's concerns are why are we requiring residents to remove snow when the Township is not required to do so, the standards are very subjective, can the Township pre-qualify a vendor for repair and replacement of sidewalks, to reduce costs can we put sidewalks on only 1 side of the street, and for environmental purposes, the Township should not require sidewalks to be salted in the winter if that sidewalk is near a lake, stream, or river.

Hans Rentrop responded the idea is to mitigate the risk to the Township.

Trustee Weber asked what the immediate financial impact would be on residents and if we have any idea how many linear feet of sidewalk needs immediate repair.

Jason Mayer, Township Engineer, indicated it costs approximately \$200/slab for replacement.

MOTION by Gray to approve Ordinance No. 1.057 – Sidewalks and Recreational Pathways, with the changes as discussed for final adoption.

Trustee Magner will support the motion if the changes are listed and she asked if the Board would see a red-lined version next month.

ITEM 6:5-10 ADOPTIONS (A. An Ordinance to Amend the Code of Ordinances to be Known as Code Amendment Ordinance No. 1.057 – Sidewalks and Recreational Pathways continued)

Hans Rentrop responded that if the Board would like to see a red-lined version then the ordinance would have to be brought back next month for adoption.

Supervisor Gray withdrew his motion.

Hans Rentrop summarized the requested changes as removing the requirements regarding accumulations and residential snow removal, and not requiring salting in areas in close proximity to lakes.

No Action Taken

B. An Ordinance to Amend Article 30, Sections 30.03 and 30.04 of Zoning Ordinance 3.000 to be Known as Zoning Amendment Ordinance No. 3.055 – Setbacks for Freestanding Signs

Dave Campbell, Planning Director, said the Zoning Board of Appeals was repeatedly hearing appeals regarding freestanding sign setbacks from the road. Anytime you have a standard in the zoning ordinance that is repeatedly being appealed, it's an opportunity to look at that standard and determine whether it should be revised to address the regular appeal of it.

MOTION by Sovel, supported by Weber, to adopt the ordinance to Amend Article 30, Sections 30.03 and 30.04 of Zoning Ordinance 3.000 to be Known as Zoning Amendment Ordinance No. 3.055 – Setbacks for Freestanding Signs.

MOTION CARRIED UNANIMOUSLY

ITEM 7:5-10 CONSENT AGENDA

- A. Establishment of Temporary Precinct Locations for the August 2, 2022 State Primary Election**
- B. Resolution Authorizing West Nile Virus Fund Expense Reimbursement Request**

MOTION by Phillips, supported by Magner, to approve the Consent Agenda.

ROLL CALL VOTE:

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

Nays: None

Absent: Berkheiser

MOTION CARRIED UNANIMOUSLY

ITEM 8:5-10 OLD BUSINESS

A. Horse Farm Update

Director Emily England updated the Board regarding the sub-committee's due diligence regarding LP Equine Unlimited. After an in depth investigation into the business practices, management, and employees of LP Equine Unlimited and an additional interview with owner Lucie Ptasznik, the sub-committee decided not to recommend continuing with LP Equine Unlimited due to limited present priority on safety, limited experience and present programming with the applicant and her trainers, and as transitioning to her programming would include significant complexity.

MOTION by Weber, supported by Magner, that the Township not move forward with LP Equine Unlimited, and the Board provide the sub-committee with the authority to identify new alternatives up to, and including, another potential RFP process.

MOTION CARRIED UNANIMOUSLY

ITEM 9:5-10 NEW BUSINESS

A. Parcel C – Unit 3, Commerce Towne Place – DDA

Deborah Watson, DDA Director, presented an offer and a letter of intent the DDA board accepted last month from LaFontaine for parcel C, unit 3 of Commerce Towne Place, which is located at the corner of Haggerty Road and Pontiac Trail. LaFontaine intends to develop the old Dick Morris site on Haggerty Road, at Walnut Creek Road, in conjunction with the parcel C, unit 3 development. LaFontaine presented their conceptual review at the March 7th Planning Commission meeting regarding a trio of projects including parcel C, the old Dick Morris dealership, and a pair of contiguous properties on Oakley Park Road. The Oakley Park properties are not DDA-owned, but they are in the DDA capture district. It has been encouraged that some sort of structure be considered on this site, as opposed to just a parking lot. Director Watson further outlined the access issues to parcel c, unit 3, its prominence as a gateway to the 5 and Main development, the types of offers the DDA has received in the past which are overwhelmingly from gas stations and fast food franchises that require a drive-through. She stressed the upscale luxury component of LaFontaine's concept. Car Dealerships are not a permitted use in the DDA area and she is seeking preliminary feedback from the Board of Trustees before LaFontaine and the DDA continue moving forward.

A discussion followed regarding site access, all the clichés regarding the way some car dealerships look, the other automotive businesses that currently exist on Haggerty Road, and what types of controls could be added to the PUD reference documents.

The Board of Trustees tentatively concluded that some of them are amenable to seeing a car dealership on that site.

ITEM 9:5-10 NEW BUSINESS (continued)

B. Asbestos Surveys

Jay James, Building Official, asked the Board to approve 2 asbestos surveys prior to the demolition of the old Township Hall and the old residential building at the horse farm.

MOTION by Weber, supported by Phillips, to authorize up to \$15,000.00 to G2 Consulting for asbestos testing at the Township property on Fisher Road and the home at 2552 Wixom Road.
MOTION CARRIED UNANIMOUSLY

ITEM 9:5-10 NEW BUSINESS (continued)

C. Intention Resolution - Whitlow Court Paving SAD

Hans Rentrop explained that 52% of the residents, based on linear footage, signed the petition, not 52% based on the number of lots. It was agreed the numbers would be worked up both ways, using both linear footage and the number of lots.

MOTION by Sovel, supported by Magner, to approve the Township Board Tentatively Declaring its Intention to Establish a Special Assessment District to be Known as Whitlow Court Paving Special Assessment District.

MOTION CARRIED UNANIMOUSLY

D. Michigan Finance Authority SRF Loan and Capital Improvement Bonds

Treasurer Phillips explained these bonds tell the Michigan revolving fund that we are guaranteeing to pay them back for whatever they front us to build out the Lystek system. An error was discovered in the text and "water supply system" should be changed to "waste water system."

MOTION by Phillips, supported by Sovel, to approve the bond authorizing resolution for the capital improvement bonds through the Michigan State Revolving Fund in an amount not to exceed \$5.5 million dollars, or such lesser amount as determined by the amount actually borrowed from the SRF, with changes to the words to say "waste water treatment or sewer revenues" instead of "water supply."

ROLL CALL VOTE:

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

NAYS: None

ABSENT: Berkheiser

MOTION CARRIED UNANIMOUSLY

ITEM 10:5-10 ORDERS

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

MOTION CARRIED UNANIMOUSLY

ITEM 11:5-10 OTHER MATTERS

Trustee Weber –

- Asked if the Township's ARPA application was accepted. Supervisor Gray answered that it was

Trustee Sovel -

- Asked if the Finance Director would include a budget report in the monthly communications. Supervisor Gray said it would be included going forward.


Supervisor Gray –

- Next month in the Orders there will be a \$36,000 repair for the GLWA pumping station. We've sent the claim to the insurance company.
- We had our first Nixle alert text today. Over 500 people are signed up to receive the alerts
- Next month I should have carpet and furnace bids to present to the Board.
- By building and using the water tower, the Township saved \$6.9 million dollars in water costs and the water tower has effectively paid for itself.

ITEM 12:5-10 ADJOURNMENT

MOTION by Creech, supported by Magner, to adjourn the meeting at 8:38 p.m.

MOTION CARRIED UNANIMOUSLY


Melissa Creech, Clerk
Charter Township of Commerce