

**FINAL  
CHARTER TOWNSHIP OF COMMERCE  
PARKS AND RECREATION COMMITTEE MEETING**

*Monday, August 22, 2022*

2009 Township Drive  
Commerce Township, Michigan 48390

**CALL TO ORDER:** Chairperson Petsch called the meeting to order at 7:02pm at the Richardson Center.

**ROLL CALL: Present:** William Petsch, Chairperson  
Johnny Walker, Vice Chairperson  
Barbara Garbutt, Secretary  
Bob Berkheiser  
Krystal Schwartz  
Ron Krueger  
Laura Waterworth

**Also Present:** Emily England, Director of Senior Services/Parks & Recreation  
Allison Kennedy, Asst. to Parks & Recreation Director  
Mark Schoder, Maintenance Director  
Larry Gray, Township Supervisor

**COMMUNICATIONS:**

None.

**APPROVAL OF MINUTES:**

**MOTION** by Walker, seconded by Krueger, to approve the July 25, 2022, Parks and Recreation Committee Regular Meeting Minutes

**MOTION CARRIED UNANIMOUSLY**

**PUBLIC COMMENTS**

Chairperson Petsch opened to Public Comments.

There were no comments.

Chairperson Petsch closed to Public Comments.

**ITEM 1: LEAGUE AND COMMUNITY SERVICE ORGANIZATION REPORT**

**Friends of Byers – Karen Schantz**

- We just came through our vintage event.
  - We did well, but attendance was down about half. We counted about 400 people coming in.
  - All the vendors did very well and they were pleased.
  - It was amidst a COVID outbreak, so we had no food truck, no porta-potty delivered. Three vendors pulled out because of COVID.
  - Other than that, it went really well.

- The vendors will come back again next year. We had 19 in attendance of the 22 slated.
- Plus, Art on the River and Byers are bonded by HVAC, so they attended. We help them and they help us. It's nice to partner with that group.
- Upcoming now will be Boo-Bash, October 22<sup>nd</sup>.
- We will also help out at Trunk-or-Treat at the Library on October 29<sup>th</sup>.
- The barn is moving along well. We're planning on doing the front wall at the end of September.
- We'll also do the back lean-to area. It's really bad. The guy we hired to do it 10 years ago used pine and it rotted out.

Ms. Garbutt – Karen, do you think some of the down time for the attendance at the vintage even was because you were competing with Milford Memories?

Ms. Schantz – For the first time, Milford Memories extended their time from 12pm to 5pm. I tried doing it the week before them 2 years ago, and it was a total bust. We do outreach, but we don't know if it was a scare of the weather and people not wanting to travel. Everybody still made good money and we have awesome vendors. The majority of the vendors we had were all from Commerce.

We also have a group of women that are working on joining our group, so that as we grow older, there will be people who can continue on and keep Byers going. I'm excited. They're coming to our meeting this Thursday.

#### **Motor City Mountain Bike Association – Mike Kearney**

- The park is looking really good.
- Back in early July, we did our bi-annual clean-up. We cleared out the two-track and widened it back out. It's in pretty good shape.
- Sarah Vano came in and talked about Little Bella's. They came out twice in July to Hickory Glen and they loved it. It went really well. They're based out of Milford. They will probably come in and ask to do it again next year, potentially more than twice.
- The trail is in great shape and the despite lots of rain recently, the trail weathered it well.

Director England discussed the BMX track in Victory Park with Mike Kearney.

#### **Windmill Farms (Horse Farm) – Carrie Hancock**

- We just finished up our last week of summer camp.
  - It went well.
  - We tried something a little different. We did Introduction to Middle School Equestrian Team to reestablish the younger population riding. We had some attendance on that, but I think it's a little specialized.
  - It wasn't as broad as it could have been. I think we may promote that more once kids go back to school.
- Concerts in the park went very well.
  - Bob and I talked about bringing the pony up there and I was worried about getting mobbed. I did get mobbed in a good way. I have to say, the age group of the kids up there are primarily pony ride age.

- We passed out coupons that advertised our Open House; one at the end of August and one at the end of September. So that's for our pony riders, but just not even bringing them to the farm, promoting them, I think the activities we had there had educational aspects to them. Kids were hands-on brushing the pony. They'd get a sticker, or we had specialized Windmill Farms horses with our business information. So, they did an activity, they brushed the pony. Some of the kids were back and we had multiple activities.
- It was a great opportunity. We will see who brings back coupons, but they had a lot of fun interacting with the pony there onsite. The way I see it, the Concerts in the Park aren't just concerts – it looks like you're trying to showcase Commerce Township and it made sense. It made sense what we did with the ponies there and the activities.
- We continue to do lessons 7 days a week.
- We have Pink Derby; it's a local horse show fundraiser we participate in. That was last weekend. We had a decent turnout for that, but the whole thing was down. We're trying to fill things back up. The horse show was about half of what it typically is and it's usually a major event in Milford.
- We have our first high school equestrian meet over at the Milford field. As I mentioned before, we have Open Houses coming up:
  - August 28<sup>th</sup>, 3pm-5pm
  - September 25<sup>th</sup> 3pm-5pm.

Mr. Berkheiser – What are you doing at the Open House, Carrie?

Ms. Hancock –

- Typically, we offer pony rides.
- We'll have an opportunity for them to sign up for some kind of discount for lessons
- A lot of hands-on stuff.
- A lot of times they like to look around; here is where the horse lives, here is his stall, show them the equipment, whatever the interest is.
- They can pet the horses, and pet and brush the ponies.
- They pay to ride.
- We'll have information on different programs, High School Equestrian, Middle School Equestrian, and anything we have coming up will be posted.

Mr. Berkheiser – How are you advertising that? Does Emily have that info so it can go on our website?

Ms. Hancock – Emily, did you post that?

Director England – I need a flyer.

Mr. Berkheiser – We may have access to the new billboard out on M-5. Things like those events can be promoted, even directly to the schools depending on the age you're looking for. School will be in session. So, I'm just curious what your advertising plan is.

Ms. Hancock – We get a lot of calls for pony rides. We don't have those available on a pop-in, drop-by. So, a lot of the stop-by weekend people, we say, *Hey, come back on one of the Open House dates.* We give them the date to come back for that. We do have the coupons and we've been passing these around. It's a dollar off; they're our Windmill Farm bucks. We can, whatever you want to put together, if you want a flyer for it.

Director England – We need a flyer with all the information; date, time, what you're going to do.

Ms. Hancock – Okay, I can get that to you. Otherwise, it has been word of mouth, the coupons, and whatever you want to post. I will tell you, our one for September is probably going to be a bigger one with more opportunity, just because the one in August is immediately following our equestrian team meet.

Mr. Berkheiser – But when you say pony ride, to me, that means little kids, 3-year-old, elementary school.

Ms. Hancock – All ages.

Mr. Berkheiser – I don't see high school kids doing a pony ride. I'm not sure who you're reaching out to.

Ms. Hancock – I understand. We give pony rides there. We may even do introductory lessons. Sometimes we offer that. They will have an opportunity to meet and greet the instructors, have some riding demonstrations and then also sign up for the activities. Usually the high school and middle school teams have something set up to show what their equestrian teams are all about.

Mr. Berkheiser – How many do you usually get that show up to an open house?

Ms. Hancock – It depends. I didn't get a count of the last one. We've only done the one this past spring, and there's one coming up in August.

Mr. Berkheiser – The one coming up in August is like a week away, so it's not likely we'll be able to do much advertising. So, if you would-

Ms. Hancock – All that's been word of mouth.

Mr. Berkheiser – What I'm getting at is, keep track, if you can, how many. Then, if we make an effort to advertise through the schools or whatever, then you can compare September.

Ms. Hancock – Yes, it's a 2-hour Open House. I guess we have to plan on how big a crowd you want to have come in there, or what's appropriate for the event. We gauge our promotions along those lines too. I don't know that massive advertising everywhere...

Mr. Berkheiser – Are you just trying to get 10 people?

Ms. Hancock – Something like that, probably 50-60 people is a good number.

Mr. Berkheiser – Okay.

Ms. Hancock – Sometimes you can over-advertise or over-promote and not be able to accommodate people appropriately.

Mr. Berkheiser – I get that, but if you're expecting 50 or 60, that sounds like a lot to me.

Ms. Hancock – It would not be for August; we're not promoting that as strong as the September one, just because staffing is going to be shy in August. Plus we wear our kids out the day before because that's when the meet is, so I know people who said they would not be able to participate.

- I'll go onto our maintenance.
  - All of our fenceposts have been installed.
  - About 85 of them had to be dug by hand. Those are all done.
  - We're ready for more if there are more available.
- We're starting to prepare to ride indoors coming up, because the weather is changing.
  - We need to get the arena surface up to par.
  - There are some repairs that need to be done to the roof, and that will help with that.
  - Ideally, that can get done by September/October so by the time we're indoors, it's all done and we're not in cold weather doing that.
- We also had Tom Guthrie from MSU come out to help us with the manure management plan; looking to compost what we produce in a short period of time and make it a marketable product on a more immediate basis. We have some follow-up to do with him. We had a basic report on it, and we've got more information to find. A lot of it has to do with testing the product, what we have, and how to accelerate the process.

Director England – What are we going to do with the pile that's there?

Ms. Hancock – Well, actually I did have the guy come out. One of the things the guy recommended doing is to separate the new manure from the composted manure, which is that berm. We did have somebody come out and separate that. Wednesday I go to the class to show us how to do the composting. I've done some research on it and primarily, it's setting up a 3-part process. You take your green manure out, dump it in a specific area. Two or three weeks later, you can dump it over to your secondary area, and then two to three weeks later, you dump it in your third area. By the time it gets there, it's a marketable, finished product, which is like 2-3 months with active composting. Right now, we do passive composting and it takes 3-6 months to make it marketable.

Director England – So you have to get approval to move forward with the composting.

Ms. Hancock – Yes.

Director England – But the current pile was supposed to be removed.

Ms. Hancock – Okay, so as far as that goes, there was a couple of options that he suggested for that. All that was bermed up because that's where it can be removed by the guy that comes in and does it. He needed 1,000 yards, and it's ready to go. The other thing he suggested though is in some of the poor areas of the pasture, that could actually be spread now because now it's compost. It's not green manure, and it's topsoil, so they spread that out and reseed it in some of the areas that have been over-graded.

Director England – So do you have a date or a plan?

Ms. Hancock – No, that's the second part of it. As I said, the first part of the plan is the preliminary information, now I have to do some more information gathering, and meet with Tom Guthrie again, then we'll have more pieces to the puzzle.

Director England – That's what I'm saying though, Carrie, the composting has to be approved. Per your contract right now, the manure is supposed to be removed. It's the Township's understanding that the manure will be removed. If you're interested in manure composting, you need to go to the Township Board, present a plan and get approval, because that would be an amendment to your contract.

Ms. Hancock – Yes, and that's what we're working on is putting a plan together, and this is where we are the process.

Director England – Do you have a contact that you can get a date for removal of the current pile?

Ms. Hancock – I can look at that, or it may be practical to put it onto the pasture to improve the ground. One of the things he suggested doing was mowing everything and testing the soil. We spent three days mowing the entire property, so all the pastures have been mowed. We need to do some testing to see what areas would benefit from that. I can guess on some of it, but we'll do testing to determine that. A lot of that can just be used to improve the soil, or sold. It depends on the timeline, who gets the equipment in and what we can get done.

Chairperson Petsch – Do you have a manure spreader onsite?

Ms. Hancock – I don't. But for something like that-

Chairperson Petsch – My question then is, how is that going to happen if, per your contract, it is supposed to be removed, and you don't have a plan, nor a contract with anybody to spread that manure? What we're asking is, how are you going to get rid of it? And in the near future, not in three months, not waiting until spring, as it is supposed to be gone now.

Ms. Hancock – Right, so I don't have a date for somebody to come in. I have people that are interested. As far as spreading it, for that volume, I would just hire somebody to come in and do the whole thing at once. In the past, I've reported what we've been doing and that has been ...

Director England – Not in regards to manure, and I would say that in order to spread it onsite, you would need to make a request to the Horse Farm Subcommittee to do that because your contract states *removal*. So send me something in writing that you are requesting to spread it.

Ms. Hancock – I guess the distinction is, the green manure is a different product than compost.

Director England – But I'm not worried about the compost or the future. I'm worried about the pile that's there now and that's what we need to address.

Ms. Hancock – You're talking about the berm.

Director England – Correct, and your contract says *removal*. If you're asking to have it spread, then you need to make a formal request to ask for that to be spread instead of removal.

Mr. Schoder – Can we use some of that compost in our parks?

Ms. Hancock – It's excellent. It's prime. The guy who bought it before was a landscape and he just [inaudible] he put in with it.

Mr. Berkheiser – If you're talking about putting it around the trees and if you smell it every time you walk by...

Ms. Hancock – It doesn't smell. It's compost. It's because all the composting has to do with the nitrogen-carbon ratio, and it's interesting because we use hardwood shavings which compost differently than pine shavings. The ratio of our hardwood sawdust to manure with a little hay mixed in, it's actually a very good mix and produces a high-quality compost, and it doesn't stink.

Discussion continued regarding composting and the quality of the product.

### **Commerce Little League – Paul Kammer**

*An emailed report dated Thursday, August 18, 2022, was submitted in the packet.*

- *Commerce Little League will be hosting our 2022 Fall Baseball League with over 250 participants. This will run from Labor Day through Halloween.*
- *We haven't determined any additional work for the Fall or Spring 2023, but will be discussing over the next few months at our Board Meetings.*

### **Lakes Athletics – Matt Morelli**

*An emailed report dated Thursday, August 18, 2022, was submitted in the packet.*

- *We are registering now for Fall league starting after Labor day and will have weeknight and weekend events.*
- *Sharing F7 and F6 with Hawks football.*
- *Also need support for damaged irrigation system due to cement pads and parking lot makeover.*

Director England – Regarding the Lakes comment on the damaged irrigation system; the contractor will be taking care of that as it relates to the parking lot makeover. As far as the rest of the irrigation system, it was only noted that one head could have possibly been damaged by the cement pads. Bob and I have a meeting with Lakes later this week.

Chairperson Petsch – Make sure we get a report back on that please.

No representatives were present at the meeting for the following leagues:

- CW3 Soccer
- Interlakes Girls Softball
- Lakes Area Hawks

## **ITEM 2: TOWNSHIP BOARD REPORT**

Mr. Berkheiser provided the following:

- We had an exciting meeting last week.
- We had a presentation from our architect regarding 8585 PGA, the outbuilding at Township Hall that we own. It is being redone into our Commerce Township Sheriff's substation. We're moving along with that.
- The gun store in that building will be a tenant. That lease was approved. We may have one other space that we will lease out. The Sheriff's Department will take half of the building.
- We approved some easement rights for Proud Lake Estates on Sleeth Road. At some point, the water and sewer will be expanded out to that area.
- Mark Schoder was approved to purchase two mowers for the Maintenance Department.
- We are in the process of updating our Master Plan for the entire Township. That is a long process and we hope it will involve the whole community. We're moving forward and the Board received initial feedback.
- As you may be aware, the Board approved the Byers quote. The house will be stabilized, painted and the roof will be done. The total for all three is about \$45,000, which is a lot less than the original quote, and a lot more work being done. We will see that moving along.
- The other item that came up is a petition policy for the Library, which was approved. This will also be on our next discussion session as we look at the matter Township-wide in the ordinance.

Discussion continued regarding the policy, solicitation, protecting First Amendment rights, and also preventing others from infringing on the rights of visitors to the parks.

## **ITEM 3: PARKS AND RECREATION DEPARTMENT REPORT**

Director England discussed the following:

- Hickory Glen is in the final stages.
  - They're just doing some clean-up work over there and putting in the split-rail fence.
  - I'll go over and check out the site, but that project turned out wonderful.
  - The contractor did a great job.



- Pickleball Courts at Richardson Center –
  - The same contractor from Hickory Glen is now working out here at the Richardson Center.
  - They have been great to work with.
  - The goal is to have all of the groundwork here done by Labor Day.
  - The fence, pavilion and benches all have a heavy lead time. It has all been ordered and will be installed upon arrival, hopefully by the end of September.
  - The pickleball courts will be in, with asphalt and nets.

Mr. Berkheiser – You can play without fencing?

Director England – Yes.

- We had the pathway addition around the building and then we got hung up on the stairs and ramp to the deck. That has all been worked out. We met with our contact at the County for CDBG. They're allowing us to use our original contractor who installed the decks. They should be here next week or so to get that finished.
- Bob already went over the Byers Farmhouse. Hopefully that will start soon and we can get a timeline on that.
- Things are thriving at the Senior Center with probably more participation than we've had in three years.
  - We started our trips back up and those have had huge popularity.
  - Lunches are also popular.
  - We're doing a concert this week.
  - We're going to try to add a program for the Seniors.
- We did hire a new girl, Melissa, and she starts on Monday. She will help out all over, but she is primarily going to be in the Senior Center.

#### **ITEM 4: PARK LIAISON REPORTS**

##### **Berkheiser – Wise Woods & Victory Park**

- There's not much going on at Wise Woods and Victory Park.
- The last few weeks, most of the parking has been on the paved side. I haven't seen a whole lot on the other side. I'm not sure when we're moving forward on that. When are we putting that out to bid?

Director England – The archeologists are done doing their field work. Once I get their report, I have to submit that. Once I get it back, it goes to the DNR. Everything will be turned in this year, but we won't know if we receive that grant until late this year. Then we need to set forth a plan. There are new opportunities with SPARK. I've taken the mindset to submit as many projects as I can. They're going to award \$15 million this year, and then do two rounds next year of awards up to \$65 million. I don't know anything else about it. Until I know if we got the grant, we can't bid it out, but the grant has been submitted.

Mr. Berkheiser – We will find out about the grant by the end of 2022, so we could bid it out in 2023?

Director England – Correct.

Chairperson Petsch – Are these matching grants?

Director England – The Land & Water we just applied for is a 50/50 match. SPARKS grants are not matching.

Chairperson Petsch – Where are we at right now on funds, just a ballpark?

Ms. Kennedy – With all projects, weren't we right around \$450,000?

Director England – About \$500,000 with the Byers House. So, about \$550,000 if we finished all projects approved by the Township Board, plus everything else that was budgeted, and we still have three years of capture, for '22, '23 and '24.

Chairperson Petsch – Okay, and we've pretty much covered our major projects.

Director England – I will send out a breakdown.

Mr. Berkheiser – That's it for Wise Woods and Victory Park.

### **Schwartz – Byers and Mill Race**

- Everything looks good at Mill Race.
- There seems to be someone parked there using the park all the time.
- A lot of workers from the dialysis unit walk over there in the afternoon.
- Byers looked great after the antique event.

### **Krueger – Dodge Park**

- I went by Dodge Park last weekend.
- There was an open house where they were using the pavilion.

Director England, Ms. Kennedy and Mr. Krueger discussed pavilion policies. All are first come, first served, with the exception of Scarlet's Smile. There is a sign up at Scarlet's indicating they can utilize one table per party. Mr. Krueger noted that the open house encompassed the entire pavilion at Scarlet's. Director England stated that would need to be reported to the police if they are occupying more than one table. Discussion continued regarding the party, which was a graduation or some other type of picnic. Signage was displayed and numerous cars were in the parking lot.

Mr. Krueger continued:

- Everything looks good at the park.
- We spoke about the Library.
- There are some maintenance things that we can talk about later.

Mr. Schoder – Yes, we picked up some of them.

Mr. Krueger – I'll be happy to provide a list. I think fall soccer will be starting soon.

Mr. Berkheiser – Is the pavilion up over there?

Director England – It's here. Jay just got the structural engineering plans, he just approved.

### **Petsch – Bicentennial Park**

- Nothing to report.

### **Garbutt – Long Park & Snowy Ridge Park**

- Long Park looks pretty good, except around the road.
- The grass needs to grow.
- There are some other things that Mark and I have talked about.
- Usually about this time of the year, there are some people who volunteer to come in and clean the park. I have to catch up with them.
- Mark and I also talked about a couple things to be done at Snowy Ridge.

Mr. Berkheiser inquired about surfaces of the entrances. Director England noted that when the parking lot is redone, it will all be asphalt. Discussion continued regarding paving the pathway and the busy parking lot. Director England added that she and Jason Mayer have a meeting with the RCOC on Wednesday morning regarding the pathway location. It is a challenging wetland area and needs to be viewed onsite so they understand why it is being located where it is proposed.

### **Walker – Maple Glen & Windmill Farm**

- I've been through Maple Glen a few times in the last couple weeks.
- It was very busy all three weekends.
- Everything looked really good.

### **Waterworth – Hickory Glen Park**

- As Emily said, the entrance and parking lots look pretty nice. The fence looks good also.
- It was busy last weekend.
- There are some new trees I'm keeping an eye on. They look dry.

Director England – They have a year warranty.

### **ITEM 5: VILLAGE OF WOLVERINE UPDATE**

Ms. Waterworth discussed the following with the Committee:

- This weekend, on Saturday, they have a benefit concert at the beach from 6:00-9:30pm.
- The corn roast is 12:00-5:00pm on Saturday, September 10<sup>th</sup>
- There will be an Oktoberfest on Saturday, September 24<sup>th</sup>. More details to follow.

### **ITEM 6: MAINTENANCE DEPARTMENT REPORT**

Mr. Schoder discussed the following with the Committee:

- We got a call for a bathroom door at Scarlet's that wouldn't lock. It was out of line and we fixed it.
- The baseball fields at Hickory and Maple; the outfield fence lines are all clear. We can get a lawn mower through them all.
- The hot water tank at Maple has been replaced.

- We had vandalism at Scarlet's on some of the play equipment. Emily has a quote for replacement equipment.
- We replaced about 30-40' of split-rail fence at Byers. It had been missing for a long time.
- The large tree finally fell at Byers and we took care of that.

#### **ITEM 7: BMX TRAILS – VICTORY PARK**

Director England discussed the following with the Committee:

- I requested Nick O'Day's attendance.
- I have included in your packet the meeting minutes from September 2021, the last time that he came to the Park Committee.
- Since then, Larry has had some complaints from residents that land manipulation has been happening over there. Mark took some of it down, but since then, more has happened.
- Larry has reached out to Nick. We requested him to be present at this meeting, which he is not.
- He was instructed last September that, if this was something he wanted to do, that he needed to create a user agreement, if the Parks Committee thought this could be a benefit, a recreational opportunity. We don't typically do user agreements with individuals, so he was instructed to check into developing a 501c3 and possibly reaching out to the MMBA.
- So, how do we move forward?

Mr. Berkheiser – For the MMBA, is there a division of the larger group that is BMX biking?

Mr. Kearney – No, not really. It kind of gets rolled into the mountain biking, because there really aren't any other active organizations that do what we do. Most BMX-type courses you see are either run by municipalities or by a larger, for-profit organization with very different insurance requirements. When I found out it was there, I floated it past our board that if we were to ever build trails there, how would this fall into that. I think the biggest concern is the insurance aspect.

Director England – So, he has filled sandbags and created more height to his jumps. At the end of the day, it's Township property and we don't allow people to just go in and manipulate our land. Since we purchased the property, all development was supposed to stop, and that has not happened.

Ms. Schwartz – Wasn't it difficult for us to completely remove everything?

Mr. Schoder – If we get the skid steer ... We've removed a lot of wood and sandbags already on two occasions now, but they keep coming back.

Supervisor Gray – Personally, I think it's a cool project. When we found out about it, we reached out to him. He came to the Committee back in September. He said he would work with BMX folks, but then he went silent. We took down the structures he had built. He started building them again without reaching out to us. I sent him two emails.

Director England – I told him he needed to come before the Parks Committee again because we have complaints that the land has been manipulated again. He said, “That’s a possibility.” He knew he was not supposed to be doing it.

Supervisor Gray – I’ll reach out to him again.

Director England – I followed our phone call with an email and all of the meeting information. He had a copy of the minutes you have in your packet. I told him to let me know if he had any questions, and I haven’t heard from him.

Discussion continued regarding removal of the structures, how to manage the project if it were to continue and who would manage it, the requirement for a 501c3 organization, liabilities, sending a “cease and desist” letter, enforcing the ordinance, posting the prohibition, preventing land manipulation in the future, and consulting with the attorney on these and future actions.

Mr. Kearney noted that the trail has zero emergency access. Ms. England would be happy to reach out to other municipalities to inquire about how they operate their BMX tracks. Mr. Kearney spoke about professionally designed tracks, insurance and liability, and the need for emergency vehicle access.

Ms. Waterworth noted that Mr. O’Day needs to be put on notice. It’s a good idea, and he was given an opportunity. If this is something that we want to do for our parks, we can think about that in the future, but it has to be put into place the right way. Director England questioned the current design; there are some kind of standards that are not being met as it is not professionally designed.

Chairperson Petsch – I’ll make the recommendation that we follow up with a letter to Mr. O’Day, to say, *You’ve been invited to our meeting. You chose not to come. We are now asking you to discontinue manipulation of the park.* Then we can take a look at it, get some pictures and determine if we need the skid steer for Mark to tear it down.

Mr. Schoder – It’s pretty big. It’s not made with a shovel.

Director England and Mr. Schoder discussed scheduling.

Mr. Berkheiser – I think you send the letter that states, *You were asked to show up and you haven’t shown up. You’re in violation of the Commerce Township Zoning Ordinance (reference the ordinance number). Please stop or you run the risk of being cited or arrested. If you’re still interested in this project, contact the Director and come back before the board.* He needs to meet the requirements we talked about. Give him until September to do that. After that meeting, if he still has not shown, or if there is still activity, then we can discuss bulldozing. It has been a year and he has done nothing, except go back out to rebuild it.

Ms. Waterworth – I would say give him until the September 2022 meeting to present something to the Parks Committee, and to move forward with the appropriate organization. Then we can discuss taking it down.

Mr. Krueger – Cease and desist now, and then if he doesn't do anything by September, then we'll start removal. That's more than fair.

**MOTION** by Walker, supported by Schwartz, to send the "Cease & Desist" letter to Mr. Nick O'Day, regarding the BMX Trails in Victory Park, with notification that if he doesn't provide something to the Parks Committee by the September 26, 2022 meeting which shows proof of 501c3 status and insurance, then the BMX Trails and structures will be removed.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 8: BYERS HOUSE**

Director England – Karen requested this be on the agenda. I will let her explain what Friends of Byers is looking to do.

Ms. Schantz – Since Sam incorporated the roof in his scope of work, which we were going to do, it was my suggestion to Emily that we take on the flooring in the kitchen of the farmhouse. I requested a bid from Sam to repair the floor, which is clearly sloped. The flooring guy that he deals with will come and do the estimate for the floor itself. We will do it historically and bring it back to a tiger oak floor for that period of a farmhouse. Sam will meet Dean there this week. In addition, the parlor has that tapestry. It has dry rotted so badly. We'd like to restore that floor underneath also.

Mr. Berkheiser – Is there any historical significance to the tapestry?

Ms. Schantz – No, it was an add-on by June Byers in the 40s. The oak flooring underneath is original. She also painted the dining room floor. We're going to strip that and bring it back to natural too.

Mr. Berkheiser – Did we have a historical guy look at this?

Director England – Ron Campbell from the County.

Mr. Berkheiser – I would say, if he's aware of that, and if there's not some historical significance to it, I personally have no issues with that. And, it's not a cost to the Township.

Chairperson Petsch – I agree. Get the bids and bring them back.

Discussion continued regarding the flooring restoration and improvements. Ms. Schantz elaborated on the need for a contractor who understands the house, its history and the period of historical value to the Township.

Mr. Berkheiser – Since we're spending thousands on this place, what do we do for humidity? Do we have little dehumidifiers in there?

Director England – Yes.

Mr. Schoder – And a humidifier in the winter.

Mr. Berkheiser – Are we insulating the roof or just repairing it?

Director England – There's no insulation.

Supervisor Gray – That's not part of the bid.

Discussion continued regarding the forced air system, heating costs, the temperature maintained in the farmhouse, adding insulation to lower heat bills, and how much weight/snow the roof can hold. Removal of the chimney was also suggested as it is not being used and it is causing water damage.

### **ITEM 9: PARK POLICY**

Director England discussed the following with the Committee:

- This is back on the agenda to lead into the next discussion regarding the ordinance.
- On the first page, firearms and hunting, that is going to have to be removed as it will be changed in our ordinance. We want to make sure that this policy has consistent language with our ordinance.
- Pavilions; on #11, Bob and I had a talk earlier today about audio recordings.

Mr. Berkheiser – Let's back up a notch as I have a question on #10. When we ask for a certain thing from nonprofits, what is the tax form that nonprofits have? Whatever that form is, I'm asking that be included in that language. That is supposed to be given to us annually.

And then #11, megaphones, recordings or something loud, I know we have an ordinance that has decibels information in it. I'm wondering if we should just pull recordings out, so *any audio*, as opposed to audio with recordings. I think the intent there had to do with CD players, radios, et cetera.

Director England – So somebody is not just blaring music.

Mr. Berkheiser – Yes, I think that would cover music, and also megaphones.

Director England – Larry, do we have a sound ordinance? Has there been any talk about establishing one?

Supervisor Gray – I would love to do that. Our Ordinance is a certain decibel for a certain amount of time.

Mr. Berkheiser – Correct.

Supervisor Gray – I'd like to see something with a cutoff time.

Mr. Berkheiser – In #12, it says something about, *No person shall ... make improper noise*. I'm not sure what that means.

Ms. Kennedy – Most of these are either our ordinance, or it came from surrounding communities' parks policies.

Mr. Berkheiser – That's fine. I think we need to clean up the ordinance and then have our policy follow the ordinance.

Director England – I agree.

Mr. Berkheiser - #13 talks about placards, hand bills and other stuff. We had this discussion about First Amendment rights. I'm not sure about hand bills and telling people they can't do that, and where that falls. I'm not sure where that even falls in the ordinance, but if we're putting it as a policy, we ought to ask the attorney.

Director England – It should be in the solicitation ordinance.

Mr. Berkheiser – Okay. And I asked about signs; I know some of our baseball fields have signs all over them for advertisement and support. I don't know if that fits in there or not. I know we seem to be going back and forth on pavilion use. On #14, we have all this information about field use. I'm wondering whether it should be field and pavilion.

Ms. Kennedy – So there was a separate pavilion piece of it when we initially started this, because we were talking about rentals. Once it all came down to the fact that we didn't have staffing or a way to monitor it, the pavilion piece of it came into this. We have standard language for all pavilion phone calls and emails, they get the same verbiage. We can even just put that in here. Our verbiage is; *All pavilions are available for use on a first come, first served basis. You cannot restrict the use of the pavilion or picnic tables from other members of the community that may also be using the park. With the exception of Scarlet's Smile ...*

Mr. Berkheiser – I think we should have something in there so that what you're telling people is backed up by the policy.

Director England – We'll add that general language back in.

Mr. Berkheiser – We do have speed limits so we might discuss that under trail etiquette, or it might fall under 19.a. The animal one needs to match our ordinance. We had something about fishing, that it's catch and release. I'm on #17. Since we're redoing all of it, it needs to match. The ordinance talks about catch and release, but we own that little pocket park at Union Lake. Are we telling people you can't fish there and keep the fish? We need to have an exception in there for Union Lake.

Director England – Okay.

Mr. Berkheiser - #18, E-bikes; that's been discussed over the past couple months.

Director England – Currently, in our ordinance, E-bikes would not be allowed. It says no motorized vehicles.

Chairperson Petsch – So we include the E-bike.

Mr. Berkheiser – I've talked with several other people that have E-bikes. One suggested not necessarily talking Class 1, 2, 3, because how are you going to know what class it is. He said just do something like, *All E-bikes must be used in pedal assist mode*. So no throttle, just pedal assist mode, and then put our max speed. I don't think we put a range. We pick a speed, 14mph, or something weird that stands out.



Director England – Our Sheriff said not to go over 15mph.

Mr. Berkheiser – I was doing 15 and it's pretty quick. My preference is to keep it around 12 to 15, but it shouldn't be over 15.

Ms. Schwartz – We just got E-bikes. There's nowhere on the bike that distinguishes between Class 1 or 2. I had to look at the actual paperwork.

Mr. Berkheiser – Do you have a throttle?

Ms. Schwartz – Yes.

Director England – But if it's in pedal assist...

Discussion continued regarding pedal assist being applied to any and all E-bikes, establishing and posting a set speed limit, enforcement, coordination with the Airline Trail, and incorporation of the regulations in the ordinance. The E-bike ordinance needs to be very specific, and should stipulate that nothing gas powered is permissible.

Mr. Kearney – The ordinance currently states, motor-operated bicycle. I have it posted for our mountain bike trails, because we would like to keep those restricted as they are currently.

Director England – I think it needs to be only on paved paths.

Mr. Kearney – I think the Kensington and Milford speed limits are 10mph.

Discussions continued regarding enforceability, potential accidents, following suit with local speed limits at 10mph, allowing only electric bicycles in pedal assist mode, specifying prohibitions on golf carts, scooters, segues, hover boards, et cetera.

Mr. Walker – You have to say, *2 to 3-wheel bicycles that are able to be pedal assist...*

Director England – How about we assign a job. All Parks members, can you please do research on the current trend of E-bikes? Before we jump on the bandwagon.

Mr. Berkheiser – You just need to be in pedal assist. If you can put a hover board in pedal assist...

It was noted that segues and scooters are not pedal assist.

Ms. Waterworth – By using the terminology *pedal assist* and *bicycle* then that's what you allow.

Mr. Walker – *A 2 to 3-wheel bicycle that has pedal assist, and the maximum speed limit is 10mph.*

Mr. Berkheiser – I don't have a problem with 10mph, but I don't know what the Airline Trail is.

Ms. Kennedy – They don't have a speed limit at all.

Director England – They have their own regulations.

Mr. Berkheiser – I think if we have an ordinance, it would apply in Commerce Township.

**ITEM 10: TOWNSHIP ORDINANCE**

Ms. England – I wanted you to look through the ordinances. We have smoking and firearms. We need to address the nonmotorized.

Mr. Berkheiser – I'm confused on what ordinances we're looking at.

Ms. England – The first three pages is our Lands Control ordinance. The next section, Section 34-52, this is the updated version of only that section that includes the language about wildlife and some other items.

Mr. Berkheiser – Drone is in, so I guess that has been decided. The other question I have, with all the stuff we're doing with Dodge Park, should we remove alcohol as being unlawful within Dodge Park? I don't have a problem with keeping Mill Race. We allow alcohol in every other park in the Township. Should we strike K. completely?

Director England – I don't know why it was only those two parks.

Discussion took place regarding past issues in the parks, especially at Dodge Park and Mill Race. Chairperson Petsch recommended striking the alcohol prohibition completely, and Mr. Berkheiser agreed. Supervisor Gray questioned alcohol at Scarlet's Smile playground. Discussions continued regarding enforcement and setting spacing or distance requirements, such as with the smoking restrictions. Director England would consult the attorney in this regard. Mr. Berkheiser noted that alcohol is not permitted in the State parks. Chairperson Petsch noted that there haven't been any issues at the ball parks, concerts and other events.

Mr. Berkheiser – L. addresses fishing, except Union Lake maybe? I don't know how you want to word that.

Ms. Kennedy – You want it to be more than catch and release.

Mr. Berkheiser – It's a big lake and they're not fishing out of a little pond.

Director England also discussed Reed Lake with regard to fishing regulations.

Mr. Berkheiser – Are we done with that ordinance?

Director England – Yes, and now we're onto the solicitation piece. I think we need to have a general idea of what it is we're looking for and have the attorneys massage this language.

Mr. Berkheiser – This came up related to the Library discussion, and I asked Emily to throw this on the agenda. Since it will also be reviewed by the Township Board at our

October discussion, I guess we'd like to have your thoughts as we think this over. My question is, when it talks about solicitation and it says, *Your printed words, gestures ... with a goal of obtaining donation of money or other thing of value.* I think my signature is of value, or should we add something in there like that? It will go to the attorney to determine what we can and can't say.

We've seen this in front of the Library. We may see people walking through the parks trying to get people to sign petitions. Personally, when I go to the park, I'm not looking to be asked to sign a petition. A lot of it will depend on what the attorney says and whether we can put up signs that say "No Soliciting". This ordinance says you can't do it within 15' of any entrance, but it also says it's a bank or automatic teller machine. Can you add park, public playgrounds, et cetera, and what is the appropriate distance?

It does have the audible sound in here of 55 decibels in residential areas, 65 in commercial and 70 in industrial. The intent of that is that you're not disturbing vehicles, pedestrians and bicycles.

Director England – The biggest thing that I gathered out of the Library policy was the idea of somebody setting up a table outside their building. I don't think we allow people to set up any kind of structure. I think maybe we increase the 15'. We don't want somebody sitting under the pavilion at Scarlet's and approaching every single person that comes there, but I don't think we can tell them they can't be in the park. Is it 30' from any ...

Mr. Berkheiser – What's is smoking, 50'?

Director England – 100'.

Discussion continued regarding a petitioner who was present at the Byers vintage event, landmarks to set distances from, and solicitation regulations on election day which are set at 100'. The smoking policy is, *100' from any buildings, facilities, structures, including pavilions, ball fields, bathrooms, concession stands and playgrounds.*

Mr. Berkheiser – What's the overall goal? Ideally, we don't want people in the park to be bothered by solicitors, but I think you have to weigh that against First Amendment rights.

Ms. Waterworth – The only concern we have right now is at the Library?

Director England discussed other requests that had been received. They can be stopped from setting up stands or tables in the parks. No structures should be set up at all. She would consult further with the Township Attorney on establishing solicitation limitations in the policy and/or in the ordinance.

#### **ITEM 11: OTHER MATTERS**

Mr. Berkheiser inquired about the following three items.

1. Budget Date

- After discussion, the **Parks Special Budget meeting was set for Monday, August 29<sup>th</sup> at 5:00pm at the Richardson Center.**

2. Oktoberfest, are we still moving forward with that?
  - Director England replied no. The Holiday event was planned instead.
3. Transit Millage –
  - The Board is meeting tomorrow to talk about the transit millage that is going to be on our ballot.
  - Larry can give you information, but Commerce Township is going to join several other Townships in western Oakland County to oppose it or to challenge it, mainly because we will be paying over \$2 million of Township tax dollars that will go to Oakland County and we won't get anything back out of it.
  - Right now, People's Express is not an eligible vendor, so the service we currently provide couldn't be paid out of our tax dollars. I think we'll get one bus stop in the southeast corner of the Township.

Ms. England – And SMART won't service us anyway because we were an opt-out community.

Mr. Berkheiser – So there's a lot of questions, but then there's also not much information coming from the County, although they approved to have it go on the ballot. We just ask you to look that over so that you're familiar. It's a big issue for us.

Director England – It's a .95 mill.

Discussion continued regarding the proposed transit millage and how it impacts Commerce Township services and tax dollars. Mr. Berkheiser noted that Commerce Township won't get the full share of its money back, and the community will be forced to use other transit authorities that did not previously provide good services. People's Express does a really good job, but Commerce Township won't be able to use them anymore if the proposed millage is approved.

**The next Parks and Recreation Meeting will be on Monday, September 26, 2022, at 7:00PM immediately following the 6:00pm Park Tour at Mill Race & Byers Farm.**

**ITEM 10: ADJOURNMENT**

**MOTION** by Krueger, supported by Walker, to adjourn the meeting at 8:54pm.

**MOTION CARRIED UNANIMOUSLY**

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Barbara Garbutt, Secretary