

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

April 8, 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
Molly Phillips, Treasurer
Robert Berkheiser, Trustee
Robert Long, Trustee
Rick Sovel, Trustee
George Weber, Trustee

Absent: Melissa Creech, Clerk (excused)

Also Present: Hans Rentrop, Township Attorney
John Kummer, Township Attorney
Jason Mayer, Giffels Webster Engineers
Lt. Wendy Reyes, Oakland County Sheriff's Office
David Campbell, Planning Director
Jim Dundas, Fire Chief
Emily England, Parks and Rec/Senior Director
Jay James, Building Official
Alyson Lobert, Library Director
Debbie Watson, DDA Director

MOTION by Sovel, supported by Berkheiser, to appoint Molly Phillips as Temporary Township Clerk during this meeting due to the absence of Melissa Creech.

MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES

MOTION by Sovel, supported by Berkheiser, to approve the March 11, 2025 Regular Township Board Meeting minutes, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS

A. Service Resolutions

Emily England, Parks and Rec/Senior Director, read aloud the Resolution honoring Babara Garbutt for her 37 years of dedicated service as a member of the Charter Township of Commerce Parks and Recreation Committee.

Supervisor Gray presented the Resolution to Barbara Garbutt.

Emily England, Parks and Rec/Senior Director, shared a video on the overhead screen on the accomplishments of Pete Lesner and the Lakes Area Hawks Football. She read aloud the Resolution thanking Pete Lesner for his 30+ years of dedication as President of Lakes Area Hawks Football; the first youth football team in Commerce Township.

Bill Petsch highlighted some of Pete's accomplishments throughout the years as it relates to the Lakes Area Hawks Football. Pete took it upon himself to mortgage his own home to finish constructing the football field in Commerce Township.

Supervisor Gray presented the Resolution to Pete Lesner.

Trustee Long said Ms. Garbutt has been a member of the Parks and Recreation Committee since it was formed in 1986. She has been involved with several organizations such as the Breakfast Committee, Library, retired Principal of Commerce Elementary and various other community committees. Ms. Garbutt was on the Parks and Recreation Committee at the same time Bill Petsch was Chairman. Pete Lesner appeared before the Parks and Recreation Committee and mentioned how much money the schools were going to charge them to use one of their fields to play football. He came up with a plan for a football field in Commerce Township and the Committee endorsed that plan.

B. 5 & Main Presentation

Bruce Aiken, Developer, gave an update on the Five and Main project. The project is now under construction. He is pleased that Continental Properties can perform in a difficult economic environment. Leasing the first apartments to tenants is slated for late summer of 2025. Infrastructure continues to move forward and the sewer is complete. Working on the design of the light on Pontiac Trail; this should be complete in the next month or so. He had discussion with the Planning Commission last night on how we can move forward in an organized manner. Development of a 12,000 sq. ft. retail building (100% leased) next to Dort Credit Union will begin next month, provided steel is available. Working on financing, then construction. Because of Continental Properties transaction this has allowed us to look at the project in phases. The phases will allow us to get activity on site and financial acquisition. This will be a little slower process but a process that is moving forward and happening. The next phase will be construction, slated for spring of 2026, of the market, the hotel and retail on Martin Parkway. We are continuing our leasing efforts.

PRESENTATIONS (continued)

C. Michigan Air Line Trail Presentation

John Hensler, Trail Manager, gave an update and provided history of the Air Line Trail. In the future we will apply for a Pure Michigan Trail Status and a Pure Michigan Trail Town for the City of Wixom and most likely a Pure Michigan Trail Town for Commerce Township. The trail going across the State of Michigan is approximately 80% complete. We created brochures (Safe Crossing: Easy as 1,2,3!) showing how the trail crossings work. We installed audio upgrades at Haggerty Road and Wixom Road. We installed kiosk panels, directional and welcome signs along the trail. We are updating some signage. We will install a digital trail user counter in the City of Wixom. At the ShearWater trailhead, we plan to add benches, picnic tables, a small shelter, solar charging stations for phones and potential paving of the parking lot. We will add landscaping at the M5 trail junction.

Events along the Air Line are:

- 1) Celebrate Trail Days on April 26, 2025
- 2) 5 K Run and Walk on May 17, 2025
- 3) Table to Table on June 21, 2025
- 4) The Hat Trick Ride on September 7, 2025

We established the **Forward Fund**, an endowed fund to prepare for when the Trail will have to be resurfaced, and matching funds will be needed to secure grants. Those funds will come from local government match and the Forward Fund.

ITEM 1:4-8 APPROVAL OF AGENDA

MOTION by Sovel, supported by Berkheiser, to approve the April 8, 2025 agenda.

MOTION CARRIED UNANIMOUSLY

ITEM 2:4-8 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.

Rusty Rosman, 1081 Island Drive, Commerce Twp. I am a member of the Zoning Board of Appeals and the Board of Review. This is my second visit on the same subject. We have wonderful ordinances; hardworking ordinance people and we have many Commerce citizens that do not pay attention to the ordinance or to the tickets that they receive. I am here to ask the Township Board to work diligently with the Township Attorneys to tighten up, increase, do whatever needs to be done to make these ordinances a lot more painful for those that do not follow them. I am talking specifically about the junkers, as well as the people who leave their RV and boats where they are not supposed to be all winter long. I have been told, within my subdivision, "well so and so does it so I can do it too." The problem is that one sees another one doing it and so forth so why not do it too. We do not want to have a mess with boats or RV sitting in

ITEM 2:4-8 PUBLIC COMMENTS (continued)

people's front yards. There are nine houses on my street and each one of them take beautiful care of their property, except for one neighbor. Every day we drive by this mess because he absolutely ignores what goes on in court. He has always been taken to court and for \$250 he does not care. This is not enough. I would love to see \$200 raised to \$2,500, \$500 raised to \$5,000. I would like to see X number of visits from an Ordinance Officer and then at this point we call in someone to get rid of this stuff. There is not enough emphasis for those that are not following what they are supposed to do and not protecting the ones that do. I am asking the Board to work diligently with the Township Attorney and see what you can come up with to make it a lot more difficult for people who ignore the ordinances and do what they want. It is not fair to those that pay for storage, throw things out on a regular basis, clean up their yards and so forth.

Supervisor Gray closed Public Comments.

ITEM 3:4-8 PUBLIC HEARINGS

A. Roll Resolution – Special Projects No. 53 SAD

John Kummer, Township Attorney, said this is the Roll Resolution for Special Projects No. 53 SAD.

Supervisor Gray opened Public Hearings

There were no public comments.

Supervisor Gray closed Public Hearings

MOTION by Sovel, supported by Phillips, to approve the Resolution Confirming Special Assessment Roll for the Special Assessment District Designated Special Projects No. 53, post and publish according to law.

ROLL CALL VOTE

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

NAYS:

ABSENT: Creech

MOTION CARRIED UNANIMOUSLY

B. Establishment Resolution – Commerce Crossing SAD

Supervisor Gray opened Public Hearings

There were no public comments.

Supervisor Gray closed Public Hearings

MOTION by Sovel, supported by Berkheiser, to approve the Resolution of The Township Board of The Charter Township of Commerce Determining to Undertake an

ITEM 3:4-8 PUBLIC HEARINGS (Establishment Resolution – Commerce Crossing SAD Motion continued)

Improvement Project and to Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith and Approving the Plans and Estimates of Costs Therefor Commerce Crossing Maintenance Special Assessment District, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

C. Establishment Resolution – Sherwood Acres Crack Sealing SAD

Jay James, Building Official, said this is to seal the cracks at Luanne Dr., Lynne Ln., and Car Dr. Total cost of the SAD is estimated to be \$11,000 for 50 parcels.

Supervisor Gray opened Public Hearings

There were no public comments.

Supervisor Gray closed Public Hearings

MOTION by Sovel, supported by Weber, to approve the Resolution of The Township Board of The Charter Township of Commerce Determining to Undertake an Improvement Project and to Establish and Maintain a Special Assessment District to Pay Costs Associated Therewith and Approving the Plans and Estimates of Costs Therefor Sherwood Acres Crack Sealing Special Assessment District, post and publish according to law. The term of the SAD shall be for three years expiring on December 31, 2029.

MOTION CARRIED UNANIMOUSLY

ITEM 4:4-8 REVOCATION HEARING

A. Massage Permit – Royal Thai Massage

John Kummer, Township Attorney, said this is a hearing for revocation of a massage permit for Royal Thai Massage. The Commerce Township Ordinances provides for a revocation hearing when a permit is to be revoked for violation of an Ordinance. He provided the Board with a summary of findings and allegations of violations to the Township's Code Ordinances. A notice was provided to the permit holder. From his understanding, the applicant, Paul Katterman contacted the Clerk's Office indicating he will appear at the hearing to contest the allegations. Mr. Kummer asked aloud if Paul Katterman was present. It is noted that Paul Katterman was not in attendance at this hearing. The Township Board will be required to determine just cause for such revocation of the massage permit from the evidence that is provided to the Board.

Lt. Wendy Reyes, Oakland County Sheriff's Office said the investigation has been going on for approximately four (4) months.

Mr. Kummer asked the Board to read over the summary of violations he provided to them.

Supervisor Gray opened the Revocation Hearing.

ITEM 4:4-8 REVOCATION HEARING (Massage Permit – Royal Thai Massage continued)

Trustee Berkheiser asked how far is this in the court system? Lt. Wendy Reyes said this was presented to the prosecutor's office and the investigation is continuing.

John Kummer, Township Attorney, said the individuals implicated in the massage parlor located within Commerce Township were also implicated in Westland and Farmington Hills, Michigan. While there have been no direct charges stemming from the Commerce Township location, my understanding in speaking with law enforcement is that this report is part of that investigation. This was provided to the defense attorney and charges have been brought stemming from Farmington Hills directly; two counts of human trafficking as well as making it a house of prostitution or ill repute. Any conviction that may stem from that case or of the resolution that may be reached is not going to be directly alleges to what offense or conduct violated the Township's Ordinance and what that standard is. To delay or wait to see what this position would be in those cases would not necessarily inform the Board's decision here because you simply only must prove this type of conduct, according to violation of the Township's Ordinance, whereas it would be a much greater burden and issues at play for a charge such as human trafficking. Currently the status of the license is suspended.

Trustee Sovel asked if the massage business has been operating since they received a notice of suspension. Mr. Kummer said it is his understanding the business has not been in operation.

Supervisor Gray closed the Revocation Hearing.

MOTION by Berkheiser, supported by Weber, to approve the Resolution of the Township Board of the Charter Township of Commerce to revoke Royal Thai Massage permit whereas the Township Board has found just cause for the violation of Commerce Township Code of Ordinances; Ordinance Section 26.12.

MOTION CARRIED UNANIMOUSLY

Note: The Sheriff's Department will monitor and make sure the establishment is not in operation and remains closed.

ITEM 5:4-8 BOARD APPOINTMENTS

A. Barbara Garbutt – Reappointment to the Library Advisory Board for a 3-Year Term Ending May 31, 2028

Barbara Garbutt was present.

MOTION by Gray, supported by Phillips, to approve the Reappointment of Barbara Garbutt to the Library Advisory Board for a 3-Year Term Ending May 31, 2028.

MOTION CARRIED UNANIMOUSLY

ITEM 5:4-8 BOARD APPOINTMENTS (continued)

B. Barry Hiscox – Reappointment to the Library Advisory Board for a 3-Year Term Ending May 31, 2028

MOTION by Gray, supported by Sovel, to approve the Reappointment of Barry Hiscox to the Library Advisory Board for a 3-Year Term Ending May 31, 2028.

MOTION CARRIED UNANIMOUSLY

C. Denise Vecellio – Reappointment to the Parks and /recreation Committee for a 4-Year Term Ending May 31, 2029

MOTION by Gray, supported by Berkheiser, to approve the Reappointment of Denise Vecellio to the Parks and Recreation Committee for a 4-Year Term Ending May 31, 2029.

MOTION CARRIED UNANIMOUSLY

ITEM 6:4-8 CONTRACT AWARDS AND AGREEMENTS

A. Haggerty Pump Station Abandonment Contract Award

Jason Mayer, Giffels Webster, said this project is to abandon the Haggerty Pump Station, located north of LaFontaine Automotive Group. A total of four (4) bids ranging from \$1,076,140.00 to \$2,210,866.00 were received on March 27, 2025. We recommend awarding the Haggerty Pump Station Abandonment Project Construction Contract to the low bidder, Lawrence M. Clarke, Inc. in the amount of \$1,076,140.00. The project budget is \$1,319,313.80 and will come from the Sewer Fund.

MOTION by Berkheiser, supported by Phillips, to award the Haggerty Pump Station Abandonment Contract to Lawrence M. Clarke, Inc. The project amount shall not exceed \$1,320,000.00 without prior approval by the Township Board. Funds to come from the Sewer Fund.

MOTION CARRIED UNANIMOUSLY

ITEM 7:4-8 PURCHASES

A. New Vehicle – Fire Department

Jim Dundas, Fire Chief, is requesting approval to purchase a 2025 Chevy Tahoe LS 4wd from Berger Chevrolet for a cost of \$61,386.00. He said the cost is included in the 2025 Fire Department Budget. Funds to come from the Fire Department Capital Outlay Account.

Trustee Weber recommends the Fire Chief compare prices with Ford and Dodge because they both just advertised that they will sell at employee pricing.

MOTION by Weber, supported by Sovel, to approve up to \$62,000 for the replacement of a vehicle similar (like, kind and quality) to a 2025 Chevy Tahoe LS 4wd for the Fire Department. Funds to come from the Fire Department Capital Outlay Account.

MOTION CARRIED UNANIMOUSLY

ITEM 8:4-8 NEW BUSINESS

A. 3D Printing Policy - Library

Alyson Lobert, Library Director, is requesting approval of the Commerce Township Community Library's 3D Printing Policy as recommended by the Library Advisory Board at their March 26, 2025 meeting.

MOTION by Berkheiser, supported by Phillips, to approve the Commerce Township Community Library's 3D Printing Policy. **MOTION CARRIED UNANIMOUSLY**

B. Midtown on Haggerty PUD

David Campbell, Planning Director, said this is an amendment to Midtown on Haggerty PUD for a Kroger store with a fuel center rather than 187 apartments in nine buildings. He presented Midtown's history and the amended development agreement to the Township Board. The Planning Commission unanimously approved the amendment.

Trustee Weber gave a summary of the Planning Commission's discussion regarding the proposed amendment.

Discussion ensued regarding; does the Township need another grocery store and fuel station, is there a public benefit, taxes, vacant store, etc.

MOTION by Weber, supported by Gray, to approve an amendment to PPU#20-02, a PUD application for a first amendment to Midtown on Haggerty, a commercial development by Midtown on Haggerty LLC (Steve and Spencer Schafer of Schafer Development) consisting of approx. 20,000 sq. ft. of retail within three existing/constructed commercial buildings, an approx. 103,000 sq. ft. commercial building expected to be occupied by Kroger, and a Kroger fuel center including canopy, 7 pumps, and staffed service kiosk, upon approx. 25 acres on the west side of Haggerty Road north of 14 Mile Road. The Planning Commission's recommendation of approval is based on a finding that the amended PUD application satisfies the requirements outlined in Article 38 of the Commerce Township Zoning Ordinance; that the proposed development is consistent with the goals of the Commerce Township Master Plan; that the project will offer recognizable and substantial public benefits proportionate to the deviations from the Zoning Ordinance being requested by the developer, most notably the inclusion of the Kroger fuel center; that the PUD development agreement achieves the goals of both the Township and the developer to create a high quality commercial development that the Planning Commission is confident can be approved in a future PUD site plan; and that Steve & Spencer Schafer in partnership with Kroger and with Neil Fetter and his family will capably serve as the master developer with unified control over the entire Midtown on Haggerty project.

This recommendation of PUD approval is conditional upon the following:

1. Approval by the Commerce Township Board of Trustees of the PUD's development agreement and development plan;
2. A fully-formed development agreement to be reviewed by both the Planning Department and Township Attorney prior to consideration by the Township Board. Said

ITEM 8:4-8 NEW BUSINESS (Midtown on Haggerty PUD Motion continued)

development agreement to incorporate the direction of the Planning Commission, particularly as it relates to commitment of recognizable public benefits;

3. A detailed PUD site plan to be reviewed and approved by the Planning Commission subsequent to Township Board approval of the PUD, with the PUD site plan to include (but not be limited to):

a. A detailed signage plan for all proposed wall signs, fuel center canopy signs, and freestanding signs both new and existing, with the preliminary details provided as exhibits to the development agreement;

b. Detailed building elevations for the Kroger building including upgrades as directed by the Planning Commission, with the preliminary details provided as exhibits to the development agreement;

c. An outdoor storage/sales/display plan clearly defining the location, duration, and material type; d. Inclusion of the proposed sidewalks described within the PUD agreement Page 7 PPU#20-02 Midtown on Haggerty PUD AMENDMENT Planning Department PUD Review – Township Board meeting on April 8, 2025

4. Approval by the Road Commission for Oakland County (RCOC) for all public road improvements within their Haggerty Road right-of-way, most notably the new traffic signal at Haggerty Road & Midtown Avenue recommended by the Township's Traffic Engineer;

5. Adherence to the findings & recommendations of the revised/updated traffic study by the Traffic Engineer, including those recommendations upon private property specifically the recommendation of a dedicated right-turn lane along Spring Vale at Haggerty;

6. Significant changes to the layout proposed in the development plan may require approval by the Township Board of an amended development plan;

7. (any other conditions the Planning Commission deems necessary as part of PUD approval)

Discussion: If this were to be denied, the developer would still have an approved PUD for the 187 apartments in nine buildings. Trustee Berkheiser would like to know what changed from 187 apartments to a Kroger and fuel station.

Spencer Schafer, Shafer Development, made a presentation to the Board. He stated this is a very tenuous time to make economics work on multi-tenant developments. Therefore, they decided not to move forward with that development. There is another apartment development in Novi, on the west side of Haggerty Road between 12- and 13-Mile Rds. that is not fully leased and some are not even finished yet. Kroger contacted them and said they were interested in expanding their site from the Kroger store on 14 Mile and Haggerty. After four meetings with the Planning Commission, we ultimately reached a first amendment to our PUD and proposed public benefits that the Planning Commission felt was over that threshold. The property prior to the PUD was zoned B2 which would allow the use for Kroger. The issue was the fuel station. Kroger does not build stores of these scales without a fuel station. For us, this was non-negotiable. The Township said we understand this, this is considered a special land use, and you must pass a certain rule of public benefit. The recognizable public benefits

ITEM 8:4-8 NEW BUSINESS (Midtown on Haggerty PUD Motion continued)

are: 1) The existing store protecting what use can go in there. The Township wanted to make sure they did not get a dollar store or a transient use. We agreed to the language within the PUD Agreement that gave the Planning Commission and legal counsel enough comfort on that item. 2) We would not do any property tax challenges on the existing store for a 3-year period. 3) Sidewalks – provide a continuous network from 14 Mile Rd so we could get the residential base from Commerce Township to this development area. 4) Valuation and taxable value of the proposed new Kroger store.

The Township Attorney and their attorney came up with language that will be acceptable to the Township.

Zack Bickerton, Senior Asset Manager Kroger, was present.

Trustee Sovel stated Kroger has lack of concern for public safety of consumers. He had to call the Fire Chief numerous times because one access door to the store is closed off, usually between 9-10:00 pm before the store closes, at the Kroger store at Union Lake and Commerce Rd. If there was a fire, or shooter in the store, closing the door blocks the exit for consumers to leave. The store on Pontiac Trail in Commerce Township has a sign that says welcome to Walled Lake. There have been times when someone had to call for a medical situation, they called Walled Lake Police or Fire Department. He advised the managers at the stores about these problems several times and nothing has been done. Until you can correct some of these safety issues, why would we want another Kroger store in the Township jeopardizing the safety of our residents. Mr. Bickerton said he cannot answer to these issues but he will contact someone at the corporate office to address the safety issues and change the sign at the store on Pontiac Trail.

Trustee Long does not want to see another Kroger store vacant in Commerce Township, like the one at Union Lake and Commerce Rds. This was vacant for 12 years. Mr. Bickerton said Kroger leased that location and did not own it; they own the Kroger store on Haggerty Road.

ROLL CALL VOTE

AYES: Weber, Gray,

NAYS: Long, Berkheiser, Phillips, Sovel

ABSENT: Creech

MOTION FAILED

Supervisor Gray asked the Board to send him their concerns about this development so he can forward them to the Planning Commission. He would like this by the close of the business day of April 10, 2025.

ITEM 8:4-8 NEW BUSINESS (continued)

C. Acceptance of Firehouse Subs Public Safety Foundation Grant – Fire Department

Jim Dundas, Fire Chief, is requesting approval to accept grant funding from the Firehouse Subs Public Safety Foundation. This grant will provide a UTV for the Fire Department to use for emergencies on the trails and during special events. The UTV will be outfitted with a skid unit that makes it capable to access and transport an injured person from our narrow trails. The unit will be utilized for many off road needs as well as special events such as mountain bike race events, 5K runs and sporting events. We will keep the unit at Station 4 and we will provide training to all our firefighters. The grant does not cover the full cost of shipping. Shipping would cost \$2,000.

MOTION by Berkheiser, supported by Weber, to approve receipt of the grant funding from the Firehouse Subs Public Safety Foundation for the purchase of a UTV for the Fire Department and authorize up to \$1,500 for shipping.

MOTION CARRIED UNANIMOUSLY

D. Victory Park

Jason Mayer, Giffels Webster, said there are sinkholes forming east of the dog park on the Victory Park site. He recommends ASTI Environmental to conduct a Subsurface Investigation for sinkhole mitigation at Victory Park.

Trustee Long said they missed the sinkholes the first time, what happens if they miss some again? Why not just fill them in with sand.

MOTION by Berkheiser, supported by Gray, to approve the Proposal for Services for Subsurface Investigation at Victory Park from ASTI Environmental (Proposal A24-2121.01) at a cost not to exceed \$13,000. Funds to come from the General Fund.

Trustee Long voted No

MOTION CARRIED

E. Island Club Private Sewer System – Costs and Timeline

Hans Rentrop, Township Attorney, said the hearing was opened and closed for the Establishment Resolution. The Board Tabled the Resolution because the HOA requested to meet with Jay James and Jason Mayer and expressed concerns and preference towards repair of the road as opposed to fixing the sewer issues. This remained on the Table at the January 14, 2025 Township Board meeting. Jay James shared the letter from our office with the HOA regarding Island Club Sanitary Sewer Repair & Improvement Special Assessment District Township Liability for Sewage Disposal System Event dated February 4, 2025.

Based upon the Township's historical concerns regarding the maintenance and operation of Island Club's private sewer system, concerns of liability for interested parties, the environmental risks posed by a failure to maintain it, the longstanding intention to have Island Club connected to the public system, and all legal documents executed to effectuate that connection, it is our office's recommendation that the

ITEM 8:4-8 NEW BUSINESS (Island Club Private Sewer System – Costs and Timeline continued)

Township move forward in establishing the special assessment district. While we recognize and respect the Township's desire to fulfill the requests of residents and its tradition of not mandating participation in special assessment districts, in this case the risks associated with not repairing the system are paramount especially considering that a special assessment district for such repairs has always been contemplated and consented to within the master deeds by all parties. In my legal opinion, the best course of action for the Township is to move forward with the SAD. If you do not do this, you will be open to liability.

Jay James, Building Official, said the HOA indicated, at this time, they wanted to move forward with a SAD to repair the roads. Once that SAD is complete, they want to move forward with sewer repair. They said they contacted operators that will take over maintenance of the sewer lines.

Jeff Levitt, 3406 Circle Drive, Island Club Board member, said the HOA voted and 83% of the residents did not want to repair the sewer lines at this time based on the following: 1) The system is operational as defined by WRC, Giffels Webster and the Township; 2) We would like to provide an independent TV inspection by one of the vendors recommended by Giffels Webster to identify any major risks and share them with the Board. This can be done within 90 days. We have a significant expense present to fix our roads. At this time, we did not want to have the sewer and road expenses on top of each other. In the last couple of years, we had a septic field operational since the Island Club was developed. We eliminated the septic field and we are draining into the sewer. It was mentioned at the last meeting that WRC just wanted to wash their hands of monitoring two communities, ours being one of them. We would like 90 days to have this inspected independently.

Trustee Weber asked Jay James if we already had the system scoped. Jay said WRC televised the lines a little over a year ago. He asked Mr. Levitt what will the new scope tell us. Mr. Levitt said he believes it will be more involved in what they did and would cover a larger area.

Jason Mayer, Giffels Webster Engineers, said WRC cleaned and televised all the sewers in the system. They did a PACP, which is the pipe and manhole, required inspections, rated it on scales of 1-5 and made recommendations of what needed to be repaired. We also reviewed that and that is how we prepared the bid package to accept it as a public sanitary sewer. It is functioning but I do not know how long it will function. The companies I provided to the HOA are contractors, not engineers.

Trustee Weber asked what will change by doing another scope. Jason said he does not think anything will change. He can provide the HOA with footage of the scope.

Jay James said a new scope could determine if the sewer lines are worse and what it will take to repair it.

ITEM 8:4-8 NEW BUSINESS (Island Club Private Sewer System – Costs and Timeline continued)

Mr. Levitt said if the new CCTV report shows the sewer lines need repair now, they will act on it.

Trustee Berkheiser asked if they are prepared to have an SAD if it shows it is worse and needs repair. (no response from Mr. Levitt on this question)

Discussion continued on the operation of the sewer system and road repair.

Treasurer Phillips asked if it is discovered that the sewer lines are worse, do we have the option of changing the Master Deed or do we have to do the SAD?

Hans Rentrop, Township Attorney, said his recommendation from a legal standpoint is the Township should do the SAD because if you do not then you are exposing the Township to liability. From day one, it was always intended for the SAD to occur.

Mr. Levitt would like this Tabled so they can have a CCTV study done and meet again with the Township Board in 60 or 90 days.

The Board agreed to allow 60 days for Island Club residents to submit findings from their CCTV study to the Township Board of Trustees at their meeting on June 10, 2025.

F. Richardson Senior Center Liquor License

Discussion if the Township should sell the Richardson Senior Center liquor license or keep it in escrow. Hans Rentrop, Township Attorney, said the market price to sell the license is between \$140,000 - \$150,000. It was decided that Treasurer Phillips will renew the liquor license.

G. Boards and Commissions – Compensation for Informal Meetings/Work Groups

No action taken.

ITEM 9:4-8 ORDERS AND ADD ONS

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

MOTION CARRIED UNANIMOUSLY

ITEM 10:4-8 OTHER MATTERS

Trustee Weber –

- Traffic studies done on our intersections can be used when planning projects using Tri party money.
- There are plans to have a Township booth set up at the Bicentennial event. I suggest that the Township Board members and selected Township Directors and other companies that share a space in the Township building

ITEM 10:4-8 OTHER MATTERS (continued)

volunteer one hour each with two people staffing the booth. I volunteer to oversee the schedule.

Trustee Berkheiser –

- We talked about redoing the fence at the cemetery, but nothing has been done yet. The north side of the fence is falling over.
- He read an article about Public Act 33 that allows local townships and road commissions to have more say in setting speed limits. Do we feel the speed limits set in the Township are adequate? Hans Rentrop, Township Attorney, will review Public Act 33.

Treasurer Phillips -

- Sherwood Acres crack sealing – what is the correct term of the SAD? John Kummer, Township Attorney, said December 31, 2029.
- The auditors will be here the end of April, 2025 through the beginning of May 2025.

Trustee Sovel -

- Great Lakes water rates – the City of Detroit had a water main break on February 17, 2025. DWSD and the Great Lakes Water Authority (GLWA) are sharing the cost (50-50) to cover damages. Our representative to GLWA needs to fight for the Township on why we are paying 50% of repairs every time there is a water main break in the City of Detroit.

Supervisor Gray-

- Kari Cotter contacted the Township to request approval of a 4-year agreement between Commerce Township and Outrun Hunger. The two-year agreement between Commerce Township and Outrun Hunger expired.

MOTION by Berkheiser, supported by Sovel, to partner with Outrun Hunger for four years. **MOTION CARRIED UNANIMOUSLY**

- “Safer Cities” money the Township pays to Oakland County for our schools’ head count has gone to a gun buy-back program in Ferndale and Royal Oak and not spent in Commerce Township.
- Three bids were received to replace Oakland County Assessing Department services.
- Bicentennial event will be held on June 14, 2025.
- Reminder to send me your concerns on the Midtown on Haggerty PUD development by April 10, 2025 so he can forward them to the Planning Commission.
- The Road Commission for Oakland County gave us a cost of \$500,000 to replace a culvert on Heatherwood that doesn’t belong to Commerce Township.

ITEM 10:4-8 OTHER MATTERS (continued)

- We sold 50 bags to residents during the Recycling Program last year. Do we want to continue selling the bags? It was the consensus of the Board to continue selling the bags at the Township's cost.

ITEM 11:4-8 ADJOURNMENT

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

MOTION by Phillips, supported by Berkheiser, to adjourn at 11:01 p.m.

MOTION CARRIED UNANIMOUSLY



Melissa Creech, Clerk
Charter Township of Commerce