

**CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, November 19, 2019
Commerce Township Hall
2009 Township Drive
Commerce Township, MI 48390
12:00 PM**

CALL TO ORDER: The Meeting was called to order by Chairperson Gotts at 12:02PM.

Downtown Development Authority:

Present: Mark Stacey, DDA Director
James Gotts, Chairperson
Dan Lublin, Vice Chairperson
David Smith, Member
Susan Spelker, Member
Brian Winkler, Member
Steve Matta, Member
Tim Hoy, Member
Jose Mirkin, Member

Absent: David Scott, Township Supervisor (excused)

Also Present: Thomas Rauch, DDA Attorney
Debbie Watson, DDA Assistant
Melissa Creech, DDA Secretary
Molly Phillips, DDA Treasurer
Matt Schwanitz, Giffels-Webster Engineer
Randy Thomas, Insite Commercial
Dave Campbell, Township Planning Director

Item 1: Approval of Minutes

MOTION by Lublin, seconded by Mirkin, to approve the Regular Meeting Minutes of October 15, 2019 as presented.

MOTION CARRIED UNANIMOUSLY

Item 2: Public Comments

None.

Eric Nagler, 9065 Campbell Creek Drive – I'm here representing the Campbell Creek HOA. I think the water shutoff is still scheduled for tomorrow, correct?

Director Stacey – That is my understanding.

Eric Nagler – Some of our residents are a little bit confused. How will we be apprised when the water comes back on and the boil advisory goes into effect? How do we get notified of that?

Director Stacey – They will be turning it off at 5:00am. They will turn it back on as soon as feasible once they make their connection. The boil advisory will be in effect until the testing comes back and the water is clean, and then they will advise us. Watch the news. You can call the WRC.

Dave Campbell – I know our Building Official has been strongly encouraging the Water Resources Commission, the WRC, to do everything in their power to notify the affected

residents; whether that's knocking on doors or putting flyers in people's mailboxes. I would have to see whether there is any website that they'll be updating and I could get back to you with that answer.

Eric Nagler – The email, yes. Flyers in the mailboxes won't do much good at 9:00pm because people won't be checking their mail. Debbie Watson sent me an email directly. Send me an email again and I can blast that out to our residents.

Dave Campbell requested Mr. Nagler's email address and he would keep him updated as additional information became available.

Discussions continued regarding the water shutoff, notifications and the boil water notice. If they can get connected and get pressure back up, they will turn the water on earlier than 8:00pm. Usually, water should be boiled for 24 hours after it is turned back on.

Eric Nagler – This has nothing to do with the digging on Welch Road that was proposed? That's a totally separate issue?

Director Stacey – Correct, that is a sewer connection.

Eric Nagler – Thank you.

Item 3: DDA Informational Meeting

A. Insite Commercial Report

Randy Thomas provided an overview of the Insite report submitted in the DDA Board's packet.

- Parcel B1, Phase I – Aikens, Five & Main; Obviously everybody is aware that we closed on the property on October 31st. Since then, I've had three meetings with Bruce on the next stage. There has been a lot of heavy lifting, and there's still a lot more heavy lifting to be done because he's got to get this thing financed and built. He's looking at potentially starting Phase I of the development next year which primarily fronts M-5 and Martin Parkway. It's too early to discuss those plans but I will keep you advised as to where he's at in the planning process. Dave Campbell is obviously very involved. Having closed on Phase I and beginning the development helps Bruce in a lot of ways from a market perspective as it shows he is committed to doing it. That will help out with the balance of his financing.
- Parcels A&H – Shapiro's Barrington development; The vast majority of his paved roads are installed. Most of the building pad foundations have been poured. Jim and I trade calls and generally get together once a month. I know he's going vertical on the first building which is the clubhouse.

Director Stacey – Jim's water connection should be in place tomorrow, in theory, by 8:00pm tomorrow night. The sewer connection still needs to be made, but he is making progress. They are there every day.

Randy Thomas – We've added another to B1 for Phase II.

- B1, Phase II – 13.4 acres, Aikens has an option on this parcel that was in the original purchase agreement. He's got until October 31, 2021, to exercise that option, which technically would be Phase II of his development.
- Parcel B2 – Granger, First & Main; Nothing new to report.

- Parcel C – The hard corner of Pontiac Trail and Haggerty Road; I've had contingent conversations with a developer who owns the dollar store across the street and other assets in the area. He asked the DDA to put a hold on his offer. I do continue to get gas station inquiries.
- Parcels D&E – Merrill Park; Pulte is out and that has been turned over to the association.
- Parcel F – The acreage in front of the Township Hall; We still have the dental group. They stay in touch with me. They are awaiting construction on the Aikens parcel. Once we closed with Bruce, I reached out to them. I'll follow-up to see if that encourages them to make a potential offer on the property.
- Parcel G – Wyncliff; Nothing to report.
- Parcel I – BBI Holdings, Gilden Woods, North of the Township Hall; I spoke to the Gilden Woods folks. This Commerce location for them is one of the best they've had in their chain. They are 22% ahead of their Troy location. They said the demand is very high.
- Parcel J1 – 2.38 acres on the hard corner of Oakley and Haggerty; The Aqua Tots guy has been back and forth. Nothing new to report with him. We've had a daycare group out of Phoenix that has inquired on this, and they've also looked at Parcel L.
- Parcel J2 – NorthPoint, Beyond Self Storage; Nothing to report
- Parcel K – The orphan piece across the street; No new conversations.
- Parcel L – 1.8 acres on Haggerty Road; (see Parcel J1 comments)
- Parcel M&N – These are the two out-lots that are being retained by the DDA within the Aikens development.

Director Stacey – Thank you for getting Aikens closed. We know this whole group has worked really hard on it, including yourself. There is a lot of heavy lifting still to go, but we're through the first step. I think the market reacted positively to the closing.

Randy Thomas – Yes, I think a lot of people were doubting it. That's why I think he will do Phase I sooner versus later to take that doubt out of the market. News travels fast and I've gotten calls from other brokers who were shocked that he closed. It's a tough project, especially in this environment.

Tim Hoy – How many restaurants will this include?

Randy Thomas – There will be no less than 10 and no more than 14.

Dave Campbell – That runs the gamut from drive-thru's up to the classy places.

Randy Thomas – Correct.

Discussions continued regarding Five & Main restaurants, entertainment and the potential theater group.

Chairperson Gotts – Once again, thank you Randy, on behalf of the DDA and all the residents of Commerce Township. We appreciate your service.

B. Asset & Liability Report

Director Stacey reviewed the report and discussed the following:

- For the DDA Informational Meeting, we have included the balance sheet for your review.
- Remember, this shows a negative balance, but it does not include the future tax capture, which is really key on this. You have to get it built to collect the additional tax capture to pay this back, and that is the concept.
- I know that we just did an informational meeting 60 days ago. We are supposed to have them twice a year. With the delay in the State of Michigan providing us guidance, and ultimately not providing any guidance except to tell us that we needed to have two informational meetings, we have satisfied this year's requirements. Hopefully next year, we will separate the meetings with a little more time in between. This was nothing more than a repeat of what you saw 60 days ago.

C. Q&A – None.

ITEM 4: Director's Report

- **Updates on Developers –**
 - Aikens – Five & Main – Obviously, the Number 1 issue was closing on Phase I, October 31st, \$4.25 million. That has been deposited into the DDA account.
 - Shapiro - Barrington – The issue is the water hookup, which is happening tomorrow as Mr. Nagler brought to your attention. For those of you who have not been out there, the cement roads are in, all the way across except for the hookup on Welch. Obviously he does not want traffic traversing the property yet, but this allows construction to continue in a more effective manner in all seasons. I was surprised he had his snow plowed quicker on that road than we had ours on Welch Road. You will be seeing buildings going up there, in the same fashion as Pulte built their houses. They're built offsite and the big panels are brought in so the buildings go up quickly.
 - Merrill Park has an amazing display of Christmas lights. This pride in ownership will continue and Aikens and Galbraith are in favor of these types of activities going forward. We will have a beautiful complex.
 - Randy covered the remaining developments.
- **MTT Judgments – None.**
- **HOA Items –**
 - **HOA 2020 Budget –** We sent out the consent action for the 2020 CTPA Budget to the HOA Directors after the Aikens closing.
 - **Dues –** All dues are paid in full.
 - **Lighting - CJs Lighting, Chris Niestroy, Shaw Electric, Keith Greene**
 - One light pole was knocked down in front of the Township Hall at the PGA roundabout. There is an orange construction barrel in place and the electrical has been secured so it is safe. We've been unable to find anyone reporting this damage.
 - On the electrical damages claim, we are still working with Giffels and we are going back to look at AT&T's easements. The subcontractor did have the area staked as required.
 - **Landscaping - United Lawnscape, Brian Sparks**
 - They are done for the season.
 - The last grass cutting was accomplished while it was snowing. It was pretty impressive – only in Michigan.

- The Phragmites treatments were completed.
- **Irrigation - Michigan Automatic Sprinkler, Mike Rennie**
 - The system was drained and shutdown.
- **Other**
 - **Outrun Hunger 5K** – The event was held on Saturday, November 9th, and it was another successful fundraiser. They raised in excess of \$18,000, beyond their goal. They have raised over \$100,000 in the last 9 years to feed the hungry. I'm unsure of the head count, but I believe they were pushing 300 participants. Everything went off without a hitch. Mr. Campbell and his family ran in the 5K.

Dave Campbell – It's generous to say we ran. For me, I sort of trudged my way to the finish line.

Director Stacey – With the partnerships between the DDA, the Outrun Hunger organizers, and the Township Board of Trustees allowing use of the Township Hall, I think it was another great event. There were a lot of happy people here who were excited to do it, and raising money for a good cause. Remember, 100% of the money raised goes towards feeding the hungry.

Jose Mirkin – Mark, with construction going on, are they going to be able to do that next year?

Director Stacey – Probably not the same course that we've run before, but we've dealt with that in the past. It depends upon where Bruce is at with his construction. In addition, Jim Galbraith has a portion of the trail closed at this time, but he should be done and that may be reopened by next year.

In closing, we have not had any more issues with graffiti onsite.

Item 5: Attorney's Report

Attorney Rauch – I have only one matter for you to consider. You have in front of you a form of resolution. I apologize, it just came to you today, but we just prepared it last night.

Jim Galbraith is in the process of closing his construction loan for his project. The lender requested a zoning letter from the Township, which is ordinary and normal. The Planning Director issued that letter last week.

The lender also requested an estoppel certificate from the association, confirming that his dues payments are up-to-date, which they are. In addition, because today's meeting was immediately one day after the request, I've prepared the resolution to memorialize the ability of the DDA Director to confirm for the Barrington project whatever items may be necessary in the future. Frankly, the DDA Director probably has that authority generally, but it was convenient for us to be able to provide a resolution which will also help the lender to be confident that the DDA, as developer of the condominium, does not object to, and is in support of the Barrington project.

MOTION by Lublin, supported by Mirkin, to approve the Barrington Project Resolution as outlined by counsel. **MOTION CARRIED UNANIMOUSLY**

Attorney Rauch – That is all I have. Obviously we did close the transaction for Phase I with Bruce. A closing binder will be available soon.

Chairperson Gotts – Thank you, Counselor, for all your efforts.

Item 6: Engineer's Report

Matt Schwanitz, Giffels Webster – We have been a little more active working with Aikens on potential utility work he will need for his conceptual phase. I've been helping Deb, although I wasn't able to help her much, on figuring out the easement situation.

Director Stacey – We've also requested that Giffels work on a mockup layout of Lot A that we're going to retain in Bruce's project for future development. We'll be looking at what we can actually get on the piece of property. Hopefully that will come back to marketing next month.

David Smith – It's the access drive coming out of Walmart into Walnut Lake Road.

Item 7: Planning Director's Report

Dave Campbell, Township Planning Director, shared the following with the Board members:

- I don't have much to update beyond what was included in my report, which I know you all read diligently.
- I will mention that the property across the street, the former driving range just to the north of Merrill Park; Pulte continues to look at that. Last I heard, they are trying to organize a meeting with the association of the industrial park directly adjacent to them, to the north. They will need some help from them as far as emergency access and using their internal private roads to get emergency access to their proposed townhome development. They actually asked if they could hold the meeting here at Township Hall which is something we will work with them to accommodate. Assuming they get that worked out, they will be back in front of the Township to get their necessary approvals.

David Smith – Pulte could have left an access there when they built. There was a long discussion about that some time ago.

Dave Campbell – They even looked into that, but they were getting such good prices for the lots in Merrill Park that they didn't want to give any up for a stub road.

David Smith – Unit 19 and Homestead Industrial; what seems to be the hesitation on that? What is it that the developer is not doing?

Dave Campbell – The architecture is not quite where the Planning Commission would like it to be, particularly for what we consider a higher profile property along Richardson Road. David Biel of Squeals Landscaping owns that lot. He wants to build a 3-unit spec light industrial building, which we would be okay with, it just needs to meet our architectural standards and we're not quite there yet. He's got a budget and he needs to make the numbers work. His concern is that by the time he dresses up the building to make the Planning Commission happy, he's going to be underwater on the building. George Weber and I just had a meeting with Mr. Biel onsite. We drove the area and tried to pick up ideas from some of the neighboring properties that he might want to incorporate. It was a good meeting so we'll see what he comes back with.

David Smith – I'm all for the architectural controls on that.

Dave Campbell – The Planning Commission is too. They're willing to work with him on the sides of the building that aren't as prominent, but the sides that face Richardson, and to a lesser extent Pioneer, they want those to be aesthetically pleasing.

Discussions continued regarding potential uses and tenants for the spec building, security issues, and the need to create a secure facility.

Discussion also took place regarding the new Sheriff's office planned for the building purchased by the Township Hall. Reconfiguration of the building is being reviewed. The Welch Road Fire Station project was also briefly discussed. Timelines have not yet been established for these projects.

Chairperson Gotts – In addition, Dave, thank you for all your efforts on the wonderful new bridge lighting. I think everyone really enjoys that.

Director Stacey – For the game, Mr. Campbell lit up half the bridge with Michigan State colors, and the other half for U of M. It was great for the community and we got positive press.

Discussions continued regarding bridge lighting scenes, pre-programming for the holidays, lighting for special events and operating the programs remotely.

Brian Winkler – Mr. Campbell, with regard to Commerce Trail luxury living; a resident of Treyborne has let me know that the petitioner has started a dialogue with their association, so we will see where that goes.

Director Stacey – Do we know when the billboard is going back up?

Dave Campbell – The answer to that depends upon the future of the trail way council. Currently it is a tri-party of Commerce, Walled Lake and Wixom. That may change when the trail way is done. Once the participation is decided going forward, that will determine how we deal with the billboard. The billboard will be leasing space within the trail way easement, and who owns that easement depends upon who is participating in the council.

Director Stacey – The trail way looks nice. Do we know when the crosswalk for Haggerty Road will be open for that?

Dave Campbell – I haven't heard that. I know the signals are in place, but the bags are still over them.

Director Stacey – That is an actual forced stop when you push the button.

Dave Campbell – Yes, that one and then the one at Pontiac Trail; the trail way user pushes a button and waits, then traffic will actually get a red light and they would stop, allowing the trail way users to be able to safely cross.

Director Stacey – Others are just a hazard-type crossing.

Dave Campbell – Yes, the one on Welch for example, the trail way user pushes a button and they get a yellow blinking light for the traffic to make them aware someone is wanting to cross the trail, but they're not required to stop as they would be on Haggerty.

Item 8: Committee Reports

- A. Finance Committee – Director Stacey – Our 2020 DDA Budget was approved by the Township. The Finance Committee, through the Treasurer's Office, moved \$3.5 million from the money received from Bruce. We don't need it until Spring, so this will maximize the value for interest income.

Treasurer Phillips – Those funds were moved to Michigan Class.

Director Stacey – As you're aware, we do owe the Township money; however, to give it to the Township and then ask for it back just didn't make sense.

- B. Public Relations Committee – Jose Mirkin – As everybody knows, 8 years ago we started a partnership with Walled Lake Schools. The first time we had an art exhibition here in the Township Hall, we had 80-100 people. This kept growing and last year we had more than 1,000 in attendance, and instead of 3 days, we have 7 days at the community Library.
The first meeting with the art teachers and the Library reps is scheduled for the first week in December. We are going to start planning the annual K-12 Art Exhibition that will take place in May of 2020 in the community Library. We are also trying to include the Huron Valley Council for the Arts in this year's event.

Chairperson Gotts – Jose, is there any further movement on a new Library Director?

Jose Mirkin – Based upon what Dave Scott mentioned, they are going to have a final decision by January 1st. In the meantime there is an acting director.

- C. Marketing Committee – David Smith – I have nothing to report. Randy did a good job. Other than working with Walmart to sit down and make Five & Main worthwhile, everything is proceeding well.

Item 9: Approval of Warrants and/or Carryovers, Add-ons, Revenue & Expenditure

MOTION by Lublin, seconded by Mirkin, to approve the Warrants and/or Carryovers, Add-ons and the Revenue & Expenditure Report. **MOTION CARRIED UNANIMOUSLY**

Item 10: Other Matters

- **The next regularly scheduled DDA meeting is Tue., December 17, 2019 at 12:00pm.**

Jose Mirkin – Dave, is MDOT planning to have an official opening of the bridge? I know everybody is using it, but will there be an official opening?

Dave Campbell – It's not so much MDOT opening the bridge. It's the trail way council opening the trail. That was supposed to be last week, but then we had all the snow. The ribbon cutting was postponed, I believe until Spring 2020, possibly in April, to have a ceremonial ribbon cutting for the trail that everybody is using anyway.

Director Stacey – I wanted to wish everyone a Happy Thanksgiving. I can't believe it's here already.

Chairperson Gotts – Happy Thanksgiving to everyone.

Item 11: Adjournment

MOTION by Mirkin, seconded by Lublin, to adjourn at 12:44pm.

MOTION CARRIED UNANIMOUSLY



Melissa Creech
DDA Secretary

INVOICE ENTRY DATES 11/14/2019 - 11/14/2019
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
 BANK CODE: DDA
 DDA WARRANT REPORT
 NOVEMBER 19, 2019

Vendor Name	Invoice Date	Description	Amount
1. DEBORAH WATSON	11/13/2019	DDA ASSISTANT HOURS 19/19/19 TO 11/13/19	1,375.00
2. DETROIT EDISON	11/12/2019	2660 OAKLEY PARK	116.21
	11/12/2019	3106 MARTIN PARKWAY	131.81
	11/12/2019	2581 LIBRARY DR.	763.78
	11/12/2019	2579 LIBRARY DR. - IRRIGATION	15.66
		TOTAL	1,027.46
3. GIFFELS-WEBSTER ENGINEERS	10/15/2019	COMMERCE TOWNE PLACE RE-PLAT NO. 4	471.50
	10/26/2019	PROFESSIONAL SERVICES THROUGH OCTOBER 19, 2019	45.50
		TOTAL	517.00
4. KEMP, KLEIN, UMPHREY & ENDLEMAN, PC	11/06/2019	PROFESSIONAL SERVICES THROUGH OCTOBER 31, 2019	19,170.00
5. MARK STACEY	11/13/2019	DDA DIRECTOR 10/10 /19 - 11/13/19	5,900.00
6. WILLIAMS, WILLIAMS, RATTNER&PLUNKET	10/01/2019	PROFESSIONAL SERVICES THROUGH SEPTEMBER* 30, 2019	195.00
TOTAL - ALL VENDORS			28,184.46
FUND TOTALS:			
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			28,184.46

INVOICE ENTRY DATES 10/16/2019 - 11/13/2019
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA WARRANT REPORT - CARRY-OVER
NOVEMBER 19, 2019

Vendor Name	Invoice Date	Description	Amount
1. DECKER AGENCY	08/26/2019	PROPERTY AND LIABILITY INSURANCE	5,132.16
TOTAL - ALL VENDORS			5,132.16
FUND TOTALS:			
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			5,132.16