

Final
CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, February 18, 2020
Commerce Township Hall
2009 Township Drive
Commerce Township, MI 48390
12:00 PM

SCANNED
CB 11/24/2020

CALL TO ORDER: The Meeting was called to order by Chairperson Gotts at 12:01PM.

Downtown Development Authority:

Present: Mark Stacey, DDA Director
James Gotts, Chairperson
Dan Lublin, Vice Chairperson
Susan Spelker, Member
Brian Winkler, Member
Steve Matta, Member
Tim Hoy, Member
David Scott, Township Supervisor

Absent: Jose Mirkin, Member (excused)
David Smith, Member (excused)

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

Item 1: Approval of Minutes

MOTION by Lublin, seconded by Spelker, to approve the Regular Meeting Minutes of January 21, 2020 as presented. **MOTION CARRIED UNANIMOUSLY**

Item 2: Public Comments

None.

Item 3: Insite Commercial Report

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

- Parcel B1 – Aikens, Five & Main, Retail Phase I;
 - As I've mentioned in the past to Mark and Dave, Aikens is looking at Phase IA and Phase IB.
 - Phase IA would be the creation of out-lots running along Pontiac Trail and swinging around onto Martin Parkway. He would be putting in some temporary infrastructure and starting that part of the development this year.
 - Dave, Mark? Do you guys want to weigh in?

Dave Campbell – We've had a couple meetings with Bruce Aikens over the past couple weeks, talking through how this would all work. One of those meetings was with the engineers, with Giffels and Mr. Aikens' engineer, which is Jim Butler from PEA, talking about temporary

infrastructure, permanent infrastructure, what gets abandoned when, and what gets extended when. The engineers seemed to agree that phasing this development will work from an infrastructure standpoint.

Mr. Aikens hopes to get in front of the Planning Commission in the month of March. We may push our March 2nd meeting to March 16th, or hold a special meeting so that he can amend the plan he has now to move some things around, and then get that same plan to the Township Board probably in April.

Director Stacey – I think a key component that he's moving, or is definitely considering, is the housing component. It was in the center of the development and it would now be moved over to the Walmart side. According to his consultants, that makes more sense because it drives the people visiting the theater toward the retail establishments, and the residential people will be using the development either way. That was one of the key driving forces for this potential redesign. In talking with Giffels, these types of phasing developments give us more traction and better marketing to show that the project is going in the ground. Bruce is out talking actively with retailers, restaurants and other users.

Tim Hoy – Is the residential section still going to be high-rise?

Dave Campbell – He is looking to partner with a residential developer. I think he said he has talked with up to 8 residential developers. We don't know yet how they will lay it out until we know who the residential partner will be. They seemingly have a little more space to work with now due to the way he has shifted things around.

Tim Hoy – They won't be individual homes?

Dave Campbell – No. They will be attached multi-family. The unit count is capped at 300.

Director Stacey – We are certainly still hoping to see residential above some of the retail, but that adds complexity to the parking, parking decks and all types of issues; although they are looking into that.

Randy Thomas –

- Parcels A&H – Shapiro's Barrington development; You can drive through the development now. The roads are in and connecting from Welch to Martin Parkway. Six of the buildings are up and shingles are on the clubhouse. In the next couple months, you will see that project really starting to fly. They're still looking at late summer or early fall for delivery of the first buildings, and then they will be on a 4 to 6-week delivery schedule after that for the next building.

Dave Campbell – So they'll be opening two buildings per month?

Randy Thomas – That's the plan, but it will probably be up to one per month.

Director Stacey – Dave, have we seen anything on the front entry way features for that development?

Dave Campbell – I think Jay has approved their entry features. It is considered a sign, so that's why it goes into the Building Department's domain. They are incorporating some of the cut stone element that the DDA used for the tunnel under Martin Parkway. It's the same cut stone that we had Merrill Park and Wycliff use also. Barrington will have a wing wall leading you into the

development, and also screening the pump station that's on the north side of their driveway, along with extensive landscaping. I expect it will look great.

Director Stacey – We did negotiate with the construction foreman. He needs to take down 2-3 trees that are quality nature. He will be replacing them with 12 trees I believe.

Dave Campbell – I forget the number, but yes, it was a 3-to-1 ratio.

Director Stacey – Because of the way that we structured the sale, that portion of the property, even though it is common area for the CTPA, Galbraith is responsible for the landscaping of that to improve it to the level that he wants for his entry features. He has always done a good job and it will be better than something the HOA would have provided. He will put in the plantings, irrigate it and make it look nice.

Randy Thomas –

- Parcel B1 – Aikens, Five & Main, Retail Phase II; The DDA still retains this property. Bruce has until October 31, 2021 to close.
- Parcel B2 – Granger, First & Main; I have nothing new to report.
- Parcel C – The hard corner of Pontiac Trail and Haggerty Road; Activity has really picked up since I last reported to you. I get a lot of gas station calls. Something good will happen there. We just need to be patient.
- Parcels D&E – Pulte, Merrill Park; Pulte is finished with Merrill Park. I know that they are looking at the driving range property just to the north. Dave?

Dave Campbell – Nothing new to report on that. I think I mentioned at our last DDA meeting that Pulte met with the Pinewood Industrial Park Association to negotiate emergency access to the property via Pinewood's private roads. I haven't heard anything new since then.

Randy Thomas –

- Parcel F – The acreage in front of the Township Hall; Nothing new to report, other than I stay in touch with the dental group who has expressed interest in the past.
- Parcel G – Wyncliff; Nothing to report.
- Parcel I – BBI Holdings, Gilden Woods; North of the Township Hall; I was told that the Commerce and Troy childcare facilities are by far the best out of their 20-some locations for their absorption rate. They expect to be filled up by April. So, apparently there is a demand.
- Parcel J1 – 2.38 acres on the hard corner of Oakley and Haggerty; We did have another self-storage group interested. I sent them info, but I let them know that I didn't think they had a chance of getting any traction for the DDA to sell to another self-storage in front of Beyond Self-Storage. I redirected them to some other locations to the south. Additionally, I have not heard from the childcare group, based out of Phoenix, lately regarding this parcel.
- Parcel J2 – NorthPoint, Beyond Self Storage; Nothing to report.
- Parcel K – The orphan piece across the street; Nothing new to report.
- Parcel L – 1.8 acres on Haggerty Road; We have another childcare group interested in this property. They've travelled the site twice. They are locally owned but nationally based. I'm expecting to see an offer from them.

Director Stacey – I did take a look at one of their local facilities. It's a very nice building. That was a huge positive. Certainly, we don't want to be the childcare destination, but I think it is far

enough away from Gilden Woods. It is next to Child Time, but that is certainly different from what this facility offers. That property also has access to the trail system, which I think is a huge positive for a childcare facility. There are some requirements that allow us to access Haggerty Road along the side of that.

Randy Thomas –

- Parcel M&N – These are the two out-lots that are being retained by the DDA within Bruce's development. I'm taking names and numbers right now when we get phone calls. We don't know the full boundaries of those areas yet, but that will be determined soon.
- Additionally, we have had the corner of Newton and Oakley Park listed for a while. We have some interest which would be office oriented.
- As for the Beaumont piece, we have a group looking at the site very hard. They're spending time and money on it without even being under contract. It has the potential in their eyes to be some sort of corporate headquarters.

Director Stacey – That would be a nice use for that. Beaumont actually put in the underground and the footings for a commercial building. One of the key complexities on that site is pulling all of that back out. If they can reuse that, that is a significant cost advantage for someone.

Randy Thomas – I did just get the drawings from Dave's department. They also spoke of donating a piece of the property back to the Township because there is a Brownfield on there. Utilizing the same plan will be beneficial from an incentive standpoint.

Director Stacey – It certainly is nice to see the trail system being utilized, and also the sledding hill. One thing that a neighbor asked me about was lighting for the sledding hill. I said I didn't know, but I would bring it up. Maybe we could do a light off of the wastewater treatment plant because there is a pole right there. It could be run until 10pm or so, instead of having people lining up their cars' headlights as they are currently. What a great positive that was for the community for something that saved us money; instead of hauling away all the dirt, it was able to be put into something that people use year-round now, for sledding and conditioning or running the hill. Mr. Campbell is going to lead conditioning over there this summer.

Item 4: Director's Report

- **Updates on Developers –**

- Aikens – Five & Main – They are working on the new condo docs. We are trying to setup the Planning Commission meeting in March. That will be driven by Bruce's schedule. It will need approval from both the Planning Commission and the Township Board. George Weber sat in on the meetings with Bruce. George is a Trustee and he sits on the Planning Commission. I think that by the end of the meeting, he had accepted the fact that the changes work to the benefit of the Township and to the development.
- Shapiro – Barrington; As Randy had mentioned, if you get a chance to drive back there, on the weekend when it's not too crowded, the amount of construction going on is exciting. They are putting up block face and stone on the clubhouse. You will see it start to take shape this summer. We did have complaints regarding the volume of dirt on Welch Road. I turned that information into the Building Department. They are working in mud, and the trucks are dragging the mud out onto the roads. It's a mess. They're doing the best they can. We will keep an eye on that.

- **MTT Judgments** – None
- **HOA Items** –
 - **HOA 2020 Budget** – Approved
 - **Dues** – 2020 Dues were billed in January. We await payment from Merrill Park, First & Main and the DDA. Our invoice is in the packet. Merrill Park is in the process of changing their management company, and they let us know it would take approximately 60 days to get the checking account set up.
 - **Lighting - CJs Lighting, Chris Niestroy; Shaw Electric, Mark Fetters**
 - We have asked CJ's to come out and repair any lights that are out. According to my count, there's around 6 out, plus one that is flashing at the roundabout north of the Township Hall, and the pole to be replaced at Merrill Park.
 - We like to do repairs at the end of the season so that hopefully no one will run over them again, and before spring while the ground is still frozen.
 - **Landscaping - United Lawnscape, Brian Sparks; Westside Forestry**
 - Obviously, they're not doing landscaping right now.
 - However, I have approved having Westside Forestry come in to remove 10 trees from the center of Martin Parkway. The majority are at the south end. We are not replacing them at this time. We are going to cut them to ground level and then wait to see what Jim and Bruce want to do for landscaping in those areas.
 - That invoice will come in next month for around \$3,000.
 - This is also something that is best to do while the ground is frozen as it causes less damage.
 - **Irrigation - Michigan Automatic Sprinkler, Mike Rennie**
 - Nothing to update
- **Other**
 - You'll see the HOA invoices in your packet for the flooding issue. That ended up being around \$5,000 worth of work to open up the drain head, using the vac-truck to clean it out, and putting in X-number feet of rip-rock to raise the one area of concern. It was very reasonable considering the situation we were in. It was going to damage property and the Number 1 priority was to get it taken care of.
 - We will follow up with Rousseaux's Excavating this summer to have him come in and do the correct cleanout on that drain head. He will also put in the posts so that we can locate it next winter. We will go with any additional changes that he recommends in order to prevent this situation again.
 - We did receive a FOIA request for Progressive Irrigation. They were the original irrigation contractor. This was a FOIA with a subpoena for a court case. It was approximately 220 pages of documentation that we turned over of bills, invoices, contracts and emails.

Item 5: Attorney's Report

Attorney Martella – I have worked with Tom Rauch for the last 6 years. I'm here to introduce myself for those of you who don't know me, and to make a bit of an announcement. Mr. Rauch will start somewhat retiring and phasing out on April 1st. Mark thought it was a good idea that I start showing up a little bit more regularly here, as well as getting to know everyone.

Tom is not leaving the practice of law; he is just going to start slowing down a bit. He will be around, happily helping out, and his institutional knowledge is second to none. So, you'll be

seeing more of me. I am aware of what has been going on with the development. It is Tom Rauch's baby and the love of his life. He was here when the bonds were passed and he will want to see this through. He started to bring me into the fold and has kept me up to date on what's going on.

Director Stacey – Chris, you were actually actively involved with the Aikens' Purchase Agreement, correct?

Attorney Martella – Correct, I was actively involved with the Aikens' Purchase Agreement and all of the amendments that go with it. I worked with opposing counsel and have a very good relationship with them as well. I am fully aware of what has been going on with Aikens. I've been here mostly since you've gone vertical, so since Merrill Park started.

Director Stacey – In addition, when Tom has been out of town, I have always used Chris as a back-up for questions. He and I have dealt with each other the last several years. Tom is not going away, but he is going to be sliding some of his work over to Chris. Tom just got back into town late last night. Originally, he had said he would be at today's DDA Meeting. I told him to send Chris instead.

Chairperson Gotts welcomed Attorney Martella to the DDA.

Item 6: Engineer's Report

Matt Schwanitz, Giffels Webster – It has been generally quiet. We have a couple reviews to do for the marketing committee regarding possibilities for the out parcels. We are also going to take a quick look at the storm outlet as Jay had brought up some concerns.

Director Stacey – We also had Jason in the meeting with Bruce, talking about temporary infrastructure and what would be possible for phasing the development. Giffels went through that and is working with Bruce's engineers on how to deal with water, sewer, electrical, storm water, and all the different issues for a development of this type in a phased plan.

Item 7: Planning Director's Report

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

- I don't have much to add beyond what was included in my report.
- We had a meeting at the M-5 bridge with the folks from Adam's Outdoor Advertising relative to the billboard that they are going to put back up now that the bridge is done.
 - As part of that, some trees have to be removed along the side of M-5 to improve visibility of the bridge for security reasons. Adam's is going to take care of that for us.
 - They have to take down 23 scrub trees, black locusts, that have grown up along the side of MDOT's detention pond. They're within MDOT's right-of-way, so MDOT said okay, if you take those down, you have to replace them. Again, it's a 3-to-1 ratio; so, 60-something trees will be replaced.
 - The reason I think it is interesting to the DDA is that they don't necessarily have to be planted in the same location where they were taken down. MDOT let's you put them within two miles of the area where the trees were taken down. There is a possibility that those replacement trees can be used elsewhere along M-5 or Martin Parkway. We await MDOT approval.

Chairperson Gotts – Dave, have we had any further security issues with the bridge lighting?

Dave Campbell – We had to have one of our local welders create what's called a clamshell, which wraps around the base of those lights and you put a padlock through it. That should deter anyone from getting at those lights. We have 5 lights back up and running, and 3 more are on order.

Director Stacey – Will the billboard be in a similar position as it was before?

Dave Campbell – Yes, I think it is slightly further west so it will not be blocked by the bridge. I believe it will be larger, but it will now only have one face to it. The previous billboard was two-sided, visible from both northbound and southbound traffic. Now it will only be visible for northbound traffic.

Director Stacey – Will the Township still have the ability to put messages up there?

Dave Campbell – Yes, I believe we get one out of every 6 messages or something like that.

Director Stacey – The bridge lighting looks wonderful. I'm assuming you have every holiday covered.

Dave Campbell – All the ones I can think of. If there are other creative ideas, let me know.

Item 8: Committee Reports

- A. Finance Committee – Director Stacey – I wanted to talk about the DDA checking account. I will let Molly bring you up to date on the service we are adding called Positive Pay.

Treasurer Phillips – The general fund account was hacked and someone tried to clear counterfeit checks. The did not clear because the general fund account has what is called Positive Pay. Every time we write a group of checks, we send a file to the bank that has the date, dollar amount and the check number on it. If anything tries to clear the bank that doesn't match that file, it gets kicked out.

We do not currently have Positive Pay on the DDA Account. It's not the checks that we write that we're worried about, but we are worried about someone trying to do the same thing again because this account does not have those protections. By the end of this month, it should be set up and it is an additional service charge of about \$100 per month.

Chairperson Gotts – Do you need any authorization on the record?

Director Stacey – No, because we already had the checking account. We're just adding that as a service. It was a choice we had to make, and it certainly makes sense.

- B. Public Relations Committee - Jose Mirkin was not in attendance. His next meeting with the Art Teachers and the new library Director is scheduled for March.
- C. Marketing Committee – David Smith was not in attendance, but Randy Thomas and Mark Stacey had covered the updates in this regard.

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

MOTION by Lublin, seconded by Spelker, 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 Tuesday, March 17, 2020 at 12:00pm.**
- Supervisor Scott discussed reappointment with Tim Hoy. Tim said he would be happy to continue to serve on the DDA Board. He will attend the April 14th Township Board meeting.
- Supervisor Scott discussed the following:
 - We have a new librarian, Alyson Lobert. She intended to come to the DDA Meeting today, and also to the Attorney/Engineer meeting this afternoon, however she is at a funeral today. Stop in at the library and introduce yourselves. She is a great young lady who grew up in Commerce Township.
 - We are in a census year. I encourage everyone to participate in the census. When you get your postcard notification in the mail, go online and answer the 10 questions. Encourage others to do the same, and record your children where they are, whether they are home or at the university. It is important that people get counted accurately at their locations because it impacts the funding for public services and public safety; federal funding, emergency services, school lunches, et cetera, are all impacted. Federal funding in terms of the census equates to \$1,800 per resident so it is important to all communities.
 - March 31st is the State of the Lakes, a luncheon at Edgewood Country Club. This is always an informative event. I will attend, along with Acting Oakland County Executive, Dave Coulter; Gary Wall, Waterford Township Supervisor; Rik Kowall, White Lake Township Supervisor; and, Mayor Ackley of Walled Lake.

Item 11: Adjournment

MOTION by Spelker, seconded by Lublin, to adjourn at 12:40pm.

MOTION CARRIED UNANIMOUSLY



Melissa Creech
DDA Secretary

EXP CHECK RUN DATES 02/18/2020 - 02/18/2020
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA WARRANT REPORT
FEBRUARY 18, 2020

Vendor Name	Invoice Date	Description	Amount
1. COMMERCE TOWNE PLACE ASSOCIATION	01/07/2020	2020 CTPA DUES	13,394.70
2. DEBORAH WATSON	02/12/2020	DDA ASSISTANT 1/16/20 - 2/12/20	743.75
3. GIFFELS-WEBSTER ENGINEERS	01/21/2020	COMMERCE TOWNE PLACE RE-PLAT NO.4	286.00
4. MARK STACEY	02/12/2020	DDA DIRECTOR 1/61/20 - 2/12/20	5,225.00
TOTAL - ALL VENDORS			19,649.45
FUND TOTALS:			
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			19,649.45

INVOICE ENTRY DATES 02/18/2020 - 02/18/2020
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA WARRANT REPORT - ADD ON'S
FEBRUARY 18, 2020

Vendor Name	Invoice Date	Description	Amount
1. DECKER AGENCY			
	02/10/2020	DISHONESTY BOND MARK STACEY	359.00
2. DETROIT EDISON			
	02/10/2020	2660 OAKLEY PARK	111.85
	02/10/2020	3106 MARTIN PARKWAY	115.81
	02/10/2020	2581 LIBRARY DR.	720.41
	02/10/2020	2579 LIBRARY DR. IRRIGATION	17.01
		TOTAL	965.08
TOTAL - ALL VENDORS			1,324.08
FUND TOTALS:			
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			1,324.08