

Final
CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, December 17, 2019
Commerce Township Hall
2009 Township Dr, 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
David Scott, Township Supervisor
Jose Mirkin, Member

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
Lt. Wendy Reyes, Oakland County Sheriff's Office

Item 1: Approval of Minutes

MOTION by Lublin, seconded by Mirkin, to approve the Regular Meeting Minutes of November 19, 2019 as presented. **MOTION CARRIED UNANIMOUSLY**

Item 2: Public Comments

Ray Golotta, 1595 Vanstone, Commerce Township – Every time I come up on M-5 going north, I see the bridge and I envision the entertainment center on the one side, and the townhouses on the other. I see the lights at the roundabout, but going past Granger, it's dark. The lighting from the various buildings may light that up, but from Granger north, it's dark. In the summertime or late spring, it would be dark to walk from the subdivisions to one of the restaurants.

Director Stacey – And that may be an issue that we address on the pathways sometime in the future. I don't know what the solution is going to be. We do have the tunnel lit up under the bridge now for people who are walking at night. We thought that was probably the most concerning area to be in complete darkness, but I wouldn't be surprised if some type of solar lights are installed out there by the association in the future.

Item 3: Insite Commercial Report

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

- Parcels A&H – Shapiro's Barrington development; The vast majority of the foundations have been poured. They have gone vertical on the clubhouse building.

Their intent is to open up a series of eight buildings, including the clubhouse, sometime in the Spring, and then continue with stick building. The way they're doing it is with SIPs which are pre-fabricated panels.

Engineer Schwanitz – Yes, the SIPs are pre-fab panels used for wall components, roofs, et cetera, and quite often they have insulation already installed.

Randy Thomas –

- The buildings will go up fairly quickly. It's good to see the vertical work versus all the dirt moving that's gone on for years.
- Parcel B1 – Aikens, Five & Main;
 - As you're aware, we closed on October 31st.
 - He's contemplating a phase plan development. Once I understand that more, I'll come back to you. Before I report to you, I'd really like to have a better idea.
 - He's also had meetings with Dave Campbell.
 - Globally, he's looking to start outlet development along Pontiac Trail and up to Martin Parkway with some temporary infrastructure to service those as he works through the phase part of the development.
 - Last week he was in New York for the ICSC, which is the second biggest event for the retailers. I just had a quick conversation with him before coming here and he said those meetings went well.
 - Hopefully next month I can give you a better picture of where he's at.

Director Stacey – Dave, do you have anything to add on the phase development? I know you've talked with Bruce.

Dave Campbell – It's been a few weeks since I've talked to him. I've also talked to Sue Neumann, who is his designer. I've asked Sue for a plan that shows how the Phase IA plan meshes with the overall plan and Phase IB. She said after Bruce returns from New York, he may be able to narrow down the details of these two plans and blend them together.

As Randy mentioned, to do Phase IA, he would have to put in some temporary infrastructure; roads, driveway connections and a temporary detention pond, until such time that the overall development gets done and they can send all of their storm water over to the pond behind Walmart. Sue should be getting back with me on the design refinements for Phases IA and IB, identifying the temporary and permanent improvements.

Director Stacey – I know, Matt, you had said that phasing for this type of development is typical in today's environment. Can you expound on that?

Engineer Schwanitz – Phasing on any project that's over 20 or 30 acres is not uncommon on retail sites. It's not unusual to have temporary improvements to maintain drainage, such as temporary swales, along with temporary utility connections. Great Lakes Crossing, although it seems like it was one big project, was actually done in four phases.

Randy Thomas –

- So, now that we've closed on Phase I, there is the property to the north that the DDA still owns, which is +/- about 13 acres, and Aikens has the purchase option on that. He would have to close on that by October 31, 2021.

Director Stacey – We also had two good articles on the Aikens property; Crain's, which I emailed to everyone, and the Oakland Press also had a very strong article which I've included in your packet. These articles create excitement in the marketplace.

Randy Thomas –

- Parcel B2 – Granger, First & Main; I have not heard anything new. Dave?

Dave Campbell – Nothing at all.

Randy Thomas –

- Parcel C – The hard corner of Pontiac Trail and Haggerty Road; Nothing new to report. We still get the same gas station calls. I've had conversations with the developer who owns the dollar store on the southwest corner. He's still trying to figure out what he's going to do. He has dropped his option on the dealership.
- Parcels D&E – Pulte, Merrill Park; Nothing new to report. That's on its way to being completed.

Dave Campbell – We have refunded most of the financial guarantees that we had from Pulte. They did some touchup items, replaced some trees, fixed the sidewalks, and other things from the punch-list. They're basically done in there.

Director Stacey – Pulte came in and talked about another development right next door to that. Can you bring the Board up-to-date on that?

Dave Campbell – Pulte wants to do 103 attached townhomes. They need some cooperation with Pinewood Industrial Park to the north for access through the private roads to get to the old driving range property, located across the street from here. They want to hold a meeting with the Pinewood folks here at the Township Hall in January. Once they have an agreement regarding the private road access, then Pulte should be returning to seek approvals for their project.

Randy Thomas –

- Parcel F – The acreage in front of the Township Hall; We still have the dental group that I've stayed in touched with. He's pleased that Bruce has closed and now he wants to see it built.
- Parcel G – Wyncliff; Nothing to report.
- Parcel I – BBI Holdings, Gilden Woods; North of the Township Hall, Nothing new.
- Parcel J1 – 2.38 acres on the hard corner of Oakley and Haggerty; Previously I had told you that there was a childcare group that's interested. They remain interested; however, they're not coming into town until after holidays.
- Parcel J2 – NorthPoint, Beyond Self Storage; Nothing to report.

Director Stacey – We did have the silt fence and the grand opening sign taken down at Beyond Self Storage.

Randy Thomas –

- Parcel K – The orphan piece across the street; Nothing new to report.
- Parcel L – 1.8 acres on Haggerty Road; There is a gentleman who has talked to me about acquiring this piece from the DDA, and potentially the building that Marz occupies.

- Parcel M&N – These are the two out-lots that are being retained. We have started the marketing on the one that I call the Walmart Out-lot, which is on the hard corner. That's on the market but we have not had any bites at the apple yet.

Item 4: Director's Report

- **Updates on Developers - (Covered by Randy's report)**
- **MTT Judgments** – None.
- **HOA Items** –
 - **HOA 2020 Budget** – All signatures have been collected and we have our 2020 Budget approved. I think this is the earliest that this has ever been done.
 - **Dues** – All 2019 dues are paid in full. We will be proceeding onto billing for the 2020 dues.
 - Granger has appointed a new representative to the CTPA. I will get in touch with them after the first of the year to see if I can find out information on their plans for Phase II and III.
 - **Lighting - CJs Lighting, Chris Niestroy, Shaw Electric, Keith Greene**
 - We have one pole down at Merrill Park. There is no responsible party. We checked for towing and police reports. Someone hit it and drove away, so the association will be responsible. We do have some inventory which is useful in this situation. That has been capped off and it will be replaced in the Spring, along with some other light heads that are out.
 - Speaking of lights, Dave, your lights that were stolen at the bridge?

Dave Campbell – We ordered replacement lights through Ray Electric in Novi. It takes two weeks for them to get here. Once they arrive, we have an electrician who will install them. The ones we ordered are \$350 each. They're actually a different brand than the ones that were stolen, which were closer to \$600 a piece and they would have taken 8 weeks to arrive.

Discussion continued regarding the stolen ground lighting at the M-5 pedestrian bridge.

- **Landscaping - United Lawnscape, Brian Sparks**
 - Obviously landscaping is done for the season.
 - Remember that we have a contract for 2020. We were able to keep those rates by having a 2-year contract.
- **Irrigation - Michigan Automatic Sprinkler, Mike Rennie**
 - Shut off for the season

Item 5: Attorney's Report

Attorney Rauch – Obviously you're aware that we closed with Bruce, Commerce Downtown, LLC is the name of his entity that now owns Unit 13. We amended the Master Deed, creating the two new parcels and he closed on the first one. Although the closing was somewhat matter-of-fact, a couple of technical legal description issues have caused some havoc at the Register of Deeds office, instead of having the documents immediately recorded. Even though they were approved by the Register of Deeds condominium specialist, they were rejected for recording initially and had to be re-recorded, which they were. As I mentioned to Mark this morning, the Sub-PUD agreements were also rejected two days ago for additional legal description issues. We are working on those issues and I am in contact with the developer's counsel. Apparently there is a technical issue with the legal description of the library property, although it has probably been that way for many years.

Discussion continued regarding recording of the documents and working with the County offices.

Attorney Rauch – Last month, you’ll remember that Barrington’s lender had requested some estoppel language, certificates and letters from the DDA and from the association as Jim Galbraith’s project goes into construction. We had provided them a letter, and we also added a resolution permitting and authorizing Mark Stacey to cooperate and sign whatever may be necessary. It turned out that was a good idea because the lender needed more information and an additional letter was prepared for them. I spoke with Jim yesterday and he said, as near as he can tell, the lender is finally happy.

These things will happen, now that the DDA is evolving out of land ownership and extensive construction is taking place. I’m sure we will be hearing from all of the developers, and particularly their lenders, because they are usually new to the project; remember that for the condominium, we had over a hundred historic recorded items in the title work.

Item 6: Engineer’s Report

Engineer Schwanitz – We’ve been helping Tom with recordings, and then some plan reviews for Aikens’ first phase, helping the DDA figure out the most prudent way to get the project into service. Certainly there are some planning issues there that need to be addressed.

Director Stacey – You also worked on Pad A layouts for us.

Engineer Schwanitz – Yes, I found the sketch I did a year ago and I’m helping with that too, as to how it might be built out.

Item 7: Planning Director’s Report

Dave Campbell, Township Planning Director – I really don’t have anything more to add. Mark and Randy always steal my thunder.

Item 8: Committee Reports

A. Finance Committee – Director Stacey – Our year-end adjustments are done and everything has been approved. In addition, we have the bills for next year scheduled.

B. Public Relations Committee - Jose Mirkin – The Public Relations Committee has the dates for the next annual K-12 Art Exhibition that we have been coordinating with Walled Lake Consolidated Schools System, and sometimes the Detroit Institute of Arts, for several years now. This event, as the previous ones for the last 3 years, will be held at the Commerce Township Community Library.

The setup will occur on Friday, May 15th and the art show will run from May 18th to May 23rd, with the take down on May 26th, due to the fact that May 25th is Memorial Day.

The artists and parents reception is mid-week on Wednesday, May 20th from 5 to 7:00pm. I already double checked with Bill Wines, Acting Director of our library, about blocking those dates and the White Pine room for this art show. As I stated in previous reports, last year we had more than 1,000 people among students, educators, parents, friends and residents of Commerce Township and surrounding areas.

As I also reported previously, this Art Exhibition has become a successful annual art show where the community comes together to celebrate the creativity and ingenuity of educators and students of our excellent school system.

I’m pretty sure we all know that a few years ago, Walled Lake Schools was not the best in the County. Today, they’re among the first and best. They went all the way to a very good position in the County in a short time.

I would also note that I will be out of town in January and I will not be in attendance at the next meeting. I will try to send Deb my report, because we do have a meeting on January 16th with the art teachers and the library.

Supervisor Scott – Jose, are we still going to do the DIA exhibits in the community?

Jose Mirkin – Yes, sir. The lady who was running the DIA Inside Out Program has left, and she is now running a museum in Lansing and working for Michigan State University. The new lady is still getting acclimated. I will contact her as soon as possible to schedule another Inside Out in Commerce Township, possibly for April/May of 2020.

Supervisor Scott – Just food for thought; the City of Wixom applied to use the Michigan Airline Trail as an Inside Out art display, so that may be something we partner in and continue through Commerce.

Jose Mirkin – The last time that I went through that area, it was impossible to walk because there were so many pedestrians and bicycles. It's really crowded, but it's a great idea as many people will be seeing the art.

David Smith – Do we have something setup so that people can donate art to the Township?

Supervisor Scott – We have the ability to receive donations and endowments.

Jose Mirkin – The art teachers have asked me about the new Library Director.

Supervisor Scott – We begin interviews today, and I would think we will have someone to fill the position by February.

- C. Marketing Committee – David Smith – I don't have much to add. In our discussions, it would really be nice to have final closure for the anchor store for Five & Main. That will cement the bond that we are really moving ahead. We're close, but it's an arduous task.

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., January 21, 2020 at 12:00pm.**
- Director Stacey and Chairperson Gotts wished everyone Happy Holidays.

Item 11: Adjournment

MOTION by Lublin, seconded by Hoy, to adjourn at 12:34pm.

MOTION CARRIED UNANIMOUSLY



Melissa Creech
DDA Secretary

INVOICE ENTRY DATES 12/11/2019 - 12/11/2019
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA WARRANT REPORT
DECEMBER 17, 2019

Vendor Name	Invoice Date	Description	Amount
1. DEBORAH WATSON	12/11/2019	DDA ASSISTANT HOURS 11/14 - 12/11/19	762.50
2. GIFFELS-WEBSTER ENGINEERS	11/21/2019	PROFESSIONAL SERVICES THROUGH NOVEMBER 16, 2019	858.00
	12/05/2019	PROFESSIONAL SERVICES THROUGH NOVEMBER 30, 2019	572.00
	12/06/2019	COMMERCE TOWNE PLACE RE-PLAT NO. 4	751.35
		TOTAL	2,181.35
3. KEMP, KLEIN, UMPHREY & ENDLEMAN, PC	12/04/2019	PROFESSIONAL SERVICES THROUGH NOVEMBER 30, 2019	9,731.62
4. MARK STACEY	12/11/2019	DIRECTORS PAY 11/14/19 - 12/11-19	4,500.00
TOTAL - ALL VENDORS			17,175.47
FUND TOTALS:			
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			17,175.47

INVOICE ENTRY DATES 12/17/2019 - 12/17/2019
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: DDA
DDA WARRANT REPORT - ADD ON
DECEMBER 17, 2019

Vendor Name	Invoice Date	Description	Amount
1. DETROIT EDISON			
	12/13/2019	2660 OAKLEY PARK	123.91
	12/13/2019	3106 MARTIN PARKWAY	136.05
	12/13/2019	2581 LIBRARY DR.	819.63
	12/13/2019	2579 LIBRARY DR. IRRIGATION	17.46
		TOTAL	<u>1,097.05</u>
TOTAL - ALL VENDORS			1,097.05
FUND TOTALS:			
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			1,097.05