

**Final**  
**CHARTER TOWNSHIP OF COMMERCE**  
**DOWNTOWN DEVELOPMENT AUTHORITY**  
**Tuesday, September 17, 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 12:00PM.

**Downtown Development Authority:**

**Present:** Mark Stacey, DDA Director  
James Gotts, Chairperson  
Dan Lublin, Vice Chairperson  
David Smith, Member  
Brian Winkler, Member  
Steve Matta, Member  
Tim Hoy, Member  
David Scott, Township Supervisor  
Jose Mirkin, Member  
Susan Spelker, Member (arrived 12:06pm)

**Also Present:** Thomas Rauch, DDA Attorney  
Debbie Watson, DDA Assistant  
Melissa Creech, DDA Secretary  
Molly Phillips, DDA Treasurer  
Matt Schwanitz, Giffels-Webster Engineer  
Dave Campbell, Township Planning Director  
Randy Thomas, Insite Commercial  
Simon Rubin, Insite Commercial  
Lieutenant Wendy Reyes, OCSO Substation Commander

**Item 1: Approval of Minutes**

**MOTION** by Lublin, seconded by Mirkin, to approve the Regular Meeting Minutes of August 20, 2019 as presented. **MOTION CARRIED UNANIMOUSLY**

**Item 2: Public Comments**

Ray Golotta, 1595 Vanstone, Commerce Township – Is there an ETA when the Commerce Township bridge will be completed?

Supervisor Scott – The project is 13 months behind schedule. We're eager to see it done right.

Treasurer Phillips – It would be nice if it was done before the run on the 12<sup>th</sup>.

Supervisor Scott – It would be nice if it were done before the Lake-to-Lake Trail Ride that's coming this weekend.

Dave Campbell – We told them we have the 5K on October 12<sup>th</sup>. They're aware of it and they're hoping that they can have it 99.9% done by the time we hold that event. Part of why it has taken so long is that it is built to withstand anything you can imagine.

Ray Golotta – Another question I have on the trailway; where it crosses main intersections, such as Beck or Maple, I'm noticing foundations being put in.

Supervisor Scott – At every intersection, there will be a mast, an arm with lights, crosswalk, electronics, rapid flashing crossing beacons, walk lights – a spectacular array of things to prevent people from getting hit.

Dave Campbell – You'll actually be able to push a button and stop traffic on Haggerty so you can get across.

Director Stacey – It's the same lighting they've used in West Bloomfield.

David Smith – At Walnut.

Supervisor Scott – And in Keego Harbor as well.

**Item 3: OCSO Update – Lieutenant Wendy Reyes**

Chairperson Gotts – Welcome Lieutenant Wendy Reyes, the new Commander of the Commerce Township substation.

Director Stacey – First of all, we'd like to say thank you for your fine work in catching the graffiti artist. For those of you who don't know, over the holiday weekend, Oakland County received a 911 phone call about someone painting graffiti under the bridge, and they were able to apprehend them with the help of Walled Lake and the citizens.

Lt. Reyes – Yes, the citizens.

Director Stacey – Being able to catch someone who has been destroying our property was immensely helpful. It was not anyone we would have expected. He is a 41-year-old male who thought this was something fun to go out and do.

Lt. Reyes – And he's on parole. You would have thought it was a teenager.

Director Stacey – We were sure it was neighborhood kids. I'm assuming that he will be prosecuted.

Lt. Reyes – Certainly, and we're going to be asking for restitution, but he's on parole and going back. I don't know what luck we'll have with regaining any money for the clean-up.

Discussion continued regarding the graffiti issues and the similar pattern of each occurrence. Jose Mirkin inquired about insurance against vandalism. Director Stacey explained that the insurance deductible is \$10,000, and it was \$3,000 to clean up the graffiti. The higher deductible is necessary when you consider the difference in price points for insurance on this size property.

Director Stacey – I know that we were unable to obtain statistics for automobile crashes. Have you seen anything from Walmart with regard to an increase in retail theft? I understand there have been issues there.

Lt. Reyes – Well, it's not really an increase in theft. It's an increase in enforcement. There are websites out there that criminals use to tell each other that Walmart is a great place to steal from, especially the one in Commerce Township because they don't have security after 2pm. I think Walmart found out that they were getting ripped off a whole lot more than they realized, and they implemented a better security team. So now they're catching people who are stealing. It's really not a rise in crime, it's a rise in dealing with the theft.

Director Stacey – It's always good to catch them. I know that our roundabout has its fair share of accidents. You guys are out there quite a bit, but the good thing is that there is never an ambulance for someone injured; they're just side swipes.

Lt. Reyes – They are, and there are a significant number of accidents, but when you have a T-intersection with accidents at higher rates of speed, you get serious injuries and fatalities. I will have the stats for the next meeting. I emailed our request to TIA.

Director Stacey – When that first opened as a T-intersection, I think the first accident was a fatality. The roundabout is certainly an improvement. We're doing everything possible to keep the traffic flowing. As a matter of fact, I have to put in a call to Oakland County to get the lanes restriped. They're starting to show significant wear.

Supervisor Scott – They're doing the roundabout today.

Director Stacey – Fantastic. I noticed on Orchard Lake Road, at the new roundabouts at 14 Mile, they have installed very significant boulder barricades for the center medians; the type that will not move if a car hits them, so you can put anything you want behind them. That's something we will keep an eye on. We've talked about it in years past and said wouldn't it be nice. Now they're actually doing it. Let's look at that next year and see what that does to injuries and whether it makes sense to have them hit a boulder, or run over our trees and light poles.

David Smith – The roundabout at Carroll and Cooley was designed so that cars and big trucks can drive over it because it's a small roundabout.

Supervisor Scott – Even the ancillary cement work is all graded. They have realized that they're spending too much time and effort repairing curbing, when they can just have it a drive over surface. Orion Township spent about \$4 million on the landscaping at the Baldwin Road roundabouts. It's tiered stone.

David Smith – I think Drake and Maple is like that too.

Supervisor Scott – Brown Road has a fountain as well.

Director Stacey – So, obviously trying to find ways to improve the look while also protecting the investment for our roundabouts.

Lieutenant Reyes, thank you again for all your help. If there's anything we can do for you, please let us know. The majority of members in here are business owners and I'm sure you'll deal with them at different points throughout your career. Welcome to Commerce.

Chairperson Gotts – Thank you kindly for all the efforts of the Sheriff's Department. We appreciate your service.

Tim Hoy – I would like to extend my appreciation. I own Steinway Piano Gallery. The Sheriffs have been there a lot lately, for whatever reason. I just want to tell you, your officers are the very finest and best.

**Item 4: DDA Informational Meeting**

Chairperson Gotts – The DDA Informational Meeting is a statutory requirement.

Director Stacey – We will open the informational meeting to satisfy the requirements. Do we have anyone from any of the taxing jurisdictions here today that we had notified of this meeting?

No one was present from the taxing jurisdictions.

Director Stacey – We will be explaining where we are on our development, starting with the Insite Commercial Report.

**A. 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; They are moving a lot of dirt and there are a lot of pipes going in. Foundations are being poured for 4-6 buildings, plus the clubhouse. You'll see the installation of the cement plant onsite and they'll get all the roads in this year.

Director Stacey – The plant is already onsite and they're making cement.

- Parcel B1 – Aikens, Five & Main; As I explained previously, names would change, uses would change and the site plan would change. We do have a change in one of the theater groups that is interested, and this is a much more palatable deal. It makes the developer a little more confident as the economics are dramatically different with this particular group. Tom can give you a brief update on the closing.

Attorney Rauch – At the next meeting on October 15<sup>th</sup>, we plan to have the originals of the Amendment to the Master Deed, which is necessary to create the parcels for Bruce's project. That has to be reviewed and approved by the Register of Deeds Office, so we're going to have it executed at the October meeting, in advance of closing. We'll have the Register of Deeds provide their comments and have the document ready to file, because that needs to be recorded immediately before closing. We have to create the parcel in order to sell it to Bruce. By contract, the closing has to occur before Thursday, October 31<sup>st</sup>. We anticipate signing the final closing documents during the early part of that week. I look forward to working with Bruce's attorney on the closing. We have no reason to expect that there won't be a closing, but we also don't have the final commitment yet.

- Parcel B2 - Granger, First & Main; Nothing to report.

Dave Campbell – I have not heard anything from them since they came to the Planning Commission to discuss their Phase II building.

- Parcel C – The hard corner of Pontiac Trail and Haggerty Road; We have received a letter of intent. The interested party also owns other assets in the area. Since tendering the offer, he has asked us to sit on it. We want to understand his timing and plans, but he is not prepared to give us that information yet. We are not bound to do anything with the LOI.

Treasurer Phillips – It doesn't have any timing or expiration?

Randy Thomas – It does have an expiration, but as his request. We are not obligated to do anything at this time.

- Parcels D&E - Pulte, Merrill Park; I have nothing new.

Dave Campbell – Pulte asked for their final landscape inspection just yesterday. They removed things that didn't survive and replaced them. They're close to calling themselves done with that project.

- Parcel F – The acreage in front of the Township Hall; Once a month, we speak with the dentist that's interested. I have not had much activity on that piece in the last 60 days.
- Parcel G - Wyncliff; Nothing to report.
- Parcel I – BBI Holdings, Gildden Woods; North of the Township Hall; Nothing to report.
- Parcel J1 – 2.38 acres on the hard corner of Oakley and Haggerty; We had a party that tendered a letter of intent which was countered in the past, as previously reported. That would be Aqua Tots. It seems they are looking at other options. Last week I got an email from him asking if the property was still available.
- Parcel J2 - NorthPoint, Beyond Self Storage; Nothing new to report.
- Parcel K - The orphan piece across the street; Nothing to report.
- Parcel L - 1.8 acres on Haggerty Road; As of yesterday, I had conference call with a developer based out of Arizona who builds for several retail groups, hospitality groups, et cetera. In particular, they have another childcare facility that is interested in the market. I get inundated with a lot of childcare requests. I'm blown away by everybody telling me how deep the market is out here. In large part, the demand is due to the traffic patterns.
- Parcel M&N - These are the two out-lots that are being retained by the DDA. I did send some information out on these to a local broker. He has a group looking to do a restaurant.

#### **B. Asset & Liability Report**

Director Stacey – I have included for your review the Asset position of the DDA, which includes both cash and land held for resale, and the liability position which includes our bonded indebtedness, interest payable and debt to the Township. You'll see that our assets reflect a significantly lower number than our total liabilities, giving us a net negative value of \$54 million and change. Obviously this does not reflect future growth in the tax capture. For the snapshot, for the moment in time, this is a reasonable picture. However, counting in that future growth, which is why we're developing this property, will significantly alter that picture. That is for your review under the informational meeting.

**C. Q&A**

Chairperson Gotts and Director Stacey opened the Question and Answer segment of the DDA Informational Meeting.

There were no questions or comments.

**ITEM 5: Director's Report**

Director Stacey – We had a good month with a lot of exciting things happening on the property. First of all, obviously the graffiti issue and the OCSO catching that person was exciting from the standpoint that we don't have to keep cleaning up the messes that they were making.

- **Updates on Developers - (Covered by Randy's report)**
  - Shapiro – Barrington – As I pointed out, the cement plant is up and running. You'll notice that he has the roads laid out and the gravel base installed. He is planning to have the cement installed before the end of this season. He is making progress and we'll start seeing vertical construction soon.
- **MTT Judgments** – None.
- **HOA Items** –
  - **HOA Budget** – 2019 Approved; Reviewing 2020, which will be going out to the HOA's for a CTPA meeting to be held between Thanksgiving and Christmas.
  - **Dues** – All current
  - **Lighting - CJs Lighting, Chris Niestroy, Shaw Electric, Keith Greene**
    - Rope lighting: We are still awaiting final repair from the vendor of one defective strand of rope lights. We are working to get that project finished.
    - During the rope lighting installation, we found out that AT&T had damaged our underground electrical wires. The final cost of those repairs from Shaw was \$14,076.
    - We are finalizing the property claim package that will be going out soon.
  - **Landscaping - United Lawnscape, Brian Sparks**
    - United performed trail cleanups, 40 man hours at \$55 an hour, on the east side trailways. We paid particular attention to the Merrill Park area. That was because of the fact that, in years past, we didn't want people entering those trails while the subdivision was under construction. Now that the development is complete, we wanted them cleaned up and you will see more activity.
    - We have signed the phragmites contract, which was presented at the last meeting. I had a discussion with Jim Galbraith and he was in favor of treatment and wanted to do the maintenance. He took the proposal to his engineers and they were familiar with Aquatic Management. They also treat our Township Parks. Due to time constraints, we decided to proceed with their company. He should be getting permits and scheduling treatment with a week or so. Time is of the essence as treatment needs to occur in the fall. Their group uses equipment such as 4-wheelers and boats to access the trails and ponds.

- **Irrigation - Michigan Automatic Sprinkler, Mike Rennie**
  - The system is up and running.
  - You may recall that we paid for a mainline leak repair last month. Well, they fixed it, but the puddle was still there. Something else was still leaking. We called them back. They dug it up again and what they had fixed was fine, but it was leaking on the other side of the road coming from the shaft or sleeve that was buried under Martin Parkway. There was discussion of the possibility of having to do directional boring, but luckily they were able to fix the leak on the other side without having to go to extreme measures. It's all fixed now.
- **Other**
  - Maintenance: You may have noticed we have a large tree branch down and some damage on the parkway from someone driving through it. It looked like a 4-wheeler cut across. Those have both been reported to United and hopefully they'll be cleaned up this week. Other than that, we did not have any significant damage from the recent storms, although I have not walked the trails.
  - Holiday Lighting: You received a copy of an email from Pete Cantillon of Merrill Park's HOA.
    - He is asking CTPA to participate in some type of holiday lighting for the evergreen trees in front of Merrill Park.
    - They have offered to hook them up to their electrical system and pay for the electrical costs, working with whatever vendor they may choose.
    - They were asking if there would be any support from CTPA.
    - I asked counsel this morning to see if this is something we can do to enhance the beauty of the complex. I will still need to talk to the CTPA Board of Directors, but this is certainly something we can do.
    - We currently have approximately 40% of the voting rights. I wanted to get a feel from this Board to see if this was something you wanted me to look into.
    - We would probably want to bring in Wyncliff too.
    - We could cut some type of deal where we pay for half the lights and they deal with it from there.
    - Pete noted that if they did all 50 evergreens, his estimated price was \$3,000 for lights. If they did half that, it was \$1,500. That's to buy the LED light strands.
    - It's something that might look very nice for the holiday season.

David Smith discussed balancing the lighting on both sides of the road for each development. Director Stacey noted that Wyncliff doesn't have nearly the number of trees that Merrill Park has. Discussions continued regarding future involvement by Galbraith, Aikens and Granger.

Chairperson Gotts discussed the percentages and potential financial responsibility for the costs with Director Stacey. Those details have not been finalized yet, but it is not an additional number. The CTPA budget already has money set aside, so a couple thousand could be spent for improvements. That is not an issue. Director Stacey noted that if Merrill Park and Wyncliff can take on overseeing the project and take responsibility for the lighting, it's a huge positive.

Discussions continued regarding approximate costs and percentages, utilities and accessibility, the significant benefit to the community, and professional installation and uniformity of the lighting, especially down the road as the newer developments join in on the project. Overall, the Board members were in favor of the holiday lighting project and Director Stacey would plan to consult further with the CTPA Board of Directors.

#### **Item 6: Attorney's Report**

Attorney Rauch – I have nothing additional to report beyond my comments made earlier in the informational section of the meeting.

#### **Item 7: Engineer's Report**

Matt Schwanitz, Giffels Webster – Nothing significant to report. We have assisted with informational requests and minor issues.

#### **Item 8: Planning Director's Report**

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

- Rolling Hills of Commerce, the independent living facility that's going to be built at the southwest corner of Haggerty and Crumb Road; they should be breaking ground any day. They're over there now doing site prep. They got an easement that they needed from Mr. Lublin who owns the property next door. With the help of Mr. Smith, they got that sorted out, so real work will start very soon.
- Across the street from there is a vacant 5-acre parcel, just to the west of the Goodwill store. There is a group that came to the Planning Commission meeting last week. They want to build five 3-story apartment buildings on that site. Each building would be 20 units, so 100 units total. They are going to pursue that project as a PUD because 100 units on 5 acres is a little more density than what our Zoning Ordinance typically allows. The preliminary comments from the Commissioners were that they liked the architecture and design, but they were not comfortable with the density.
- The Michigan Schools and Government Credit Union at the corner of Pontiac Trail and Walnut Lake Road; I got an email today that they are having their ribbon cutting in October. They are planting all their trees and shrubs, so it looks like we'll be wrapping up that project soon.
- The pedestrian bridge over M-5; it's slow but steady progress. Our hope is that they will have it done in the early part of October in time for the 5K Run that all of you are participating in, that our Parks and Recreation Department will be hosting on the Michigan Airline Trail and crossing over that bridge.

#### **Item 9: Committee Reports**

##### **A. Finance Committee –**

Director Stacey – The budget you approved at last month's meeting is going to the Township Board tonight at 5PM. I will go before them with that, and the 2019 budget adjustments.

Obviously, the key is working on closing with Aikens. That project needs to close, from both the finance side, but also to make this a reality. Everything we've seen is pointing toward closing.



B. Public Relations Committee –

Jose Mirkin – I have nothing to report. Classes started two weeks ago, so we have not had any meetings with the art teachers of the Walled Lake Schools. I assume that the first meeting at the library will be at the end of October.

Chairperson Gotts – Do we have a new librarian in charge?

Supervisor Scott – We will be posting that position availability here in the very near future. We do have an Acting Director. There is a high demand for librarians in the area and hiring is expected to be competitive.

C. Marketing Committee –

David Smith – I don't have much to add. There's been a lot of activity and interest in what we've got going on. There's a lot of movement out there and everything is still going in a positive direction.

**Item 10: 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 11: Other Matters**

- **The next regularly scheduled DDA meeting is Tuesday, October 15, 2019 at 12:00pm**
- Supervisor Scott discussed various requests by residents, including additional street lighting.
- Supervisor Scott discussed the recent meeting he and Dave Campbell had with DTE regarding upgrades to support growth and development of the community. In response, DTE has kicked off a pilot bonus program for the area of the Hancock Power Station. If you have a business in this area and you want to upgrade your interior lighting to LED, DTE is offering to pay for 75% of the costs. Please contact DTE if you want to convert from incandescent to LED. It may be beneficial to seize the opportunity. They are trying to relieve the load on the Hancock Station to free up electricity for other projects in the area. An email will be forwarded to the DDA Board Members with details.
- Brian Winkler inquired about arranging a joint meeting between the DDA, the Planning Commission and the Township Board. Director Stacey stated that it is on his list; however, he has been waiting for Aikens to close prior to scheduling.
- Jose Mirkin initiated further discussions of the M-5 pedestrian bridge progress, lane closures, and anticipated completion.

**Item 12: Adjournment**

**MOTION** by Mirkin, seconded by Winkler, to adjourn at 12:53pm.

**MOTION CARRIED UNANIMOUSLY**



Melissa Creech  
DDA Secretary

User: JBUSHEY  
DB: COMMERCE

INVOICE ENTRY DATES 09/12/2019 - 09/12/2019  
BOTH JOURNALIZED AND UNJOURNALIZED OPEN  
BANK CODE: DDA  
DDA WARRANT REPORT  
SEPTEMBER 17, 2019

Vendor Name	Invoice Date	Description	Amount
1. DEBORAH WATSON	09/11/2019	DDA ASSISTANT HOURS 8/15 - 9/11/19	975.00
2. GIFFELS-WEBSTER ENGINEERS	08/06/2019	AIKENS DUE DILIGENCE ASSISTANCE, INFO REQUESTS	1,001.00
3. KEMP, KLEIN, UMPHREY & ENDLEMAN, PC	09/06/2019	PROFESSIONAL SERVUCES THROUGH AUGUST 31, 2019	3,862.50
4. MARK STACEY	09/11/2019	DDA DIRECTOR HOURS	4,375.00
TOTAL - ALL VENDORS			10,213.50
FUND TOTALS:			
Fund 499 - CAPITAL PROJECTS - DDA			10,213.50

User: JBUSHEY

INVOICE ENTRY DATES 09/17/2019 - 09/17/2019

DB: COMMERCE

BOTH JOURNALIZED AND UNJOURNALIZED OPEN

BANK CODE: DDA

DDA WARRANT REPORT - ADD ON REPORT

SEPTEMBER 17, 2019

Vendor Name	Invoice Date	Description	Amount
1. DETROIT EDISON			
	09/14/2019	3106 MARTIN PARKWAY	102.60
	09/14/2019	2581 LIBRARY DR	635.35
	09/14/2019	2579 LIBRARY - IRRIGATION	228.95
	09/13/2019	2660 OAKLEY PARK	100.24
		TOTAL	1,067.14
TOTAL - ALL VENDORS			1,067.14
FUND TOTALS:			
Fund 499 - CAPITAL PROJECTS - DDA			1,067.14