

Final
CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, September 21, 2021
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: Debbie Watson, DDA Director
James Gotts, Chairperson
Larry Gray, Township Supervisor (via Zoom)
David Smith, Member
Tim Hoy, Member
Brian Winkler, Member
Steve Matta, Member
Dan Lublin, Vice Chairperson
Jose Mirkin, Member
Susan Spelker, Member

Also Present: Melissa Creech, DDA Secretary
Molly Phillips, DDA Treasurer
Thomas Rauch, DDA Attorney
Matt Schwanitz, Giffels-Webster, DDA Engineer
Randy Thomas, Insite Commercial
Dave Campbell, Township Planning Director
Abigail Mundy, DDA Assistant
Ben Sebrowski, Township Director of Technology

Item 1A: Remote Meeting Announcement

Chairperson Gotts – Supervisor Gray is participating in this meeting remotely due to a medical condition pursuant to the Open Meetings Act and the Township Procedures for Electronic Meetings Policy.

Supervisor Gray – I hereby certify that I am attending remotely, and I am located in Commerce Township, Michigan.

Item 1: Approval of Minutes

MOTION by Lublin, seconded by Mirkin, to approve the Regular Meeting Minutes of September 21, 2021 as presented.

ROLL CALL VOTE

AYES: Lublin, Mirkin, Matta, Winkler, Gotts, Gray, Smith, Spelker, Hoy
NAYS: None
ABSENT: None

MOTION CARRIED UNANIMOUSLY

Item 2: Public Comments

Ray Golota, 1595 Vanstone Drive, Commerce Township – We hosted the car show at Baker’s and we had 90 sponsors. Some of the sponsors that donated are in this room right now. With the sponsors, we give them a nice little thank you plaque. We raised \$10,000 for the Joe Kocur Foundation for Children. To date, we have raised \$22,500 for the Foundation. As far as the club,

we have raised over \$42,000 for various charities. Thank you.

Chairperson Gotts – Thank you very much, and congratulations.

Eric Nagler, 9065 Campbell Creek Drive, Commerce Township – I am representing the Campbell Creek Homeowners Association. We have gotten a lot of complaints about Martin Parkway. I do not know if the situation has gotten worse or if it is just atmospheric conditions, but the situation is out of control with speeding and revving of engines, etc. Looking at Martin Parkway, south of Oakley Park, I saw one speed limit sign of 45 and have not seen any other speed limit signs all the way down to Pontiac Trail. My first request is to perhaps put some speed limit signs, or even better the sign that not only tells you the speed limit but actually flashes the speed. I do not know if that is feasible, but we would all certainly be in favor if that's doable. I spoke with Debbie about this on the phone, and I know it can be difficult to make progress. Anything you can do would be greatly appreciated. Thank you.

David Smith – Was it the State Police who set the speed limit on that road? It wasn't us, and it wasn't the County.

Director Watson – David, if I recall correctly, it was not posted initially and I believe that was for 60 or 90 days while they measure the speed of the traffic. Then they post it according to what people want to drive on that road. That is what I recall hearing from Kathleen, which was very disappointing because we wanted to see 35mph.

Engineer Schwanitz – I can answer that. There was an ask. It is a Road Commission road, they are responsible for it and they do the posting. State Police also do their own assessment of the road and they establish the limit. That is an absolute. They do it by what they are witnessing on the road, based on the 85th percentile of the traffic. If it were a city, they can take control of that and take ownership of it, but it is the call of the Road Commission and State Police.

David Smith – We are cognizant of what is going on there, and it can tend to be rush hour.

Chairperson Gotts – Matt, should we have some conversation with the Road Commission about our concerns?

Engineer Schwanitz – Absolutely. I do not think there is any design criteria on the number of signs or the nature of them, the radar controlled signs.

Chairperson Gotts – I think they have a good traffic count, so the traffic intensity is just obvious. I would think that it might be beneficial for all of us, in the interest of safety and public equity, to make contact with the Road Commission and advise them of our concerns.

Treasurer Phillips – Would it be our Oakland County Substation that could put up one of the portable “check your speed” signs that shows how fast you're going? Would our Substation do that, or would we have to have the State Police do that?

Engineer Schwanitz – Posting of the current speed limit, and some of the radar flasher systems, I think that's totally the Road Commission's call.

Treasurer Phillips – I know I have seen them in our neighborhood because we have complained. People go down my road at like 40 and it is a neighborhood, its 25mph.

Engineer Schwanitz – I'm in Bloomfield Township and they have one that rotates all around the Township.

Treasurer Phillips – Right. So I don't know if we have our local Substation do it.

Engineer Schwanitz – Jason and I will talk and we will see what we can kick up for you all.

Director Watson – I can follow-up with Lieutenant Reyes on that too. I know Village of Wolverine Lake put in their own on Glengary for their 35mph speed limit. The sign is not happy until you're doing 33; it's flashing at you. So that would be good.

Item 3: 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;
 - Bruce has held off on resubmission of his site plan as he wants to get through the ICSC in December, which is really the first one being held in two years in a live format. He wants to get a gauge, see who's there and what's going on because the tenant world is still in flux right now. He will be considering resubmission early next year. He may put in more retail, or move forward with the PUD approved multi-family component.
 - He is scheduled to present his quarterly update to the DDA and the Township Board in October.
- Parcel B1, Phase II – Aikens, Five & Main; Nothing new to report.
- Parcel C – The hard corner of Pontiac Trail and Haggerty Road; This past month in general we've had a bit of a slowdown. Things pick up again in September. I get a lot of phone calls, more curiosity than anything else. I don't have any serious parties on Parcel's C, F, and L. We usually see increased activity after Labor Day through Thanksgiving, or even into the second week of December.
- Parcel F – The acreage in front of the Township Hall; Nothing new to report.
- Parcel J1 – 2.38 acres on the hard corner of Oakley and Haggerty;
 - We did have one of the gas station operators asking a lot of questions. He's not putting anything on paper yet.
 - We have another neighbor who owns the property down the street. I was just talking with Matt and we have a concept drawing that we will forward over to him. I am not sure what concept he is looking for. We are just supposed to see how many square feet can fit on there.
- Parcel L – 1.8 acres on Haggerty Road; Goddard school still remains interested, and it looks like their facility at 13 Mile and Haggerty is going to open up shortly. I don't know if they are going to take a 6 or 8-month window, but I do keep in contact with them.
- Parcel M&N – These are the two out-lots that are being retained. We are not active on those because we need to understand what Bruce is going to do and then the values will be dictated from there.

Vice Chairperson Lublin – Anything new on the hospital land?

Randy Thomas – I have three parties at the table right now. One offer was submitted, the second is coming and a third is anticipated.

Vice Chairperson Lublin – Was one single-family and the other multiple?

Randy Thomas – Multi-family.

Vice Chairperson Lublin – Is this for sale, or is it for lease?

Randy Thomas – It's going to be a for lease product.

Vice Chairperson Lublin – Thank you.

Tim Hoy and Randy Thomas discussed the value of the remaining available parcels.

Item 4: Director's Report

Director Watson provided an overview of the report included in the Board's packet.

I. Updates on Developers –

- Aikens/Five & Main – Bruce is scheduled to provide updates to the DDA on Tuesday, October 19th at 12:00pm, and to the Township Board at their Quarterly Meeting on Tuesday, October 26th at 7:00pm. Refer to Insite report for additional details.
- Merrill Park – Nothing new to report.
- The Avalon of Commerce Township (First & Main) – We are working to establish contacts at Lonestar, the new property owner, and at Grace, their management firm, to discuss appointment of a representative to Commerce Towne Place Association.
- Shapiro/Barrington – Jim Galbraith's Unit 11 request for additional residential is on the Oct. 4th Planning Commission agenda. He will be meeting with staff to discuss details.
- Wycliff – Nothing new to report.
- Public Storage – Nothing new to report.
- The Space Shop – Parcel K, Self-Storage; The closing was finalized on July 30th. We have addressed some post-closing matters, and we have additional documents that need to be re-signed today. I will let Tom elaborate on that.

II. MTT Judgments – Molly has prepared an MTT spreadsheet which was handed out with your packets today, that should be helpful for all of us to look at. She will keep that updated as changes are made.

III. Commerce Towne Place HOA Items –

- A. **HOA Budget** – The 2022 budget will soon be reviewed and prepared for distribution to the Directors, and the goal is to finalize a consent action in December.
- B. **Dues** – 2021 Dues are current. Quarterly billings for the 4th quarter, for the subdivisions, will be sent out at the end of this month.
- C. **Tax Forms & Reports** – Taxes were completed and mailed timely. The annual report will be finalized by the end of September.

D. Lighting – CJs Lighting, Chris Niestroy; Shaw Electric, Mark Feters, Adam Dornton

- Accidents and claims: All lighting related claims have been finalized.
- CJs has encountered several delays, but our lighting repairs are on his radar when weather and ground conditions permit.

E. Landscaping – United Lawnscape, Jim Parkinson; Mark Rousseaux; Brian Servello

- On August 26th, we were informed of turf damage at the Pontiac Trail roundabout. A driver coming off of M-5 drove straight through the roundabout, leaving significant ruts. United quoted the restoration at \$595 and this was authorized. We just received the police report today and we will pursue restitution.
- United has been improving services and addressing several issues.
- All trail cleanups and tree removals have been completed after the damages caused by the July and August storms.

F. Irrigation – Michigan Automatic Sprinkler, Mike Rennie

- We made several repairs this year and the system is running smoothly.
- I have asked Mike to schedule preparing irrigation specs for us in January 2022 so we will have accurate, up-to-date files for future reference.

G. Memorial Benches –

- The Parks & Recreation Department will keep us posted on the status of Mark Stacey's Memorial benches.
- Two benches have been donated in Mark's honor, and we will be installing them along the pathway on each side of the Martin Parkway bridge/tunnel.

IV. Other –

1. Graffiti –

- I spoke with Oakland County Juvenile Probation Officer, Ashley Bishop, on August 27th. We discussed the letter I had submitted, and restitution versus community service options for the vandals captured in June.
- I met with Scout Leader, Brad Stetson, on August 18th and we are on schedule to paint the tunnel on September 25th with Boy Scout Troop 308. The Scouts will be painting the north wall of the tunnel. We look forward to this event, and the local residents share in our excitement to see this area cleaned up. We did send information to the Spinal Column. I think Jose has some comments on that under his report.
- We are coordinating with Maintenance staff to schedule painting of the south wall of the tunnel, as that is a 20' span from the sidewalk to the wall, over the stream and boulders. I may rent a boom lift to assist with addressing these challenges.

2. Sign Bandit – Issues continue, despite increased efforts. We will continue to work with the Sheriffs to resolve these matters.

3. Cell Tower – Verizon owns a tower at 3039 Old Farm Lane, which is within the DDA. DISH Network proposed a collocation to add on to that existing tower. The Planning Department has Administrative authority to approve this. They consulted with me and Engineer Schwanitz on the matter, and we saw no issues with the request.

4. The Pontiac Trail roundabout: Ranked #2 on the 2020 Top 10 most dangerous list for car accidents, with 110 crashes and 4 injuries. The article does mention that *roundabout designs lower the likelihood of a serious personal injury or fatality.*

<https://www.michiganautolaw.com/blog/2021/08/18/michigan-roundabouts-most-dangerous-2020/>

5. Township Board Meeting, September 14th –

- Our last Township Board meeting was a long and eventful one. I am happy to report that we received approval from the Trustees for our three requests; the 2021 DDA Budget Amendment, the Advance, and the 2022 DDA Budget.
- The Trustees would like to see updated projections for the debt sinking fund, relative to the DDA Debt Guarantee. Treasurer Phillips and I will work with Finance Chair Spelker to update these projections. When complete, I think it will also be beneficial for the DDA Board to review so we are all on the same page.
- I will defer to Supervisor Gray for additional updates from that meeting.

Township Board Update

Supervisor Gray – As you said, the Township Board meeting was a long one. We had quite a few topics come up that we took care of.

- One topic was that we had some residents that were upset with the Wise Woods project on Wise road, where we are putting in a parking lot for residents, rather than having them parking along Wise road, to access the park. We had quite a few residents show up for that.
- We had a public hearing on a local massage parlor that we discussed, and we ended up revoking their license.
- We had a construction company come in to talk about Caden's Corner, which is a subdivision plat. They wish to put 10 homes at the corner of Benstein and Loon Lake roads. We had a long discussion on the plats and the curb cuts for the driveways. The Township Board denied the project.
- We went into closed session to discuss matters.
- As Deb mentioned, we discussed the DDA Budget, Amendment and Cash Advance, which were all approved.
- We talked about our Byers home restoration. Pricing had increased due to insurance costs.

Director Watson – Thank you, Larry.

Item 5: Attorney's Report

Attorney Rauch reported that there were no action items. He explained that some of the signed closing documents for The Space Shop, Parcel K, were lost by FedEx. There were also issues with some of the contracts themselves, as the purchaser was named incorrectly. New documents are to be signed today by the Chairperson and the Secretary. After those documents are mailed, there should be no further reports on the closing of Parcel K.

Attorney Rauch noted that he would not be in attendance at the October DDA meeting. He also discussed changes in staffing at his law firm, Kemp Klein. He reassured the Board that he maintains his commitment to Commerce Township.

Chairperson Gotts thanked Attorney Rauch for his many years of diligent service. He hopes that will continue for some time.

Item 6: Engineer's Report

Matt Schwanitz, Giffels Webster – Other than attending a few meetings and information sessions, and sharing knowledge from past work, I have nothing new to report.

Item 7: Planning Director's Report

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

- Regarding the Barrington project, Mr. Galbraith and his team are proposing to revise their plan to add three more 2-story residential buildings along the west side of Martin Parkway in the undeveloped area. In doing so, they would button that development up. In prior iterations of the plan, they showed a retail component in that area. The retail was meant to be a placeholder for what they envisioned there, which would complement the Five & Main development; however, now they are proposing more residential. That site plan amendment will potentially be in front of the Planning Commission at their October 4th meeting.
- I just had a meeting earlier today on the undeveloped land on the south side of Oakley Park Road, just east of Martin Road, right across the street from the Detroit Gun Club. The developer would like to rezone that property so that they can do a 55-and-older independent living facility, with 119 independent units in a 3-story building. They hope to get in front of the Planning Commission in November for the rezoning that they would need to make that project happen.
- The prospective developer of the Bay Pointe property was hoping to have a special meeting with the Planning Commission this month to discuss his concept plan; however, he is still negotiating with the owner of the Bay Pointe Golf Course and he needs more time in those negotiations. That project is still moving ahead as far as we can tell.
- I am sure you all see what is happening on the Pulte site across the street, on the former driving range property. The former office building on that property has been demolished. Pulte continues to prep that site for the Townes at Merrill Park which will be 103 attached townhomes.

Item 8: Committee Reports

- A. Finance Committee – Susan Spelker – As Director Watson reported, at the September 14th Township Board meeting, three DDA requests were presented; the Budget Amendment, the Advance Request, and the 2022 DDA Budget. All three were approved. The Trustees would like to have updated projections on our debt sinking fund. I will be working with Director Watson and Treasurer Phillips to put that together. Once that is accomplished, I do intend to bring that to this board for your review, in the interest of information sharing, regarding those funds. That is what I have for today. Thank you.
- B. Public Relations Committee – Jose Mirkin – Good afternoon. As Chairperson of the Public Relations Committee, I am pleased that our proposal, discussed at length last month, is being implemented. I am talking about press releases of the important work the DDA is doing for our community. Susan was nice enough to warn us about a negative experience that she had in a press conference, where journalists twisted her words. It was a warning, and we decided that we are not going to do press conferences. We are going to do press releases that the media can publish so that the community and the residents stay informed. Our proposal was that we summarize information provided in our DDA Meetings and periodically inform the community about what we are doing. Deb Watson prepared an excellent letter, with the Supervisor's approval, and it was forwarded to the Spinal Column. The letter not only shows the important work the DDA is doing, but also the Township and the Oakland County Sheriff's, while praising the Boy Scouts for their community service project to paint over graffiti in the tunnel.

C. Marketing Committee – David Smith – There are no new revelations dealing with any future land sales. There are a few modifications on some of the properties.

Jose Mirkin – Do we know when Bruce is coming back?

David Smith – He is coming back after the consumer show in December.

Director Watson – Bruce will be before the DDA on October 19th and before the Township Board on October 26th with an update. But as David said, he's waiting until after the ICSC in December and then he is planning to revise his site plans and update the PUD with an amendment request. Those will not be coming to the Planning Commission until likely February of 2022 at the soonest. We will still get an update in October so we can ask questions at that time about progress.

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.

Discussion –

Vice Chairperson Lublin and Treasurer Phillips discussed the MTT chart showing the decrease in taxable values, and reductions in tax capture for the DDA and the Township as a result.

ROLL CALL VOTE

AYES: Lublin, Mirkin, Hoy, Spelker, Smith, Gray, Gotts, Winkler, Matta

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

Item 10: Other Matters

Director Watson – Jim, did you want to see if our new attendants had any commentary before we adjourn?

Chairperson Gotts – Yes. Normally we would entertain them at the beginning of the meeting, but noticing that you came in a little later, would you like to identify yourself and make any comments?

Cheryl Popow – I'm here with my son, Alexander. We just came to listen in for the meeting.

Director Watson – Thank you, Cheryl.

David Smith – Welcome. I have a question for the Township Supervisor. What is the status of the building on the corner here? Is that going to be the Sheriff's Substation, or what progress is being made on that?

Supervisor Gray – The 8585 PGA Drive building; we actually just had a special Township Board meeting on Thursday to discuss that. The architect designing that is going to be the Spicer Group. We plan on having that be the Oakland County Sheriff's Office. Right now, we are seeing where we will get the funding to budget for that. Hopefully we will start construction in 2022 or 2023. It depends on the costs of materials and so forth.

David Smith – There was a mention of a Secretary of State or something going in that area, is that still a possibility?

Supervisor Gray – I believe that was turned down to my predecessor when he approached the Secretary of State. We do not have any plans for that. The current tenant would like to stay there and move to the upper floor. We need to work with them to find them room. I have also spoken to another possible tenant, depending on what we are going to do with the Oakland County Sheriff's office.

David Smith – Thank you.

Item 11: Adjournment

Chairperson Gotts – The next regularly scheduled DDA meeting is Tuesday, October 19th, 2021 at 12:00pm.

MOTION by Lublin, seconded by Mirkin, to adjourn at 12:39pm.

ROLL CALL VOTE

AYES: Lublin, Mirkin, Spelker, Smith, Gray, Gotts, Winkler, Matta, Hoy

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY



Melissa Creech
DDA Secretary

09/15/2021 09:25 AM
User: JBUSHEY
DB: COMMERCE

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE
INVOICE ENTRY DATES 09/15/2021 - 09/15/2021
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA WARRANT REPORT
SEPTEMBER 21, 2021

Vendor Name	Invoice Date	Description	Amount	Check #
1. ABIGAIL ROSE MUNDY	09/14/2021	DDA ASSISTANT 8/11 - 9/14/2021	1,010.00	
2. ADKISON, NEED & ALLEN	08/31/2021	PROFESSIONAL SERVICES	387.50	
3. DEBORAH WATSON	09/14/2021	DDA DIRECTOR 8/11 - 9/14/2021	5,100.00	
4. DETROIT EDISON	09/11/2021	2660 OAKLEY PARK	90.46	
	09/11/2021	3106 MARTIN PARKWAY	98.03	
	09/11/2021	2581 LIBRARY DR.	520.64	
		TOTAL	709.13	
5. KEMP, KLEIN, UMPHREY & ENDLEMAN, PC	09/08/2021	PROFESSIONAL SERVICES THROUGH AUG 31, 2021	2,297.33	
TOTAL - ALL VENDORS			9,503.96	
FUND TOTALS:				
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			9,503.96	

09/15/2021 09:27 AM

User: JBUSHEY

DB: COMMERCE

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE

EXP CHECK RUN DATES 08/18/2021 - 09/15/2021

BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: DDA

DDA CARRY-OVER REPORT

SEPTEMBER 21, 2021

Vendor Name	Invoice Date	Description	Amount	Check #
1. COMMERCE TOWNE PLACE ASSOCIATION				
	08/17/2021	CHECK RECEIVED BY DDA SHOULD BE COMM TOWNE PLACE	6,297.00	2239
2. DETROIT EDISON				
	08/12/2021	2660 OAKLEY PARK	78.70	2240
	08/12/2021	3106 MARTIN PARKWAY	91.04	2240
	08/11/2021	2581 LIBRARY DR.	520.64	2240
	08/11/2021	2579 LIBRARY IRRIGATION	173.02	2240
		TOTAL	863.40	
TOTAL - ALL VENDORS			7,160.40	
FUND TOTALS:				
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			7,160.40	

09/21/2021 08:06 AM

User: JBUSHEY

DB: COMMERCE

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE

INVOICE ENTRY DATES 09/21/2021 - 09/21/2021

BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: DDA

DDA ADD-ON REPORT

SEPTEMBER 21, 2021

Vendor Name	Invoice Date	Description	Amount	Check #
1. DECKER AGENCY	09/14/2021	2021 INSURANCE RENEWAL 10/1/21 - 9/20/2022	7,127.00	
2. DETROIT EDISON	09/10/2021	2579 LIBRARY DR - IRRIGATION	148.29	
TOTAL - ALL VENDORS			7,275.29	
FUND TOTALS:				
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			7,275.29	