

Final
CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, February 21, 2023
Commerce Township Hall
2009 Township Drive
Commerce Township, MI 48390

CALL TO ORDER: The Meeting was called to order by Chairperson Gotts at 12:00pm.

Downtown Development Authority:

Present: James Gotts, Chairperson
Steve Matta, Vice Chairperson
Larry Gray, Township Supervisor
Brian Winkler, Member
Susan Spelker, Member
Derek Tuck, Member
Tim Hoy, Member

Absent: Debbie Watson, DDA Director (excused)
Sandy Allard, DDA Assistant (excused)
Jose Mirkin, Member (excused)
David Smith, Member (excused)
Matt Schwanitz, Giffels-Webster, DDA Engineer
Lt. Wendy Reyes, OCSO Substation Commander

Also Present: Molly Phillips, DDA Treasurer
Melissa Creech, DDA Secretary
Randy Thomas, Insite Commercial
Chris Martella, DDA Attorney
Dave Campbell, Township Planning Director

Item 1: Approval of Minutes

MOTION by Spelker, seconded by Winkler, to approve the DDA Regular Meeting Minutes of January 17, 2023, as presented.

MOTION CARRIED UNANIMOUSLY

Item 2: Public Comments

Ray Golota, 1595 Vanstone Dr., Commerce Township – I have no comments today.

Item 3: OCSO Update

No report as Lt. Reyes was absent.

Item 4: 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; Nothing new to report.
- Parcel B1, Phase I – Aikens, Five & Main;
 - I did confirm with the apartment developer; there is a purchase agreement that is out and awaiting signatures. There is one item left to be discussed.
 - I introduced Luke Bonner, who specializes in Economic Development, to the Township and to Bruce Aikens, independently of each other, and more specifically for Bruce to hire him. Hopefully that relationship has been solidified.

- Parcel B1, Phase II – Aikens, Five & Main;
 - The extension was approved through 2025.
 - All rights of first refusal have been relinquished as it relates to Phase II.
- Parcel B2 – Avalon; Nothing new to report.
- Parcel C – The hard corner of Pontiac Trail and Haggerty Road; Lafontaine Automotive Group (LAG) – I'll defer to Dave.

Dave Campbell – Parcel C is what we expect will become the Lafontaine corner. They're going to the Planning Commission at the March 6th meeting. If the Planning Commission makes a formal recommendation, then they will proceed to the Township Board on March 14th. If the Board approves the PUD, then it has to go back to the Planning Commission at least one more time for approval of the site plan. That could be as soon as April.

Lafontaine has submitted their package of materials and some things are still being refined.

Randy Thomas –

- Parcels D&E – Pulte, Merrill Park; Nothing new to report.
- Parcel F – The 3.9 acres in front of the Township Hall; We've had increased activity.
- Parcel G – Wyncliff; Nothing new to report.
- Parcel I – Gilden Woods; North of the Township Hall, Nothing new to report.
- Parcel J1 – 2.38 acres on the hard corner of Oakley and Haggerty; We've had increased interest.
- Parcel J2 – Public Storage; Nothing new to report.
- Parcel K – The orphan piece; The Space Shop; Nothing new to report.
- Parcel L – 1.8 acres on Haggerty Road; Guidepost Montessori; Nothing new to report.
- Parcel M&N – These are the two out-lots that are being retained by the DDA within the Five & Main development. We are putting the signs back up now that the sign bandit is gone.
- In general, we get increased activity around this time of year until October.

Item 5: Attorney's Report –

Attorney Martella – The only thing I have to report on is to confirm that the amendment to Bruce's agreement terminating the right of first refusal was fully executed and has been circulated.

LAG is progressing forward and we will wait for them to get their approvals. We will talk about closing when that gets closer.

Randy Thomas and Attorney Martella discussed Shapiro's rights related to Phase II of the Five & Main property. Attorney Martella explained that Shapiro has a Right of First Offer to Purchase. If Aikens does not purchase Phase II by October 31, 2025, Shapiro must be notified in writing of the opportunity to purchase the parcel, at the same price and terms as offered to Bruce, and then Shapiro has 10 business days from the notification to exercise the option to purchase. If Shapiro does not provide notice to exercise the option to purchase on the same terms as Bruce within the 10 business days, or if the transaction does not close within 60 days after exercising the right to purchase, the property can then be listed on the open market.

Item 6: Director's Report

Although Director Watson was not in attendance, the following report was included in the Board's agenda packet.

- I. Updates on Developments – Refer to the Insite Report for additional details.**
 - *Aikens/Five & Main – The 13th Amendment to the Phase II Option to Purchase was executed last month.*
 - *Merrill Park – Nothing new to report.*
 - *The Avalon of Commerce Township – Nothing new to report.*
 - *Shapiro/Barrington – Jim Galbraith is finalizing work with Engineer Schwanitz and Attorney Shierk on parcel/unit splits.*
 - *Wyncliff – Nothing new to report.*
 - *Public Storage – Nothing new to report.*
 - *The Space Shop, Self-Storage – Nothing new to report.*
 - *Parcel L, Higher Ground, Guidepost Montessori – We closed on the sale of the property on October 21, 2022 and construction continues.*
 - *Parcel C / Unit 3 – Lafontaine Automotive Group Dealership (LAG)*
 - *June '22 – The PA was fully executed, and the deposit was received*
 - *July '22 – Zoning & Master Deed amendments approved to allow a dealership*
 - *Aug '22 – LAG & Planning began drafting the PUD agreement*
 - *Sept '22 – Preliminary review of LAG's PUD by the Planning Commission*
 - *Oct '22 – LAG making revisions to their plans to only build Genesis on Parcel C, and repurpose the former Dick Morris property for the Hyundai dealership*
 - *Jan '23 – LAG informed us that they are reverting back to Plan A to build both dealerships on Parcel C. They are working on PUD & plan revisions accordingly.*
 - *Current projections are for closing to take place in the second quarter of 2023.*
 - *LAG made additional deposits and their municipal approval period was extended through April 4, 2023.*
 - *The following is an updated estimated timeline for LAG in 2023:*
 - *Mar 6th – PUD review by Planning Commission*
 - *Mar 14th – PUD review by Township Board*
 - *Mar 21st – Lafontaine is scheduled to attend the DDA Board Meeting; potential request for an additional extension*
 - *Apr 3rd – Site Plan review by Planning Commission*
 - *Apr 4th – Municipal approval period ends*
 - *TBD – Closing date (required to take place 15 days from Apr 4th, by Apr 19th, unless extended)*
 - *Parcel F / Unit 7, in front of the Township Hall – Nothing new to report.*
 - *Parcel JI, Haggerty & Oakley Park – Nothing new to report.*
- II. MTT Judgments – As updates are available, a report will be distributed at the DDA meeting.**
- III. Commerce Towne Place HOA Items –**
 - A. Budget – The 2023 CTP budget was approved in January.**
 - B. Dues – 2023 dues were billed in January, and payments are already arriving.**
 - C. Tax Forms & Reports – The 2022 tax return has already been filed, because Treasurer Phillips is remarkably efficient.**

- D. Lighting/Electrical – Shaw Elec., Mark Fetters, Adam Dornton**
- *The system is fully functional.*
 - *I'll be working with Shaw to make the transition as their staff is taking over maintenance and management of our lighting system, in addition to the underground electrical that they have maintained for us for several years now.*
- E. Landscaping & Maintenance – United Lawnscape, Jim Parkinson; Bob Rousseaux's Excavating, Mark Rousseaux**
- *We await quotes for 2023 services.*
 - *I have inquired with Leah about consulting on potential grant opportunities and I will keep the Board updated as we correspond further.*
- F. Irrigation – Michigan Automatic Sprinkler, Mike Rennie**
- *The irrigation system was winterized.*
 - *Nothing else to report at this time.*

IV. Other –

- *An advance will be necessary for the April 1st debt payments. This will be discussed at the February 21st DDA meeting, and information will be in the DDA packet. I will take the request to the Township Board at their March 14th meeting.*
- *I will not be in attendance at our February 21st DDA meeting, however I am always available by phone or email if anyone has any questions or comments.*

Item 7: Engineer's Report

No report as Engineer Schwanitz was absent.

Secretary Creech – Deb emailed me yesterday and said Matt wouldn't be here. If anybody has any questions, they can email Matt or Deb.

Item 8: Planning Director's Report

Dave Campbell, Township Planning Director, had provided his report in the Board's packet.

Dave Campbell – I don't know that I have anything more to report beyond what I went through for Lafontaine.

Chairperson Gotts discussed LAG going back to their original proposal. Gotts doesn't anticipate the Planning Commission having any issues with the project.

Dave Campbell – I think the layout is what the Planning Commission hoped to see. Lafontaine might be between a rock and a hard place with what Hyundai requires for their building versus what Commerce Township requires. They're going to have to find a compromise there. I expect that will all get worked out.

Chairperson Gotts and Dave Campbell continued discussing vehicle servicing at the former Dick Morris site. Larry Gray inquired with Dave Campbell about the timeline for rehabbing the old Dick Morris site and for building the new dealerships on Parcel C. Dave explained that the PUD is only for Parcel C, and the Planning Department has not yet seen a site plan for Dick Morris.

Item 9: Committee Reports

A. Finance Committee – Cash Advance

Finance Chairperson, Susan Spelker – As contained in your packet, we will need to request a cash advance for the April 1st debt payments. It's no surprise. I think everybody saw that coming. Do we need a motion for that?

Treasurer Phillips – Yes, we need a motion for the \$1.5 million cash advance so it can go to the Township Board in March. I can transfer it by the end of March.

MOTION by Matta, supported by Hoy, to authorize the request for the advance of \$1.5 million from the Commerce Township Board of Trustees at their March 2023 meeting.

MOTION CARRIED UNANIMOUSLY

Finance Chair Spelker – Other than that, I have nothing else to report.

B. Public Relations Committee – Public Relations Chairperson, Jose Mirkin – No report in Jose's absence.

C. Marketing Committee – Marketing Chairperson, David Smith – No report in David's absence.

Item 10: Approval of Warrants and/or Carryovers, Add-ons, Revenue & Expenditure

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

Item 11: Other Matters

None.

The next regularly scheduled DDA meeting is Tuesday, March 21, 2023, at 12:00pm.

Item 12: Adjournment

MOTION by Spelker, seconded by Hoy, to adjourn the meeting at 12:14pm.

MOTION CARRIED UNANIMOUSLY



Melissa Creech
DDA Secretary

INVOICE ENTRY DATES 02/14/2023 - 02/14/2023
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
 BANK CODE: DDA
 DDA WARRANT REPORT
 FEBRUARY 21, 2023

Vendor Code	Vendor Name	Description	Amount
	Invoice		
COMMTOWNE	COMMERCE TOWNE PLACE ASSOCIATION		
	2023 CTPA	2023 CTPA DUES	13,394.70
TOTAL FOR: COMMERCE TOWNE PLACE ASSOCIATION			13,394.70
DAWDA	DAWDA MANN BUILDING		
	572369	PROFESSIONAL SERVICES THROUGH 12/31/2022	3,045.50
	573791	PROESSIONAL SERVICES THROUGH 1/31/2023	5,369.50
TOTAL FOR: DAWDA MANN BUILDING			8,415.00
WATSON	DEBORAH WATSON		
	JAN/FEB23	DDA DIRECTOR 01/08/23 - 02/14/2023	3,627.00
TOTAL FOR: DEBORAH WATSON			3,627.00
DTE	DETROIT EDISON		
	910007710650	2660 E OAKLEY	119.57
	910007710767	3106 MARTIN PARKWAY	126.10
	910007710866		837.53
	910007711005	2579 LIBRARY IRRIGATION	18.92
TOTAL FOR: DETROIT EDISON			1,102.12
KEMP	KEMP, KLEIN, UMPHREY & ENDLEMAN, PC		
	215499	PROESSIONAL SERVICES THROUGH 1/31/23	234.33
TOTAL FOR: KEMP, KLEIN, UMPHREY & ENDLEMAN, PC			234.33
TOTAL - ALL VENDORS			26,773.15