

Final
CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, April 20, 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.

In accordance with Public Act 254 of 2020, this was a hybrid meeting, which included six Board members present in-person at Commerce Township Hall, and three members participating remotely: Dan Lublin, calling in from Farmington Hills, MI; Susan Spelker, calling in from Commerce Township, MI; and, Jose Mirkin, calling in from Los Angeles, CA.

Downtown Development Authority:

Present: Debbie Watson, Acting DDA Director
James Gotts, Chairperson
Larry Gray, Township Supervisor
David Smith, Member
Tim Hoy, Member
Steve Matta, Member
Brian Winkler, Member
Dan Lublin, Vice Chairperson (calling in by phone)
Susan Spelker, Member (calling in by phone)
Jose Mirkin, Member (calling in by phone)

Absent: Melissa Creech, DDA Secretary (excused)

Also Present: Molly Phillips, DDA Treasurer
Thomas Rauch, DDA Attorney
Matt Schwanitz, Giffels-Webster, DDA Engineer
Randy Thomas, Insite Commercial
Dave Campbell, Township Planning Director

Item 1: Approval of Minutes

MOTION by Hoy, seconded by Lublin, to approve the Regular Meeting Minutes of March 16, 2021 as presented. **MOTION CARRIED UNANIMOUSLY**

Item 2: Public Comments

None.

Item 3: DDA Informational Meeting

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; I really don't have much to report. I have been talking to Jim a fair amount. We've got a meeting coming up in the next 10 days or so. I generally get a pretty detailed report from him. They will be built out by the end of the year with the entire project. They're happy with the velocity of

- renting out the units. They're around \$3,000 a month. I didn't anticipate that kind of strength.
- Parcel B1, Phase I – Aikens, Five & Main;
 - I did have the opportunity to talk to Bruce this morning regarding a brief update as to where he's at, and also to get an idea of what his intentions are for moving forward on the Library parcel with the Township, and with Phase II with the DDA.
 - I know that he has had some conversations with respect to Walmart and shrinking the setback. Right now, the DDA has an agreement with a 100' setback from the property line to the buildings for visibility purposes. Bruce says they're very receptive to taking that setback from 100' to 50'.
 - He will be attending some meetings with both the DDA and the Township Board. I'm waiting for confirmation. I'm sure Deb can update everybody as to when those meetings will happen with Bruce present.
 - Parcel B1, Phase II – Aikens, Five & Main; In October of this year, Bruce's option on Phase II will expire. We did talk today about that and if his intention is to continue on with Phase II, he will need to request an extension. He did not indicate whether he would be making that request or not. His hands are full with what he's got right now. I'll let everybody know what his intentions are.
 - His option on the Library parcel expires in July. We're addressing that with the Township Board, but he still needs to make a request.
 - Parcel B2 – Granger, First & Main; We know that there is another group that has a purchase agreement, not only on the Commerce facility, but three other facilities that they have in the marketplace. Granger is exiting the assisted living business altogether. We actually have another group that's interested in this building if it does not sell.
 - Parcel C – The hard corner of Pontiac Trail and Haggerty Road; Recently, we've had a group that has looked at various parcels along the Haggerty Corridor. They came in and spent some time with me about two weeks ago. They're working on some conceptual plans to get back to us. He would be a user of a portion of the back of the property, and he would build and lease out the remaining balance. I anticipate we will see something from him shortly.
 - Parcels D&E – Pulte, Merrill Park; Nothing new to report.
 - Parcel F – The 3.9 acres in front of the Township Hall; I get a lot of inquiries and my call volume has definitely gone up in the past 45 days. I'm sure I'll get more when I can get the signs back up.
 - Parcel G – Wynclyff; Nothing new to report.
 - Parcel I – BBI Holdings, Gilden Woods; North of the Township Hall; Nothing to report.
 - Parcel J1 – 2.38 acres on the hard corner of Oakley and Haggerty; Nothing concrete from anybody, but certainly an increase in call volume.
 - Parcel J2 – Public Storage

Dave Campbell – Just in case you need a reminder, it's a bright orange now.

- Parcel K – The orphan piece across the street; this is combined with the 15 acres next door. Last month, I told you that the developer got site plan approval for self-storage. It's a pretty good looking building.

Dave Campbell – I just had a phone call with that group yesterday trying to hammer out some of the final details. I think they still hope to break ground this year.

- Parcel L – 1.8 acres on Haggerty Road; Goddard Schools does stay in touch with me. She's still being held up by corporate.
- Parcel M&N – These are the two out-lots that the DDA has retained within the development and those are part of Phase II.

B. Asset & Liability Report

Susan Spelker, Finance Chairperson – Today is our informational meeting. As you know, we are required by law under public reporting requirements to hold two informational meetings per year. Randy's report was Item A. The taxing authorities have been notified that this is meeting 1 of 2 for the year.

All of you should have your Asset & Liability Report. It is for the period ending 03/31/21. If you look at our balances, the total assets right now are around \$11,500,000. Our total liabilities are nearly \$71,000,000, and our total fund balance is pretty much where we expect it to be, at quite a deficit of \$58,400,000. Everything here is proceeding normally, in accordance with budget and as planned. The thing that I always like to focus on are the bonds payable numbers, which slowly but surely are inching down. On that positive note, if Molly has nothing to add, that concludes the Asset & Liability report.

Treasurer Phillips – I'm good.

Susan Spelker – Does anyone have any questions for Randy, Molly or me?

Vice Chairperson Lublin – The balance as we are paying it off will be paid off in approximately what year?

Treasurer Phillips – I think the final bond payment is 2034.

Vice Chairperson Lublin – So in 13 years, we should be even.

Treasurer Phillips – Yes, and then you'll owe all the money back to the Township.

Vice Chairperson Lublin – Right. Okay, thank you.

C. Q&A

None.

Item 4: Director's Report

Acting Director Watson – I submitted my report in the packet. I was going to update you on Public Storage, which I drove by yesterday. As Dave and Randy indicated, they did paint it orange. I'll follow-up with Dave and Jay to see what happens with that going forward. I'll just highlight a few items and include the full report in the minutes.

I. Updates on Developers –

- Aikens – Refer to Insite report. In addition, the following are tentative dates with regard to the Five & Main development:

- 05/11/21: Township Board Meeting 7pm – Bruce is anticipated to deliver a presentation and request an extension of the Library parcel option, which will expire on July 16th. *(At the April 13th Township Board meeting, the Trustees rescheduled Bruce from April to May when a full board is expected to be in attendance)*
- 05/18/21: DDA Meeting 12pm – Bruce is anticipated to attend to discuss the Phase II option, which will expire on October 31st.
- 06/22/21: Joint Meeting 7pm – Township Board, DDA and Planning Commission, with a presentation expected by Bruce Aikens and Jim Galbraith. *(The Joint Meeting was rescheduled from April to June)*
- Merrill Park – Their entrance light pole is scheduled to be put back up this week.
- First & Main – See comment below regarding dues.
- Shapiro/Barrington – Refer to Insite report.
- Wynclyff – Nothing new to report.
- Public Storage – Painted corporate orange, see additional comments herein.
- The Space Shop – Parcel K, Self-Storage; Refer to Insite report.
- Goddard School – Parcel L, Refer to Insite report.

II. MTT Judgments – Pending cases will be addressed when final determinations are issued.

III. HOA Items –

- A. **HOA Budget** – The 2021 budget was approved in early January.
- B. **Dues** – 2021 Dues are current, with the exception of First & Main. I did follow-up with their representative. He explained that they have a pending purchase agreement for the property, and they expect dues to be paid at closing by the buyer within 60 days.
- C. **Tax Forms** – Taxes were completed and have been mailed.
- D. **Lighting – CJs Lighting, Chris Niestroy; Shaw Electric, Mark Fetters**
- Shaw repaired a failing voltage surge suppressor on March 29th.
 - CJ's had a truck break down which delayed some lighting repairs, but he should be doing those sometime this week, weather permitting.
 - Accidents and claims:
 - We received payment of \$6297 for the light pole at the Merrill Park entry, which has been down since January and is being reinstalled this weekend.
 - We await a decision from Geico on the claim for the light pole taken down at Library Drive late February. The vehicle was a rental car, so I may have more hoops to jump through before recovering from this incident.
 - The Prosecutor has two other claim files for turf and tree damages, however drivers were uninsured, and one is out of state. These are likely uncollectible.
- E. **Landscaping – United Lawnscape, Jim Parkinson; Mark Rousseaux; Westside Forestry**
- United is scheduled to begin cutting grass next week.
 - Rousseaux was onsite twice in March. First, he cleaned out some culverts. Secondly, he removed a fallen tree, cleaned up debris and trimmed overhanging branches along the trails. He is prompt to respond to any issues we have had.
 - Mark Schoder and the Township Maintenance crew have also been very helpful with addressing certain issues onsite.

F. Irrigation – Michigan Automatic Sprinkler, Mike Rennie

- Our irrigation contract was renewed for 2021.
- They are scheduled to be onsite and start up the system on Friday, April 23rd.

G. Memorial Benches – We have had two requests to donate memorial benches in honor of Mark Stacey. A consent action will be circulated to the Directors to address this. If approved, I plan to follow the recent policy as established by the Township Board, for benches that will be placed in Commerce Township Parks, for consistency.

IV. Other –

A. Township Email Addresses – For those who have not yet set up their Township Gmail account and new email address, please call me if I can be of assistance. Thank you.

B. Township Board Meeting, April 13th – In-Person Meeting:

- The Board Reappointed Jim Gotts as DDA Chairperson for another 4 years. Congratulations, Jim!
- One application was received for the DDA Director position, which was posted on the Township website and Facebook page. The Township Board recommended that the job be posted on MTA and SEMCOG for two weeks. HR will post the job and keep us updated.
- The topic of in-person meetings vs. Zoom was discussed, along with the requirements for Townships to call a state of disaster if they wish to continue holding electronic meetings. Our Trustees and counsel can elaborate further on this matter if anyone has questions.

C. COVID – The Township has returned to in-person meetings as of March 31st. We may face some challenges with gathering limitations, however, masks will be worn and social distancing measures are in place.

D. Graffiti – After much investigation, a plan of action is soon to be implemented.

E. Sign Bandit - Issues with signage continue. Action is also being taken on these matters.

Treasurer Phillips – Are we going to file a lien for the dues so that I can get it recorded at Oakland County before their closing documents are prepared? Otherwise, there's no guarantee it gets paid at closing.

Acting Director Watson – Right, I think it's a great idea. Tom and I discussed this process also, and we will take care of that this week. Thank you, Molly.

Item 5: Attorney's Report

Attorney Rauch – In the last month or so, we've been working on matters that we'll discuss in closed session. In addition, I've been accumulating due diligence information on Parcel C, Unit 3, adjacent to Walmart, in anticipation that the property will eventually be sold. The due diligence information that we have is quite old. I'm pulling it together and will provide the Director with a report, probably before our next meeting. Otherwise, things have been relatively quiet.

Item 6: Engineer's Report

Matt Schwanitz, Giffels Webster – It's been a quiet month. Just some general information requests and advising Deb on a few matters, but that's really been it. No other major activities.

Item 7: Planning Director's Report

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

- Just a couple updates on projects within the DDA area, but not necessarily the DDA development area.
- Midtown on Haggerty, which is a mixed-use PUD on the west side of Haggerty Road, north of 14 Mile; it's going to be retail out front with residential in the back if it does get approved. That's going to be in front of the Planning Commission for a public hearing at the May 3rd meeting.
- 84 Lumber, which is in the Homestead Industrial Park along Pioneer Drive, is moving ahead with occupying the existing building that used to be Aggressive Marine. That's going to be their storefront, and then they're going to add a well-screened outdoor lumberyard on the two undeveloped lots adjacent to them.
- As Randy mentioned, the Space Shop is moving ahead with their plans for an enclosed self-storage facility at the southeast corner of Pontiac Trail and M-5. I had a conversation with them yesterday about their contribution to our pathway system.
- I just got an email from Jay James regarding the refacing of the Public Storage building, formerly Beyond Self-Storage. Jay sent an email to somebody in their organization regarding the paint job. We will see where that goes.
- I was going to mention that the Shapiro and Galbraith group is proposing to donate a bench in honor of Mark Stacey. Deb covered it and we're trying to figure out the best way to facilitate that and also what the best location would be for that. Hopefully we'll be able to make that happen.

Acting Director Watson – Dave, at Public Storage, they still need to come back to Jay James for their signage, don't they?

Dave Campbell – Correct, a sign vendor submitted a sign permit package that included all new all signs, a new ground sign, but then also the repainting of much of the building. Jay replied to the sign contractor to say that the orange refaced painting would require approval from the Planning Commission for an amendment to their site plan, and also to the Special Land Use that went along with the site plan. None of that was applied for or approved, but somewhere in the last week or so, someone repainted the building.

Supervisor Gray – That was Saturday.

Dave Campbell – So it sounds like just this past weekend is when all the orange paint went up. We're still trying to figure out where we're going to go with this. The Planning Commission was very particular with that building, as far as materials and color palettes. The orange paint was a bit of a shocker.

Acting Director Watson – Thank you.

Item 8: Committee Reports

- A. Finance Committee – Susan Spelker – I apologize for having to be remote today. I swore when everybody came back in person, I was going to be the first one in the room, but hopefully next month I'll be able to come back.
- In your packet you have all the usual warrants, expenditures and carryovers. You also will see that we do have Mark Jacobs' bill in there, and the usual utilities. There's really nothing unusual, so this month is pretty much status quo.

- B. Public Relations Committee – Jose Mirkin – Unfortunately, there is nothing new to report. There are no possibilities right now of doing anything with the schools and with the art teachers of Walled Lake Schools. We have to wait until everybody is vaccinated, and hopefully soon, we will be able to coordinate the annual Art Exhibition.
- C. Marketing Committee – David Smith – Good afternoon, everybody. It's good to be here in wonderful Commerce Township. We had a marketing meeting today and really nothing of significance. The only dismay is that I think everybody is anxious to see something happen at Five & Main, and we're not going to see a lot of action happening on that yet. Other than that, real estate has not changed.

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

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

Item 10: Other Matters

Ray Golota, 1595 Vanstone Drive, Commerce Township – My question is to Randy. At the last meeting, you mentioned that somebody was looking at the parcel on M-5 and Maple, and I was just curious if you had an update.

Randy Thomas – You're talking about the Beaumont property. There is a purchase agreement that has been submitted.

Jose Mirkin – I want to say thank you to Deb and Ben for allowing people to call in to the meeting.

Acting Director Watson – Thank you, Jose. It's good to have you with us.

Item 11: Closed Session

MOTION by Matta, seconded by Gray, to enter into Closed Session for the purpose of discussing the written opinion of counsel to the Board, dated April 20, 2021.

ROLL CALL VOTE

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

ABSENT: None

NAYS: None

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session 12:29pm.

Returned from Closed Session 1:03pm.

MOTION by Smith, seconded by Hoy, to adjourn from Closed Session and approve the Closed Session minutes.

ROLL CALL VOTE

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

ABSENT: None

NAYS: None

MOTION CARRIED UNANIMOUSLY

MOTION by Lublin, supported by Mirkin, to approve the Resolution and execution of the 11th Amendment as outlined by counsel.

ROLL CALL VOTE

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

ABSENT: None

NAYS: Gray

MOTION CARRIED

Chairperson Gotts – The next regularly scheduled DDA meeting is Tuesday, May 18, 2021 at 12:00pm.

Item 12: Adjournment

MOTION by Winkler, seconded by Mirkin, to adjourn the meeting at 1:06pm.

MOTION CARRIED UNANIMOUSLY



Melissa Creech
DDA Secretary

04/14/2021 11:36 AM
User: JBUSHEY
DB: COMMERCE

INVOICE APPROVAL BY INVQICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE

EXP CHECK RUN DATES 04/20/2021 - 04/20/2021
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: DDA
DDA WARRANT REPORT
APRIL 20, 2021

Vendor Name	Invoice Date	Description	Amount	Check #
1. DEBORAH WATSON	04/14/2021	ACTING DDA DIRECTOR 3/11 - 4/14/2021	6,500.00	
2. KEMP, KLEIN, UMPHREY & ENDLEMAN, PC	04/09/2021	PROFESSIONAL SERVICES THROUGH MARCH 31, 2021	7,601.41	
3. US BANK	03/25/2021	BOND SERVICE FEE 3/1 THRU 2/28/2022	500.00	
TOTAL - ALL VENDORS			14,601.41	
FUND TOTALS:				
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			14,601.41	

04/14/2021 11:41 AM
User: JBUSHEY
DB: COMMERCE

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE
EXP CHECK RUN DATES 03/17/2021 - 04/14/2021
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA CARRY-OVER WARRANT REPORT
APRIL 20, 2021

Vendor Name	Invoice Date	Description	Amount	Check #
1. DETROIT EDISON				
	03/16/2021	910007711005 APRIL 2021	19.50	2217
	03/16/2021	2660 OAKLEY PARK	111.34	2217
	03/16/2021	3106 MARTIN PARKWAY	102.45	2217
	03/16/2021	2581 LIBRARY DR.	829.96	2217
		TOTAL	1,063.25	
TOTAL - ALL VENDORS			1,063.25	
FUND TOTALS:				
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			1,063.25	

04/20/2021 09:12 AM
User: JBUSHEY
DB: COMMERCE

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE
INVOICE ENTRY DATES 04/20/2021 - 04/20/2021
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA ADD-ON WARRANT REPORT
APRIL 20, 2021

Vendor Name	Invoice Date	Description	Amount	Check #
1. DETROIT EDISON				
	04/14/2021	2660 OAKLEY PARK	95.81	
	04/15/2021	3106 MARKIN PARKWAY	96.48	
	04/15/2021	2581 LIBRARY DR.	643.50	
	04/15/2021	2579 LIBRARY DR. IRRIGATION	19.36	
		TOTAL	855.15	
2. DYKEMA GOSSETT, PLLC.				
	04/08/2021	PROFESSIONAL SERVICES MARCH 2021	2,286.00	
TOTAL - ALL VENDORS			3,141.15	
FUND TOTALS:				
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			3,141.15	