

Final
CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, June 16, 2020
Commerce Township Hall
2009 Township Drive
Commerce Township, MI 48390
12:00 PM

Due to Governor Whitmer's Executive Orders, this meeting was held via Zoom, video conferencing technology.

CALL TO ORDER: The Meeting was called to order by Director Stacey at 12:00PM.

Downtown Development Authority:

Present: Mark Stacey, DDA Director
Dan Lublin, Vice Chairperson
Susan Spelker, Member
Brian Winkler, Member
Jose Mirkin, Member
David Smith, Member
Steve Matta, Member
Tim Hoy, Member
David Scott, Township Supervisor (joined meeting @ 12:17pm)

Absent: James Gotts, Chairperson (excused)
Melissa Creech, DDA Secretary (excused)

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

Item 1: Approval of Minutes

MOTION by Lublin, seconded by Mirkin, to approve the Regular Meeting Minutes of May 19, 2020 as presented.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Gotts, Scott

MOTION CARRIED UNANIMOUSLY

Item 2: Public Comments

None.

Item 3: Insite Commercial Report

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

- In the market, we had one deal that was lost. That deal came back today.
- We had another deal in Commerce Township that we thought we were going to lose; that would be the gravel pit. As of yesterday, that is tracking on in the right direction.

- Parcel B1 – Aikens, Five & Main;
 - I did speak with Bruce earlier today to see how things are going at the Village of Rochester Hills. They're into their second week of opening. Out of all the retailers they have there, Victoria's Secret may be one of three hundred VS sites that gets closed. Toyology is not reopening any of their stores. He has a question mark on whether GNC will be staying. Other than those few stores, he thinks it will be slow on the ramp-up. Restaurants are slowly reopening.
 - He is planning on doing a drive-in movie theater, which will be projected on stacked containers in front of where the Carson's was at, to help activate the center. He hopes that by doing that, people will probably come early, visit the restaurants, grab a drink and walk around the center before the movie starts.
 - I asked him what lessons he has learned and what would you do. He said that the area that would be around the park may have a little more orientation of restaurants. He would not put any curb in that area. In the summertime, the street would be closed off and that would be open for tables, pedestrian traffic, et cetera. In the wintertime, that would get reopened and he would have some sort of barrier or separation for the cars and pedestrians.
 - Outside of the theater and hospitality, which we know are going to be tough, he has gotten some positive feedback.
 - I talked to the owner of the gourmet market; they're still in.
 - Bruce and I talked to some of the major retailers. They're still committed and going forward.
 - It's still a big question mark on how quick restaurants will come back and if there's going to be any tenant allowance dollars that the banks will allow to be freed up to finance some of those deals.

Director Stacey – Randy, can you talk about the Library parcel and what we did with Bruce last week at the Township Board meeting?

Randy Thomas – Yes. Last week we had a conversation with Dave, Mark and Phil Adkison. Bruce has requested a 1-year extension to close on the Library. Obviously everything got kicked back. The documents are being drafted and the new title has been ordered.

Attorney Rauch – A title update was delivered yesterday. Title to the Library property is consistent with what it was before. The only new items are the recordings that happened after Bruce closed on Phase I.

Randy Thomas – Good. That request will go before the Township Board at their July meeting.

Director Stacey – We had positive feedback from the Township Board on granting the extension due to the uncertainties in the environment. I think it passed with only one dissenting vote. They would like to see this move forward, but they understand the realities of the marketplace and we have to work with the developer. The Library parcel was projected to be a hotel site, and hotels are just absolutely hammered at the moment.

Bruce is working forward. He knows he has to build a downtown and that's his goal. He was very positive, he's just unsure what it will look like because of the changes in the environment. In addition, he doesn't know what he will have to get through Planning to address COVID-19 issues, but Planning also realizes that things will change. We may have to expand the open space areas, expand pedestrian areas, have more drive-thrus and curbside pickups. Let's make sure Bruce builds it right and we're not building something that's out of date the day it goes up. He can be the first and a leader in this.

Randy Thomas –

- When I asked Bruce about the lessons he has learned, he thinks in large part, what he has designed is what he'll eventually roll with. He will probably have some small nuances, like removing curb in that one area and working it a little differently. He still intends on focusing on Phase I. He just has to get a handle on where the tenants are. Like with everybody, all those plans have either been paused, killed or muted for the time being, but he has gotten some good feedback from the main tenants.
- Parcels A&H – Shapiro's Barrington development; They're moving fairly quickly on getting the foundations and buildings up. Jim said it has been a 4-6 month delay in delivery of their first building and getting their first tenants in there.
- Parcel B2 – Granger, First & Main; They may be looking at moving in a different direction. I'm not sure what that means, but they did call me. When I have something more to report, I'll get back to the DDA.
- Parcel C – The hard corner of Pontiac Trail and Haggerty Road; Nothing new to report. It has been quiet the last 90 days.
- Parcels D&E – Pulte, Merrill Park; Nothing new to report.
- Parcel F – The acreage in front of the Township Hall; Nothing new.
- Parcel G – Wyncliff; Nothing new.
- 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; Nothing new.
- Parcel J2 – NorthPoint, Beyond Self Storage; Nothing to report.
- Parcel K – The orphan piece across the street; Nothing new to report.
- Parcel L – 1.8 acres on Haggerty Road; Nothing new.
- Parcel M&N – These are the two out-lots that are being retained. Nothing new to report.
- It's quiet at the moment, but we will see an uptick in the activity as things move forward.

Director Stacey – Randy, could you also address the residential issue in Bruce's development?

Randy Thomas – Bruce has been working with Mickey Shapiro and Jim Galbraith, looking at different configurations. Right now, there's 300 units approved within the development area. He has wisely chosen to work with Mickey's group to develop that.

They're working through an agreement and what the concept is. It will be a little different than Barrington. It will be market rate apartments, and it won't be segmented to a 55 and older group. I have not seen any elevations yet, but it's very likely that could be some of the first vertical in the Aikens development.

Director Stacey – One last thing to address is the stolen sign issues. As a favor, Randy would appreciate all of us keeping an eye on the DDA Insite Commercial signage, along with Bruce Aikens' downtown signs. We had someone come in and steal signs.

Randy Thomas – They stole two of CB's, mine, Bruce's and one other company all along Pontiac Trail, and everything we had on M-5 at Beaumont. It cost us a lot of money. We can't figure out why or who did it.

Director Stacey – If you see people out there with trucks taking commercial signs, make a phone call if you would. I was surprised they stole Bruce's, although that gives us an opportunity to upgrade and increase the size of his signage.

Vice Chairperson Lublin – Anything happening on the Beaumont property? I thought something was in the works a couple months ago. Are they moving ahead or is it still active?

Randy Thomas – Yes, Danny. We get a fair amount of activity on it. There is a purchase agreement with a local developer, although it hasn't been signed yet. His thoughts are to transition that into a corporate headquarters site, much like you see up and down M-5 between 14 and 12 Mile Roads. You've also got Williams International coming online as well. A lot of the residential guys are shying away from it due to the contamination. The Brownfield has a potential to stay in place.

Vice Chairperson Lublin – Thank you.

Item 4: Director's Report

- **Updates on Developers -**
 - First & Main – Dues have been paid, with some significant help from Deb who did a great job in collections.
 - Shapiro - Barrington – They're getting ready to put up the entry wing walls with the landscaping. They put in the footing. That whole area should start to look a lot better.
- **MTT Judgments – None**
- **HOA Items –**
 - **HOA 2020 Budget** – We are operating within parameters.
 - **Dues** – All 2020 dues have been paid current.
 - **Tax Forms** – Submitted.
 - **Lighting - CJs Lighting, Chris Niestroy; Shaw Electric, Mark Fetters**
 - Fully functional.
 - We do need to replenish the lighting inventory.
 - We had talked about turning over the homeowners association this year to the developers. We were hoping to be further along than we actually are. I will be talking with Jim and Bruce about having us continue on for one more season to oversee the HOA. We do still have significant property and voting rights. I assume since the projects are behind, they won't have an issue with us continuing for one more season.
 - I did want to get this Board's opinion regarding us continuing to manage the HOA. If anyone has anything to add, please feel free to do so now.

No comments from the Board members.

- **Landscaping - United Lawnscape, Brian Sparks; Westside Forestry**
 - United is cutting grass and maintaining the beds.
 - We had the mulch put in about two weeks ago.
 - One of the major beds lasted about a day in the roundabout before somebody drove straight through it.
- **Irrigation - Michigan Automatic Sprinkler, Mike Rennie**
 - We have sprinkler issues again this year. We have ordered the repair parts and we hope to get that system up and running very quickly.

- **Other**

- Jose Mirkin was reappointed at the last Township Board meeting. Jose, welcome back for another 4-year term. Thank you for serving on the Board with us. We always appreciate your input.

Susan Spelker – Jose, good to have you.

Jose Mirkin – Thank you.

- As I mentioned earlier, Jim Gotts is not here. He is sick. He sounds stronger every time we speak. I'll keep you updated on his improvement.

Item 5: Attorney's Report

Attorney Rauch – The only matter that I wanted to raise again is with regard to the Annual Meeting. We discussed it last month and it's now occurring today.

I normally survey the DDA Board members to confirm that the statutory requirement has been met for a majority of the members to have an interest in property in the DDA. Generally I do this once per year. Last month, we decided to have the Board members respond to my email, confirming whether there has been any change in their ownership of property within the DDA area. Of the nine members, I've received five responses. I encourage those who did not respond to reply to the email and confirm if there has been any change. If there has, we can discuss it. The information regarding properties owned by the members is not something that I discuss in public meetings, and as I've indicated previously, we keep the information at the office. I can't promise that there would not be an obligation to disclose it, but generally we keep it private and confidential.

I just want to ensure that there are a majority of members who own property in the DDA, so please respond if you haven't already.

Director Stacey – Thank you. Tom has also worked with us, and with Phil Adkison, Township Attorney, on the land issue concerning the Library extension. We will continue moving forward on that.

Item 6: DDA Annual Meeting, Election of Officers & Bylaws

Director Stacey – This is our annual meeting which we are required to have. As to the election of officers, I have spoken with everyone and they are willing to serve and continue on in their roles. Melissa Creech could not be here today as she is busy with the election.

It is my recommendation, based on the quality of service that we receive from them, the historical information that everyone has about the project, and the ability to get this project over the finish line, that we continue on with the same group of officers and same committee assignments. In addition, we also need to approve bylaws. Tom, should this be three separate motions, or could it be one?

Attorney Rauch – First, we have not changed the bylaws, so we don't need to adopt a resolution confirming any bylaw amendments. I see no reason why there could not be a single resolution for the officers, Chairperson, Vice Chairperson, Secretary and Treasurer, along with the committee assignments.

MOTION by Mirkin, seconded by Spelker, to stay the course and continue to have Jim Gotts serve as DDA Chairperson, Dan Lublin serve as DDA Vice Chairperson, and to reappoint Molly Phillips to serve as DDA Treasurer, and Melissa Creech to serve as DDA Secretary, along with retaining the subcommittees in their current form, with Mark Stacey for the Finance Committee, Jose Mirkin for the Public Relations Committee, and David Smith for the Marketing Committee.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Gotts

MOTION CARRIED UNANIMOUSLY

Director Stacey – I do want to thank everyone for their service. Whether you're on the committees or hold an officer position, everyone is always willing to take my calls, assist with their knowledge and provide input, no matter what time of day or night, or weekend it is. We do appreciate that. Thank you to the entire group for the service you provide to the DDA and the Township.

Item 7: Engineer's Report

Matt Schwanitz, Giffels Webster – Nothing new. We've had virtually no interaction other than some questions and answers with Bruce's team.

Director Stacey – I know Bruce is definitely starting to increase his questions, which is a good sign. He's working with his engineers and just completed his Phase I Environmental. He's starting to move through the process, and that will lead us to the Planning Director's report because we have to get him back in front of Planning once he figures out what he's going to do.

Item 8: Planning Director's Report

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

- We have had several conversations with Mr. Aikens, as we've covered. We're all eager to see what he comes back with and what he will ultimately present as far as revisions to the Planning Commission and the Township Board.
- Randy mentioned that there's some potential activity with Granger, and potentially partnering with someone to finish that site. As you're aware, the existing building is only the first of what was meant to be three phases to that development. We will see when and how that moves ahead.
- We've been working with a lot of restaurants, including those in the DDA, to do temporary outdoor seating. Obviously the pandemic shutdown affected the restaurants and they're trying to make up ground by doing some outdoor seating through the summer. We're working with them to come up with some reasonable guidelines for how to do outdoor seating. We have approved plans for Red Robin and Bar Verona. I think they have their tables setup and they're up and running.

Director Stacey – Will Bar Verona's patio be permanent in the parking lot?

Dave Campbell – A little of both. What they're doing now in the parking lot is temporary, but they do want to come back to the Township with a more permanent version that would be up in what is currently a lawn area.

- Rolling Hills of Commerce, the independent living facility at the corner of Crumb and Haggerty, had to make some adjustments because of the Buckeye Pipeline that runs under

their site. They had to do some creative re-engineering of their sidewalk to prevent putting too much fill on top of the pipeline.

- I mentioned before that 84 Lumber wants to look at an existing building on Pioneer; to take over that building and also the two vacant lots adjacent to it for a lumberyard. They brought that concept to the Planning Commission at the May meeting. It got mostly favorable responses from the Planning Commission, so they are likely to move ahead with that project as a Conditional Rezoning to industrial. That would be the cleanest district for a lumberyard.
- The Planning Commission had two recent resignations, both for good reasons. Tom Jones has been with the Planning Commission for 22 years, so he's ready to take a break. Russ Schinzing, who has been our Vice Chair for the last couple years, took a new career position that's demanding and he can't put in the time the Planning Commission deserves, so he had to step down as well. If anyone on the DDA is interested, or knows of a candidate who would be interested in filling one of those positions, please have them submit their letter and resume to me and to Dave Scott by June 29th. Please help us get the word out.

Director Stacey – I know this isn't in the DDA area, but the new assisted living that's going in at 14 Mile at Novi and Decker Roads, that really is coming out nice. Are you guys happy with what you're seeing there?

Dave Campbell – It has been a few weeks since I went by. That's one of those projects that has been moving along slowly but surely. Last time I went by, I thought it was turning out really nice. To their credit, they got a plan approved that looked nice, but then they volunteered to do some upgrades to their architecture to make it stand out even more.

Director Stacey – It's cleaning up that corner of Commerce, so that's good. In addition, I just wanted to let the Board know that Mr. Campbell has been actively involved in distributing the COVID-19 restart kits through Oakland County. We received a shipment of 172 kits a week and a half ago, and I think we have 100 out to businesses that have requested them. Dave and also Tammy and Cheryl in the Assessing Department have been very helpful with our business owners as they try to restart in this process. Thank you, Dave.

Dave Campbell – You're welcome, thank you. And to that point, Oakland County emailed us today saying they're actually going to create some more. I think they said 5,000 of these reopening kits. They're reaching out to all the municipalities within the County to get a sense of the inventory and needs. So if anyone is aware of a business that would benefit from one of these kits, let me, Mark, Tammy or Cheryl know.

Jose Mirkin – Dave, were Phases II and III approved by the Planning Department for Granger?

Dave Campbell – No, not specifically. When they got Phase I approved, which is the existing building, they showed the general layout of Phases II and III. Phase II was going to be a companion building to the north that I think was meant to be an independent living facility, and Phase III was meant to be some attached ranch units, duplexes or maybe quadplexes to the west. They showed the general layout of those as part of getting Phase I approved, but the other phases were not specifically approved.

Item 9: Committee Reports

- A. Finance Committee – Director Stacey – We have been working with Plante Moran on all of the required tax filings under PA 57. As of yesterday, everything was

submitted to the State. In addition, we have tax information up on our website and feel that we are in compliance with the requirements of PA 57. I will be providing copies of those reports to you next month. They came in a little bit late for us this month.

In addition, we'll be starting the budgeting process this month and next month for both the HOA and the DDA. We will bring proposals to you based on our best guess information. Obviously, it will take some massaging with the tax revenue side once we see what the pandemic does to both taxable collections and property values. We'll be getting to work on that.

- B. Public Relations Committee - Jose Mirkin – I have nothing new to report.
- C. Marketing Committee – David Smith – Since there have been no marketing meetings, I don't really have anything to report. As usual, Randy did a fantastic job of keeping us informed.

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.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Gotts

MOTION CARRIED UNANIMOUSLY

Item 11: Other Matters

Director Stacey – I would like to thank both Ben and Deb for pulling off the Zoom meeting. They're the ones who handle the technical sides of this and do such a great job. You and I both know that if it was up to me, I'd rather have the meeting here, but I think it has worked out well.

David Smith – Any idea when we might go back to the Township?

Director Stacey – I'm hoping next month. It depends on what size groups they allow to gather. There were 18 participants for this meeting.

David Scott – We could have gone to one-third of our posted Fire Marshal allowed number if we were to move the meeting into the main board room, so we could have up to 30 people. We're moving closer and I believe in July, we'll be back to our in-person meetings.

- **The next regularly scheduled DDA meeting is Tuesday, July 21, 2020 at 12:00pm, at which time a DDA Informational Meeting will also be held.** Watch your emails – we will determine whether the meeting will be held at the Township Hall or via Zoom.

Item 12: Adjournment

MOTION by Spelker, seconded by Hoy, to adjourn the meeting at 12:44pm.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Gotts

MOTION CARRIED UNANIMOUSLY

Melissa Creech
DDA Secretary

Vendor Name	Invoice Date	Description	Amount
1. ADKISON, NEED & ALLEN	05/31/2020	DDA MATTERS	82.00
2. DEBORAH WATSON	06/10/2020	DDA ASSISTANT HOURS 5/14 TO 6/10/2020	506.25
3. KEMP, KLEIN, UMPHREY & ENDLEMAN, PC	06/02/2020	PROFESSIONAL SERVICES THROUGH MAY 31, 2020	2,564.70
4. MARK STACEY	06/10/2020	DDA DIRECTOR HOURS 5/14 - 6/10/20	5,050.00
TOTAL - ALL VENDORS			8,202.95
FUND TOTALS:			
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			8,202.95