

Final
CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, April 16, 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 11:59PM.

Downtown Development Authority:

Present: Mark Stacey, DDA Director
James Gotts, Chairperson
Dan Lublin, Vice Chairperson
Jose Mirkin, Member
David Smith, Member
Susan Spelker, Member
Brian Winkler, Member
David Scott, Township Supervisor

Absent: Susan Averbuch, Member (excused)
Tim Hoy, Member (excused)

Also Present: Debbie Watson, DDA Assistant
Thomas Rauch, DDA Attorney
Melissa Creech, DDA Secretary
Molly Phillips, DDA Treasurer
Dave Campbell, Township Planning Director
Randy Thomas, Insite Commercial
Simon Rubin, Insite Commercial
Courtney Mikola, Wyncliff HOA Representative
Steve Matta, Resident

Item 1: Approval of Minutes

MOTION by Winkler, seconded by Mirkin, to approve the Regular Meeting Minutes of March 19, 2019 as presented. **MOTION CARRIED UNANIMOUSLY**

Item 2: Public Comments

Eric Nagler, 9065 Campbell Creek Dr, Commerce Township – I'm representing the Campbell Creek Homeowner's Association. Again, I'm sure you're going to discuss the digging up of Welch Road and just putting in that pipeline eventually. We're just concerned about the timeline for that and when you expect that to happen, et cetera. That's all.

Chairperson Gotts – Thank you.

I'd also like to take this opportunity to introduce our newest member to the Downtown Development Authority, Steve Matta.

Steve Matta – Hello, everybody. Nice to meet you and good to be here.

Chairperson Gotts – Steve has a rather extensive bio. Welcome!

Director Stacey – Steve was approved at the last Township Board meeting. His appointment is effective after Susan Averbuch's term, which is after the next meeting. He has agreed to sit in to get up to speed until his appointment is effective. Thank you for joining us, Steve.

Steve Matta – Thank you all very much for having me.

Item 3: 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; A lot of dirt has been moving and pipe is being put in the ground. I know they're close to making the Welch connection. I don't have the timing yet, but we can certainly get some information over to you. He will be starting construction on the clubhouse. That will be the first building to go up and the foundation will start to go in during the next 30 days.
- Parcel B1 – Aikens, Five & Main; We've had some good news there. The lease with the theater is being signed, and the lease with the higher end market is also being signed. Aikens will make announcements soon. He wants to do that before the ICSC in May. He will continue to make announcements there also. There's a lot of other activity with tenants; either leases being negotiated and discussed, or letters of intent that are being exchanged. There is momentum from a leasing perspective.
- Parcel B2 - Granger, First & Main; Nothing to report.
- Parcel C – The hard corner of Pontiac Trail and Haggerty Road; I had a meeting last Friday with two developers who have been tracking the progress in Commerce Township, specifically in the DDA market. They wanted to revisit one of the old site plans, which included two campus style buildings that were each roughly 11,000 square feet, and they were separated by a common area in the middle where you could have restaurants, et cetera. In addition, there was another 6,000 square foot restaurant building behind it.
- Parcels D&E - Pulte, Merrill Park; They're sold out and all the lots are under construction. I will get some data from them; where did the buyers come from, average home prices, what were the upsells that people paid for, et cetera. It's a very successful development.
- Parcel F – The acreage in front of the Township Hall; Nothing new, other than the dental group. They stay in touch with me. They are awaiting movement on the Aikens parcel.
- Parcel G - Wyncliff; Nothing to report.

Courtney Mikola – Wyncliff is all built out and everybody's moved in.

- Parcel I – BBI Holdings, Gilden Woods; North of the Township Hall. Simon, how is it?

Simon Rubin – My boy has been there for a week now. We could not be happier. It's a great facility.

- Parcel J1 – 2.3 acres on the hard corner of Oakley and Haggerty; Nothing new to report.
- Parcel J2 - NorthPoint, Beyond Self Storage; Dave, any update on their elevator?

Dave Campbell – Jay was over there the other day for something to do with the elevator. As far as I know, they're still working with the State of Michigan on getting that licensed and they're still only operating on the ground floor.

- Parcel K - The orphan piece across the street; Nothing new to report.
- Parcel L - 1.8 acres on Haggerty Road; Dave, I'll let you go first.

Dave Campbell – The Parcel L conversations I’ve been having are with a daycare operator. They want to do a typical daycare/preschool on that property. They’ve been asking me about the requirements for parking, setback, et cetera. They want to get in front of the Planning Commission for a conceptual discussion. Our Zoning Ordinance requires that if you have a new daycare that is within 1,500 feet of an existing daycare, then the Planning Commission could make a determination that it’s an over concentration of the use. They want to get that addressed so they can have a comfort level moving ahead.

Randy Thomas – That was the same group we had talked to before and it’s The Learning Experience.

There was also interest from Brian Tomino of Aqua Tots swim school. He had a piece tied up on Martin Road. They have 3,000 students enrolled on average for one location. I have him looking at Parcel L also. We should know more by next month.

Director Stacey – There is an Aqua Tots in Novi. It’s a very nice facility. I think it’s something we would certainly benefit from in the Lakes Area.

- Parcel M&N - These are the two out-lots that are being retained by the DDA. I think shortly here, we’ll have more activity publicly once Bruce makes announcements and starts construction.

Discussions took place regarding potential tenants in the Aikens development, the possibility of those tenants opening new locations in Novi, and the potential impact upon the new development. Randy felt that the distance between the locations would probably be outside of the typical encroachment areas.

Director Stacey discussed the article in the packet regarding a new and unique Barnes and Noble bookstore opening in the Village of Rochester Hills.

Eric Nagler – The date on this map from Insite Commercial shows 9/5/18. Is this still relevant?

Director Stacey – Yes, absolutely. It’s up to date.

Item 4: Director’s Report

- **Updates on Developers - (Covered by Randy)**
- **MTT Judgments** – None
- **HOA Items** –
 - **2019 HOA Budget** – Same as 2018; awaiting meeting of HOA 4/25/19 10am
 - **Dues** – No bills sent yet until the budget is approved.
 - **Lighting - CJs Lighting, Chris Niestroy, Shaw Electric, Keith Greene**
 - All lighting repairs were made and the streetlights are up and running. The invoice was included with your packet, which is an HOA item. We had the drivers in stock that we had purchased in bulk at a discount.
 - The rope lighting for the bridge tunnel has been shipped. You authorized that last month. That is a DDA item. Chris hopes to install the lighting next week.
 - **Landscaping - United Lawnscape, Brian Sparks**
 - Our landscaping looks a little rough right now.

- We have signed our contracts and we've met with United. We're certainly on their schedule, and they'll be getting out here for mulching, cutting and clean-up.
- We've ordered the replacement trees; 4 for the PGA roundabout and 1 for the Oakley Park roundabout.
- We have authorized United to replace a number of shrubs that are dead in the Martin Parkway median.
- We've authorized the clean-up for the Pontiac Trail roundabout that resulted from the March 16th accident. We worked through the entire insurance claim process since then, and have a check for \$11,487 to fix that damage. I've authorized the grass and landscaping beds to be cleaned up; however, I'm not going to replace the two damaged trees there at this time, because there are potential changes that may occur to the roundabout with the redesign and the Aikens development. According to the professionals, the trees are likely to die, and they may get replaced in a season or two, depending upon the developments in that area.
- **Irrigation - Michigan Automatic Sprinkler, Mike Rennie**
 - We expect the irrigation system to be opened for the Spring next week.
- **Other**
 - **RCOC**
 - Roundabout study – We have a meeting tomorrow with RCOC. Dave, can you bring us up-to-date?

Dave Campbell – As I've mentioned before, the RCOC is having their roundabout consultant take a look at it. The consultant is based in Atlanta. He has done his preliminary analysis which says there does need to be more capacity in that roundabout. That's not really a surprise to anyone.

The next step would be to determine what sort of improvements need to be made, such as additional lanes or widening the roundabout, to provide that additional capacity. Before he starts on that analysis, we thought it would be a good idea to have a meeting with the RCOC and with Mr. Aikens, the developer, and those of us from the Township. We will have the Atlanta consultant on video conference for the meeting. This will ensure we are all on the same page with the analysis. That meeting is tomorrow at 11am at the RCOC office. I made a point to make sure Mr. Aikens could be there because all of this analysis is being done on his dime.

David Smith – Is putting in the light at Walnut Lake Road, is that on his dime?

Dave Campbell – That's on his dime, at Walnut Lake and Pontiac Trail.

Discussion continued regarding Walmart's involvement in installing a traffic light at Walnut Lake, and their prior agreement to participate in the improvement. David Smith discussed his history with Walmart and the project, and the need for a signal at the intersection. In addition, a nominal contribution will be made toward the traffic light by the new credit union development at that intersection.

Director Stacey – In addition, the RCOC has repaired the fence at the Pontiac Trail roundabout and M-5, with the exception of the fabric.

Item 5: Attorney's Report

DDA Attorney Rauch – Things have continued to be relatively quiet. We worked with Bowden Brown, bond counsel, and with Molly Phillips regarding the bond closing, which is now complete.

In addition, we may have mentioned before, the Michigan legislature at the end of 2018 saw fit to recodify all of the tax increment financing statutes in the State of Michigan into a single new statute, Act 57. Theoretically, nothing changed in any of the implementation provisions of the statutes, including the Downtown Development Authority act, but it is a new statute. We have looked at it and determined that our bylaws, which are about 9 years old, will require some changes. Mark and I have discussed this, and Jason Seaver at our office has been assisting me with this. Next month, at the annual meeting of the DDA, we will present a new set of bylaws to the DDA Board. They're very simple actually; however, they will include the new requirement of the statute which requires that there be two informational meetings held annually by the DDA. There are specific noticing requirements which differ from the typical public notice that's given for a regular or special meeting of a public body. We will discuss that with you as well next month. The DDA will choose when to convene these informational meetings, whether it be to hold a special meeting, or to combine with a regularly scheduled meeting. Special notice of these informational meetings will need to be given to all of the taxing authorities whose taxes are captured.

We will implement that next month, which is also the annual meeting where the DDA will reestablish committees and elect officers. We will follow-up with you to confirm that our DDA is in compliance with having a resident member, as well as having a majority of members who have an interest in business property within the DDA.

As Mark mentioned, the CTPA will be having an actual meeting, as opposed to acting via consent action to approve the budget. Wyncliff has not approved signing by Courtney, and has requested an actual meeting. Mr. Galbraith is the other major member of the board, and he's coming back in town. This will be a short meeting next week.

David Smith – Are you all set for the closing for Aikens?

Attorney Rauch – No, not yet. The closing is required to occur by the agreement by July 31. There has been very modest activity with Aikens at the moment as you can see on our invoice. My path for closing is not that difficult because so much work has already been done to prepare for the closing. We will now just need to prepare our documents and tell the title company to proceed to draft their closing documents, but I don't expect that to be a logistical problem.

Randy Thomas – I would say in June, we will be tackling that and getting the paperwork ready. As Tom said, most of the heavy lifting is out of the way as far as closing goes.

Director Stacey – We made sure what could be done is done.

David Smith – As long as the title is clear.

Director Stacey – One of the things that Act 57 required was certain changes to our website for more information to be made available. We've been working on that. There was a list before that we followed, and now they're also asking for certain additional information to be added. We will make sure that is in compliance.

Attorney Rauch – One of the things that we have talked about is that on the website, a list of current contracts is supposed to be posted, along with a description of those contracts, and other documents relating to management of the authority, and services provided to the authority. There's no guidance as to what that requirement would be, and so we're waiting to have the State

weight in on the type of documents need to be put on the website. It would be a burden, and somewhat trivial to dump volumes of files into the website, consisting of every possible contract that the DDA has. It also could materially impact how the public authorities operate, if in fact everything has to be on the website. That probably wasn't what was intended, and we will see what transpires with this.

Item 6: Engineer's Report

In Matt Schwanitz's absence, Director Stacey relayed his report.

Director Stacey – Matt asked me to provide his report, which is essentially the same as last month. They have been answering questions and providing back up services. Matt will be in attendance tomorrow at the RCOC. He apologized that he could not be here today, but a last minute conflict came up.

Item 7: Planning Director's Report

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

- I checked with the Township Engineer about the Campbell Creek pump station. He said they're still months away from that. They've got to get the sewer in at the Barrington project next door before the Campbell Creek sewer can tie into that. He said nothing should be done to the landscaping at the entrance. He also stated that his contact information could be shared with Campbell Creek residents.
- We had a groundbreaking last week for the Michigan Schools & Government Credit Union, on the corner of Walnut Lake and Pontiac Trail. I went by there today and they've got their silt fence up. They look like they're ready to start the project. They said they hope to have the new credit union open this Fall. They did mention that Brian Winkler and the rest of the Planning Commission beat them up a little about their architecture and their building materials, which they obliged to. Then at the groundbreaking, they mentioned that they're happy with how the building turned out and they're actually using that as their prototype now for their new buildings, along with refacing of some of their existing buildings. They like what you guys made them do.
- Across from Meijer on the east side of Haggerty, which is West Bloomfield Township, there's about 100 vacant acres there where Ivanhoe is developing 200+ new single-family homes. For them to be able to do that, they have to upgrade the existing signal at Haggerty Road in front of Meijer. They had to work with Meijer to get some additional right-of-way on the west side of Haggerty. Hopefully you'll see that upgrade soon as a result of their project.
- On the Commerce side of Haggerty Road, just south of that, is the new retirement community, Resort Lifestyle Communities. They are hopefully finishing up their engineering. They hope to break ground this construction season. It will be a pretty significant project on a vacant piece of property, a 120-unit senior independent living facility.

Discussion continued regarding the location of the Resort Lifestyle Communities, the orientation of the development, which will front on Crumb Road, and it was noted that the Planning Commission was diligent in making sure that the architecture and building materials along the Haggerty Road side were of a higher quality. It is a 3-story building and it will be a good looking structure.

Item 8: Committee Reports

- A. Finance Committee – Director Stacey – Our big news is that the bond issue is closed, done and paid off. Thank you very much, Molly, for getting us through. It was a big project.

Treasurer Phillips – It's a big relief.

Chairperson Gotts – On behalf of the DDA, and all the residents and taxpayers of Commerce Township, thank you so much for your efforts in mitigating our potential upcoming taxes. You too, Counselor, thank you.

- B. Public Relations Committee - Jose Mirkin - Representing the Public Relations Committee, last Tuesday evening, I attended the meeting of the Commerce Township board of Trustees and invited every Board member to the next Walled Lake Schools K-12 Art Exhibition that will take place at our community library on May 18th to 25th, 2019. I also invited all (or most) of the people attending that Board meeting. Today, I am cordially inviting every member of the DDA and also people attending our meeting.

As I've said before, the reception and awards ceremony will take place on Wednesday, May 22nd, from 5 to 7:00pm. The cost of the reception and awards are paid with a grant written by one of the art teachers which means that there is no cost involved for the DDA.

As a member of the committee coordinating this event, I volunteered to place in public places flyers like this one. Over the weekend, I placed them at Kroger, Panera Bread, Uptown Grill, Leo's, et cetera. I also placed some at the Richardson Community Center, I gave some to Dave Scott for the Township Hall, and I placed one at the West Bloomfield library.

As you already know, this important art event has been going on for almost 30 years, and the partnership with the DDA is in its 6th consecutive year. I said many times that the DDA, through the Public Relations Committee, is engaged and committed to cultural activities that impact and benefit our community.

I do hope to see all of you at the next Art Exhibition. The young artists attending our great Walled Lake Schools, the art teachers working very hard to educate future generations, the parents and grandparents of the students participating in the exhibition, and our library and DDA sponsoring this event, deserve your support.

Director Stacey – Thank you for your service in getting that together, Jose. I know it's a big project and every year it comes off exceptionally well.

Jose Mirkin – We started in this building 6 years ago with 200 people. Last year at the library, we had 1,000. It keeps growing.

Chairperson Gotts – Thanks again for your coordination with our educational system.

- C. Marketing Committee – David Smith – There's not much to say other than what Randy has advised us all of. We're all looking forward to closing the Aikens project. We probably won't see any construction until next Summer or Fall.

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.

MOTION CARRIED UNANIMOUSLY

Item 10: Other Matters

- **The next regularly scheduled DDA meeting is Tuesday, May 21, 2019 at 12:00pm. This will be the DDA's Annual Meeting.**
- David Scott discussed his meeting on April 9th with the Women's Realtors Council of I-275 Corridor. He had the privilege of speaking before the group. They were eager to hear about Commerce Township and elated with the opportunity and growth.
- David Scott discussed yesterday's meeting of the Oakland County Association of Township Supervisors. There are 21 Townships in the County. West Bloomfield noted one item. A few of the longer-term members will remember the restaurant at the corner of Maple and Haggerty, the Villa Maria. It's about to be demolished. There will be some construction going on there.
- David Scott discussed his opportunities to meet with three international ambassadors. They're looking at Commerce Township as a home for the people that are being sent here by the international organizations to work for three to five years. They're looking at the DDA and the high-end housing as a target, specifically the Galbraith project. Of the top 100 international firms, Commerce Township has about 500 of those executives living in the community. Novi has the lion's share, and Ann Arbor also has a commensurate number.
- Jose Mirkin complimented Treasurer Phillips on the pertinent questions she asked at the recent Township Board meeting regarding the bond issues.
- Director Stacey stated that Bowden Brown has announced his retirement. Treasurer Phillips added that he actually retired last Friday.
- Director Stacey noted that Loren Crandall, Giffels Webster, has also announced his retirement.
- Brian Winkler commented on the work taking place on the Michigan Airline Trails. Supervisor Scott provided an update. By August of this year, there should be a fully paved path with crosswalks, consisting of 5.5 miles of walking trails, with an additional 2 miles to follow in Phase II, which will be in Wixom and Milford. Discussion continued regarding the pedestrian bridge and the enhancements.
- Eric Nagler noted that Susan Averbuch is his next door neighbor. He will be keeping her apprised of any developments.

Item 11: Adjournment

MOTION by Lublin, seconded by Winkler, to adjourn at 12:52pm.

MOTION CARRIED UNANIMOUSLY



Melissa Creech
DDA Secretary

04/10/2019 09:49 AM
User: JBUSHEY
DB: COMMERCE

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE
EXP CHECK RUN DATES 04/16/2019 - 04/16/2019
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA WARRANT REPORT
APRIL 16, 2019

Vendor Name	Invoice Date	Description	Amount	Check #
1. DEBORAH WATSON	04/10/2019	DDA ASSISTANT HOURS 3/14/19 - 4/10/19	1,200.00	
2. GIFFELS-WEBSTER ENGINEERS	03/19/2019	PROFESSIONAL SERVICES THROUGH MARCH 9, 2019	429.00	
3. KEMP, KLEIN, UMPHREY & ENDLEMAN, PC	04/08/2019	PROFESSIONALS SERVICES THROUGH MARCH 31, 2019	6,602.30	
4. MARK STACEY	04/10/2019	DDA DIRECTOR 3/14 - 4/10/19	5,200.00	
TOTAL - ALL VENDORS			13,431.30	
FUND TOTALS:				
Fund 499 - CAPITAL PROJECTS - DDA			13,431.30	

04/16/2019 08:13 AM
User: JBUSHEY
DB: COMMERCE

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE
INVOICE ENTRY DATES 04/16/2019 - 04/16/2019
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA WARRANT REPORT - ADD ON'S
APRIL 16, 2019

Vendor Name	Invoice Date	Description	Amount	Check #
1. DETROIT EDISON				
	04/11/2019	2660 OAKLEY PARK	95.30	
	04/11/2019	3106 MARTIN PARKWAY	82.94	
	04/11/2019	2581 LIBRARY DR.	587.71	
	04/11/2019	2579 LIBRARY DRIVE IRRIGATION	16.61	
		TOTAL	<u>782.56</u>	
TOTAL - ALL VENDORS			782.56	
FUND TOTALS:				
Fund 499 - CAPITAL PROJECTS - DDA			782.56	