

**CHARTER TOWNSHIP OF COMMERCE  
DOWNTOWN DEVELOPMENT AUTHORITY MEETING**

*Tuesday, August 12, 2003*

2840 Fisher Avenue

Commerce Township, Michigan 48390

**CALL TO ORDER:** Robert Shimmin, Chairperson, called the meeting to order at 12:40 p.m.

**DETERMINATION OF QUORUM:**

Present: Wynn Berry, Director  
Robert Shimmin, Chairperson  
Douglas Lanni, Member  
Robert H. Long, Member  
Daniel Lublin, Member  
Frank Marotta, Vice-Chairperson  
Norman Levine, Member  
Sandra Motz, Member  
James Gotts, Member  
Paul Kirkwood, Member

Quorum of DDA Members determined.

Absent: Thomas K. Zoner, Commerce Supervisor

Also Present: Sandra Abrams, DDA Secretary  
Susan Gross, DDA Treasurer  
Thomas Traciak, Financial Advisor  
Phillip Adkison, Township Attorney  
Chris Michaels, Township Attorney  
Loren Crandell, Giffels-Webster Engineers  
Matthew Schwanitz, Giffels-Webster Engineers  
Thomas Rauch, DDA Attorney, Kemp Klein  
Patricia Paruch, DDA Attorney, Kemp Klein  
Deb Kirkwood, DDA Administrative Assistant  
Kathleen Pogarch, Assessing Director  
Jeffrey Bowdell, Building-Zoning Director  
Susan Averbuch, Campbell Creek Assoc. Pres.  
Earl Whitlock, Four Towns Committee  
Herb Feinstein, DDA Citizens Council  
Ray Cornellier, DDA Citizens Council

**APPROVAL OF MINUTES: Tuesday, June 17, 2003 Regular DDA Meeting**

**MOTION** by Long, supported by Lanni, to approve the Minutes of July 22, 2003.  
**MOTION CARRIED UNANIMOUSLY**

**ITEM 1: Public Comments**

Susan Averbuch, President of Campbell Creek Subdivision Association, was present and expressed that the Subdivision Association would like to continue to work with the DDA and be apprised of any plans for expansion and development in their area and would like to continue the open communication with the DDA with regard to plans and developments in the DDA area. Ms Averbuch also stated that the minutes should be available in draft form 8 days after the DDA Meeting and 5 days after they are approved. Of interest to the homeowners association is any agreement with the Walled Lake School District as well as a timeline for development of the El Dorado property.

**ITEM 2: Consent Agenda**

- A. Treasurer's Report for July 2003**
- B. Approval of Warrants**

**MOTION** by Marotta, supported by Kirkwood, to receive and file the Treasurer's Report.

**MOTION CARRIED UNANIMOUSLY**

**MOTION** by Lublin, supported by Kirkwood to approve the warrants as presented.

**MOTION CARRIED UNANIMOUSLY**

**ITEM 3: Financial Advisor**

This item to be discussed in Executive Session

**ITEM 4: Engineer's Update**

**A. Progress Report on Haggerty Road**

Matt Schwanitz of Giffels Webster reported that the plans for Haggerty Road are still in progress

**B. Sign Permit**

Matt Schwanitz of Giffels Webster reported that the permit process for the Commerce Township signs in the DDA district are still in progress and they are currently in negotiation with the Oakland County Road Commission.

**ITEM 5: Attorney Update**

**A. Update on amendments to the Bylaws**

Patricia Paruch and Tom Rauch, DDA Attorneys, addressed the proposed amendments to the Bylaws of the DDA stating the amendments specifically address changes in municipal liability law relative to the DDA as well as changes to the Open Meetings Act and the Freedom of Information Act.

In addition, the Bylaws will be sent to the Township Board at the August Meeting and the Board can approve or not approve. If the Board does not act on the Bylaws, within 30 days they become official.

**MOTION** by Lanni, supported by Gotts, to approve the changes to the Bylaws as presented.

**ITEM 6: Director's Update**

**A. Update on Appraisal for Condemnation Purposes on Soave property**

Director Berry reported that the DDA appraiser is preparing a written appraisal report for the property which should be ready in approximately three weeks. Further, Director Berry reported that the Township had forwarded a good faith offer to the owner of the property.

**B. Budget Amendments**

Director Berry presented budget amendments for approval (see attached)

**MOTION** by Lanni, second by Lublin to approve the Budget Amendments as proposed.

(See attached)

**MOTION CARRIED UNANIMOUSLY**

**In addition:**

Mr. Berry advised the Board that there would be a seminar in the Village of Holly, on the 17<sup>th</sup> of September that would be very beneficial to attend on the development of natural and rural areas. Director Berry, Shimmin, Gotts, and Levine would all like to attend. The Township Planning Director is also planning to attend.

**MOTION** by Marrotta, second by Gotts to approve the expenditure of funds for attendance at the seminar in Holly Michigan relative to the development of natural and rural area.

At this time the township Planner, Connie guest presented the latest version of the PUD Ordinance that would now be submitted to our attorneys. A suggested timeline for this latest version of the Ordinance would be the Planning Commission review on September 8, 2003, and the Township Board review of this Ordinance on September 9, 2003. After the review by the Planning Commission and the Township Board the Ordinance would be submitted to the county and adjacent municipalities for comment and then back to the Planning Commission for Public Hearing.

Also, the DDA has approved \$4,000 for a Community Profile Brochure and Ms. Guest has requested a liaison be appointed from the DDA Board to work with the planner on this project. Member Gotts volunteered for that appointment.

Ms. Guest also agreed to make available to the DDA and interested parties a timeline for the DDA relative to the Master Plan.

**ITEM 7: Executive Session**  
**Right of Ways and other Property Acquisition**

**MOTION** by Motz, second by Lublin, to enter into executive session for the purpose of discussion of property acquisition and the discussion of written opinion of counsel.

**ROLL CALL VOTE:**

**Ayes:** Gotts, Levine, Long, Marotta, Lanni, Motz, Shimmin, Lublin, Kirkwood

**Nays:** None

**Absent:** Zoner

**MOTION CARRIED UNANIMOUSLY**

*Entered Executive Session at 1:25 p.m..*

*Open Session resumed at p.m.*

**MOTION** by Lublin, second by Gotts to authorize Director Berry, Chairperson Shimmin and Financial Advisor Traciak to pursue all finance options available and to sell bonds to purchase properties.

**MOTION CARRIED**

**ITEM 8: Other Matters**

Robert Shimmin asked the Members if there were any Other Matters to be discussed. There were no Other Matters.

**MOTION** by Lanni, supported by Lublin to Adjourn.

Meeting adjourned at 3:15 p.m.

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Sandra S. Abrams, Clerk  
Charter Township of Commerce  
DDA Secretary

