CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, December 14, 2004, 2004
Commerce Township Hall
2840 Fisher
Commerce Township, MI 48390
12:00 p.m.

CALL TO ORDER: Chairperson Shimmin called the meeting to order at 12:25 p.m.

Downtown Development Authority

Present: E. Wynn Berry, DDA Director
Robert Shimmin, Chairperson
Daniel Lublin, Member
James Gotts, Vice-Chairperson
Thomas Zoner, Member
Norman Levine, Member
Randall Thomas, Member
Sandra Motz, Member
Paul Kirkwood, Member

Quorum of DDA Members determined

Absent: Douglas Lanni, Member
Frank Marotta, Member
Marina Bilopolska, Member

Also Present: Thomas Rauch, DDA Attorney
Patricia Paruch , DDA Attorney
Sandra Abrams, DDA Secretary
Phillip Adkison, Township Attorney
Christina Michaels, Township Attorney
Deb Kirkwood, DDA Administrative Assistant
Kathleen Bartoluzzi, Township Planner
Tom Traciak, ACI Finance

Approval of the Minutes: November 16, 2004, Regular Meeting

MOTION by Zoner, second by Lanni, to approve the minutes of the November 16, 2004 Regular DDA Meeting as presented.

MOTION CARRIED UNANIMOUSLY

Item 1: Public Comments

Jim Galbraith expressed interest in residential property within the DDA project area.

Susan Averbuch requested the calendar for 2005 DDA meetings include evening meetings, thanked Loren Crandell of Giffels Webster for implementing public meetings for input, and stated opposition to any direct linkage with M-5.

Bud Englehart expressed interest in purchasing property within the DDA project area.

Julie LeBlanc voiced her appreciation for Giffels-Webster's Public Meetings

Item 2: Consent Agenda

A. Treasurer's Report for November 2004 and Revised October 2004
B. Approval of Warrants
C. Budget Amendment

MOTION by Gotts, second by Lublin to approve the Consent Agenda including add ons to the Warrants presented.

MOTION CARRIED UNANIMOUSLY

Item 3: Director's Update

A. Update on Taubman Agreement Progress

Meetings with the Taubman Corporation have been held and progress is being made. Another meeting has been tentatively scheduled for January 6, 2005.

A. Temporary Library Facilities. The Township has had discussions with the DDA Director regarding a temporary library facility at ElDorado Golf Club. The permanent library will be located at The Links of Pinewood clubhouse, with anticipated construction in 2006. There will be a License Agreement put in place with the Township for the Temporary Library Facility at the El Dorado Clubhouse and a Concession Agreement for the El Dorado Golf Course for golf for the 2005 golf season put in place with Oak Management, the management entity of The Links of Pinewood facilities.

The Temporary License Agreement permits the Township to enter El Dorado for evaluation and use of the El Dorado clubhouse as a temporary library facility and for construction of a temporary access drive to the facility. A lease will be executed at a later date.

MOTION by Zoner, second by Lublin to recommend to the Township Board the approval of a Temporary License Agreement relative to the use of El Dorado as a temporary library facility.

MOTION CARRIED UNANIMOUSLY

A. Director Berry stated an appraisal would be necessary on approximately 17-20 acres the Walled Lake School District would like to purchase and would like to use Fuller Appraisal to accomplish the appraisal.

B. Joint Meeting with Planning Commission & Township Board will be scheduled for January 24, 20005, at 7:00 p.m.

MOTION by Gotts, second by Zoner to approve the appraisal of 9 acres of property located on Welch in Section 24.

MOTION CARRIED UNANIMOUSLY

Item 4: Vantagepoint Technologies

A. A Presentation by Nicole Heyart, Director of Professional Services of Vantagepoint Technologies.

Following the presentation, discussion of the services provided by Vantagepoint Technologies.

MOTION by Gotts, second by Zoner, to authorize a quote from Nicole Heyart for professional services.

MOTION CARRIED UNANIMOUSLY

Item 5: Engineers Update

A. Update on Haggerty Road and rights of Way
The acquisition of Rights of Way is critical at this time as it relates to Haggerty Road Improvements. Meetings have been held relative to process for obtaining Rights of Way.

B. Meeting held with the Four Towns Action Committee to explain the results of the Environmental Impact Study and receive input from the public.

Item 6: Hermanoff & Associates

A. Second Edition of "the Voice"
The second edition of the DDA newsletter, The Voice, will be mailed out to the residents of commerce by the end of next week. This edition contains information from the Road Commission of Oakland County, the DDA and the Township. In addition, additional information will be added to the webpage.

Item 7: Attorney's Update
A. Resolution for Closings
The Township board adopted the DDA 4th Amended Plan and copies of the Plan have been prepared for Township and public use. It is recommended that Five ($5) Dollars be charged for the general public to purchase a copy of the 4th Amended Plan, to offset the cost of printing.

Securing the Bond Proceeds: $35 Million Bond issue will close this week.

MOTION by Gotts, second by Zoner to approve the Commerce Township Downtown Development Authority Resolution Amending Prior Resolution Pledging Tax Increment Revenues, as well as the final form of the Project Financing Agreement (copy of each attached), in the form of Resolutions presented by Township Bond Counsel.
ROLL CALL VOTE:

AYES: Kirkwood, Motz, Thomas, Levine, Zoner, Gotts, Lublin, Shimmin
NAYS: None
ABSENT: Bilopolska, Lanni, Marotta

MOTION CARRIED UNANIMOUSLY

MOTION by Gotts, second by Lublin to approve the Resolution of the Commerce Township Downtown Development Authority to Pay off the Land contract for the Huron Clinton Metropolitan Authority Land Formerly Held by the Charter Township of Commerce and transfer funds to the Township, in the form of Resolutions presented by DDA Counsel.
ROLL CALL VOTE:
AYES: Kirkwood, Motz, Thomas, Levine, Zoner, Gotts, Lublin, Shimmin
NAYS: None
ABSENT: Bilopolska, Lanni, Marotta

MOTION CARRIED UNANIMOUSLY

MOTION by Gotts, second by Lublin to approve the Resolution of the Commerce Township Downtown Development Authority to acquire the Links of Pinewood Golf Course, in the form of Resolutions presented by DDA Counsel.

ROLL CALL VOTE:
YES: Kirkwood, Motz, Thomas, Levine, Zoner, Gotts, Lublin, Shimmin
NAYS: None
ABSENT: Bilopolska, Lanni, Marotta

MOTION CARRIED UNANIMOUSLY

MOTION by Gotts, second by Lublin to approve the Resolution of the Commerce Township Downtown Development Authority to Acquire Certain Parcels of Land from the Michigan Department of Transportation, in the form of Resolutions presented by DDA Counsel.

ROLL CALL VOTE:
AYES: Kirkwood, Motz, Thomas, Levine, Zoner, Gotts, Lublin, Shimmin
NAYS: None
ABSENT: Bilopolska, Lanni, Marotta

MOTION CARRIED UNANIMOUSLY

MOTION by Zoner, second by Gotts, to enter into Executive Session for the purpose of discussion of the acquisition of property and to adjourn immediately following Executive Session.

MOTION CARRIED UNANIMOUSLY

Entered Executive Session 2:20 p.m. Adjourned at the close of Executive Session at 3:00 p.m.

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