CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, March 14, 2006
Commerce Township Hall
2840 Fisher
Commerce Township, MI 48390
12:00 p.m.

CALL TO ORDER: Chairperson Shimmin called the meeting to order at 12:35 p.m.

Downtown Development Authority

Present: E. Wynn Berry, DDA Director
Robert Shimmin, Chairperson
Marina Bilopolska, Member
Daniel Lublin, Member
James Gotts, Vice-Chairperson
Thomas Zoner, Member (1:00 p.m.)
Randall Thomas, Member
Sandra Motz, Member
Douglas Lanni, Member

Quorum of DDA Members determined

Absent: Paul Kirkwood, Member
Frank Marotta, Member

Also Present: Thomas Rauch, DDA Attorney
Pat Paruch, DDA Attorney
Sandra Abrams, DDA Secretary
Phillip Adkison, Township Attorney
Deb Kirkwood, DDA Administrative Assistant
Loren Crandell, Giffels Webster
Chris Michaels, Township Attorney

Approval of the Minutes: February 21, 2006, Minutes

MOTION by Thomas, second by Lublin, to approve the minutes of the February 21, 2006, Regular Meeting as presented.

MOTION CARRIED UNANIMOUSLY

Item 1: Public Comments

None Received

Item 2: Consent Agenda

A. Treasurer's Report for January 2006
B. Warrants with Additions and Deletions

MOTION by Gotts, second by Lublin, to approve the Consent Agenda.

MOTION CARRIED UNANIMOUSLY

Item 3: Director's Report

A. Taubman Negotiations

Meeting held with Taubman with an exchange of ideas. Taubman is working with JJ&R relative to the Master Plan.

B. Pontiac Trail Demolitions

The Demolitions are complete on Pontiac Trail.

C. Bid Proposals for Maple Road Property – This item to be brought back at the next regular meeting.

D. Fifth Amended Plan

Pat Paruch, DDA Attorney explained the major changes to Exhibit A and the following points:

- There will be no tax capture in the expanded area;
- The 5th Amended Plan contains types of projects the DDA will entertain specific enough to meet the state statute but also broad enough to encompass all the specific projects to be undertaken by the DDA.

MOTION by Lublin, Second by Lanni, to approve the Resolution of the Commerce Township Downtown Development Authority Regarding Fifth Amended and Restated Development Plan/Tax Increment Financing Plan and Expansion of Development Area No. 1

MOTION CARRIED UNANIMOUSLY

MOTION by Lublin, Second by Lanni, to approve the Resolution of the Commerce Township Downtown Development Authority Regarding the Expansion of the Downtown District.

MOTION CARRIED UNANIMOUSLY

Chairperson Shimmin stated that if it is the pleasure of the Board, he would respond to the correspondence received from DMC. Unanimously agreed that Chairperson Shimmin would respond to the correspondence from DMC.

Item 4:

Engineers Update: Inquiries have been made relative to the possibility of relocating the above ground utilities to underground utilities on the west side of Haggerty Road between Pontiac Trail and Oakley Park Road. The cost has been estimated by Detroit Edison at Five Million Dollars and Detroit Edison has indicated they would not cover the cost of relocating the utilities to underground.

Primary focus of the engineers is still Section 24 and the storm water management plan.

Meeting has been held with the Road Commission for Oakland County who concur that the Round-About plans submitted are appropriate for the areas indicated on the plans.

Item 5:

Attorney Update:

WalMart has decided to expand their retail store and has submitted a site plan to the Planning Department for a Super Center Walmart. The plans submitted will call for the

acquisition of certain properties owned by the DDA and have requested an Access Agreement from the DDA in anticipation of a future Exchange Agreement relative to properties owned by the DDA and the Walmart Corporation.

MOTION by Gotts, second by Thomas to approve an Access Agreement between Walmart and the DDA to allow Walmart the opportunity for due diligence on DDA properties in anticipation of a formal Property Exchange Agreement, at a future time, in order to construct a Super Center Walmart. The Access Agreement shall be in a format agreeable to DDA attorneys and the substance of the agreement acceptable to the DDA Director and Chairperson of the DDA.

MOTION CARRIED UNANIMOUSLY

Item 6: Planning Report

Currently the Planning Department is reviewing seven items in the current DDA district and the anticipated expanded district.

Item 7: Executive Session

None

Item 8: Other Matters

None

MOTION by Zoner, second by Motz to adjourn. Motion carried unanimously. Meeting adjourned at 1:05 p.m.

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