

**CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY**

Tuesday, September 19, 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
Daniel Lublin, Member
Paul Kirkwood, Member
Thomas Zoner, Member
Randall Thomas, Member
Sandra Motz, Member

Quorum of DDA Members determined

Absent: James Gotts, Vice-Chairperson
Frank Marotta, Member
Marina Bilopolska, Member
Douglas Lanni, Member

Also Present: Sandra Abrams, DDA Secretary
Susan Gross, DDA Treasurer
Phillip Adkison, Township Attorney
Deb Kirkwood, DDA Administrative Assistant
Chris Michaels, Township Attorney
Patricia Paruch, DDA Attorney

Approval of the Minutes: August 15, 2006, Minutes

MOTION by Thomas, second by Lublin, to approve the minutes of the August 15, 2006, Regular Meeting minutes as presented.

MOTION CARRIED UNANIMOUSLY

Item 1: Public Comments

None

Item 2: Consent Agenda

- A. Treasurer's Report for August 2006
- B. Warrants with Add-Ons

MOTION by Zoner, second by Lublin, to approve the Consent Agenda, which includes the Treasurer's Report for August 2006 and the Warrants with Add-ons, as presented

MOTION CARRIED UNANIMOUSLY

Item 3: Director's Report

- A. Update – Oakland County Magazine** – DDA Director Berry stated the DDA and the Township would like to submit a four page article for the Oakland County Magazine at a cost of \$4,000. Discussion of the content of the four page article.

MOTION by Zoner, second by Thomas to approve the submission of a four page article for the Oakland County Magazine at a cost not to exceed \$4000, funds to come from the DDA.

MOTION CARRIED UNANIMOUSLY

- B. Discussion of Plante Moran Study on Performing Arts Center** – A proposal by Plante Moran was presented to analyze the economic viability of a performing arts center. Director Berry stated the proposal will be pared down and would include both the pros and the cons of a performing arts center, and that the anticipated study would take approximately 90-150 days. The proposed cost of the study as presented was \$19,000 to \$24,000 plus reimbursable expenses.

MOTION by Thomas, second by Lublin, to approve an economic viability study of a performing arts center by Plante Moran. The study to be accomplished in three stages and presented at the completion of each stage, giving the option to stop at any time without moving to the next stage, at a cost not to exceed \$24,000 total for all three stages.

MOTION CARRIED UNANIMOUSLY

- C. Update on EA and Public Hearing** – The Environmental Assessment has been submitted and the DDA is awaiting feedback from the Highway Department. It is anticipated that the Public Hearing on the EA may be possible in 2006.

In addition it was reported:

Martin Road Extension was approved by the Planning Commission; The Fire Chief is working on the fire hydrant painting project and is currently waiting for a price quote; JJR is working on a planning process for the DDA relative to property on Haggerty Road, Pontiac Trail, Richardson Road and Martin Roads which will include a format to be followed for development and redevelopment in the DDA area with a form based code and master plan.

MOTION by Lublin, second for discussion by Zoner, to revise the proposal to obtain a total price for the full JJR project and to return to the DDA for final approval of the revised proposal.

Discussion

Motion by Lublin withdrawn. Second by Zoner withdrawn

MOTION by Lublin, second by Zoner to approve the JJR proposal as resented at a cost not to exceed \$9,000.

MOTION CARRIED UNANIMOUSLY

Item 4: Engineer's Update – Section 24 area is at the detailed design phase relative to round-a-bouts, flood plain and other issues; Pontiac Trail project has been submitted to the Road Commission for Oakland County.

Item 5: Attorney's Update – Resolution of the Commerce Township Downtown Development Authority Regarding Sale of Land - Second Amendment to Purchase Agreement:

MOTION by Lublin, second by Kirkwood, to approve the Resolution whereby the DDA Board confirms its approval of the Second Amendment to Purchase Agreement: 1) extending the due diligence period through and including October 16, 2006, 2) extending the time within which Purchaser must close on the Property, if Purchaser elects to proceed with the purchase, through and including October 27, 2006, 3) extending all other dates by an equivalent number of days, and 4) including such other terms and conditions of such Second Amendment as are acceptable to the DDA Chairman.

FURTHER RESOLVED, that the Chairman, Vice-Chairman, Secretary and/or Treasurer of the DDA, and any one or more of them, are authorized, empowered and directed, for and on behalf of the DDA, to execute and deliver the Second Amendment to Purchase Agreement to consummate the transaction envisioned by the Purchase Agreement as amended and these Resolutions.

FURTHER RESOLVED, that the actions of the Director of the DDA, the Chairman, Vice Chairman, Secretary and Treasurer and the administrative staff, attorneys and consultants of the DDA and Commerce Township in negotiating the Second Amendment to Purchase Agreement and the sale of the Property to Purchaser are hereby ratified and confirmed.

MOTION CARRIED UNANIMOUSLY

Update on the 5th Amended Plan – The effective date of the 5th Amended Plan is August 2, 2006. The Plan will be available on the website with a possible slide show of the Exhibits. Hard copies will also be available for purchase.

Item 6: Planning Director's Update – No new projects have been submitted in the DDA area. The extension of Martin Road was approved by the Planning Commission.

Item 7: Executive Session

None

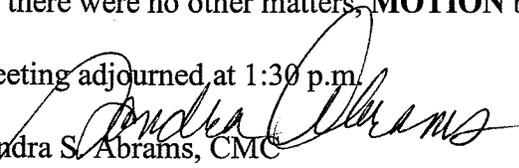
Item 8: Other Matters

None

As there were no other matters, **MOTION** by Lublin, second by Thomas to adjourn.

MOTION CARRIED UNANIMOUSLY

Meeting adjourned at 1:30 p.m.


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

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