

**CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, October 21, 2008
Commerce Township Hall
2840 Fisher
Commerce, MI 48390, 12:00 p.m.**

CALL TO ORDER: Chairperson Shimmin called the meeting to order at 12:30 p.m.

Downtown Development Authority

Present: E. Wynn Berry, DDA Director
Robert Shimmin, Chairperson
Thomas Zoner, Member
Randall Thomas, Member
Sandra Motz, Member
Frank Marotta, Member
Herb Feinstein, Member
James Gotts, Vice-Chairperson
Paul Kirkwood, Member
Doug Lanni, Member

Quorum of DDA Members determined

Absent: Daniel Lublin, Member

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

MOTION by Zoner, second by Thomas to approve the minutes of September 16, 2008, as presented.

MOTION CARRIED UNANIMOUSLY

Item 1: Public Comments

Public Comment: One person requested that the names of those who make comments be included in the Minutes. Another suggested that the Budget must be checked carefully and every line item considered carefully. Chairman will consider all requests.

Item 2: Consent Agenda

- A. Treasurer's Report for September 2008**
- B. Approval of Warrants with add ons;**

MOTION by Zoner, second by Thomas to approve the Consent Agenda with add-ons to the warrants.

Roll Call Vote:

Ayes: Lanni, Kirkwood, Gotts, Feinstein, Marotta, Motz, Thomas, Zoner, Shimmin
Nays: None
Absent: Lublin

MOTION CARRIED UNANIMOUSLY

Item 3: Director's Report

- A. Proposal from JFNew for Invasive Species Treatment – Motion not required, JFNew was approved at the last meeting. Information given on process to update the Board;
- B. Proposal for fertilizing program for trees that were moved and held for replanting.

MOTION by Lanni, second by Gotts to approve Advanced Tree Moving Company, Howell, MI, in an amount not to exceed \$13,640.00 for fertilizing programs as submitted.

MOTION CARRIED UNANIMOUSLY

- C. Township Hall Construction Update – Roof nearly done (10% left to complete) Interior coming along nicely, stud walls up; driveway being worked on currently; a late April 2009 completion is expected.
- D. Martin Parkway Construction Update – New road is paved; foundation on the bridge should start soon but won't be completed until spring due to fill requirements; the new flowers currently blooming in the area are cosmos; additional wildflowers will be seen in the spring; the finish grading is complete in the storm water areas; seeding has begun in several areas. MDEQ is looking at this project as an example of an exemplary development process.
- E. Interest in Commercial Area – Requests for financial information have been sent out to the two parties interested in the commercial area of the project; once reviewed, the Director and the Chairman will proceed with hard negotiations. It is expected that a 6 month due diligence period will take place before any funds are deposited with the DDA for purchase of any property.
- F. 2009/2010 Proposed Budgets – discussion of a financial reporting system, Director's salary increase request, and Director succession plan.

Zoner stated he would make a motion to table the proposed budgets; however, prior to doing so he wanted to state his opinion that the DDA Board and the Township Board should have time to review the proposed budget documents prior to the meeting where approval of the DDA budget is requested.

MOTION by Zoner to table the 2009/2010 Proposed DDA Budgets.

MOTION FAILED DUE TO LACK OF SUPPORT

Upon further discussion of the DDA Proposed Budgets:

MOTION by Lanni, second by Zoner to table the 2009/2010 proposed DDA Budgets.

Roll Call Vote:

Ayes: Lanni, Kirkwood, Gotts, Feinstain, Marotta, Motz, Thomas, Zoner, Shimmin

Nays: None

Absent: Lublin

MOTION CARRIED UNANIMOUSLY

Item 4: Attorney's Update:

DDA Attorney Rauch presented the "Resolution Requesting Issuance of Township Tax Increment Bonds, Pledging Tax Increment Revenues as Security Therefor, and Approving

Related Matters (El Dorado Golf Course Property Project)” as drafted by DDA and Township bond counsel Bowden Brown.

MOTION by Gotts, second by Marotta, to approve the “Resolution Requesting Issuance of Township Tax Increment Bonds, Pledging Tax Increment Revenues as Security Therefor, and Approving Related Matters (El Dorado Golf Course Property Project)”.

Roll Call Vote:

Ayes: Lanni, Kirkwood, Gotts, Feinstein, Marotta, Motz, Thomas, Zoner, Shimmin

Nays: None

Absent: Lublin

MOTION CARRIED UNANIMOUSLY

Item 5: Engineers Update:

The Haggerty Road Improvement project was discussed, including the possibility that this project be set aside temporarily should it be economically prudent to do so.

Item 6: Planning Director’s Update:

The new Zoning Ordinance will go to the Planning Commission at the November 3, 2008 meeting. It is not a public hearing but a final chance for the Planning Commission to look at the finished product.

MOTION by Thomas, second by Gotts, to enter into Executive Session for the purpose of discussing the acquisition of real property.

Roll Call Vote:

Ayes: Lanni, Kirkwood, Gotts, Feinstein, Marotta, Motz, Thomas, Zoner, Shimmin

Nays: None

Absent: Lublin

MOTION CARRIED UNANIMOUSLY

Item 7: Executive Session: 2:00 p.m.

Returned from Executive Session at 3:25 p.m.

(DDA Member Motz left during the executive session at 2:45 p.m.)

MOTION by Thomas, second by Kirkwood, to approve and ratify the acquisition of all property rights for the development of Martin Parkway and related matters, as discussed with the Board this date in executive session and as described in the form of Resolution attached, which authorizes the Director, the Chairman, the Vice Chairman, the Secretary, the Treasurer, or any one of them, to execute any and all documents necessary to implement the acquisition of such rights, on the terms discussed or on substantially similar terms as determined by the officer executing the documentation on behalf of the DDA.

MOTION CARRIED UNANIMOUSLY

Item 8: Other Matters: None

MOTION by Zoner, supported by Motz to adjourn. **MOTION CARRIED**

Meeting adjourned at 3:40 p.m.

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