

**CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, October 18, 2011
Commerce Township Hall
2009 Township Drive
Commerce Township, MI 48390
12:00 p.m.**

CALL TO ORDER:

The Meeting was called to order by Chairperson Gotts at 12:02 p.m.

Downtown Development Authority:

Present: Kathleen Jackson, DDA Director
Jim Gotts, Chairperson
Dan Lublin, Vice Chairperson
Mark Stacey, Member
David Smith, Member
Patrick Dohany, Member
Jose Mirkin, Member
Brian Winkler, Member
Thomas Zoner, Supervisor

Absent: Christin Skikun, Member

Also Present: Thomas Rauch, DDA Attorney
Matt Schwanitz, Giffels-Webster
Phil Adkison, Township Attorney

Item 1: Approval of Minutes

MOTION by Mirkin, second by Stacey, to approve the Regular Meeting Minutes of September 20, 2011 meeting as presented. **MOTION CARRIED UNANIMOUSLY**

Item 2: Public Comments - None

Item 3: Director's Report

Update of Activities – Jackson summarized an update of DDA activities including;

At present, the contractor is still on schedule. Trees from the nursery are being replanted in the island and medians and should be complete by the end of next week. The roundabout has been seeded and mulched and the north and west legs are almost complete. A ribbon cutting ceremony is being planned as well.

At the Township Board meeting on October 11th, the Board tabled the recommended budget for the DDA pending additional information related to possible loans from the township and means and measures to maintain oversight of the expenditures. Mark Stacey spoke on behalf of the Finance Committee and the DDA.

The Finance Committee met once this month and the Marketing Committee met twice. The Public Relations Committee continues to meet after the DDA meeting and as needed.

The 5K Optimist Club's "Run with an Attitude" was held on September 25th. The Grace Church 5K run is scheduled for November 5th.

Tony Angelo has re-graded Library Road twice this month due to the rain and heavy truck traffic.

Item 4: Attorney's Report – Rauch discussed the township allocation of funds toward the DDA Debt Service, re-payment and possible loan arrangements.

Dedication of parkway issues, discussion of Kingstown drainage.

Lublin inquired about land acquisition status/legal issues, Rauch indicated some condemnation issues remain

Item 5: Engineer's Report – Schwanitz concurred with Director's update with no additional comments

Item 6: Committee Reports

A. Finance Committee – Discussion of the 2012 DDA Budget.

B. Public Relations Committee – Mirkin discussed the committee is working with Peter Pace from the Parks & Recreation Committee. Mirkin discussed letter to township residents or spinal column publication. Susan Gross notified the DDA of the Oakland Press Sunday article promoting the DDA area

MOTION by Mirkin, second by Dohany, to publish a press release in local publications announcing the past DDA accomplishments and positive impact of the Martin Parkway round-about.

MOTION CARRIED UNANIMOUSLY

C. Marketing Committee Report - Smith reported the committee has been presented with a number of land acquisition opportunities. Smith reports the Committee will be ready to bring some of the formalized offers to the DDA at an upcoming meeting. Rauch discussed how potential buyers will proceed with a process allowing for private discussion, reminding that subcommittees are advisory, the meetings are held without a quorum in order to avoid Open Meetings Act violations. Rauch also notified the board that while purchases are allowed in executive session, the terms of a sale of public land are not allowed. Lublin expressed concern that all DDA members will have an opportunity to weigh in on the final process.

Item 7: Budget Update

Stacey discussed his attendance at the Township Board meeting and the DDA Budget discussions.

Motion by Stacey, support by Zoner to return the Commerce Township administrative cost line item from \$80,000 back to \$100,000 in the 2012 DDA budget.

Adkison clarified how the administrative fees are paid through Tax Increment Financing funds, some of which come from other taxing authorities. He emphasized reaching a more accurate, justifiable number; not just an attempt to reduce the number artificially in order to come in with a lower bottom line budget.

MOTION CARRIED UNANIMOUSLY

Stacey discussed the DDA debt deficiency. Rauch reported his discussion with the Township Bond council, Bowden Brown, and how TIF Funds can be utilized to reimburse the Township. The DDA Bond includes a Project Financing Agreement with the Township that allows for the reimbursement.

Adkison clarified how the DDA and the Township can enter into an agreement in order to allow for the appropriate transfer of Township funds, allowing the DDA to satisfy any debt or budget deficiency. This deficiency can be documented, an annual fund transfer can occur, a balanced DDA budget can be presented, and the exact reimbursement arrangement will be outlined.

MOTION by Stacey, second by Mirkin to authorize DDA council and the DDA director to negotiate, draft and execute an agreement; satisfactory to the DDA Attorney to form of agreement, satisfactory to the DDA Director to content of the agreement, with the Township Attorney for the payment of 2011 and 2012 DDA budget shortfalls and repayment agreement.

MOTION CARRIED UNANIMOUSLY

Item 8: Maintenance Agreement with RCOC

MOTION by Dohany, Support by Stacey to approve the Maintenance agreement with RCOC and the assignment from the Township and authorize the appropriate signatures subject to satisfactory review by the DDA Attorney and DDA Director.

MOTION CARRIED UNANIMOUSLY

Item 9: Approval of Warrant and Finance Report

MOTION by Dohany, second by Stacey to approve the Warrants with Add-ons and Finance Report as presented.

MOTION CARRIED UNANIMOUSLY

Item 10: Other Matters

Request for additional information on the DDA payment of maintenance of the dumbwaiter

MOTION by Stacey, second by Lublin to adjourn.

MOTION CARRIED UNANIMOUSLY

Meeting adjourned at 1:21 p.m.



Daniel Munro, Commerce Township Clerk
DDA Secretary