

**CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, June 17, 2014
Commerce Township Hall
2009 Township Drive
Commerce Township, MI 48390
12:00 p.m.**

CALL TO ORDER:

The Meeting was called to order by Vice Chairperson Lublin at 12:01 p.m.

Downtown Development Authority:

Present: Kathleen Jackson, Director
Dan Lublin, Vice Chairperson
Brian Winkler, Member
Mark Stacey, Member
David Smith, Member
Jose Mirkin, Member
Susan Spelker, Member
Thomas Zoner, Supervisor

Absent: James Gotts, Chairperson
Tim Hoy, Member

Also Present: Thomas Rauch, DDA Attorney
Vanessa Magner, DDA Secretary
Susan Gross, DDA Treasurer
Matt Schwanitz, Giffels-Webster Engineer
Randy Thomas, Insite Commercial
Terry Carroll – Community Development Director

Item 1: Approval of Minutes

MOTION by Lublin, second by Mirkin, to approve the Regular Meeting Minutes of May 20, 2014. **MOTION CARRIED UNANIMOUSLY**

Item 2: Public Comments

Susan Averbuch, 9005 Campbell Creek, asked on the status of the traffic study and the process of approving a site plan for the project area.

Director Jackson explained the Planning Commission normally gives approval for a site plan. In regards to the P.U.D. agreement for the project area, the Planning Commission becomes a recommending body to the Township Board.

Director Jackson also explained the traffic study is completed and will be meeting with the Oakland County Road Commission.

Item 3: Director's Report

Director Jackson gave an update that included her working with Randy Thomas and 4 developers on proposals for the project area. She has also been working with the Treasurer on a Letter of Credit. Other items include the Amendment to the P.U.D. Agreement and the Master Deed.

Stacey asked the status of the sprinkler system.

Director Jackson will be looking into that and will keep the board informed.

Stacey asked if we have received the quotes for lawn maintenance.

Director Jackson said she has received the quotes and will be reviewing them this week. Currently, the Township staff is handling the lawn maintenance.

Item 4: Attorney's Report

DDA Attorney, Thomas Rauch, informed the board he has been working with and assisting Director Jackson with developers and closing documents.

Item 5: Engineer's Report

Matt Schwanitz from Giffels Webster Engineers was present to update the board that he is working with Director Jackson on documents for the exchange of land between Hunter Pastor and Commerce Township.

Item 6: Committee Reports

A. Finance Committee – Stacey explained the committee is working on the Letter of Credit. Susan Gross, DDA Treasurer, informed the board PNC Bank is the only bank interested in the Letter of Credit. Gross is continuing to work with the DDA financial advisors to prepare, in writing, a statement explaining the DDA would not use monies from sale of property to start another project.

B. Public Relations Committee – Mirkin gave an update regarding the Rotary Carnival that was held on May 16-18 was success but due to the weather was not as successful as last year. The WLCSD Art Exhibit was successful and they will be planning a 3rd year at the Township Hall. The November 5K run is expected to return this year.

C. Marketing Committee – Smith stated the committee is moving forward with developers and will be going into closed session to discuss confidential information.

Item 7: Insite Commercial Report

Randy Thomas handed out an overview of the properties to the DDA board members.

Parcels A & H – This property is under contract with M. Shapiro Development. Jim Galbraith from M. Shapiro Development, was present and also gave an update that included they are in the due diligence period and has waived the vast majority of site due diligence with the exception of storm water retention on the western part of the property, which is currently under DEQ and engineer review. M. Shapiro Development is waiting for final traffic study for the determination if Welch Road access to the site is warranted and its impact on the overall development.

Mark Stacey asked when they are planning on having a shovel in the ground.

Jim Galbraith believes it will be late 2015, after all correct permits are received. He wanted to also thank the staff for all their support during this process.

Susan Gross asked Jim Galbraith's opinion on the location of the library.

Jim Galbraith expressed he is a believer in the library system but does not believe the library brings extra value to his development and thinks it should be relocated.

David Smith asked when he is planning on closing on the property.

Jim Galbraith explained it will be sometime in 2015 once he has the necessary approvals.

Parcel B – This developer has been granted confidentiality. Thomas in continuing to work with the developer and believes he will have an agreement next week.

Parcel C - Pontiac Trail/Haggerty Road – DDA has a signed purchase agreement with Doraid Markus, who is proposing a 2 phase development for the hard corner of Pontiac Trail and Haggerty.

Parcels D & E – The Marketing Committee has received 4 separate purchase agreements that have been submitted by 4 very qualified residential developers.

Parcel F- Have not received any offers at this time.

Parcel G – This property is currently under contract with Hunter Pasteur Homes. Has received Site Plan Approval for the construction of the 39 single family homes.

Parcel I – Have had a couple inquiries but no proposals.

Parcel J – S/W corner of Oakley Park and Haggerty – Thomas has been in discussions with the owner of California Closets, who is considering buying approximately 1 ½ acres if western part of the land. Director Jackson and Thomas have a meeting set up for Monday, June 23, 2014 to discuss his intended use.

Parcel K – Thomas has spoke with the neighbor of the property to see if they would have any interest, but have not received any offers.

Item 8: Letter of Credit – NO ACTION

Item 9: First Amendment to P.U.D. Agreement

DDA Attorney, Thomas Rauch, explained to the DDA Board the changes that are being presented in the Amended P.U.D. Agreement. The recommendation is to approve the pathway as presented in the Amended P.U.D Agreement for only the parcel that is currently under contract with Hunter Pastor due to the developer wanting to close on the property in July, 2014. The remaining pathways will be Amended in the P.U.D. Agreement and brought back to the board in the near future.

MOTION by Stacey, second by Zoner, to approve the First Amendment to the P.U.D. Agreement that was presented at the Downtown Development Authority Meeting without Exhibit 8.01 subject to Exhibit being prepared by DDA Attorney and approved by DDA Director. **MOTION CARRIED UNANIMOUSLY**

Item 10: First Amendment to Master Deed Commerce Towne Center

DDA Attorney, Thomas Rauch, explained the Master Deed Amendment is to make the revision that was approved in the Amended P.U.D. Agreement.

MOTION by Stacey, second by Spelker, to approve the Amendment to the Master Deed as presented at the meeting. **MOTION CARRIED UNANIMOUSLY**

Item 11: Approval of Warrants and Finance Report

MOTION by Mirkin, second by Stacey, to approve the Warrants with add ons and Finance Report. **MOTION CARRIED UNANIMOUSLY**

Item 13: Other Matters (taken out of order)

Jose Mirkin thanked Randy Thomas for the update report on all the parcels and finds it to be very helpful. He asked for an updated on the Beaumont site on Maple and M-5.

Randy Thomas explained that site will eventually be developed but does not have a timeline.

Director Jackson informed the DDA board she is in need of an administrative assistant to help out with the daily activities that include scheduling meetings, sending out agendas, making copies, etc. She is asking the DDA board for approval to find out more information and come back to near future meeting with a possible proposal.

MOTION by Winkler, second by Mirkin, to approve Director Kathleen Jackson to move forward on compiling information regarding an administrative assistant and return to the DDA board for further action. **MOTION CARRIED UNANIMOUSLY**

Item 12: Closed Session

MOTION by Smith, second, by Mirkin, to go into Closed Session to consider material exempt from discussion or disclosure by state or federal statute.

ROLL CALL VOTE

AYES: Stacey, Mirkin, Lublin, Zoner, Smith, Spelker, Winkler

NAYS: None

ABSENT: Gotts, Hoy

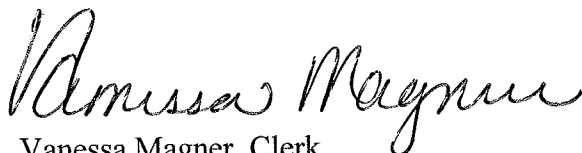
MOTION CARRIED UNANIMOUSLY

Enter into Closed Session at 1:34 p.m.
Return from Closed Session at 2:13 p.m.

MOTION by Smith, second by Spelker, to adjourn from Closed Session. **MOTION CARRIED UNANIMOUSLY**

MOTION by Zoner, second by Mirkin, to approve the Closed Session Minutes. **MOTION CARRIED UNANIMOUSLY**

MOTION by Spelker, second by Smith, to adjourn at 2:14 p.m. **MOTION CARRIED UNANIMOUSLY**



Vanessa Wagner, Clerk
DDA Secretary