

**CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, May 15, 2012
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 12:00 p.m.

Downtown Development Authority:

Present: Kathleen Jackson, DDA Director
Jim Gotts, Chairperson
Dan Lublin, Vice Chairperson
Mark Stacey, Member
Christin Skikun, Member
Brian Winkler, Member
Pat Dohany, Member
Thomas Zoner, Supervisor

Absent: Jose Mirkin, Member
David Smith, Member

Also Present: Thomas Rauch, DDA Attorney
Matt Schwanitz, Giffels-Webster
Randy Thomas – InSite Commercial
Vanessa Magner, Acting DDA Secretary
Susan Gross, DDA Treasurer

Item 1: Approval of Minutes

MOTION by Zoner, second by Stacey, to approve the Regular Meeting Minutes of April 17, 2012 as presented.

MOTION CARRIED UNANIMOUSLY

Item 2: Public Comments

Susan Averbuch, Township resident, inquired about what activities were going on at the DDA property.

Thomas Zoner informed Susan and the DDA Board that Chrysler used the DDA property as a backdrop for a commercial this past weekend.

Item 3: Director's Report

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

The Director, Engineers and Attorney continue to work with the on the condominium documents. A draft has been produced by the attorney, Kim Shierk, and reviewed preliminarily.

The Marketing Committee met this month to review the proposals received from Insite.

The Planner attended the Oakland County Economic Outlook luncheon on April 26th. Oakland County added over 23,000 new jobs in 2011 and is expected to remain fairly steady for the next three years at approximately 11,000 jobs added per year. A copy of the report is available.

Four businesses Painless Auto Works, a Thai Restaurant, Spicy Bangkok, on Fourteen Mile Road and Thai Massage on Fourteen Mile Road all came into the DDA area in May. There was also an expansion of a tattoo parlor in Newberry Square Plaza.

Director Jackson prepared cost benefit for 8670 PGA Drive showing the cost in order to fix it up compared to the cost of demolition.

The tenants on Welch Road appealed the court's decision and a hearing is scheduled for June 21st.

Item 4: Attorney's Report

Thomas Rauch discussed the past month he has been working is the house on Welch Road.

Item 5: Engineer's Report

Schwanitz indicated he has been working on condo documents. No other matters at this time.

Item 6: Committee Reports

- A. Finance Committee – Stacey reported the committee has met 2 times this past month regarding warrants and pending tax issues.
- B. Public Relations Committee – No Update
- C. Marketing Committee – No Update

Item 7: Insite Commercial Report

Randy Thomas reported he has continued communication regarding the southwest quadrant of the property.

Residential market has been heating up and is anticipating officer.

National developer for senior living apartments has shown interest.

Offer received for the property at Pontiac Trail and Haggerty from a well known restaurant and will be meeting with them in Las Vegas.

There has been some commercial property interest and will be meeting again.

Will be seed planting with many other groups in Las Vegas.

Site selector from MEDC will be out to take a tour of the property on Wednesday, May 16th.

Item 8: Resolution for renewal of Letter of Credit

MOTION by Stacey, second by Skikun to approve the Bank of Michigan resolution Letter of Credit.

Rauch explained to the DDA board a correction will need to be made to the resolution before it is executed.

AMENDED MOTION by Stacey, second by Skikun to approve the Bank of Michigan resolution Letter of Credit with the changes as stated by the attorney.

MOTION CARRIED UNANIMOUSLY

Item 10: Approval of Warrants and Finance Report – Taken out of order

MOTION by Lublin, second by Skikun to approve the Warrants and Finance Report.

MOTION CARRIED UNANIMOUSLY

Item 9: Discussion regarding Renewal of Automation Alley Membership

MOTION by Stacey, second by Skikun to extend the Automation Alley membership.

MOTION CARRIED UNANIMOUSLY

Item 11: Other Matters

Director Jackson explained the cost evaluation of 8600 PGA Drive. Mark Stacey went to the house and suggests holding off on any decisions for 60 days. This item will be brought back to the DDA board at the July meeting.

“No Motorized Vehicles” signs are going to be installed along Welch Road.

Stacey asked if there will be a joint meeting with the Board of Trustees this summer. Chairman Gotts believe the DDA should wait to have a joint meeting until they have more information.

MOTION by Lublin, second by Stacey to adjourn at 12:30 p.m.

MOTION CARRIED UNANIMOUSLY



Vanessa Wagner, Commerce Township Deputy Clerk
Acting DDA Secretary

COMMERCE TOWNSHIP DOWNTOWN DEVELOPMENT AUTHORITY
2009 Township Drive
Commerce Township, Michigan 48390

RESOLUTION

At a regular meeting of the Board of Directors of the Commerce Township Downtown Development Authority, County of Oakland, Michigan, held on May 15, 2012, in the Commerce Township Hall at 12:00 Noon.

PRESENT: James Gotts, Patrick Dohany, Thomas Zoner, Daniel Lublin, Brian Winkler, Elizabeth Skikun, Mark Stacy

ABSENT: David Smith and Jose Mirkin

The following preamble and resolutions were offered by Mark Stacy and supported by Elizabeth Skikun:

WHEREAS, The Commerce Township Downtown Development Authority (“DDA”) has, under the Fifth Amended Development Plan and Fifth Amended Tax Increment Financing Plan for Development Area No 1 dated August 2, 2006, approved, among other projects, the construction of Martin Parkway from Oakley Park Road to Pontiac Trail; construction of connecting roads from Martin Parkway to Haggerty Road and Welch Road; the restoration and installation of bridges over Glengary Creek, storm water treatment, sanitary sewer and other utility infrastructure and related matters pertaining to the development of the DDA’s land totaling approximately 330 acres and primarily located in Section 24 of the Township (the “Project”).

WHEREAS, in order to implement the Project, the DDA applied for and has obtained two (2) permits from the Michigan Department of Environmental Quality (“MDEQ”) (‘Permit Nos. 07630063-T and 07630064-T); and

WHEREAS, the terms of the MDEQ Permits require the applicant (the DDA) to provide certain financial security to the MDEQ, in the form of a Bond or Letter of Credit; and

WHEREAS, in May of 2008 the DDA initially obtained a Letter of Credit which was replaced with a Letter of Credit issued by the Bank of Michigan (“Bank”) in May 2009 and again in May 2010, and in a reduced amount as permitted by MDEQ in May 2011; and

WHEREAS, the annual Letter of Credit is renewed effective on or about May 8, 2012 and the DDA Board wishes to authorize and ratify a replacement Letter of Credit securing the MDEQ Permits.

NOW, THEREFORE, BE IT RESOLVED that the DDA Board confirms, ratifies and authorizes the Chairperson, Vice Chairperson, Secretary, Treasurer or DDA Director, or any one

of them, to execute any and all Bank or other documents that are required to acquire and issue the replacement Letter of Credit; and

BE IT FURTHER RESOLVED, that the DDA Board hereby approves and ratifies the actions of the DDA Treasurer, Director and counsel in negotiating the replacement Letter of Credit and the execution of all such documents as may be required by the Bank to obtain and provide the replacement Letter of Credit to MDEQ and/or otherwise as may be necessary or desirable to implement the Project and the intents and purposes hereof.

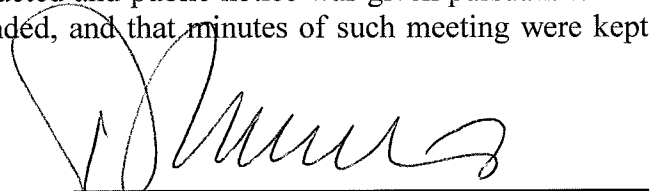
MOTIONED by Mark Stacy seconded by Elizabeth Skikun

MOTION ACTION:

Approved by unanimous voice vote.

MOTION CARRIED

The undersigned is the duly qualified Secretary of the Commerce Township Downtown Development Authority and certifies that the foregoing is a true and complete copy of a resolution adopted by the Authority at a meeting held on May 15, 2012, the original of which is on file in my office, and that such meeting was conducted and public notice was given pursuant to and in compliance with PA 267 of 1976, as amended, and that minutes of such meeting were kept and held as required by such Act.



Secretary

May 16, 2012

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