

Final
CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, December 14, 2021
Commerce Township Hall
2009 Township Drive
Commerce Township, MI 48390
12:00 PM

CALL TO ORDER: The Meeting was called to order by Chairperson Gotts at 12:07pm.

Downtown Development Authority:

Present: Debbie Watson, DDA Director
James Gotts, Chairperson
Larry Gray, Township Supervisor
David Smith, Member
Steve Matta, Member
Jose Mirkin, Member
Susan Spelker, Member

Absent: Dan Lublin, Vice Chairperson (excused)
Brian Winkler, Member (excused)
Tim Hoy, Member (excused)

Also Present: Melissa Creech, DDA Secretary
Molly Phillips, DDA Treasurer
Thomas Rauch, DDA Attorney
Matt Schwanitz, Giffels-Webster, DDA Engineer
Randy Thomas, Insite Commercial
Dave Campbell, Township Planning Director
Lt. Wendy Reyes, OCSO Substation Commander

Item 1: Approval of Minutes

MOTION by Mirkin, seconded by Spelker, to approve the Regular Meeting Minutes of November 16, 2021 as presented. **MOTION CARRIED UNANIMOUSLY**

Item 2: Public Comments

None.

Item 3: Resolution – Vice Chairperson Dan Lublin

Chairperson Jim Gotts read the following resolution into the record:

WHEREAS, Daniel Lublin is hereby recognized for 20 years of service to the Commerce Township Downtown Development Authority (DDA). Daniel was appointed to the DDA in 2001, served on the Marketing Committee, and later also became the prestigious DDA Vice Chairperson. During his years of volunteering, he attended 233 out of 248 meetings, negotiated purchases, sales and development of DDA land, and passionately endorsed the vision of a downtown for Commerce; and,

WHEREAS, Daniel Lublin purchased his first piece of property in Commerce in 1949. Before the DDA was ever even imagined, he envisioned a future downtown for Commerce. His views were considered radical and unpopular at the time with

the local farmers' group, however, he knew change was inevitable and he embraced it. Despite criticism and controversy, and delays with funding, environmental concerns and permitting processes, he spent the next several decades pursuing the mission to bring in municipal water and sanitary sewer, to upgrade utility services, and to improve accessibility to the area through creation and enhancement of the roadway network; and,

WHEREAS, Daniel Lublin is therefore also recognized for more than 70 years of commitment and service to Commerce Township, as an entrepreneur, a valued business owner in the DDA, and as a real estate developer in the community, promoting and facilitating residential and commercial growth through land development and implementation of critical infrastructure; and,

WHEREAS, Daniel Lublin's early vision is the essence and purpose of the DDA. His perseverance, insight and integrity as a developer has been priceless in establishing strong relationships between developers and governmental entities at the local, state and federal levels, encouraging collaboration, implementing innovative solutions, helping to fund and advance growth and progress, preserving open space, and even securing the land and borders of the Township itself from annexation. He has been patient, resilient and adaptable in an ever-changing landscape, serving with kindness, dignity and respect as he worked diligently to achieve the goals and objectives that would enable all of Commerce Township to flourish as a dynamic and diverse community.

NOW, THEREFORE, BE IT RESOLVED that the Commerce Township DDA Board Members do hereby extend to Daniel Lublin our sincere and grateful appreciation for his dedicated service, and our best wishes for good health, happiness, and continued success. It has been an honor for us to work with him and to see his vision for the community unfold into his legacy.

RESOLUTION ADOPTED at the regular meeting of the DDA this 14th day of December, 2021.

MOTION by Mirkin, supported by Matta, to approve the resolution as presented.

MOTION CARRIED UNANIMOUSLY

Bennett Lublin was present to accept the resolution on behalf of Vice Chairperson Dan Lublin.

Bennett Lublin – They're beautiful words, and I know Dad would be happy to accept this in his honor. He has always said, "Live long enough and you'll see everything," and he certainly has seen a lot. He always says that the relationships with the people of the community are the most important. From Dad, thank you very much. We appreciate it.

Item 4: DDA Informational Meeting

A. Insite Commercial Report

Randy Thomas provided an overview of the Insite report submitted in the DDA Board's packet.

- Parcels A&H – Shapiro's Barrington development; Nothing new to report.
- Parcel B1, Phase I – Aikens, Five & Main;
 - We had a meeting with Bruce last week. Jim Galbraith was there. Dave Campbell chaired it. Bruce started to outline his immediate development plans. There was discussion on making a connection to one of the sanitary lines today, which fronts along Pontiac Trail, and that would allow for the residential component of the development.
 - The units are smaller than what you've seen in ShearWater and Barrington. There will be roughly 250 units.

Dave Campbell – They're approved for up to 300, but they seemed to indicate that it would be in the mid-200's.

Randy Thomas – Right. His intention is to get in front of Dave and the Planning Commission within the next 90 days.

Discussion continued regarding the development of the multi-family component and other pads at the entry of the Phase I property. The timeline for the commercial portion would be to start in the latter part of 2022, or early 2023, with delivery and opening of the center in 2024.

Randy Thomas – Bruce did go to the ICSC in Vegas. Attendance was better than anybody anticipated, and actually more retailers were there than were expected. The conversations were a little more upbeat. Their 2022 rollout plans are already done, so they will be working on their 2023 and 2024 deals moving forward. The big ICSC will be held in Vegas in May.

- Parcel B1, Phase II – Aikens, Five & Main; Nothing to report.
- Parcel B2 – Avalon; Nothing new to report. Dave?

Dave Campbell – Their new signs were approved.

- Parcel C – The hard corner of Pontiac Trail and Haggerty Road; We did have an offer, but nothing to bring to you yet. We've had an uptick in activity from developers that we've had long-term relationships with. There's a fresh buzz in the air for the first time in two years.
- Parcels D&E – Pulte, Merrill Park; Nothing new to report.
- Parcel F – The acreage in front of the Township Hall; Our sign is up.
- Parcel G – Wycliff; Nothing new to report.
- Parcel I – BBI Holdings, Gilden Woods; North of the Township Hall; Nothing to report.
- Parcel J1 – 2.38 acres on the hard corner of Oakley and Haggerty; The buyer withdrew their offer on this parcel and focused on Parcel L.
- Parcel J2 – Public Storage; Nothing to report.
- Parcel K – The orphan piece; The Space Shop; Nothing to report.

- Parcel M&N – These are the two out-lots that are being retained within Bruce’s development.
- Parcel L – 1.8 acres on Haggerty Road; Deb, do you want go over the offer?

Director Watson – I had the LOI under Attorney’s Report, but you can go ahead and start on it now.

Randy Thomas – I don’t want to steal Tom’s thunder.

ITEM 6: Attorney’s Report

Item 6. B. LOI – Parcel L *(moved up on the agenda)*

Attorney Rauch – Randy, why don’t you describe the LOI. The Board has had a copy of the LOI since I sent it out last week.

Randy Thomas – The offer we received is from a developer, Murphy Real Estate out of Chicago, who has a fairly large portfolio. They develop on behalf of the operator, Higher Ground Education, which is a Montessori type of childcare. The program seems to be very similar to what Goddard Schools was proposing to do.

And just for the record, I have gone back to Goddard Schools twice just to make sure, and I let her know about the offer. Corporate still has Kellie on hold because they don’t have the data yet from their other nearby location.

Murphy offered full price. After the 90-day initial due diligence period, their deposit becomes non-refundable and applicable to the purchase price. The next 90 days would involve going through the necessary entitlements to build the building. We’ve been down this road with Goddard Schools and the use went before the Planning Commission. Extensions are available at a cost.

Attorney Rauch – The LOI is relatively detailed. Randy, Deb and I provided comments and they adopted all of our comments with the exception of the selection of the title company. The title to our property is extremely detailed. I’m hopeful that if they’re out of state, they will use a local title company for the documents. I may suggest that they use title agent, ATA Title, Dave Barris of Seaver Title, who we have used for the past 15 years. Other than that, they consented to propose precisely what we had suggested. They indicated to Randy that they would follow our sales agreement prototype. It’s relatively straightforward and outlines our terms. We’ll see how that comes back, assuming that the LOI gets approved.

Jim, it would be efficient if we just deal with my report now. You could entertain a motion to accept the Letter of Intent, and I would suggest that the Board authorize Deb to sign as DDA Director. Normally, we might have what we call formal signatures of the Chairperson and Secretary, but in this case, we probably would have been able to have the DDA Director sign under her authority generally, as CEO. However, we were coming right up on this meeting so it was convenient to do it here.

MOTION by Smith, supported by Mirkin, to accept the Letter of Intent as written and detailed, and to authorize DDA Director, Deb Watson, to sign.

MOTION CARRIED UNANIMOUSLY

Discussion continued regarding the purchase agreement. The developer wants to move ahead as fast as possible. Counsel and David Smith recommended that the purchase agreement be reviewed at the next regularly scheduled DDA meeting on January 18, 2022.

Attorney Rauch – There would be no harm in taking the Insite Commercial Contract next.

Director Watson – Okay.

Chairperson Gotts – And for those of you who are confused on the agenda, we are moving to Item 6. A.

Item 6. A. Insite Commercial Contract (*moved up on the agenda*)

Attorney Rauch – The DDA Director asked me to prepare a draft of an extension of Randy’s consulting agreement with the DDA, which I sent to you last week. In anticipation of a positive response, Randy has signed a form of that agreement, which I have here. Pending your approval, we can execute it and move forward.

MOTION by Spelker, supported by Matta, to approve the Insite Commercial Contract as presented, with a 36-month extension, through December 31, 2024.

MOTION CARRIED UNANIMOUSLY

Chairperson Gotts – **We are now returning to Item 4. B.**

B. Asset & Liability Report

Director Watson – Molly or Susan, any comments? I know we held an informational meeting last month also.

Susan Spelker – To refresh everyone’s memory, last month we held the second of two informational meetings required by the State for the year, however, we had a minor technicality on posting notice of the meeting. Therefore, this is the official second informational meeting for the year.

Treasurer Phillips – The big part of last month’s meeting was going through the “falling off the cliff” presentation, how we calculate that and getting everybody comfortable with those numbers. There hasn’t been much of a change between last month and this month; there were no debt payments, we distributed some of the summer taxes to the DDA, and that’s about all that’s going on. Other than that, it’s status quo.

Susan Spelker – So continuing along the same line as last month, our expenditures are slowly dropping, our revenue is increasing and we have a very positive outlook for the future overall as far as our financial status is concerned.

MOTION by Mirkin, supported by Matta, to accept and file the Asset & Liability Report.

MOTION CARRIED UNANIMOUSLY

C. Q&A

There were no questions.

Item 5: Director's Report

Director Watson welcomed Lt. Reyes and initiated conversation between Dave Campbell and Lt. Reyes regarding the sign bandit. Vandalism issues continue and potential actions were discussed.

Director Watson provided an overview of the report included in the Board’s packet.

I. Updates on Developments –

- Aikens/Five & Main – Refer to Insite Report.
- Merrill Park – Their holiday lights look amazing.
- The Avalon of Commerce Township – Their new representative to Commerce Towne Place has been appointed.
- Shapiro/Barrington – Construction is underway on Unit 11.
- Wyncliff – They await RCOC approval of their entrance light pole. Their electrical was extended. Holiday lights were added to the entrance and their festive displays look great all throughout the subdivision.
- Public Storage – Nothing new to report.
- The Space Shop – Parcel K, Self-Storage; Construction continues.
- Parcel L – LOI – *Covered*.

II. MTT Judgments – Nothing new to report.

III. Commerce Towne Place HOA Items –

- A. **HOA Budget** – The 2022 budget has been distributed for approval. Although use of reserves was required in 2021 due to storm damages, the 2022 total budget remains the same.
- B. **Dues** – All 2021 Dues have been paid in full.
- C. **Tax Forms & Reports** – Taxes were completed and mailed timely. The annual report was filed on September 27, 2021.
- D. **Lighting – CJs Lighting, Chris Niestroy; Shaw Electric, Mark Fetters, Adam Dornton**
 - Accidents and claims: All lighting related claims have been finalized.
 - Some light pole repairs remain to be completed.
 - On December 2nd, Shaw performed an inspection as part of our planned maintenance service contract. All equipment and electrical panels were found to be in good operating condition.
- E. **Landscaping – United Lawnscape, Jim Parkinson; Mark Rousseaux; Brian Servello**
 - Turf damage claims are pending.
 - Any recent damages will be scheduled for repair in the spring.
- F. **Irrigation – Michigan Automatic Sprinkler, Mike Rennie**
 - Nothing new to report.
- G. **Memorial Benches in Honor of Mark Stacey –**
 - Benches were delivered in late November and are in storage.
 - They will be installed in the spring on each side of the Martin Parkway bridge/tunnel.

IV. Other –

- A. Sign Bandit – Addressed in discussion above.
- B. Outrun Hunger 2021 Update – See article in the Spinal Column. They surpassed their goal of \$20,000, and also exceeded last year's figures, raising \$23,770.
- C. Township Board Meeting – The Township Board meeting is scheduled for tonight at 7:00pm. I will defer to Supervisor Gray if he has an update regarding Township related matters.
- D. DDA Board Interviews – Interviews were conducted on December 1st for our DDA Board vacancy. We were fortunate to interview seven excellent candidates. I will defer to Supervisor Gray to share the outcome.

Supervisor Gray – We have not had a Township Board meeting since the last DDA meeting. As Deb mentioned, she, Jim and I interviewed seven candidates from various backgrounds. We decided unanimously on one applicant, Liz Bulat. Unfortunately, she cannot attend our meetings this week, but I will recommend her appointment at tonight's Township Board meeting. She will be at our January DDA meeting.

She is a doctor. She and her family live in Commerce Towne Place. They moved here from Plymouth and the draw for them was the downtown development area. Her perspective brings a different light to the project. I think she will be very helpful in making decisions regarding how the DDA gets developed.

Chairperson Gotts – Liz is extremely impressive, and she has a huge litany of things she does as a doctor and as a medical director. Our concern was whether she would have time for this, but she was completely affirmative. I think she's an excellent choice for the position.

Director Watson – I have to say that she was a breath of fresh air when she entered the room. After several minutes, I asked if she had a copy of my questions. She had answered them all before I could ask them. She will be great.

Item 6: Attorney's Report

See above. Attorney's Report Items 6.A. and 6.B. were moved up on the agenda and reviewed under the Insite Commercial Report.

Item 7: Engineer's Report

Matt Schwanitz, Giffels Webster – Nothing much to update. Jason Mayer and I have assisted the DDA on some of the discussions with Bruce. Jason is working with Bruce right now on possible utility alternatives.

Item 8: Planning Director's Report

Dave Campbell, Township Planning Director, shared the following with the Board members:

- The conditional rezoning petition for an independent living facility proposed on the south side of Oakley Park, between Martin and Haggerty, was officially withdrawn. At last night's Planning Commission meeting, the withdrawal was accepted.
- The Beaumont property; Randy had a group that was going to come before the Planning Commission last night for a conceptual review of proposed apartments. My understanding is that Beaumont did not want the developer going before the Planning Commission until they have the property under contract, so Randy asked that they be pulled from the agenda. There are at least two other prospective buyers on the Beaumont

property, one of whom I will talk to tomorrow. He wants to do a mix of residential, commercial and office, so we will see what that concept sounds like.

- I mentioned in my report that the Bay Pointe developer had a meeting with the West Bloomfield Township Planning Commission to discuss their proposal. They continue to do their due diligence and move ahead with that project.
- Prior to their regular meeting last night, the Planning Commission had a work session to continue efforts on reviewing and potentially updating the 2015 Master Plan. We hope to have a joint meeting with the Planning Commission and the Township Board. The Board's quarterly discussion meeting is January 25th. We want to ensure there is consensus between the Planning Commission and the Township Board of what the vision and guiding principles are going to be for the Master Plan review.

Director Watson – Jill Bahm is the Planner from Giffels overseeing the Master Plan process. When Jill talked about toolkits and workshops, would she want the DDA Board to conduct their own workshop and then provide feedback to the Planning Commission?

Dave Campbell – We have not talked about that specifically. It sounds like a good idea. Obviously the DDA development area and Commerce Towne Place is a key piece of the puzzle for Commerce Township. I could see there being some value in having either a joint meeting or a workshop with the Planning Commission and the DDA to discuss where we are with the vision for the DDA development area and how it fits in with the broader vision for the Township as a whole.

One of the things we discussed last night was identifying the stakeholders for gathering input for the Master Plan review. We talked about homeowners, business owners and neighborhood associations. The DDA's input should certainly be a part of that. As we get further down the road, I think we will have a better idea of how we gather the DDA's input. Obviously we also have Mr. Winkler who sits on both boards, so that's a good conduit between the two groups.

Item 9: Committee Reports

- A. Finance Committee – Susan Spelker – You've heard from me already.
- B. Public Relations Committee – Jose Mirkin – Nothing new to report.
- C. Marketing Committee – David Smith – As you know, we accepted the LOI on Parcel L. I still like the idea of continuing a bike path since we're not going around the side of it.

Director Watson – It's up to Dave Campbell now. We put it in his hands.

David Smith – The Beaumont property is obviously a point of contention. There is a lot of interest in it and a lot of different proposals.

Item 10: Approval of Warrants and/or Carryovers, Add-ons, Revenue & Expenditure

MOTION by Spelker, seconded by Matta, to approve the Warrants and/or Carryovers, Add-ons and the Revenue & Expenditure Report. **MOTION CARRIED UNANIMOUSLY**

Item 11: Other Matters

None.

Chairperson Gotts – The next regularly scheduled DDA meeting is Tuesday, January 18, 2021 at 12:00pm.

Item 12: Adjournment

MOTION by Spelker, seconded by Mirkin, to adjourn the meeting at 12:49.

MOTION CARRIED UNANIMOUSLY



Melissa Creech
DDA Secretary

12/08/2021 08:07 AM
User: JBUSHEY
DB: COMMERCE

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE
INVOICE ENTRY DATES 12/08/2021 - 12/08/2021
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA WARRANT REPORT
DECEMBER 14, 2021

Vendor Name	Invoice Date	Description	Amount	Check #
1. DEBORAH WATSON	12/08/2021	DDA DIRECTOR 11-10-21 TO 12-09-21	6,000.00	
2. KEMP, KLEIN, UMPHREY & ENDLEMAN, PC	12/03/2021	PROFESSIONAL SERVICES THROUGH NOVEMBER 30,2021	1,888.26	
TOTAL - ALL VENDORS			7,888.26	
FUND TOTALS:				
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			7,888.26	