

Final
CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, March 18, 2025
Commerce Township Hall
2009 Township Drive
Commerce Township, MI 48390

CALL TO ORDER: The Meeting was called to order by Chairperson Matta at 12:01pm.

Downtown Development Authority:

Present: Debbie Watson, DDA Director
Steve Matta, Chairperson
Tim Hoy, Vice Chairperson
Larry Gray, Township Supervisor
Brian Winkler, Member
David Smith, Member
Derek Tuck, Member
Jose Mirkin, Member
Spencer Schafer, Member (*arrived 12:18pm*)

Absent: Susan Spelker, Member (excused)
Lt. Wendy Reyes, OCSO Substation Commander

Also Present: Sandy Allard, DDA Assistant
Molly Phillips, DDA Treasurer
Melissa Creech, DDA Secretary
Dave Campbell, Township Planning Director
Chris Martella, Dawda Mann, DDA Attorney
Jason Mayer, Township Engineer, Giffels-Webster
Randy Thomas, Insite Commercial
Sgt. Matt Leggat, Oakland County Sheriff

Item 1: Approval of Minutes

MOTION by Mirkin, seconded by Hoy, to approve the DDA Meeting Minutes of February 18, 2025. **MOTION CARRIED UNANIMOUSLY**

Item 2: Public Comments

None.

Item 3: OCSO Update

Sgt. Leggat – I just got back from school, so no update at this time.

Chairperson Matta and Sgt. Leggat discussed his leadership training. Supervisor Gray noted that Sgt. Leggat is actually going for Lieutenant rank.

Item 4: Insite Commercial Report

Randy Thomas provided an overview of the Insite report submitted in the agenda packet.

Randy Thomas –

- 5 & Main:
 - I do have Bruce coming in for next month's DDA meeting on April 15th. He will be here to update everybody.
 - He has folks in town and we will be flying, possibly later today.

- He is busy working on the outlots.
 - We have a restaurant user that we're working with on one of the outlots.
 - We have a hotel user which will be for the library pad.
- There is progress being made, with most of it on the perimeter. He is still working on the core, but we will see the perimeter facing either Martin Parkway or Pontiac Trail. Dave, that would be your cue to update everybody on the Planning Commission.

Dave Campbell – I'm not going to wait until my report?

Director Watson – Well, if you could update us on Dort specifically from the Planning Commission, and then we can lead into the meeting we had last Thursday.

Dave Campbell – Sure. Dort Financial Credit Union came to the Planning Commission, at their meeting on March 3rd, seeking site plan approval for what is Unit #1 of 5 & Main. This would be the northwest corner of Pontiac Trail, Walnut Lake Road and the new road into 5 & Main which they're calling Pinewood Avenue.

Dort would be the first commercial user tenant within 5 & Main. The Planning Commission meeting was challenging because what we still don't have from 5 & Main, that would have helped with Dort and will help with every user that comes after them, is guidelines for signage and for design, architecture and building materials. Without those, which we have been requiring from the 5 & Main team for quite a while, it was difficult to know how to best review Dort. For example, with signage; Dort was proposing three wall signs and one freestanding sign. The question was, okay, is every user within 5 & Main going to get three wall signs and one freestanding sign? If we allow it for Dort, we're effectively setting a precedent that probably every other user is going to want to take advantage of.

So, because all of these questions were difficult to answer, the Planning Commission didn't take any action. Instead, they directed the 5 & Main team to work on these design and signage guidelines so that at least we have a framework upon which to approve Dort, and whatever comes after Dort. We even narrowed it down to just a framework for the outlots, because as Randy said, the outlots along the perimeter are going to come first. So, maybe the standards for those perimeter users are going to be different than those for the interior users. It's kind of a different animal if you're a standalone building versus an interior tenant.

What we wound up doing was having a meeting last week Thursday with the 5 & Main design team to talk through a lot of this. I think the outcome of the meeting was an expectation for what the Planning Commission is going to want to see from Dort with some upgraded building materials, but also roughing out the framework for these design and signage guidelines. The expectation is that Dort is going to be back in front of the Planning Commission in April with a little bit better elevations, and particularly a better mix of building materials, with the hope that the Planning Commission will be in a position to approve Dort at that meeting.

From there, I think the next thing we're going to see is what Bruce is calling the shopette, which is a multitenant building that would be just west of Dort. Bruce's team has said that by the time we get to the shopette, we're going to have a much better idea of what these design and signage guidelines are going to be for everyone throughout 5 & Main. So, on the one hand, the Township and the Planning Commission want to see Dort happen and keep this ball rolling with 5 & Main, but at the same time, we felt like we were flying blind. We're not sure how we can approve Dort without knowing how the rest of 5 & Main is going to be designed. I keep coming back to the example of signage. How many signs is everybody going to get? How big will the signs be? Does everybody get a freestanding sign, or only the outlots? Those are the questions that we are hoping to answer as part of Dort so it's easier for everybody that comes after.

Chairperson Matta – Well, landscaping is an issue too, isn't it? Are we going to berm in front of it? If they're going to get a sign on the ground, how are they going to see it, unless it's on top of the berm?

Dave Campbell – So, the freestanding sign is actually not going to be on the Pontiac Trail side. It's going to be on the interior, on what they're calling Main Street, which is the main road running through 5 & Main, hence the name 5 & Main. But, that's the question; is everybody along Main Street going to have a freestanding sign, or is Dort somehow unique based on their position within the development? One of the things they're supposed to come back to us with is a signage plan that almost shows like a red dot for everybody who is going to get a freestanding sign, so that at least the Planning Commission has a basis for where the freestanding signs will be, and where they won't be.

Chairperson Matta – Size, lighting, materials...

Dave Campbell – And style; is everybody's sign going to be on the same base, or will every sign be unique? These are the questions we're asking.

David Smith – I remember seeing the standards from way back.

Director Watson – That was from Village of Rochester Hills.

David Smith – No, from Wynn Berry.

Director Watson – Are you speaking of the Town Center (TC) Overlay? Dort referred to that Overlay too, along with our Zoning Ordinance, but Dave pointed out that none of that is actually relevant because Bruce has to set the standards within his PUD, and it really should be equal to or better quality than the standards.

David Smith – I just remember it was all natural stone.

Dave Campbell – Right, so if you look at Wyncliff, Merrill Park and Townes at Merrill Park, there is some consistency with those signs as far as the base materials and so forth. But, 5 & Main is kind of its own unique animal within there, and certainly we want there to be some consistency with the rest of the overall Commerce Towne Place development.

Chairperson Matta – Well who has what voice in suggesting what the materials and standards are?

Dave Campbell – The intent is for the 5 & Main development team to come to the Planning Commission with these guidelines, and for the Planning Commission to approve them. We certainly respect that they have as good of, if not a better eye for what this should look like than maybe the Planning Commission does, so we're letting them take the lead. But, we think it is to everybody's benefit that there is a standard. We need to know what the rules are so that we can play the game. Right now, we're kind of playing a game without any rules.

Chairperson Matta – Once they come to you, if the Planning Commission is convinced, then it's going to go onto the Township Board for approval, is that correct?

Dave Campbell – No, the design guidelines would stay within the Planning Commission. And once they're established, in my mind, it makes it easier as long as everybody stays within those parameters or guidelines, then the approval of every building that comes after it is fairly straightforward.

Chairperson Matta – Yes.

Randy Thomas – You're probably going to end up with two standards; one with the interior buildings, which are going to be pretty much homogeneous. If you go to Village of Rochester Hills, there's a Comerica Bank outlot and it looks like Comerica Bank. So, the restaurants have their own distinct kind of look, and most of them work with municipalities within some constraints.

Chairperson Matta – Is Dort complaining that they have their own standard?

Dave Campbell – I don't want to use the word complaining, but they have said that they have their image, their brand and their color scheme. The 5 & Main team has already pushed them beyond what they would typically build, but the Planning Commission wants to push them a little bit further, especially for this location. This is front and center, right at the front door of 5 & Main.

Chairperson Matta – Absolutely.

Dave Campbell – There's a material called EIFS, which is an acronym for Exterior Insulation & Finish System. EIFS is a material that you will see is quite common in commercial applications. The Planning Commission and the Township want to move away from EIFS. It's a material that doesn't always do well in Michigan. It tends to deteriorate and disintegrate. Dort wanted to use a lot of EIFS...

Brian Winkler – 40% of the building.

Chairperson Matta – Oh, is that right?

Director Watson – They said it was about 13% on average, but Brian discovered that they were using much more than was indicated on the plans.

Dave Campbell – So the Planning Commission is really trying to push Dort in the near term, and push all of 5 & Main, to use better, more durable materials than EIFS. There are composite materials, there are metals, there's glass, brick and stone, all of which are more expensive.

Director Watson – But these are high end retailers in 5 & Main and I don't know why it's such an issue. They're pushing for so much more EIFS than would be permitted. The Town Center Overlay does state 10%-

Randy Thomas – You'll probably have more EIFS though in those interior buildings.

Director Watson – Because it's cheaper? Is that the bottom line of why they want to use it?

Randy Thomas – When you look at the cost of this thing ... all the materials Dave just rattled off aren't just a little more expensive.

Director Watson – Okay.

Randy Thomas – They're significantly more expensive. You're going to see EIFS in there. I want to make sure everybody is prepared.

Dave Campbell – And part of what the 5 & Main team, and particularly their construction guys are saying is, this isn't the EIFS from the 90's that you guys are all thinking about that's falling apart now. That EIFS has evolved and it's a better material now. It holds up better and it can be more easily modified to look like other materials. You can put a stone pattern in it so that it convincingly appears to be stone. That's part of what they're saying; you guys are opposed to EIFS based on what EIFS looked like 20 or 30 years ago, but it has evolved into a better material.

Director Watson – Have they convinced you of that yet?

Dave Campbell – I did ask them to send us some information to that effect. Help us understand.

Chairperson Matta – And bring in some pieces we can look at.

Director Watson – There were three of the Planning Commissioners present; Brian Winkler, Brian Parel and George Weber, who sat in on the meeting last Thursday. Brian Parel brought up a picture of EIFS in Village of Rochester Hills showing that it was dirty.

Dave Campbell – Streaking and staining and things like that are the concerns.

Director Watson – It can be very unattractive.

Dave Campbell – But they might say, yes, that's the EIFS we installed back in the early 2000's, and they're saying the material has evolved since then. Maybe it has, but then there needs to be some education on the latest and greatest version of EIFS.

Chairperson Matta – So, if you allow it, would they commit to replacing it if that does happen?

Director Watson – That's what I think we want to see in the guidelines too.

Derek Tuck – So, the signage is coming from Bruce's development team?

Dave Campbell – The guidelines, in terms of how many you get and how big they can be.

Chairperson Matta – They've got to have uniformity.

Derek Tuck – No, I understand that, but isn't that going to be five months back and forth between the Township and his team?

Dave Campbell – We don't want it to be. So, that's where maybe the near term solution is that they at least give us the signage guidelines for the outlots, the buildings around the perimeter, and we will defer to another day to figure out the interior signage. But what the Planning Commission didn't want to do was to set a standard with Dort; set a precedent that would be tough to pull back when the next guy comes along.

Chairperson Matta – That makes total sense. That's smart and I think that's right.

David Smith – It's going to be tough because they're double sided too on the roadside.

Director Watson – Triple actually.

Dave Campbell – They actually have three frontages; Pontiac Trail, Pinewood Avenue and Main Street.

Chairperson Matta – That's why they want the three signs?

Dave Campbell – We talked about that; maybe that's the rule. You get one wall sign for every frontage. But, if that's a rule, then okay, but let's figure out what the rule is.

Chairperson Matta – But if you've got a sign in front of Main Street that's already on the ground, why do you need one up top too?

Dave Campbell – Every commercial user is going to want as many signs as they can possibly have.

Chairperson Matta – I'm sure they do.

Dave Campbell – What I said a few times in the meeting was that, in the end, I think we all want the same thing. We want this place to be awesome, but we've got to get some standards in place to guide exactly what awesome looks like.

Vice Chairperson Hoy – Do they have an actual plan now, fully developed, for all of the buildings on the interior?

Dave Campbell – They have a layout.

Randy Thomas – Yes, the site plan.

Vice Chairperson Hoy – So, the facades for those are all unique to one location.

Randy Thomas – The best example anybody in this room could see is to go to Village of Rochester Hills. That's what you can expect to see. Something like that, maybe with different accents.

Vice Chairperson Hoy – Are they straight in line?

Randy Thomas – No, and I think the Planning Commission has always been big on breaking up the buildings. If you go to Village of Rochester Hills, each of the storefronts has a little bit different character. It's really driven by the tenant, but the rest of the three walls all have a common look. He may do something just to differentiate from one building to the next. I don't know, but I know he is planning on taking more character from this area, such as with more stone and brick. You'll probably see more of that here than you would at Village, but they have it there as well. It may also be a good idea for the Planning Commission to take a drive by to educate everybody.

Dave Campbell – It was quite a few years ago now, but we actually rented an 18-passenger van and drove out there. We had lunch and it was good. It was also 6 or 7 years ago...

Director Watson – That was 2015.

Dave Campbell – It was a while ago. We have a lot of new faces on the Planning Commission now, so maybe it is worth doing it again.

David Smith – Dort is next to our DDA outlot, right?

Director Watson – Yes, it's across from ours.

Chairperson Matta – The other side of Pinewood.

Dave Campbell – Yes, Dort would be on the west side of Pinewood, and Parcel M or Pad A is on the east side of Pinewood.

David Smith – We need a diagram of this place. I have one other point. Are there going to be curb cut limitations?

Chairperson Matter – On Pontiac Trail? You're going to come in Pinewood and you're going to have curb cuts on the inside for everything.

Dave Campbell – The overall development plan shows where their points of access are from Pontiac Trail and from Martin Parkway. That is established.

David Smith – What about if you're in Dort, is there connectivity to our parcel?

Dave Campbell – You would drive out onto Main Street, but not onto Pontiac Trail. The development plan is divided into blocks and it shows how everything is interconnected.

Brian Winkler – Hopefully we will get those site design standards for the non-residential portion of 5 & Main from Bruce, and the Planning Commission will review them and let him know of any objections. Then, as new non-residential development parcels at 5 & Main come before the Planning Commission, it becomes easier. You look at the standards to see if the new development meets the specifications. But without standards, we have nothing to go by.

Chairperson Matta – I agree with that. I think now is the time to take that time to get those standards right and get it in place.

Brian Winkler – And if Dort is the precedent, they started low with the quality of the building. If you look at the credit union across the street, that doesn't have one bit of EIFS at all. I know a lot of that has to do with Dave Campbell telling the architect that this is going to be across the street from 5 & Main. It should be a high-quality building, and that's exactly what they did.

Chairperson Matta – If they can invest it, then Dort can too.

Dave Campbell – One of the things that the Aikens team is saying is that if we don't get this Dort approved in April, they're going to walk.

Director Watson – I think I also heard it will be delayed a year.

Dave Campbell – We are trying to keep up and do this as efficiently as possible to keep the project on track, but we want to do it right.

Discussion continued regarding the Dort project and the 5 & Main development.

David Smith – Where is the signage for the apartments?

Dave Campbell – They will have two freestanding signs. One is going to be on Main Street as you're coming across the frontage road from Walmart. The second one will be located further into their interior on the island in their median.

Director Watson – Doesn't their clubhouse also have signage?

Dave Campbell – The clubhouse will have a tower element to it, and the tower will have some wall signs on it.

David Smith – Just as long as they don't have signage on Pontiac Trail.

Director Watson – No, and I think the guidelines said that for 5 & Main, they could only have two freestanding or monument signs; one on Pontiac Trail and one on Martin Parkway, is that correct Dave?

Dave Campbell – I think it was three, and they call those landmark signs. These would just be signs that say 5 & Main. There would be one at the Pinewood entrance, one at the corner of Martin and Pontiac Trail, and one further north at Library Drive off Martin Parkway.

Chairperson Matta – So, they're not signs that list all the tenants in there?

Dave Campbell – They have not shown us the specific design for it, but that's how it's explained in the PUD agreement. It's going to be a landmark sign identifying 5 & Main. There is no expectation that every tenant will have their own placard on it.

Discussion continued regarding mailboxes, signage, lighting, utilities, loading areas, trash compactors versus dumpsters, et cetera, for the development.

Supervisor Gray – The more you talk about this, the more I think about the strip mall in front of Meijer.

Director Watson – We talked about this.

Dave Campbell – That's the example we used. You've got all the gas meters, piping and downspouts along the Haggerty roadside, and so it very much looks like the back of the buildings in that high visibility area. That's what we're trying to avoid.

Director Watson – And there's a berm with a 3-foot drop as you're looking at Dort from Pontiac Trail. That landscaped berm will disguise some of that. They also had screening around the building for the meter, because everything else was internal I believe.

Dave Campbell – The only thing that I think was concerning was the dumpster location, and that's where they're saying it's sitting down in a valley. They're going to landscape around it. But all of their HVAC equipment is not going to be sitting up on the roof where it's visible. It will be enclosed within the building itself.

Chairperson Matta – Okay.

Derek Tuck – Is this not potentially holding up everybody who wants to build on there, that they don't know what they even have to put in for costs, for signage and for siding, et cetera?

Randy Thomas – Down the road, they'll have standards. We're going to be going through this process the whole time. The whole purpose of the meeting on Thursday was to get standards from Bruce relative to things like signs, design, how much EIFS, et cetera.

Chairperson Matta – Is he committed to get that done by a certain time?

Randy Thomas – I talked to him yesterday. I said look, it's what you said you were going to do. It's what everybody is expecting.

Director Watson – Yes, and it was a condition of the approval when it was amended back in 2023.

Chairperson Matta – Well, he's here on April 15th. When is the next Planning Commission?

Dave Campbell – I don't know if he is going to be at the Planning Commission. The hope from everyone is that Dort is ready to be back in front of the Planning Commission on April 7th.

Chairperson Matta – Okay. Randy, anything else on your report?

Randy Thomas –

- We did have the initial offer with Parcel M, next to Dort. That's going nowhere. I finally got a hold of the guy and he said the user has pulled back their plans. They may come back.
- I would say that we're starting to pick up on phone call activity for the rest of it.

Chairperson Matta – Okay. That's good, hopefully next month there will be even more activity. Any questions for Randy?

Spencer Schafer – Yes, Randy, any update on the shopette retail center he's doing? I think that is supposed to come after the bank.

Randy Thomas – That would be coming up next. There's that, and there's two to three restaurant pads, Starbucks and the shopette.

Chairperson Matta – Okay, and how many are in the shopette?

Randy Thomas – There's four tenants. It's 12,000 square feet.

Chairperson Matta – What type of users are you anticipating in the shopette?

Randy Thomas – Maybe a café, a salon. His team would be leasing this one out, so it's all in conversation. A lot of this is still in flux until you get down to it.

Dave Campbell – This shopette does have a drive-through on one of the endcaps.

Spencer Schafer – Is he specking it, Randy, or does he have leases? Is his intention to have leases in place before he goes vertical?

Randy Thomas – He's got tenants.

Supervisor Gray – Randy, I get your updates. That property in Walled Lake, the old school property; they're taking bids. Is there any minimum bid they're taking on that?

Randy Thomas – Because it's a school, it has to have a little more transparency. It's basically an open bid and on a certain date, all the bids will be opened and we'll go through the process. We've had a fair amount of response, but it's just too small for the big guys. The next level tier guys are looking. It checks a lot of the boxes for them and we think it's going to be some sort of multiple family. It's only 6.4 acres. The city wants to do mixed used. I just don't know how they'll get it done.

Supervisor Gray – So is there a minimum bid?

Randy Thomas – No, and they don't have to take any bid. It's not an absolute auction.

Supervisor Gray – Okay.

Chairperson Matta – Where is it?

Randy Thomas – The old high school in Walled Lake.

Dave Campbell – Does the city own it, or the school district?

Randy Thomas – The school district.

Item 5: Attorney's Report

Attorney Martella – Nothing to report actually. It has been very quiet. The deal fell through that Randy talked about. I didn't have the joy of spending four hours at the Planning Commission meeting and hearing the excitement, but we all look forward to seeing the 5 & Main design specs.

Director Watson – And you recently visited Partridge Creek?

Attorney Martella – I did actually. In conversation we talked about that. I went out to Partridge Creek last weekend. The weather was nice. I can't believe how old that project is, given everything else, and it's holding up nicely. Not a lot of EIFS there, but there is a lot of brick and stone. That mall, through all of the trials and tribulations, is still here. It's still in really good shape, and it was legitimately packed. It was very busy and the weather helped of course.

Item 6: Director's Report

Director Watson reviewed highlights of the report submitted in the agenda packet, which is included here in its entirety, along with any updates.

I. Updates on Developments – Please refer to the Insite Report and the Planning Director's Report for additional information.

- *5 & Main – Bruce Aikens is expected to attend upcoming Spring meetings to provide updates to the DDA Board and the Trustees. Utility installation continues. Continental's site work should be complete by Spring so they can start paving. They have replenished their escrow account with CTP.*

Erica Francis, Fox 2 News, aired an excellent 5 & Main story recently which included interviews with Dave Campbell and Bruce Aikens. In case you missed it, check it out at this link: <https://www.fox2detroit.com/video/1597179>

- *Merrill Park – Nothing new to report.*
- *The Avalon of Commerce Twp. – Nothing new to report.*
- *Barrington – Nothing new to report.*
- *Wyncliff – Nothing new to report.*
- *Public Storage – Nothing new to report.*
- *The Space Shop, Self-Storage – Nothing new to report.*
- *Higher Ground, Guidepost Montessori – Nothing new to report.*
- *LaFontaine Automotive Group Dealerships (LAG) – At the corner of Pontiac Trail & Haggerty; site work is nearly complete.*
- *Parcel F / Unit 7, in front of the Township Hall – Nothing new to report.*
- *Parcel JI, Haggerty & Oakley Park – Nothing new to report.*
- *Parcels M & N – An offer was received from an unidentified food user. The Marketing Committee awaits additional information before a meeting can be scheduled.*

II. MTT Judgments – As updates are available, reports are given at the DDA meeting.

III. Commerce Towne Place HOA Items –

- Budget – The 2025 budget was approved and invoices were sent in January. As an aside, I would note that our CTP insurance premiums have gone down significantly.*
- Dues – All dues have been paid with the exception of Avalon, and we have followed up accordingly.*
- Tax Forms & Reports – Our tax returns and payment have been mailed.*
- Lighting/Electrical – Shaw, Eric Peterson, Adam Dornton, BrightSource, Rich Walton*
 - *We encountered some challenging negotiations with our last light pole insurance claim. Considering depreciation and some unique circumstances, we finally settled for about 90% of the claim. We consulted our insurance agent and an independent adjustor for guidance regarding the statute and future claims. We also carefully reviewed our policy coverage and deductibles again in this regard.*
 - *We await a small order of lighting supplies to restock our inventory.*
 - *Pricing for 2025 has actually gone down slightly which was surprising.*
- Landscaping & Maintenance – United Lawnscape, Jose Medina; Bob Rousseaux's Excavating, Mark Rousseaux*
 - *CTP has renewed the United contract for 2025-26.*
 - *Previous flooding issues on the west side trails, caused by Continental's dewatering, have diminished. Rousseaux was monitoring the area. Water tables remained high,*

but the situation did stabilize. Once weather and ground conditions permit, we will need to add millings where the flooding washed out the trail.

- *Mulch will be done this week by United along the Parkway.*
- F. *Irrigation – Michigan Automatic Sprinkler, Mike Rennie, Mike Toro*
 - *CTP has executed the 2025 irrigation contract.*
 - *Spring opening of the system is scheduled in April.*

IV. **Other**

- *We are gearing up for Spring and looking forward to warmer weather!*
- *The Martin Parkway Adopt-a-Road cleanup, by Friends of Larry Gray, is scheduled for Saturday, April 5, 2025. Jason Mayer is arranging the event, and he will circulate additional information via email. We always need volunteers. If you can make it, we look forward to seeing you there!*
- *Sandy also mailed out letters to local businesses along Martin to let them know about the road cleanup. Hopefully they will join the initiative and help clean up their frontages.*

Township Board Report

Supervisor Gray –

- We had a quick meeting last Tuesday, only 51 minutes. Molly wasn't there.
- We had Boy Scout Troop 227 here to do a tour of the building before we let them lead us in the pledge of allegiance.
- We are purchasing a new ambulance for the Fire Department. That will replace one of the Medic 2 units. The Fire Department will have their 3rd advanced life support ambulance in place on April 14th. So, we will have three up and running. We also approved them to purchase another cardiac monitor, which is a Lifepack 35. Those cost \$59,000.
- We approved Alyson at the Library to purchase security gates. The gates she has that go in and out of the building have obsolete software.
- We approved the application for Crown Castle for their Metro Act ROW Permit.
- We are going to start a work group to look into the Dark Store loophole to see what we can do, and see how much money the Township and the schools have lost in the last 10 years. Basically, the loophole is that a store can be built brand new, and I'll just make some numbers up; they spend \$3.5 million on land and they put in \$5 million in infrastructure, so the building should now be worth \$8.5 million. They can go to the Tax Tribunal and say, well, this building over here is the same thing, even though it's 20 years old, it uses the same sort of preference, and so my taxes should be the same as theirs. So, they lower the taxes down to what surrounding businesses are paying. We're going to look into that.

Director Watson – They also have another method. They can say that their occupancy is too low, correct?

Supervisor Gray – Yes, and they can compare. So, I've reached out to the Michigan Township Association to see if they're looking at this, but we are going to dive into the last 5 or 10 years for Commerce. We will determine how much revenue the Township loses, and more importantly, how much revenue the school loses, and also the DDA since it's in the district.

Director Watson – When you say “we”, is that the Township Board or ...

Supervisor Gray – It's going to be me, George and Rick.

Director Watson – Okay. And I wonder too if other communities would want to jump onboard with that.

Supervisor Gray – I have emails out right now.

Director Watson – Wonderful.

Supervisor Gray – For instance, Orion Township, with the GM Plant they had up there, they were looking at losing like \$2 million because they were going to do it with the new GM Plant. They actually use Oakland County as their Assessing Department and they said, yeah, that's fine. When they came to the Tax Tribunal, they involved their attorneys and got it to stop. They lost like \$400,000, but the County was just going to let them lose the entire \$2 million in tax revenue.

Chairperson Matta – It's a fine line between drawing viable businesses that you want in your community, and losing tax revenue over it. I mean you want them in here and at some point, you've got to cut deals.

Supervisor Gray – You build a building for \$10 million, you should pay taxes on some of it.

Chairperson Matta – You should, but we also want to incentivize them to be here or somebody else will.

Supervisor Gray – So like LaFontaine, you guys are familiar with that. We had it in their plan that they cannot challenge their tax base for 5 years.

Chairperson Matta – Right, that's the deal.

Item 7: Engineer's Report

Engineer Mayer discussed the following with the Board:

- Springs at Five & Main –
 - They're working on some phasing of the water main that they're trying to get approved through WRC to get the buildings connected.
 - I mentioned it last month, but they have a pile of dirt that's wet which they need to use to fill the site. I'm not sure if they're going to be importing fill, or if they're going to wait until that dries out.
- LaFontaine – Their site utilities are basically done.
- Haggerty Pump Station – Bids for the abandonment are due next Thursday. We will probably have that on the agenda for the April Township Board meeting.

Supervisor Gray – Is Springs still on track to have people living there this summer?

Dave Campbell – They think so. Last time I asked, which was a couple weeks ago, they hoped to have people moving in during July.

Jason Mayer – That's kind of related to the water main phasing. They're trying to have a loop that can service the buildings because WRC won't release meters until they have as-builts for a section of water main, and they can't do as-builts until it's done. They're trying to get portions that are already completed and tested so they can submit as-builts and get meters for those sections.

Supervisor Gray – So if we moved away from WRC, that would be under our control?

Jason Mayer – Yes, we will talk about it later today at the meeting. It depends on who is doing the billing, who is selling the meters basically. I don't know if we want to keep them here, but it is something you could control.

Supervisor Gray – So you guys know, WRC came out ... They said they started talking about this back in 2016, but I haven't heard anything. In 2021, they came out with a contract they wanted the Township to sign for water. Basically, we went through the contract, and Hans went through the contract and there were a couple sticking points that we're not comfortable with at all. One is that they want us to take on liability for the employees. We don't employ them and we have no control over them, but they want anything they do to fall back on the Township. We don't agree with that. Two is that they want an open checkbook. So, anything they need to do, they just want to be able to spend money. We said, anything over \$250,000, we'd like to be notified, but they don't agree with that.

Chairperson Matta – So they really don't want this job.

Supervisor Gray – So, basically what happened, they didn't communicate with us really at all throughout 2022 to 2024. I received a letter about a month ago from Jim Nash saying we're cancelling your contract effective June 1st. So, we decided to put it out for bid. Jason is in the process of putting an RFP together. We met with Jim Nash and his team two weeks ago. I think they thought we were going to sign. We said no, we need to take care of this, but they're not going to budge on the liability, so I said we're going to put it out for bid. We should actually do our due diligence to make sure we're getting the best service. There are companies out there that do what the WRC does, so we're taking the opportunity to look at it.

David Smith – They're kind of an oligopoly though.

Treasurer Phillips – They're running scared now because our sewer employs a lot of their people.

Supervisor Gray – Yes, and that's next. They haven't cancelled our sewer yet because there's a lot more intertwined in there, but we're expecting to get a letter that they're cancelling our sewer agreement too.

Chairperson Matta – Interesting times.

Jason Mayer – We should have the RFP done by the end of this week and posted next week. I just want to go over it with Hans.

Supervisor Gray – Yes.

Chairperson Matta – Then how much time do they have to submit?

Jason Mayer – I usually give people a month. This one is probably a little more intricate, but with the June 1st deadline, that's another thing I wanted to talk to Hans about. It's probably going to be a special meeting to interview these people. June 1st comes up quick.

Chairperson Matta – Yes, if you contract by April 1, they've only got basically 30 days to get to a place they can implement.

Supervisor Gray – And we could always sign the contract. I think we have a 9-month out clause in it. I think we're 6 and they're 9.

Chairperson Matta – I see.

Supervisor Gray – But the County is just throwing more dollars on us. I heard yesterday, our Assessing contract is going to go up 25%. So, we currently have that out for an RFP and that's due April 1st.

David Smith – They've gotten out of control.

Item 8: Planning Director's Report

Chairperson Matta – Dave, anything further?

Dave Campbell, Township Planning Director –

- We talked about the Planning Commission meeting on March 3rd in the context of Dort Financial. The other big one that was on the agenda was the amendment to Midtown on Haggerty at 14 Mile and Haggerty Road. Spencer knows all about it. Where we are with that is trying to come to terms with the recognizable public benefits that the developer would offer for their PUD, or what is now an amendment to their PUD. We continue to have discussions and meetings on that. We're going to talk about it here today internally I hope. I think Spencer and his team hope to be back in front of the Planning Commission in April, hopefully with the outcome that they and Kroger want. That's still in progress.
- And then I will let Mr. Mirkin know, because I know it's his favorite thing. We have a tentative date with the Fire Department to put the flags on the M-5 bridge. We got fresh new flags this year. The others we had got beat up over the last couple of summers. We will get them up on the first Saturday in May.

Item 9: Committee Reports

- A. Finance Committee – Treasurer Phillips – I will be doing the advance from the Township to the DDA late this week or early next week so I can get those payments ready to go by March 31st.
- B. Public Relations Committee – Jose Mirkin – The Public Relations Committee met with the art teachers coordinating the K-12 Art Exhibition for 2025. We finally have the final dates. This is in agreement with Alyson, the Library Director. They will set up the Exhibition on May 8th, and it will run from May 9th to May 18th. It is going to be open during Library hours. The reception will take place on Wednesday, May 14th from 4:30-7:30pm. This is one week earlier than previous years to coordinate with the other Library activities.
I was planning to have a duet or a trio from one of the high schools playing music during the reception. My proposal was to give \$25 gift certificates, from Amazon or whatever, to three kids so they can play music. However, the art teachers didn't think that was ethical. If they want to volunteer, that's okay, but not to be paid. So, we don't know if they are going to have musicians, or if we will be giving them gift certificates or not. I have passed it onto Walled Lake Schools to let them make the decisions.

Vice Chairperson Hoy and Jose Mirkin further discussed the idea of having high school musicians at the Art Exhibition. Vice Chairperson Hoy stated he would give them a gift from Steinway Piano.

C. Marketing Committee – David Smith – I think we’ve covered everything.

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

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

Item 11: Other Matters

Supervisor Gray – I’d just like to remind everybody that on Saturday, June 14th we’re doing a Bicentennial celebration in the Village of Commerce. I got the permitting done today to close Commerce Road from Carroll Lake up to Broadway. We will have vendors, horses, a petting farm, food trucks, a band shell with events all day long, a 5K run and a pancake breakfast in the morning, with a beer tent and band at night.

Jose Mirkin – What is the location?

Supervisor Gray – On Commerce Road between Carroll Lake Road and Broadway. So, where Byers Farm is basically, that whole section of road will be closed down.

Chairperson Matta – What band is it?

Secretary Creech – Power Play.

Supervisor Gray – That’s also the opening weekend of summer reading for the kids, so they’ll be at the Library.

Chairperson Matta – Very good.

Supervisor Gray – If you want to participate or volunteer, let me know.

Secretary Creech – It’s also Flag Day.

Supervisor Gray – Okay.


Chairperson Matta suggested having a dunk tank hosted by either Dave Campbell or David Smith.

Item 12: Adjournment

- Next meeting is April 15, 2025, which is also an informational meeting.

MOTION by Mirkin, seconded by Schafer, to adjourn the meeting at 12:52pm.

MOTION CARRIED UNANIMOUSLY


Melissa Creech
DDA Secretary

INVOICE APPROVAL (BY INVOICE) FOR COMMERCE CHARTER TOWNSHIP

EXP CHECK RUN DATES 03/18/2025 - 03/18/2025

POSTED AND UNPOSTED OPEN AND PAID

BANK ACCOUNTS: DDA

Invoice Number	Bank Account	Description	Amount
DAWDA DAWDA MANN COUNSELORS AT LAW 612679	DDA	PROFESSIONAL SERVICES THROUGH FEB 28, 2025	428.00
Total For: DAWDA MANN COUNSELORS AT LAW			<u>428.00</u>
WATSON DEBORAH WATSON FEB/MARCH 2025	DDA	DDA DIRECTOR 02/13/25 - 03/13/25	4,662.00
Total For: DEBORAH WATSON			<u>4,662.00</u>
DTE DETROIT EDISON 04/04 2579 LIBRARY	DDA	ACCT# 9100 077 1100 5	22.07
04/04 2581 LIBRARY	DDA	ACCT# 9100 077 1086 6	897.57
04/04 2660 OAKLEY	DDA	ACCT# 9100 077 1065 0	142.63
04/04 3106 MARTIN	DDA	ACCT# 9100 077 1076 7	182.12
Total For: DETROIT EDISON			<u>1,244.39</u>
MMRMA MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY POLICY M0001754	DDA	2024 - 2025 TOWNSHIP INSURANCE	8,383.53
Total For: MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY			<u>8,383.53</u>
SANDYB SANDY ALLARD FEB/MARCH 2025	DDA	DDA ASSISTANT 02/013/25 - 03/13/25	1,261.13
Total For: SANDY ALLARD			<u>1,261.13</u>
Report Total:			<u>15,979.05</u>