

**CHARTER TOWNSHIP OF COMMERCE  
DOWNTOWN DEVELOPMENT AUTHORITY  
Tuesday, August 18, 2015  
Commerce Township Hall  
2009 Township Drive  
Commerce Township, MI 48390  
12:00pm**

**CALL TO ORDER:**

The Meeting was called to order by Chairperson Gotts at 12:00pm.

**Downtown Development Authority:**

**Present:** James Gotts, Chairperson  
Mark Stacey, Director  
Dan Lublin, Vice Chairperson  
Jose Mirkin, Member  
Susan Spelker, Member  
Brian Winkler, Member  
Tim Hoy, Member  
Susan Averbuch, Member  
Tom Zoner, Township Supervisor

**Absent:** David Smith, Member

**Also Present:** Thomas Rauch, DDA Attorney  
Vanessa Magner, DDA Secretary  
Molly Phillips, Township Treasurer  
Matt Schwanitz, Giffels-Webster Engineers  
Randy Thomas, Insite Commercial  
Amy Neary, Planner, McKenna Associates

**Item 1: Approval of Minutes**

**MOTION** by Spelker, seconded by Mirkin, to approve the Regular Meeting Minutes of July 21, 2015 as written.

**MOTION CARRIED UNANIMOUSLY**

**Item 2: Public Comments**

None.

**Item 3: Bruce Aikens Presentation**

Bruce Aikens delivered a presentation, discussing the potential retailers that may occupy his future development. Fly-over tours of the area have been conducted with retailers and they have had very positive feedback regarding the site. He discussed entertainment anchors and addressed marketing efforts with entertainment and restaurants, and a potential upscale theater/comedy club. He reviewed the potential timeline, which anticipates having 30 to 40% of leases signed by Summer 2016, and construction could take place 2017/2018, with opening in Fall 2018.

Susan Averbuch inquired about the Library property as it relates to the Aikens development. Bruce Aikens feels it is important to incorporate that portion of the site into the plan. Susan Averbuch also inquired about the curb cuts necessary for the development. Bruce Aikens stated he anticipates 3 on Pontiac Trail and 2 off Martin Parkway.

#### **Item 4: GMA Presentation**

Randy Metz, President of Grissim, Metz, Andriese, was present along with Scott Black, Senior Associate. Randy Metz delivered a presentation to the Board of the wayfinding and branding project for the DDA area. He discussed design features and components, gateway signage and the goal to give this area an identity. He addressed pedestrian lighting, highlighting and incorporating aspects of the bridge and other iconic elements, and how those might translate over to some of the developments as well.

Open discussions continued addressing the landscaping, taking into account the topography and weather conditions, maintenance, et cetera. Brian Winkler discussed the desire to incorporate/maintain the existing trees within the median into the design, given the initial cost to relocate the same. He also addressed the need for plant materials within the median to be salt resistant and drought tolerant. Amy Neary stated that she believes the Planning Commission will be in support of this project.

Susan Averbuch initiated discussion on the pathway design standards to determine whether these would be maintained as natural gravel versus cement. Director Stacey stated that it's his understanding that the pathways will only be cement along Martin Parkway and the rest would remain natural. Director Stacey and the Board members thanked GMA for their time.

#### **Item 5: Director's Report**

Director Stacey reviewed the following with the Board:

- Updates on developers:
  - Hunter Pasteur - Wyncliff & HP2
    - HP is working diligently on building houses behind the Township Hall at Wyncliff.
    - The DDA paid for recent staking of electrical and irrigation, along with irrigation repairs at Wyncliff, and HP has already reimbursed us for the full amount.
  - M. Shapiro - Barrington
    - Jim Galbraith is on the agenda for the September 16th meeting.
    - The October 15th closing date is still anticipated and he is working toward that.
- MTT Judgments: - None
- HOA Items:
  - Irrigation - Michigan Automatic Sprinkler, Mike Rennie
    - The contracts were signed for schematics and inspections.
    - Mike did the first inspection and his report is included in the packet, along with a quote of \$1590 to repair and maintain the system at this time. Damage to the sprinkler heads is frequently encountered due to people driving over them in vehicles or with mowers. It is recommended that all zones around the Wyncliff site be turned off to prevent further damage from construction. It will be turned on again upon completion of the development so that it can be repaired one final time.

**MOTION** by Lublin, supported by Spelker, to approve proceeding with irrigation maintenance and repairs quoted by Michigan Automatic Sprinkler as recommended by Director Stacey as discussed herein.

**MOTION CARRIED UNANIMOUSLY**

- Lighting - CJs Lighting, Chris Niestroy
  - We continue to work with CJs on the lighting assessment.
  - We have more of the system up and running than before. All of the electrical is safe, but the entire system is not yet functioning.
  - Additionally, we are working with the Township on potential insurance claims for damaged light poles.
- Other Matters
  - We had additional damage to the "Welcome to Commerce" sign that was in front of the 7-Eleven, at 15 Mile and Haggerty Roads that was taken down in a car accident. The sign was significantly damaged and we are working with the insurance company on that.
- Signage - Sign Graphix, Anne Vinstra
  - Signs were installed around the entire complex for "No Swimming", et cetera.
  - The insurance company has been notified of our compliance with their requirements.

Susan Spelker inquired about the lighting as it relates to the wayfinding project with GMA. Director Stacey explained that GMA has been instructed to utilize the existing lighting system and incorporate it into the theme as much as possible, especially considering the investment that has been made.

#### **Item 6: Attorney's Report**

DDA Attorney, Thomas Rauch, shared the following with the Board:

- The sale of Unit 5, currently referred to as Barrington, should occur in mid-October. The date will depend upon the meeting dates that month for Township Board and for the DDA.
- Adjustments are being made to the condo docs, and changes to the plans and editorial for the condominium will reflect not only changes for Unit 5, but also a number of other changes which need to be done.
- We are also continuing to follow-up on the association documents and budget. We will continue to interact with developers to establish lines of communication in this regard and keep association matters moving forward.
- We have worked with Treasurer Phillips and Attorney Adkison, as well as consulting with the Township's bond counsel, on the next agenda item.

#### **Item 7: Amended & Restated Memorandum Agreement - Reimbursement of Advanced Funds**

- The DDA is to reimburse the Township for funds that were advanced by the Township to pay bond obligations when the DDA funds are not sufficient to cover them. The Township and DDA executed a Memorandum Agreement to reflect the advances and repayment.
- We are now codifying the interest rate based upon the Oakland County Investment Pool Monthly Rate which is standard for Township investments, and is a recognized and reasonable time value of money for municipal obligations.
- The Reimbursement Amendment was forwarded by email to the Board last week and a copy was provided today. It would be appropriate to entertain a motion to address the agreement.

**MOTION** by Lublin, support by Mirkin, to authorize execution of the Amended & Restated Memorandum Agreement - Reimbursement of Advanced Funds as presented.

**MOTION CARRIED UNANIMOUSLY**

### **Item 8: Engineer's Report**

Matt Schwanitz, Giffels Webster, reported that they have been assisting counsel and Director Stacey on updating the B-docs and legal agreements, answering questions and providing information for buyers.

Susan Averbuch stated that she has noticed the water table is getting lower in the wetlands and she asked if this is just due to the weather. Matt Schwanitz responded that it is a lack of water. It's actually good for the wetlands to go through that periodically as it will create a healthier and more robust environment for the plants. Susan Averbuch also complimented Director Stacey on having the landscaping cut back as it makes it easier to walk the pathways and this addresses the safety and visibility issues.

### **Item 9: Planner's Report**

Amy Neary, McKenna Associates, reported the following:

- The monthly report was provided to the Board for review.
- The Planning Department has been reviewing the zoning for the industrial area, Richardson to Oakley Park, and the Haggerty and Martin Parkway area. This is all currently zoned OR. We have some light industrial uses in there that are nonconforming.
- We are looking at exploring ways to encourage investment in these buildings and it's difficult for them to comply with OR requirements.
- At the August Planning Commission meeting, Williams International presented their proposal for a building they purchased. They will be improving the frontage of that building and the Maple frontage with additional landscaping and incorporation of the pathway which extends to M5.

### **Item 10: Committee Reports**

A. Finance Committee - Tim Hoy shared the following with the Board:

- I reviewed the 5-year budget projections.
- On the 2020 projections, in terms of revenue, there will be an increased amount of expenses that sometimes aren't necessarily reflected in the ongoing monthly budget.

Director Stacey shared the following:

- A draft budget is still in process. These are the assumptions that we're working on and we hope to bring the budget to our next meeting for approval.
- The Township has asked us for 5-year projections.
- The first issue we had to address was taxes. Decreases and reductions have been seen over the last couple of years; however, these are not projected to go down. They're actually projected to stabilize, or potentially slightly increase. These are conservative projections based upon the information we know, including the anticipated developments that are being built on the site.
- Revenues from sales of property are also very conservative, but for draft purposes, the probability of closings and the impacts on the budget have been projected. This draft includes potential closings for HP2 and Aikens, and the years that those actually take place will affect these assumptions accordingly.
- From the expenditure side, the budget is extremely lean and we don't have a whole lot of options. The majority of costs are debt related, interest and principal. We have certain select areas where we do have some control over the expenses; however they're expenses we are going to incur inevitably, such as legal and administrative.

Susan Averbuch questioned the increase in the Director's compensation category. Director Stacey clarified that the increase is not in pay, but in the number of hours anticipated. Although Susan felt that Mark has been doing an excellent job, she also feels there should be an evaluation of the Director's performance, measuring progress on goals and objectives, to coincide with this change. Chairperson Gotts noted that the previous Director, Kathleen Jackson, wore two hats for Planning and the DDA. The separation of these roles will undoubtedly increase the hours required for the Director to meet and coordinate with the Planner.

Dan Lublin stated he agrees that the position will require more time and effort in the coming year. Tim Hoy was also in favor and felt that 20 hours per week is a very reasonable estimate of time to address the problems that can be incurred with future sales and developments.

**B. Public Relations Committee - Jose Mirkin discussed the following:**

- The Public Relations Committee is coordinating the next event for the Outrun Hunger 5K, organized by Grace Church, scheduled for November 7th. They are using the Martin Parkway environment and the funds benefit Open Door and Hospitality House. We have been coordinating and sponsoring the event for the past 6 years.
- The K12 Art Exhibit will take place again next year, coordinated with Walled Lake Consolidated School District. This is scheduled during the week of May 23rd, 2016, and the DIA Interactive Art trailer will be incorporated into the event. The DIA was involved in 2015 and a successful partnership is forming with Commerce Township and the DIA. We will be working on this event with the art teachers in the first week of September.
- The Rotary Carnival will also be sponsored again by the DDA for the 4th year. This will depend upon construction on the site in 2016.

Randy Thomas stated that it appears possible that the site will be available in 2016; however, in 2017, an alternate location should be considered.

**C. Marketing Committee – David Smith**

- No report.

**Item 11: Insite Commercial Report**

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

**Item 12: Approval of Warrants, Carry-overs and/or Add-ons**

**MOTION** by Lublin, supported by Hoy, to approve the Warrants, Carry-overs and Add-ons.

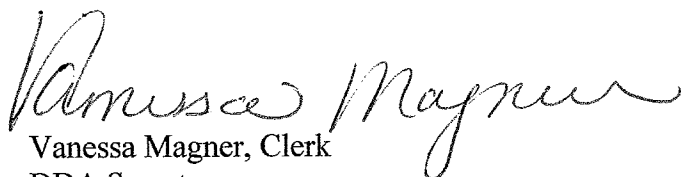
**MOTION CARRIED UNANIMOUSLY**

**Item 13: Other Matters**

- Chairperson Gotts reminded the Board members that Thursday, September 3rd, is the VIP Charity Preview Night for the Michigan State Fair. He invited everyone to attend.
- The next regularly scheduled meeting of the DDA is Tuesday, September 22, 2015.

**MOTION** by Averbuch, seconded by Mirkin, to adjourn at 1:33pm.

**MOTION CARRIED UNANIMOUSLY**

  
Vanessa Wagner, Clerk  
DDA Secretary