

**OSHTEMO CHARTER TOWNSHIP
DOWNTOWN DEVELOPMENT AUTHORITY
BOARD OF DIRECTORS**

MINUTES OF REGULAR MEETING HELD JULY 25, 2013

The Oshtemo Charter Township Downtown Development Authority (DDA) Board of Directors held a regular meeting on Thursday, July 25, 2013. The meeting was called to order at approximately 12:00 p.m. at the Oshtemo Community Center at 6407 Parkview Avenue.

Members of the Board of Directors present: Chairperson Terry Schley, Michael Lutke, Fred Gould, Jack Siegel, Andy Wenzel, Chip Everett, Jay Brown, and Libby Heiny-Cogswell.

Members of the Board of Directors absent: Bruce Betzler, Glenn Steeg, Kathleen Garland-Rike, Maria Dacoba, and Stephen Dallas.

Also present was Gregory Milliken, Planning Director.

Approve Agenda

The meeting was called to order at approximately 12:00 p.m. by Chairperson Schley. Mr. Brown indicated that he would like to discuss something regarding the Church under the discussion of banners. Mr. Brown moved to approve the agenda with that addition. Ms. Heiny-Cogswell seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

Approve Minutes

Chairperson Schley asked if there were any comments or questions on the minutes of the regular meeting of May 16, 2013. Mr. Wenzel suggested a change on page 2 of the minutes to more accurately refer to the survey that was proposed as an Alta survey instead of a boundary survey. Mr. Wenzel moved for approval of the minutes of the regular meeting of May 16, 2013. Mr. Lutke seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

Treasurer's Report

Mr. Gould indicated that he had reviewed the Treasurer's Report and presented the report. It covered the period from April through June. Mr. Wenzel asked about the accounting fee that was presented and if the \$1,000 amount was appropriate. Mr. Milliken explained that the Township Audit was conducted during the period that was covered by the report, and the \$1000 fee shown on the report covers the DDA's portion of the Township's cost for the Audit, which is

consistent with previous years and covered by the budget. Chairperson Schley agreed but indicated that it would be good for the Officers of the DDA to receive a copy of the audit report.

For clarification, Chairperson Schley stated that the Attorney hours that are cited in the report are primarily related to the Citgo acquisition.

There was further discussion of expenses that led to discussion of the proposed 2014 budget. As a result, Chairperson Schley amended the agenda to continue with the discussion of the 2014 budget.

Consideration of 2014 DDA Budget

Mr. Milliken presented the draft budget for the DDA for 2014. He indicated that he and Mr. Gould reviewed the 2013 budget and expenditures to date and considered possible future projects for the DDA. These discussions led to the development of the 2014 draft budget. In addition, the Township Treasurer has estimated and reported the tax capture for the DDA in 2014, and it represents a significant increase from 2013. *(EDIT: It was subsequently determined through clarification with the Township Treasurer that in fact the estimated tax capture for the DDA in 2014 will decrease from the amount captured in 2013 due to a decrease in valuation for commercial and industrial properties.)*

Mr. Wenzel asked about the category on the budget identified as “uncommitted”. Mr. Milliken indicated that this category was used in previous years and recognized funds that had not been allocated to specific projects. Mr. Wenzel suggested using other terminology, such as “contingency” for this category. The Board agreed this was a good idea.

Mr. Brown raised concerns about the Attorney costs and how the Attorney was paid by the Township. Ms. Heiny-Cogswell discussed how the Attorney was paid by the Township and how the reimbursement from the DDA was applied.

There was a discussion of the adoption process by the Township Board and the schedule necessary for the DDA to approve the budget. The Township Board will be holding hearings to review the draft budget prior to the DDA’s next regular meeting and needs information from the DDA soon for integration into their budget.

Mr. Wenzel moved to support the draft budget as shown with the change of “uncommitted” to “contingency” and to share the draft budget with the Township Board for their overall review purposes. Mr. Brown seconded that motion. Ms. Heiny-Cogswell suggested that when more information was collected to understand the increase in tax capture for 2014 that information be shared with the whole DDA Board. Mr. Milliken indicated he would do that. The Chairperson called for a vote on the motion, and the motion passed unanimously.

Citgo Station Update

Chairperson Schley stated that he has received the report from Fishbeck, Thompson, Carr, & Huber regarding the above ground building and environmental issues. According to the report, they did not inspect the insulation in the walls or roofs because they did not do any destruction as part of their inspection. However, they assume there is asbestos there. The report says to give a lot of advice and information to the demolition contractors.

Mr. Wenzel stated he sees no reason for further delay. He thinks the report should be given to the demolition team and let them do their work based on the information in the report.

Chairperson Schley asked for thoughts on how to proceed without information on the roof or walls.

Mr. Wenzel said it is likely someone will have to go back and do the test at some point.

Chairperson Schley suggested that the bid specifications could note what was tested and that if additional testing and abatement is needed, it could be added as a change order.

Chairperson Schley continued the discussion indicating that Prein & Newhof sent a proposal to be a partner on the project by providing \$10-15,000 of services and assistance guiding the DDA through the process. He sought input on the price and proposal.

Mr. Wenzel stated that it seemed like a big number. He wondered if the subcommittee should meet soon to discuss and then decide if it is something the DDA should do.

Chairperson Schley agreed and stated that the subcommittee needs to meet to move this forward. Then perhaps a second meeting is needed with Prein & Newhof to adjust the proposal as needed.

Mr. Wenzel indicated that even if they were being paid, the DDA would still be involved.

Mr. Gould stated that unless those on the Board that are experienced in this process have the time to devote to this project, the DDA needs to hire someone and do so quickly.

Ms. Heiny-Cogswell added that the Township has an Engineer on staff that may be able to help with some aspects of the work if he has time available.

Chairperson Schley said the subcommittee will get together soon to review this. He suggested Thursday August 1st for a meeting.

Mr. Wenzel said that the main thing is that the Seller understands the current status.

Chairperson Schley said that he has sent the Seller communication regarding the status and there is a common understanding.

9th Street Rear Access Drive Update

Chairperson Schley stated that minutes from the Township Board's June 11th meeting were included in the packets. He attended this meeting and discussed the rear access drive proposal with the Board at that time. It was a good discussion and asked Ms. Heiny-Cogswell for her impression.

Ms. Heiny-Cogswell agreed that it was a good discussion. She stated that herself, Mr. Milliken, Engineer Marc Elliott, and Attorney Jim Porter had multiple meetings regarding the design of the drive prior to that discussion and reached a consensus as to what should be recommended to the Township Board. She stated the minutes do a good job of summarizing the discussion and recommendation that was made.

Chairperson Schley indicated that the Township deserves credit for the behind the scenes work that was done to get this project moving and develop different ideas that allow this to proceed. There was concern that the drive be more sensitive to the land and be more permanent than was previously presented. There is an interest from the Township in parenting this project with the DDA's interests but to have control over how it is built and implemented and providing additional resources as necessary. The DDA made a \$70,000 commitment to the project, and the Township would pick up anything additional that was needed. It was a working session so there was no official action but a strong consensus to support this concept was indicated with one member against the concept.

Ms. Heiny-Cogswell wanted the DDA to understand some of the parameters that the Board discussed that would be associated with the rear access drive. She reviewed the parameters and conditions that the Board considered. These included the fact that the drive would serve as an economic development tool for that segment of the Village Area, that the access management guidelines would be applied to the access drive as well as along 9th Street, that maintenance would have to be agreed to, that signage would be posted including open hours for the drive, that an area south of the Community Center would be preserved for future outdoor use of that facility, and that the Township would determine the alignment of the road so as to avoid mature trees and discourage cut-through traffic.

Chairperson Schley asked about the access management discussion regarding properties on 9th Street and how that would be applied. There was a discussion of these requirements and how they would likely be applied in the future. Although the goal is to eventually reduce the number of driveways and conflict points on 9th Street through the establishment of alternative means of access to the rear, it was confirmed that this would not be made a condition of access to the rear driveway. The closing of driveways would occur through the development / redevelopment of the 9th Street properties.

Ms. Heiny-Cogswell reiterated that the Township does not want to end up with access management issues along the rear drive that exist on 9th Street.

Chairperson Schley indicated that the Township's access management guidelines and planning principles have grown out of work conducted by the DDA.

Mr. Brown said that if we turn this over to the Township it will get done.

Chairperson Schley agreed and indicated it was a pretty good deal.

Mr. Lutke said that he understood the parameters and discussion and is ready to have this happen.

Chairperson Schley said that at some point there is going to have to be a closing of driveways with a central drive and perhaps a central public parking lot in this area.

Mr. Gould asked if the rear drive project would happen soon.

Chairperson Schley said the consensus on the Township Board recognized the issue and bought in.

Mr. Gould asked if the DDA should write the check.

Chairperson Schley suggested waiting until seeing a final design plan and formal agreement information.

Mr. Milliken identified the likely next steps, which would be development of the agreement language that encapsulates the conditions as well as the actual design of the access drive.

There was discussion of the process, schedule, legal agreements, and design standards.

Mr. Lutke moved to support the discussion and concept of the shared access drive as presented at the June 11th Township Board meeting and encourage the Township Board to proceed with the plan. Mr. Gould seconded the motion. Mr. Wenzel indicated that if the goal is to have rear parking, it might be advisable to have a straight road to facilitate access to the parking. Chairperson Schley said that would be addressed in design. Chairperson Schley called for a vote on the motion, and the motion passed unanimously.

Banners

Mr. Milliken indicated that he just received a proposal from SignArt to swap the banners in the DDA district for \$440 and is ready to contact them to proceed with that.

Mr. Brown stated that the Methodist Church is celebrating 150 years at their location this fall and would like to hang at least two banners on the poles in front of the Church. They would like to hang their banners there for at least a week to mark the celebration.

Mr. Lutke stated that the banner swap should have been done sooner this summer.

Mr. Wenzel asked if the swap can be done next week. Mr. Milliken indicated he would call SignArt immediately.

Chairperson Schley stated the banners should probably be changed back in November. Mr. Milliken said he would get a quote for that and talk with SignArt regarding this switch.

There was discussion amongst the DDA regarding the hanging of special banners by individual entities or for celebratory events.

Mr. Brown clarified that the Church would take care of the purchase of the new banners.

Chairperson Schley asked if the Board wanted to start letting others use the poles and hang banners. Celebratory banners are reasonable, but the DDA needs to maintain control.

Mr. Lutke indicated that he does not think businesses should have access to the poles for banners but that Churches are different entities and does not have a problem with this request.

Chairperson Schley said that it could be ok because it is a celebratory thing for the community and perhaps extended more broadly across the district.

Mr. Gould asked about the possibility of a banner across Stadium Drive for such celebratory events. This led to a discussion of things to allow and not to allow.

Mr. Brown said that the week of October 13th is the week they desire to have the banners.

Chairperson Schley said that if this is allowed, it makes sense to do the switch at that time and only approve for a short period. Any future requests would be approved based on a study of this issue and determination of a policy of how it should be handled.

Ms. Heiny-Cogswell suggested SignArt do the hanging and swapping.

Chairperson Schley made a motion to allow the Methodist Church to use the banner mounts in the district for hanging of celebratory banners during the week of October 13 and to seek a proposal from SignArt to swap out all DDA banners and install the church banners at the start of that week and then swap out the church banners and install the DDA banners at the end of the week. Any additional costs incurred would be at the Church's expense. Mr. Lutke seconded the motion. The motion passed unanimously with Mr. Brown abstaining.

Other Business

Chairperson Schley indicated that Marta from Marta's Fine Foods mentioned the idea of having a Farmer's Market in the DDA area, perhaps at the redeveloped corner of Stadium and 9th Street. He stated that this idea was discussed some time ago but that it was set aside when Texas Township built their permanent market place structure.

Ms. Heiny-Cogswell stated that the Township's Park Committee reviewed the use of Flesher Field for a Farmer's Market and decided against the idea.

It was the consensus of those that remembered that the DDA agreed not to compete with other markets in the area.

Announcement and Adjournment

Ms. Heiny-Cogswell indicated that Mr. Everett has a new son. She also stated that Oshtemo Fun Day is coming up on August 17th. Mr. Lutke indicated that Newman's Field has their Fly-In Breakfast that day as well.

The next meeting is scheduled for September 19, 2013.

Having exhausted the agenda, Chairperson Schley adjourned the meeting at 1:40 p.m.

Oshtemo Charter Township
Downtown Development Authority

Minutes Prepared: July 30, 2013
Minutes Approved: September 19, 2013