

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

**MINUTES OF REGULAR MEETING HELD NOVEMBER 21, 2013**

The Oshtemo Charter Township Downtown Development Authority (DDA) Board of Directors held a regular meeting on Thursday, November 21, 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, Bruce Betzler, Stephen Dallas, Andy Wenzel, Chip Everett, Kathleen Garland-Rike, and Libby Heiny-Cogswell.

Members of the Board of Directors absent: Jack Siegel, Glenn Steeg, Maria Dacoba, and Jay Brown.

Also present was Gregory Milliken, Planning Director.

Approve Agenda

The meeting was called to order at approximately 12:00 p.m. by Chairperson Schley. The Chairperson indicated that during the course of the Treasurer's Report there would be a discussion of the DDA Budget. Mr. Betzler moved to approve the agenda as presented. 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 September 19, 2013. There were no comments or changes discussed. Ms. Garland-Rike moved for approval of the minutes of the regular meeting of September 19, 2013 as presented. Mr. Betzler 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 September through October. He indicated that the revenues and expenditures on the summary report are for the entire year and pointed out that the fund balance for the DDA is \$727,022.46.

Chairperson Schley said that the Attorney costs presented are fairly reasonable particularly considering the amount of information he has sent Mr. Porter to keep him informed regarding the CITGO issues.

There was discussion of specific invoices and charges identified on the report. Mr. Wenzel suggested attaching actual invoices for the expenses. Chairperson Schley indicated that was probably a good idea.

Mr. Wenzel moved for approval of the Treasurer's Report. Mr. Betzler seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

Mr. Milliken explained that in July the DDA approved a budget for presentation to the Township Board for approval. This was then adjusted on the revenue side based on refined estimates for tax capture from the Treasurer's Office.

Mr. Milliken further explained that as the Township Board worked through the process of developing the Township Budget, which includes the DDA's budget, the Township Auditors recommended not including any dollars or expenditures that are not likely to be expended within the fiscal year. Instead, they recommended including a narrative to discuss any carryover funds that may exist and what they could be used for in the future. Those funds are not lost, they just are not included in the budget for that particular year since they are not intended to be spent in that year. Therefore, the revised budget approved by the Township Board for the DDA removed budgeted dollars unlikely to be spent in 2014. Should situations change, this can always be amended.

Ms. Heiny-Cogswell provided additional information from the Township Board perspective indicating that all departments and funds completed a similar process.

Mr. Betzler asked if this brings the DDA in line with other communities and with common practices.

Ms. Heiny-Cogswell stated it brings us in line with common accounting practices so the Township as a whole does not skew the audit.

Mr. Lutke made a motion to approve the DDA budget as presented. Mr. Gould seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

### CITGO Station Update

Chairperson Schley gave a status update on the CITGO station redevelopment. He indicated that a closing was scheduled but could not proceed due to insurance issues regarding the contamination. He stated that the owner has removed the tank and that the DEQ is close to closure on the site, which is a good thing. The owner is capping most of the monitoring wells. They have tested samples to the east, and the results are favorable, which indicates that the plume has not spread as once anticipated.

Chairperson Schley stated that they have a proposed closing statement in hand. He believes a closure report is anticipated soon. He awaits reports indicating that the gas tanks were removed cleanly. Upon receipt of these items, the closing can be scheduled.

Chairperson Schley indicated that he has been holding off on having Prein & Newhof proceed with their work until the DDA has title on the property.

Mr. Wenzel asked if Mr. Porter has reviewed the title.

Chairperson Schley indicated that Mr. Porter has the title work and not presented any concerns. He stated that Mr. Porter will be at the closing.

Mr. Lutke asked about the demolition of the accessory structure and if that was related to the monitoring wells.

Chairperson Schley stated that the building was where the pump that ran the monitoring wells was housed, so it needed to be removed as part of the move toward closure. In addition, although the current owner has capped the site with asphalt, the DEQ says it is ok to leave the bare earth in the area of the accessory structure until spring when rest of demolition and paving is done.

Mr. Lutke confirmed that the primary building will remain until spring due to the schedule.

Chairperson Schley confirmed that was the case and stated that the Board knew that was a strong possibility based on the timing in the agreement. That being the case, he sought approval from the Board for permission to work with a contractor for simple improvements to the site for security, access limitation, and aesthetics.

Mr. Wenzel asked if the DDA has insurance for the property.

Chairperson Schley said that they looked into it and the DDA is covered under the Township's insurance policy.

Mr. Wenzel made a motion to allow Chairperson Schley to work with a contractor to secure the site until demolition. Mr. Betzler seconded the motion. Chairperson Schley called for a vote on the motion, and the motion passed unanimously.

Chairperson Schley said that some projects with enough steel are being demolished without cost. He also reminded the Board that they have had a request for lights from Mangia, Pizza, and Pasta Company.

Mr. Everett stated that there has been a request from McDonald's Towing for the canopy. The Board discussed the process of removal and conveyance of the structure.

Chairperson Schley asked about fire training at the site. Mr. Everett stated the site is not really a good candidate for training activities at this time.

Chairperson Schley also wondered if there was a user that could utilize the building on a short-term basis for a public purpose. He indicated he would prefer not to get into that as it could be a slippery slope, but something to keep in the back of their minds.

Dr. Dallas stated his concern about putting boards on the windows and the impact on the character of the area. Chairperson Schley stated perhaps there is a technique that could be used to achieve the desired security without compromising character.

Mr. Wenzel suggested some signage to indicate what is happening at the site. Chairperson Schley said that was a good idea.

Chairperson Schley said that the immediate plan is to demolish and cap the site. As the Board develops a broader plan for the site and surrounding area, an interim plan for what to do is critical.

Chairperson Schley added that the DDA has a very cooperative seller who has been a good partner throughout this process.

#### Stadium Drive Streetscape and Transportation Alternatives

Ms. Heiny-Cogswell said there was a local call for non-motorized improvement projects in late September that was due November 1<sup>st</sup>. The Township developed a comprehensive list of transportation improvement projects and submitted them to KATS for potential grant dollars. She explained that there is a local pot of money as well as a state pot of money that is a resource that could be used.

Ms. Heiny-Cogswell explained that one of the projects submitted was along Stadium Drive from 8<sup>th</sup> Street to 11<sup>th</sup> Street including sidewalks as well as the streetscape improvements included in the DDA's streetscape plan.

Chairperson Schley stated that what is needed is a subcommittee to further develop this design and plan. DDA's are successful at getting state dollars to do these types of improvements regularly. He indicated it is worth investigating the potential of exploring this with or without the grant.

Mr. Wenzel, Ms. Heiny-Cogswell, and Chairperson Schley agreed to start as the subcommittee.

## 9<sup>th</sup> Street Rear Access Drive Update

Chairperson Schley indicated that this project has shifted from the DDA to the Township's lead.

Ms. Heiny-Cogswell gave a status update. She indicated that the Township has drafted a cross-access drive agreement. She suggested that an approach could be to distribute the draft agreement and ask for feedback because it does not make sense to proceed without buy in from the participants. Upon that, she can then go to the Board for approval.

Chairperson Schley said that he can review the proposed agreement from a broad DDA perspective based on the DDA's intent and on behalf of the properties that have not participated. Then, the owners of properties adjacent to the proposed drive who are present should also get a copy.

Ms. Heiny-Cogswell stated that her inclination as a Township is to get a copy to all adjacent properties for feedback. Chairperson Schley said that then the DDA can offer comments from there.

Ms. Heiny-Cogswell also discussed the work being done by the Township along Atlantic Avenue for access management.

Mr. Wenzel asked if everyone has to join the drive in order to build.

Ms. Heiny-Cogswell said that is not required but the Township is going to want some buy in before pulling the trigger on funds.

## Banner Update

Mr. Milliken indicated that the banners were switched this summer and were scheduled to be switched again before Thanksgiving. He indicated that at the last meeting interest had been expressed in ordering new banners.

Chairperson Schley said there was a missed opportunity for holiday banners. He stated that the purpose for the banners is to brand and identify the place and express vitality. He asked Mr. Milliken to get some catalogs for consideration of new banner designs.

## Schedule of Meetings for 2014

Dr. Dallas made a motion to approve the schedule of meetings for 2014 as presented. Mr. Lutke seconded the motion. Chairperson Schley called for a vote on the motion, and the motion passed unanimously.

## Looking Ahead to 2014 Officers and Board Membership

Chairperson Schley reminded members that in January, they will be selecting new leadership for the Board. He indicated he had heard from Mr. Gould and Mr. Wenzel who expressed interest in maintaining leadership positions. He wondered if any one else had given further thought to having a role as well.

Chairperson Schley indicated he would be willing to retain his position as Chair. He has also heard from Mr. Wenzel who is willing to be Vice Chair and Mr. Gould who is willing to be Treasurer. He said this does not mean opportunities are closed if members are interested in getting engaged; other opportunities are and can be made available.

## Other Business

Dr. Dallas asked if the Costco project was a done deal. Ms. Heiny-Cogswell stated that an application for site plan review had been submitted.

Chairperson Schley stated that the public hearing was on December 12<sup>th</sup>.

Chairperson Schley added that also at that meeting, the Planning Commission will consider a request by Mangia, Pizza, and Pasta Company that was tabled by the Commission at their November meeting. The applicants have requested permission to hold a Farmer's Market during the summer on Saturdays and Sundays in the morning. At the November meeting, the public hearing was held, but the applicant could not attend. So the item was tabled. However, some opposition was presented. The opposition focused on potential impacts created by traffic, parking, and noise.

Chairperson Schley stated that the DDA should have an interest in this. He said that the DDA had previously made an attempt to do a Farmer's Market but abandoned the idea due to the effort being made by Texas Township. The DDA took the position that they did not want to undermine Texas Township's efforts.

Mr. Betzler indicated that Texas Township is very successful two days a week and has a waiting list for vendors.

Mr. Wenzel asked if there was a demand for vendors.

Ms. Heiny-Cogswell said that the Parks Committee had a similar discussion about a Farmer's Market. Others often bring the idea to the Township that a Farmer's Market should happen, but the Township doesn't proceed for the same reason.

Chairperson Schley said the market has the potential to reinforce the place and to develop seed businesses. He also indicated that a lot of work has gone into the character of the area and wondered how does that fit with this request.

Dr. Dallas stated that he feels there is a material difference between a farmer's market and a flea market.

Chairperson Schley said that if the market were public, the community could control. As a private market, there is no such control. It is hoped the Planning Commission will ask about how vendors will be controlled.

Ms. Garland-Rike asked how parking was going to be handled if there were going to be 38 booths. She also stated that she did not want to see direct competition with businesses within the district.

Chairperson Schley stated that if there is a demand for this event, and this is an economic development tool for the village area, then the DDA should really want input into the market with some guidance. It may be possible without competition with Texas Township. It would also establish control over vendors and establish some synergies.

Mr. Wenzel suggested that maybe the Township should rethink the market concept.

Dr. Dallas stated there is increasing growth in the farm to table movement. He also suggested that the DDA should have an interest in seeing them succeed in their restaurant. He likes the idea of having controls on what is there.

Mr. Gould states that where it fits is crucial.

Chairperson Schley said that this is something that keeps coming up, so there is something behind it. He added that we have a business with initiative and spirit, and the DDA needs to support their positive ideas.

#### Announcement and Adjournment

Ms. Heiny-Cogswell stated that the contract for Phase I improvements to Flesher Field has been awarded to Kalleward. It is awaiting final wording from DNR. She added that the application for Phase 2 scored well on all parts. She anticipated hearing for certain in December

The next meeting is scheduled for January 16, 2014.

Having exhausted the agenda, Chairperson Schley adjourned the meeting at 1:30 p.m.

Oshtemo Charter Township  
Downtown Development Authority

Minutes Prepared: December 3, 2013  
Minutes Approved: March 20, 2014