

**MINUTES OF THE CLAY TOWNSHIP DOWNTOWN DEVELOPMENT  
AUTHORITY REGULAR MEETING HELD ON TUESDAY, MAY 13, 2008  
IN THE CLAY TOWNSHIP BOARD ROOM, 4710 PTE. TREMBLE ROAD,  
CLAY TOWNSHIP, MICHIGAN 48001 AT 7:30 P.M.**

Chairman Thompson called the meeting to Order at 7:34 p.m.

**1. ROLL CALL/ESTABLISH QUORUM:**

PRESENT: Thomas Bynum, William Seifert, Jon Manos, Artie Bryson, Chairman Mark Thompson.  
ABSENT AND EXCUSED: Vice-Chairman Richard Wagner, Ann Horeftis, Joseph Little, Robert Johnson.

ALSO PRESENT: John Monte, Project Control Engineering; Connie Turner, Treasurer; Dorothy DeBoyer, Deputy Clerk

A quorum was established.

**2. APPROVAL OF AGENDA/AMENDMENTS:**

**Motion by Seifert, supported by Bynum to approve the Agenda as submitted.**

**AYES: All                    NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

**3. APPROVAL OF MINUTES OF APRIL 8, 2008:**

**Motion by Bryson, supported by Seifert to approve the Minutes of April 8, 2008 as submitted.**

**AYES: All                    NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

**4. TREASURER'S REPORT - APRIL 2008:**

**Motion by Manos, supported by Seifert to approve the April 2008 Treasurer's Report as submitted.**

**AYES: All                    NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

**5. BILLS PAYABLE:**

Christine Holcomb	\$ 56.25
Water Department – Snow Plowing	225.00
Adair Grain & Feed – Grass Seed	660.00
MLS Signs, Inc.	950.00
St. Clair County Road Commission	1,954.38
Project Control Engineering – Easement Drawings	735.00
Project Control Engineering – Sidewalk Phase IV	1,422.50
Project Control Engineering – Right-of-Way	2,000.00
Project Control Engineering – Engineering	<u>2,230.00</u>

**TOTAL                    \$10,233.13**

**Motion by Seifert, supported by Bryson to approve payment of bills payable as submitted.**

**AYES: All                    NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

**6. COMMUNICATIONS:**

Chairman Thompson: Has a flyer regarding a book store available for the members review.

**7. OLD BUSINESS:**

Chairman Thompson: Advised that Ernie from the DNR notified him that he received the easement packet and did not see any problems with same. He was going to forward it to the appropriate person to advance the process.

**a) Sidewalk Phase IV/Bridge Update:**

Monte: DNR stated that they would turn it over to their appraiser. They have no idea whether or not there will be any fee for same.

Chairman Thompson: His concern was the location of the sidewalk.

Monte: The plan is to place it alongside the ditch. At the parking lot location, it will go around the parking lot and connect to their pathway. He presented additional drawings and information to the members that were not included in their packets for the meeting. Regarding the proposed bridge project, he met with J & R Steel to review the details. Since we are crossing a county drain, we will need to submit bridge drawings to the County. In the review, they realized that there was no seawall on one side of the canal and it would be impossible to place a seawall in there after the bridge had been placed. They obtained a quote from J & R for the cost of also installing the seawall, and he presented a revised quote from J & R of \$88,276.00 for the project, which would include \$7,416.00 for the seawall. He then requested the Board's direction on how they wanted to proceed.

Chairman Thompson: Questioned how many feet of seawall they would be putting in?

Monte: Approximately 20 feet of seawall. This would include tying into the existing bridge, going across to the pedestrian bridge, putting in a return and tying it back.

Seifert: Questioned whether or not they had an alternative?

Monte: This would add additional money for the project. He is bringing this to the Board's attention for a decision before the project goes any further.

Bryson: Questioned how deep the sheets would be placed?

Monte: Stated offhand, he was not sure.

Bryson: Stated the quote states 16.

Seifert: Questioned whether the Board had already approved the funding for this?

Chairman Thompson: We approved about \$89,000.00 of it and would have to approve the additional \$7,400.00.

**Motion by Seifert, supported by Bryson to add the cost of the seawall to the pedestrian bridge project.**

Bynum: Questioned whether this was a good price for the seawall?

Chairman Thompson: Stated that it seemed high to him, but he understands the cost of steel has been increasing weekly. This quote is about \$370.00 per foot for 20 feet.

Bryson: Feels that it would be pretty easy to install by using a backhoe.

Chairman Thompson: J & R Steel will be subbing this work out since they don't do seawall work. Questioned Mr. Monte as to the affect on the bridge project of seeking out other quotes for the seawall work?

Seifert: Stated that the Board is not in a position to negotiate subcontracts for J & R Steel.

Monte: Currently there is no signed contract with J & R Steel. Putting a seawall in after the bridge is installed would definitely be a problem.

Bryson: Questioned whether they would be required to obtain a permit for the installation of the seawall?

Monte: Yes. If you decide you want to obtain other quotes, we could still proceed with the bridge and could include a clause in the contract that J & R coordinate the installation of the seawall with the company performing that work.

Seifert: Questioned whether we could direct J & R to obtain other quotes?

Monte: We could not require him to get the prices. We would have to get the prices and bring them back to the Board. We cannot force J & R to use a certain company.

Chairman Thompson: Questioned whether J & R's price included obtaining the permits and completing all the work?

Monte: Yes.

Chairman Thompson: This price includes the permits, restoration, and clean up. Seeking other quotes could possibly tie up the bridge project.

**Chairman Thompson restates the motion to approve the \$7,400.00 additional charge for the seawall at the pedestrian bridge at the Pearl Beach Drain.**

**AYES: All**

**NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

Monte: The next issue is the sidewalk at the Galley Bar. We have submitted to you an estimate of \$4,500.00. This is just an estimate as we do not have a contract or bids for this work yet. He provided the Board members with a proposed sketch of the project and discussed same.

Seifert: Questioned whether this work could be added to the existing sidewalk project?

Monte: If you decide that you want to add this work in, that is what we would do.

Manos: Stated that the owner has been upset about the crack around the sign on his property and suggested taking care of that, which might make the owner more approachable.

Chairman Thompson: Questioned Mr. Monte regarding the grades on the handicap ramps and whether they are up to the new standards and not the standards involved in all the lawsuits?

Monte: The previous standard was that you could stamp in the little domes a/k/a detectable warning strips. The current MDOT standard is that you have to buy them in either cast iron or fiberglass.

Chairman Thompson: Questioned the grade of the ramps?

Monte: We are still following MDOT standards.

Chairman Thompson: Stated that there are apparently several lawsuits involving the grade of handicap ramps that were all built according to MDOT standards and requested Mr. Monte to double check on the grades to avoid the same situations.

**Motion by Seifert, supported by Bryson, to include Prinzivalli sidewalk construction costs, including ramps and repair to the concrete at the sign, at an approximate cost not to exceed \$5,000.00 which is to be included in the current Sidewalk Phase IV project.**

**AYES: All**

**NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

Monte: Regarding the right-of-way survey that was requested due to the problem with the end property owner, he presented a drawing and plat map of the area. What they have found is that the property owner was correct. The green lines on M-29 on the bottom are the ones that came from METCO's survey. All the black dots are found property irons and monuments. METCO had gone through and found the majority of property irons on the south side of M-29. The plat information provided identifies the right-of-way as being 66 feet wide. METCO established that main line had such great representation on the south line, they brought that line over 66 feet and said that's where the right-of-way is. What they did is relocated the monumentation that METCO did, went back to the plat behind the property and researched the plat in that area. METCO did their survey from the south mainline of M-29 to the north. We went to the north and headed south to see if the lines would coincide. Essentially, we found some really good monumentation in the subdivision. We drew the subdivision, we laid it back in and it gets to where the red line is. They met with the MDOT surveyor and he agrees with our red line. We contacted METCO and informed them of this discovery and they confirmed that they did not research back and come from the other direction. The bad news is that the sidewalk will not fit in there. We would have to obtain easements from everyone from Pearl Beach Boulevard. We did provide an estimated cost, which is exactly what we did with the other easements. There are seven easements that we will need to obtain.

Seifert: Questioned Mr. Monte as to what would happen if they took the opposite position that your survey and METCO's surveys are correct and the rest of them are wrong?

Monte: We are saying that our survey says that METCO was incorrect and they confirmed it with the MDOT surveyor.

Seifert: Questioned Monte as to whether they could go back to METCO?

Chairman Thompson: They were paid \$100,000.00 to do this and now we're into a situation where their original drawing said that we could do it and now we can't.

Monte: Supposes that they could go back to METCO.

Chairman Thompson: Basically, we have to go to all seven of these property owners and ask for an easement to put in a sidewalk, and we can't do anything until we get those easements.

Monte: That's correct. We also have to put the Road Commission on hold for putting in the storm drain until we obtain the easements. We would still be able to get the storm drain in along the edge of the road. The grade issue on the sidewalk also needs to be worked out, and we don't want to install them until we can tell them exactly where to set the catch basins.

Manos: Feels that they need to go ahead and try to procure the easements.

Seifert: Feels that they should go ahead and authorize them to obtain the easements based on this latest information. But, at the same time, he feels they should go after METCO for the additional cost.

Chairperson Thompson: Stated that he doesn't feel that going after METCO would be beneficial.

**Motion by Bryson, supported by Bynum to procure the required easements from the seven properties, including drawings, descriptions, and title work.**

**AYES: All**

**NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

**Motion by Seifert, supported by Bryson for expenditure of \$5,005.00 for easement negotiations and check delivery.**

**AYES: All**

**NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

Monte: Presented drawing of the proposed Township Park prepared by Partners in Architecture. The Park Committee selected this company to prepare an initial drawing in accordance with the ideas presented at the Park Committee meeting. They included the drawing of the proposed parking lot. They also advised us that the cost to renovate/convert the one existing building on the property for use as a concession stand and/or restrooms would be approximately the same as construction of a new building that could be placed anywhere.

Chairman Thompson: They wanted to have another Park Committee meeting and then possibly have a weekend public meeting to obtain their comments and then zero into exactly where they want to go with the project.

Seifert: Questioned whether the skating surface on the drawing was intended for skateboards?

Monte: He is not sure.

Chairman Thompson: It is something to think about. If the public decided that they wanted a skate park, then it might be something to take a look at.

Monte: The estimate for the parking lot is also included. The architect has added some light poles and made some adjustments. The sidewalk would be run similar to what is on the drawing which would run between the two buildings with a fence around the tower and generator. They also had a discussion about the possibility of a new entrance which is shown very lightly on the drawing. He then presented a summary of the bid schedule regarding the project included in the packet. There is about 1-1/2 feet of top soil that will need to be removed.

Chairman Thompson: Questioned whether this top soil would be spread out on the property?

Monte: Stated it would be used on the property.

Turner: Questioned what would happen to all the trees on the property?

Monte: There is some tree removal included in the packet at the expense of \$10,000.00. There would have to be a decision as to how many trees will be removed.

Manos: Feels the Township Board should make the decision on the trees since it is the Township's property.

**Motion by Seifert, supported by Bryson to obtain bids for the parking lot project.**

Bynum: Wondered whether there was an allowance to expand the parking?

Manos: There would be space available on the Lakepointe side that could be used for additional parking in the future.

**Chairman Thompson restated the motion by Seifert, supported by Bryson to obtain bids for the parking lot project.**

**AYES: All**

**NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

**b) Committee Report on Park:**

Chairman Thompson: This was already covered earlier in the meeting.

**c) Master Plan for Park:**

Chairman Thompson: This was also covered earlier in the meeting.

**d) Flower Pots:**

Chairman Thompson: Stated they are probably looking at \$350 to \$400 to plant the pots at the Water Department, Fire Department, Township Hall, the planter at the Police sign and at the back.

Manos: Questioned how many pots in total that there were?

Chairman Thompson: Approximately 100. Some are smaller. The ones he is referring to are the large pots.

**Motion by Manos, supported by Bynum to expend up to \$400.00 for flowers to be planted in the large flower pots.**

Seifert: Questioned who would be doing the planting?

Chairman Thompson: Stated that his wife would be doing the planting.

DeBoyer: Questioned who would be responsible for watering the flowers?

Chairman Thompson: His wife will try and purchase drought resistant flowers. The Water Department and Fire Department water the pots at their locations.

**Chairman Thompson restated the motion by Manos, supported by Bynum to expend up to \$400.00 for flowers to be planted in the large flower pots.**

**AYES: All**

**NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

Bryson: Questioned what would be done with the old flower pots not being used?

Chairman Thompson: They are stored at the DPW yard right now.

Bryson: Suggested offering the flower pots to local businesses that might want to use them.

Chairman Thompson: Suggested to Bryson to make this a Chamber of Commerce project. He could ask everyone if they want pots and then get him a list, he will drop them off. However, they need to be aware that this would just be for the pots and that the businesses would be responsible for planting and maintaining the flowers.

**8. NEW BUSINESS:**

**a) Node Landscaping:**

DeBoyer: Questioned whether they were thinking about all three locations?

Chairman Thompson: Yes.

DeBoyer: Stated she has looked at all three locations and feels that they would need to go with plants that are drought resistant because no one will be watering them in July and August. She has been looking at plants and shrubs that will be drought resistant and add some color to the landscaping. Also, these shrubs and bushes will need to be of the miniature variety so that they will not need to be trimmed or cut back. She also suggested planting some bulbs in the fall that would bloom in the spring. All three of these locations would also need to be re-mulched. We will also need to be careful that what we plant, for example, at the Pearl Beach Lions Club, needs to be strong enough to withhold heavy amounts of snow due to the plowing of snow in the winter in those areas. She estimated a cost of approximately \$400.00 for everything.

**Motion by Seifert, supported by Bryson to authorize Dorothy DeBoyer to expend up to \$600.00 for the node landscaping project.**

**AYES: All**

**NAYS: None**

**ABSENT: Vice-Chairman Wagner, Horeftis, Little, Johnson**

**MOTION CARRIED.**

Chairman Thompson: Advised Ms. DeBoyer to contact any of them if she needed any help. Also, if she finds that these nodes will need to be watered, they could contract out for that service.

**b) 2008-2009 Budget:**

A discussion amongst Board members and Treasurer Turner occurred regarding the 2008-2009 Budget. Treasurer Turner will have final numbers for the next meeting.

**9. BOARD MEMBER COMMENTS:**

Turner: Questioned when the next Park Committee meeting would be scheduled?

Chairman Thompson: Scheduled next Park Committee meeting for Tuesday, May 20, 2008 at 7:00 p.m.

Bryson: Stated that he has received a good response to the Shop and Dine Local campaign. There will be approximately 20 more signs going up in the next week.

**10. PUBLIC COMMENTS:**

DeBoyer: Questioned the status of the sidewalk at Wright Drive and whether it will be repaired soon?

Chairman Thompson: Believes the Water Department tore it up to fix a leak.

DeBoyer: Stated it actually was a sewer repair.

Chairman Thompson: Questioned who had torn the sidewalk up?

DeBoyer: Believes it was Clay Township.

Chairman Thompson: Suggested that Clay Township repair same. He will contact the Water Department to get more information. He assumed that the Water Department would either repair same or get someone to repair same. Stated that they are also working on a bid for stop signs on the sidewalk path for some of the intersections.

Seifert: Questioned whether anything is being done about possible waiting pads or shelters at the new bus stops?

Chairman Thompson: There are bus stop signs up.

Seifert: Stated that if they were going to do something at the bus stops, it would be a good idea to do it in conjunction with the sidewalk.

