

**MINUTES OF THE CLAY TOWNSHIP DOWNTOWN DEVELOPMENT  
AUTHORITY REGULAR MEETING HELD ON TUESDAY, JUNE 10, 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 7:30 p.m.**

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

**PRESENT:** Thomas Bynum, William Seifert, Ann Horeftis, Robert Johnson, Artie Bryson, Vice-Chairman Richard Wagner, Chairman Mark Thompson.

**ABSENT AND EXCUSED:** Joseph Little, Jon Manos

A quorum was established.

**ALSO PRESENT:** John Monte, Project Control Engineering; Connie Turner, Treasurer; Dorothy DeBoyer, Deputy Clerk; David W. Gassen and Jim Eppink from Partners In Architecture, PLC

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

Chairman Thompson: Requested the following amendments to the Agenda:

Under Bills Payable, add Gannett Michigan Newspapers for \$346.40 and under 8(C) add the ditch cleaning bids.

**Motion by Wagner, supported by Bynum to approve the Agenda with the amendments submitted by Chairman Thompson.**

**AYES: All                    NAYS: None                    ABSENT: Little; Manos**

**MOTION CARRIED.**

**3. APPROVAL OF MINUTES OF MAY 13, 2008:**

**Motion by Seifert, supported by Johnson to approve the Minutes of May 13, 2008 as presented.**

**AYES: All                    NAYS: None                    ABSENT: Little; Manos**

**MOTION CARRIED.**

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

**Motion by Vice-Chairman Wagner, supported by Bynum to approve the Treasurer's Report for May 2008 as submitted.**

**AYES: All                    NAYS: None                    ABSENT: Little; Manos**

**MOTION CARRIED.**

**5. BILLS PAYABLE:**

Christine Holcomb	\$ 56.25
Greater Algonac Chamber of Commerce	150.00
St. Clair County Road Commission	<u>5,967.10</u>
TOTAL	\$6,173.35

**Motion by Seifert, supported by Johnson to approve Bills Payable as submitted.**

**AYES: All                    NAYS: None                    ABSENT: Little; Manos**

**MOTION CARRIED.**

**6. COMMUNICATIONS:**

Chairman Thompson: Stated there were a few publications available at the meeting if anyone wanted to read them.

**7. OLD BUSINESS:**

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

Monte: Phase IV construction plans are complete. They were authorized to proceed with securing the easements necessary along the length of the sidewalk. They have developed all the easement documents for this and have ordered title work. They just received the title work within the last two days for the site so that they can now turn it over to the easement acquisition company for them to contact the property owners. He directly made contact with Mr. Paulus and he was very cooperative and feels that they will be able to reach an agreement with him. They will need to add some catch basins in to drain some of the areas on his property, which was one of our major concerns for the sidewalk in that area. The only possible stumbling block may be that Mr. Paulus didn't feel the initial easement offer was suitable and Mr. Paulus was going to check into the value of his property. They just forwarded Mr. Paulus all the revised drawings based on what he requested be done and are

awaiting his response. He has also spoken to the Road Commission and they will be ready to move as soon as Mr. Paulus signs the easement. Both Project Control Engineering and Real Property Acquisitions have made several telephone calls to the DNR regarding the easements.

Artie Bryson arrived at 7:38 p.m.

He then presented a package, including photographs, on possible repairs and ADA ramps at the Galley Bar property. He feels that there are enough funds to make the repairs. This will all be added to the sidewalk project when it takes place.

They have researched possible stop signs on the sidewalks at intersections and have been informed by MDOT that they will not allow the placement of these signs in their right-of-way.

Johnson: Questioned whether these signs would really be necessary? He feels that people should know when the sidewalk meets the road, you should stop. They would be nice to have, but if we didn't, he questioned whether it would be that critical?

Chairman Thompson: It was just something that we were asked to do. A few business have commented that children were not stopping while bike riding on the sidewalk.

Monte: Joe Rockwood is still working on the design of the pedestrian bridge. They did address the issue of the placement of the seawall and how that was going to be done. It will probably be a while before the bridge will go in. We will need to wait for all the appropriate permits and then submit it to the Drain Commission, as well.

**b & c) Committee Report/Master Plan for Park:**

Chairman Thompson: The gentlemen from Partners In Architecture are with us this evening and welcomed them to make their presentation.

David Gassen presented the DDA members with a Site Plan of the proposed park along with estimates of construction costs. He stated that the proposed park has been developed with a hub concept and would include a tot lot, playground area, skating surface, water park, basketball courts, storage/maintenance building, walking path with lighting, benches, restrooms/concession stand, picnic areas, barbeque pits, pavilions, open areas, parking area, and a possible memorial plaza. Photographs of possible equipment and sample areas were also presented. The water park is themed as a spray park and not a pool, but a pool is also a possibility. The budget they presented for the park is for a certain level of park comparable to the Marysville park. The skating surface is set up for dry roll in the summer and ice in the winter. This would allow for multi uses of that area so that it would not be stagnant in different seasons. The basketball courts are set up with a tennis overlay so that this could also be multi-functional. They suggest doing mini-sized courts and a long size court so there could be multiple games at one time. The tot lot is geared for children age 2 to 5. The playground is geared toward children ages 5 to 12. The center area contains the pavilions which could be used for several things: music in the park, theater, stage platform, farmer's market, and shelter. There was also a suggestion from the Park Committee, if funding was available, to do some type of an enclosed sustainable building, which he feels would be a fantastic idea since you're emphasizing an outdoor nature center. He feels that they could really capture that in one of the pavilions. They have left the perimeter of the park pretty open. The point of that is there are several mature trees located there, which also creates a bigger image of green with the openness of the outside. This also provides adequate separation from the activity areas.

Seifert: Questioned concerns over treated lumber?

Chairman Thompson: Stated that the lumber companies have resolved the issue. Wolmanized lumber had contained arsenic in it and they have eliminated same, so it is no longer a problem.

Jim Eppink: The existing building on the property has set itself up well. They have allowed for two walkways, which from a circulation point of view will work out much better. It will give people a lot more opportunities in traversing areas.

Bryson: Questioned whether the buildings in the center would be pavilions?

Chairman Thompson: They are presently designed to be open pavilions/picnic areas. Mr. Pellerito is attempting to capture funding for a nature-type center in this area from Waterfowl Alliance or through Candice Miller. We couldn't attempt anything until we had a Master Plan completed. Now that we've got the Master Plan, Mr. Pellerito can attempt to go after both of them for funding. One of these was directed toward an open air/pavilion type nature center and the other was for an enclosed building nature center. The advantage of an enclosed building would provide the Township with an auxiliary building for several uses.

Bryson: Questioned the size of the pavilions?

Gassen: These are roughly 3,200 square feet in total under roof and approximately 30 x 60 on each side.

Seifert: Questioned the future possible access to Pte. Tremble Road from the parking lots and whether this is necessary?

Gassen: It is not necessary and was only included as a possible idea for the park. As a follow up to the available grant funding, he believes there is also grant money available through the State until the end of 2009. This funding is for \$250,000.00 towards the cost of park equipment. He believes there is approximately \$3 million left in that fund.

Chairman Thompson: With the Master Plan we can also go to the St. Clair County Foundation, St. Clair County Parks and Recreation for funding.

Bynum: Believed there were also \$500,000.00 grants available through Congress if we had a building that was self-sustaining through solar power or a “green” building.

Chairman Thompson: Stated that they had requested the project be set up in phases as noted at the bottom of the proposed Site Plan. Phase I would include the parking lot. The Township would like to renovate the existing building to restrooms and a concession stand as soon as possible. The Park Committee also felt that getting in the pathway with lighting would be nice to get in right away so that people could start utilizing the property. Also included would be signage, landscaping and some park equipment. They have also presented a budget for the different phases.

Gassen: Stated that he tried to separate them into categories.

Johnson: Suggested security cameras that would be tied into the dispatch desk of the police department. This would insure that someone would always be watching the park.

Chairman Thompson: Questioned Mr. Gassen at what the next step with them would be?

Gassen: There are a couple more things that he would like to put together to finalize the Master Plan. What they have presented was just a beginning of what they can use to get to the end goal. He feels the easiest thing to do would be to take the existing structure, create into something that is useable immediately and put in the walk path. He also suggests keeping the current garage for storage until you get into Phase II.

Seifert: Questioned what the DDA’s contractual agreement with Partners In Architecture?

Chairman Thompson: The DDA has authorized them to expend up to \$2,500.00.

Seifert: Questioned who is going to prepare the construction documents?

Chairman Thompson: Stated that he assumed that would be the next step.

Gassen: Stated that is exactly what the next step would be. They would next proceed with refined drawings with more input from the Park Committee and DDA, and work out the exactness of what they are doing in terms of benches, lighting, etc. When the design is finalized, they would then go into a construction document phase.

Seifert: He feels that they should consider moving the park equipment into Phase II and initial construction into Phase I.

Chairman Thompson: Stated that what he feels they are referring to as park equipment are the benches and grills in Phase I in the park area.

Seifert: He feels it should be taken out of there and instead obtain the construction bids and put the equipment in Phase II. His thought is to expedite the construction so people can see that they are doing something. He feels they should get the construction done and then buy the equipment.

Horeftis: She feels just the opposite should be done and stated that they should get some things in there so people could see that they are doing something.

Thompson: He feels it all has to go in as a unit. We are already doing the parking lot. If we instruct them to go on with this, the existing building would then be renovated into restrooms and a concession stand completing one whole end of the park at one time. We can then start zeroing in on the rest of the park.

Gassen: Stated that he had shaded in what he feels cannot be done today. Everything else around that area including the bio swale which would lead out to the parking area could be done almost immediately. On the budgeting sheet, if they went down right to landscaping, the first four major headings, it would be a good first phase.

Bynum: Stated that essentially in Phase I, the west side of the park would be operational at that time.

Turner: The Township had amended their new budget to allow \$25,000.00 for the purchase of picnic tables and benches.

Vice-Chairman Wagner: Questioned the timeline for the three phases? What are you thinking about in terms of the phases, in terms of projected completion of this project?

Gassen: Ideally, three years unless you obtain a grant and come move forward with the phases quicker.

Monte: Stated that in adding up the figures, he comes up with approximately \$313,000.00 as a total project cost, including the engineering and contingencies and allowing \$30,000.00 out of \$80,000.00 for the landscaping. The approximate cost for the design fees at this point are \$22,500.00. If you authorize them to proceed, at this point, at least to the point that it would go out for bids, that is what you would be obligating to to get the plan finalized. If you’re trying to obtain grants, it might be a

good idea for Mr. Gassen to meet with Mr. Pellerito or whoever else and find out what type of building they are targeting for the nature center grants. It might be a good idea to get some type of conceptual elevations use to be used as a package with the Master Plan to show what is being proposed for the building so it could be added to a grant application.

Bynum: Questioned whether or not they could have a sign placed on the site to show the proposed plan and the phases?

Gassen: Stated that was a great idea.

Johnson: Suggested putting the sign by the road so people could visually see it.

Chairman Thompson: Questioned the Board as to whether or not they wanted to continue on with the project?

Horeftis: I'm all for it.

Johnson: Definitely.

Chairman Thompson: Stated that Mr. Monte's suggestion was that the DDA should authorize the expenditure of approximately \$20,000.00 to \$25,000.00 to allow Partners In Architecture to prepare a better Site Plan for us and zero in on where we want to go with this project.

Gassen: With that amount would be also able to create the image of the pavilions and the nature center.

Seifert: Questioned whether it would include any construction?

Gassen: It would include construction. It would be through the Phase I construction documents.

Vice-Chairman Wagner: Requested Mr. Gassen detail what the DDA would get if they authorized proceeding with the project with expenditures not to exceed \$25,000.00?

Gassen: The first thing they would do is take the information they received from tonight's meeting, meet with administration, get particulars on what the need is to get the grants for the sustainable building, go through their scheduling and determine how they could get this ready to go to bid, get any particulars on the bidding requirements. They would then start their schematic phase which is generally meeting with the user group, the Park Committee, and detail what is wanted in the design.

They would then go through a development phase, meeting with the DDA again, review the schematics and if they're approved, they would then go to the development stage which is taking it to a higher level of detail. At that point, it would be the last time that they would meet because at that point they should have all the input and answers. They would then go into a very detailed specification drawing process that puts things together in terms of amounts, quality, and the bid process. After they receive the bids, they would bring it back to the DDA and discuss the quality of the bids and make a recommendation as to the bid award. Through the course of the construction, they would visit the site, look at the progress and insure everything is consistent with the contract and that the contractors adheres to same. When he is done, they do the closeout and basically any kind of transfer of information or as-builts or warranty documentation are compiled, assure you that it is all correct and complete, issue it to the DDA and that would be the close of Phase I.

Seifert: Questioned who would be their point of contact for direction?

Chairman Thompson: It would be the Park Committee, which includes members of DDA, the Township Board, and members of the community at large.

**Motion by Vice-Chairman Wagner, supported by Horeftis to authorize an expenditure not to exceed \$25,000.00 to proceed with Phase I of the Clay Township Park as detailed by Partners In Architecture, Inc.**

Seifert: Requested that Partners In Architecture provide DDA with everything that has been agreed to here tonight.

Chairman Thompson: Stated that Mr. Gassen is going to do so and submit it to the DDA. He also stated the he would like to see a couple of 4 x 8 of the proposed Park so they may be mounted on both sides that would be available at the Township for the community to view.

Tuner: Questioned what the memorial plaza on the Site Plan was?

Gassen: It was an area that they allowed for to possibly create a memorial garden, sculpture, brick program dedicated to a group in the area.

Eppink: Suggested that if it was going to be a memorial plaza, the Board may want to decide on a certain area away from the pavilions and park to give it its own special location. They would work with the Board on where they would want it located and how that special space may be used.

**R/C VOTE:**

**AYES: Johnson, Vice-Chairman Wagner, Bryson, Seifert, Horeftis, Bynum, Chairman Thompson**

**NAYS: None**

**ABSENT: Little; Manos.**

**MOTION CARRIED.**

**d) Parking Lot Bids:**

Monte: Presented a breakdown of the bids they had just received this date. They received 8 bids. Stated that Raymond Excavating has submitted a letter requesting to withdraw their bid as they made a mistake in their pricing by square feet versus square yards. If he made the adjustment to his pricing, he probably would have been second in bidding. In his opinion, there is no point in forcing someone to into a contract when they have admitted a mistake right off the start.

Seifert: Questioned whether Raymond Excavating would be second if they made the adjustment to their bid, and questioned whether they would be agreeable to resubmitting their bid rather than withdrawing same?

Monte: Stated that Raymond Excavating would be second. Stated that they could ask Raymond Excavating to correct the error but it would be up to them if they wanted to revise their bid. Boddy Construction would be next, followed by Carrigan Development.

Horeftis: Questioned whether Italia Cement that did the last phase of the sidewalks that everyone was please with weren't interested in the bid?

Monte: They are strictly a concrete contractor versus asphalt with a little bit of concrete and storm drainage and earth work. He feels that the bids are very competitive.

Bryson: Questioned what the estimated cost was?

Monte: \$140,000.00 for construction costs. We eliminated approximately \$35,000.00 to \$40,000.00 worth of work for the tree removal that Jon DeBoyer is going to do and the landscaping which we were asked to do. These would be things that could be added later, if necessary.

Bryson: Questioned where the companies were located? He feels that since this is going to be a fairly high visible project and if we get someone who doesn't do a very good job, it will look bad for the DDA and the Township. He knows Cortis Brothers firsthand. They are from our community, they support our community, and all their employees are from our area. Every dollar we spend with them would be spent seven times more in our community and we should support local community business in our area.

Chairman Thompson: The only local company he is familiar with is Cortis Brothers. Boddy Construction and Raymond Excavating are from Marysville.

Monte: He believes Carrigan Development and Boddy Construction are from Marysville.

Bynum: Questioned whether the DDA had any previous experience with Cortis Brothers?

Chairman Thompson: Stated that Cortis Brothers did the cement work at the Fire Hall for the DDA. They are definitely a local company.

**Motion by Bynum, supported by Horeftis to accept the bid of Cortis Brothers Trucking Company for \$87,500.50 for the parking lot project.**

Vice-Chairman Wagner: Questioned whether Mr. Monte had any background information on the companies that have submitted bids?

Monte: He has dealt with Raymond Excavating, Boddy Construction, Carrigan Development, Cortis Brothers, James P. Contracting, and ABC Paving in the past, and he wouldn't hesitate to recommend Raymond Excavating, Carrigan Development, Cortis Brothers, James P. Contracting since he has dealt with all of them.

**R/C VOTE:**

**AYES: Bynum, Johnson, Bryson, Horeftis, Vice-Chairman Wagner, Chairman Thompson**

**NAYS: Seifert**

**ABSENT: Little; Manos**

**MOTION CARRIED.**

Chairman Thompson requested Mr. Monte to contact Cortis Brothers and notify them of the award of the project.

Monte: They will prepare the notice of the award for Chairman Thompson's signature and request Cortis Brothers to secure the bond and insurance necessary.

**8. NEW BUSINESS:**

**A. 2008-2009 Budget:**

A discussion occurred regarding the proposed 2008-2009 budget. Amendments were suggested to include transferring \$21,000.00 from the fund balance to balance revenues, creating a separate line item for the park at \$315,000.00, increasing the funds for the sidewalk project to \$325,000.00 (which includes the easement acquisitions and the bridge), adjusting funds for projects/capital improvements to \$10,000.00, and increasing planning/fees/engineering to \$60,000.00.

**Motion by Seifert, supported by Vice-Chairman Wagner to approve the 2008-2009 Downtown Development Authority Budget with the amendments discussed.**

**R/C VOTE:**

**AYES: Seifert, Bryson, Vice-Chairman Wagner, Horeftis, Bynum, Johnson, Chairman Thompson**

**ABSENT: Little; Manos**

**MOTION CARRIED**

**B. Ditching from 6060 M-29 to St. John Marsh:**

Chairman Thompson: The County has given us a bid of \$14,350.00 for the ditch from Mr. Paulus's property to the DNR parking lot.

**Motion by Horeftis, supported by Johnson to approve the ditching from 6060 M-29 to St. John Marsh in the amount of \$14,350.00.**

**R/C VOTE:**

**AYES: Bryson, Seifert, Horeftis, Bynum, Johnson, Vice-Chairman Wagner, Chairman Thompson**

**ABSENT: Little; Manos**

**MOTION CARRIED.**

**C. Ditch Cleaning Bids:**

Chairman Thompson: He re-bid this project due to the additional ditches that have been closed in within the last year. Bids were received from Precision Care, LLC, TMG Services, Mowing Madness Lawn Care, LLC.

Vice-Chairman Wagner: Questioned whether all of these companies were MDOT qualified to work in the right-of-way?

Chairman Thompson: Stated that they all were MDOT qualified.

**Motion by Seifert, supported by Bryson to accept the bid of Mowing Madness Lawn Care, LLC at the rate of \$400.00 per cut for ditch maintenance.**

**AYES: All                      NAYS: None                      ABSENT: Little; Manos**

**MOTION CARRIED.**

**9. BOARD MEMBER COMMENTS:**

Bryson: Apologized for being late as Johnny Lega's clock was one-half hour slow.

Chairman Thompson: The Chamber has gotten the Shop and Dine Local signs out all over the district.

Bryson: Stated that he has received a lot of good feedback from the Shop & Dine Local signs.

**10. PUBLIC COMMENTS:**

DeBoyer: Wanted the Board to know that someone who had once told her they felt the sidewalk was a ridiculous waste of money, told her this week that they wanted to take their words back since they walk the sidewalk all the time and felt it was great. She wanted the DDA to know that the sidewalk is being appreciated.

Chairperson Thompson: Wanted everyone to know that the Water Department is putting the concrete in at the sections that they tore out.

Bryson: Mentioned the large amount of standing water at the Marathon station.

**11. ADJOURNMENT:**

**Motion by Horeftis, supported by Bynum to adjourn the meeting at 9:02 p.m.**

**AYES: All                      NAYS: None**

**ABSENT: Little; Manos**

**MOTION CARRIED.**

Respectfully submitted,

Christine J. Holcomb  
Recording Secretary