

**MINUTES OF THE CLAY TOWNSHIP DOWNTOWN DEVELOPMENT AUTHORITY  
MEETING HELD ON TUESDAY AUGUST 11, 2009 IN THE CLAY TOWNSHIP  
MEETING HALL, 4710 POINTE TREMBLE ROAD, CLAY TOWNSHIP, MI**

Chairman Mark Thompson called the meeting to order at 7:30 p.m.

**1. ROLL CALL/ESTABLISH QUORUM**

PRESENT: Joseph Little, Robert Johnson, Richard Wagner, Jr., Jay DeBoyer, Supervisor,  
William Seifert, Ann Horeftis, Mark Thompson, Chairperson

ABSENT: Thomas Bynum, Artie Bryson

A quorum was established

Also present: Connie Turner, Township Treasurer, Jeff Horner, Project Control Engineering, Inc.  
and Dave Gassen, Partners in Architecture.

**2. APPROVAL OF AGENDA/AMENDMENTS**

Chairperson Thompson: Under Bills payable add, West Shore for \$1, 044.00; payment to Cortis  
Brothers for \$54,945.00, for a total of our Bills Payable of \$136,577.67. Also under New  
Business, #2, Mr. Seifert would like to add looking at decreasing the speed limit around the park.

**Motion** by Wagner, supported by DeBoyer, to approve the Agenda as amended

AYES: All

NAYES: None

**MOTION CARRIED**

**3. APPROVAL OF MINUTES OF JULY 14, 2009**

**Motion** by Seifert, supported by DeBoyer, to approve the minutes of July 14, 2009 as presented

AYES: All

NAYES: None

**MOTION CARRIED**

**4. TREASURER'S REPORT JULY 2009**

**Motion** by Horeftis, supported by Seifert, to accept and file the Treasurer's Report for July 2009.

AYES: All

NAYES: None

**MOTION CARRIED**

**5. BILLS PAYABLE**

Christine Holcomb	\$ 45.00
Dorothy DeBoyer-Plants/Shrubs & Mulch for Taft/Ainsworth Node	318.36
Mowing Madness	665.00
Project Control Engineering Phase IV Sidewalk	925.00
Project Control Engineering Pedestrian Bridge	2,380.00
J & R Engineering, P.E., Payment No. 1 –Pedestrian Bridge	76,255.31
West Shore	1,044.00
Cortis Brothers	<u>54,945.00</u>
TOTAL	\$136,577.67

Wagner: Is this the second cut by Mowing Madness I was called about?

Thompson: Yes

## **DOWNTOWN DEVELOPMENT AUTHORITY MINUTES OF AUGUST 11, 2009**

### **Page 2**

**Motion** by DeBoyer, supported by Johnson, to pay the bills in the amount of \$135,577.67

ROLL CALL VOTE

AYES: Horeftis, Seifert, DeBoyer, Wagner, Johnson, Little, Thompson

NAYES: None

ABSENT: Bynum, Bryson

**MOTION CARRIED**

### **6. COMMUNICATIONS**

Thompson: Items received, International Council of Shopping Centers, Downtown Promotion Reporter, Downtown Idea Exchange, The ICSC Retail Green, and the SGT Shopping Centers Today.

### **7. OLD BUSINESS**

#### **a) Sidewalk Phase IV**

Thompson: Jeff Horner has given us a copy of a letter from the DNR

Horner: Finally pressure from Supervisor and State representatives got this off center. Letter states he finds no issue with us constructing the sidewalk and therefore is recommending it. But it might require Corp of Engineers and DEQ permits. Has to be inspected for wetlands. Looks like good news.

Discussion by Authority members and Horner concerning procedures that may have to be followed.

**Motion** by Wagner, supported by Johnson, to authorize Project Control Engineering for the expenditures as indicated on the August 11, 2009 correspondence to the DEA with the price not exceeding \$6,900.00 for the items listed therein. Also, direct PCE ascertain the amount of the easement fee that would be necessary to be paid to the Michigan Department of Natural Resources in the event the permits are approved.

AYES: All

NAYES: None

**MOTION CARRIED**

#### **7. b) Bridge Update**

Horner: Updated the bridge installation over the Pearl Beach drain and the sidewalk extension. Some flags need to be replaced, restoration should be done by end of week.

Discussion by Authority members and Horner on sidewalk repairs and bridge

Thompson: Questioned the dirt on the northwest corner of bridge and possible riprap to keep from going into the canal. .

Horner: They will fill and seed

Thompson: Also the northeast corner, there is a six-inch gap in the seawall

Horner: Should have been attached, will talk to Joe Rockwood about that.

DeBoyer: Did get a complaint about something being knocked in to the water.

Horner: When I was there they were pulling things out of the water.

Little: What was the total amount of the bridge project originally?

Horner: Was about \$98,000.00

Little: Bid on it for \$88, 276.00 in April, how did we get another \$10,000.00?

Thompson: The last one \$92,000.00

Horner: It was for the seawall repair.

## **DOWNTOWN DEVELOPMENT AUTHORITY MINUTES – AUGUST 11, 2009**

### **Page 3**

Little: The total on the bridge?

Wagner: \$92,000.00

Thompson: A little over that because have some concrete to repair.

Horner: There is \$8,000.00 in contingency, only going to use what is needed to replace sidewalk flags

Little: Can I get that figure at the next meeting?

Thompson: Yes

### **7. c) Report on Park**

Dave Gassen: Reviewed packet that was submitted. Do not have a published schedule, just a verbal right now. Equipment should arrive tomorrow; Monday the underground drain will follow that after the things are in place. Completion of installation in about two weeks. Have talked about some screening by the volleyball court.

Little: The grading we see now is just rough grading?

Gassen: Yes, quite a bit of underground to do. Described finish details.

Little: Tying drain into French drain type?

Gassen: You have mechanical drains that the park is being tied into.

Thompson: Any indications on grant?

Gassen: No

### **7. d) Downtown Idea Exchange Renewal**

Thompson: Not due until November, will bring back next meeting

### **7. e) Pumping Bill - \$1,571.95**

Thompson: Supervisor talked to Township Board. Felt it would be setting a precedent that anyone else in the Township who has a water problem could come to the Board and say, “pump it”. I’m looking for a motion to pay this out of our budget. Then for guidance from this Board, if there is a problem in the DDA district do we take care of it? The Dentist office was closed for five days before we pumped it, Jay and I talked and said had to do something.

DeBoyer: Two businesses that were flooded were in the DDA district and we were trying to benefit them. I have people calling me all the time about water on their property.

Wagner: Who caused it? The whole point is the natural flow was altered by the work we did and initially was working until it was modified by the State and County. Don’t see the concern about setting a precedent. The Township took an active role to change the circumstance. With the instance on Stone Road, what did the Township do that ended up causing his flooding?

DeBoyer: You can break it down further, when Clay Commons was built; there was a natural waterway that flowed through there that really wasn’t addressed properly. It has now been addressed properly by all of us. The Drain Commission has put a drain in next to the Commons. Have not had rain like we had this spring; ground water levels have not been what they are now. When you combine everything, that is why we are where we are.

Thompson: Can go back to when it was all filled in. There was a natural ditch that was filled in.

DeBoyer: The Water Department is not a DPW. It is solely funded by the sale of water, doesn’t take a single tax dollar. They do the work at our request and now they are the ones without the money. That is very unfair.

Wagner: Already split the money to fix the problem

**DOWNTOWNDEVELOPMENT AUTHORITY MINUTES OF AUGUST 11, 2009**

**Page 4**

Thompson: Would like a motion to pay it. Then guidance from this Board, if there is a problem again do we take care of it?

Wagner: We have established that precedent, if a problem with somebody getting flooded from the sidewalk we take care of it. We have picked up our obligation every time. Problem I have is when we did it the first time it was fine, it was the people that interfered that caused the problem.

Thompson: You're saying we should go back at the County?

Wagner: Think we should

Horeftis: With all the rain we've had last 3 or 4 days our parking lot is bone dry.

DeBoyer: Ultimately here is where it lies; we're going to have to pursue it at the Drain Commission, road drainage is not there to drain property, it there to maintain roads. The water that is getting dumped out there is coming from property. That is a Drain Commission issue.

Little: In the meantime our Water Department is out the money.

**Motion** by Wagner, supported by Johnson, to approve the invoice as submitted by the Water Department

Thompson: Will talk to the County tomorrow and see if they will help us out.

AYES: All

NAYES: None

**MOTION CARRIED**

Horner: Could we go back to item 7a)? Jay and I talked about the sidewalk out front of the Township Hall, presented some alternates to what the contractor originally presented.

DeBoyer: Sometimes you look at blueprints and they look good and then you stand there conceptually and look at three dimension it doesn't look as good. The original plan really comes into the front yard of the Township Hall cutting it in half. Discussed the roundabout option; I like it because it gives a little character, can do a little planting, pulls away from the root structure of the ash trees out there. Like to try to preserve those trees. As to replacements, will come to DDA and say, "What do you think?".

Thompson: Is this in phase IV?

Horner: Yes, with alternate #2 there is 289 sq feet more concrete.

Horeftis: Like alternate #2 because it keeps with the meandering theme of the park

**Motion** by Horeftis, supported by Seifert, to go with alternate #2 for the sidewalk in front of the Township Hall

AYES: All

NAYES: None

**MOTION CARRIED**

DeBoyer: At the corner of the building between the Police and Township Hall it's just a curved sidewalk there. Talked to Cortis, they will take it out and put in a ramp with no charge. I have tripped there at least five times.

Thompson: In phase IV we're doing the ramps, etc. at the Galley?

Horner: Yes, Monday or Tuesday meeting with the contractor, will call you Mark. Last thing waiting for is a MDOT permit.

**8. NEW BUSINESS**

**1. Facade Program**

Thompson: We will move this to the next meeting

## **DOWNTOWN DEVELOPMENT AUTHORITY MINUTES – AUGUST 11, 2009**

### **Page 5**

#### **2. Speed limit around the Park**

Seifert: With the new park and all the kids think we should approach the County for speed bumps around the park

DeBoyer: Side roads are 25 mph and Taft Road is 35 mph. Are you thinking 15 mph?

Seifert: I'm thinking M-29, 25 mph.

Wagner: Tried when we were trying to get a traffic light at Ainsworth and they said flat out, no chance.

DeBoyer: Can request a speed study, if it is found that greater than 75% of cars are driving faster than the posted limit may increase speed limit. Will call the County Road Commission.

Johnson: What about just a sign?

Horeftis: There is already a pedestrian sign there.

#### **9. BOARD MEMBER COMMENTS**

Turner: With the Playground equipment coming in, where are the parents going to sit while the kids play?

DeBoyer: Are treating the trees and going to decide what trees have to be cut down tomorrow

Horeftis: The Toddler portion is on the Taft Road side?

Thompson: All the playgrounds are on the Taft Road side.

DeBoyer: One issue David and I talked about is the volleyball court; it is on an angle, if we have any event and you get guys of any caliber and they spike a volleyball it will go on M-29. Talked about doing a landscape screen to prevent that.

#### **10. PUBLIC COMMENTS**

None

#### **11. ADJOURNMENT**

**Motion** by DeBoyer, supported by Johnson to adjourn the meeting at 8:18 p.m.

AYES: All

NAYES: None

**MOTION CARRIED**

Dorothy DeBoyer  
Deputy Clerk