

**CHARTER TOWNSHIP OF BANGOR
DOWNTOWN DEVELOPMENT AUTHORITY
MINUTES**

The regular November meeting of the Charter Township of Bangor Downtown Development Authority was held on November 5, 2012, commencing at 7:30 A.M., prevailing time at the offices of the Township pursuant to notice.

Present: B. Behmlander, K. Lange, D. Leitermann, L. Newton, J. Rivet (at 7:40 AM), M. Rowley (at 7:50 AM), T. Thelen, T. Watson (at 8:10 AM) and D. Zube

Absent: None

Also present: W. Darbee

The Chairman called the meeting to order at 7:32 A.M. after determining that a quorum was present by roll call of the Chairman.

The Chairman then asked if there was any person in attendance who wanted to address the Board. The Chairman noted that no one made a request and so he moved onto the next order of business.

The Chairman requested acceptance of the August 6, 2012 regular meeting minutes. Mr. Zube moved that the minutes of the August 6, 2012 regular meeting minutes be accepted as circulated with the agenda. Ms. Behmlander seconded the motion. The Chairman called for questions on the motion and hearing none, the Chairman then called for discussion on the motion. The Chairman hearing no request for discussion on the motion, called for a vote on the motion. The motion passed six votes in favor, zero votes against to accept the minutes of August 6, 2012 as circulated with the agenda.

The Chairman asked the Treasurer to review the quarterly report. Ms. Leitermann noted that the Debt Retirement & Projects Fund will have a cash balance as of November 5, 2012 of \$1,030,976.18 after pre approved payments of \$4,664.86 which the Treasurer itemized. She then reported that the DDA Operating Fund will have a cash balance as of November 5, 2012 of \$2,916.12 after payment of the itemized statement of \$2,137.50. Mr. Zube moved to receive the Treasurer's report. Mr. Lange seconded the motion. The Chairman called for questions on the motion and hearing none, he then called for discussion on the motion. The Chairman hearing no request for discussion on the motion, called for a vote on the motion. The Motion passed six votes in favor, zero votes against to receive the report of the Treasurer.

Mr. Zube then moved to pay the current bill of \$2,137.50 as recited by the Treasurer. Mr. Lange seconded the motion. The Chairman called for questions on the motion and hearing none, he then called for discussion on the motion. The Chairman

hearing no request for discussion on the motion, called for a vote on the motion. The motion passed six votes in favor, zero votes against to pay the bills in the amount of \$2,137.50.

Mr. Rivet arrived at 7:40 AM.

The Treasurer explained the budget adjustments which would decrease Revenue in Delq. Personal & RE Proper Taxes from \$34,665.00 to \$3,541.00 (a net of \$31,124.00), increasing the expenses for Contingency from \$00.00 to \$2,255.00 (a net of \$2,255.00); increase Settlement Charge Backs on Tax Appeals from \$400.00 to \$1,400.00 (a net of \$1,000.00); and increase Contractual Services from \$00.00 to \$450.00 (a net of \$450.00) for a net change total of \$34,229.00. The offset would then increase the Revenue item from \$254,207.00 to \$288,436.00 (a net of \$34,229.00). Also, a decrease in budgeted Legal Fees of \$1,251.50 with a offset in the Fund Balance. Mr. Lange moved to authorize the above budget adjustments and recommend approval to the Township Board. Mr. Newton seconded the motion. The Chairman called for questions on the motion and hearing none, he then called for discussion on the motion. The Chairman hearing no request for discussion on the motion, called for a vote on the motion. The motion passed seven votes in favor, zero votes against.

The Chairman then asked Ms. Leitermann to review a proposed budget for 2013. She reviewed on a line by line basis which called for a total budget in the Debt Retirement/Projects of \$280,300 and for the DDA Operating fund of \$30,250 on a line by line basis. Mr. Rivet moved to adopt the budget as proposed by the Treasurer and recommend same for adoption by the Township Board. Mr. Thelen seconded the motion. The Chairman asked for questions on the motion and hearing none called for a vote on the motion. The motion passed seven votes in favor, zero votes against to adopt the proposed budget for 2013 and recommend same for adoption by the Township Board.

The Chairman noted that the meeting dates and times needed to be set for the year 2013. He noted that since the inception, that the first Mondays of the months of February, May, August and November have been the traditional dates commencing at 7:30 AM. Mr. Zube moved to again set the meetings for the first Monday in February, May, August and November for 2013 to commence at 7:30 AM at the meeting room of the Township Hall. Mr. Rivet supported the motion. The Chairman called for questions on the motion and hearing none, he then called for discussion on the motion. The Chairman hearing no request for discussion on the motion, called for a vote on the motion. The motion passed seven votes in favor and no votes against to set the 2013 meetings for the first Monday in February, May, August and November

commencing at 7:30 AM at the meeting room of the Township Hall.

The Chairman next noted is a report on the update on the expansion status of the DDA. He stated that details are still pending and so no update is being presented.

The Chairman stated he did not receive a monthly report from Bay Futures which he reported as unusual but did pass out the Bay Futures flyer for the last two publications. He also noted they were working on a new business locating in this area from out of state which his son is involved with.

The Chairman then hoped that Mr. Rowley would be in attendance to review the status of the electronic sign on Shrestha Drive at Wilder. In the absence of Mr. Rowley, the Chairman stated that there are issues with the sign and with the most recent billing.

Mr. Rowley arrived at 7:50 AM.

The Chairman then asked Mr. Rowley to review the current situation with the sign. Mr. Rowley noted that Mr. Watson and Ms. Leitermann have been very helpful in the last couple of months. He noted the electronics are not working properly on the sign. He stated as an aside that Eric Larsen had numerous bad luck issues since starting this project. He understands that someone will be on site to attempt to fix the sign on this date as it may just be unplugged wiring. He went through the most recent billing with both Eric and Mr. Loessel. A discussion followed on various issues, timing and redeeming some of the Letter of Credit to cover remaining issues, including how to program the sign. Ms. Behmlander stated that Daktronics is a manufacturer and will not be available to program the sign. She said that there are two sign companies in the area that likely would do training on the sign configuring. Mr. Lange after hearing the summation of the issues, moved to allow Mr. Rowley and Mr. Darbee to take what they deem to be appropriate action after discussions with the contractor, including, but not limited to, drawing upon the Letter of Credit. Mr. Rivet seconded the motion. The Chairman asked if there were any questions and hearing none called for a vote on the motion. The Chairman hearing no request for discussion on the motion, called for a vote on the motion. The motion passed eight votes in favor, zero votes against to allow Mr. Rowley and Mr. Darbee to take what they deem to be appropriate action before the Letter of Credit expires.

Mr. Watson arrived at 8:10.

The Chairman indicated that the Civic Arena Improvements and projects are complete.

The Chairman noted that the Streetscaping Committee has nothing further at this point.

The Chairman asked Mr. Rivet to discuss the situation with the possible Dutsky easement along State Street Road for a sidewalk. Mr. Rivet stated that he believes that there can be a solution if the DDA can create a visual barrier between Mr. Dutsky and Home Depot. After discussion, it was the consensus that Mr. Rivet should proceed with negotiations to put in a sidewalk. Mr. Lange moved to authorize Mr. Rivet, in his discretion, to spend up to a maximum of \$5,000 to secure an easement for a sidewalk across that land. Mr. Thelen seconded the motion. The Chairman called for questions on the motion and hearing none, he then called for discussion on the motion. The Chairman hearing no request for discussion on the motion, called for a vote on the motion. The motion passed nine votes in favor, zero votes against to allow Mr. Rivet to negotiate for an easement for a sidewalk across the land for up to an additional \$5,000 over the cost of the sidewalk.

It was suggested that a decorative wall or other beautification be placed on the East side of the entrance at Shrestha Drive at Wilder. The Chairman asked the Supervisor to contact Maday Construction to see what, if any, type of that beautification might be available for the area.

The Chairman stated that he and others had a meeting with the new owner of the Bay City Mall on some expenditures should a request be forthcoming. Ms. Behmlander noted that she has heard nothing further since the meeting.

The Chairman asked if the attorney had any report. The attorney provided no additional report.

The Chairman noted that Dr. Shrestha is willing to sell the remaining lots to the DDA in the Commercial Park at a distressed price as the DDA has worked with him in the past. Mr. Lange reviewed the history of how the S & S Subdivision was a priority of the DDA and how it was eventually constructed by Dr. Shrestha.

Mr. Rivet excused himself from the meeting at 8:25 AM.

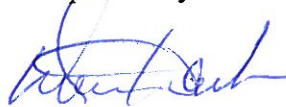
The Chairman noted that six lots are available for a fair price. The Chairman stated that he has received but has not reviewed in detail the appraisal from Commercial Equities. He further stated that he needs to analyze the appraisal and secure additional facts as to value should the DDA be interested in purchasing the lots. He stated he will not do the additional work unless the DDA is serious about making an offer for the land. Ms. Behmlander advised that a marketing plan needs to be

actively pursued should the DDA go forward with the purchase of the lands. Mr. Newton thought that it would be a good investment. He also advised the Board that he was previously interested in purchasing a couple of the lots in the past, but mostly on the west side of Shrestha Drive which backed up to his current property. At this time he is not currently pursuing a purchase, but cannot rule it out in the future. After further discussion, Mr. Watson moved to make an offer to purchase the land from Shrestha for a value to be recommended by the Chairman at a later meeting. Mr. Zube seconded the motion. The Chairman asked for comments. Mr. Watson suggested that the Chairman review whatever facts or information he feels is needed in order to make a reasonable offer for the land, and to take whatever time is needed including up to the next meeting if need be. When asked for further comments, Mr. Rowley advised that his sisters have an interest in the property located on the west side of Shrestha Drive. He also stated that Mr. Rivet had at the last meeting expressed his concern about owning the land and being in competition with that of the private interest. Mr. Thelen before he excused himself from the meeting stated that he was in favor of pursuing the purchase of the land and did state that he owns land in the vicinity and had recently purchased land outside of the DDA District on Shrestha Drive. The Chairman hearing no further request for comments or discussion on the motion, called for a vote on the motion. The motion passed six votes in favor, one vote (Mr. Rowley) against to allow the Chairman to do what he feels is necessary in order to suggest the amount of the offer for the lots. The Chairman noted that he would convene a special meeting should he have a recommendation of the price before the next meeting.

The Chairman asked for old business, and hearing none moved onto the next order of business which was new business.

The Chairman hearing no further business requested a motion to adjourn. It was moved by Mr. Rowley with a second of Mr. Zube to adjourn the meeting at 9:05 AM. The Chairman hearing no opposition to the motion declared the meeting adjourned at 9:05 AM.

Respectively submitted,



William H. Darbee
Recording Secretary