



CITY OF WALLED LAKE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, August 13, 2024

The Meeting was called to order at 4:00 p.m.

Pledge of Allegiance led by DDA Chairman Blair

ROLL CALL: Ackley, Amin, Blair, Lublin, Marshal, McDonald, Mechigan, Millen

ABSENT: Allen, Johnston

OTHERS PRESENT: Council Member Ambrose, Council Member Fernandes, Council Member Owsinek, Mayor Pro Tem Woods, Public Safety Deputy Director Shakinis, Deputy Fire Chief Gonzalez, DPW Superintendent Ladd, Finance Director Pesta, and City Clerk Stuart

There being a quorum present, the meeting was declared in session.

REQUESTS FOR AGENDA CHANGES: NONE

APPROVAL OF THE MINUTES:

1. Regular DDA Meeting of June 11, 2024

DDA 08-01-24 APPROVAL OF THE MINUTES FROM THE JUNE 11, 2024 MEETING

Motion by Lublin, supported by Millen: CARRIED UNANIMOUSLY: To approve the minutes from the June 11, 2024 meeting.

CORRESPONDENCE: None

AUDIENCE PARTICIPATION:

Mr. Daniel Stakhiv of Watermark Terrace LLC thanked the board for their time and opportunity to present today. Mr. Stakhiv explained their proposal will be high end rental units all with water views. Mr. Stakhiv explained he met with consultant City Planner Ortega in June. This site has been vacant for years. Mr. Stakhiv said they are pursuing the Commercial Planned Unit (CPD) route because it aligns with the city's urban design plan, DDA overlay district, and master plan. This development would improve the water runoff in this area and encourage the locals and new tenants to utilize the downtown. This is a different proposal than the prior one, this is not all

residential. Mr. Stakhiv said they are proposing a three-story building, with 7,600 square feet of commercial space, seventeen 1,000 square feet, two-bedroom, two bath units, with forty-seven parking spaces and an underground detention basin. Mr. Stakhiv said the data he has provided shows parking is sufficient with eight-seven parking spaces within a 300-foot radius noting that 50% would be on street parking.

DDA Board Member Amin stated the proposal does not meet the Commercial Planned Unit Development requirements. DDA Board Member Amin explained the size of the development pushes a very densely populated site with not even parking to meet ordinance requirements.

Mr. Stakhiv explained that is why he is coming before the City Council next week under the Commercial Planned Unit Development guidelines. Mr. Stakhiv explained the parking requirements will be addressed with on-site and off-street parking. Mr. Stakhiv explained prior proposals were only for residential and he is proposing commercial with residential floors above.

DDA Board Member Lublin explained the applicant has a process to follow and proper procedures must be followed.

City Manager Whitt explained the DDA Board will not be part of the approval process, the City Council is the deciding body. City Manager Whitt clarified the applicant has as an active land contract and assumed it is contingent upon the city approving the proposal. City Manager Whitt explained to Mr. Stakhiv that the city is preparing for and moving forward with a special assessment district downtown in the areas of the proposal.

Council Member Ambrose arrive 4:08 p.m.

City Manager Whitt explained to Mr. Stakhiv there were prior proposals for this site. City Manager Whitt said the City Council ultimately makes any decisions on a Commercial Planned Unit Developments (CPD) or Planned Unit Developments (PUD) not the DDA board.

DDA Board Member Lublin asked if the units will be rentals or sales.

Mr. Stakhiv explained the 17 units at 1,060 sq feet each will be premium rentals to select tenants.

DDA Board Member Lublin asked about parking.

Mr. Stakhiv explained the proposal has 47 parking spaces in the rear, with 77 total potential spaces that include on street parking on Walled Lake Drive.

**DDA 08-02-24 MOTION TO EXCUSE DDA BOARD MEMBER ALLEN AND
 JOHNSTON**

Motion by Lublin, supported by Millen: CARRIED UNANIMOUSLY: To excuse DDA Board Member Allen, and DDA Board Member Johnston.

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Presentation: Downtown Right-of-Way, Surveying Services (Boss Engineering)

Finance Director Pesta explained the goals and purposes of the DDA over the years. Mrs. Pesta said the DDA goals have always been walkability, sidewalks, and economic growth for the city. Mrs. Pesta explained the city received a Letter of Finding from the Department of Transportation regarding non-compliance with ADA requirements downtown. There was a complaint filed against the city and in response to the complaint an investigation was carried out by the Department of Transportation.

City Manager Whitt said the area downtown that was cited, is owned by the property owners and the city, each share in the sidewalks downtown. City Manager Whitt explained one of the reasons the city has not replaced certain sidewalks downtown is due to the fact they belong to the property owners. City Manager Whitt explained these sidewalks have gone unrepaired except for the areas where new businesses have been established and who are good corporate neighbors fixing their portions on their own. City Manager Whitt explained there are some areas of sidewalks that have issues underground. City Manager Whitt said the entire downtown needs to be looked at, the complaint of ADA noncompliance has been investigated by the Department of Transportation, the city was found to be non-compliant. City Manager Whitt explained the Department of Transportation will turn this over to the Department of Justice if the city does not act.

DDA Board Member Millen asked who the complaint was filed by.

City Manager Whitt opined the complaint was politically driven and was filed by Ninos Bakery.

DDA Board Member McDonald asked what the findings were.

Finance Director Pesta explained MDOT found gaps and breaks E. Walled Lake Drive; 15 parking spaces on street parking spaces but none were accessible, on the northeast corner of N. Pontiac Trail and E. Walled Lake Drive the cross-slope of sidewalk is 5.6%; there were no detectable warning at the northeast, northwest, southeast, and southwest corners of the intersection of N. Pontiac Trail and E. Walled Lake Drive; and the location of the pedestrian of the pushbuttons exceeds the permitted 10-inch maximum depth of obstruction.

City Manager Whitt said the city will provide copies of the Letter of Finding to the board members.

Finance Director Pesta explained over time, the city has engaged Boss Engineering for engineering services which includes the Mercer Beach improvements and city stormwater

improvements in the streets downtown. Mrs. Pesta explained the underground work was only partly started with the Mercer Beach project. The current proposal includes underground stormwater and sidewalks for downtown. Mrs. Pesta explained surveying began 3.5 years ago only in certain areas. Mrs. Pesta explained the request today is to have the entire downtown surveyed, from Northport to E. Walled Lake Drive. Mrs. Pesta said the provided Boss Engineering proposal, estimates the needed survey work to be \$20,000.

**DDA 08-03-24 MOTION OF APPROVAL TO RECEIVE AND FILE BOSS
ENGINEERING'S PROPOSAL FOR SURVEYING SERVICES
FOR DOWNTOWN RIGHT-OF-WAY BOUNDARIES
ESTIMATED TO BE \$20,000**

Motion by Lublin, supported by Millen: CARRIED UNANIMOUSLY: Approval to receive and file Boss Engineering's proposal for surveying services for downtown right-of-way boundaries.

City Manager Whitt said he is pleased the DDA is moving ahead, we need to get started as soon as possible. City Manager Whitt said the survey is absolutely required; the city does not have as-builts. City Manager Whitt explained the survey will bring us information starting at Northport to E. Walled Lake Drive. City Manager Whitt explained this whole project is about developing downtown and addressing the items in the Letter of Finding. City Manager Whitt explained the Special Assessment District (SAD) could possibly everyone who owns property downtown to be assessed. City Manager Whitt explained the survey will help determine what the cost will be, in any case the funds will not come from the general fund, but the collection from the SAD. City Manager Whitt explained over a period of time, the property owners will be assessed, the issuance of a bond will occur, the city will hold official statements, and then commit the money from the SAD to pay off the bonds.

DDA Board Member Lublin said it is important to note the scope of the project has yet to be determined.

DDA Board Member McDonald explained his property is not in the DDA district, will he be assessed. Mr. McDonald said he already spent \$50,000 on repairs to the front of his property in 2016.

City Manager Whitt explained the areas of improvements, is not a blanket coverage area, this is a debatable issue. City Manager Whitt explained those decisions cannot be made yet. The surveys needs to be done first and foremost.

DPW Superintendent Ladd explained the conditions at the beach with the large rains, washing the beach away. Mr. Ladd explained the erosion takes a only a day of heavy rain, bad wash outs do occur leaving areas up to a foot deep, cars can drive in and get stuck. Mr. Ladd explained when Boss Engineering did work on Mercer Beach, there were proactive measurements to stub

out from the manholes for future improvements. Mr. Ladd explained this was done intentionally to help address any future projects downtown and stormwater improvements.

EXECUTIVE & MANAGING DIRECTOR REPORT:

1. DDA District, Decker Developments

City Manager Whitt explained the Starbucks development at 14 Mile and Decker has not had anything occur yet, the city is ready to issue permits pending action from the developer.

City Manager Whitt said the development at 800 N Pontiac Trail, the new Taco Bell is moving forward quickly in construction.

2. Public Safety Activity Report

Public Safety Deputy Director Shakinas explained Code Enforcement is extremely busy with the tall grass season. Deputy Director Shakinas explained there are dumpster issues and lack of collection, in particular with the Tiki Bar downtown. Deputy Director Shakinas explained there have been conversations with the owners of the abandoned batting cages pursuing removal and clean-up of site.

DDA Chairman Blair asked about the abandoned building at 1237 E West Maple and if the city could condemn the building.

Deputy Director Shakinas explained the owner has left the state, the son is in state and has been trying to address the issues.

City Manager Whitt said he agrees the building is ugly and it is a blight issue but may not be on the table to condemn. City Manager Whitt explained another business that is not a good corporate neighbor is D&M Motors. They proposed an internet car sale business, they were approved for that use. City Manager Whitt explained the site is now a used car sale lot, they ignore the city requirements and ordinances continually. City Manager Whitt explained the city has gone to court to obtain compliance and there is a judgment against them now, the city has received a court order. City Manager Whitt explained D&M Motors is still unresponsive. City Manager Whitt said the city wishes for them to be successful, but this is becoming a public safety issue.

Deputy Director Shakinas explained that the request has been communicated to D&M motors to rectify the violations, yet nothing has transpired.

Deputy Fire Chief Gonzalez explained D&M Motors has too many cars in the lot there is no access for fire trucks, there were four fires on this site in the last four years, with three of them having access issues, due to cars parked everywhere.

3. Ladd Road Resurfacing Update

DPW Superintendent Ladd explained the Pontiac Trail resurfacing, is now projected for a September 3rd start date.

WARRANT REPORT:

1. June & July 2024

**DDA 08-04-24 APPROVAL TO RECEIVE AND FILE THE WARRANT FOR
JUNE & JULY 2024**

Motion by Lublin, supported by Mechigan: CARRIED UNANIMOUSLY: To receive and file the warrant for June & July 2024

Discussion

DDA Board Member Lublin asked what the refund was due to Erin Industries.

Finance Director Pesta explained the State Department of Treasury made changes to the Personal Property Exemptions requirements and amounts, the exemption was up to \$80,000 now it is up to \$180,000. Property owners are required to file exemption requests by a certain date. Finance Director Pesta explained this applicant did not file timely. Finance Director Pesta explained the applicant appealed again to the State Department of Treasury, and they were issued the requested refund from 2021 tax collections.

DDA BOARD MEMBER COMMENTS: NONE


ADJOURNMENT:

DDA 08-05-24 ADJOURNMENT

Motion by Millen, seconded by Amin: CARRIED UNANIMOUSLY: To adjourn the meeting at 5:25 P.M.



Jennifer A. Stuart
City Clerk *Approved 9/10/24*



Steve Blair
DDA Chairman