

**VAN BUREN CHARTER TOWNSHIP
DOWNTOWN DEVELOPMENT AUTHORITY**

“Regular Meeting”

Tuesday, January 23, 2024 at 3:00 p.m.

DDA Conference Room

Agenda

1. Call to Order, Introduction of new Board Director Jessica Thomas and Roll Call

ROLL CALL:

Chairperson Atchinson	_____	Director Laginess	_____
Vice Chair Bird	_____	Director Rochowiak	_____
Secretary Brown	_____	Director Thomas	_____
Director Baskin	_____	Director Willis	_____
Director Chappell	_____	Supervisor McNamara	_____
Director Delibera	_____	DDA Executive Director Coburn	_____

2. Approval of Agenda
3. Swearing in of Board Director Jessica Thomas
4. Approval of the Minutes of the meeting held on **Tuesday, November 28, 2023.**
5. Directors Report
6. Unfinished Business: None
7. New Business:
 - A. Wade Trim will provide an update on grant initiatives and the design concept status for the Belleville Road Widening Project
 - B. Consider approval of the professional services agreement from Jerome Pesick, Attorney at WWRP to assist with the acquisition/condemnation of the remaining eleven rights-of-way along Belleville Road between Ecorse and Tyler Roads under the terms and conditions of their January 17, 2024 proposal and invoice the project under the rates detailed in their billing rate included in the proposal to be expensed from DDA line item #248-000-801-002 Legal Fees and authorize the DDA Executive Director to execute appropriate documentation as well as approve the budget amendment in the amount of \$50,000.00 from the fund balance to cover the costs associated with the proposal
 - C. Consider approval of the budget amendment to move \$740,740.00 from the fund balance to allocate the funds to DDA line item 248-000-977-002 Belleville Road Right of Way to cover costs associated with the easement takes
 - D. Consider approval to advertise the VBT DDA with the Belleville Area Council for the Arts – advertising at Music Lakeside as well as advertise the VBT DDA with the Belleville Central Business Community 2024 events to be paid from line item 248-000-822-000 Public Relations
8. Communications:
9. Closed Session: None
10. Non-Agenda Items (including audience):
11. Adjournment

**VAN BUREN CHARTER TOWNSHIP
DOWNTOWN DEVELOPMENT AUTHORITY**

“Regular Meeting”

Tuesday, November 28, 2023 at 3:00 p.m.

DDA Conference Room

Meeting Minutes

Chairperson Atchinson called the meeting to order at 3:04 p.m.

Roll Call: Members present: Chairperson Atchinson, Director Baskins, Secretary Brown, Director Delibera, Director Laginess, Director Rochowiak, Supervisor McNamara, Director Willis. Members absent and excused: Vice Chair Bird, Director Chudzinski, and Director Chappell. Also, in attendance: DDA Executive Director Coburn, and an audience of three (3), Deputy Supervisor Dan Selman, Matt Stacey of Wade Trim, and Rosemary Oztzman of the Belleville Independent.

23-DDA-072

Approval of Agenda: Laginess moved, Rochowiak supported to approve the agenda as presented. Motion Carried.

23-DDA-073

Minutes: Rochowiak moved, Delibera supported to approve the DDA Minutes of Tuesday October 24, 2023. Motion carried.

- **Reports:** *DDA Executive Director Coburn provided a copy of her report and a brief update on the following:
Belleville Banner Program – Banner couplings have arrived, staff is coordinating with the approved company MI Custom Signs to change them out. Staff is continuing to survey the VBT DDA District businesses to see who is interested in purchasing a banner to have hung along the Belleville Road Corridor. So far, we have fourteen Van Buren Township businesses, and four Belleville businesses interested. *Marketing* - the November edition of the TODAY magazine, has been published and is on the website. Staff will begin working on the content for the first quarter of 2024 magazine. *Grants* - Staff continues to have regular check-ins with our Funding Scout Wayne Hofmann to discuss grant opportunities. Together we are continuing to pursue all grants that meet our project goals. *MIO Grant* – Staff received notification that we have been awarded \$30,000 to cover the cost to write a RAISE Grant, this grant would be for additional funding for the Belleville Road Widening Project as well as the Tyler Road Non-Motorized Pathway. *SS4A – Safer Streets for All (FHWA)* in the amount of \$384,900.00. At the October 24th meeting the board approved the recommendation of the review committee to award the completion of the safety action plan to Wade Trim and to ask the Board of Trustees to concur. At the November 21st Board of Trustees Meeting, the board approved to concur with the DDA Boards request to award to Wade Trim, as well as approved the professional services agreement from Wade Trim in the amount of \$491,500.00 to complete the Safe Streets for All Action. *SEMCOG Planning Assistance Program Award* in the amount of \$40,000. At the October 24th meeting the board approved the recommendation of the review committee to award the completion of the safety action plan to Wade Trim. The board will be asked to approve the professional services agreement from Wade Trim in the amount of \$56,000.00 to complete the Belleville Road Corridor Safety Plan. *VBT DDA Small Business Resource Sessions* - Staff is continuing to surveying the small businesses to access their training needs. Four Resource Sessions were held in November at the DDA Building, both in-person and zoom options were being offered. Eleven business owners attended the November 16th Small Business Panel Discussion. Twelve sessions were held during the last three months. *Right of Way Acquisition* - Offers have made to 13 of 15 property owners and the consultant has scheduled meetings with the property owners to discuss offers. *Tyler Road Sidewalk Project* - The application was submitted on October 11th, award notices are typically done early spring. We have

initial comments from MDOT requesting additional information, one being having the County sponsor as the Act 51 Agency to receive funding through the TAP Grant process. Staff met with Wayne County to discuss the project and to get their support. *Aerotropolis* - Executive Director Girdwood continues to work on marketing, business attraction and lead generation. *Miscellaneous updates* – Staff decorated a tree on behalf of the DDA for the 2023 Festival of Holiday Trees event. The 1st Annual Light up the Park event held at Harris Park on Wednesday, November 15th at 6pm was a success. Staff in coordination with the VBT Communications Team is hosting the 1st Annual Santa Paws event on Saturday, December 9th from 11a-4p. There is no December DDA meeting, the next meeting will be held on January 23rd at 3:00 p.m. Staff will host two Informational Meetings in December to meet the PA 57 requirements, they will be held in-person, as well as have a zoom option.

New Business:

23-DDA-074

Laginess moved, Rochowiak supported to approve the Professional Services Agreement from Wade Trim for the Belleville Road Safety Plan in the amount not to exceed \$56,000.00 to be paid from line item 248-000-821-000 Consultant. Motion Carried.

Communications: Director Coburn inquired if the board would be interested in apparel to wear to show VBT DDA representation at events, ribbon cuttings and grand openings. Deputy Supervisor Dan Selman informed the board of the Denton Road Bridge Survey. Director Rochowiak inquire if the board would be interested in getting together to celebrate the holiday season.

Closed session: None

Non-Agenda Items (including audience)

23-DDA-071

Rochowiak moved, Laginess supported to adjourn at 3:44 p.m. Motion carried.

Respectfully submitted,
Merrie Coburn, Executive Director

Chris Brown, Secretary
To be approved January 23, 2024



To: Directors, Van Buren Township Downtown Development Authority
From: Merrie Coburn, Executive Director
Date: January 23, 2024
Subject: Director's Update

- Director meetings continue to be held via Zoom with Van Buren Township, attend Township Board Meetings, meet with Developmental Services Department the morning following Township Board Meetings, when appropriate participate with planning staff review and attend Planning Commission.
- Business Banner Program: MI Custom Signs will be changing out the couplings and the banners in the next three weeks. So far, we have thirty new business banners sold.
- Marketing: Staff is working on content for the content for the first quarter of 2024 TODAY magazine.
- Grants: Staff continues to have regular check-ins with our Funding Scout Wayne Hofmann to discuss grant opportunities. Together we are continuing to pursue all grants that meet our project goals.
 - SS4A – Safer Streets for All (FHWA) in the amount of \$384,900.00 and the SEMCOG Planning Assistance Program Award in the amount of \$40,000. Staff had a meeting with Wade Trim to discuss the kick-off and create the milestone timeline for completion of the plans.
 - RAISE (Rebuilding American Infrastructure with Sustainability and Equity) Grant – The deadline for this grant submission is February 28th. Due to no board meeting in December, staff requested permission from Chairperson Atchinson to allow Wade Trim to assist with the grant submission in the amount of \$26,000. (agreement attached for your record). This grant application is being submitted for additional funds for the Belleville Road Widening Project.
 - MIO (Michigan Infrastructure Office) Grant – Wade Trim submitted a grant writing and/or match funding grant for Belleville Road Widening and Tyler Road Non-Motorized Improvements (RAISE Grant application on January 3, 2024.
- VBTD Small Business Resource Sessions: Staff received a lot of positive feedback and is currently having conversations with the Belleville Area Chamber and Belleville DDA Director to partner on the next round of programming. The VBTD DDA still has an earmark in the amount of \$60,000 from Senator Peters office we're waiting on confirmation on receipt of funding.
- Right of Way Acquisition: Staff has regular check-ins with OR Colan for property status updates. We currently have received three (3) signed easements back, eleven more needed. Wade Trim did stake the properties to give the owners a better understanding of the project limits on their properties. In your packet there is a proposal to consider for approval to move to the next level of the acquisition process.
- Tyler Road Sidewalk Project: The application was submitted on October 11th, we received initial comments from MDOT requesting additional information, one being having the County sponsor as the Act 51 Agency to receive funding through the TAP Grant process. Staff met with Wayne County to discuss the project and to get their support to be the sponsor for the funding, they are willing to be the recipient of the funding and allow the Township to take the lead on the project, however we did not receive the necessary document from the county to resubmit to MDOT. It is our intent to submit for the next round of funding.

- Aerotropolis: Executive Director Girdwood continues to work on marketing, business attraction and lead generation.
- Miscellaneous updates:
 - Staff is updating the landscape proposal documents
 - Staff is working with the Communications Department to create a tri-community calendar.
 - Staff would like to look into the cost to have a flag pole installed at Harris Park

FYI



Professional Services Agreement (Short Form)

Agreement

To engage the Services of Wade Trim Associates, Inc. as a Design, Planning, Testing and/or Land Survey Professional.

This Agreement, entitled USDOT RAISE Grant Writing Services between Van Buren Township Downtown Development Authority of 10151 Belleville Road, Van Buren Township, MI 48111, hereinafter called "Owner," and Wade Trim Associates, Inc., 25251 Northline Road, Taylor, MI 48180, hereinafter called "Professional," is as follows:

The Owner and Professional, for mutual consideration hereinafter set forth, agree as follows:

A. Professional agrees to perform certain professional services for Owner as follows:

As outlined in our December 7, 2023 Proposal Letter, attached.

B. Owner agrees to pay Professional as compensation for his services as follows:

Lump sum fee of \$26,000, to be invoiced monthly for effort expended.

C. Owner agrees to establish an allowance of \$ n/a for additional services on this Project (not less than 10% of the compensation amount specified in Item B.)

D. The Owner and Professional agree to conditions as set forth on the reverse side in the General Provisions of this Agreement.

E. The Owner and Professional agree to the following schedule:

As outlined in our December 7, 2023 Proposal Letter, attached.

F. Professional has the option to render this Agreement null and void, if it is not executed within 60 days.

Owner: Van Buren Township DDA

By: Merrie Coburn
(Print Name)

Title: Executive Director

Date Signed: Merrie Coburn
12/11/23

Witness: n/a

Professional: [Signature]

By: Christopher Wall, PTOE, PE
(Print Name)

Title: Vice President

Date Signed: 12/11/2023

Witness: Rebecca M. Smith, PE, PMP
Digitally signed by Rebecca M. Smith, PE, PMP
DN: cn=US, e=rsmith@wadetrim.com,
ou=Wade Trim, cn=Rebecca M. Smith, PE,
PMP
Date: 2023.12.11 10:42:17-05'00'



Wade Trim Associates, Inc.
25251 Northline Road • Taylor, MI 48180
734-947-9700 • www.wadetrim.com

December 7, 2023

Van Buren Township
Downtown Development Authority (DDA)
10151 Belleville Road
Van Buren Township, MI 48111

Attention: Ms. Merrie Coburn
DDA Executive Director

Re: Proposal for USDOT RAISE Grant Writing Services

Dear Ms. Coburn:

The USDOT Rebuilding American Infrastructure with Sustainability and Equity (RAISE) is a unique opportunity to pursue federal funding for surface transportation projects. We are eager to assist the Township and the Downtown Development Authority by developing a grant application for transportation improvements along Belleville and Tyler Roads for the FY 2024 grant cycle.

We anticipate that the RAISE Grant application will request up to 80% of eligible costs, which will be in the \$6-8 million range for this project. The grant cycle is currently open and has a deadline of **February 28, 2024**. We can complete the grant and the associated Benefit-Cost Analysis

Scope of Work and Fee

Our proposed fee is \$26,000, which is inclusive of all project costs, including project management, supplies, mileage, and shipping. Services will include:

- Review the grant application and assemble appropriate information to develop grant narratives, budget, and supporting information.
- Develop a benefit-cost analysis for proposed improvements.
- Refinement of outline scope of for Belleville Road and Tyler Road Improvements to present the project for optimum RAISE grant competitiveness.
- Assemble and submit the grant application and submit prior to the February 28, 2024 program deadline.

Exclusions


Design services, including preliminary plans, specifications, construction plans, or construction cost estimates associated with the subject projects are not included in this proposal. This proposal does not include costs associated with grant administration, compliance, or other assistance that may be required after submission of the grant application.

If this proposal meets with your approval, please sign the attached Professional Services Agreement which serves as our Notice to Proceed.

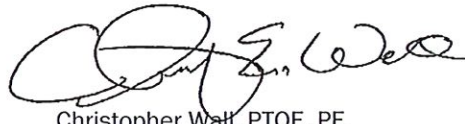
We are very excited to have demonstrated the success of our FundingScout efforts in a short amount of time. Our team is eager to contribute to the continued improvement of infrastructure and quality of life in the City of Dearborn Heights. If you have any questions or require any further information, please do not hesitate to contact us.

Very truly yours,

Wade Trim, Inc.



Wayne R. Hofmann
Client Funding Director



Christopher Wall, PTOE, PE
Client Manager

WRH:CW

AAA 1000.23

12072023_COBURN-LTR.DOCX



REQUEST FOR ACTION

Agenda Item: 6A

MEETING DATE: JANUARY 23, 2024

X New Business

Unfinished Business

Public Hearing

ITEM (SUBJECT)	Wade Trim presentation update on grants and the design concept for the Belleville Road Widening project
DEPARTMENT	DDA
PRESENTER	Merrie Coburn, Executive Director
PHONE NUMBER	
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	Chris Wall, Professional Engineer and Project Manager for Wade Trim

Agenda topic

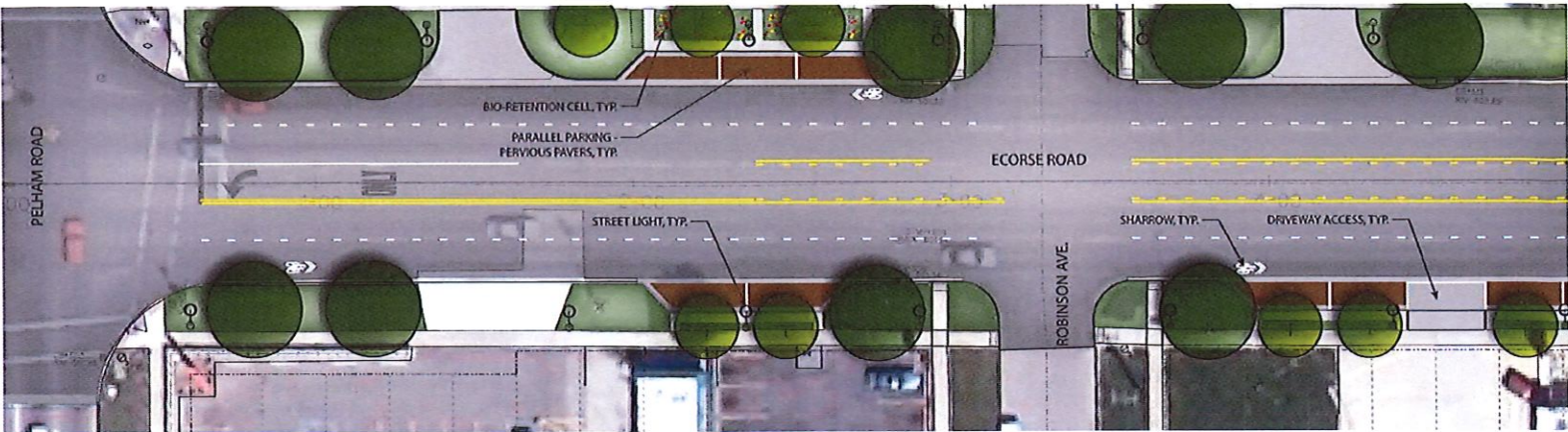
ACTION REQUESTED	
Wade Trim will provide an update on grant initiatives and the design concept status for the Belleville Road Widening Project.	
Background – (Supporting and reference Data, Include attachments)	
<ul style="list-style-type: none"> SS4A – Safer Streets for All (FHWA) grant awarded in the amount of \$384,900.00, deadline for completion is September 30, 2024. Crash data is a key part of this plan as well as public engagement is a required and key part of data collected for the completion of this plan. Staff is putting together a steering committee to meet mid-February early March. (project schedule attached) SEMOG Planning Assistance Program Award in the amount of \$40,000, deadline for completion is June 30, 2024. Wade Trim will begin collecting Belleville Road counts for the left hand turn at the Belleville and Tyler Roads intersection. Truck Route and Pedestrian study will start now with observations of pedestrians when weather improves. A Kickoff meeting with staff, Wade Trim and SEMOG is being coordinated. (project schedule attached) RAISE (Rebuilding American Infrastructure with Sustainability and Equity) Grant – The deadline for this grant submission is February 28th. Wade Trim is assisting with the grant submission. This grant application is being submitted for additional funds for the Belleville Road Widening Project. MIO (Michigan Infrastructure Office) Grant – Wade Trim submitted a grant writing and/or match funding grant for Belleville Road Widening and Tyler Road Non-Motorized Improvements (RAISE Grant application on January 3, 2024. <u>Tyler Road Sidewalk Project</u>: The application was submitted on October 11th, we received initial comments from MDOT requesting additional information, one being having the County sponsor as the Act 51 Agency to receive funding through the TAP Grant process. Staff met with Wayne County to discuss the project and to get their support to be the sponsor for the funding, they are willing to be the recipient of the funding and allow the Township to take the lead on the project, however we did not receive the necessary document from the county to resubmit to MDOT. It is our intent to submit for the next round of funding. 	

BUDGET IMPLICATION	N/A		
IMPLEMENTATION NEXT STEP			
DEPARTMENT RECOMMENDATION			
COMMITTEE/COMMISSION RECOMMENDATION			
ATTORNEY RECOMMENDATION			
(May be subject to Attorney/Client Privilege and not available under FOIA)			
ADDITIONAL REMARKS			

SECTION 5

SCHEDULE

DATE	TASK
November 2023	<ul style="list-style-type: none"> ■ Kickoff Meeting and Scope Verification ■ Site Visits and Field Reviews ■ Data Collection including Traffic Count
December 2023	<ul style="list-style-type: none"> ■ Data Processing ■ Begin Crash Analysis ■ Begin Planning Stakeholder Engagement Planning Activities – Develop List of Stakeholders and Plan for the First Round of Engagement
January 2024	<ul style="list-style-type: none"> ■ Inventory Review and Meeting ■ Continue Safety and Crash Analysis ■ Continue Planning for the First Round of Engagement
February 2024 – May 2024	<ul style="list-style-type: none"> ■ Stakeholder Engagement Meetings #1 ■ Focus/Small Group Meetings ■ Continue Safety and Crash Analyses ■ Develop Draft Strategies and Solutions and Prepare Baseline Analysis Report
June-July 2024	<ul style="list-style-type: none"> ■ Presentations of Draft Strategies and Solutions ■ Stakeholder Engagement and Public Meeting #2
August 2024	<ul style="list-style-type: none"> ■ Develop Final Strategies and Solutions Based on Crash Data and Public/Stakeholder Input (August 31, 2024) ■ Submit Draft Executive Summary/Fact Sheet
September 2024	<ul style="list-style-type: none"> ■ Final Action Plan Completion Final Action Plan Completion (September 30, 2024) ■ Finalize Executive Summary/Fact Sheet
October 2024	<ul style="list-style-type: none"> ■ Present Final Action Plan to Trustees for Adoption (October 15, 2024) ■ Submit Final Report, Executive Summary/Fact Sheet, and Appendix Materials in PDF Documents ■ Submit Final Invoices (October 31, 2024)



SECTION 4

SCHEDULE

Belleville Rd. Safety Plan

Our anticipated schedule is shown in **Exhibit 1**.

EXHIBIT 1 Anticipated Schedule

DATE	TASK
November 2023	<ul style="list-style-type: none"> ▪ Kickoff Meeting and Scope Verification ▪ Site Visits and Field Reviews ▪ Data Collection including Traffic Count
December 2023	<ul style="list-style-type: none"> ▪ Begin Corridor Analysis ▪ Begin Truck Route Study
January 2024	<ul style="list-style-type: none"> ▪ Inventory Review and Meeting ▪ Continue Safety and Crash Analysis ▪ Begin Pedestrian Traffic Study
February 2024-May 2024	<ul style="list-style-type: none"> ▪ Continue Safety and Crash Analyses ▪ Develop Draft Strategies and Solutions Report
June-July 2024	<ul style="list-style-type: none"> ▪ Presentations of Draft Strategies and Solutions to DDA
August 2024	<ul style="list-style-type: none"> ▪ Develop Final Strategies and Solutions Based on DDA Input



REQUEST FOR ACTION

Agenda Item: 6B

MEETING DATE: JANUARY 23, 2024

X New Business

Unfinished Business

Public Hearing

ITEM (SUBJECT)	Acquisition/Condemnation of properties for the Belleville Road Widening Project
DEPARTMENT	DDA
PRESENTER	Merrie Coburn, Executive Director
PHONE NUMBER	
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	Jerome Pesick, Attorney at WWRP

Agenda topic

ACTION REQUESTED	
<p>Consider approval of the professional services agreement from Jerome Pesick, Attorney at WWRP to assist with the acquisition/condemnation of the remaining eleven rights-of-way along Belleville Road between Ecorse and Tyler Roads under the terms and conditions of their January 17, 2024 proposal and invoice the project under the rates detailed in their billing rate included in the proposal to be expensed from DDA line item #248-000-801-002 Legal Fees and authorize the DDA Executive Director to execute appropriate documentation as well as approve the budget amendment in the amount of \$50,000.00 from the fund balance to cover the costs associated with the proposal.</p>	
Background – (Supporting and reference Data, Include attachments)	
<p>In 2015 the Van Buren Township DDA contracted with Commonwealth Land Associates, Inc. to begin the acquisition of the 34 right of ways (ROW) necessary for the widening of Belleville Road between Tyler and Ecorse, they helped acquire 20, and left 14 to be acquired.</p>	
<p>In March 2023 the VBT DDA contracted with O.R. Colan Associates, LLC (ORC) to assist with acquiring the remaining 14 rights-of-way (ROW). To date the DDA has obtained a total 23, and an additional 11 are needed. Once acquired this increases the ROWS from 66' to 120'.</p>	
<p>All acquisition activities have been done in accordance with the MDOT Real Estate Policy and Procedures Manual and the URA – Uniform Relocation Act. At this time ORC believes under their contract they have made as much process as they can with the remaining 11 property owners. Staff obtained a proposal from Jerome Pesick, Attorney with WWRP to assist with next steps to acquire the remaining 11 ROW.</p>	
<p>The WWRP firm will help to acquire certain properties that will be identified by the Township to assemble the land necessary for the Township and its Downtown Development Authority (the "DDA") to proceed with the Project (the "Properties") as follows: initially attempt to acquire the Properties through voluntary acquisitions. This will require us to obtain title work for all of the Properties, obtain appraisals if necessary, prepare and submit offers to the Properties' owners, negotiate purchase prices, document agreements, and represent the Township at closings of any voluntary transactions. To the extent we are unable to acquire any of the Properties by voluntary acquisition, we will initiate condemnation proceedings under the Uniform Condemnation Procedures Act, MCL 213.51 <i>et seq.</i> and other applicable law to acquire those properties through eminent domain (the "Condemnations"). That process will include, but not be limited to, obtaining appraisals; and preparing and submitting good faith written offers to purchase the Properties that will be acquired; defending any legal challenges to</p>	

the Condemnations; preparation for and attendance at hearings, pretrial motions, discovery proceedings, and trials, as well as hearings relating to the determination of just compensation and related issues; post trial and appellate proceedings

Project Description

The design and concept of the project is a 3-lane concrete road, with right hand turn lanes at the fire station/school, the mobile home community and the Clover development, as well as sidewalks on both sides of the road, improvements to the traffic light at the fire station to include a hawk signal for a pedestrian crosswalk and upgrades to the underground utilities. Staff has been informed that Belleville Road from Tyler to Ecorse Rd has been placed on the Wayne County FAC, TEDF Category C Funding for an amount of \$2,111,000 for a 2025 funding year. Additional funding is being sought. Staff has submitted to Congresswoman Debbie Dingell for the FY 24 Allocations for the Belleville Road Enhancements and received an earmark of \$500,000.00.

BUDGET IMPLICATION	\$350.00 - \$450.00 per hour with an estimated budget of \$50,000.00
IMPLEMENTATION NEXT STEP	Sign the WWRP professional services agreement and set a meeting date to share files
DEPARTMENT RECOMMENDATION	Approve
COMMITTEE/COMMISSION RECOMMENDATION	
ATTORNEY RECOMMENDATION	
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	



Williams Williams Rattner & Plunkett, P.C.
Attorneys and Counselors

380 North Old Woodward Avenue
Suite 300

Birmingham, Michigan 48009

Tel: (248) 642-0333

Fax: (248) 642-0856

January 17, 2024

Jerome P. Pesick
jpesick@wwrpplaw.com

Van Buren Charter Township
c/o Ms. Merrie Coburn, Executive Director
Van Buren Charter Township Downtown
Development Authority
10151 Belleville Road
Van Buren Charter Township, MI 48111

**VIA: EMAIL AND
FIRST CLASS MAIL**

Re: Acquisition/Condemnation of properties for Belleville Road Widening

Dear Ms. Coburn:

We are pleased that you have requested that our firm represent Van Buren Charter Township (the "Township") in connection with the above-referenced property acquisitions (the "Project"). This letter will confirm our fee arrangement and the terms of our representation.

1. Scope of Attorney Services

The Township is retaining us to acquire certain properties that will be identified by the Township to assemble the land necessary for the Township and its Downtown Development Authority (the "DDA") to proceed with the Project (the "Properties") as follows:

a. We will initially attempt to acquire the Properties through voluntary acquisitions. This will require us to obtain title work for all of the Properties, obtain appraisals if necessary, prepare and submit offers to the Properties' owners, negotiate purchase prices, document agreements, and represent the Township at closings of any voluntary transactions.

b. To the extent we are unable to acquire any of the Properties by voluntary acquisition, we will initiate condemnation proceedings under the Uniform Condemnation Procedures Act, MCL 213.51 *et seq.* and other applicable law to acquire those properties through eminent domain (the "Condemnations"). That process will include, but not be limited to, obtaining appraisals; and preparing and submitting good faith written offers to purchase the Properties that will be acquired; defending any legal challenges to the Condemnations; preparation for and attendance at hearings, pretrial motions, discovery

Ms. Merrie Coburn
January 17, 2024
Page 2

proceedings, and trials, as well as hearings relating to the determination of just compensation and related issues; post trial and appellate proceedings.

2. Attorney Fees

Our fees are charged on an hourly basis calculated in minimum units of tenths of an hour for all time actually expended on the client's behalf. We assign hourly rates to attorneys and paralegals according to the respective expertise and level of experience of the person involved. The attorneys who will be principally in charge of this matter will be Jerome P. Pesick, whose hourly rate for municipalities is \$450 per hour, and Jason Long, whose hourly rate is \$350.

3. Costs and Expenses

In addition to the above fees, we also ask our clients to pay the costs and expenses incurred and/or advanced by us with respect to their legal representation. Those costs and expenses include, without limitation, title work, appraisal and other necessary expert fees, court filing fees, investigation costs, and legal research charges invoiced at our prevailing rates as reflected on our monthly statements. We will undertake to review any extraordinary expenses with you in advance. If an individual expense exceeds \$500, we ask that the Township pay the expense directly and we will forward the bill for that expense to the Township.

4. Billing Statements; Prompt Payment of Fees

We agree to send the Township statements showing clearly the basis for our fees and charges by detailing the services rendered and costs incurred on a monthly basis.

Our firm has always operated on the basis that we will deliver the best possible legal services in a timely fashion and at a reasonable price; in return, we request that upon receipt of our statements, you review the statements at that time to determine if you have any questions or comments regarding them. If so, please call us. If not, it is our expectation that the statement will be paid in full no later than 30 days after the date of the statement.

Ms. Merrie Coburn
January 17, 2024
Page 3

5. Waiver of Conflicts

Our firm has a large and varied real estate and business practice, and frequently represents developers, real estate owners, and other governmental agencies. We would not want our representation of the Township in this matter to preclude our representation of our clients in transactions with, or other matters involving, the Township or its DDA. This letter confirms the Township's agreement to waive any conflict with regard to any such matters, and that our representation of the Township with respect to the Project, or any other matters, will not preclude or limit our current and future representation of other clients' interactions with or other matters adverse to or otherwise involving the Township and/or the DDA.

If the terms and conditions of this letter are satisfactory to the Township, please have a copy of this letter signed on behalf of the Township and return it to me in the envelope provided. Again, we very much appreciate the opportunity to work with the Township and its DDA. Should you have any questions or comments pertaining to any of the foregoing, please contact me.

Very truly yours,

WILLIAMS WILLIAMS RATTNER & PLUNKET, PC

By: _____

Jerome P. Pesick

JPP/ma
Enclosure

The foregoing fee agreement letter has been read and its terms and conditions are hereby agreed to and accepted.

Van Buren Charter Township

By: _____

Its: _____



REQUEST FOR ACTION

Agenda Item: 6C New Business

MEETING DATE: JANUARY 23, 2024

X New Business

Unfinished Business

Public Hearing

ITEM (SUBJECT)	Belleville Road Widening Rights of Way (ROW) – Budget Amendment
DEPARTMENT	DDA
PRESENTER	Merrie Coburn, Executive Director
PHONE NUMBER	734-699-8941
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)	

Agenda topic

ACTION REQUESTED	
Consider approval of the budget amendment to move \$740,740.00 from the fund balance to allocate the funds to DDA line item 248-000-977-002 Belleville Road Right of Way to cover costs associated with the easement takes.	
Background – (Supporting and reference Data, Include attachments)	
In September 2023 the DDA approved to proceed with the Just Compensation Offers as presented in the amount of \$800,000.00 with a 20% incentive offer to each easement take if accepted within 30 days of the offer made to be paid from FY 2023 line item 248-000-977-002 Belleville Road Right of Way. To date we paid out \$59,260.00. Currently FY 2024 line item 248-000-977-002 Belleville Road Right of Way has a zero balance. In anticipation of receiving more accepted easement takes, staff requests the balance of \$740,740.00 be transferred from the fund balance that was returned from FY 2023 budget to the FY2024 budget to cover costs associated with the easement takes.	

BUDGET IMPLICATION	\$740,740.00
IMPLEMENTATION NEXT STEP	Coordinate with the Treasurers Department to process the budget amendment
DEPARTMENT RECOMMENDATION	Approval
COMMITTEE/COMMISSION RECOMMENDATION	
ATTORNEY RECOMMENDATION	N/A
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	



REQUEST FOR ACTION

Agenda Item: 6D

MEETING DATE: JANUARY 23, 2024

X New Business	Unfinished Business	Public Hearing
ITEM (SUBJECT)	Advertising with BACA and BCBC	
DEPARTMENT	DDA	
PRESENTER	Merrie Coburn, Executive Director	
PHONE NUMBER		
INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)		

Agenda topic

ACTION REQUESTED	
Consider approval to advertise the VBT DDA with the Belleville Area Council for the Arts – advertising at Music Lakeside as well as advertise the VBT DDA with the Belleville Central Business Community 2024 events to be paid from line item 248-000-822-000 Public Relations.	
Background – (Supporting and reference Data, Include attachments)	
In 2023 the VBT DDA spent \$3000.00 to advertise with the Belleville Area Council for the Arts at Music Lakeside and has for the past several years spent \$50 for an inside page of the coloring book for Christmas Photos with Santa provided by the Belleville Central Business Community.	
Staff would like to spend the following to advertise with BACA and the BCBC: \$3000.00 – advertise the VBT DDA with the Belleville Area Council for the Arts at Music Lakeside \$500.00 - advertise the VBT DDA with the Belleville Central Business Community 2024 events, as well as the \$50 for one inside page of the coloring book	

BUDGET IMPLICATION	\$3550.00
IMPLEMENTATION NEXT STEP	Notify organization of sponsorship
DEPARTMENT RECOMMENDATION	Approve
COMMITTEE/COMMISSION RECOMMENDATION	
ATTORNEY RECOMMENDATION	
(May be subject to Attorney/Client Privilege and not available under FOIA)	
ADDITIONAL REMARKS	



Belleville Area Council FOR THE Arts

• Bringing the arts to the Tri-community for over 25 years •

Sponsorship Form

*Please consider supporting this year's **Music Lakeside** event!*

There are four sponsorship opportunities:

Platinum: \$1,000+

(Name listed on the main stage and on the BACA Music Lakeside program)

NAME • WEB LINK • LOGO

Sponsorship Amount

Gold: \$500 - \$999

(Name listed on the main stage and on the BACA Music Lakeside program)

NAME • LOGO

Sponsorship Amount

Silver: \$250 - \$499

(Name listed on the bottom of the stage and on the BACA Music Lakeside program)

NAME • LOGO

Sponsorship Amount

Supporter: \$100 - \$249

(Name listed on the BACA Music Lakeside program)

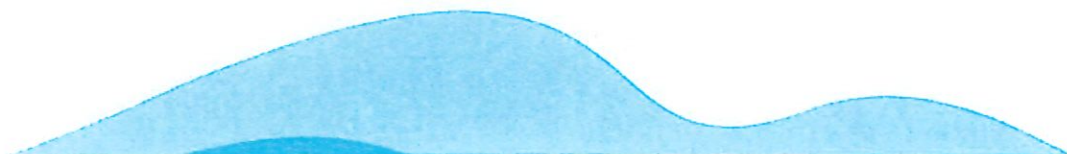
NAME

Sponsorship Amount

Please make check payable to: Belleville Area Council for the Arts (BACA)

Mail to: BACA, P.O. Box 1654, Belleville, MI, 48112

BACA is an approved IRS 501 © charity. As such, donations are tax deductible.





CBC Events for 2024

SPONSOR & VOLUNTEER OPPORTUNITIES

www.bellevillecentralbusinesscommunity.com

Saturday March 30

Flop E Bunny Candy Hunt

___ \$1,000 Presenting Sponsor
___ \$300 Candy
___ \$300 Photos with Bunny
___ Donation \$ _____
___ Volunteers to work the Event

Monday, May 27

Memorial Day Parade

___ \$500 Presenting Sponsor

Belleville Farmer's Market

___ \$1,000 Presenting Sponsor
___ Donation \$ _____

June through October

Mondays, 4pm-7:30pm

4th Street Place & Square

Thursday, August 15

Taste of Belleville

___ \$500 Presenting Sponsor
___ Prizes, Gift Cards/Gift Certificates
___ Donation \$ _____

Saturday, October 12

Harvest Fest

___ \$500 Presenting Sponsor
___ \$400 Entertainment/Activities
___ Donation \$ _____
Volunteers to work the event

Saturday, October 19

Monster Mutt Walk

___ \$500 Presenting Sponsor
___ \$400 Goodie Bags
___ Donation \$ _____
___ Volunteers to work the event

Thursday, October 31

Halloween

___ \$500 Presenting Sponsor
___ \$200 Costume Contest Prizes
___ \$300 Treats for the Kids
___ Gift Certificate from your business
___ Donation \$ _____
___ Volunteers to Work the Event

Saturdays, December 14 & 21

Christmas Photos with Santa

___ \$1,000 Presenting Sponsor
___ \$300 Photos with Santa
___ \$400 Stockings w/goodies
___ \$50 inside page in coloring book
___ Donations \$ _____

___ \$500 to help advertise these
Events. Signage with Sponsors
names will be placed at each event in
addition to newspaper display ads &
social media.

152 Main Street, Suite 2, Belleville, MI 48111