

**City of Brighton
Downtown Development Authority Meeting Minutes
February 15, 2011**

The Board for the Downtown Development Authority (DDA) held a meeting on Tuesday, February 15, 2011 at the City of Brighton Council Chambers located at 200 N. First Street, Brighton, MI.

1. Chairman Herbst called the meeting to order at 7:15 a.m.

Members Present:

Ricci Bandkau, Dave Beauchamp, Mark Binkley (arrived at 7:20 a.m.), Linda Botka, Scott Griffith, Bob Herbst, Pam McConeghy, Mondy Miller, Shawn Pipoly, Greg Strouse and Al Wirth.

Members Absent: Tim Corrigan (excused), Lisa Nelson

Motion by Ms. McConeghy, seconded by Mr. Wirth, to excuse Tim Corrigan from this morning's meeting as he had previously advised Mr. Modrack he would be unable to attend. Motion carried 10-0-3.

Also present:

Mr. Doug Cameron, McCririe-Cameron Law Office
Mr. Piet Lindhout and Mr. Mike O'Leary, Lindhout Associates
Mr. Matt Modrack, DDA Administrator/Community Development & Planning Director, City of Brighton

An audience of four was also present.

2. Approval of February 15, 2011 Agenda

Mr. Modrack requested the agenda be amended to include an update on the real estate closing information for the Chamber of Commerce site as a separate item under 7., Administrative Report, and for a motion to authorize Chairperson Herbst to sign the closing documents pursuant to the approved Purchase Agreement dated 9/21/10. Motion by Mr. Pipoly, supported by Ms. Botka, to approve the February 15, 2011 meeting agenda as amended. Motion carried 10-0-3.

- 3. Call to the Public** was made at 7:16 a.m. Hearing no response, call to the public was closed.

4. Approval of the January 18, 2011 Regular Meeting Minutes

Motion by Mr. Griffith, supported by Ms. Bandkau, to approve the January 18, 2011 regular meeting minutes as presented. Motion carried 10-0-3.

5. Approval of Bills

Motion by Mr. Griffith, supported by Ms. McConeghy, to approve the bills as presented. Motion carried 10-0-3.

- 6. Financial Report** –Motion by Mr. Griffith, supported by Mr. Strouse, to approve receipt of the financial summary dated 2/9/11 as presented. Motion carried 10-0-3. Mr. Binkley arrived at 7:20 a.m., after this vote was taken.

7. Administrative Report (Matt Modrack)

A. Planning & Community Development Report

Mr. Modrack noted that even with almost half of the FY 10-11 DDA Fund budget restricted for bond payments for projects done some time ago (i.e., The Tridge) and another \$250,000 that was allocated to the City for this fiscal year, the DDA continues to do fund projects as well as spending \$450,000 for purchase of the Chamber site. He passed out and reviewed the grant recap table and noted a total of over \$1.8 million has been spent over the past three years.

In addition, he passed out the DDA Project Matrix (updated for the Capital Improvement Project committee last year) to illustrate projects either already done or currently underway. Mr. Griffith suggested that the number of parking spaces that have been added as a result of the projects also be added to the table along with the number of jobs created. Mr. Modrack noted that there have been approximately 100 new parking spaces as a result of the Cemetery Parking Lot, St. Paul lot and Second Street parking lot projects.

B. Chamber of Commerce real estate closing information; Motion to authorize Chairperson Herbst to sign the closing documents on behalf of the DDA

Mr. Modrack advised that the real estate closing date is scheduled for Friday, February 18, 2011 at 10:00 a.m. at the Chamber of Commerce office. Doug Cameron added that he received the closing packet yesterday; there was a minor Phase I "glitch" in that the Sanborn map showed an "oil house" at the northwest corner of Lot 109. It was determined that this was not on the Chamber site (it's located to the north); if any oil leeches onto the Chamber site in the future, there will be no charge to the DDA (or current owner) but they may need access to the site to contain it. He asked the title agency to add the teardown provision and 6-month occupancy clause to the closing packet. Mr. Griffith reminded Mr. Modrack that the site would have to be added to the City's insurance policy effective February 18, 2011.

Motion by Ms. Bandkau, seconded by Mr. Wirth, to authorize Chairperson Herbst to sign the closing documents on Friday, February 18, 2011 at 10:00 a.m. on behalf of the Downtown Development Authority board pursuant to the approved Purchase Agreement dated 9/21/10. Motion carried 10-0-3 (two absences and one abstention by Ms. McConeghy).

B. Façade Improvement Program – Phase I – Matt Modrack advised that he has held several meetings with four local banks to try to get a \$50,000 commitment from each of them to fund a façade loan pool. The money would be loaned to the DDA at a nominal interest rate and combined with the \$50,000 the DDA has allocated to the façade program to drive down the interest rate even further. His interpretation of the Community Recover Act allows banks to loan to businesses with less than \$1 million in annual revenue. Matt has also asked Nancy Johnson from the Small Business & Technology Development Center if they would be willing to provide the DDA with loan analysis for each applicant as well as servicing the loan. This would allow the DDA to trade in on the SBTDC's 501c3 status.

- Lindhout Associates Façade Study Powerpoint – Piet Lindhout noted that his company was asked last year by the DDA to put together a list of buildings that could potentially benefit from a façade loan program. The list includes East and West Grand River and Main Street. The presentation was given to the Design Subcommittee last Friday and they suggested in the interest of time that only Main Street buildings be reviewed at today's meeting. Piet stressed that this is a "could do" list and that the criteria they used to choose the buildings might change as a result of suggestions by the Design Subcommittee and DDA Board. He reviewed the selected buildings on Main Street and discussed the criteria by which they were chosen.

Mr. Herbst asked why Henkel's Barber Shop was not on the list; Piet and Mike O'Leary will check to see if they forgot it or if it was in such a state of disrepair it would not be worth spending the money on a façade. Mondi Miller noted that even smaller projects such as replacing flower boxes with stand-alone planters could make a big difference. Mr. Griffith suggested having Lindhout do a generic design for non-façade items that would be separate from the façade program. He also asked about the size of the loan pool, and Mr. Modrack stated it would be \$200,000 with \$150,000 from the banks and \$50,000 from the DDA. Mr. Modrack envisions doing a couple of projects each year if there is interest. Mr. Lindhout noted that the Grand River corridor buildings would be reviewed at the March DDA meeting.

8. Lindhout Update

- A. Veterans Memorial Presentation – Mr. Lindhout gave a history of the request by City Council to have repairs to the Veterans Memorial completed by Memorial Day 2011 and to develop a longer-term plan for a new memorial. He showed the DDA Board members the four scenarios and costs for each. The short-term plan (Scenario A) will repair the memorial at an estimated cost of \$6,400; this will be paid for with donations. Scenario D in Piet's presentation moves the memorial from its current location to the hillside between the gazebo/amphitheater and the CoBACH building at an estimated cost of \$126,000. There was discussion about whether the rock was "sacred" or if a veterans' statue could be put in its place. Ms. Miller stated that the Mill Pond park area needs a master plan instead of doing things piecemeal; other things could be incorporated into the design of the Veterans' Memorial. Mr. Binkley noted we might be able to fund the memorial with all private donations. Mr. Modrack suggested that the Mill Pond master plan should be done with the Design Subcommittee. The consensus of the Board was that they liked the design concept in Scenario D.
- B. Cemetery Parking Lot & Pocket Park – Budget vs. Expenditures – Mr. O'Leary reviewed the 2/10/11 memo contained in the meeting packet. He noted that work to be completed for the park includes pavers to be installed, concrete circles for artwork and benches.
- C. Discuss Proposed Pocket Park Benches - Mr. Lindhout showed a slide of a proposed bench design; Ms. Miller suggested this be reviewed with the Design Subcommittee first and put this on the DDA March agenda.

**9. New Business
Sub-Committee Reports**

- A. **World Café Update** – Mr. Pipoly asked Lauri French to give an update as a member of the World Café subcommittee. Ms. French reported that all the comments from the two roundtable discussions had been put into Excel spreadsheets and categorized into one or more Eight Assets for a 21st Century Community. The subcommittee then assigned the board, commission and/or other group who would receive this information based on their roles or function. Claudia Roblee has put together a participant letter summarizing the information from the Envision Brighton session, and this letter will be sent prior to any report-out to City Council or boards. Claudia plans to do a Powerpoint presentation to each of the affected Boards or Commissions; the presentation could be on the next DDA agenda.
- B. **Budget** – No report; the next Budget Subcommittee meeting is scheduled on 2/22/11.
- C. **Mexican Jones**
- Consideration by full DDA Board to accept or reject offer for 675 W. Grand River as stipulated in Purchase Agreement dated 2/8/11 – Mr. Griffith reported that the Mexican Jones subcommittee had reviewed the Purchase Agreement counteroffer dated 2/8/11 and it was acceptable to the subcommittee. The buyers are local people with a local vision. They are purchasing the property only, not the liquor license, and we were able to save brokerage costs. There is a due diligence period in the Agreement of 90 days and the Agreement is contingent on buyer securing financing. Mr. Wirth asked if the indemnification clause contained in the Agreement was standard. Mr. Griffith asked Doug Cameron to respond since the DDA attorney had reviewed the entire Agreement. Mr. Cameron noted this was a standard clause in purchase agreements. Ms. Bandkau asked about the timing in the Agreement, and Mr. Griffith stated it is 140 days from the date the Agreement is signed (90 days due diligence being the longest period for any one item in the Agreement). Mr. Modrack also noted this is a restaurant proposal and the buyers will utilize the existing building.

Motion by Ms. Bandkau, seconded by Ms. McConeghy, to accept the offer by Wooden Spoon Café, LLC to purchase the property at 675 W. Grand River Avenue as contained in the Offer to Purchase Real Estate dated February 8, 2011 and to authorize Chairperson Robert Herbst to execute the Offer to Purchase Real Estate by signing the Offer on behalf of the Downtown Development Authority. Motion carried 11-0-2.

- D. Development** – Mr. Binkley noted that the Chamber of Commerce site, the façade loan program and the Barton property, which were discussed in the 1/25 and 2/11/11 Development Subcommittee meetings, had already been covered in other items this morning. He reported that a parking enforcement policy, primarily for employees, was discussed by the subcommittee and the recommendation was to ask the PSD/DBMA to develop the policy for approval by the DDA and ultimately City Council.
- E. Design** – Ms. Botka reported that the subcommittee met on 2/11/11 to review the Lindhout façade study and façade loan program. There is another Design Subcommittee meeting scheduled on 2/23/11 with Matt Schindewolf and Dave Blackmar from the DPS to discuss maintenance responsibility.
- F. Business Recruitment/Promotions** – No report

10. Old Business

- A.** Discuss and approve date for second DDA Visioning Session – This item was discussed earlier in the meeting. It was the consensus of the board members that a second two-hour session with Leslie Hall would be necessary to finalize the DDA Vision Statement. The board requested that Staff send out several proposed dates and times to schedule a special DDA meeting rather than try to discuss this in a regular DDA meeting.

11. Other

- A. Downtown Brighton Merchants Association – Lisa Nelson, Chairperson** – No report due to Ms. Nelson's absence.

Mr. Modrack noted he would like to see a review and update over the next year of the physical design plans for the DDA. He mentioned that one of the old plans contains the closure of First St./Cedar St. with access to the municipal complex via Millpond Lane. The review could be done in a series of workshops and might also include the Mill Pond Plaza design in conjunction with the Veterans Memorial as well as future development and redevelopment projects.

Mr. Cameron noted that he and Mr. Modrack both have a copy of the Phase I site assessment for the Chamber site if anyone is interested in reading it.

12. Adjournment

Motion by Ms. McConeghy, supported by Mr. Strouse, to adjourn at 8:58 a.m. Motion carried 11-0-2.

Respectfully submitted,