

**City of Brighton
Downtown Development Authority
Regular Meeting Minutes
October 18, 2011**

The Board for the Downtown Development Authority (DDA) held a regular meeting on Tuesday, October 18, 2011 at the City of Brighton Council Chambers located at 200 N. First Street, Brighton, MI.

- 1. Call to Order** - Chairperson Herbst called the meeting to order at 7:17 a.m.

Members Present:

Ricci Bandkau, Dave Beauchamp, Mark Binkley, Tim Corrigan, Scott Griffith, Bob Herbst, Pam McConeghy, Lisa Nelson, Shawn Pipoly, Greg Strouse and Al Wirth (arrived at 7:35 a.m.)

Members Absent: Linda Botka, Mond Miller (excused)

Motion by Mr. Pipoly, supported by Mr. Corrigan, to excuse the absences of Linda Botka and Mond Miller. Motion carried 10-0-3.

Also present:

Mr. Doug Cameron, McCrie-Cameron Law Office

Mr. Piet Lindhout and Mr. Mike O'Leary, Lindhout Associates

Mr. Matt Modrack, DDA Executive Director/Community Development Director, City of Brighton

Also present was an audience of four.

- 2. Approval of October 18, 2011 Agenda**

Mr. Modrack requested the following amendments to Item 5, Approval of Bills, and Item 8, Administrative Report:

- Amend 5.D. - City of Brighton Water/Sewer bill for 131 Hyne - Change amount due from \$107.29 to \$82.93 as a result of a 4,000 gallon credit for civic car washes
- Add 5.E. . Approve Contracting Resources pay application in the amount of \$22,326 for the management (\$4,000) and demolition costs (\$18,326 including soil and hazardous material testing) for the former Chamber building. Contracting Resources will be paid out of the proceeds of the former Chamber site closing on 10/19 but this invoice will require DDA Board approval.
- Add 5.F. - Lindhout Associates invoice in the amount of \$360 for consulting work on new Chamber landscape and streetscape (received too late to include in packet)
- Add 8.B.1. . Approval to allocate \$30,000 from the DDA budget for the Façade Improvement Program (re Miller Canfield opinion that DDA cannot use other sources of funds other than TIFA or bonds)

Mr. Modrack also requested that Item 10A be moved after Item 6A so Reverend Johnson from St. Paul's Church does not have to sit through what may be a lengthy meeting.

Mr. Binkley requested to add Item 10H, PSD Marketing Update, time permitting.

Motion by Mr. Griffith, supported by Ms. Bandkau, to approve the October 18, 2011 meeting agenda as amended. Motion carried 10-0-3.

3. **Call to the Public** was made at 7:25 a.m. Hearing no response, call to the public was closed at 7:25 a.m.

4. **A. Approval of the September 20, 2011 Regular Meeting Minutes**

Motion by Mr. Corrigan, supported by Mr. Pipoly, to approve the September 20, 2011 regular meeting minutes as presented. Motion carried 9-0-4 with Mr. Binkley and Ms. McConeghy abstaining.

- B. Approval of the September 20, 2011 Closed Session Minutes**

Motion by Mr. Strouse, supported by Mr. Beauchamp, to approve the September 20, 2011 closed session minutes as presented. Motion carried 9-0-4 with Mr. Binkley and Ms. McConeghy abstaining.

- C. Approval of the October 5, 2011 Special Meeting Minutes**

Motion by Mr. Corrigan, supported by Mr. Strouse, to approve the October 5, 2011 special meeting minutes as presented. Motion carried 9-0-4 with Mr. Griffith (left the 10/5/11 meeting at 8:26 a.m.) and Ms. Bandkau (absent) abstaining.

- D. Approval of the October 5, 2011 Closed Session Minutes**

Motion by Mr. Pipoly, supported by Mr. Corrigan, to approve the October 5, 2011 closed session minutes as presented. Motion carried 9-0-4 with Mr. Griffith and Ms. Bandkau abstaining.

5. **Approval of Bills**

Motion by Ms. Bandkau, supported by Mr. Beauchamp, to approve the bills as amended. Motion carried 9-0-4, with Ms. McConeghy abstaining.

6. **A. Financial Report**

Mr. Griffith requested that the one-page budget worksheet prepared by Matt Modrack's staff be included in future financial reports since it is more detailed, easier to read and includes the latest figures for proposed projects.

Motion by Mr. Griffith, supported by Mr. Strouse, to accept receipt of the financial summary as presented. Motion carried 10-0-3. Mr. Wirth arrived at 7:35 a.m. and was not present for this vote.

- B. Consider request from St. Paul's Church to remove a portion of the ornamental fence between the new cemetery walkway and the church building (Rev. Deon Johnson)**

Reverend Johnson provided some background on the ornamental fence which was installed to delineate the property line and for safety purposes. With the installation of the new walkway, the fence isn't really needed anymore, and St. Paul would like to open up the space and make it more welcoming. Mr. Modrack added that the reason Reverend Deon is here before the DDA this morning is because the DDA put up the fence. Mr. Lindhout noted that the fence is part of the construction documents for the Mill Pond Park for the easement, which dates back to 1995 or 1996. He also mentioned

that the decorative fence could be re-purposed somewhere else in the City if it's removed. There was discussion about who should be responsible for its removal with a conclusion that if the DDA put it up, the DDA should take it down.

Motion by Mr. Griffith, supported by Ms. McConeghy, to allow St. Paul's Church to remove the ornamental fence between the new cemetery walkway and the church building and to direct Lindhout Associates to arrange for its removal and re-use. Motion carried 11-0-2.

7. Lindhout Update

A. Mr. O'Leary reviewed the proposals for survey work at 121 W. North St. from Boss Engineering, Kem-Tech and Design Engineering. He noted that they are all qualified to do the work. Kem-Tech is the least expensive, but we do not have any history of working with them, and the other two companies are local.
Motion by Mr. Beauchamp, supported by Mr. Binkley, to accept Boss Engineering's quote for survey work recognizing that Boss Engineering is not the low bid, but that we have not built with Kem-Tech before. Motion carried 11-0-2.

Mr. O'Leary also reviewed the proposals for soil testing at 121 W. North St. from SME, CTI & Associates and G2 Consulting Group. He noted that this is a tricky site due to its topography (slope) which will probably require a retaining wall. There was discussion about the qualifications of each of the companies. While SME was the second low bid, they have the most experience with parking structures.

Motion by Mr. Beauchamp, supported by Ms. McConeghy, to select the SME proposal for soil testing recognizing they were not the low bid but do have more experience with parking structures. Motion carried 11-0-2.

B. West Street Parking Lot Status - Mr. O'Leary reported that the welding garage on the Barton property was taken down yesterday and the soil testing was done also. The retaining wall will be done in week 1, site grading in week 2, concrete and asphalt in weeks 3-4, with the project expected to be complete by the third week in November. The two week delay was due to getting the houses down and the holes filled.

C. Mill Pond Master Plan update . Mr. Lindhout advised that the Mill Pond Design subcommittee meeting originally scheduled for October 17 had been postponed. He wants to review the Mill Pond Master Plan with the subcommittee before presenting it to the full DDA board, so he will have an update at the November DDA meeting.

8. Administrative Report (Matt Modrack)

A. Former Chamber Site

- Demo . The building demolition took place over the past two weeks. The only structure left on the site is the garage which is being used to temporarily store items for the Chamber until they can move them.
- Excelda closing . The closing with Excelda, DDA and the Chamber is on October 19. The next step is to take their plans to the Planning

Commission. The DDA will not own any property after Wednesday . we will only have a purchase option for the Johnson property.

- Flowers and tree transplant proposal . Mr. Modrack advised that he asked Landscape Design Associates for a quote to temporarily relocate some of the plants at the former Chamber site to their nursery until we find an adequate location for a raised planter. He has also asked for a quote to move four trees from the rear of the property to the Pierce Street landscape area. Mr. Modrack is asking for DDA approval of quotes from Landscape Design Associates for \$225 and from Advanced Tree Moving for \$1,725 to move the four trees.

Motion by Ms. McConeghy, supported by Ms. Bandkau, to approve the quotes from Landscape Design Associates for \$225 and Advanced Tree Moving for \$1,725 to transplant four trees as discussed. Motion carried 11-0-2.

- B. DDA Façade Improvement Program .** Mr. Modrack noted that until the issue of using a line of credit for façade improvement loans has been settled with the City Attorney and Doug Cameron, DDA Attorney, he is asking to allocate \$30,000 from the DDA budget for the local match for the Façade Improvement Program. He still believes we will ultimately be able to use the bank's line of credit.

Motion by Mr. Corrigan, supported by Mr. Binkley, to authorize the allocation of \$30,000 in the DDA budget for the Façade Improvement Program. Motion carried 11-0-2.

- C. Barton site demolition and restoration .** Mr. Modrack advised that there was some additional work necessary on the DDA-leased portion of the site that totaled an additional \$3,000. He has negotiated with the Bartons to split this cost 50/50 and he is asking for approval by the board to allocate \$1,500 for this purpose.

Motion by Ms. Bandkau, supported by Ms. McConeghy, to approve an additional expenditure of up to \$1,500 which represents half of the additional expense required to complete restoration of the DDA-leased portion of the Barton property. Motion carried 11-0-2.

9. Old Business

- A. Authorizing resolution for sale of 131 Hyne St. (Doug Cameron)** - Mr. Cameron noted there will be four parties . Excelda, the DDA, the Chamber and First National Bank - involved in the closing for 131 Hyne St. The discharge of the land contract will also be handled at the closing and we will be able to pass clear title with no money put in escrow. The title company will also cut a check to Contracting Resources for the demolition contract expenses. Mr. Cameron advised that a resolution is required to authorize Chairperson Herbst to sign the closing documents.

Motion by Mr. Griffith, supported by Mr. Strouse, to authorize Chairperson Herbst to execute any and all documents related to the closing for 131 Hyne St. Motion carried 11-0-2.

10. New Business

- B. Livingston County SBTDC Report (Nancy Johnson, Director)** . Mr. Modrack noted that Ms. Johnson was out of town but her report is included in the packet.

C. Retail Success Summit Report (Lisa Nelson) – Ms. Nelson gave a PowerPoint overview presentation of a two-day Retail Success Summit she attended in July. The purpose of the summit was to provide tools for small retailers become more efficient and profitable. This presentation was also given to the PSD Board, who may also hold merchant meetings to provide this information to them. She appreciated the opportunity to attend which was the result of a free ticket from a Michigan Downtown Conference attended by Matt Modrack.

D. Budget . No report

E. Development . No report

F. Design – No report

G. Business Recruitment/Promotions – No report

H. PSD Marketing Update . Mr. Binkley provided an overview of the PSD's fourth quarter marketing plan that includes merchant co-op ads for November and December Marketeer ads, digital billboards and WHMI. The PSD marketing committee is also working on a proposal to light the rooftops of the buildings on Main Street (Grand River to the railroad track) and on Grand River (1 block north and south of Main St. on both sides). They are also looking at having several merchants pay to light the wall in front of the Squire lot and the Third St. roundabout.

Mr. Modrack reminded the board that we have an option on the Johnson property and that it has not been purchased. The soil testing will be done within the next 60 days. Mr. Modrack also noted that he would like to fully vet the idea of a parking structure at that location. He suggested that information session could be held, similar to this year's successful World Café with over 100 participants, to receive input from residents and businesses as well as from the parking strategy subcommittee.

Mr. Binkley noted that his wife is working on a YouTube video regarding Small Business Saturday (November 26).

Mr. Griffith reported he is working with Fifth Third Bank on a %anity+debit card for downtown businesses that would be linked to the PSD website.

Mr. Pipoly advised that he would not be in attendance at the November DDA meeting. Mr. Herbst will also not be in attendance, and Vice-Chairperson Binkley will chair that meeting in his absence.

11. Adjournment

Motion by Ms. Nelson, supported by Mr. Griffith, to adjourn at 8:50 a.m. Motion carried 11-0-2.

Respectfully submitted,

Lauri French, Community Development Department
October 19, 2011