

**City of Brighton  
Downtown Development Authority  
Regular Meeting Minutes  
August 16, 2011**

The Board for the Downtown Development Authority (DDA) held a regular meeting on Tuesday, July 19, 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 7:15 a.m.

**Members Present:**

Ricci Bandkau, Dave Beauchamp, Mark Binkley, Linda Botka, Tim Corrigan, Bob Herbst, Mond Miller, Pam McConeghy, Lisa Nelson, Greg Strouse and Al Wirth

**Members Absent:** Scott Griffith (excused), Shawn Pipoly

**Also present:**

Mr. Doug Cameron, McCririe-Cameron Law Office

Mr. Piet Lindhout, Lindhout Associates

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

Also present was an audience of seven.

2. **Approval of August 16, 2011 Agenda**

Chairperson Herbst advised that there were a few changes to the agenda to consider for approval as follows:

- a. Move item 9, Administrative Report, and re-number it item 7
- b. Add to item 7.B., Chamber site update:
  1. Consider approval of Contracting Resources contract to manage demolition of 131 Hyne and authorize Chairperson Herbst to sign on behalf of the DDA.
  2. Consider approval of Contracting Resources' recommendation of Environmental Testing Services as a subcontractor for demolition work at 131 Hyne and authorize Chairperson Herbst to sign on behalf of the DDA
  3. Authorize Chairperson Herbst to approve Contracting Resources' recommended low bidder for the demolition work at 131 Hyne St.

*Motion by Mr. Corrigan, supported by Mr. Strouse, to approve the August 16, 2011 meeting agenda as amended. Motion carried 11-0-2.*

3. **Call to the Public** was made at 7:20 a.m. Hearing no response, call to the public was closed at 7:20 a.m.

4. **Approval of the July 19, 2011 Regular Meeting Minutes**

*Motion by Mr. Wirth, supported by Ms. Bandkau, to approve the July 19, 2011 regular meeting minutes as presented. Motion carried 10-0-3 with Ms. Nelson abstaining.*

5. **Approval of Bills**

*Motion by Ms. McConeghy, supported by Ms. Botka, to approve the bills as presented. Motion carried 11-0-2.*

6. **Financial Report**

*Motion by Mr. Corrigan, supported by Mr. Strouse, to accept receipt of the financial summary as presented. Motion carried 11-0-2.*

7. **Administrative Report (Matt Modrack)**

A. **Façade Loan Program update** – Mr. Modrack introduced Tom Janego from Livingston County Bank and Ron Long from First National Bank. The DDA Board is being asked to approve the partnership loan agreements this morning with the two banks. They will each provide a \$100,000 line of credit for the DDA Façade Loan Program, the objective of which is improve building facades at locations identified in the façade study completed earlier this year by Lindhout Associates. Mr. Modrack reviewed the criteria for the façade loan program and noted that interest does not get paid to the banks until we draw down on the line of credit. He also noted the DDA law expressly permits setting up loan programs, which was an amendment to the law, but the beauty of the partnership with the banks is that we will be using the banks' money instead of the DDA's. This will free up funds to commit to other projects. Mr. Modrack stated that leveraging MEDC funds minimizes the effect of a façade loan. He reminded the Board that we already have \$50,000 committed MEDC funds for the Champ's façade in the North/West/Main streetscape grant. He anticipates we will receive approval for the Mayday building façade at the Michigan Strategic Fund board meeting next week; that project will be comprised of \$108,000 in MEDC funds, \$27,000 from the façade loan and the balance from the building owner. Mr. Modrack also advised he met with our MEDC representative, Joe Martin, last week, to discuss a package of façade projects including His Bible & Book, The White Dress and possibly new windows and some exterior work for the new Chamber building.

Mr. Modrack explained that the lines of credit from the two banks help with the local match criteria for MEDC funds. He also reviewed recently completed projects and some that are in the works; i.e., Bagger Dave's, 205 West, The Pound, the new brewery, Excelda, The White Dress) and noted that the willingness for the developers to invest in the City was part of the reason the banks chose Brighton. Ron Long from First National Bank said that they appreciate the opportunity to be part of what's going on downtown, and Tom Janego from Livingston Community Bank said they are thrilled to be associated with the City for the façade program.

*Motion by Ms. McConeghy, supported by Ms. Bandkau, to authorize Chairperson Herbst to sign the loan agreements with Livingston Community Bank and First National Bank for the Façade Loan Program. Motion carried 11-0-2.*

Mr. Modrack asked DDA Attorney Cameron if he had received any feedback from the City attorney regarding the agreements, and Mr. Cameron responded he had not. Mr. Modrack indicated he did not want to wait for the City Attorney to proceed.

B. Chamber Site Update

1. Consider approval of Contracting Resources contract to manage demolition of 131 Hyne and authorize Chairperson Herbst to sign on behalf of the DDA. – Mr. Modrack explained that the purpose for this contract is to contract with Contracting Resources for demolition management of 131 Hyne Street. He noted that Jim Vichich from the Historical Society had been given permission to go through the building and take anything of significance; Mr. Modrack has a list of everything taken out. Ms. McConeghy also mentioned that the “Joyce Rogers Business Center” sign would be moved before the demolition but that it would not be used at their new site.

*Motion by Mr. Corrigan, supported by Mr. Binkley, to authorize funds in the amount of \$4,000 for demolition management by Contracting Resources, Inc. for the former Chamber building at 131 Hyne St. and to authorize Chairperson Herbst to sign the contract with Contracting Resources, Inc. on behalf of the DDA. Motion carried 11-0-2.*

2. Consider approval of Contracting Resources’ recommendation of Environmental Testing Services as a subcontractor for demolition work at 131 Hyne and authorize Chairperson Herbst to sign on behalf of the DDA – Mr. Modrack explained that Contracting Resources put out a subcontractor bid to do the environmental work at 131 Hyne St. prior to demolition. The award recommendation requires approval by the DDA.

*Motion by Mr. Binkley, supported by Mr. Beauchamp, to approved the environmental subcontractor recommended by Contracting Resources, Inc. and to authorize Chairperson Herbst to sign the Award Recommendation on behalf of the DDA. Motion carried 11-0-2.*

3. Authorize Chairperson Herbst to approve Contracting Resources’ recommended low bidder for the demolition work at 131 Hyne St. – Mr. Modrack noted that bids for the demolition work at 131 Hyne St. are due back this afternoon and he is asking the DDA Board to authorize Chairperson Herbst to approve the Contracting Resources, Inc. recommended low bidder for the demolition work at 131 Hyne St.

*Motion by Ms. Bandkau, supported by Mr. Strouse, to authorize Chairperson Herbst to approve the Contracting Resources, Inc. recommended low bidder for demolition work at 131 Hyne St. on behalf of the DDA. Motion carried 11-0-2.*

- C. Barton property update - Mr. Modrack advised that we received the State Historic Preservation Office (SHPO) letter indicating no impact to historic structures. We also received the Michigan Strategic Fund “release of funds” letter from Larry Roggenbuck at the MEDC on August 15, 2011. Receipt of this letter means that costs may be incurred as of the date of the letter and the Bartons can proceed with demolition of the three houses on their property. This project is being done as an amendment to the North/West/Main streetscape grant (an additional estimated \$93,000 in grant funds) and we don’t have to go through another public hearing. Piet Lindhout is doing the parking lot design. Ms. Bandkau reported that she was

approached by several people at last week's MML Mayors Conference who had recently visited Brighton and were impressed with the vitality of the city.

- Consider approval of estimate from Signs by Tomorrow – Mr. Modrack explained that he would like to receive approval from the DDA Board for a “Coming Soon” post sign for the corner of North and West Streets to announce the new public parking lot per the estimate from Signs by Tomorrow in the DDA packet in the amount of \$749.88.

*Motion by Mr. Binkley, seconded by Mr. Beauchamp, to approve the \$749.88 estimate by Signs by Tomorrow for a “Coming Soon” sign for the new public parking lot on the Barton property at North and West Streets. Motion carried 11-0-2.*

- D. Consider approval of Rich & Assoc. proposal to update parking study – Mr. Modrack noted that the Parking Strategy Committee has met several times and developed recommendations, which includes updating the DDA parking study from Rich & Associates to include new and future businesses and potential locations for a parking structure.

*Motion by Ms. McConeghy, supported by Mr. Binkley, to authorize expenditure of up to \$9,700 for an update to the parking analysis study to be done by Rich and Associates as outlined in their letter dated August 9, 2011, and to authorize Chairperson Herbst to sign the agreement on behalf of the DDA. Motion carried 11-0-2.*

8. **Old Business** – None.

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

- A. **Livingston County SBTDC Report (Nancy Johnson, Director)** – Nancy Johnson reported that the SBTDC office was up and running at the new Chamber site as of last Thursday. She is focused on working with businesses to determine what they need to be successful, and research takes up the largest part of her day. She is meeting with Ron Long from First National Bank on Wednesday. She discussed banks' criteria for SBA loans and noted that banks still have to meet all the regular criteria for these types of loans. She said Steve Pilon, who recently opened up his new business, The Wooden Spoon, received a SBA 504 loan. The money comes 50% from the bank, 40% from MCDC and 10% from the investor(s) and can only be used for land, buildings and fixed equipment. She discussed people who have volunteered to work with her office; Pat Steele, who previously owned a business in Brighton, and Sam Tice, a CPA and attorney who will teach businesses. Ms. Johnson also gave an update on the FastTrac program and handed out a flyer. She noted they will have a certified trainer, and six people have signed up who are already in business. Her goal is 20 participants at the sessions and to develop long-term relationships. Mr. Modrack stated that the SBTDC will fill the gap for recruitment and training. Ms. Johnson advised that a Strategic Needs Assessment Powerpoint presentation would be done at the next meeting.

**B. Budget** – No report.

**C. Development (7/26 & 8/1/11 meetings)**

- Consider closed session to discuss property acquisitions

*Motion by Mr. Binkley, supported by Mr. Corrigan, to go into closed session to discuss property acquisitions. A roll call vote was taken as follows:*

<i>Ricci Bandkau – Yes</i>	<i>Mondi Miller - Yes</i>
<i>Dave Beauchamp – Yes</i>	<i>Pam McConeghy - Yes</i>
<i>Mark Binkley – Yes</i>	<i>Shawn Pipoly - Absent</i>
<i>Linda Botka – Yes</i>	<i>Greg Strouse - Yes</i>
<i>Tim Corrigan – Yes</i>	<i>Al Wirth - Yes</i>
<i>Scott Griffith – Absent</i>	<i>Lisa Nelson - Yes</i>
<i>Bob Herbst – Yes</i>	

*Motion carried 11-0-2 and the DDA Board moved into closed session at 8:15 a.m.*

The DDA Board came out of closed session at 8:45 a.m.

- Authorize DDA Attorney Cameron and DDA Executive Director Modrack to negotiate purchase agreements as discussed in closed session.

*Motion by Ms. McConeghy, supported by Mr. Beauchamp, to authorize DDA Attorney Cameron and DDA Executive Director Modrack to negotiate purchase agreements as discussed in closed session. Motion carried 11-0-2.*

**D. Design – 8/1/11 Joint DDA/BACC Subcommittee – Mill Pond Design Plan**

Ms. Miller did not attend the 8/1/11 subcommittee meeting. Lauri French reported that the subcommittee met and continued discussion about elements to incorporate into the Mill Pond Design Plan. The next subcommittee meeting will be held on September 19, 2011 at 4:00 p.m.

**E. Business Recruitment/Promotions – No report**

**10. Lindhout Update**

Mr. Lindhout noted that a new cleaning service contract was awarded by the City, which includes cleaning the public restrooms. Waste Management is putting out additional cardboard waste containers to help contain the trash on the weekends.

Mr. Lindhout participated with the Department of Public Services to fix the crosswalk lights. This was done at 3:00 a.m. when there is minimal traffic on Main Street. There was a second session held with a representative from Light Guard who had flown in to review the lights' installation. Mr. Lindhout noted that we have a "tiered" problem with the lights and it involves the wiring, epoxy and how the heads are set today versus when they were originally installed. They also discovered that when the ADA sidewalk work was done on Main Street that wires to one of the crosswalks were inadvertently cut when they cut in for the pavers.

St. Paul Park benches are due the beginning of next week and if they get here, they will be installed before the open house and park dedication on Thursday, August 25, from 4-6 p.m. and asked the DDA Board members to attend if possible.

Mr. Lindhout is generating the bid documents for the West St. Parking Lot (Barton property) and requested that a Design Subcommittee meeting be scheduled in the near future to review them. He reviewed the site plan that incorporates overhead pole lights and landscaping. A retaining wall will be required, and he left space in the retaining wall for a stairway to the Grand River businesses when we receive easements to do so (maybe next year). The parking lot is scheduled to be built this fall and won't impact any downtown events. He noted we will come in close to the estimate but we may need to add a fence that will add cost. The construction estimate includes demo of the welding shop.

Ms. McConeghy distributed a mock-up of a new LED Chamber sign and asked if the DDA would be willing to submit a letter of endorsement to the Zoning Board of Appeals for their September 8 meeting. The Chamber had to submit an application for a sign variance because the design is non-conforming. She also mentioned that the decision to not use the Joyce Powers Business Center Sign at the new Chamber building had caused a bit of controversy and that some people were unhappy with the decision.

*Motion by Mr. Beauchamp, supported by Mr. Corrigan, to approve a letter of endorsement to be written by Staff and signed by Chairperson Herbst on behalf of the DDA in support of the Chamber's application for a sign variance for the LED sign at the new Chamber building. Motion carried 10-0-3 with Ms. McConeghy abstaining.*

**11. Adjournment**

*Motion by Ms. Bandkau, supported by Ms. Botka, to adjourn at 9:10 a.m. Motion carried 11-0-2.*

Respectfully submitted,

Lauri French, Community Development Department

August 17, 2011