

**City of Brighton  
Downtown Development Authority  
Regular Meeting Minutes  
February 21, 2012**

The Board for the Downtown Development Authority (DDA) held a regular meeting on Tuesday, February 21, 2012 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:**

Mark Binkley, Linda Botka, Tim Corrigan, Scott Griffith, Bob Herbst, Pam McConeghy, Mond Miller, Jim Muzzin, Lisa Nelson, Shawn Pipoly and Al Wirth

**Members Absent:** Dave Beauchamp, Greg Strouse

*Motion by Mr. Corrigan, supported by Mr. Griffith, to excuse Mr. Beauchamp and Mr. Strouse from today's meeting. Motion carried 11-0-2.*

**Also present:**

Mr. Doug Cameron, DDA Attorney

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

Ms. Nancy Johnson, Director, Livingston SBTDC

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

Mr. Dana Foster, Brighton City Manager

Ms. Kelly Hanna, Brighton Finance Director

Also present was an audience of one.

2. **Approval of February 21, 2012 Agenda**

Mr. Modrack reviewed today's agenda and noted that City Manager Foster and Finance Director Hanna are here today for a Debt Management Policy presentation.

*Motion by Mr. Wirth, supported by Mr. Muzzin, to approve the February 21, 2012 meeting agenda as presented. 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. **A. Approval of the January 17, 2012 Regular Meeting Minutes**

*Motion by Mr. Griffith, supported by Ms. Botka, to approve the January 17, 2012 regular meeting minutes as presented. Motion carried 10-0-3 with Mr. Binkley abstaining.*

- B. Approval of the January 17, 2012 Closed Session Meeting Minutes**

*Motion by Mr. Corrigan, supported by Mr. Pipoly, to approve the January 17, 2012 closed session meeting minutes as presented. Motion carried 10-0-3 with Mr. Binkley abstaining.*

5. **Approval of Bills**

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

6. **A. Financial Report**

Mr. Modrack noted that the financial report provided by the City Finance Director is included in the packet as well as the FY 11-12 and 12-13 budget forecast spreadsheets. *Motion by Ms. McConeghy, supported by Mr. Muzzin, to accept receipt of the financial summary and budget forecast spreadsheets as presented. Motion carried 11-0-2.*

7. **New Business**

**A. Subcommittee Reports**

1. Budget – 2/6/12 meeting

- Revised Debt Management Policy Presentation (Dana Foster, Kelly Hanna) - Mr. Foster reviewed the background and history of the City's current 2004 debt management policy and why the revised version is being proposed. The revised version clarifies debt limits for both Governmental Activities and Component Funds (i.e., DDA & LDFA). Ms. Hanna reviewed the proposed changes and noted that the current debt management policy did not contain fund balance guidelines for the component units. The guidelines suggested by the City's financial advisor recommend a maximum debt service coverage of 120% which is contained in the new policy. Mr. Foster reviewed a chart that he prepared for various bond scenarios and suggested that in addition to bonding for the DDA's proposed parking structure that the board might want to also consider including one or more of the Millpond Master Plan projects. In light of a discussion about the possibility of eliminating personal property taxes by the State legislature, he also noted that 16% of the DDA's TIFA revenue is from personal property taxes. The revised debt management policy will be reviewed with the Council's Budget and Finance committee with possibly one more work session with Council prior to approval.

*Motion by Mr. Griffith, supported by Ms. Nelson, to support the Debt Management Policy Revised January 2012. Motion carried 11-0-2.*

2. Development (2/14/12 meeting)

- Parking structure update (Lindhout Associates); Recommendation for 121 W. North St. (resolution) – Mr. Cameron reviewed the option to purchase agreement terms. The Phase I and II environmental studies came back clean and there is no need for a BEA. If the DDA approves exercising the option to purchase, the land contract would be \$412,500 at 4.25% interest per annum with monthly payments of \$5,580 for 47 months. The property owner will execute a warranty deed which will be held in escrow until the land contract is paid off. All tenants must be out of the building within 60 days of the DDA exercising the option. Closing on the property is to take place within 60 days assuming all tenants are out. The building can be demolished under the terms of the land contract. He also reviewed the resolution to be passed if the DDA Board approves going forward with the option to purchase. There was a discussion about the property owner to the west and an unrecorded easement; that building owner uses the 121 W. North drive to get to his property but Mr. Cameron does not feel this is an issue. He noted that he received a letter from the bank that seems to approve demolishing the building under the land contract but that he would pursue something more concrete in writing from them.

Mr. Modrack noted that Mr. Griffith was not present at any of the meetings where 121 W. North St. was discussed and that he would be abstaining from any vote on this subject today.

Mr. Lindhout reviewed the parking structure and alternative plans that were presented at last week's Development Subcommittee meeting. He discussed a possible height issue depending on how the structure is measured. Mr. Foster suggested that City Council could consider revising the height restrictions in the DBD ordinance. Mr. Modrack reviewed the cost per space spreadsheet that he revised to take out the North St. rebuild cost out of the East Block Parking Lot. The DDA Fund cost per space averages \$12,453. Mr. Lindhout noted in

response to a question that the useful life of a parking structure is 20 years before major maintenance is required. He also noted that the DTE overhead wire issue and the City sewer issue have been addressed in the cost estimates. Mr. Corrigan stated that either the parking structure or Plan B would be positive projects. Mr. Modrack asked the board to proceed with a resolution to exercise the option and a motion to identify Lindhout Associates and Rich & Associates as the architects for the parking structure project.

*Motion by Ms. McConeghy, supported by Mr. Muzzin, to approve the resolution as prepared by Mr. Cameron by which the DDA Board elects to exercise its Option to Purchase the property at 121 W. North Street and to authorize Chairperson Herbst to execute any and all documents necessary to exercise the Option to Purchase and to close the purchase of 121 W. North Street. Motion carried 10-0-3 on a roll call vote as follows:*

Mr. Binkley – Yes	Ms. Miller - Yes
Ms. Botka – Yes	Mr. Muzzin - Yes
Mr. Corrigan – Yes	Ms. Nelson - Yes
Mr. Griffith – Abstained	Mr. Pipoly - Yes
Mr. Herbst – Yes	Mr. Wirth - Yes
Ms. McConeghy - Yes	

*Motion by Ms. McConeghy, supported by Mr. Griffith, to identify Lindhout Associates and Rich & Associates as the architects for the parking structure project for the property at 121 W. North Street. Motion carried 11-0-2.*

- Recommendation for pull-ahead of 7 spaces on North St. to April 2012 – Mr. Modrack noted that the Development Subcommittee also discussed several parking alternatives for the short-term. Mr. Lindhout reviewed the North Street parking spaces that were going to be bid in the North/West/Main streetscape project. The thought was to pull the seven spaces out of that project and do them this spring either as a change order to the West St. parking lot project or a separate bid. Mr. Modrack reviewed the proposal with our MEDC representative last week and we can pull the North St. spaces out of the grant project, but we cannot make it part of the West St. parking lot. Mr. Lindhout noted that we can bid this with and without the sidewalk.
- Pedestrian walkway from West St. lot to Grand River – Mr. Lindhout reviewed the plan and estimated cost of \$30,000. Mr. Griffith noted that the four building owners on Grand River would be contacted to determine if they would be interested in contributing a total of half of the construction costs for the project.
- North/Hyne streetscape – Mr. Lindhout reviewed the plan and estimated cost of \$49,000 which could be done at the end of the Excelda building construction project in FY 12/13.
- Recommendation for addition of 20 spaces on Pierce St. – Mr. Lindhout reviewed the sketch and estimated cost of \$15,000 to add 20 on-street spaces on Pierce St. Mr. Modrack suggested this item be reviewed by the Traffic Safety Board and then sent to City Council for approval.

Mr. Griffith recapped the Development Subcommittee's recommendations to pull ahead the 7 spaces on North St.; proceed with the West St. pedestrian walkway with funds from building owners; proceed with Hyne/North streetscape in FY 12/13 at the end of Excelda construction; and ask the Traffic Safety Board to consider the 20 spaces on Pierce St. Mr. Lindhout noted we could combine the North St. and Pierce St. projects in one bid package.

*Motion by Mr. Muzzin, supported by Ms. Botka, to approve recommendations from the Development Subcommittee for the seven spaces on North St., with the sidewalk improvements bid as an alternate, and the 20 spaces on Pierce St. contingent on approval from the Traffic Safety Board and City Council and to authorize Lindhout Associates to prepare bid documents for these projects. Motion carried 11-0-2.*

*Motion by Ms. McConeghy, supported by Mr. Corrigan, to authorize Lindhout Associates to prepare building demolition documents for 121 W. North Street. Motion carried 11-0-2.*

3. Design – 1/10/12 Millpond Design Subcommittee meeting (Mondi Miller)  
Ms. Miller reported that the subcommittee will meet this afternoon to review the cost estimates for the Millpond Master Plan.
4. Business Recruitment/Promotions – No report.
8. **Old Business** – None
9. **Lindhout Update** – Included in Item 7.A.2 above.
10. **City Council Liaison Report (Mayor Jim Muzzin)** – Mr. Muzzin noted that, as Mr. Foster noted in the debt management policy discussion earlier, he sent a letter to our two representatives in Lansing requesting they consider replacement revenue if personal property taxes are eliminated. He encouraged other board members to let the representatives know their position on this issue.
11. **Livingston County SBTCDC Report (Nancy Johnson, Director)** – Nancy Johnson passed out a flyer for a “Fiscal Fitness” seminar on March 14, 2012 at the Chamber office. The seminar is intended for business owners who have been in business three or more years. She will present a Tapestry report at next month’s meeting and compare Brighton to other communities.
12. **Chamber of Commerce Update (Pam McConeghy)** – Ms. McConeghy reported that their new digital sign should be up by the end of February or beginning of March. She expressed appreciation to Mayor Muzzin for attending Chamber events and advised that The White Dress’ grand opening is this week. She also thanked Piet Lindhout for her “operating room” light for her office. She advised that Excelda will be tearing down the old garage at the former Chamber site soon and asked for any suggestions for storage; they do not have room in the basement of the new Chamber building. The Chamber will be doing a campaign to replace the old windows in the building and are thinking about doing a “sponsor a window” campaign.
13. **Administrative Report (Matt Modrack)**
  - Promotions/Marketing Service Agreement with Chamber – Mr. Modrack noted that the DDA-approved Agreement with the Chamber will be executed shortly and that Jen Ling has been hired with the approval of the PSD.
  - Flag brackets for Rotary project – Mr. Modrack noted that this was a Kiwanis request, not from the Rotary. They would like to put American flags up and down Main Street on Memorial Day, Flag Day, 4<sup>th</sup> of July and Veterans Day. Mr. Modrack asked for approval by the board to allocate \$500 to buy the flag brackets. Ms. Miller requested that this item be reviewed by the Design subcommittee, and Mr. Modrack will bring this to the subcommittee. Mr. Muzzin noted there is some disagreement about how flags should be hung between a couple of Veterans groups. *Motion by Ms. McConeghy, supported by Mr. Binkley, to allocate \$500 to purchase flag brackets for the Kiwanis Club to hang American flags on Main Street. Motion carried 11-0-2.*
  - Stout Irish Pub request to use adjacent DDA property weekend of March 17, 2012 – Mr. Modrack noted that the Stout request is the same as last year and is detailed in the

information in the packets. Mr. Pipoly noted that the insurance certificate should be changed to name the City of Brighton as an additional insured, not just a certificate holder. *Motion by Mr. Griffith, supported by Mr. Corrigan, to approve the request by Stout Irish Pub dated February 13, 2012 to use the DDA property south of their patio to place 2 port-a-johns contingent on changing the insurance certificate to add the City of Brighton as an additional insured. Motion carried 11-0-2.*

**14. Adjournment**

*Motion by Mr. Muzzin, supported by Mr. Corrigan, to adjourn at 9:20 a.m. Motion carried 11-0-2.*

Respectfully submitted,

Lauri French, Community Development Department  
February 22, 2012