

**City of Brighton
Downtown Development Authority
Regular Meeting Minutes
May 19, 2015**

The Board for the Downtown Development Authority (DDA) held a regular meeting on Tuesday, May 19, 2015 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:

Dave Beauchamp (left at 9:05 a.m.), Mark Binkley, Linda Botka (left at 8:55 a.m.), Tim Corrigan, Phil Garbacz, Scott Griffith, Bob Herbst, Ashley Israel, Pam McConeghy, Jim Muzzin, Lisa Nelson, Shawn Pipoly (left at 9:05 a.m.) and Claudia Roblee

Members Absent: None

Also present:

Mr. Frank Mancuso, Mancuso & Cameron Law Office, Mr. Piet Lindhout, Lindhout Associates, Mr. Dana Foster, Brighton City Manager, Ms. Amy Cyphert, Brighton Planning & Zoning Director, and Mr. Matt Modrack, DDA Executive Director/Community Development Director, City of Brighton.

2. **Approval of May 19, 2015 Agenda**

Ms. Roblee asked if item 9.E. could be moved ahead of item 9.C. Motion by Ms. McConeghy, supported by Mr. Israel, to approve the May 19, 2015 agenda as amended. The motion carried 13-0.

Motion by Mr. Corrigan, supported by Ms. McConeghy, to approve the May 19, 2015 meeting agenda as presented. The motion carried 13-0.

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

4. **A. Approval of the April 21, 2015 Regular Meeting Minutes**

Motion by Ms. Roblee, supported by Mr. Griffith, to approve the April 21, 2015 regular meeting minutes as presented. The motion carried 12-0-1, with Ms. Botka abstaining.

5. **Approval of Bills**

Mr. Modrack reviewed the bills. *Motion by Mr. Griffith, supported by Mr. Corrigan, to approve the bills as presented. The motion carried 13-0.*

6. **Financial Report**

A. FY 14-15 Adopted Budget and YTD Summary (through 5/15/15) – *Motion by Mr. Corrigan, supported by Ms. Botka, to accept the FY 14-15 adopted budget and YTD summary through 5/15/15 as presented. The motion carried 13-0.*

7. **New Business**

A. Development Activity in the City presentation – Amy Cyphert, Planning & Zoning Director
Ms. Cyphert gave a Powerpoint presentation highlighting current and proposed projects within the City which included the Eberspaecher expansion, relocation of TG Fluids to Brighton Interior Drive (the former Magna building), the Brighton Commercial Center (former Davis Office Building site), Northridge Woods Condominiums (the only residential project in the City), and several businesses that have relocated from their original locations to other locations within the city.

B. City Manager Dana Foster – Granger & N. 2nd Street Infrastructure Projects Coordination Update – Mr. Foster advised that he did not need any decisions from the DDA Board today and wanted to make the board aware of Granger and City timelines related to the building project and related infrastructure (streetscape and water/sewer improvements). Mr. Foster is planning to

have City Council approve the notice of intent to bond for the Granger project and the grant match for the MDOT Brighton Interior Drive grant. The current timeline, which is subject to change, has Granger awarding contracts pulling their building permits and paying connection fees by August 3 and obtaining their Certificate of Occupancy by September 12, 2016. The City's bond sale would take place in February or March 2016, Granger would bid out the project in December 2015 or January 2016 with construction complete in June or July 2016.

Mr. Foster also wanted to make the board aware of the results of Granger's Phase I environmental study, the results of which indicate potential soil and groundwater problems at the site. Granger may want assistance from the Brownfield Authority through a capture, similar to TIF, to remediate the issues, if required. Preliminary estimates by the City's Finance Director indicate the amount to be approximately \$45,000 annually. If the State/DEQ gets involved, we may be able to double the capture since we could include the State Education Tax and school taxes in the capture. Mr. Foster indicated we won't know for 4-5 weeks where Granger is going with the project and noted that they do not have the Phase II done yet.

Mr. Modrack also noted that the DDA Board should be thinking about what they want Second Street to look like when it's put back together after the sewer/water work. Possible improvements include pedestrian and vehicle lighting similar to other areas of the DDA, curb changes on the east side of the street and wider sidewalks. He pointed out that although this area was included in the last DDA expansion, we do not capture any TIF funds here. He stated that the board will need to make a decision at some point if they want to do this. He said we should have more information to discuss at the June DDA meeting.

C. Sub-Committee Reports

1. Design – No meeting
2. Budget – No meeting
3. Development – No meeting
4. Executive – no meeting
5. Parking Strategy

a. Update from Traffic Safety Board 5/6/15 meeting - Mr. Modrack advised that he attended the TSB meeting and the Board will develop traffic control orders for Council's approval. Ms. French advised that Chief Wightman asked for information about parking spaces and lot enforcement times to assist the TSB and she will forward this information to him.

b. Consider approval for a parking space count study to be performed by Rich & Associates – Mr. Modrack asked for approval of up to \$3,000 for Rich & Associates, who did the original 2009 parking study and 2011 update, to do a parking space study before we start the enforcement program to verify there are enough parking spaces available for employees in the "out lots" that we will be sending them to.

Motion by Ms. McConeghy, supported by Mr. Binkley, to allocate up to \$3,000 for a parking space study to be performed by Rich & Associates. The motion carried 13-0.

8. Lindhout Report

A. CSX West Parking Lot status report

1. Consider approval of CSX West Parking Lot Change Order No. 01 – Mr. Lindhout noted that the construction schedule is about one week behind due to issues with underground utilities that were found while digging, after "Miss Dig" had been out to the site twice without marking the area. He passed out a photograph with the details highlighted. They have come with another plan, thanks to TetraTech engineers, to build a "hydraulic trap" which will require DPW monitoring of the line. He also noted that he and Matt Modrack met with the CSX Roadmaster and no CSX flagmen are required for the project which will save thousands of dollars.

He reviewed Change Order 01 and noted there are still some outstanding issues such as having to move topsoil and changing the straight pipe to a trap as noted above. The other increase was due to higher liability limits required by the CSX which were omitted in error from the bid documents, which increased Contracting Resources' insurance from \$500 to over \$4,000. He noted that we still have a positive balance in the contingency fund. The change order will require Chairperson Herbst's signature.

Mr. Modrack noted that at last night's Planning Commission meeting, the Commission voted to put a new crosswalk at Main and Second St. on next year's CIP list of projects in the fall of 2015 as suggested by Council and Planning Commission member Susan Gardner.

- B. Dairy Mart demolition – Mr. Lindhout noted that the building demolition is out for bid with a bid opening scheduled for June 2, 2015 at 3:00 p.m. The base bid takes down the building, leaves the existing asphalt, takes out the sidewalk, smoothes out the dirt and puts down seed. The alternate bid does all of the above except it adds gravel at the back, a new retaining wall and fencing. There will be two walk-throughs next week and he will give a bid report at the June DDA meeting. Mr. Lindhout briefly reviewed the results of the hazardous materials studies required prior to any demolition. They did find asbestos as well as mercury in light ballasts and door closing apparatus, but there was no lead paint found in the building. These materials are required to be mitigated prior to demolition.

9. Administrative Report – Matt Modrack

A. Chamber Parking Lot Lease renewal – Mr. Modrack advised that the front parking lot at the Chamber building that has been leased for the past year from the Chamber is part of our parking strategy along with the other DDA-leased lots. He noted that the Chamber is the only lot that we lease at no cost and that the City DPW does the snow plowing. Ms. McConeghy mentioned that the parking lot does need some work as there are a lot of potholes. City Manager Foster stated that he can send our DPW guys over to patch the potholes. Ms. McConeghy also noted the back Chamber lot, while not included in the lease but is used due to the stairway down to the Johnson lot, could also use some asphalt. She stated that the reference in the lease to the four parking spaces for Chamber of Commerce business can be removed from items 1 and 2 under "Agreement".

B. Valet Parking program update – Mr. Modrack noted that Fifth Third Bank is looking into sponsoring and funding a valet parking program and he will have further information at the June meeting. He stated that he has taken several developers around the City in recent weeks and they have all commented on the perceived lack of parking. He also said that Fifth Third has agreed to the use of the west side of their parking lot if the McCririe property is developed into a mixed use site.

B.1. Timeline for major projects (theater, Mill Pond Master Plan, Art Center) – Mr. Modrack noted that a copy of the current CIP timeline for major projects was included in the meeting packet. Ms. Roblee asked why the timing for the Mill Pond Master Plan update was scheduled in FY 19-20 instead of earlier since the project had the highest ranking when the DDA prioritized their projects. She wanted to know why the theater project is scheduled earlier than the Mill Pond Master Plan update. Mr. Modrack stated that Staff puts the projects in the various years and that the timing can be changed. There was a question about the \$80,000 expense in the CIP for the theater in FY 15-16, and Mr. Modrack explained that is the purchase price of the Fifth Third site. Ms. French noted the current agreement with Fifth Third requires purchase of the property by October 2016. Mr. Modrack noted that we will have to renegotiate the agreement with Fifth Third since the theater will not be built within the stated time parameters.

Mr. Modrack also mentioned that it might be time to start thinking about a parking platform and where it might be built. Timing, cost and design all need to be discussed further.

Downtown Development Authority Board Meeting Minutes

May 19, 2015

Page 4 of 4

Motion by Ms. Roblee to recommend changing the CIP project list order for the next CIP process to put the Mill Pond Master Plan in FY 17-18 and the theater in FY 19-20. Ms. Roblee withdrew her motion with the caveat that the City Council, DDA and PSD have all made the Mill Pond Master Plan update a priority and that we need to start steps to get the process started. Mr. Muzzin noted that the DDA needs to add the new projects to the DDA project list and reprioritize the list, possibly at a special meeting or workshop in early fall before the Council retreat in late October or early December.

C. Marketing study for theater – Mr. Modrack is requesting that the board read through the information he provided from Thomas Gerdom. He noted that there are a couple of other nearby communities who are planning to build a theater which may impact the results of the marketing study done last year by our intern, Adam Kokenakes. Ms. Roblee noted that she is on the Howell Opera House advisory board and they were told by Ed Francis, Resens Design, that the cost estimate for a new theater ranges from \$25,000 to \$300,000 per seat depending on all the bells and whistles that are included. He also advised that no community theaters are being built without public or private (i.e., sponsorships) financing for maintenance.

D. Special land use applications for transitional parking lots – Mr. Modrack noted that Planning Commission will be holding public hearings on the Excelda, Johnson and Dairy Mart transitional parking lot special use applications at their June 15 meeting.

10. **Chamber of Commerce Report – Pam McConeghy** – Ms. McConeghy reported that there is a ribbon cutting at 4:00 p.m. today for Anytime Fitness' grand opening at their new location in Brookside Mall. She thanked Mr. Lindhout for donating his time to prepare the plans for the Chamber's new shed.

11. **City Council Report** – No report.

12. **Adjournment**

Motion by Mr. Corrigan, supported by Ms. Nelson, to adjourn at 9:20 a.m. Motion carried 8-0-5.

Respectfully submitted,

Lauri French, Deputy Director
Community Development, Planning & Zoning
May 20, 2015