

**City of Brighton  
Downtown Development Authority  
Regular Meeting Minutes  
April 17, 2012**

The Board for the Downtown Development Authority (DDA) held a regular meeting on Tuesday, March 20, 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 7:17 a.m.

**Members Present:**

Dave Beauchamp, Mark Binkley, Tim Corrigan, Scott Griffith, Bob Herbst, Pam McConeghy, Mond Miller (left at 9:10 a.m.), Jim Muzzin, Lisa Nelson, Shawn Pipoly, and Greg Strouse

**Members Absent:** Linda Botka, Al Wirth

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

**Also present:**

Mr. Doug Cameron, DDA Attorney

Mr. Piet Lindhout, Lindhout Associates

Ms. Nancy Johnson, Director, Livingston SBTDC

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

Also present was an audience of six.

2. **Approval of April 17, 2012 Agenda**

Mr. Modrack reviewed today's agenda and asked to amend the agenda to add item 12.D. to his administrative report, Executive Committee to explore the future organization of the DDA.

*Motion by Ms. McConeghy, supported by Ms. Nelson, to approve the April 17, 2012 meeting agenda as amended. Motion carried 11-0-2.*

3. **Call to the Public** was made at 7:17 a.m. Hearing no response, call to the public was closed at 7:17 a.m.

4. **A. Approval of the March 20, 2012 Regular Meeting Minutes**

*Motion by Ms. McConeghy, supported by Mr. Griffith, to approve the March 20, 2012 regular meeting minutes as presented. Motion carried 10-0-3 with two absences today and Mr. Corrigan abstaining.*

- B. Approval of the April 5, 2012 Special Meeting Minutes**

*Motion by Mr. Corrigan, supported by Mr. Pipoly, to approve the April 5, 2012 special meeting minutes as presented. Motion carried 9-0-4 with two absences today and Mr. Strouse and Ms. Nelson abstaining.*

- C. Approval of the April 5, 2012 Special Meeting Closed Session Minutes**

Chairperson Herbst distributed the closed session minutes from the special meeting on April 5, 2012. *Motion by Mr. Muzzin, supported by Mr. Griffith, to approve the April 5, 2012 special meeting closed session minutes as presented. Motion carried 9-0-4 with two absences today and Mr. Strouse and Ms. Nelson abstaining.*

5. **Approval of Bills**

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

6. **A. Financial Reports**

**B. Approval of FY 12-13 DDA Fund Budget**

Mr. Modrack reviewed the budget forecast spreadsheet for FY 11-12 and highlighted the addition of planned expenditures for the seven North St. parking spaces and a revision for the Johnson building demolition expense based on the bid and contract award. He reviewed the FY 12-13 noted that a couple of items were included that were not submitted with our original budget for Council approval including an additional \$5,000 appropriation to the City's General Fund to make the planned upgrade for Lauri French "revenue neutral" due to increased benefit costs. He also added an estimate into the budget for a "mill and fill" of West St. which has not been discussed with either the Budget or Development subcommittees and is a "placeholder" in the budget. *Motion by Mr. Corrigan, supported by Ms. McConeghy, to accept receipt of the FY 11-12 and FY 12-13 budget forecast spreadsheets and approve the FY 12-13 DDA Fund Budget as submitted to City Council. Motion carried 11-0-2.*

7. **Old Business**

8. **New Business**

**A. Livingston County SBTDC Report – Nancy Johnson, Director**

Ms. Johnson showed the Board a YouTube video she recorded about the Livingston County SBTDC. There was a suggestion made that this should be put on the Downtown Brighton Facebook page. She also noted that she would like to do a series of these videos with the merchants walking people through their stores. Ms. Johnson handed out a Customer Characteristics Summary from January 2011 through March 31, 2012 showing percentages between start-ups and existing businesses, gender, types of businesses served, etc. She will be bringing more of these types of reports quarterly to provide more information about who is being served through the Livingston County SBTDC.

**B. Subcommittee Reports**

1. **Budget – DDA Surplus Discussion (Matt Modrack)** – Mr. Modrack discussed the list of budget items that Council discussed and voted on at their last meeting, and one of the items that came up for a vote was the City taking a \$200,000 surplus from the DDA Fund. The vote failed on a 3-3 vote, but Mr. Modrack noted that it would probably come up again at Thursday's Council meeting. There was a brief discussion about how the DDA budget differs from the City's budget; the DDA is project-oriented and monies are allocated for future projects and the City doesn't recognize projects in the budget unless there is a contract or purchase order involved. Several comments were made that the DDA Fund doesn't have a surplus; funds are committed for projects in FY 12-13 and beyond for items such as the Millpond Master Plan update. There was discussion about which entity – the City or the DDA – was responsible for declaring a surplus and Mr. Muzzin said that Council had not directed the City Attorney to look into this.
2. **Development** – Mr. Modrack reviewed an on-line Free Press article by Sylvia Rector about outdoor dining in several communities – Brighton included – and noted that a photograph taken by Gillis Benedict of the Brighton Bar and Grill outdoor café was used in the article which was very good publicity for the City.
3. **Design – 3/19/12 Millpond Design Subcommittee meeting (Mondi Miller)**  
Ms. Miller reported that the subcommittee task force has met with three out of the four companies selected to submit a RFP for costs associated with taking a second look at the draft Millpond Master Plan, and will be meeting with the fourth company on Wednesday. There was some discussion about why the subcommittee decided to send out a RFP and how much money it would cost. Ms. Miller explained that we have not asked these companies to do any work for us and we are just requesting their costs to put together suggested improvements to the plan with alternative drawings. Ms. French noted that the project will cost a lot of money and will change the face of downtown for a long time to come. The next step is for the task force to receive the RFPs the week of

April 23, review them and present them to the subcommittee. The subcommittee will then develop a recommendation for the full DDA board's approval.

4. Business Recruitment/Promotions – No report.

9. **Lindhout Update**

- A. Main Street Banner installation – Mr. Lindhout reviewed a mock-up of the proposed banner poles and banner to be used across Main Street. He explained why they positioned the poles at those locations and the various alternatives they looked at such as using the DTE cobra heads (could not be utilized because they are staggered on the street, not across from each other). The banners can be installed and uninstalled without closing the street by use of a pulley and crank system. The poles are 22 feet high and will cost \$15-20,000. The banners are 3'4" high and are estimated to cost \$800 each; it has not been determined who will pay for the banners themselves. Mr. Modrack noted that the banner priority would be: 1) large civic events (i.e., Smokin' Jazz) approved by City Council, and 2) PSD-sanctioned events and no private banners would be allowed.

*Motion by Mr. Binkley, supported by Mr. Beauchamp, to install black-painted poles in the locations as recommended and revisit the possibility of having local artists be more creative with them. Motion carried 10-1-2.*

There was a discussion about who would pay for banner installation and how many would be needed. Mr. Modrack will bring a banner program calendar to the May DDA meeting. A suggestion was made to discuss charging an installation fee if banners are used by an outside organization such as Kiwanis, Optimists Club, etc.

- A. 121 W. North St. Demo Bid – Mr. Lindhout advised that the bid documents are out and they include site plans, floor plans and a survey. Five companies have picked up bid packages so far. The bid opening is March 29, 2012 at 3:00 p.m. Mr. Modrack noted that we may have to call a special DDA meeting if we have closed on the property by then to award the demolition contract. Mr. Lindhout also advised that the plans include taking out the existing stairway as they do not meet code and are a potential liability issue once the DDA owns the property. He noted that if the parking structure is delayed that we may want to look at putting in a new temporary stairway.
- B. Receive Board authorization to award a contract for the construction of seven (7) parking spaces on North Street and authorize Chairperson Herbst to execute agreements pertaining to the construction – Mr. O'Leary reviewed the bid tab sheet from the April 9, 2012 bid opening. He noted that Fonson was the overall low bidder and he explained the various alternatives in the bid. Alternate 01 is for removing and replacing the sidewalk, Alternate 02 is for wayfinding signs for the West St. parking lot and to direct people to the Second St. parking lot, and Alternate 03 turned out to be a credit to replace asphalt with cement. Mr. O'Leary explained that Huron Sign Co. had provided incorrect sign prices to the bidders. Fonson agreed to revise their bid to correct the sign prices, but Mr. O'Leary did not have the information as of today's meeting. There is an estimated \$1,500 credit that will be handled as a change order for the signs in Alternate 02. Fonson estimates the parking spaces can be completed by May 24. He confirmed that there is a \$5,000 contingency in the base bid.

*Motion by Mr. Griffith, supported by Mr. Beauchamp, to authorize award of a contract to Fonson, Inc. for Option 1 in the amount of \$48,980, with credit for the incorrect sign pricing to be handled through a change order. Further, Chairperson Herbst is authorized to execute agreements pertaining to this project. Motion carried 11-0-2.*

- C. 121 W. North Demolition Schedule – Mr. O’Leary advised that the asbestos abatement is scheduled for April 23 and the permitting process is underway. DTE will be cutting the power effective April 30, 2012. The demolition is scheduled to be completed by May 31.
10. **City Council Liaison Report (Mayor Jim Muzzin)** – Mr. Muzzin noted that City Council will be holding a public hearing on the budget, including the DDA Fund budget, on Thursday, April 19. Council will also receive Nancy Johnson’s Tapestry presentation.
11. **Chamber of Commerce/Conference Center Report – Pam McConeghy**  
Ms. McConeghy advised that their conference center has been very busy. Their new electronic sign is up and is being programmed today.
12. **Administrative Report (Matt Modrack)**  
A. **Façade Bank Loan Agreement** – Mr. Modrack asked Mr. Cameron to review the terms of the Façade Improvement Loan Agreement with First National Bank and Livingston Community Bank. Mr. Cameron noted that this would be a 3-way agreement between the DDA and the two banks and that item 6 was added to the Agreement at the banks’ request. This item stipulates that if the owner of the building for which the façade loan is being provided defaults, the bank(s) would offer to sell the loan(s) to the DDA at 2% interest and the DDA would purchase the loan(s). Mr. Modrack noted that loan applications are to be approved by a DDA loan committee and referred to the bank(s) to determine if the bank(s) will make the loan(s).  
  
*Motion by Ms. McConeghy, supported by Mr. Muzzin, to authorize Chairperson Herbst to execute documents related to the DDA Façade Program, including the Façade Improvement Loan Agreement. Motion carried 11-0-2.*
- B. **Five Photos – Millpond Kayak Tour 3/24/12** – Mr. Modrack noted he has been using his kayak in the Millpond the past several weekends and has received questions from people who didn’t know they could kayak or canoe there. He is working out the details with Heavner Canoe Rental for an event to be held on Sunday afternoons this summer.
- C. **D.O.C./Second St. Matter** – Mr. Modrack chose not to discuss this item as it would take too much time to explain.
- D. **Executive Committee to explore future organization of the DDA** – As discussed briefly when he asked to add this item to the agenda, Mr. Modrack asked for volunteers to develop the structure of a future DDA. He noted that typically an Executive Committee is comprised of the Board officers. The Executive Committee would be Chairperson Herbst, Vice-Chairperson Binkley and Treasurer Corrigan (the DDA does not have an elected Secretary).
14. **Adjournment**  
  
*Motion by Mr. Strouse, supported by Mr. Griffith, to adjourn at 9:20 a.m. Motion carried 10-0-3.*

Respectfully submitted,

Lauri French, Community Development Department  
April 18, 2012