

**City of Brighton  
Downtown Development Authority  
Regular Meeting Minutes  
March 17, 2015**

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

Linda Botka, Tim Corrigan (left at 8:32 a.m.), Phil Garbacz (left at 8:32 a.m.), Bob Herbst, Ashley Israel, Pam McConeghy, Jim Muzzin, Lisa Nelson, Shawn Pipoly and Claudia Roblee

**Members Absent:** Dave Beauchamp, Mark Binkley, Scott Griffith

**Also present:**

Mr. Doug Cameron, DDA Attorney, Mr. Piet Lindhout, Lindhout Associates, Mr. Dana Foster, Brighton City Manager, Ms. Kelly Hanna, Brighton Finance Director, Mr. Matt Modrack, DDA Executive Director/Community Development Director, City of Brighton, and an audience of one.

*Motion by Ms. McConeghy, supported by Ms. Botka, to excuse the absence of Board members Dave Beauchamp, Mark Binkley and Scott Griffith. The motion carried 10-0-3.*

2. **Approval of March 17, 2015 Agenda**

Mr. Modrack requested that two items be added under “Administrative Report” and that item 7.A.5 be moved under his administrative report as follows: Item 9.A., Excelda Lot, Item 9.B., Small Splash Pad and Item 9.C., Feedback from Parking Enforcement Strategy meetings.

*Motion by Mr. Corrigan, supported by Mr. Pipoly, to approve the March 17, 2015 meeting agenda as amended. The motion carried 10-0-3.*

3. **Call to the Public** was made at 7:18 a.m. Hearing no response, call to the public was closed.

4. **A. Approval of the February 17, 2015 Regular Meeting Minutes**

*Motion by Mr. Muzzin, supported by Mr. Israel, to approve the February 17, 2015 regular meeting minutes as presented. The motion carried 9-0-3-1, with three absences and Mr. Garbacz abstaining.*

5. **Approval of Bills**

Mr. Modrack reviewed the bills and noted that the CSX West Parking Lot engineering was the bulk of the Lindhout Associates bill, and the Dairy Mart and Shiposh lawsuit made up the majority of the Mancuso-Cameron billing.

*Motion by Mr. Corrigan, supported by Ms. Botka, to approve the bills as presented. The motion carried 10-0-3.*

6. **Financial Report**

A. Potential FY 14-15 DDA Fund Budget Amendment; Review Proposed FY 15-16 Budget Submittal – Dana Foster, City Manager

Mr. Foster gave a brief presentation and reviewed the various types of Funds that make up the City’s budget. He reviewed two of the goals from last November’s Council Retreat that related to the DDA; one was possible budget amendments for FY 14-15 and the other related to the CSX West lot construction and an appropriation from the City’s General Fund to the DDA Fund for construction expenses in FY 14-15. He also reviewed the City’s 15% fund balance policy. He noted there are a few projects that the Council Budget Subcommittee suggested be discussed with the DDA Board. Those projects include Second St. street improvements (with the Utilities

Fund picking up the water/sewer portion of the improvements); the cost is estimated at over \$2 million and the DDA would be paying a share of the debt service beginning in FY 16-17. The City was recently made aware of an LED streetlight replacement program with DTE which would require some upfront money by the DDA and/or Utilities Funds in this fiscal year. The majority of old streetlights are located in the DDA District. The General Fund would pay the DDA and/or Utilities Funds back with the savings generated over the next four years. Also discussed was a \$70,000 grant match for the Orndorf Dr. project in FY 15-16 and the \$30,000 appropriation to the General Fund for the part-time parking enforcement officer. Mr. Foster noted that the only decision that needs to be made today is whether to help fund the upfront costs to replace the old streetlights with LED streetlights. Ms. French suggested that the other proposed expenses be added to the budget forecast as placeholders since the DDA budget changes so frequently and we want to make sure there is adequate money in each fiscal year's budget for them.

*Motion by Ms. McConeghy, supported by Mr. Corrigan, to approve a \$30,000 appropriation from the DDA Fund to the General Fund in FY 14-15 to pay for a portion of the upfront change-out cost for part of the lights located in the DDA District that will be reimbursed by the General Fund from the cost savings generated during the next 4 years. The motion carried 10-0-3.*

B. FY 14-15 Adopted Budget and YTD Summary (through 3/13/15) – Lauri French reviewed the budget forecast spreadsheet and noted additions and deletions. She will update the next budget forecast to include the \$30,000 appropriation for the DTE streetlight replacement upfront costs.

*Motion by Mr. Corrigan, supported by Mr. Muzzin, to accept the FY 14-15 adopted budget and YTD summary through 3/13/15 as presented. The motion carried 10-0-3.*

## 7. **New Business**

### A. Sub-Committee Reports

1. Design – No meeting
2. Budget – No meeting
3. Development – No meeting
4. Executive – no meeting
5. Parking Strategy – Feedback from parking strategy informational meetings – moved to Item 9.C.

B. Discuss Pending Litigation (Doug Cameron) – Mr. Cameron gave the board an update on the Shiposh lawsuit. After reviewing the options, it appears that the solution to this issue is a quit claim deed to the Shiposhs, which will disavow any claim to the property. There was some discussion about whether Mr. Cameron's fees for this issue are recoverable and it was his opinion that they might be but that it would probably require suing to recover them, which would cost more money.

*Motion by Mr. Israel, supported by Ms. Botka, to authorize Chairperson Herbst to sign the documents for a quit claim deed to the Shiposhs for the 12' strip of property as outlined in the lawsuit. The motion carried 9-0-3-1, with three absences and Lisa Nelson abstaining as she is a tenant in the Shiposhs' building.*

## 8. **Lindhout Report**

### A. CSX West Parking Lot project update

1. Results of 3/12/15 bid opening – Piet Lindhout distributed a letter dated March 16, 2015 that summarized the results of the bid opening. Contracting Resources was the low bidder at \$288,000 for the base bid and \$66,000 for Alternate 1, for a total of \$354,000. He compared the bid cost with our last cost estimate from 11/12/14 and noted that a lot of changes had taken place since then, so the increase was not unexpected. He also noted that the CSX requested some changes in our storm water and grading design and our electrical service to the site which adds an additional \$13,000 to the projected costs. He noted there is a \$20,000 contingency in the bid but he doesn't want to take a chance and is asking for approval of a change order up to \$13,000. He also indicated there will

probably be additional expenses for CSX flagmen when we start construction. He noted that in trying to be good neighbors to the residences to the west that we moved the lot over 10 feet which brought it closer to the tracks and that's the reason CSX asked for the storm water changes.

*Motion by Mr. Muzzin, supported by Mr. Corrigan, to award the construction contract for the CSX West Parking Lot to Contracting Resources and to authorize Chairperson Herbst to sign the construction contract and to approve a construction change order in the amount of \$13,000 for additional work for electrical and storm water changes as discussed. The motion carried 10-0-3.*

B. 212 E. Grand River demo bid update – Mr. Lindhout noted that they have the demolition documents ready to go but that nothing could be done without having the property surveyed first, which is taking place this morning.

9. Administrative Report – Matt Modrack

A. Excelda Lot – Mr. Modrack passed out a drawing of the Excelda property that shows where additional asphalt could be added to bring the total number of spaces up to 26. With the new salon at Main and Hyne St. coming in soon, this additional space will be need for the employees. He will contact Tony Pitts at Excelda to determine if they will approve this expansion under a long-term lease. Matt will get cost estimates and report back at the April meeting.

B. Small Splash Pad – Mr. Modrack described the type of splash pad he would like to put in near the Imagination Station Pavilion. He reviewed the photos of the area and noted that the large evergreen tree would have to be removed. Even if we don't put in the splash pad, we may want to take the tree down in order to make the front part of the pavilion visible when the police drive through the parking lot. His ballpark estimate for the splash pad is \$30,000. Ms. Roblee suggested that an alternative might be to take out some of the older equipment at the Imagination Station and replace it with the newer equipment that has a water feature. She noted that Renee Pettengill has vendor catalogs and requested that City Manager Foster work with Renee to get an idea of the cost and where this type of equipment could be located in the Imagination Station. Mr. Foster also noted that the Imagination Station work day where the wood chips will be flipped and maintenance done is Saturday, May 9 (Mother's Day weekend).

C. Feedback from Parking Enforcement Strategy Informational Meetings – Mr. Modrack noted that we held three informational meetings last week that were not very well attended. He is very concerned that even with all the spaces we have built the past five years that we still won't have enough spaces to send employees to park. There are more meetings this week; one is tonight at 6:30 p.m. and there are two more on March 18, one at 8:30 a.m. and one at 2:00 p.m.

10. Chamber of Commerce Report – Pam McConeghy – Ms. McConeghy noted there is a ribbon cutting ceremony today for Rosebrook Child Development Center at Brighton Towne Square. She also advised they held a ribbon cutting last week for Mike Bishop's new office on E. Grand River.

11. City Council Report – Mr. Muzzin advised that Council will hold three budget work sessions the week of March 23. They will be held on March 24, March 25 and March 26 from 6:00 to 8:30 p.m.

Mr. Modrack advised the board that we received two grant finalization letters from MSHDA, one for the Sagano façade grant and the other for the Main 4 streetscape grant. The letters mean that the grants are officially closed.

12. Adjournment

*Motion by Ms. McConeghy, supported by Mr. Muzzin, to adjourn at 9:05 a.m. Motion carried 8-0-5.*

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Respectfully submitted,

Lauri French, Deputy Director  
Community Development, Planning & Zoning  
March 17, 2015