

**City of Brighton
Downtown Development Authority
Regular Meeting Minutes
May 15, 2012**

The Board for the Downtown Development Authority (DDA) held a regular meeting on Tuesday, May 15, 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:

Dave Beauchamp, Mark Binkley (left at 9:00 a.m.), Linda Botka, Tim Corrigan, Scott Griffith, Bob Herbst, Pam McConeghy, Jim Muzzin, Lisa Nelson, Shawn Pipoly (left at 9:00 a.m.), Greg Strouse and Al Wirth

Members Absent: Mond Miller

Motion by Mr. Muzzin, supported by Mr. Wirth, to excuse Ms. Miller from today's meeting. Motion carried 12-0-1.

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

Also present was an audience of four.

2. **Approval of May 15, 2012 Agenda**

Motion by Ms. McConeghy, supported by Mr. Corrigan, to approve the May 15, 2012 meeting agenda as presented. Motion carried 12-0-1.

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 17, 2012 Regular Meeting Minutes**

Motion by Ms. McConeghy, supported by Mr. Muzzin, to approve the April 17, 2012 regular meeting minutes as presented. Motion carried 11-0-2 with one absence today and Mr. Wirth abstaining.

5. **Approval of Bills**

Mr. Modrack briefly reviewed the bills in today's meeting packet.

Motion by Mr. Griffith, supported by Mr. Beauchamp, to approve the bills as presented. Motion carried 12-0-1.

6. **A. Financial Reports**

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

Mr. Modrack noted that the Finance Department report was from the new accounting system.

Motion by Mr. Corrigan, supported by Mr. Muzzin, to accept receipt of the FY 11-12 financial reports as presented. Motion carried 12-0-1.

7. **Old Business**

Matt Modrack noted there was no old business and briefly reviewed the agenda items under New Business.

8. **New Business**

A. Livingston County SBTDC Report – Nancy Johnson, Director

1. May 23 PSD Merchant Presentation - Ms. Johnson reported that she has been working with Matt Modrack for a presentation of the tapestry data to the merchants which will be focused on how they can market to the demographics of their customers or potential customers. She reviewed the points that will be covered and noted that the presentation is open to everyone.

B. Event PR/Promotions – Michelle Miller

1. Ladies Night; Americana/Summerfest planning – Michelle Miller stated that the Ladies Night event was a success for the merchants but they did not collect as much money as they had hoped for the charities. She is holding two merchant meetings on May 22 to discuss the event and to solicit ideas for the Summerfest portion of the July 13-14 festival.
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. Downtown Brighton Facebook page – Michelle showed the board the new Downtown Brighton, Michigan Facebook page which includes events and photographs. This page will take the place of the current Brighton, Michigan Facebook page. She asked the board members to send her any photographs they would like to post on the page. She also noted that the brochure was almost ready to go to print with the restaurant map and listing, art map and list of events. Mark Binkley noted that the PSD has purchased a billboard on northbound US-23 and he will bring the copy for it to the next meeting.

C. Approve DDA letter of support for BCPA grant submission to DTE – Bob Herbst – Bob Herbst explained that he was asked to write a letter of support by Anne Rennie from Brighton Area Schools for an opportunity for a free DSO concert at the Brighton Center for the Performing Arts. He asked Lauri French to draft a letter for his signature and is asking for the DDA Board's approval prior to he and Matt Modrack signing it.

Motion by Shawn Pipoly, supported by Mark Binkley, to approve a letter of support to be signed by Chairperson Herbst and DDA Executive Director Modrack for submission to the DTE Energy Foundation by Brighton Area Schools for a free DSO community concert at the BCPA. Motion carried 12-0-1.

9. Lindhout Update

- A. Main Street Banner Poles Location and Design – Mr. Lindhout noted they are moving ahead as quickly as possible with the banner pole installation and would be marking the spots for the poles after today's meeting. The poles are very substantial and are similar to the mast arms at Grand River and Main. He advised that the steel cables strung across to each pole will be permanent and that banners will clip to the cable and be pulled across the street. He expects the concrete to be poured by next week and the poles will be installed two weeks later to give the concrete time to set.
- B. 121 W. North St. Demo – Mr. O'Leary advised that the building is down and the rubble should be cleared away this week. Sand fill and compacting will be done next week followed by gravel the week after that. The excavating company is still targeting a May 25 completion date. There was discussion about the water table and whether we should be concerned about the amount of water that has been pumped out continuously if we plan to build a parking structure on the site. Mr. Lindhout noted that the borings hit water at eight feet, so we were aware of where the water is and that we will engineer around it. There was further discussion about the stairs from the back of the property to the Chamber site and whether we should consider building temporary stairs in order to use the Chamber and/or church parking

lot. Mr. Lindhout stated that there is already an agreement for parking. Mr. Modrack advised that a new stairway could cost as much as \$75,000 which would in all probability be torn out when the parking structure is built and questioned whether the board wanted to spend that money on a temporary stairway. He suggested that the Development subcommittee take a look at this and come back to the board with a recommendation.

C. North Street 7 Spaces Update – Mr. O’Leary advised that work began last week and that a curb problem was discovered yesterday that will necessitate using a rollover curb to fix a slope issue for the last parking space. The fix could add an additional \$2,500, but we have a \$5,000 contingency that this could be taken out of.

10. **City Council Liaison Report (Mayor Jim Muzzin)** – Mr. Muzzin gave kudos to Mr. Modrack for bringing people out to attend the public hearing on the budget on April 19. He thinks the large turnout was responsible for changing at least one vote on Council. He also advised that the bills to eliminate the Personal Property Tax have moved out of the Senate to the House and would affect fiscal year 13/14. The impact to the DDA Fund budget is estimated at \$31,000.

11. **Chamber of Commerce/Conference Center Report – Pam McConeghy**
Ms. McConeghy advised that their conference center hosted an Economic Gardening workshop with the MEDC and they are developing valuable contacts within MEDC. She also advised they are working on their sign issues.

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

A. **Façade Bank Loan Agreement** – Mr. Modrack advised that he and Doug Cameron have been working on the loan agreements with First National Bank and Livingston Community Bank. A proviso in the agreement that the banks are not willing to budge on 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 once the DDA approves the initial application, the banks have the final say regarding whether the loan is approved or not. There is a maximum term of 8 years at 2% interest. The risk to the DDA is \$30,000

Motion by Ms. McConeghy, supported by Mr. Griffith, to accept the bank façade loan agreement and authorize Chairperson Herbst to execute documents related to the DDA Façade Program, including the Façade Improvement Loan Agreement. Motion carried 11-0-2, with Mr. Corrigan abstaining..

B. **Main Street Banners**

1. Events (Americana/Summerfest, Art Festival, Smokin Jazz) – Mr. Modrack reviewed the protocol for event banners, either civic events or PSD-sanctioned events would be allowed. He reviewed the event calendar and explained he has been working to optimally put up and take down the Main St. banners for events. He estimated it would cost \$150 to install and take down the banners. He is proposing that the DDA pay for five banners for Ladies Night, Americana/Summerfest, Art Festival, Smokin’ Jazz and Holiday Glow. There was a discussion about why the DDA should pay for the banners and not the event organizer or sponsors. Mr. Strouse noted that this was discussed at last month’s meeting and he believes the DDA should not have to pay for the banners when we are already paying for the poles and installation.

Motion by Mr. Griffith to have the DDA pay for 50% of the first banner for Americana/Summerfest and consider paying for future banners if it works out as planned. Motion failed for lack of support.

Motion by Mr. Muzzin, supported by Mr. Beauchamp, to approve that the DDA pay for 50% of six banners for the events noted above plus a patriotic banner for multiple uses.

There was discussion about who would pay for the other 50% of the banner cost. Ms. McConeghy noted that banners were not in the Chamber's budget for this year. Mr. Binkley suggested the PSD could pay for the Ladies Night banner, and Mr. Pipoly added that perhaps the merchants could share in the cost like they do with co-op ads. Mr. Herbst stated that he would personally pay for the other 50% of the banner costs if we can't get funding. Mr. Corrigan stated that he would split the difference with Mr. Herbst. Mr. Strouse noted that it seems like we are hurrying to get things done and are not following the process.

Motion carried 10-1-2, with Ms. McConeghy abstaining.

- C. Virginia's site demolition agreement – Mr. Modrack stated that he has been working to get grant money or brownfield credits for this site for the past two years to get the building down. He is proposing to enter into a partnership agreement with the Mitchells (owner of the Virginia's property and AA Muffler next door) for a \$20,000 loan at 2% interest from the DDA to be paid back within 2 years or upon development or sale of the site, whichever comes first. The loan will enable the demolition of the building as was done with the former TCF site, the former Chamber site and the 121 W. North site. Mr. Modrack noted that he would also like to pursue a façade loan for AA Muffler, and that there may be an opportunity to pursue a Barton-type lease of the property for additional parking if required.

Motion by Mr. Muzzin, supported by Ms. Botka, to authorize Chairperson Herbst and DDA Director Modrack to sign an agreement to be prepared by DDA attorney Cameron for a \$20,000 loan at 2% interest to be paid back within 2 years or upon development or sale of the site, whichever comes first. Motion carried 12-0-1.

- D. Redevelopment liquor license workshop – June 15, 2012 – Mr. Modrack advised that he and Lauri French, along with other staff participation, will be hosting a workshop regarding the redevelopment liquor license process at the Chamber conference center on Friday, June 15. We have received several inquiries from other communities for assistance and felt there was a need for this type of workshop. There are 27 communities that have signed up with a total of 35 attendees.

Mr. Modrack asked that items 12E. and 12F be deleted from the agenda due to lack of time.

14. Adjournment

Motion by Mr. Corrigan, supported by Mr. Wirth to adjourn at 9:05 a.m. Motion carried 10-0-3.

Respectfully submitted,

Lauri French, Community Development Department
May 15, 2012