

**CITY OF BRIGHTON
DOWNTOWN DEVELOPMENT AUTHORITY
REGULAR MEETING**

The City of Brighton Downtown Development Authority will hold a meeting on Tuesday, January 19, 2010 at 7:15 A.M. at the City of Brighton Council Chambers located at 200 N. First Street, Brighton, MI

AGENDA

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|--------|-----|---------------------------------------------------------------------------|-------------|
| | 1. | Call to Order; Welcome New DDA Board Members Lisa Nelson and Greg Strouse | |
| ACTION | 2. | Approval of January 19, 2010 Agenda | |
| ACTION | 3. | Call to the Public | |
| ACTION | 4. | Election of 2010 Officers | |
| ACTION | 5. | Approval of the December 15, 2009 Meeting Minutes | |
| ACTION | 6. | Financial Report | |
| | | A. FY 2009-10 Budget Amendment | |
| | 7. | Administrative Report (Matt Modrack) | |
| | | A. Main 4 Project Update – Change Order No. 5 | |
| | | B. Cemetery Lot/Streetscape Improvements Grant Status | |
| ACTION | 8. | Approval of Bills | |
| | | A. McCririe & Cameron | \$ 1,373.00 |
| | | B. Lindhout Associates | \$15,100.00 |
| | | C. Contracting Resources | \$ 1,506.60 |
| | 9. | New Business | |
| | | A. Mexican Jones Easement Status Discussion | |
| | | B. 2010 Flower Installation & Maintenance Bid | |
| | | C. DDA Property Maintenance Bid | |
| | 10. | Old Business | |
| | | A. DDA Administration | |
| | | B. Lindhout Update | |
| | 11. | Other | |
| | 12. | Adjournment | |

Next meeting is scheduled for Tuesday, February 16, 2010 at 7:15 a.m.

**City of Brighton
Downtown Development Authority Meeting Minutes
January 19, 2010**

The Board for the Downtown Development Authority (DDA) held a meeting on Tuesday, January 19, 2010 at the City of Brighton Council Chambers located at 200 N. First Street, Brighton, MI.

Chairman Herbst called the meeting to order at 7:15 a.m. He welcomed new board members Lisa Nelson and Greg Strouse and the other board members introduced themselves.

Members Present:

Ricci Bandkau, Dave Beauchamp, Mark Binkley, Linda Botka, Tim Corrigan, Scott Griffith, Bob Herbst, Pam McConeghy, Mond Miller, Lisa Nelson, Shawn Pipoly, Greg Strouse and Al Wirth.

Members Absent: None

Also present:

Mr. Bill McCririe, DDA Attorney
Mr. Doug Cameron, McCririe & Cameron
Mr. Piet Lindhout, Lindhout Associates
Mr. Mike O'Leary, Lindhout Associates
Mr. Dana Foster, City Manager, City of Brighton
Mr. Matt Modrack, Community Development & Planning Director, City of Brighton
Mr. Matt Schindewolf, Director, Department of Public Services, City of Brighton
Mr. Dave Gajda, Finance Director, City of Brighton

An audience of five was also present.

Approval of Agenda

Ms. McConeghy requested "Civic Events Fees" be added to New Business. Motion by Ms. McConeghy, supported by Mr. Corrigan, to approve the January 19, 2010 agenda as amended. Motion carried 13-0.

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

Election of Officers

Chairman Herbst opened the floor to nominations for chairman and vice-chairman. Ms. Bandkau nominated Mr. Herbst as chairman; the nomination was amended to include Mr. Griffith's suggestion to nominate Mr. Binkley to continue as vice-chairman. Motion was supported by Ms. McConeghy and carried 13-0.

Approval of Minutes

Motion by Mr. Griffith, supported by Mr. Binkley, to approve the December 15, 2009 meeting minutes as presented. Motion carried 10-0 with Mr. Wirth, Ms. Nelson and Mr. Strouse abstaining.

Financial Report – Mr. Gajda reported that the financial report has a new format and is in the form of a budget amendment for FY 09-10. He noted the current budget was adopted last spring but had not been amended to include items for which the DDA had committed funds since then. He has added items that have occurred to date and explained all changes to the board. He is recommending the DDA request City Council to amend the budget to reflect reality. Mr. Gajda is preparing the FY 2010-11 DDA budget that will be reviewed at the February meeting. Motion by

Ms. McConeghy, supported by Mr. Corrigan, to send City Council the amended FY 09-10 budget for approval. Motion carried 13-0.

Administrative Report

A. Main 4 Project - Mr. Modrack reviewed the cost breakdown of the project, noting that he has looked for money in other funds (i.e., tree fund, TCF curb closure), but there is still a shortfall that he is asking the DDA to pay for. Motion by Mr. Corrigan, supported by Ms. Bandkau, to approve \$2,000 in additional funds for the Main 4 project and adjust the budget amendment previously approved to reflect the additional funds. Motion carried 13-0. Mr. Binkley asked for an estimate of when the Detroit Edison lights would arrive. Mr. Lindhout responded it would be mid-March and Mr. Schindewolf could be contacted for updates.

Approval of Bills – Motion by Ms. McConeghy, supported by Mr. Beauchamp, to approve the bills as presented. Motion carried 13-0.

New Business

A. Mexican Jones Easement Status Discussion

Mr. McCririe presented a brief history of the 1999 agreement between the DDA and Mr. and Mrs. Gienapp, which was necessary to obtain the easement for the Tridge walkway. The current situation is that the Gienapps are behind on their mortgage payment to Michigan Commerce Bank (formerly Brighton Commerce Bank) and the bank has called the note. Mr. McCririe proposed to the DDA that the board enter into an agreement whereby the DDA would pay the monthly mortgage (approximately \$2,700 per month) for a period of 12 months. During that period of time, Mr. and Mrs. Gienapp would actively work to sell the business/property including their liquor license while still running the business. Any monies paid by the DDA would be reimbursed to the DDA upon the sale of the business.

Mr. Griffith noted there is now a contingent liability showing on the financial report in the amount of \$430,000 to cover the amount of the note, late payments and interest, and back taxes. Mr. Anderson from Michigan Commerce Bank noted there are late mortgage payments due in the amount of \$11,737.29 and 2007 taxes in the amount of \$17,000 that are due by the end of March 2010. He asked for DDA financial statements for 2008 and 2009. He also stated they may be willing to reduce the obligation to an interest only loan. Mr. McCririe advised the DDA board that he is looking for its direction to negotiate an agreement with the Gienapps and the bank. Chairman Herbst noted that he and a couple of other board members would work with Mr. McCririe to resolve this issue.

B. 2010 Flower Installation & Maintenance Bid

C. 2010 DDA Property Maintenance Bid

Mr. O'Leary reported that they would be preparing bid packages for flower installation and maintenance as well as property maintenance for next month's DDA meeting. He noted they would adjust the flower bid to reflect the addition of the Main 4 planters and poles.

Old Business

A. DDA Administration

Chairman Herbst reviewed last month's vote and issues for the benefit of the new board members. Mr. Binkley noted that the PSD board has had no problem with administrative support from the City and since the proposal is for a one-year contract, if the DDA is not satisfied, this could be looked at again in a year. Ms. Johnson noted that she and Mr.

Modrack had met last week and agreed that she has a different focus. She would be willing to wait to provide anything to the DDA until other issues have been resolved. Chairman Herbst asked City Manager Foster if taking on the DDA administration would take away from Mr. Modrack's work for the City; Mr. Foster responded that it would not. Mr. Modrack commented that he is already working on DDA projects so this should not be an issue. Motion by Mr. Corrigan, supported by Mr. Binkley, to move forward with a contract with Mr. Modrack as DDA administrator to be reviewed in one year. Motion carried 13-0.

B. Lindhout Update

- Mr. Lindhout reported the cemetery parking lot and park were ready for bid. Bid results should be available for either the February or March DDA meeting.
- Mr. Lindhout reviewed the CIP process and explained that projects from the DDA's matrix are put in the Capital Improvement Program that is reviewed by the CIP Committee and ultimately approved by City Council. He explained that not all the top DDA priorities make it into the current fiscal year's budget due to bonding constraints, etc. For example, the E. Grand River project is at the top of the DDA's list but is not in the CIP until 2015-16 when bonding is available.
- Mr. Lindhout also noted there are some "pay as you go" projects on the DDA matrix for 2010-11 (i.e., West & Main Raised Crosswalk) that may have to be pushed back due funds utilized for the contingent liability issue. Other items may have been ranked low by the DDA but higher by the CIP Committee (i.e., Second Street streetscape).
Mr. Griffith asked Mr. Lindhout to update the DDA matrix add the type of funding and in which fiscal year the project is planned. Mr. Gajda noted that the DDA proposed FY 10-11 budget will be reviewed at the February meeting.

Other

Civic Event Fees – Ms. McConeghy reminded the board that the City is looking to charge for City services at civic events, which the Chamber would then have to pick up. She asked whether the DDA might consider picking up some of these charges, especially in light of the DDA plan amendment expected to be approved in February. Otherwise, the Chamber Board would have to budget for them. City Manager Foster agreed that the DDA plan amendment would allow for these types of expenses. The City did not think the Chamber would have the funds to pay for these expenses and wanted to look at whether other organizations could pick up some of them.

Downtown Brighton Merchants Association – Ms. Nelson, who also serves as chairperson of the DBMA, reported the group would hold a meeting next week to plan a spring event.

Mr. Lindhout asked the board for authorization for Chairman Herbst to sign a deduct change order for the Main 4 project. Motion by Mr. Griffith, seconded by Ms. Bandkau, to authorize Chairman Herbst to sign the change order. Motion carried 13-0.

Adjournment

Motion by Ms. McConeghy, supported by Mr. Griffith, to adjourn at 9:05 a.m. Motion carried 13-0.

Respectfully submitted,

Lauri French, Community Development & Planning Department
January 20, 2010