

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

The City of Brighton Downtown Development Authority will hold a meeting on Tuesday, August 17, 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 | |
| ACTION | 2. | Approval of August 17, 2010 Agenda | |
| ACTION | 3. | Call to the Public | |
| ACTION | 4. | Approval of the July 20, 2010 Regular and Closed Session Meeting Minutes | |
| ACTION | 5. | Approval of Bills | |
| | | A. McCririe & Cameron (July 2010) | \$ 1,341.00 |
| | | B. Lindhout Associates (July 2010) | \$16,387.33 |
| | | C. Laux Construction (Cemetery Walkway) | \$ 770.00 |
| | | D. Contracting Resources (205 West Grant Project) | \$45,900.00 |
| | | E. L. R. Parker & Associates (Appraisal) | \$ 4,000.00 |
| | | F. City of Brighton (Water/Sewer Bill 7/1-7/31/10) | <u>\$ 25.53</u> |
| | | TOTAL BILLS | \$68,423.86 |
| ACTION | 6. | Financial Report | |
| | | A. Financial Summary | |
| | 7. | Administrative Report (Matt Modrack) | |
| | | A. Planning & Community Development Report | |
| | 8. | Lindhout Update | |
| | | A. Change Order – St. Paul Parking Lot & Pocket Park Project | |
| | | B. West and North Street ROW improvement project status | |
| | 9. | New Business | |
| | | <u>Sub-Committee Reports</u> | |
| | | A. Budget (No report) | |
| | | B. Mexican Jones – 8/2/10 meeting | |
| | | • Present property offers to full DDA Board | |
| | | C. Development – 7/26/10 meeting | |
| | | • Request for Closed Session to discuss property acquisition | |
| | | D. Design (No report) | |
| | | D. Business Recruitment/Promotions (No report) | |
| | 10. | Old Business | |
| | | A. “Five Fotos” – Matt Modrack | |
| | 11. | Other | |
| | | A. Downtown Brighton Merchants Association – Lisa Nelson, Chairperson | |
| ACTION | 12. | Adjournment | |

Next meeting is scheduled for Tuesday, September 21, 2010 at 7:15 a.m.

**City of Brighton
Downtown Development Authority Meeting Minutes
August 17, 2010**

The Board for the Downtown Development Authority (DDA) held a meeting on Tuesday, August 17, 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. It was noted that an email was received from Mr. Wirth to advise he would be absent for today's meeting. Also, Lisa Nelson's absence at the July 20, 2010 meeting should have been excused; she sent a text message to Lauri French advising she was ill, but Lauri did not receive it until after the meeting.

Members Present:

Ricci Bandkau, Dave Beauchamp, Mark Binkley, Linda Botka, Tim Corrigan, Scott Griffith, Bob Herbst, Pam McConeghy, Mondie Miller, Lisa Nelson (arrived at 7:20), Shawn Pipoly, and Greg Strouse.

Members Absent: Al Wirth (excused)

Also present:

Mr. Bill McCririe, DDA Attorney
Mr. Doug Cameron, McCririe-Cameron Law Office
Mr. Piet Lindhout and Mr. Mike O'Leary, Lindhout Associates
Ms. Nancy Johnson, Director, SBTDC
Mr. Matt Modrack, DDA Administrator/Community Development & Planning Director, City of Brighton

An audience of four was also present.

Approval of August 17, 2010 Agenda

Mr. Modrack asked the Board to amend today's agenda to include items 7B. SBTDC Update by Nancy Johnson, and 10B. Rural Arts 2010 Grant Program Motion by Ms. McConeghy, supported by Ms. Bandkau, to approve the August 17, 2010 meeting agenda as amended. Motion carried 11-0-2. Mr. Modrack distributed copies of the amended agenda to the board and public.

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

Approval of the July 20, 2010 Regular Meeting Minutes

Motion by Ms. McConeghy, supported by Mr. Griffith, to approve the July 20, 2010 meeting minutes as presented. Motion carried 11-0-2.

Approval of the July 20, 2010 Closed Session Meeting Minutes

Chairperson Herbst distributed the closed session draft meeting minutes from July 20, 2010 and asked for a roll call vote to approve them.

Ms. Bandkau	Yes	Ms. McConeghy	Abstained
Mr. Beauchamp	Yes	Ms. Miller	Yes
Mr. Binkley	Yes	Ms. Nelson	Abstained
Ms. Botka	Abstained	Mr. Pipoly	Yes
Mr. Corrigan	Yes	Mr. Strouse	Yes
Mr. Griffith	Yes	Mr. Wirth	Absent
Mr. Herbst	Yes		

Motion carried 9-0-4.

Approval of Bills

Mr. Modrack gave a brief explanation of each bill presented for payment. Motion by Mr. Corrigan, supported by Mr. Pipoly, to approve the bills as presented. Motion carried 12-0-1.

Financial Report – Mr. Modrack advised that he would answer any questions regarding the financial summary. He noted that the Budget Committee would meet between now and the September DDA meeting to review the current budget numbers and determine what amendments might be necessary to take to Council for approval. He also advised that the financial summary would be revised to make it more user-friendly. Motion by Mr. Griffith, supported by Mr. Binkley, to approve the financial summary dated 8/10/10 as presented. Motion carried 12-0-1.

Administrative Report

- A. Planning & Community Development Report - Mr. Modrack reviewed his Planning and Community Development Report with the Board and gave a status of each project grant. He reported that Community Development & Planning had submitted a Neighborhood Stabilization Program (NSP) grant in the amount of \$103,000 plus (including administration fees of approximately \$10,000). If accepted, this grant will provide funds for demolition of four blighted structures on three parcels in downtown. Mr. Modrack requested that the Board consider a closed session this morning during the Subcommittee Reports section of the agenda to review a proposed property acquisition.
- B. SBTDC Update (Nancy Johnson) – Ms. Johnson distributed a handout regarding FastTrac, a class sponsored by the Chambers of Commerce from Howell, Hartland and Brighton, which is for people who are looking to start a business. The class begins with an orientation session on September 10 and runs for 10 weeks from 8:30-11:30 a.m. at the Howell Chamber Office. It will cover what people need to do to start a business. Nancy asked that anyone looking to start a business in Brighton be referred to her.

Lindhout Update

Mr. O'Leary reviewed details of Change Order #01 for the St. Paul Parking Lot & Pocket Park. He noted that the project is on schedule; work scheduled to be completed this week includes taking curb down, the asphalt base and forms for the pocket park. The parking lot should be completed in September; the 205 West building has to be completed before the park can be constructed. Motion by Mr. Griffith, seconded by Mr. Strouse, to direct Chairperson Herbst to sign Change Order #01 as presented on behalf of the DDA. Motion carried 12-0-1.

Mr. O'Leary noted that they plan to submit site plans for next month's Planning Commission meeting. He reviewed the site plan and advised that one change since the last DDA meeting was elimination of back in, pull out parking. This is due to a couple of factors; one was that an easement from the current property owner would be required, which could complicate the NSP demo grant, and the lack of endorsement from the Traffic Safety Board. Ms. Nelson questioned why we would want lighted crosswalks at West and Main when the current ones have not worked that well. Mr. Lindhout advised the supplier has redesigned the lights, which are now watertight. DPS will replace lights with the new design as manpower permits.

Mr. Strouse noted that parking is restricted on North St. during events and questioned if any new spots would also be restricted. Mr. Modrack responded that he expects those spaces would be similarly restricted during events.

There was discussion regarding taking out the green space to create 7 new parking spots. Mr. Binkley pointed out that we took out parking spaces to create the green space a few years ago, and now we are going to revert back to parking spaces. Mr. Modrack pointed out that with the new developments and redevelopment (i.e., Bagger Dave's) that we are trying to stay ahead of the curve concerning parking.

New Business
Sub-Committee Reports

A. Budget – No report. Mr. Modrack advised this subcommittee will meet prior to the next DDA meeting.

B. Mexican Jones – Mr. Corrigan reported that the subcommittee met on 8/2/10 to review the offers on the table for the property and is prepared to recommend an offer for the full Board's approval. Mr. Modrack reviewed the background of the Mexican Jones Subcommittee's tasks, which included arranging for a property manager (Rescue LLC), liquor license transfer, loan extension agreement between the bank, City and DDA, and reviewing all property offers. The offer to be considered by the Board this morning is from Mega Classic Diner; the owner has two existing locations in Fenton and Flint Township. He distributed copies of the original Seller's purchase agreement as well as revised versions from his department and the DDA Attorney for the Board's review. The offer is \$350,000, excludes the liquor license, and contains either a drive-thru window in either the existing or new building. Mr. Cameron reviewed the changes made by his office; language was added to balance the agreement terms (the original was slanted toward the Buyer).

Mr. Griffith suggested we include a timeline by which the due diligence period must be completed, or the Buyer's deposit will be paid to the Seller, so that there is some urgency to conclude the sale. He also noted that a special DDA meeting may be required if any changes are made to our counteroffer.

Motion by Ms. Miller, seconded by Ms. McConeghy, to direct Mr. Modrack in conjunction with DDA Attorneys McCririe and Cameron to make a counteroffer to Mr. Rrok Dedivanaj as noted in the attorney's revisions reviewed in this morning's meeting, including legal modifications, site plan language and a time frame of 120 days to complete, and further to authorize Chairperson Herbst to sign the purchase agreement on behalf of the Downtown Development Authority. Motion carried 12-0-1.

C. Development – Chairperson Herbst asked for a motion to go into a closed session to review and consider a proposed property acquisition. Motion by Ms. Nelson, supported by Ms. Miller, to close the regular session of the DDA meeting to go into a closed session to review and consider a proposed property acquisition.

Roll Call Vote:	Mr. Binkley – Yes	Mr. Pipoly - Yes
	Mr. Corrigan – Yes	Mr. Wirth - Absent
	Mr. Griffith – Yes	Ms. Botka - Yes
	Mr. Herbst – Yes	Ms. Bandkau - Yes
	Ms. McConeghy – Abstained	Mr. Beauchamp - Yes
	Ms. Miller – Yes	Mr. Strouse - Yes
	Ms. Nelson - Yes	

The DDA Board convened into Closed Session at 8:35 a.m.

The DDA Board reconvened the Regular Session at 9:00 a.m.

Motion by Mr. Corrigan, seconded by Mr. Binkley, to direct Chairperson Herbst, in conjunction with DDA Attorney McCririe and DDA Administrator Modrack, to tender an offer for purchase of property as discussed in today's closed session and to sign the purchase agreement on behalf of the Downtown Development Authority. Motion approved 11-0-2 (one absence and one abstention).

Mr. Strouse left the meeting at 9:05 a.m.

D. Design – No report.

E. Business Recruitment/Promotions – No report.

Old Business

A. A. "Five Fotos" – Matt Modrack

Mr. Modrack requested this item be postponed until the September 21, 2010 DDA meeting due to lack of time this morning.

B. Rural Arts 2010 Grant Program

Lauri French reported that there is an opportunity to receive up to \$10,000 for a Rural Arts Grant that requires a local match of \$10,000; consideration for this grant is improved if the local match is greater than \$10,000. She noted that the 205 West Streetscape and Pocket Park grant did not include any monies for art in the park, just the pedestals. Motion by Ms. McConeghy, seconded by Ms. Bandkau to approve up to \$15,000 for the local match for the Rural Arts Grant Program 2010 submission. Motion carried 12-0-1.

Other

B. Downtown Brighton Merchants Association – Lisa Nelson, Chairperson

Ms. Nelson reported that Summerfest was a success; the DBMA made more money from sponsorships than it spent. She has not received any feedback yet on last weekend's Art Festival. The DBMA is planning a Ladies Night in late September or early October when sales are slower. The DBMA will also begin work on signage issues; what the merchants would like to see and what changes to the City's sign ordinance might be required.

Adjournment

Motion by Ms. Nelson, supported by Mr. Griffith, to adjourn at 9:15 a.m. Motion carried 11-0-2.

Respectfully submitted,

Lauri French, Community Development & Planning Department
August 17, 2010