

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

The City of Brighton Downtown Development Authority will hold a special meeting on Tuesday, August 24, 2010 at 7:15 A.M. at the City of Brighton Council Chambers located at 200 N. First Street, Brighton, MI

AGENDA

1. Call to Order
- ACTION 2. Approval of August 24, 2010 Agenda
- ACTION 3. Call to the Public
4. New Business
 - A. Request for Closed Session to discuss property acquisition
 - B. Consider property acquisition as discussed in closed session
 - C. Consider counteroffer for sale of Mexican Jones property
- ACTION 5. Adjournment

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

**City of Brighton
Downtown Development Authority Meeting Minutes
Special Meeting - August 24, 2010**

The Board for the Downtown Development Authority (DDA) held a special meeting on Tuesday, August 24, 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 emails were received from Mr. Wirth, Mr. Strouse and Mr. Corrigan to advise they would be absent for today's meeting.

Members Present:

Ricci Bandkau, Dave Beauchamp, Mark Binkley, Linda Botka, Scott Griffith, Bob Herbst, Pam McConeghy, Mond Miller, Lisa Nelson and Shawn Pipoly.

Members Absent: Tim Corrigan, Greg Strouse, Al Wirth (excused)

Also present:

Mr. Bill McCririe, DDA Attorney
Mr. Doug Cameron, McCririe-Cameron Law Office
Mr. Matt Modrack, DDA Administrator/Community Development & Planning Director, City of Brighton

An audience of two was also present.

Approval of August 24, 2010 Agenda

Motion by Ms. Nelson, supported by Ms. Bandkau, to approve the August 24, 2010 special meeting agenda. Motion carried 10-0-3.

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

New Business

A. Request for Closed Session to discuss property acquisition

Motion by Ms. Botka, supported by Mr. Pipoly, to close the regular meeting and go into closed session for the purpose of discussing a property acquisition. A roll call vote was taken:

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

Motion carried 9-0-4.

The DDA Board convened into Closed Session at 7:18 a.m.

The DDA Board reconvened the Regular Session at 7:45 a.m.

B. Consider property acquisition as discussed in closed session

Motion by Mr. Griffith, seconded by Mr. Binkley, to direct DDA legal counsel to prepare a counteroffer for purchase of property as discussed in closed session and to authorize Chairperson Herbst to sign the purchase agreement on behalf of the Downtown Development Authority. Motion approved 9-0-4 (three absences and one abstention).

C. Consider counteroffer for sale of Mexican Jones property

Mr. Modrack reviewed the Buyer's offer from last week's DDA meeting which was a purchase price of \$350,000 and which did not include the liquor license. The Buyer's counter to their original offer contained language regarding approvals which did not include site plan review, and that change was made at last week's DDA meeting.

Attorney Cameron reported that he sent the DDA counteroffer to Mr. Dedivanij on August 17, 2010 and received a verbal counteroffer that included a few minor changes to Due Diligence (Paragraph 9) and Time of Acceptance (Paragraph 26). The Buyer asked us to change our counter from 30 to 60 days for the due diligence period and reduce the non-refundable deposit extension period from 90 days to 60 days. There was discussion about paragraph 26, and Mr. Cameron was asked to extend the date seven (7) days from August 24, 2010 to August 31, 2010.

Ms. Nelson left the meeting at 8:00 a.m.

Motion by Mr. Griffith, supported by Mr. Binkley, to agree to the 60 days modification for due diligence (from 90 days), a reduction from 90 days to 60 days for the deposit to be refunded (paragraph 9), 120 days to complete the sale, and an extension of seven (7) days from today's date to sign the agreement. Motion approved 8-0-5.

Adjournment

Motion by Mr. Griffith, seconded by Ms. Bandkau, to adjourn the meeting at 8:02 a.m. Motion carried 8-0-5.

Respectfully submitted,

Lauri French, Community Development & Planning Department
August 24, 2010