

**CITY OF LAPEER
MINUTES OF A REGULAR
DOWNTOWN DEVELOPMENT AUTHORITY MEETING
MARCH 26, 2014**

A regular meeting of the City of Lapeer Downtown Development Authority was held in the Conference Room at Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan on Wednesday, March 26, 2014 at 8:00 a.m.

Members Present: Chairman Dan Gerlach, Vice Chairman Tony Macksoud, Mr. Mark Clark, Ms. Jolane Grossbauer, Mr. John Matonich, Mr. Tom Benton, Mr. Mike Robinet, Mr. Doug Hodge, Mr. Bruce Cady and Mr. Ray Davis.

Members Absent: Mr. Bill Sprague, Mr. Jason Rogers and Mr. Tim Roodvoets.

Also Present: Ms. Janine Saputo, Executive Director, Mr. Dale Kerbyson, City Manager, Mr. Todd Alexander, Director of Public Safety, and Ms. Linda Jackman, Planning Director.

Chairman Gerlach called the meeting to order at 8:00 a.m.

PUBLIC COMMENTS

DDA District Boundary Expansion

Dave Churchill, DDA Attorney, was present and reviewed the status of the proposed expansion of the DDA district boundaries. Mr. Churchill reviewed State law changes for Tax Increment Financing authorities and the correspondence and resolution received from the County regarding opting out of allowing the DDA to capture property taxes in the proposed district expansion areas. Mr. Churchill reviewed the required process being followed to amend the district boundaries and opinions rendered by the City Attorney, State Attorney General and Michigan Department of Treasury on allowing other taxing jurisdictions to opt out of allowing DDA's to capture tax revenues. Discussion was held on the need to proceed with preparing the new Development Plan and whether or not to contact the County administration to request clarification of their resolution notifying the City and DDA of their desire to opt out of allowing the DDA to capture funds within the district. After discussion, it was moved by Mr. Hodge and supported by Mr. Benton to permit Mr. Churchill to ask for clarification from the County Commission regarding their language to opt out of the tax capture for the proposed expansion of the DDA District.

Yeas: Mr. Hodge, Mr. Benton, Mr. Gerlach, Mr. Macksoud, Mr. Clark, Ms. Grossbauer, Mr. Matonich, Mr. Cady and Mr. Davis.

Nays: Mr. Robinet.

Absent: Mr. Rogers, Mr. Sprague and Mr. Roodvoets

Abstain: None.

MOTION CARRIED.

CONSENT AGENDA

It was moved by Mr. Matonich and supported by Mr. Cady to approve the Consent Agenda for March 26, 2014 as follows:

1. Minutes of the regular meeting held February 26, 2014; and
2. Treasurer Report and Bill Listing;

MOTION CARRIED.

COMMITTEE REPORTS

It was the consensus of the board to consider Item D.6 DBA Liaison report at this time.

DBA Liaison

Mr. Clark updated the board on the formation of the new DBA Farmers' Market Committee stating the committee was formed to oversee and grow the Market. Mr. Clark reviewed changes recommended by the committee, issues that have arisen with the Market Manager and management of the market, the anticipated effects on the Market vendor locations due to the scheduled construction on Court Street and recent press reports concerning the Farmers' Market.

City Manager Kerbyson expressed concern with Farmers' Market management issues and the public's interpretation that the City is the management entity of the Market recommending the changes rather than the DBA board. Mr. Kerbyson presented a design plan for Market vendors to park vehicles on the north side of Nepessing Street across from their vendor stalls and expressed concern with the lack of vendors signed up to participate in the Market and available space in the new Davison Farmers' Market.

Chief Alexander stated the Public Safety Department would have no issue with blocking off vehicles spaces on the north side of Nepessing Street to reserve for Market vendors and various challenges he anticipates would arise from closing Nepessing Street during the Market due to traffic flow issues and the Court Street construction project.

Discussion was held regarding the need for the board's approval to allow the DDA Executive Director to serve on the DBA's Farmers' Market committee. It was moved by Mr. Macksoud and supported by Mr. Robinet to approve the DDA Executive Director to serve on the DBA Farmers' Market committee. **MOTION CARRIED.**

Executive Committee

Ms. Saputo stated a meeting will be scheduled to begin review of the 2014-2015 budget.

Design Committee

The Neverending Story Book Shop

Ms. Saputo reported signage at the new location of The Neverending Story Book Shop has been approved by the Design Committee and installed and requested approval for reimbursement. It was moved by Mr. Matonich and supported by Ms. Grossbauer to approve Sign Assistance Program reimbursement to The Neverending Story Book Store at 356 W. Nepessing Street. **MOTION CARRIED.**

Discussion was held regarding problems with the Farmers' Market pavilion vinyl panels including difficulty securing the panels when down, rolling up the panels in cold weather, deterioration of the Velcro material used to secure the panels and plans to meet with the contractor who installed the panels to develop a solution.

Ms. Jackman requested the Design Committee meet after adjournment to review the rain garden area design to be constructed with the Clay/Court Street DIG Grant project.

Lapeer Main Street, Inc.

It was the consensus of the board not to convene to a Lapeer Main Street, Inc. meeting.

Property Maintenance/Beautification Committee

Ms. Saputo reported three donations of \$250 each towards downtown flowers have been received to date from Lapeer County Bank & Trust, Roger's Pharmacy and Gerlach's Bowling Center and stated Parks Department staff has indicated the total cost for the downtown flowers is approximately \$1,200. Discussion was held regarding whether to use DDA unappropriated funds or seek additional donations for the extra cost for downtown flowers. It was the consensus of the board for the Executive Director to seek additional donations for the downtown flowers.

Development Committee

There was not a report.

Center for the Arts Council Liaison

Ms. Grossbauer updated the board on activities at the Center for the Arts including attendance at Pix Theatre events, upcoming events and performances at the Pix Theatre, current and upcoming exhibits at Gallery 194 and planning for the next season of Pix Theatre performances. Ms. Grossbauer updated the board on fire damages at the Pix Theatre including the damp basement, odor issues, roof leaks and continued attempts being made to relocate the front construction fencing in order to access the east facing side of the Pix marquee.

Chamber of Commerce Liaison

There was not a report.

STAFF REPORT

Executive Director

In addition to her written report submitted Ms. Saputo updated the board on the art & culture presentation made at the Chamber's Wake Up Lapeer meeting on March 20th.

City Manager

Mr. Kerbyson updated the board on changes for DDA and TIF taxing districts stating there is no new legislation he is aware of. Mr. Kerbyson provided a status update on the burned building at 152/160 W. Nepessing Street stating two structural engineering reports indicate the common walls with the Pix Theatre and the Burke's building will need to be reinforced. Mr. Kerbyson reported the owners have proposed donating the property to the City along with funding to demolish the burned building, that the City's insurance company is reviewing the proposal and demolition costs are being obtained. Mr. Kerbyson stated the front fencing will not be removed until the brick facade of the burned building is removed or secured.

Mr. Kerbyson also updated the board on current issues with the required City licensing for The Peddler's Place and Pieces of LaPierre businesses downtown including various efforts made by the City to bring the matter to a conclusion and plans to request an opinion from the State Attorney General regarding the matter.

OLD BUSINESS

Detroit Institute of Arts Inside/Out Program

Ms. Saputo reported the grant application to the Lapeer County Community Foundation was successful, reviewed the DDA hosted Kickoff events planned for the DIA Inside/Out Program on April 25th in Lapeer and April 30th in Imlay City and distributed the schedule of events proposed during the DIA Inside/Out Program and Art on Nepeensing promotion.

Michigan Main Street Program

Ms. Saputo reported she attended a Michigan Main Street Program training session in Portland Michigan along with Jim Alt, Gallery 194 Manager, Jeanne McCorkle, DBA President, and Sherril Hengy, DBA Treasurer. Ms. Saputo stated the next step is to form a Main Street Steering Committee and discussion was held regarding the member makeup of the committee including if the committee should be made up of the entire DDA Board, the DDA Executive Committee or other members not on the DDA board. After discussion, it was the consensus of the board to require the Main Street Steering Committee consist of the DDA Executive Committee and 3 other members.

DDA Development Plan 2014-2024

Ms. Saputo stated the Development Committee needs to meet to move forward with the process of creating the new DDA Development Plan and discussion was held regarding the status of proposed legislation changes for Personal Property Taxes and the resulting effects on future DDA revenues.

Mr. Kerbyson requested the DDA consider eliminating the statement in the new DDA Plan concerning the DDA's ability to capture specific millage revenues to allow additional future revenues for projects and improvements within the DDA district area.

Discussion was held regarding the correspondence received from the County Board of Commissioners concerning whether the City DDA intends to capture millage funds for the Senior Program millage with the consensus being for the Development Committee to address the issue at their upcoming meeting scheduled for 8:00 a.m. on April 9th.

ADJOURNMENT

There being no further business, it was the consensus of the board to adjourn the meeting at 9:52 a.m.

Mr. Mike Robinet
Secretary