



**Fenton
Downtown
Development
Authority**

FENTON DOWNTOWN DEVELOPMENT AUTHORITY PROCEEDINGS

6:00 p.m.

Tuesday

December 18, 2007

The meeting was called to order at 6 p.m. by Board Chairman Stiles.

ROLL CALL:

PRESENT: Bagnall, Brant, Critchfield, Lasco, Schmidt, Stiles, Vamossy, Wesch, Williams

ABSENT: Osborn, Petty, Plew, VanGilder

OTHERS: Aaron Davenport, Tetra Tech, Edward Angeluski

MINUTES:

Motion by Lasco, supported by Bagnall, to approve the minutes of November 20, 2007.

MOTION CARRIED, ALL AYES.

CORRESPONDENCE, MINUTES & REPORTS:

a. Financial Report

Motion by Bagnall, supported by Vamossy, to approve the Financial Report for December 2007 as presented.

MOTION CARRIED, ALL AYES.

b. Minutes of DDA Projects Committee Meetings of and the Minutes of DACC Meeting of

Motion by Schmidt, supported by Wesch, to place the Minutes of the DDA Projects Committee Meeting of November 15 and 29, 2007 and the DACC Meeting of October 24, 2007 on file.

MOTION CARRIED, ALL AYES.

EXECUTIVE DIRECTOR'S REPORT:

Director Morgan reviewed the Director's Report for the board and provided the board with an update of the committees.

ACCOUNTS PAYABLE:

Motion by Bagnall, supported by Lasco, to approve the Accounts Payable in the amount of \$67.14 as presented.

MOTION CARRIED, ALL AYES.

OLD BUSINESS: None

NEW BUSINESS:

a. DDA Budget Committee for FY 2008-2009

Director Morgan reminded the Board that it is time to begin thinking about the Fiscal Year 2009 budget. As a result, he requested that the DDA Chair establish the DDA Budget Committee for FY 2009. Currently Board Member Robert Critchfield (Chair), Richard Bagnall, and Phil Lasco are currently on the DDA Budget Committee. Their continued service on the Budget Committee will be greatly appreciated.

Director Morgan recommended that the DDA Chair establish and appoint members to a Fiscal Year 2009 Budget Committee comprised of the DDA Director, Board Members Richard Bagnall, Robert Critchfield and Phil Lasco.

Chairman Stiles, after conferring with and getting an agreement to serve, appointed Robert Critchfield, Richard Bagnall and Phil Lasco to the DDA Budget Committee.

b. DDA Projects Committee Recommendation Funding Tornado Clean-Up

Director Morgan provided the board with the following background regarding potential funding of the Tornado Clean-Up. The DDA Projects Committee has spent the last few months discussing the impact of the Tornado on the DDA District and the cost of the Clean-Up. Michael J. Senyko, City Manager was requested to attend a Meeting of the DDA Projects Committee on September 27, 2007. At this meeting he provided the committee with a map displaying the tornado path, the bills incurred as a result of removing the trees in the Downtown Area, the fact that the city did not qualify for federal emergency funds, state funding or insurance regarding the tree removal.

The committee requested that the DDA Director receive an opinion regarding Tornado Clean-Up Costs as A DDA Project and what is the cleanest and quickest way to financially assist the City with these incurred costs. More specifically DDA attorney Phil Adkison was asked the following question: *How Can the DDA fund clean up costs related to tornado and storm damage within the DDA District?*

In a nutshell the answer is “Yes” according to section 22 of the City of Fenton Tax Increment Finance Development Plan. Moreover, it is reasonable for the DDA Board to conclude payment of costs associated with removal of tornado debris meets the requirements of *having a broad community benefit* and *helping preserve the downtown area*. The project also supports those goals of the Development Plan listed below:

- Improvement of the Downtown District through implementation of public improvement projects.
- Promotion and coordination of activities that improve the business climate within the Downtown District.
- Elimination of unattractive and blighting influences within the area.
- Providing for safe, efficient, and convenient traffic movement, parking, and access for vehicles, goods and people.
- Capitalizing upon the investment in the current road network through activities designed to prolong useful life and function.
- Improvement of pedestrian ways and promote pedestrian circulation.
- Development of the Downtown in a manner that complements and improves existing activities and functions.
- Elimination of current sources of blight.
- Encouragement of a high standard of property maintenance on private and public property.
- Improvement of the existing street network.
- Development of solutions to mutual concerns of the City and the business community.
- Improve the overall quality of life within the City in innovative ways.

Furthermore, if the DDA Board wished to contribute to the clean-up cost on the basis as described, the DDA should set a date for the public hearing to receive public input regarding its specific plan. After the public hearing the DDA should pass an authorizing resolution meeting the requirements of section 22 of the Development Plan. I have attached a copy of the opinion from attorney Adkison regarding this matter.

At the DDA Projects Committee Meeting of December 6, 2007 the committee reviewed the attorney opinion, held significant discussion on the issue and unanimously passed a motion recommending that the DDA Board of Directors fund the amount \$480,582.00 for the tornado cleanup costs less any future insurance payments.

Chairman Stiles said the Projects Committee held discussion on paying bills from outside of the district. According to the DDA Attorney Adkison, these cannot be funded by the DDA. Board Member Schmidt asked about funding the cost of the new trees as this may impact the budget of projects going forward. Director

Morgan said the City Council Appointed Tree Restoration Committee is addressing this issue. Board Member Critchfield said to keep this funding in mind when addressing the anticipated Revenue Sharing request from the City Council.

c. Establish Public Hearing Date to Undertake Expenditure of Funds for Tornado Clean-Up Pursuant to Section 22 of the City of Fenton Tax Increment Finance Development Plan.

Director Morgan stated that if it is the intent of the DDA Board of Directors to undertake expenditure of funds for Tornado Clean-Up the Board is required to set a date to hold a public hearing. He recommended that the Public Hearing be set for the 15th Day of January 2008 at 6:00 p.m., in City Hall, located at 301 South Leroy Street, Fenton Michigan 48430-2191, to consider funding a tornado clean-up project as permitted by the City of Fenton Tax Increment Financing Development Plan. Public Comment is invited. Moreover, after the public hearing is held on January 15th a resolution will need to be adopted.

Motion by Bagnall and supported by Lasco to hold a public hearing on January 15, 2008 at 6:00 p.m. at City Hall, located at 301 South LeRoy Street, to consider funding a tornado clean-up project as permitted by the City of Fenton Tax Increment Financing Development Plan. Public Comment is invited.
MOTION CARRIED, ALL AYES.

d. Revised Top Five Phase 1 Projects

Director Morgan provided the following background for the Board. At the DDA Board Meeting on October 18, 2007 Board Members were asked to revisit the Top 5 Projects and examine it with a new lens so we can continue to implement the master plan with the completion of another spring project and identify other projects for the 2009 Fiscal Year.

As requested by the Board of Directors, a revised list of projects was identified and the results were compiled into a matrix for further discussion and review at the November 20, 2007 DDA Board Meeting.

On November 20, 2007 DDA Board Members received a Memo requesting they prioritize the Top Five Projects. As of December 7, 2007 I have received responses from all DDA Board Members.

The following table identifies the Revised Top 5 Projects Identified & Prioritized by the DDA Board of Directors:

PROJECT	PRIORITY ORDER
Develop Old Fire Hall Building into a Café/Restaurant with outdoor dining.	1
Abandon River Street South of W. Caroline and develop new parking lot together with existing parking area.	2
Restore and renovate existing structures throughout Dibbleville District including conversion of existing automotive repair facility (former gas station), located in the northwest corner of the intersection of S. LeRoy and Shiawasse, into retail garden center.	3
Assist and encourage the construction for the planned cultural center addition to the Fenton Community Center.	4
Enhance appearances of bridges located at S. LeRoy, Caroline Street and Silver Lake Road to reflect concepts selected through jurist artist/designer competition.	5

Director Morgan stated the committee will be reorganized in January of 2008. Board Member Schmidt said projects 6 through 10 should be compiled in anticipation of advancing these projects. Director Morgan said this could be accomplished at the Meeting in January 2008.

Board Member Williams said the Silver Lake Road construction will be performed next year and will impact some streetscape improvements. Board Member Lasco said this is an ideal time to address signage and improvements to the bridges.

OTHER:

Chairman Stiles provide the board with a copy of a proposal from Jim Ludwig of McKenna to provide landscaping services.

ADJOURNMENT:

The meeting adjourned at 7:10 p.m.

Respectfully submitted by,

Jeri Stiles

Jeri Stiles, Chairman
Downtown Development Authority

Jane E. Wingblad

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Recording Secretary