

MINUTES (DRAFT)
KOCHVILLE TOWNSHIP
DOWNTOWN DEVELOPMENT AUTHORITY (DDA)
JUNE 17, 2011 – 8:30 AM (Township Board Room)

Board Members Present: Vern Weber (Vice-Chairman), Dave Abbs (Treasurer), Jim Loiacano (Township Supervisor), Tom Basil, Jr., Don Jackson

Board Members Absent: Lyle Davis, Jr. (Chairman), Scott LaDouce (Secretary), Jon Howell, Dave Maine

Others Present: Steve King (Director), Rob Eggers, Kevin Kilby, Mike Burger, Steve Yanca, Steve Fausnaugh, Sheila Hill, Dan Hill

Proceedings

I. Opening of Meeting

Vern Weber opened the meeting with the pledge of allegiance at 8:35 a.m.

II. Approval of Agenda

Mr. Weber requested to move Consent Agenda items F (DDA Bylaws) and G (DDA Property Acquisition Policy) to the regular agenda.

- Moved by Basil, second by Loiacano, to approve the agenda as amended. MOTION CARRIED UNANIMOUSLY.

III. Public Comment - None

IV. Communications / Information

- a. Kochville Township Board of Trustees Meeting Minutes (draft) – May 24, 2011
- b. Kochville Township Planning Commission Meeting Minutes – May 9, 2011
- c. Notes from Michigan Economic Developers Association conference – May 26, 2011
- d. M-84/Pierce Sanitary Sewer Extension Progress Meeting Minutes – May 31, 2011

- Moved by Jackson, second by Loiacano, to receive and file communications. MOTION CARRIED UNANIMOUSLY.

V. Reports

- a. Financials

Mr. King noted that the Township's audit was completed the prior week, and the DDA accountant and auditor came to agreement on the settlement amount of DDA overpayment from the prior fiscal year.

- Moved by Basil, second by Jackson, to receive and file the financial statements (effective through April 30, 2011). MOTION CARRIED UNANIMOUSLY.

- b. Police Protection (None)

Mr. Weber said he found it troubling that the tires on the DDA's sheriff vehicle had to be replaced after only 11,000 miles, but he had addressed this with Lieutenant Phelps of the Saginaw County Sheriff's Department. Additional lights are also necessary for the car at a cost of \$600. Mr. Weber noted that the DDA had initially ordered these additional lights when the car was purchased but was told they were not necessary.

VI. Consent Agenda

- a. Meeting Minutes of May 20, 2011
- b. Treasury Report / Payment of the Regular Bills
- c. Next DDA Meeting: Friday, July 15, 2011
- d. Board Member Absences (Excusal)
- e. DDA Community Open House: Thursday, October 6, 2011

- Moved by Basil, second by Loiacano, to approve the consent agenda as amended. MOTION CARRIED UNANIMOUSLY.

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VII. Projects and Updates

a. Bay Road (M-84) / Pierce Road Sewer Extension Update

Mr. Eggers noted that the project is ahead of schedule and all pipe is now in the ground. Consumers Energy will soon be making the switch in service to transfer the lift station on the grounds of SVSU over to Kochville Township. The reseeded for this project will probably take place in August in order to help the seed grow better. Saginaw County's Public Works Department is working with Kochville Township to possibly purchase a 208-watt used County generator at a low cost in order to provide backup power for that lift station.

Mr. Loiacano noted that the used generator was replaced at the County jail as a stimulus project. The used generator has few hours on it. The unit is being tested right now.

b. Gateway Signs – Update on Applebee's sign; Proposal for Bay/Tittabawassee sign

Mr. Eggers noted that the solar lighting system is installed on the Applebee's gateways sign and the sign's construction is mostly completed.

Mr. King referenced mockup renderings showing potential gateway signs at the Bay/Tittabawassee intersection. The conceptual signs would take the form of elaborate brick columns like those listed in the Cardinal Square design guidelines.

c. Street Light Retrofitting

Mr. King recalled that at the May meeting the DDA approved up to \$45,000 for the replacement of light fixtures on the DDA's existing streetlights throughout the district. The initial estimate for that project was premised upon an estimated 0.5 hours of labor per fixture for this retrofit, while the revised estimate was closer to 0.8 hours per fixture. The final cost to the DDA, after accounting for the approved Consumers Energy replacement rebate of \$11,000, will be within the approved \$45,000.

Mr. Weber noted that both 80-watt and 100-watt fixtures would be tested for this project in order to utilize the best fixture for the DDA.

VIII. Business

a. Town/Gown Overlay Ordinance

Mr. King noted that the DDA, Kochville's Township Board and its Planning Commission all had seemed to agree to developing a design overlay ordinance for much of the DDA district, building on the Cardinal Square design guidelines. The proposed Town/Gown language seeks to create flexibility in filling existing empty storefronts while requiring strong design work of new construction. Though the DDA does not ultimately approve the ordinance – rather, the Planning Commission would – the DDA has thus far developed the ordinance for consideration. The process will take several months to move through, as Mr. King said he wants to take a slow, deliberate review and formation of the overlays.

Mr. Abbs asked what informed and led to the overlays. Mr. King replied that the DDA's Small Town Design Initiative study, the 2010 Kochville DDA survey, and the prior Kochville community surveys, as well as commentary at numerous meetings, all informed the document.

Mr. Abbs asked what the process would be to adopt and enact the overlays. Mr. King replied that the Planning Commission must adopt the overlays, and the Township Board would also adopt them as a zoning ordinance amendment.

Mr. Weber asked for positive and negative attributes of the proposed overlays. Mr. King replied that a negative is potentially higher construction and design costs for developers. Features like prohibiting long empty walls without windows, requiring varied roof lines, and other features could cost more money. The positive attribute is to make Kochville Township's business district look unique and terrific – even better than it already does.

Mr. Weber asked the board for their thoughts. Mr. Loiacano said that the Township does need to use an overlay for design purposes, as far as he is concerned. Some incentives could be factored into the overlay contingent upon compliance.

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Mr. Jackson said he had not yet had a chance to look at the overlay drafts. There is language in the new master plan regarding overlay districts. The Planning Commission will have to study and review the ordinance and conduct a public hearing in order to pass it to the Township Board for final approval. The overlay district entails additional rules on top of the underlying zoning.

Mr. Weber inquired if the Township Board was behind the language. Mr. Loiacano said the Township Board hadn't yet had a chance to review the proposals.

Mr. King noted that because the DDA was providing the proposed language to other units of the Township, it needed to be reviewed by the DDA board.

b. Adult Entertainment Ordinance

Mr. Loiacano said he would pass along the proposed Adult Entertainment Ordinance to the Township Board of Trustees for review.

Mr. King said that the proposed ordinance resulted from conversations with the Township's zoning administrator, various board and commission members, and others. The police power ordinance is intended to strengthen the Township's legal oversight of various adult-related potential developments.

Mr. Weber expressed concern with liability from an adult entertainment ordinance.

Mr. Kilby explained that the ordinance was drafted to adhere to constitutionality requirements stemming from recent case law regarding municipal adult entertainment ordinances. The Township's current adult entertainment businesses have for the most part been good neighbors. The ordinance calls for background checks and many other requirements. The intent of the ordinance isn't to overregulate existing relevant businesses out of businesses, but rather to add controls for the Township.

Mr. Loiacano said he believed the only place in the Township where an adult business can currently go is the manufacturing district.

Mr. Kilby noted that this was a police power ordinance, not a zoning ordinance amendment. The drafted ordinance would require a special use permit to locate within the M-1 district in the Township.

c. DDA Office Space – Update

Mr. King noted that he had been looking at potential office space options in the DDA district for the DDA. He presented a handout of four potential locations within the district, highlighting asking prices, sizes, and other information. He noted that he was not proposing a particular location at this time.

Mr. Weber said that the DDA needs to contain its costs with the new office. He questioned how much space is necessary for the office.

Mr. King said that one potential option for the DDA is storage for the DDA's sheriff's vehicle. There are many future opportunities for the DDA that might require a larger-size office; however, he does not feel the DDA is yet ready for that. He agreed that the DDA does not need a large office at this time, though it does need a presence within the district.

Mr. Jackson asked why the Sheriff's Department operations for the DDA would be moved to the new office. Mr. King said this was not the case.

Mr. Weber said it would be a bad idea to move the DDA police operations from where they currently are based. He does not feel the DDA office needs much space, though it does perhaps need more space than it currently has at Township hall.

Mr. Basil noted that as a point of disclosure, he and Mr. Abbs both hold minority ownership interests (9% and 28%, respectively) in one potential office space location at 5153 Hampton Place.

Mr. Jackson said he liked the idea of moving the office and agreed the DDA needs a more active presence in its district.

Mr. Weber asked Mr. King how much space he feels is necessary for the new office. Mr. King replied that he wouldn't need much space for his own office. The DDA does need storage space, however.

Mr. Basil said he is also concerned with "nickel-ing and dime-ing" the DDA into much more substantial expenses.

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Mr. Abbs said he did not know what type of space the DDA should go after, and agreed that cost is a significant issue in the discussion.

Mr. Loiacano said he can see the benefit in providing a neutral, outside-of-Township-hall location for the DDA office. He is concerned with non-business stakeholders potentially viewing the DDA office as Township hall.

Mr. Jackson said he feels the DDA office should be moved, though he also doesn't think the DDA office needs to be anything very large.

d. DDA Purchasing Policy (Draft)

Mr. King noted that the DDA is currently doing a lot of "housekeeping" in updating its operating documents, which includes updating the DDA's purchasing policy.

Mr. Kilby referenced the executive summary of the policy within board packets. The intent is to make sure larger purchase items are competitively bid and preserve more flexibility but retain cost controls for smaller items. He described the proposed purchasing policy language to the board. The policy would provide a five-percent preference clause for local businesses. Public improvement projects and other regular purchases would follow different standards.

Mr. Basil asked if anything about the proposed policy was inconsistent with how the DDA has been operating. Mr. King said he has not been making significant purchases without at least verbal approval from Mr. Davis or Mr. Weber.

e. DDA Bylaws (Approval)

Mr. Kilby noted that he had received some comments regarding the bylaws. He referenced highlighted amendments to the former draft bylaws. Checks will require signatures of at least two DDA board members. Deputy Treasurer is a new position described in the bylaws.

Mr. Jackson asked why deputy officers (secretary, treasurer) had to be approved by the whole DDA board and not simply the respective DDA officers. Mr. Kilby replied that if those positions are serving at the behest of the board, the board should approve them.

- Moved by Jackson, second by Abbs, to approve the amended DDA bylaws. MOTION CARRIED UNANIMOUSLY.

f. DDA Property Acquisition Policy (Approval)

Mr. Kilby asked the board to table this item until the July meeting in order to address comments that had arrived the previous night.

- Moved by Basil, second by Jackson, to table consideration of the proposed DDA purchasing policy until the July 2011 DDA meeting. MOTION CARRIED UNANIMOUSLY.

IX. Board Member Comments

Mr. Loiacano said he recently has noticed some landscapers blowing cut grass into the streets within the DDA district. He said he would be speaking to the Township's code enforcement officer about the issue.

Mr. Jackson said that the Township's ordinances are currently being codified by American Legal Publishing.

X. Adjournment

- Moved by Jackson, second by Abbs, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 10:05 a.m.

Minutes written by Steve King

June 17, 2011

Vern Weber, Vice-Chairman

Date

Steve King – Director

Date