

CITY OF BURTON
DOWNTOWN DEVELOPMENT AUTHORITY MEETING MINUTES
AUGUST 19, 2013, 8:30 A.M., COUNCIL CHAMBERS
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Chairman Joey Richvalsky called the Meeting to order at 8:35 a.m.

MEMBERS PRESENT: Richvalsky, Moncrieff, Coates, Fenner and Stapleton.

MEMBERS ABSENT: Gilmore and Paulus.

OTHERS PRESENT: Mayor P. Zelenko and M. Snow, Clerk's Office.

PURPOSE OF THE MEETING: Discussion and possible recommendations regarding the following:

- 1. Accepting the Proposal from Fleis & Vandenbrink for the DDA Visioning Plan.**
- 2. Any other matters that come before the Board.**

PRESENTATION:

Mr. Richvalsky said on our agenda we have a plan to approve the portion of the Master Plan for the DDA in regards to Fleis & Vandenbrink's Engineering doing the study for the Master Plan for the Downtown Development Authority. As there are no one here from Fleis & Vandenbrink to answer some questions I am putting it to the Board to either approve the proposal we have or to table it or whatever. There is obviously no Audience Participation unless the Mayor, would you like to take the position of the audience? Obviously there's not really anything other than, I wouldn't mind being part of the audience and throw it out there to the panel members here on their take on the Back to the Bricks and how it was handled this year. Some questions that I have, what about police protection, that we gracefully paid for and some of those things. Any comments, suggestions?

BOARD DISCUSSION:

Mr. Stapleton said I thought it was excellent compared to last year, very good.

Mr. Fenner said we have never had trouble at our corner. I don't know if there were any incidents that happened. The ones I heard reported were all in the City of Flint, not so much in Burton.

Mayor Zelenko said that's what I am understanding too. The Chief is coming over at 9:30 a.m. to give me a brief on exactly what did go on here. Know that the whole task force of all the different police agencies and they headquarter that down in Grand Blanc Township, they head off a lot of that before it even gets to the Brick's area. I think we sent a message the last couple of years by shutting it down at the time that certain crime element seems to come out and we took care of things really quickly. It's click click arrest them and out of the way and I think that word is out there and I think that helps a lot. I thought it went off really well this year.

Mr. Richvalsky said I thought there was less police presence, personally speaking because in years gone by I have noticed there were a lot of different police agencies, Mundy for example and even

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as far as Mount Morris. Everywhere, I mean from all the police agencies there and I think I really noticed maybe I think I noticed some State Police that were on the watch and of course the City of Burton, they were present obviously they were real obvious but there weren't the different agencies and I'm just curious was there any reason why that was.

Mayor Zelenko said I don't know the answer to that Joey. I do know that other agencies in the out County that have traditionally helped us with managing that task force, their budgets are tight too so being able to volunteer to do that may have been a factor. I also know that there were more under cover or plainclothes officers out in and actually driving the cruise too so that could have been a factor as well.

Mr. Richvalsky said what about, why don't we put the eye in the sky. Let's use drones.

Mr. Coates said I would agree with you, you didn't see as many agencies as you did before but there was still Grand Blanc, Burton and the State Police were there.

Mayor Zelenko said and you had County that was there too.

Mr. Coates said the only problem when I came to the office Sunday morning we lost another one of our \$425 trees right there at the curve going towards Fifth Third Bank so that's the second one that's been taken out probably by a drunk driver. I would like to ask the Chief if that made it in the incident report.

Mayor Zelenko said I will ask him. Is that right in front of Fifth Third?

Mr. Coates said it's before you get to the turn in.

Mr. Richvalsky said north of the Fifth Third entrance. As a matter of fact it's one of those flowering.

Mr. Coates said it's ones they replaced when they put the alarm up. They couldn't take out the ones down further that are half dead.

Mr. Fenner said you used to see one or two sitting in front of the shop where the cops would pull them over for whatever and I didn't see any of that this time. It went smooth and I think the traffic for whatever reason moved way better. I don't know if there was less people this year or what.

Mayor Zelenko said actually they're saying there was more people.

Mr. Fenner said I'm not saying the crowds weren't there I'm just talking the number of cars on the road. I didn't see as many on Wednesday at least.

Mayor Zelenko said I think there was more cars actually.

Mr. Fenner said then they figured a way to make it flow is what I'm getting at. Usually at the light where we're at if 3 cars make it through that light on a green light they would have been lucky but they were just driving.

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Mayor Zelenko said I never made it all the way down to Flint. I know there's a bottleneck where they have done that road diet downtown Flint so I don't know if they have changed that so it will flow better or not but I know that was the big bottleneck.

Mr. Fenner said and if you wouldn't mind when you are checking on that tree, we discussed those other trees in front of the Sunoco station and Liz Moss was supposed to get on that and the one in front of Ram Signs and any of the others that we named. Is there a status to that, I mean how long is that going to take?

Mr. Richvalsky said my understanding when talking with Liz is that she has contacted the people at the Sunoco station.

Mr. Fenner said but if there is no action by them and they just snub their nose at us how long does that process take before you can stick them in there and charge.

Mayor Zelenko said probably whatever the citation days are. I would say anywhere from 21 to 30 days and of course they would have the right to appeal it.

Mr. Richvalsky said I think what you are saying is from start to finish how long will it take.

Mr. Fenner said I think we discussed that a couple months ago already and Liz said she would take care of it and I just didn't know from the time she sends out a notice how many days you have to plant that tree back because you cut it down to, okay you're not going to do it so obviously we're going to have to do it.

Mr. Richvalsky said we have to sustain the damage basically. We have to take the money from our account, actually put it in a tree and say there's the tree, now we've got the trees and then we can go into something very similar to a weed, like if they didn't cut their grass and we sent the City out to cut their grass and that's the way it would have to go and it would go on their taxes. Here's the other question, how do you take it from the General Fund tax funds back into the DDA because we'd want it back in our budget. How do we get it from the General Fund because that's where it would go, I think?

Mayor Zelenko said that's the way it would be coded when the money comes in. There would be a reference number on the invoice that we send them and then that invoice would be referenced on their property taxes and so then that invoice number would reference back to you.

Mr. Richvalsky asked so very similar on the tax document itself where it shows I pay DDA, would that be a line entry on their tax bill and then put however much the tree is worth?

Mayor Zelenko said she is not completely sure how Ginger would do that with the accounting. I know she would reference your general ledger number, which would be your budget on there, which would tie it back.

Mr. Richvalsky said I know there is a way we can do this and I want to get the procedure down because obviously, you know it happens every year. People get charged for weed cutting.

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Mr. Fenner said that's what my question was. How long does that process take?

Mr. Richvalsky said it could take a year or two.

Mayor Zelenko said well it could take until the budget season to get it back.

Mr. Richvalsky said at least a year, I would think.

Mr. Fenner said I'm not talking about getting the money back I am talking about getting the trees in the ground.

Mayor Zelenko said I would say from 21-30 days, whatever it takes that you guys just want to go ahead and order the tree and we'll pay for it and we'll bill them.

Mr. Fenner asked but it still has to go through the original process of giving them the opportunity of putting the trees back on their own, right?

Mayor Zelenko said I think you should just do it. You give them the opportunity to pay for it.

Mr. Fenner said if there is weeds, you don't just cut the lawn don't you send a note.

Mayor Zelenko said we give them a 10 day notice.

Mr. Fenner asked have we given a 10 day notice to those places?

Mayor Zelenko said I believe so but I will confirm that.

Mr. Richvalsky said Liz mentioned she did something other than just beat her gums with these people.

Mr. Fenner said hopefully we have the go ahead to plant those. If we are going to plant 4 more or another one we just lost. Let's get them done all at the same time. That was my goal if we can.

Mayor Zelenko said so we've got the one in front of Fifth Third, the one in front of the Sunoco station, Ram signs, 2 in front of the Sunoco station.

Mr. Richvalsky said if they just put one back in there that would be plenty I think.

Mr. Fenner asked what about the stumps that are currently there? Are we going to have them removed?

Mr. Richvalsky said I would imagine they would have those ground out. But there is also one in front of Tia Helitas.

Mr. Coates said we got to have the stump taken out of there.

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Mr. Richvalsky asked but do we want to put a tree back in its place? Remember the issue there was the flashing sign for the school there and we couldn't really place a tree where we wanted to place it so that's why the maple was placed where it was. Or was it the traffic signal there?

Mr. Coates said I guess we'll have to take a look at it.

Mr. Richvalsky said they took that down low enough where you really wouldn't have to stump it out. It would be better if it was stumped out I guess.

Mayor Zelenko said take a look at it and let me know what you want to do.

Mr. Richvalsky asked are we going to talk to Yancho out at the tree farm out there at Trim Pines in Grand Blanc about the trees?

Mr. Fenner said them or the guy on Center Rd.

Mayor Zelenko said Bundschuh.

Mr. Fenner asked if we've ever dealt with them?

Mr. Richvalsky replied they were higher than these other guys.

Mayor Zelenko asked have you tried Walker's?

Mr. Coates said I don't think they sell trees that size.

Mr. Coates thanked the Mayor and DPW for fixing the road and sprucing it up the week prior. I am just wondering is that something down the line that we may have to budget for.

Mayor Zelenko said we take care of that. You guys have been generous enough in taking care of the street sweeping right before the Bricks normally.

Mr. Coates said they went down Maple and Fenton Rds.

Mr. Fenner said that might be another thing we might want to coordinate in the future is rather than sweep the street and then have them do the potholes the next day maybe do the potholes ahead of time.

Mayor Zelenko said that's the way they were supposed to do it.

Mr. Coates said the street sweeper came down on Sunday and Monday you guys came out and patched and all that stuff was in the gutter.

Mr. Fenner said let's get it in the future saying we are planning on Monday and Tuesday doing patches so you can wait till the following Sunday. He said I think downtown Burton looked as good as downtown Burton could look for the Back to the Bricks.

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Mr. Coates said it's amazing how many places repainted even though Tia Helitas was painting during.

Mayor Zelenko said she would get a hold of Lisa and have her here for your next meeting unless you want to schedule a meeting before then.

Mr. Richvalsky said let's just wait until the September meeting.

Mr. Richvalsky said he has been in contact with the Racer Trust by the way and it is a little more extensive than one might think as far as dealing with the trust. I talked to a guy named Bruce Rasher, he's the guy who needs to be contacted. In talking with him he won't even disclose anything without a confidentiality statement from me so I intend to email him a confidentiality statement and I want to put it to you guys. Can I work on the behalf as a real estate broker on the behalf of the DDA to accomplish this thing? It's more extensive than you think. It's not like rolling over ok give us the property. That's the main thrust here is the donation of the property but it's going to take time and energy and a lot of thought. That's the main objective.

Mr. Stapleton asked the property right there behind the corner of Hemphill?

Mr. Richvalsky said right.

Mr. Fenner said when you are talking about he won't disclose anything, before such time we make a decision whether we want it or not he'll disclose what's under the ground or his knowledge of that kind of stuff?

Mr. Richvalsky said he doesn't have to do any of that. That's why he wants a confidentiality statement from me so I can get some information from him.

Mr. Fenner said but at that point once you get some information we're not locking ourselves into anything here is what I'm getting at here.

Mr. Richvalsky said no and remember the property is for sale. It's not out there for free. They are not there to donate property.

Mr. Fenner said there are thousands of acres for sale all over that will never be sold.

Mr. Richvalsky said that is correct but there are not thousands of acres in downtown Burton and that's where my thrust is going to be, is that property and that's the issue. We can't fixity of location. Lack of liquidity, lack of location. The two most important things about real estate. So, I'm going to be working on those two principles when I'm working with Racer Trust but I need your blessing to do that. And I want to work as an agent for the DDA. Either that or I will recuse myself of being Chair and I'll go about it my own way and then just present it to you guys as a citizen.

Mr. Fenner said I am not sure what you're asking.

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Mr. Coates said you'd have to tell us what you think would be better.

Mr. Richvalsky said personally speaking I would rather recuse myself and work as an independent broker and citizen and do it that way and present it to the Board. I want to be paid for my job. I'm going to be putting a lot of my expertise into this and to be very frank with you I want to be paid for it. If I can work as an independent contractor outside the DDA, let me recuse myself from being Chair. And the Vice Chair, Steve you can take over or who is Vice Chair. So that's my question to you guys.

Mayor Zelenko said I think what Joey is saying is just in the matter of that Racer Trust issue that's what he wants somebody else to take over as Chair when you discuss that, just for that. He's passing the gavel because he's involved in it.

Mr. Richvalsky said I just don't want this thing to smack of impropriety basically. I would rather work outside.

Ms. Moncrieff said I actually think that would be smarter on your behalf and look so much better to the public.

Mr. Richvalsky said I would much rather do that. I will drop this in anybody else's hands if they want to take it on.

Mr. Fenner said this is not the general public's tax dollars we are talking about. It's only the businesses. Obviously they don't come to the meetings. Whatever you feel.

Mr. Richvalsky said well that's what I would prefer doing. Can I make that motion for myself? When I get the confidentiality statement in place then I can come and stand in front of you guys and fill you in on what I have been able to do then I'm not sitting up here. It's not going to be insider stuff. It will be out in the public.

Ms. Moncrieff said I would like to add the next time we get together I would love to brief you guys on what I'm doing at my facility. I think it would be helpful in terms of what we're doing.

Mr. Richvalsky said now remember Laurie the last time we had this Master Plan done it was closing streets, it was knocking down buildings, it was building new buildings where the streets were. Parking behind the structures. We are stone cold limited in how our district looks and it comes up time and time again. I appreciate what you are doing to your building. I think that's what we all do. We all try to take care of our buildings. That's why we are sitting here.

Ms. Moncrieff said it's not about the building itself. It's what I'm doing in the building because I think there's some opportunities.

Mr. Richvalsky said your uses are a heck of a lot less than whatever uses you are putting. You've got a specific use variance there for manufacturing, goodness gracious. You can do almost anything.

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Ms. Moncrieff said I just wanted to brief you guys on what I'm doing in terms of training students in the educational model. That's what I wanted to.

Mr. Richvalsky said see, now we're talking about, that's not something that's bricks and mortar that DDA could get behind.

Ms. Moncrieff said that's the least of it. I just got flown by the state of Maine, paid for by the state of Maine to brief Maine, New Hampshire, Connecticut, Massachusetts, New York and New Brunswick, Canada on the public private partnership that I am building and discussions about replicating it on the east coast yet I have had a very difficult time getting Genesee County and the State to pay any attention. It's crazy and I think there's an opportunity there.

Mr. Richvalsky said you know, there's always been and sadly to say, the Skill Center is being you know, drastically cut and the Skill Center was always a really great venue for that public private thing.

Ms. Moncrieff said there's actually a positive change going on with the Skill Center. It got rerouted to be managed by a different entity and I think that's going to be a positive thing.

Mr. Richvalsky said it's going to be like a charter school, it's going to be very similar to that is what it boils down to.

Ms. Moncrieff said are you guys aware that there's a large public private meeting coming up September 4th. Paula, are you going to it?

Mayor Zelenko said I will not be in town but I am trying to get my Human Resource person.

Ms. Moncrieff said somebody should in Burton. I'll be there.

Mayor Zelenko said and Stacey might be there, the Assessor.

Ms. Moncrieff said okay that would be good. Just to have the presence.

Mr. Richvalsky asked what's the meeting about Laurie?

Ms. Moncrieff said Jason Miller, who is out of the Executive Office of the President, who I have met with numerous times, he's in charge of manufacturing. Jay Williams who was the Department of Labor reported to the Secretary of Labor, he was Department of Labor during the auto recovery in charge of the work force retraining and several others. I think EPA is the main entity that's hosting the meeting. It's in downtown Flint at the riverfront, it was an invitation meeting. The Governor may or may not be there. I know that Mike Finney, the head of the MEDC will be there. But it's all about public private partnership and training and all that good stuff

Mr. Richvalsky said well you'll have something interesting to report in our September meeting then.

BOARD RECOMMENDATIONS AND/OR ACTION:

Coates moved and Fenner seconded the following motion:

1. To table the motion.

Motion carried 5-0.

Moncrieff moved and Coates seconded the following motion:

2. To allow Joseph S. Richvalsky, current Chair to recuse himself as Chair of the DDA and any respect to do with the acquisition of the property owned by Racer in the DDA District.

Motion carried 5-0.

Fenner moved and Richvalsky seconded the following motion:

3. To adjourn the Meeting.

Motion carried 5-0.

Meeting adjourned at 9:00 a.m.

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