

**DOWNTOWN DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES
December 19, 2005**

DIRECTORS PRESENT: Bob Doud, John Steele, Jennifer Shoub,
Ann Rohrbaugh, Hannah McKinney,
Stacy Skartsiaris, Chris Shook, Moses Walker

DIRECTORS ABSENT: Dan Van Sweden, Jeff Nicholson, Kenneth Miller

STAFF PRESENT: Steve Deisler, Mary Staron, Marissa Ferrari,
Vicky Kettner, Nicole Emerson, Jillian Green

OTHER : Michael O'Connor, Jim Marquardt, Larry Bell,
Jane Parikh

Director Doud called the meeting to order at 3:02 p.m.

II. ADOPTION OF AGENDA

Director Doud welcomed Director McKinney as the newest member of the Board. He then asked for approval of the agenda.

**DIRECTOR SHOUB MOVED TO ADOPT THE
AGENDA AS PRESENTED. SUPPORTED BY
DIRECTOR MCKINNEY. MOTION CARRIED.**

III. MINUTES – November 14, 2005

Director Shoub clarified that she was present at the previous meeting, though the minutes didn't reflect that fact. J. Green noted the minutes had been corrected for the corporate book.

**DIRECTOR STEELE MOVED TO ACCEPT
THE MINUTES OF 11/14/05 AS AMENDED.
SUPPORTED BY DIRECTOR SHOOK.
MOTION CARRIED.**

IV. FINANCIAL REPORT – August 31, 2005

M. Staron reviewed the budgets for the Board and opened the floor to questions.

**DIRECTOR SHOOK MOVED TO ACCEPT
THE AUGUST 31, 2005 FINANCIAL REPORT
AS PRESENTED. SUPPORTED BY DIRECTOR
STEELE. MOTION CARRIED.**

V. ACTION ITEMS

A. Interim Appropriation Resolution

K. Nacci stated that the Board has historically had to adopt this resolution so that operations may continue until the City Commission formally approves the DDA Budget in January 2006. He noted that the 2006 budget had been presented at a Public Hearing the previous month and was adopted by the Board.

**DIRECTOR SHOUB MOVED TO ADOPT THE
INTERIM APPROPRIATION RESOLUTION.
SUPPORTED BY DIRECTOR SHOOK.
MOTION CARRIED.**

ROLL CALL VOTE 7-0.

VI. DISCUSSION ITEMS

There were none.

VII. COMMITTEE UPDATES

A. Business Recruitment Retention Committee

1. Grubb & Ellis — 214 E. Michigan Ave.
Grant request: \$5,115

S. Deisler noted a grant request was received from Grubb & Ellis to recruit Orion, Inc., a computer support business. The tenant is relocating from Portage and signing a three-year lease, they will be occupying approximately 3,100 square feet. They are bringing three employees with them and expect to be open in late January or early February. An estimated minimum \$10,000 private investment for improvement to the space is proposed. The committee has approved the request.

He clarified that the grant approval was contingent upon the funds being available in 2006.

**DIRECTOR SHOUB MOVED TO APPROVE
THE BRIP GRANT OF \$5,115 FOR 214 E.
MICHIGAN AVE. CONTINGENT UPON
AVAILABLE FUNDS IN THE 2006 BUDGET.
SUPPORTED BY DIRECTOR SHOOK.
MOTION CARRIED.**

A. Business Recruitment Retention Committee

1. Main St. East, L.L.C. —
Grant request: \$8,085

S. Deisler stated the building owner has a start up business called the Studio, a professional fitness center, looking to occupy about 3,000 square feet in the lower level of the Haymarket Building. The tenant would have four employees and have signed a five-year lease. Proposed total investment is \$40,000 with an anticipated opening date of late January or early February. The committee has also approved this request, based on availability of 2006 funds.

**DIRECTOR SHOUB MOVED TO APPROVE
THE BRIP GRANT OF \$8,085 FOR 161 E.
MICHIGAN AVE. CONTINGENT UPON
AVAILABLE FUNDS IN THE 2006 BUDGET.
SUPPORTED BY DIRECTOR SHOOK.
MOTION CARRIED.**

VII. DIRECTOR COMMENTS

Director Skartsiaris recognized the increased Public Safety presence downtown and expressed her appreciation. Director Rohrbaugh echoed Director Skartsiaris' comments. K. Nacci noted that Public Safety has been giving downtown some extra attention and the hope is the new budget will allow for a more permanent presence.

VIII. PUBLIC COMMENTS

Director Doud acknowledged a request from Larry Bell, which would be presented by his attorney, Jim Marquardt. He then turned the floor over to J. Marquardt.

J. Marquardt cited an appeal by Mr. Bell related to his struggle as a member of the DDA district. Mr. Bell does not feel he is reaping the benefits that other members of the district are, although he is paying the same fees they are. In addition, Mr. Bell is not eligible for a parking exemption. As a result, Mr. Bell is seeking to withdraw his business from the DDA district. J. Marquardt noted he had researched the process and found that ultimately, the City Commission would be the governing body to decide whether to grant the requests. Mr. Bell decided to come to the DDA Board first with the request to seek inclusion in the parking exempt district or to have the Board concur on removing his business from the DDA district. He stated L. Bell had accompanied him to answer any questions that might be outside of his own range of knowledge. Director Doud spoke on the behalf of the Board, noting he didn't think the request came as a surprise, based on the history of correspondence between Mr. Bell and the DDA Board. He recommended deferring to staff and legal counsel due to the exhaustive procedure. He suggested a period of ninety days for the Board to present their recommendations, allowing for meetings between legal counsel and staff if necessary. J. Marquardt asserted that the proposed time frame was lengthy, especially based on the history. He added that a formal written application would be submitted to the Board. K. Nacci noted that he had a working knowledge of the DDA and governing laws due to his involvement for the past twenty years. Whenever request for inclusion or exclusion has come from single businesses, those requests involve complicated issues. He noted a parking exempt zone change dates back to the 1950's when the City Commission adopted the current policy. The ability to select who pays the two-mil tax has also been a challenging issue for the courts. The DDA has looked at their ability to select individual properties and has determined there may be a time to address the larger picture and reconfigure the boundaries of the district. At that time, the individual request could be addressed and staff is looking into the legal requirements and has been meeting with City staff to discuss. He reiterated it is a very complex and costly issue to address, which would entail public hearings and City Commission action and that ninety days is a fair request from the Board. The issue will be dealt with comprehensively, including addressing Mr. Bell's request. Director Doud acknowledged Mr. Bell's concern and noted the process in working with City staff might be expedited, if possible. He clarified once a formal request was received in writing, staff would begin the review process.

IX. ADJOURNMENT

The meeting was adjourned at 3:20 p.m.

APPROVED: _____

Jillian Green
Recording Secretary