

**DOWNTOWN DEVELOPMENT AUTHORITY
CITY COMMISSION CHAMBERS
ROYAL OAK, MICHIGAN
www.ci.royal-oak.mi.us**

**September 8, 2010
Regular Meeting
4:00 p.m.**

Present

Luigi Cutraro (arrived 4:03 p.m.)
James Domanski
Kat Fegley
William Harrison
Donald Johnson
Jason Krieger
Shirley Smith
Katherine Wilkinson
Peter Webster

Absent

Jason Krieger
Katherine Wilkerson

Staff

Timothy Thwing, Executive Director

* * * * *

AGENDA

- 1. Call to Order**
- 2. Public Comment**
- 3. Expense Items**
- 4. Updates**
 - a. Consumer Marketing Committee**
 - i. Quill Communications Monthly Report**
 - ii. ROAR – Ladies Night Out**
 - b. Infrastructure Committee**
 - c. Business Marketing Committee**
- 5. Parking Rate Change**
- 6. Zoning Ordinance Amendment – Medical Marihuana**

* * * * *

1, CALL TO ORDER

Chairman Domanski called the meeting to order at 4:02 p.m.

* * * * *

2. PUBLIC COMMENT

Gary Baglio
505 S. Washington Avenue

Mr. Baglio praised the DDA, City Commission and other organizers of ABE for a fantastic festival weekend. As president of Royal Oak Association of Retailers (ROAR), he stated the group intends to hold 4 small events throughout the year, starting with Ladies Night Out scheduled for October 14. He will be asking the DDA for financial assistance for the event.

Brendan Wehrung
702 Irving

Mr. Wehrung said this meeting wasn't posted. He suggested the \$100,000 reimbursement from ABE be placed in a separate account for next year's festival. Mr. Wehrung was against any parking meter rate increase. The City should not allow medical marijuana dispensaries, but should allow patients to grow marijuana in their home, although special guidelines should regulate the use, disposal and security of it.

Chuck (indistinguishable)
Address Unknown

This gentleman approves of the medical marijuana dispensaries in the City and felt residents should be able to grow it in their home.

* * * * *

3. EXPENSE ITEMS

MOVED by Director Webster
SUPPORTED by Director Harrison

TO APPROVE payment to Kerr Russell and Weber PLC in the amount of \$896.67 through July 2010 with regard to the I-696 Project/Huntington Commission Dispute and the purchase of the Fresard Body Shop.

THE MOTION CARRIED UNANIMOUSLY, 7-0.

* * * * *

4. UPDATES

a. Consumer Marketing Committee

i. Quill Communications

- **Monthly Report**
Provided as information.
- **Holiday Magic Sponsorship Status**
Approximately \$6,895 has been received

ii. ROAR – Ladies Night Out

The DDA discussed the pros and cons of approving the request for budget reimbursement for Ladies Night Out. The Consumer Marketing Committee recommended approval and indicated the DDA would promote the event on its website and facebook page.

MOVED by Director Harrison
SUPPORTED by Director Fegley

TO APPROVE the Royal Oak Association of Retailers (ROAR) request for financial assistance with print media, flyers and posters for Ladies Night Out scheduled for October 14, 2010, with associated costs not to exceed \$920.00.

THE MOTION CARRIED UNANIMOUSLY, 7-0.

b. Infrastructure Committee

The Infrastructure Committee will be scheduling a meeting.

c. Business Marketing Committee

Director Webster proposed an architectural competition, which could be about a bungalow in Royal Oak, a building or space downtown. This is appropriate for the Infrastructure Committee to pursue and Director Webster agreed to attend those meetings to discuss this proposal. Director Webster also proposed that City-owned office space be used for the expansion of Automation Alley, such as the structure at 225 South Troy. This concept will be discussed at future Business Marketing Committee meetings.

* * * * *

5. **PARKING RATE CHANGE**

Mr. Thwing reported that last month the DDA received a memo from Greg Russel recommending a parking rate increase from \$.50/hr to \$1/hr. At that meeting the DDA requested additional information and data in order to make an informed recommendation. Mr. Thwing has provided a preliminary breakout per location, expenses, etc., and Mr. Russel did provide additional data regarding the parking decks.

Director Johnson stated the City Commission has this information. He reiterated that the recommendation is to increase the parking meter rate to \$1/hr.

Director Harrison noted the information was incomplete. He was reluctant to vote on increasing meter fees until the style of meters is addressed, street by street. Currently, visitors/patrons are inconvenienced trying to find or get 'change', and by the time they get the coins, they've received a parking ticket. Since there are meters that accept dollar bills, debit/credit cards, etc., Director Harrison suggested the DDA discuss the delivery system of handling payment of parking before the DDA discusses increasing fees.

Discussion centered on the underutilization of the parking decks and the absence of appropriate signage on the decks for drivers to see while navigating the streets.

Director Harrison said the Infrastructure Committee should discuss this issue at their next meeting, which will be the first Wednesday of October.

Director Domanski did not believe higher rates encouraged people to park in the decks. Money is not the issue; the problem is the inconvenience factor. This should be the DDA's area of concern.

Director Fegley agreed that there needs to be some benefit to the upgrade in parking before she could support an increase.

Director Smith preferred to see the meters upgraded to credit or debit cards.

Director Cutraro doesn't believe patrons want higher fees. He also pointed out that the parking deck on Lafayette and Sixth is never full after 6:00 p.m. Previously, the DDA was concerned about a parking shortage, but there seems to be no shortage. The parking structures are never filled, which is surprising.

Director Domanski felt the information presented to the DDA was unclear even though it was for the benefit of the DDA. A resolution was not essential but one could be made.

Director Harrison asked Mr. Thwing to inform the City Commission about the DDA's decision to discuss changing the meters at the Infrastructure Committee meeting next month.

Discussion ensued regarding the urgency of raising the parking rates.

The consensus seemed to be that the Board members weren't amenable to changing the parking rate until the parking meter system is changed for the convenience of visitors.

MOVED by Director Harrison
SUPPORTED by Director Smith

BE IT RESOLVED, that the Downtown Development Authority (DDA) will not consider raising the meter rates until a change has occurred in the delivery system of the parking meters.

Director Domanski made a friendly amendment to the motion: The DDA respectfully asks the City Commission not to take action on this issue until the DDA has a chance to meet and discuss it further.

Directors Harrison and Smith supported the friendly amendment.

Director Domanski explained that this change would evolve over time. It was thought that those meters with the highest use could be changed first, then another area could be changed.

There are several ways for the DDA to approach this - perhaps the joint committee of three City Commissioners and three DDA members could address this together.

Director Johnson said he was not opposed to the delivery method being changed, but the parking rates were the only way the city could collect revenue from a visitor base. Therefore, he was opposed to that part of the motion

Director Webster suggested that the rates could be raised now with that revenue set aside to roll out the new system incrementally.

THE MOTION CARRIED 6-1, with Director Johnson voting no.

* * * * *

6. ZONING ORDINANCE AMENDMENT – MEDICAL MARIHUANA

Mr. Thwing advised that this item was placed on the agenda at the request of Board members who had opinions they wanted to express to the Planning Commission. The materials provided to the DDA are intended to provide background and information on the issue. When the medical marihuana act passed, the Planning Department asked how the Planning Commission wanted to proceed. Their discussions started approximately 1½ years ago.

The Planning Commission did forward to the City Commission a resolution that recommended a Zoning Ordinance amendment to allow "caregivers" as a Special Land Use in the General Business District. At that time the City Commission placed a 120-day moratorium on the medical marihuana issue.

City Attorney Dave Gilliam is present to address any legal questions and provide some initial comment.

Discussion ensued by Board members.

Director Johnson stated that the situation is now very awkward in that state law allows certain things that are prohibited by federal law. He suggested that any recommendation made by the DDA should cover the entire city not just the DDA District.

Chairman Domanski advised that the DDA should approach this in a way that will keep the DDA's mission statement open.

Director Harrison commented that this should be treated like any other controlled substance. There should be an appeal to the state legislature to fix it. As a controlled substance, it ought to be issued by a pharmacy. He had no issue with patients who need the medical marihuana, only with its delivery system. He definitely did not want any clinics or dispensaries in Royal Oak

City Attorney David Gillam answered questions from Board members.

MOVED by Director Webster
SUPPORTED by Director Harrison

WHEREAS, the City Attorney, the City Manager and the Chief of Police have all recommended adoption of a city-wide ordinance and/or policy to prohibit uses in the City of Royal Oak that are contrary to local, state and/or federal laws, and

WHEREAS, the manufacturing, cultivation and distribution of marijuana within the DDA's downtown district is adverse to the purpose of the DDA's goals and vision, as identified in the DDA's Development Plan.

BE IT RESOLVED, that the DDA recommends to the City Commission that it adopt ordinances and/or establish policies regarding land use or commercial activities within Royal Oak that prohibit uses and/or activities that are contrary to local, state and/or federal laws and ordinances.

MOTION WAS ADOPTED UNANIMOUSLY, 7-0.

* * * * *

7. OTHER BUSINESS

- a. Director Harrison requested that budget projections and bond information be provided at the next meeting.
- b. Director Harrison also requested that the Board receive reports from the Planning Department on its DDA activities.

* * * * *

There being no further business to bring before the Royal Oak Downtown Development Authority, the following motion was made:

MOVED by Director Johnson
SUPPORTED by Director Smith

TO ADJOURN the September 8, 2010 DDA meeting.

THE MOTION CARRIED UNANIMOUSLY, 7-0.

The meeting adjourned at 5:28 p.m.

* * * * *



Timothy E. Thwing, Executive Director
Downtown Development Authority

/ljb