



Monthly Meeting of the Downtown Development Authority (DDA) Board of Directors
THURSDAY, FEBRUARY 16, 2023 @ 8:00 AM
Council Chambers
300 E Nine Mile, Ferndale, MI 48220

1. CALL TO ORDER: 8:06 AM

MEMBERS PRESENT: Chair Pj Jacokes, Omar George, Sarah Brown, and Mayor Melanie Piana, Metari Harris, Toly Ashkenazi, Jerome Raska, Jess Minnick

MEMBERS ABSENT: JeDonna Dinges

STAFF PRESENT: Lena Stevens, Executive Director; Sommer Realy, Engagement Manager

AUDIENCE: Jenny Marr, Executive Director for the Ferndale Area District Library; Joe Gacioch, City Manager; Police Chief Dennis Emmi; DRO officer Andy Roth; David Ogloza, owner of Quix Chocolate

2. APPROVAL OF AGENDA

AYES – Chair Pj Jacokes, Omar George, Sarah Brown, and Mayor Melanie Piana, Metari Harris, Toly Ashkenazi, Jerome Raska, Jess Minnick

NAYS- None

All ayes, motion carries.

3. COMMUNITY REPORTS

Ferndale Area District Library, Jenny Marr provided an update on the library's upcoming events, including a book sale and a reading by a local author. The representative also discussed the existing agreement between the library and the DDA, which expires at the end of the fiscal year. The agreement, in place for the last six years, stipulates that the library shares a portion of the tax capture with the DDA, but the library is considering not renewing the agreement. Jenny Marr explained that the library is facing budget constraints and is exploring other funding sources to support its services. The Chairperson thanked the representative for the update and expressed appreciation for the library's support of the DDA's efforts.

4. CALL TO AUDIENCE:

- a. N/A

5. PRESENTATIONS

- a. Regulatory Framework and Current Usage of Public Surveillance Systems in City of Ferndale
City Manager Joe Gacioch & Police Chief Emmi, presented to the board the City of Ferndale's, established ordinance 1253 which regulates the use of public surveillance cameras, with the aim of safeguarding the privacy, liberty, and safety of the public. The ordinance intended to mitigate the potential risks posed by surveillance technologies and ensure that cameras were not employed excessively to infringe upon an individual's privacy or liberty rights. The City collaborated with its insurance provider to proactively employ surveillance for risk management purposes, with cameras viewed as a tool rather than a remedy for deterring and responding to criminal activity.

The ordinance entailed certain restrictions on camera use, such as forbid facial recognition, automatic analytics turn-off, audio recording, imposing sign requirements for cameras, and limiting access to internal cameras. Cameras were also barred from capturing any private residence or private property in the camera's field of view. Due to privacy and cost considerations, the maximum retention period for footage is around 30 days. A comprehensive list of camera locations was accessible on the City's website, and the public is encouraged to remain aware of camera placement.

Camera usage is classified into two types. Short-term use and long-term use, which is the only type employed in the city at the time. Short-term use is restricted to public property and City employee usage, with time and individual restrictions. Long-term use is geared towards deterring and responding to criminal activity, and the city does not record any footage of private residences.

As an illustration of how decisions were made to install cameras in public parks, the City Manager used the case of Geary Park. In 2016, the park experienced issues of vandalism, littering, and other disruptive behaviors that were detrimental to the park's environment and safety. Following consultation with community members and law enforcement officials, the City Council opted to install surveillance cameras in the park to deter such activities and provide evidence in the event of incidents. The cameras were installed at a cost of \$25,000. The decision to install the cameras was not without controversy, with some community members expressing concern about privacy and civil liberties. Nevertheless, the City Council believed that the advantages of enhanced safety and reduced property damage outweighed the potential drawbacks.

City Manager, Joe Gacioch stressed the importance of cameras as a tool for solving crimes, though not a flawless solution. They explained that video footage could serve as valuable evidence in court and act as a deterrent to criminal activity. The cost of installing cameras was a concern, but the installation of cameras was generally not carried out unless necessary due to high costs and public discomfort.

Police Chief Dennis Emmi spoke about the role of public surveillance in investigations of the Ferndale Police Department. He noted that technology could help overcome human bias, and cameras could be useful in situations where there were no witnesses to a crime. The 30-day retention period for video footage was deemed reasonable and noted that it was impractical to maintain footage for extended periods. They emphasized that cameras were merely one component of a larger toolset for solving crimes, which also included eyewitnesses and intelligence-driven investigations. They noted that regulations, auditing, and oversight were necessary to ensure that cameras were employed responsibly and did not breach civil liberties.

Board member, Omar George commented that private footage only captures a small portion. If a camera was in parking lot, the car would be captured. He went on to mention that facial recognition, seems the biggest concern with the public but not safety. Police Chief Emmi states it is not a silver bullet, it helps but is not the fix all, hours of footage do not always provide the imagery needed to prosecute. Metari Harris questioned, how are camera imposing, if there was security patrolling would it not be the same deterrence. If someone is watching, then it detours people from doing bad things.

City Manager, Joe Gacioch acknowledged that the use of surveillance cameras was a policy debate with concerns over too much government overreach. However, the mission was to deter and solve crime and safeguard property, and the tools required had to be employed within the confines of city policy. It was noted that a subjective number had to be demonstrated to balance the need for surveillance with available resources.

The City Manager stated that this is a priority, and the next steps include, obtaining cost estimates for alternative proactive measures including improved lighting and was also interested in exploring alternatives for activating spaces such as improved landscaping, public art, and signage.

It was stated that the city is in the middle of budget adjustments now, and cost estimates are being collected now. A community engagement event, Flock, took place on February 23 and spoke of the concerns. In addition, collecting data metric in the parking lots maybe implemented and measuring will begin.

Mayor Piana expressed support of lighting as a first step out of all the choices. Crime prevention to environmental design should be the focus and what council will ask, as well as voters. Provided warning that council hears from voters and prepares board for what to expect when lighting changes. Crime activates shift, block by block. There is not one quick great fix. This is an ongoing conversation.

City Manager, Joe Gacioch stated he would work with REEF Parking, the contracted vendor we call Park Ferndale, to see about adding additional patrol and enhance their visibility as a form of deterrence.

Executive Director, Lena Stevens spoke about the next steps. She is working with DR Officer Andy Roth on classification of criminal activity and noted a six-month report will present trends to which will be presented to the board. It is important to focus on the system as a whole and identify the location and generalized trend. Parking lots are not within the TIF district, where the board has authorization to spend funds. The DDA has taken one step and has already implemented a public art component, the annual Downtown Mural Program. Data shows what next step could be. Executive Director Stevens, states the data will show what the next steps could be and in mean time, continue to implement other options, support DRO position and then digest as a board to collaborate on how to move forward.

b. Budget Workshop #2

Executive Director, Lena Stevens provided a printed copy of the workplan, page three states the opportunities identified for FY24. Quarterly budget adjustments can be made if changes are needed. Items not yet listed in workplan: signage at the Dot “Phone Wallet Keys” could be replaced, cameras and or security. The workplan includes events and is connected to the budget, added late night shopping and busking music events with Ferndale Community Concert Band. Board will vote to adopt in March of 2023.

6. CONSENT AGENDA

a. *Approval of Minutes from January 12, 2023*

AYES – Chair Pj Jacokes, Omar George, Sarah Brown, and Mayor Melanie Piana, Metari Harris, Toly Ashkenazi, Jerome Raska, Jess Minnick

NAYS- None

All ayes, motion carries.

7. Regular Agenda

a. Election of Officers

Nominations for Officers of the Ferndale DDA Board of Directors were accepted during the regular meeting held on January 12, 2023.

The following nominated individuals were approved to serve:

Pj Jacokes: Chairperson

Sarah Brown: Vice-chairperson

JeDonna Dinges: Secretary

Omar George: Treasurer

Chair Pj Jacokes takes roll call to approve nominated candidates to serve as officers of the DDA Board of Directors.

AYES – Chair Pj Jacokes, Omar George, Sarah Brown, and Mayor Melanie Piana, Metari Harris, Toly Ashkenazi, Jerome Raska, Jess Minnick

NAYS – None

All ayes, motion carries.

b. Adoption of DDA Board of Directors Operational Policies for Conflict of Interest, Board Member Orientation and Commitment, FY23 Training Agreement

The Executive Director, Lena Stevens presented three policies for approval: Conflict of Interest, Board Member Orientation and Commitment, and Fiscal Year 23 Training Agreement. The board members are asked to adopt these policies as their guiding policies. The policies will be signed by each board member every year and will be updated and brought for signature in January. Board chair, Pj Jacokes had made minor changes to the drafts based on edits from Omar and JeDonna. If any further changes are needed, they can be made later. The board chair plans to bring printed copies of the policies for with member signatures next month.

Motion by Sarah Brown seconded by Mayor Piana to adopt DDA Board of Directors Operational Policies for Conflict of Interest, Board Member Orientation and Commitment, FY23 Training Agreement.

AYES – Chair Pj Jacokes, Omar George, Sarah Brown, and Mayor Melanie Piana, Metari Harris, Toly Ashkenazi, Jerome Raska, Jess Minnick

NAYS – None

All ayes, motion carries.

- c. Authorization for Executive Director to Approve Downtown Concrete Repairs in an Amount Not to Exceed \$30,000.

The Executive Director, Lena Stevens requested approval for downtown concrete repairs in an amount not exceeding \$35,000. The engineering firm, Giffles Webster, which works with the city, provided an assessment estimate of approximately \$32,000 for the work, but this was not a formal quote for the work. DPW Director, Dan Antosik is in the process of obtaining at least three quotes to ensure competitive pricing. The repairs are primarily for sidewalks and curbs along West Nine Mile, which is the stretch of downtown that had gone the longest without a streetscape update. The repairs were deemed necessary due to the past few years of harsh winters with excessive moisture, rain, and freeze-thaw cycles. The repairs were proposed as a means of catching up for the past three years, as the minor sidewalk repair of \$10,000 to \$15,000 allocated in the budget every year had not been utilized. A photo document was included, with images and notes for each repair location, which was prepared by Derek Radell, a member of the Department of Public Works staff. DPW Director, Dan Antosik is helping to organize the quotes and engineering estimates. The repairs are necessary to eliminate safety hazards and accessibility issues, although there was a larger question of who should be responsible for sidewalk repair. Some downtowns have private property owners responsible for the sidewalk in front of their locations. However, in the current situation, it was reasonable to say that the DDA has the responsibility to eliminate these safety hazards and accessibility issues.

Motion by Omar George seconded by Sarah Brown to authorize the Executive Director to enter a contract for downtown concrete repairs in an amount not to exceed \$35,000, pending review of a minimum of 3 quotes from qualified companies.

AYES – Chair Pj Jacokes, Omar George, Sarah Brown, and Mayor Melanie Piana, Metari Harris, Toly Ashkenazi, Jerome Raska, Jess Minnick

NAYS – None

All ayes, motion carries.

- d. Authorization for the Executive Director to Approve Expenses Not To Exceed \$50,000 for the Purchase Of Street Litter And Recycling Cans from Landscape Forms In Collaboration with the Department of Public Works

The Executive Director, Lena Stevens presented a quote for \$90,000 for 30 garbage cans and 15 recycling cans, from Landscape Forms with cost of the items at \$82,520.52 and an additional fee of \$6,340.00 for shipping and handling. Grant opportunities are being researched in collaboration with the City of Ferndale's Zero Waste Coordinator, Claire Dion. \$10,000 in funding is highly likely from the Southeastern Oakland County Resource Recovery Authority (SOCRRA). Considering these variables, the Executive Director respectfully requested authorization to approve expenses up to 50% of the full cost, to accommodate the modification needs, including customization with a little DDA plaque and potentially add-ons for cigarette butts.

It was decided to go for a 50% pairing instead of the one-on-one pairing to avoid increasing service demands for collecting recycling. Director Stevens proposed to add the city of Ferndale logo on the plaque as well, and they increased the amount to \$100,000 for the extra customization. They also explained that the sanitation department would split the cost 50/50, bringing the share down to \$50,000.

The lead time on the bins is about eight weeks, so it is suggested to order them now to hopefully have them out in spring of 2023. Director Stevens stated that the cohesion of the style of the bins from parks to downtown would be a significant benefit.

The benches that were selected are the same style as those in the park, but the color of the recycling cans has yet to be decided. The rainbow crosswalk downtown has two cans that were put in, Big Belly's, but it is uncertain if they were effective, and no further purchases were made due to their astronomical cost.

Motion by Sarah Brown seconded by Metari Harris to authorize the Executive Director to approve expenses not to exceed \$50,000 for the purchase of street litter and recycling cans from Landscape Forms in collaboration with the Department of Public Works.

AYES – Chair Pj Jacokes, Omar George, Sarah Brown, and Mayor Melanie Piana, Metari Harris, Toly Ashkenazi, Jerome Raska, Jess Minnick

NAYS – None

All ayes, motion carries.

8. Call to Board Members

Board member, Metari Harris announced she has moved her primary care to Ascension Health. She stated it has been a positive experience and loves it being so close to her business.

9. Information Items from Executive Director

Executive Director Lena Stevens provided updates and information on the following:

a. January Expenditure Report * NEW

The Executive Director, Lena Stevens introduced the monthly expenditure report, which provided an easy-to-read overview of the expenses for each month. The percentage of the original budget used was also included to help assess the operation of the DDA. The expenditure report will not be mandatory to review or vote on, but it is a recommended best practice in the industry moving forward.

b. Mural Program Application

The Executive Director, Lena Stevens announced the Downtown Mural Program application went live on Friday, February 10. The program is open for submission until March 10, and property owners and artists can apply. To date, the program has received an overwhelming response, and less experienced artists are highly encouraged to apply if they had a unique concept. There will be an advisory board created for selecting the artists. The idea of having less experienced artists collaborate with the selected artist was also discussed. The idea of creating small murals was suggested for less experienced artists. The program coordinator is Sommer Really, DDA Engagement Manager.

c. Let's Just Say: Story Series with GoComedy

The meeting concluded with Director Stevens, introducing the Let's Just Say story series, an ongoing program of GoComedy! GoComedy offered to collaborate with the DDA by featuring 5 to 7 storytellers chosen to represent Downtown Ferndale in their upcoming program on March 16. The theme for this event is "HOME". The event is open to the public. Stories may not all be about

Ferndale, but the speakers will introduce themselves as downtown business owners and share a personal story. The aim is to have the audience get to know the speakers and businesses better. The GoComedy! Let's Just Say storytelling event has been going on for six years and has a supportive community of improv actors and individuals who enjoy the opportunity to support the event.

10. ADJOURNMENT

Motion by Sarah Brown seconded by Metari Harris to adjourn the meeting at 10:24 AM

AYES – Chair Pj Jacokes, Omar George, Sarah Brown, and Mayor Melanie Piana, Metari Harris

NAYS – *None*

All ayes, motion carries.