

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
February 12, 2002

The first meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, February 12, 2002 at 8:30 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Mr. Austin, Mr. Fisher, Mr. Fox, Mr. James, Mr. Johnson, Mr. Lucich, Mr. O'Brien, Ms. Renshaw, Ms. Sames and Ms. Spreitzer.

Absent: Mr. Fender, Mr. John and Mayor Swanson (all excused).

1. Members Excused.

Motion by Mr. Austin, supported by Mr. Fisher, to excuse Mr. Fender, Mr. John and Mayor Swanson from today's meeting.

Yeas: Austin, Fisher, Fox, James, Johnson, Lucich, O'Brien, Renshaw, Sames and Spreitzer.

Nays: None.

2. Election of Officers.

Motion by Mr. Austin, supported by Mr. O'Brien, to nominate Mr. Fox as Chairman, Ms. Renshaw a Vice Chairman and Mr. James as Secretary/Treasurer to the Brownfield Redevelopment Authority.

Yeas: Fisher, Fox, James, Johnson, Lucich, O'Brien, Renshaw, Sames, Spreitzer and Austin.

Nays: None.

3. Adoption of By-Laws.

Motion by Mr. O'Brien,
Supported by Ms. Sames,

ARTICLE I: Name, Address and Purpose

Name. The name of the Authority is the City of Madison Heights Brownfield Redevelopment Authority (hereinafter referred to as the "Authority"). The address of the Authority is 300 W. Thirteen Mile Road, Madison Heights, MI 48071. The purpose of the Authority is to identify and assist in the redevelopment of abandoned, underutilized or contaminated parcels of the property, including those parcels specified in 381 P.A. 1996 (MCL 125.2651 et seq.), as amended, located in the City of Madison Heights.

ARTICLE II: Directors

- Section 1 **General Powers.** The Authority shall have all powers provided by law, subject to the limitations imposed by applicable federal or state statute (“statute”), City ordinances or these Bylaws. The business and affairs of the Authority shall be managed by its Board of Directors.
- Section 2. **Board of Directors.** The Board of Directors of the Authority, hereinafter referred to as either the “Board” or the “Authority,” shall consist of the membership of the Madison Heights Southend Downtown Development Authority (“DDA”).
- Section 3. **Terms, Replacement and Vacancies.** Each member shall serve for a term concurrent with their term on the DDA. A Director whose term of office has expired shall continue to hold office until his/her successor has been appointed with the advice and consent of the Madison Heights City Council. A Director may be reappointed with the advice and consent of the Madison Heights City Council to serve additional terms. If a vacancy is created by death, resignation or inability to serve, a successor shall be appointed with the advice and consent of the Madison Heights City Council. The successor shall hold office for the remainder of the term of office so vacated. Members of The Authority shall serve without compensation, but shall be reimbursed for actual and necessary expenses.
- Section 4 **Removal.** A Director may be removed from office for neglect of duty, misfeasance, or malfeasance, said removal to be by recommendation of The Board and by a majority vote of the Madison Heights City Council.
- Section 5. **Conflict of Interest.** A Director who has a direct pecuniary interest in any matter before the Authority shall disclose his/her interest prior to any discussion of that matter by the Authority, which disclosure shall become a part of the record of the Authority's official proceedings. The Director with said interest shall abstain from participation and voting in the Authority's action relating to the matter.
- Section 6. **Meetings.** Meetings of the Board may be called by or at the request of the Chairperson of the Board or by a majority of the Directors. The meetings of the Board shall be public, and the appropriate notice of such meeting shall be provided to the public, as specified in Article II, Section 7. The Board shall hold an annual meeting in the second calendar quarter (April, May or June) of each year at which time officers of the Board shall be elected as provided in Article III, Section 2.
- Section 7. **Notice.** Notice of any meetings shall be given in accordance with the Open Meetings Act in 267 P.A. 1976 (MCL 15.261 et seq.), as amended.

- Section 8. **Quorum.** A majority of the members of the Directors then in office shall constitute a quorum for the transaction of business at any meeting of the Board; provided, that a majority of the Board present may adjourn the meeting from time to time. The vote of the majority of the Directors present at a meeting at which a quorum is present constitutes the action of the Board, unless the vote of a larger number is required by statute or by these Bylaws. The Authority shall adopt Bylaws governing its procedures, by a vote of not less than a majority of the members of the Board in office. Amendments to the Bylaws shall be adopted by the procedure specified in Article VIII, below.
- Section 9. **Participation by Communication Equipment.** A member of the Board or of a committee designated by the Board may participate in a meeting by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this provision constitutes presence at the meeting.
- Section 10. **Committees.** The Board may, by resolution passed by a majority of the whole Board, designate one or more temporary or standing committees, each committee to consist of one or more of the Directors of the Authority. The Board may designate one or more Directors as alternate members of a committee, who may replace an absent or disqualified member at a meeting of the committee. In the absence or disqualification of a member of a committee, the members thereof present at a meeting and not disqualified from voting, whether or not they constitute a quorum, may unanimously appoint another member of the Board, on a temporary basis, to act at the meeting in place of such an absent or disqualified member. A committee, and each member thereof, shall serve at the pleasure of the Board. A committee so designated by the Board shall conduct its proceedings in conformity with these Bylaws and the Resolution establishing the committee; and, shall submit a report and make a recommendation for action by entire Board, in regard to the matter or matters for which it has been established.

Article III: Officers

- Section 1. **Officers.** The officers of the Authority shall be elected by the Board and shall consist of a Chairperson, Vice Chairperson, and Secretary/Treasurer. The Board may also appoint a Recording Secretary who need not be a member of the Board. An Officer may only hold one office at a time; but may also be a member and/or officer of a temporary or standing committee. All official instruments of the Board must be executed, acknowledged or verified by at least two of the forgoing officers (Chairperson, Vice Chairperson and/or Secretary/Treasurer).
- Section 2. **Nominations.** Election and Term of office. The officers of the Authority shall be elected by the Board at the annual meeting held during the second calendar quarter (April, May or June) for a term of two (2) years. Candidates shall be nominated by a Director at either a regularly scheduled meeting or at an annual meeting; subject to said nominations being seconded. Each officer shall hold office until his/her successor is appointed or until his/her term on the Authority and/or DDA has expired, whichever occurs earlier.
- Section 3. **Vacancies.** A vacancy in any office because of death, resignation, removal, disqualification, inability to act or otherwise, may be filled at any meeting of the Board for the unexpired portion of the term^ of such office.
- Section 4. **Chairperson and Vice Chairperson.** The Chairperson shall be the chief executive officer of the Authority, but he or she may from time to time temporarily delegate all

or any part of his/her duties, due to his/her unavailability, to the Vice Chairperson. He or she, or in his/her absence, the Vice Chairperson, shall preside at all meetings of the Board; he or she shall have general and active management of the business of the Authority; and, shall perform all the duties of the office as provided by law or these Bylaws. He or she shall be an ex-officio member (with voting rights) of all standing or temporary committees, and shall have the general powers and duties of supervision and management of the Authority.

Section 5. **Secretary/Treasurer and Recording Secretary.** The Secretary/Treasurer or Recording Secretary shall attend all meetings of the Board and record all votes and the minutes of all proceedings in a book to be kept for that purpose, and shall perform like duties for the standing or temporary committees when required. They shall further perform all duties of the office of Secretary/Treasurer as provided by law or these Bylaws. They shall be sworn to the faithful discharge of these duties.

Section 6. **Delegation of Duties of offices.** In the absence of any officer of the Authority, or for any other reason that the Board may deem sufficient, the Board may delegate, from time to time, and for such time as it may deem appropriate, the powers or duties, or any of them, of such officer to any other officer, or to any Director, provided a majority of the Board then in office concurs therein.

ARTICLE IV: Contracts, Loans, Checks and Deposits

Section 1. **Contracts.** The Board may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Authority, and such authority may be general or confined to specific instances; provided, however, said contracts shall be subject to the approval of the City Council.

Section 2. **Loans/Grants.** No grant or loan shall be contracted on behalf of the Authority and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Board and approved by the Madison Heights City Council. Such authority may be general or confined to specific instances.

Section 3. **Checks, Drafts, etc.** All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Authority, shall be signed by such officer or officers, agent or agents of the Authority and in such manner as shall from time to time be determined by resolution of the Board.

Section 4. **Deposits.** All funds of the Authority not otherwise employed shall be deposited from time to time to the credit of the Authority in such banks, trust companies or other depositories as the Board may select.

ARTICLE V: Fiscal Year

The fiscal year of the Authority shall correspond at all times to the fiscal year of the Madison Heights City Council. The Authority shall prepare annually a budget and shall submit the same to the City Council for approval in the manner and at the time required of City Departments; and, said budget shall contain the information required of City Departments. The Authority shall not finally adopt a budget for any fiscal year until the budget has been approved by the City Council; provided, however, the Authority may temporarily adopt a budget in connection with the operation of any ongoing project or projects in progress. Upon request, the Authority shall submit financial reports to the City Council and City Administration; and, shall be subject to audit by the City and/or an independent auditor.

ARTICLE VI: Miscellaneous

Section 1. **Waiver of Notice.** The Authority, or any committee thereof, may take action, without notice and prior to the lapse of the prescribed time period; if at any time before or after the action is completed, the person entitled to notice or to participation in the action to be taken, submits a signed waiver of such requirements.

ARTICLE VII: Amendments

These Bylaws may be altered, amended or repealed by the affirmative vote of a majority of the Board then in office.

Yeas: Fox, James, Johnson, Lucich, O'Brien, Renshaw, Sames, Spreitzer, Austin and Fisher.

Nays: None.

4. Meetings Scheduled.

Motion by Mr. Austin, supported by Mr. O'Brien, to schedule the Brownfield Redevelopment Authority meetings on the second Tuesday of each month at 8:30 a.m.

Yeas: James, Johnson, Lucich, O'Brien, Renshaw, Sames, Spreitzer, Austin, Fisher and Fox.

Nays: None.

5. Overview of Brownfield Redevelopment Authority.

Community Development Director Schafer gave a brief overview of brownfield redevelopment authorities. He also noted that Bob Terry, MEDC, will be scheduled to attend a meeting to provide more detailed overview of brownfields and examples of projects within the state.

Chairman Fox suggested that the City notify testing firms announcing the City's establishment of the Brownfield Redevelopment Authority. It was also recommended to research legislation on the expansion of core communities and determine if it would be advisable for the City to seek inclusion on this expanded list.

Mr. Austin left the meeting at 9 a.m.

Discussion followed regarding the marketing of the Brownfield Redevelopment Authority. Suggestions included a press release that the Chamber of Commerce could mail, the city's web page, and informational flyers at the counter of the Community Development Department.

6. Adjournment.

Motion by Ms. Sames, supported by Mr. James to adjourn the meeting.

Yeas: Johnson, Lucich, O'Brien, Renshaw, Sames, Spreitzer,
Fisher, Fox and James.

Nays: None.

The meeting was adjourned at 9:07 a.m.

William James
Secretary/Treasurer

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
April 9, 2002

The Regular Meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, April 9, 2002 at 8:35 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Mr. Austin, Mr. Fox, Mr. John, Mr. Johnson, Mr. Lucich, Mr. O'Brien, Ms. Renshaw, Ms. Sames, and Mayor Swanson.

Absent: Mr. Fender (excused), Mr. Fisher, Mr. James and Ms. Spreitzer (excused).

7. Members Excused.

Motion by Mr. John, supported by Mr. Swanson, to excuse Mr. Fender and Ms. Spreitzer from today's meeting because of being out of town.

Yeas: Austin, Fox, John, Johnson, Lucich, O'Brien, Renshaw, Sames and Swanson.

Nays: None.

8. Minutes.

Motion by Mr. Austin, supported by Mr. Johnson, that the minutes of the Regular Meeting held on February 12, 2002 be adopted as printed.

Yeas: Fox, John, Johnson, Lucich, O'Brien, Renshaw, Sames, Swanson and Austin.

Nays: None.

9. Presentation - Overview of Brownfield Redevelopment Authorities.

Mr. Robert Terry, Michigan Economic Development Corporation (MEDC) Community Assistance Team provided a detailed overview of brownfield redevelopment authorities.

10. Ajournment.

Motion by Mr. Swanson, supported by Mr. O'Brien, to adjourn the meeting.

Yeas: John, Johnson, Lucich, O'Brien, Renshaw, Sames,
Swanson, Austin and Fox.

Nays: None.

The meeting was adjourned at 9:35 a.m.

Geraldine Flack
City Clerk

Special Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
October 22, 2002

A Special Meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, October 22, 2002 at 8:00 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fox, City Manager Austin, Mr. Fisher, Mr. James, Mr. John, Mr. Johnson, Mr. Lucich, Mr. O'Brien, Ms. Renshaw, Ms. Sames, Ms. Spreitzer and Mayor Swanson.
Absent: Mr. Fender

10. Minutes.

Motion by Mr. Austin, supported by Mr. Swanson, that the minutes of the Regular Meeting held on April 9, 2002 be corrected in Motion 8 to read "from today's meeting" not "tonight's", and to adopt the minutes as corrected.

Yeas: Austin, Fisher, Fox, James, John, Johnson, Lucich, O'Brien, Renshaw, Sames, Spreitzer and Swanson.
Nays: None.

11. BRA Project No. 02-01 – Campbell Corners

Community Development Director Schafer discussed the draft copy, dated October 14, 2002, of a proposed "Brownfield Plan for Campbell Corners Project". The draft Plan details the applicant's proposal to seek a Single Business Tax (SBT) credit on this site in an estimated amount of \$5.3 million dollars, pursuant to P.A. 143 of 2000. The draft plan indicates that the site is a "Facility" based on the results of a Baseline Environmental Assessment conducted by The Traverse Group and appears to meet State required Plan Content criteria. The new owners, Campbell & 14 Center, L.L.C., are not requesting any involvement by the Brownfield Redevelopment Authority or the City in terms of funding or tax increment financing, but only a recommendation by this Board and approval of the Plan by the City Council. The consultants, who were not present, were notified to appear at this meeting to present a summary of the findings, to answer technical questions about the completed Environmental Site Assessments (ESA) and the Baseline Environmental Assessment, and to give an overview of the due care activities anticipated during construction.

Mr. Austin asked if the parking lot was to be redone as part of the improvements. Mr. Schafer stated that the parking lot is to be redesigned and a landscaped island running north and southwest of the existing Credit Union will be put in to eliminate cars cutting through at that area and make it safer for pedestrians. Mr. Austin asked if the site plan incorporated pedestrian crossings so that they don't ruin the landscaping. Mr. Schafer stated there will be a pedestrian walk next to the parking tiers and there will be three crosswalks with one directly across from the Credit Union.

Motion by Mr. Austin, supported by Mr. James, to recommend approval to City Council of a proposed Brownfield Redevelopment Plan - Campbell Corners Project, pursuant to Public Act 381 of 1996, as amended, for the redevelopment of the existing shopping center at the southeast corner of Campbell Road and 14 Mile Road, as follows:

**RESOLUTION RECOMMENDING APPROVAL OF A
BROWNFIELD PLAN FOR THE CITY OF MADISON HEIGHTS
PURSUANT TO AND IN ACCORDANCE WITH THE
PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE
STATE OF MICHIGAN OF 1996, AS AMENDED**

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Madison Heights (the "City"), pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), has prepared a brownfield plan (the "Plan") pursuant to and in accordance with Section 13 of the Act, to be carried out within the Brownfield Redevelopment Zone (the "Zone") described in the plan (Dated October 14, 2002); and

WHEREAS, the Authority has made the following determinations and findings:

- A: The Plan constitutes a public purpose under the Act; and
- B: The Plan meets all of the requirements for a brownfield plan set forth in Section 13 of the Act; and
- C: The proposed method of financing the costs of the eligible activities, as described in the Plan, is entirely the responsibility of the property owner and the Authority has no obligation to arrange the financing; and

- D: The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- E: There is no captured taxable value resulting from the adoption of the Plan.

WHEREAS, as a result of its review of the Plan, the Authority desires to recommend approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Plan Approved. Pursuant to the authority vested in the Authority by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Authority hereby recommends approval of the Plan (Dated October 14, 2002).
2. Notice to Taxing Jurisdictions. The Authority hereby directs the City Clerk, at least ten (10) days before the meeting of the City Council at which this Plan will be considered, to provide notice to and fully inform the taxing jurisdictions in which the Zone is to be located and which are or may be affected by the financing Plan about the fiscal and economic implications of the proposed Financing Plan, in accordance with Sections 13(10) and 14(1) of the Act; and
3. Notice of Public Hearing. The Authority hereby directs the City Clerk to provide two notices of the City Council Public Hearing on this case, said notices to be published not less than 20 nor more than 40 days from the date of the public hearing.
4. Severability. Should any section, clause or phrase of this Resolution be declared by the courts be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
5. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Ayes: Mr. Austin, Mr. Fisher, Mr. Fox, Mr. James, Mr. John, Mr. Johnson, Mr. Lucich, Mr. O'Brien, Ms. Renshaw, Ms. Sames, Ms. Spreitzer and Mr. Swanson.

Nays: None.

12. Miscellaneous Discussion

Chairman Fox asked for comments or requests from each member:

C.D. Director Schafer stated that current DDA area activities are:

- Oil Change facility at 12 Mile & John R is progressing
- Farnum Plaza improvements are a new parking lot and façade upgrade
- The Roost at John R & 11 Mile is operating and may have a signage appeal due to the fact that the property owner assigned all allowed signage to one other business.

Mr. James stated he is impressed with the improvements that have been made due to the activities of the Downtown Development Authority.

Ms. Spreitzer stated that she is concerned about safety at the Kmart store and the gas station located on the west side of 12 Mile and John R which have an increasing number of derelicts hanging around.

Mayor Swanson asked about the status of hiring one Economic Development person. Mr. Austin stated that candidates have been interviewed and someone should be hired shortly. The person will work to attract new businesses, to communicate with existing businesses, and to work with the Chamber of Commerce, Brownfield Redevelopment Authority, Downtown Development Authority and Economic Development Corporation.

Mr. Fisher commented that Madison Heights was the first community in Oakland County to have an Economic Development Corporation.

Mr. Lucich commented that the Fourth Reich Motorcycle Club may expand into the vacated print shop at 716 W 11 Mile.

Ms. Sames requested a Code of Ordinances book for the Chamber because she gets calls concerning rules for signage and would like a book to look up that and other questions that arise. Mr. Austin stated that the Code is also on the Web Page, but noted that there are also other State and National Codes and that City staff would be happy to clarify and answer any questions. Mr. Schafer requested that the Clerk's Office add the Chamber to the list that receives quarterly supplements to the Code.

Mr. Fox stated he would like to see the Chamber, Businesses and City breakfasts reinstated that were held a few years ago, because it was a good forum to discuss and work out problems and misunderstandings.

Ms. Renshaw stated she would like to see the D.D.A sponsor community breakfasts on a quarterly basis with the City and businesses, especially with new businesses who need to know what the requirements are and where to go for help. She also stated that she had a fire alarm incident and was told that there are lock boxes that can be installed to let the Fire Department into a building when the owner isn't immediately available. She said this would be something that would be beneficial for all businesses and asked where to get one. Mr. Austin stated it is similar to a real estate lock box and that the Fire Department could give her information.

Mr. Johnson asked if there have been any inquires about the property on the northwest corner of 11 Mile and John R. Mr. Schafer stated there has not, and that discussions with CVS concerning a redevelopment to improve that corner have been well received.

Mr. Austin encouraged the Board to keep the City informed on what is going on in the business community

Mr. John stated he has been a business owner for 17 years and is happy with the cooperation he has received from the City.

13. Adjournment.

There being no further business, Chairman Fox adjourned the meeting at 9:05 a.m.

Carole Corbett
Deputy City Clerk

Special Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
June 22, 2004

A Special Meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, June 22, 2004 at 8:41 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fox, City Manager Austin, Mr. Bera, Mr. Fender, Mr. John, Mr. Lucich, Mr. O'Brien, Ms. Renshaw, Ms. Sames, and Mayor Swanson.
Excused: Mr. James, Mr. Johnson and Ms. Spreitzer
Also Present: Community Development Director Schafer, Economic Development Coordinator Seitz, Deputy City Clerk Corbett.

Economic Development Coordinator Seitz stated that Mr. James, Ms. Spreitzer and Mr. Johnson called in that they were unable to attend.

1. Minutes

Motion by Mr. Swanson, supported by Mr. Lucich, that the minutes of the Special Meeting of the Brownfield Redevelopment Authority held on October 22, 2002, be adopted as printed.

Yeas: Austin, Bera, Fender, Fox, John, Lucich, O'Brien, Renshaw, Sames and Swanson
Nays: None

2. BRA Project No. 04-01 – Sam's Club

Economic Development Coordinator Seitz stated that the purpose of this meeting is to review the proposed Brownfield Plan for a Sam's Club Relocation and Expansion Project on the northeast corner of John R Road and 13 Mile Road. This project will include the construction of an expanded warehouse/retail facility and a gasoline station, on the following parcel numbers: 25-01-351-010, 25-01-351-015 and 25-01-351-016)

Patrick Bell and Bob Terry of Atwell-Hicks, Inc. were at the meeting representing the applicant. Mr. Bell stated that the site has been deemed a "facility" according to testing that was done during their Baseline Environmental Assessment (BEA), Phase I Environmental Site Assessment, and Phase II, Subsurface Investigation. Mr. Bell stated

that contaminated soil has been found at several different locations on the site, including dry cleaning fluids from a dry cleaning business that had been in the shopping center, high levels of metals in the area where the proposed underground gasoline storage tanks will be located, and high levels of volatile organic chemicals contaminating the soil near the World of Floors building which they attribute to contaminated land fill.

He presented the Sam's Club site plan that indicated the areas that need to be remediated before there can be further commercial development of the property. The total remediation costs are estimated at \$362,000 to excavate, remove and properly dispose of the contaminated material to a land fill, and then replace with clean fill material. Sam's Club has met with the City and is asking for a 50% reimbursement of the remediation costs in the estimated amount of \$181,000. Reimbursement by the City would be completed through a Tax Increment Finance Plan over a proposed 12 year period.

Patrick Bell then proposed that the Board consider a change to the application:

1. 15% administrative costs be captured by the Brownfield Redevelopment Authority each year for the life of the project.
2. Full tax capture by the Brownfield Redevelopment Authority for the life of the project, with the applicant still only receiving 50% of the capture each year for reimbursement.
3. Reduce years of the TIF accordingly.

The Board discussed the various options in setting up the Tax Increment Finance Plan in order to reimburse Sam's Club 50% of their remediation costs, collect administrative costs, and capture funds in order to set up a Local Site Remediation Fund for future Brownfield projects in the City.

Motion by Mr. O'Brien, supported by Mr. Swanson to recommend approval to City Council of a proposed Brownfield Redevelopment Plan – Sam's Club Project, pursuant to Public Act 381 of 1996, as amended, for a Sam's Club Relocation and Expansion Project on the northeast corner of John R Road and 13 Mile Road, as follows:

**CITY OF MADISON HEIGHTS
BROWNFIELD REDEVELOPMENT AUTHORITY**

**RESOLUTION RECOMMENDING APPROVAL OF A BROWNFIELD PLAN
FOR THE CITY OF MADISON HEIGHTS PURSUANT TO AND
IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE
PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

WHEREAS, the Brownfield Redevelopment Authority (the “Authority”) of the City of Madison Heights (the “City), pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), has prepared a brownfield plan (the “Plan”) pursuant to and in accordance with Section 13 of the Act, to be carried out within the Brownfield Redevelopment Zone (the “Zone”) described in the plan (Dated June 3, 2004); and

WHEREAS, the Authority has made the following determinations and findings:

- A: The Plan constitutes a public purpose under the Act; and
- B: The Plan meets all of the requirements for a brownfield plan set forth in Section 13 of the Act; and
- C: The proposed method of financing the costs of the eligible activities, as described in the Plan, is the responsibility of the property owner and the Authority to arrange the financing; and
- D: The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- E: There is captured taxable value resulting from the adoption of the Plan.
- F. The applicant revise Schedule 2 and submit a proposed form of agreement to show the following:
 - a. Authority’s administrative costs (15%) being captured and reimbursed each year for the life of the project
 - b. New tax capture funds be designated for the Brownfield Local Site Remediation Fund in Year 2005 and the last two years of the Plan.
 - c. Sam’s Club agrees to remain at this property for at least the same number of years after the TIF reimbursement period is completed. If Applicant leaves the site before this time period, the total amount reimbursed to the developer will be paid back to the City and all other taxing jurisdictions. Specific dates to

be determined in an Agreement approved by City Council.

- d. Applicant agrees not to contest a sidewalk or road Special Assessment in the future.

WHEREAS, as a result of its review of the Plan, the Authority desires to recommend approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Plan Approved. Pursuant to the authority vested in the Authority by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Authority hereby recommends approval of the Plan as revised.
2. Notice to Taxing Jurisdictions. The Authority hereby directs the City Clerk, at least ten (10) days before the meeting of the City Council at which this Plan will be considered, to provide notice to and fully inform the taxing jurisdictions in which the Zone is to be located and which are or may be affected by the Financing Plan about the fiscal and economic implications of the proposed Financing Plan, in accordance with Sections 13(10) and 14(1) of the Act; and
3. Notice of Public Hearing. The Authority hereby directs the City Clerk to provide two notices of the City Council Public Hearing on this case, said notices to be published not less than 20 nor more than 40 days from the date of the public hearing.
4. Severability. Should any section, clause or phrase of this Resolution be declared by the courts be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
5. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Yeas: Bera, Fender, Fox, John, Lucich, O'Brien, Renshaw, Sames, Swanson and Austin
Nays: None

3. Adjournment

There being no further business, Chairman Fox adjourned the meeting at 10:00 a.m.

Carole Corbett
Deputy City Clerk

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
April 12, 2005

A Regular Meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, April 12, 2005 at 9:25 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fox, Mr. Austin, Mr. Bera, Mr. Fender, Mr. James, Mr. John, Mr. Lucich, Mr. O'Brien, Ms. Renshaw, Ms. Sames, Mayor Swanson.

Absent: Mr. Johnson and Ms. Spreitzer (excused)

Also Present: Community Development Director Schafer, Economic Development Coordinator Seitz, City Clerk Corbett.

1. Members excused

Motion by Mr. Swanson, supported by Mr. Bera, to excuse Ms. Spreitzer and Mr. Johnson from today's meeting

Yeas: Austin, Bera, Fender, Fox, James, John, Lucich, O'Brien, Renshaw, Sames, Swanson

Nays: None

2. Minutes

Motion by Mr. Lucich, supported by Mr. Fender, that the minutes of the Regular Meeting of the Brownfield Redevelopment Authority held on June 22, 2004 be adopted as printed.

Yeas: Bera, Fender, Fox, James, John, Lucich, O'Brien, Renshaw, Sames, Swanson, Austin

Nays: None

3. Election of Chairperson and Vice-Chairperson

Motion by Mr. Swanson, supported by Mr. Lucich, to nominate the same officers for the BRA Board as the DDA Board. There being no further nominations, Jim Fox was declared Chairman and Stephen Bera was declared Vice-Chairman for terms to expire April 12, 2007.

Yeas: Fender, Fox, James, John, Lucich, O'Brien, Renshaw,
Sames, Swanson, Austin, Bera
Nays: None

4. Adjournment

There being no further business, Chairman Fox adjourned the meeting at 9:31 a.m.

Carole Corbett
City Clerk

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
April 12, 2005

A Regular Meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, April 12, 2005 at 9:25 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fox, Mr. Austin, Mr. Bera, Mr. Fender, Mr. James, Mr. John, Mr. Lucich, Mr. O'Brien, Ms. Renshaw, Ms. Sames, Mayor Swanson.

Absent: Mr. Johnson and Ms. Spreitzer (excused)

Also Present: Community Development Director Schafer, Economic Development Coordinator Seitz, City Clerk Corbett.

1. Members excused

Motion by Mr. Swanson, supported by Mr. Bera, to excuse Ms. Spreitzer and Mr. Johnson from today's meeting

Yeas: Austin, Bera, Fender, Fox, James, John, Lucich, O'Brien, Renshaw, Sames, Swanson

Nays: None

2. Minutes

Motion by Mr. Lucich, supported by Mr. Fender, that the minutes of the Regular Meeting of the Brownfield Redevelopment Authority held on June 22, 2004 be adopted as printed.

Yeas: Bera, Fender, Fox, James, John, Lucich, O'Brien, Renshaw, Sames, Swanson, Austin

Nays: None

3. Election of Chairperson and Vice-Chairperson

Motion by Mr. Swanson, supported by Mr. Lucich, to nominate the same officers for the BRA Board as the DDA Board. There being no further nominations, Jim Fox was declared Chairman and Stephen Bera was declared Vice-Chairman for terms to expire April 12, 2007.

Yeas: Fender, Fox, James, John, Lucich, O'Brien, Renshaw,
Sames, Swanson, Austin, Bera
Nays: None

4. Adjournment

There being no further business, Chairman Fox adjourned the meeting at 9:31 a.m.

Carole Corbett
City Clerk

Special Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
June 27, 2006

A Special Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Fox on Tuesday, June 27, 2006 at 8:30 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fox, Mr. Austin, Mr. Bera, Mr. Johnson, Mr. O'Brien, Ms. Spreitzer and Mayor Swanson.
Mr. Lucich (arrived late)

Also Present: Economic Development Coordinator Seitz, Community Development Director Schafer

Absent: Mr. Fender, Mr. James, Mr. John, Ms. Renshaw, Ms. Sames (all excused)

001. Members Excused.

Motion by Mr. Swanson, supported by Ms. Spreitzer, to excuse Mr. Fender, Mr. James, Mr. John, Ms. Renshaw and Ms. Sames from today's meeting because they called in that they were unable to attend.

Yeas: Austin, Bera, Johnson, O'Brien, Spreitzer, Swanson
Nays: None.

002. Minutes.

Motion by Mr. Austin, supported by Mr. Johnson, that the minutes of the Regular Meeting held on April 12, 2005 be adopted as printed.

Yeas: Bera, Johnson, O'Brien, Spreitzer, Swanson, Austin
Nays: None.

(Mr. Lucich arrived at 8:40 a.m.)

003. Project 06-01 – Patina Park Place, 26717-26723 John R

Economic Development Coordinator Joyce Seitz presented the proposed Brownfield Plan for Patina Park Place, 26717-26723 John R Road for a mixed-use development entitled “Patina Park Place”. The developer is proposing to erect two, three-story buildings, a live-work loft style, with the front building housing six (6) units and the back building housing five (5) units. Each unit is to have retail or office on the first floor with two stories of residential above. Ms. Seitz introduced Duane Walczak, Project Applicant, Michelle Dorian and Linda Lintner, all from Dorian Construction Co. and David Switzer, Environmental Engineer from Yeoman Group. She stated the project has received site plan approval and reviewed the Staff comments and recommendations for the draft plan of “Brownfield Plan for Patina Park Place”.

- The applicant is requesting reimbursement in the amount of \$1,248,620 for the eligible demolition, infrastructure improvements, soil remediation and project oversight costs.
- Applicant intends to apply to the State of Michigan for State Tax (SBT) credits for the estimated \$1.24 million dollars of eligible investment on this site based on results of soil borings done by Yeoman Group in February 2006 qualifying the site for tax increment financing and SBT credit eligibility.
- No City funds or tax revenue is proposed to reimburse this project. All of the reimbursement will be directly from the State of Michigan through school tax capture during a 14-Year Plan. Because the project is in the DDA District no local funds will be used to reimburse this project.

Recommendations:

1. The Applicant to revised Exhibit A – the project environmental response and demolition budgets to eliminate reimbursement for any development costs that are not due to environmental remediation in Budgets 1 and 2.
2. Applicant to revise the TIF schedule in accordance with the new project budgets.
3. Applicant agrees to retain ownership of this property for the number of years after reimbursement is completed (proposed 14-Year Plan) or the total tax amount reimbursed to the developer will be paid back to the taxing jurisdictions.

4. A provision in the agreement stating that applicant will not contest a sidewalk or road Special Assessment in the future.

Community Development Director Jim Schaefer stated that staff is asking that the Board determine whether some of the site development costs that the Developer is asking to be reimbursed are not due to environmental remediation but are normal site developments costs.

Duane Walczak, Applicant, stated that there are no building costs associated with the Brownfield Plan. He stated that to be eligible for a brownfield reimbursement there must be contamination on the site, and to determine that they have to expend their own funds for testing. He gave examples of how, how appear to be ordinary building costs, become part of the search for contamination and therefore become reimbursable, such as tree removal, asphalt removal and road washing. It is difficult to estimate how much these costs will be and is asking that they be authorized to go into the site to determine the extent of the contamination. At that time they will put a Due Diligence Plan together.

David Switzer, Environmental Engineer, stated that all of the expenses paid by Mr. Walczak to-date are not reimbursable. The goal is to determine if the site is contaminated or not and to determine, as much as possible, the costs to clean up the site. He stated that small, preliminary tests showed high levels of arsenic and selenium, which have low clean-up possibilities and are dangerous to residential sites. Due to the contamination the site qualifies as a brownfield site. After approval by Council he will develop a Phase 2 plan for the Department of Environmental Quality.

Steven Mann of Miller, Canfield, Paddock and Stone, representing the City, stated that the applicant has done enough preliminary environmental testing to make sure that the site is beyond the requirements of the DEQ to determine that the site needs to be cleaned before it can be used for residential purposes. He stated that if the Board approves the plan then the City Council would hold a public hearing. If approved, the plan would have to be approved by the DEQ for capture of school taxes only, since local taxes are already being captured by the DDA, where the property is located.

Duane Walczak, Applicant, stated that it would appear favorable to the SBT if the Downtown Development Authority authorized funds for the project and requested that it be considered. This would also enable the project to begin yet this year before winter.

Motion by Mr. Swanson, supported by Mr. Johnson, to approve the Brownfield Redevelopment Plan for Patina Park Place, as attached.

Amendment to Resolution

Motion by Mr. Swanson, supported by Mr. Johnson, to add the following revision to the Resolution Approving a Brownfield Plan for Patina Park Place:

- The applicant revises the Brownfield Plan to match the revised TIF Schedule, dated June 21, 2006, and submit a proposed form of agreement to show the following:
 - a. Applicant agrees not to contest any future sidewalk or road Special Assessments pertaining to the subject property or within adjacent rights of way.

Yeas: Bera, Johnson, Lucich, O'Brien, Spreitzer, Swanson, Austin

Nays: None

004. Adjournment.

There being no further business, Chairman Fox adjourned the meeting at 9:30 a.m.

Carole Corbett
City Clerk

**CITY OF MADISON HEIGHTS
BROWNFIELD REDEVELOPMENT AUTHORITY**

**RESOLUTION APPROVING A BROWNFIELD PLAN FOR PATINA PARK
PLACE**

At a special meeting of the City of Madison Heights Brownfield Redevelopment Authority, Oakland County, Michigan, held in the Executive Conference Room, City Hall of said City, on the 27th day of June, 2006, at 8:30 a.m.

PRESENT: Chairman Fox, Mr. Austin, Mr. Bera, Mr. Johnson, Mr. O'Brien, Ms. Spreitzer and Mayor Swanson.
Mr. Lucich (arrived late)

ABSENT: Mr. Fender, Mr. James, Mr. John, Ms. Renshaw, Ms. Sames
(all excused)

MOTION BY: Mr. Swanson

SUPPORTED BY: Mr. Johnson

WHEREAS, a Brownfield Plan, dated June 19, 2006, has been prepared pursuant to Act 381, Public Acts of the State of Michigan, 1996, as amended ("Act 381"), a copy of which is on file with the City of Madison Heights Brownfield Redevelopment Authority (the "Authority") and the City Clerk of the City of Madison Heights; and

WHEREAS, in accordance with Act 381, the Authority is authorized to approve the Brownfield Plan and recommend it for approval to the City of Madison Heights, County of Oakland, State of Michigan (the "City"); and

WHEREAS, the Authority has made the following determinations and findings:

A: The Plan constitutes a public purpose under the Act; and

B: The Plan meets all of the requirements for a brownfield plan set forth in Section 13 of the Act; and

C: The proposed method of financing the costs of the eligible activities, as described in the Plan, is the responsibility of the property owner and the Authority to arrange the financing; and

D: The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and

E: There is captured taxable value resulting from the adoption of the Plan; and

F. The applicant revises the Brownfield Plan to match the revised TIF Schedule, dated June 21, 2006, and submit a proposed form of agreement to show the following:

- a. Applicant agrees not to contest any future sidewalk or road Special Assessments pertaining to the subject property or within adjacent rights of way.

WHEREAS, as a result of its review of the Plan, the Authority desires to recommend approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Approval of the Plan. Pursuant to the authority vested in the Authority by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Authority hereby adopts and approves the Brownfield Plan, as revised, and recommends approval of the Brownfield Plan by the City Council of the City.
2. Notice to Taxing Jurisdictions. The Authority hereby directs the City Clerk, at least ten (10) days before the meeting of the City Council at which this Plan will be considered, to provide notice to and fully inform the taxing jurisdictions in which the project is to

be located and which are or may be affected by the financing Plan about the fiscal and economic implications of the proposed Financing Plan, in accordance with Sections 13(10) and 14(1) of the Act; and

3. Notice of Public Hearing. The Authority hereby directs the City Clerk to provide two notices of the City Council Public Hearing on this case, said notices to be published not less than 20 nor more than 40 days from the date of the public hearing.
4. Disclaimer. By adoption of this resolution and approval of the Brownfield Plan, the Authority assumes no obligation or liability to the owner, developer or lessor of the Eligible Property for any loss or damage that may result to such persons from the adoption of this resolution and Brownfield Plan. The Authority makes no guarantees or representations as to the determinations of the appropriate state officials regarding the ability of the owner, developer or lessor to qualify for a single business tax credit pursuant to Act 228, Public Acts of Michigan, 1975, as amended, or as to the ability of the Authority to capture tax increment revenues from the State and local school district taxes for the Brownfield Plan, if applicable.
5. Severability. Should any section, clause or phrase of this Resolution be declared by the courts be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

6. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed or amended to the extent of such conflict.

YEAS: Chairman Fox, Mr. Austin, Mr. Bera, Mr. Johnson, Mr. Lucich, Mr. O'Brien, Ms. Spreitzer and Mr. Swanson.

NAYES: None

ABSTAINED: None

RESOLUTION DECLARED ADOPTED:

CERTIFICATION:

I, the undersigned, duly qualified and acting City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Brownfield Redevelopment Authority of the City of Madison Heights at a special meeting held on the 27th day of June, 2006, the original of which resolution is on file in my office.

IT WITNESS, WHEREOF, I have hereunto set my official signature, this
30th day of June, 2006.

Carole Corbett, City Clerk

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
February 13, 2007

A regular meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, February 13, 2007 at 9:02 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fox, Mr. Austin, Mr. Fender, Mr. John, Mr. Mr. Lucich, Mr. O'Brien, Ms. Renshaw, Ms. Sames, Ms. Spreitzer

Absent: Mayor Swanson (excused) and Mr. Johnson

Also Present: Economic Development Coordinator Camille Walker
Community Development Director Jim Schafer
Steve Mann, Attorney, Miller, Canfield, Paddock and Stone, representing the Brownfield Authority

Camille Walker, the Economic Development Coordinator replacing Joyce Seitz, was introduced to the Board.

01. Member Excused

Motion by Mr. Austin to excuse Mayor Swanson because he called in that he is ill.

Yeas: Austin, Fender, Fox, John, Lucich, O'Brien, Renshaw, Sames, Spreitzer

Nays: None

02. Minutes.

Motion by Mr. Lucich, supported by Ms. Fender, that the minutes of the Special Meeting held on June 27, 2006 be adopted as printed.

Yeas: Fender, Fox, John, Lucich, O'Brien, Renshaw, Sames, Spreitzer, Austin

Nays: None

03. Patina Park Place – Reimbursement Agreement Authorization

Community Development Director Schafer stated that the Reimbursement Agreement will provide for the Authority to reimburse the Developer for the cost of eligible activities from tax increment revenue for the approved Patina Park Place Brownfield Plan. Steve Mann, attorney for the Board, reviewed the Reimbursement Agreement stating that it basically describes the understanding between the Developer and Brownfield Authority that, to the extent that the taxes increment revenues are available, the Authority will reimburse the developer for eligible costs on the site semi-annually, that have already been approved by the Brownfield Plan.

Motion by Mr. Austin, supported by Mr. O’Brien, to authorize the acceptance of a Reimbursement Agreement with the Madison Heights Brownfield Redevelopment Authority and Patina Park Place as follows:

WHEREAS, The Brownfield Redevelopment Authority Board and the Madison Heights City Council have previously adopted a Brownfield Redevelopment Work Plan for what is commonly known as the Patina Park Place Project, and

WHEREAS, The Brownfield Redevelopment Authority has reviewed and recommended that the Reimbursement Agreement for this property be authorized and executed;

NOW, THEREFORE, BE IT RESOLVED, that the Brownfield Redevelopment Authority for the City of Madison Heights does hereby authorize that the Reimbursement Agreement pertaining to the Patina Park Place Project site be executed on behalf of the Brownfield Redevelopment Authority.

Yeas: Fox, John, Lucich, O’Brien, Renshaw, Sames, Spreitzer,
Austin, Fender
Nays: None

04. Madison Town Center Proposed Brownfield Redevelopment Plan

Community Development Director Schafer reviewed the proposed BRA Project No. 06-02, for a commercial development project entitled “Madison Town Center” at the northwest corner of John R Road – a retail commercial development to include the existing Save-A-Lot Market at 21117 John R Road as well as remaining parcels. The property consists of seven (7) parcels of contiguous land where one of the parcels is a former gas station property that is a leaking underground storage tank (LUST) site contaminated in excess of Michigan Department of

Environmental Quality (MDEQ) Generic Residential Cleanup Criteria (GRCC). No City funds are proposed to reimburse this Brownfield project for clean up and remediation costs. The applicant has requested DDA funding of portions of the public improvements since local non-school tax increments are already captured by the DDA and to satisfy State requirements for a local match to demonstrate a local commitment to the project. Should the Board approve the project it would then be submitted to City Council for approval.

Mr. Ed Bahoura presented his proposed plans for a shopping center site, and is also proposing a small plaza area with benches, a monument (including flagpoles), and property improvements for the John R and 11 Mile corner that will be complimentary to the DDA's Clock Tower and wall, and other streetscape enhancements. The proposed project will require the remediation of contaminated soil and groundwater found primarily under the portion of the property formerly used by a gas station.

Community Development Director Schafer also stated that the State has advised that the project is eligible for a Local Site Remediation Fund and that the BRA might consider creating the fund through an extension of the tax increment capture period; which can be used to leverage future BRA projects through loans for environmental clean up. The BRA may wish to recommend extension of the increment capture period for up to five additional years or the amount of the requested reimbursement (\$286,354), whichever comes first. The attached plan details a two-year capture, which would generate an estimated \$119,101 for the Local Site Remediation Fund. Mr. Mann stated that the Brownfield Redevelopment Authority Act allows the City and the Authority to set up a revolving local site remediation fund to allow capture of local school revenues for up to five years once the developer has been reimbursed.

Motion by Mr. Austin, supported by Mr. Lucich, that the Brownfield Redevelopment Authority recommends approval the Madison Town Center BRA Project to City Council and that the documents be reformatted to include overcapture for up to five additional years of local tax increment funds for a Local Site Reimbursement Fund, and to adopt the following resolution:

WHEREAS, a Brownfield Plan, dated July 31, 2006, and amended November 6, 2006, and December 28, 2006, has been prepared pursuant to Act 381, Public Acts of the State of Michigan, 1996, as amended ("Act 381"), a copy of which is on file with the City of Madison Heights Brownfield Redevelopment Authority (the "Authority") and the City Clerk of the City of Madison Heights; and

WHEREAS, in accordance with Act 381, the Authority is authorized to approve the Brownfield Plan and recommend it for approval to the City of Madison Heights, County of Oakland, State of Michigan (the “City); and

WHEREAS, the Authority has made the following determinations and findings:

- A: The Plan, as amended, constitutes a public purpose under the Act; and
- B: The Plan meets all of the requirements for a Brownfield plan set forth in Section 13 of the Act; and
- C: The proposed method of financing the costs of the eligible activities, as described in the Plan, is the responsibility of the property owner to arrange the financing; and
- D: The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- E: There is captured taxable value resulting from the adoption of the Plan; and
- F. The applicant shall revise the Brownfield Plan to match the revised TIF Schedule, dated December 28, 2006, to reflect the motion of approval.
- G. BRA submit a proposed form of Reimbursement Agreement to include the following:
 - a. Applicant agrees not to contest any future sidewalk or road Special Assessments pertaining to the subject property or within adjacent rights of way.

WHEREAS, as a result of its review of the Plan, the Authority desires to recommend approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Approval of the Plan. Pursuant to the authority vested in the Authority by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Authority hereby adopts and approves the Brownfield Plan, as revised, and recommends approval of the Brownfield Plan by the City Council of the City.

2. Authorization to Sign Documents. The Chairperson and Secretary have delegated authority to sign contracts and grants and reimbursements to perform Brownfield activities consistent with the Brownfield's objectives, on behalf of the Brownfield Authority, but retain overall responsibility for their actions.
3. Notice to Taxing Jurisdictions. The Authority hereby directs the City Clerk, at least ten (10) days before the meeting of the City Council at which this Plan will be considered, to provide notice to and fully inform the taxing jurisdictions in which the project is to be located and which are or may be affected by the financing Plan about the fiscal and economic implications of the proposed Financing Plan, in accordance with Sections 13(10) and 14(1) of the Act; and
4. Notice of Public Hearing. The Authority hereby directs the City Clerk to provide two notices of the City Council Public Hearing on this case, said notices to be published not less than 20 nor more than 40 days from the date of the public hearing.
5. Disclaimer. By adoption of this resolution and approval of the Brownfield Plan, the Authority assumes no obligation or liability to the owner, developer or lessor of the Eligible Property for any loss or damage that may result to such persons from the adoption of this resolution and Brownfield Plan. The Authority makes no guarantees or representations as to the determinations of the appropriate state officials regarding the ability of the owner, developer or lessor to qualify for a single business tax credit pursuant to Act 228, Public Acts of Michigan, 1975, as amended, or as to the ability of the Authority to capture tax increment revenues from the State and local school district taxes for the Brownfield Plan, if applicable.
6. Severability. Should any section, clause or phrase of this Resolution be declared by the courts be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

7. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed or amended to the extent of such conflict.

Yeas: John, Lucich, O'Brien, Renshaw, Sames, Spreitzer, Austin,
Fender, Fox

Nays: None

05. Authorization of Chairman and Secretary to Sign

Motion by Mr. Austin, supported by Ms. Sames, to authorize the Chairperson and Secretary to execute and sign the appropriate reimbursement documents.

Yeas: Lucich, O'Brien, Renshaw, Sames, Spreitzer, Austin, Fender,
Fox, John

Nays: None

06. Adjournment

There being no further business, Chairman Fox adjourned the meeting at 9:30 a.m.

Carole Corbett
City Clerk

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
May 8, 2007

Chairman Fox called a Regular Meeting of the Brownfield Redevelopment Authority to order on Tuesday, May 8, 2007 at 9:01 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fox, Mr. Austin, Mr. John, Mr. Johnson, Ms. Malkowicz, Ms. Spreitzer, Mayor Swanson and Mr. Walczak.

Also Present: Economic Development Coordinator Camille Walker, Community Development Director Jim Schafer

Absent: Mr. Fender, Mr. Lucich, Mr. O'Brien, Ms. Renshaw

07. Members Excused.

Motion by Mayor Swanson, supported by Mr. Austin, to excuse Mr. Fender, Mr. Lucich, Mr. O'Brien, Ms. Renshaw from today's meeting.

Yeas: Austin, John, Johnson, Malkowicz, Spreitzer, Swanson
Nays: None.

08. Minutes.

Motion by Mr. Austin, supported by Mayor Swanson, that the minutes of the Regular Meeting held on February 13, 2007 be adopted as printed.

Yeas: Austin, John, Johnson, Malkowicz, Spreitzer, Swanson
Nays: None.

09. Election of Officers.

Chairman Fox opened nominations.

Motion by Mr. Austin to elect the Chairman and Vice-Chairman of the Downtown Development Authority as Chairman and Vice-Chairman of the Brownfield Redevelopment Authority for a term to expire April 12, 2009.

Motion carried unanimously.

10. Adjournment.

There being no further business, Chairman Fox adjourned the meeting at 9:04 a.m.

Camille Walker
Economic Development Coordinator

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
April 14, 2009

A Regular Meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, April 14, 2009, at 8:20 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fox, Ms. Charlebois, Mr. Fender, Mr. John, Mr. Kairis, Mr. Nguyen, Mr. O'Brien, Ms. Renshaw, Mayor Swanson, Mr. Taylor and City Clerk Haley.

Absent: Mr. Austin, Mr. Johnson and Ms. Spreitzer.

Also Present: Economic Development Coordinator Linda Williams and Community Development Director James Schafer.

01. Members Excused.

Motion by Mr. John, seconded by Ms. Renshaw, to excuse Mr. Austin, Mr. Johnson and Ms. Spreitzer from today's meeting.

Yeas: Charlebois, Fender, Fox, John, Kairis, Nguyen, O'Brien, Renshaw, Swanson, Taylor
Nays: None

02. Minutes.

Motion by Mr. John, seconded by Mayor Swanson, to adopt the minutes of the Regular Meeting held on May 8, 2007, as printed.

Yeas: Fender, Fox, John, Kairis, Nguyen, O'Brien, Renshaw, Swanson, Taylor, Charlebois,
Nays: None

03. Election of Officers.

Motion by Mayor Swanson, seconded by Mr. O'Brien, to reappoint Mr. Fox as Chairman and Mr. Fender as Vice Chairman to the Brownfield Redevelopment Authority for new two-year terms to expire on April 12, 2011.

Yeas: Fox, John, Kairis, Nguyen, O'Brien, Renshaw, Swanson,
Taylor, Charlebois, Fender
Nays: None

04. Adjournment.

There being no further business, Chairman Fox adjourned the meeting at 8:25 a.m.

Marilyn J. Haley
City Clerk

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
May 11, 2010

A Regular Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Fox on Tuesday, May 11, 2010, at 8:40 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fox, Vice-Chairman Fender, Mr. Austin, Ms. Charlebois, Mr. John, Mr. Nguyen, Mr. O'Brien, Ms. Renshaw and City Clerk Haley.

Also Present: Economic Development Coordinator Linda Williams and Community Development Director Jim Schafer.

Absent: Mr. Busler, Mr. Johnson, Ms. Spreitzer, Mayor Swanson and Rev. Taylor.

01. Excused Members.

Motion by Mr. O'Brien, seconded by Mr. Fender, to excuse Mr. Busler, Ms. Spreitzer, Rev. Taylor and Mayor Swanson from today's meeting.

Yeas: Austin, Charlebois, Fender, Fox, John, Nguyen, O'Brien, Renshaw

Nays: None

02. Minutes.

Motion by Mr. Austin, seconded by Mr. O'Brien, to adopt the minutes from the Regular Meeting of April 14, 2009, as printed.

Yeas: Charlebois, Fender, Fox, John, Nguyen, O'Brien, Renshaw, Austin

Nays: None

03. U.S. Environmental Protection Agency.

Economic Development Coordinator Williams updated the Board on the status of the two Phase I projects funded through the Southeast Oakland County Coalition Grant. Ms. Williams indicated that the former AirGas building at Fourteen Mile Road and the former Ogura building on Ajax

Drive have successfully utilized the coalition grant monies. In addition, two other potential businesses looking to locate to sites off Stephenson Highway have expressed interest in the grant monies. Ms. Williams indicated that if the Coalition funding should be exhausted, the potential to apply for additional grant monies through Oakland County at the end of the three-year grant period is an option for the City.

04. Adjournment.

There being no further business, Chairman Fox adjourned the meeting at 8:48 a.m.

Marilyn J. Haley
City Clerk

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
November 8, 2011

A Regular Meeting of the Brownfield Redevelopment Authority was called to order by Vice-Chairman Fender on Tuesday, November 8, 2011, at 8:40 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Mr. Austin, Ms. Charlebois, Mr. Fender, Mr. Nguyen, Ms. Renshaw, Mayor Swanson and Mr. Van Buren.

Also Present: Economic Development Coordinator Linda Williams and Community Development Director Jim Schafer.

Absent: Chairman Fox, Mr. Horn, Mr. John, Mr. Johnson, Mr. Keys, and Ms. Spreitzer.

01. Acting Clerk

Motion by Mr. Austin, seconded by Ms. Charlebois, to appoint Mr. Schafer as Acting Clerk for today's meeting.

Yeas: Mr. Austin, Ms. Charlebois, Mr. Fender, Mr. Nguyen, Ms. Renshaw, Mayor Swanson and Mr. Van Buren.

Nays: None

Motion Carried.

02. Excused Members.

Motion by Mayor Swanson, seconded by Ms. Renshaw, to excuse Chairman Fox, Mr. Horn, Mr. John, Mr. Johnson, Mr. Keys, and Ms. Spreitzer.

Yeas: Mr. Austin, Ms. Charlebois, Mr. Fender, Mr. Nguyen, Ms. Renshaw, Mayor Swanson and Mr. Van Buren.

Nays: None

Motion Carried.

03. Minutes.

Motion by Mr. Austin, seconded by Ms. Charlebois, to adopt the minutes from the Regular Meeting of May 11, 2010, as printed.

Yeas: Mr. Austin, Ms. Charlebois, Mr. Fender, Mr. Nguyen,
Ms. Renshaw, Mayor Swanson and Mr. Van Buren.

Nays: None

Motion Carried.

04. U.S. Environmental Protection Agency.

Economic Development Coordinator Williams updated the Board on the status of Madison Heights' application to once again partner with Oakland County for a \$1,000,000 United States Environmental Protection Agency (USEPA) Coalition Assessment Grant. If awarded, the City and other members of the Oakland County Brownfield Coalition will each receive \$100,000, with the remaining dollars used in other Oakland County communities. Assessment grant dollars provide funding to conduct initial environmental assessment activities (Phase I, Phase II and Baseline Environmental Assessment). The key objective is to encourage the redevelopment of sites, which may be complicated by the presence of hazardous substances. The other important objective is to trigger additional investments. Staff reported that Madison Heights was the first community within the coalition to take full advantage of the grant monies in the first successful round of the coalition assessment grant.

05. Discussion of 2012 Meeting Schedule.

Motion by Mr. Austin, seconded by Mayor Swanson, to establish one annual meeting in April for the BRA for 2012 and thereafter, in accordance with the City Council's approved Budget Gap measure.

Yeas: Mr. Austin, Ms. Charlebois, Mr. Fender, Mr. Nguyen,
Ms. Renshaw, Mayor Swanson and Mr. Van Buren.

Nays: None

Motion Carried.

06. Adjournment.

There being no further business, Chairman Fox adjourned the meeting at 8:50 a.m.

Jim Schafer, Acting Clerk of
the Board

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
April 10, 2012

A Regular Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Fox on Tuesday, April 10, 2012, at 8:55 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fox, City Manager Austin, Ms. Charlebois, Mr. Fender, Mr. John, Ms. Renshaw, Mr. Van Buren and Downtown Development Clerk Haley.

Also Present: Economic Development Coordinator Linda Williams and Community Development Director Jim Schafer.

Absent: Mr. Horn, Mr. Johnson, Mr. Keys, Mr. Nguyen, Ms. Spreitzer and Mayor Swanson.

01. Members Excused.

Motion by Mr. Austin, seconded by Ms. Charlebois, to excuse Mr. Nguyen, Ms. Spreitzer and Mayor Swanson from today's meeting.

Yeas: Austin, Charlebois, Fender, Fox, John, Renshaw, Van Buren
Nays: None

02. Minutes.

Motion by Mr. Austin, seconded by Ms. Charlebois, to adopt the minutes from the Regular Meeting of November 8, 2011, as printed.

Yeas: Charlebois, Fender, Fox, John, Renshaw, Van Buren, Austin
Nays: None

03. U.S. Environmental Protection Agency.

Economic Development Coordinator Williams updated the Board on the status of Madison Heights' application to once again partner with Oakland County for an \$1 million dollar United States Environmental Protection Agency (USEPA) Coalition Assessment Grant. Staff reported that the USEPA are expected to make the announcement of the

successful applicants by end of April 2012. If awarded, the disbursement of the grant money will be available in the Fall 2012.

04. Adjournment.

There being no further business, Chairman Fox adjourned the meeting at 8:57 a.m.

Marilyn J. Haley,
City Clerk, Clerk of the Board

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
April 9, 2013

A Regular Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Fender on Tuesday, April 9, 2013, at 8:57 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fender, Ms. Charlebois, Mr. John, City Manager Myers, Mr. Nguyen, Ms. Renshaw, Ms. Spreitzer, Mr. Van Buren and City Clerk Haley.

Also Present: Economic Development Coordinator Linda Williams and Community Development Director Jim Schafer.

Absent: Mr. Horn, Mr. Johnson, Mr. Keys and Mayor Swanson.

01. Member Excused.

Motion by Mr. Myers, seconded by Ms. Spreitzer, to excuse Mayor Swanson from today's meeting.

Yeas: Charlebois, John, Myers, Nguyen, Renshaw, Spreitzer, Van Buren.

Nays: None.

02. Minutes.

Motion by Mr. Van Buren, seconded by Ms. Renshaw, to adopt the minutes from the Regular Meeting of April 10, 2012, as printed.

As Mr. Myers was not in attendance at the April 2012 meeting, he stated that he would be abstaining from the vote.

Yeas: Charlebois, John, Nguyen, Renshaw, Spreitzer, Van Buren.

Nays: None.

Abstain: Myers.

03. U.S. Environmental Protection Agency.

Economic Development Coordinator Williams updated the Board on the status of Madison Heights' application to once again partner with Oakland County for a \$600,000 United States Environmental Protection Agency (USEPA) Coalition Assessment Grant. Ms. Williams stated that the grant may encourage private business investments for local businesses, which use the funding to conduct initial environmental assessment activities (Phase I, Phase II, and baseline environmental assessment). She reported that the USEPA is expected to make the announcement of the successful applicants by end of April 2013. If awarded, the disbursement of the grant money will be available in the fall of 2013.

04. Adjournment.

There being no further business, Chairman Fender adjourned the meeting at 9:06 a.m.

Marilyn J. Haley, City Clerk
Clerk of the Board

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
April 8, 2014

A Regular Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Fender on Tuesday, April 8, 2014, at 8:43 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fender, Mr. Busler, Ms. Charlebois, Mr. John, Mr. Myers, Ms. Renshaw, Ms. Spreitzer, Mayor Swanson, Mr. VanBuren and Clerk of the Board Sanchez.

Also Present: Community Development Director Jim Schafer.

Absent: Mr. Johnson, Mr. Keys, Mr. Nguyen and Ms. Valmassei.

01. Member Excused.

Motion by Mr. Myers, seconded by Ms. Charlebois, to excuse Mr. Johnson, Mr. Keys, Mr. Nguyen, Ms. Valmassei from today's meeting.

Yeas: Busler, Charlebois, Fender, John, Myers, Renshaw, Spreitzer, Swanson, Van Buren

Nays: None

02. Minutes.

Motion by Ms. Spreitzer, seconded by Mr. John, to adopt the minutes from the Regular Meeting of April 10, 2012, as printed.

Yeas: Busler, Charlebois, Fender, John, Myers, Renshaw, Spreitzer, Swanson, Van Buren

Nays: None

03. Adjournment.

There being no further business, Chairman Fender adjourned the meeting at 8:45 a.m.

Romona Sanchez
Clerk of the Board

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
April 14, 2015

A Regular Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Fender on Tuesday, April 14, 2015, at 8:37 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Fender, Mr. Busler, Ms. Charlebois, Mr. John, Mr. Johnson, Mr. Myers, Ms. Spreitzer, Mayor Swanson, Ms. Valmassei, Mr. VanBuren and Clerk of the Board Printz.

Also Present: Economic Development Director Williams and Community Development Director Jim Schafer.

Absent: Mr. Keys, Ms. Renshaw.

BRA-15-01. Members Excused.

Motion by Myers, seconded by Spreitzer, to excuse Mr. Keys and Ms. Renshaw from today's meeting.

Yeas: Busler, Charlebois, Fender, John, Johnson, Myers, Spreitzer, Swanson, Valmassei, Van Buren
Nays: None
Absent: Keys, Renshaw

Motion Carried

BRA-15-02. Minutes.

Motion by Swanson, seconded by Johnson, to adopt the minutes from the Regular Meeting of April 8, 2014, as printed.

Yeas: Busler, Charlebois, Fender, John, Johnson, Myers, Spreitzer, Swanson, Valmassei, Van Buren
Nays: None
Absent: Keys, Renshaw

Motion Carried

BRA-15-03.Adjournment.

There being no further business, Chairman Fender adjourned the meeting at 8:39 am.

Cheryl Printz
Clerk of the Board

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan

A regular meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, April 12, 2016 at 9:27 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Van Buren, Vice Chairwoman Renshaw, Ms. Charlebois, Mayor Hartwell, Mr. John, Mr. Keys, Mr. Myers, Mr. Sheppard, Ms. Spreitzer, Ms. Valmassei and Clerk of the Board Sanchez.

Also Present: Economic Development Coordinator Linda Williams and Community Development Director Jim Schafer.

Absent: Mr. Busler and Mr. Johnson.

BRA-16-01. Members Excused.

Motion by Mr. Myers, seconded by Ms. Valmassei to excuse Mr. Busler and Mr. Johnson from today's meeting.

Yeas: Charlebois, Hartwell, John, Keys, Myers, Renshaw, Sheppard, Spreitzer, Valmassei, Van Buren

Nays: None

Absent: Busler, Johnson

Motion Carried.

BRA-16-02. Minutes.

Motion by Mr. Johns, seconded by Mr. Keys to adopt the minutes from the Regular Meeting of April 14, 2015, as printed.

Yeas: Hartwell, John, Keys, Myers, Renshaw, Sheppard, Spreitzer, Valmassei, Charlebois, Van Buren

Nays: None

Absent: Busler, Johnson

Motion Carried.

BRA-16-03. Electronic Meeting Packet Delivery.

City Council has directed staff to implement electronic delivery of meeting packets for all remaining Boards and Commissions that receive

paper packets delivered by the Police Reserves. Accordingly, beginning with the next scheduled DDA meeting (August), staff will deliver packets to the email address of the board member's choosing.

Ms. Williams stated that the EPA grant has approximately \$15,000 remaining. Most of the sites are clean and are not going past Phase I. A large portion of the industrial area and Stephenson highway have benefited from the program.

BRA-16-04. Adjournment.

There being no further business, Chairman Van Buren adjourned the meeting at 9:30 a.m.

Romona Sanchez
Clerk of the Board

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan

A regular meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, April 12, 2017 at 10:13 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Van Buren, Vice Chairwoman Renshaw, Mr. Busler, Ms. Charlebois, Mayor Hartwell, Mr. Jarbo, Mr. John, Mr. Johnson, Mr. Keys, Mr. Myers, Mr. Sheppard, Ms. Spreitzer, Ms. Valmassei and Clerk of the Board Sanchez.

Also Present: Economic Development Coordinator Linda Williams and Community Development Director Jim Schafer.

Absent: Mr. Johnson.

BRA-17-01. Members Excused.

Motion by Mr. Myers, seconded by Ms. Charlebois to excuse Mr. Johnson from today's meeting.

Yeas: Busler, Charlebois, Hartwell, John, Keys, Myers, Renshaw, Sheppard, Spreitzer, Valmassei, Van Buren

Nays: None

Absent: Johnson

Motion Carried.

BRA-17-02. Minutes.

Motion by Ms. Valmassei, seconded by Mr. Myers to adopt the minutes from the Regular Meeting of April 12, 2016, as printed.

Yeas: Charlebois, Hartwell, John, Keys, Myers, Renshaw, Sheppard, Spreitzer, Valmassei, Busler, Van Buren

Nays: None

Absent: Johnson

Motion Carried.

BRA-17-03. Adjournment.

There being no further business, Chairman Van Buren adjourned the meeting at 10:16 a.m.

Romona Sanchez
Clerk of the Board

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan

A regular meeting of the Brownfield Redevelopment Authority was called to order on Tuesday, April 10, 2018 at 9:43 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Van Buren, Vice Chairwoman Renshaw, Mr. Busler, Ms. Charlebois, Mayor Hartwell, Mr. Jarbo, Mr. Keys, Mr. Sheppard, Mr. Johnson, Ms. Valmassei.

Also Present: Economic & Community Engagement Supervisor Linda Williams and Community Development Director Jim Schafer.

Absent: Mr. Myers, Ms. Spreitzer, Mr. John.

BRA-18-01. Members Excused.

Motion by Mr. Hartwell, seconded by Ms. Valmassei to excuse Mr. Myers, Ms. Spreitzer, Mr. John from today's meeting.

Yeas: Charlebois, Hartwell, Jarbo, Renshaw, Sheppard, Valmassei, Busler, Van Buren, Keys, Johnson

Nays: None

Absent: Myers, Spreitzer, John

Motion Carried.

BRA-18-02. Minutes.

Motion by Ms. Valmassei, seconded by Mr. Jarbo to adopt the minutes from the Regular Meeting of April 12, 2017, as printed.

Yeas: Charlebois, Hartwell, Jarbo, Renshaw, Sheppard, Valmassei, Busler, Van Buren, Keys, Johnson

Nays: None

Absent: Myers, Spreitzer, John

Motion Carried.

BRA-18-03. Adjournment.

There being no further business, Chairman Van Buren adjourned the meeting at 9:45 a.m.

Linda J. Williams
Acting Clerk of the Board

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
April 9, 2019

A Regular Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Van Buren on Monday, April 9, 2019, at 10:00 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Van Buren, Mr. Busler, Ms. Charlebois, Mr. Jarbo, Mr. John, Mr. Johnson, Ms. Marsh, Ms. Valmassei and Deputy City Clerk Sanchez.

Also Present: Economic Development Coordinator Linda Williams

Absent: Mayor Hartwell, Mr. Keys, Ms. Renshaw, Mr. Sheppard, Ms. Spreitzer

BRA-19-01. Members Excused.

Motion by Ms. Valmassei, seconded by Ms. Charlebois to excuse Mayor Hartwell, Mr. Keys, Ms. Renshaw, Ms. Sheppard and Ms. Spreitzer from today's meeting.

Yeas: Busler, Charlebois, Jarbo, John, Johnson, Marsh, Valmassei, Van Buren.

Nays: None.

Absent: Hartwell, Keys, Renshaw, Sheppard, Spreitzer

Motion Carried.

BRA-19-02. Meeting Open to the Public.

Hearing no public comment, the public meeting was closed.

BRA-19-03. Minutes.

Motion by Ms. Valmassei, seconded by Ms. Marsh, to adopt the minutes from the Regular Meeting of April 10, 2018, as printed.

Yeas: Charlebois, Jarbo, John, Johnson, Marsh, Valmassei, Busler, Van Buren.

Nays: None.

Absent: Hartwell, Keys, Renshaw, Sheppard, Spreitzer

Motion Carried.

Regular Meeting
Brownfield Redevelopment Authority
Madison Heights, Michigan
April 9, 2019

BRA-19-04. Adjournment.

There being no further business, Chairman Van Buren adjourned the meeting at 10:15 a.m.

Romona Sanchez
Deputy City Clerk

City Council/Brownfield Redevelopment Authority
Joint Meeting
Madison Heights, Michigan
August 19, 2019

A Joint Meeting of the Madison Heights City Council and Brownfield Redevelopment Authority (BRA) was held on Monday, August 19, 2019, at 6:00 p.m. at the Fire Station Training Room at 31313 Brush Street, Madison Heights, Michigan.

City Council Present: Mayor Hartwell, Mayor Pro Tem Bliss, and Councilmembers Corbett, Gettings, Grafstein, and Scott.

City Council Absent: Councilman Soltis.

BRA Present: Chairperson Van Buren, Mr. Busler, Mayor Hartwell, Ms. Charlebois, Mr. Sheppard, City Manager Marsh, and Ms. Valmassei.

BRA Absent: Mr. Yousif, Mr. Jarbo, Mr. John, Mr. Johnson, Mr. Keys, Ms. Renshaw, Ms. Spreitzer.

Others Present: Community and Economic Development Director Hicks, Finance Director Kunath.

BRA-19-5. Acting Clerk.

Without objection, Mayor Hartwell appointed Community and Economic Development Director Barry Hicks as the Acting Clerk for tonight's meeting.

BRA-19-6. Meeting Open to the Public.

No public presented themselves to speak.

BRA-19-7. Brownfield Tax Increment Financing Overview Presentation.

Elizabeth Masserang of PM Environmental and Kevin Baker of Landmark gave an overview of Brownfield Tax Increment Financing (TIF) and Public Act 381. They noted what a Brownfield is, potential Brownfield Sites, and the process. Details were given about the Madison Center project. Originally, the project plan was to clean up the obsolete site and release. However, with the signing of

the BJ's, the developer was able to demolish the Kmart and reduce the footprint of the Kmart portion of the shopping center by a factor of 40%. This demolition triggered underground storage retention upgrades that were not originally factored in. The project is about to move to Phase II but a TIF is needed to make Phase II a reality. Without a TIF, the plan is to pave the parking lot and lease as is; with a TIF, the remaining shopping plaza will be updated and remodeled, attracting nation-wide premium store fronts. The Brownfield plan being request is for 25 years. There will be a 20-year payback period with 5-year capture for the Brownfield Authority, including a 10% administration fee retained by the City.

BRA-19-8. Adjournment.

There being no further business, the Joint Meeting was adjourned at 7:39 p.m.

Brian C. Hartwell
Mayor

Barry Hicks
Acting Clerk

Regular Meeting
Brown Field Redevelopment Authority
Madison Heights, Michigan
October 29, 2019

A Special Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Van Buren on Tuesday, October 29, 2019, at 8:00 a.m. in the Executive Conference Room in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Van Buren, Mr. Busler, Ms. Charlebois, Mayor Hartwell, Mr. Jarbo, Mr. Johnson, Ms. Marsh, Ms. Renshaw (arrived at 9:06 a.m.), Mr. Sheppard, Ms. Valmassei and City Clerk Rottmann.

Also Present: Community & Economic Development Director Hicks and Economic Development Supervisor Tucker.

Absent: Mr. John, Mr. Keys, and Ms. Spreitzer.

BRA-19-9. Excuse Members.

Motion by Mayor Hartwell, seconded by Mr. Johnson, to excuse Mr. John Mr. Keys, Ms. Renshaw and Ms. Spreitzer from today's meeting.

Yeas: Busler, Charlebois, Hartwell, Jarbo, Johnson, Marsh, Sheppard, Valmassei, Van Buren.

Nays: None

Absent: John, Keys, Renshaw, Spreitzer

Motion Carried.

BRA-19-10. Meeting Open to the Public.

There were no members of the public wishing to speak.

BRA-19-11. Minutes.

Motion by Ms. Valmassei, seconded by Ms. Charlebois, to adopt the minutes from the Regular Meeting of April 9, 2019, as printed.

Yeas: Busler, Charlebois, Hartwell, Jarbo, Johnson, Marsh, Sheppard, Valmassei, Van Buren.

Nays: None

Absent: John, Keys, Renshaw, Spreitzer

Motion Carried.

Regular Meeting
Brown Field Redevelopment Authority
Madison Heights, Michigan
October 29, 2019

BRA-19-12. 29101-29501 John R, BJ's Brownfield Tax Abatement.

Community and Economic Development Director Hicks gave a brief overview of Act 381 and how Brownfield tax increment financing programs work as well as the phases of the BJ's project.

Kevin Baker from Landmark Development LLC and Elizabeth Masserang from PM Environmental were present on behalf of the applicant. Mr. Baker stated that the project applicant is Madison Center Owner, LLC. Mr. Baker stated that the project is approximately \$36 million dollar in redevelopment. Ms. Masserang stated that they have used TIFs before and this qualifies as a TIF project due to Madison Heights being considered a Core Community with older infrastructure that makes it cost prohibitive to redevelop. The proposal is for \$2,388,549 million dollars in eligible expenses with a 10% pass through for taxing jurisdictions. A large portion of the eligible expenses are related to the underground storm water retention requirements. CED Director Hicks stated that Oakland County is strict on storm water retention infrastructure. Mr. Baker stated that the completion of the project will benefit Madison Heights and be a draw for other businesses, making the surrounding land more valuable. Discussion followed on the scope of the project and the costs and benefits related to underground water retention versus a retention pond. Various TIF payback scenarios were discussed on the Brownfield Plan based on the type of storm water retention that is required to be built. Mr. Baker stated that he believes the property on the northwest corner of the project is large enough to be considered for a retention pond and proposed this in lieu of underground storm water retention; however, his proposal has not been formally submitted to the City's engineer. It was the consensus that the Project engineer contact the City's engineer to discuss this alternative.

Motion by Mr. Busler, seconded by Mr. Johnson, to recommend to City Council the approval of a Brownfield Redevelopment Authority Plan for 29101-29501 John R as presented in an amount not to exceed \$2.39 million dollars and for a period not to exceed 23 years, with the following condition:

- a. City staff will investigate storm water retention alternatives for the applicant.

Regular Meeting
Brown Field Redevelopment Authority
Madison Heights, Michigan
October 29, 2019

Yeas: Busler, Charlebois, Hartwell, Johnson, Marsh, Renshaw,
Sheppard, Valmassei, Van Buren.

Nays: Jarbo

Absent: John, Keys, Spreitzer

Motion Carried 9-1.

BRA-19-13. Comments.

Mr. Johnson requested that staff look into soil that was excavated at the site being developed for an oil change business on John R to make sure that it is being handled environmentally correct since it is known to be contaminated. Currently, it is sitting on the property and eroding with rainfall.

BRA-19-14. Adjournment.

There being no further business, Chairman Van Buren adjourned the meeting at 9:32 a.m.

Cheryl E. Rottmann
City Clerk

Special Meeting
Brown Field Redevelopment Authority
Madison Heights, Michigan
March 24, 2020

A Special Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Van Buren on Tuesday, March 24, 2020, at 8:00 a.m. electronically via ZOOM Video Conferencing and from the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Van Buren, Mr. Busler, Ms. Charlebois, Mr. Jarbo, Mr. Keys, Ms. Marsh, Mr. Sheppard, and City Clerk Rottmann.

Also Present: Community & Economic Development Director Hicks and Economic Development Supervisor Tucker.

Absent: Mayor Hartwell, Mr. John, Mr. Johnson, Ms. Renshaw, Ms. Spreitzer, and Ms. Valmassei.

BRA-20-01. Meeting Open to the Public.

There were no members of the public wishing to speak.

BRA-20-02. Cypress Partners - Pine Village Senior Village, 30021-30071 Dequindre, Brownfield Tax Abatement.

Community and Economic Development Supervisor Tucker gave an overview of the Brownfield Plan for Cypress Partners and reviewed the Project Summary. He stated that they are asking for \$1,733,789 reimbursable costs with a \$670,000 return to the Brownfield Revolving Fund. The term length for the plan is nine (9) years. City Manager Marsh added that City Council has approved this site for a Payment-in-Lieu-of Taxes (PILOT), but the PILOT has not been submitted to MSHDA yet. This proposed Brownfield Plan would replace the PILOT and she stated that a Brownfield Plan for this property has a better monetary return than the PILOT would have for both the developer and the city.

Jeffrey Buck from Cypress Partners and Ginny Dougherty, Elizabeth Masserang and Benjamin Prowse from PM Environmental were present on behalf of the applicant. Mr. Buck stated that this is a senior living community with independent living. They have been working with the City over the past year and this is a great, quality project. It will be three

Special Meeting
Brown Field Redevelopment Authority
Madison Heights, Michigan
March 24, 2020

stories and 146,000 square feet, with apartment-style units. The project will create 40 new jobs and the Brownfield Plan will allow the project to go quicker and upgrade some the plan. Ms. Dougherty stated that the project qualifies for a Brownfield under the functionally obsolete category. The reimbursable costs include pre-purchase due diligence work, pre-environmental work, asbestos abatement, demolition of the existing structures, site related costs including stormwater management. Other reimbursable costs included clearing and grading of site, miscellaneous construction activities and contingency. She continued that the reimbursement is for a seven (7) year period and a City capture period of two (2) years with \$670,000 to the revolving fund. Discussion followed on how a property is determined to be functionally obsolete, potential stormwater management costs, fire suppression, potential environmental concerns, and the project timeline. Mr. Hicks stated that the plan includes a line item of \$340,000 for an urban stormwater management plan. Mr. Buck stated that the engineering costs have been derived from working with their own engineer and contractor and they are confident with the numbers as presented in the plan. He also noted that they are currently in engineering review with the city. Ms. Dougherty added that there were no environmental concerns raised by the initial environmental assessment.

Motion by Mr. Shepherd, seconded by Mr. Busler, to recommend to City Council the approval of a Brownfield Redevelopment Authority Plan for 30021-30071 Dequindre as presented in an amount not to exceed \$1,733,789 million dollars and for a period not to exceed 9 years.

Yeas: Busler, Charlebois, Jarbo, Keys, Marsh, Sheppard, Van Buren.

Nays: None

Absent: Hartwell, John, Johnson, Renshaw, Spreitzer, Valmassei

Motion Carried 7-0.

BRA-20-03. Adjournment.

There being no further business, Chairman Van Buren adjourned the meeting at 8:37 a.m.

Cheryl E. Rottmann
City Clerk

Special Meeting
Brown Field Redevelopment Authority
Madison Heights, Michigan
April 14, 2020

A Special Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Van Buren on Tuesday, April 14, 2020, at 8:00 a.m. electronically via ZOOM Video Conferencing and from the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chairman Van Buren, Mr. Busler, Ms. Charlebois, Mr. Jarbo, Mr. John, Ms. Marsh, Mr. Sheppard, and City Clerk Rottmann.

Also Present: Community & Economic Development Director Hicks and Economic Development Supervisor Tucker.

Absent: Mayor Hartwell, Mr. Johnson, Mr. Keys, Ms. Renshaw, Ms. Spreitzer, and Ms. Valmassei.

BRA-20-04. Excuse Member.

Motion by Ms. Marsh, seconded by Mr. Jarbo, to excuse Mr. Keys from today's meeting.

Yeas: Busler, Charlebois, Jarbo, John, Marsh, Sheppard, Van Buren.

Nays: None

Absent: Hartwell, Johnson, Keys, Renshaw, Spreitzer, Valmassei

Motion Carried 7-0.

BRA-20-05. Meeting Open to the Public.

There were no members of the public wishing to speak.

BRA-20-06. Minutes.

Motion by Mr. Busler, seconded Mr. Sheppard, to approve the Brownfield Redevelopment Authority minutes of October 29, 2019 and March 24, 2020, as printed.

Yeas: Busler, Charlebois, Jarbo, John, Marsh, Sheppard, Van Buren.

Nays: None

Special Meeting
Brown Field Redevelopment Authority
Madison Heights, Michigan
April 14, 2020

Absent: Hartwell, Johnson, Keys, Renshaw, Spreitzer, Valmassei
Motion Carried 7-0.

BRA-20-07. Adjournment.

There being no further business, Chairman Van Buren adjourned the meeting at 8:16 a.m.

Cheryl E. Rottmann
City Clerk

Regular Meeting
Brown Field Redevelopment Authority
Madison Heights, Michigan
April 13, 2021

A Regular Meeting of the Brownfield Redevelopment Authority was called to order by Chairman Van Buren on Tuesday, April 13, 2021, at 8:00 a.m. electronically via ZOOM Video Conferencing and from the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Chair Van Buren (Madison Heights, Oakland County) and Vice Chair Jarbo (Madison Heights, Oakland County). Members: Blomenberg (Madison Heights, Oakland County), Busler (Madison Heights, Oakland County), Charlebois (Madison Heights, Oakland County), Grafstein (Madison Heights, Oakland County), Keys (Madison Heights, Oakland County), Marsh (in-person City Hall), Renshaw (Madison Heights, Oakland County), Zmarzlik (Madison Heights, Oakland County).

Also Present: City Clerk Rottmann and Economic Development Supervisor Tucker.

Absent: Davignon, Sheppard

All votes taken at the meeting are roll call votes.

BRA-21-01. Meeting Open to the Public.

There were no members of the public wishing to speak.

Community and Economic Development Supervisor Tucker stated that 32401 Industrial is requesting a Phase I environmental study and he will keep the board apprised of any developments for this location.

BRA-21-02. Minutes.

Motion by Charlebois, seconded by Marsh, to approve the Brownfield Authority meeting minutes of April 14, 2020, as presented.

Roll Call Vote:

Yeas: Busler, Charlebois, Grafstein, Jarbo, Keys, Marsh, Renshaw, Zimarzlik, Van Buren

Nays: None

Abstain: Blomenberg

Absent: Davignon, Sheppard

Regular Meeting
Brown Field Redevelopment Authority
Madison Heights, Michigan
April 13, 2021

BRA-21-03. Adjournment.

There being no further business, Chairman Van Buren adjourned the meeting at 8:11 a.m.

Cheryl E. Rottmann
City Clerk