

Washtenaw County
Brownfield Redevelopment Authority (WCBRA)
Meeting held in-person at 200 N. Main, downtown Ann Arbor
Lower Level Large Conference Room

APPROVED
APPROVED MEETING MINUTES
Thursday, April 13, 2023, 9:00 a.m.

Board Present: Joe Meyers – Secretary, James Harless, Sam Baushke, Christy Maier, Colleen O’Toole, Justin Hodge

Board Absent: Trevor Woollatt – Chair, Allison Krueger – Vice Chair

Staff: Nathan Voght – OCED

Joining the Meeting: Troy Helmick and Bret Stuntz – SME, Patti McCall – TetraTech, Katie Jones – City of Ypsilanti, Darian Neubecker and Tim Loughrin – Robertson Bros Homes (via Zoom), Ron Mucha – Morningside Development (via Zoom).

Handouts: None

1. Call to Order

Since the Chair and Vice-Chair are absent, J. Meyers agreed to Chair the meeting as he’s third in line of Board Officers as Secretary.

Secretary Meyers called the meeting to order at 9:04 a.m.

2. Public Comment

There was no public comment.

3. Approval of Agenda

J. Hodge moved to approve the agenda (2nd J. Harless), and the motion passed unanimously.

4. Approval of February 9th, 2023 Meeting Minutes

J. Harless mentioned two typos in the minutes, on page 1 and 3, and moved to approve the minutes with those typos fixed (2nd C. Maier), and the motion passed unanimously.

5. Board Member Conflict of Interest Disclosure

None declared.

6. Business

1. 309 N. Ashley, Approve Eligible Activities – Action

Staff referred to this second submittal for Eligible Activities for the 309 N. Ashley project in downtown Ann Arbor. This second and final request is for \$58,724.85, and will bring total/final amount to be reimbursed to \$1,934,854.90. Troy Helmick, with SME, was attending to answer questions.

C. O'Toole moved to approve \$58,724.85 in Eligible Activities for the 309 N. Ashley project (2nd J. Harless), and the motion passed unanimously.

2. 1140 Broadway, Approve Eligible Activities – Discussion

Staff referred to the information in the packet, including summary spreadsheet and links to back up information. This third request for approval of Eligible Activities totals \$1,663,769.84, and would bring total approved activities to \$10,397,721.10.

Ron Mucha, from Morningside, the developer, joined via Zoom and discussed the request.

J. Harless moved to approve an additional \$1,663,769.84 in Eligible Activities for the 1140 Broadway brownfield project.

3. Village of Ann Arbor Brownfield Plan, Robertson Brothers, City of Ann Arbor – Action

Staff provided a summary of the Brownfield Plan, and reminded the Board the developers informally presented the project late last year. The Sub-Committee met to review the draft Plan as well. The City of Ann Arbor has added Non-Environmental activities to the Plan, but only representing improvements that the City requested of the developer that would otherwise not be required as part of the development process. These include funds towards roundabout construction, solar power, electrification of the for-sale units, a bus stop, and several others.

The Plan will go to the County Board of Commissioners on April 19th for Public Hearing, with potential approval on May 3rd.

C. Maier moved to approve the Village of Ann Arbor Brownfield Plan (2nd J. Harless) and the motion passed unanimously.

4. Leslie Science and Nature Center, Approve LBRF Eligible Activities - Action

Staff referred to the documentation provided by the City and TetraTech for this final reimbursement request from the LBRF grant given to the City in 2019. This final request is for \$11,104.26.

Patti McCall, from TetraTech, the City's consulting environmental consultant, was in attendance and discussed the current status of the site, and what these final costs represent.

C. O'Toole moved to approve \$11,104.26 in LBRF Eligible Activities and reimbursement to the City of Ann Arbor for the Leslie Science and Nature Center project (2nd J. Hodge), and the motion passed unanimously.

5. 415 W. Washington, Approve LBRF Eligible Activities, and Scope Amendment – Action

Staff referred to material in the packet supporting the City's request to approve and reimburse \$19,206.91 in Eligible Activities for the LBRF grant given to the site in May of 2022. The City is also asking to shift up to \$10,000 of the grant over to Brownfield Plan preparation, as TetraTech is preparing a Brownfield Plan for City approval, which would broadly cover potential Eligible Activities for TIF reimbursement for a future developer chosen by the City.

J. Harless asked why a Brownfield Plan was being prepared with no developer selected. Staff stated that the City is pre-entitling the property with PUD approval, and want to also provide a

greater degree of certainty to a future developer that Brownfield TIF support will also be part of the deal.

Mr. Harless stated that the selected developer would have to draft a new Brownfield Plan anyway. N. Voght asked if the Brownfield Plan could include broad categories of activities, with conservative cost estimates, which would include any potential unknown costs when the property is proposed for redevelopment. Then, an Act 381 Work Plan prepared by a developer based on the detailed proposal would be sufficient to ensure any needed Eligible Activities are included for reimbursement. Or perhaps a Brownfield Plan amendment would be necessary.

S. Baushke asked about the City's Liable Party status, to which Patti McCall stated that the LBRF funding provided for investigation has not funded anything related to probably Liable Party causation.

J. Harless moved to approve and reimburse \$19,206.91 in LBRF Eligible Activities to the City of Ann Arbor for 415 W. Washington, and modify the LBRF Grant scope to include up to \$10,000 in Brownfield Plan preparation costs (2nd C. O'Toole), and the motion passed unanimously.

6. Gault Village, Ypsilanti Township, Amend Environmental Assessment Grant Scope – Action

N. Voght provided an update for the Board on Gault Village, and the Township's Court Order to proceed with demolition. He reminded the Board the Township secured \$20,000 from the DCC for Hazardous Materials Assessment and Bid Specifications, and the \$20,000 from the Authority for sub-surface investigation.

Troy Helmick from SME, the environmental consultant for the Township, is attending to answer questions. The Township is requesting \$10,000 of the Authority's Assessment grant be moved over to assist with cost-overruns related to the Hazardous Materials Assessment.

N. Voght reiterated that it would be good to assess the sub-surface conditions as soon as possible, given the nearby adjacent homes. The Board discussed the overall risks of the former dry-cleaning operation. J. Harless suggested a different approach may be to seek to conduct indoor air sampling of the adjacent homes, first, as an indicator of potential sub-surface issues. He suggested this be discussed with the Township.

J. Hodge moved to approve the scope modification from the \$20,000 assessment grant previously awarded, moving \$10,000 of the grant to reimburse the Township for cost overruns of the Hazardous Materials Assessment of the buildings (2nd J. Harless), and the motion passed unanimously.

7. March 2023 Financial Report, including Admin Fees, LBRF, and Interest Approval – Information

Staff reviewed the financial report, and the proposed transactions. He explained this time of year is when the Authority usually calculates total Administrative Fees' capture from the previous tax year, any LBRF capture, and settles all the accounts with final TIF reimbursements to developers from the previous winter tax bills.

In addition, there are four projects where Interest was generated in 2022. Those calculations are provided in the Board Packet, and the total Interest amounts for each project to be approved.

J. Hodge moved to approve the Financial Report, and all included Admin, LBRF, Developer Reimbursement, and Interest transactions (2nd S. Baushke), and the motion passed unanimously.

7. Other Business

J. Harless discussed LBRF requests anticipated and how much LBRF capture is anticipated. Staff indicated he will provide that information at the next meeting.

C. O'Toole mentioned 185 W. Michigan Ave in downtown Saline, and that EGLE is out taking samples, and the property will hopefully be proposed for redevelopment. This is the former Village Market Place project approved in 2007, but then the crash occurred and the developer lost the site to foreclosure, and Guenther Homes now owns it. S. Baushke mentioned he's working on the site on behalf of EGLE and did a summary report from the 2008 remediation, and will provide it.

J. Hodge discussed his interest in forming a County Land Bank, and indicated he's talked to Jeff Huntington at the State Land Bank about details of setting one up. There is \$500K in ARPA seed funding that could be applied for. The Brownfield Authority could also serve as the Land Bank Authority, along with the County Treasurer. The Board indicated support for the idea of forming a County Land Bank.

J. Meyers announced he was leaving the City of Ypsilanti. The Board discussed whether he would stay on the Authority, and the Board expressed support for that. Staff indicated that since Mr. Meyers was the Ypsi Municipal Representative, we should check with the City for direction on this.

Mr. Meyers mentioned the \$6.5 million in earmark funds for Water Street remediation.

8. Public Comment:

None.

9. Adjournment:

The meeting was moved to adjourn by J. Meyers at 10:18 a.m. (2nd S. Baushke), and the motion passed unanimously.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the May 11, 2023 meeting, held at 200 N. Main, lower level large conference room, downtown Ann Arbor.