
KALAMAZOO COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY

MEETING DATE: Thursday, September 26, 2013
PLACE OF MEETING: County Administration Building
201 West Kalamazoo Avenue, 207a
TIME: 4:00 pm

MINUTES

Present: Joe Agostinelli, Clare Annen, Christopher Carew, Ken Peregon, Julie Rogers,
Anne Summerfield, Thell Woods, Travis Grimwood, Andy Wenzel, Habib Mandwee

Members Excused: Tim Hudson

Kalamazoo Township: None

Staff: Lee Adams, Lotta Jarnefelt

Consultant: Jeff Hawkins

Recording Secretary: Zeña Vos

Community: 6

1. Chair Agostinelli called the meeting to Order at 4:02 pm.
2. Member's Excused: Tim Hudson
3. Approval of the Agenda: Additions to the Agenda: under 7D I - Work Order for Envirologic; 7F - Discussion on South County Mill Property, 7G - Portage Road. **Woods moved and Wenzel seconded the approval of the agenda as amended. Motion Carried.**
4. Approval of Minutes: **Annen moved and Carew seconded the approval of August 22, 2013 minutes. Motion Carried.**
5. Citizens Comments: None
6. Consent Calendar
 - a. None.
7. Discussion and/or Action Calendar
 - a. **Discussion/Action** – 306 N Grand
 - i. *Approve 381 Work Plan*
Hawkins presented the 381 Work Plan. To take advantage of capturing school tax increment we need to have an approved Act 381 Work Plan. BRA staff would like authorization to send the 381 Work Plan to the MDEQ.

Wenzel moved and Rogers seconded the approval to authorize staff to transmit the work plan to MDEQ. Motion Carried.

- b. **Discussion/Action** – CMS, 2015 Lake St
 - i. *Approve/Deny providing funds for site assessment*
Jamie Clark gave a brief overview of the project at 2015 Lake St. He noted they have a transition plan for the current business in which CMS will retain most, if not all, employees. CMS will also make improvements to the land and existing buildings. In the long term CMS will make this site their Kalamazoo Trucking Terminal.

Proposed work order outlines the costs for this sites as follows:

Phase 1 - \$2,500.00
Phase II - \$7,000.00

BEA & Section 7A Due Care Plan Compliance - \$2,500
Total cost - \$12,000.00

Agostinelli stated that the City is comfortable placing the site in the County Brownfield Plan.

Members agreed that they would like to have an agreement in writing with the City.

The board did not see the need to create a Brownfield Plan for the site at this time, but would like to retain the ability to create one in the future.

ii. Approve/Deny brownfield plan, administrative expenses

Annen moved and Peregón seconded the approval of the CMS Application and request for site assessment funding in the amount \$12,000.00. Motion Carried.

c. Discussion/Action – 9008 Portage Rd

i. Approve/Deny providing funds for site assessment

Alex Gwiazdowski gave a brief overview of the project. He noted he has been working with the MDEQ to clean up the site. He would like to consolidate his business into one location. He would also like to make the site appealing to the neighborhood.

David Harn stated the MDEQ found significant water and soil impact on the property. The approach by MDEQ is to excavate soil where it is present to make property useful for the applicant. The MDEQ is still waiting on analytical results.

Gwiazdowski indicated that he is trying to move fast on the closing and that the seller may be reluctant to sign the Environmental section of the contract. His lawyer is recommending that he have the Phase I done before closing.

Agostinelli stated that the project will have fairly significant increment generated due to uncapping that will occur when the property is transferred. The Executive Committee recommends adopting a Brownfield Plan on this site in addition to financing due diligence costs.

Jarnefelt is in contact with Chris Forth at the City of Portage, who is generally in support of the development of this site.

Alex was also in contact with Chris Forth regarding a zoning issue. The zoning issue was resolved.

The City of Portage requested more information before they can make a recommendation to the City Council.

ii. Approve/Deny brownfield plan, administrative expenses

Woods moved and Grimwood seconded the approval of the 9008 Portage Road Application, and Phase I, BEA, and Brownfield Plan expenses outlined in Work Order Number 4. Motion Carried.

d. Discussion/Action – Midlink

i. Project Spartan

1. Update from Agostinelli

The developer met with the MEDC, Comstock Township representatives, and Southwest Michigan First. The State put together an incentive

package that includes a PA 198 Tax Abatement. Comstock Township is also providing a PA 198 tax abatement for real and personal property.

The developer identified roughly \$1.25 million of brownfield eligible expenses. The soil conditions on the property are not structurally sufficient for the type of development proposed.

Hawkins noted that they have completed the Phase I & Phase II. The assessments identified a few areas of concern; an old railroad spur that runs diagonally across the property, an existing concrete pad, and areas of uncompacted fill. Fill material was identified at the southern portion of the site. ET took 15 boring samples. Out of the 15 samples there were four that had levels of arsenic and selenium above the cleanup criteria for drinking water protection and groundwater surface water interface.

2. *Potential action needed*

Annen moved Rogers seconded the authorization of staff to engage outside legal counsel to draft an amendment to 5200 East Cork Street Investors, LLC development agreement to incorporate the details related to Project Spartan at Midlink. Motion Carried.

3. *Work Order for Envirollogic related to Project Spartan.*

Annen moved and Rogers seconded the approval of Work Order #6 and the work of Envirollogic Technologies to begin preparing an Act 381 Work Plan for Project Spartan at the Midlink site. He further moved that staff be authorized to convey to the DEQ, as required by the DEQ, the KCBRA's intention to collect state TIR on this project pursuant to the Act 381 work plan and existing brownfield plan. Motion Carried.

ii. TIF Checks Received

1. *Updated reimbursement analysis*

Jarnefelt expects to receive one more check from Comstock Township

e. **Discussion/Action** – Envirollogic Technologies Contract

i. The contract expires at the end of 2013, BRA has option to renew

Annen moved and Wenzel seconded the renewal of the Envirollogic Technologies Contract for the 2014 calendar year. Motion Carried.

f. **Discussion** - South County Mill Property – Land Bank Project

Kelly Clarke, Executive Director of the Land Bank spoke in support of Work Order #7. – the land bank will, with funds from Vicksburg will own the new section of the Mill. Since the property will not be acquired through tax reversion, the Land Bank can enter the chain of contamination. The Land Bank is asking the KCBRA to finance the costs of the Phase I and BEA/Due Care Plan. This work should cost no more than \$7,000.00.

Discussion ensued regarding TIF and the legality of the land locked parcel.

Rogers is recommending tabling and maybe meet sometime due to too many unknowns.

Clarke will check with her legal counsel and the County Treasurer regarding the land locked parcel.

Many parties would like to see the mill redeveloped and are meeting next week to determine what funding is available and what roles each organization will play.

Agostinelli stated that it is important to get this parcel controlled by the friendly parties. There is a good collaboration with Land Bank, County Treasurer, the Village and Community Foundation. It would be money spent well.

Annen moved and Woods seconded the approval of Work Order #7 for \$7,000.00.

Rogers offered a friendly amendment the motion to also consult legal counsel regarding the land lock issue. Amendment was accepted. Motion Carried.

g. Portage Road – Land Bank Project

Clarke wanted to ask the KCBRA for support with the redevelopment of several buildings in the Portage Road corridor in the Edison Neighborhood. She requested site assessment funding for a few properties.

Agostinelli suggested that Clarke attend the next committee meetings.

8. Staff Reports

- a. None

9. Committees - times dates and places

- a. Land Bank Report– none
- b. Project/Finance Committee– verbal report, meeting schedule Thursday, Oct 10th, 4:00 pm
- c. Executive Committee – verbal report, meeting schedule Friday, Oct 11th, 8:30 am
- d. PR/Media Committee –
- e. Policy Subcommittee – verbal report, meeting schedule: TBD

10. Other –

Annen made the point that the BRA has approved a number of site assessments for properties without a BRA Plan; and the BRA plans to recoup the costs through administrative expenses. Two or three years ago, the BRA lost \$27,000.00 at the Apollo site in Schoolcraft. He asked that the BRA discuss these expenses at the next meeting. He would like to recoup the loss through administrative expenses.

11. Board Member Comments

Peregon would like to have a press release that mentions the BRA's contribution to Project Spartan. He also would like to have a sign at the site.

Rogers commented that the terms for Agostinelli, Summerfield, and Wenzel are up at the end of October. She recommended each of them for re-approval.

12. Adjournment at 6:08p.m.

Next Meeting: 4th Thursday – October 24, 2013 at 4pm (room 207a, County Admin Bldg)

PLEASE CALL 384-8112 OR EMAIL LAADAM@KALCOUNTY.COM

IF YOU ARE UNABLE TO ATTEND THE MEETING
