

City of Parchment
Brownfield Redevelopment Authority Agenda
Friday, October 27
3pm at Parchment City Hall

Robert Heasley, Chairperson
Jon Heasley, Board Member
Sandy Bliesener, Board Member
Shannon Stutz, Treasurer/Clerk

Tom Jordan, Board Member
Bob Cox, Board Member
Nancy R Stoddard, City Manager

1. Call to Order
2. Roll Call
3. Approval of Minutes from November 9, 2021
4. Old Business
5. New Business
 - a. Letter of Support from the Kalamazoo County Brownfield Redevelopment Authority - receive
 - b. Amendment of the Development and Reimbursement Agreement, LC Howard - action
 - c. Approval of Reimbursement Request for LC Howard- action
6. Board Member Comments
7. Adjournment

MINUTES OF THE VIRTUAL MEETING OF THE CITY OF PARCHMENT
BROWNFIELD REDEVELOPMENT AUTHORITY HELD ON
WEDNESDAY, NOVEMBER 9, 2021.

1. Call to order

Chairperson Robert Heasley called the meeting to order at 3:30 pm.

2. Roll Call

Present: Chairperson Robert Heasley, Sandy Bliesener, Jon Heasley, Ralph Herrick, and City Manager Stoddard

Motion to excuse Jason Misner and Thomas Jordan by Bliesener, supported by J Heasley. Roll call vote: All Ayes. Motion carried

3. Minutes

Motion to approve the minutes of August 11, 2020 meeting. Motion made by Herrick and supported by Bliesener. Roll Call vote, all ayes. Motion carried.

4. Old Business – None

5. New Business

a. Brownfield Redevelopment Agreement for 100 Island LLC

- Chairperson Heasley stated that Greg Terrill has been working on this agreement with Grover and Walters.
- J Heasley asked why, in the 2nd half of document agreement, was it signed by River Reach Developers.
- Grover stated that the original Brownfield Redevelopment Plan that was approved had River Reach Developers on it. Terrill is coming in to use the original agreement for his Brownfield Plan.
- R Heasley – So the original Brownfield Plan provides a framework, amounts referenced come from the original plan.
- Grover cited Exhibit C, the original 381 Work Plan that was approved by EGLE, not specific to Terrill's property. The old plan encompassed the entire mill property. This agreement is specific to 100 Island.
- J Heasley asked if the dates needed to be revised.
- Grover stated that some of the project has met the dates, if an extension is needed, it could be given.
- Terrill - The reason for the delays has been due to a shortage of building materials and labor shortages. The winter will also be a factor.
- Grover stated that a December 31 2022 date would be appropriate.
- Terrill – He is hoping for the end of June or July of 2022 for completion.
- Grover said that Terrill may turn in his invoices at any time.
- Terrill stated that the environmental clean-up is almost complete. The bulk of the work is done and has been invoiced.
- J Heasley asked if a motion was needed to amend the date.

- Grover stated that the Kalamazoo County Brownfield Redevelopment Authority (KCBRA) would have to vote on it. She anticipates that they will be fine with it. The County can approve it with an amended date.
- R Heasley asked if they needed to pick a date now? He said that they were willing to let Terrill pick a date.
- Terrill stated that when eligible activities are completed for the project, he will let the KCBRA and City know. He feels the safest guess would be Fall of 2022.
- Grover stated that they would use December 31, 2022 for the KCBRA.
- Terrill said that he would not like to have to include the attorneys again if possible.
- R Heasley asked if other board members had any concerns.
- Grover stated that she saw no issues with the KCBRA approving the plan contingent on a motion to amend the agreement date to 2022.
- Motion made by Bliesener, supported by J Heasley. Roll call vote: All ayes.

6. Board Member Comments – No additional comments

- R Heasley thanked everyone.
- Bliesener extended congratulations to Greg Terrill and said that she was excited to wrap this up.
- J Heasley echoed Bliesener. Also stating that he has been a lifelong resident and he is happy to see something more happening. He welcomed Terrill.
- Greg Terrill said that he is excited to have the property. Even though there was COVID challenges and the road has been long for many but he appreciates the patience and help with the process.
- Herrick said that he had no further comments.

7. Adjournment – Motion to adjourn by Bliesener. Meeting adjourned 3:45pm.



October 11, 2023

Robert Heasley, Chair

City of Parchment Brownfield Redevelopment Authority

Chair,

At the September 28, 2023, Regular Meeting of the Kalamazoo County Brownfield Redevelopment Authority (KCBRA), the Board reviewed a reimbursement request in relation to the LC Howard Brownfield Plan, located at 100 and 101 Eunice Street. An invoice packet was prepared and presented by Fishbeck, on behalf of the developer LC Howard. Upon review of the item, the KCBRA voted to approve the submittal of a letter of recommendation to the City of Parchment Brownfield Redevelopment Authority (BRA), for their consideration of approving the request. This memo may serve as the letter of recommendation, in the spirit of administrative support to the City of Parchment BRA. The KCBRA's recommendation is contingent upon the extension of the commencement date detailed in the original Development and Reimbursement Agreement between LC Howard (400 Island Avenue, LLC) and the City of Parchment BRA, which is to be extended at the discretion of the City of Parchment BRA.

Please let me know if you have any questions, respectfully,

Macy Rose Walters, MPA
Brownfield Redevelopment Administrator
Planning & Development
Kalamazoo County Brownfield Redevelopment Authority
d. (269) 384 – 8305
mrwalt@kalcounty.com

DEVELOPMENT AND REIMBURSEMENT AGREEMENT

AMENDMENT #1

THIS DEVELOPMENT AND REIMBURSEMENT AGREEMENT AMENDMENT (“**Amendment #1**”) is made on _____, 2023, by and between the CITY OF PARCHMENT, a Michigan municipal corporation, whose address is 650 S. Riverview Drive, Parchment, Michigan 49004 (the “**City**”), the CITY OF PARCHMENT BROWNFIELD REDEVELOPMENT AUTHORITY, a Michigan public body corporate, whose address is 650 S. Riverview Drive, Parchment, Michigan 49004 (the “**Authority**”), and 400 Island Avenue LLC, a Michigan limited liability company, whose address is 760 E. Vine Street, Kalamazoo, Michigan (the “**Developer**”).

RECITALS

- A. Pursuant to P.A. 381 of 1996, as amended, (“**Act 381**”), the Authority recommended adoption of a brownfield plan (the “**Brownfield Plan**”) on August 11, 2020, to add property located at 100 Eunice Street and the adjacent vacant land in Parchment, Michigan (the “**Property**”).
- B. The City, Authority, and Developer entered into a Development and Reimbursement Agreement (the “**Agreement**”) on August 17, 2020 which described terms and processes for the implementation of the Brownfield Plan.
- C. The Developer owns the Property, which is included in the Brownfield Plan as an “eligible property” because it is a “facility,” as defined by Part 201 of the Natural Resources and Environmental Protection Act (“**Part 201**”).

- D. The Developer conducted eligible activities on the Property to address environmental and brownfield conditions and redevelop the site into an industrial lease space (the "**Project**"). The cost of these activities are "**Total Eligible Developer Brownfield TIF Costs**" as defined in the Agreement.
- E. Pursuant to the Agreement, the Developer has submitted a Request for Cost Reimbursement for a portion of the Total Eligible Developer Brownfield TIF Costs. The Developer acknowledges that for various reasons including the COVID-19 pandemic and difficulties with the performance by third parties delegated to prepare the Request for Cost Reimbursement, that the submittal has fallen outside the timelines established by the Agreement.
- F. The Kalamazoo County Brownfield Redevelopment Authority, who has been delegated by the City of Parchment to manage the Brownfield Plan has reviewed the Request for Cost Reimbursement and found the cost to be eligible activities and eligible for reimbursement contingent on consent by the parties to allow for a modified timeline to submit a Request for Cost Reimbursement.
- G. The parties desire to amend the procedure for seeking reimbursement of the Total Eligible Developer Brownfield TIF Costs.

NOW, THEREFORE, the parties agree as follows:

Item #3a of the Agreement is hereby amended to be as follows:

- 3. Reimbursement Process.

(a) Developer shall submit to the Authority a "Request for Cost Reimbursement" of Eligible Activities paid for by the Developer on or before forty-eight (48) months after an unconditional certificate of occupancy has been issued for the Project. The Request for Cost Reimbursement may be requested and approved in parts, but all parts must be submitted within the 48-month period. All costs for the Eligible Activities must be consistent with the approved Brownfield Plan. The Developer must include documentation sufficient for the Authority to determine whether the costs incurred were for Eligible Activities, including detailed construction draws or invoices and proof of payment or lien waivers and all other submittals and information required by the Agreement.

The parties have executed this Amendment on the date set forth above.

CITY OF PARCHMENT

By: _____

Its: _____

CITY OF PARCHMENT BROWNFIELD
REDEVELOPMENT AUTHORITY

By: _____

Its: _____

400 ISLAND AVENUE, LLC

By: _____

Its: _____

21912320v2