

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

APPROVED MEETING MINUTES
Thursday, May 9, 2024, 9:00 a.m.

Board Present: Colleen O'Toole – Vice Chair, Jenn Cornell, Sam Baushke – Secretary, Christy Maier, James Harless, Trevor Woollatt, Justin Hodge, Katie Jones

Board Absent: Allison Krueger – Chair

Staff: Nathan Voght – OCED

Joining the Meeting: Mike Martin – First Martin, Tom Wackerman – ASTI Environmental, Tim Stout – O'Neil Construction, all for 310 E. Huron, and Sarah Lorenz and Peter Allen, both with the Ann Arbor Community Land Trust, for the Townie Homes project presentation, and Ken Garber – a member of the public, and Joe Ziolkowski – Main Street Park Alliance.

Handouts: Updated April 2024 Financial Report

1. Call to Order

Vice - Chair O'Toole called the meeting to order at 9:04 a.m.

2. Public Comment

Ken Garber spoke in favor of the Townie Home project and is interested to see how they turn out. He's similarly interested in the 310 E. Huron Hotel project. Mr. Garber asked if more could be done to post pending brownfield applications online, for the public to know when they will be discussed. He's interested in greater transparency.

Staff explained that for both of the projects on the agenda today, there is no application as they have not applied yet. This was an opportunity for the developers to introduce the project, so when formal application is made, the Authority is familiar with it. The best way to determine what's on the Authority's agenda is to sign up for text messages on the County's website for Boards and Commissions. When staff posts the packet 1 week prior to the meeting, you would receive a text message, and can see the agenda and packet. It's not clear how the City of Ann Arbor handles their Boards and Commissions in this regard.

3. Approval of Agenda

J. Harless moved to approve the Agenda (2nd C. Maier), and the motion passed unanimously.

4. Approval of April 11th, 2024 Meeting Minutes

Several typos were mentioned by the Board. J. Cornell moved to approve the minutes as corrected (2nd J. Harless), and the motion passed unanimously.

5. Board Member Conflict of Interest Disclosure

None declared.

6. Business

1. Main Street Park Alliance LBRF Grant Agreement – Action

Staff referred to the Grant Agreement, which is our template, except special language was added to clarify that reimbursement for actual eligible activities will occur only if funds are available. This is because the Board approved the \$804,000 in grant funding, but about \$200,000 of that will not be available until the fall of 2025.

J. Harless recommended that the first two added sentences in Section 5, Disbursement, be moved to after the 2nd to last sentence in that whole paragraph, which ends in "...\$804,010."

J. Harless moved to approve the LBRF Grant Agreement, with the noted revision to Section 5, (2nd T. Woollatt), and the motion passed unanimously.

2. Townie Homes Project Introduction – Presentation

Sarah Lorenz, with the Ann Arbor Community Land Trust, provided a presentation of their proposed housing development. They will develop four lots, with a main house and accessory dwelling unit on each, for 8 total units. The homes and ADUs will be offered to buyers between 30 and 90% AMI, and they are seeking the new Brownfield MSHDA Housing TIF Subsidy, to make up the difference in development costs, and sales price.

T. Woollatt asked if an Act 381 Work Plan was even necessary to submit to MSHDA, if the homes will be Homesteaded, and therefore only pay the 6 mills of SET, half of which is reverted to the State. Staff said he will ask MSHDA if a Work Plan is required, but how will we do annual reporting if MSHDA has not approved a Work Plan?

S. Baushke asked why a Phase I was included in the Eligible Activity Table, and Ms. Lorenz responded it was just a placeholder in case one is required.

J. Harless stated that if the properties will be transferred to the Community Land Trust, then they will need the liability protection of a Phase I.

C. Maier asked why we are involved if these sites aren't brownfields. Staff indicated they will utilize the new amendments to Act 381, which allows the use of TIF to close the gap between market and affordable sales prices.

J. Harless asked about a coop on S. Main. Peter Allen, with the CLT and U of M, referenced the Ashley Mews affordable units. N. Voght stated there are some compliance issues with those units.

Board members Cornell, Woollatt, Harless, and O'Toole all volunteered to serve on the Brownfield Plan Review Sub-Committee. A draft Brownfield Plan has not yet been submitted.

3. 310 E. Huron, AC Hotel Brownfield Plan Project Introduction – Presentation

Tom Wackerman, with ASTI Environmental, discussed the project, and intention to submit a Brownfield Plan to cover recently uncovered environmental conditions. Total requested developer-reimbursable activities is about \$700,000. The site was originally proposed as a hotel in 2018, but delayed due to the pandemic. The site was re-submitted and approved for a hotel recently, and in the process of lender required due diligence, sub-surface issues with TCE were discovered that require mitigation.

T. Woollatt asked if the TCE can be removed, and Mr. Wackerman indicated it was too deep.

The project is about to break ground, so this is a time sensitive application. N. Voght, Brownfield staff, explained to the Board that they are only seeking local Brownfield Plan approval, and not Act 381 Work Plan approval. It has been explained that this is not our policy, however, due to time, they cannot secure Work Plan approval from EGLE. They will only seek partial reimbursement of environmental eligible activities in proportion to the Local/State Millages proportionality, had State capture been included after Work Plan approval.

J. Harless asked about parking for the hotel.

Board members S. Baushke, J. Harless, and A. Krueger volunteered to serve on a Brownfield Plan Review Sub-Committee.

4. April 2024 Financial Report – Information

Staff referred to the updated Financial Report, which was revised slightly from the initial one emailed with the packet. The Board asked about Administrative fees' capture, and staff reminded the Board that we need at least 16 active projects to capture the \$247,500 we did from 2023.

7. Other Business

J. Harless asked if we could put the Reimbursement Agreement Template on a future agenda for discussion.

There was no other business.

8. Public Comment:

Ken Garber spoke again about the concern for transparency from the Authority about what projects are being reviewed and on the agenda. It would be beneficial to the public to see applications and draft plans.

N. Voght responded saying when an application is made, and draft Brownfield Plan submitted, those are all provided to the Authority. However, there needs to be a balance between transparency, and an applicant's right to Due Process. We cannot arbitrarily add additional public notification, or other steps not prescribed by the legislative process. As mentioned, once an official application and Plan are submitted, those are transmitted to the City and Authority. We cannot speak to the City's process, but we post agendas and packets one week prior to the meeting, and you can sign up for text notifications of these packets being available.

9. Adjournment:

J. Cornell moved to adjourn the meeting at 10:14 a.m. (2nd J. Harless), and the motion passed unanimously.

These minutes were approved by the Washtenaw County Brownfield Redevelopment Authority at the June 13, 2024 meeting, held at 200 N. Main, lower level large conference room, downtown Ann Arbor.