

MANISTEE CITY BROWNFIELD REDEVELOPMENT AUTHORITY

Meeting of January 3, 2017

2 pm - Council Chambers, City Hall, 70 Maple Street,
Manistee, Michigan

AGENDA

I CALL TO ORDER

II ROLL CALL

III APPROVAL OF AGENDA

At this time the Brownfield Redevelopment Authority can take action to approve the January 3, 2017 agenda.

IV APPROVAL OF MINUTES

At this time Brownfield Redevelopment Authority can take action to approve the August 2, 2016 meeting minutes. There was not a quorum at the December 6, 2017 meeting.

V PUBLIC HEARING

VI FINANCIAL REPORTS

Approval of Invoices

At this time the Brownfield Redevelopment Authority will review the summary of paid invoices.

Financial Statements

Finance Director Ed Bradford will give a financial status update on the Brownfield Redevelopment Authority Funds.

VII NEW BUSINESS

Review/Approval of the TIF Implementation Plans – “Private Component” South Washington Area Redevelopment Project

A TIF Implementation Plan for the “private component” of the South Washington Area Redevelopment Project (River Parc and North Channel properties) as required under the Development and Reimbursement Agreement between the Brownfield Redevelopment Authority, City of Manistee and Manistee Investment Partners LLC.

At this time the Brownfield Redevelopment Authority could take action to approve the TIF Implementation Plan for the “private component” of South Washington Area Redevelopment Project.

Review/Approval of the TIF Implementation Plans – “Public Component” South Washington Area Redevelopment Project

A TIF Implementation Plan for the “public component” of the South Washington Area Redevelopment Project (River Parc and North Channel properties) as required under the Development and Reimbursement Agreement between the Brownfield Redevelopment Authority, City of Manistee and Manistee Investment Partners LLC.

At this time the Brownfield Redevelopment Authority could take action to approve the TIF Implementation Plan for the “public component” of South Washington Area Redevelopment Project.

Election of Officers

According to the By-Laws of the City of Manistee Brownfield Redevelopment Authority their annual election of Officers is held at their annual meeting in January.

At this time the meeting will be turned over to Ed Bradford who will ask for nominations.

Chair - The Brownfield Redevelopment Authority will select a Chair for 2017.

Vice-Chair - The Brownfield Redevelopment Authority will select a Vice Chair for 2017.

Secretary/Treasurer - The Brownfield Redevelopment Authority will select a Secretary for 2017.

Appointment of a Recording Secretary 2017

At this time the Brownfield Redevelopment Authority Secretary appointed for 2017 may appoint a Recording Secretary for 2017.

By Law Review

According to the By-Laws of the City of Manistee Brownfield Redevelopment Authority shall annually review their By-Laws at their annual meeting in January.

At this time the Brownfield Redevelopment Authority could take action to make changes to their By-Laws if necessary.

Oath of Office/Section 6 Conflict of Interest

Annually the Brownfield Redevelopment Authority members will take an Oath of Office and agree to abide by Section 6 Conflict of Interest of the By-Laws of the City of Manistee Brownfield Redevelopment Authority.

At this time the members of the Brownfield Redevelopment Authority will take their Oath of

Office and agree to abide by Section 6 Conflict of Interest of the By-Laws of the City of Manistee Brownfield Redevelopment Authority.

Project Updates

Staff will update the Brownfield Redevelopment Authority on the status of current projects.

VIII OLD BUSINESS

Schedule Meeting dates for 2017

At this time the Brownfield Redevelopment will take action to schedule their meeting dates for 2017.

There was not a quorum at the December 6, 2016 Brownfield Redevelopment Authority Meeting. The Authority needs to schedule the remainder of their meetings for 2017. The By-Laws require that quarterly meetings be held in January, April, July, and October.

At this time the Brownfield Redevelopment Authority could take action to schedule the remainder of their meetings for 2017.

IX PUBLIC COMMENTS AND COMMUNICATIONS

At this time the Chair will ask if there are any public comments.

X CORRESPONDENCE

At this time the Chair will ask if any correspondence has been received to be read into the record.

XI STAFF REPORTS

At this time the Chair will ask Staff for their report.

XII MEMBERS DISCUSSION

At this time the Chair will ask members of the Brownfield Redevelopment Authority if they have any items they want to discuss.

XIII ADJOURNMENT



MEMORANDUM

Planning & Zoning
231.398.2805
Fax 231.723-1546
www.manisteemi.gov

TO: Brownfield Redevelopment Authority Directors

FROM: Denise Blakeslee, Planning & Zoning Administrator

DATE: December 22, 2016

RE: January 3, 2017 Meeting

The next meeting of the Brownfield Redevelopment Authority Meeting will be on Tuesday, January 3, 2017. A copy of the meeting agenda and attachments are enclosed for your review except for the TIF Implementation Plan for the "Public Component" which was not received in time to go in the packets. This will be mailed separately next week.

If you are unable to attend the meeting please call me at 398.2805.

MANISTEE CITY BROWNFIELD REDEVELOPMENT AUTHORITY

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

August 2, 2016

A meeting of the Manistee City Brownfield Redevelopment Authority was held on August 2, 2016 at 2pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 2:00 pm by Chair Clinton McKinven-Copus

ROLL CALL

Members Present: Meagan Kempf, Donald Kuk, Marlene McBride, Clinton McKinven-Copus, Jeffrey Stege

Members Absent: W. Frank Beaver, Steve Brower (excused),

Others: T. Eftaxiadis (BRA Consultant), Ed Bradford (BRA Administrator), Denise Blakeslee (Recording Secretary)

The Authority welcomed new member Meagan Kempf. Denise Blakeslee had a conflict and was unable to attend the first part of the meeting Ed Bradford acted as recording secretary until Ms. Blakeslee arrived.

APPROVAL OF AGENDA

Motion by Don Kuk, seconded by Marlene McBride that the agenda be approved as prepared.

With a Voice Vote this motion passed unanimously

APPROVAL OF MINUTES

Motion by Don Kuk, seconded by Jeff Stege that the minutes of the June 7, 2016 Brownfield Redevelopment Authority Meeting be approved as prepared.

With a Voice Vote this motion passed unanimously

PUBLIC HEARING

None

NEW BUSINESS

Site Visit – 334 River Street

Members of the Brownfield Redevelopment Authority left City hall to perform a site visit at 334 River Street. On September 7, 2010 the City of Manistee Brownfield Redevelopment Authority approved a Brownfield Plan for the 334 River Street Redevelopment Project. An Act 381 Work Plan was submitted on October 5, 2010 which was mostly funded by Petroleum Impacted Sites Assessment Grant BF-00E44301-0. A summary of the activities include:

- Installation of sheet pilings and several retaining walls in the NE and NW portions of the building as required for the excavation and removal of contaminated soils and waste under the building.
- Excavation, removal, transport and disposal of contaminated and oily soils, and wastes (fly ash, coal residue, sawdust, cinders and foundry sand) from numerous locations under the building.
- Disposal of asbestos debris from the building basement.
- Removal of boiler, condensers, furnace and oily piping systems throughout the building.
- Removal, disposal and replacement of former garage oil-saturated wood floors, timber beam sleepers and wood sheathing in the NW building.
- Draining of hydraulic hoists (3) and remove hoist concrete bases.
- Grading and compaction of remaining soils at the removal areas, placement of clean fill, and installation of impermeable membrane caps over the north portion of the NW building and the north portions of the NE building.
- Installation of vapor barrier and concrete cap over the south portion of the NW building (over remaining oil-saturated soils).
- Construction of retaining walls and reinforcing shear walls as needed for the demolition of the NE portion of the building.
- Demolition of roof, walls and structural elements of the NE portion of the building.
- Restoration of neighboring properties impacted by the remediation and demolition activities.

2015 TIF Capture for 334 River Street

Directors received a memo from Edward Bradford, Brownfield Administrator regarding 334 River Street Tax Capture (attached). The Directors discussed the project and distribution of funds.

Ms. Blakeslee entered the meeting.

MOTION by Don Kuk, seconded by Marlene McBride that the City of Manistee Brownfield Redevelopment Authority approves the 2015 distribution of funds for 334 River Street as outlined in the memo prepared by Brownfield Administrator Ed Bradford dated July 27, 2016 and that \$195.51 BRA Administrative Fee be paid and staff is authorized to reimburse remaining funds.

With a Voice Vote this motion passed unanimously

Consideration of Fiscal Year 2017 Brownfield Redevelopment Authority Budget

Edward Bradford, Brownfield Administrator presented a budget for Fiscal Year 2017 for consideration

MOTION by Don Kuk, seconded by Meagan Kempf to adopt Fiscal Year 2017 Brownfield Redevelopment Authority Budget as prepared.

With a Voice Vote this motion passed unanimously

FINANCIAL REPORTS

Approval of Invoices – There were no new invoices.

BRA Financing

Finance Director Ed Bradford reviewed the Balance Sheet and Revenue/Expenditure Report with the Directors (attached).

MOTION by Don Kuk, seconded by Jeff Stege to approve the Balance Sheet and Revenue/Expenditure Report as submitted.

With a Voice Vote this motion passed unanimously

Project Update

Finance Director Ed Bradford and T. Eftaxiadis updated the Directors on the Edgewater project.

OLD BUSINESS

Oath of Office/Section 6 Conflict of Interest - Annually the Brownfield Redevelopment Authority members will take an Oath of Office and agree to abide by Section 6 Conflict of Interest of the By-Laws of the City of Manistee Brownfield Redevelopment Authority.

New Member Meagan Kempf took her Oath of Office and agree to abide by Section 6 Conflict of Interest of the By-Laws of the City of Manistee Brownfield Redevelopment Authority.

PUBLIC COMMENTS AND COMMUNICATIONS

None

CORRESPONDENCE

None

STAFF REPORTS

Ed Bradford, BRA Administrator – City Council will be reviewing the County Brownfield Plan for Joslin Cove and a Development Agreement for the project at the Council Meeting tomorrow evening.

The next regular meeting of the Brownfield Redevelopment Authority will be held on September 6, 2016.

ADJOURNMENT

Motion by Don Kuk, seconded by Marlene McBride that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 3:40 pm

MANISTEE CITY BROWNFIELD REDEVELOPMENT AUTHORITY

Denise Blakeslee, Recording Secretary



Administrative Services

Clerk | Finance | Treasury | IT | Brownfield | Assessing | Facilities | Ramsdell

Memo to: Brownfield Redevelopment Authority

From: Edward Bradford, CFO, Brownfield Administrator

Re: 334 River Street Tax Capture

Date: July 27, 2016

The BRA and City previously approved a brownfield plan for 334, 336 & 338 River Street on September 7, 2010 and October 19, 2010, respectively. The BRA and Developer entered into a brownfield development and reimbursement agreement (BDRA) on April 12, 2011.

The BDRA calls for the reimbursement period to be no longer than 10 years after the Act 381 workplan was approved by the State. Total anticipated reimbursements for eligible activities in the Brownfield Plan totaled \$29,317. The BDRA also calls for the BRA to capture administrative fees from the local tax capture of \$10,000.

The project has not generated any tax increments until the 2015 tax year. Base taxable value is \$82,561 and the 2015 taxable value was \$88,600. The amount of TIF generated and escrowed is \$339.26. Of this, \$196.51 is local and \$142.78 is State.

The BRA is entitled to the \$196.51 for its administrative fee. The developer is entitled to the \$142.78 once he has submitted eligible activity costs and they have been approved by the BRA.

REVENUE/EXPENDITURE REPORT

Page: 1
7/26/2016
10:35 am

City of Manistee

For the Period: 7/1/2015 to 6/30/2016	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	%Bud
Fund: 243 - BROWNFIELD REDEVELOPMENT AUTHO							
Revenues							
Dept: 000							
402.000 Real & Personal Property Tax	0.00	0.00	339.26	0.00	0.00	-339.26	0.0
485.000 Permits	0.00	0.00	0.00	0.00	0.00	0.00	0.0
501.000 Federal Grant	0.00	0.00	0.00	0.00	0.00	0.00	0.0
539.000 State Grant Revenue	0.00	0.00	0.00	0.00	0.00	0.00	0.0
626.000 Charge for Service	0.00	0.00	0.00	0.00	0.00	0.00	0.0
664.000 Interest Income	0.00	0.00	0.00	0.00	0.00	0.00	0.0
676.000 Reimbursement	0.00	0.00	9,140.09	0.00	0.00	-9,140.09	0.0
699.000 Transfers In	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	9,479.35	0.00	0.00	-9,479.35	0.0
Revenues	0.00	0.00	9,479.35	0.00	0.00	-9,479.35	0.0
Expenditures							
Dept: 000							
728.000 SUPPLIES - Operating	0.00	0.00	74.65	39.95	0.00	-74.65	0.0
799.000 Miscellaneous Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
801.000 Professional Services	0.00	0.00	11,189.00	0.00	0.00	-11,189.00	0.0
820.000 Administration	0.00	0.00	0.00	0.00	0.00	0.00	0.0
900.000 Printing & Publishing	0.00	0.00	0.00	0.00	0.00	0.00	0.0
970.000 Capital Outlay - under \$5,000	0.00	0.00	0.00	0.00	0.00	0.00	0.0
999.000 Transfers Out	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	11,263.65	39.95	0.00	-11,263.65	0.0
Dept: 691 MDEQ Loan							
801.000 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
964.000 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
990.000 American Materials MDEQ Loan	0.00	0.00	9,140.09	0.00	0.00	-9,140.09	0.0
MDEQ Loan	0.00	0.00	9,140.09	0.00	0.00	-9,140.09	0.0
Dept: 692 MDEQ Grant							
801.000 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
MDEQ Grant	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 693 334 River St Grant							
801.000 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
334 River St Grant	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures	0.00	0.00	20,403.74	39.95	0.00	-20,403.74	0.0
Grand Total Net Effect:	0.00	0.00	-10,924.39	-39.95	0.00	10,924.39	

BALANCE SHEET

Page: 1
7/26/2016
10:41 am

City of Manistee

As of: 6/30/2016

Balances

Fund: 243 - BROWNFIELD REDEVELOPMENT AUTHO

Assets

001.000 Cash	19,125.28
017.000 MBIA Mi Class Inv	0.00
040.000 AR - Invoices	0.00
084.000 Due From Other Funds	0.00

Total Assets 19,125.28

Liabilities

202.000 Accounts Payable	0.00
203.000 Accrued Payables	0.00
214.000 Due To Other Funds	0.00

Total Liabilities 0.00

Reserves/Balances

390.000 Fund Balance	30,049.67
398.000 Change in Fund Balance	-10,924.39

Total Reserves/Balances 19,125.28

Total Liabilities & Balances 19,125.28

CITY OF MANISTEE

BROWNFIELD REDEVELOPMENT AUTHORITY

SUMMARY OF INVOICES SUBMITTED FOR PAYMENT

REPORTING PERIOD: August 1, 2016 – December 16, 2016

VENDOR NAME	DATE	INVOICE NUMBER	INVOICE AMOUNT	SERVICE DESCRIPTION
Eftaxiadis Consulting Inc.	8/1/16	CMBRA-1607	2,613.75	Consulting, Brownfield Service
Eftaxiadis Consulting Inc.	9/8/16	CMBRA-1608	318.75	BRA/TIF Mgmt/Bookmark Red
Eftaxiadis Consulting Inc.	10/10/16	CMBRA-1609	361.25	CMBRA Tech Ser/Bookmark
TOTAL:			\$3,293.75	

BALANCE SHEET

Page: 1

12/16/2016

1:54 pm

City of Manistee

As of: 11/30/2016

Balances

Fund: 243 - BROWNFIELD REDEVELOPMENT AUTHO

Assets

001.000 Cash

15,855.48

Total Assets

15,855.48

Reserves/Balances

390.000 Fund Balance

16,915.28

398.000 Change in Fund Balance

-1,059.80

Total Reserves/Balances

15,855.48

Total Liabilities & Balances

15,855.48

REVENUE/EXPENDITURE REPORT

City of Manistee
For the Period: 7/1/2016 to 11/30/2016

Page: 1
12/16/2016
1:53 pm

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 243 - BROWNFIELD REDEVELOPMENT AUTHO							
Revenues							
Dept: 000							
402.000 Real & Personal Property Tax							
379749 09/16/2016 CR Rcd From: OPERATING ACCOUNT		Ref ID:	RE	37.45	Drawer:EFT Type:TXDIS	1169	
Real & Personal Property Tax	0.00	0.00	37.45	0.00	0.00	-37.45	0.0
Dept: 000	0.00	0.00	37.45	0.00	0.00	-37.45	0.0
Revenues	0.00	0.00	37.45	0.00	0.00	-37.45	0.0
Expenditures							
Dept: 000							
728.000 SUPPLIES - Operating							
376529 07/19/2016 AP JACKPINE BUSINESS CENTERS		Insert		13.50	INV#: 404500-0	88726	
SUPPLIES - Operating	0.00	0.00	13.50	0.00	0.00	-13.50	0.0
801.000 Professional Services							
377766 07/01/2016 RE 2016 Accrued Payables		REVERSED		-2,210.00			
377970 08/01/2016 AP EFTAXIADIS CONSULTING LLC		Consulting, Brownfield Service		2,613.75	INV#: CMBRA-1607	89051	
379905 09/08/2016 AP EFTAXIADIS CONSULTING LLC		BRA/TIF Mgmt/Bookmart Red		318.75	INV#: CMBRA-1608	89648	
382571 10/10/2016 AP EFTAXIADIS CONSULTING LLC		CMBRA Tech Serv/Bookmart		361.25	INV#: CMBRA-1609	90301	
Professional Services	0.00	0.00	1,083.75	0.00	0.00	-1,083.75	0.0
Dept: 000	0.00	0.00	1,097.25	0.00	0.00	-1,097.25	0.0
Expenditures	0.00	0.00	1,097.25	0.00	0.00	-1,097.25	0.0

**IMPLEMENTATION PLAN FOR
BROWNFIELD TIF REIMBURSABLE ACTIVITIES AT THE
SOUTH WASHINGTON AREA PROPERTIES
(RIVER PARC AND NORTH CHANNEL BUILDINGS)
MANISTEE, MICHIGAN**

JULY 2016

INTRODUCTION AND PURPOSE

The South Washington Area (“SWA”) redevelopment project includes two buildings (former River Parc and North Channel buildings) and vacant land adjacent to the buildings, collectively known as the Private Property (“Property”), as well as public areas and public right-of-ways adjacent to, or associated with the Property. The Property is shown on the attached survey (Figure 1).

The Scope and the costs presented in this TIF Implementation Plan (“Plan”) are for “eligible” activities that will be implemented on the Property by the Private Developer (“Developer”) based on the terms of a Development and Reimbursement Agreement (“D&RA”) executed by the City of Manistee Brownfield Redevelopment Authority (“CMBRA”), City of Manistee (“City”) and Developer. It is anticipated that the City will prepare a similar TIF Implementation Plan for the eligible activities (public infrastructure improvements) that the City will undertake per the terms of the D&RA.

Cost estimates for the Developer’s eligible activities provided in this Plan were generated in early 2015 as part of the preparation of the Brownfield Plan for the SWA based on the experience of the Developer and the Developer’s consultants and engineers with similar projects. Due to the time lapse between 2015 and the implementation of the redevelopment activities, the actual eligible redevelopment expenses may vary from the original estimates. Therefore, the estimates for some eligible activities may require updating upon receipt of bids from contractors. It should be noted that, while TIF capture revenues designated and approved by the State agencies for reimbursement of environmental eligible expenses cannot be re-allocated to reimburse non-environmental expenses, and vice versa, re-allocation of TIF for reimbursement of eligible expenses within the environmental and non-environmental categories may be authorized by the CMBRA if the actual expenses differ from the original estimates.

The numbers in parentheses shown before each description of the eligible activities presented below correspond to the numbers of the eligible activities described in the Act 381 Work Plan, and represent the codes that will be assigned to the actual redevelopment expenses for the purpose of tracking, accounting as needed for their reimbursement through TIF revenues.

ENVIRONMENTAL ELIGIBLE ACTIVITIES

The Environmental Eligible Activities include the development of site-specific Due Care and Construction Management plan(s); the design and implementation of engineering controls and/or other measures based on the Due Care plan; and placement of deed/land use restrictions as needed.

(2.1.2.a) Supplemental Due Care Assessments – Supplemental soil assessments may be required at the property to better define the extent of contamination previously documented at selected locations as needed for the implementation of engineering controls and installation of public and private utilities. While the scope of these assessments cannot be anticipated at this time, it may consist of collection and analysis of limited number of surface and subsurface soil samples and analysis for compounds of concern, and preparation of report(s). For budgeting purposes it is estimated that up to two such assessments may be required involving the collection of up to 20 samples and analysis for selected compounds.

(2.1.2.b) Due Care Surveys: Topographic survey may be required for the design of the anticipated engineering controls to be described in the Due Care Plan.

(2.1.2.c) Due Care Plan: A Due Care plan will be prepared to describe required engineering controls, construction health & safety issues, and use restrictions for the Property.

Cost Estimate for Activities 2.1.2 (a, b and c) above = \$10,000.

(2.1.2.d) Contaminated Soil Capping - Interior: Contaminated soils (exceeding Direct Contact criteria) located at the crawl space of the North Channel building (up to 8,000 sf) will be capped to eliminate contact by construction workers, building tenants, owners and customers. Cost Estimate = \$35,000.

(2.1.2.e) Contaminated Soil Capping/Removal - Exterior: Contaminated soils at several locations at the Property exceed the Direct Contact and/or the GSIP criteria. The locations where engineering controls or disposal are proposed to address contamination by heavy metals and/or PNAs include the open area between the River Parc and North Channel buildings, the open areas north, west and northwest of the North Channel building, and the open area south of the River Parc building. The cost provided here includes material, labor, additional

sampling and analysis, engineering/field oversight, and reporting.

Cost Estimate = \$90,000.

(2.1.6) Brownfield Plan and Work Plan

This task includes the preparation of the environmental components of the Brownfield Plan, the Act 381 Work Plan and the D&RA, by the Developer on behalf of the CMBRA.

Cost Estimate = \$10,000.

(2.1.7) Contingency

A contingency on the environmental costs is included in the project budget.

Cost Estimate = \$21,750

NON-ENVIRONMENTAL ELIGIBLE ACTIVITIES

The Non-environmental Eligible Activities that will be undertaken by the Developer are described below.

(2.2.1.h) Short Street Retaining Wall

The installation of a retaining structure between the west edge of the Property and Short Street will be undertaken jointly by the City and Developer, and initially financed by the Developer. The retaining structure is required to stabilize the east and southeast banks of Short Street and the south slope of the hill west of the Property that are currently eroding and cause soils to spill onto the Property and into the Manistee River Channel due to the steep slope gradient. The stabilization of the Short Street slope will also allow the structural stabilization of the northwest corner of the River Parc building, and the construction of parking areas along the west edges of the North Channel parcel. The retaining wall will be designed by the City and constructed by the Developer's contractor. While an initial cost estimate for this eligible activity was generated several years ago and is presented here, the final cost is expected to be revised substantially (>\$340,000), therefore it would require a re-allocation of TIF revenues between eligible non-environmental activities.

Cost Estimate (initial) = \$150,000.

(2.2.2) Demolitions

Due to the functionally obsolete nature of both buildings and other structures on the Property, demolition and/or removal of existing interior and exterior structures and building components will be required. This activity includes:

- Exterior Building Demolition that involves remnants of former industrial structures adjacent to the North Channel building, as well as the unstable north "shared" wall of this building.

- Interior Demolition that involves removal of unstable interior and exterior walls, roof components, floors, staircases, doors and windows, and other structures prior to rehabilitating, rebuilding and/or replacing them in both buildings. Several interior structures damaged by fires (North Channel building) and water/ice (both buildings) will also require demolition.

Cost Estimate (all building demolitions) = \$30,000.

- Site Demolition that includes removal of inactive aerial and underground utilities, obsolete pavements, sidewalks and concrete foundations of former historic structures, and associated structural inspections and engineering.

Cost Estimate: \$20,000.

(2.2.3) Lead Abatement

Based on the Hazardous Materials Survey of the North Channel building most interior, and some exterior surfaces contain Lead Based Paint (“LBP”) that will require abatement prior to rehabilitating the proposed commercial and residential sections of the building.

Cost Estimate: \$35,000.

(2.2.4) Asbestos Abatement

Also based on the Hazardous Materials Survey performed at the North Channel building, Asbestos Containing Materials (“ACM”) are present throughout the building in the form of floor tile and mastic and window caulking, as well as light ballasts, electric switches potentially containing hazardous oils, and animal droppings. These materials will be abated concurrently with the ACM abatement prior to redevelopment.

Cost Estimate: \$40,000.

(2.2.5) Site Preparation

The following site preparation activities are required to prepare the North Channel building and exterior portions of the overall Property for redevelopment:

(2.2.5.a) Site grading & balancing. This activity is required on the Property to allow construction of access drives, surface parking, and for storm water control and re-direction. The areas where grading and balancing will be required include the north portion of the River Parc parcel and most of the North Channel parcels.

Cost Estimate = \$15,000.

(2.2.5.b) Debris and fill material management. Historic debris piles at the southwest portion of the North Channel parcel will be removed to allow construction of the access drive (fire lane).

Cost Estimate = \$5,000.

(2.2.5.c) Structural improvements. Based on the Structural Survey of the North Channel building, major structural reinforcement of wooden supporting columns at the central section of the building will be required due to partial collapse associated with the historic fire. Additionally, the entire north wall of the building is unstable due to the demolition of the buildings north of the North Channel building in the 1980s; the buildings shared that wall. This wall will require rebuilding and/or reinforcement.
Cost Estimate = \$200,000 (including engineering).

(2.2.9) Brownfield Plan and Act 381 Work Plan

This task includes the preparation of the non-environmental components of the Brownfield Plan, Act 381 Work Plan and associated documentation on behalf of the CMBRA.

Cost Estimate = \$10,000

(2.2.10) Contingency

A contingency on the Site Preparation expenses (activity 2.2.5 above) is included in the project budget.

Cost Estimate = \$51,750.

BYLAWS OF THE CITY OF MANISTEE BROWNFIELD REDEVELOPMENT AUTHORITY

ARTICLE 1: NAME AND ADDRESS

Name: The name of the Authority is the City of Manistee Brownfield Redevelopment Authority (hereinafter referred to as the Authority).

Address: The address of the Authority is: 70 Maple Street, P.O Box 358, Manistee, Michigan 49660.

ARTICLE 2: DIRECTORS

- 2.1 **General Powers.** The business and affairs of the Authority shall be managed by its Board, except as otherwise provided by statute or by these Bylaws.
- 2.2 **Board of Directors.** The Board of Directors (hereinafter referred to as the Board) of the Authority shall consist of not less than five (5) persons and not more than nine (9) persons. BRA Board members are to be city residents or persons with an interest in property in the City of Manistee.
- 2.3 **Terms, Replacement and Vacancies.** Of the initial members appointed, an equal number, or as near as practicable, shall be appointed for one year, two years and three years. Thereafter, each member shall serve for a term of three years. Subsequent Directors shall be appointed in the same manner as original appointments at the expiration of each Director's term of office. 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 City Council. A Director may be reappointed with the advice and consent of the City Council to serve additional terms. If a vacancy is created by death or resignation, a successor shall be appointed with the advice and consent of the City Council within thirty (30) days to hold office for the remainder of the term of office so vacated.
- 2.4 **Board Absences.** In order to maintain the maximum participation of all appointed Brownfield Redevelopment Authority members at all scheduled meetings, the following is the attendance guide and Board member replacement policy for "excused" or "unexcused" absences.
1. When appointed, each Board Member should state his/her willingness and intention to attend each scheduled meeting of the Brownfield Redevelopment Authority.
 2. In the event of unplanned personal matters, business trips, family vacation trips, changed job requirements, sickness, or other physical disabilities that prohibit the Board Member from attending the scheduled meeting; the Commission Chair or Staff Liaison to the Brownfield Redevelopment Authority should be notified as soon as possible prior to the time of the scheduled meeting of their inability to attend. The Board Member upon this notification will receive an "excused absence" for the involved scheduled meeting.
 3. If any Board Member is absent from three (3) consecutive scheduled meetings without an "excused absence" for any of the three (3) meetings, the Board Member shall be reported in writing to the City Manager. The City Manager will contact the Board Member in writing and question his/her continued ability or interest in being on the Commission, giving the member a chance to rectify the attendance issue or submit a resignation.

4. There will be no limit on the number of consecutive “excused absences” for any Board Member. However, if the Board Member is repeatedly absent for at least 50% of the yearly scheduled meetings, that member will also be reported in writing to the City Manager. The City Manager will contact the Board Member in writing and question the member’s continued ability or interest to be on the Commission. The Board Member will be considered for an appointment nullification when the absences total six in the calendar year.
 5. The appointment nullification action would be initiated by the City Manager and forwarded on to the City Council for official action.
- 2.5 **Removal.** A Director may be removed from office for inefficiency, neglect of duty, or misconduct or malfeasance, by a majority vote of the City Council.
 - 2.6 **Conflict of Interest.** A Director who has a direct 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 interested Director shall further refrain from participation in the Authority’s action to the matter. Each Director, upon taking office and annually thereafter, shall acknowledge in writing that they have read and agree to abide by this section.
 - 2.7 **Meetings.** Meetings of the Board may be called by or at the request of the Chairperson of the Board or any two Directors. The meetings of the Board shall be public, and the appropriate notice of such meetings shall be provided to the public. Regular meetings of the Brownfield Redevelopment Authority shall be held in each calendar quarter of each year. In no event shall there be less than four (4) meetings per year. The Board shall hold an Annual Meeting in January of each year at which time officers of the Board shall be elected as provided in Article 3, Section 2.
 - 2.8 **Notice.** Notice of any meetings shall be given in accordance with the Open Meetings Act (Act No. 267 of the Public Acts of 1976).
 - 2.9 **Quorum.** A majority of the members of the Directors then in office constitutes 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 without any further notice. 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. Amendment of the Bylaws by the Board requires the vote of not less than a majority of the members of the Board then in office.
 - 2.10 **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.
 - 2.11 **Committees.** The Board may, by resolution passed by a majority of the whole board, designate one or more committees, each committee to consist of two 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 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, to the extent provided in the resolution by the Board, may exercise all powers and authority of the Board in the management of the business and affairs of the Authority, except that such committee so may exercise all powers and authority to: (a) recommend to members a dissolution of the Authority, or revocation of dissolution, (b) amend the Bylaws of the Authority, or (c) fill vacancies in the Board.

ARTICLE 3: OFFICERS

- 3.1 **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. Two or more offices may be held by the same person, but an officer shall not execute, acknowledge, or verify an instrument in more than one capacity if the instrument is required by law or Bylaws to be executed, acknowledged, or verified by two or more officers.
- 3.2 **Nomination, Election and Term of Office.** The officers of the Authority shall be elected by the Board at an Annual Meeting held in January of each year. Candidates shall be nominated by any Brownfield Redevelopment Authority Board member present at the meeting.
- 3.3 **Vacancies.** A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled at any meeting of the Board for the unexpired portion of the terms of such office.
- 3.4 **Chairperson and Vice Chairperson.** The Chairperson shall be the chief executive officer of the Authority, but he or she may from time to time delegate all or any part of his/her duties 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 ex-officio a member of all standing committees, and shall have the general powers and duties of supervision and management of the Authority.
- 3.5 **Secretary/Treasurer and Recording Secretary.** The Secretary/Treasurer 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 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. For the purposes of recording minutes the Secretary/Treasurer may appoint a Recording Secretary.
- 3.6 **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.

- 3.7 **Executive Committee.** The Chairperson, Vice Chairperson and Secretary/Treasurer shall comprise the Executive Committee. The Executive Committee, may upon a majority vote, authorize the expenditure of up to \$500.00 for any expense listed as an eligible item for expenditure under the approved Authority funding guidelines. The Executive Committee must report any such expenditures to the Board at the next regularly scheduled Board meeting.

ARTICLE 4: CONTRACTS, LOANS, CHECKS AND DEPOSITS

- 4.1 **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.
- 4.2 **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 City Council. Such authority may be general or confined to specific instances.
- 4.3 **Checks, Drafts, etc.** All checks, drafts or other orders for the payment of money, notes or other evidence 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.
- 4.4 **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 5: FISCAL YEAR

The fiscal year of the Authority shall correspond at all times to the fiscal year of the City of Manistee.

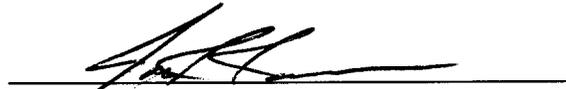
ARTICLE 6: Miscellaneous

- 6.1 **Seal.** The Board shall provide a corporate seal which shall be the official seal of the Authority.
- 6.2 **Waiver of Notice.** When the Board or any committee thereof may take action after notice to any person or after lapse of a prescribed period of time, the action may be taken without notice and without lapse of the period of time, 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 7: REVIEW AND AMENDMENTS

These Bylaws will be reviewed annually at the Annual Meeting. These Bylaws may be altered, amended or repealed by the affirmative vote of a majority of the Board then in office at any regular or special meeting called for that purpose. Any proposed changes are subject to review and approval of the City Council.

I HEREBY CERTIFY that the above Bylaws were adopted the 4th day of June, 2013.


Jon Rose, BRA Administrator

[Annotation: Article III Officers, Section 7 Executive Committee amended to be authorized to spend up to \$5,000.00. Approved by BRA 7/27/06]

[Annotation: As approved by the City Council at their June 2, 2009 Meeting – Council authorized the bylaw amendments for all Boards and Commissions to include the new Board Absences language; directed all boards or commissions to implement and follow these changes as Council has requested; and authorized the Mayor to sign the amended bylaws. Approved by BRA 7/7/09]

[Annotation: Article II Directors, Section 2, Board of Directors was amended to add “BRA Board members are to be city residents or persons with an interest in property in the City of Manistee.” Article III Officers, Section 2. Nomination, Election and Term of Office was amended by adding “any Brownfield Redevelopment Authority Board member present at the meeting” DELETING “a nomination committee composed of three members appointed by the Chairperson. The term of each office shall be for one (1) year. Each officer shall hold office until his/her successor is appointed. No persons shall hold the same office for more than three successive terms.” Approved by BRA 9/7/10]

[Annotation: Article II, Directors, Section 2, Board of Directors was amended to delete “unless an EDC, DDA, TIFA, or LDFA board was appointed.” Section 7, Meetings, was amended to delete “second calendar quarter of each year” and add “third calendar quarter of each year.” Article VII, Review and Amendments, was amended to change “Organizational Meeting” to “Annual Meeting.” Article III, Officers, Section 2, Nomination, Election and Term of Office was amended to delete “during the second calendar quarter of each year” and add “during the third calendar quarter of each year.” Approved by BRA 6/7/11]

[Annotation: Article 2, Directors, Section 2.7 Meetings was amended by adding: “Regular meetings of the Brownfield Redevelopment Authority shall be held in each calendar quarter of each year. In no event shall there be less than four (4) meetings per year. The Board shall hold an Annual Meeting in January” deleting “during the third calendar quarter” and Article 3 Officers, Section 3.2 Nomination, Election and Term of Office adding “held in January” deleting “during the third calendar quarter”]

Approved by the City of Manistee Council

6/18/2013
Date


Colleen Kenny, Mayor

Memorandum



To: Brownfield Redevelopment Authority

FROM: Denise Blakeslee
Planning & Zoning Administrator

DATE: November 30, 2016

RE: Proposed Meeting Dates 2017

Denise Blakeslee
Planning & Zoning
Administrator
70 Maple Street
Manistee, MI 49660
231.398.2805
dblakeslee@manisteemi.gov
www.manisteemi.gov

Directors, Section 2.7 of the Brownfield Redevelopment Authority By Laws reads as follows:

Meetings. *Meetings of the Board may be called by or at the request of the Chairperson of the Board or any two Directors. The meetings of the Board shall be public, and the appropriate notice of such meetings shall be provided to the public. Regular meetings of the Brownfield Redevelopment Authority shall be held in each calendar quarter of each year. In no event shall there be less than four (4) meetings per year. The Board shall hold an Annual Meeting in January of each year at which time officers of the Board shall be elected as provided in Article 3, Section 2.*

At the February 9, 2016 meeting the Directors discussed the need to hold additional meetings in 2016 due to the responsibilities for the North Washington Area Redevelopment Project and staff recommended changing the meetings to the first Tuesday of the month starting in April. In 2016 the BRA held meetings in February, June, and August with the remaining meetings being cancelled.

The BRA will need to discuss their meeting schedule for 2017 and using the First Tuesday of the month as a template the meetings for 2017 would be as follows:

January 3, 2017	February 7, 2017	March 7, 2017	April 4, 2017
May 2, 2017	June 6, 2017	July 11, 2017 * changed due to holiday	August 1, 2017
September 5, 2017	October 3, 2017	November 7, 2017	December 5, 2017

The By Laws will be reviewed during the Annual Meeting in January. This will provide an opportunity to discuss if any changes are needed in Section 2.7 Meetings to avoid any violations of the By Laws.