

CITY OF MONROE
Brownfield Redevelopment Authority
Regular Meeting Minutes
Thursday, May 12, 2016 - 8:00 a.m.
10 Port Avenue- Monroe, MI 48161

1. Call to Order: 8:03 a.m.

<u>Members Present:</u> Thomas A. Krzyston, Chairman Mayor Robert Clark Jeffery Hensley Don Lieto Rodney Welliver	<u>Members Excused</u> Dale Brose	<u>Non-Excused:</u> Patrick Williams
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Others Present:

Ed Sell Jr, City of Monroe
Matthew Wallace, City of Monroe
Paul C. LaMarre III, Port Director
John J. Emig, Jr. - Johnson & Anderson
Kirsten Hardy, AKT Peerless
Matthew D. Budds - RCO Law
Thomas P. Russow - TPR Law

3. Additions/Deletions to the Consent Agenda or Regular Meeting Agenda: None

4. On a motion made by D. Lieto and seconded by R. Welliver the Regular Meeting Agenda was approved. 5 Ayes 0 Nays. Motion passed

5. Public Comment: None.

6. On a motion made by D. Lieto and seconded by Mayor Clark the Consent Agenda was approved *as amended*. 5 Ayes 0 Nays. Motion passed.

6.1 Approve BRA Minutes of Thursday, April 14, 2016. *Chairman Krzyston pulled the minutes of March 10, 2016 to amend Item 6.1 - third paragraph to strike out "not supported". All else remains the same.*

6.2 Accept and place on file BRA Financial Report for April 30, 2016.

6.3 Approve Invoice Summary prepared for Thursday, May 12, 2016 in the amount of \$92,270.68.

7. Unfinished Business: None.

8. New Business: None.

Staff Reports:

- Ed Sell, Jr. -referred to Attorney T. Russow
- Matt Wallace - None.

- John J. Emig, Jr.

Should have a pump house update in regards to the claim issue with Homrich by next month.

Staff Reports Cont.:

Thomas P. Russow:

As in previous meeting discussions to replace Mr. Russow as the BRA Lawyer; Mr. Russow presented a flyer of his recommendation of Mr. Bret Stuntz, a Regional manager ESQ, HDFP for AKT Peerless. Mr. Stuntz has worked for 15 years in Brownfield Development and Environmental Law and other areas in Brownfield planning and BRA issues. Attorney Russow was asked to furnish the names and contact information of other Brownfield attorneys. Mr. Welliver agreed, with the help of Mr. Hensley, to review the candidates.

In February the BRA Chairman and Mr. Sell met with Attorney Russow to discuss preparing updated reports for several BRA sites, including the following: 1) 5/3 Bank -Site No. 14; 2) Homrich-River Raisin Paper Site No.11; 3) Mason Run Housing Site No. 4; and; 4) Monroe Recycling Site No. 16. Attorney Russow has submitted reports on 5/ 3 Bank ad Monroe Recycling and the BRA Board has taken action. The other two are in process.

Battlefield Lands - Homrich Conveyance Agreement: Essentially the Agreement provides that Homrich Inc. would convey to the Port or its assignees, upon the Port's request, certain other lands located adjacent to or near the Battlefield properties for no additional monetary consideration. Attorney Budds stated that he has notified the Battlefield Foundation and the City administration and other interested parties by letter that the Conveyance Agreement will expires July 6, 2016.

Attorney Russow requested that the BRA provide financial support for the cost associated with the Port conveying the parcels of land it owns north of the River Raisin, all of which form a part of the battlefield development plan. It has been the long-term plan that the Battlefield Foundation or the US Park Service would accept and own these parcels. The associated cost would include engineering-survey work, Baseline Environmental Assessment for environmental liability protection, title work and legal document preparation. Attorney Russow stated that his recollection is that the parcels are in two areas: 1) the old pump house area lying south of Elm Street adjacent to the River Raisin; and 2) the contiguous or adjacent lands lying generally east of Detroit Avenue, and north of Elm Avenue and south of the Mason Run Drain, and west of the land recently conveyed to the U.S. Fish and Wildlife by the Port, and consisting of one or more legal parcels.

Kirsten Hardy from AKT Peerless reported that the DCC will match up to 50% of the cost of reasonable and necessary BEA activities, with the match not to exceed \$3,000. Ms. Hardy reported that AKT Peerless would do the BEA for each of the two properties identified above for a sum not to exceed \$6,000 for each parcel.

Attorney Russow strongly recommended that the BRA Board approve AKT to submit the application for the BEA Activities to the DCC at the earliest possible date.

Tom Russow cont.:

On a motion made by Mayor Clark and seconded by D. Lieto to approve AKT Peerless to submit the application to the Downriver Community Conference (DCC) for BEA activities related to the two parcels in question; the pump house, and the property east of Detroit Avenue and the cost is not to exceed \$6,000. Engineering cost is not included. Ayes 5 Nays 0. Motion passed.

9. Public Comment: None.

10. Comments by BRA Board Members:

Rodney Welliver asked Attorney Russow to forward his contact information on the other two candidates for the interview process. Attorney Russow added that an RFP would be another option to request for candidates with municipal and Brownfield experience.

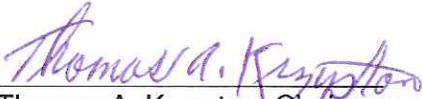
Don Lieto asked Attorney Budds if he would be interested in interviewing. Attorney Budds replied that he has limited experience in environmental law and in drafting Brownfield plans.

Matt Wallace mentioned the City has had a property request. The property for sale is located in the Mason Run development. The question is concerning migration underground material and specifically, has there been migration offsite from the former industrial site. Over the past ten years, there has been data that showed contamination underground. John Emig and Matt Wallace will look into presenting the most up-to-date information to the potential buyer.

R. Welliver has been getting calls on Kentucky Avenue that is a compost business area and is using area for land fill. Does that become Brownfield property? Mayor Clark responded that the property was outside the City, but D. Hoffman, County Commissioner and owner of the Hoffman Excavating, bought the property and had the area re-zoned.

11. On a motion made by D. Lieto and seconded by Mayor Clark, the meeting was adjourned at 9:31 a.m. Ayes 5 Nays 0. Motion passed.

These minutes of Thursday May 12, 2016, are not considered official until approved by the City of Monroe Brownfield Redevelopment Authority at its next regular scheduled meeting; Thursday, June 9, 2016.


Thomas A. Krzyston, Chairman

Thursday, June 9, 2016
Date