

Meeting Agenda
Brownfield Redevelopment Authority
Thursday October 10, 2024, 8:00 a.m.
Basement Conference Room – Owosso City Hall, 301 W Main Street
Owosso, MI

Call to order and roll call:

Review and approval of agenda: October 10, 2024

Review and approval of minutes: June 27, 2024

Communications:

1. 2023 Brownfield Reporting Acceptance

Public Comments:

Public Hearings:

Items of Business:

1. BRA # 16 Termination and Closeout – Qdoba

Public Comments:

Board Comments:

Adjournment:

[The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon 72 hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500 or on the Internet. The City of Owosso Website address is www.ci.owosso.mi.us.]

**MINUTES
OWOSSO BROWNFIELD REDEVELOPMENT AUTHORITY
MEETING OF JUNE 27, 2024**

Meeting was called to order at 8:00 a.m. by Chairperson Susan Osika.

Roll Call.

Members Present: Vice Chairperson Janae Fear, Members Gregory Brodeur, Michael Dowler, Dallas Lintner, and Chairperson Susan Osika.

Members Absent: Authority Member Randy Woodworth.

AGENDA:

It was moved by Authority Member Fear and supported by Authority Member Brodeur to approve the agenda for June 27, 2024 as presented.

Yeas all. Motion passed.

MINUTES:

It was moved by Authority Member Brodeur and supported by Authority Member Fear to approve the minutes of the March 6, 2024 meeting as presented.

Yeas all. Motion passed.

COMMUNICATIONS:

None.

PUBLIC COMMENTS:

None.

PUBLIC HEARING:

None.

ITEMS OF BUSINESS

Consider Consent and Clarification Agreement – Qdoba BRA District #16

City Manager Nathan R. Henne noted that Qdoba had been advised of this meeting and he had spoken to them several times since the last meeting. Unfortunately, he is unsure what their plans are at this point. They had inquired about a payoff amount for the loan and if they would be eligible to receive part of the tax capture if they are no longer the owners of the property. No check has been received and they are not present today to answer any questions.

Authority Member Dowler indicated that the property has been sold since the time of the BRA meeting.

In light of that fact, City Manager Henne said the question before the Authority was now moot as they no longer owned the property and were no longer eligible to receive tax capture payments.

Motion by Authority Member Fear to deny the Consent and Clarification Agreement presented by Southwind Restaurants, LLC.

Motion supported by Authority Member Brodeur.

Roll Call Vote.

AYES: Vice Chairperson Fear, Authority Members Brodeur, Dowler, Lintner, and Chairperson Osika.

NAYS: None.

ABSENT: Authority Member Woodworth.

Motion passes.

Approve Developer Reimbursements and Balances

Motion by Authority Member Fear to approve the following resolution approving developer reimbursements and balances for the 2023-2024 fiscal year:

RESOLUTION NO. 2024-02-BRA

**A RESOLUTION OF THE OWOSSO BROWNFIELD REDEVELOPMENT AUTHORITY
TO APPROVE DEVELOPER REIMBURSEMENT BALANCES AND PAYMENTS FOR
THE FISCAL YEAR ENDING JUNE 30, 2024**

WHEREAS, the Owosso Brownfield Redevelopment Authority (OBRA) has undertaken multiple redevelopment projects within the City of Owosso under various approved agreements; and

WHEREAS, the Finance Department has reviewed and calculated the developer reimbursement balances and payments for the fiscal year ending June 30, 2024; and

WHEREAS, the details of these calculations are provided for confirmation and approval by the OBRA.

NOW, THEREFORE, BE IT RESOLVED by the Owosso Brownfield Redevelopment Authority that developer reimbursements and balances for FY 2023-2024 be approved as follows:

1. **OBRA 12 - Woodward Loft**
 - o Developer Payment: \$133,141.75
 - o Due to Developer Balance: \$1,181,425.82
2. **OBRA 22 - 123 N Washington**
 - o Developer Payment: \$0.00
 - o Due to Developer Balance: \$402,995.00
3. **OBRA 23 - Shiawassee County Land Bank**
 - o Advance from Sewer Fund: \$51,351.00 (actual amount will be booked as of June 30, 2024, once invoices are received)
4. **OBRA 13 - Wesener Building**
 - o Developer Payment: \$0.00
 - o Due to Developer Balance: \$276,010.00
5. **OBRA 15 - Armory Building**
 - o Developer Payment: \$42,710.18

- Due to Developer Balance: \$144,905.64
- DDA Payment: \$32,058.83

6. OBRA 17 - Cargill

- Advancement Payment: \$167,998.20 (Principal & Interest)
- General Fund Advance Balance: \$1,225,077.54

7. OBRA 9 - Robbins Loft

- No Due to Developer booked because no receipts have been received.

8. OBRA 16 - Qdoba

- EGLE Loan Payment: \$28,171.00 (Principal & Interest)
- EGLE Loan Balance: \$185,878.31

9. OBRA 20 - J & H Oil

- Developer Payment: \$49,978.00
- Due to Developer Balance: \$291,009.53

10. OBRA 3 - Tial

- Advancement Payment: \$19,391.28 (Principal)
- RLF Advance Balance: \$38,772.85

Motion supported by Authority Member Lintner.

Roll Call Vote.

AYES: Vice Chairperson Fear, Authority Members Brodeur, Dowler, Lintner, and Chairperson Osika.

NAYS: None.

ABSENT: Authority Member Woodworth.

Motion passes.

Approve Armory Brownfield Reimbursement Benefit Transfer

City Manager Henne noted that the Armory has been sold and the new owners are requesting transfer of the reimbursement benefits from the seller as specified in the sales agreement.

Motion by Authority Member Brodeur authorizing the transfer of all brownfield tax incentives and reimbursements associated with the property at 215 N. Water Street from Owosso Armory, LLC to The Armory Owosso, LLC, contingent upon specific conditions being met:

RESOLUTION NO. 2024-03-BRA

TO AUTHORIZE TRANSFER OF BROWNFIELD TAX INCENTIVES AND REIMBURSEMENTS FROM OWOSSO ARMORY, LLC TO THE ARMORY OWOSSO, LLC FOR BRA #15: ARMORY

WHEREAS, the City of Owosso has established a Brownfield Redevelopment Authority (the "Authority") to oversee and guide the redevelopment of brownfield sites within the city; and

WHEREAS, the Authority has implemented a tax increment financing (TIF) plan to capture tax increments generated from the increased property values resulting from redevelopment projects; and

WHEREAS, Owosso Armory, LLC, the current owners of the property located at 215 N. Water Street (the "Property"), have requested the transfer of brownfield tax incentives and reimbursements to The Armory Owosso, LLC, the buyer; and

WHEREAS, the transfer of these incentives and reimbursements is consistent with the goals of the Authority to encourage redevelopment and investment in brownfield sites; and

WHEREAS, The Armory Owosso, LLC has agreed to assume all responsibilities and obligations under the existing brownfield plan and reimbursement agreement originally held by Owosso Armory, LLC;

NOW, THEREFORE, BE IT RESOLVED by the Owosso Brownfield Redevelopment Authority that the Authority hereby authorizes the transfer of all brownfield tax incentives and reimbursements associated with the Property from Owosso Armory, LLC to The Armory Owosso, LLC, contingent upon the following conditions:

1. The Armory Owosso, LLC must agree to comply with all terms and conditions of the existing brownfield plan and reimbursement agreement.
2. The Armory Owosso, LLC must provide a written agreement to assume all responsibilities and obligations under the existing brownfield plan and reimbursement agreement.
3. The transfer must be approved by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) – if required.

BE IT FURTHER RESOLVED that the Chair of the Owosso Brownfield Redevelopment Authority is authorized to execute any and all documents necessary to effectuate the transfer of the brownfield tax incentives and reimbursements to The Armory Owosso, LLC.

Motion supported by Authority Member Fear.

AYES: Vice Chairperson Fear, Authority Members Brodeur, Dowler, Lintner, and Chairperson Osika.

NAYS: None.

ABSENT: Authority Member Woodworth.

Motion passes.

Approve BRA Meeting Schedule

Motion by Authority Member Brodeur, support by Vice Chairperson Fear, to approve the following resolution establishing a meeting schedule:

RESOLUTION NO. 2024-04-BRA

**TO ESTABLISH MEETING SCHEDULE FOR
THE OWOSSO BROWNFIELD AUTHORITY**

WHEREAS, the Owosso Brownfield Redevelopment Authority recognizes the need for regular meetings to effectively oversee and guide redevelopment projects; and

WHEREAS, quarterly meetings will provide timely opportunities for review and decision making; and

WHEREAS, establishing a regular schedule for meetings will facilitate planning and attendance for all members;

NOW, THEREFORE, BE IT RESOLVED by the Owosso Brownfield Redevelopment Authority that the Authority shall hold quarterly meetings on the second Thursday of the month at Owosso City Hall in Council Chambers. The meeting dates shall be as follows:

- October 10, 2024
- January 9, 2025
- April 10, 2025
- June 12, 2025
- October 9, 2025

Yeas 6, nays 0. Motion passed.

PUBLIC COMMENT:

None.

BOARD COMMENT:

None.

ADJOURNMENT:

Motion by Vice Chairperson Fear to adjourn the meeting at 8:16 a.m., supported by Authority Member Brodeur.

Yeas 6, nays 0. Motion passed.

Susan J. Osika, Chairwoman

From: [MEDC - Do Not Reply](#)
To: [Brad A. Barrett](#)
Subject: 2023 Brownfield Reporting Submission
Date: Friday, September 13, 2024 1:44:17 PM

Thank you for submitting your 2023 report(s) via the online portal for your Brownfield Redevelopment Authority. The City of Owosso BRA is now compliant for this reporting cycle. Please let me know if you have any questions or comments on the reporting process. Thank you!

Regards,
Lori LaPerriere
Program Specialist
Community Development

Michigan Economic Development Corporation
300 N. Washington Square Lansing MI 48913
Office: 517.335.8126
laperrierel@michigan.org



DATE: October 7, 2024

TO: Owosso Brownfield Redevelopment Authority

FROM: Nathan Henne – City Manager

SUBJECT: BRA #16 Termination and Closeout

Background:

The Owosso Brownfield Redevelopment Authority adopted Brownfield Plan #16 in August 2015 to facilitate the redevelopment of the properties located at 830, 832, 834, and 910 East Main Street. Southwind Restaurants, LLC ("Southwind") developed the site, which now includes a Qdoba restaurant and two retail spaces. The project was supported by tax increment revenues (TIR) and a brownfield loan from the State of Michigan.

Southwind has completed all eligible activities outlined in the Brownfield Plan, and the brownfield loan provided by the State has been fully repaid. At this time, no further actions are required under the terms of the plan.

Action:

The Owosso Brownfield Redevelopment Authority is asked to approve the termination and close-out of Brownfield Plan #16. Upon approval, the remaining captured tax increment revenues will be distributed as follows:

1. Fifty percent (50%) of the State Education Tax (SET) capture will be remanded to the State of Michigan.
2. The balance of the captured funds will be distributed to appropriate tax jurisdictions from whence it was captured.

This action concludes the financial and administrative responsibilities associated with the Qdoba project under Brownfield Plan #16.

Recommendation:

I recommend the Owosso Brownfield Redevelopment Authority adopt the proposed resolution to terminate Brownfield Plan #16 and distribute the remaining funds as outlined.

Resolution

A RESOLUTION OF THE OWOSSO BROWNFIELD REDEVELOPMENT AUTHORITY TO TERMINATE BROWNFIELD PLAN #16 FOR SOUTHWIND RESTAURANTS, LLC AND DISTRIBUTE REMAINING CAPTURED FUNDS

WHEREAS, the Owosso Brownfield Redevelopment Authority (“Authority”) adopted Brownfield Plan #16 on August 13, 2015, for the redevelopment of the properties located at 830, 832, 834, and 910 East Main Street in the City of Owosso, Michigan (the “Site”), by Southwind Restaurants, LLC (the “Developer”); and

WHEREAS, the redevelopment included the construction of a new retail plaza, including a Qdoba restaurant, funded in part by captured tax increment revenues (TIR) and a brownfield loan from the State of Michigan; and

WHEREAS, the Developer has fulfilled all obligations under the terms of the Brownfield Plan, including the complete repayment of the brownfield loan from the State of Michigan; and

WHEREAS, the Authority has determined that all eligible activities have been completed and that there are no further obligations under Brownfield Plan #16; and

WHEREAS, the Authority intends to terminate and close out Brownfield Plan #16 and distribute the remaining captured funds in accordance with applicable laws and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Owosso Brownfield Redevelopment Authority as follows:

1. **Termination of Brownfield Plan #16:** The Authority hereby terminates and closes out Brownfield Plan #16 (Qdoba, BRA #16) for the Site located at 830, 832, 834, and 910 East Main Street, Owosso, Michigan.
2. **Distribution of Remaining Captured Funds:** The remaining captured tax increment revenues shall be distributed as follows: a. Fifty percent (50%) of the remaining State Education Tax (SET) capture shall be remanded to the State of Michigan, in compliance with state law. b. The balance of the remaining captured funds shall be distributed to appropriate taxing jurisdictions from whence it was captured.

Adopted this tenth day of October, 2024