



DATE: 11.9.2021
TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: Terminate BRA #13 – Wesener Building – for lack of promised job creation

BACKGROUND:

In 2013, the City approved a brownfield district and brownfield plan for the Wesener Building for 21 years starting in 2026 after the property's 12-year OPRA certificate expires. The brownfield plan – like the OPRA application – indicates that permanent jobs will be created as part of the completed project. Those jobs have not been created or sustained to date.

A public hearing is required by PA 381 for consideration of brownfield termination.

RECOMMENDATION:

Schedule a public hearing for Monday, December 6, 2021 at 7:30 P.M. in the Owosso City Hall Council Chambers to receive public comment on the possible termination of Brownfield #13.

RESOLUTION NO.

**RESOLUTION SETTING PUBLIC HEARING TO TERMINATE BROWNFIELD PLAN
FOR THE WESENER BUILDING – 104-108 N WASHINGTON STREET**

WHEREAS, the City of Owosso, Shiawassee County, Michigan, approved a Brownfield Plan for 104-108 N Washington St in 2013; and

WHEREAS, the City of Owosso approved this Brownfield Plan according the city's tax abatement policy requiring – per the plan – that permanent jobs are to be created and sustained as part of the development; and

WHEREAS, to date, the number of jobs to be created and sustained as part of the abatement application and brownfield plan has not been fulfilled; and

WHEREAS, notice was provided to the owner of the property by certified mail dated October 29, 2021.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Owosso, Shiawassee County, Michigan that:

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to hold a public hearing on December 6, 2021 at 7:30 P.M. at city hall to consider termination of the Brownfield Tax Abatement for 104-108 N Washington Street – known as the Wesener Building.



301 W. MAIN • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0599 • FAX (989) 723-8854

David Acton
106 N Washington St
Ste 302
Owosso, MI 48867

DATE: October 19, 2021

Dear Mr. Acton:

The City of Owosso finds it necessary and in the public interest to hold a public hearing on December 6, 2021 at 7:30 P.M. at City Hall (301 W Main Street, Owosso, MI 48867) to discuss and decide whether or not to terminate the Brownfield Plan (BRA) plan for your property known as the 'Wesener Building' located at 104-108 N Washington Street, Owosso, MI 48867.

The City is holding this BRA plan termination hearing because you – as the BRA plan developer and property owner – have not proceeded in good faith according to the Brownfield Plan and Public Act 381 of 1996, as amended (section 125.2664(8)(b)). If approved, this termination of the BRA plan will be effective on December 31, 2022.

The Brownfield Plan approved on September 17, 2010 - and subsequently amended on November 1, 2010, August 1, 2011, and September 16, 2013 - detailing the future plans for the operation of the property for the effective duration of the BRA Plan is available in the City Clerk's office for your review. Please contact me if you have any questions.

Sincerely,

Nathan Henne
City Manager
City of Owosso
Nathan.henne@ci.owosso.mi.us
989-725-0569