

**MINUTES OF THE
VIRTUAL PUBLIC HEARINGS AND VIRTUAL SPECIAL MEETING
OF THE HIGHLAND PARK CITY COUNCIL**

APRIL 26, 2021

Council convened at 6:04 p.m. with Council Pro Tem Patrick presiding.

Present: Council Pro Tem Patrick, Councilmember Bates and Councilmember Armstrong (3).

Absent: Council President Clyburn and Councilmember Jackson (2).

A quorum being present, Council was declared in session.

The Clerk read the following notice.

**NOTICE OF HIGHLAND PARK CITY COUNCIL VIRTUAL SPECIAL MEETING
AND PUBLIC HEARING**

Notice is hereby given that the City Council of Highland Park will hold a Virtual Public Hearing Monday, April 26, 2021 at 6:00 p.m. and a Virtual Special Meeting.

The purpose of the hearings will be to:

1. Consider a proposal to establish an Industrial Development District.
2. Consider an application by Mobis North America, LLC for an Industrial Facilities Exemption Certificate.
3. Consider the adoption of a resolution establishing a Brownfield Redevelopment Authority.

Special Meeting

1. Approve resolution establishing an Industrial Development District.
2. Resolution approving application for Industrial Facilities Tax Exemption Certificate.
- 3a. Approve resolution creating a Brownfield Redevelopment Authority and providing for other matters related thereto.
- b. Approve resolution setting a Public Hearing on May 17, 2021 6:00 p.m. regarding approval of the Brownfield Plan of the City of Highland Park Brownfield redevelopment Authority.

City Administrator Cathy Square gave an overview of the of the Industrial Development District.

Moved by Councilmember Bates
Supported by Councilmember Armstrong

To open the Public Hearing to hear comments on establishing an Industrial Development District. Yeas Patrick, Bates, Armstrong (3), Nays (0), Absent (2).

Public Hearing opened at 6:15 p.m.

There were no comments or questions from the public.

Moved by Councilmember Bates
Supported by Councilmember Armstrong

To close the Public Hearing on establishing an Industrial Development District. Yeas Patrick, Bates, Armstrong (3), Nays (0), Absent (2).

Public Hearing closed at 6:17 p.m.

Moved by Councilmember Bates
Supported by Councilmember Armstrong

To open the Public Hearing to hear comments on the application from Mobis North America, LLC for an Industrial Facilities Tax Exemption Certificate. Yeas Patrick, Bates, Armstrong (3), Nays (0), Absent (2).

Public Hearing opened at 6:18 p.m.

City Administrator Cathy Square remarked on the application from Mobis North America, LLC for an Industrial Facilities Tax Exemption Certificate. There were no comments or questions from the public.

Moved by Councilmember Bates
Supported by Councilmember Armstrong

To close the Public Hearing on the application from Mobis North America, LLC for an Industrial Facilities Tax Exemption Certificate. Yeas Patrick, Bates, Armstrong (3), Nays (0), Absent (2).

Public Hearing closed at 6:28 p.m.

Moved by Councilmember Bates
Supported by Councilmember Armstrong

To open the Public Hearing to hear comments on establishing a Brownfield Redevelopment Authority. Yeas Patrick, Bates, Armstrong (3), Nays (0), Absent (2).

Public Hearing opened at 6:29 p.m.

City Administrator Cathy Square spoke on the need and process of establishing a Brownfield Redevelopment Authority. Attorney Ron Liscombe listed possible expenses that could arise from the redevelopment. Brian Lefler with RW Baird & Co. shared when and the type of taxes will be captured. Questions were received from Angela Thomas.

Moved by Councilmember Bates
Supported by Councilmember Armstrong

To close the Public Hearing on establishing a Brownfield Redevelopment Authority.
Yeas Patrick, Bates, Armstrong (3), Nays (0), Absent (2).

Public Hearing closed at 6:28 p.m.

Moved by Councilmember Bates
Supported by Councilmember Armstrong

To convene the Virtual Special Meeting. Yeas Patrick, Bates and Armstrong, Nays (0), Absent (2). Special Meeting convened at 6:52 p.m.

04-26-21 I

The following resolution was submitted for approval.

RESOLUTION ESTABLISHING AN INDUSTRIAL DEVELOPMENT DISTRICT

Moved by Councilmember Bates
Supported by Councilmember Armstrong

WHEREAS, under the provisions of Act 198, Public Acts of Michigan, 1974, as amended (“Act 198”), the City Council is authorized to establish one or more industrial development districts within the geographical boundaries of the City of Highland Park, County of Wayne, State of Michigan (the "City"); and

WHEREAS, Oakland Park LLC. XI has requested the establishment of an industrial development district in the City, more particularly described in Exhibit A attached hereto and made a part hereof (the “District”); and

WHEREAS, written notice has been given to all owners of real property located within the proposed District, as required by Act 198; and

WHEREAS, on April 26, 2021, after due and legal notice, a public hearing was held at

which the owners of all real property within the proposed District and other residents and taxpayers within the boundaries of the City were afforded an opportunity to be heard; and

WHEREAS, the City Council and/or the City Planning Commission previously held proceedings regarding the establishment of the District; and

WHEREAS, the City Council deems it to be in the public interest to establish, ratify and confirm the District.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Establishment of Industrial Development District. The land described on Exhibit A be and hereby is established, ratified and confirmed as an Industrial Development District pursuant to the provisions of Act 198 and such District is hereby designated as the “Oakland Park I Industrial Development District”.

2. Repealer. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded, except that all prior proceedings of the City Council and/or the City Planning Commission related to the establishment of the District are hereby ratified, confirmed and approved. Yeas Patrick, Bates, Armstrong, Nays (0), Absent (2).

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04-26-21 II

The following resolution was submitted for approval.

RESOLUTION APPROVING APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE

Moved by Councilmember Armstrong
Supported by Councilmember Bates

WHEREAS, the City Council of the City of Highland Park, County of Wayne, State of Michigan, (the “City”) by resolution established an industrial development district (the “District”) at the request of Oakland Park L.L.C. XI pursuant to Act 198, Public Acts of Michigan, 1974, as amended (“Act 198”); and

WHEREAS, the City has received an application from Mobis North America, LLC (“Mobis”), for an Industrial Facilities Exemption Certificate to operate a facility located in the District and the City; and

WHEREAS, the state equalized valuation of the property proposed to be exempt, considered together with the aggregate state equalized valuation of property exempt under certificates previously granted and currently in force, does not exceed 5% of the state equalized valuation of the City;

WHEREAS, Mobis has indicated in its application that capital expenditures for the facility will be in an estimated amount of \$7,500,000 and will result in the creation of at least 294 new jobs within 3 years; and

WHEREAS, as required by Act 198, the City Council, after due notice, afforded the applicant, the City assessor and affected taxing units a hearing on Monday, April 26, 2021 prior to acting on the application of Mobis.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF HIGHLAND PARK MAKES THE FOLLOWING FINDINGS AND DETERMINATIONS:

1. The City Council, on the basis of the information received from the applicant, Mobis, finds and determines that the granting of this industrial facilities exemption certificate, considered together with the aggregate amount of industrial facilities exemption certificates previously granted and currently in force, will not have the effect of substantially impeding the operation of the City, or impairing the financial soundness of a taxing unit that levies ad valorem taxes in the City.

2. The proposed Mobis facility (the “Facility”) will be located in an industrial development district that was duly established by the City upon a request filed before the commencement of the restoration, replacement or construction of the Facility.

3. The commencement of the restoration, replacement or construction of the Facility occurred not earlier than 6 months before the filing of the application for the industrial facilities exemption certificate.

4. The application relates to a construction, restoration or replacement program that when completed will constitute a new or replacement facility within the meaning of Act 198, that will be situated within an industrial development district duly established by the City, a “local governmental unit” eligible under Act 198 to establish the industrial development district.

5. The completion of the Facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment, retain employment or prevent a loss of employment in the area of the City.

6. Upon information and belief, Mobis is not delinquent in any of the taxes described in section 10(1)9a) of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2690, or substantially delinquent in any of the taxes described in and as provided under section 10(1)(b) of the Michigan renaissance zone act, 1996 PA 376, MCL 125.2690.

7. In accordance with the requirements of Section 22 of Act 198, wherein an Act 198 Agreement between Mobis and the City is required in order to clarify the understanding and the commitment between Mobis and the City, the City Council hereby authorizes the Mayor and City Clerk of the City to execute such Act 198 Agreement as duly executed and delivered by Mobis, with such changes as approved by counsel to the

City, and such Act 198 Agreement is hereby incorporated in this Resolution in full by reference as part of the documentation required to complete the application for the industrial facilities exemption certificate.

8. The City Council hereby approves the application for an industrial facilities exemption certificate from Mobis for a period of nine (9) years for real property located in the District.

9. The City Clerk shall forward a copy of the application and this Resolution to the State Tax Commission for further consideration in accordance with the provisions of Act 198.

10. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded, except that all related, prior proceedings of the City Council and/or the City Planning Commission are hereby ratified, confirmed and approved. Yeas Patrick, Bates, Armstrong (3), Nays (0), Absent (2).

04-26-21 III a

The following resolution was submitted for approval.

RESOLUTION CREATING A BROWNFIELD REDEVELOPMENT AUTHORITY AND PROVIDING FOR OTHER MATTERS RELATED THERETO

Moved by Councilmember Armstrong
Supported by Councilmember Bates

WHEREAS, the City is authorized by the provisions of Act 381, Public Acts of Michigan, 1996, as amended (“Act 381”), to create a brownfield redevelopment authority; and

WHEREAS, pursuant to Act 381, the City is required to hold a public hearing on the establishment of a brownfield redevelopment authority; and

WHEREAS, on April 26, 2021, after due and legal notice, the City Council conducted a public hearing on the establishment of the proposed brownfield redevelopment authority; and

WHEREAS, not more than 30 days have passed since the public hearing.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Definitions. The terms used in this resolution shall have the same meaning as given to them in Act 381 or as hereinafter provided in this section provided unless the context clearly indicates to the contrary. As used in this resolution:

“Act 381” means Act 381, Public Acts of Michigan, 1996, as amended.

“Authority” means the Highland Park Brownfield Redevelopment Authority created by this resolution.

“Board” means the governing body of the Authority.

“Chief Executive Officer” means the Mayor.

“City” means the City of Highland Park, County of Wayne, Michigan.

“City Council” means the City Council of the City.

2. Determination of Necessity; Purpose. The City Council hereby determines that it is necessary for the best interests of the public to create a public body corporate which shall operate to promote the revitalization of environmentally distressed areas in the City, pursuant to Act 381.

3. Creation of Authority. There is hereby created pursuant to Act 381 a brownfield redevelopment authority for the City. The Authority shall be a public body corporate and shall be known and exercise its powers under title of the “HIGHLAND PARK BROWNFIELD REDEVELOPMENT AUTHORITY”. The Authority may adopt a seal, may sue and be sued in any court of this State and shall possess all of the powers necessary to carry out the purpose of its incorporation as provided by this resolution and Act 381. The enumeration of a power in this resolution or in Act 381 shall not be construed as a limitation upon the general powers of the Authority.

4. Termination. Upon completion of its purposes, the Authority may be dissolved by resolution of the City Council.

5. Board. The Authority shall be under the supervision and control of the Board. The Board shall consist of the trustees of the board of the Highland Park Tax Increment Finance Authority. Before assuming the duties of office, each member shall qualify by taking and subscribing to the oath of office provided in section 1 of Article XI of the Michigan Constitution of 1963. The members of the Board shall elect 1 of their membership as chairperson and another as vice-chairperson. The Board shall adopt Bylaws governing its procedures subject to the approval of the City Council. In the event that the Board determines to employ a Director of the Authority, such Director shall furnish a bond in the penal sum of Fifty Thousand Dollars (\$50,000) payable to the Authority for use and benefit of the Authority and shall file the same with the City Clerk of the City.

6. Powers of Authority. Except as specifically otherwise provided in this resolution, the Authority shall have all powers provided by law subject to the limitations imposed by law and herein.

7. Fiscal Year; Adoption of Budget.

(a) The fiscal year of the Authority shall begin on July 1st of each year and end on June 30th of the following year, or such other fiscal year as may hereafter be adopted by the City.

(b) The Authority shall prepare and approve annually a budget for the operation of

the Authority for the ensuing fiscal year. The budget shall be prepared in the manner and shall contain the information required of municipal departments. Funds of the City shall not be included in the budget of the Authority except those funds authorized in Act 381 or by the City Council of the City.

(c) The Authority shall submit annually to the City Council, the Michigan Department of Energy, Great Lake and Environment (the “Department”) and the Michigan Strategic Fund a financial report on the status of activities of the Authority. The report shall include all of the following:

- (i) The total amount of local taxes that are approved for capture and the total amount of taxes levied for school operating purposes that are approved for capture for each parcel included in a brownfield plan.
- (ii) The amount and purpose of expenditures of tax increment revenues.
- (iii) The amount and source of tax increment revenues received for each active brownfield plan, including the amount of tax increment revenues captured in the most recent tax year and the cumulative amount of tax increment revenues captured for each brownfield plan.
- (iv) The initial taxable value of all eligible property subject to the brownfield plan.
- (v) The captured taxable value realized by the authority for each eligible property subject to the brownfield plan.
- (vi) The amount of actual capital investment made for each project.
- (vii) The amount of tax increment revenues attributable to taxes levied for school operating purposes used for activities described in section 13b(6)©, section 2(o)(i)(F) and (G), and section 2(o)(ii)(B) and (C) of Act 381.
- (viii) The number of residential units constructed or rehabilitated for each project.
- (ix) The amount, by square foot, of new or rehabilitated residential, retail, commercial, or industrial space for each project.
- (x) The number of new jobs created at the project.
- (xi) A copy of all brownfield plan amendments approved by the local unit of government.
- (xii) All additional information that the City Council, the department, or the Michigan strategic fund considers necessary.

8. Recording and Filing. The City Clerk shall file a certified copy of the resolution with the Michigan Secretary of State promptly after its adoption.

9. Repealer. All resolutions and parts of resolutions in conflict herewith are hereby repealed. Yeas Patrick, Bates, Armstrong (3), Nays (0), Absent (2).

04-26-21 III b

The following resolution was submitted of approval.

RESOLUTION CALLING PUBLIC HEARING REGARDING APPROVAL OF THE BROWNFIELD PLAN OF THE CITY OF HIGHLAND PARK BROWNFIELD REDEVELOPMENT AUTHORITY

Moved by Councilmember Armstrong
Supported by Councilmember Bates

WHEREAS, the City of Highland Park, County of Wayne, Michigan (the “City”) is authorized by the provisions of Act 381, Public Acts of Michigan, 1996, as amended (“Act 381”), to create a brownfield redevelopment authority; and

WHEREAS, pursuant to Act 381, the City Council of the City duly established the City of Highland Park Brownfield Redevelopment Authority (the “Authority”); and

WHEREAS, in accordance with the provisions of Act 381, the Authority has prepared and will approve a Brownfield Plan for the benefit of EJM Highland Park, LLC (the “Brownfield Plan”); and

WHEREAS, it is expected the Authority will forward the Brownfield Plan to the City Council and will request its approval of the Brownfield Plan; and

WHEREAS, prior to approval of the Brownfield Plan, the City Council desires to hold a public hearing in connection with consideration of the Brownfield Plan as required by Act 381; and

WHEREAS, prior to approval of the Brownfield Plan, the City Council is required to provide notice and a reasonable opportunity to the taxing jurisdictions levying taxes subject to capture to express their views and recommendations regarding the Brownfield Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Receipt of Plan and Notice to Taxing Units. Subject to the receipt of the Brownfield Plan from the Authority, the City Council hereby directs the City Clerk to send a copy of the proposed Brownfield Plan to the governing body of each taxing jurisdiction levying taxes in the City that are subject to capture under Act 381, by first class mail not less than 10 days before the date set for the public hearing on the Brownfield Plan, together with the notice of public hearing set forth below, notifying them

of the City Council's intention to consider approval of the Brownfield Plan after the public hearing described below.

2. Call of Public Hearing. A public hearing is hereby called on Monday, the 17th day of May, 2021 at 6:00 p.m., prevailing Eastern Time, to be held electronically via Zoom to consider adoption by the City Council of a resolution approving the Brownfield Plan.
3. Form of Notice of Public Hearing. The notice of the hearing shall be in substantially the following form:

CITY OF HIGHLAND PARK
COUNTY OF WAYNE, STATE OF MICHIGAN
PUBLIC HEARING ON THE BROWNFIELD PLAN OF THE
CITY OF HIGHLAND PARK BROWNFIELD REDEVELOPMENT AUTHORITY

TO ALL INTERESTED PERSONS IN THE CITY OF HIGHLAND PARK:

PLEASE TAKE NOTICE that the City Council of the City of Highland Park, Michigan, in order to consider the adoption of a resolution approving the Brownfield Plan for the City of Highland Park Brownfield Redevelopment Authority pursuant to Act 381 of the Public Acts of Michigan of 1996, as amended, will hold a public hearing on Monday, the 17th day of May, 2021, at 6:00 p.m., prevailing Eastern Time via Zoom at the following link: www.zoom.us/join and entering meeting ID 361 243 988 or by telephone in the U.S. dial: (for best quality, use the number closet to your current location):

(346) 248-7799 or
(669) 900-6833 or
(253) 215-8782 or
(301) 715-8592 or
(312) 626-6799 or
(929) 205-6099

The property to which the proposed Brownfield Plan applies is the property located within the City bounded by LaBelle Street, Hamilton Avenue, Davison Freeway, and Thomson Street.

Maps, plats and copies of the proposed Brownfield Plan are on file at the office of the City Clerk for inspection during regular business hours.

At the public hearing, all interested persons desiring to address the City Council shall be afforded an opportunity to be heard in regard to the approval of the Brownfield Plan for the City of Highland Park Brownfield Redevelopment Authority. All aspects of the Brownfield Plan will be open for discussion at the public hearing.

Further Information may be obtained from the City Clerk.

This notice is given by order of the City Council of the City of Highland Park, Michigan.

4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. Yeas Patrick, Bates, Armstrong, Nays (0), Absent (2).

ADJOURNMENT:

Moved by Councilmember Armstrong
Supported by Councilmember Bates

To adjourn the Special Meeting, motion carried, meeting adjourned at 6:56 p.m.

CERTIFICATE

I hereby certify that the attached is a copy of the minutes of the Virtual Public Hearings and Virtual Special Meeting held the 29th day of April 2021 and that said minutes are available for public inspection at the address designated on the posted public notice.

A handwritten signature in blue ink, appearing to read "Cidia Wicker-Brown", with a decorative flourish at the end.

Cidia Wicker-Brown, Deputy City Clerk