

MINUTES

Broadway Village at Lower Town Meeting, 6/30/06 at 8:00 a.m., City Hall--6th Floor Conference Room

Present: James Adams, Sandi Bird, Alison Heatley, Sara Higgins, Mark Lloyd, Kevin McDonald, Homayoon Pirooz, Cresson Sloten, and Lisa Wondrash

Background: The Resolution to Approve Broadway Village at Lower Town Development Agreement was approved by Council on August 2, 2004 (R-344-8-04). Weekly status meetings are scheduled for the City's Broadway Village at Lower Town Team on Fridays at 8:00 a.m. to discuss this project. Scott Chappelle of the Strathmore Development Company is the Developer of the project.

Discussion

A. Minutes

Since no team meeting was held on June 23, 2006, the Minutes of the June 16, 2006, which were provided via e-mail to the team on June 21, 2006 for review, were unanimously approved.

B. Communication Plan/Project Website Update

Lisa Wondrash confirmed that she will e-mail Strathmore Development's Broadway Village and Lower Town project website link to team members. The City's project website is not active yet, but it should be sometime within the next week. Sara Higgins will provide Lisa Wondrash with all approved redacted Minutes to date to be posted on the project website.

C. Briefing on Meeting with Developer 6/21/06

A project status meeting was held on June 21, 2006 at the City with Scott Chappelle, his attorney, and other associates. At this meeting Chappelle confirmed that he would reimburse the City for a contract for project scheduling services. At this meeting Chappelle provided an "Open Issues" handout. After further review of that handout, it has been determined that the handout was outdated at the time of its submission to the City, as the "Status and Resolution of Open Issues" column of the chart included numerous incorrect dates.

D. Traffic Study

Homayoon Pirooz is still awaiting copies of the Traffic Impact Study from Strathmore Development.

E. PUD Revised Site-Plan Administrative Amendment

Mark confirmed that the revised site plans were recently submitted and are being reviewed for accuracy and compliance with the City's requested revisions. Alison Heatley and Cresson Sloten are also in the process of reviewing the revised plans and indicated that they have not yet received the "Safety Plan," which details the handling of contaminants during construction. The Safety Plan should be provided in the site plans or submitted as a separated document. It was noted that this may be a trigger point needing to be addressed in advance of permits or other approvals.

F. Finance Update

Sandi Bird met with Donna Johnson prior to this meeting and they discussed the impact of the revised site plans on the project financing, phasing and sequencing. There are outstanding issues that need to be resolved. A follow-up interdepartmental meeting will need to be scheduled to discuss project financing, as well as a subsequent meeting at KeyBank. Sandi Bird and Tom Crawford will meet prior to the meeting scheduled on July 7, 2006, to further assess project costs and further review TIF analysis. The City's outside bond counsel is also continuing to review financing. Sandi Bird addressed the issue that a subsequent analysis from Kirk & Associates may be needed to aid in the financial review of this project, as the initial study was conducted approximately three years ago and is outdated.

G. Finance Agreements

Chappelle stated at the project status meeting held on June 21, 2006 that drafts of the finance agreements would be submitted to the City the week of Jun 26, 2006. At the time of this meeting, no drafts of the agreements had been received. The finance agreements are necessary for the City to understand critical project leverage components. Kevin McDonald will follow-up with Chappelle's attorney to further request the Intergovernmental Agreement.

H. Environmental/Brownfield Issues

Mark Lloyd has scheduled a meeting on July 12, 2006 at the MDEQ—Jackson Office to discuss outstanding Brownfield issues. Gretchen McKernan of Conestoga-Rovers is scheduled to be present and shall bring her proposed process plan for Brownfield issues. The goal is to have a meeting with all involved parties to further delineate the Brownfield plan.

I. FOIA Request—Karen Sidney

Karen Sidney submitted a FOIA request for all Minutes to date relating to this project. Sara Higgins provided an electronic copy of all approved redacted Minutes to date to Laurie Foondle to comply with this request.

J. Permit Issue

Mark Lloyd reminded the team that all permits must be coordinated and approved by him. No work shall commence until proper communication and approval has been provided by the City.

K. Referendum

The team has been advised via e-mail and through discussion at this meeting that the possibility of a referendum exists.

L. Action Items

The following Agenda Action items were determined from this meeting:

1. Communication Plan/Website: Lisa Wondrash to forward Strathmore Development link via an e-mail update to team. Lisa to continue to make progress on the City's Broadway website. Sara Higgins to continue to provide Minutes for posting on project website.
2. Mark Lloyd to follow-up with Strathmore regarding the following issues:
 - a. City has not received copies of Traffic Impact Study as requested.
 - b. Draft of Financial Agreements have not been received by City
 - c. Clarification of City's requested changes to PUD Revised Site-Plan Administrative Amendment and changes actually made to plans by JJR need to be resolved
 - d. Status of funds for ACM contract
 - e. Developer's "Open Issues" list was outdated when provided to City on 6/21/06.
 - f. Strathmore needs to submit proposed "Safety Plan."
3. Finance Issues: A meeting will be scheduled with Jim Adams, Sandi Bird, Tom Crawford, Mark Lloyd, and Kevin McDonald to discuss project financing issues. A subsequent meeting will be scheduled with KeyBank.
4. Kevin McDonald to communicate with Developer's attorney regarding project issues.

END OF MINUTES

Prepared by Sara Higgins