



**STATE OF MICHIGAN
COUNTY OF BERRIEN
CITY OF BUCHANAN**

**RESOLUTION 2026.09/17 MOTION TO ABOLISH THE THIRD STREET BROWNFIELD PLAN
PURSUANT TO THE BROWNFIELD REDEVELOPMENT FINANCING ACT, 1996 PA 381, AS
AMENDED**

MOTION BY:

SUPPORTED BY:

RESOLVED, to approve the resolution abolishing the Third Street Brownfield Plan pursuant to the Brownfield Redevelopment Financing Act, 1996 PA 381, as amended.

WHEREAS, the City of Buchanan (the "City"), pursuant to the Brownfield Redevelopment Financing Act, 1996 PA 381, as amended ("Act 381"), established the City of Buchanan Brownfield Redevelopment Authority (the "Authority"); and

WHEREAS, on June 12, 2000, following approval by the Authority on May 22, 2000, the Buchanan City Commission approved the Third Street Brownfield Plan (the "Brownfield Plan"), which established a tax increment financing district encompassing approximately 19.06 acres and seven parcels within the McCoy Creek Industrial Park, including portions of the former Clark Equipment manufacturing facility, Clark Park, and the City Hall property; and

WHEREAS, the Brownfield Plan was adopted to assist the City and property owners or purchasers through tax increment financing of environmental investigations, remediation of contaminated materials, due care obligations, and related activities necessary to facilitate the redevelopment and reuse of the eligible property for commercial and office purposes; and

WHEREAS, the Brownfield Plan contemplated an initial budget of approximately \$350,000 for environmental investigation, remediation planning and implementation, and related City obligations, together with certain off-site street, intersection, stormwater, and other improvements, and further contemplated five (5) years of tax increment capture for the local site remediation revolving fund after completion of remediation and funding of specified obligations; and

WHEREAS, pursuant to Section 14(8)(a) of Act 381, the governing body may abolish a brownfield plan if it finds that the purposes for which the plan was established are accomplished; and

WHEREAS, the City Commission finds that the purposes for which the Third Street Brownfield Plan was established have been accomplished and that continued tax increment capture under the Brownfield Plan is no longer necessary to carry out those purposes; and

WHEREAS, pursuant to Section 14(8)(d) of Act 381, a brownfield plan may not be abolished until the principal and interest on bonds issued under Act 381 and all other obligations to which tax increment revenues are pledged have been paid, or funds sufficient to make such payments have been identified or segregated; and

WHEREAS, the City Commission finds, based upon the City's financial records, that all obligations to which tax increment revenues from the Third Street Brownfield Plan are pledged have been satisfied, or funds sufficient to satisfy any such obligations have been identified or segregated, and that abolishment of the Brownfield Plan will not impair any outstanding financial obligation; and

WHEREAS, the City and Authority have reviewed the status of the legacy Third Street Brownfield Plan and determined that it should be formally closed out in accordance with Act 381; and

WHEREAS, on June 16, 2026, the Buchanan Brownfield Redevelopment Authority recommended that the Buchanan City Commission abolish the Third Street Brownfield Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the Buchanan City Commission hereby determines that the conditions set forth in Sections 14(8)(a) and 14(8)(d) of Act 381 have been satisfied and hereby abolishes the Third Street Brownfield Plan.

BE IT FURTHER RESOLVED THAT the Buchanan City Commission hereby finds and directs that:

- (a) No additional tax increment revenues shall be captured under the Third Street Brownfield Plan after the effective date of this Resolution, except to the extent necessary to satisfy any obligation identified pursuant to Section 14(8)(d) of Act 381.
- (b) Any tax increment revenues previously captured under the Third Street Brownfield Plan, and any remaining amounts attributable to the Plan, shall be accounted for, retained, transferred, or otherwise used or distributed in accordance with Act 381, the Brownfield Plan, and other applicable law.
- (c) The City Manager, City Clerk, City Treasurer, the Authority, and other appropriate City officials are authorized to take all actions necessary to implement this Resolution, close out the Third Street Brownfield Plan, cease future capture as applicable, and provide any required notices or reports.
- (d) Abolishment of the Third Street Brownfield Plan does not preclude any property formerly included in the Plan from being considered for inclusion in a new brownfield plan or plan amendment in the future, subject to Act 381 and other applicable requirements.

AYES:

NAYS:

ABSENT:

ABSTAINED:

I, the undersigned, the duly qualified Clerk of the City of Buchanan, Berrien County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Buchanan City Commission at a regular meeting held on the 14th day of September 2026, of which the original resolution is on file in my office.

Kalla Langston-Weiss
City Clerk
City of Buchanan, Michigan