

**MINUTES
REGULAR MEETING
COMMUNITY IMPROVEMENT CORPORATION
OCTOBER 7, 2022**

The Wyoming Community Improvement Corporation (CIC) met on Friday, October 7, 2022 at 8:00 a.m. in the City Building Conference Room. The meeting was called to order at 8:01 a.m. by Barry Porter, Chair. Roll call was taken and attendance was as follows:

TRUSTEES

Jon Boss
Tim Cavanaugh
Barry Porter
Jennifer Smith

ABSENT

Dan Driehaus
Chris Harmon - via phone
Melissa Monich - via phone

STAFF

Emily Supinger, City Solicitor
Megan Statt Blake, Community Development Director
Tana Bere, Community Development Specialist
Rusty Herzog, City Manager

Approval of Prior Meeting Minutes

Mr. Boss moved to approve the minutes of the September 7, 2022 meeting, seconded by Mr. Cavanaugh. By voice vote, the motion passed unanimously.

Reports of Officers

August financial statements were distributed via email.

New Business

- a. Executive Session under Ohio Revised Code Section 121.22(G)(2) to discuss the purchase or lease of property: Mr. Boss moved to enter into executive session at 8:03 a.m., seconded by Ms. Smith. By voice vote, the motion passed unanimously. Executive session ended at 9:12 a.m.
- b. 400 Wyoming Avenue Lease Termination Agreement: Mr. Boss moved to authorize the Chair to enter into a lease termination agreement with Station Family + BBQ at 400 Wyoming Avenue pursuant to the terms presented by the CIC's attorney, which will be attached to these minutes. Mr. Porter seconded the motion. By roll call, the motion passed unanimously.
- c. Future Use of 400 Wyoming Avenue: Mr. Herzog discussed the process for receiving and reviewing letters of interest for the 400 Wyoming Avenue property, and whether to utilize the services of a restaurant/real estate broker. The members would like to see services and terms from potential broker(s). City Council was consulted at the most recent Committee of the Whole meeting and the members present indicated their desire to find a restaurant to occupy the space, in alignment with the 2018 Master Plan.

Excusal of Absent Member

Mr. Boss moved to excuse Mr. Driehaus, Mr. Harmon, and Mayor Monich. Mr. Cavanaugh seconded the motion. By voice vote, the motion passed unanimously.

Adjournment

There being no further business to discuss, Ms. Smith moved to adjourn the meeting, seconded by Mr. Boss. By voice vote, the motion passed unanimously. The meeting adjourned at 8:57 a.m.

Respectfully Submitted,

Megan Statt Blake
Community Development Director

Terms for Lease Termination

- 1) Lease terminates upon execution of agreement; Station will have up and through Nov. 15, 2022 to remove moveable equipment, trade fixtures, or furniture owned by Station (list of items to be agreed upon)
 - Access shall be provided to Station during regular City business hours unless access during evening or weekend hours has been communicated to City staff in advance.
 - If auctioned, items to be auctioned shall be clearly marked as included/excluded from the auction following a walkthrough by both Station and City staff
 - Any items remaining after November 15, 2022 shall become the property of the CIC unless the parties agree to extend this time period due to specific unanticipated circumstances.
- 2) Security deposit will be forfeited to CIC.
- 3) Utilities shall be transferred to the CIC upon execution of the Lease Termination Agreement. Station shall be responsible for all utility costs (as provided by the Lease Agreement) through the date of termination.
- 4) Personal Property
 - Station will be permitted to take or auction an agreed list of moveable equipment, trade fixtures, or furniture owned by Station.
 - The CIC will waive any rights it may have in the moveable equipment, trade fixtures, or furniture owned by Station.
 - Station must repair any damages to the building caused while removing any moveable equipment, trade fixtures, or furniture owned by Station.
- 5) Liquor License
 - Transfer license to CIC
 - CIC will pay Station the sum of \$5,000 for the license
 - Station will work cooperatively with the CIC to transfer the license
- 6) CIC will waive its rights to collect all other monetary damages (including, attorney's fees, lease commissions, etc.)
- 7) Release from personal guaranty