



**City of East Point
Monthly Meeting Summary
Business and Industrial Development Authority**

Thursday, November 1, 2018
3121 Norman Berry Drive
East Point, GA 30344
6:30 pm

I. Call to order

Chairperson, Ms. Dharman, established a Call to Order of the East Point Business and Industrial Development Authority (BIDA) meeting at 6:35 pm.

Board Members Present:

Tina Dharman (Chairperson), Joseph Johnson (Vice-Chairperson), Steven Rogers, Jackie Slaughter-Gibbons, Mayor Deana Holiday-Ingraham, and Norman Urquhart

Others Present:

Kirby Glaze (Legal Counsel), Rhonda Appleby (Secretary-Treasurer), and Nyomi Haynes (Recording Secretary) and staff person Regina Scott-Carter

II. Adoption of Agenda

Mr. Joe Johnson motioned to approve the agenda. Mr. Urquhart seconded the motion. The agenda was approved unanimously and the motion carried.

III. Approval of the Meeting Summary from the following meeting:

October 4, 2018 meeting summary.

Mr. Steven Rodgers motioned to approve the summary. Mr. Johnson seconded the motion. The summary was approved unanimously and the motion carried.

IV. Chairperson's Report

Chairperson Ms. Dharman stated she did not have anything to report.

V. Secretary/Treasurer Report a. Bank Reconciliation

Ms. Appleby informed the board of their bank balance and outstanding reconciliation items. She also stated she would no longer represent the East Point Business and Industrial Development Authority (BIDA) as Secretary – Treasurer; however, she would be assigned to the newly reactivated Downtown Development Authority (DDA) Board and Ms. Regina Carter would be assigned as the staff replacement person to BIDA. Ms. Appleby also thank the Board for their 17 years of support.

Ms. Dharman welcomed Ms. Carter to the board but then questioned Mr. Glaze as to what would the next step needed to be for transitioning Ms. Appleby out as voted Secretary/Treasurer Officer and Ms. Carter in as Interim Secretary/Treasurer? Also, Ms Dharman requested a voting agenda item be placed on the December agenda.

Mr. Glaze responded by quoting the BIDA By-Laws by stating if Ms. Appleby has herby resigned her position as Secretary/Treasurer then that makes the position an open position and the BIDA Board can therefore take action to appoint someone if they so choose to do.

The BIDA By-Laws provides the Authority the responsibility to elect a Secretary/Treasurer:

- That person does not need to be a member of the Authority.
 - If such a person is not a member then they will not have voting rights.
 - The person shall be selected to serve at the pleasure of the Authority
 - The Board can act to appoint or elect a new Secretary/Treasurer at any point in time they so choose to do so.
- Mr. Glaze also state the board can amend the agenda this evening since they have a quorum. Therefore, Ms. Dharman asked if anyone would like to make a motion to amend the agenda to include an election for a Secretary/Treasurer board position? Mr. Joe Johnson motioned to amend the agenda to include an election under New Business on tonight's agenda. Ms. Jackie Slaughter Gibbons second the motion. The agenda was approved unanimously and the motion carried.

VI. Legal Report

Mr. Glaze reported there are two (2) outstanding items that we having been carrying for some time. However; to date, they are still unresolved but we are getting closer. After a diligent search throughout City Hall, we have come to the conclusion that the original quick claim deed for the property located at 2797 Main St which involves the "Soccer in the Street" Property was quick claim deeded from the city so there is a copy in your package of the authorizing resolution and a copy of the executed claim deed. However, no one seems to be able to find the original quick claim deed that was signed by the law firm that prepared the deed and they never received it and it has not been filed with Fulton County.

Therefore, Mr. Glaze stated he has retrieved a new original quick claim deed and forwarded it to Brad Bowman, City of East Point Attorney. Mr. Bowman has assured Mr. Glaze that this deed will be executed and returned to Kirby to get it filed so that we can clear the title issues.

Ms. Dharman asked if Mr. Glaze had checked with the City Clerk's Office in reference to the missing signed deed. He replied that the issue was verified again today. Mr. Glaze woke up last night and thought the original must be attached to the resolution. However, it is only a copy attached to the resolution. No one seems to know where the original deed went to. It did not come back come back to Kirby, it did not come back to Rhonda, and it did not come back to the law firm that prepared it. Kirby also stated it will probably turn up the day after we get a new one executed and filed. It has already been approved so it is simply an administrative step to be done.

The next item is the Commons Property.

Kirby stated with respect to the Commons Property: He received an email late this afternoon from City Attorney, Brad Bowman that he and the City Manager would like to enter into an agreement between BIDA and City to memorialize the agreement for the payments over a period of time concerning the Commons Property.

Kirby stated he had completed a deed to secure debt and a promissory note; however, Brad and Fred would rather do a contractual type of agreement. So tomorrow Kirby will be in touch with Brad to draft an agreement which will need to go before City Council for approval and then back to BIDA for its approval. In any event all parties will get to work on it right away. Who gets to approve the agreement first will depend on timing of set meetings, either City Council meets first or if BIDA's next set meeting will meet before City Council. Nonetheless, Kirby clarified the agreement has been struck however, it is just approval of the documentation to memorialize the agreement.

Chairperson Dharman asked the question as to if the transfer of the Commons Property and the sum amount was already voted upon by BIDA?

Here is the issue: Unless there is some type of agreement between BIDA and the City then there is nothing binding on subsequent councils that both parties can rely on. Kirby had initially proposed to do it as a deed with secure debt and a promissory note but Fred rather do it as a contractual agreement. Nonetheless, one is just as good as the other.

Tina Dharman stated as long as everyone knows BIDA cannot pay anything until this is worked out, except for Nyomi's contract. Kirby replied that he has an incentive to get it completed so this completes the Legal Report.

Mayor Holiday Ingraham questioned which will transfer the title?

Kirby replied: The deed will transfer the title and the contract will deal with the payments.

Mayor Holiday Ingraham: So we need a deed and a contract versus a deed and a promissory note? Kirby replied: Yes, A deed and a contract.

New Business –Election of new Secretary/Treasurer

Chairperson Dharman: That takes care of Old Business and New Business will be the election of the new Secretary/Treasurer

Mr. Joe Johnson motioned to approve the election of Regina Carter as the new Secretary/Treasurer. Ms. Jackie Slaughter Gibbons seconded the motion. The question was asked of Ms. Carter to accept the position. She agreed. The agenda item was approved unanimously and the motion carried.

Ms. Dharman requested for any other comments or discussions. Attorney Kirby Glaze stated that there is a gentlemen who has contacted Economic Development of his interest to purchase a piece of property in the City. It is an old school which he is interested in obtaining an inducement resolution to finance the acquisition and redevelopment of the property for possible film related activity. Ms. Appleby stated the possible client would like to purchase the old Romar Academy on Newnan Street and Knox Ave. He is not looking to use all of the buildings at first because one building (the Gym) is condemned so his intention is to obtain bond financing to purchase and rehab the buildings. Mr. Johnson asked the question: does his purchase include the buildings and the two vacant lots on that property? Mr. Rogers responded that Economic Development has only had one meeting with the client to date which did not go that in depth to the exact purchase and scope information. Additionally, Sammy Cheesecake is looking to come back before the board in December. His plans and amount of the project have changed; therefore, Mr. Rogers suggested that Sammy start over clean since his scope is different. Sammy is now looking forward to coming back before the board pending the completion of his application with all necessary changes.

The Mayor asked if the Romar Academy project was the same as the Art Exchange project. Mr. Rogers stated Romar is a separate property located south on Newnan Street from the Art Exchange. Maceo also stated the Art Exchange will have their ribbon cutting on December 4th at 5:00 pm until 7:00 pm.

Steven Rogers stated he had a question on the discussions on two potential public use projects in association with the Ale Circle realignment; therefore, he was wondering if there was any way or any conversations that BIDA could be a part of those projects? Specifically, if financing is needed. He thought the project was going to possibly be using Hotel/Motel Revenue? The question was posed if Steven was speaking about the Aquatic Center? He stated yes. The Mayor responded that she thought the City was looking at using the Building Authority for that project because it is City owned property.

Adjournment

Mr. Joe Johnson motioned to adjourn the meeting and Ms. Jackie Slaughter Gibbons seconded the motion. The question was asked and all were in favor. The meeting was adjourned at 7:54 pm