



**Fenton
Downtown
Development
Authority**

FENTON DOWNTOWN DEVELOPMENT AUTHORITY PROCEEDINGS

6:00 p.m.

Tuesday

June 29, 2009

The special meeting was called to order at 6 p.m. by Chairman Stiles.

ROLL CALL:

PRESENT: Bagnall, Cole, Critchfield, Osborn, Schmidt, Stiles, Vamossy, VanGilder, Wesch

ABSENT: Brant, Lasco, Petty, Williams

OTHERS: Michael Burns, Assistant City Manager/DDA Director; Lynn Markland, City Manager; Phil Adkinson, Attorney to the DDA; Greg Saxton, V.P. of Development for JE Johnson Inc.

PLACING THE OLD FIRE HALL ON THE NATIONAL REGISTER OF HISTORICAL PLACES:

Burns informed the members that Phil Adkinson has prepared a legal opinion pertaining to placing the Old Fire Hall on the National Register of Historical Places. Adkinson stated that the legal opinion is subject to the attorney/client privilege. Cole asked Adkinson to explain the advantages and disadvantages of placing the Old Fire Hall on the registry. Adkinson explained that placing the Old Fire Hall on the registry creates an opportunity to use the building as an asset, and it also makes the building economically feasible for a potential business by providing Federal and State tax credits. Adkinson added that the negatives are the cost of the application fees and when placed on the registry it affects the use of the building regarding restrictions to the appearance. Markland stated that the City Council already has restrictions on the building to preserve the historic look of it. Stiles asked if the Old Fire Hall would fall off the register after the five years of ownership transfer. Adkinson explained that it does not fall off the registry and that after five years an easement could be created. Saxton explained to the members that there are two ways for protection, creating a preservation easement or creating a historical district. Osborn inquired that if a historical

district was created could it be expanded to other businesses in the downtown area. Saxton replied yes, if the buildings are adjacent to the Old Fire Hall otherwise a new district could be created. Saxton expressed a need for the registry application before discussing the details of the potential restaurateur. Adkinson said the details of liability are not a concern and can be covered by the contract but the language of the contract is important. Schmidt added that the prospective buyers are looking for the tax credits before negotiating a deal on the property and that there is a risk involved no matter what business entity occupies the Old Fire Hall. Stiles stated the up front cost would be \$4,350 to put the Old Fire Hall on the registry and once approved the negotiations could start. Cole inquired as to why the DDA has to pay the application fees. Saxton replied because the DDA owns the building at this stage of the process. Motion by VanGilder, supported by Bagnall, to approve expenditures not to exceed \$4,350 for the payment of fees in connection with registering the Old Fire Hall on the National Register of Historic Places, subject to receipt of letter from JE Johnson Development Group Inc. confirming that it is acquiring no interest or obligations from the DDA as a result of its efforts in assisting the completion and processing of the application. MOTION CARRIED, ALL AYES.

OTHER:

Stiles requested that the pledge of allegiance be placed on the agenda for future meetings.

ADJOURNMENT:

The meeting adjourned at 6:50 p.m.

Respectfully submitted by,

Jeri Stiles
Decator
Jeri Stiles, Chairman
Downtown Development Authority

Charlie
Charlie Decator
Recording Secretary