



Joint Meeting Minutes City Council, Plaza Ten 06 and EDC

City of Clear Lake Shores City Council, Plaza Ten 06 Corporation and EDC joint meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 281-334-2799 or write to 1006 South Shore Drive, Clear Lake Shores, Texas 77565, at least 48 hours in advance of the meeting.

Tuesday, April 3, 2018

6:30 p.m.

Clubhouse - 931 Cedar

Present for City Council: Mayor Michael McNamara, Mayor Pro-Tem Amanda Fenwick, Councilman Bryan Hoemer, Councilwoman Christy Lyons, Councilwoman Jan Bailey, Councilman Bud Solmonsson, City Attorney Leah Hayes, City Secretary Christy Stroup

Present for Plaza Ten 06 Corporation: Michael McNamara, Amanda Fenwick, Christy Lyons, Bud Solmonsson and Jan Bailey.

Present for Economic Development Corporation: Ronnie Richards, Michael McNamara, Charles Scoville, Don Milbauer, Mike Pons, John Boultinghouse and Scott McDonald.

1. CALL TO ORDER & DETERMINATION OF QUORUM:

Mayor McNamara called meeting to order at 6:32 p.m.

Ronnie Richards called special EDC meeting to order at 6:32 p.m.

Michael McNamara called Plaza Ten 06 Corporation special meeting to order at 6:32 pm

Quorums determined on all 3 entities

Mayor McNamara stated the items on the agenda would need to be re-arranged because item 3a is a prerequisite to item 2b.

3. Discussion and possible action may be taken on the following items by the City Council, Plaza Ten 06 Corporation and Economic Development Corporation:

- a) Motion to approve the Amendment No. 2 to the agreement between Sidewalk Brands, LLC, the City of Clear Lake Shores, the Economic Development Corporation and Plaza Ten 06 Corporation to remove that portion of the property described in the agreement as the Food Park from the Okies Project Plan.

City Council:

Mayor Pro Tem Fenwick made motion to approve item 3a as written Councilwoman Bailey second the motion

Plaza Ten 06:

Christy Lyons made motion to approve item 3a as written Amanda Fenwick second the motion

EDC:

Don Milbauer made motion to approve item 3a as written

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Charles Scoville second the motion

Discussion:

Mayor McNamara handed out a revised agreement which had the legal description of the property that was not included on the original agreement.

Mayor Por-Tem Fenwick stated the agreement being brought forth separates the two tracts which are now the Food Park and the Okies Yardhouse and will allow them operate individually. This will allow the EDC to determine what will take place on the Food Truck area. Any plans brought forth by EDC will have to go through a Public Hearing before a vote can be made on what is being established on the lot.

Scott McDonald asked if the City owned both tracts? And they have been combined in a lease agreement with Sidewalk Brands? Mayor McNamara stated that yes on both. Scott McDonald asked if we have presented a letter of deficiency to cancel the contract why are we still voting to proceed with anything on these properties?

Mayor McNamara said that the lease is not terminated yet because there are two facets to the termination of the lease. Per the City Attorney: One is the notice of deficiencies which allows a fault provision of 60 days and also have a termination period.

This new agreement by separating the tracts allows the EDC/City/Plaza 10 to make changes to the property with any improvements that are agreed upon. This will take Sidewalk Brands, LLC out of the equation.

Plaza Ten 06: Motion passed Unanimous

City Council: Motion passed Unanimous

EDC: Motion passed yes — Ronnie Richards, Don Milbauer, Charles Scoville, Johnny Boultinghouse, Michael McNamara, Scott McDonald

No — Mike Pons

2. Discussion and possible action may be taken on the following items by the City Council and the Economics Development Corporation:

- a. Motion to approve a change order for the Okies Project Plan in an amount not to exceed \$28,000 to provide a shade and weather protection structure adjacent to and located entirely on the property known as the Hair Salon site.

City Council:

Mayor Pro-rem Fenwick made motion to approve as written Councilman Hoemer second the motion

EDC:

Don Milbauer made motion to accept as written Charles Scoville second the motion

Discussion:

Johnny Boultinghouse explained the location and the style of the cover to be used for the shade and weather protection over the site known as the Hair Salon site. The cover would not be connected to the building but would allow for cover to the restrooms and some of the seating area as well as the side entrance. This will also allow safety due to the slick walkway outside the building.

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Ronnie Richards stated that by adding this shade it will almost double the seating space since they will be able to have outside seating as well as inside.

Mike Pons questioned the cost of the shade would not be enough to cover the area proposed. He stated that if another business decides to move in that the awning may not be what is wanted.

Mayor Pro Tem Fenwick said that we are trying to work with what we have not what we are looking at in the future.

Mayor McNamara stated that he thought we were trying to rush into doing something and that we should step back and take a look at all options.

CITY COUNCIL: Motion passed unanimous

EDC: Motion passed yes — Ronnie Richards, Charles Scoville, Don Milbauer and Johnny Boultinghouse

No — Scott McDonald and Mike Pons

No vote — Michael McNamara

PLAZA TEN 06 CORPORATION not required to vote

- b. **Motion to approve funding in an amount not to exceed \$49,000 for the landscaping, fencing, lighting and ground surface upgrades to the public plaza area known as the Food Park Public Plaza subject to the separate approval of all parties to an economic development agreement amendment between Sidewalk Brands, LLC, City of Clear Lake Shores and Plaza Ten 06 Corporation for the removal of this area (formerly Medsger tract) from the Okies Project Plan.**

City Council:

Mayor Pro-Tem Fenwick made motion to accept as written Councilwoman Bailey second the motion

EDC:

Don Mjlbauer made motion to accept as written Johnny Boultinghouse second the motion

Discussion:

Johnny Boultinghouse reiterated the discussion of the plans for the tract that was discussed at the last workshop/meeting.

City Council: Motion passed unanimous

EDC: Motion passed yes — Ronnie Richards, Don Milbauer, Charles Scoville, Johnny Boultinghouse,

Scott McDonald

No — Mike Pons

No Vote — Michael McNamara

9. ADJOURNMENT:

Mayor McNamara adjourned the meeting at 7:03 pm

Ronnie Richards adjourned the meeting at 7:03 pm

Michael McNamara adjourned the meeting at 7:03 pm

Date Approved

Michael McNamara

Michael McNamara, President



Attest: Christy Stroup
Christy Stroup, City Secretary