

**NORTHERN KENTUCKY AREA PLANNING COMMISSION
MEETING MINUTES
JUNE 27, 2002**

Mr. Afton Kordenbrock, Chairman of the Northern Kentucky Area Planning Commission, called the meeting to order at 10:10 a.m. with a quorum present.

MEMBERS PRESENT:

Mr. Afton Kordenbrock, Chair
Mr. Paul Hahn, Vice Chair
Mr. Bill Goetz, Treasurer
Mr. Bill Bradford (arrived at 10:20 am)
Mr. Tom Kriege
Mr. Tom Litzler
Mr. Lou Noll

LEGAL COUNSEL PRESENT:

Mr. Garry Edmondson

NKAPC STAFF PRESENT:

Mr. William W. Bowdy, FAICP, Executive Director
Ms. Gail H. Deatherage, Executive Secretary

GUESTS PRESENT:

Mr. Jim Huff, Huff Realty
Mr. Scott Schilling, Huff Realty

Mr. Kordenbrock noted the purpose of calling this special meeting was to present the NKAPC proposal for purchase of the Executive 75 Building to Mr. Huff and Mr. Shilling and to work out the details of this proposal.

Mr. Kordenbrock introduced all planning commission members present to Mr. Huff and Mr. Schilling and then gave some overview of where the commission is in their progress and investigation in their pursuit of a decision of whether to continue to lease or whether to purchase a building.

Mr. Kordenbrock then noted that Mr. Litzler was Chairman of the Building Committee and asked Mr.

Litzler to give some further details of the committee's work. Mr. Litzler noted that Building Committee members were Mr. Hahn, Mr. Kordenbrock, Mr. Litzler, and that Mr. Goetz, as Treasurer, had attended most meetings of the committee, and that it was the Building Committee's recommendation to recommend to the Planning Commission that they:

- 1) Enter into negotiations to purchase the Executive 75 Building
- 2) Agree on the purchase price of \$1.3 million
- 3) Agree on language concerning the advertising pole sign
- 4) Negotiate rental space for Mr. Huff's realty company to lease from NKAPC

Mr. Litzler asked if the commission should go into Executive Session for further discussion. Mr. Kordenbrock then asked for a motion to go into Executive Session to discuss acquisition of property, pursuant to KRS 61.810(c). Mr. Litzler made a motion to go into Executive Session; Mr. Goetz seconded the motion. Mr. Hahn asked if a record of discussion would be available and Mr. Edmondson noted that it would be recorded, but that the recording would not be made available to the public. The commission went into Executive Session by unanimous consent at 10:14 a.m.

Mr. Litzler moved that the commission come out of Executive Session; motion seconded by Mr. Kriege. The commission came out of Executive Session by unanimous consent at 12:40 p.m. .

Mr. Kordenbrock noted that during the Executive Session the commission discussed acquisition of property and that no action was taken.

Mr. Huff and Mr. Schilling left the room at 12:41 pm so the commission could finalize their offer. They returned at 12:50 pm.

Mr. Litzler noted that the following would be the Commission's offer to purchase the Executive 75 Building based on the following terms:

The Commission would agree to purchase the Executive 75 Building at \$1.3 million. Mr. Huff would continue to lease the center pod area for \$13.50 sq. ft., and the basement area for \$9.00 sq. ft. for ten (10) months after the present NKAPC lease expires on August 31, 2002, and lease 2,000 sq. ft (approx.) in the south pod for \$15 sq. ft. for three (3) years from date of closing, plus one (1) three (3) year option. This would give Mr. Huff exclusive use of the advertising pole sign as long as he is leasing space in this building. After Mr. Huff is no longer leasing any space in this building, NKAPC would agree that the sign would not be used by a competitor in real estate, mortgage company or title company for a minimum of three years, and if so desired by the NKAPC, the sign would then be removed at Mr. Huff's expense. The present First Floor Conference Room area would continue as presently leased by both Huff and NKAPC for ten months after closing.

Mr. Litzler made a motion to enter into agreement with Mr. Huff to purchase the Executive 75 Building based upon agreed to terms and conditions as drafted by NKAPC legal counsel; Mr. Kriege seconded the

motion. Mr. Kordenbrock asked if there were any questions; there were none. He asked for a roll call vote which found Mr. Litzler, Mr. Kriege, Mr. Bradford, Mr. Goetz and Mr. Kordenbrock in favor; Mr. Noll and Mr. Hahn voted against, and asked to qualify their vote. Mr. Hahn noted he felt that the negotiations with Mr. Huff had been fair, but believes that the commission should buy a new building and Mr. Noll stated his vote against was for the same reasons. The motion passed by a vote of five for and two against.

Mr. Kordenbrock asked legal counsel to draw up a contract with terms and conditions as negotiated and to provide a copy to Mr. Huff and to Mr. Bowdy.

He then thanked the commission members for their diligence and hard work and thanked both Mr. Huff and Mr. Schilling for their fair and open negotiations.

Mr. Kordenbrock asked if there were any other comments or business to come before the commission; there being none, he adjourned the meeting at 12:56 pm. with unanimous consent.