

Special Meeting Minutes of the Town Board of Commissioners Meeting of July 31, 2012 at the Highlands Community Building 45 Poplar Street

Town Board Present: Mayor David Wilkes, Commissioner John Dotson, Commissioner Gary Drake, Commissioner Brian Stiehler, Commissioner Amy Patterson, Commissioner Eric Pierson.

Town Staff Present: Town Manager Robert Frye, Town Attorney William Coward.

Others Present: Bob Kieltyka, Highlands Chamber of Commerce

1. Meeting Called to Order

Mayor David Wilkes called the Town Board into session at 5:30 p.m.

2. Discussion: Potential Donation to Town of Highlands

Mayor Wilkes opened the discussion by informing the Board that an anonymous donor has provided the Town of Highlands with funds necessary for the purchase of the building located on the corner of Highway 64 and 1st Street which currently houses Nick's Restaurant.

It is the donor's wish that the building be used as the new location of the Chamber of Commerce and Welcome Center.

Mayor Wilkes then discussed with the Board how the process would likely unfold should the Board decide to accept the donor's kind offer.

The sequence is as follows:

- 1.) Donor provides money to Town for purchase of building
- 2.) Town will then buy building
- 3.) Town will take full title to building and would maintain ownership of the building.
- 4.) Town would lease building to the Chamber of Commerce for some length of time
- 5.) Lease would be a "triple net" with all responsibility for building upkeep and maintenance the responsibility of the Chamber of Commerce

Mayor Wilkes then asked Bob Kieltyka; President of the Highlands Chamber of Commerce if the Chamber was interested in the Donor's offer. Mr. Kieltyka informed the Board that the Chamber Board had met and was very interested in leasing the building on a long term basis from the Town.

Commissioner Drake then asked Mr. Kieltyka if the Chamber's current landlord had been notified of the possible early termination of the chamber's current lease to which Mr. Kieltyka responded that they discussed the issue with their landlord and they would be discussing some form of modification of the exiting lease for an early termination.

The discussion then turned to the type of lease and its length. After a brief discussion, the Board determined that an initial term of 15 years would be appropriate.

Commissioner Paterson stated that she was in favor of accepting the donation and the lease to the Chamber but expressed concern that the Town not place itself in a situation where it is faced with the cost of a major building repair at some future date.

Commissioner Dotson stated that a "triple net" lease would accomplish this as it would place the responsibility for all building maintenance and upkeep on the Chamber.

Commissioner Patterson, then suggested that prior to signing a lease with the Chamber a full inspection of the building be performed and that this serve as the base line for the condition that the building be maintained during the term of the lease. Everyone agreed to this suggestion.

Commissioner Stiehler then made a motion to accept the donation and to begin work on a 15 year “triple net” lease. Commissioner Dotson seconded; and all were in favor.

3. Discussion: Highlands Play House Interim Lease

The Board then reviewed the proposed interim lease between the Town and the Play House.

After a brief discussion concerning the length of the lease, the Board accepted Commissioner Dotson’s suggestion that the lease length be 20 month’s which would be a sufficient amount of time to allow the Play House to complete its planned winterization this winter and then to operate both a summer and winter season next year.

Commissioner Dotson then made a motion to accept the proposed lease as presented with the length of the lease to be set at 20 months which would run from July 31st 2012 to March 31st 2014. Commissioner Drake seconded; all were in favor.

4. Adjournment

As there were no further matters to come before the Board of Commissioners, Commissioner Drake moved to adjourn, which was seconded by Commissioner Patterson and upon unanimous vote, the Town Board adjourned at 6:05 p.m.

David Wilkes
Mayor

Robert A. Frye Jr.
Town Manager