

BRECKSVILLE COMMUNITY IMPROVEMENT CORPORATION

Minutes of the Meeting
Brecksville City Hall Council Chambers
October 12, 2020 5:30 p.m.

Call to Order: President Garito called the meeting to order at 5:30 P.M. Present: M. Garito, Mayor Hruby, M. Harwood, L. Redinger, L. Starosta, Asst. Law Director DiGeronimo, Secretary T. Tabor.

Old Business: Ms. Starosta said she spoke with Wichert Insurance and added the smokestack to the Wichert Insurance Company at a cost of \$423.00 per year. The value of the smokestack is listed at \$150,000.00.

New Business: Resolution to execute closing documents for Crowland Purchase:

Assistant Law Director DiGeronimo said several documents are being presented that require approval for the transfer of property for Crowland and Valor Acres. There are (3) sets of documents that need to be executed for the transfers. The first set of documents are related to transferring the property from Crowland to the Community Improvement Corporation (CIC). The second set of Documents are for the transfer of property from the Community Improvement Corporation and the third set of documents are for the delivery of Parcel (1) and Parcel (2) to the Developer.

Assistant Law Director DiGeronimo said Parcel (1) will be where the Sherwin-Williams facility will be located, Parcel (2) will be located along Miller Road.

MS. Starosta asked if Parcel (1) was going directly to Sherwin Williams. Assistant Law Director DiGeronimo said Parcel (1) will be going to DiGeronimo Developers. Parcel (2) will be going to an affiliate of the Developer, VA Land, LLC. The CIC will be asked to execute a plat, execute a deed and impose restrictions on the use of the land to all future possessors of the land. The document also explains easements for the development for shared facilities.

There is a change in the prohibited uses. Only premium gas stations will be allowed on the site. Parcel (2) has been included in the property transfer as requested by Sherwin-Williams and is proposed to be the entrance drive to Sherwin-Williams.

The documents needing approval and signature are:

- **Conveyance Fees:** conveyance fees should not be paid at a rate of \$4.00 per \$1,000 of value. The CIC is an agency of a Municipal Corporation and are not required to pay conveyance fees.

- Development Agreement.
- Closing Forms to satisfy title companies.
- GAP Indemnity.
- Closing Protection: Assistant Law Director DiGeronimo said the CIC does not need to purchase closing protection related to the title company used for these transactions.
- Affidavits stating there are no structures or loans on the property.
- Settlement form.

Assistant Law Director DiGeronimo said the developer has requested how and when payment is delivered. Mayor Hruby said this will be discussed at a future meeting the title company is expecting to deliver \$3 million. Under the terms of the agreement the developer is paying \$47,000.00 per acre in lump sum upon transfer of the property. The developer will pay the CIC \$1.175 Million to the CIC upon transfer of Parcel 1 & 2. The developer is asking to defer payments. The payments will be made in installments of \$530,572.00 each in 2021, 2022, 2023 and 2024. Mayor Hruby said if additional land is sold, the developer will be expected to pay the City. Mayor Hruby said the developer did not anticipate purchasing Parcel (2) at this time. Mr. Garito asked if this will be a loan to the developer. Mayor Hruby said no, the CIC is being asked to defer the payment. Ms. Redinger asked what the payment is supposed to be. Ms. Starosta said the total is \$3.3 million and the developer has requested that the agreement be amended to \$1.175 million this year, and then payments over the next (4) years.

Motion by Garito, seconded by Redinger to approve a Resolution to execute closing documents for Crowland Purchase, execute a Limited Warranty Deed to VA Land, LLC, and execute Declaration of Development Guidelines and Restricted Uses.

Roll call: Ayes: Hruby, Garito, Harwood, Redinger, Starosta.

Nays: None.

Motion Carried: 5-Ayes, 0-Nays.

Approval of Minutes of October 6, 2020. Motion by Hruby, seconded by Starosta, to approve the meeting minutes of October 6, 2020 as submitted.

Roll call: Ayes: Hruby, Garito, Harwood, Redinger, Starosta.

Nays: None

Motion Carries: 5-Ayes, 0-Nays

Adjourn: Motion by Garito, seconded by Redinger, to adjourn at 6:08 P.M.

Roll call: Ayes: Hruby, Garito, Harwood, Redinger, Starosta.

Nays: None.

Motion Carried: 5-Ayes, 0-Nays