



KENNESAW DOWNTOWN DEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES
APRIL 12, 2022
CITY HALL TRAINING ROOM
7:30 A.M.

- I. Call to Order:** Meeting called to order at 7:30 am by Chair, Mark Allen
- a. Members present: Mark Allen, Mary Jo Groeneveld, Lexie Newhouse, Leslie Steinle, David Lyons, Britt Doss
 - b. Members absent: Nimesh Patel
 - c. Staff Present: Luke Howe, Miranda Taylor, Fred Bentley, Jr., Councilmember Tracey Viars
- II. Approval of Minutes**
- a. Minutes from the April 1, 2022 Special Called Meeting and Executive Session were reviewed.
 - i. David Lyons made a motion to approve the regular meeting minutes as presented; seconded by Britt Doss. Vote taken; motion passed unanimously 6-0.
 - ii. David Lyons made a motion to approve the Executive Session minutes as presented; seconded by Lexie Newhouse. Vote taken; motion passed unanimously 6-0.
- III. Financials:** Leslie Steinle reviewed the financial reports included in the agenda packet for the month ending 3.31.22. The cash activity report was not included this month, however the board reviewed the Income Statement and Balance Sheet. Mark Allen reminded the board that we are starting to receive revenue related to the upcoming Beer Festival, and that more revenue from that event is expected. Leslie Steinle made a motion to approve the financials as presented; seconded by Britt Doss. Motion passed with a vote of 6-0.
- IV. Executive Session – Land, Legal, Personnel**
- a. David Lyons made the following motion: That this Authority now enter into closed session as allowed by O.C.G.A. §50-14-3 and pursuant to advice by the City Attorney, for the purpose of discussing Land and Legal. Seconded by Britt Doss. Those voting in favor: Mark Allen, Mary Jo Groeneveld, Leslie Steinle, Lexie Newhouse, Britt Doss, David Lyons. Those opposed: None. The motion passed unanimously. The KDDA entered closed session at 7:35 am.
 - b. The KDDA exited closed session at 8:04 am. David Lyons made the following motion: That this body, in open session, adopt a resolution authorizing and directing the presiding officer to execute an affidavit in compliance with O.C.G.A. §50-14-4, and that this body ratifies the actions of the KDDA taken in closed session and confirm that the subject matter(s) of the closed session were within the exceptions permitted by the open meetings law. Leslie Steinle seconded. Those voting in favor: Mark Allen, Mary Jo Groeneveld, Leslie Steinle, Lexie Newhouse, Britt Doss, David Lyons. Those opposed: None. The motion passed unanimously.
 - c. David Lyons made a motion to authorize legal to pursue declaratory judgement related to the lease at 2844 S. Main Street. Motion seconded by Britt Doss. Motion passed unanimously, 6-0.
- Pursuant to the provisions of O.C.G.A. 50-14-3, the KDDA could, at any time during the meeting, vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under O.C.G.A. 50-14-2(1); and/or personnel matters as provided under O.C.G.A. 50-14-3 (4) and/or real estate matters as provided under O.C.G.A 50-14-3(6).
- V. New Business:** No further actionable items following Executive Session
- VI. Board Comments**
- a. Mark Allen gave the board a recap of the first 2 weeks of the Farmers Market. On opening day, 4/4 there were 11 vendors present with a great turnout; 80% of vendors reported selling out of product. Week 2, 4/11, we had 9 vendors present, but we have received several additional applications and expect to add more vendors in the coming weeks. The turnout last night was a bit slower than opening day, and several guests inquired about the lack of food trucks, alcohol, and music. Mark has reached out to a couple of reliable food trucks, but they do not have availability to participate until mid-May. At this time, we do not have the budget to support scheduling music each week, but as additional full-season vendors sign on we can reassess. Kennesaw First Baptist reached out to Mark and they would

like to provide some kid's entertainment (jumpy houses, etc) free of charge each week, which Mark agreed to. Mark shared with the board that the time required for set-up/break-down each week is more than should be expected of a volunteer, and urged the board to consider options for compensating an on-site manager. To facilitate this discussion, David Lyons made a motion to add an item to the agenda to consider management services for the farmers market. The motion was seconded by Lexie Newhouse and passed unanimously, 6-0. Item to discuss Farmers Market management services added to the agenda.

- b. **Farmers Market Management Services:** The board discussed the work to be completed each week to set-up and break-down the market. Mark Allen reported that it takes approximately 4-6 hours each week to complete everything that needs to be done to ensure a successful market. Staff can continue to assist with vendor recruitment and social media support, but the board needs to have someone onsite each week to help manage the market, which staff does not have the bandwidth to support. In the past we have compensated a management company using the fees received each week from the vendors. David Lyons inquired about the past agreement with Lazy Guy Brands for market management services and asked if it was still valid. The last agreement was limited to the season in which the services were provided, however the board could choose to renew that agreement for the 2022 season. As part of the management services, the manager would have the flexibility to provide whatever staff was required to manage the market on-site each week and would directly compensate said staff using the funds received from vendor fees. The board also discussed the availability of beer at the event, which several patrons have asked about. The current traffic does not support the expense of an off-site event permit, however, if the beer is purchased at retail outlets and donated to the event, it can be made available to market patrons (21 and over) for free (patrons can then give a donation for the beer if they choose). Lazy Guy provided beer to the market for the 2020 season using this model and it worked well. David Lyons made a motion to renew the Farmers Market Management Agreement with Lazy Guy Brands, using the same terms previously outlined; motion seconded by Britt Doss. Vote taken; motion passed 5-0 (Allen abstained). David Lyons made a second motion to allow Lazy Guy Brands to provide donate beer at the market during the 2022 season; seconded by Mary Jo Groeneveld. Vote taken; motion passed 5-0 (Allen abstained).
- c. Britt Doss asked for an update on Budgetel and SchoolHouse Village. The Budgetel closing has been extended to July 22, per the extension approved at the last KDDA meeting and the \$200,000 earnest money has been wired to the bond account. The SHV site is currently under contract; staff continues to work with the current owner to identify firms that can do true mixed-use development on the site.
- d. David Lyons voiced concerns about the BurgerFi lease process and urged the board to be diligent in the future to ensure that any agreements are drafted in our favor and offer the KDDA appropriate protection. He also discussed legal counsel with the board.

VII. Adjourn: With no further business, David Lyons made a motion to adjourn; seconded by Leslie Steinle. Motion passed unanimously, 6-0. Meeting adjourned at 8:37 am.

NOTICE: Any person who desires to appeal any decision from this meeting will need a record of the proceedings, and for the purpose may need to insure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is based. The Agenda is designed to make more efficient use of the KDDA's time. It is not designed to curtail discussion or input. If you need special accommodations to attend or participate in our meetings, please contact City Hall at least 24 hours in advance of the specific meeting you are planning to attend.

The next scheduled meeting of the Kennesaw Downtown Development Authority will be 7:30 a.m. on May 10, 2022