

**IN CITY COUNCIL  
EXECUTIVE SESSION  
MAYOR'S RECEPTION ROOM  
TUESDAY JULY 23, 2024  
TIME 9:55 PM**

Roll Call 9 present, 1 absent (C. Jenness).

M. Rourke presiding.

Others Present: City Manager Golden, Jr., Austin Ball (Asst. CFO), City Solicitor Corey Williams, Melissa Desroches (Manager's Office), Shawn Machado (Asst. City Mgr.), Conor Baldwin (CFO), and Yovani Baez-Rose (DPD),

The purpose of the Executive Session was stated by M. Rourke in the open session followed by a Roll Call. The public was informed the body would not return to the open session and would adjourn in Executive Session upon completion.

**EXECUTIVE SESSION**

Solicitor Williams outlined a recent Open Meeting Law violation and requested permission to answer same on behalf of the body. **Motion** by C. Robinson, seconded by C. Gitschier to allow City Solicitor respond to the complaint regarding an alleged open meeting violation. Adopted per Roll Call vote 9 yeas, 1 recuse (C. Jenness). So voted. C. Jenness was not present during this portion of the Executive Session due to conflict. C. Jenness entered room after discussion had ended and the second agenda item was put before the body. C. Jenness was present in the session at 10:00 PM.

Manager Golden, Jr. Commented on the current situation with Lupoli Companies in the Hamilton Canal District. Brian Golden (Keegan & Werlin, LLP) and John Keily (Hawthorne Partners), consultants for the City, reviewed the financials and the proposal of the Lupoli Companies and reported to Council their opinion regarding recent offering of Lupoli. Mr. Golden noted that a steel high rise in this economy is not sustainable due to cost of labor and materials as well as interest rates. Mr. Keily commented on the history of the project and the effect of pandemic on construction and available office space. C. Robinson commented on forecasting costs and the interest rate. C. Descoteaux noted that there would not be a steel building there and that the developers would still be looking for tax breaks. Ms. Baez-Rose noted the request for a TIE incentive. Mr. Golden noted only sense for this deal is a tax

incentive. C. Yem questioned the length of a TIE incentive noting the less time the better. Mr. Keily noted that is negotiable. C. Jenness commented on surrounding communities use of tax incentives on projects. C. Robinson commented on other cities' projects. Manager Golden, Jr. Noted the information from these consultants was valuable to fully understand and review the project changes. C. Jenness questioned the commitment of the developer and of a possible default situation. Solicitor Williams indicated the City consent to entertain changes would be beneficial in any possible litigation. Manager Golden, Jr. commented on the tax incentives for market rate housing. M. Rourke suggested that City request what they and move forward with negotiation. **Motion** by C. Descoteaux, seconded by C. Mercier to have City Manager continue negotiations with Lupoli with presentation of plan developed by the City. Adopted per Roll Call vote 8 yeas 2 nays (C. Gitschier, C. Robinson). So voted.

**Motion** to Adjourn by C. Nuon, seconded by C. Yem. So voted

Adjourned at 10:45 PM.

Michael Q. Geary  
City Clerk