

**IN CITY COUNCIL
EXECUTIVE SESSION
MAYOR'S RECEPTION ROOM
TUESDAY SEPTEMBER 10, 2024
TIME 8:45 PM**

Roll Call 11 present.

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

Manager Golden, Jr. noted his objective was to protect the City from litigation and outlined the proposals by the City in response to Lupoli claims and that the presentation before Council tonight was lackluster at best. Manager Golden, Jr. indicated that the City was not in a position to do a 20-year tax agreement with them but 15 would be preferable. Solicitor Williams noted that the City has shown good faith in their response to Lupoli and that the counter proposal was never responded to. **Motion** by C. Gitschier, second by C. Robinson to terminate agreement with Lupoli if the terms of the original LDA are not complied with. There was discussion regarding original proposal and subsequent ones put forth by Lupoli, along with the response of the City. C. Jenness noted that there is only one signed LDA. C. Descoteaux noted that steel construction is out and questioned the return on investment with the property. C. Nuon noted only one agreement. Solicitor Williams noted scenarios which could be either issue a default letter or have a mutual parting of the ways. Manager Golden, Jr. suggested a final letter with tight deadline for Lupoli to respond to City counter proposal. C. Gitschier withdrew his original motion without objection. **Motion** by C. Gitschier, seconded by C. Robinson to instruct City Solicitor forward letter to Lupoli with a demand to respond to counter proposal within a 10-day period of receipt. Adopted per Roll Call vote, 11 yeas. So voted.

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

Adjourned at 9:00 PM.

Michael Q. Geary
City Clerk