

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**FEBRUARY 10, 2009
8:00 P.M. EST COUNCIL CHAMBERS**

ALL COMMON COUNCIL ACTIONS TAKEN AT THIS MEETING TO APPROVE EXPENDITURES AND CONTRACTS OR TO ACCEPT BIDS AND OTHER PROPOSALS REQUIRING THE EXPENDITURE OF CITY FUNDS ARE SUBJECT TO THE AVAILABILITY OF FUNDS.

Mayor Moccia called the meeting to order at 8:10 p.m. and led the Assembly in reciting the Pledge of Allegiance. Mayor Moccia extended condolences to Robert Maslan, Corporation Counsel for the loss of his father and also recognized the passing of Mr. William Gilmore, the first African- American teacher at Norwalk High School.

I. ROLL CALL

Ms. Roman called the Roll:

- | | |
|---------------------|-------------------|
| Fred Bondi | Carvin Hilliard |
| Amanda Brown | Nicholas Kydes |
| Michael Geake | Laurel Lindstrom |
| Richard McQuaid | Douglas Hempstead |
| Richard Bonenfant | Kelly Straniti |
| Steven Serasis | Andrew Conroy |
| Rev. Phyllis Bolden | William Krummel |

There were fourteen (14) members present.

II. ACCEPTANCE OF MINUTES

Regular meeting - January 13, 2009

**** MR. KYDES MOVED TO APPROVE THE MINUTES**

The following corrections were made to the minutes:

Page 18, second paragraph following the motion – first sentence should read: Ms. Brown had a question about the lost revenues mentioned in the memo which totaled \$287,300.
Page 19 – Item #5 the motion should read: Mr. Krummel moved to send the proposed revisions to the department of public works rates and fees back to committee.

**** MOTION PASSED UNANIMOUSLY**

Regular Meeting - January 27, 2009

**** MR. BONENFANT MOVED TO APPROVE THE MINUTES**

The following correction was made: correct spelling of Mr. Albano's name throughout

**** MOTION PASSED UNANIMOUSLY**

III. PUBLIC PARTICIPATION

Mr. Edward Musante, President, Chamber of Commerce spoke in support of the appointment of Randy Napoletano to the Norwalk Redevelopment Agency.

Mr. Bill Gallaso spoke in support of the appointment of Randy Napoletano to the Norwalk Redevelopment Agency. He also spoke about the tonnage fee and recommended that the Council look at the costs before making their decision.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations:

There were no resignations.

B. REMARKS

Mayor Moccia said that Mr. Hamilton had delivered copies of the budget. He said that it is a difficult time and everyone is working hard to minimize the impact on the workers. In the past the City has always received funding from the State, but it is flat this year. In the last few years, 83% of the budget was financed by property taxes. Mayor Moccia said that he is working hard not to cut any services or lay anyone off.

Appointments:

Mary Ellen Barrelle – *Board of Assessment Appeals* (Alternate)

**** MR. MCQUAID MOVED TO APPROVE THE APPOINTMENT OF MARY ELLEN BARRELLE TO THE BOARD OF ASSESSMENT APPEALS AS AN ALTERNATE**

Mr. McQuaid said that he and Ms. Barrelle worked together on the Planning Commission and that he recommended her appointment.

**** MOTION PASSED WITH TWO (2) ABSTENTIONS (MR. KRUMMEL AND MR. SERASIS**

Arline Cioffi – Board of Assessment Appeals (Alternate)

**** MR. HEMPSTEAD MOVED TO APPROVE THE APPOINTMENT OF ARLINE CIOFFI AS AN ALTERNATE TO THE BOARD OF ASSESSMENT APPEALS
** MOTION PASSED WITH TWO (2) ABSTENTIONS (MR. KRUMMEL AND MR. SERASIS**

Tammy Langalis – Board of Assessment Appeals (Alternate)

**** MR. CONROY MOVED TO APPROVE THE APPOINTMENT OF TAMMY LANGALIS AS AN ALTERNATE TO THE BOARD OF ASSESSMENT APPEALS
** MOTION PASSED WITH TWO (2) ABSTENTIONS (MR. KRUMMEL AND MR. SERASIS**

Leigh Grant – Southwestern Regional Planning Agency

Mayor Moccia said that Ms. Grant was a dedicated member of the Planning Commission and that it is a pleasure to recommend her.

**** MS. STRANITI MOVED TO APPROVE THE APPOINTMENT OF LEIGH GRANT TO THE SOUTHWESTERN REGIONAL PLANNING AGENCY**

Ms. Straniti said that she is happy to move this. She is an outstanding member of the Silvermine community and other parts of the City.

Ms. Lindstrom said that she was really glad to see her back on SWRPA; she is an asset to that Board. Mr. Krummel said that he knows her and she is a fine asset to the community. She and her husband were a great team; this is a great move. Mr. Hempstead applauded the Mayor for putting her up. She brings a dedication and she is diligent in what she does.

**** MOTION PASSED UNANIMOUSLY**

Randy Napoletano – *Norwalk Redevelopment Agency*

**** MR. KYDES MOVED TO APPROVE THE APPOINTMENT OF RANDY NAPOLETANO TO THE NORWALK REDEVELOPMENT AGENCY**

Mr. Krummel said that he sees that Mr. Napoletano has excellent credentials, but a Democrat is being replaced with a Republican. He said that is not a good idea. There is the perception of heavy handiness about that. He told the Mayor that he regretted that he did this.

Ms. Brown asked Mr. Maslan if this appointment would be a conflict of interest, since Mr. Napoletano is member of the Norwalk Bank and Trust. Mr. Maslan said that conflicts have to be decided on a case by case basis. He said that he did not believe it was a conflict to serve as a member of the Agency. If he is in a situation where it may be a conflict, he would have to recuse himself; which is what everyone service on a City agency or board has to do.

Mr. Hilliard said that he was going to support this appointment because of his excellent credentials, but is hesitant because of the political makeup of the Committee. He said that Norwalk is a two party town and to have no Democrats on the Committee takes away from the nomination.

Mayor Moccia said that to the best of his knowledge, Mr. Napoletano is not a partisan politician. He said that he has to go with the best people and that is what he is trying to do. He said that he had no idea what he was when he asked him to apply. Mayor Moccia said that he respects both sides of the issue and tries where possible to balance the Board with both sides. He said that he thinks that Mr. Napoletano is the best person for the job and there is no conflict. It is the same as when other recuse themselves from voting.

Mr. Kydes said that there were two Democratic attorneys serving on the Common Council and when their firms represented clients that spoke before the Common Council, they recused themselves. Mr. Kydes said that you would not know if there is a conflict of interest until an item comes before the Common Council.

Mr. Hempstead said that he served on a couple of boards with Mr. Napoletano. He said that in looking at his professional experience it is important to have someone with his qualifications. Mr. Hempstead said that Norwalk has two parties, but a major amount of people are unaffiliated; he said that they need to look beyond party affiliation.

A recess was called at 8:45 p.m.

The meeting reconvened at 8:50 p.m.

**** MOTION TIED BY ROLL CALL VOTE WITH SEVEN (7) IN FAVOR (MR. BONDI; MR. MCQUAID; MR. BONENFANT; MR. KYDES; MR. HEMPSTEAD; MS. STRANITI; MR. CONROY) AND SEVEN (7) OPPOSED (MS. BROWN; MR. GEAKE; MR. SERASIS; REV. BOLDEN; MR. HILLIARD; MS. LINDSTROM; MR. KRUMMEL**

MAYOR MOCCIA VOTED IN FAVOR OF THE APPOINTMENT AND THE APPOINTMENT WAS CONFIRMED

Reappointments:

There were no reappointments.

V. COUNCIL PRESIDENT

A. GENERAL COUNCIL BUSINESS

Mayor Moccia swore in Anna Duleep as a Councilmember to fill Mr. Sutton's term. She was welcomed by the Councilmembers and was told that she would replace Mr. Sutton on all of his committees.

Rev. Bolden spoke about the Homes for the Brave. She said that they Congressman Himes and other Legislators are seeking a location. She added that Mayor Moccia has given his support to this also.

Rev. Bolden offered her condolences to Mr. Maslan for the loss of his Father. She thanked Mr. Hempstead for bringing up the loss of Mr. Gilmore; he was a man of great character and integrity.

Rev. Bolden welcomed Ms. Duleep and said that she brings a wealth of knowledge and experience. Mayor Moccia said that Ms. Duleep was appointed to SWRPA and has agreed to continue to serve. Ms. Duleep said that she serves on their Environmental Committee and is thrilled that Ms. Grant was appointed.

B. CONSENT CALENDAR:

**** REV. BOLDEN MOVED THE FOLLOWING CONSENT CALENDAR**

A. CORPORATION COUNSEL

1. Approve Addison, Sharonda V. City of Norwalk **EXECUTIVE SESSION**

1. Authorize the Mayor, Richard A. Moccia, to execute an Agreement with Westport Electric Co., Inc. for the installation of new wire and miscellaneous components associated with the Washington Street Historic Street Lighting for a sum not to exceed \$45,150.

Account Nos: 09-07-040-40210-0-5777-C0380	\$28,650
09-00-091-05701-C0009	\$16,500

4. Authorize the Mayor, Richard A. Moccia, to execute the 13th Amendment to the Agreement with Tighe & Bond, Inc. for professional engineering services for the design of Road Improvements for the Reed Putnam Redevelopment Project for an amount not to exceed \$30,000.00. Account No. (Redevelopment Agency)
5. Authorize the Director of Public Works to issue Orders on Contract to Deering Construction, Inc. on Project No. 4R2007-1, Proposed 4R Pavement Management Program, for a sum not to exceed \$25,378.00 for the purpose of removing accumulated debris and shoaling from the Norwalk River Local Protection Project. Account No. 0140 60 5777 (FEMA reimbursement received)
6. Authorize the Purchasing Agent to issue a Purchase Order to EW Electrical Wholesalers, Inc. for the purchase of two mast arms and one traffic span pole for the Route 1 at Belden Avenue traffic signal for a sum not to exceed \$44,823.53. Acct No. 09094021 5777 C0442

B. PLANNING COMMITTEE

- 2a. Authorize Mayor, Richard A. Moccia to execute all documents needed to apply for and accept a Technical Assistance Grant award from the State of Connecticut Office of Policy and Management for purpose of analyzing the feasibility of creating an Incentive Housing Zone (per CGS 8-13(m-x) in Norwalk. The Executive Director of the Norwalk Redevelopment Agency is authorized to prepare and execute all administrative documents and reports as required by the Assistance Agreement for any grant award resulting from this application.
- 2b. Adopt the attached resolution regarding the filing of an application for a Technical Assistance Grant for \$50,000 from the State of Connecticut Office of Policy and Management's Housing for Economic Growth Program.
- 3a. Authorize the Mayor, Richard A. Moccia to execute all documents in connection with an Assistance Agreement with the Connecticut Department of Economic and Community Development for \$300,000 in funding from the State of Connecticut's Brownfield Municipal Pilot Program for use in undertaking the South Norwalk Transit Remediation Project located at 30 Monroe Street. The Executive Director of the Norwalk Redevelopment Agency is authorized to prepare and execute all administrative documents and reports as required by the Assistance Agreement for this grant award.
- 3b. Adopt the attached resolution regarding the filing of an application for state financial assistance in the amount of \$300,000.00 from the Connecticut Department of Economic and Community Development (DECD) in order to undertake the South Norwalk Transit Remediation Project.

**** MOTION PASSED WITH ONE (1) ABSTENTION (MS. DULEEP)**

VII. COMMON COUNCIL COMMITTEES

A. PUBLIC WORKS COMMITTEE

**** MR. KRUMMEL MOVED THE FOLLOWING:**

2. Approve proposed revisions to Department of Public Works Rates and Fees.

Blue bins fee

Mr. Krummel explained that this is the third time this is being presented to the Common Council. He said that he feels it deserves consideration; these are very small fees that represent material or worth. These fees are not levied on the general public and they offset the cost of a particular service. Mr. Krummel said that they need to do everything possible to keep the departments functioning and hopes that the few dollars here will help to save some jobs.

Mr. Bonenfant said that he agreed with Mr. Krummel. He said that if this is sent back to Committee it would have an automatic approval. Mr. Kydes said that he also agreed. They reviewed the costs and this is not a levy on all of the residents.

Mr. Geake requested that they review the five items one at a time.

**** MR. KRUMMEL MOVED TO INCREASE THE BLUE BIN FEE FROM \$5.00 TO \$10.00 WITH A SENIOR COST GOING FROM \$2.50 TO \$5.00**

**** MS. DULEEP MOVED TO TABLE THE ITEM**

Ms. Duleep said that she has not had enough time to review the item.

A recess was called at 9:03 p.m.

The meeting reconvened at 9:10 p.m.

Mr. Maslan explained that the Common Council must act on the fees within 30 days of the action of the Public Works Committee.

**** MOTION TO TABLE FAILED WITH FIVE (5) IN FAVOR (MS. BROWN; MR. GEAKE; MS. DULEEP; MR. SERASIS; MR. HILLIARD) AND TEN (10) OPPOSED (MR. BONDI; MR. MCQUAID; MR. BONENFANT; REV.**

BOLDEN; MR. KYDES; MS. LINDSTROM; MR. HEMPSTEAD; MS. STRANITI; MR. CONROY; MR. KRUMMEL

**** MOTION TO APPROVE THE BLUE BIN FEE PASSED WITH TEN (10) IN FAVOR (MR. BONDI; MR. GEAKE; MR. MCQUAID; MR. BONENFANT; REV. BOLDEN; MR. KYDES; MS. LINDSTROM; MR. HEMPSTEAD; MR. CONROY AND MR. KRUMMEL AND FOUR (4) VOTES IN OPPOSITION (MS. BROWN; MR. SERASIS; MR. HILLIARD AND MS. STRANITI) AND ONE (1) ABSTENTION (MS. DULEEP)**

Driveway Permit and Inspection Fee

**** MR. KRUMMEL MOVED TO APPROVE THE DRIVEWAY PERMIT AND INSPECTION FEE
MINOR FROM \$150.00 TO \$200.00
MAJOR FROM \$300.00 TO \$400.00**

Mr. Geake said that he objects to using fees as a way of doing business. He said that he objects to the implication that these permits are being taken out by the contractors, but noted that they bill the homeowner which will discourage the homeowner from making repairs.

Ms. Brown asked about the collection of fees and wanted to know if this is one of the fees they learned they are unable to track or recover money from. Mr. Alvord said that the driveway fee is collected when the application is submitted.

Mr. Hempstead said that there are building fees where the homeowner has to come in and pay a fee. Mr. Kydes emphasized that the fees are levied against the work and the cost to the City. These are not hidden taxes, they are usage fees and they recoup the cost of doing business with the City.

Ms. Brown asked how they came up with the fee and if a cost analysis was provided to the Committee. Mr. Alvord said that he recommended a higher fee for the minor work, but the Committee recommended using the average cost of staff time to receive the application and perform the inspection. Ms. Brown asked Mr. Alvord if he had final numbers. He said that the amount is in the contract, but did not have it with him tonight. He said that it would be easy to produce.

**** MOTION PASSED WITH EIGHT (8) IN FAVOR (MR. BONDI; MR. MCQUAID; MR. BONENFANT; MR. KYDES; MS. LINDSTROM; MR. HEMPSTEAD; MR. CONROY AND MR. KRUMMEL) AND SIX (6) IN OPPOSITION (MS. BROWN; MR. GEAKE; MR. SERASIS; REV.**

BOLDEN; MR. HILLIARD AND MS. STRANITI) AND ONE (1) ABSTENTION (MS. DULEEP)

Encroachment Permits

**** MR. KRUMMEL MOVED TO APPROVE THE ENCROACHMENT PERMITS FROM \$150.00 TO \$200.00**

Mr. Geake said that in this instance it is in our best interest to lessen the amount of cuts in a street, therefore he would support this item.

Ms. Brown asked if this is one of the fees the City is unable to properly record. Mr. Alvord said that the fee is collected when the application is submitted to the Department. Ms. Brown said that the only way she could vote for this is if the fee is recorded. Mr. Alvord said that they will collect the application fee; it is collected when the application is submitted.

Rev. Bolden told Mr. Alvord that she hopes that with the recent problems, they can revamp the permitting process for patching fees. Mr. Alvord said that the new software will allow them to tie into the recently paved roads.

**** MOTION PASSED WITH ELEVEN (11) VOTES IN FAVOR (MR. BONDI; MR. GEAKE; MR. MCQUAID; MR. BONENFANT; REV. BOLDEN; MR. HILLIARD; MR. KYDES; MS. LINDSTROM; MR. HEMPSTEAD; MR. CONROY AND MR. KRUMMEL AND THREE (3) VOTES IN OPPOSITION (MS. BROWN; MR. SERASIS AND MS. STRANITI) AND ONE (1) ABSTENTION (MS. DULEEP)**

Tree Permits

**** MR. KRUMMEL MOVED TO APPROVE THE TREE REMOVAL PERMIT AND POSTING FEE FROM \$150.00 TO \$200.00**

Mr. Geake asked Mr. Alvord for an explanation as to why trees may be removed. Mr. Alvord explained that they are all public trees in the City right of way. He said that the tree may be dying or a developer or contractor wants to put a driveway in the location of a healthy tree. He said that they would review and try to revise the plans and then require the contractor to replant the tree if it has to be removed.

**** MOTION PASSED WITH TEN (10) VOTES IN FAVOR (MR. BONDI; MR. GEAKE; MR. MCQUAID; MR. BONENFANT; REV. BOLDEN; MR. KYDES; MS. LINDSTROM; MR. HEMPSTEAD; MR. CONROY AND**

MR. KRUMMEL AND FOUR (4) VOTES IN OPPOSITION (MS. BROWN; MR. HILLIARD MR. SERASIS AND MS. STRANITI) AND ONE (1) ABSTENTION (MS. DULEEP)

Returned Check Fee

**** MR. KRUMMEL MOVED TO APPROVE THE RETURNED CHECK FEE FROM \$25.00 TO \$50.00**

Mr. Conroy said that he can't find evidence that the City pays \$50.00 for a returned check. He said that not all returned checks are the fault of the maker of the check. He said that \$25.00 is more than sufficient. Mayor Moccia asked Mr. Alvord what the banks charge. Mr. Alvord said that it depends upon the bank.

**** REV. BOLDEN MOVED TO REVISE THE RETURNED CHECK FEE TO \$35.00**

Mr. Krummel said that he would accept that amendment to his motion. Mr. Kydes said that \$35.00 is the base cost; there are other costs that are incurred by the City. Mayor Moccia asked Mr. Alvord how many checks bound a year. Mr. Alvord said that four checks bounced in the Department of Public Works and City wide, 25 checks bounced.

**** THE AMENDMENT PASSED WITH ONE (1) VOTE IN OPPOSITION (MS. BROWN) AND ONE (1) ABSTENTION (MS. DULEEP)**

**** THE MOTION AS AMENDED PASSED WITH ONE (1) VOTE IN OPPOSITION AND TWO (2) ABSTENTIONS (MR. SERASIS AND MS. DULEEP)**

**** MR. KRUMMEL MOVED THE FOLLOWING**

3. Approve elimination of "Three Tons Free" policy for residential tonnage self-delivered to the Transfer Station and Yard Debris Site.

Mr. Krummel explained the item and said that it applies to non-commercial vehicles that go over the weight scales. The three tons free policy has been in effect and amounts to over \$300,000. This is an appropriate savings for the department in light of the difficult times.

**** MR. BONDI MOVED TO AMEND THE CHARGE TO ONE TON FREE.**

Mr. Bondi said that there are a lot of people who bring their own private garbage to the sites.

Mr. Krummel said that he would not accept the one ton free amendment. Mr. Kydes said that he is opposed to eliminating the three ton free policy. Residents doing work around their yards should not have to pay; that is part of the structure of the tax code and the right of the residents to dump their own trash. Mr. Krummel said that Mr. Kydes was talking about demolition debris which the transfer station does not take.

Mr. Hempstead said that he supports this. He noted that no one knows the reason three tons free was chosen. This has nothing to do with a person using their own vehicle and the amount of people being impacted is not that great; \$300,000 is a lot of money.

Mayor Moccia left the Council Chambers at 9:40 p.m. He was asked to go to the Board of Education meeting to break a tie vote. Rev. Bolden took over running the meeting.

Mr. McQuaid also left the meeting at 9:40 p.m.

Mr. Alvord explained that vehicles with a trailer or combination plates will be charged. If they have commercial plates, they will have to pay at the commercial rate. Ms. Brown asked about U-Hauls. Mr. Alvord said that the Weighmaster knows that is a resident.

Mr. Kydes said that he is concerned because there are people who drive pickups who are not in the construction business and they have combination plates. He said that it is not right to charge residents who are using the sites to dump their garbage. Mr. Kydes said that he opposes eliminating the free three tons.

Mr. Bonenfant said that he appreciates the back up material. He said that he agrees that the free three tons provides an opportunity for abuse, but is not sure that eliminating that is right. Mr. Bonenfant said that he can't support this.

Mr. Bondi said that the reason he brought up one free ton is because otherwise they will find trash dumped all over the City. He said that he thought one ton would be more than enough for the average citizen. Ms. Straniti said that she agreed that one tone is a good idea.

Mr. Alvord said that the City does not accept demolition and construction debris at any facility and it never has. This is just yard debris. Rev. Bolden asked Mr. Alvord how he knows the amount of tonnage at both locations. Mr. Alvord said that the vehicles go over the scales. At the end of the year, they reconcile all of the tonnage that goes through the transfer station. They know who the haulers are and it is easy to track what tonnage is brought in by car.

Mayor Moccia returned at 9:48 p.m. and took over running the meeting.

Ms. Lindstrom said that in Committee it seemed that this was a good action to take, but said that as she is listening to the one ton option, she feels more comfortable with that. She asked Mr. Alvord how complicated it would be to put that into place. Mr. Alvord said that the administration would be more burdensome; they would have to generate invoices and

collections are dismal and challenging. In addition, the position in the department that administers this is about to be eliminated.

Mayor Moccia asked Mr. Alvord how many vehicles with combination plates go to the transfer station. Mr. Alvord said that he did not know how many go to the yard debris site. They have accounts set up for every resident that goes to the transfer station. He said that the problem is they have 5,900 open accounts, but a lot of them are not active. Mr. Alvord said that he could go back and look at the scalehouse software to see what activity they had last year.

**** MAIN MOTION FAILED WITH THREE (3) VOTES IN FAVOR (MS. LINDSTROM; MR. HEMPSTEAD AND MR. KRUMMEL) AND TEN (10) VOTES IN OPPOSITION (MR. BONDI; MS. BROWN; MR. GEAKE; MR. BONENFANT; MR. SERASIS; REV. BOLDEN; MR. HILLIARD; MR. KYDES; MS. STRANITI AND MR. CONROY) AND ONE (1) ABSTENTION (MS. DULEEP)**

Mr. Alvord explained that based on advice from the Corporation Counsel, the Committee brought this to the Common Council. There is no record of the three free tons policy being approved by the Common Council. That needs to be approved by the Common Council. Mr. Maslan said that the issue is to waive an approved fee that is already in place. Mr. Alvord said that based on Corporation Counsel's advice, the Common Council can only change the waiver. Mr. Maslan said that the fee is in place for the first pound. Mr. Alvord said that it is embedded in the regulation and they simply can't find documentation that the Common Council ever approved the free three tons.

**** MR. BONDI MOVED TO ELIMINATE THE FEE THREE TONS AND CREATE AND APPROVE 1.5 TONS FREE POLICY**
**** MR. KYDES SECONDED**

Ms. Brown asked Mr. Alvord if this will cost the Department more to administer. Mr. Alvord said that the average household brings in 1.3 tons per year. He said that there would be more administrative work to administer the lower fee.

**** MOTION PASSED WITH EIGHT (8) VOTES IN FAVOR (MR. BONDI; MR. GEAKE; REV. BOLDEN; MR. HILLIARD; MS. LINDSTROM; MS. STRANITI; MR. CONROY AND MR. KRUMMEL) AND SIX (6) VOTES IN OPPOSITION (MS. BROWN; MS. DULEEP; MR. BONENFANT; MR. SERASIS; MR. KYDES AND MR. HEMPSTEAD**

B. PLANNING COMMITTEE

**** REV. BOLDEN MOVED THE FOLLOWING ITEM**

- 1. Approve the proposed transfer of City owned property located at numbers 16 and 18 Merwin Street with the property to be conveyed to 16-18 Merwin Street, LLC, pursuant to the West Avenue Corridor Redevelopment Plan and to authorize the Mayor, Richard A, Moccia to execute all documents necessary to effect such conveyance.**

Rev. Bolden explained that there is concern about the 16-18 Merwin Street, LLC. She asked why the entity is listed that way and not as Waypointe. Mr. Sheehan explained that the redeveloper established a holding company and the LLC are for each company. The individual LLC will fold into the development. Seligson Properties controls the asset and they are the preferred developer for the property.

Mr. Sheehan explained that the Waypointe project has not yet been approved by the City. At this point it is a concept and not considered a development project.

Mr. Krummel asked what will happen to the LLCs. Mr. Sheehan said that this is a redeveloper issue and how they want to control their assets is not germane to the City. The one City issue is that the City needs to be concerned with is that once the developer is approved that the lands are joined. Mr. Krummel said that he was confused.

**** MOTION PASSED WITH FOUR (4) ABSTENTIONS (MR.KRUMMEL; MR. SERASIS; MS. DULEEP AND MR. KYDES)**

Mr. McQuaid joined the meeting at 10:10 p.m.

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were none.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were none.

X. SUSPENSION OF THE RULES

There were none.

XI. ADJOURNMENT

The meeting was unanimously adjourned at 10:10 p.m.

ATTEST: _____
Mary Roman, City Clerk