

City of Middletown, CT

Economic Development Committee

Draft Minutes from the Economic Development Committee Meeting of May 11, 2009

<u>Present</u>	<u>Also Present</u>
G. Daley	Mayor Sebastian N. Giuliano
R. Santangelo	E. Roberts
H. Kasper	W. Warner
J. Bibisi	R. Kearney
D. Bauer	
Public: E. McKeon, C. Johnson, J. Pugliese, N. Stamler, C. Marino, K. Marino, T. Davis, McMahon	

Minutes

- A Call to Order:** Kasper called the meeting to order at 6:05 PM.
- B Public Session:** Roberts presented a Site Plan Review memo from Tom Nigosanti, City Engineer, Public Works Department regarding the Buckeye Pipeline. Roberts noted requirements to pave curb to curb and that the city had the opportunity to negotiate the paving be done and paid for by Buckeye rather than the city.

Pugliese stated the Middlesex County Chamber of Commerce supports the lease of Lady Katharine Cruises and recognizes the contribution of the Business/Economy Survey. Additionally the Chamber offered assistance in the sale of Cucia Park to the Army.

Davis asked whether the city would consider selling the Remington Rand building to INFORM- although dormant. Warner stated the former buyer is still interested in the same sales terms and would reenter the picture when Unisys regains its financial health. Daley stated the original plans were to work with INFORM on the project. Warner noted the city is working on DOE funds for new windows and has received \$300,000 in environmental cleanup funds. Davis stated he has prospective tenants for the building and INFORM would be better able to do the tenant improvements than the city. Daley stated there may be a way for a long term lease between INFORM and the city that would not trigger the Transfer Act. Warner stated the long term liability issues thwart bank financing. Daley stated there could be further discussion with INFORM on this issue.

C Minutes

- 1) April 13, 2009 meeting minutes:** Kasper made a motion seconded by Bibisi. The committee voted to approve the motion. Santangelo was not present and Daley abstained due to absence at the April 13, 2009 meeting.

D Communications

E Old Business

- 1) **Harbor Park Restaurant lease:** Bauer asked for an update on the issue. Warner stated Judge Holzberg is busy and stated a formal mediation was needed to discuss the issues. The trial is in November and Maratta is seeking a declaratory judgment and damages. Daley questioned how a mediator would be chosen. Warner stated AAA. Daley stated this would be expensive.
- 2) **Midfield Corp: Property at the corner of College and Broad Streets: EXECUTIVE SESSION** CGS Chapter 14, Sec. 1-200, 6(B) strategy and negotiations with respect to pending claims or pending litigation to which the public agency or a member thereof, because of the member's conduct as a member of such agency, is a party until such litigation or claim has been finally adjudicated or otherwise settled. Warner asked if the committee would like to have Attorney Kory come to the June 8, 2009 meeting. Midfield is ignoring the city's restrictions on the land and has filed this on the land records. The committee agreed to meet with Attorney Kory.
- 3) **Lady Katharine Cruises (LKC) lease:** Kearney reviewed the file. Kasper recommended the insurance be increased to \$3.0 million aggregate, Marino agreed. General discussion of parking issues and the parking lot map. Stamler stated the Sunday brunch cruise does not interfere with the Harbor Park Restaurant business parking. The restaurant is applying for a patio permit and this may be a concern-communication is important to prevent parking issues. Passengers are using the municipal lot and the tunnel which is better condition. Daley questioned if signs would help direct parking. Marino asked if a few spaces could be assigned for LKC. McMahon stated public parking cannot be designated for a business. Discussion of adding handicapped spaces which was retracted since the spaces reduce the amount of regular parking spaces. Marino stated he would talk with Parks Dept. to consider moving dumpster from a parking spot to the lawn area to free up parking space. Bauer questioned the city's rights to leased spaces. McMahon stated leased spaces give away the city's rights. Santangelo stated that if 10 or more spaces in a lot then there are traffic rules of a public roadway including speed and parking rules. McMahon stated he would check on this issue. Bauer recommended the parking issues be referred to Public Safety Commission, Public Works and the Parking Authority. Marino asked if tandem or double parking would be allowed. McMahon stated that could be considered a violation. Santangelo made a motion seconded by Bibisi to recommend that Public Safety Commission, Public Works and the Parking Authority review the parking at Harbor Park. The committee voted unanimously to approve the motion. The committee agreed to 400 annual tickets for 2 senior cruises be administered by the Park & Rec Dept. Kearney questioned the use of city water and Marino agreed to working with the Water Dept. to meter water use. Kasper made a motion seconded by Bibisi to recommend to the Common Council to extend the lease for 5 years with a 5 year option to renew with an increase in insurance to \$3.0 million aggregate, 400 tickets for 2 senior cruises and to establish a water meter for city water. The committee voted unanimously to approve the motion.
- 4) **Middletown Business/Economic Confidence Survey:** Bauer asked for a narrative on the report. Kearney explained the rating was a composite of the confidence and the report will serve as a baseline for the semi-annual survey

F New Business

- 1) **Cucia Park**
 - a) **Appraisal (see below)**
 - b) **Discussion of Environmental Assessment:** Warner reviewed the Environmental Assessment document which shows no significant impact on the site. Bauer questioned if the document was online. Warner affirmed. Daley questioned if the sites were ranked. Warner stated no. Warner stated the Common Council actions deflected attention to the Bysiewicz site.
 - c) **EXECUTIVE SESSION:** CGS Chapter 14, Sec. 1-200, 6 (D) discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned. Kasper made a motion seconded by Santangelo to enter Executive Session at 7:02 PM per CGS Chapter 14, Sec. 1-200, 6 (D). The committee voted unanimously to enter Executive Session and include the Mayor, Kearney, Warner. Bauer made a motion seconded by Bibisi to exit Executive Session at 7:23 PM The committee voted unanimously to approve the motion. Bauer made a motion seconded by Bibisi to recommend the Professional Services Committee hire an appraiser for the site. The committee voted unanimously to approve the motion.
- 2) **Revised Sexually Oriented Business Ordinance:** Warner stated the city cannot prohibit these uses but can regulate them as to where they are and how they operate. The city needs both zoning and ordinance for this issue. Warner noted that other things happen once a person leaves these kinds of businesses. Warner noted the distributed police reports from other cities. Warner stated the business can be regulated with licensing and a process for determining location, operating policies, lighting and booths. Regulations do not violate the rights of these businesses to operate. Bauer stated he was shocked at the amount of paperwork to review. Bauer made a motion seconded by Bibisi to refer the draft ordinance to Ordinance Study in tandem with the committee postponing a decision to allow more time for review of the issue. Daley questioned whether there is an urgency for this issue. Warner stated no but every town with a population of 50,000 has these kinds of businesses and there have been numerous inquiries over the years.
- 3) **Extension of Federal Transportation Funds:** Warner updated the committee on the process. The process is not clear until a new Federal Transportation Funding bill passes. Warner stated Noah Burger, FTA, informed Warner that if the city shows progress in moving forward on the project then the funding earmark is viable. Warner stated the city is moving forward with the garage RFP due on 5/15/09. The garage would use FTA funds. Warner noted letters from Lieberman & Dodd supporting the funding. Daley questioned the need for an extension before the September deadline. Warner stated the city just needs to show progress. The FTA approved the \$2.0 million garage expenditure. Daley stated the need to document the process. Warner stated he has been documenting since last year. Warner stated the garage design is paid with Federal Funding and with State LOCIP funds paying the city's match.
 - a) **RFP for Riverview Arcade Garage (see above)**
 - b) **Parking Study Extra Work:** Warner reviewed extra work done for the parking study. The contract included this contingency. Bauer made a motion seconded by Kasper to recommend the extra work funding to the Common Council.

G Status Reports

- 1) **Economic Development Fund, monthly report**
- 2) **Future Economic Development Projects, monthly report:** Kearney and Warner reviewed recent business inquiries that the department is working on including 2 new businesses looking for buildings and a retail looking to move to Main Street.
- 3) **Economic Development Specialist Report**
- 4) **REINVEST Loan Program, monthly summary report**
- 5) **JOBS Loan Program, monthly summary report**

H Other

- I Adjournment;** Kasper made a motion seconded by Santangelo to adjourn at 7:25 PM. The committee voted unanimously to approve the motion.