



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, May 17, 2021 6:30 p.m.

City Hall/Zoom

The Council Meeting was conducted using videoconferencing, as permitted by the NYS Open Meetings Law.

Welcome to the regularly scheduled meeting of the City of Poughkeepsie Common Council the date is May 17, 2021, and the time is 6:32 pm.

Effective immediately and based upon notices and health advisories issued by Federal, State, and Local officials related to the Coronavirus, the City of Poughkeepsie Common Council will not hold in-person meetings. Until further notice, all future City Council meetings (including public hearings) will be held via videoconferencing, as permitted by the NYS Open Meetings Law.

Due to public health and safety concerns, the public will not be permitted to attend at the remote locations where the City Council members will be situated. The public, however, will be able to fully observe the video conference meeting by using the registration link that was posted with our meeting notice and the meeting will be available for viewing at a later date and available on our website.

I'd like to acknowledge that we are gathered, wherever we are, on the traditional territory of the Lenape people and this territory was a critical resting place along a popular trade route for people of the Lenape Nation and other cultures as is evidenced in the earliest derivation of the name 'Poughkeepsie' with an indigenous string of words, U-puku-ipi-sing, that, when translated, means 'reed-covered lodge by the little water place' or resting place.

Let's all recite the pledge of allegiance.

I. PLEDGE OF ALLEGIANCE:

ROLL CALL - Seven present, two absent (Councilmember Flowers & Councilmember Cherry late arrival)

II. REVIEW OF MINUTES:

**Public Hearing Meeting May 3, 2021
Common Council Meeting May 3, 2021**

A motion was made by Councilmember Brannen and seconded by Councilmember R. Johnson to accept the minutes.

| Public Hearing & CCM Minutes 05-03-2021 | | | | | | |
|--|--------------------------|-------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| | | | Yes/Aye | No/Nay | Abstain | Absent |
| <input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled | Councilmember Flowers | Voter | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Councilmember McNamara | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Councilmember Cherry | Voter | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | Councilmember R. Johnson | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Councilmember Menist | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Councilmember Petsas | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Councilmember L. Johnson | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Councilmember Brannen | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Chair Salem | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

III. READING OF ITEMS by the City Chamberlain of any resolutions not listed on the printed agenda.

NONE

IV. PUBLIC PARTICIPATION: Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.

1. Rob Watson, Jr. – Co-Founder of the Poughkeepsie Children’s Cabinet
2. Celia Serotsky – S. Grand
3. Liz O’Raffity
4. Cornelia Harris – S. Randolph Ave.
5. James Watson - 35 Montgomery Community Coalition
6. Heidi Kirschner – President & CEO Kingston and Ulster County YMCA
7. Tim Massie – Tamidan Rd.
8. Alexandra Ceribelli – chef at Culinary Institute of America
9. Geraldine Layborne – co-founder of Day One Early Learning Community
10. Doug Nobiletti – 145 Academy St.
11. Laurie Sandow – S. Grand Ave.

I am constantly amazed—though I should no longer be—at how much, how often, how intentionally, this Common Council and this City Administration fails and deprives the public regarding transparency, disclosure and input. Nothing has served this Council better than the pandemic in their ability to hide from and exclude the public. The NYS Committee on Open Government has stated that in-person public gatherings have never been prohibited by the Governor’s Executive Orders. Other localities have been holding controlled in-person meetings. When will this Council’s in-person meetings resume? When will those who’ve been silenced this past year by the exclusive use of digital platforms have their voices heard and be present once again in Council

Chambers? How many times have I gotten up at Council meetings to speak about and ask about the same issues over and over, without acknowledgment and without change? How many times do issues of great urgency never make it onto the Council agenda at all? A case in point: while all eyes are on the smoke and mirrors of the “Southern Waterfront Redevelopment Task Force” at DeLaval, and while one clueless task force presenter recently described Poughkeepsie as “Mayberry”, this Council has not held one meeting, one agenda item, one public hearing about the far more urgent, shocking, shameful, entirely unacceptable assault on the lives of residents of North Hamilton Street taking place under the watch of both the County and Hudson River Housing, each of which gladly collects funding for homeless programs and shelter, while each of which leaves residents near the pods to fend for themselves. These residents are subjected each day, every day, to people urinating and defecating on their property, in their driveways; attacks and threats against adults and children; tires slashed; indecent exposure and behavior; people trespassing to use picnic tables in residents' backyards; constant noise, screaming, blaring music, trash dumped out of garbage cans any old way, any old place just to be able to grab a plastic trash bag; plus more. Residents and businesses near Hudson River Housing’s Underwear Factory and Fallkill Commons experience similar indignities. Laurie Sandow comments, City of Poughkeepsie Common Council meeting, May 17, 2021, Page 2 of 2 Rather than urgent issues, tonight’s agenda features a resolution transferring 35 Montgomery to the County, despite this Council never having held a public hearing [presentations and so-called “visioning sessions” are not public hearings], and with 11th hour edits that do not assure city residents of necessary protection, involvement and positive outcomes. And suddenly tonight, out of nowhere, we have the announcement of alleged “35 Montgomery Community Coalition” members that have never been introduced prior. Why, also, is the Family Partnership never named and not already functioning as a community center? How is it that Pastor Whitted was saddled with taxes, yet the County is not required to make the City whole for the very same taxes? Where are the written non-discrimination and other clauses to guarantee the Y will remain affordable and accessible in perpetuity to City residents? Why do so-called “community coalition” members from bubbles like Vassar, the Kingston Y, and MASS Design, have more say, and more seats at the table than actual City residents? How do the demographics of the “community coalition” fairly represent this city, and in what way do they actually interact with the community? I’m not opposed to the Y or to a transfer, I’m objecting to a still defective and exclusionary process, terms and conditions. Also on tonight’s agenda? Yet another game of Three-Card Monte—I mean “presentation”—by a Council task force primarily created to stall the City’s Waterfront Advisory Committee (WAC) completion of the Local Waterfront Revitalization Program (LWRP), and to camouflage Hudson Pointe’s opposition to the Bonura

development. All this while waterfront properties that could be protected and receive grants under a revised and expanded LWRP are deprived of those protections and opportunities, including: —Failure to protect the Fallkill and adjacent properties; —Failure to protect the former Y site and several other parks that would fall under the revised LWRP; —Items related to a light pollution initiative; —Items related to water drainage and runoff protection; —Visibility and viewshed concerns including, for example, those from the Walkway, and —Issues of public access, transit and social equity related to the water.

12. Ken Stier

V. CHAIRPERSON’S COMMENTS AND PRESENTATIONS:

Tomorrow is the school board election and school budget vote. Polls are open from 9:00 a.m. to 9:00 p.m. You can find your polling place by visiting the poughkeepsieschools.org. But I went ahead and looked up all the polling places for you folks. If you're if you're watching, I know there are different locations than our traditional voting locations. So if you live in the 1st or the 3rd Ward, you would vote at Morse Elementary School, which is at 101 Mansion Street. If you live in the 2nd or the 4th Ward, you vote at Clinton Elementary School, which is at one hundred Montgomery Street. If you're in the Fifth Ward, you vote at Warring Elementary School at two eighty three, Mansion Street, the sixth and the Seventh Ward. You're voting at Poughkeepsie Middle School at Fifty Five College Ave. And then folks in the Eighth Ward, you go to vote at Kreiger Elementary School and that is at two sixty five Hooker Avenue. Again, tomorrow is the day that you go and do that and polls are open from nine a.m. to nine pm so you can pop over before work, during your lunch break, during the day or after work, which I plan to do tomorrow. Covid vaccinations still happening, encouraging everyone to go ahead and get that shot. Now adolescents are able to go ahead and get that shot. I'm sure everyone's heard the news that the mask mandate or recommendations by the CDC on wearing masks has been lifted. Gov. Andrew Cuomo announced today that Wednesday New York State that mask mandate or the lifting of will start to take effect. And then also as a reminder, it's going to depend for private businesses or private places of gathering, whether or not you're going to be required to wear a mask and you're going to want to use your best judgment if you're fully vaccinated, you do not have to wear a mask unless you're being instructed to. If you're not vaccinated, you are being encouraged still to wear a mask to continue to socially distance yourself. So even more reason to go ahead and get vaccinated so that we can start to see ourselves come back to a semblance of normalcy. Which brings me to my next point, and that is something that was brought up tonight during public comment, common council meetings. We have been meeting virtually since last April, April 6th is when we had our first virtual meeting. And as we start to see more and more people become vaccinated, as we start to see recommendations from the CDC and other health officials that we are now able to gather if we are fully vaccinated without wearing a mask, it's time to

start considering gathering in person as a common council. And so I would like to meet with my council leadership to make a plan to reopen the council chambers for the public and for our meetings moving forward. It's not going to happen within the next few meetings. But again, after meeting with council leadership and the rest of the council, we can make a really thoughtful plan on keeping everyone safe and ensuring that we're gathering together as is allowable as we become vaccinated. It's tricky. There are a lot of factors involved whether to have all members of the public wear mask or not. And so we'll have to decide how we do that so that we can keep folks safe. But looking into the near future, it's seemingly safer to gather in person and there is something lost, meaning virtually in over zoom. I mean, I have to tell you, I've been doing it for over a year now. And while Zoom is accessible or more accessible to some, it isn't accessible to many others who don't have access to the Internet or the technology in order to join us on meetings or to make public comment and make it work for them. So it's important that as we emerge from the pandemic and from the crisis of the pandemic and we learn how to interact with each other and to exist in our communities, we as a council begin to kind of put our first foot forward in that effort. And so stay tuned for more details on that as they as they become available. So, if you can go and get vaccinated, walk up to now, be accepted, are now being accepted at most state sites, and so it's important to go ahead and do that if you're looking for other kinds of resources for rent, relief, food or other financial aid and support. Pop to the city website. You can pop on to the county website or New York State's website, a ton of resources available for folks. And if you don't know where to look again, the city website at City becomes dot com and the county Web site still have a ton of resources available for rent relief, access to food and other financial aid and supports. So I want to end my comment on, you know, Councilman McNamara, you know, council member McNamara this is going to be your last meeting with us tonight. And it is it's sad, honestly. And I want to speak openly and freely and saying, although we haven't always agreed on everything, it has been an honor to serve with you on the Common Council. And I value and I look up to your commitment to the city of Poughkeepsie. You stepped in and filled big shoes, your late husband, Tracy Hermann, and he did so in a most excellent way with the commitment to the city of Poughkeepsie, your constituents and the constituents as a whole. And so we're going to miss you on the council. And I we have we have many fond memories together. And one of the most memorable is when we marched together during the first pride parade in the city of Poughkeepsie. And that was a very fun event. And it was very it was it was great to be marching along your side as another queer in our community and to you all. And I wish you the best of luck in all of your future endeavors and just know you will be missed on this council. And I really appreciate the service and your commitment again to the city of Poughkeepsie that many, many, many things to be proud of. And I know that you are a proud father and a proud partner and a proud friend of many. So I thank you, council member McNamara.

(McNamara): Thank you, Chair. And just a quick thank you to everyone on the council. It has been my honor to serve the eighth ward of the city of Poughkeepsie.

(Chair Salem) We're sad that this is your last meeting. However, that being said, I do want to make the announcement that we'll have to fill council member McNamara's vacancy. And we are currently accepting resumes and letters of interest from folks that live in the 8th Ward. That information is also available on the city website at www.cityofPoughkeepsie.com and we're accepting interested members of the 8th Ward, residents of the 8th Ward to send resumes to me as Ssalem@cityofpoughkeepsie.com before Thursday, May 27. That's your deadline. So that's next week. And again, thank you. Council Member McNamara. And with that, I will conclude my comments.

VI. REPORTS OF COMMITTEES AND BOARDS:

1. SOUTHERN WATERFRONT REDEVELOPMENT TASK FORCE

This will be a really short update since I gave a more extensive one at the last meeting. We have had three meetings so far of the task force. We had our Kick-Off meeting in April and we had another meeting where we invited Project for Public Spaces. And Jeff Ansavino, who I think is known to most people here on best practices and waterfront development. And then in our last meeting last week, we had an arts organization roundtable to talk about incorporating arts into the riverfront. And I know Mr. Nelson was a big fan of that conversation. We have taken in addition to those several meetings, other steps, we've done a number of site visits to the property. We have a subgroup looking at other waterfronts up and down the Hudson River and throughout the region on how they have developed and made their waterfronts accessible. We have a very lively public comment at every single meeting and extensive participation in those meetings. And then lastly, we have a public survey that has gone out in both English and Spanish. I want to thank John Penney for his assistance again and getting that out in the buzz. And also, Ms. Davis has been helping to get that out to the public. And I think Ms. Cherry, Councilwoman Cherry has most recently been in touch with someone about getting that out through the school district. I and Dr. Watson, it also in our last meeting offered her assistance as well, so thanks to everyone, if the council members have not seen that survey yet, please do help get it out to your residents and constituents. We really want to get as much input as possible. It's a short survey. It should only take about three minutes to complete. And also and I forgot Evan Menist, you've also been helping to get the survey out, and I know you're doing some door to door to try and get some hard copy surveys out to people who might not have Internet access. So thank you for that. All of this has been synthesized. The information we've gathered so far has been synthesized into short term recommendations for reopening the site that is due from the task force to this council and about three weeks. So I would ask that each of the council members please go into the Web site and see those recommendations. It's about eight or nine Yuji's, but only half of that is text. We tried to include some sample photos from other places on signage and fencing and things like that that

we thought was helpful. So if everybody could please take a look at that, the short term recommendations that would be great. You can email me any feedback and I'll share with my co-chair Kafui Attoh. Our next meeting is next week, May twenty sixth at six thirty pm on Kafui Attoh and I have sent a letter out to some businesses and people in tourism and hospitality, including the walkway over the Hudson and others, to come and talk about tourism as an economic engine and how that might be a part of waterfront development in the city. So that'll be next week on the 26th at 630. And that link should be going up hopefully by the end of the day tomorrow. I'll be working with Chair Salem and Miss Davis on that. And then our final recommendations are due to you all in July. If anyone has any questions or thoughts about what they would like to see in that report in terms of topics that you want us to make sure we cover or anything that you would like us to analyze as a group, please do let me know so that whatever recommendations we bring back to the rest of the council are as helpful as possible in moving forward on the redevelopment of this site.

VII. MOTIONS AND RESOLUTIONS:

A motion was made by Councilmember Brannen and seconded by Councilmember Flowers to receive and print.

1. Resolution R-21-41, designation of the Eastman Park oval as a local historic landmark.

**R-E-S-O-L-U-T-I-O-N
(R-21-41)**

INTRODUCED BY COUNCILMEMBER MENIST

WHEREAS, the City of Poughkeepsie (the “City”) is the current owner of a parcel of property located at 35 Montgomery Street, parcel number 6061-28-946914, on which sits a building which is commonly known as and was at one time operated as the “YMCA” until approximately 2009 when it closed its doors and ceased operations permanently; and

WHEREAS, the property began to fall into disrepair and had been vacant for some time prior to the conclusion of a foreclosure action titled Mahopac National Bank v. Dutchess County Young Men’s Christian Association a/k/a Dutchess County Young Men’s Christian Association of Poughkeepsie, in 2014, whereupon the property was transferred by Referee’s deed to The Potter House, Inc., on October 23, 2014, which planned the renovation of the property and the establishment of a new community youth center on the site; and

WHEREAS, for more than four (4) years thereafter, as the building sat vacant and continued to deteriorate, the City saw no progress towards the establishment of a new youth and community center at the site, while property taxes and water and sewer charges went into arrears and remained unpaid, and

WHEREAS, throughout this time, the City continued to work with The Potter House, Inc., holding numerous meetings with its principals designed to help move their proposed project along, which efforts ultimately proved unsuccessful, and

WHEREAS, on February 22, 2019, acting on a recommendation of the City's Anti-Blight Task Force, the Commissioner of Finance caused to be executed a tax deed in favor of the City and recorded on the records of the Dutchess County Clerk on February 25, 2019, which deed vested title in the City. By letter dated March 5, 2019, the City notified The Potter House, Inc., a copy of which is attached as Exhibit "A" and made a part hereof, and

WHEREAS, through the spring of 2019, the City took steps to secure the property, inspect the interior, and provide for its insurance, all steps which helped facilitate the issuance of a "Request for Expressions of Interest" ("RFEI") to the public and interested parties, seeking proposals to develop a youth and community center on the site. A copy of the RFEI issued by the City is attached as Exhibit "B" and made a part of the record herein, and

WHEREAS, while the RFEI issued by the City requested responses by interested parties no later than June 3, 2019, the City conducted a number of community visioning sessions, including two public meetings which were held on May 13, 2019, and June 26, 2019, and were well attended, and

WHEREAS, the clear result of the City's community outreach and dialogue with numerous stakeholders, was the strong preference among City residents that a multi-purpose, state-of-the-art community center and facility be constructed which would have the following primary uses: adult and youth education, youth activity center, arts, wellness, recreation, child care services, early learning, and indoor swimming pool, which are vital to many Poughkeepsie families. The intent of the project will be to create a facility that adequately accommodates these multiple uses, and

WHEREAS, the City established the "YMCA Site Selection Committee", Chaired by the Honorable Barbara Jeter-Jackson, to review proposals, community comments and related documents, which committee met on September 17, 2019, and November 12, 2019, prior to making its recommendation to the City, and

WHEREAS, a thorough and diligent review of proposals received led to the selection of the "35 Montgomery Street Coalition" which is attached hereto, as the successful respondent with which the City would move forward to explore various business models, seek financial and other in-kind commitments from community stakeholders, and explore inter-governmental partnerships, and

WHEREAS, as a result of all the foregoing efforts and ongoing discussions with the 35 Montgomery Street Coalition and Dutchess County, Mayor Rob Rolison and County Executive Marcus Molinaro executed a "Memorandum of Understanding" regarding the furtherance of the

project, on August 19, 2020, a copy of which is attached hereto as Exhibit “C” and made a part hereof, and

WHEREAS, the City’s Property Acquisition and Disposition group (“PAD”), which is comprised of internal career public servants, including the City Assessor, and the City’s Tax Collector and Building Inspector, met on January 27, 2021, and unanimously agreed to recommend the sale of the property to Dutchess County, subject to the County’s agreement to demolish the existing structure within one year from closing of title between the City and County, and

WHEREAS, Dutchess County has pledged, subject to the approval of the Dutchess County Legislature and any State or local laws relative to purchase of real property, procurement, bonding, or loaning of credit, up to \$25 Million (\$25,000,000.00) Dollars towards a phased development project that begins with demolition of the existing structure and the greening of the parcel, followed by the design and construction of the new facility, and

WHEREAS, the City has pledged, subject to the approval of the Common Council by this Authorizing Resolution, to transfer title to the property to Dutchess County, and prior to the closing of title with the County, to maintain and continue insurance as well as municipal services to the property, including but not necessarily limited to those routinely provided by the City’s Department of Public Works, Engineering, Water and Sewer, and the plowing of snow, and

WHEREAS, the City has determined that it does not have the financial capacity to complete this development project on its own, and that the proposed project will provide essential and wide-ranging services to the community, including a new indoor swimming facility, early learning facility, and child care services which are vital to many Poughkeepsie families, and

WHEREAS, the Common Council hereby finds that it is in the best interest of the City of Poughkeepsie to approve the transfer of the Property to the County of Dutchess for the development of a youth activity center, and

WHEREAS, the action is an unlisted action pursuant to the State Environmental Quality Review Act (SEQR) and as such is subject to a determination thereunder, and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for the Property; (b) that the current prevailing community need for the property is development of a multi-purpose community facility as described herein and which benefits from the partnership with Dutchess County, and (c) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance, including to wit: the County’s commitment of up to \$25 Million (\$25,000,000) Dollars for the demolition, design, and construction of a youth and community center, and be it further

RESOLVED, that the City of Poughkeepsie is hereby authorized to sell the property located at 35 Montgomery Street known as parcel number: 6061-28-946914 in the City of Poughkeepsie to the

County of Dutchess, for a sum of \$10.00, subject to the covenants contained herein, and subject to authorization to purchase said Property by the Dutchess County Legislature, and further subject to such other conditions which the Corporation Counsel shall deem appropriate, and that the new facility and any related equipment, operation, or activities will be limited to the parcel located at 35 Montgomery Street and will not encroach upon adjacent or nearby parcels or parkland, and be it further

RESOLVED, that by Resolution R-2147___, the Common Council of the City, pursuant to the State Environmental Quality Review Act, has determined that this action will not have a negative environmental impact, and be it further

RESOLVED, that the Mayor is authorized to enter into an agreement for the sale of the Property, subject to the following covenants, and such other terms and conditions that the Mayor, City Administrator and/or the Corporation Counsel shall deem appropriate:

- A. County shall have up to three (3) months from the enactment of this resolution to perform any and all due diligence, including but not limited to an environmental assessment, and City shall provide County with all necessary authorizations for the County's employees, agents, and contractors to enter the Property to complete such due diligence, and
- B. The City is hereby authorized to enter into a Contract of Sale Agreement with the County of Dutchess, to purchase the Property, consistent with this Resolution within six (6) months from the enactment of this resolution. The Contract of Sale Agreement shall provide the County with an additional six (6) months from closing of title to obtain financing for the development of a youth and community center described herein; however, County shall not be required to finance more than Twenty-Five Million (\$25,000,000) Dollars, and
- C. County shall establish a coalition of stakeholders, who shall be made up of parties from the "35 Montgomery Street Coalition", the City, the Common Council of the City of Poughkeepsie, the County, and the Dutchess County Legislature and who shall have input on operation, direction, and design of the youth and community center, before and after its construction, and with regard to its future operations, and
- D. The County shall, within twelve (12) months of the closing of title between the City and County, demolish the existing structure on the Property with the City contributing 25% percent, in an amount not to exceed Two Hundred Forty Thousand (\$240,000.00) Dollars, of costs associated with demolition, which may include but is not limited to, design and bid specifications for the demolition, and
- E. County shall be required to commence construction of the youth and community center within twenty-seven (27) months from closing of title between the City and County, and
- F. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record, except that City shall defend, indemnify and hold harmless

Official Minutes of the Common Council Meeting of May 17, 2021

the County with regard to claims or causes of action seeking to invalidate the City’s tax deed and/or City’s sale of property to the County, and

- G. Said deed shall contain a restrictive covenant prohibiting the installation of coin operated or public telephones, and
- H. The City of Poughkeepsie is hereby authorized to sell the Property to the County of Dutchess, and a Contract of Sale with the County and resulting deed shall contain such provisions as are necessary to implement the intent of paragraphs A, B, D, and E herein. More specifically, time is of the essence, and the provisions related to the time within which the County must complete its due diligence, execute a Contract of Sale, finance the redevelopment of the Property, demolish the existing structure, and construct the new youth and community center, shall constitute covenants running with the land. The City is authorized to enter into a Contract of Sale with the County and it shall include language which is substantially similar to the following: the County perform the aforementioned with due diligence, but that a failure to perform within the time period prescribed in the Contract may result in the City placing the County on notice of its failure, and if the County fails to cure within a determined period of time, the City is authorized to repurchase the Property for the amount the County has expended, including but not limited to outstanding bonded indebtedness, to improve the Property. Additionally, the County assumes responsibility for operating the property consistent with the outlined objectives of this project, and shall ensure its good maintenance and financial stability after construction. If the property falls into disrepair or financial insolvency, then the same procedure related to notice of defect, opportunity to cure, and repurchase outlined herein shall apply.

RESOLVED, that the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this Resolution including but not limited to the execution of a Contract of Sale and any documents necessary to convey title pursuant to said contract.

| R-21-41 | | | Yes/Aye | No/Nay | Abstain | Absent | |
|-------------------------------------|----------|--------------------------|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | Councilmember Flowers | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | Councilmember McNamara | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | Councilmember Cherry | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | Accepted | Councilmember R. Johnson | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | Defeated | Councilmember Menist | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | Tabled | Councilmember Petsas | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | Councilmember L. Johnson | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | Councilmember Brannen | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | Chair Salem | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

A COMMUNICATION FROM CITY ADMINISTRATOR NELSON, authorizing Sale of City Owned Property at: Spruce Street Vacant Lot #6062-60-924470

A COMMUNICATION FROM CITY ADMINISTRATOR NELSON, authorizing Sale of City Owned Property at: 375 Church Street Vacant Lot: 6161-24-430899

A COMMUNICATION FROM THE FINANCE COMMITTEE, on the introduction of a Local Law restricting Off-road Vehicles.

FROM JOHNATHAN PAGAN, a notice of personal injury sustained on February 6, 2021.

FROM TAMARA FAULBLAS, a notice of personal injury sustained on March 16, 2021.

FROM TACO GOL RESTAURANT CORP., a 30 day notice of intent to apply for its liquor license.

X. OLD BUSINESS:

XI. ADJOURNMENT:

A motion was made by Councilmember Brannen and seconded by Councilmember Flowers to adjourn the meeting at 9:05pm.

Dated: May 24, 2021

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, May 17, 2021.

Respectfully submitted,

Jasmin Nicole Davis
City Chamberlain

