

CITY COUNCIL SPECIAL MEETING MINUTES

AUGUST 23, 2010

Mayor Joe LaCascia called the meeting to order at 6:08 p.m.

ROLL CALL

Mayor Joe LaCascia, Vice Mayor Trudy Block, Councilor Nancy Adorno, Councilor Mike (6:10 p.m.), Councilor Don Kimsey, City Attorney Jeff Sullivan and City Clerk Patricia Jackson.

A quorum was established and Mayor LaCascia turned the meeting over to City Attorney Jeff Sullivan.

OLD BUSINESS

Attorney Jeffrey Sullivan

Attorney Sullivan advised this meeting is a continuation of several hearings we have had on Petition to Contract Municipal Boundaries. In this matter we have taken testimony and presentations from the petitioners, and he has given Council his legal opinion as to the appropriateness of the filing of the petition. Since the last time Attorney Sullivan spoke to the Council (end of June) whereby he advised he didn't think the petition was legally sufficient because it wasn't filed by 15% of the qualified voters in the area. The Petitioners did move to amend the petition – Mr. Weeks individually and Mr. Douthit individually moved to be joined as individual petitioners; however, it did not change his interpretation of how the Statute reads. Statute 171.051 does state it has to be a petition of 15% of the qualified voters in the area; Attorney Sullivan doesn't think the Statute was designed to have the President or owner of a corporation in that area simply substitute himself as the Petitioner. He is still of the position that it is legally insufficient. The Council can accept that, or not, and can judge it on its own merits. We did commission a feasibility study by GAI Consultants; their representative is here tonight to discuss that. Before we do one other thing he wants to mention for the record is it could be part of the record that could ultimately result in litigation, Section 171.052 of the Florida Statutes, Section 1 part of that if the area proposed to be excluded, so if the area that is sought to be contracted, does not meet the criteria of Section 171.043, which is the annexation statute, but such exclusion would result in a portion of the municipality – so a portion of Polk City, becoming non-contiguous with the rest of the municipality then the exclusion shall not be allowed. He advised that basically what this means is that even if the area that is sought to be contracted doesn't satisfy what the Florida Statute says when we annexed it, somehow it didn't reach that level and we let that property go; if we let that property go and we leave other portions of Polk City contiguous to the city, which would be parcel (A) that was connected by this parcel that's sought to be contracted at parcel (B) and you contract it and it leaves that parcel

(A) not touching any other part of Polk City, then that's grounds in and of itself to deny the Petition for contraction, and in reviewing the petitioners submissions, in this case, and they're drawing of (A)2, which was part of the Petition, it shows what the city would look like after the contraction. Hypothetically, if we were to contract and my looking at their (A)2 shows that there is a substantial portion of Polk City that would remain non-contiguous to the rest of the city if the contraction was allowed. If you look at their (A)1 that shows how the city looks before contraction and compare it with (A)2, one of the sections they want to contract provides the contiguous portion of the city, so I think that would be another reason we could look at it. That's based on the Petitioners own maps; it does show that there would be some non-contiguous portions of Polk City; it is something for Council to consider. More importantly and obviously, factually, would be the report that was submitted by GAI Consultants, Inc.; that was the feasibility study that was done, and Doug is here to discuss that. The City Attorney advised he doesn't have anything else to say other than what he has already told the Council before.

At this time Attorney Sullivan turned the meeting over to Doug; he will discuss his findings, and he can address any questions. Attorney Sullivan then advised the Petitioners will have some time to address the Council one final time before Mayor LaCascia calls for a vote.

Mr. Doug Kelly, Planning Manager with GAI Consultants, went over the Executive Summary as follows, a copy of which is made a part of the minutes:

- The report was prepared in response to the February 22, 2010, Petition to contract boundaries of the city by approximately 318 acres owned by Orlampa, Inc. and the Howard C. Lucas Trust. The purpose of the report was to evaluate the short and longer term fiscal impacts of the proposed contraction of the municipal boundaries of Polk City, and to provide the City Council with technical assistance to make an informed decision. The report does not provide a recommendation in support of or in objection to the Petitioners request. In preparation for evaluating the petitioners' request, GAI reviewed applicable elements of the City's Comp Plan, the City's Land Development Code, the City's water System Master Plan prepared by Envisors, and the City's Preliminary Engineering Report for Wastewater Collection System and Treatment Facilities prepared by Jones Edmunds & Associates.
- This information was used with data from the Property Appraisers Office and the Central Florida Regional Planning Council, and did a market fiscal analysis.
- The total land area of the City as of October 2009 is 3,224.15 acres; the proposed contraction represents approximately 9.8 percent of the City's land area.
- This considers the potential revenue impact to Polk City if the contraction took place (318 acres). The revenue streams include the following operating and capital revenues for Polk City: Ad Valorem Taxes, Communication Service Tax, Utility Service Taxes, and Charges for Services, Intergovernmental Revenues, Impact Fees (City) and Connection Fees (water and sewer). This report shows a substantial area of the City's potential income.

- We looked at this over a 20 year period to the year 2030, and went through three development scenarios. Mr. Kelly then went over the Executive Summary bullet points of the different scenarios. Mr. Kelly feels the City should focus on low and medium growth, as the high growth is not something he believes could happen.
- With the City's total budget of \$3.5 million, Polk City risks losing substantial future revenues if contraction of these properties take place.
- The City has potential of growing eastward, and one of the unique items that the City has is the Polk Correctional Institution. From the information we received, that facility has about 1400 to 1800 inmates, and according to the Department of Corrections there is between 300 and 400 employees. If you convert that over to the number of residents in Polk City, the prison facility has almost as many occupancies and employees as the City of Polk City has residents. It is a very substantial potential area to expand the City's water and sewer service area. There is a strong possibility the City of Auburndale could eventually annex the property that is being considered for contraction from the City of Polk City; therefore, leaving the possibility of Auburndale serving the Correctional Facility with water and sewer. Mr. Kelly advised they have discussed some of the demands and projects with the facility manager of the Institution, and if water and sewer would be able to serve areas in the future is an important revenue source for the City. Bringing in the Correction Institution could result in additional revenue of about \$1.5 million pr year. Discussion took place about what type of water and sewer facilities the Correctional Institute has. Mr. Kelly also advised the Correctional Institute would like to get out of the water and sewer business, and there is an interest for them to connect to a municipal system; however, that decision would be made in Tallahassee.
- Mayor LaCascia asked Mr. Kelly if he had any idea of what that cost would be. Mr. Kelly advised it could be \$70 per linear foot or higher and lift stations, if you're doing a force main gravity – well into the millions of dollars. They have a package plant on site and a well on site; however, there may be some type of agreement the City could enter into with them.
- Councilor Kimsey asked if Mr. Kelly was aware that Auburndale already has a water line in that area, and doesn't he think Auburndale is aware of that and they would have a leg up on us. Mr. Kelly advised he thinks Auburndale would probably be looking to expand their system and that is why he wanted to bring the issue up. If that area gets annexed into Auburndale, then it provides an opportunity for them to expand. Councilor Kimsey doesn't feel it is realistic to think Polk City can expand their utilities to that area. Mayor LaCascia commented if the City grants the contraction, it would take away that possibility altogether. Mr. Kelly advised that is correct.

At this time Mr. Gallaher, Peterson Myers, asked Mayor LaCascia if he could cross examine Mr. Kelly on behalf of his client. Mayor LaCascia asked City Attorney Sullivan where we were at. City Attorney Sullivan advised Mr. Gallaher he is entitled to ask Mr. Kelly questions; however, he didn't think Mr. Kelly would submit himself to cross examination. At this time asked the Mayor if he could be recognized, and advised Council he would like to present rebuttal testimony later in the meeting, but would like to

ask Mr. Kelly some questions. Mr. Gallaher then proceeded to ask Mr. Kelley questions as follows:

- What is the City future land use designation -- Mr. Kelly advised it hasn't been converted to a city designation, and after checking his records, he advised the County designation is agricultural and rural.
- What is the density of that designation is? Mr. Kelly advised it is 1/10 – 1/5 and in some cases .5 per acre. Mr. Gallaher then discussed the Polk County ARR future land use density.
- City zoning designation – Mr. Kelly advised his report states the land use and zoning designation would have to be changed. When asked about the projections that were given for growth based on the future legislative decisions to designate the property with appropriate land use and zoning, Mr. Kelly advised the report states in order for any of these projections to have some validity, the land use and zoning would need to be changed. If Amendment 4 does pass, the land use application would have to go to referendum of the voters. Discussion followed concerning Amendment 4 and what would happen if it passes.
- Residential density used for low estimate – Mr. Kelly advised 2.5 units per acre. Density for medium growth – Mr. Kelly advised he believed it to be 3 to 4 and used a floor area ratio of 0.2. Density for high growth – Mr. Kelly advised 4 units per acre.
- Does the City have to annex property to provide utilities; Mr. Kelly advised no. It was noted that utility services and annexation are two separate issues.
- The city would be legally entitled to provide utilities if the property was contracted and services were available, and could establish a 180 service area – Mr. Kelly advised that was correct. It was then noted the city has a 180 service area. Discussion and questions took place regarding three separate utility service area boundaries, and cleaning up those boundaries by ordinance and to make use of the five mile radius.
- Questions were then asked of the projected revenues and how it would affect property inside or outside of the city. After brief discussion, Mr. Gallaher commented he had identified two sources of revenue which would be dependent upon annexation (Ad Valorem Taxes and Intergovernmental revenue). Mr. Gallaher also asked about impact fees for public facilities, police, fire, parks and recreation. One of the other revenues discussed was connection fees; they are tied to the utilities and not to jurisdiction.
- Mr. Gallaher asked if based on his review, there are some substantial different sources that don't have anything to do with annexation, but more with utilities – Mr. Kelly advised that is correct. Mr. Kelley then advised his numbers are based on if you are going to remain in the city for a 20 year period.
- Projected growth rate that was used for the City – Mr. Kelly advised he believes it was 1.49. He then looked in his report and responded. When asked where he got the number from; he advised Central Florida Regional Planning Council through BEBR (Bureau of Economic and Business Research of the University of Florida); it is essentially a projected population growth rate. Mayor LaCascia commented that after the 8 or 9 bullet points, it doesn't change the 77.1 percent

of Polk City's total revenues in terms of the percentage of revenues which would be lost if the development, based on varying levels of future development, if the contraction took place. Mr. Gallaher believes that it does; this report is being presented as a response or as an analysis of whether to de-annex or not. Mr. Gallaher feels he has demonstrated through his questioning, if you are able to provide utilities, many of these fees will be paid through the utility service. Mr. Gallaher continued to discuss the revenues as it pertains to utility services, development of the property, de-annexing and down the road there could possibly be annexation, or de-annexation and the possibility of the property never coming back to the City

- Annexation follows urbanization – Mr. Kelly responded it should, and Mr. Gallaher gave an example and proposed what should occur. Discussion also took place regarding the property owners plans for the property in question – very long term and has more to do with a vision than making money. Mr. Gallaher then mentioned because of the circumstances under which the property was brought into the city have made this a priority for him, but it's not a plan to make a lot of money as soon as it's out of the city. He doesn't even think that's an option
- Mayor LaCascia asked why would we let it go now and then take it back later using any one of those scenarios which Mr. Gallaher indicated. Mr. Gallaher gave two reasons. One is no matter what the theory to defend the decision to retain the property and that is non-urban in character, you will have to pay for the privilege to test that, and there are various scenarios that could cost you a great deal of money to do that.
- Mayor LaCascia asked Mr. Gallaher if he is simply saying we will litigate it; Mr. Gallaher advised it is not a decision that would be without cost. Mr. Gallaher then asked the Council what the Council would get by having that battle. He then referred to the Statute whereby the purpose is to allow the annexation of urban areas or urbanizing areas.
- Mr. Gallaher asked Mr. Kelly how he allocated the BEBR growth rate to the property; Mr. Kelly advised they assumed that approximately 60 percent of the property would be developable, then took the density measurement and applied the floor area ratio for nonresidential.
- Mr. Gallaher then wanted to know how many homes Polk City would have in the year 2030 based on the BEBR projections; Mr. Kelly advised he believed it to be 4500 residences (total). There some more discussion regarding dwelling units over a period of 20 years.
- Councilor Blethen commented they are talking about residential development and asked what was the real development that has been expressed – is it residential, no; it's industrial, commercial, high value land, and if you go that route, that would change the entire tax base on everything. Mr. Gallaher responded it is a generic analysis, and Mr. Kelly advised it was a baseline for Council to be able to more fully understand the potential impacts.
- Mr. Gallaher the summarized the analysis with Mr. Kelly responding.

Mr. Gallaher thanked the Mayor and advised he did not have any other questions.

City Council Questions and Comments

- Mr. Blethen advised he would like to know about the real project that's being developed on the property. Mr. Weeks doesn't think the original annexation process was properly done. Mr. Weeks advised as stated previously, there will be no development in the next decade, and there will be little, if any development, in the following decade. Mr. Weeks also advised because of the state of the city he is willing to walk away from this, if it goes in favor of the Petitioners; however, if it doesn't, he will he will pursue restitution. Councilor Blethen apologized to Mr. Weeks for jumping on his band wagon some years ago.
- Councilor Blethen asked what Polk City could look forward to from Fantasy of Flight if we were to de-annex. Mr. Weeks advised he is not in a very amenable mood; however, we have left a list of things that has been done in the past to support Polk City. Mr. Weeks once again commented nothing is going to happen of any significance in the next two decades; he then discussed his vision.
- Mayor LaCascia commented the only thing that would lead him to believe things might happen sooner is the high speed train and USF. Mayor LaCascia commented to Mr. Weeks that he and Jesse have worked very hard to make all of this come to fruition. Mayor LaCascia advised when he walks through Council doors he is only thinking of what is best for Polk City. Mr. Weeks told Mayor LaCascia he is doing a great job. Mayor LaCascia advised when he looks at what might be coming down the pike, his thoughts are for Polk City, and he would be remiss to just let it go. Mayor LaCascia advised we have to deal with the moment, and with the evidence put before us, it's a compelling argument to hang on to what we have; however, the other part of that is, is there litigation down the road. Mr. Weeks feels the City should focus on Berkley road; he thinks at some point Berkley is going to be an intersection in Polk City.
- Vice Mayor Block wanted to discuss the zoning issue; when she asked why the zoning was never changed, she was told when the owner decides what they want to do, it's easier to change the zoning than to change the zoning once and then to change it again. It sounds like that this was a known effort by Polk City to not make that change to zoning; it wasn't something that we ignored, or something we didn't do. Vice Mayor Block advised the feasibility study was done, we tried to be as conservative as we could possibly be.
- Attorney Sullivan advised he didn't see any Statutory basis for the City to be concerned that if we were to lose the ultimate fight that we would be responsible for Mr. Weeks' fees in the case. Attorney Sullivan doesn't think Attorney fees should be a consideration for the council to worry about, and he reminded Council that Mr. Weeks had 30 days to challenge the annexation six years ago.

Mr. Gallaher then addressed Council and his responses:

- Contiguity – he submitted a map from Mr. Fragala's presentation (Exhibit 2A), and Attorney Sullivan advised that is the one he referred to (he gave this to the

Court Reporter and City Clerk). This also shows the right-of-way as to the issue of severance. Mr. Gallaher discussed the property being contiguous and non-contiguous. Mr. Gallaher feels the property Attorney Sullivan felt would be severed would not be severed because it is separated by a right-of-way, which the City did not annex.

- Mr. Gallaher then spoke about the Statute dealing with Attorney Fees and feels it is “poorly drafted.” He feels his client would be able to get Attorney Fees if this goes to litigation and his client wins. Mayor LaCascia commented it would take the argument off the table that if we were to be successful, that there will be a chance of recouping our legal fees. Mr. Gallaher advised if the City were to deny the request tonight, they would be appealing the City’s decision and they would be the complainant; if the complainant wins they get attorney fees from the City, and if the complainant loses then the City would not get attorney fees. There was discussion between Mayor LaCascia and Mr. Gallaher regarding how he would counsel his clients – it would be based on what he thinks is in their best interest.
- Qualified Letter issue – it is related to the legal interpretation of the Statute – annexation and contraction. In the case of contractions, you are basically applying the annexation process backwards. He then referred to his report from the earlier hearing regarding annexed properties; he also discussed the 15 percent of qualified voters rule. Discussion took place between Mr. Gallaher and Mayor LaCascia regarding the Statute as it pertains to contraction.
- Mr. Gallaher thinks their Petition is valid under the law. Mr. Gallaher feels the one thing the City will not be able to provide is utilities. Discussion took place regarding development of the property, speculation of growth, etc.
- Councilor Adorno asked about Orlampa – she is not quite sure what the whole idea of “Orlampa” is at this present time – an area that was named or it it’s an area that may become a city or not. But, how will it affect that possibility if this area continues to be Polk City. Mr. Gallaher then responded to what it takes to establish a municipality. Mr. Weeks advised it is just a name like Celebration for development.
- Mr. Weeks also advised he would go to Auburndale for water and sewer if he changed his plan in the next six months or year. Vice Mayor Block advised it is her understanding that Polk City could provide utilities to that area. Some discussion followed concerning utilities and development.

City Council Comments

- Councilor Kimsey believes that before we can ever provide any utilities out there we would be knee deep in litigation; he is sure Mr. Weeks plans on taking us to court – Attorney feels it would cost \$40,000 to \$50,000, and no assurance that we will win. Councilor Kimsey would like to make a motion...
- Vice Mayor Block advised she wanted to make a comment.
- Attorney Sullivan advised we’re opening it up to the final discussion and when everyone has a chance to speak their piece, if you want to make a motion at that time that will probably be the proper time to do that.

- Mayor LaCascia advised there would be public comment before that.
- Vice Mayor Block commented we have the money to do what is right for the people of Polk City; we have revenue, we have dollars, and we take things from some places and put them other places. In addition to that, the Attorney said we don't have to pay. We are hearing two sides of the story; we have to listen to our Attorney, not only the Petitioners Attorney. We have to look at the Statute; if we look at the cost in short term of litigations, we may be short changing the people in Polk City. In her opinion, the question is not whether the annexation is correct, but the question pertains to annexation.
- Attorney Sullivan advised it's whether the contraction would be proper under the Statutes that we're proceeding under, whether it's feasible for the city to do it.
- Vice Mayor Block advised that is why we did the feasibility study; the question is the contraction.
- Councilor Kimsey advised we are not bound by anything if we vote to de-annex.
- Attorney Sullivan advised the decision is to accept the petition, and if you do, an ordinance would have to be passed to de-annex the property, or, the other alternative is to reject the petition.
- Vice Mayor Block feels the Attorney fees are irrelevant in the decision to move forward.
- Councilor Blethen asked what the next process on this is if we say no, or if we say yes.
- Attorney Sullivan advised if you say yes to the Petition, there is an actual Ordinance that has been drafted and before you which would grant the contraction.
- Mayor LaCascia advised we would need to draft a motion, which we don't have, and he is a little confused. Mayor LaCascia asked if we were going to put forth a motion to reject the Petition or accept the Petition. Either way we will have the same result depending upon the vote. Attorney Sullivan advised it depends on who puts forth the motion. City Clerk Jackson then asked about the motion and the Ordinance itself. Attorney Sullivan advised we are all talking about the same thing. If Council votes to accept the Petition, the result would be to pass the Ordinance. If Council votes to reject the Petition, you have to give a factual basis as to why you are rejecting it. It will then be up to the Petitioners how they want to proceed outside of this forum.
- Mayor LaCascia then asked to go back to Council's comments and/or questions.
- Councilor Adorno commented it is very difficult for us up here to weigh which side in the long run is going to be best for the City. We are not dealing with just a piece of land, but are dealing with people. We have to look at the greater good. Councilor Adorno wants to let the public know that it is not easy, and one way or the other, somebody is not going to like it; however, we have to look at the greater good.
- Vice Mayor Block advised another concern she has is how does this open the door to others; we have received another contraction petition. It appears this would set a precedent.
- Councilor Kimsey advised they are not even similar, and you're not comparing apples to apples. Vice Mayor Block advised she is not comparing the two; she

just thinks it would open a door. Councilor Kimsey commented we don't have a situation remotely similar to theirs; Vice Mayor Block commented that was a good point.

- Attorney Sullivan advised the fear of opening the door to other people trying to contract would not be competent evidence in court; he doesn't think that would be a legitimate concern.
- Mayor LaCascia commented they would have to be looked at on their own merits; we're here because it is based on specific arguments that have been presented.
- Attorney Sullivan advised that would not be fair to Mr. Weeks and other Petitioners; he would ask Council to disregard that as a potential basis for rejecting that.

There being no further questions or comments from Council, Mayor LaCascia opened the discussion to the public. He asked if anyone wanted to speak to come forward to the microphone and give your name and address.

Mr. Al Schneider, 775 Teaberry Trail, asked for clarification of what happened. Mayor LaCascia advised once public comment is over, he will entertain a motion to either accept or reject the Petition. Mr. Schneider was confused about whether or not we had a Petition and what have they been arguing about if there is no Petition. Mayor LaCascia advised to reject the Petition would be one motion, or to accept their Petition would be one motion; he believes that is where we are at. Attorney Sullivan advised when he says "accept", it doesn't mean that we're physically accepting it to review it, we're finding whether the Petition has merit under the law. Al Schneider commented that would be different wording. Attorney Sullivan apologized; he explained we have had the petition for six months, did a feasibility study, had hearings, and the decision tonight is whether to approve or disapprove the petition that they filed. If it meets the criteria, the result would be to pass an Ordinance; however, if it is rejected, that would mean we didn't find the Petition to meet the criteria.

Jeff Lynn, 1513 State Road 559, addressed Council; he feels the feasibility study was done based on assumptions; he feels the Council should do the right thing and right the wrong that was done six years ago. Mayor LaCascia commented a good feasibility study neither suggests the acceptance or the rejection of a position; it simply presents the facts – pro or con. Vice Mayor Block advised it was a requirement of the State Statute.

Jesse Douthit, addressed Council; it is very difficult to see after affirmations of a decision was made by a previous administration could result in a positive framework to continue the good work that Council is doing now. He understands they cannot go back 6 to 8 to 10 years worth of bad decision making; however, he feels there are some that Council can fix, and he thinks you should take those steps to fix those that you possibly can. He commented about the City speculating on a five year plan that's going to turn the City around, and he hopes it happens. He doesn't see how it is fair to hang the future of their operations and their existence on a speculative position that they all hope

will happen. He also mentioned Polk City's litigation in the past. Attorney Sullivan advised since he has been the City Attorney (about six years), there have been two cases that were actually in litigation; Attorney Sullivan strongly disagreed with his comments, unless he is referring to something previous to him. In the last five years the City has not spent a lot of money in legal fees. Discussion continued about previous cases; Mayor LaCascia advised he doesn't see how that is relevant to talk about cases in the past. Discussion continued about speculation.

Mr. Weeks asked what the growth of the Petitioners property has been in the last six years; Mr. Weeks advised none.

Mayor LaCascia asked if there were any other public comments; there were none.

Mayor LaCascia then commented he thought it would be easier to entertain a motion to reject the Petition; Attorney Sullivan advised it would probably be more appropriate to ask for a motion to accept it, or approve it – everybody knows what we're talking about.

Councilor Kimsey made a motion to accept (approve) their Petition; the motion was seconded by Vice Mayor Block.

Under discussion, Mayor LaCascia clarified that a "yes" vote would approve the Petition; Attorney Sullivan advised that is correct. Mayor LaCascia then clarified that a "no" vote rejects the Petition for contraction; Attorney Sullivan advised we are making this more complicated than it needs to be. He advised a motion has been made and seconded to approve the Petition that was filed. If the motion doesn't pass, he would recommend that another motion be presented to reject the Petition (just to be clear for the record). Mayor LaCascia reconfirmed what each vote would mean.

Roll Call: Councilor Kimsey-aye, Vice Mayor Block-nay, Councilor Blethen-nay, Councilor Adorno-nay, Mayor LaCascia-nay.

1-aye
4-nays (the motion failed)

Attorney Sullivan suggested a second motion be made, just so that we're clear, to reject the petition that's filed, with a second and then vote.

Vice Mayor Block made a motion to reject the Petition as filed; the motion was seconded by Councilor Blethen.

Roll Call: Mayor LaCascia-aye, Councilor Adorno-aye, Councilor Blethen-aye, Vice Mayor Block-aye, Councilor Kimsey-nay

4-eyes
1-nay (the motion carried)

Attorney Sullivan advised under Statute 171.051, subsection 2, it states if the Petition is rejected that Council has to state facts on which the rejection is based. You have heard the evidence and have heard the testimony, so for the record, there has to be some factual basis for the rejection of the Petition.

Mayor LaCascia the first would be the Petition was not filed by 15% percent of the qualified voters; the second one would be the feasibility study demonstrates an adverse financial impact to the City if the property is contracted and the third would be excluding the Petitions property from the City would not be feasible based on the economic loss to the City. .

Attorney Sullivan advised if any other Council that voted to reject the Petition can state for the record any other factual information for the record. Vice Mayor Block asked if there is more information that comes up – that we may not be done gathering information or costs. Mayor LaCascia advised he thinks we are concluding this. Attorney Sullivan advised the vote was based on the information that was presented and the testimony given, and you can't go back and say there are new things. Vice Mayor Block doesn't think that to be the case.

The case was concluded and Mayor LaCascia adjourned the meeting.

Patricia R. Jackson, City Clerk

Joe LaCascia, Mayor