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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

May 3, 2005

Mayor Mark D. Boughton  
Members of the Common Council

### Re: Lease of City Land to Audi

The Common Council Committee appointed to review a lease of City land to Danbury Audi met on April 13, 2005 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Riley, Steinerd and Visconti. Also in attendance were Assistant Corporation Counsel Les Pinter, Director of Finance & Personnel Dena Diorio, the petitioner Josh Weeks and his attorney Van Murray, as well as Council Members Urice and Teicholz, ex-officio.

Attorney Pinter stated that this committee met last July at which time some clauses needed to be changed. The original lease was going to be 1.7 acres of land. Since that time, the proposed area has been reduced to 33,000 square feet. That area would be leased to Mr. Weeks for parking of motor vehicles. Mr. Weeks will pave the area. The lease would be for a period of ten years and provides for two five-year renewal periods. The rent will be \$675.00 per month for the first three years and would increase two percent each year after that. The tenant has the right to pave the area and must be insured for two million dollars. The tenant must indemnify the City against injuries on the property that are his fault. He must have all approvals and Airport permission. Approval from the Environmental Impact Commission has been obtained. The Planning Commission approved the larger site earlier last year and since this site is smaller there is no reason to obtain an additional approval.

Mr. Steinerd asked Attorney Pinter about the problems as to where the cars would be parked. Attorney Pinter said there were two concerns, what the property was and some designation of the property was misunderstood. There are clauses in the contract pertaining to the property that fronts the Airport. The interests of the FAA must be protected. This property is not used for aviation purposes. Attorney Murray said there was an issue as to what the site was. They went to the EIC and then had substantially less leased space. (At this point Aviation Chairman John Ashkar joined the meeting.)

Mr. Visconti asked Mr. Ashkar if the Aviation Commission discussed getting an approval letter from the FAA. Mr. Ashkar said he is sure the buildings were discussed a long time ago since they would have to have approval from the FAA regarding hazards. Attorney Murray stated that they did go through a procedure with the FAA and did get written approvals for the building. Mr. Visconti asked if it would be necessary to get a letter from the FAA? Attorney Pinter stated that there is language protection contained in the lease.

Mr. Steinerd made a motion to recommend that the Common Council approve the lease. Seconded by Mr. Visconti. Attorney Pinter said he would procure in writing that the FAA approves this lease. Motion carried unanimously.

Respectfully submitted,

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ROBERT RILEY, Chairman

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MICHAEL STEINERD

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FRED VISCONTI