

TIPP CITY STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

JUNE 7, 2010

Study Session

The Study Session began at 6:32 p.m. The following Councilmembers were present: President Patrick Hale, Katie Black, Bryan Budding, Joseph Gibson, Mayor Dolores Gillis, John Kessler, and George H. Lovett.

Also attending was: City Manager Jon Crusey, Assistant City Manager Brad Vath, Utilities Director Mo Eichman, City Engineer Scott Vagedes, Fire Chief Steve Kessler, Finance Director John Green, Mike McFarland, Scott Brownlee, Acting Clerk of Council Marilyn Fennell, and reporters Nancy Bowman, Mike McDermott, and Marilyn McConahay.

Interstate Signs

The first topic was highway signs. Mr. Crusey stated that at the last study session, May 17, Council was in agreement with the recommendation of 250 sq. ft. in size for sign area and the height of 70' recommended by the Planning Board. There was a map that was created to reflect the properties eligible for highway signs. A copy of that map was included in the packets. Council was awaiting word from Dr. Kelly regarding the issue with variances. That recommendation was also in the packets for tonight. The ordinance that was presented at the last meeting referred to a distance of 660' from the highway so that would need to be amended to reflect the use of the map designating properties permitted to have highway signs.

Mr. Kessler stated Dr. Kelly's opinion was that variances for the size of signs will just lead to further problems. Mayor Gillis said that with a limit of 250 sq. ft. there should not need to be a size variance. Mr. Gibson said he thought there should be variances for size. He wants to work with the local businesses. He believed that the highway businesses will draw business that will attract less use of the fire and police protection. Mr. Gibson would also like to include color, placements, number of signs, etc. variances. He said he had researched the sign code regulations of Miami County, Huber Heights, and Vandalia and they all have a variety of variances available. He said he also reviewed Boca Raton, Florida, Tucson, Arizona, Littleton, Colorado, and Minneapolis, Minnesota. Their codes are similar to ours but there are open-ended provisions for variances. Mr. Gibson thought variance capability was a way to work with the local businesses. He said he would be requesting amendments to the proposed ordinance.

President Hale asked Mr. McFarland what percentage of businesses would be accommodated with the proposed 250 sq. ft. Mr. McFarland said he travelled from Lima and Cincinnati and he thought 90 to 95% would be affected. Mr. Gibson said the largest sign allowed on Miller Lane is 360 sq. ft. Mr. Budding said if variances had been permitted with the first revision of the sign code, then we would not be here discussing it now. President Hale said this amendment increases the size from 120sq. ft. to 250 sq. ft.

Mr. Lovett asked Mr. Crusey if he spoke to Vandalia. Mr. Crusey said he learned that their sign code has not been totally revised except for a few items as for changeable copy and some of the signs in the downtown area. Mr. McFarland said Miller Lane falls under Butler Township. Mr. Crusey said

that was correct. Mayor Gillis said she wanted to see the Council pass something and then take a closer look at the entire sign code. Mr. Kessler was afraid that if there are size variances available for highway signs, then the other business districts will want the same consideration. Mr. Hale said the problem is also if a variance is granted for one and then the second request is turned down, that is when problems start. Mr. Crusey said that if there are to be variances, there have to be some strict guidelines. The vast majority of applicants should not get a variance unless they meet the guidelines. Most companies would not meet the hardship requirement to get a variance.

Mr. Gibson said he agreed and also if there is no binding affect on previous determinations. He said each applicant would need to prove hardship. He said he didn't mind that at all. Mr. Lovett asked if anyone had a problem with highway signs going to a limit of 250 sq. ft. Mayor Gillis recommended that the Council approve the recommendations of the Planning Board with the map attached tonight and review the rest of the code later. Mr. Lovett said he was hearing no objections to the 250 sq. ft, 70 ft. in height and the map. Mr. Lovett said Dr. Kelly advised that there could be further legal action brought against the city if further proposed amendments were approved regarding variances. Mr. Lovett thought Dr. Kelly's credentials are impressive and the memo seemed solid although he (Mr. Lovett) is not a First-Amendment attorney. Mr. Lovett would like to see the ordinance amendment go forward with the map attached. He did not wish to subject the City to law suits.

Mr. Gibson said it appeared that Dr. Kelly also had problems with size and that brings it back to just a variance in height. Mr. Lovett added that the proposal of 20% on the height was included in the amendment and that was what was included in the packet for this evening. Mr. Gibson said he has heard from the business community how rigid the law is and that it is a bad thing. He said he had faith in the citizens and those that serve on the Planning Board and the Board of Zoning Appeals. Mayor Gillis said the increase in the size proposed is a "huge leap". President Hale the issue of colors can be looked at a later date. Mr. Lovett said this proposed amendment is only for the highway signs.

Mr. Gibson asked for the procedure for any amendments he wished to propose. Mr. Crusey said at tonight's meeting this is a First Reading of the ordinance. First of all there needs to be a motion to un-table the Ordinance, then a motion to amend and if that motion passes, then the Ordinance would come back as amended at the next meeting for a Second Reading.

Ms. Black said she agreed with Mr. Gibson and would like to see a variance. Mr. Lovett said he would also like to see variances but he can't see supporting something that would open the City up to further litigation. It would be foolhardy to go against Dr. Kelly's advice. Ms. Black said Dr. Kelly doesn't know Tipp City as well as the Council does and the City has spoken and this is one of the things that they want. Mr. Gibson said other cities have variances permitted. Mr. Lovett asked if those other cities have been sued. Mr. Gibson said he did not have that information. Mr. Lovett said he did not wish to lose further money on litigation. Mr. Gibson said he wished to encourage free speech, free commerce.

President Hale said the Council would be helping the businesses greatly with an increase from 120 to 250 sq. ft. in size. Mr. Kessler said part of the original code redone back in 2008 was that the citizens did not want a Miller Lane look and that was based on the feedback from the community. Things have changed since then. President Hale said after speaking to a few past Council members, it would not be wise to make changes just for a small minority. Mr. Gibson said in his interviews there was disdain with the sign code. He said he was trying to do what local businesses wanted done. President Hale said he was at the first Planning Board meeting, the first Chamber of Commerce sponsored meeting and there were 10-12 people there. There are 10,000 citizens that we serve. Mr. Gibson asked if anyone had heard any negative comments about the proposed sign code changes. Mr. Crusey stated that he had heard from a couple of residents who were concerned about the types of businesses that would be attracted to the City by the larger signs and that they might not be the types of businesses that would economically benefit the City, such as restaurants, because they do not generate much income tax. However, a hotel does have the potential to generate substantial revenue for the City. These types of uses can potentially be a drain on the City resources because they do not provide much economic benefit but they potentially utilize more resources. However, from a property tax standpoint these types of uses can be beneficial to the school district and the County. Mr. Crusey further noted that if the proposed sign code changes are being considered for economic development purposes, the types of businesses that may be attracted may not have a positive economic benefit on the City. However, from a community development standpoint, the proposed changes may attract businesses to the City that the residents desire, such as restaurants, regardless of their economic impact.

Mr. Riddle (Holiday Inn) said income tax is paid on tips and they all offer a point-of-sale. No restaurant would locate in Tipp City unless they are generating good revenue. He said he did not agree with Mr. Crusey's comment.

Mr. Budding asked if we have opened ourselves up to litigation before any variance is granted. Mr. Moore said the variance procedure with no guidelines in it may show someone attempting to do something in the City and they may start the litigation before they apply.

Stimulus Funds for Street Project

Mr. Crusey advised Council that the City had been contacted by ODOT regarding additional ARRA funding that may be available for the City's streetscape project. Mr. Crusey said staff has determined that the City is eligible for stimulus funds for the Streetscape project; up to \$20,000. Staff then checked to see if ODOT would fund mast arms at the interchanges at the Interstate. Mr. Vath and Mr. Vagedes presented their proposal to Council. Mr. Vath went through the original plan for the project. The budget costs were \$650,000 and the current construction costs appear to be around \$470,000. The City's share is \$35,000. ODOT and MVRPC both have ARRA grant dollars available. With this additional money the City is now able to install mast arm poles for both ramps at Exit 68. ARRA will fund 100% of 80% of the total construction cost (to cap), MVRPC will pay 80% of the 20% match with MVRPC-ARRA money and the OPWC grant will pay the balance of the 20% not paid by MVRPC. The City would pay 100% to upgrade the mast poles to fluted poles and arms. There was a map showing the intersection locations involved in this

project. Mr. Vagedes said there is no problem to pay ARRA money for ODOT standard round poles and round mast arms. The question on the fluted poles and mast arms is that there would need to be an agreement between ODOT and the City that in case there was an accident, one comes down, the City would pay the difference. Fluted mast arms are not stocked. There would be no cost increase if the round poles and masts are used. So the additional costs to the City are 1) Engineering of \$14,000 and 2) for the fluted pole upgrade it would be \$35,000. Round poles (similar to Vandalia's) would be no additional costs except for the \$14,000 for the engineering. Mr. Crusey reminded the Council that they had approved the fluted poles and mast arms earlier for the other three intersections.

Mr. Gibson asked the difference between the two. Mr. Vagedes said they are both powder-coated black and the round poles are smooth. The fluted design matches our decorative lights that we have down Main Street. They would also match the other intersections. Mr. Vath said they are built sturdy. Mr. Vagedes added that the poles are maintained by ODOT at the intersection. Mr. Vath asked if the Council was willing to invest the additional funds. Mr. Lovett asked the life span of the poles. Mr. Vagedes said it would easily be a 50-year life, 25 year on the powder-coat if not hit or damaged. Mr. Lovett thought it would be nice to have the same theme through the City. Mr. Kessler didn't think the expense was necessary for the Interstate intersection.

Mr. Gibson, Mr. Kessler, Mr. Budding, and Mayor Gillis were in agreement for the round poles and mast arms.

NAWA Update

There was another subject regarding a NAWA update which will be discussed later.

Adjournment

The Study Session adjourned at 7:28 p.m.

Patrick Hale, President

Attest: _____
Marilyn Fennell, Acting Clerk of Council

Council Meeting

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

JUNE 7, 2010

President Patrick Hale called to order the regular meeting of the Tipp City Council at 7:32 p.m. The following Councilmembers were present: President Patrick Hale, Katie Black, Bryan Budding, Joseph Gibson, Mayor Dolores Gillis, George H. Lovett, and John E. Kessler.

Others in attendance: City Manager Jon Crusey, Assistant City Manager Brad Vath, Finance Director Richard Drennen, newly hired Finance Director John Green, City Engineer Scott Vagedes, Chief of Police Tom Davidson, City Attorney Joseph P. Moore, Fire Chief Steve Kessler, and Acting Clerk of Council Marilyn Fennell.

Guests signing the register included: Mike McFarland, Terry Riddle, Benjamin _____, Scott Brownlee, Steven Chaney, Mark Mabelitini, John Berbach and Tim Evans. Reporters Marilyn McConahay, Mike McDermott, and Nancy Bowman.

Invocation and Pledge of Allegiance

Mayor Gillis delivered the invocation and President Hale led the Pledge of Allegiance.

Approval of Agenda

President Hale thanked Mrs. Fennell for filling in for Mrs. Ross tonight and then made a motion to approve the agenda as submitted. Motion was seconded by Mr. Lovett and unanimously approved.

**Adoption of Minutes
Pre-Meeting Study
Session**

Ms. Black made a motion to approve the minutes of the May 17, 2010 Pre-Meeting Study Session. Motion was seconded by Mr. Lovett and unanimously approved.

Council Meeting

Mayor Gillis made a motion to approve the minutes of the May 17, 2010 Council Meeting. Mr. Kessler seconded the motion. The minutes were unanimously approved.

**Presentations,
Proclamations, and
Awards**

Mr. Crusey introduce the newly hired Finance Director John Green. Mr. Green is replacing Mr. Drennen who is retiring after 30 years of service. Mr. Green has served the last ten years as the assistant finance director for the City of Marysville and prior to that was with the State Auditor's office for six years. Mr. Green thanked everyone for the welcome he has received in the City. He was looking forward to his work here.

**Ordinances
(Second Reading)**

There were none.

**Resolutions
(one reading required)
Resolution 27-10
4th of July Fireworks**

A resolution authorizing the City Manager to enter into a contract with Monroe Township, Miami County, Ohio to cooperate on the annual Independence Day Fireworks Program.

Clerk of Council Summary: The City and Township have jointly sponsored the 4th of July fireworks display for numerous years, this resolution continues the tradition under the same terms and conditions.

Resolution 28-10
2010 Miami County
Budget process

City Manager's Comments: The adoption of this resolution would authorize the manager to enter into a contract with Monroe Township to share in the cost of the annual Independence Day Fireworks. A total cost for the fireworks is \$15,000 with the City contributing \$9,000 and the Township contributing \$6,000. The contract sent to us by Pyrotechnico indicated the fireworks would be on Saturday, July 3 with a rain date of July 4. He has contacted the company and if Council's desire is to have the fireworks on Sunday, July 4, that date is available.

President Hale sponsored the resolution with the fireworks to be on Sunday, July 4th and moved for its adoption. Mr. Kessler seconded the motion. Mr. Gibson asked about a rain date. Mr. Crusey's suggestion had been Monday, July 5 or the following weekend. Mr. Crusey said he would have to verify with the company that they would be available for the next weekend.

There being no further discussion, the roll call was taken and Resolution 27-10 passed 7-0. Resolution 27-10 was declared passed and President Hale affixed his signature in witness thereto.

A resolution finding that the Council of the City of Tipp City has reviewed the submissions to be made to the Budget Commission of Miami County, Ohio, and authorized by said Commission for the fiscal year of 2011, in relation to the alternative tax document format provided in Ohio Revised Code Section 5705.281 and approves the same.

Clerk of Council Summary: This resolution completes the City of Tipp City 2010 Miami County Budget process under the "alternate" tax budget process.

City Manager's Comments: The adoption of this resolution authorizes the Finance Director to submit an alternate tax document to the Miami County Budget Commission pursuant to Resolution 26-10 that was adopted at the May 3, 2010 meeting. The purpose of the alternate tax document is to request the City's share of the General Property Tax 1.4 mils and determine the City's share of the Local Government Fund and file an estimate of 2011 receipts. Mr. Drennen was present to answer any specific questions.

Mayor Gillis sponsored the resolution and moved for its adoption. Mr. Budding seconded the motion. There being no further discussion, a roll call vote was taken and Resolution 28-10 passed unanimously. Resolution 28-10 was declared passed and President Hale affixed his signature in witness thereto.

Ordinances
(First Reading)
Sign Code

An ordinance amending sections 154.101(A) & 154.107(D) of the Tipp City, Ohio Code of Ordinance to modify: the maximum allowable area and height of ground (interstate) signs, definition of interstate sign location, and variance procedure.

Clerk of Council Summary: This ordinance modifies "interstate" signage requirements.

City Manager's Comments: City Council tabled this ordinance at the May 17, 2010 meeting. At the April 5, 2010 meeting Council adopted a motion

directing Planning Board to review the sign code pertaining to highway signs and requested they make a recommendation to City Council pertaining those signs. Planning Board had a public hearing and adopted a motion recommending to Council that amendments be made to highway signs. The motion was to increase the maximum area of highway signs from 120 sq. ft. to 250 sq. ft. per sign face, to increase the maximum height of a highway sign from 40' to 70' with a maximum height variance of 20%, and the location of those permitted highway signs to be properties with frontage abutting the I-75 right-of-way including the entrance and exit ramps, to those properties within 660' of I-75 including the exit and entrance ramps.

President Hale moved to remove the matter from the table. Ms. Black seconded the motion and it passed unanimously. President Hale moved to amend the ordinance to change the 660' from the Interstate to those properties shown on the map provided to Council as the approved properties for interstate signs. Mr. Lovett seconded the motion. A roll call was taken and the motion to amend passed unanimously.

Mr. Gibson moved to amend the ordinance in Section 154.107(D)(1), Section 154.107(D)(2) and Section 154.175(E)(7). Ms. Black seconded the motion.

The first amendment to Section 154.107(D)(1) stating "...A sign height variance shall not allow an increase in height of more than 10 feet, *or in size of more than 20 square feet.*" He continued in Section 154.107(D)(2) add "*In determining whether to grant or deny a variance, each appeal is to be decided independently, on a case-by-case basis, and within the policies and procedures set forth in Section 154.175. Any prior determinations as to variances, be they dealing with the applicant or others, shall have no binding or precedential effect on any pending variance request. It is the expressed intention of this section to afford liberal construction in favor of the applicant.*" Mr. Gibson's third amendment was in Section 154.175(E)(7)..."*To increase the maximum allowable size of area of signs which qualify under Section 154.101(A)(1) by not more than 20 square feet; to increase the height of signs which qualify under Section 154.101(A)(1) to a total of no more than 90 feet; or other changes in color, content, number or nature as the Zoning Administrator, Board of Zoning Appeals, or City Council deem appropriate; and*".

Mayor Gillis said she understood Mr. Gibson's intentions but she felt the other sign features were going to be addressed some time later. Mr. Terry Riddle, of Rochester MI came forward. He is COO of the Holiday Inn Express. He thought the proposed ordinance would meet his needs but the ability for the entire ordinance to be reviewed within a year does not fare well for other businesses. There might be 2-3 businesses on one lot and there would not be space on one 250 sq. ft. sign. The elected officials and the appointed board members should be able to review and grant variances and also a fear of litigation is a problem in many cities. He felt the city should be able to upgrade the code to be able to hear variances. Mr. Gibson said he agreed with Mr. Riddle and had researched the code of Huber Heights, Miami County, all of which have variance capabilities which are not limited to just height.

Mr. Lovett said he owned a business in the community for 20 years. He was elected to Council to represent the whole community and part of those

duties is to refrain from doing something that would expose the City to a known legal risk. He continued that the City had a sign expert, Dr. Eric Kelly of Ball State University, review the proposed amendments and his opinion was “that a major problem with the proposed amendment is that they could place the entire ordinance at risk.” The proposal that Planning Board recommended to Council significantly increases the height and size of the signs permissible along the interstate. Mr. Lovett said he supported what the Planning Board submitted. It would be risky to support the other three amendments.

The Council voted on the first amendment to vary the square footage up to 20 square feet for interstate signs. Roll call was taken and Mr. Gibson, Ms. Black and Mr. Budding voted yes. Mayor Gillis, President Hale, Mr. Kessler, and Mr. Lovett voted no. Amendment failed 3-4.

A roll call vote was taken on Mr. Gibson’s amendment, Section 154.107(D)(2) add *“In determining whether to grant or deny a variance, each appeal is to be decided independently, on a case-by-case basis, and within the policies and procedures set forth in Section 154.175. Any prior determinations as to variances, be they dealing with the applicant or others, shall have no binding or precedential effect on any pending variance request. It is the expressed intention of this section to afford liberal construction in favor of the applicant.”* The amendment failed 3-4. Mr. Gibson, Ms. Black, and Mr. Budding voted yes. President Hale, Mr. Kessler, Mayor Gillis, and Mr. Lovett voted no.

Mr. Gibson’s third amendment, Section 154.175(E)(7)...*“To increase the maximum allowable size of area of signs which qualify under Section 154.101(A)(1) by not more than 20 square feet; to increase the height of signs which qualify under Section 154.101(A)(1) to a total of no more than 90 feet; or other changes in color, content, number or nature as the Zoning Administrator, Board of Zoning Appeals, or City Council deem appropriate; and”* was voted upon. The amendment failed 3-4. Mr. Gibson, Ms. Black and Mr. Budding voted yes. Mayor Gillis, President Hale, Mr. Lovett and Mr. Kessler voted no.

Mayor Gillis sponsored the sign code amendment ordinance as submitted.

Intervening User fees

President Hale sponsored an ordinance establishing intervening user fees for a 12” waterline extension on Lightner Road, Tipp City, Miami County, Ohio.

Clerk of Council Summary: This ordinance establishes intervening user fees for properties in Miami County connecting to the Lightner Road waterline extension.

City Manager Comments: This ordinance if adopted would create intervening user fees for properties along the north side of Lightner Road in Miami County to connect to the recently constructed water main along Lightner Road. This water main was jointly funded by the City of Tipp City and the City of Vandalia. The intervening user fees established by this ordinance are \$53.50 per linear foot of property frontage.

Special Assessments for curbs, gutters, sidewalks

Mr. Kessler sponsored an ordinance levying special assessments for the construction of curbs, gutters, sidewalks, and driveway approaches in various

and driveway approaches

locations within the City of Tipp City, Ohio.

Clerk of Council Summary: This ordinance authorizes the levying of sidewalk, curb, gutter, and driveway approach special assessments for certain property owners throughout the City of Tipp City.

City Manager's comments: The adoption of this ordinance will levy special assessments for the construction of sidewalk, curb, gutter completed as part of the 2009 Sidewalk Program. City Council previously adopted Resolution 31-09 declaring it necessary to construct said curbs, gutters and sidewalks. The affected property owners were sent an estimate prior to construction and an invoice following construction. The assessments set forth in this ordinance are due by the property owner within 30 days after its passage or at the option of the property assessed in 10 annual installments with an annual interest rate of 3.5%. Otherwise uncollected assessments will be certified to the County Auditor to be placed on the tax duplicate. Currently there are eight property owners on the assessment list with a total cost of \$2,622.27.

Motions

Rotary Donation

Mayor Gillis moved to accept a \$3,750 donation for the purchase of three automated external defibrillators (AEDs) for the Police Department from the Tipp City Rotary Club. Mr. Gibson seconded the motion. Motion passed unanimously.

Mayor Gillis and Chief Tom Davidson accepted the donation from Mark Mabelitini of the Tipp City Rotary Club for the three defibrillators.

Tipp Monroe Cable Access Commission – Appointment

Mr. Gibson nominated Wendy Bauder to be reappointed to a 2-year term to expire April 30, 2012 for the Tipp-Monroe Cable Access Commission. Mayor Gillis seconded the nomination and it passed unanimously.

Building Standards Board of Review – 2 appointments

Mr. Lovett moved to appoint Gary Spangler to the Building Standards Board of Review for a 5-year term. President Hale moved to appoint Carrie Arblaster to a second position open for a 5-year term for the Board of Review. Mr. Kessler seconded the nominations. Both Mr. Spangler and Ms. Arblaster were appointed to serve until March 31, 2015 unanimously by Council.

Annexation & Service Agreement-4120 Tipp-Cowlesville Rd.

Ms. Black moved to approve an annexation and service agreement for 4120 Tipp-Cowlesville Road. Mr. Lovett seconded the motion. Motion was approved unanimously.

Miscellaneous

There was none.

Citizen Comments

There were none.

Councilmember Comments

Mr. Gibson thanked Council members for entertaining his motion for amendments to the sign code. He was not disappointed because the amendment proposed shows that the City is trying to work with the businesses and citizens. It just shows that we need to revamp our entire code so that we can remain competitive with other communities. He may disagree with the Council members that voted against him, but he understood their positions. He encouraged those who are doing business in the community to remain open with the lines of communication, business and citizens alike. He wished to renew his pledge to those who voted for him to continue to do what he can

with regulations wherever it is necessary to make Tipp City the best place it can be. He added as he visited Troy's Strawberry Festival this past weekend, he was reminded of the many events planned for Tipp City, the Mum Festival, Tipp City Library programs, Tipp-Monroe Community Services, St. John's Festival, Canal Music Fest, and the Antique and Artisans Show. Lots to do in Tipp City. Just a reminder, Tipp-Monroe Cable Access will be rebroadcasting the meeting.

Ms. Black wished to congratulate the 2010 graduates of Tippecanoe High School and especially her brother, Mike.

Mayor Gillis also wished to thank Marilyn Fennell for stepping in for Cathy Ross and we miss Cathy. She attended the Memorial Day Parade and the services which were inspiring to pay tribute to our veterans. She also attended the first Community Night downtown, a reminder of the Concert at Canal Lock Park June 12th along with the Farmers Market opening. An Evening with the Mayor will be June 17th at 7:30pm at the Tipp City Library.

President Hale said the change proposed to our sign code is a big plus for the businesses along the interstate. He said Council has taken this matter on in a relatively short amount of time and the increase of the overall sign area is well over 100% and the height increase is over 75%. He again greeted Mr. John Green, the new Finance Director and wished him the best of luck.

City Manager Comments

Mr. Crusey thanked the Tipp City Rotary Club for their generous donation to the Police Department. There have been three positive months of income tax collections. Those are mainly due to corporate profits. We are pretty close to last year's collections with those three months. Finally, he wished to remind everyone including the public that on June 21, following the City Council meeting, there will be a reception to honor Mr. Drennen for his 30 years to the City of Tipp City upon his retirement.

President Hale moved to adjourn Council to Executive Session with City Manager Jon Crusey, Assistant City Manager Brad Vath, City Engineer Scott Vagedes, and Law Director Joe Moore to discuss pending litigation, imminent litigation and acquisition of property. Mr. Kessler seconded the motion and it passed unanimously.

Adjournment

The meeting was adjourned at 9:19 p.m. on a motion by President Hale, seconded by Mr. Kessler, and unanimously approved.

Patrick Hale, President

Attest: _____
Marilyn Fennell, Acting Clerk of Council

