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MINUTES OF A COUNCIL CAUCUS
Mayfield Village Civic Hall - Mayfield Village Civic Center
Monday, February 7, 2022 – 7:00 p.m.

The Council of Mayfield Village met in Caucus Session on Monday, February 7, 2022. Council President Schutt called the meeting to order at 7:01 p.m.

ROLL CALL: **Present:** Mr. Arndt, Mrs. Jurcisek, Mr. Marquardt,
Mr. Meyers, Mr. Murphy and Mr. Schutt

Also Present: Mayor Bodnar, Ms. Calta, Mr. Wynne,
Mr. Cappello, Chief Carcioppolo,
Chief Matias, Mr. Marquart,
Mr. Sipos, Ms. Echt,
Ms. Wolgamuth and Mrs. Betsa

Absent: Mr. Russell

PENDING LEGISLATION

- **Ordinance No. 2021-18**, entitled, “An ordinance enacting Mayfield Village Codified Ordinance Chapter 1187 Solar Energy Systems.” Introduced by Mayor Bodnar (Administration) (First Reading – December 20, 2021; Second Reading – January 18, 2022)

Council President Schutt asked, any questions?

There were none.

This Ordinance will be on Third Read at the Regular Meeting of Council on Monday, February 21st.

- **Ordinance No. 2022-01**, entitled, “An Ordinance appropriating funds for current expenses and expenditures of Mayfield Village, Ohio for the period from January 1, 2022 to December 31, 2022 and declaring an emergency.” Introduced by Mayor Bodnar. (First Reading – January 18, 2022 in title only)

Council President Schutt asked, any questions?

There were none.

This Ordinance will be on Second Read at the Regular Meeting of Council on Monday, February 21st.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 2

- **Resolution No. 2022-02**, entitled, “A resolution requesting the Cuyahoga County Fiscal Officer to adjust the amended official certificate of estimated resources for 2022.” Introduced by Mayor Bodnar. (First Reading – January 18, 2022 in title only)

Council President Schutt asked, any questions?

There were none.

This Resolution will be on Second Read at the Regular Meeting of Council on Monday, February 21st.

MAYOR

Thank you, Council President. I would just like to thank Mr. Sipos and the Service Department again for all of your hard work. You certainly have been put to the test this year and you are coming out with flying colors. Thank you very much. Also, thanks to Shane who handled all of the calls on senior snow plowing. Thank you for handling all those calls and working on that.

Council President Schutt stated, thank you, Mayor Bodnar.

COUNCIL PRESIDENT

Happy Belated Birthday to Chief Carcioppolo. His birthday was on February 1st. Also, Happy Early Birthday to Ms. Wolgamuth. Her birthday is February 21st. Happy Birthday. And Happy Birthday to Mr. Sipos whose birthday is on February 25th.

I would also like to echo the Mayor’s comments about the Service Department for the snow and ice removal not only on the roadways but now the sidewalks as well. Thank you for taking care of that. Thanks also to our Rec Department with the seniors. Also, thank you to the Rec Department for gearing up for all of the activities that are going to be coming up as well. Easter will be coming up soon before we know it. Hopefully the snow will be gone and we have summer with all of the events, so thank you for all of that as well.

And just a reminder for the residents. With all of the snow that we have been getting and the large mounds at the end of a lot of the driveways, be careful coming out of your driveway when you are walking your dogs or shoveling the driveway. Sometimes it’s hard to see. Be careful also in pulling out of your driveway. It’s a safety issue with the high snow mounds at the end of the driveways.

Lastly, our next Regular Meeting of Council is scheduled for Monday, February 21st at 7:00 p.m.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 3

ADMINISTRATION

. Commission on Aging Ordinance

Ms. Wolgamuth stated, this is revising Chapter 147 which is the Commission on Aging Chapter. We noticed that it needed some updating. It wasn't really accurate in terms of the number of members who are on the Commission any more. I provided Council with a marked-up copy. If anyone has any questions or would like to make any additional revisions, please let me know. The Law Department has reviewed it and I will be putting together legislation. This will go through the usual three reading process so we have some time to make revisions.

. OFCC Grant Agreement for Restroom/Kitchen Renovation

Ms. Wolgamuth stated, this is the additional Grant Agreement for the kitchen and restroom upgrade. This is the one that is being administered by the OFCC. The Law Department is reviewing this Agreement and then they will prepare legislation for the next meeting. This one we would like to pass on the 21st.

Council President Schutt asked, any questions for Ms. Wolgamuth?

There were none.

Council President Schutt stated, thank you, Ms. Wolgamuth.

FINANCE DEPARTMENT

. Ohio Bureau of Workers' Compensation yearly assessment – 2021 True-Up Premium \$32,010.00 – Go Green Rebate (\$1,499.00) – net due \$30,511

Mr. Wynne reported, this is an annual calculation we go through in January/early February. You will recall in December of every year we make a lump sum payment which is an estimate of our Workers' Compensation premium for the next year. At the end of that year, based upon W-2 actual information, the calculation is made actual and any differential is either made up or refunded to us. The differential this year is \$32,010 we owe. It is a lot larger than usual this year because, and the Bureau doesn't know this, but there was a 27th pay for us last year which was not taken into consideration with their calculation and we also had several unexpected retirements and had to pay out their approved PTO time which added to our wages for the year.

. 2022 Energized Community Grant – NOPEC (Resolution 2022-07)

Mr. Wynne reported, this is an annual grant they give to their members based upon the number of residents in each community that are participating in their aggregate program. Our grant for this

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 4

year is \$9,863. We need to pass legislation accepting the grant and then we will pick an energy efficient project that we will be using in the Village this year to spend that money on.

. 2022 Budget

Mr. Wynne presented 6 slides on the screen. I spent some time going over how 2021 wrapped up and how we are approaching 2022 from a budget standpoint so everybody can see the impact of the municipal income tax dollars on us.

The first three slides are 2021. The column on the left-hand side is called Fund. Just for everybody's benefit, 101 is the General Fund. That accounts for the day-to-day operations of the Village. There's no restrictions or constraints on how that money can be used.

200s are called Special Revenue Funds. Those funds are restricted by the revenue source that we receive and the money that goes into it. We are restricted by Village Council through legislation such as the Street Lighting Assessment Fund. We are restricted by the Federal Government for the CARES Act Fund and the ARPA money and how we spend that money. We are restricted by the voters to a tax levy which is the Police Pension and Police Operating Funds. We restricted by statute which is the gasoline tax and license tax that goes into our Street Construction and State Highway Funds to take care of the roads. Once the money is in those funds, it cannot be taken out of those funds or transferred to another fund without approval of the State Tax Commissioner which is what we are trying to do with the Civic Center Fund. We did that last year.

The 310 Fund is the General Bond Retirement Fund. That's our debt fund. It accounts for all of the principal and interest on our debt.

The 400's are called Capital Project Funds. The 410 Fund is for capital improvements. All of the other funds are for specifically large projects that we are undertaking. They generally involve borrowing money in order to get that project taken care of.

The last group of funds, the 800's are custodial funds where we are holding onto funds that come in for another purpose and for somebody else's benefit.

Just to show how we ended up in 2021, the General Fund had a year-end balance of \$41.1 million. Our year-to-date expense are a little over \$16 million. Generally that number is in the range of \$19-20 million. That's because we use some money that comes into the General Fund to transfer out into the other funds to cover the cost of various projects that are going on and that we contemplate doing in the future. We had no transfers at all out of the General Fund last year into the other funds in anticipation of what was coming down with the income tax money and there were sufficient funds in the other funds to cover projects that were coming up.

We had \$3.2 million in the Street Construction Maintenance and Repair Fund; \$3.4 million in the Civic Center Fund, \$2.6 of which we petitioned the State to be transferred to the General Fund. We still haven't heard back on that. The General Bond Retirement Fund has \$3.2 million in it.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 5

Our total outstanding debt at the end of the year is \$2.9 million so our debt is fully funded. The Capital Improvement Fund is used as a catchall and has \$1.1 million in it for capital needs going forward. At the end of the year, we had \$54.6 million in the bank. That's the total of all our funds.

Going into 2022, I provided Council with a copy of the budget about a week and a half ago. It's still the same numbers. Just looking at it from a big picture standpoint. The General Fund, the expenditures number of \$16.6 is strictly 100% operational expenses with no transfers in there and no capital expenditures. It's just normal day-to-day operations of the Village departments. The revenue number of \$6.3 does not at this point include any city income tax purposely because I just wanted to make a point so you can see what our break-even is and what we are up against.

Of the \$6.3 million in budgeted revenues for this year, \$2,650,000 is coming from the Civic Center Fund once that transfer is approved by the State. That's a one-time infusion of capital into the General Fund so if you take that out of the equation, our revenue sources exclusive of income tax are \$3.7 million a year. That's just from programming and real estate tax and other things that go on in the Village. Also included in that number are TIF revenues of \$927,000 which we will have for the next four or five years but after that, they will run their course and that will disappear also.

So, using the \$3.7 number I was talking about as our number without income tax, the difference between \$3.7 and the \$16.6 in expenditures is \$13 million. \$13 million of municipal tax collections or other revenue sources just to break even from an operational standpoint and that doesn't give us any extra money to transfer out of the General Fund towards capital projects and the like. \$13 million based upon our current level of expenses is the number we need to get to just to not do any deficit spending, keep our rainy day fund where it is and cover our normal day-to-day operations.

Our tax collections for the past 3 months, being November, December and January, have averaged \$720,000. Annually that's \$8.6 million. Going into 2022, assuming things don't change, we are looking at \$8.6 million potentially as tax collections. That will be offset by 2021 refunds that people are going to be applying for. It will be offset by businesses on Beta who now have to start withholding income tax based upon where their folks are working. We expect to see some kind of erosion in the tax monies because of that. Still hanging out there is the litigation that's going on with the 2020 refunds that is now with the Supreme Court of the State and they will be the final decision-maker on what happens to those. Whether that decision is made this year, next year or two years from now, nobody knows because that's still something hanging out there that could be a potential liability for us.

Taking all that out of the equation, in discussions with the Mayor, from a budgeting standpoint, we are going to budget \$5 million in income tax money for this year making some allowance for refunds and further work from home situations from the businesses in the Village. On the upside is the fact that because Progressive changed the way they are withholding tax since August in advance they have kind of been refunding people that have been working from home. So as far as Progressive employees go, any refunds would be based upon 7 months out of the year versus 12. So we kind of got a jump on those refunds based upon the way they have been withholding them.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 6

We are going to budget \$5 million for income tax revenue in 2022. There will be an additional expenditure of \$150,000 which is the 3% fee that goes to RITA for the handling of our income taxes. That would be the final budget number I would look to submit to Council for approval in March. Any questions or comments at this point? Does everyone understand what I am saying?

Mrs. Juncisek asked, Ron, I have a question. For the \$5 million that you decided to budget for, do you feel that's conservative? It's wide open so no one really knows.

Mr. Wynne replied, yes. It is wide open. Let's just say we ended up being -0- for the year. If that's the case our General Fund would end up being \$31 million.

Mrs. Juncisek stated, right. All that's taken out of it.

Mr. Wynne stated, which is still a healthy General Fund.

Mrs. Juncisek stated, sure.

Mr. Wynne stated, it's sustainable short-term but not sustainable long-term by any means.

Mrs. Juncisek stated, correct. Okay.

Mr. Wynne stated, we can adjust the budget from the standpoint of the County, especially on a revenue standpoint as often as need be. So it's something that I will be watching really closely. Just to let you know, refunds will be two waves. It will be the April 15th wave and then you have all the extensions. They will be straddling through until the extension date expires and then some people, I think the statute on filing for a refund is three years, so there's no way to say for sure that all of the refunds are being knocked out over the next three to six months. You just don't know. I hope it's conservative enough, but it might not be.

Mrs. Juncisek stated, I just wondered if you heard specifically from Progressive or had some sort of inside look into the big mirror ball that everyone's guessing into.

Mr. Wynne replied, no.

Mrs. Juncisek stated, okay.

Mr. Wynne asked, any other questions at this point?

Mr. Williams stated, you just mentioned we are okay for the short-term but it's not sustainable for the long-term. Do you know short versus long term?

Mr. Wynne stated, I think it's a matter of what's an acceptable tolerance by Council and the Mayor. Looking at tax revenue now of \$8.6 million and needing \$13 million to break even you are looking

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 7

at an erosion in the General Fund of over \$5 million a year. That's assuming there's no pay increases, no increases in hospitalization or anything else.

Mr. Williams stated, okay. Thank you.

Mr. Wynne stated, also part of the equation would be from the standpoint of capital projects, how those are handled. I am going to get to that in a second. That's part of the equation. It's too premature. We just kind of have to really watch it closely and hope that some time as this year moves on, things will start to gravitate back to where they had been.

Mr. Murphy asked, Ron, you looked at the \$16.6 number. Is there anything we can get a little bit more lean on there?

Mr. Wynne replied, yes. I am going to be sitting down with Department Heads this week and next week to go over their budgets, existing staffing, any wage increases for this year, increases in hospitalization. Personnel costs make up 75%-80% of our budget. Outside of personnel, operating expense-wise is not large. I would say of the \$16 million, you are probably looking at \$12 million of that is personnel costs.

I know with discussions with the Mayor we have already had cuts in how we are handling capital projects. There has been changes to the programming in the Recreation Department as far as Grove events and stuff like that for this summer. We are taking steps like that and factoring it into the budget. From an operating standpoint, it's just your normal day-to-day order of supplies and repairs and office supplies, maintenance contracts and things like that.

Mr. Wynne stated, I have the Street Lighting Assessment Fund, 210, highlighted on there. We had a street lighting assessment that was assessed to all of the property owners in the Village about three or four years ago. We decided to do away with that and give all of the property owners a tax break. It might be something we want to revisit in the future as an additional revenue source if we think we need to.

Mr. Wynne stated, as far as Street Construction, all of the capital projects for this year are budgeted either in a Special Revenue Fund or Capital Projects Fund. We have enough money in those funds to cover the costs of those projects without having to borrow any money so at the end of the year, the Street Construction Fund will have \$1.4 million. The Civic Center Fund, you can see the expenditure of \$3.2 which includes the \$2.6 million that is going to be transferred out, so we will have \$315,000 left in that Fund. The Infrastructure Improvement Fund, in the capital budget we have got a pool leak that we need to address this year. We haven't gotten a firm estimate yet on the cost, but we are estimating it to be about \$300,000. That's going to be coming out of the Infrastructure Improvement Fund. The General Bond Retirement Fund, you can see the expenditure of \$1.9 million. I have talked in the past about the bonds when we are able to call them to pay them off early. To do that, that's factored into the budget and when they are getting to be close to that time, that might not be my recommendation. If things stay status quo through the year, we might be better served to leave that money in the General Bond Retirement Fund because we might need to borrow

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 8

funds in 2023 for capital needs and use the money in the General Bond Retirement Fund to pay that down as well. We will just have to evaluate that as the year moves on and we get closer to that time. We can't call them until after some date in August. Any time after that we can call them. We don't have to call them. It's factored into the budget as if we will call them. The Capital Improvement Fund has \$999,000. That's just a whole hodge podge of equipment and some smaller project needs that we have in the capital budget for this year.

So based upon that, when not adding the \$5 million dollars, we will have a cash balance of \$36 million at the end of the year. The \$5 million on top of that is what we are submitting to Council for final approval in March so we can have any further discussion or adjustment.

Mrs. Jurcisek asked, Ron, I have another question for you. On your schedule, out of the \$3.3 million that is budgeted for the draft, how much of that, I know you mentioned you are taking a look and trying to push projects out, do you know how many projects have been pushed out, a dollar figure?

Mr. Wynne replied, we have a five-year capital budget. I will provide Council with copies so you can see what projects are up front and whether they have been pushed out.

Mrs. Jurcisek stated, okay.

Mr. Wynne asked, any further questions?

Mr. Williams asked, what about the Police Photo Enforcement Program revenue?

Mr. Wynne replied, that is not factored into the budget. It will be in the General Fund unless the Mayor and Council decide they want to designate those funds going into some special funds for other needs.

Mr. Williams stated, thank you.

Council President Schutt asked, any other questions for Mr. Wynne?

There were none.

Council President Schutt stated, thank you, Mr. Wynne.

. Use of American Rescue Plan Act Funds

Mr. Wynne reported, the Treasury issued the final rules on the ARPA Funds on January 6th. As part of those final rules, municipalities can elect an allowance of up to \$10,000,000 of the money they receive to apply towards revenue loss and use that money toward paying the expenses of the municipality. Our grant money is \$350,000. We received \$175,000 last year. We will get \$175,000 this year. We are going to ask Council to pass a Resolution to formally state that we

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 9

elect the option of how we want to utilize our funds so we can have it on file for the auditors. I will then file a report with the U.S. Treasury.

Council President Schutt asked, any questions?

There were none.

Council President Schutt stated, thank you, Mr. Wynne.

LAW DIRECTOR

. **Conditional Use Chapter**

Ms. Calta stated, thank you Mr. President. I just have the Conditional Use Code amendment for Council's consideration. I spoke with Katie tonight and I believe there are some other miscellaneous other Code changes that have to go through Planning still but this is what she has described as a completely new chapter to address conditional uses. It streamlines what used to be a distinction in the Code between Special Use Permits and Conditional Use Permits. I read through it. It seems to be very comprehensive. It answers a lot of questions. I know Dan's not here tonight, but I am sure it's something that he's worked very closely with Katie and with Diane and the Mayor on. I can answer any questions anyone has. I don't know if Council was provided with this, but it looks like there's a list of conditional uses that are existing in the Village and I think I can generally think of what they are used for. They run the gambit from things like outdoor storage to Heinen's has a Conditional Use Permit for use of the Village land. They are kind of all over the board. The Hilton Garden Hotel has a Conditional Use Permit. There's a number of uses that are conditional uses. It's a pretty popular item in the Village.

Council President Schutt asked, any questions for Ms. Calta?

There were none.

Council President Schutt stated, thank you, Ms. Calta.

PARKS AND RECREATION

. **Parkview Pool Slide Refurbishment Project – 2022 (Slide Renu - \$40,655)**

Ms. Echt stated this is part of the 5 to 6 year plan for the slide. We would like to go with Slide Renu to do the work in May. That will consist of painting the outside of the slide, resealing the inside and also sealing the mushroom feature and the frog.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 10

- **Toilet and handwash stations for 2022 Special Events (Miller & Company Sanitation - \$16,128.00)**

Ms. Echt stated, Shane put together some information. We recommend going with Miller & Company Sanitation this year.

- **Fireworks Agreement - 2022**

Ms. Echt stated, Shane is in the process of obtaining quotes. We hope to have information by this Friday to share with everyone before the next Council meeting. From what I understand, it's not going to exceed \$20,000. It's similar to what we have done the last three years.

Ms. Echt asked, does anyone have any questions on these items?

There were none.

Council President Schutt stated, thank you, Ms. Echt.

SERVICE DEPARTMENT

- **LED Street Lighting Agreement**

Mr. Sipos stated, thank you, Council President. I want to talk a little bit about the street lighting and some options that we have. Our street lights are currently metal halide. CEI is going to be discontinuing that bulb. They are not going to be using it anymore because it is going to become obsolete. We are going to have a new industry standard. It will be a 50-watt 4,000 kelvin LED bulb. It will actually be the national standard. They are a little bit brighter.

Mr. Sipos stated, we have an LED Street Lighting Agreement which I will go through here in a minute. Gates Mills is currently in this program. They replaced a couple bulbs on Village Trail. One of our residents has mentioned how bright they are. I did explain to her that it's just something she is going to have to get used to. There's nothing we can do about that. It's through CEI. That's going to be the national standard.

Mr. Sipos stated, currently we have close to 388 lights in the Village. To replace them, our cost would be around \$242 apiece, so you are looking at numbers of almost \$100,000 to do that. The bulbs that are in there, CEI would like to have them all LED's by 2030. They are also looking at a smart light option which would notify CEI when they are out. We currently do a visual inspection and have to call them in.

Mr. Sipos stated, CEI is offering an LED Street Lighting Agreement. That Agreement has three different options. Option one, the customer would assume the cost of all of the lights. They would replace them all. That would be pretty costly. Option number two would also be at the Village's

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 11

expense. It just has a paid over time so we can pay the cost of the lights over 60 months. Option three would be calling them in as they burn out and CEI would replace the bulbs with LED's at their cost.

Mr. Sipos stated, I think option three is our best option because it won't cost us anything. They are going to be replacing them regardless in the future. With that, there will be some differences in the lights. We probably have 20-30 out right now that we can have replaced, but with some NOPEC money coming in, like Ron said, we have \$9,863, we would be able to do 40 lights. We could use that to replace them to LED's. I think the center of town would be a great option from the Fire Department down to Heinen's and from Wilson Mills close to Beta and then down to Yours Truly parking lot down there so at least the center of town will look all the same and then as each year we keep on getting NOPEC money, we can replace more and just kind of work our way out from there. That would be our plan with the NOPEC money. So, I don't have it in your packets, but I am going to get it into Council's packets so you can review and look over this. Are there any questions?

Mr. Murphy asked, so Scott, if we don't do anything and the lights just burn out, because right now I call CEI when a light's out at my house, CEI will come and replace them at their cost? They don't charge us anything?

Mr. Sipos replied, no. They will replace them right now with metal halides. They are going to be replacing them with LED's soon.

Mr. Murphy asked, still at their cost?

Mr. Sipos replied, still at their cost, but if we opted to choose option number three with this Lighting Agreement, they will replace them with LED's at their cost.

Mr. Murphy asked, when they burn out?

Mr. Sipos replied, when they burn out, yes.

Mr. Murphy asked, so nothing out of our pocket?

Mr. Sipos replied, nothing out of our pocket. Option number three is at their cost. No cost to us at all.

Mr. Murphy stated, okay. Thanks.

Mr. Williams asked, can you explain that? You said the other cities don't want their lights to look different?

Mr. Sipos replied, LED's are a brighter bulb. When they replace them, you notice a difference. They do dim out a little bit over time.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 12

Mr. Williams asked, so if we pick option one or two, they are replacing everything?

Mr. Sipos replied, yes, the entire Village. At the Village's cost.

Ms. Wolgamuth stated, the difference is the current lights are more yellow. The LED's are brighter. So if you have lights next to each other that are different you are going to see the difference in the lights. A lot of cities are going to want them to look consistent, so they are going to replace them all with LED's at once so that all the lighting is the same rather than like going down SOM you will have some lights that are yellow and some lights that are brighter. The LED's are a brighter light.

Mr. Sipos stated, they are a brighter bulb so you will see the difference.

Mr. Murphy asked, do you know how quickly they burn out?

Mr. Sipos replied, I don't know the life span. I am not sure on that.

Mr. Murphy stated, I feel like the one out by my house has burned out every other week.

Mr. Sipos stated, probably. And we will see a savings in the cost. They will adjust the bill because LED's are a more efficient bulb. Again, we could use the NOPEC money now for the center of town.

Mr. Murphy asked, with the NOPEC money, is there something else we could use that for?

Mr. Sipos stated, we are kind of running out of projects. We have already updated police with LED. We have outfitted the entire Fire Department with LED. The Service Department is doing a swap over. We are currently working on Service with some leftover lights we have. There are other smaller projects we can do.

Mr. Murphy stated, I would like to hear from other people if they want to. We just heard from Ron that we are running in an \$8 million deficit. So, if there's something else that would be better suited to use that money going forward, just something to think about. Rather than having all the lights consistent.

Mr. Sipos stated, absolutely. I was looking for places to use it for. We have done most of the Village in LED's over the past three years. We will look at other options. Any other questions?

There were none.

Council President Schutt stated, thank you, Mr. Sipos.

DRAFT

Minutes of the Caucus Meeting of Council

Monday, February 7, 2022

Page 13

ANY OTHER MATTER BEFORE COUNCIL

Council President Schutt asked, are there any other matters to come before Council tonight?

There were none.

There being no further matters, the meeting concluded at 7:38 p.m.

Respectfully submitted,

Mary E. Betsa, MMC

Clerk of Council