

City of Springdale Council

April 6, 2022

President of Council Vanover called Council to order on April 6, 2022.

The governmental body and those in attendance recited the Pledge of Allegiance.

Mrs. McNear took roll call. Council members Anderson, Ghantous, Hawkins, Jacobs, Ramirez, Sullivan-Wisecup, and Vanover were present.

The minutes of the March 16, 2022 meeting were considered. Mrs. Ghantous made a motion to accept the minutes; Mr. Hawkins seconded. The minutes were approved with seven affirmative votes.

Communications

President Vanover: Mrs. McNear, are there any communications this evening?

Mrs. McNear: Yes, I do have one item. This was an email dated April 1, 2022. It's addressed to:

"Dear Springdale City Council Members: We recently attended the Tri-County Mall Redevelopment Public Engagement Meeting on March 23rd to hear about the new developments. We were excited to hear about the transformation that is planned for the shell of the mall. The drawings showed some exciting new ideas. Bringing in the new entertainment breweries and restaurants could really revitalize the City. However, when the part about relocating the Community Center came up, the excitement of this new development raised serious concerns. On paper, building a fitness center in this new area does have some appeal, as the plan is to have quite a few new residents living in the apartments above. The new developments to that area will bring in new residents and new businesses, and having an on-site fitness center would attract potential residents and companies. However, relocating the entire community center to this new area does not make any sense. The challenges and issues we see regarding leaving the community center are:

Not all residents will feel welcomed and have space at the proposed location:

The draft plan presented at the March 23rd meeting includes two fewer gym courts, no game room, no club rec space, no teen fitness space, no child watch, no family playrooms, no batting cages, no racquetball courts, and no playground. At a glance, the community is losing facilities we have now, and not replacing them with updated options. The main focus of this new facility is an enormous fitness center that is focused on the seniors and active athletes without children; not a community center used for recreation. Indoor pools replace the current outdoor pool, though, with limited deck space for teams and families when using the space for recreation or swim meets. The outdoor pool deck allows gathering of families and friends and joint concessions and socializing while members are swimming. There is also not enough room in the planned indoor pool for the swim team families, nor the opposing team to cheer on their swimmers. The response given at the engagement meeting when this concern was raised was that the team and spectators would have to move to one of our gyms, which would not allow the parents to watch their children swim. This will also really limit the availability of the already-reduced gymnasium space and it would create issues of potential water damage to the brand new gymnasium floor. Another issue that an indoor pool creates is that while one child is in swim lessons, the parent and younger siblings wait for their child to finish their lessons will have nowhere to go, as there is no playground or other kid-friendly amenities in the plans. Finally, the large draw of an outdoor pool for being in the sunshine during the summer months is completely lost in these plans.

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Community Center being integrated with commerce:

There are not many places left in the world where you can go out and not be expected to buy something. Community Centers, parks, and libraries immediately come to mind as places like this, and those should be protected. With the new developments of these residential spaces and proposed new businesses being brought in, the income and property taxes brought in by these new developments should pay for the updating or replacement of new a new Community Center. There is no need to do a full relocation, and a revision of the current Community Center to solely appease the new development. Community Center being placed in the middle of a proposed Designated Outdoor Refreshment Area (DORA); permitted open containers and consumption of alcohol year round. There was even a concern about this raised at the meeting. Some families feel like they would be taking their families to a bar instead of a community center. The current development includes a brewery, a concert stage, and several restaurants. This sounds like a wonderful idea for a one-stop entertainment facility, however, trying to incorporate a Community Center in which young children, teens, and seniors are also trying to do recreational activities will be a clash of differing interests that should not mix.

Safe access to the site will be a challenge:

The mall site is surrounded by 6-8 lanes of traffic and inside the mall site, there will also be vehicular traffic. For residents at the site this is less of a challenge, but keeping in mind that this is not an additional fitness center for just the new residents at the site, but the new community center for all of Springdale. Walking or biking to the community center will be extremely dangerous across all lanes of traffic without a safe corridor or infrastructure in place to get there. Another point that was brought up was the increased influx of traffic this would impose. With no plans of improving the current infrastructure, there will be an increased amount of traffic for those wanting to visit the area for the entertainment value and the community center all being directed to one location. This will make navigating the area a logistical nightmare for the proposed site and for the normal thruway of traffic to access the other businesses in the surrounding areas.

Facilities will be split:

Outdoor ball fields and possibly the walking track will remain at the current community center site (though may be reconfigured or improved). This means less opportunities for those casual connections that happen at community centers as well as more driving and less options for the rest of the family for scheduled events. Again, this is a logistical nightmare for families with multiple children who may have one child participating in a sport while the other is playing in a gymnasium, pool or playground. This will also mean divided maintenance among two parks and facilities of the bathrooms, buildings, and grounds. To summarize, the current plan the developers and the City of Springdale have proposed for the new community center is not meeting the current needs of the families of Springdale. It is self-serving the developers' needs of making the fitness center to attract new residents to fulfill their promises. While they court the City with promises of young professionals who could potentially afford the housing, it is excluding a large number of residents that fit the current socio-economic diversity that Springdale is well known for. While it is understandable that the City of Springdale would like to solve the issues of a crumbling, costly community center with a shiny new community center, the City needs to acknowledge that this center has been planned and developed by an outside source that has no investment or interest in the needs of the citizens. Please consider these points while you make this vote on behalf of the citizens you serve. Sincerely, Kelly and Sharon Cardona, 11824 Neuss Avenue."

That's all I have this evening.

President Vanover: Mayor Webster I understand you have a presentation?

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Mayor Webster: Yes I do. This is a kickoff for the proclamation season. One a meeting for the next month or so here, but, anyway, this is a very, very important one.

“WHEREAS, started in 1985, National Public Health Week takes place each year during the first week of April to recognize the important contributions public health has made to our nation. National Public Health Week also highlights issues that are important to creating a healthy future; and

WHEREAS, the Springdale Health Department works to prevent disease and promote good health within the City of Springdale, Ohio; and

WHEREAS, since 1974, the Springdale Health Department has created and supported a strong public health system that engages residents and community partners to foster a healthier community; and

WHEREAS, a hallmark of the City of Springdale’s Health Department is extensive collaboration among a wide range of public and private sector partners; and

WHEREAS, over the last year, the Springdale Health Department has assisted the residents of the City of Springdale in their efforts to withstand and recover from the COVID-19 pandemic; and

WHEREAS, in April, the nation celebrates National Public Health Week to recognize the important role that public health departments play in sustaining and improving community health to create a brighter future; and

WHEREAS, the Springdale Health Department is committed to ensuring that Springdale families are healthy and its collaborative efforts with individuals, families, community partners, and policy makers will promote good health among future Springdale generations.

NOW THEREFORE, I DOYLE H WEBSTER, Mayor of the City of Springdale, do hereby proclaim April 4th through April 10th, 2022 as

NATIONAL PUBLIC HEALTH WEEK

In the City of Springdale and commend this observance to our citizens.”

Mr. Clayton if you would step forward. (Applause)

Mr. Clayton: Thank you Mayor, Members of Council. I want to state that your support throughout the pandemic, which began in March 2020, has been critical to the Springdale Health Department’s successful address of COVID-19. I’m sure everyone has heard that the Center for Disease Control (CDC) and the Ohio Department of Health (ODH) have recently approved the use of a fourth COVID dose. This dose is recommended for individuals who are 50 and over with compromised immunity and for everyone who is 65 years of age and older. The Springdale Health Department will provide the booster dose on Thursdays from 9:00 a.m. until 12:45 p.m. starting next Thursday, April 14th, 2022. To register for the COVID booster, please visit the **gettheshot.coronavirus.ohio.gov** website, or call 1-833-4ASK ODH, and they will get you signed up. We do have the Moderna, the Pfizer, and the Johnson & Johnson boosters available. Thanks.

Mayor Webster: Thank you Matt (Clayton).

Mr. Clayton: Thank you.

President Vanover: Thank you Mr. Clayton.

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Communications from the Audience - None

Ordinances and Resolutions

Public Hearing

Ordinance No. 10-2022

AN ORDINANCE APPROVING A MAJOR MODIFICATION TO THE TRI-COUNTY COMMONS PLANNED UNIT DEVELOPMENT AND APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 600 KEMPER COMMONS CIRCLE

Mr. Lamping: Good evening. Today I have the presentation that was presented to Planning Commission, which they made the recommendation. We'll go to the map first (referring to a visual presentation). We have the Tri County Mall here on the west, we have Kemper Commons which is here, and this building right here which is the old Walmart is the building that U-Haul is proposing to renovate and occupy. They are proposing to; if you can see my cursor, build a new out building down here on the south side of the site, which will be what they call their version of a pod sales unit. Their truck and storage will then be behind that new building in an effort to try to meet the zoning requirements to keep the trucks behind the building. It's not going to eliminate visibility, but it's going to significantly keep the trucks behind the building, which is what the Zoning Code says. If you recall, we had the same presentation for the, help me out here, Champion?

President Vanover: Old Champion Windows.

Mr. Lamping: And, the big issue with both the Planning Commission, and the Council was the visibility of the vehicles. This new site does a couple of different things. It takes an existing building that is need of a new occupant, and, they're going to renovate the building, add a new building, and make it look nice. I have some simple elevations. I don't want to take up too much time of yours unless you want to. Here's that new little building out front. This is the existing building. This is the existing building from Kemper. This is how they plan to renovate it, and a lot of these are simply signs. None of these are actual doors or windows. I'll try to get closer for you. Then the new building that is going to be out front is going to look like this. This is the existing view. This is the proposed view. So this will be the predominant feature as you're driving by Kemper Road. As I said, Planning Commission has already heard and asked questions in the presentation from the owner. The owner is here to answer any questions if there are any. And, with that, I'll close.

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 10-2022; Mrs. Ghantous seconded.

Mayor Webster: What's going to be housed in that out lot?

Mr. Lamping: In this building, on the south side is going to be the pods that they will truck to your site; you can fill them up there. Fill them up with your goods and materials, and then they'll haul them back to this building, and store them in this building for you. In your container. In the container they let you rent. Does that make sense?

President Vanover: Yes.

Mr. Lamping: They will bring it out to your house, drop it on your driveway; let you fill it. And, then they'll come and get the pod and bring it back to their facility and store it. The existing use inside the existing building will now be interior storage. And, they're going to have their corporate offices here that they proposed to have at the Champion center.

Mr. Hawkins: I just want to confirm. Where would trucks, vehicles, and, what have you going to be parked? Are they going to be in between those two in that parking lot? Are they going to be back behind there?

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Mr. Lamping: Right back here. You'll be able to see them because it's all on angles, but the trucks will be back behind this front building. And, as you drive down, if you, I forget the name of the land, but, I think it's probably Commons Drive. If you drive down Commons Drive, you'll be able to see all of their vehicles because they'll be in this parking lot right here.

Mr. Hawkins: Do you have an idea how much of the parking lot they're going to take? I don't know how many vehicles they have.

Mr. Lamping: One hundred percent.

Mr. Hawkins: Does it take up the whole thing?

Mr. Lamping: Yes sir.

Mr. Hawkins: Really? Okay.

Mr. Lamping: Yes. So, this is another thing I failed to mention is this is going to be a regional facility where they'll bring trucks in and repair them in the back. Take them back for regular service, and take them back to the other sites around the City.

Mr. Hawkins: I'm sure Planning Commission has already gone over this.

Mr. Lamping: Yes sir, they have.

Mr. Hawkins: In terms of how much space is there going to be for customer parking based on how many trucks.

Mr. Lamping: I have a plan for that. It will take me a second to get to it, but there is a plan that will show that. I'll see if I can find it rather quickly. Truck parking is back here, on the right. The customer parking is along the street, and here along the front of the building. So, these three or four, maybe this one too is customer parking, and then all the truck parking is over here.

Mr. Hawkins: Thank you.

Mr. Ramirez: As a member of Planning (Commission), I just want to point out a few things that we had a lot of discussion on, and one which caused us to really put a negative view on the Sofa Express location, is the location of the vehicles all saying "U-Haul" on them and it looked like big advertising because it was out near (Interstate) 275. With this location, the difference being the elevation change. It'll be down so low, as you're driving down Kemper Road, you will not be able to see the vehicles parked there. So, that was the biggest thing. Some of the other things we talked about were that it looks like they have a bunch of garage doors, and those are just decoration, they're really not garage doors. We had a long discussion and it was a 6-0 vote in favor of this location. It was a positive plus for us to say, "Yes, this is a good location, it's a good purpose." Planning Commission thought it was a good plan for that location. Thank you.

Mr. Jacobs: Just to clarify, so, if I'm looking at that map, we're saying that wedge to the left, that whole thing will be filled with trucks? That kind of triangular shape? With an exception for maybe some customer parking?

Mr. Lamping: With the exception of customer parking, yes sir.

Mr. Jacobs: Okay.

Mr. Lamping: Customer parking will be on the west side, and along the road.

Mr. Jacobs: My second question you may not be able to answer. The previous owners of that property, I randomly would notice over the years, there was razor wire across the top of that building. Does anybody know why there was razor wire on top?

Mr. Lamping: There was razor wire there due to vandalism.

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Mr. Jacobs: Okay.

Mr. Lamping: And, the new tenant is proposing to remove all the razor wire.

Mr. Jacobs: That would be great. Thank you.

Ordinance No. 10-22 passes with seven affirmative votes.

Ordinance No. 11-2022

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE OHIO ATTORNEY GENERAL'S OFFICE FOR THE COLLECTION OF UNPAID FUNDS OWED TO THE CITY OF SPRINGDALE

Mrs. Sullivan-Wisecup made a motion to adopt Ordinance No. 11-2022; Mr. Hawkins seconded.

Mr. Anderson: Just a quick point for clarification because I think it happened after the last meeting. There was a question I think from a resident, Mr. Coleman, about a minimum amount for collection, and I think at the time we thought there wasn't a minimum. I think upon review, we found that it's a \$100 principal balance, so I just wanted to make sure that was on the record that we were correcting that. Thank you.

Mr. Hawkins: Along those lines, just two questions of curiosity. The first one sort of piggy-backing on the comment that Mr. Anderson made with regard to Exhibit A. There's some things that are listed that we cannot or that this will not certify debt as. Is there any process that we have in terms of collecting those items that's not through the Attorney General?

Mr. Braun: Yes. We contract with a third party to do that, and, what we're trying to avoid is having everything go to a third party where we're charged a fee; where they take a portion of it. Here, they pass that on to the debtor.

Mr. Hawkins: And then the other question is how fast will this take place? I know we get weekly payments based on the debt, but, how quickly will this take effect?

Mr. Braun: We can start sending things to them immediately, but I can only speak from my experience in other communities, and it varies. Obviously, it's subject to the fact that they do a high volume of these. I can tell you that during COVID, it kind of decreased in some of our communities, and it's on the uptick again. So, I think that it will vary. My hope is, as I think I indicated last time, when people get a letter from the Attorney General's Office, they'll respond to it quicker than ABC Collection knowing that it's affiliated with the Attorney General's office. So, I think we would certainly be in a position and I'll mention to Mr. Williams to maybe give you an update on what kind of a return we're seeing, maybe after a short period of time to see if it's improved. But, I think it's something we'll have to watch.

Mr. Hawkins: Thank you Mr. President.

President Vanover: Thank you.

Mr. Jacobs: Is there any sense from anyone why the State is willing to provide this service? I'm still not clear what they're getting out of it. I have a healthy dose of distrust in terms of Columbus. Over the years they've tried to attempt to chip away at home rule. What's the Attorney General getting out of this? And then beyond that, are a lot of communities taking advantage of this? It seems like a great deal. I'm not opposed to it, I just can't see how the Attorney General wins here. Why are they doing this?

Mr. Jones: I think the most obvious thing that comes to mind is that they're passing on the charge. So, if they're collecting \$100, they may actually collect \$125. They'll keep \$25 and we'll get the \$100. So, they're going to make money off of it. As we all know, the government does nothing for free.

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Mr. Jacobs: Gotcha. Thank you.

Mr. Jones: Mr. President, can I add one more thing? Just for clarification, we spend a fair amount of time trying to collect ourselves whatever that fee may be whether it be taxes or damage to our trees, or some kind of light pole, or whatever it may be. Once we've exhausted what we can do, then we would be turning it over once we have failed to be successful in our collections. Thank you.

Ordinance No. 11-2022 passes with seven affirmative votes.

Ordinance No. 12-2022

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO EXECUTE A FIRST AMENDMENT TO DEVELOPMENT AGREEMENT AND ANCILLARY DEVELOPMENT RELATED DOCUMENTS, INCLUDING DEEDS, WITH RESPECT TO THE TRI-COUNTY MALL REDEVELOPMENT PROJECT, AND DECLARING AN EMERGENCY

Mrs. Ghantous made a motion to adopt Ordinance No. 12-2022; Mrs. Sullivan-Wisecup seconded.

Mr. Braun: I wanted to just advise members of Council, you'll see in front of you the exhibits that have been amended to the development agreement. This is a collective effort of the developer's counsel, my office, and, primarily, the Hamilton County Tax Map Office. There were some changes that were made to the legal description to the property that ultimately encompasses the entire mall property. It was important that we have you approve this amended development agreement in anticipation of additional legislation that will come at your next meeting related to the creation of a TIF (Tax Increment Financing). When you originally approved the development agreement, there was a legal description that was on there. Multiple parties noticed that there were some discrepancies in those legal descriptions. Those have now, as of yesterday, this is fresh, finally been approved by Hamilton County. Everything is included that will need to be included so we get the full value of our TIF. So, that's the primary change that was made to the development agreement. There were a couple of other minor tweaks. We swapped out the fact that it's a Delaware LLC that the developer is using, and a couple of things that, again, are buried within these legal descriptions. So, we're correcting that original legislation that you already approved and in this same legal description, you'll find in the TIF legislation, that we anticipate coming at the next meeting. Mr. Kuchta and myself are both here if you have any questions about it, but, I will tell you the changes that were made in the legal description are nothing short of boring, but they're extremely important when it comes to us getting all the revenue we want out of that TIF once it's formed. So that's a short way of telling you why we need to amend it.

President Vanover: Thank you.

Ordinance No. 12-2022 passes with seven affirmative votes.

Old Business - None

New Business

Mayor Webster: Early last year, as all of you know, Costco announced that they were closing their Springdale store. A lot of people in Springdale shop there, and, got a lot of feedback regarding that. That was strictly Costco's decision; the City had nothing to do with it. But, anyway, so then along come July, I guess it was, and the people from Texas hit town, and had this bright shiny new development, and I said to anybody that listened to me, "This is a damn shame that that didn't get here first, because I think that may have made them rethink their position and stay at Springdale. So, great news. Costco is not going to close their store.

Mrs. Ghantous: Oh my gosh.

(Applause)

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Mayor Webster: However, they will be temporarily closing the store once the Liberty Township store opens, they'll have a temporary closing and they're going to reduce the store, make some renovations, and some changes in it. So, there will be a temporary closure there, but they will continue to have a presence in the City of Springdale. I think that's just one of the many positive fallouts we're going to have with this development. I was talking to Andy (Kuchta) today, and we've got some other calls, some other feelers and so I think we're going to get a lot of great benefit out of this.

Mrs. McNear: I was at Costco the other day. You couldn't buy a parking spot. It was terrible. And, as I was loading my car up, I was turning around to take my cart to the corral, and a lady pulled in next to me said, "Hey, I'll take that cart." Which is a good thing because there were no carts available in the store. It was a madhouse. So, she and I talked a little bit about the fact that it was closing, so I wish I had known that information that I could tell her that. But, she was irate that the store was closing. She said, "I'll just go to Sam's because I'm not driving up to Liberty Township to shop." So that's really good news. I'm happy that they're staying. Thank you.

Mrs. Ghantous: Any word on the Showcase Cinemas? Do we know anything?

Mayor Webster: Do you have any late information Andy (Kuchta)?

Mr. Kuchta: The most recent update I had was probably three months ago; three to four months ago that they were still looking at trying to sell off the excess parking area; about 17 acres towards Crescentville and they had kind of entertained a lot of proposals from developers throughout the region. We were looking at a variety of uses. We were kind of directing them towards what it was already zoned for, which was light industrial; kind of distribution warehouse facilities like GE Commerce Park. And, I haven't heard anything since. So, I know that the Showcase ownership was really being very particular about the use that could go in there, and about the screening, and the new entrance that would come in and access the movie theater. They did not want to detract from the appearance of that overall development area with industrial buildings that didn't look appealing. So, they were really, I think, putting the screws to any developers in terms of the landscaping requirements, and the screening, and all that, so I don't know where it's at. I know that these things can go silent for six months, nine months, a year, and they won't have any updates and then they'll call us up one day and say, "We're ready to go." So, it's kind of in that limbo period right now I think.

Mr. Lamping: They called us up today. (Laughter).

Mr. Kuchta: We should have just asked Carl (Lamping).

Mr. Lamping: I received a call from the design professional planning to propose a new industrial facility, warehousing sort of thing on the north parking lot of the Showcase Cinemas. That's brand new today.

Mayor Webster: So that's on the 17 acres that Andy (Kuchta) is referring to?

Mr. Lamping: Yes sir. They asked me for a meeting for Monday, and I couldn't make Monday, so, we're shooting for Thursday. It looks like that is on the fast track to happen as well.

Mayor Webster: Good. Thanks.

Mr. Lamping: This is another building, just for additional comment, this is another building just like the buildings at Springdale Commerce Park, which, I hope you know that we've received the next two buildings already for submittal to Planning Commission. So, they are going to plan to start the construction of those two other buildings for Springdale Commerce Park this year. That's another plus.

President Vanover: Thank you Carl (Lamping).

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Meetings and Announcements

Mrs. Sullivan-Wisecup: Planning Commission will meet in these chambers at 7:00 p.m. on next Tuesday, April 12th.

Mr. Anderson: One second. I've got to look up the date. I know we have a Board of Zoning Appeals meeting for the first time this year, I believe. We have something on the calendar, I believe it's April 26th at 7:00 in these chambers we're back for the first time this year.

Mr. Uhl: Just a reminder our second Community Engagement session will occur on Wednesday, April 13th at 6:30 p.m. at the Community Center in the Auxiliary Gym.

Communications from the Audience - None

Update on legislation still in development

Mr. Hawkins: As you review your Internal Memorandum, Item Number I was addressed Ordinance No. 10-2022; An Ordinance Approving a Major Modification to the Tri-County Commons Planned Unit Development and Approving the Preliminary Development Plan for the Property Located at 600 Kemper Commons Circle. That passed with a 7-0 vote. Item

Mr. Hawkins (continued): Number II was addressed with Ordinance No. 11-2022; An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter Into an Agreement with the Ohio Attorney General's Office for the Collection of Unpaid Funds Owed to the City of Springdale. That passed with a 7-0 vote. Item Number III was addressed with Ordinance No. 12-2022; An Ordinance Authorizing the Execution of the First Amendment to the Development Agreement with Respect to the Tri-County Mall Redevelopment Project, the Execution of Ancillary Related Documents, and Declaring an Emergency. That passed with a 7-0- vote. All other matters were forthcoming.

Recap of legislative items requested for next Council meeting

Mr. Hawkins: There's a request for An Ordinance Declaring Improvements to Real Property to Be a Public Purpose Declaring Such Property to Be Exempt from Real Property Taxation, and Declaring an Emergency. There's also a request for An Ordinance Authorizing the Mayor and Clerk of Council/Finance Director to Enter into an Agreement with TEC Engineering, Inc. for the Provision of Professional Services for the Operations and Maintenance of the City of Springdale's Traffic Control System and Declaring an Emergency. That's it unless there's anything else from Council or the Administration.

Adjournment

Mr. Hawkins made a motion to adjourn; Mrs. Sullivan-Wisecup seconded the motion and Council adjourned at 7:44 p.m.

Respectfully submitted,

Kathy McNear
Clerk of Council/Finance Director

Minutes Approved:
Tom Vanover, President of Council

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