

**MINUTES OF THE REGULAR MEETING
OF THE AVON LAKE MUNICIPAL COUNCIL
APRIL 24, 2023**

The regular meeting of the Avon Lake Municipal Council was called to order on April 24, 2023, at 7:00 P.M. in the Council Chamber with Council President O'Donnell presiding.

Mr. Spaetzel led the Council, staff, and public in the Pledge of Allegiance.

Present: Council Members Zach Arnold, Billie Jo David, Jennifer Fenderbosch, David Kos, Marty O'Donnell, Mark Spaetzel, and K. C. Zuber; Mayor Zilka; Law Director Ebert; City Engineer Fulton; and Clerk of Council Valerie Rosmarin.

Absent: Finance Director Widman

LEGISLATION

Ordinance No. 23-70, AN ORDINANCE CONFIRMING THE APPOINTMENT OF JUSTIN LUDWIG AS SERGEANT IN THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

Mr. Zuber moved for suspension of the rule requiring three readings.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell
No: None
Motion carried.

Mr. Zuber moved for passage of Ordinance No. 23-70. This legislation will confirm the appointment of Justin Ludwig as Sergeant in the Police Department at the salary of \$3,561.30 payable biweekly effective May 1, 2023. Due to a vacancy in the rank of Sergeant, a promotional examination was conducted. Mr. Ludwig scored the highest out of eight candidates and was certified to the rank of Sergeant by the Civil Service Commission.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell
No: None
Motion carried.
Ordinance No. 23-70 adopted.

Law Director Ebert administered the Oath of Office to Justin Ludwig.

APPROVAL OF MINUTES

The minutes of the Council Meeting on March 13, 2023 were approved as prepared and published.

MAYOR'S REPORT

The Ohio Division of Liquor Control held a hearing on March 9th at the request of the City on the advisability of the issuance of a liquor permit for Las Margaritas at 519 Avon Belden Road, Avon Lake. An investigation was conducted, and information was gathered in preparation for the hearing which resulted in the Liquor Control's denial and rejection of Las Margaritas' application for a liquor license.

A Trash Contract Roundtable Forum will be held on Wednesday, April 26th at the Avon Lake High School Commons at 7 p.m. Participants will break into small groups and discuss various topics relating to trash removal. The ideas shared at the forum will be considered when the City reviews bids for a new contract in 2024.

A NOPEC Informational Forum will be held on Tuesday, April 25th at 7 p.m. This forum will allow residents to ask questions of Jose Delgado, a representative from NOPEC who will explain the process of continuing with NOPEC or exercising one's right to opt-out.

Primary Election Day will be held on Tuesday, May 2nd and polling locations are American Legion Hall, Avon Lake Public Library, Avon Lake Church of Christ, Holy Spirit Catholic Church, and Lakeshore Methodist Church.

In response to Mr. Kos, Mayor Zilka stated that the NOPEC forum will be televised and recorded.

COUNCIL PRESIDENT'S REPORT

The next Collective Committee Meeting will be held Monday, May 1st at 7:00 p.m.

The next Council Meeting will be held Monday, May 8th at 7:00 p.m.

CITY ENGINEER'S REPORT

City Engineer Fulton reported that she distributed her weekly engineering report before the Council Meeting.

LAW DIRECTOR'S REPORT

Law Director Ebert stated that the City received a settlement check from Monitoring Fund Equity in the amount of \$17,414.03 from a class action lawsuit by the City of Long Beach, California et al vs. Monsanto Company, et al. This class action suit was filed in Long Beach, California regarding PCBs infiltrating waters from 1930 to 1977. Cities and villages along lakefronts were potential class members and received a portion of the settlement. Payments were made to eligible cities and villages from the Monitoring Fund based on their population, size, and payments from other funds.

COMMUNICATIONS, ENVIRONMENTAL, AND RECREATIONAL PROGRAMMING COMMITTEE REPORT

Mrs. David reported that the City received feedback and questions from residents about the deer population and the City's Deer Management Plan, and a survey will be available starting May 1st to June 30th at www.AvonLake.org. The purpose of the survey is to gather information from the public about property damage, deer sightings, deer motor vehicle crash data, and deer carcass pickup data. The data collected will be given to the Ohio Department of Natural Resources and used for planning the 2023/2024 Deer Culling Program.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Mr. Arnold reported on the Economic Development Committee meeting on April 17th. The following topics were discussed: 1) the Towne Center development of 120 apartment units with a 10-year tax abatement at 100%; 2) the sale of a vacant parcel of property by the City to the Avon Lake Animal Hospital; 3) the 2022 Job Growth Incentive Awards totaling \$132,000; and 4) the County Economic Development Group 501(3)(c).

The Community Improvement Corporation (CIC) held a meeting with Charah Solutions on April 21st regarding the Power Plant redevelopment. At that meeting, Charah updated its timeline, reported that an on-site injury occurred, and announced its acquisition by SER Capital Partners.

FINANCE COMMITTEE REPORT

Council President O'Donnell reported that Ordinance No. 23-80 will be removed from the agenda. This legislation authorizes the Mayor to enter into an agreement between the City and the Avon Lake High School Boosters regarding the use of equipment for public events. The Law Director has requested additional time for review before Council's action.

HUMAN RESOURCES COMMITTEE REPORT

The next meeting of the Human Resources Committee will be held on Monday, May 8th at 6:00 p.m. in the Council Chamber.

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT

Mr. Kos reported that a letter will be sent to all residents on Lake Road requesting their voluntary compliance to keep their contractors and landscaping vehicles from parking on Lake Road. The letter was drafted and has been reviewed by the Law Director, Public Works Director, and Police Chief. After it has been finalized, it will be sent to residents who live on Lake Road.

PUBLIC SERVICE COMMITTEE REPORT

The next meeting of the Public Service Committee will be held on Tuesday, May 9th at 6:00 p.m. in the Council Chamber.

PLANNING COMMISSION REPORT

The next meeting of the Planning Commission will be held on Tuesday, May 16th at 7:00 p.m. in the Council Chamber.

ZONING BOARD OF APPEALS REPORT

The next meeting of the Zoning Board of Appeals will be held on Wednesday, April 26th at 7:00 p.m. in the Council Chamber.

CITIZENS TREE COMMISSION REPORT

The next meeting of the Citizens Tree Commission will be held on Wednesday, May 10th at 7:00 p.m. at the Old Firehouse and Community Center.

ENVIRONMENTAL AFFAIRS ADVISORY BOARD REPORT

Mrs. David reported that the Environmental Affairs Advisory Board will host a free educational session with the Avon Lake Public Library for their Environmentally Speaking Series: The Importance of Native Plants on Tuesday, May 9th at 7 p.m.

Avon Lake Beautiful Day will be held Saturday, May 20th. This event, inspired by the annual cleanup event organized by Lorain County Beautiful Day, provides groups or citizens an opportunity to do service projects to enhance and clean up the City. A registration form is available at www.AvonLake.org for any organizations or individuals who would like to participate, and materials such as gloves and trash bags will be provided by Lorain County.

MOTIONS

Mr. Zuber moved to accept the resignation for the retirement of Lt. Sean Bockelman effective April 14, 2023. Lt. Bockelman served in the Police Department for over 28 years and has decided to retire.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Mr. Zuber moved to accept the resignation for the retirement of Sgt. Reed Reikowski effective May 1, 2023. Sgt. Reikowski served in the Police Department for 25 years and has decided to retire.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Mrs. Fenderbosch moved to accept the donation of tree seedlings from Lubrizol that will be distributed on Arbor Day, April 28, to fifth grade students at Troy Intermediate School and St. Joseph's School. This is the second year that tree seedlings will be distributed to 5th graders in Avon Lake schools that were donated by Lubrizol. Terry Robison, Chair of the Citizen Tree Commission, introduced this program that was inspired by the same program offered when he lived in Missouri.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Mrs. Fenderbosch moved to accept the donation of a tree for Arbor Day from Petitti's Garden Center. This is the first year that Petitti's offered to donate a tree that will be planted at St. Joseph's School.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Mrs. David moved to authorize the request for qualifications for design-build firms for Avon Lake Play Space Project. This is the next step in a long-standing project to create a play space that will be inclusive for children of all ages and abilities at Bleser Park. The City hired Sixmo of Cleveland as the criteria consultant on this design-build project. The residents of Avon Lake are anxiously awaiting the opening of this playground.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Council President O'Donnell moved to permit Mr. Arnold to be excused from voting on Ordinance No. 23-71 pursuant to Codified Ordinance 220.19(b). Due to a conflict of interest, Mr. Arnold requested permission to be excused from voting.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Council President O'Donnell moved to accept the settlement check from Monitoring Fund Equity in the amount of \$17,414.03 in a class action lawsuit with the City of Long Beach, et al vs. Monsanto Company, et al.

Mr. Spaetzel asked if these funds would be deposited into the City's general fund. In response, Law Director Ebert stated that the funds will be earmarked based on the guidelines of the settlement, and he will provide Council with a synopsis of those guidelines.

Mrs. Fenderbosch asked if there is a deadline for when the funds will be spent. In response, Law Director Ebert stated that the City must respond by October 13, 2023.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

LEGISLATION

Council President O'Donnell moved to remove Ordinance No. 23-80 from the Council Agenda. There is a need for further discussion on the policy to use the tents owned by Avon Lake Boosters and this legislation is not ready for first reading.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Third Reading:

Ordinance No. 23-41R, AN ORDINANCE TO DESIGNATE WEBBER ROAD AS NOT A THROUGH HIGHWAY PURSUANT TO CODIFIED ORDINANCE 414.02(B) AND REDUCING THE SPEED LIMIT ON WEBBER ROAD TO TWENTY-FIVE MILES PER HOUR, was read by title only.

Mr. Kos moved for passage of Ordinance No. 23-41. This legislation will reduce the speed on Webber Road from 35 mph to 25 mph for the entire length. Currently, the western section of Webber Road is 25 mph, and the remaining road is 35 mph. The number of developments has grown, increasing the traffic, and Webber Road is only 18 feet wide. There have been many complaints from residents in the area, and the Public Safety and Health Committee reviewed their concerns and recommended a reduction in the speed limit.

This legislation was revised after its second reading to remove the emergency provision. Therefore, the law will not go into effect for 30 days which will give the Avon Lake Police Department and the Public Works Department time to install speed limit signs and to alert the public that the speed limit has changed.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 23-41 adopted.

Second Reading:

Ordinance No. 23-69, AN ORDINANCE AMENDING THE RULES OF THE CIVIL SERVICE COMMISSION AND DECLARING AN EMERGENCY, was read by title only.

Mr. Zuber moved for suspension of the rule requiring three readings.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 23-69. This legislation will amend the Civil Service Rules to add rules for a lateral transfer entry program for the Police Department. The Civil Service Commission and Police Department have worked on a lateral transfer entry program for many months.

Mr. Spaetzel stated that he has attended Civil Service Commission meetings where this topic was discussed. He supports this program because he has been involved in hiring police officers for over the last 20 years and knows that it is extremely difficult and is very competitive. There are fewer people entering law enforcement, and the City needs to hire the best available. A lateral transfer entry program will expand the pool of candidates by offering positions to police officers from other departments.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 23-69 adopted.

First Readings:

Resolution No. 23-71, A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO DISBURSE THE 2022 JOB GROWTH INCENTIVE PROGRAM AWARDS AND DECLARING AN EMERGENCY, was read by title only.

Council President O'Donnell moved for suspension of the rule requiring three readings.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Council President O'Donnell moved for passage of Resolution No. 23-71. This legislation will authorize the Finance Director to disburse the 2022 Job Growth Incentive Program awards totaling \$132,261.53.

Director Esborn explained that this is the 11th year of the program which started in 2012. It is a very unique program in the economic development arena, and one of the notable

features of the program is that businesses do not need to apply for an award. It is automatic. Every year, the City reviews the information received from RITA (Regional Income Tax Agency). The companies with an increase in payroll tax payments are eligible for the award and will receive a percentage from that increase. The first 10 years of the program awarded businesses 25% of the increase. In the fall of 2021, the City increased the award to 35% and built in larger percentages for companies that had consecutive years of payroll tax growth. This year, 104 businesses were eligible for awards.

Director Esborn noted that there was a duplication on the list he provided to Council and an edit was made to the list which will be provided to the Clerk of Council.

Council President O'Donnell asked if the edit would change the legislation and if an amendment is needed. In response, Law Director Ebert stated that the edit was to remove duplication, and no amendment was needed to the legislation, and it can move forward.

Council President O'Donnell asked when checks will be disbursed. Director Esborn stated that a check run will be completed next week and checks distributed in early May, which is consistent with the timing of past distributions.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Resolution No. 23-71 adopted.

Ordinance No. 23-72, AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AGREEMENT TO SELL A PORTION OF 180 SHIELDS AVENUE TO LAKE VETERINARY PROPERTIES, LLC AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the Mayor to execute a purchase agreement to sell a portion of 180 Shields Avenue to Lake Veterinary Properties LLC for the amount of \$100,000.00. The purpose of this acquisition is to expand the Avon Lake Animal Hospital.

Ordinance No. 23-73, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA TAX INCENTIVE AGREEMENT WITH KOPF PROPERTIES LTD. WITHIN THE COMMUNITY REINVESTMENT AREA DESIGNATED BY THE CITY OF AVON LAKE AND DECLARING AN EMERGENCY, was read by title only.

This legislation will authorize the Mayor to enter into a 10-year, 100% tax abatement with Kopf Properties Ltd. Mr. Kopf of Kopf Properties Ltd. desires to build 120 apartment units in Towne Center and requested a tax abatement from the City and the Avon Lake City Schools Board. The apartments will take approximately two years. If the tax abatement is approved at the third reading, construction will begin in early summer and finish in the fall of 2025. There will be three to four employees at the facility after completion. Mr. Kopf has pledged to return 25% of the abatement to the school district yearly. The tax abatement request was approved by the Community Reinvestment Area Housing Council and the Avon Lake City Schools Board. The City rarely offers a tax abatement for

residential buildings. However, since Mr. Kopf is returning 25% of the tax abatement yearly to the schools and these apartments will help struggling businesses in Towne Center, businesses should have an influx of business from the tenants at these apartments.

Mr. Zuber stated that he will not support this tax abatement because it is for a residential project.

Ordinance No. 23-74, AN ORDINANCE CHANGING THE AUTHORIZED FULL-TIME PERSONNEL ROSTER OF THE FIRE DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

This legislation will increase the Fire Department roster by staffing three additional Firefighter/Paramedics, or one per shift.

Mr. Spaetzel stated that he supports the safety forces and the need for additional staffing. He noted that the Finance Department projected the cost of adding three new full-time Firefighter/Paramedics to be between \$347,000 to \$380,000 per year. Mr. Spaetzel cautioned Council and the Administration regarding budget projections because the City will have debt payments for the ladder truck and renovations are still needed for the Fire Station. To ensure that these positions fit within the budget, he encouraged everyone to review the budgetary impacts this increase will have.

Ordinance No. 23-75, AN ORDINANCE APPROVING WAGE INCREASES FOR THE AVON LAKE MUNICIPAL COURT PERSONNEL AND DECLARING AN EMERGENCY, was read by title only.

This legislation will approve wage increases and give two additional days off to the Municipal Court personnel as ordered by Judge Bilancini. Three-fifths of the wages for the Clerk of Court and Bailiff are paid through the City's treasury and two-fifths are paid by Lorain County.

Ordinance No. 23-76, AN ORDINANCE CONFIRMING THE APPOINTMENT OF KELLY LAROSA AS PLANNING AND ZONING MANAGER IN THE COMMUNITY DEVELOPMENT DEPARTMENT AND DECLARING AN EMERGENCY, was read by title only.

Mr. Zuber moved for suspension of the rule requiring three readings.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 23-76. This legislation will appoint Kelly LaRosa as the Planning and Zoning Manager in the Community Development Department at an annual salary of \$71,000 effective May 1, 2023.

Director Esborn stated that this position is designed to organize planning cases and Planning Commission meetings. The other Planning and Zoning Manager is Austin Page, and he organizes zoning cases and Zoning Board of Appeals meetings. Ms. LaRosa has a

master's degree in urban planning and design and Business Administration. She was the City Planner in the cities of Oberlin and Elyria and has spent the last 10 years in non-profit management as the Executive Director for Habitat for Humanity in Lorain County.

Council President O'Donnell stated that this hiring completes all the recommendations of the Business Navigation Ad Hoc Committee, except for the new software which is currently being implemented.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 23-76 adopted.

Ordinance No. 23-77, AN ORDINANCE ADOPTING A JOB DESCRIPTION FOR THE POSITION OF URBAN FORESTER IN THE PUBLIC WORKS DEPARTMENT AND ESTABLISHING THE QUALIFICATIONS AND DUTIES FOR SAID POSITION, was read by title only.

Mr. Zuber moved for suspension of the rule requiring three readings.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Mr. Zuber moved for passage of Ordinance No. 23-77. This legislation will adopt a job description for the position of Urban Forester in the Public Works Department. The Civil Service Commission reviewed the job description and recommended the position as unclassified, non-exempt. The City intends to apply for a grant from the State of Ohio that will fund this position.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Ordinance No. 23-77 adopted.

Resolution No. 23-78, A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ELECTRIC POWER SERVICE EASEMENT WITH THE ILLUMINATING COMPANY, A FIRST ENERGY COMPANY, AND DECLARING AN EMERGENCY, was read by title only.

Mr. Spaetzel moved for suspension of the rule requiring three readings.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Mr. Spaetzel moved for passage of Resolution No. 23-78. This legislation will authorize the Mayor to sign an electric power service easement with the Illuminating Company, a

First Energy Company, on behalf of Avon Lake Regional Water, which has added an auxiliary building behind their building at 201 Miller Road and needs to run power to this new addition.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Resolution No. 23-78 adopted.

Resolution No. 23-79, A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACT AWARDED IN 2023 AND DECLARING AN EMERGENCY, was read by title only.

Mrs. Fenderbosch moved for suspension of the rule requiring three readings.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Mrs. Fenderbosch moved for passage of Resolution No. 23-79. This legislation will authorize the City to purchase road salt through the ODOT Road Salt Program for 2023.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Resolution No. 23-79 adopted.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

Mrs. Fenderbosch reported the following:

- Trash Roundtable Forum will be held on Wednesday, April 26th at Avon Lake High School Commons from 7 p.m. to 9 p.m. Director Dave Blevins and Community Outreach Manager Brandi Schnell from the Lorain County Solid Waste Management District will attend and describe recycling programs and industry standards.
- Arbor Day is Friday, April 28th. The public is invited to attend the planting of a tree at St. Joseph's School, 32946 Electric Boulevard, at 9:45 a.m.

PUBLIC INPUT

Rob Shahmir, 31705 Driftwood Court, Avon Lake, a member of the Environmental Affairs Advisory Board (EAAB) and a resident, addressed Council regarding the following concerns that were raised by the EAAB at the Community Improvement Corporation (CIC) meeting:

1. PCBs and other dense non-active liquids at the Power Plant site. Charah Solutions, the owner and developer, had an environmental consultant (Gary Deigan of the Deigan Group) conduct a presentation at a meeting of the CIC, who stated that PCBs were not present at the site. Mr. Shahmir stated that he reviewed historical information and found photos of generators and PCBs and PCB oils were delivered to the site from the G.E. Pittsfield facility in Massachusetts.
2. New ponds that sit on top of the fill area east of the facility. There was at least 10 to 15 feet of fill placed in that area. Mr. Deigan stated that no fractures were in the shale and said that samples were collected by the U.S. Army Corps of Engineers. However, Mr. Shahmir reviewed photos of the plant's construction that show fractures and stated that the seismic data indicates that fractures continue offshore. Mr. Deigan disagreed and stated that the information was old data. The data was from the U.S. Army Corps of Engineers, which is the gold standard of engineering, geophysics, and geology. Geology does not change in 100 years; it changes in one hundred million years.
3. The City needs to hire an environmental consultant. It has been eight months since the EAAB approached the City to hire one. The City cannot rely on legal representation (Todd Davis, Esq.) on the environmental side of the Power Plant's development and redevelopment. The EAAB appeals to the City to obtain an environmental consultant to interface with Charah Solution, the Deigan Group. The consultant does not need to go onto the Power Plant's property but needs to review information on environmental issues, geological issues, and risk issues to inform the City.

Gerald Bubnick, 32539 Mariner's Court, Avon Lake addressed Council regarding the poor road conditions of Mariner's Court.

Council President O'Donnell asked Mayor Zilka if someone from the Engineering Department could contact Mr. Bubnick about the condition of Mariner's Court. In response, Mayor Zilka stated that there have been several opportunities to discuss this situation with Mr. Bubnick, and the City will look at Mariner's Court. The Engineering Department is evaluating the streets, and a consultant was also hired to evaluate road conditions.

City Engineer Fulton stated that after the asphalt street list has been determined, the City will focus on evaluating concrete streets.

EXECUTIVE SESSION

In compliance with Ohio Revised Code Section 121.22(G)(1)(2), Mrs. Fenderbosch moved to adjourn to Executive Session to discuss the purchase or sale of a property.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Adjournment: 8:12 P.M.

RECONVENING OF COUNCIL MEETING

The regular Council Meeting was reconvened at 9:09 P.M.

Present: Council Members Zach Arnold, Billie Jo David, Jennifer Fenderbosch, David Kos, Marty O'Donnell, Mark Spaetzel, and K. C. Zuber.

Also Present: Mayor Zilka, Law Director Ebert, Community Development Director Esborn, and Attorney Todd Davis.

Mrs. Fenderbosch moved for adjournment.

Yes: Spaetzel, Zuber, Arnold, David, Fenderbosch, Kos, O'Donnell

No: None

Motion carried.

Adjournment: 9:10 P.M.

Approved: */s/ Martin E. O'Donnell*
Council President

Attest: */s/ Valerie E. Rosmarin*
Clerk of Council