



Council Minutes – Regular Meeting

May 2, 2023

CALL TO ORDER:

Mayor Spalding called to order the New Albany City Council Meeting of May 2, 2023 at 6:30 p.m. at the New Albany Village Hall, 99 West Main Street, New Albany, Ohio. Staff attending were City Manager Joseph Stefanov, Law Director Benjamin Albrecht, Finance Director Bethany Staats, Administrative Services Director Adrienne Joly, Police Chief Greg Jones, Public Service Director Mike Barker, Development Director Jennifer Chrysler, Planning Manager Steve Mayer, Engineering Manager Ryan Ohly, Economic Development Manager Sara Ziegler, Clerk of Council Jennifer Mason, and Chief Marketing Officer Josh Poland.

Mayor Spalding led the assemblage in the Pledge of Allegiance.

ROLL CALL:

The following Mayor/Council Members answered Roll Call:

Mayor Sloan Spalding	P
CM Marlene Brisk	A
CM Michael Durik	P
CM Chip Fellows	P
CM Kasey Kist	P
CM Matt Shull	P
CM Andrea Wilttrout	P

Clerk Mason reported that Council Member Brisk could not attend and requested to be excused. Mayor Spalding moved to excuse Council Member Brisk from the council meeting. Council Member Wilttrout seconded and council voted with 6 yes votes to excuse Council Member Brisk from the council meeting.

ACTION ON MINUTES:

Clerk Mason reported she received 1 typo fix from Council Member Shull which would be corrected on the original. Council adopted the 4/18/2023 regular meeting minutes by consensus.

ADDITIONS OR CORRECTIONS TO THE AGENDA:

NONE

HEARING OF VISITORS:

Proclamation – Dr. Glyde A. Marsh Founders Day Parade Grand Marshals Dennis and Teresa Keessee – Mayor Spalding recognized the Keessee family for giving so much to New Albany. He read the proclamation aloud and presented it. Mr. Keessee stated he and his wife took great pride in their community and thanked the Founders Day committee for the honor.



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Proclamation – Founders Day Community Connection Award Honoree – New Albany High School Robotics Team: The Digital Eagles – Mayor Spalding commended the team on their growth since their first visit to council.

Benjamin Tanner, Team Captain of The Digital Eagles, thanked council. Robotics was a big part of their function, they also wanted to connect with people as much as possible. The Founders Day Parade was a positive team experience. They were always willing to help.

Council Member Durik recalled the first robotics team award and commented their tremendous growth and accomplishments, both in what they did and how they represented the community. He further complimented the parents.

Council Member Fellows asked and Mr. Tanner answered that a team member worked at Storypoint and knew that the seniors had issues with technology and emails to family. The team went out on a Saturday and it became a weekly thing over several months. Mayor Spalding reported hearing positive feedback about the visits.

Mayor Spalding asked about the FIRST Worlds competition in Houston. Mr. Tanner replied that making it to Worlds was great and meant raising a lot of money. Fortunately, the school and others pitched in. On the first day of competition stuff broke, but the second day stuff went perfect and they shot up 30-40 places. Robotics organizations from all around the world were there.

Council Member Wiltrout asked what's was next. Ms. Tanner answered that they hoped to do better, there was room for improvement. They hoped to reach more of the community. They hoped to make the finals in Worlds.

Founders Day organizer Beckie Knore displayed the etched bricks with the names of the Grand Marshals and Community Connection Award Honorees that would be installed in the Ealy House front walkway.

BOARDS AND COMMISSIONS:

PLANNING COMMISSION: Council Member Shull reported that the PC heard related applications for a variance and final plat in the Hawksmoor subdivision. The owner wanted to combine 2 lots into 1 big lot with 2 zoning districts. The matter was tabled to answer questions.

Mayor Spalding asked and Planning Manager Steve Mayer replied that the Hawksmoor lots, if combined, would probably remain addressed as 4 Hawksmoor as the owner intended 1 primary living unit. Part of the lot would be rezoned to allow for larger and taller accessory structures.

Council Member Shull reported that the PC unanimously denied an application to allow a deck over a drainage easement on Straits Lane. PC members expressed concern about setting a precedent, disrupting city services, and the owner could build a smaller deck to be in compliance. Staff did not recommend the variance.



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PARKS AND TRAILS ADVISORY BOARD: No meeting

ARCHITECTURAL REVIEW BOARD: No meeting.

BOARD OF ZONING APPEALS: No meeting.

SUSTAINABILITY ADVISORY BOARD: Council Member Kist reported on the Earth Day celebrations. The city took in 10,500 pounds of e-waste. The Service garage served as a pull-thru drop off point. Administrative Services Director Adrienne Joly expected to continue at that location in the future. Events of the week were capped off by the Arbor Day proclamation, Teacher Pete Barns' class planting trees, and Intel's visit. Classes would continue showing up to complete the planting of 300 saplings.

IDEA IMPLEMENTATION PANEL: Council Member Wiltrout reported that the New Albany 101 business park tour was coming up. There would be 3 tours total, 1 was already full. The 'Appy Hour was scheduled July and the visit to Taylor Farm park was scheduled in October. The next event was a Juneteenth family fun celebration, location TBD. Miracle League Day was scheduled for July 1. There would be a Diwali celebration in November. She asked council members to recommend persons for focus groups for Miracle League Day and Diwali. Clerk Mason reminded council about Abbey Brooks' email detailing the events, dates, and times for all of the above.

CEMETERY RESTORATION ADVISORY BOARD: Clerk Mason reported that the CRAB held their annual organizational meeting. The officers remained the same. The CRAB heard about the Market Street extension project from Planning Manager Steve Mayer. Clerk Mason reported on her conversation with Mark Smith, Gravestone Transformations, about the planned work on Wagner Cemetery. 2 board members volunteered to help research plot records. The Board planned to meet again in 2 months and agreed to visit Wagner Cemetery as a group.

PUBLIC RECORDS COMMISSION: Mayor Spalding reported the PRC approved submitted RC-2 and RC-3 forms from the finance and police departments. They held their organizational meeting, elected officers, and set the next meeting in November.

CORRESPONDENCE AND COMMUNICATION:

NONE

SECOND READING AND PUBLIC HEARING OF ORDINANCES:

ORDINANCE O-65-2023

Mayor Spalding read by title AN ORDINANCE TO APPROPRIATE PROPERTY AND EASEMENTS FROM THE OWNERS, STEPHANIE R. TRATHEN AND BRANDON J. TRATHEN, OF THE PROPERTY LOCATED AT 11730 GREEN CHAPEL ROAD IN LICKING COUNTY, OHIO FOR THE PUBLIC PURPOSE OF CONSTRUCTING, MAKING AND REPAIRING ROADS, IN THE GREEN CHAPEL ROAD PROJECT, WHICH SHALL BE OPEN TO THE PUBLIC, WITHOUT CHARGE, AND DECLARING AN EMERGENCY.

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Development Director Jennifer Chrysler stated she would give a combined staff report for this and O-68-2023. These ordinances authorized the next step in the right-of-way acquisition and appropriation process in accordance with the Ohio Revised Code (ORC). Each ordinance was aligned with the specific details of property. The city obtained appraisals from 2 firms to fully comply with state law and to get verification of the per-acre value. All property owners were notified. The city's property acquisition consultant would continue to negotiate with the property owners for the purchase of right-of-way and easements until the scheduled deadline for filing for the appropriation. Passing these ordinances did not mean automatically filing. In February, the city received favorable bids for construction of Mink Street, Green Chapel, and Clover Valley roads. It was necessary for the city to move forward expeditiously to remain on schedule with these contracts. 141 parcels total were involved in negotiations. She described the tiers, number of settlements per tier, and number of parcels still negotiating. The city had received right of entry to get started in many. There were still anticipating filings on several properties. The New Albany Company owned 33 parcels which the city anticipated settling in short order.

Council Member Durik asked and Engineering Manager Ryan Ohly answered the tiers were all phased with the construction sequencing. The city was targeting to be done within the next month or so.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Mayor Spalding moved to adopt the ordinance. Council Member Durik seconded and council voted with 6 yes votes to approve Ordinance O-65-2023.

ORDINANCE O-68-2023

Mayor Spalding read by title AN ORDINANCE TO APPROPRIATE PROPERTY AND EASEMENTS FROM THE OWNERS, DANNY G. VANHOOSE AND BARBARA J. VANHOOSE, OF THE PROPERTY LOCATED AT 11662 GREEN CHAPEL ROAD IN LICKING COUNTY, OHIO FOR THE PUBLIC PURPOSE OF CONSTRUCTING, MAKING AND REPAIRING ROADS, IN THE GREEN CHAPEL ROAD PROJECT, WHICH SHALL BE OPEN TO THE PUBLIC, WITHOUT CHARGE, AND DECLARING AN EMERGENCY.

Director Chrysler referred to her combined presentation under O-65-2023.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Mayor Spalding moved to adopt the ordinance. Council Member Wiltout seconded and council voted with 6 yes votes to approve Ordinance O-68-2023.

ORDINANCE O-70-2023

Mayor Spalding read by title AN ORDINANCE TO DECLARE THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE, EXEMPT 100% OF THAT IMPROVEMENT FROM REAL PROPERTY TAXATION, REQUIRE THE OWNERS OF

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THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, PROVIDE FOR THE DISTRIBUTION OF THE APPLICABLE PORTION OF THOSE SERVICE PAYMENTS TO THE JOHNSTOWN-MONROE LOCAL SCHOOL DISTRICT AND THE CAREER AND TECHNOLOGY EDUCATION CENTERS OF LICKING COUNTY, ESTABLISH A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THE REMAINDER OF THOSE SERVICE PAYMENTS, SPECIFY THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT DIRECTLY BENEFIT THOSE PARCELS, AND APPROVE AND AUTHORIZE THE EXECUTION OF ONE OR MORE TAX INCREMENT FINANCING AGREEMENTS.

Economic Development Manager Sara Ziegler stated this ordinance amended the Oak Grove II Tax Increment Financing (TIF) district to include approximately 605.15+/- acres recently annexed and zoned. The consolidated acreage was associated with the expansion of the Licking County business park. There were 6 properties included. This was a non-school TIF, it did not negatively impact the Johnstown-Monroe or C-TEC schools. The city entered into supplement agreements with Jersey Township regarding the funding of fire and EMS services.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Council Member Shull moved to adopt the ordinance. Council Member Durik seconded and council voted with 6 yes votes to approve Ordinance O-70-2023.

ORDINANCE O-71-2023

Mayor Spalding read by title AN ORDINANCE TO ACCEPT A 7.512 ACRE CONSERVATION EASEMENT AS REQUESTED BY THE NEW ALBANY COMPANY, LLC.

Planning Manager Steve Mayer stated this property included some of the Blacklick Creek watercourse which was under the regulatory jurisdiction of the Ohio EPA. This legislation was the required next step in the OEPA permitting process. The permit required that the creek and buffer areas be protected in perpetuity by recording this conservation easement. This easement contained restrictions to preserve and protect the natural habitat by prohibiting construction. The easement allowed for certain trails and benches within the corridor. Similar to other conservation easements, acceptance did not make the city legally responsible for violations by the owner or third parties.

Mayor Spalding asked and Manager Mayer answered that the creek flowed through Clover Valley Road. The Bermuda subdivision was further north. Mayor Spalding appreciated Manager Mayer's drive to beautify the area.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.



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Council Member Fellows moved to adopt the ordinance. Council Member Wiltrout seconded and council voted with 6 yes votes to approve Ordinance O-71-2023.

Group D - Appropriation of Property and Easements Ordinances

Mayor Spalding stated the Group D ordinances declared an emergency to waive the 30-day referendum period only. They got their first reading on April 18, 2023. Council did not indicate there were any ordinances in the group that they wished to consider separately.

Mayor Spalding moved, pursuant to Council Rule 1(A)(1), to waive council rules for Ordinances O-72-2023 through O-74-2023 such that the title of each ordinance did not have to be read in full and council would vote on them as a group. Council Member Shull seconded. Council voted with 6 yes votes to waive the council rules. Motion passed.

ORDINANCE O-72-2023

Mayor Spalding read by title AN ORDINANCE TO APPROPRIATE PROPERTY AND EASEMENT FROM THE OWNERS, JUSTIN J. PRICE AND JENNIFER M. PRICE, OF THE PROPERTY LOCATED AT 11980 GREEN CHAPEL ROAD IN LICKING COUNTY, OHIO FOR THE PUBLIC PURPOSE OF CONSTRUCTING, MAKING AND REPAIRING ROADS, IN THE GREEN CHAPEL ROAD PROJECT, WHICH SHALL BE OPEN TO THE PUBLIC, WITHOUT CHARGE, AND DECLARING AN EMERGENCY.

Clerk Mason read the following additional ordinance numbers, property owners, addresses, and parcel numbers associated as set forth below.

O-73-2023	Jackson, Patrick & Barbara	4780 Mink Street	052-173874-00.004
O-74-2023	Tukaye, Deepali Rajneesh, Kiran	11673 Jug Street	037-112302-00.000

Development Director Jennifer Chrysler stated this group of ordinances authorized the next step in the Ohio Revised Code (ORC) delineated right-of-way acquisition and appropriation process. Each ordinance was aligned with the specific details of the property. The city had obtained 2 independent appraisals to fully comply with the ORC and to have additional verification of the per-acre values. All property owners had been notified. The city’s acquisition consultant would continue to negotiate with the property owners until the scheduled deadline for filing the appropriation. This group of ordinances contained emergency language to waive the 30-day referendum period. In February, the city received favorable bids for the construction of Mink, Green Chapel, and Clover Valley roads. It was necessary to have the right-of-way acquisition complete to stay on schedule with the contracts.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.



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Council Member Durik moved to adopt Ordinances O-72-2023, O-73-2023, and O-74-2023. Mayor Spalding seconded and council voted with 6 yes votes to approve Ordinances O-72-2023, O-73-2023, and O-74-2023.

Mayor Spalding thanked staff for their hard work. It was unfortunate that the city had to impact individual property owners. He hoped this would work out, folks whose properties were affected were justly compensated under the law, and the project could proceed.

ORDINANCE O-73-2023

AN ORDINANCE TO APPROPRIATE AN EASEMENT FROM THE OWNERS, R. PATRICK JACKSON AND BARBARA D. JACKSON, OF THE PROPERTY LOCATED AT 4780 MINK STREET IN LICKING COUNTY, OHIO FOR THE PUBLIC PURPOSE OF CONSTRUCTING, MAKING AND REPAIRING ROADS, IN THE MINK STREET PROJECT, WHICH SHALL BE OPEN TO THE PUBLIC, WITHOUT CHARGE, AND DECLARING AN EMERGENCY

See combined presentation, public hearing, and vote under O-72-2023.

ORDINANCE O-74-2023

AN ORDINANCE TO APPROPRIATE PROPERTY AND EASEMENT FROM THE OWNERS, DEEPALI TUKAYE AND KIRAN RAJNEESH, OF THE PROPERTY LOCATED AT 11673 JUG STREET IN LICKING COUNTY, OHIO FOR THE PUBLIC PURPOSE OF CONSTRUCTING, MAKING AND REPAIRING ROADS, IN THE MINK STREET PROJECT, WHICH SHALL BE OPEN TO THE PUBLIC, WITHOUT CHARGE, AND DECLARING AN EMERGENCY

See combined presentation, public hearing, and vote under O-72-2023.

INTRODUCTION AND FIRST READING OF ORDINANCES:

ORDINANCE O-75-2023

Mayor Spalding read by title AN ORDINANCE TO APPROVE THE FINAL PLAT FOR 9 SINGLE FAMILY LOTS ON 8.83+/- ACRES AND ACCEPT RESERVES “A”, “B”, “C” FOR THE ALDEN WOODS SUBDIVISION LOCATED AT 6700, 6770, 6800 CENTRAL COLLEGE ROAD AS REQUESTED BY ANDREW MALETZ.

Planning Manager Steve Mayer stated this plat was for 9 traditional single-family lots and Woodview Drive. The plat contained a right-of-way commitment. The subdivision met the open space and parkland requirements. The open space fronted on Central College Road to match the Wentworth subdivision. There was a central parkland area which would contain landscaping and a future park. The reserves would be owned by city and maintained by home owners association in perpetuity. The Planning Commission (PC) and Parks and Trail Advisory Board recommended approval at their March meetings.

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Council Member Fellows asked and Manager Mayer confirmed that the trees on Central College Road would be saved. The developer’s intention was to save as many trees as possible, making them a feature of the neighborhood.

Council Member Shull recalled specific trees in Lot 6 being addressed at a PC meeting. Manager Mayer confirmed that 2 landmark trees on the corner of Lot 6 were identified in the plat. The tree location would be recorded and identified when the property was sold. The plat contained a note that required preservation, and any removal or trimming had to be approved by city staff.

Council Member Fellows asked and Manager Mayer replied that the zoning required additional landscaping. There would be stormwater basins with landscaping to the west and additional buffer space. There was no additional landscaping required along the north side, however, there was a buffer zone that required preservation in the setback area. The existing trees within the buffer area would be preserved.

Mayor Spalding asked and Manager Mayer answered that the right-of-way being preserved for a future road would be a natural greenspace. The zoning text required that a 10-foot section of road be built and signage installed to notify residents of the future roadway connection.

Council Member Fellows asked and Andrew Maletz, representative of the applicant, answered they were still finalizing details and footprints for the homes. During the rezoning process, they anticipated values from \$1.3 to \$1.5 million per site. The average lot size was roughly ½ acre, and some were a little larger or smaller. Manager Mayer stated no turning lanes were needed to access the subdivision off of Central College Road.

Mayor Spalding set the ordinance for second reading at the May 16, 2023 council meeting.

READING AND PUBLIC HEARING OF RESOLUTIONS:

RESOLUTION R-23-2023

Mayor Spalding read by title A RESOLUTION TO AUTHORIZE THE CITY OF NEW ALBANY TO PARTICIPATE IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2023.

Public Service Director Mike Barker stated this legislation authorized the city to participate the Ohio Department of Transportation (ODOT) road salt contract for 2023. The city had participated in this contract for many years as it was the best option and economy of scale for pricing. Over the 2022-2023 winter season, the city responded to 10 weather events. The city used 1,300 tons of salt. Franklin County, the New Albany Plain Local School District, and Plain Township were the other users. Franklin County kept 4 snow trucks at the city’s shop and helped load salt into the barn totaling 4,800 tons. Staff estimated spending \$120,000 based on 1,700 tons of salt purchased.

Council Member Kist asked and Director Barker answer that the city counted 11 events the prior winter. Every year had some unique events. This season included an extremely cold event for which the city used more salt than a typical snow event. Salt usage had been going down over the past few years.

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Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Council Member Shull moved to adopt the resolution. Council Member Durik seconded and council voted with 6 yes votes to approve Resolution R-23-2023.

RESOLUTION R-24-2023

Mayor Spalding read by title A RESOLUTION DECLARING INTENT TO APPROPRIATE PROPERTY AND EASEMENTS FOR THE PUBLIC PURPOSE OF MAKING, REPAIRING, IMPROVING OR CONSTRUCTING MINK STREET AS EXTENDED TO JOIN WITH INTERSECTING ROADS WHICH ARE AND SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE.

Community Development Director Jennifer Chrysler stated the subject segment of Mink Street was a local unimproved roadway running north-south between Green Chapel and Worthington roads. The segment was recently annexed to the centerline and served the Intel campus. The planned improvements would accommodate traffic flow in the area. This resolution declared the intent to appropriate the fee simple interest and easement to the properties along this roadway corridor. This was one of the first steps in the Ohio Revised Code for appropriation of right-of-way for roadways.

Mayor Spalding opened the Public Hearing. Hearing no comments or questions from the public, he closed the Public Hearing.

Mayor Spalding moved to adopt the resolution. Council Member Fellows seconded and council voted with 6 yes votes to approve Resolution R-24-2023.

REPORTS OF STANDING COMMITTEES:

- A. Safety Committee: No report.
- B. Public Utilities: No report.
- C. Service and Public Facilities Committee: No report.
- D. Planning and Economic Development Committee: No report.
- E. Administration Committee: No report.
- F. Grants and Non-Profit Funding: Council Member Shull recalled feedback from applicants to improve the process and to reevaluate timing of applications. Council had improved the process. Regarding the timing: it was requested to send out applications earlier in the year for better budget planning for recipients during their 3rd and 4th quarters. For 2024, the schedule for applications would

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be to send them out May 15 and have them due back on July 15. The Hotel/Motel Bed Tax Grant (BTG) Committee would meeting at the end July/early August to review the applications. The goal was to make recommendations in late August/early September. At that time, Council would not know their 2024 actual grant budget, so council would have to make some assumptions and work with finance department on what the budget number would be. For 2024, they would probably assume the same budget as 2023. If more funds were available, the BTG may come back to council to see if that should be allocated. If there was less money available, the they would have to pull back on some recommendations. As long as the applicants knew this, the BTG would give its best shot based on the budget, verifying at the end of the year.

Mayor Spalding suggested that the applications include an asterisk that any awards were subject to final budget approval. He anticipated the city would hit the budget numbers, but one never knew.

REPORTS OF REPRESENTATIVES:

- A. Council Representative to MORPC: No meeting.
- B. Council Representative to Joint Parks and Recreation: No meeting.
- C. Council Representative to New Albany Plain Local Schools: No meeting.
- D. Council Representative to Plain Township: Council Member Durik stated the township provided promotions, badges, and helmets for the new assistant fire chief, battalion chief, captain, and 3 lieutenants.

REPORTS OF CITY OFFICIALS:

- A. Mayor: Mayor Spalding recognized May 8-12,2023 as Economic Development Week. Council was aware of the success, hard work, and dedication of the city’s development team. Mayor Spalding attended the Columbus Business First breakfast. Director Chrysler stood out amongst her peers in talking to 1,000-member audience. Director Chrysler described planned events for Economic Development Week, celebrating with New Albany’s large and small businesses.
- B. Clerk of Council: Clerk Mason reminded council to file their Ohio Ethics Commission Financial Disclosure statements by May 15 and to forward the filing receipts to her. The Community Development Department was arranging a tour of the Career & Technology Education Center (CTEC) in Licking County on May 22 from 9-10:30 am. Clerk Mason would forward an email and asked that Council RSVP.
- C. Finance Director: Director Staats reviewed the March finance report. Revenues for March were greater than last year, but income tax was lagging. Withholdings were up, but net profits and individual receipts were down, resulting in less revenue. April seemed to show a bounce back, so the lag could just be timing of receipts. City departmental expenses were greater than 2022 due to

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Intel and increased staffing - this was expected. The city was still tracking on budget in the General Fund. She reviewed various Fund summaries. The report showed encumbrances of \$71 million, \$61 million of those were within capital projects. She reviewed Investments and Transactions, including interest income in March. She reviewed investment summaries within US Bank custody accounts, which Redtree Investments managed. The Finance Committee met and heard an update on interest rates and trends. Redtree was expecting rates to be raised again.

D. City Manager: No report.

E. City Attorney: No report.

POLL FOR PUBLIC COMMENT:

NONE.

POLL FOR COUNCIL COMMENT:

Council recalled and reviewed pictures of Earth Day to Arbor Day events and the Pharmavite groundbreaking.

OTHER BUSINESS:

NONE.

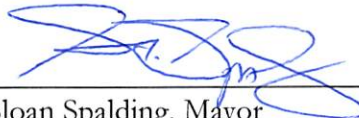
ADJOURNMENT:

With no further comments and all scheduled matters attended to, Mayor Spalding moved and Council Member Wiltrout seconded to adjourn the May 2, 2023 regular council meeting at 7:40 pm.

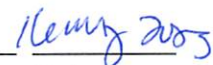
ATTEST:



Jennifer H. Mason, Clerk of Council



Sloan Spalding, Mayor



Date