

RECORD OF PROCEEDINGS

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held _____ 20 _____

**MINUTES
BREWSTER VILLAGE COUNCIL
SEPTEMBER 15, 2025
7:00 P.M.**

Brewster Village Council met in regular session with Mayor Chuck Hawk presiding.

Council Members bowed their heads for the invocation provided by Mayor Hawk, followed by the Pledge of Allegiance to the flag.

The meeting took place in the Community Room.

COUNCIL MEMBER HILLIARD MOVED, SECONDED BY COUNCIL MEMBER FOX and motion carried to excuse Council Member Dorkoff from tonight's meeting. The vote: All yes.

MEMBERS PRESENT:

Charles Hawk, Mayor

Dale Fox, Council Member

Tom Hilliard, Council Member

Sydney Radich, Council Member

David Godwin, Council Member

Brett Long, Council Member

VILLAGE OFFICIALS:

Michael L Miller, Village Administrator

Kris King, Clerk-Treasurer

Jerry Yost, Village Solicitor

MINUTES FROM THE SEPTEMBER 2, 2025 REGULAR COUNCIL MEETING:

COUNCIL MEMBER HILLIARD MOVED, SECONDED BY COUNCIL MEMBER GODWIN and motion carried to approve the minutes as presented. The vote: All yes.

PRESENTATION OF BILLS:

COUNCIL MEMBER GODWIN MOVED, SECONDED BY COUNCIL MEMBER HILLIARD and motion carried to accept the bills in the amount of \$ 93,711.84. The vote: All yes.

AUDIENCE:

There was no audience at this meeting.

PRESENTATION OF GUESTS:

None.

CONSIDERATION OF ORDINANCES: Titles of each read by Village Solicitor Jerry Yost.

ORDINANCE 46-2025: An Ordinance approving a Memorandum of Understanding with Fairless Local School District for the Village to provide School Resource Officers from the Brewster Police Department for the 2025-2026 School Year was given third reading.

COUNCIL MEMBER GODWIN MOVED, SECONDED BY COUNCIL MEMBER LONG and motion carried to approve the legislation as presented. The vote: All yes.

Council Member Godwin stated this is the village putting our best foot forward to protect our kids.

RESOLUTION 47-2025: A Resolution authorizing the Village administrator to prepare and submit an application to the Stark County Board Of Commissioners for a 2026 Municipal Road Fund Grant, and to execute contracts as required was given third reading.

COUNCIL MEMBER GODWIN MOVED, SECONDED BY COUNCIL MEMBER LONG and motion carried to approve the legislation as read. The vote: All yes.

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Second Reading: An Ordinance to revise Section 7.06 Electronic Wireless Communications Device Use Policy and the Addition of the Policy to the Village Employee Handbook.

Second Reading: An Ordinance to revise Section 6.10 Public Records Policy and the Addition of the Policy as revised to the Village Employee Handbook.

Second Reading: An Ordinance to revise Section 6.09 Public Records Retention And Destruction Policy and the addition to the policy as revised to the Village Employee Handbook.

Second Reading: An Ordinance Amending Brewster Codified 92.08 Personal Conduct and Replacing and Repealing any previous portions of Brewster Codified Ordinance 92.08 inconsistent with the provisions herein.

Second Reading: An Ordinance Establishing Fees for response to false alarms from commercial or residential fire security alarm systems.

Second Reading: An Ordinance to adopt Section 2.16 Federal Motor Carrier Safety Administration Clearinghouse Policy and the addition of the policy to the Village Employee Handbook.

RESOLUTION 48-2025: A Resolution authorizing an agreement with the Board of Trustees of the Local Organized Governments in Cooperation (L.O.G.I.C.) for full dispatching services for the Village Police Department by the Regional Emergency Dispatching (RED) Center and declaring an emergency.

COUNCIL MEMBER GODWIN MOVED, SECONDED BY COUNCIL MEMBER LONG and motion passed to suspend the rule requiring three separate readings and bring the legislation forward for passage. The vote: All yes.

COUNCIL MEMBER GODWIN MOVED, SECONDED BY COUNCIL MEMBER LONG and motion carried to approve the legislation as presented. The vote: All yes.

First Reading: An Ordinance to approve the execution of an Efficiency Smart schedule with American Municipal Power, Inc.

First Reading: An Ordinance to adopt 7.03 Employee ID Policy and the addition of the policy to the Village Employee Handbook.

MUNICIPAL DEPARTMENT REPORTS:

A. POLICE DEPARTMENT: *Chief Nathan Taylor(excused)*

1. September call to date: 319. August calls to date: 678. Year-to-date calls: 4,852.
2. We expect to switch dispatch to RED Center on September 22, 2025.

B. FIRE DEPARTMENT: *Chief Colucy(excused)*

1. Year-to-date calls: 702. August calls:102.
2. The tanker is fixed and back into service.
3. The ladder truck has a PTO issue and will be going to get checked out.

VILLAGE SOLICITOR: *Jerry Yost*

1. Solicitor Yost and VA Miller have been communicating concerning a handicap parking spot at 193 5th Street SE. He is going to draw up the ordinance and will attach an exhibit when the location of the spot is determined.

COUNCIL MEMBER LONG MOVED, SECONDED BY COUNCIL MEMBER GODWIN and motion carried to move into executive session for the purpose of considering the employment, dismissal, discipline, or demotion of an employee of the Village of Brewster at 7:12 pm. The vote: All yes.

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COUNCIL MEMBER GODWIN MOVED, SECONDED BY COUNCIL MEMBER LONG and motion carried to simultaneously go into executive session to meet with Legal Counsel to discuss disputes involving the Village that are subject to pending or imminent court action. The vote: All yes.

Since there was no audience, everyone stayed in the Community Room and the Clerk turned off the recorder.

COUNCIL MEMBER LONG MOVED, SECONDED BY COUNCIL MEMBER GODWIN and motion carried to resume the regular meeting at 7:33 pm. The vote: All yes. No action was taken

COMMUNICATIONS:

Council Member Hilliard stated the Historical Society will be hosting a game night on October 14th at 6:30 pm in the theater room at the Wandle House. This is a free event for the community.

VILLAGE ADMINISTRATOR: *Mike Miller*

The Council received the Village Administrator's report last week to review.

COUNCIL MEMBER GODWIN MOVED, SECONDED BY COUNCIL MEMBER HILLIARD and motion carried to approve the Village Administrator's report as presented. The vote: All yes.

Items the Village Administrator wished to add or emphasize since his report went out:

- VA Miller will be attending AMP's annual conference next Monday and Tuesday.
- VA Miller will be putting together the information sheet for the fire levy.
- VA Miller would like to have legislation to create a fee for residences that require manual meter reading. The reason for not having the electronic meters is that their services are only 60 AMP which is too small and fear of radio waves from the meter which are equivalent to Wi-Fi or microwaves.
- VA Miller would like to have a MOU drawn up to have the formal authority to work on projects in cooperation with Fairless Local Schools similar to the SRO MOU.
- Council Member Hilliard stated that the crack sealing needs to be completed before the leaves start to fall. VA Miller stated that we are on the list but since we are a small job that we are not always a priority.
- The Electric Department would like to replace their Gator for a new one that has enough power to pull wire. The old one was purchased in 2006 and is pretty much worn out. It will either be traded in or sold on the public auction site. This is within the VA's amount to spend without legislation so as long as Council does not object, he will go ahead with ordering it.
- VA Miller discussed the problem with a handicap parking spot in front of 193 5th Street SE. The property is only 43' wide. The parking spot has to be 20' back from the crosswalk and be 22' long. This may impede the view of the stop sign and the neighbor's driveway. Since the VA, Fire Chief and the Police's opinion on the intersection at West 5th Street was overturned last time, Council may wish to involve an outside expert. McKinley Avenue has less than a 5% grade and may be a better option. The resident also asked for a ramp from the road to the sidewalk which is something the Village doesn't do and would be the resident's responsibility.

Administrator's report for period 9/3/2025 through 9/15/2025:

Hillview Mobile Home Park Pump Station & Force Main Project – Construction. The Project is still awaiting:

- SCADA. **No current estimate on SCADA.**
- Back-up Generator installation. **The most recent estimate (which EA is verifying) is that the back-up generator is to be delivered October 1st.**
- Air release vault – installation is scheduled.
- Connect force main to east side manhole on Wabash South.
- Demo Existing sewer plant after install of lift station – following pump station going live.

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- Final clean-up/ seed and straw to disturbed areas to follow.

Because of the delay with some items, the intention is to:

- Get air release vault installed.
- Connect force main to east side manhole on Wabash South.
- GET PLANT RUNNING - without the backup power and SCADA at start up.
- As soon as new pump station is functional and sewer is switched over, get existing facility demolished.
- Install back-up power when generator arrives.
- Install SCADA as soon as it is available.

The Village will:

- Provide the power to the pump station. We will get dumb meter installed so power can be turned on. (Smart meter is long delivery time) Without (hopefully) jinxing ourselves, Brewster seldom has outages, and if we have one we have our own crew to restore power quickly in the Village. This would not account for a transmission outage with First Energy or worse, but it covers the vast majority of power outage issues. Only concern will be what happens if power goes out for extended period of time, but based on past experience those odds are low.
- We can operate initially without SCADA, as our Wastewater staff can check the pump station daily to assure power is on and it is functioning.

The plan has been approved by EPA.

Wabash South West Side Manhole Project. The contract with Border Patrol has been executed for the Wabash South West Side Manhole Project. A preconstruction meeting was held August 21st. Construction will begin once the manhole is delivered, estimated to be 6-8 weeks.

To summarize where the Village is regarding finances for the project:

- The Village was awarded OPWC funding in the amount of a \$41,000 OPWC Grant and a \$34,330 OPWC Loan at 0% for 20 years towards the project, or \$75,360 in OPWC funds towards the Project.
- The Village was also approved for a WPCLF **construction** loan in the amount of \$91,940 with a Small Government Loan Forgiveness designation. That means that when the Project is successfully completed, the loan in essence becomes a grant.
- The final WPCLF Loan was reduced to the amount of \$59,230 plus \$6,000 contingency. The \$59,230 is the amount of the contract entered into with the low bidder.
- As the Village received WPCLF **AND** OPWC funding, those two (2) need to be coordinated.
- I have spoken with OPWC about how to use the 41,000 OPWC Grant and a \$34,330 OPWC Loan to pay for the costs of the project not covered by the WPCLF Construction Loan. Those costs would include items such as administrative costs, construction administration, and construction inspection. To accomplish that it was agreed that 10% of the construction costs would be billed to OPWC to "justify" the associated costs.
- OPWC funds that are not used are returned to District 19 (Stark County) to be used in future funding.
- WPCLF Funds that are not used are returned to the State and used statewide.

Ultimately, with the combination WPCLF Funds and OPWC Funds the Village should not have to pay any more Village funds to complete the project.

OPWC Applications. Work continues to complete the four (4) applications Council has approved to be submitted for OPWC Funding. Deadline for submission is October 10th.

OPWC Application – Clearwell Rehabilitation Project. Dixon Engineering is in the process of completing plans and specifications for the Clearwell Rehabilitation Project. Dixon Engineering prepared the specifications for the North Water Tower Safety Improvements and Rehabilitation

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Project and the painting/coating specification portion of the Water Filter Media Replacement & Vessel Rehabilitation Project.

OPWC Application – Resurfacing West Main. As I discussed at the June 30th Council Meeting, it is to the Village’s benefit to submit a third OPWC application this year. I looked at the streets that are due to be paved in 2026 based on the PCR, and West Main is projected as the most costly. Based on requesting 74% of the estimated project cost (26% Village match) will return the Village the largest grant.

OPWC Application – Wastewater Treatment Plant Rehabilitation Project. The plans and engineer’s estimate for Wastewater Treatment Plant Rehabilitation Project have been essentially completed. A few “tweaks” are required yet.

OPWC Application – Wabash Water Main Replacement Project. The engineer, Engineering Associates (EA) has completed the preliminary plans for the Wabash Water Main Replacement Project and have provided copies for review to the Village and utilities.

Village’s Natural Gas Aggregation Program. We have received a communication from Independent Energy Consultants (the Village’s consultant for its natural gas aggregation program) about the Village’s natural gas aggregation program. The next 12-month natural gas rate has been set with the Village’s Aggregation Program - IGS has locked in our rate at \$5.97/Mcf or \$0.597Ccf.

A letter will be going out from IGS, the Village’s natural gas aggregation provider. It will be an opt-out letter for the new term of the natural gas aggregation program. The letters are scheduled to be mailed on September 5th. Starting with the October 2025 meter reads (November 2025 Billing Cycle) the Village’s program will have a fixed rate of \$0.597/Ccf for 12-months, through September 2026, ending at the October 2026 meter reads.

As background, Council authorized entering into a master services agreement with IGS Energy via Ordinance 33-2022 passed on May 16, 2022. Council subsequently authorized entering into a Supply Agreement with IGS for 2022-2026, based on the 4-year adder of \$1.96.

The Village’s natural gas aggregation program is an opt-out program. Residents who do not wish to participate in the Village’s Natural Gas Aggregation Program have the option to choose their own supplier via PUCO **AT NO COST/PENALTY**. Residents can also choose to opt-out and stay with Columbia Gas. PUCO lists a number of suppliers on their Apples-to-Apples chart with a wide variety of costs, terms, and fees. If residents choose a natural gas supplier on their own their choice **MAY** preclude them from participating in the Village’s opt-out program – for example, the length of the term (contract) and/or the early termination fee would be the main two (2) variables.

There is nothing else at this point the Village/Council needs to do. There will be a formal notification by IGS to all Village residents eligible to participate in the Village’s Natural Gas Opt-Out Program in the coming weeks.

This is the last year of the current contract for natural gas aggregation. Next year the Village will have to go through the process of choosing its next natural gas aggregator for October 2026 and beyond.

Efficiency Smart – Contract Renewal. The Village of Brewster’s contract with Efficiency Smart is set to expire December 31, 2025. It was last renewed in November of 2022 for three (3) years. I am providing a draft ordinance to renew the contract again for another three (3) year period from January 1, 2026 through December 31, 2028.

Attached is a presentation provided by Efficiency Smart illustrating their expectations of where we the Village end up at the end of the year, as well as the goals and costs for a renewal for a new 3-year contract.

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The Village has been participating in Efficiency Smart for quite some time, and I recommend renewing it again. Efficiency Smart has assisted a number of local businesses and Fairless Schools as part of our contract.

In the coming weeks I will have legislation as well as the associated contract for Council to formally act on.

Efficiency Smart - Appliance Recycling. Efficiency Smart's Appliance Recycling Rewards program is back for a limited time! Schedule a FREE pickup of a working fridge, freezer, dehumidifier, or window air conditioner by September 30th, and you can get \$100 for each unit responsibly recycled. There is a limit of four appliances per household per year. Call Efficiency Smart at 877-889-3777 or visit www.efficiencysmart.org/appliance-recycling-rewards and select "Appliance Recycling Rewards" to learn more and to schedule your pick up!

Efficiency Smart - Window Air Conditioner Promotion. Efficiency Smart has also tripled the rebate for window air conditioners to coincide with the appliance recycling promotion. Through September 30th, residents who purchase an eligible ENERGY STAR-certified window air conditioner can receive a \$150 rebate. When combined with the \$100 incentive for recycling their old unit, this offer offsets most of the cost of a new, more efficient model. Visit www.efficiencysmart.org/brewster-ohio and select "Home Energy Rebates" to learn more.

Mosquito Spraying. The upcoming tentative schedule for Brewster mosquito spraying by the Stark County Health Department is:

- September 24th, 2025
- The 8th spraying will be worked in based on weather and/or need.

The sprayings are tentative because weather may cancel/ postpone events. Cancelled spray events will be rescheduled as soon as possible. As in past years, the standard conditions/admonitions apply:

- SPRAYING WILL TAKE PLACE AFTER 8:00 PM ON THE SCHEDULED DATE.
- IN CASE OF RAIN, HIGH WINDS, OR COLD TEMPERATURES, SPRAYING WILL BE POSTPONED.
- PERSONS WHO SUFFER WITH RESPIRATORY AILMENTS MAY VACATE THE AREA.
- BEEKEEPERS SHOULD TAKE THE NECESSARY PRECAUTIONS TO PROTECT THEIR HIVES.
- PLEASE DO NOT APPROACH THE VEHICLE

The Village's certified employee is slated to ride along with the County to become more familiar with the spraying routine. The Village is close to being able to supplement the County's mosquito spraying if necessary.

Crack Sealing Streets. Our Street Superintendent and our crack sealing contractor from last year have reviewed Village streets and identified a list of streets to be crack sealed in 2025. The price per square yard is down slightly from last year's contract, and the projected amount (\$22,484.05 – final number yet to be determined) fits within our budget. Crack sealing extends the life of pavement by protecting the pavement structure from moisture damage and decreasing further crack deterioration. The contractor is looking to schedule the Village when weather permits.

Electronic Records – New Language in Policies. I recently took the Ohio Attorney General's Public Records Training, and one of the slides caught my attention regarding electronic records. It stated that specific language should be included in public records policy(s). While the Village has language regarding public records, three (3) policies have been revised to incorporate the language included in the Ohio Attorney General's training:

- 6.09 Public Records Retention – added in Section I language in red.
- 6.10 Public Records Policy – we had similar language, but have strengthened it with OAG language in Section D - changes in red.
- 7.06 Electronic Wireless Communications Use Policy - added in language section B in red.

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Ordinances have been prepared to make the revisions.

Employee ID Policy. Recently a Village employee went to a house to inform a resident that they were using more water than usual and was greeted by a resident holding a gun. The resident stated she did not know who was at the door. With both new employees and new residents, it is prudent to issue our employees IDs so that when we go to change out a meter, read a meter, etc. our residents can see confirmation that it is a Village employee at their home.

I have drafted legislation to adopt a new policy and include it in the Employee Handbook, with first reading scheduled for Council's Monday September 15th Meeting.

Storm Sewer in Front of the Fire Department. A sink hole developed in front of the Fire Station. A plate was put over it, and the contractor who was inspecting the sanitary sewer line on West Main (Boulevard) between McKinley and Wabash inspected the storm line on East Main between Wabash and Cleveland while they were here. While the storm line is structurally sound, there is a gap in the joint at the location of the sinkhole that is allowing water and surrounding material in, creating the sink hole. We are getting prices to line the storm line on East Main from Wabash to Cleveland, as well as to rehabilitate the Manhole on Wabash. Based on some initial response, we may just have the portion that is currently failing lined, plus rehabilitate the manhole. I will keep Council informed.

Storm Drainage Projects. The current list of storm sewer projects in their priority order, with updates on their status. These are not necessarily on a first come/first serve basis but based on their criticality and/or ability to fit into the schedule. Three (3) items on the list have been completed or eliminated:

1. East Main. **Address sink hole that developed in front of the of Fire Station as well as rehabilitation manhole at Wabash and East Main.**
2. 7th Street by the Football Field. **See summary below.**
3. Muskingum. **Replaced collapsing storm sewer on Muskingum from Buckeye north to the dead end. COMPLETE except for patching trench.**
4. Dartmouth/Amherst relief line. **Easement has been signed. Need surveyor to set pins. Work to start when it can be scheduled and weather permits.**
5. Drainage from Harmon west of 264 Harmon. **Survey needs to be completed.**
6. At the East end of 1st Street SE. **Will have to coordinate with US Army Corps of Engineers.**
7. Open ditch east of Mohican. **We are consulting with Stark County Soil & Water.**

7th Street Drainage near Football Field. Street Superintendent Page and I met with Superintendent Hearn on 7th Street at the SW gate to the football field to examine a suspected drainage issue. Years ago, the open ditch was filled in by installing pipe. Those pipes in the former ditch line led to a 30-inch pipe that crosses 7th Street to the north to outlet into a ditch/lowland. In addition, there is a pipe that runs under the football field from the south that also feeds into the same outlet. At the junction of those four (4) pipes, there is no structure that allows inspection, cleaning, or other maintenance.

The issue is that a sinkhole has developed at the approximate area of the "junction".

The school had their line TVed. Their line is concrete to approximately the fence line, where it switches to corrugated metal. The corrugated metal pipe is rusted out at the bottom. The pipe then goes past the ditch line pipes to 7th Street, where it switches back to concrete.

The school is looking to line their pipe. The Village will look at the pipe under 7th Street to gauge its integrity. If ours is in good shape we may have it lined as well.

In the meantime, the Village in addition to scheduling a separate TVing of the pipe under 7th street will be digging up the "junction" in the ditch line to insert a structure (catch basin) so that the pipes are properly connected and so all parties have access to the storm pipes. The school

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has asked that if some of their pipe south of the new structure needs replaced that it be done at the same time and that they are billed for the time and material.

I will keep Council informed.

Field #3 Outfield Rehabilitation. Work continues to rehabilitate and eliminate numerous low spots in the outfield of Field #3. What remains is seeding the disturbed areas, which should take place in the coming weeks.

Bimeler Permanent Restrooms. After opening it to the public, there were a number of instances where those using a restroom in Bimeler would lock **BOTH** the top deadbolt and the handle that opens the door, then forget to unlock the handle when leaving, This results in that restroom being locked and unusable until that handle can be unlocked. To address this maintenance issue, the door handles (knobs) have been replaced with handles that do not lock – only the top deadbolt which shows occupied/unoccupied now locks. This will address the lockout issues.

New Police Parking Area. To free up additional parking spaces for baseball/softball games and soccer games at Bimeler, we are in the process of completing changing out the gate to the west of the Police/Street Garage, including an opener, so employees of the Police Department can park inside the fence. This will free up the six (6) parking spaces immediately to the east of the Police Department. The storage shed east of the Police/Street Garage has been moved to Field #5 by the gate to the Water Department as previously discussed to allow parking there. An entry door from the fenced area into the garage will be added in the near future.

VILLAGE MAYOR: *Charles Hawk*

1. Meeting for our Old-Fashioned Christmas in Brewster will be October 1st at 10 AM at Village Hall.
2. The Mayor attended the ribbon cutting for the new Cross-Country course. This is an excellent example of the Village and Fairless working together.

VILLAGE CLERK-TREASURER: *Kris King*

1. Check register and bills were available for Council's review and signatures.
2. The Fire Department received an EMS grant in the amount of \$2,282.

VILLAGE SPEAKS (Communications received by Council Members from Village Residents):

COMMITTEES or COUNCIL REPORTS: *The Goal of any committee meeting is to discuss an issue or proposal and to provide, by consensus of the committee members, ONE recommendation to Council.*

1. Nothing to report.

PENDING EXPENDITURE REQUESTS:

1. Donation to the Toy Drive.

PENDING PROPOSALS FROM PAST MEETINGS:

1. None.

OLD or NEW BUSINESS: Council Rules require a two-week waiting period before any expenditure of funds unless determined to be an emergency.

COUNCIL MEMBER GODWIN MOVED, SECONDED BY COUNCIL MEMBER LONG and motion carried to donate \$ 1,000 to the Fairless Food Cupboard Toy Drive. The vote: Fox, yes; Godwin, yes; Hilliard, abstain; Long, yes; Radich, yes. Motion carried.

COUNCIL MEMBER HILLIARD MOVED, SECONDED BY COUNCIL MEMBER LONG and motion carried to create legislation for fees for manual electric meter readings. The vote: All yes.

COUNCIL MEMBER HILLIARD MOVED, SECONDED BY COUNCIL MEMBER RADICH and motion

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carried to create legislation for a Memorandum of Understanding (MOU) with Fairless School for mutual aid and cooperation of projects. The vote: All yes.

AUDIENCE COMMENTS:

- Nothing to report.

COUNCIL MEMBER FOX MOVED, SECONDED BY COUNCIL MEMBER RADICH and motion carried to adjourn the meeting at 8:00 p.m. The vote: All yes.

Respectfully submitted,

Kris King

Kris King, Clerk-Treasurer

Charles Hawk

Charles Hawk, Mayor