

May 21, 2024

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

PROCLAMATIONS AND PRESENTATIONS

5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

PP 1. **Declaring May 19 through 25, 2024 as Emergency Medical Services Week.**

PP 2. **Declaring May 19 through 25, 2024 as Flood Awareness Week.**

PP 3. **Declaring June 2024 as Bike Month.**

Mayor Jeni Arndt presented the above proclamations at 5:00 p.m.

REGULAR MEETING

6:00 PM

B) CALL MEETING TO ORDER

Mayor Jeni Arndt called the regular meeting to order at 6:00 p.m. in the City Council Chambers at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City's Zoom platform.

C) PLEDGE OF ALLEGIANCE

Mayor Jeni Arndt led the Pledge of Allegiance to the American Flag.

D) ROLL CALL

PRESENT

Mayor Jeni Arndt

Mayor Pro Tem Emily Francis

Councilmember Susan Gutowsky

Councilmember Melanie Potyondy

Councilmember Kelly Ohlson

ABSENT

Councilmember Tricia Canonico (Excused)

Councilmember Julie Pignataro (Excused)

STAFF PRESENT

City Manager Kelly DiMartino

City Attorney Carrie Daggett

Interim City Clerk Heather Walls

E) CITY MANAGER'S AGENDA REVIEW

City Manager Kelly DiMartino provided an overview of the agenda, including:

- All items on the consent agenda were recommended for approval with no changes.
- The items on the discussion agenda were reviewed.
- Councilmember Canonico is at the Environmental Protection Agency's (EPA) Local Government Advisory Committee meeting.
- Councilmember Pignataro's flight was rerouted due to weather conditions.

F) COMMUNITY REPORTS

None.

G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS *(Including requests for removal of items from Consent Calendar for individual discussion.)*

Roxanne Griffin requested Council enact an ordinance to ban single-use plastic bottles in City buildings or at events that require a City permit.

Maureen McCarthy, FOCO Trash Mob, discussed the organization's work to reduce single-use plastics (SUPs).

Psyche Spangler discussed the benefits of reducing single-use plastic water bottles.

Nicole Sizemore spoke as a parent and community member in Laporte and thanked Council for its participation in the Poudre School District school consolidation conversation which resulted in the end of consolidation plans. Sizemore thanked Erica Daniel for engaging John Kefalas in the conversation.

August-Carter Nelson spoke in support of a ceasefire resolution and peaceful protests.

Renga Subramanyam, FOCO Trash Mob, commented on the negative health impacts of SUPS and supported the adoption of an ordinance to ban single-use plastic water bottles.

Shirley White spoke in support of the reduction of single-use plastic bottles and stated the City should take the lead.

Alex Scott spoke in support of a Gaza ceasefire resolution.

Bill King questioned when Council will address development review public engagement concerns.

Madeleine Grigg spoke in support of a Gaza ceasefire resolution.

Paul Herman opposed Council adoption of a Gaza ceasefire resolution.

Kim Miller, FOCO Trash Mob, spoke in support of banning SUPs.

Margit Hentschel discussed the failure of the community solar field and questioned why the repairs are taking so long.

Charlie Meserlian discussed the Mason Street ODP appeal and urged Council to consider equity and inclusion.

Julie Rowan Zoch requested the natural gas user fee not be imposed and opposed appropriating funds to Police Services from the Click it or Ticket program. Zoch also spoke in support of a Gaza ceasefire resolution.

H) PUBLIC COMMENT FOLLOW-UP

Mayor Pro Tem Francis requested a follow up memo on single-use plastic bans in other Colorado cities. City Manager DiMartino replied in the affirmative.

Mayor Pro Tem Francis noted the appeal mentioned related to whether the Planning and Zoning Commission conducted a fair hearing and correctly applied the Land Use Code.

Councilmember Potyondy concurred with the request for a follow up memo on single-use plastics and requested clarification regarding the development review process as related to affordable housing per Bill King's comments. Deputy City Manager Tyler Marr replied the recently adopted Land Use Code did not include most of the streamlined development review process for housing; however, affordable housing projects are eligible for the proposition 123 funds.

Councilmember Ohlson expressed support for the City banning single-use water bottles and requested a follow up memo on the status of the community solar field and questioned why Utilities reserve funds are not available to cover repair costs. City Manager DiMartino suggested a staff report could be prepared to answer questions on the issue.

Councilmember Potyondy acknowledged those who spoke to issues in the Middle East and commended the investment of community members in advocating for topics of concern.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

Councilmember Ohlson withdrew item Nos. 1, *Second Reading of Ordinance No. 058, 2024, Making Supplemental Appropriation of the 2050 Tax for Various Programs and Services Related to Parks, Recreation, Transit and Our Climate Future*, and 17, *Resolution 2024-070 Authorizing the Execution of an Amendment to the Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements*, from the Consent Calendar stating he would be voting against both items.

J) CONSENT CALENDAR

- 1. Second Reading of Ordinance No. 058, 2024, Making Supplemental Appropriation of the 2050 Tax for Various Programs and Services Related to Parks, Recreation, Transit and Our Climate Future.**

This Ordinance, unanimously adopted on First Reading on May 7, 2024, appropriates the 2024 funding of the new 2050 Tax. In November 2023, Fort Collins voters approved this 0.5% Sales and Use Tax increase, which is dedicated to the areas of Parks, Recreation, Transit and Climate. This tax begins in 2024 and expires at the end of 2050.

Pulled from consent for discussion.

- 2. Second Reading of Ordinance No. 059, 2024, Making a Supplemental Appropriation from the Local Planning Capacity Grant for the Affordable Housing and Planning Development Process Improvement Project and Approving a Related Grant Agreement.**

This Ordinance, unanimously adopted on First Reading on May 7, 2024, appropriates awarded funds from the Proposition 123 Local Planning Capacity (LPC) Grant, administered by the State

Department of Local Affairs (DOLA). This \$200,000 grant to the City will support a 12- to 18-month process improvement project intended to reduce development review timelines for affordable housing developments to meet Proposition 123's 90-day "fast track" approval requirements.

Adopted on Second Reading.

3. Second Reading of Ordinance No. 060, 2024, Appropriating Philanthropic Revenue Received Through City Give for Environmental Services Curbside Recycling.

This Ordinance, unanimously adopted on First Reading on May 7, 2024, appropriates an award of approximately \$664,000 to defray the cost of new recycling carts being purchased for the City's Residential Contracted Trash and Recycling Program and to support recycling outreach and education for the community.

Adopted on Second Reading.

4. Second Reading of Ordinance No. 061, 2024, Appropriating Prior Year Reserves and Unanticipated Philanthropic Revenue Received Through City Give for Various Programs and Services as Designated by the Donors.

This Ordinance, unanimously adopted on First Reading on May 7, 2024, requests appropriation of \$58,235 in philanthropic revenue received through City Give. These miscellaneous gifts to various City departments support a variety of programs and services and are aligned with both the City's strategic priorities and the respective donors' designation.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

Adopted on Second Reading.

5. Second Reading of Ordinance No. 062, 2024, Appropriating Philanthropic Revenue Received Through City Give for the Art in Public Places Program, Pianos About Town Project.

This Ordinance, unanimously adopted on First Reading on May 7, 2024, considers an appropriation of \$47,115 in philanthropic revenue received through City Give for the Art in Public Places program for the designated purpose of Pianos About Town, a collaborative effort among the City of Fort Collins Art in Public Places program, the Fort Collins Downtown Development Authority, and the donor, Bohemian Foundation.

Adopted on Second Reading.

6. Second Reading of Ordinance No. 063, 2024, Making a Supplemental Appropriation from the Colorado Department of Local Affairs Gray and Black-Market Marijuana Enforcement Grant Program for the Fort Collins Police Services Marijuana Enforcement Program.

This Ordinance, unanimously adopted on First Reading on May 7, 2024, supports Fort Collins Police Services' Marijuana Enforcement Program in investigating gray and black-market marijuana cases by appropriating \$39,641 of unanticipated grant revenue from the Colorado Department of Local Affairs (DOLA), Gray and Black-Market Marijuana Enforcement.

Adopted on Second Reading.

7. **Second Reading of Ordinance No. 064, 2024, Making Supplemental Appropriations of Prior Year Reserves and Grant Revenue from the Colorado Department of Transportation and Authorizing Transfers for the College Avenue-Trilby Road Intersection Improvements Project.**

This Ordinance, unanimously adopted on First Reading on May 7, 2024, enables the City to receive and expend Colorado Department of Transportation (CDOT) funds for the College Avenue-Trilby Road Intersection Improvements Project (Project). The funds will be used for construction of improvements at the intersection of South College Avenue and Trilby Road. If approved, this item will 1) appropriate \$361,361 of Congestion Mitigation and Air Quality (CMAQ) Improvement Program grant funds for the Project; 2) appropriate \$1,870,000 of Highway Improvement Program (HIP) grant funds; 3) appropriate \$5,272,260 of Surface Transportation Block Grant (STBG) Program funds; 4) appropriate \$2,000,000 of Funding Advancements for Surface Transportation and Economic Recovery (FASTER) Act grant funds; 5) use \$14,800 from development contributions to construction as part of the local match; 6) appropriate as part of the local match contribution \$1,300 from the Transportation Capital Expansion Fee (TCEF) Reserves; 7) appropriate \$113 (0.7% of the local match amount) from TCEF Reserves to the Art in Public Places Program; and 8) appropriate \$48 (0.3% of the local match amount) for maintenance of art from Transportation Fund Reserves to the Art in Public Places Program.

Adopted on Second Reading.

8. **Second Reading of Ordinance No. 065, 2024, Authorizing the Conveyance of a Permanent Non-Exclusive Sewer Easement on Property Jointly Owned by the City of Fort Collins and the City of Loveland at the Northern Colorado Regional Airport.**

This Ordinance, unanimously adopted on First Reading on May 7, 2024, authorizes a conveyance of an easement to the Sanitation District to allow for a sewer service line for the terminal. The easement is over a portion of the Northern Colorado Regional Airport property, which is owned jointly by the City of Fort Collins and the City of Loveland.

Adopted on Second Reading.

9. **First Reading of Ordinance No. 066, 2024, Making a Supplemental Appropriation and Appropriating Prior Year Reserves to Develop a Digital Accessibility Roadmap.**

The purpose of this item is to request an appropriation of \$150,000 in General Funds in order to work with a consultant to develop a comprehensive and actionable Digital Accessibility Roadmap. The purpose of this roadmap is to provide a strategy for compliance with both Colorado and federal laws and regulations pertaining to digital accessibility requirements, including both the Americans with Disabilities Act and Colorado House Bill 21-1110.

Adopted on First Reading.

10. **First Reading of Ordinance No. 067, 2024, Making a Supplemental Appropriation from the Colorado Department of Transportation Colorado Highway Safety Office Click It or Ticket Grant for the Fort Collins Police Services Traffic Enforcement Unit.**

The purpose of this item is to appropriate \$16,529 of unanticipated federal grant revenue from the Colorado Department of Transportation, Colorado Highway Safety Office (HSO), to support Fort Collins Police Services' Traffic Enforcement Unit work toward traffic safety and reducing serious injuries and fatal crashes through the enforcement of traffic laws and specifically those related to driver and passenger restraint system use.

Adopted on First Reading.

11. **First Reading of Ordinance No. 068, 2024, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund for Eligible Reimbursement to the Waters Edge Second Filing Developer for Construction of Turnberry Road, Brightwater Drive, and Morningstar Way Improvements.**

The purpose of this item is to appropriate \$612,027 of Transportation Capital Expansion Fee (TCEF) Funds for expenditure from the Transportation Capital Expansion Fee Program Budget to reimburse the Waters Edge Second Filing developer, Waters Edge Development Inc. (Developer), for its oversizing construction of Turnberry Road, Brightwater Drive, and Morningstar Way. As part of the development plans and development agreement for Waters Edge Second Filing and permitted for construction under the Waters Edge Third Filing Development Construction Permit, the Developer has constructed to City standards Turnberry Road as a two-lane arterial, and Brightwater Drive and Morningstar Way as collectors as part of its development requirements. Per Section 24-112 of the City Code, the Developer is eligible for reimbursement from TCEF funds for the oversized, non-local portion of Turnberry Road, Brightwater Drive, and Morningstar Way not attributed to the local portion obligation.

Adopted on First Reading.

12. **First Reading of Ordinance No. 069, 2024, Making a Supplemental Appropriation from the Colorado Department of Early Childhood in Support of Licensed City Childcare Programs.**

The purpose of this item is to support licensed City childcare programs by appropriating \$21,069 of unanticipated grant revenue awarded by the Colorado Department of Early Childhood (CDEC).

Through the CDEC's Childcare Stabilization Grants program the City was awarded \$21,069 in federal pass-through funds to provide enhancements in licensed City Childcare programs.

Adopted on First Reading.

13. **First Reading of Ordinance No. 070, 2024, Correcting Ordinance No. 003, 2024, Authorizing Transfers and Reappropriating Funds Previously Approved for the Utilities' Grid Flexibility Programs.**

The purpose of this item is to appropriate \$200,000 of prior year reserves in the Light and Power Fund to support Ordinance No. 003, 2024, which authorized transfers and reappropriation of funds previously appropriated for the Utilities' Grid Flexibility Programs. The ordinance, as adopted, omitted the need for \$200,000 of prior year reserves to fully fund the requested appropriation, since those funds had technically lapsed at the end of fiscal year 2023.

Adopted on First Reading.

14. **First Reading of Ordinance No. 071, 2024, Approving the First Amendment to the Hangar Ground Lease Agreement with IC Loveland, LLC, for the Aero FNL Hangar Development at the Northern Colorado Regional Airport.**

The purpose of this item is to request City Council approval of an amendment to an existing hangar ground lease between the City of Fort Collins, the City of Loveland, and IC Loveland, LLC, to allow for subleasing and fractional ownership of multi-unit aircraft hangar buildings.

Adopted on First Reading.

15. Items Relating to the I-25 & Mulberry Annexation.

A. Resolution 2024-069 Setting Forth Findings of Fact and Determinations Regarding the I-25 & Mulberry Annexation.

B. Public Hearing and First Reading of Ordinance No. 072, 2024, Annexing the Property Known as the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado.

The purpose of this item is to annex a 46.92-acre property located at the NE Corner of the I-25 and East Mulberry interchange. A specific project development plan proposal is not included with the annexation application. The Initiating Resolution was adopted on April 16, 2024. A related item to zone the annexed property is presented as the next item on this Agenda.

This annexation request is in conformance with the State of Colorado Revised Statutes as they relate to annexations, the City of Fort Collins City Plan, and the Larimer County and City of Fort Collins Intergovernmental Agreement regarding Growth Management.

Resolution 2024-069 Adopted.

Ordinance No. 072, 2024, Adopted on First Reading.

16. Public Hearing and First Reading of Ordinance No. 073, 2024, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and Lighting Context Area Map.

The purpose of this item is to zone the property included in the I-25 & Mulberry Annexation into the Industrial (I), and General Commercial (CG) zone districts and place the property into the LC2 Lighting Context Area and Non-residential Sign District.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.

Hearing held. Adopted on First Reading.

17. Resolution 2024-070 Authorizing the Execution of an Amendment to the Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements.

The purpose of this item is to make an amendment to the 2019 Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements (the "IGA") to place the agreement into abeyance until the parties agree on further amendments to address the changed circumstances and updated timelines. The new amended agreement will supersede the existing one.

Pulled from consent for discussion.

18. Resolution 2024-071 Adopting Findings of Fact in Support of the City Council's Decision on Appeal to Uphold the Planning and Zoning Commission Approval of the Mason Street Infrastructure Overall Development Plan ODP230001.

The purpose of this item is to make findings of fact and conclusions regarding Council's decision at the May 7, 2024, Mason Street Infrastructure Overall Development Plan appeal hearing that the Planning and Zoning Commission held a fair hearing and dismissing the failure to properly

interpret and apply allegations and thereby upholding the Planning and Zoning Commissions' approval of the Mason Street Infrastructure Overall Development Plan.

Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-18, minus items 1 and 17, on the consent calendar.

The motion carried 5-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, Potyondy, and Ohlson

Nays: None.

Absent: Councilmembers Canonico and Pignataro

K) CONSENT CALENDAR FOLLOW-UP *(This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.)*

None.

L) STAFF REPORTS

None.

M) COUNCILMEMBER REPORTS

Mayor Arndt reported on presenting at the CoMotion conference about the future of transportation.

Councilmember Potyondy reported on attending the Beattie Elementary School annual bike parade, a dedication of a LEED gold certified parks facility, and the City Works 101 graduation.

N) CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR FOR INDIVIDUAL DISCUSSION

1. Second Reading of Ordinance No. 058, 2024, Making Supplemental Appropriation of the 2050 Tax for Various Programs and Services Related to Parks, Recreation, Transit and Our Climate Future.

This Ordinance, unanimously adopted on First Reading on May 7, 2024, appropriates the 2024 funding of the new 2050 Tax. In November 2023, Fort Collins voters approved this 0.5% Sales and Use Tax increase, which is dedicated to the areas of Parks, Recreation, Transit and Climate. This tax begins in 2024 and expires at the end of 2050.

PUBLIC COMMENT

None.

COUNCIL COMMENT

Councilmember Ohlson expressed frustration about the City's commitment to climate action. He questioned why 2024 dollars were left unspent and suggested those funds could have been used to expand the energy assistance program or for additional solar installations on City buildings. He questioned why community experts were not involved and why Denver and Los Angeles Water

and Power were not consulted. He questioned the use of the tax funds for converting lights in recreation and parks facilities to night sky friendly fixtures. He stated it is unlikely the 2026 and 2030 climate goals will be reached.

Travis Storin, Chief Financial Officer, stated the 2024 proposals are largely based on shovel readiness and empirically tested programming that can be activated. He stated the forthcoming funding will be able to utilize more criteria-driven recommendations, engagement, and learning from other communities.

Jacob Castillo, Chief Sustainability Director, stated all projects surfaced through staff and were informed by community engagement on multiple fronts and focused on human centeredness and equity focus of Our Climate Future. He noted staff are looking at projects that could be implemented over the next six months for the 2024 dollars. Additionally, he stated staff is looking at other communities for best practices and more long-term investments and proposals will be forthcoming in the 2025-2026 budgeting for outcomes process.

Mayor Pro Tem Francis stated she is comfortable with the current situation and noted the Council Finance Committee was supportive. She supported using Our Climate Future as a base point and acknowledged the complexity of getting a grant program off the ground.

Councilmember Ohlson asked if these tax dollars are adding staff members to increase the capacity for quickly managing more projects. Castillo replied there are budget offers for 2025-2026 for additional personnel and stated there are several staff members across the organization working on the climate crisis.

Councilmember Gutowsky stated the tax dollar expenditures can benefit each other and she urged the use of funds to not be in silos.

Mayor Arndt expressed support for the item.

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 058, 2024, on Second Reading.

The motion carried 4-1.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, and Potyondy

Nays: Councilmember Ohlson.

Absent: Councilmembers Pignataro and Canonico.

17. Resolution 2024-070 Authorizing the Execution of an Amendment to the Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements.

The purpose of this item is to make an amendment to the 2019 Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements (the "IGA") to place the agreement into abeyance until the parties agree on further amendments to address the changed circumstances and updated timelines. The new amended agreement will supersede the existing one.

PUBLIC COMMENT

None.

COUNCIL COMMENT

Councilmember Ohlson asked about flow control and whether this agreement lays the groundwork to act on flow control.

Jacob Castillo, Chief Sustainability Director, replied flow control dictates specific waste streams going to certain facilities and stated the current agreement does not allow the City to enable flow control.

Councilmember Ohlson expressed support for the public landfill being controlled by the County but opposed the proposed solutions.

Castillo commented on the top priority projects that were identified in the Solid Waste Infrastructure Master Plan and noted the City is moving forward with exploring construction and demolition and food scraps composting infrastructure. Additionally, he noted the County has pursued a grant for construction and demolition infrastructure and is open to a food scrap composting pilot program.

Councilmember Potyondy supported additional exploration of waste to energy.

Mayor Pro Tem Francis expressed support for the resolution.

Mayor Arndt concurred and stated it would be valuable to have an agreement in place that better aligns with the City's goals.

Councilmember Ohlson stated he understands why Council would support both of these items.

Mayor Pro Tem Francis moved, seconded by Councilmember Gutowsky, to adopt Resolution 2024-070.

The motion carried 4-1.

***Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, and Potyondy
Nays: Councilmember Ohlson.***

Absent: Councilmembers Pignataro and Canonico.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

None.

P) OTHER BUSINESS

OB 1. **Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers.**

None.

OB 2. **Consideration of a motion to adjourn this meeting until after the completion of the Electric Utility Enterprise Board business:**

"I move that Council adjourn this meeting until after the completion of the Electric Utility Enterprise Board business."

Mayor Pro Tem Francis moved, seconded by Councilmember Ohlson, that Council adjourn this meeting until after the completion of the Electric Utility Enterprise Board business.

The motion carried 5-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, Potyondy, and Ohlson.

Nays: None.

Absent: Councilmembers Pignataro, and Canonico.

(Clerks Note: The regular Council meeting adjourned at 7:26 p.m. to conduct the business of the Electric Utility Enterprise board. The regular Council meeting reconvened at 7:30 p.m.)**

OB 3. Consideration of a motion to go into Executive Session for Mid-Year Reviews of Chief Judge, City Manager, and City Attorney:

Chief Judge 60 minutes

City Manager 60 minutes

City Attorney 60 minutes

Note: Times are approximate with breaks, as necessary.

“I move that the City Council go into executive session, as permitted under Article Two, Section Eleven of the City Charter, Section 2-31(a)(1) of the City Code and Colorado Revised Statutes Section 24-6-402(4)(f)(roman numeral one), for the purpose of conducting mid-year performance reviews of the Chief Judge, City Attorney and City Manager.”

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, that the City Council go into executive session, as permitted under Article Two, Section Eleven of the City Charter, Section 2-31(a)(1) of the City Code and Colorado Revised Statutes Section 24-6-402(4)(f)(roman numeral one), for the purpose of conducting mid-year performance reviews of the Chief Judge, City Manager and City Attorney.

COUNCILMEMBER COMMENT

Councilmember Potyondy recused herself from the discussion involving the City Attorney because her husband is an employee of the City Attorney’s Office.

The motion carried 4-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, and Ohlson.

Nays: None.

Absent: Councilmembers Pignataro, and Canonico.

(Clerk’s Note: Councilmember Potyondy did not vote however her recusal was not required for the vote on the motion for executive session.)**

The meeting recessed at 7:32 p.m. and reconvened at 7:45 p.m. in the Council Conference Room.

Present at this executive session were:

Mayor Jeni Arndt

Mayor Pro Tem Emily Francis

Councilmember Susan Gutowsky
Councilmember Kelly Ohlson
Councilmember Melanie Potyondy

Chief Judge Jill Hueser entered the executive session at 7:45 p.m. and left at 8:13 p.m. City Manager Kelly DiMartino entered at 8:15 p.m. At 8:20 p.m., City Attorney Carrie Daggett entered. Councilmember Potyondy left due to her recusal from the City Attorney's evaluation because her spouse is employed by the City Attorney's office.

The executive session concluded at 9:20 p.m. and Council returned to the open meeting in Council Chambers.

Q) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 9:24 p.m.

Mayor Pro Tem

ATTEST:

Interim City Clerk