

**Village of Middlefield Council Minutes  
December 14, 2023**

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Council met in regular session Mayor Garlich called the meeting to order at 7:00 p.m. with the following members present: Mayor Ben Garlich, Mr. Sam Morrow, Mr. Rick Seyer, Mr. Carl Hornung, Mr. Scott Klein, Ms. Kaitlyn Arganti, and Mr. Bill Blue.

**Also present:** Ms. Leslie McCoy- Village Administrator, Chief Tucholski, Lt. Graley, Mr. Nick Giardina- Fiscal Officer, Mr. Luke McConville- Solicitor, Ms. Ann Wishart- Maple Leaf, Mr. John Boksansky- Zoning Inspector, Ben Reed- Fire Department, Mr. Alex Duncan, Ms. Melissa Channel, Mr. Roger Hanna, Mr. Joseph Bishara- Roth Blair, Mr. Doug Susany- S.E.T., Inc., Mr. John Kochy, Ms. Kim Breyley, and Mr. Kyle Kaplan.

**1. Opening Ceremony:** Pledge of Allegiance was recited.

**2. Agenda:** No additions/deletions.

**3. Approval of Minutes:** November 9, 2023- Regular Council Meeting, December 8, 2023- Special Meeting. ***Mr. Hornung made a motion to approve the November 9, 2023 minutes, motion seconded by Mr. Blue. All in favor: Yeas (6). Mr. Blue made a motion to approve the December 8, 2023 minutes, motion seconded by Mr. Morrow. All in favor: Yeas (6).***

**4. Payment of Bills:** ***Mr. Hornung moved to authorize payments totaling \$1,477,951.12, motion seconded by Mr. Morrow. Roll call: Yeas (6).*** Mayor Garlich stated without the grants, loan payments, and the income tax refund that went out this would not be as high as it is.

**5. FISCAL OFFICER'S REPORT: Income Tax and Financials** – The report is included in the packet. Mr. Giardina stated income tax, water, and sewer are up in revenue compared to a year ago. Total receipts for the year vs expenses have a positive difference and are down but Mr. Giardina stated it is down due to higher expenses and big projects within the village. Mr. Giardina stated the fund/cash balances are positive. Mr. Giardina stated income tax withholdings remain strong.

**6. AMBULANCE REPORT** – Report is included in the packet.

**7. FIRE DEPARTMENT REPORT** – Report is included in the packet. Mr. Ben Reed is present for the Fire Department and stated for the month of November there was 62 runs. Mr. Reed stated there was a house burnt down on Burton Windsor for training purposes. Santa around town will be Sunday December 17. Mr. Reed stated he will update the Facebook page to let residents know where Santa is.

**8. ECONOMIC DEVELOPMENT:** Report is included in the packet. Ms. McCoy stated she has been working on development projects. There is legislation included for the annexation. Ms. McCoy stated she is updating the state database and closing the storefront grants. Ms. McCoy stated she is also working with a new buyer for a project on Tare Creek.

**9. ZONING REPORT:** Report included is included in packet. Mr. Boksansky stated 11 permits were issued in the month of November. Mr. Boksansky stated he has received applications this week for Phase 12 of Woodsong.

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**10. STREETS, SIDEWALKS & UTILITIES REPORT** – Report is included in the packet. Chief Tucholski stated they did 65 loads of leaf pickup. Restrooms at the parks are now closed. Chief Tucholski stated they have been doing a lot of equipment upkeep to get ready for winter time.

**11. POLICE REPORT** – Report is included in the packet. Chief Tucholski stated for the month of November there was 400 calls for service. Chief Tucholski stated all equipment and staffing is good.

**12. PARKS & RECREATION REPORT** – Report is included in the packet. Ms. McCoy stated winter sports have started and registration is up this year. There is a progression for the last 3 years included in the packet

**PUBLIC PARTICIPATION:**

1. Mayor Garlich stated Shop w/ Cops will happen Saturday December 16. Chief Tucholski stated they asked 9 families to participate, only 6 families have responded. Chief Tucholski stated the Fire Department will be helping out this year.
2. Pancake Breakfast with the Grinch is from 9am- 1 pm. The craft show is 9am-3pm. Grinch signings and photos will be 9am-3 pm. These events will be at Cardinal High School on Saturday December 16.
3. Fireworks are on Saturday night. Free pictures with Santa on Saturday December 16 11am- 7pm at Great Lakes Outdoors. Mr. Reed stated all permits for fireworks are good.
4. Mr. John Kochy is present to ask about plans for crosswalks in the Village. Mr. Kochy stated he saw the crosswalk stripes across S State Ave by Cinda's Restaurant going to Pizza Hut. Chief Tucholski stated they are just waiting for the signs to come in so they can put them up. Mayor Garlich stated he would like to put the same signage and lights that is on N Springdale on the crosswalk on S State Ave. Mr. Kochy stated it is dangerous. Mayor Garlich stated it will be made more visible. Mr. Kochy stated he is also here to discuss watching the roadways and buggies. Mr. Kochy stated he would like the Police to be vigilant because people are not being careful while passing buggies. Mr. Kochy also recommended signage stating "No Passing on the Right." Mr. Kochy would like a sign to specify no use of the Jake Brake. Chief Tucholski stated the State of Ohio would have to determine where to put a Jake brake sign.
5. Mr. Joseph Bishara- Roth Blair an attorney for S.E.T. Inc. is present to speak to Council about Ordinance 23-147. Mr. Bishara asked if this was an appropriate time to discuss the second reading of the Resolution for the awardee of the well project. Mr. Bishara stated S.E.T. Inc. was the lowest bidder on the well project and the reading for the resolutions to award it to a higher bidder Cold Harbor Building Co. Mr. Bishara would like to ask that the bid be awarded to S.E.T. Inc. and not to the higher bidder. Mr. Bishara stated the Village had competitive bidding on this project and S.E.T. Inc. won. Mr. Bishara stated he is present with Mr. Doug Susany who is the President of S.E.T. Inc. Mr. Bishara stated when

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S.E.T. Inc. submits a bid they commit a significant amount of time and money on compiling these bids and when they win a bid on a project that has competitive bidding they should be awarded that bid. Mr. Bishara stated your bid instructions in fact do say that. Mr. Bishara stated he is going to refer to Section 3.5.4 of bidding instructions. Mr. Bishara stated it says that if the lowest responsive bidder is responsible the contract shall be awarded to such bidder unless all bids are rejected. Mr. Bishara stated here is what happened as far as he understands from information he got from a public records request. Mr. Bishara stated the bids were opened on October 27<sup>th</sup>, it was a Friday. Mr. Bishara stated a representative from Cold Harbor Building Co. was present and commented on the fact that S.E.T. Inc. was the lowest bid. Mr. Bishara stated the representative from Cold Harbor in fact nitpicked the bid and submitted something in writing that he got from the public records request. Mr. Bishara stated the village engineer over the next few days made requests in writing to S.E.T. Inc. to provide additional information. Mr. Bishara stated the additional information was the material costs broken down, not just labor costs, a list of subcontractors, and its disadvantaged business enterprise report for the subcontractor legalization. Mr. Bishara stated S.E.T. Inc. provided all of the information. Mr. Bishara stated nothing about what was provided changed the bid amount in any way, S.E.T. Inc. was still the lowest bidder, and Cold Harbor was still second. Mr. Bishara stated the Village bid instructions allow for that procedure, again referring to Section 3.5.4 of the bid instructions where it says the engineer shall obtain from the lowest responsive and responsible bidder any information the authorized representative deems appropriate to the consideration of factors showing that such bid is the bid of the lowest responsive and responsible bidder. Mr. Bishara another bid instruction Section 3.4.3 says the Village reserves the right to waive for allowing bidder a reasonable opportunity to cure a minor irregularity or technical deficiency in a bid provided the irregularity or deficiency does not affect the bid amount or otherwise give the bidder a competitive advantage, all of the information that was requested none of it changed the dollar amounts of either bid, Cold Harbors or S.E.T. Inc.'s. Mr. Bishara stated 3.5.2 of the bid instructions say a bidder for a contract shall be considered responsive if the bidders bid responds to the contract documents in all material respects it contains no irregularities or deviations for the contract documents which would affect the amount of the bid or otherwise give the bidder a competitive advantage. Mr. Bishara stated in fact we know similar requests for information were made to Cold Harbor, we know this from the public records request. Mr. Bishara stated they submitted their supplemental information and nothing changed their bid. Mr. Bishara stated Cold Harbors bid was still high. Mr. Bishara stated at the end of the bid process nothing changed, S.E.T. Inc.'s is still low. Mr. Bishara stated the reason he is here today is because S.E.T. Inc. intends to file a lawsuit if they are not awarded the contract. Mr. Bishara stated he appreciates Councils time in listening to him and he is hoping that he could convince the Village to go into executive session or whatever they have to do and award the contract to S.E.T. Inc. Mr. Bishara stated that would support the wording of the bid instructions and the spirit of Ohio law. Mr. Bishara stated the Village has good Council but what one court has said is a municipal corporation does not abuse its discretion by allowing clarifications of a bid given by a bidding contract after bids are open but before an award is made, a public agency may exercise its discretion by declaring a bid proposal responsive where the irregularity complained of does not

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provide a bidder an advantage. Mr. Bishara stated he will provide the case citation. Mr. Bishara stated at minimum what S.E.T. Inc. should be entitled to an explanation on why S.E.T. Inc.'s bid is being rejected. Mr. Bishara stated he is disappointed to say that the Village has never officially to his knowledge rejected S.E.T. Inc.'s low bid let alone provide an official explanation or reason for the rejection. Mr. Bishara asks, "Was the bid non responsive? Meaning were there allegedly errors in the bid? Or is S.E.T. Inc. considered non responsible meaning S.E.T. Inc. does not have the experience, but I can tell you that they have extensive experience of doing these projects." Mr. Bishara stated S.E.T. Inc. is a business that has been in existence for 35 plus years and they have done these kinds of wells and pump stations over and over again and they have submitted all information for their history. Mr. Bishara stated so there is not misunderstanding, his understanding of the bid instructions is that the Village must reject a bid. Mr. Bishara stated it is in Section 3.6. Mr. Bishara stated there is a procedure that happens when the Village rejects a bid and S.E.T. Inc. intends to follow the procedures and Mr. Bishara states that they have the right to submit a protest if a bid is rejected. Mr. Bishara states that in his opinion first the Village has to officially reject S.E.T. Inc.'s bid which to his knowledge they have never done. Mr. Bishara stated the bid instructions say litigation venue is Cuyahoga County and not Geauga and S.E.T. Inc. intends to file a lawsuit there. Mr. Bishara stated he can understand the concern that Cold Harbor was here and complained about S.E.T. Inc.'s bid. Mr. Bishara stated that if someone argues to the Village that if they award the bid to the lowest contractor which would be S.E.T. Inc. then Cold Harbor will sue also. Mr. Bishara stated he does not expect Cold Harbor to have any grounds at all because he states that they are not the lowest bidder. Mr. Bishara stated even if the low bid is awarded to the contract for S.E.T. Inc. which is the lower bid the Village will be following the letter of their bid instructions, the letter of Ohio law, and states the Village will have much better legal footing by awarding the bid to the lowest bidder both defensible to their constituents and defensible to the courts. Mr. Bishara states he appreciates the Council's time.

Mayor Garlich stated he does not accept a couple of the things said by Mr. Joseph Bishara. Mayor Garlich stated he does not recall anything being requested from Cold Harbor to correct their bid. Mr. McConville responds that he talked to Mr. Cappello about that and their bid was complete and they did provide additional information but stated that is not a requirement within the bid documents that were submitted at the time of the bid.

Mayor Garlich stated that the second thing is that they had a hearing that he was advised to not be a part of so he didn't get to hear their position. Mr. McConville stated Mr. Bishara wrote a letter or email to him indicating that he was protesting the bid award to Cold Harbor, or something to that affect. Mr. McConville stated he wrote back and stated the Village will consider this as a bid protest under the bid documents and will set a meeting and that Mr. Bishara attended that meeting and accepted the documents. Mr. Bishara stated his understanding was that it was just a meeting. Mr. McConville stated his letter to Mr. Bishara stated that he will take Mr. Bishara's email as a bid protest and would set up a meeting that was attended and accepted by Mr. Bishara. Mr. McConville states this is the first time S.E.T. Inc. is objecting to that meeting. Mayor Garlich states there will be no litigation discussed right now. Mr. Bishara stated there is no reason for him

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to challenge Cold Harbors bid as their bid was high. Mr. Bishara stated they did not challenge their bid, that their bid is fine it is just higher. Mr. Bishara stated no one has rejected that bid. Mr. McConville responded to Mr. Bishara and stated that Mr. Bishara on behalf of S.E.T. Inc. is challenging the intent to award the bid. Mr. McConville stated S.E.T. Inc. did have notice of their bid being rejected. Mr. Bishara stated there was a letter stating recommendation for rejection by the Village Engineer but stated that per the bid instructions until the bid is awarded by Village Council that's when there needs to be a rejection. Mr. Bishara stated what the Village has not given a rejection and requests that if the Village is rejecting the bid they tell S.E.T. Inc. why they are rejecting the bid.

Mayor Garlich stated he does not know Cold Harbor or S.E.T. Inc. Mayor Garlich stated there was a courier that was sent for the delivery of the bid and admittedly knew nothing except for the address they were given for the delivery. Mayor Garlich stated Cold Harbor had a representative here so during that bid process discrepancies were found in S.E.T. Inc.'s bid that needed clarified. Mayor Garlich stated that to him the easiest part of the project is the bid. Mayor Garlich stated that if S.E.T. Inc. cannot pay attention to the bid details he does not want them doing a big project like this one. Mayor Garlich stated S.E.T. Inc. did not provide all information that was requested for the bid. Mayor Garlich stated Cold Harbor provided all the information requested for the bid. Mayor Garlich stated the Village has the ability to pick the lowest and best bid and stated that the Village is going with the best bid. Mayor Garlich stated he feels confident in the decision made and that if litigation is needed then it will happen. Mayor Garlich stated the Village identified the issues in the bid and didn't put it through as an emergency even though it should have been an emergency.

Mr. Bishara stated this is the first he is hearing of a rejection. Mr. McConville stated the bid forms were reviewed with Mr. Bishara present in the meeting. Mr. Bishara is requesting that in writing the Village provides a letter of rejection stating why S.E.T. Inc.'s bid was rejected. Mr. McConville stated that his understanding is that Mr. Cappello informed Mr. Bishara's client that the bid was not being accepted and that the bid was being awarded to Cold Harbor. Mr. McConville stated S.E.T. Inc. and Mr. Bishara were given actual notice of that and participated in the bid protest meeting. Mr. Bishara stated Mr. Cappello's letter will be included in the record. Mayor Garlich ends discussion regarding the bid.

6. **Recognition of Bill Mast:** Mayor Garlich introduces Bill Mast to Council and public. Bill Mast painted the mural in town on the side of Middlefield Tavern. Mayor Garlich stated Bill Mast put his heart and soul into the mural. Mayor Garlich stated since the mural has been painted that area has been well lit and it is an impressive piece. Mayor Garlich stated after talking to Bill Mast after the mural unveil he was made aware of all of the effort and pride put into the mural and would like the Village of Middlefield to know of Bill Mast. Mr. Rick Seyer stated the mural was painted using photos that he provided to Bill Mast. Mr. Seyer passes the photos around and explains the photos to the public and Council. Mr. Seyer tells the history of photos. Mr. Mast thanks the Council and tells the Council that the kids that painted the mural before did an amazing job.

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**COMMITTEE APPOINTMENTS:**

*MAYOR APPOINTMENTS*

Mayor Garlich stated the first person will be the chairman.

Finance & Ordinance Committee

1. Kaitlyn Arganti\_\_\_\_\_ 2. Bill Blue\_\_\_\_\_ 3. Scott Klein\_

Safety Committee

1. Carl Hornung\_\_\_\_\_ 2. Rick Seyer\_\_ 3. Sam Morrow\_\_

Streets, Sidewalks & Utilities Committee

1. Sam Morrow\_\_\_\_\_ 2. Rick Seyer\_\_ 3. Mayor Garlich

Recreation Committee

1. Bill Blue\_\_\_\_\_ 2. Kaitlyn Arganti\_\_\_\_\_ 3. Mayor Garlich

Fire District Representative: Carl Hornung

**FIRST READING –**

1. **RESOLUTION 23-16 A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO MAKE FINAL TRANSFERS OF FUNDS NECESSARY TO FINALIZE AND BALANCE THE 2023 BUDGET ON DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Resolution 23-16 by title only. Mr. Giardina stated this gives him permission to make any needed transfers. **Mr. Klein made a motion to waive the required reading and declare Resolution 23-16 an emergency, motion seconded by Mr. Hornung. All in favor: Yeas (6). Mr. Hornung made a motion to PASS Resolution 23-16, motion seconded by Mr. Blue. All in favor: Yeas (6).**
  
2. **RESOLUTION 23-17 A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Resolution 23-17 by title only. **Mr. Hornung made a motion to waive the required reading and declare Resolution 23-17 an emergency, motion seconded by Ms. Arganti. All in favor: Yeas (6). Mr. Blue made a motion to PASS Resolution 23-17, motion seconded by Ms. Arganti. All in favor: Yeas (6).**
  
3. **RESOLUTION 23-18 A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH MEDICAL MUTUAL OF OHIO FOR THE PROVISION OF HEALTH CARE INSURANCE FOR VILLAGE EMPLOYEES AT A MONTHLY COST OF \$24,759.49 AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Resolution 23-18 by title only. **Mr. Blue made a motion to waive the required reading and declare Resolution 23-18 an emergency, motion seconded by Mr. Morrow. All in favor: Yeas (6). Mr. Blue made a motion to PASS Resolution 23-18, motion seconded by Mr. Morrow. All in favor: Yeas (6).**

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- 4. RESOLUTION 23-19 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Resolution 23-19 by title only. **Mr. Blue made a motion to waive the required reading and declare Resolution 23-19 an emergency, motion seconded by Mr. Morrow. All in favor: Yeas (6).**  
**Mr. Hornung made a motion to PASS Resolution 23-19, motion seconded by Mr. Morrow. All in favor: Yeas (6).**
- 5. ORDINANCE 23-158 AN ORDINANCE AMENDING THE 2023 PERMANENT APPROPRIATIONS AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 23-158 by title only. Mr. Giardina stated this is where they check the budgets and make appropriate adjustments. **Mr. Klein made a motion to waive the required reading and declare Ordinance 23-158 an emergency, motion seconded by Mr. Morrow. All in favor: Yeas (6).** Mr. Morrow made a motion to PASS Ordinance 23-158, motion seconded by Mr. Hornung. All in favor: Yeas (6).
- 6. ORDINANCE 23-160 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ANNEXATION AGREEMENT WITH SHERPA DEVELOPMENT COMPANY, LLC AND MIDDLEFIELD TOWNSHIP AND APPROVING THE FORM OF ANNEXATION PETITION, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 23-160 by title only. **Mr. Morrow made a motion to waive the required reading and declare Ordinance 23-160 an emergency, motion seconded by Mr. Blue. All in favor: Yeas (6).** Mr. Hornung made a motion to PASS Ordinance 23-160, motion seconded by Mr. Klein. All in favor: Yeas (6).
- 7. ORDINANCE 23-161 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1163.04 ENTITLED “EXTENSION”, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 23-161 by title only. Mr. McConville stated this is so Planning Commission can approve projects and give certain variances. **Mr. Klein made a motion to waive the required reading and declare Ordinance 23-161 an emergency, motion seconded by Mr. Blue. All in favor: Yeas (6).** This was supposed to be placed on first reading so that there can be a public hearing. **Mr. Klein made a motion rescinds his motion to waive the required reading and declare Ordinance 23-161 an emergency, motion seconded recended by Mr. Hornung. All in favor: Yeas (6).**  
**Ms. Arganti made a motion to place Ordinance 23-161 on first reading, motion seconded by Mr. Klein. All in favor: Yeas (6).**
- 8. ORDINANCE 23-162 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LICENSE AGREEMENT WITH RED CREEK DEVELOPMENT CORPORATION FOR USE OF PROPERTY AS A SHOOTING RANGE, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 23-162 by title only. **Mr. Hornung made a motion to waive the required reading and declare Ordinance 23-162 an emergency, motion seconded by Mr. Blue. All**

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in favor: Yeas (6). Mr. Blue made a motion to **PASS** Ordinance 23-162, motion seconded by Mr. Morrow. All in favor: Yeas (6).

**SECOND READING** (will come back to this after executive session at the end of the meeting.)

1. **ORDINANCE 23-147 AN ORDINANCE SELECTING COLD HARBOR BUILDING COMPANY FOR THE WELL NO. 3 IMPROVEMENT PROJECT, IN AN AMOUNT NOT TO EXCEED \$1,144,000.00 TO BE THE LOWEST AND BEST BID FOR SAID PROJECT, AND AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH SAID BIDDER FOR THAT PROJECT, AND DECLARING AN EMERGENCY.** Mayor Garlich introduced Ordinance 23-147 by title only. Mr. Klein made a motion to place Ordinance 23-147 on second reading, motion seconded by Mr. Hornung. All in favor: Yeas (6).

**THIRD READING**

1. **RESOLUTION 23-14 A RESOLUTION DECLARING THE INTENT OF THE VILLAGE TO DISPOSE OF UNNEEDED, OBSOLETE OR UNFIT MUNICIPALLY OWNED PERSONAL PROPERTY VIA AN INTERNET AUCTION IN CALENDAR YEAR 2024, AND AUTHORIZING SUCH DISPOSITON.** Mayor Garlich introduced Resolution 23-14 by title only. Ms. McCoy stated there is a truck and a police vehicle listed on there right now. Mr. Morrow made a motion to **PASS** Resolution 23-14, motion seconded by Mr. Blue. All in favor: Yeas (6).
2. **ORDINANCE 23-142 AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 1153.02 ENTITLED “(R-2) RESIDENTIAL DISTRICT.”** Mayor Garlich introduced Ordinance 23-142 by title only. Mr. Hornung made a motion to **PASS** Ordinance 23-142, motion seconded by Mr. Klein. All in favor: Yeas (6).
3. **ORDINANCE 23-143 AN ORDINANCE REZONING CERTAIN PARCELS FROM THEIR PRESENT ZONING CLASSIFICATION OF R-3 (MULTI-FAMILY RESIDENTIAL ZONING DISTRICT) TO R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT DISTRICT).** Mayor Garlich introduced Ordinance 23-143 by title only. Mr. Morrow made a motion to **PASS** Ordinance 23-143, motion seconded by Mr. Blue. All in favor: Yeas (6).

**OLD BUSINESS**

**NEW BUSINESS**

1. **Web Site Report – Kim Breyley:** Included in the packet.
2. **America in Bloom Program:** Mayor Garlich stated this is for the flowers in the Village and asked Council if they saw a value in participating. Mayor Garlich will talk to local businesses and see if they see a value of us participating.
3. **Ohman Family Living 14800 N State Ave- Impact Fee Reduction Approval, Motion from Council:** Ms. McCoy stated this is for the 24 unit's expansion and



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the Village would typically require 300 gallons as our benchmark for usage. Ms. McCoy stated the impact fee came to \$92,592.00. Ms. McCoy stated if impact fees are over collected they will also need to be returned. Ms. McCoy stated Ohman Family Living did provide documentation on the amount of usage the other houses use. Ms. McCoy stated she needs a motion to allow for an impact fee of \$28,660.31. Ms. McCoy stated she would then do a look back one year after the project has been going on and if there were to be a larger impact fee the village would then collect the overage. **Mr. Hornung made a motion to accept the adjusted impact fee of \$28,660.31, motion seconded by Mr. Morrow. All in favor: Yeas (6).**

**COMMITTEE REPORTS and COMMUNICATIONS**

**Planning & Zoning (Mayor Garlich/Mr. Klein/Mr. Linberg/Mr. Dietrich/Ms. Shaffer)** – November meeting minutes included in packet.

**Streets, Sidewalks, & Utilities (Mr. Seyer/Ms. Arganti/ Ben Garlich)** – November meeting minutes included in packet.

**Economic Development Committee (Mayor Garlich, Mr. Blue, Mr. Klein, Mr. Michalakes, Mr. Dietrich, Ms. Breyley, Ms. Martin)** – No meeting in November.

**Parks & Recreation (Ms. Arganti/ Mr. Blue/ Mayor Garlich/ Ms. Naples/ Mr. Soltis)** – November meeting minutes included in packet.

**Finance & Ordinance (Mr. Seyer/ Mr. Klein/Mr. Morrow)** – November meeting minutes included in the packet.

**Public Safety (Mr. Morrow/ Mr. Hornung/Mr. Blue)** – November meeting minutes included in packet.

**VILLAGE CALENDAR:** (ALL MEETING DATES ARE SUBJECT TO CHANGE)

**DECEMBER** – (Subject to change)

December 12, 2023 6:00PM PLANNING COMMISSION (if needed)

December 14, 2023 6:00PM FINANCE & ORDINANCE

December 14, 2023 7:00PM COUNCIL

December 25, 2023 VILLAGE HALL CLOSED – Christmas Day

**JANUARY** – (Subject to change)

January 1, 2024 New Year's Day- Village offices Closed

January 9, 2024 5:30PM STREETS, SIDEWALKS, & UTILITIES

January 9, 2024 6:00PM PLANNING COMMISSION

January 11, 2024 5:30PM RECREATION

January 11, 2024 6:00PM FINANCE & ORDINANCE

January 11, 2024 6:30PM SAFETY

January 11, 2024 7:00PM COUNCIL

January 15, 2024 VILLAGE HALL CLOSED – Martin Luther King Jr. Day

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**EXECUTIVE SESSION-** Mr. Klein made a motion to go into executive session for litigation at 8:14 pm, motion seconded by Ms. Arganti. All in favor: Yeas (6).

Mr. Klein made a motion to come out of executive session at 8:55 pm, motion seconded by Mr. Hornung. All in favor: Yeas (5).

**ADJOURNMENT**

Mr. Hornung motioned to adjourn the Council meeting at 8:58 PM, motion seconded by Mr. Klein. All in favor: Yeas. (5)

**PENDING**

Tabled: Resolution 21-08

Approved: \_\_\_\_\_  
MAYOR

Attest: \_\_\_\_\_  
FISCAL OFFICER