TOWNSHIP OF O'HARA COUNCIL WORKSHOP MAY 2, 2023 7:00 P.M. AGENDA

I. OPENING PROCEDURES

- A Call to Order
- B. Pledge of Allegiance
- C. Roll Call

II. <u>CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS</u>

III. REVIEW AND DISCUSSION

A. Requesting Authorization to File a Grant Application with Pennsylvania Department of Community and Economic Development Greenways Trails and Recreation Program for the Meadow Park Tennis Courts Project (a)

Lennon Smith Souleret Engineers are preparing the subject grant application. The Township's commitment is 15% of the total project cost. If acceptable, the attached proposed resolution will be included for consideration on the May 9, 2023 regular meeting agenda.

B. Recommending Awarding a Contract for the 2023 Road Improvement Program (a)

A memo from Township Engineer Chuck Steinert recommends awarding a contract for the 2023 Road Improvement Program to Shields Asphalt Paving in the total amount of \$1,218,517.75, which includes all alternates and reimbursement from Peoples Gas for their portion of Ravine Street. Roads scheduled for milling and resurfacing for the base bid include Alpha, Camberwell, Orchard and W. Marshall Drives, Ravine Street and White Gate Road. Alternates include Eton and Yorkshire Drives, Maurers Lane, driveway around Meadow Park and Joanne Street (North). If acceptable, the attached proposed resolution will be included on the May 9th regular meeting agenda for consideration.

C. Proposed Zoning Ordinance Amendment to Allow Backyard Chickens in Residential Zoning Districts (a)

Allegheny County Economic Development has provided comments following their review of the proposed zoning ordinance amendment. If acceptable, the attached proposed ordinance will be included for introduction of first reading on the May 9th regular meeting agenda, followed by a Public Hearing to be scheduled for June 6th prior to the workshop, and possible adoption at the June 13th regular meeting.

D. Saxonburg Boulevard Sanitary Sewer Connection Fee

A memo from Township Manager Julie Jakubec explains events that occurred in 2014 regarding owners that executed easement agreements for the Saxonburg Boulevard Sanitary Sewer Project. The 2014 Council agreed to waive the tap-in fee, which was \$3,300 at that time. Since then, the tap-in fee has increased to \$5,500. Staff is seeking direction as to whether the \$3,300 fee should be waived and property owners pay the difference, or if the current \$5,500 fee should be waived.

E. Requesting Authorization to Destroy Specific Records (a)

Staff has realized additional documents that are eligible for destruction in accordance with the Pennsylvania Historical and Museum Commission Municipal Records Retention Manual. If acceptable, the attached proposed resolution will be included for consideration on the May 9, 2023 regular meeting agenda.

F. Veteran's Fish Rodeo – May 10, 2023

Once again, the Morningside VFW will be sponsoring the Eleventh Annual Fish Rodeo at O'Hara Township Community Park on May 10th beginning at 11:00 a.m.

G. Solicitor's April 13, 2023 Invoice

Council was provided with a copy of the subject invoice for review and approval.

H. Proposed May 9, 2023 Regular Meeting Agenda

The proposed May 9, 2023 Regular Meeting Agenda was provided to Council for review and approval.

IV. CONCERNS OF COUNCIL

V. CONCERNS OF STAFF

VI. ADJOURNMENT

VII. EXECUTIVE SESSION - LABOR AND LEGAL MATTERS

BILL NO	RESOLUTION NO.
	

A RESOLUTION OF THE TOWNSHIP OF O'HARA AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE COMMONWEALTH FINANCING AUTHORITY FOR THE MEADOW PARK TENNIS COURTS REHABILITATION PROJECT

BE IT RESOLVED, that the Township of O'Hara, Allegheny County, hereby requests a Greenways, Trails and Recreation Program (GTRP) grant in the amount of \$160,900.06 from the Commonwealth Financing Authority to be used for the Meadow Park Tennis Courts Rehabilitation Project.

BE IT RESOLVED, that the Township of O'Hara Council does hereby designate Julie A. Jakubec, Township Manager and Robert John Smith, Council President, as the officials to execute all documents and agreements between the Township of O'Hara and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

RESOLVED by Council vote of to th	nis_day of, 2023.
ATTEST:	TOWNSHIP OF O'HARA
Julie A. Jakubec, CPA, CGMA Township Manager	Robert John Smith President of Council
	193

Adopted

BILL	NO.	
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A RESOLUTION OF THE TOWNSHIP OF O'HARA AWARDING A CONTRACT FOR THE 2023 ROAD IMPROVEMENT PROGRAM

WHEREAS, the Township of O'Hara is participating in a Joint Road Improvement Program with Fox Chapel Borough; and

WHEREAS, sealed bids for the 2023 Road Improvement Program were received by Fox Chapel Borough and opened on April 6, 2023; and

WHEREAS, Shields Asphalt Paving, Inc. has been determined to be the lowest responsible bidder meeting the Township's specifications as provided to Fox Chapel Borough for the bidding process.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of O'Hara that the bid for the 2023 Road Improvement Program be awarded to Shields Asphalt Paving in the amount of \$1,297,864.00 for the milling and resurfacing of Alpha Drive, Camberwell Drive, Orchard Drive, Ravine Street, W. Marshall Drive and White Gate Road and Alternates No. 1 (Maurers Lane, No. 2 (Joanne Street (North)), No. 3 (Eton Drive), No. 5 (driveway around Meadow Park), and No. 6 (Yorkshire Drive), less \$79,346.25 to be reimbursed by Peoples Gas for their portion of Ravine Street, for a total amount of \$1,218,517.75.

RESOLVED by Council vete of to	_ this day of, 2023.
ATTEST:	TOWNSHIP OF O'HARA
001	
	Robert John Smith
Julie A. Jakubec, CPA, CGMA	President of Council
Township Manager	

BILL NO.

ORDIN	ANCE	NO.
OIWIII		1101

AN ORDINANCE OF THE TOWNSHIP OF O'HARA AMENDING THE TOWNSHIP ZONING ORDINANCE NO. 1361 TO PROVIDE FOR DOMESTIC CHICKEN KEEPING AS A PERMITTED ACCESSORY USE IN THE R-1, R-2, R-3, R-4, CD-1 AND CD-2 WITH RELATED REGULATIONS

WHEREAS, the TOWNSHIP OF O'HARA COUNCIL is authorized by the Municipalities Planning Code ("MPC") to regulate zoning and land use within the Township through its Zoning Ordinance as embodied in the current Township of O'Hara Zoning Ordinance; and

WHEREAS, the Township of O'Hara Council desires to amend its Zoning Ordinance to provide for, and regulate the keeping of chickens for personal use in the R-1, R-2, R-3, R-4, CD-1 and CD-2 Zoning Districts as reflected in Exhibit A; and

WHEREAS, the Township has, in accordance with the requirements of the MPC, submitted the proposed amendments to its Planning Commission, which gave its recommendations regarding the proposed amendments at its duly notice a public meeting; and

WHEREAS, Township Council held a duly noticed and advertised Public Hearing on ______, 2022 to take public comments on the proposed amendment, and has duly advertised the Ordinance for consideration and enactment; and

WHEREAS, Township Council, having received public comments and the recommendation of the Township Planning Commission, finds that the enactment of the proposed amendments to the Township Zoning Ordinance will be beneficial to the Township and consistent with the Pennsylvania MPC.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township of O'Hara Council, and it is hereby Ordained and Enacted by the authority of the same as follows:

SECTION I.

Section 455-4.2.B (R-1 District) is amended by adding the following as a new Subsection 17:

17. "Keeping of Domesticated Chickens" (see Section 455-14.43).

SECTION 2. Section 455-5.2.B (R-2 District) is amended by adding the following as a new Subsection 16:

16. "Keeping of Domesticated Chickens" (see Section 455-14.43).

ORDINANCE NO.

- SECTION 3. Section 455-6.2.B (R-3 District) is amended by adding the following as a new Subsection 16:
 - 16. "Keeping of Domesticated Chickens" (see Section 455-14.43).
- SECTION 4. Section 455-7.2.B (R-4 District) is amended by adding the following as a new Subsection 16:
 - 16. "Keeping of Domesticated Chickens" (see Section 455-1443).
- SECTION 5. Section 455.8.2.C (CD-1 and CD-2 Districts) is amended by adding the following as a new Subsection 14:
 - 14. "Keeping of Domesticated Chickens" (see Section 455-14.43).

SECTION 6. Definitions

Flock - A group of animals, such as birds, assembled together

Domestic chicken - A bird that cannot survive without human help.

Mobile Chicken Coop - Any chicken coop with wheels to provide mobility.

SECTION 7. A new Section 455.14.43 is added to read as follows:

455-14.43 Keeping of Domesticated Chickens

The following shall apply to permitted accessory uses and structures for Keeping of Domesticated Chickens in Districts where specifically allowed:

A. Permi

- A property owner shall be required to obtain a permit for the keeping of domesticated chickens in a stationery or mobile chicken coop. If a stationery chicken coop is relocated, a new permit shall be required.
 - A chicken coop or other related structure may only be an accessory structure and must comply with this section and other applicable provisions of the Zoning Ordinance.
- 3. This permit shall be in addition to any other required permit (such as, but not limited to, a building permit, electrical permit, or fence permit, if needed).

4. Applications for a permit shall be submitted to the Zoning Officer and shall include such information as is required. Such application shall include a plan showing conformance with all applicable regulations including: a dimensioned site plan or existing survey of the property showing the location of the chicken coop and run, if provided; the designated area for the mobility of a mobile chicken coop; and the management of manure and wastes.

B. Chicken Coop Location

- 1. The chicken coop and run, if provided, must be in a rear yard.
- 2. The entire chicken coop, and any run structure, stationery or mobile, in the R-1, R-2, R-4 and CD-1 and CD-2 zoning districts must be located at least 10 feet from any property line at all times. The entire chicken coop and any run structure, stationery or mobile, in the R-3 zoning district must be located a minimum of five (5) feet from any property line at all times.
- 3. Mobile chicken coops are limited to one (1) mobile chicken coop per property.
- 4. The location of a mobile chicken coop shall be located in the designated area specified in the approved plan.

C. Number of Chickens Permitted

- 1. Three (3) chickens are permitted for the first 10,000 square feet of the lot. Each additional chicken will require 2,000 additional square feet of the lot. Lots less than 10,000 s.f. shall have a maximum of three chickens. No more than 20 chickens are permitted at one time.
- Mobile chicken coops, and runs if provided, shall house a maximum of four (4) chickens.

D. Coop Requirements

- Space Coops, without a chicken run, shall permit at a minimum, three (3) square feet per chicken. Coops with a chicken run shall permit a minimum of two (2) square feet per chicken.
- 2. Height A coop shall not exceed eight (8) feet in height.
- 3. <u>Size</u> A coop shall not exceed a maximum size of 100 s.f.

4. <u>General</u> - Coops shall be constructed from proper building materials and structurally sound. The coop shall be predator proof, well maintained and in good repair, provide natural lighting and adequate ventilation, and protection from weather.

E. Chicken Run Requirements

- 1. A chicken run, if used, shall be predator proof, well maintained and in good repair. Chicken run shall be constructed from proper building material. The minimum gauge chicken wire that shall be used is 20 gauge. Other materials may be used subject to Township approval.
- 2. Chicken run may not exceed seven (7) feet in heigh
- F. Collection and Management of Manure and Wastes
 - 1. Property owner shall comply with the Township Soning Ordinance, Section 455-18.5, Storage and Waste Disposal Items C and D, as well as all applicable State and Federal Laws and Regulations.
 - C. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transported off the lot by natural causes or forces; nor shall any substance which can contaminate wells, watercourses, or potable water supplies otherwise render such wells, watercourses, or potable water supplies undesirable as sources of water supply or recreation; nor shall any substance which will destroy aquatic life be allowed to enter any wells, watercourses, or potable water supplies.
 - D Any materials or wastes which might cause fumes or dust or which constitute a fire hazard, or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only if enclosed in containers adequate to eliminate such hazards.

The property owner shall comply with Township Nuisance Ordinance, Section 295-6, Health Concerns, Item B.2.d.

- d. No person shall place, throw or deposit garbage, refuse, waste, rubbish, papers, or decaying plant, animal or vegetable matter of any kind, including tree or plant cuttings, upon or along any street or highway, or upon public property, or along the bank of any stream or watercourse within the Township.
- i. Nothing in the foregoing shall prohibit a person from properly maintaining a compost pile upon property owned or occupied by them on which may be thrown leaves, lawn clippings, garden trimmings, food waste, organic materials and manure, so long as a nuisance shall not result there from.



3. Chicken manure will <u>only</u> be accepted in the municipal waste collection system as a municipal waste product when the chicken manure is tied and sealed in a plastic garbage bag and weighs no more than 50 pounds.

G. Odor

1. No person shall manufacture, create or maintain any continuous or repeated odor or smell which is offensive, obnoxious, troublesome, amoying or unpleasant emanating from a property and is likely to interfere with the ordinary enjoyment of other property in the vicinity.

H. General Chicken Requirements

- Chicken feed shall be kept in secure rodent proof containers.
- 2. No roosters are permitted.
- 3. Chickens must be in a secure coop, run or fenced-in area in the rear yard at all times.
- 4. No butchering or cleaning of butchered chicken is permitted in plain sight.

I. Other Requirements

- 1. No selling of eags is permitted.
- 2. No selling of butchered meat is permitted.
- 3. No selling of ehicks or chickens is permitted.
- 4. If not used, the chicken coop, and chicken run, if provided, must be converted to another permitted use, or removed in accordance with Township Nuisance Ordinance, Section 455-18.1, Compliance.
 - 1. No use, land or structure in any district shall involve any element or cause any condition that may be dangerous, injurious or noxious, or cause offensive odor, smoke, dust, dirt, noise, vibration, glare, excessive traffic, attract vermin or rodents or constitute a nuisance or be a detriment to the health, safety, moral or general welfare of the community or to any other person or property in the Township.
- 5. The chicken coop, and chicken run if provided, shall be free of infestation in accordance with Township Nuisance Ordinance, Section 295-6,B.1, Health Concerns Infestation/Sanitation.

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- 1. The infestation of insects, rats, vermin or other pests. The owner shall be responsible for promptly exterminating insects, rats, vermin or other pests found by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken by the owner to eliminate insect, rats, vermin or other pests from harborage and prevent re-infestation.
- 6. A dog or cat that kills a chicken shall not, for that reason alone, be considered a dangerous or aggressive animal if a chicken is off the owner's property.

SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect and be in force immediately from and after its enactment as required by law.

SECTION 9. If any Section, subsection, sentence clause or phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portion thereof.

ORDAINED AND ENACTED into law this	sday of, 2023.
ATTEST:	TOWNSHIP OF O'HARA
	Robert John Smith
Julie A. Jakubec, CPA, CGMA	Council President
Township Manager	
First Reading:	
Second Reading and Adoption:	
7 C (S) (1) B	Codified

BILL NO.

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A RESOLUTION OF THE TOWNSHIP OF O'HARA AUTHORIZING THE DESTRUCTION OF SPECIFIC RECORDS

WHEREAS, by virtue of Resolution No. R-24-2010, adopted April 13, 2010, the Township of O'Hara declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved on July 23, 2009, as hereinafter may be amended; and

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of O'Hara, Allegheny County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

DATE	CONTENTS DESTRU	CTION
Misc.	Former Employee Files	PS - 8
Misc.	Agreements Contracts	AL - 8
1955 - 2003	Civil Service Commission Duplicate Documents	AL - 1
2017-2018	Civil Service Employment Applications Not Hired	PS - 2
1998	PA DOT Liquid Fuels Actual Use Reports	AL - 20
1999	Computer Software Licenses	AL - 8
1997	Emergency Management Plan	ES - 2
1994	PA DOT 12-Year Transportation Program	AL - 1
1995	PA CDBG Block Grant - Lower Road Retaining Wall	AL - 14
1993-2001	Notices / Proof of Publication	AL - 35
2010 - 2012	Notices / Proof of Publication	AL - 35
1979	Employment Applications - Not Hired	PS - 2
1980	Employment Applications - Not Hired	PS - 2
1985 1987	Employment Applications - Not Hired	PS - 2
2008 - 2009	Monthly Finance Reports	FN - 1
2013-2018	Monthly Finance Reports	FN - 1
2013 2018	Monthly Department Reports	AL - 37
2010 - 2016	Disclosure Statements	AL - 12
2010 - 2016	Financial Statement of Interest	AL - 12
1997 - 2017	PA DEP Recycling Grant	AL - 14
2000 - 2012	Annual Recycling Data / Reports Pull 2013-2017	AL - 36
2012 - 2019	Right-to-Know Requests	AL - 46
1996 - 2014	Oaths of Office	AL - 29
1995 - 1996	Correspondence - Gambling	AL - 1
1997 - 2007	Expired Insurance Policies	AL - 17
2011	Petition to Reinstate Guyasuta VFD	AL - 31

BILL NO. RESOLUTION NO. 1976 - 2000 Public Service Labor Agreements/Correspondence PS - 12 2010 - 2017 Property Assessment Appeals TA - 19 2012 - 2016 Property Assessment Appeals Decisions TA - 20 Allegheny County Solid Waste Management Plan WM - 1 1990 2010 Request for Proposals for Fire & Rescue Study AL - 8 Bids and Specifications for Ambulance 2004 AL - 8 2003 Bids and Purchase Agreement for Special Operations AL - 8 Pumper Unit Police Captain Hughes Agreement 1980 Notice of Mandatory Recycling by Businesses 2013 Police Labor Agreements 2009 Bobcat Mini Track Loader 2014-2015 Recreation Partners 2007 - 2010 Miscellaneous Correspondence AL - 1 2009 US Department of Transportation Grant AL - 14 Chapel - Delafield Roads AL - 14 2012 Open Records Appeal / Complaint AL - 46 2014 Hyundai Motor Company Lawsuit AL - 19 2012 Hope For the 'Burgh Non-Profit AL - 1 Equitable Gas - Claim / Improperly Attached AL - 17 2009 Gas Line PZ - 5 2010-2013 Dominion Electric Contract AL -8 2011 County Side Yard & Beautification Program AL - 1 2006 County Dept of Public Works - Fox Chapel Road PW - 8 Widening Project County Vulnerability Assessment & Hazard 2005 ES - 2 Minigation Plan Amual Inspection Report of Rental Properties 2011 PH - 6 Abandoned Vehicle Inquiry 2006 PO - 6 Auxiliary Fire Police Workers Compensation PS - 14 2005 Car Wash PZ - 5 1991 2006 Police Commercial Equipment Direct Assistance PO - 10 Program 2008 Sample Agreements Between Municipalities and AL - 8 Fire Departments 2004 Shaler Township Fire Department Study FR - 7 994 Squaw Valley Regional EMS AL - 1 AL - 8 2016 Janitorial Cleaning Services Bids/Proposals 2005 City of Harrisburg Automotive and Equipment AL - 8 Cooperative Purchasing Contract AL - 5 2013 Fire Police Sample By-Laws 2008 - 2018 Municipal Building Janitorial Services Contract AL - 8 Municipal Building Floor Mat Quotes AL - 8 2002 Donations - Backup Documentation Requests AL - 26 2009 PNC Merchant Services Company AL - 8 1997 2004 Global Payments Direct AL - 8 1995 - 1998 Allegheny County Health Department Recycling AL - 36

	1996	Brush and Leaf Pickup	PW - 8
	1998	Composting Information	WM - 14
	1989	Solid Waste Miscellaneous	WM - 14
	2008	Street Sweeper Rentals	PW - 6
	1998	Township Dumping - J. Meinert Landscaping	WM - 14
	2005	Fungi Air Testing After September 2004 Flood	PH - 6
	1995	Cable Plant Installation Voice / Data Cable Plant	PO - 10
		Telephone Equipment	
	2007	PA One Call Annual Database Verification	IT-12
	2003	Recycling Directory from Allegheny County	Alani
	1992	Recycling Miscellaneous	AL-1
	1994 - 2001	Solid Waste and Recycling Collection and	AL = 1
		Disposal Services	
	2016	Grass Mowing Bids	AL - 8
	2002	Leaf Collection Procedure Change Notices	AL - 1
	1995 - 1996	NewCom - Agreements, Articles of Incorporation	AL - 1
		Budgets, Communication Towers, Financials,	
		Miscellaneous, Minutes, Newsletter, Pension, Radios	
	1993	Police Consolidation	AL - 3
	1985	Police General Correspondence	PO - 5
	2010	Police Major Incident Memos	PO - 6
	1994	Police Prevailing Wage	AL - 1
	1991	Raymond A. Schafer - Miscellaneous Correspondence	PO - 5
	2001	Police - Auxiliary Police PA DCED Grant #20-192-0431	AL - 14
	2000	Police - Auxiliary Fire Police PA DCED Grant	AL - 14
	2000	#2000090 N 109 / 256002362	710 - 14
	2003	Police - Auxiliary Fire Police Operating Fund	AL - 1
		Budget Requests	
	2001	Police - Auxiliary Fire Police Motor Vehicle Code -	AL - 1
		Lights	
	2000	Police - Auxiliary Fire Police Miscellaneous	AL - 1
	2000	Police - Auxiliary Fire Police Activity Reports	AL - 1
3		Old Parkview Ambulance Miscellaneous	FR - 7
4	2014	ARTEZ Cooperation Agreement	AL - 8
þ	1971 - 2003	Civil Service Commission Duplicate Documents	PS - 3
ă	1953-2003	Civil Service Commission Correspondence	PS - 3
Ų	2017 - 2018	Civil Service Commission Applications - NOT Hired	PS - 2
1	2001 - 2002	Sodium Chloride (Rock Salt) Contracts	AL - 8
	2004 - 2013	Sodium Chloride (Rock Salt) Contracts	AL - 8
	1974 - 1997	Clement Stanisauskis Miscellaneous Correspondence	AL - 1
	2005 - 2009	PCS Contracts	AL - 8
	2009	Herbein & Company Agreement - Review of Fire	AL - 8
		Department Records	AL - 8
	1982	Identikit Rental Agreement	AL - 8

ATTEST:

TOWNSHIP OF O'HARA

Julie A. Jakubec, CPA, CGMA Township Manager Robert John Smith President of Council

Adopted _____ ___

TOWNSHIP OF O'HARA COUNCIL REGULAR MEETING MAY 9, 2023

7:00 P.M. PROPOSED AGENDA

I. OPENING PROCEDURES

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call

II. MINUTES

A. Council Combined Workshop and Regular Meeting - April 11, 2023

III. FINANCE

- A. Vouchers April 2023
- B. Receipts and Expenditures Records March 2023
- C. Treasurer's Report

IV. REPORTS

- A. Other Organizations and Agencies Reports
- B. Monthly Departmental Reports
- C. Manager's Report

V. <u>NEW BUSINESS</u>

- A. Ordinance Introduction for First Reading
 - (1) Amending the Township Zoning Ordinance to Allow Backyard Chickens in Residential Zoning Districts

B. Resolutions

- (1) Authorizing the Filing of a Grant Application with Pennsylvania
 Department of Community and Economic Development Greenways Trails
 and Recreation Program for the Meadow Park Tennis Courts Project
- (2) Awarding a Contract for the 2023 Road Improvement Program
- (3) Authorizing the Destruction of Specific Records

Proposed Agenda May 9, 2023 Page Two

VI. <u>COMMUNICATIONS</u>

- A. Citizens
- B. Council
- C. Staff

VII. <u>ADJOURNMENT</u>

VIII. <u>EXECUTIVE SESSION – LEGAL AND LABOR MATTERS</u>