

**NORTH RIDGEVILLE MUNICIPAL COUNCIL
MINUTES OF
REGULAR MEETING FEBRUARY 7, 2005**

CALL TO ORDER: 7:30 P.M.

President Ronald Arndt: The Chair calls to order tonight, the North Ridgeville Municipal City Council regular meeting dated Tuesday, February 7, 2005.

INVOCATION: lead by President Arndt.

PLEDGE OF ALLEGIANCE: by all.

CALLING OF THE ROLL - ROLL CALL:

Present were Council Members Nancy Buescher, Allen Swindig, Richard Jaenke, Bob Olesen, Bernadine Butkowski, Andy Young and President Ronald Arndt.

Also, present were Mayor David Gillock, Safety-Service Director Denny Johnson, Law Director Andrew Crites, Engineer Larry Griffith, Auditor Chris Costin was represented by Deputy Auditor Donna Kiraly and Clerk of Council Charles Norris.

MINUTES - Corrections (if any) and Approval:

Clerk of Council Norris:

Public Hearing Minutes of January 18, 2005 regarding Pioneer Ridge, Phase 1, Waterbury PCD moved by Olesen, seconded by Jaenke to approve

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Also we have before us

Public Hearing Minutes of January 18, 2005 regarding Ashton Place and Sublots, Waterbury PCD

moved by Buescher, seconded by Olesen to approve

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Also we have before us

Council Minutes of regular meeting held January 18, 2005

moved by Jaenke, seconded by Olesen to approve

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: Council, also, please note the:

Parks & Recreation Commission Minutes of regular meeting December 1, 2004;

Civil Service Commission Minutes of regular meeting January 18, 2005;
Board of Drainage and Flood Control Minutes of meeting October 27, 2004; and
Board of Zoning and Building Appeals Minutes of regular meeting January 27, 2005.

MAYOR AND DIRECTORS REPORTS:

President Arndt: We now come to the Mayor and Directors reports and the Chair invites the Mayor and the Directors to provide your City Council with the opportunity to present their oral reports. We would like to begin with our Mayor, Mr. Gillock.

• **Mayor**

Mayor Gillock: Thank you, Mr. President and good evening to everyone. Last Friday the Lorain County Community Alliance, a local Council of Governments met at the North Ridgeville Library to discuss the future of the Local Government Funds, which are funds that are distributed to the municipalities each year from the State of Ohio. All local municipalities are concerned about these funds, and I will be participating with other local government officials in a trip to Columbus to try and help preserve these funds in the next State Biennium budget. There is a lot of discussion about reducing or entirely doing away with the Local Government Funds. The Local Government Fund comprises approximately nine percent of our General Fund budget. Further reductions in the Local Government Funds would be crippling to our budget and we must do all we can to try and prevent further movement of these tax dollars from the local level to the State coffers.

On January 27, I gave the State of the City address to the Chamber of Commerce at their monthly meeting. Due to several requests from persons that could not attend the luncheon, this Thursday at 7:00 p.m. at the North Ridgeville Library, I will again deliver the speech, and it is free and open to the public. The address can also be seen at various times on Comcast Channel 12 and is available on the City's website.

I would like to remind everyone that tomorrow is an important election day in North Ridgeville and to please remember to vote. Thank you, that concludes my report.

President Arndt: Thank you, Mr. Mayor. We now have the opportunity to hear from our Safety-Service Director, Mr. Johnson.

• **Safety-Service Director**

Safety-Service Director Johnson: Thank you, Mr. President. As I previously reported, we sustained damage to several pieces of fire equipment when our Fire-fighters were forced to evacuate a house fire as it flashed over. Our insurance company has now agreed to reimburse us for the full replacement cost of this equipment, saving us approximately 16,000 dollars in badly needed fire department funds. Weather experts, both two-legged and four-legged, agree that we have not seen the end of winter yet. We are most likely to see more snow. The City is ready. However, I would like to ask the residents with either a strong back or snow blower to assist our elderly residents to help keep the sidewalks clear. I'm sure your elderly neighbors would appreciate the help and so would the school children, who use the sidewalks to get to and from

school. That concludes my report.

President Arndt: Thank you, Mr. Johnson. We now have the opportunity to hear from our Engineer, Mr. Griffith.

- **Engineer**

Engineer Griffith: I have no report tonight.

President Arndt: Thank you, Mr. Griffith. We now have, representing our Auditor, Donna Kiraly. If you would be kind enough to share your report.

- **Auditor**

Deputy Auditor Kiraly: I do not have a report, sorry.

President Arndt: Thank you. Dr. Norris, will you continue on with our other reports.

- **Other Reports**

Clerk of Council Norris: Other reports before Council this evening include:

Police Department Activity Report for December 2004;

Water System Operation Report for December 2004;

Building Department Reports for November and December 2004;

Parks and Recreation Department 2004 Annual Report; and

Treasurer's Annual Report for 2004.

COUNCIL COMMITTEE REPORTS:

President Arndt: Are there any Council Committee Reports to be brought before your Council tonight? There being none, if our Clerk will read our correspondence, please.

CORRESPONDENCE:

Clerk of Council Norris:

Council has nine items of correspondence before them this evening.

- 1) Received a letter from Assistant Chief Deputy of Real Estate Linda Keys, reporting that real estate taxes have been added to the duplicate for property owned by Starland Investment Company. This relates to the termination of the tax abatement agreement with Reliance/ComTec Corporation and the recovery of previously abated taxes.
- 2) Received a letter from Eugene A. Diederich in regard to the sanitary sewer installed on Center Ridge Road noting the problems with the contractor who broke his gas line, hasn't repaired his driveway correctly and the landscaping and questions who is going to pay for these items.
- 3) Received an amended Certificate of Result of Election on Question or issue relating to the proposed Charter amendment to Article XI, Section 11.6.

- 4) Received a memo from Mayor Gillock submitting the planners' review of the PCD ordinance.

President Arndt: THE CHAIR REFERRED ITEM NUMBER FOUR TO BUILDING AND LANDS.

- 5) Received a memo from City Engineer Larry Griffith reporting that all improvements have been completed and maintenance bonds posted for Stone Creek Estates Subdivision No. 3; and reporting that all work has been completed, except for the pavement, and a performance bond has been provided for the Villas of Stone Creek Estates Subdivision No. 2. President Arndt: Just for information to Council, this item number five tonight, is referenced under Old Business.

- 6) Received the Certificate of Estimated Property Tax Revenue as requested through Resolution No. 1026-2005 relating to the proposed street levy.

- 7) Received the Certificate of Estimated Property Tax Revenue as requested through Resolution No. 1027-2005 relating to the proposed fire levy.

- 8) Received a letter from Patricia Cano, Executive Director of the Lorain County Visitors Bureau explaining the LCVP Partnership Program so that small businesses and non-profit organizations can ban together to unleash a coordinated marketing program for Lorain County.

- 9) Received a letter from Attorney Sheldon Berns requesting the opportunity to speak to Council in regard to rezoning 48.8 acres of land on the north side of Center Ridge Road, west of Dyke Avenue to RS-1.

President Arndt: THE CHAIR REFERRED THIS TO THE BUILDINGS AND LANDS.

NEW BUSINESS:

President Arndt: Under new business, if our clerk will read our first petition?

Clerk of Council Norris:

Petition requesting to vacate a portion of Elizabeth Lane between Permanent Parcel No. 07-00-036-000-001 and the right-of-way of Calista Drive

President Arndt: THE CHAIR REFERS THIS PETITION TO BUILDINGS AND LANDS AND THE PLANNING COMMISSION.

Clerk of Council Norris:

Request for D5 liquor permit transfer from Jorge Serrat, DBA McNamaras, 33135-45 Center Ridge Road to Jason Hirz, DBA Bullfrogs Sports Cafe, same address

President Arndt: The Chair, at this point, chooses to ask Council if they have any objections to granting a permit at this location.

moved by Arndt, seconded by Olesen that we not request a hearing as stated on the

application so that this permit can be sent to the State for its final disposition
President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?
Yes, 7 No, 0

Clerk of Council Norris: Also before Council is a
Request for C1 and C2 liquor permit transfer from Robert V. Harvey, DBA Corner Store, 35365
Center Ridge Road 1st Floor to Messaros Corner Store LLC, same address
President Arndt: The Chair, at this point, chooses to ask Council if they have any objections to
granting a permit at this location.

moved by Arndt, seconded by Jaenke that we not request a hearing as stated on the
application so that this permit can be sent to the State for final disposition
President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?
Yes, 7 No, 0

Clerk of Council Norris: And lastly the Council has before it a
Petition requesting to rezoning a portion of 100 Mills Road from R-1 Residence District to B-1
Neighborhood District and owned by Avenbury, LLC
President Arndt: THE CHAIR REFERS THIS TO BUILDINGS AND LANDS AND THE
PLANNING COMMISSION.

AUDIENCE PARTICIPATION (Lobby):

President Arndt: Any members of our audience tonight, has the opportunity and are invited to
address your City Council. We do request, however, that you fill out the lobby form you can find
in the back of the room. It enables us to contact you personally should there be any need for
additional information. You are welcome and invited to approach the podium that is
immediately to the right of Mrs. Buescher. However, when you approach that podium, please
state your name and your address clearly and please limit your comments to three minutes. The
lobby is now open.

1) Mrs. Betty Van Meter of 36896 Chestnut Ridge Road spoke in regard to the placement of
the question of an income tax increase on the ballot. Noted that the income tax would be
increased from one percent to one and one-half percent. Currently, our City offers a ten percent
forgiveness of the one percent that is owed to North Ridgeville, taking into consideration our
citizens have already paid a city income tax elsewhere. She explained that with the tax increase
of one and one-half percent, the city would raise the forgiveness to 40 percent. Expressed her
concern that once the citizens vote for the one and one-half percent increase, what would
guarantee them that the 40 percent forgiveness would remain in effect. She stated that she is
adamantly against the tax increase and stated that it's time to implement other ways to balance
budgets without continually asking the citizens for more money

President Arndt: Thank you Mrs. Van Meter. Is there anyone else who would like to approach

your City Council?

- 2) Chris Crobaugh of 38460 Otten Road explained his objection to all the parking spaces at City Hall on the south side of the driveway, being marked for Police vehicles only and believes that those parking spaces should be made for the public.

President Arndt: Thank you, Mr. Crobaugh. Is there anyone else who like to address their City Council?

moved by President Arndt, seconded by Young to suspend our By-Laws and forego our recess

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

RECESS: dispensed with.

ORDINANCES AND RESOLUTIONS:

President Arndt: Will the Clerk please begin reading the ordinance and resolution submittals.

• **Ordinances & Resolution Submittals**

Clerk of Council Norris: Ordinance & Resolution Submittals include tonight:

T 20-2005 AN ORDINANCE AMENDING ORDINANCE NO. 4092-2004 WHICH AMENDED 3993-2004, TO CORRECT A TYPOGRAPHICAL ERROR.

moved by President Arndt, seconded by Buescher to give T 20 its first reading tonight

President Arndt: Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

T 21-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE PURPOSE OF CONSTRUCTING A SIDEWALK ON CHESTNUT RIDGE ROAD FROM BAINBRIDGE ROAD TO LEAR NAGLE ROAD, AND TO NEGOTIATE AND ENTER INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR PLANS, SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES FOR SAME, NOT TO EXCEED \$105,000.00.

moved by Young, seconded by Butkowski to suspend By-Laws to give T 21-2005 its first reading

President Arndt: Is there any discussion?

Council Member Olesen: I agree with this. I know the residents are very much in favor of getting sidewalks in that area. I'm not so sure our budget is going to let us do that, but maybe the Mayor can relate to that better than I can.

Mayor Gillock: I would ask that we not adopt this, this evening. We are in the process of doing appropriations and at this point, we are not sure we have the money to do that. We may have to look to a future grant. For right now, we have to wait and see where we are at. I would ask that we only give that its first reading only tonight.

President Arndt: Thank you, Mr. Mayor. Is there any other discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

T 22-2005 AN ORDINANCE FOR MAINTENANCE AND COSTS ASSOCIATED WITH
THE CONSTRUCTION OF A UTILITY CROSSING BELOW THE OHIO
TURNPIKE NORTH OF BAGLEY ROAD.

Mayor Gillock: Mr. President? Would you refer this to Buildings and Lands, please?

President Arndt: SO BE IT REFERRED TO BUILDINGS AND LANDS.

T 23-2005 A RESOLUTION APPROVING AND ACCEPTING PORTIONS OF THE
SANITARY SEWER SYSTEM OF WILDFLOWER CONDOMINIUMS AND
ACQUIRING ACCOMPANYING EASEMENTS FOR PUBLIC USE AND AS
PART OF THE PUBLIC SANITARY SEWER SYSTEM.

moved by Mayor Gillock, seconded by Olesen to suspend By-Laws to give T 23-2005 its
first reading tonight

moved by Arndt, seconded by Swindig to amend section one, by striking out the words
Clerk of Council and inserting the words City Engineer

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: We also have a motion on the floor by Mayor Gillock and seconded by Mr.
Olesen to give T 23 as amended its first reading tonight. Is there any discussion? There being
none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

• **First Readings**

Clerk of Council: The first readings before Council include:

T 9-2005 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH
4104-2005 RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND ENTER INTO A
CONTRACT, FOR A TWELVE-MONTH PERIOD, ACCORDING TO LAW,
AND IN A MANNER PRESCRIBED BY LAW, FOR THE PURCHASE OF
CHEMICALS TO BE USED BY THE FRENCH CREEK WASTEWATER
TREATMENT PLANT.

First Reading

moved by Swindig, seconded by Jaenke to suspend second and third readings

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Swindig, seconded by Jaenke to adopt

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.

All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 9 is adopted and becomes permanent ordinance 4104-2005.

Permanent Ordinance No. 4104-2005

T 12-2005 AN ORDINANCE VACATING A PORTION OF FAIRWAY DRIVE.
First Reading

T 13-2005 AN ORDINANCE VACATING A PORTION OF WEST BREEZEWAY
DRIVE.
First Reading

T 14-2005 AN ORDINANCE AMENDING SECTIONS 880.01 AND 880.03 OF THE
4105-2005 4 CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE,
OHIO, IN ORDER TO INCREASE THE MUNICIPAL INCOME TAX RATE
FROM ONE PERCENT TO ONE AND ONE-HALF PERCENT BEGINNING
JULY 1, 2005, TO PROVIDE FUNDS TO PAY GENERAL MUNICIPAL
OPERATING EXPENSES, COSTS OF CAPITAL IMPROVEMENTS AND
DEBT CHARGES ON SECURITIES AND OTHER OBLIGATIONS OF THE
CITY.

First Reading

moved by Arndt, seconded by Jaenke to amend T 14 to add the emergency. The
reason for that emergency is the immediate preservation of the public health,
safety and welfare of the City and so that this ordinance can be immediately
effective in order to enable the City to timely commence the collection of its
income tax

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.

All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Young to suspend By-Laws tonight to assign a
permanent ordinance number to T 14 prior to adoption

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.

All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: The permanent ordinance number assigned is 4105-2005

moved by Arndt, seconded by Young to postpone ordinance number 4105-2005
until after the receipt of the certificate of the result of election

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.

All those opposed by no. Any abstentions?

Yes, 7 No, 0

Permanent Ordinance No. 4105-2005

T 15-2005 A RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON
1028-2005 THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO
AMEND SECTIONS 880.01 AND 880.03 OF THE CODIFIED ORDINANCES
OF THE CITY OF NORTH RIDGEVILLE, OHIO, IN ORDER TO INCREASE
THE MUNICIPAL INCOME TAX RATE FROM ONE PERCENT TO ONE
AND ONE-HALF PERCENT BEGINNING JULY 1, 2005, TO PROVIDE
FUNDS TO PAY GENERAL MUNICIPAL OPERATING EXPENSES, COSTS
OF CAPITAL IMPROVEMENTS AND DEBT CHARGES ON SECURITIES
AND OTHER OBLIGATIONS OF THE CITY.

First Reading

moved by Arndt, seconded by Jaenke to amend sections two and three of T 15 by
inserting the permanent ordinance number assigned to T 14, which was 4105-
2005

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Butkowski to dispense with the second and third
readings tonight on T 15

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Olesen to add the emergency for the reason that it
necessitates the immediate preservation of the public health, safety and welfare of
the City and for it to be immediately effective to enable the City to commence the
timely collecting of income tax

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Jaenke to adopt tonight T 15 with the emergency

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 15 is adopted with the emergency becoming permanent resolution
1028-2005.

Permanent Resolution No. 1028-2005

T 16-2005 AN ORDINANCE AMENDING SECTION 880.15 OF THE CODIFIED
4106-2005 ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, IN ORDER
TO INCREASE THE CREDIT FOR TAXES PAID TO ANOTHER
MUNICIPALITY.

First Reading

moved by Arndt, seconded by Olesen to dispense with the second and third
readings, tonight, on T 16

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.

All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Jaenke to amend section four of T 16 by inserting the permanent ordinance number 4105-2005

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.

All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Arndt, seconded by Olesen to adopt T 16

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.

All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 16 is adopted becoming permanent ordinance 4106-2005.

Permanent Ordinance No. 4106-2005

T 17-2005 A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF
1029-2005 NORTH RIDGEVILLE THE QUESTION OF THE REPLACEMENT OF A
PORTION OF AN EXISTING 2.0-MILL TAX LEVY FOR THE PURPOSE OF
GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND
REPAIR OF STREETS, ROADS AND BRIDGES IN THE CITY OF NORTH
RIDGEVILLE, OHIO, PURSUANT TO SECTIONS 5705.191 AND 5705.192
OF THE REVISED CODE.

First Reading

moved by Arndt, seconded by Jaenke to dispense with the second and third readings, tonight, on T 17

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.

All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Young, seconded by Swindig to adopt tonight T 17

moved by Arndt, seconded by Young to add the emergency tonight to T 17 so that this can be timely filed with the Board of Elections

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.

All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: In addition, we have a motion on the floor by Mr. Young, seconded by Mr. Swindig to adopt T 17 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 17 is adopted with the emergency and becomes permanent resolution 1029-2005.

Permanent Resolution No. 1029-2005

T 18-2005 A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF
1030-2005 NORTH RIDGEVILLE THE QUESTION OF THE REPLACEMENT OF A
PORTION OF AN EXISTING 2.0-MILL TAX LEVY FOR THE PURPOSE OF

PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES AND BUILDINGS AND SITES THEREFOR AND FOR THE PAYMENT OF PERMANENT, PART-TIME AND VOLUNTEER FIREMEN, PURSUANT TO SECTIONS 5705.191 AND 5705.192 OF THE REVISED CODE.

First Reading

moved by Young, seconded by Olesen to dispense with the second and third readings on T 18

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Young, seconded by Jaenke to adopt T 18

moved by Young, seconded by Jaenke to add the emergency so that this can be timely filed with the Board of Elections

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

President Arndt: We also have a motion on the floor by Mr. Young, seconded by Mr. Jaenke to adopt T 18 with the emergency. Is there any discussion? There being none, all those in favor signify by yes. All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 18 is adopted with the emergency and becomes permanent resolution 1030-2005.

Permanent Resolution No. 1030-2005

T 19-2005 AN ORDINANCE ACCEPTING THE FINAL PLAT OF PHASE 2 OF
PIONEER RIDGE BY DEL-WEBB IN WATERBURY PCD.
First Reading

T 20-2005 AN ORDINANCE AMENDING ORDINANCE NO. 4092-2004 WHICH
4107-2005 AMENDED 3993-2004, TO CORRECT A TYPOGRAPHICAL ERROR.

First Reading

moved by Swindig, seconded by Young to suspend second and third readings, tonight, on T 20

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

moved by Swindig, seconded by Jaenke to adopt T 20

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 20 is adopted and becomes permanent ordinance 4107-2005

Permanent Ordinance No. 4107-2004

T 21-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS

AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW FOR THE PURPOSE OF CONSTRUCTING A SIDEWALK ON CHESTNUT RIDGE ROAD FROM BAINBRIDGE ROAD TO LEAR NAGLE ROAD, AND TO NEGOTIATE AND ENTER INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR PLANS, SPECIFICATIONS, AND CONSTRUCTION PHASE SERVICES FOR SAME, NOT TO EXCEED \$105,000.00.

First Reading

- T 23-2005 A RESOLUTION APPROVING AND ACCEPTING PORTIONS OF THE SANITARY SEWER SYSTEM OF WILDFLOWER CONDOMINIUMS AND ACQUIRING ACCOMPANYING EASEMENTS FOR PUBLIC USE AND AS PART OF THE PUBLIC SANITARY SEWER SYSTEM.

First Reading

- **Second Readings**

President Arndt: There are no second readings. Will the Clerk begin our third readings, please.

- **Third Readings**

- T 4-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF ISLAND POINT
4108-2005 SUBDIVISION FOR RECORDING PURPOSES ONLY.

Third Reading

moved by Buescher, seconded by Jaenke to adopt T 4

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

Clerk of Council Norris: T 4 is adopted becoming permanent ordinance 4108-2005
Permanent Ordinance No. 4108-2005

- T 5-2005 AN ORDINANCE APPROVING THE FINAL PLAT OF SUBDIVISION 8 IN
PHASE IV OF MEADOW LAKES PCD FOR RECORDING PURPOSES
ONLY.

President Arndt: At this point, the Chair would like to bring to the attention of Council, that at the Planning Commission meeting tomorrow, they are coming in with an amendment to this final plat in T 5.

moved by Arndt, seconded by Buescher to postpone T 5 until after the next Planning Commission meeting

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

Yes, 7 No, 0

OLD BUSINESS:

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President Arndt: If it's the decision of Council tonight, both T 81 and T 82 will require a third reading and adoption.

 moved by Olesen, seconded by Jaenke to give tonight T 81 its third reading

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

 Yes, 7 No, 0

Clerk of Council Norris:

T 81-2004 AN ORDINANCE ACCEPTING THE FINAL PLAT OF STONE CREEK

4109-2005 ESTATES SUBDIVISION NO. 3

 Third Reading

 moved by Olesen, seconded by Jaenke to adopt tonight T 81

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

 Yes, 7 No, 0

Clerk of Council Norris: T 81 is adopted and becoming permanent ordinance 4109-2005.
 Permanent Ordinance No. 4109-2005

 moved by Olesen, seconded by Jaenke to give tonight T 82 its third reading

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

 Yes, 7 No, 0

T 82-2004 AN ORDINANCE ACCEPTING THE FINAL PLAT OF VILLAS OF STONE

4110-2005 CREEK ESTATES SUBDIVISION NO. 2

 Third Reading

 moved by Olesen, seconded by Jaenke to adopt tonight T 82

President Arndt: Is there any discussion? There being none, all those in favor signify by yes.
All those opposed by no. Any abstentions?

 Yes, 7 No, 0

Clerk of Council Norris: T 82 is adopted becoming permanent ordinance 4110-2005.
 Permanent Ordinance No. 4110-2005

President Arndt: Is there any other old business to be brought before your Council tonight?
Since there is none, will the Clerk please read our upcoming meeting announcements.

UPCOMING MEETING ANNOUNCEMENTS:

Next Regular Council Meeting Tuesday, February 22, 2005 at 7:30 P.M. in Council Chambers

Public Hearing Monday, March 7, 2005 at 7:10 P.M. to consider the final plat of Pioneer Ridge,
Phase 2 by Del-Webb within Waterbury PCD

Public Hearings Monday, March 7, 2005 beginning at 7:15 P.M. to consider the following:

- 1) AN ORDINANCE VACATING A PORTION OF FAIRWAY DRIVE.

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- 2) AN ORDINANCE VACATING A PORTION OF WEST BREEZEWAY
DRIVE.

President Arndt: Two final comments from the Chair. One, again is to remind everybody that we do have an election tomorrow and encourage everybody to participate. Number two, we have that opportunity to hear our State of the City Address this coming Thursday at seven o'clock. Mayor Gillock will be presenting his State of the City again at the Library. Are there any other announcements by any Member of Council?

Council Member Olesen: On behalf of all the fine folks at the Senior Center, I want to thank everybody who supported them at the spaghetti dinner a week ago. It was a nice turn out and everybody had a good time. Thank you.

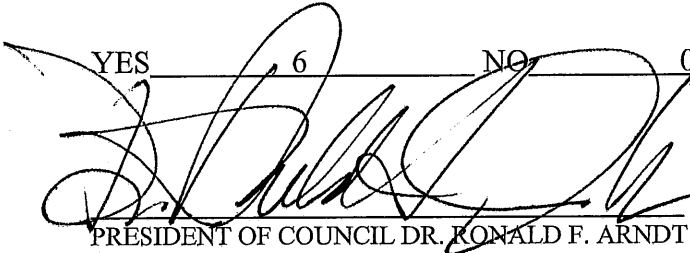
ADJOURN:

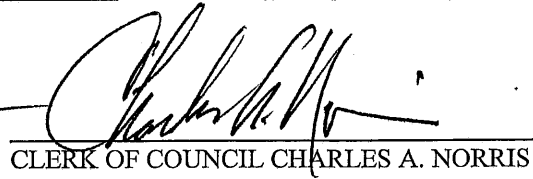
motion to adjourn by Swindig
President Arndt: Meeting adjourned.

Meeting adjourned at 8:22 P.M.

MOTION _____ Olesen _____ 2ND _____ Jaenke _____ DATE _____ February 22, 2005

YES _____ 6 _____ NO _____ 0 _____ ABSTAIN _____ 0 _____


PRESIDENT OF COUNCIL DR. RONALD F. ARNDT


CLERK OF COUNCIL CHARLES A. NORRIS