

**CITY OF WILLOWICK
LAKE COUNTY, OHIO
MINUTES AND PROCEEDINGS OF A REGULAR MEETING COUNCIL**

**TAX BUDGET
HEARING
8:00 P.M.

DATE: July 7, 2009
PLACE: City Hall
TIME: 7:30 p.m.

The thirteenth meeting of Council was called to order by Council President Moran followed by the Pledge of Allegiance to the Flag and Invocation.

PRESENT WERE: Council Members Moran, Patton, Malta, Wells, Vanni, and Hintz.
Absent: Mr. Allan.

ALSO PRESENT: Mayor Richard Bonde, Law Director O'Donnell, Finance Director Benedict, City Engineer Juday, Recreation Director Kless, Police Chief Lazor, Fire Chief Posipanka, Chief Building Inspector and Service Director Dominick and Council Clerk Russo.

Approval of Minutes

Motion by Mr. Malta, seconded by Mr. Hintz, to approve the minutes of Regular Meeting of Council of June 16, 2009. Discussion: None. Vote: Ayes: Moran, Malta, Wells, Vanni, and Hintz. Abstain: Mr. Patton. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to approve the minutes of Special Meeting of Council of June 24, 2009. Discussion: None. Vote: All ayes. Motion carried.

Appointments, Special Resolutions & Proclamations

Special Resolution (Mayor Bonde)	A Special Resolution recognizing the successful completion of 30 years of service to the Willowick Fire Department and extending the appreciation of the Mayor and Council to <i>Chief Robert Posipanka</i> on this occasion.
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Motion by Mr. Malta, seconded by Mr. Patton, to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Special Resolution (Mayor Bonde) A Special Resolution recognizing the successful completion of 30 years of service to the Willowick Fire Department and extending the appreciation of the Mayor and Council to ***Lieutenant Daniel O'Connell*** on this occasion.

Motion by Mr. Wells, seconded by Mr. Patton, to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Special Resolution (Mayor Bonde) A Special Resolution recognizing the successful completion of 30 years of service to the Willowick Fire Department and extending the appreciation of the Mayor and Council to ***Firefighter Leland Yee*** on this occasion.

Motion by Mr. Wells, seconded by Mr. Patton, to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Special Resolution (Mayor Bonde) A Special Resolution recognizing the successful completion of 30 years of service to the Willowick Fire Department and extending the appreciation of the Mayor and Council to ***Firefighter Mark Phillips*** on this occasion.

Motion by Mr. Malta, seconded by Mr. Patton, to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Special Resolution (Mayor Bonde) A Special Resolution recognizing the successful completion of 30 years of service to the Willowick Fire Department and extending the appreciation of the Mayor and Council to ***Inspector Kevin Barney*** on this occasion.

Motion by Mr. Malta, seconded by Mr. Patton, to adopt Special Resolution. Discussion: None. Vote: All ayes. Motion carried.

Administrative Appeals

Administrative Appeal Order No. 2009-11 An Order granting a variance and exception of 24 sq. ft. for a new garage in the application of Section 1337.01(c)(5)(B) of the Codified Ordinances in Board of Zoning Appeals Case 21-277 Oleg and Veronica Shkolnik, 32815 Lakeshore Blvd.

Motion by Mr. Hintz, seconded by Mr. Patton, to grant Administrative Appeal Order No. 2009-11. Discussion: Homeowner was present but had nothing to add. Vote: All ayes. Motion carried.

Administrative Appeal Order No. 2009-12 An Order granting a variance and exception of 576 sq. ft. for a new garage in the application of Section 1337.01(c)(5)(B) of the Codified Ordinances in Board of Zoning Appeals Case 21-278, Jeffery Shultz, 313 E. 320th Street.

Motion by Mr. Vanni, seconded by Mr. Hintz, to grant Administrative Appeal Order No. 2009-12. Discussion: Neighbor Mr. Hipp was present, provided Council with a drawing of his neighbors proposed garage and stated that he received the change of meeting date too late to attend the Board of Zoning Appeals meeting, and there was a notice posted on his door for the change of date. Stated he would like to voice his opinion on the size of the garage Mr. Shultz is proposing but did not get the opportunity. Also stated he filed plans to construct a garage of approximately the same size and was denied a permit to do so. Feels Mr. Shultz should not be permitted to construct a garage of this size either. Mr. Shultz was also present and briefly spoke of the need for the variances. Explained Building Inspector Brennan came to his home and addressed safety concerns regarding a gas meter. Homeowner intends to place cement block around meter to protect it, is willing to move it if necessary and stated Mr. Brennan agreed with this solution. Explained his first concern is to deal with any safety issues and feels he has done so. Mr. Wells stated he feels it is unfair to approve this Administrative Appeal as the neighbors were not properly notified and they should have an opportunity to voice their opinions to the members of the Board of Zoning Appeals. After discussion and the opinion of Law Director O'Donnell, no action will be taken. Mr. Vanni withdraws his motion and Mr. Hintz withdraws his second to the motion. This case is postponed, no action taken this evening. Referred back to the Board of Zoning Appeals for proper neighbor notifications. Ms. Moran requested the Board of Zoning Appeals schedule a special meeting to review this and the following appeal and a special meeting of Council would be scheduled for approval or denial of this and the following Administrative Appeal after they are presented to the BZA. No action taken.

Administrative Appeal Order No. 2009-13 An Order granting a variance and exception of 1' height for a new garage in the application of Section 1337.01(c)(5)(B) of the Codified Ordinances in Board of Zoning Appeals Case 21-278, Jeffery Shultz, 313 E. 320th Street.

Administrative Appeal Order No. 2009-13 is postponed and referred back to the Board of Zoning Appeals. No action taken.

Reports & Communications from the Mayor/Safety Director

Mayor Bonde stated a letter was sent to the residents regarding street resurfacing. Reported the application for Federal Grant for new fire station would be submitted July 10, 2009. The city would begin roadwork on Fairway this week. The city has been negotiating with Republic Waste for an estimate to include the condominiums in the city that could begin next year. Reviewed the upcoming events in the city: Circus is July 29th, Swim event at Manry is August 1, The Water show and 40th anniversary of Manry is August 4th, Family Fun Night and the Welcomefest will be held August 15th, Willowick Day at the Captains is August 29th.

Discussion of Mayor's Report: Mr. Hintz asked how long Fairway would take. Mr. Dominick stated less than 2 weeks.

At this time, Ms. Moran announced the Tax Budget hearing would be taking place.

TAX BUDGET HEARING

8:00 P.M.

Finance Director Benedict stated that the millage request for 2010 is 19.5 mills, representing no change from the current millage being assessed. The total property tax revenue for the city will be \$ 4,888,202. Finance Director Benedict stated she has projected an 8% decrease in property tax valuations. Hearing was opened to the public and there were no comments or objections. The hearing was closed at 8:04 p.m.

General Communications & Reports – Directors & Officials

Service Director Joe Dominick written report submitted. Added one lane would be closed on Fairway in the second phase.

Discussion: Mr. Vanni asked about 326th construction. Mr. Dominick stated they have begun some preconstruction preparation.

Recreation Director Julie Kless submitted written report; added first session of the Learn to swim is ending. Most classes for second session are filled. Tickets for the Circus are on sale now at Manry and the Senior Center.

Discussion: None.

City Engineer Craig Juday reviewed change orders on the agenda this evening, asked for approval of such.

Discussion: Mr. Hintz asked if there were some resolution to the light issue on E. 305th Street. Mr. Juday stated he made an inquiry to the City of Wickliffe but to date has not received a response, discussed city's involvement in the signalization project on E. 305th as well. Mr. Wells asked why there is a need for offsite disposal at the outfall. Mr. Juday responded it is unsuitable to place back in the outfall and it must be disposed of properly. Mr. Wells inquired about the striping program and reiterated several locations that are in need of restriping. Mr. Juday stated he anticipates the work would begin within a week or so, will be meeting with Mr. Dominick for further discussions. Mr. Wells also feels there needs to be more signage on E. 305th and Euclid Avenue regarding turn lanes only. Mr. Hintz and Mayor Bonde agreed with Mr. Wells. Mr. Juday stated the restriping of the street should make things more clear for drivers.

Finance Director Cheryl Benedict no written report, reviewed and explained in detail, motions on the agenda this evening, asked for approval of such, adding if the city should approve the upgrade to the finance department software this evening, the city would receive a substantial licensing discount.

Discussion: Mr. Hintz asked if the city could examine what other cities are using. Finance Director Benedict stated the issue is that the City of Willowick is not as big as other cities in the county, and explained the other issues that would come with changing systems.

Law Director John O'Donnell no written report.

Discussion: None.

Police Chief Michael Lazor –written report submitted,

Discussion: None.

Fire Chief Robert Posipanka – Asst. Chief Joe Rupena present, stated written report submitted

Discussion: Mr. Malta asked for clarification of fire pit and open burning. Asst. Chief Rupena responded it is a self-contained pit a minimum of 25' from any structure. Any questions regarding fire safety can be directed to Fire Marshall Terry Simonian.

Chief Building Inspector Joe Dominick submitted written report, reviewed several invoices received from the City of Wickliffe.

Discussion: Ms. Moran stated she would like the Finance Director and Law Director to review the bills and advise. Mr. Malta reported a crosswalk light is not working at E. 293rd and Lakeshore Blvd. leading to Shoregate Shopping Center.

WARD MATTERS

Mr. Wells stated the city is in need of more recycle bins. Mr. Dominick responded he has noticed the cardboard/paper recycle bins belonging to the Boy Scouts seem to be causing a mess and he has called to order more for delivery. Finance Director Benedict would look into the costs of obtaining more recycle bins for the city.

PUBLIC PARTICIPATION

Mr. Hupp of Legend Trails stated for the record: "The Mayor mentioned the hydrants were going to be painted, is that going to consist of all the condos get painted or not?" Mayor Bonde responded "The question is I don't know, probably, the county's is not going to know which is a condo and which is a single family anyway, so we'll just tell them paint them all." Mr. Hupp stated: "They should be painted if you start to paint all the rest of them." Mayor Bonde responded: "I don't see why they wouldn't paint them all, they are one water system."

Tim Slocum of E. 293rd is complaining about the residence 164 E. 293rd that the city has been out twice to cut the grass, has called the city again to cut, gutters have fallen down, would like to have the house taken down, there are rodents in the back yard. Has called the building department numerous times.

Sam Santagelo E. 293rd also discussed the home located at 164 E. 293rd. Stating he has lived on the street a very long time, and they have been battling this residence for about 45 years. Feels the city turns a deaf ear to this home, added the home has been vacant for a couple years. The building department has taken photos.

Mrs. Jaskawitz of E. 285th Street reported a home on her street that has very high grass, falling gutters and raccoons living in the chimney. Stating the problem is ongoing.

Response:

Mr. Dominick stated he would look into the issues mentioned above. Mayor Bonde stated the city is cutting the grass on E. 285th Street and suggested the city repair the gutters and assess the homeowner's taxes for the repair. Mayor Bonde explained the city has not turned a deaf ear to the home on E. 293rd Street is private property and the city cannot just take a home down. Explained the process the city must follow to cut the grass.

Louise Nida of Arlington Circle commented on dogs running loose in her neighborhood, feels new residents to the city should be notified their dogs need to be leashed and their children should not be permitted to play after 10:00 pm. Added new people moving in should be made aware of the city's rules and regulations.

Reports of Standing Committees

Finance Committee – No report, Committee will meet Thursday, July 30, 2009 at 7:00 pm. Special Meeting of Council scheduled for July 30, 2009 at 6:45 pm provided BZA is able to meet prior. Mr. Patton requested a Streets, Sidewalks and Sewer Committee Meeting that evening at 8:00 pm as well.

Safety Committee – No report.

Service, Utilities & Public Lands Committee – No report.

Streets, Sidewalks & Sewers – No report, Committee will meet Thursday, July 30, 2009 at 8:00 pm.

Tax Compliance Committee – No report, Tax Appeals/Compliance Board met this evening. Committee voted 4-0 to deny case #1, in cases 2 through 6 Committee voted 4-0 to approve.

Moral Claims Committee –No report.

Budget Committee – No report.

Sewer & Storm water Task Force- No report.

Fire Department Development Committee - No report.

City Development Committee - No report.

LIAISON REPORTS

Hearts and Hammers: No report.

Community Energy Awareness Committee next meeting Wednesday, July 15, 2009 at 7:00 pm at City Hall. Guest Speaker will be Executive Director Rick Martin of the Lake County Department of Utilities. There will be guest speakers at the next three meetings. The committee is hosting an Energy Expo Saturday, September 19, 2009 at Manry further information to follow.

FUND TRANSFERS & BID AUTHORIZATIONS

None.

CONTRACT APPROVALS

Motion by Mr. Malta, seconded by Mr. Patton, authorizing the Mayor to enter into a contract with Creative Microsystems, Inc. in the amount of \$29,450. for upgrading the financial and payroll software. Discussion: None. Vote: All ayes. Motion carried.

INTRODUCTION & CONSIDERATION OF LEGISLATION

Ordinance No. 2009-11
(Law Director) An Ordinance repealing the authorization for the Director of Finance to provide for the reimbursement to Condominium Owners Associations those costs associated with the collection of trash, rubbish, and garbage and declaring an emergency.
(4/9/09 vetoed by Mayor Bonde pursuant to Section 4.6 of the Willowick City Charter)

Motion by Mr. Patton, seconded by Mr. Malta to adopt Ordinance No. 2009-11.
Discussion: Council President Moran stated she appreciates everyone's hardwork in working together to save the city \$10,000. Thanked Mr. Hupp for his hardwork and stated she appreciates all that has been done. It was a collaborative effort of the condominium owners and Council to resolve this issue. Vote: All nays. Motion failed.

Some discussion had on concerns of the condominium owners. Mr. Dominick explained pick up of trash and some changes to the Bayridge dumpsters. Ms. Moran stated the city would notify them of changes. Ms. Moran clarified that for the remainder of this year, trash pick up and reimbursements would remain the same. Any changes would begin in 2010. Mr. Hupp thanked the city for recognizing the condominium owners as a part of the city.

Ordinance No. 2009-32
(Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Malta, seconded by Mr. Patton, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Ordinance No. 2009-32.
Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-33 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Hintz, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Ordinance No. 2009-33. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-34 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Hintz, seconded by Mr. Vanni, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Ordinance No. 2009-34. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-35 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Malta, seconded by Mr. Patton, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2009-35. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-36 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Hintz, seconded by Mr. Patton, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Hintz, to adopt Ordinance No. 2009-36. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-37
(Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Vanni, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Hintz, to adopt Ordinance No. 2009-37. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-38
(Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Hintz, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Hintz, to adopt Ordinance No. 2009-38. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-39
(Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Hintz, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2009-39. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-40
(Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Vanni, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2009-40. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-41 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Malta, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2009-41. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-42 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Malta, seconded by Mr. Patton, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Ordinance No. 2009-42. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-43 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Hintz, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Ordinance No. 2009-43. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-44 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Hintz, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Ordinance No. 2009-44. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-45 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Malta, seconded by Mr. Patton, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Malta, to adopt Ordinance No. 2009-45. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-46 (Finance Director) An Ordinance directing the Director of Finance to certify delinquent accounts to the Lake County Auditor and Lake County Treasurer for collection as property tax and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Vanni, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Patton, to adopt Ordinance No. 2009-46. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-47 An Ordinance approving the editing and inclusion of certain ordinances as parts of the various component codes of the codified ordinances; approving, adopting and enacting new matters in the updated and revised codified ordinances; and repealing ordinances and resolutions in conflict therewith.

Motion by Mr. Vanni, seconded by Mr. Hintz, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, to adopt Ordinance No. 2009-47. Discussion: None. Vote: All ayes. Motion carried.

Ordinance No. 2009-48 (Law Director) An Ordinance amending Section 509.09(b) of the Codified Ordinances of the City of Willowick, and declaring an emergency.

Motion by Mr. Vanni, seconded by Mr. Patton, to waive the three-day rule. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Malta, seconded by Mr. Patton, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Malta, to adopt Ordinance No. 2009-47. Discussion: None. Vote: All ayes. Motion carried.

Resolution No. 2009-9
(Finance Director)

A Resolution adopting the tax budget for the fiscal year beginning January 1, 2010 and declaring an emergency.

Motion by Mr. Patton, seconded by Mr. Vanni, to waive the rules requiring three separate readings. Discussion: None. Vote: All ayes. Motion carried.

Motion by Mr. Patton, seconded by Mr. Vanni, to adopt Resolution No. 2009-9. Discussion: None. Vote: All ayes. Motion carried.

MISCELLANEOUS

Motion authorizing the release of the remaining retainage in the amount of \$17,928.96 to DiGioia-Suburban Excavating relative to the Shoreland Crossings Subdivision. Remains postponed at this time. No action taken.

Motion by Mr. Vanni, seconded by Mr. Malta, to approve a change order to Trax Construction Co., Inc. in the amount of \$32,762.00 for offsite disposal of unsuitable materials obtained during excavation for the outfall pipe. Discussion: Mr. Wells asked if the city obtained bids. Mr. Juday explained there were 4 options presented; the contractor working on the outfall is responsible for disposal of the material. 2 of the options were for offsite disposal, 2 were for keeping the material onsite. Mr. Juday explained after considerable effort to make the slope stable, all agreed it was not wise to place the material back into the slope and risk the possibility of making it weak. Reminded Council that the goal is for the County to reimburse the city for the outfall work done. Ms. Moran inquired as to a rough estimate of costs, Mr. Juday responded he believed it was near \$600,000 but could not say. Finance Director Benedict added the notes are coming due in September and she has not seen an agreement from the County Engineer regarding their contribution to the note. Law Director O'Donnell asked how much longer Trax Construction would need to complete the project, Mr. Juday responded his estimate would be approximately 3 weeks and they would begin the site restoration to the private property. Stressed the agreement with the County was a final amount before they would commit to a final reimbursement. Vote: All ayes. Motion carried.

Motion by Mr. Vanni, seconded by Mr. Patton, to approve a change order to the Shelly Company in the amount of \$35,000.00 for replacement of additional drive aprons and associated curb for the 2009 Pavement Repair Project. Discussion: None. Vote: All ayes. Motion carried

PUBLIC PARTICIPATION

None.

Motion by Mr. Vanni, seconded by Mr. Patton to vacate the Regular Meeting of Council of Tuesday, August 4, 2009 and replace with Regular Meeting of Council of Tuesday, August 18, 2009. Discussion: None. Vote: Ayes: Wells, Hintz, Moran, Vanni, Patton. Nays: Mr. Malta. Motion carried.

ADJOURNMENT

Motion by Mr. Hintz, seconded by Mr. Patton, to adjourn. Discussion: None. Vote: All ayes. Motion carried. Meeting adjourned at 9:00 pm.

ATTEST: _____
CLERK OF COUNCIL

PRESIDENT OF COUNCIL