

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD JULY 29, 2008

Mayor Evans called the meeting to order at 7:30 p.m. Present were Council Members Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, and Rutherford (7). Also present were John Alexander City Administrator, Matthew Beredo Law Director, and David Creps Clerk of Council.

Mr. Lawless moved to approve the minutes from the previous meeting and to dispense with their reading. Ms. Ermie requested that in the portion of the minutes regarding the Charter Review Commission, specifically that section regarding the Mayoral vacancy, that it be noted that actions taken during the last Mayoral vacancy were appropriate. The minutes from the previous meeting, noting that addition were seconded by Mr. Kevern. Ayes: (7) Nays: (0)

SPECIAL REPORTS

None

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

Christine Best of Perrysburg Main Street, Inc. asked Council to approve Ordinance 129-2008 which is authorization for a \$4,000 grant to the Main Street Program.

ADMINISTRATIVE REPORTS

Mayor's Report:

No report

City Administrator:

John Alexander pointed out a template error on Ordinance 132, from a couple of years ago needing to correct language pertaining to eligibility for vacation. That has been corrected and is on tonight's agenda for approval. Also, Ordinance 133 required correcting due to a template error. There was an incorrect number causing an error in calculating employee wage ranges. This also is on tonight's agenda for approval.

Finance Director:

No report.

Director of Law:

No report

President of Council:

Mr. Lawless introduced **ORDINANCE 134-08**, and noted that there were some questions regarding the issue of Mayoral Vacancy and asked Kim Klewer if he had any statements pertaining to this. Mr. Klewer did not. Mr. McCarthy felt the Ordinance to present the Charter Review Commission's recommendations looked

fine. Tonight is just the first reading. It was agreed to further discuss the Mayoral vacancy issue to determine whether or not to change it as it currently stands in the Charter.

Ms. Ernie questioned whether the Commission had discussed the relationship between City Council and the Library Board,

Mr. John Orser, 125 E. Front Street, read about the Commission not taking action for the Mayoral vacancy issue. He was surprised the Commission recommended the Council take no action regarding the Mayoral Vacancy section. He felt it is an explosive issue ready to go off as any mayor who is outgoing has the power to purge any President of Council simply by resigning before their term is up. This could all be very easily dealt with if the Charter was simply amended to say that if the office becomes vacant in the last year of the Mayor' term, between the filing deadline and the end of his term, then the President of Council becomes the acting Mayor and remains holding his Council seat. Then the new Mayor would be sworn later in the year. He suggested that this would cover all of the potential concerns and abuses. Mr. Klewer stated the Commission did not recommend taking no action, but voted 4-3 to take this to Council. Mr. McCarthy inquired how the Commission came to the decision not to reword. Mr. Klewer stated all ideas became very complicated. The 4-3 vote was that this was not a Charter issue but to be addressed by Council. Mr. McCarthy noted minutes indicated that thought in the same vein as Mr. Orser. Mr. Orser felt his suggestion was extremely simple. Mr. Klewer noted all scenarios were discussed. Mr. Macking raised several issues of concern regarding various scenarios involving the Mayor also serving on Council at the same time. Council then discussed at some length, the advantages and disadvantages of the different scenarios. Mr. Alexander was asked to draft language reflecting the proposed change to allow the President of Council to serve as acting Mayor. Mr. Alexander reminded Council that the ordinance must be passed at the August 19 Council meeting. Mr. Lawless asked Mr. Klewer to get the Charter Review Commission together another time to work on this topic further. Mr. Alexander noted that the Charter Review Commission has fulfilled their obligation and this is now Council's job to draft this language.

After discussion, it was moved to separate the Mayoral Vacancy issue not reworked in the Charter Amendments referred to in Ordinance 134-08. This issue will be presented separately after further research and discussion.

At this time, Mr. Lawless introduced **ORDINANCE 134-08, "PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF PERRYSBURG, OHIO CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF PERRYSBURG, OHIO AND TO DECLARE AN EMERGENCY."** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 134-08 by number and title only.

Ms. Ernie inquired about the relationship of the City with library, and why the library needs to have approval from City to put a levy on ballot even though the City does not have the ability to change anything that is requested. She compared this requirement to a "rubber stamp" and asked why the library needs to go through the City. Mr. Klewer noted the Charter Review Commission discussed the issue of having an elected official on the library board appointed from Council. After discussion, it was decided that Council already has the ability to appoint an elected official to the Library Board, and ultimately, this was not a Charter issue, but more of a policy decision. Ms. Ernie would like to add that for later discussion. Mr. Lawless pointed out that the library was discussed in the

Charter Review Commission minutes. Mr. Alexander stated the ORC requires political jurisdiction to approve Library actions. He will look into this further.

Ms. Ermie also inquired why primaries were not decided to be in August, regular election time. Mr. Klewer noted that the Commission debated the August versus September date and talked about vacation times and primary turn out and concluded the current primary date was sufficient.

COMMITTEE REPORTS:

Finance Committee

Mr. Mackin reviewed minutes from meeting held on July 8. This report is attached and made a part of the minutes. He stated that the Committee continued to review the IT Department recommendations, particularly those of offsite storage.

Mr. Mackin introduced **ORDINANCE 117-08 “PROVIDING FOR THE ISSUANCE AND SALE OF \$2,703,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING THE CITY’S SEWERAGE SYSTEM BY CONSTRUCTING STORM SEWERS AND RECONSTRUCTING SANITARY SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.”** and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Kevern. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0) The Clerk read Ordinance No. 117-2008 by number and title only. Mr. Mackin moved that Ordinance No. 117-2008 be passed as an emergency measure, with an administrative change, inserting the interest rate of 2.125%. Seconded by Mr. Kevern. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 123-08 “AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO LEASE AGREEMENT WITH SCOTT BUKER FOR THE PROPERTY LOCATED AT 221 WEST INDIANA AVENUE (UPPER) AND TO DECLARE AN EMERGENCY.”** and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Kevern. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 123-2008 by number and title only. Mr. Mackin moved that Ordinance No. 123-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 124-08 “AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO LEASE AGREEMENT WITH THOMAS LEYLAND FOR THE PROPERTY LOCATED AT 213 WEST INDIANA AVENUE, AND TO DECLARE AN EMERGENCY.”** and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Kevern. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 124-2008 by number and title only. Mr. Mackin moved that Ordinance No. 124-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 125-08 “AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO LEASE AGREEMENT WITH JOHN MAYS, SR. FOR THE PROPERTY LOCATED AT 112 WATER STREET, AND TO DECLARE AN EMERGENCY.”** and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Kevern. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 125-2008 by number and title only. Mr. Mackin moved that Ordinance No. 125-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 126-08 “AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO LEASE AGREEMENT WITH DALE ANN PRYOR AND LINDA GALLAGHER FOR THE PROPERTY LOCATED AT 221 WEST INDIANA AVENUE (LOWER FRONT), AND TO DECLARE AN EMERGENCY.”** and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Kevern. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 126-2008 by number and title only. Mr. Mackin moved that Ordinance No. 126-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 127-08 “AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO LEASE AGREEMENT WITH REBECCA KNAUSS FOR THE PROPERTY LOCATED AT 221 WEST INDIANA AVENUE (LOWER REAR), AND TO DECLARE AN EMERGENCY.”** and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Kevern. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 127-2008 by number and title only. Mr. Mackin moved that Ordinance No. 127-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 128-08 “AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO LEASE AGREEMENT WITH CASSIE ECKEL FOR THE PROPERTY LOCATED AT 130 WEST INDIANA AVENUE (UPPER APARTMENT), AND TO DECLARE AN EMERGENCY.”** and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Kevern. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 128-2008 by number and title only. Mr. Mackin moved that Ordinance No. 128-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Next Finance Committee meeting is August 12 at 6:00 p.m. (note time change).

Economic Development Committee

Mr. Kevern reviewed minutes from meeting held on July 8. This report is attached and made a part of the minutes.

Mr. Kevern then introduced **ORDINANCE 129-2008** , “**AUTHORIZING A CONTRIBUTION TO PERRYSBURG MAIN STREET, INC. IN THE AMOUNT OF FOUR THOUSAND DOLLARS (\$4,000.00) AND TO DECLARE AN EMERGENCY.**” and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Lawless. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 129-2008 by number and title only. Mr. Kevern moved that Ordinance No. 129-2008 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7) Nays: (0).

Next Economic Development Committee meeting scheduled for Monday, August 5 at 6:00 p.m.

Service-Safety Committee

Mr. Olmstead reviewed minutes from meeting held on July 18. This report is attached and made a part of the minutes.

Mr. Olmstead then introduced **ORDINANCE 121-2008** “**AUTHORIZING THE ADMINISTRATOR TO ADVERTISE FOR BIDS FOR THE PURCHASE OF WINTER DEICING SALT TO BE USED DURING THE WINTER SEASON OF 2008-2009, AND TO DECLARE AN EMERGENCY.**” and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Lawless Ayes: (7) Nays: (0) The Clerk read Ordinance No. 121-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 121-2008 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7) Nays: (0).

Mr. Olmstead then introduced **ORDINANCE 122-2008** “**AUTHORIZING THE CITY ADMINISTRATOR TO ADVERTISE FOR BIDS FOR ROOF REPAIRS TO THE SENIOR CENTER AND FIRE STATION AND TO DECLARE AN EMERGENCY.**” and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Lawless Ayes: (7) Nays: (0) The Clerk read Ordinance No. 122-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 122-2008 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7) Nays: (0).

Mr. Olmstead then introduced **ORDINANCE 135-2008** “**REJECTING BID AND AUTHORIZING REBIDDING FOR THE ECKEL JUNCTION ROAD/STATE ROUTE 199 AND ECKEL JUNCTION ROAD/FORT MEIGS ROAD INTERSECTION IMPROVEMENT PROJECTS AND TO DECLARE AN EMERGENCY.**” and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Lawless Ayes: (7) Nays: (0) The Clerk read Ordinance No. 135-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 135-2008 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7) Nays: (0).

Mr. Olmstead then introduced **ORDINANCE 136-2008** “**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPLY FOR THE TRANSPORTATION IMPROVEMENT PROGRAM ENHANCEMENT GRANTS AND TO DECLARE AN EMERGENCY.**” and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Lawless Ayes: (7) Nays: (0) The Clerk read Ordinance No. 136-2008 by number and title only. Mr.

Olmstead moved that Ordinance No. 136-2008 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7) Nays: (0).

Next Safety and Service Meeting August 6, at 5:30 p.m.

Recreation Committee

Mr. Lawless reviewed minutes from meeting held on July 18. This report is attached and made a part of the minutes.

Next Recreation Committee meeting is August 18 at 5:30 pm

Planning and Zoning Committee

Mr. McCarthy reviewed the minutes from the Planning and Zoning meeting held on July 23. He noted that the Andersons withdrew their appeal to rebuild their garage that was previously denied by the Historic Landmarks Commission. He also stated that the Comprehensive Planning Commission review has met twice to review the strategies presented by the Commission. The next meeting to discuss the Comprehensive Plan is August 7 at 5:30 and all are welcome to attend. The goal is to have the Comprehensive Plan ready to bring to Council at the August 19 meeting.

Mr. McCarthy again spoke of the Charter item regarding Mayoral Vacancy. This discussion again raised many complications in the various scenarios that this issue presents. It was agreed that this will be looked at further in hopes of including any potential changes in the next election.

Next Planning and Zoning Committee meeting is August 20 at 5:00 p.m.

Personnel Committee

Ms. Ermie reviewed minutes from meeting held on July 22. This report is attached and made a part of the minutes.

Mr. Creps noted some typographical errors on Ordinance No. 132-08 on the agenda for approval tonight that will be corrected on the signed Ordinance.

Ms. Ermie then introduced **ORDINANCE 132-2008 “AMENDING SECTION 266.08 (VACATION ELIGIBILITY) OF THE CODIFIED ORDINANCES OF PERRYSBURG.”** and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Mackin Ayes: (7) Nays: (0) The Clerk read Ordinance No. 132-2008 by number and title only. Ms. Ermie moved that Ordinance No. 132-2008 be passed. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Ms. Ermie then introduced **ORDINANCE 133-2008 “AMENDING SECTION 266.15-2 (WAGE RANGES FOR EXECUTIVE STAFF, SENIOR ADMINISTRATIVE STAFF AND ADMINISTRATIVE STAFF) OF THE CODIFIED ORDINANCES OF PERRYSBURG – PROSECUTOR SALARY RANGE.”** and moved that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. Mackin Ayes: (7) Nays: (0) The Clerk read Ordinance No. 133-2008 by number and title only. Ms. Ermie moved that

Ordinance No. 133-2008 be passed. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Next Personnel Committee Meeting is August 26 at 5:00 p.m.

Health, Sanitation and Public Utilities

Mr. Rutherford reviewed minutes from meeting held on July 22. This report is attached and made a part of the minutes.

Mr. Rutherford moved to grant a credit in the amount of \$2,288.10 to Toledo Cast Tooling, Inc., 12441 Grogan Drive. Ms. Ernie seconded. Ayes: (7) Nays: (0)

Mr. Rutherford welcomed residents in the audience from Southwood Subdivision near Eckel Junction and I-475 who were present at the HSPU meeting on July 22 informing the Committee of all of the water and sewer problems they have been having. At that meeting Three Meadows residents were also present sharing their bad experiences with flooded basements with both storm water and sewage. Mr. Rutherford assured the residents that the City is checking the main lines as well as the private lines to get to the bottom of these issues. Mr. Mackin noted that this problem is not in the long term budget. Mr. Alexander said there are some critical infrastructure issues that need to be incorporated in the plan. The City needs to identify the problem as obviously something has changed in the last few years. Mr. Rutherford told the residents that the monies are not in this fiscal year's budget but they are working to come up with solutions as soon as possible. He told the residents in Southwood Subdivision that depending what the problems are, they might not be able to fix them with a pipe in a pipe fix. This may involve some extensive digging. Ms. Ernie felt this would be an appropriate example to modify the budget.

Mr. Lawless inquired where the water is coming from referred to in Ordinance 113-2008 and Ordinance 114-2008. Mr. Eckel explained that the water is being provided by the City of Perrysburg, and the Northwest Water and Sewer District is installing the lines.

William Barber from Northwest Water and Sewer spoke on behalf of Ordinance 114-2008. This is to facilitate a problem dating back two years ago. The plan is to make this a job-ready site to make available for larger industrial customers. This site is 460 acres zoned industrial. The project is moving along. The design is about 90% complete. Final design should be out soon. He estimated some time in August the sewer project design should be complete and ready to go for bids. Mr. Barber stated the construction will start December 2008 and completion December 2009.

Mr. Eckel had told Mr. Barber that administration felt it was important to participate in this project. The City received the proposal one year ago. The District asked Perrysburg and other entities to participate in the water line. This will protect our service areas. After review this will be in Perrysburg's best interest to develop out to I-75-S to install that water line. At the same time, we felt it would be best to have the sewer line installed to open that area up for development.

Mr. Rutherford introduced **ORDINANCE 113-2008 "AUTHORIZING AN ADDITIONAL STREET LIGHT AT THE ENTRANCE TO**

WATERSTONE LANDING ON ROACHTON ROAD BETWEEN APEX LANE AND BROAD AVENUE.” and that the rules be suspended to allow for its reading by number and title only, and to dispense with the third reading. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 113-2008 by number and title only. Mr. Rutherford moved that Ordinance No. 113-2008 be passed. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 114-2008 “AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH POGGEMEYER DESIGN GROUP FOR PROFESSIONAL ENGINEERING SERVICES FOR THE CONSTRUCTION OF AN EIGHTEEN INCH SANITARY SEWER LINE ALONG FIVE POINT ROAD BETWEEN STATE ROUTE 25 AND INTERSTATE 75 AT A COST NOT TO EXCEED \$75,000.00.”** and that the rules be suspended to allow for its reading by number and title only, and to dispense with the third reading. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 114-2008 by number and title only. Mr. Rutherford moved that Ordinance No. 114-2008 be passed. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 118-2008 “LEVYING SPECIAL ASSESSMENTS FOR THE SEPARATION OF COMBINED SEWERS WITHIN CHERRY STREET SEWER SEPARATION DISTRICT 205.”** and that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 118-2008 by number and title only. Mr. Rutherford moved that Ordinance No. 118-2008 be passed. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 119-2008 “AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO MAKE APPLICATION FOR A STATE ISSUE 1 GRANT AND TO DECLARE AN EMERGENCY.”** and that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 119-2008 by number and title only. Mr. Rutherford moved that Ordinance No. 119-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 130-2008 “GRANTING TEMPORARY EASEMENT TO THE NORTHWEST WATER AND SEWER DISTRICT FOR UTILITY CONSTRUCTION OF NEW SANITARY SEWAGE FORCE MAIN ADJACENT TO THE CITY OF PERRYSBURG STREET DIVISION COMPLEX AND TO DECLARE AN EMERGENCY.”** and that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 130-2008 by number and title only. Mr. Rutherford moved that Ordinance No. 130-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 131-2008 “AUTHORIZING THE EXTENSION OF MUNICIPAL SERVICES (WATER ONLY) TO THE ISLAMIC CENTER OF GREATER TOLEDO, 25877 SCHEIDER ROAD AND TO DECLARE AN EMERGENCY.”** and that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0) The Clerk read Ordinance No. 131-2008 by number and title only. Mr. Rutherford moved

that Ordinance No. 131-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Due to Mr. Rutherford's working relationship with Blessed John XXIII, Mr. Kevern introduced **ORDINANCE 120-2008 "ACCEPTING A WATERLINE EASEMENT FOR THE BLESSED JOHN XXIII PARISH PROPERTY LOCATED ON STATE ROUTE 25 AND TO DECLARE AN EMERGENCY."** and that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Mr. McCarthy. Ayes: (6) Abstention: Rutherford (1) Nays: (0) The Clerk read Ordinance No. 120-2008 by number and title only. Mr. Kevern moved that Ordinance No. 120-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Abstention: Rutherford (1) Nays: (0).

Mr. Mackin inquired how the City recuperates funds in situations such as Ordinance 131-08. Mr. Alexander stated that we want protect our water & sewer service area as we grow in that direction.

Next HSPU Meeting August 26 at 6:00 p.m.

OTHER BUSINESS

Ms. Ermie thanked administration for identifying the many emergency Ordinances tonight.

ADJOURNMENT

Mr. Lawless moved the meeting be adjourned at 8:58 p.m. Mr. McCarthy seconded the motion. Ayes: (7) Nays: (0).

David D. Creps, Clerk

Nelson D. Evans, Mayor