1435 Oakwood

COUNCIL MEETING MINUTES

September 2, 2003

8:00 PM

Present:

Council Members:

Mayor:

City Manager: City Law Director: Finance Director:

Recorder: Staff:

Staff: Others: Absent:

1.

Meeting Called To Order

2. Approval Of August 18, 2003 Minutes

3.

Citizens

Communication

4.

Safety & Human Resources Committee Report

5. Finance & Budget Committee Report

6.
Technology &
Communications
Committee Report

Special Events
Committee Report
8.

Council President Read

9. First Read On

Miller, Helberg, Hershberger, DeWit, Williams, Small

Small Bisher Grahn Heath Helmke

> Rohrs, Weitzel, Kleiner Keith Fruchey, Jim Hoops

Sheaffer

President DeWit opened the meeting with the Lord's Prayer

The Council Meeting minutes of August 18, 2003, were approved as presented.

Mrs. Clark repotted the Scenic Byway Route has been changed to 424 through downtown Napoleon.

Chairperson Hershberger reported the Safety & Human Resources Committee met on August 25, 2003, and made the following recommendations: 1) To recommend Council take no action and continue with current practice of: 1) Request citizens to contact the Napoleon Police Department who will give the name of a licensed Nuisance Trapper to trap the feline(s) and take to Animal Shelter or 2) The citizens may trap the feline(s) and take to Animal Shelter.

Chairperson Williams reported the Finance & Budget Committee met on August 25, 2003, and made the following recommendations: 1) To recommend Council Change Investment Policy 12.0 Diversification: No. 2) Obligations of Federal Instrumentality's to 100% and No. 3) Certificates of Deposits to 100%; 2) To recommend no changes to the Annual Review of the Investment Policy and City Investments.

Acting Chairperson Miller stated the Technology & Communications Committee met this evening for review of establishing a Cable TV Commission and recommended the following: 1) To not establish a Commission at this time and revisit this topic in 12 months.

Chairperson DeWit reported the Special Events Committee met this evening regarding the 2003 Fall Festival and made no recommendations.

Council President read by title Resolution No. 81-03 accepting the amounts and rates as determined by the Budget Commission and authorizing the Necessary Tax Levies and Certifying them to the County Auditor for the 2003 Tax Duplicates payable in Year 2004 and Declaring an Emergency.

Motion: Williams

Second: Small

1

Resolution No. 81-03
Accepting The
Amounts And Rates As
Determined By The
Budget Commission
And Authorizing The
Necessary Tax Levies
And Certifying Them To
The County Auditor For
The 2003 Tax
Duplicates Payable In
Year 2004 And
Declaring An
Emergency

To approve on First Read Resolution No. 81-03 accepting the amounts and rates as determined by the Budget Commission and authorizing the Necessary Tax Levies and Certifying them to the County Auditor for the 2003 Tax Duplicates payable in Year 2004 and Declaring an Emergency.

10.

Discussion On
Resolution No. 81-03
Accepting The
Amounts And Rates As
Determined By The
Budget Commission
And Authorizing The
Necessary Tax Levies
And Certifying Them To
The County Auditor For
The 2003 Tax
Duplicates Payable In
Year 2004 And
Declaring An
Emergency

Heath, Finance Director, reported Resolution was to certify the amounts and rates and authorizing tax levies to the County Auditor for the 2003 Tax Duplicates payable in Year 2004.

11.

To Approve On First Read Resolution No. 81-03 Accepting The Amounts And Rates As **Determined By The Budget Commission** And Authorizing The **Necessary Tax Levies** And Certifying Them To **The County Auditor For** The 2003 Tax **Duplicates Payable In** Year 2004 And **Declaring An** Emergency **Approved** Yea-6 Nay-0

Roll call vote to approve on First Read Resolution No. 81-03 accepting the amounts and rates as determined by the Budget Commission and authorizing the Necessary Tax Levies and Certifying them to the County Auditor for the 2003 Tax Duplicates payable in Year 2004 and Declaring an Emergency:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nav-

12.

Council President Read

Council President read by title Resolution No. 82-03 authorizing and directing the Finance Director/Clerk to certify and file Annual Special Assessments of the City of Napoleon, Ohio, with the County Auditor of Henry County for placement and collection on the 2003 Tax Duplicates payable in the Year 2004; And Declaring an Emergency.

13.

First Read On Resolution No. 82-03 **Authorizing And Directing The Finance** Director/Clerk To Certify And File Annual Special Assessments Of The City Of Napoleon, Ohio, With The County Auditor Of **Henry County For Placement And** Collection on The 2003 Tax Duplicates Payable In The Year 2004; And Declaring An **Emergency**

14.

Discussion On Resolution No. 82-03 Authorizing And **Directing The Finance** Director/Clerk To **Certify And File Annual Special Assessments** Of The City Of Napoleon, Ohio, With The County Auditor Of **Henry County For Placement And** Collection on The 2003 **Tax Duplicates Payable** In The Year 2004; And **Declaring An Emergency**

15.

First Read Resolution No. 82-03 Authorizing And Directing The Finance Director/Clerk To Certify And File **Annual Special Assessments Of The** City Of Napoleon, Ohio, With The County **Auditor Of Henry County For Placement** And Collection on The 2003 Tax Duplicates Pavable In The Year 2004; And Declaring An Emergency Approved Yea-6 Nay-0

16.

Motion: Small Second: Hershberger
To approve on First Read Resolution No. 82-03 authorizing and directing the
Finance Director/Clerk to certify and file Annual Special Assessments of the City of
Napoleon, Ohio, with the County Auditor of Henry County for placement and
collection on the 2003 Tax Duplicates payable in the Year 2004; And Declaring an
Emergency.

Heath, Finance Director, passed out Exhibits A which contain special assessments for placement and collection on the 2003 Tax Duplicates.

Roll call vote to approve on First Read Resolution No. 82-03 authorizing and directing the Finance Director/Clerk to certify and file Annual Special Assessments of the City of Napoleon, Ohio, with the County Auditor of Henry County for placement and collection on the 2003 Tax Duplicates payable in the Year 2004; And Declaring an Emergency:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Council President Read

17.

First Read On Resolution No. 83-03 Supporting The Full Time Judgeship For The Napoleon Municipal Court

18.

Discussion On Resolution No. 83-03 Supporting The Full Time Judgeship For The Napoleon Municipal Court

19.

To Suspend The Rule For Resolution no. 83-03 Supporting The Full Time Judgeship For The Napoleon Municipal Court Passed Yea-5 Nay-0

20.

Resolution No. 83-03
Supporting The Full
Time Judgeship For
The Napoleon
Municipal Court
Passed
Yea-6
Nay-0

21.

Council President Read

22.

First Read On
Ordinance No. 84-03
Amending Section
133.07 Of The Codified
Ordinances Of The City
Of Napoleon Ohio To
Include Water
Treatment And
Wastewater Treatment
Department As
Departments Under The
Direction And Control
Of The City Manager

Council President read by title Resolution No. 83-03 supporting the full time Judgeship for the Napoleon Municipal Court.

Motion: Miller Second: Hershberger

To approve on First Read Resolution No. 83-03 supporting the full time Judgeship for the Napoleon Municipal Court.

Grahn, Law Director, reported there would be a change in the benefits as there would be PERS.

Motion: Miller

Second: Hershberger

To suspend the Rule requiring Three Readings for Resolution No. 83-03 supporting the full time Judgeship for the Napoleon Municipal Court.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Small Nay-Williams

Roll call vote on Resolution No. 83-03 supporting the full time Judgeship for the Napoleon Municipal Court under suspension:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Council President read by title Ordinance No. 84-03 amending Section 133.07 of the Codified Ordinances of the City of Napoleon Ohio to include Water Treatment and Wastewater Treatment Department as Departments under the direction and control of the City Manager.

Motion: Miller

Second: Williams

To approve on First Read Ordinance No. 84-03 amending Section 133.07 of the Codified Ordinances of the City of Napoleon Ohio to include Water Treatment and Wastewater Treatment Department as Departments under the direction and control of the City Manager.

23.

Discussion On
Ordinance No. 84-03
Amending Section
133.07 Of The Codified
Ordinances Of The City
Of Napoleon Ohio To
Include Water
Treatment And
Wastewater Treatment
Department As
Departments Under The
Direction And Control
Of The City Manager

Grahn, Law Director, stated this Ordinance was to add the Water Treatment and Wastewater Treatment Department under the control of the City Manager as it was missed.

24.

To Suspend The Rule For Ordinance No. 84-03 Amending Section 133.07 Of The Codified **Ordinances Of The City** Of Napoleon Ohio To Include Water Treatment And Wastewater Treatment Department As **Departments Under The Direction And Control** Of The City Manager Passed Yea-6 Nay-0

25.

Ordinance No. 84-03
Amending Section
133.07 Of The Codified
Ordinances Of The City
Of Napoleon Ohio To
Include Water
Treatment And
Wastewater Treatment
Department As
Departments Under The
Direction And Control
Of The City Manager
Passed
Yea-6
Nay-0

26.

Council President Read

Motion: Hershberger

Second: Helberg

To suspend the Rule requiring Three Readings for Ordinance No. 84-03 amending Section 133.07 of the Codified Ordinances of the City of Napoleon Ohio to include Water Treatment and Wastewater Treatment Department as Departments under the direction and control of the City Manager.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Roll call vote to pass Ordinance No. 84-03 amending Section 133.07 of the Codified Ordinances of the City of Napoleon Ohio to include Water Treatment and Wastewater Treatment Department as Departments under the direction and control of the City Manager under suspension:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Council President read by title Ordinance No. 85-03 providing for the Issuance and Sale of Notes in the maximum principal amount of \$123,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Collector Sewer and providing all necessary and related appurtenances, and Declaring an Emergency.

27.

First Read On Ordinance No. 85-03 **Providing For The** Issuance And Sale Of Notes In The Maximum Principal Amount of \$123,000. In Anticipation Of The Issuance Of Bonds, To Pay The Property Owners' Portion, In Anticipation Of The **Levy And Collection Of** Special Assessments, And The City's Portion Of The Cost Of Improving Public Streets And Easements Between Certain Termini Bv **Constructing The North** Pointe Collector Sewer And Providing All **Necessary And Related** Appurtenances, And Declaring An **Emergency**

Motion: Williams Second: Small

To approve on First Read Ordinance No. 85-03 providing for the Issuance and Sale of Notes in the maximum principal amount of \$123,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Collector Sewer and providing all necessary and related appurtenances, and Declaring an Emergency.

28.

Discussion On First Read On Ordinance No. 85-03 Providing For The Issuance And Sale Of **Notes In The Maximum Principal Amount of** \$123,000. In **Anticipation Of The** Issuance Of Bonds, To **Pay The Property** Owners' Portion, In **Anticipation Of The Levy And Collection Of** Special Assessments, And The City's Portion Of The Cost Of Improving Public **Streets And Easements Between Certain** Termini By **Constructing The North Pointe Collector Sewer And Providing All Necessary And Related** Appurtenances, And Declaring An **Emergency**

Heath, Finance Director, stated the next Five Ordinances are concerning North Pointe and part of the assessment process. These assessments will take place the first of the year. Grahn, Law Director, stated he had talked to Bond Counsel and requested the Emergency Clause be removed as it may be construed to stopping the citizen's right to a referendum due to it taking effect immediately. Grahn stated he is asking for the Emergency Clause to be removed and suspension of the Rules as it takes 30 days to take effect otherwise if the emergency clause is left in and it takes two readings it becomes effective immediately. This would get past the September 15 or 16 date we need but by leaving the emergency clause on you are stopping the citizen's right to a referendum, which is a very serious situation. Mayor Small stated he did not disagree with this but thought it was one way for the citizens to understand and hear what we are doing in open Council session if we go through 3 full reads citizens can state there case as it is the media. Grahn stated you do not want these held up because they have an emergency clause in them. Mayor Small stated he was not asking for the emergency clause to be removed but to go through 2 full Council readings with the emergency clause attached. Grahn stated his recommendation is that it is safer to remove the Emergency Clause. Mayor Small asked if this was the only time it would come before Council? Grahn stated that is correct. Grahn stated this is not the first time it has been before Council and Committee. Heath, Finance Director, stated the City is lacking one day to meet the deadline for issuing and selling of notes if the emergency clause is removed and a 2ndst Reading is taken.

29.

To Amend Ordinance No. 85-03 To Remove The Emergency Clause Passed Yea-6 Nav-0

30.

Suspend The Rule For Ordinance No. 85-03 **Providing For The Issuance And Sale Of** Notes In The Maximum **Principal Amount of** \$123,000. In Anticipation Of The Issuance Of Bonds, To Pay The Property Owners' Portion, In **Anticipation Of The Levy And Collection Of** Special Assessments, And The City's Portion Of The Cost Of **Improving Public Streets And Easements** Between Certain Termini By **Constructing The North Pointe Collector Sewer And Providing All Necessary And Related Appurtenances** Passed Yea-6 Nay-0

31.

Ordinance No. 85-03 **Providing For The** Issuance And Sale Of Notes In The Maximum **Principal Amount of** \$123,000, In **Anticipation Of The** Issuance Of Bonds. To Pay The Property Owners' Portion, In Anticipation Of The Levy And Collection Of Special Assessments, And The City's Portion Of The Cost Of Improving Public Streets And Easements Motion: Helberg Second: Small

To amend Ordinance No. 85-03 to remove the Emergency Clause.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Motion: Hershberger Second: Miller

To suspend the Rule requiring Three Readings for Ordinance No. 85-03 providing for the Issuance and Sale of Notes in the maximum principal amount of \$123,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Collector Sewer and providing all necessary and related appurtenances.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Roll call vote to pass Ordinance No. 85-03 providing for the Issuance and Sale of Notes in the maximum principal amount of \$123,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Collector Sewer and providing all necessary and related appurtenances and under suspension.

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nav-

Between Certain
Termini By
Constructing The North
Pointe Collector Sewer
And Providing All
Necessary And Related
Appurtenances And
Under Suspension
Passed
Yea-6
Nay-0

32.

Council President Read

33.

First Read On Ordinance No. 86-03 **Providing For The** Issuance And Sale Of Notes In The Maximum **Principal Amount Of** \$312,000, In Anticipation Of The Issuance Of **Bonds. To Pay The Property Owners'** Portion, In Anticipation Of The Levy And **Collection Of Special** Assessments, And The City's Portion Of The **Cost Of Improving Public Streets And** Easements Between **Certain Termini By Constructing The North** Pointe East Interceptor Sewer And Providing All **Necessary And Related Appurtenances**

34.

Discussion On
Ordinance No. 86-03
Providing For The
Issuance And Sale Of
Notes In The Maximum
Principal Amount Of
\$312,000, In Anticipation
Of The Issuance Of
Bonds, To Pay The
Property Owners'
Portion, In Anticipation
Of The Levy And

Council President read by title Ordinance No. 86-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$312,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe East Interceptor Sewer and providing all necessary and related appurtenances.

Motion: Hershberger

Second: Miller

To approve on First Read Ordinance No. 86-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$312,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe East Interceptor Sewer and providing all necessary and related appurtenances.

There was no discussion on Ordinance No. 86-03.

Collection Of Special Assessments, And The City's Portion Of The Cost Of Improving Public Streets And Easements Between Certain Termini By Constructing The North Pointe East Interceptor Sewer And Providing All Necessary And Related Appurtenances

35.

To Suspend The Rule For Ordinance No. 86-03 Providing For The **Issuance And Sale Of Notes In The Maximum Principal Amount Of** \$312,000, In Anticipation Of The Issuance Of Bonds, To Pay The **Property Owners'** Portion, In Anticipation Of The Levy And Collection Of Special Assessments, And The City's Portion Of The **Cost Of Improving Public Streets And** Easements Between Certain Termini By **Constructing The North** Pointe East Interceptor Sewer And Providing All Necessary And Related Appurtenances Under Suspension Passed Yea-6 Nay-0

36.

Ordinance No. 86-03
Providing For The
Issuance And Sale Of
Notes In The Maximum
Principal Amount Of
\$312,000, In Anticipation
Of The Issuance Of
Bonds, To Pay The
Property Owners'
Portion, In Anticipation
Of The Levy And
Collection Of Special
Assessments, And The
City's Portion Of The

Motion: Hershberger

Second: Helberg

To suspend the Rule requiring Three Readings for Ordinance No. 86-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$312,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe East Interceptor Sewer and providing all necessary and related appurtenances:

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nav-

Roll call vote to pass Ordinance No. 86-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$312,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe East Interceptor Sewer and providing all necessary and related appurtenances, and under suspension:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Cost Of Improving
Public Streets And
Easements Between
Certain Termini By
Constructing The North
Pointe East Interceptor
Sewer And Providing All
Necessary And Related
Appurtenances And
Under Suspension
Passed
Yea-6
Nay-0

37.

Council President Read

38.

First Read Ordinance No. 87-03 Providing For The Issuance And Sale Of Notes In The Maximum Principal Amount Of \$441,000, In Anticipation Of The Issuance Of Bonds, To Pay The Property Owners' Portion, In **Anticipation Of The Levy And Collection Of** Special Assessments. And The City's Portion Of The Cost Of Improving Public Streets And Easements Between Certain Termini Bv **Constructing The North Pointe Sewer Pump** Station And Force Main And Providing All **Necessary And Related** Appurtenances, And Declaring An **Emergency**

39.

Discussion On Ordinance No. 87-03 Providing For The Issuance And Sale Of Notes In The Maximum Council President read by title Ordinance No. 87-03 providing for the Issuance and Sale of Notes in the maximum Principal Amount of \$441,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Sewer Pump Station and Force Main and providing all necessary and related appurtenances, and Declaring an Emergency.

Motion: Hershberger

Second: Miller

To approve on First Read Ordinance No. 87-03 providing for the Issuance and Sale of Notes in the maximum Principal Amount of \$441,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Sewer Pump Station and Force Main and providing all necessary and related appurtenances, and Declaring an Emergency.

There was no discussion on Ordinance No. 87-03.

Principal Amount Of \$441,000. In **Anticipation Of The** Issuance Of Bonds, To Pay The Property Owners' Portion, In Anticipation Of The **Levy And Collection Of** Special Assessments. And The City's Portion Of The Cost Of Improving Public **Streets And Easements Between Certain** Termini Bv **Constructing The North** Pointe Sewer Pump Station And Force Main **And Providing All Necessary And Related** Appurtenances, And Declaring An Emergency

40.

To Amend Ordinance No. 87-03 To Remove The Emergency Clause Passed Yea-6 Nay-0

41.

To Suspend The Rule For Ordinance No. 87-03 Providing For The Issuance And Sale Of Notes In The Maximum **Principal Amount Of** \$441,000, In **Anticipation Of The** Issuance Of Bonds, To Pay The Property Owners' Portion, In **Anticipation Of The Levy And Collection Of** Special Assessments, And The City's Portion Of The Cost Of Improving Public **Streets And Easements** Between Certain Termini By **Constructing The North Pointe Sewer Pump** Station And Force Main Motion: Williams Second: Miller

To amend Ordinance No. 87-03 to remove the Emergency Clause.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Motion: Miller Second: Williams

To suspend the Rule requiring Three Readings for Ordinance No. 87-03 providing for the Issuance and Sale of Notes in the maximum Principal Amount of \$441,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Sewer Pump Station and Force Main and providing all necessary and related appurtenances.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

And Providing All Necessary And Related Appurtenances Passed Yea-6 Nay-0

42.

Ordinance No. 87-03 **Providing For The** Issuance And Sale Of Notes In The Maximum **Principal Amount Of** \$441,000, In Anticipation Of The Issuance Of Bonds, To Pay The Property Owners' Portion, In Anticipation Of The Levy And Collection Of Special Assessments. And The City's Portion Of The Cost Of Improving Public Streets And Easements **Between Certain** Termini Bv **Constructing The North** Pointe Sewer Pump **Station And Force Main And Providing All Necessary And Related And Under Suspension Passed** Yea-6 Nay-0

Roll call vote to pass Ordinance No. 87-03 providing for the Issuance and Sale of Notes in the maximum Principal Amount of \$441,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Sewer Pump Station and Force Main and providing all necessary and related appurtenances and under suspension:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

43. Council President Read

Council President read by title Ordinance No. 88-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$540,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Water Distribution System and providing all, necessary and related appurtenances, and Declaring an Emergency.

44.
First Read On
Ordinance No. 88-03
Providing For The
Issuance And Sale Of
Notes In The Maximum
Principal Amount Of
\$540,000, In
Anticipation Of The
Issuance Of Bonds, To
Pay The Property
Owners' Portion, In

Motion: Hershberger Second: Miller

To approve on First Read Ordinance No. 88-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$540,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Water Distribution System and providing all, necessary and related appurtenances, and Declaring an Emergency.

Anticipation Of The Levy And Collection Of Special Assessments. And The City's Portion Of The Cost Of Improving Public **Streets And Easements** Between Certain Termini By **Constructing The North Pointe Water Distribution System** And Providing All, **Necessary And Related** Appurtenances, And Declaring An Emergency

45

Discussion On Ordinance No. 88-03 Providing For The **Issuance And Sale Of** Notes In The Maximum **Principal Amount Of** \$540,000, In **Anticipation Of The** Issuance Of Bonds. To Pay The Property Owners' Portion, In **Anticipation Of The Levy And Collection Of** Special Assessments, And The City's Portion Of The Cost Of Improving Public **Streets And Easements** Between Certain Termini By **Constructing The North Pointe Water Distribution System** And Providing All, **Necessary And Related** Appurtenances, And Declaring An **Emergency**

46

To Amend Ordinance No. 88-03 To Remove The Emergency Clause Passed Yea-6 Nay-0

47.

To Suspend The Rule For Ordinance No. 88-

There was no discussion on Ordinance No. 88-03.

Motion: Williams Second: Miller

To amend Ordinance No. 88-03 to remove the Emergency Clause.

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small

Nay-

Motion: Helberg Second: Miller

To suspend the Rules requiring Three Readings for Ordinance No. 88-03 providing

03 Providing For The Issuance And Sale Of Notes In The Maximum Principal Amount Of \$540,000. In Anticipation Of The Issuance Of Bonds, To Pay The Property Owners' Portion, In **Anticipation Of The Levy And Collection Of** Special Assessments, And The City's Portion Of The Cost Of Improving Public Streets And Easements Between Certain Termini By **Constructing The North Pointe Water Distribution System** And Providing All, **Necessary And Related Appurtenances** Passed Yea-6 Nay-0

48. Ordinance No. 88-03 **Providing For The** Issuance And Sale Of **Notes In The Maximum Principal Amount Of** \$540,000, In **Anticipation Of The** Issuance Of Bonds. To Pay The Property Owners' Portion, In **Anticipation Of The Levy And Collection Of** Special Assessments, And The City's Portion Of The Cost Of Improving Public **Streets And Easements** Between Certain Termini Bv **Constructing The North Pointe Water Distribution System** And Providing All, **Necessary And Related** Appurtenances, And **Under Suspension** Passed

Yea-6

for the Issuance and Sale of Notes in the maximum Principal amount of \$540,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Water Distribution System and providing all. necessary and related appurtenances:

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Roll call vote to pass Ordinance No. 88-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$540,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion, in anticipation of the Levy and Collection of Special Assessments, and the City's portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe Water Distribution System and providing all, necessary and related appurtenances and under suspension:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Nay-0

49.

Council President Read

Council President read by title Ordinance No. 89-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$456,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion in anticipation of the Levy and collection of Special Assessments, and the City's Portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe West Intercept for Sewer and providing all necessary and related appurtenances, and Declaring an Emergency.

50.

First Read On Ordinance No. 89-03 **Providing For The** Issuance And Sale Of Notes In The Maximum Principal Amount Of \$456,000, In **Anticipation Of The** Issuance Of Bonds, To Pay The Property Owners' Portion In Anticipation Of The Levy And Collection Of Special Assessments. And The City's Portion Of The Cost Of **Improving Public Streets And Easements** Between Certain Termini By **Constructing The North** Pointe West Intercept For Sewer And Providing All **Necessary And Related** Appurtenances, And **Declaring An Emergency**

Motion: Williams

Second: Hershberger

To approve on First Read Ordinance No. 89-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$456,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion in anticipation of the Levy and collection of Special Assessments, and the City's Portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe West Intercept for Sewer and providing all necessary and related appurtenances, and Declaring an Emergency.

Discussion On
Ordinance No. 89-03
Providing For The
Issuance And Sale Of
Notes In The Maximum
Principal Amount Of
\$456,000, In
Anticipation Of The
Issuance Of Bonds, To
Pay The Property
Owners' Portion In
Anticipation Of The
Levy And Collection Of
Special Assessments,
And The City's Portion

51.

There was no discussion on Ordinance No. 89-03.

Of The Cost Of Improving Public Streets And Easements Between Certain Termini By Constructing The North Pointe West Intercept For Sewer And Providing All Necessary And Related Appurtenances, And Declaring An Emergency

52

To Amend Ordinance No. 89-03 To Remove The Emergency Clause Passed Yea-6 Nay-0

53.

To Suspend The Rule For Ordinance No. 89-03 Providing For The Issuance And Sale Of Notes In The Maximum **Principal Amount Of** \$456,000. In **Anticipation Of The** Issuance Of Bonds, To Pay The Property Owners' Portion In Anticipation Of The **Levy And Collection Of** Special Assessments, And The City's Portion Of The Cost Of Improving Public **Streets And Easements Between Certain** Termini By Constructing The North Pointe West Intercept For Sewer And **Providing All Necessary And Related Appurtenances** Passed Yea-6 Nay-0

54.

Ordinance No. 89-03 Providing For The Issuance And Sale Of Motion: Hershberger Second: Williams
To amend Ordinance No. 89-03 to remove the Emergency Clause.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nav

Motion: Small

Second: Williams

To suspend the Rules requiring Three Readings for Ordinance No. 89-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$456,000, in anticipation of the Issuance of Bonds, to pay the Property Owners' portion in anticipation of the Levy and collection of Special Assessments, and the City's Portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe West Intercept for Sewer and providing all necessary and related appurtenances.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay

Roll call vote to pass Ordinance No. 89-03 providing for the Issuance and Sale of Notes in the maximum Principal amount of \$456,000, in anticipation of the Issuance

Notes In The Maximum Principal Amount Of \$456,000, In **Anticipation Of The** Issuance Of Bonds. To Pay The Property Owners' Portion In **Anticipation Of The Levy And Collection Of** Special Assessments, And The City's Portion Of The Cost Of Improving Public Streets And Easements Between Certain Termini By Constructing The North **Pointe West Intercept** For Sewer And **Providing All Necessary And Related** Appurtenances And **Under Suspension** Passed Yea-6 Nay-0

of Bonds, to pay the Property Owners' portion in anticipation of the Levy and collection of Special Assessments, and the City's Portion of the cost of improving Public Streets and Easements between certain termini by constructing the North Pointe West Intercept for Sewer and providing all necessary and related appurtenances and under suspension:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small

55. **Council President Read**

56.

First Read On

Council President read by title Ordinance No. 90-03 providing for the Issuance and Sale of Notes in the aggregate principal amount of \$650,000, in anticipation of the Issuance of bonds, for the purpose of paying the costs of constructing and equipping an addition to the City Operations Building to House Street and Electric Utility Operations of the City, together with all necessary appurtenances thereto and Declaring an Emergency

Ordinance No. 90-03 **Providing For The** Issuance And Sale Of **Principal Amount Of** \$650,000. In Anticipation Of The

Notes In The Aggregate Issuance Of Bonds, For The Purpose Of Paying The Costs Of **Constructing And Equipping An Addition** To The City Operations **Building To House** Street And Electric **Utility Operations Of** The City, Together With **All Necessary** Appurtenances Thereto Motion: Hershberger

Second: Small

To approve on First Read Ordinance No. 90-03 providing for the Issuance and Sale of Notes in the aggregate principal amount of \$650,000, in anticipation of the Issuance of bonds, for the purpose of paying the costs of constructing and equipping an addition to the City Operations Building to House Street and Electric Utility Operations of the City, together with all necessary appurtenances thereto and Declaring an Emergency

And Declaring An **Emergency**

57.

Discussion On Ordinance No. 90-03 **Providing For The Issuance And Sale Of Notes In The Aggregate Principal Amount Of** \$650,000, In **Anticipation Of The** Issuance Of Bonds, For The Purpose Of Paving The Costs Of **Constructing And** Equipping An Addition To The City Operations **Building To House** Street And Electric **Utility Operations Of** The City, Together With All Necessary Appurtenances Thereto And Declaring An **Emergency**

Heath, Finance Director, stated this was being paid out of the Kilo Watt hour tax.

58.

To Amend Ordinance No. 90-03 To Remove The Emergency Clause Passed Yea-6 Nay-0

59.

To Suspend The Rule For Ordinance No. 90-03 Providing For The Issuance And Sale Of Notes In The Aggregate **Principal Amount Of** \$650,000. In **Anticipation Of The** Issuance Of Bonds, For The Purpose Of Paying The Costs Of **Constructing And Equipping An Addition** To The City Operations **Building To House** Street And Electric **Utility Operations Of** The City, Together With Motion: Miller

Second: Williams To amend Ordinance No. 90-03 to remove the Emergency Clause.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay

Motion: Williams

Second: Miller

To suspend the Rule requiring Three Readings for Ordinance No. 90-03 providing for the Issuance and Sale of Notes in the aggregate principal amount of \$650,000, in anticipation of the Issuance of bonds, for the purpose of paying the costs of constructing and equipping an addition to the City Operations Building to House Street and Electric Utility Operations of the City, together with all necessary appurtenances thereto.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay

All Necessary Appurtenances Passed Yea-6 Nay-0

60.

Ordinance No. 90-03 **Providing For The Issuance And Sale Of Notes In The Aggregate Principal Amount Of** \$650,000, In **Anticipation Of The** Issuance Of Bonds. For The Purpose Of Paying The Costs Of Constructing And **Equipping An Addition** To The City Operations **Building To House** Street And Electric **Utility Operations Of** The City, Together With All Necessary Appurtenances And **Under Suspension** Passed Yea-6 Nay-0

Roll call vote to pass Ordinance No. 90-03 providing for the Issuance and Sale of Notes in the aggregate principal amount of \$650,000, in anticipation of the Issuance of bonds, for the purpose of paying the costs of constructing and equipping an addition to the City Operations Building to House Street and Electric Utility Operations of the City, together with all necessary appurtenances and under suspension:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay

61. Council President Read

Council President read by title Ordinance No. 91-03 an Ordinance providing for the Issuance and Sale of Notes in the aggregate principal amount of \$1,000,000, in anticipation of the Issuance of bonds, for the purpose of paying the costs of improving the Water Distribution System of the City by constructing a Raw Water Line in cooperation with the City of Wauseon, Ohio and by constructing a water line in Glenwood Avenue, together with all necessary appurtenances thereto, and Declaring an Emergency.

62.

First Read On
Ordinance No. 91-03 An
Ordinance Providing
For The Issuance And
Sale Of Notes In The
Aggregate Principal
Amount Of \$1,000,000,
In Anticipation Of The
Issuance Of Bonds, For
The Purpose Of Paying
The Costs of Improving
The Water Distribution
System Of The City By
Constructing A Raw
Water Line In

Motion: Hershberger Second: Williams

To approve on First Read on Ordinance No. 91-03 an Ordinance providing for the Issuance and Sale of Notes in the aggregate principal amount of \$1,000,000, in anticipation of the Issuance of bonds, for the purpose of paying the costs of improving the Water Distribution System of the City by constructing a Raw Water Line in cooperation with the City of Wauseon, Ohio and by constructing a water line in Glenwood Avenue, together with all necessary appurtenances thereto, and Declaring an Emergency.

Cooperation With The City Of Wauseon, Ohio And By Constructing A Water Line In Glenwood Avenue, Together With All Necessary Appurtenances Thereto, And Declaring An Emergency

Discussion on Ordinance No. 91-03 An **Ordinance Providing** For The Issuance And Sale Of Notes In The Aggregate Principal Amount Of \$1,000,000, In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying The Costs of Improving The Water Distribution System Of The City By Constructing A Raw Water Line In Cooperation With The City Of Wauseon, Ohio And By Constructing A Water Line In Glenwood Avenue, Together With All Necessarv **Appurtenances** Thereto, And Declaring An Emergency

There was no discussion on Ordinance No. 91-03 an Ordinance providing for the

Issuance and Sale of Notes in the aggregate principal amount of \$1,000,000, in

improving the Water Distribution System of the City by constructing a Raw Water Line in cooperation with the City of Wauseon, Ohio and by constructing a water line

anticipation of the Issuance of bonds, for the purpose of paying the costs of

in Glenwood Avenue, together with all necessary appurtenances thereto and

64.

To Amend Ordinance No. 91-03 To Remove The Emergency Clause Passed Yea-6 Nay-0

65.

To Suspend The Rule
Requiring Three
Readings For
Ordinance No. 91-03 An
Ordinance Providing
For The Issuance And
Sale Of Notes In The
Aggregate Principal
Amount Of \$1,000,000,
In Anticipation Of The
Issuance Of Bonds, For
The Purpose Of Paying
The Costs of Improving

Motion: Helberg Second: Miller
To amend Ordinance No. 91-03 to remove the Emergency Clause.

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nav

Motion: Small Second: Miller

Declaring an Emergency.

To suspend the Rule requiring Three Readings for Ordinance No. 91-03 an Ordinance providing for the Issuance and Sale of Notes in the aggregate principal amount of \$1,000,000, in anticipation of the Issuance of bonds, for the purpose of paying the costs of improving the Water Distribution System of the City by constructing a Raw Water Line in cooperation with the City of Wauseon, Ohio and by constructing a water line in Glenwood Avenue, together with all necessary appurtenances thereto.

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay

The Water Distribution
System Of The City By
Constructing A Raw
Water Line In
Cooperation With The
City Of Wauseon, Ohio
And By Constructing A
Water Line In Glenwood
Avenue, Together With
All Necessary
Appurtenances
Passed
Yea-6
Nay-0

66.

Ordinance No. 91-03 An Ordinance Providing For The Issuance And Sale Of Notes In The Aggregate Principal Amount Of \$1,000,000. In Anticipation Of The Issuance Of Bonds, For The Purpose Of Paying The Costs of Improving The Water Distribution System Of The City By Constructing A Raw Water Line In Cooperation With The City Of Wauseon, Ohio And By Constructing A Water Line In Glenwood Avenue, Together With **All Necessary Appurtenances And Under Suspension Passed** Yea-6 Nay-0

67.

Council President Read

68.

First Read On Resolution No. 92-03 Establishing Vendor Fees For The 2003 City Festival; And Declaring An Emergency 69.

Discussion On Resolution No. 92-03 Establishing Vendor Fees For The 2003 City Festival; And Declaring Roll call vote to pass Ordinance No. 91-03 an Ordinance providing for the Issuance and Sale of Notes in the aggregate principal amount of \$1,000,000, in anticipation of the Issuance of bonds, for the purpose of paying the costs of improving the Water Distribution System of the City by constructing a Raw Water Line in cooperation with the City of Wauseon, Ohio and by constructing a water line in Glenwood Avenue, together with all necessary appurtenances and under suspension thereto:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nav

Council President read by title Resolution No. 92-03 establishing Vendor Fees for the 2003 City Festival; And Declaring an Emergency.

Motion: Hershberger Second: Small

To approve on First Read Resolution No. 92-03 establishing Vendor Fees for the 2003 City Festival; and Declaring an Emergency

DeWit, Council President, stated this was to establish a vendor fee for the Fall Festival. Discussion followed in favor to strike the year 2003 and stated for each year we have fall festival. The fee can be revised later if needed.

An Emergency

70.

To Amend Resolution No. 92-03 To Strike Year 2003 And State For Each year The City Has A Fall Festival Passed Yea-6 Nay-0

71.

To Suspend The Rules For Resolution No. 92-03 Establishing Vendor Fees For The 2003 City Festival; And Declaring An Emergency Passed Yea-6 Nay-0

72.

Resolution No. 92-03
Establishing Vendor
Fees For The 2003 City
Festival; And Declaring
An Emergency And
Under Suspension
Passed
Yea-6
Nay-0

73.

Council President Read

74.

Second Read On
Ordinance No. 80-03
Amending Section
919.05 (Insurance
Required For
Construction) Of The
Codified Code Of
Napoleon, Ohio;
Creating New Section
919.06 (Agreement,
Contract And Franchise
Control)

75.

Discussion On Ordinance No. 80-03 Amending Section 919.05 (Insurance Required For Construction) Of The Codified Code Of Motion: Miller Second: Helberg

To amend Resolution No. 92-03 to strike Year 2003 and state for each year the City has a Fall Festival.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay

Motion: Miller

Second: Helberg

To suspend the Rules requiring Three Readings for Resolution No. 92-03 establishing Vendor Fees for the 2003 City Festival; and Declaring an Emergency.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay

Roll call vote to pass Resolution No. 92-03 establishing Vendor Fees for the 2003 City Festival; and Declaring an Emergency and under suspension:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay

Council President read by title Ordinance No. 80-03 amending Section 919.05 (Insurance required for construction) of the Codified Code of Napoleon, Ohio; creating New Section 919.06 (Agreement, Contract and Franchise Control).

Motion: Hershberger Second: Miller

To approve on Second Read Ordinance No. 80-03 amending Section 919.05 (Insurance required for construction) of the Codified Code of Napoleon, Ohio; creating New Section 919.06 (Agreement, Contract and Franchise Control).

This will be going to the Municipal Properties, Economic Development and Building & Land Use Committee on Monday, September 8, 2003.

Napoleon, Ohio; Creating New Section 919.06 (Agreement, Contract And Franchise Control)

76.

Second Read on Ordinance No. 80-03 **Amending Section** 919.05 (Insurance **Required For** Construction) Of The **Codified Code Of** Napoleon, Ohio; **Creating New Section** 919.06 (Agreement, **Contract And Franchise** Control **Approved** Yea-6 Nay-0 **77**.

Roll call vote to approve on Second Read Ordinance No. 80-03 amending Section 919.05 (Insurance required for construction) of the Codified Code of Napoleon, Ohio; creating New Section 919.06 (Agreement, Contract and Franchise Control):

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nav

Council President Read

Council President read by title Resolution No. 78-03 increasing the Threshold requirement for Competitive Bidding from \$15,000 to \$25,000; Moreover increasing the Threshold Requirement for prior Council approval related to spending from \$15,000 to \$25,000.

78.

Third Read On Resolution No. 78-03 Increasing The Threshold Requirement For Competitive Bidding From \$15,000 To \$25,000; Moreover Increasing The Threshold Requirement For Prior Council Approval Related To Spending From \$15,000 To \$25,000

79.

Discussion On Resolution No. 78-03 Increasing The Threshold Requirement For Competitive Bidding From \$15,000 To \$25,000; Moreover Increasing The Threshold Requirement For Prior Council Approval Related To Spending From \$15,000 To \$25,000

80.

Motion: Hershberger

Second: Miller

To approve on Third Read Resolution No. 78-03 increasing the Threshold requirement for Competitive Bidding from \$15,000 to \$25,000; Moreover increasing the Threshold Requirement for prior Council approval related to spending from \$15,000 to \$25,000.

Grahn, Law Director, stated the Civil Service Commission had approved this.

Resolution No. 78-03 Increasing The Threshold Requirement For Competitive Bidding From \$15,000 To \$25.000: Moreover Increasing The Threshold Requirement For Prior Council Approval Related To Spending From \$15,000 To \$25,000 Passed Yea-6 Nay-0

\$25,000: Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nav

Roll call vote to pass Resolution No. 78-03 increasing the Threshold requirement for

Competitive Bidding from \$15,000 to \$25,000: Moreover increasing the Threshold

Requirement for prior Council approval related to spending from \$15,000 to

81.

To Remove From Table **Major Subdivision At** 1435 Oakwood Avenue Motion: Miller Second: Williams To remove from table Major Subdivision at 1435 Oakwood Avenue.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Discussion On Major Subdivision At 1435 Oakwood Avenue

Jim Hoops, resident, presented a signed petition showing residents concerns over proposed subdivision. He stated they do not want to stop development, however. would like to see smart growth. They have concern over the mound of dirt, heard it might be removed. He stated they were told the City placed it there to separate 2 zoning areas. However, no research found this information. Basically they would like to be aware of what is happening with the lots. Helberg stated Mr. Bauman put the mound there when the area was developed. Mr. Fruchey, Developer, stated he had no intention of changing the mounds significantly. He understood what it is like to have a nice home and would like to keep the integrity and is willing to set down with the neighbors to hear their ideas. Helberg, Councilperson who was employed by the City at the time the mound was put in, stated it was a term used during the development process. Fruchey stated he would like to push against the mound and put in a decorative wall, which would be tastefully done. Councilperson Small stated he basically heard the residents are unsure of what is going to happen with the development. Williams, Council person, agreed the mound looks terrific and would encourage Mr. Fruchey to keep as much of the mound as possible and would like to make sure we are taking the residents values into consideration. Grahn, Law Director, stated the Planning Commission had looked at the Zoning Code and Master Plan and found no violations. He stated Council, in order to object, must state a violation of objection and it could then go to Common Pleas Court. Damman, Zoning Inspector, stated Mr. Fruchey was totally in sync with the housing. Mr. Fruchey stated he had not made the decision as to what will be built, however, the mound lot was for him. Helberg asked if there was a mechanism to keep the mound in place. Fruchey stated he was willing to work with the Wisniewski's (the lot next to the mound) regarding moving the mound and would like to build a house of equal value to Wisniewski. Williams stated it appears Mr. Fruchey is willing to work with the residents and Council has to do what is fair and within the scope of responsibilities. Fruchey can apply to have the lot 5G1 rezoned the same as Old Creek Area which is R2 Zone.

83. **Discussion/Action To**

Kleiner, City Engineer, stated this project would provide new sanitary sewer and Approve Specifications, | eliminate the present SSO for this area. The estimate for the project is \$60,000. Documentation And Contact For the Hilltop Lane Sanitary Sewer Project – Engineering Department

84.

To Approve
Specifications,
Documentation And
Contact For the Hilltop
Lane Sanitary Sewer
Project And Go Out To
Bid – Engineering
Department
Passed
Yea-6
Nay-0

Motion: Williams Second: Miller

To approve specifications, documentation and contract for the Hilltop Lane Sanitary Sewer and go out to bid.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

85.

Discussion/Action To Direct Law Director To Draft Legislation For Changes To The Investment Policies

Heath, City Finance Director, these changes came out of the Finance & Budget Committee meeting.

86.

To Direct Law Director To Draft Legislation For Changes To The Investment Policies Passed Yea-6 Nay-0 Motion: Small Second: Williams

To direct Law Director to draft legislation for changes to the investment Policies.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

87.

Discussion/Action To Approve Change Order No. 1 To R & M Excavating For Riverview Avenue Waterline Project An Increase In The Amount Of \$7,172.80

naa Matian.

To Approve Change
Order No. 1 To R & M
Excavating For
Riverview Avenue
Waterline Project An
Increase In The Amount
Of \$7,172.80

Kleiner, City Engineer, stated this change order for the relocation of the twelve "waterline relocated around a buried manhole, a 6" gas line buried at the same elevation as the waterline and the lime sludge to the lagoons. The budgeted amount was \$168,000 with the contract being awarded at \$141,186.05.

Motion: Miller Second: Williams

To approve Change Order No. 1 to R & M Excavating for Riverview Avenue Waterline Project an increase in the amount of \$7,172.80.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small

Passed Yea-6 Nay-0

Nay-

Council/Staff

89.

Helberg – Complimented the residents, regarding the sidewalks on Westmont, for cooperating with the City. **Heath** – Refer Sewer Service outside the Corporations limits and general changes to the Water, Sewer, & Electric rules to BOPA. **Bisher**-Employee Appreciation Lunch, Monday, September 8, 2003, 11am to 1pm at Oberhaus Park. Request review of Special Tarriff on PG&E to the Electric Committee and Board of Public Affairs. New phone system installed and gave out phone numbers. **Mayor**-Will be hosting the dignitaries of the City of Bryan at the Press Box, Buckemeyer Stadium on September 12, 2003. **Williams**– Issues with the weeds in Main Street Parking area, Emmel's, and Rail Road. Weeds need to be cut. City cannot cut weeds on Rail Road but may file the nuisance law against them. **Helberg** – Would like review of improved streets and unimproved streets referred to the Municipal Prpoerties , Economic Development and Buidling and Land Use Committee.

90.

Assigned Review Of Special Tariff Rates To Electric Committee And BOPA

91.

Assigned Review Of Improved Streets And Unimproved Streets Referred To The Municipal Properties, Economic Development And Building And Land Use Committee

92.

Bills & Reports

93.

Adjourn Meeting

Passed Yea-6 Nay-0 President DeWit assigned review of Special Tariff Rates to Electric Committee and Board of Public Affairs.

President DeWit assigned review of improved streets and unimproved streets referred to the Municipal Properties, Economic Development and Building and Land Use Committee.

The following Bills and Reports were accepted as presented: Payroll Summary Report; Investment Transactions, Income Tax Revenue, EMS Billings and Collections and other Periodic Reports.

Motion: Miller Second: Small To adjourn Council meeting.

Roll call vote on above motion:

Yea-Miller, Helberg, Hershberger, DeWit, Williams, Small Nay-

Date	
	Michael J. DeWit, President
Date	
	J. Andrew Small, Mayor
Attest:	
Date	Gregory J. Heath, Finance Director/Clerk
	Gregory J. Hearit, Finance Director/Clerk