

Village of Chippewa Lake

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Council Meeting Minutes

January 11, 2010

The Village of Chippewa Lake Council met in regular session on Monday, January 11, 2010 at the Church at the Lake United Methodist located at 7824 Lake Road. The Honorable Mayor Joanne Dodaro called the meeting to order at 7:30 pm.

The Law Director, Allan M. Michelson, swore in the newly elected officials. Mayor Joanne Dodaro was sworn in for another four year term. The following Council members were sworn in for their new term: Debbie Bican, Barb Hunter, Alan Robbins and Tom Melter. Keith Riedel and Brent Osborn will serve for two more years before their term is completed. Cathy Osborn was elected to serve for another four year term. Her current term will end on March 31, 2010. She will be sworn into office at the April 12, 2010 Council meeting.

Present: Mayor Joanne Dodaro, Clerk-Treasurer Cathy Osborn, Law Director Allan M. Michelson, Keith Riedel, Debbie Bican, Barb Hunter, Alan Robbins, Brent Osborn and Tom Melter.

Motion made by Robbins to accept the minutes from the December 14, 2009 Council meeting. Osborn seconded. 6 Ayes. Motion approved.

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The Clerk-Treasurer reported the following bills to Council:

Joanne Dodaro	218.45
Cathy Osborn	1,120.18
Robert Locher, Jr.	332.52
Allan M. Michelson	411.80
Ohio Edison	1,231.23
Columbia Gas	80.93
Time Warner Cable	89.38
Medina County Sheriff's Office	1,964.74
Jenkins Maintenance	1,826.00
Treasurer of State of Ohio	405.00
Ohio Public Employees Retirement System	864.65
Ohio School District Income Tax	30.68
Ohio Treasurer of State	124.85
Medina County Engineer	1,963.90
Bureau of Workers' Compensation	518.98
Engineering Associates	488.47
United States Treasury	<u>701.85</u>

Total Of All Bills **\$12,373.61**

Motion made by Robbins to pay the bills from their proper funds. Osborn seconded. 6 Ayes. Motion approved.

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Mayor Dodaro said that Council needs to nominate a Council President for 2010. **Motion made by Osborn to nominate Keith Riedel as Council President. Robbins seconded. 6 Ayes. Motion approved. Motion made by Hunter that the nominations be closed. Bican seconded. 6 Ayes. Motion approved.** Keith Riedel is the Council President for 2010.

Mayor Dodaro announced the 2010 Committees as follows:
Safety Committee: Barb Hunter, Chairperson with Keith Riedel and Tom Melter. **Parks**: Debbie Bican, Chairperson with Barb Hunter and Alan Robbins, **Financial Planning**: Clerk-Treasurer Cathy Osborn, **Streets**: Keith Riedel, Chairperson with Alan Robbins and Brent Osborn, **Buildings**: Tom Melter, Chairperson with all Council Members on this committee, **Zoning Council Representative**: Brent Osborn and **Community Relations**: Alan Robbins, Chairperson with Barb Hunter and Debbie Bican.

Mayor Dodaro said that our Zoning Inspector is Bob Locher, our Zoning Administrator is Cyndy Naragon and our Zoning Board members are Shelly Wharton, Paul Vereb, Don Bican and Nick Schmitz.

Jerry from the Auditor's office is present and Mayor Dodaro gives him an opportunity to address those in attendance. He said he wanted to bring to our attention that the tax rates in Medina County are going down with the exception of Chatham. They renewed their EMS-fire levy so their rates actually went up.

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Jerry reminds all senior citizens that will be or are 65 years old this year to register for the Homestead exemption. This exemption allows them to shelter \$25,000.00 in value on their property. This does include joint ownership of property.

State of the Village Address

Mayor Dodaro said that the village has received more than three-quarter of a million dollars from the State of Ohio in road project money in the last several years. Phase One started off on Longacre and Bass Bay, Phase Two was Willow Wood and Phase Three was Circle Crest. Phase Four which will be Craggy Creek is scheduled to begin this spring.

We are looking forward to the completion of our new building. She thanked Katrina Sommers for the work she did over the years on this building. Tom Melter is now the chairperson of the Buildings Committee and she knows he can get the job done.

Mayor Dodaro said that we have renewed interest in the community from our citizens. She believes this is spear-headed by the Chippewa Village Pride Program (CVPP) with Bob and Pam Williams heading up that organization and The Neighborhood Watch group lead by Claire List and all her efforts last year. She believes those two groups brought a lot of the citizens out to get involved and show a lot of pride in the village that we have not seen in a long time.

Mayor Dodaro is very glad to see that the village is taking steps to clean up the "Reese's Pond" area. There were a lot of citizens out to help that day, particularly the Lions Club.

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She thanks Jim Butch and his associates for their work mapping out this project for us. She gave her thanks to Debbie Bican and Bill Zweifel for their work on this project also.

She said the village also had a lot of quality work done by our Zoning Board. They are now working on a comprehensive plan which is going to be important to us in the commercial development of this village in the event that Chippewa Landing or some other project goes in where the old park was. The Zoning Board has had several workshop meetings. They have also cleaned up a lot of the junk cars in the village. Mayor Dodaro said that Shelly Wharton, Paul Vereb, Don Bican, Nick Schmitz, Cyndy Naragon, our Zoning Administrator and Bob Locher, our Zoning Inspector have all done a great job. Brent Osborn as our Council Rep to the Zoning Board has been very good working with them and keeping Council updated with their work.

She also thanks the village's grant administrator, Dan McGahan. She knows that none of us have seen him at a meeting and that's because he does not live here, but owns property here. He did apply for a grant through the county for park benches and we were told the grant would be awarded to the village in the fall of 2009, but we never heard a word. He is always looking for grants that the village may qualify for.

She gave her thanks to Alan Robbins for his work in community relations which is only going to get more interesting to him.

Mayor Dodaro said she would be remiss if she didn't thank Deputy Tracy Easterday for the much improved relationship we have with the sheriff's department.

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He has made a big difference and he and Barb Hunter are working well together. Barb Hunter is doing a great job on the Safety Committee and it is probably where she was meant to be all these years.

Mayor Dodaro said that Fire Chief Hall and Assistant Brad Winter have really made a difference in the community and bringing the fire department back to the community where it seemed to be missing for quite a long time. She thanked them for their good job and knows things will only get better.

And of course, we have our great finance and legal team with Cathy Osborn and Allan M. Michelson. The Council members especially the newer ones who weren't aware of how good Cathy is might have just realize it when she just did her annual appropriations meeting. She keeps the village straight every year and passes our village state audits, so we are lucky to have her.

She gave her thanks to one of her favorite groups, The Chippewa Lake Water Ski Team for the work they do particularly with our young people. She firmly believes they are one of the best organizations around for young people and teenagers to be with their parents. She believes it is our responsibility to support this organization that supports the young people who will be our citizens of tomorrow.

Mayor Dodaro said the village has a good group of Council members that plan to work together for the benefit of the village. She said that everyone can be proud of your government body.

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She said that we all have one goal and that is to make Chippewa Lake the best place to live and we need to go on protecting our lifestyle which is what we are here for.

Committee Reports

Safety: Chief Hall read the Activity Report for the month of November 2009. **(See attached)** There were no fire calls and four EMS calls in the village. The year to date totals for the village are 20 fire calls and 46 EMS calls.

He reminds everyone that their "Pancake Breakfast" is coming up every Sunday in February. Their new fire engine is expected to be delivered on January 27, 2010.

Chief Hall said that if you drive by the Chippewa Lake station you will notice that the Army flag is flying underneath the American flag. The reason for this is that one of our members, Adam Nilson, who is a member of the Army Reserves, has volunteered to go to Afghanistan. The department has pledged to fly that flag until the day he comes home.

Mayor Dodaro asked Chief Hall how many visits Santa made in our village at Christmastime. He said there were about fifteen visits in the village itself. There were about ninety visits the whole day. There were 220 gifts delivered. They even delivered their first dog to a home in the village that day.

Hunter said that Deputy Easterday has revised the patrol log sheet. Hunter said that the four deputies combined worked a total of 72 hours for the month of December. They put 418.9 miles on the cruiser using 38 gallons of gasoline.

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Safety (Continued): The patrol log reads as follows: 1 call assigned by dispatch, 2 self-initiated calls, 2 in-person complaints, 29 citizen contacts, 3 assists to citizens, 1 traffic stop, 1 village citation, 1 written warning, 5 suspicious persons, 4 suspicious vehicles, 4 assists to other police departments and 1 presence at fire-rescue call. **(See attached)**

Mayor Dodaro asks Hunter to think about when she thinks the police hours need to increase. They will discuss this further and will advise Deputy Easterday a month in advance to allow for scheduling.

Cathy said she did advise Carol Sperry with the Sheriff's Department about Council granting the village deputies an increase in hourly wage to \$23.00 per hour starting on January 1, 2010. The January invoice will reflect that increase.

Cathy said she copied the village's updated general offenses and traffic codes for Deputy Easterday. She copied about 400 pages, 3 hole punched the pages and put them in a binder for him. Deputy Easterday asked to borrow the CD so he could make copies for the other deputies. Allan said Cathy should not lend out the CD. She will send the PDF attachment to Deputy Easterday and Hunter for their use.

Deputy Easterday asks the Law Director should the deputies cite under state code or reflect it back to the village code. The Law Director wants citations written under the village code **unless** there is a potential for jail time. He said that way he thinks some of the fine money will come back to the village.

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Safety (Continued): He said that the deputies should **NEVER** cite anyone under the village code when there is a potential for jail time because the village would have to pay the \$100.00 per day fee. When jail time is possible then citations should be written under the STATE CODE is the recommendation of the Law Director.

Deputy Easterday said that Seville and a couple of the other departments have set up with Muni Court that if there is a drug citation issued they automatically get \$100.00 of that fine. Deputy Easterday received this information from Deputy King. The Law Director is not aware of this, but will look into it.

Zoning: Osborn reports that the Zoning Board met on Tuesday, January 5, 2010 at the village hall. **(See attached minutes)** Under old business, Cyndy Naragon reported that she had received a phone call from Jeff Schmitt and she had referred him to Allan Michelson. Allan Michelson did send Jeff a letter responding to his complaints.

The old pizza place on Lake Road that was owned by Mr. Kuric is now owned by Sweetbrier Properties, LLC. Locher is notifying them of the village's new dumpster ordinance and giving them until February 5, 2010 to remove or bring into compliance.

A complaint was forwarded to Locher about junk and unlicensed vehicles at 88 Clover Cliff. Locher is checking on that complaint.

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Zoning (Continued): There is a wood pile at a property on Circle Crest that received a complaint. Locher has investigated this complaint and found that the wood pile is stacked per the ordinance and they are using the wood for home heating. No violation at this location.

Under new business, Allan Michelson is filing charges against Lenny Lingenfelter at 258 Rustic Rook for junk vehicles. It appears that someone lives at the house, but no one has ever answered the door.

Allan Michelson is also filing charges against Vincent Pribish at 273 Rustic Rook for junk vehicles. When Mr. Pribish got the original notice he moved the vehicle in violation to another house at 271 Rustic Rook. It is still a violation and the village is still pursuing it.

Patsy (Sherry) Hannahs is present and questions why she received tickets for parking in her yard/grass. She was advised of the ordinance that prohibits parking in yard/grass. This wasn't really a zoning issue, but since the Parking Violations Clerk was in attendance the Board listened to her complaint. It was decided that she would contact the Clerk on the phone the next day to discuss this further.

The next work session is scheduled for Thursday, January 21, 2010 at 7 pm at the village hall. The next Zoning Board meeting will be on Tuesday, February 2, 2010 at 7:30 pm at the village hall.

Osborn said that last month Robbins said he received a complaint about a utility trailer being parked on Beachside Blvd near Northvale and asked Osborn to refer this to Locher.

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Zoning (Continued): Osborn has referred this complaint to Locher and he is checking to see if the license plates are commercial or not. If they are not commercial plates there is nothing in the zoning code that can be done about it. If they are commercial plates then the owner is only allowed to park the trailer here for five consecutive days. Locher is supposed to get back to Osborn with that information.

Finance: Cathy said that we just had a financial planning meeting at 6:30 pm this evening. She reviewed the 2009 actual revenue and expenditure figures with Council and Mayor Dodaro. She also submitted for their review the "suggested" 2010 Village Appropriations.

Cathy reviews the bank statement ending December 31, 2009 and the accounting reconciliation for the end of the year showing all balances are reconciled with no adjustments. She has made copies of these documents for Mayor and Council and she asks Council to sign her copy.

She said she has received a "Request for Advance of Taxes Collected" from the county auditor. **Motion made by Riedel to waive the three reading requirement for Resolution #431-10. Hunter seconded. 6 Ayes. Motion approved. Resolution #431-10 "Request for Advance of Taxes Collected" was read by title only. Motion made by Hunter to adopt Resolution #431-10 as an emergency. Osborn seconded. 6 Ayes. Motion approved.**

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Finance (Continued): Cathy said next would be discussing the suggested 2010 village appropriations. She said that Keith Riedel asked her to make an adjustment within the Street Fund. The total available for appropriations in that fund stays the same at \$57,150.00. There were no other adjustments to the suggested appropriations for 2010. **Motion made by Robbins to waive the three reading requirement for Ordinance # 690-10. Osborn seconded. 6 Ayes. Motion approved. Ordinance #690-10 "Adopt 2010 Village Appropriations" was read by title only. Motion made by Bican to adopt Ordinance #690-10 as an emergency. Robbins seconded. 6 Ayes. Motion approved.**

Cathy said in the distributed paperwork is a three page report called the 2009 Appropriations Adjustments. She said the last page is actually printed from the UAN system showing the amount that had to be adjusted within the General and Street Funds. This adjustment corrects the appropriated amounts that were needed for the year. **Motion made by Robbins to waive the three reading requirement for Ordinance #691-10. Bican seconded. 6 Ayes. Motion approved. Ordinance #691-10 "An ordinance amending the 2009 Appropriations Ordinance" was read by title only. Motion made by Riedel to adopt Ordinance #691-10 as an emergency. Osborn seconded. 6 Ayes. Motion approved.**

Cathy asks Mayor Dodaro and Keith Riedel to sign the OPWC paperwork that she has received. She will submit that to OPWC for payment to Engineering Associates.

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Finance (Continued): Cathy said a couple of months ago Katrina Sommers asked her to check to see if we are receiving our \$10.00 per vehicle motor vehicle license tax. Ordinance #483-99 was adopted on April 12, 1999 and it levied an annual motor vehicle tax on vehicles licensed within the village. Cathy called Mary Beth at the County Auditor's office to find out if we are receiving this tax. She did not have that information, but suggested I contact Gina at the County Highway Department. Gina did not have the information I was looking for, but thought maybe Laura in finance would know. Laura did not know this information either. Andy from the County Highway Department overheard the conversation with Gina and called me back. Andy did some checking and thought I should contact the Ohio Department of Public Safety who should have that information. Cathy will contact the tax distribution center and she hopes to finally get the answer to her question. She will report back to Council when she has an answer.

Buildings: Tom Melter submits his Building Report for December 2009-January 2010. **(See attached for a complete report)** He discusses the summary of events which started with taking inventory of the contents of the old and new buildings. Tom Melter and Jake Ramsdell moved the stored items in the new building to the old building so work can begin in the new building. He thanked Jake for his help.

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Buildings (Continued): Melter has received quotes from Lake Refrigeration for HVAC, RB Electric for electrical work, Lexington Homes for construction and finishing and Todd Wood (DynaAmerican) for plumbing work. Melter has identified and prioritized work jobs to be completed to finish the building.

Melter spoke with Todd Wood concerning the plumbing and he said that the old building needs to be torn down before he can hook up the plumbing and do the finish work. Todd has not billed the village for the rough plumbing work already completed which is half of the estimate. He sent an initial estimate in for \$12,986.00 and the village has signed a contract for this work. The amount due for the rough plumbing already completed is \$6,500.00 and he had agreed to be paid upon completion. Melter thought if the project drags out much longer he thought it was unfair to hold the money for work already completed about three months ago. This makes the finished plumbing and hook-up balance of \$6,486.00 that the village is committed to.

Melter also talked with Jeff Thacker. His gas line person believes that if the old building is torn down then Columbia Gas would reroute the current gas line to the new building at no cost to the village. Melter will call Columbia Gas-new gas line installation team for that decision.

Melter reported the jobs in order of priority to finish the building as follows: rough framing, place dumpster on site for clean up, electric tie into old building, gas line to street, electric, heating/cooling, finish plumbing, insulation, dry wall, flooring-lobby, bathrooms, vestibule area and office, flooring main room, tear down old building for utility hook up, painting, interior doors,

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Buildings (Continued): determine parking lot size and location-grade parking lot site, parking lot drainage and surfacing, determine parking lot lighting, outside entrance walkway grading and surfacing, cabinets, Formica tops, security, phone and cable and landscape entire outside area. Melter said that tearing down of the old building should be higher in priority than listed. Melter said he was sure he has forgotten something, but at least this gives us a road map of where we are going.

Melter is strongly suggesting that the village hire a contractor consultant because he does not know what he is doing. He found someone that would provide this service by supervising the plumbing, the electrician and be our eyes and ears for \$25.00 per hour. Melter said to finish the building completely he is estimating that the village needs \$50,000.00 more than the balance that's in the Pochedley Fund. Melter does not think that even with community help the village could not finish the building with what is left in the Pochedley Fund.

Melter schedules a Buildings meeting for Wednesday, January 13, 2010 at 7 pm to be held at the village hall. He will call the Gazette or place a notice in all of the ordinance boxes concerning this meeting.

Community Relations: (See attached report) The Village Pride had a nice Christmas caroling event on Saturday, December 20th at the Point Park with about 30+ people in attendance. Their next meeting will be on Sunday, January 17th to plan for upcoming events.

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Community Relations (Continued): The Chippewa Lake Water Ski Team is having their annual silent auction at the Oaks Lodge on Friday, March 19th.

Robbins said the Lions Club did about forty baskets to needy families in the area. He gave special thanks for their work to our community. He said they are always looking for new fund raising activities. They received a national award for membership growth in 2009.

Robbins said he has been concerned about the residents who have a post office box when it comes to being counted for the 2010 census. He said there will be a location where those residents can pick up a questionnaire to be counted.

Robbins said he and Mayor Dodaro attended a Medina County Planning Department meeting on December 8, 2009. The Planning Department has concerns about the potential for explosive growth in our area without proper planning. Initially, Patrice Theiken, the Director of the Planning Department offered to do the work on this project at no charge to the villages and townships participating. Robbins received a call later from her and was told that the County Commissioners did not agree with her about the no charge request. They are looking for funding from the villages in the \$750.00 range to support this project. Robbins said that Council would need to allocate \$750.00 for this project. The Law Director said that he would like to talk to Patrice Theiken further about this project and where it might be going. Mayor Dodaro said she is not sure if the next scheduled meeting will happen as planned.

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Community Relations (Continued): Robbins said the next meeting was scheduled for Monday, January 18, 2010. They will check to see if this meeting will occur.

Robbins said he received minutes from the County Commissioner's meeting of December 14, 2009. The minutes deal with Chippewa Landing and their attempts to obtain financing. The total project cost is quoted at thirty-seven million dollars.

Parks: Bican said she was really impressed with the turnout at the Pochedley-Reese's Pond clean up day. She said that Bill Zweifel has completed the work we asked him to do for now.

Bican said that she has spoken to all the members of the boat ramp committee and they have agreed to stay on for another year. The members are: Don Bican, Hank Waite, Paul Vereb, Cyndy Naragon and Tom Wills.

Streets: Riedel said that there will only be two changes made to Craggy Creek with the Phase Four construction work. The changes will be where the road connects with Beachside Blvd on one end and Chippewa Road on the other end. The change will allow for easier turning when entering and exiting Craggy Creek. All of the utility companies have been made aware of what we are preparing to do. The only utility company that we have not heard from is Columbia Gas. The Law Director will file the necessary easement. Riedel said the village is on schedule and this will be put out for bids in the next two to three weeks. Riedel said this project is expected to begin around April 15, 2010.

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Streets (Continued): Riedel said that the village has been putting up and taking down the stop signs on Heather Hedge and Longacre for many years. In years past, the village had a guy plowing the streets with a tractor when he could. We now have professional services that are plowing and salting the roads. Riedel suggests we either leave the stop signs up or take them down permanently. Riedel's opinion is to change the ordinance and put the stop signs up and leave them up all year around. Riedel asks the members of Council to give this some thought and let's discuss this at the next Council meeting.

Law Director: The Law Director has two cases to report on this month. The first case was a request for limited driving privileges of a suspended license. The second is a criminal trespassing case still set for trial on Tuesday, January 19, 2010 at 8:30 am.

The Law Director reminds Council that the village's garbage contract will expire at the end of July of 2010.

The last item he has is the aggregation for electrical energy supplier. This is a proposal that has recently been allowed by law that a township, county or village can put on the ballot a question of whether the voters wish the village to enter into an electrical aggregate. This is where the village agrees to buy for its customers electrical supply from one supplier. First Energy Solutions is marketing very heavily for our business.

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Law Director (Continued): What they are offering is if the village will put this issue on the ballot, and if the voters approve it, they will offer the village a contract where they will guarantee for nine years a discounted rate for the electrical supply part of the bill over your present rate with Ohio Edison. The way the program works is the first step is putting it on the ballot. If the voters approve it then the village goes to the second step which is entering into an agreement with First Energy Solutions. Then is the process of public hearings and entering into a detailed agreement with them. First Energy Solutions sends out notices to the customers. The customers have the right to opt out of this program. If they opt out they are still customers of Ohio Edison and they pay Ohio Edison rates. If a customer in your village does nothing they are in. First Energy Solutions likes this option because most people will not opt out. Their benefit from it is they get a fairly secure customer base for electricity. They are offering a nine year agreement where they guarantee the residential customers they will be billed 6% below Ohio Edison rates. The supply portion of your electric bill is about half of the bill. For commercial customers the rate will be 4% below. Some of their other aggregate customers include the City of Akron and City of Norton. They have been asked why are you doing this. Their reply is that they are growing their business and have plans down the river when they generate their electricity. Creston's voters approved this plan in November and they are now going through the steps. The Law Director said that First Energy Solutions have been true to their word on what they have promised so far. The Village of Gloria Glens is looking at his now.

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Law Director (Continued): They are really looking for the village to consider them and so they are offering a kicker which is a grant for \$50,000.00 which goes into the general fund of the village.

Mayor Dodaro said that participants of this plan would still call Ohio Edison if they lose power or a pole is damaged. First Energy would supply the energy, but Ohio Edison distributes it to the customer. The Law Director has gone over the 27 page agreement with a fine tooth comb and the only downside he has found is that they cannot do budget billing. If you have to have electrical budget billing you cannot be part of this program because they can't do it. The Law Director said that every three years a customer can opt out of the program. There is a \$75.00 opt out fee, but they say in every case that fee has been waived. The Law Director said there is no stipulation of the grant. The \$50,000.00 is an incentive for the village to put this issue on the ballot. Robbins asked how soon is the money released after the voters would approve this program. The Law Director said that in Creston's case, the voters approved it in November, they signed the master agreement in December and they expect a check by mid-January. The Law Director is waiting to hear when Creston receives its check. Mayor Dodaro said that we will know by the Council meeting in February if Creston received their check and then we can take the necessary steps to put this on the ballot.

At 9:45 pm, Motion made by Riedel that the meeting be adjourned. Osborn seconded. 6 Ayes. Motion approved.

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Next Meeting: Monday, February 8, 2010 at 7:30 pm at the Church at the Lake United Methodist located at 7824 Lake Road.

Joanne Dodaro, Mayor

Cathy Osborn, Clerk-Treasurer