



CITY OF MANSFIELD

1200 East. Broad St.
Mansfield, TX 76063
www.mansfield-tx.gov

Meeting Minutes - Final City Council

Monday, February 9, 2009

5:00 PM

Council Chambers

Regular Meeting

5:00 P.M. - CALL MEETING TO ORDER

Mayor Cook called the meeting to order at 5:15 p.m.

Present 7 - Mike Leyman; David Cook; James Rudnicki; Greg Kunasek; Cory Hoffman; Larry Broseh and Darryl Haynes

RECESS INTO EXECUTIVE SESSION

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the City Council into executive session at 5:17 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 5:24 p.m. Mayor Cook recessed the executive session at 5:36 p.m.

Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071

City Attorney Briefing on Lawsuit Cause No. 352-230106-08 Valerie Mantos vs. City of Mansfield

Discussion Regarding Possible Purchase, Exchange, Lease, or Value of Real Property Pursuant to Section 551.072

Personnel Matters Pursuant to Section 551.074

Deliberation Regarding Negotiations of the Industrial Development Corporation of an Offer of a Financial or Other Incentives to a Business Prospect Pursuant to Section 551.087

Project Number 08-11

WORK SESSION (TO BE HELD IN THE MULTI-PURPOSE ROOM)

Mayor Cook called the work session to order at 5:44 p.m. in the Multi-Purpose Room.

Council/Staff Discussion Regarding Proposed Rail North Texas

City of Burleson Mayor Kenneth Shetter and City of Fort Worth Council Member Jungus Jordan made a brief presentation on the proposed Rail North Texas and answered Council questions. Council Member Leyman made comments.

Mayor Cook advised that the item on the agenda regarding this issue would be moved up after Staff Comments.

Mayor Cook recessed the work session at 6:30 p.m.

In accordance with the Texas Government Code, Chapter 551, Mayor Cook recessed the City Council into executive session at 6:30 p.m. Mayor Cook called the executive session to order in the Council Conference Room at 6:32 p.m. Mayor Cook recessed the executive session at 7:18 p.m.

7:00 P.M. – RECONVENE INTO REGULAR BUSINESS SESSION

Mayor Cook reconvened into regular business session at 7:34 p.m.

TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

No action taken by the Council.

INVOCATION

The Community of Lake Ridge Pastor Paul Mints led the Invocation.

PLEDGE OF ALLEGIANCE

The Community of Lake Ridge Pastor Paul Mints led the Pledge of Allegiance.

TEXAS PLEDGE

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State Under God; One and Indivisible"

The Community of Lake Ridge Pastor Paul Mints and Council Member Leyman led the Texas Pledge.

CITIZEN COMMENTS

Chantella Willis - 4208 Nicklaus Avenue - stated she is a resident of Mansfield National Community and spoke about a quiet zone in her community. She stated she spoke with the Railroad Commission and they gave her a couple of solutions including a wayside horn. Ms. Willis asked the Council to place an item regarding quiet zones on the agenda and help the community.

Pete Shryrock - 1706 Clover Hill Road - stated he was representing the Mansfield Masonic Lodge # 331 A.F. & A.M. He thanked the Mansfield Police Department for their rapid response to a burglary incident that occurred at their lodge. Mr. Shryrock gave a synopsis of the events the Masonic Lodge holds. He stated they raise money by holding fundraisers and dues mentioning that 70% of the money they raise goes to paying taxes and high utility bills. He stated the Lodge might have to close due to the lack of funds. Mr. Shryrock asked the Council to eliminate the tax they have to pay.

Cynthia Dillard - 2009 Stephens Avenue - stated her neighbors and her are requesting that a water line and a fire hydrant be put in on their street. She mentioned they submitted a petition to the Council to have their request fulfilled stating she was instructed by Director of Utility Operations Bud Ervin to do so. Ms. Dillard stated their neighborhood was annexed into the city in 1985 mentioning it was only fair to provide water to them. She asked for approval of their petition.

Mayor Cook recognized the following non-speakers:

Jackie Mueller - 2603 Greenbriar Drive - opposes the Rail North Texas
Sandy Morton - 4206 Nicklaus Avenue - support quiet zones
Hal Morton - 4206 Nicklaus Avenue - support quiet zones
Jeff Ambriet - 1301 E. Debbie Lane - name dedication for Chief Noonkester
Paula Phillip - 1140 Seider Lane - name dedication for Chief Noonkester
Steven Baker - 3911 Calloway Drive - name dedication for Chief Noonkester
Richard Hash - 1201 E. Debbie Lane - name dedication for Chief Noonkester
Jerry Hensley - 922 Royal Oak Lane - name dedication for Chief Noonkester
Jana Davis - 4605 Gentle Springs - name dedication for Chief Noonkester
Frank Kee - 201 Crenshaw Drive - name dedication for Chief Noonkester
Sue Willis - name dedication for Chief Noonkester
Chris Mark - 4011 Orchid Lane - name dedication for Chief Noonkester
Paul Carson - 6869 Shoreway - name dedication for Chief Noonkester
Ken Klein - 10925 Soft Shell Drive - name dedication for Chief Noonkester
Mary Moore - 2308 Sundrop Court - name dedication for Chief Noonkester
Monty Roberts - P.O. Box 1041 - name dedication for Chief Noonkester
Curtis Phillip - 1201 E. Debbie Lane - name dedication for Chief Noonkester
Mike LeMoine - 1201 E. Debbie Lane - name dedication for Chief Noonkester
Max Courtney - 2200 Warner - name dedication for Chief Noonkester
Vincent Hunter - 1312 Pinehurst Drive - name dedication for Chief Noonkester

NEW BUSINESS

09-1330

Approval of the January 26, 2009 Regular City Council Meeting Minutes

Council Member Leyman stated he would be abstaining from the vote due to his absence at the meeting.

A motion was made by Council Member Haynes to approve the January 26, 2009 Regular Meeting Minutes as presented. Seconded by Council Member Hoffman. The motion CARRIED by the following vote:

Aye: 6 - David Cook; James Rudnicki; Greg Kunasek; Cory Hoffman; Larry Broseh and Darryl Haynes

Nay: 0

Abstain: 1 - Mike Leyman

09-1335

Resolution - A Resolution Supporting Local Option Fees and Taxes to Fund Transportation Including Rail North Texas

Council Members made comments regarding this agenda item. North Central Texas Council of Governments representative Dan Lammers answered Council questions regarding the quiet zones of the Rail North Texas.

A motion was made by Council Member Leyman to approve the following resolution:

RESOLUTION SUPPORTING LOCAL OPTION FEES AND TAXES TO FUND TRANSPORTATION INCLUDING RAIL NORTH TEXAS.

Seconded by Council Member Rudnicki. The motion CARRIED by the following vote:

Aye: 7 - Mike Leyman;David Cook;James Rudnicki;Greg Kunasek;Cory Hoffman;Larry Broseh and Darryl Haynes

Nay: 0

Abstain: 0

Enactment No: RE-2491-09

COUNCIL ANNOUNCEMENTS

No Council announcements.

STAFF COMMENTS

City Manager Report or Authorized Representative

Current/Future Agenda Items

City Manager Clayton Chandler advised the Council they could pick up a list of legislative bills after the meeting. He reminded them of Mansfield Day at the Capitol on February 17, 2009. He asked that they complete a survey regarding the strategic planning session.

Dedication of Fire Station #4 - February 23, 2009, 4:00 p.m.

Mayor Cook reminded everyone about the Dedication of Fire Station #4 to be held on February 23, 2009 at 4:00 p.m. Mr. Chandler recognized the Police Department for working on the Law Enforcement Center Patrol room repairs.

OLD BUSINESS

09-1333

Council Sub-Committee Report; Discussion and Possible Action Regarding Hotel/Motel Tax Allocation

Council Member Kunasek made a brief presentation on the Hotel/Motel Tax Allocation. He stated a final draft of the sub-committee report would be available at the second meeting in March.

09-1334

Council Sub-Committee Report; Discussion and Possible Action Regarding Way(s) to Honor Chief Steve Noonkester's Service to the City of Mansfield

Council Member Hoffman made a brief presentation mentioning the recommendation of the committee would be to place a plaque on the outside of the building as well as a memorial inside that would consist of a bust on a pedestal. Police Chief Gary Fowler introduced the members of staff who served on the employee committee. Sergeant Mark Smouse made a brief presentation with renderings of statues and plaques. City Attorney Allen Taylor answered Council questions.

A motion was made by Council Member Kunasek to direct the Council sub-committee to work with the employee sub-committee and bring back a final recommendation. Seconded by Mayor Pro Tem Broseh. After discussion Council Member Kunasek withdrew his motion.

A motion was made by Council Member Kunasek to move forward with the

rendering on the bottom of page 6, a bust in the lobby and a bronze plaque. His motion did not receive a second.

A motion was made by Council Member Hoffman to place lettering on the building to read "Building Dedicated to Steven Noonkester," as well as a plaque and a bust inside the foyer and to direct the employee sub-committee to bring back final renderings of what it will look like. Seconded by Mayor Cook. The motion CARRIED by the following vote:

Ayes: 5 - David Cook; Greg Kunasek; Cory Hoffman; James Rudnicki and Larry Broseh

Nays: 2 - Mike Leyman and Darryl Haynes

09-1317

Resolution - Resolution Adopting Neighborhood Design Guidelines

Director of Planning Felix Wong and Planning and Zoning Commission Chair Cheryl Litke made a presentation and answered Council questions. Allen Taylor suggested that an introductory paragraph be placed before the guidelines text to explain the purpose of the guidelines.

A motion was made by Council Member Leyman to table the following resolution:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS
ADOPTING NEIGHBORHOOD DESIGN GUIDELINES.**

Seconded by Council Member Haynes. The motion CARRIED by the following vote:

Aye: 7 - Mike Leyman; David Cook; James Rudnicki; Greg Kunasek; Cory Hoffman; Larry Broseh and Darryl Haynes

Nay: 0

Abstain: 0

Mayor Cook recessed the meeting at 9:31 p.m. for a break and reconvened at 9:48 p.m.

PUBLIC HEARING AND RESOLUTION

09-1328

Resolution - Public Hearing and Resolution Approving and Endorsing the 2009 (35th year) Community Development Block Grant Project for Kimball Street Between 3rd Avenue & McClendon Park

Mayor Cook opened the public hearing at 9:48 p.m. With no one wishing to speak, Mayor Cook closed the public hearing at 9:49 p.m. Director of Public Works Steve Freeman answered Council questions.

A motion was made by Council Member Rudnicki to approve the following resolution:

**A RESOLUTION APPROVING AND ENDORSING THE 2009 (35TH YEAR)
COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FOR THE CITY OF
MANSFIELD, TEXAS.**

Seconded by Council Member Hoffman. The motion CARRIED by the following

vote:

Aye: 7 - Mike Leyman;David Cook;James Rudnicki;Greg Kunasek;Cory Hoffman;Larry Broseh and Darryl Haynes

Nay: 0

Abstain: 0

Enactment No: RE-2492-09

CONSENT AGENDA**09-1280**

Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 51, Section 51.054 of the Code of Ordinances, City of Mansfield, Texas; so as to Revise and Change the Rates Charged for Sanitary Sewer Services Furnished by the City of Mansfield, Texas; Repealing Ordinance 1560 and other Ordinances in Conflict Herewith; Providing a Severability Clause; Providing for Publication and for an Effective Date

Allen Taylor read the caption into the record.

A motion was made by Council Member Kunasek to approve the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 51, SECTION 51.054 OF THE CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS; SO AS TO REVISE AND CHANGE THE RATE STRUCTURE AND RATES TO BE CHARGED FOR SEWER SERVICE FURNISHED BY THE CITY; REPEALING ORDINANCE 1560 AND OTHER ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE PUBLICATION THEREOF AND AN EFFECTIVE DATE.

Seconded by Council Member Hoffman. The motion CARRIED with 7 ayes and 0 nays.

Enactment No: OR-1734-09

09-1298

Ordinance - Third and Final Reading of an Ordinance of the City of Mansfield, Texas Amending Chapter 51, Section 51.052 of the Code of Ordinances, City of Mansfield, Texas; so as to Revise and Change the Rates Charged for Water Services Furnished by the City of Mansfield, Texas; Repealing Ordinance 1559 and Other Ordinances in Conflict Herewith; Providing a Severability Clause; Providing for Publication and for an Effective Date

Allen Taylor read the caption into the record.

A motion was made by Council Member Kunasek to approve the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AMENDING CHAPTER 51, SECTION 51.052 OF THE CODE OF ORDINANCES, CITY OF MANSFIELD, TEXAS; SO AS TO REVISE AND CHANGE THE RATE STRUCTURE AND RATES TO BE CHARGED FOR WATER SERVICE FURNISHED BY THE CITY; REPEALING ORDINANCE 1559 AND OTHER ORDINANCES IN CONFLICT

HEREWITH; AND PROVIDING FOR THE PUBLICATION THEREOF AND AN EFFECTIVE DATE.

Seconded by Council Member Hoffman. The motion CARRIED with 7 ayes and 0 nays.

Enactment No: OR-1735-09

09-1332

Resolution - A Resolution of the City of Mansfield, Texas, Calling for a General Election to be Held on Saturday, May 9, 2009

A motion was made by Council Member Kunasek to approve the following resolution:

A RESOLUTION OF THE CITY OF MANSFIELD, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 9, 2009; DESIGNATING A POLLING PLACES; ESTABLISHING ELECTION PRECINCTS WITHIN THE CITY; APPOINTING AN ELECTION JUDGE AND AN ALTERNATE JUDGE; AUTHORIZING THE CITY SECRETARY TO MAKE SUBMISSIONS TO THE UNITED STATES JUSTICE DEPARTMENT FOR PRE-CLEARANCE APPROVAL; ESTABLISHING OTHER PROCEDURES FOR CONDUCT OF THE ELECTION; ESTABLISHING A DATE FOR CANVASSING RETURNS; ESTABLISHING A DATE FOR RUN OFF ELECTION IF NECESSARY; AND PROVIDING AN EFFECTIVE DATE.

Seconded by Council Member Hoffman. The motion CARRIED with 7 ayes and 0 nays.

Enactment No: RE-2493-09

ITEMS TO BE REMOVED FROM THE CONSENT AGENDA

09-1296

Ordinance - Third and Final Reading of an Ordinance Approving an Amended Specific Use Permit for Gas Well Drilling and Production on Approximately 3.842 Acres, Generally Located North of East Debbie Lane and Approximately 2,300 Feet East of Matlock Road at 1700 and 1800 Mansfield Webb Road; Carrizo Oil & Gas, Inc. (ZC#08-018)

Council Member Rudnicki removed this item from the consent agenda. Mayor Cook asked Mayor Pro Tem Broseh to take over this agenda item since he would be abstaining from the vote. Jacobs Engineering representative Shea Kirkman, 777 Main St., Fort Worth, answered Council questions.

A motion was made by Council Member Hoffman to approve the third and final reading of the following ordinance:

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT AN AMENDED SPECIFIC USE PERMIT FOR GAS WELL DRILLING AND PRODUCTION ON THE HEREINAFTER DESCRIBED PROPERTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

Seconded by Council Member Kunasek. The motion CARRIED by the following vote:

Aye: 5 - Mike Leyman;Greg Kunasek;Cory Hoffman;Larry Broseh and Darryl Haynes

Nay: 1 - James Rudnicki

Abstain: 1 - David Cook

Enactment No: OR-1736-09

END OF CONSENT AGENDA

PUBLIC HEARING CONTINUATION AND THIRD READING

08-1250

Ordinance- Continuation of Public Hearing and Third and Final Reading Regarding Amendments to the Current Smoking Ordinance

City Secretary Vicki Collins read the caption into the record. Mayor Cook continued the public hearing at 10:02 p.m. The following people spoke:

*Johnny Williams - 1104 Pebble Beach Drive - oppose
Kit Gallini - 1007 Wabash Trail - support
Gregg Wilkinson - 2851 Matlock Road - oppose
Bruce Kimball - 5 Inverness Court - support
Richard Littell - 2603 Woodbridge Trail - oppose
Ronnie Thompson - 220 Wisteria Street - oppose
Tom Eastman - 704 Shady Creek, Kennedale - support
Danny Ray - 11317 CR 525 - oppose
Kevin Pepper - 2211 Lexington Drive - support
Dan Russell - 1405 Clover Hill Road - oppose
Sherri Russell - 1405 Clover Hill Road - oppose
Irene Titera - 1444 Southern Hills Drive - support
Benjamin Walsh - 409 Chimney Hills Circle - support
Ronald Thorson - 1802 Newcastle Drive - oppose
Kay Kamm - 8900 Carpenter Freeway, Dallas - oppose
Jared Jepson - 3015 Saint Lynda Drive - support*

Mayor Cook recognized the following non-speakers:

*Melissa Quinn - 2700 Jennie Wells - oppose
Don Eifert - 391 Newt Patterson - oppose
William Padham - 2905 St. Martin Drive - support
Suree Padham - 2905 St. Martin Drive - support
Curb Tanner - 609 Prairie View - support
Terri Pepper - 2211 Lexington Drive - support
Carla Grena - 1606 Fairhaven Drive - support
Jason Keister - 2307 Lockshire Drive - support
Matthew Pepper - 2211 Lexington Drive - support
Joyce Kimball - 5 Inverness Court - support
Drew Wallace - 414 Dover Park Trail - support
Andrew Pepper - 2211 Lexington Drive - support
Karen Voigts - 800 St. Matthew Drive - support
Emily Gilliland - 1808 Artesia Court - support
Kathryn Pepper - 2211 Lexington Drive - support*

Mayor Cook closed the public hearing at 11:06 p.m.

Allen Taylor answered Council questions.

A motion was made by Council Member Kunasek to suspend the rules for discussion. Seconded by Council Member Rudnicki. The motion CARRIED by the following vote:

Ayes: 6 - David Cook; Mike Leyman; Greg Kunasek; Cory Hoffman; James Rudnicki and Larry Broseh

Nays: 1 - Darryl Haynes

A motion was made by Council Member Cory Hoffman to approve the third and final reading of the smoking ordinance with the following amendments to the draft ordinance: modify the language in section 9.75 (A) change the word shall to may; as well as change the first sentence to read "any owner of a business, facility, room or structure or other establishment existing on the effective date of this ordinance which is subject to."

Seconded by Council Member James Rudnicki. The motion CARRIED by the following vote:

Ayes: 4 - David Cook; Cory Hoffman; James Rudnicki and Larry Broseh

Nays: 3 - Mike Leyman; Greg Kunasek and Darryl Haynes

A motion was made by Council Member Hoffman to approve the third and final reading of the following ordinance as amended.

AN ORDINANCE AMENDING CHAPTER IX. "HEALTH AND SANITATION" OF THE CODE OF THE CITY OF MANSFIELD BY AMENDING ARTICLE IV., REGULATION OF SMOKING IN ITS ENTIRETY TO READ AS HEREINAFTER; PRESCRIBING THE PENALTY FOR THE VIOLATION HEREOF; MAKING THIS ORDINANCE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR GOVERNMENTAL IMMUNITY; PROVIDING FOR INJUNCTIONS; PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

Seconded by Council Member Rudnicki. The motion CARRIED by the following vote:

Aye: 4 - David Cook; James Rudnicki; Cory Hoffman and Larry Broseh

Nay: 3 - Mike Leyman; Greg Kunasek and Darryl Haynes

Abstain: 0

Enactment No: OR-1737-09

PUBLIC HEARING AND FIRST READING

[08-1234](#)

Ordinance - Public Hearing and First Reading of an Ordinance Approving a Specific Use Permit for Gas Well Drilling and Production on Approximately 3.47 Acres, Generally Located East of Hardy Street, Approximately 1,100 Feet North of St. Paul Road, and Approximately 650 Feet West of U.S. 287;

EOG Resources, Inc. (ZC#08-020)

Mayor Cook asked Mayor Pro Tem Broseh to handle this agenda item since he would be abstaining from the vote. Vicki Collins read the caption into the record. Mayor Pro Tem Broseh opened the public hearing at 12:22 a.m. With no one wishing to speak, Mayor Pro Tem Broseh continued the public hearing at 12:35 a.m. Jacobs Engineering representative Mark Baysden, 777 Main St, Fort Worth, made a brief presentation and answered Council questions. EOG Resources representatives Ralph Armentrout, Larry Brazile and Lee Lohoefer, 421 W. 3rd Street, Fort Worth, made brief presentations. Mr. Chandler made comments. Steve Freeman made comments and answered Council questions.

A motion was made by Council Member Leyman to approve this agenda item. Seconded by Council Member Kunasek. After discussion Council Member Kunasek withdrew his second and Council Member Leyman withdrew his motion.

A motion was made by Council Member Rudnicki to deny the first reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR GAS WELL DRILLING AND PRODUCTION ON THE HEREINAFTER DESCRIBED PROPERTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE."

Seconded by Council Member Hoffman. The motion CARRIED by the following vote:

Aye: 6 - Mike Leyman; James Rudnicki; Greg Kunasek; Cory Hoffman; Larry Broseh and Darryl Haynes

Nay: 0

Abstain: 1 - David Cook

PUBLIC HEARING CONTINUATION AND SECOND READING

09-1308

Ordinance - Public Hearing Continuation and Second Reading of an Ordinance Approving an Amended Specific Use Permit for Gas Well Drilling and Production on Approximately 5.817 Acres, Generally Located East of Retta Road, Approximately 1,250 Feet North of West Broad Street, on Property at 491 Retta Road; Chesapeake Operating, Inc. (ZC#08-023)

Chesapeake Energy representative Norman Herrera, 100 Energy Way, Fort Worth, made a brief presentation. Mayor Cook continued the public hearing at 1:06 a.m. With no one wishing to speak, Mayor Cook closed the public hearing at 1:07 a.m.

A motion was made by Council Member Rudnicki to approve the second reading of "AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, AS HERETOFORE AMENDED, SO AS TO GRANT AN AMENDED SPECIFIC USE PERMIT FOR GAS WELL DRILLING AND PRODUCTION ON THE HEREINAFTER DESCRIBED PROPERTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE." Seconded by Council Member Hoffman. The motion

CARRIED by the following vote:

Aye: 7 - Mike Leyman;David Cook;James Rudnicki;Greg Kunasek;Cory Hoffman;Larry Broseh and Darryl Haynes

Nay: 0

Abstain: 0

ADJOURN

A motion was made by Council Member Hoffman to adjourn the meeting at 1:07 a.m. Seconded by Mayor Pro Tem Broseh. The motion CARRIED by the following vote:

Aye: 7 - Mike Leyman;David Cook;James Rudnicki;Greg Kunasek;Cory Hoffman;Larry Broseh and Darryl Haynes

Nay: 0

Abstain: 0

(All comments on tape in City Secretary's Office)

_____ David L. Cook, Mayor

ATTEST:

_____ Vicki Collins, City Secretary