

**VILLAGE OF PLEASANT PRAIRIE
PLEASANT PRAIRIE VILLAGE BOARD
PLEASANT PRAIRIE WATER UTILITY
LAKE MICHIGAN SEWER UTILITY DISTRICT
SEWER UTILITY DISTRICT "D"
9915 39th Avenue
Pleasant Prairie, WI
April 10, 2006
Immediately following the 5:00 p.m.
Plan Commission Meeting**

A Special Meeting of the Pleasant Prairie Village Board was held on Monday, April 10, 2006. Meeting called to order at 6:30 p.m. Present were Village Board members John Steinbrink, Alex Tiahnybok, Steve Kumorkiewicz and Mike Serpe. Jeff Lauer was absent. Also present were Mike Pollocoff, Village Administrator; Jean Werbie, Community Development Director; and Jane Romanowski, Village Clerk.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. CITIZEN COMMENTS**

Ajay Kuttemperoor:

Ajay Kuttemperoor, 19275 West Capitol Drive, Brookfield, Wisconsin. I'm here actually to bring to you two projects today, the first being Meadowdale Estates Addition #1. This is going to be a proposed 41 lot subdivision which is going to be abutting our existing Meadowdale Estates Subdivision which is 67 lots. We do have 41 single family lots, and in addition there are going to be two outlots as well created by this final plat.

The second project I'm here to talk about today is Prairie Villa Limited Partnership, or Prairie Villa Senior Apartments. It is going to be a 71 unit senior independent living apartment facility. It's going to be located directly south of our existing Prairie Ridge Senior Campus. It will abut two new private roadways that have been constructed within our entire Arbor Ridge Development, 96th Avenue and 81st Place. Similar to the first phase the 71 units will be financed through WHEDA's Affordable Housing Tax Credit Program. So the rents in this facility will be restricted to either 40, 50 or 60 percent of the Kenosha County median income. So those are the two projects, and I just wanted to let you know that I'm here to answer any questions that you may have.

John Steinbrink:

Thank you. Anyone else wishing to speak under citizens comments. Hearing none I'll close citizen comments.

5. VILLAGE BOARD COMMENTS

Mike Serpe:

Thank you, John. Alex, I thank you for the offer and the olive branch. I'm here to tell you I appreciate that offer and I will do everything I possibly can to put this Board on a harmonious platform that we can all work together on and work for the better of this community. To say the least I think these last couple months was a living hell for a lot of us, and I don't wish that on anybody, and I hope none of us have to ever go through that again. Let's move on. I think it's time. Let's talk to one another whether it be a phone call at night, an e-mail back and forth. If we have a concern let's take it up with each other and let's work things out and I think we'll do just fine.

Alex Tiahnybok:

Thanks, Mike. I appreciate the response. It's been an interesting year the last year. A lot of trying moments and I think that's part of what the process should be, debate but not necessarily anger. And if we can keep anger out of it I think we'll be in good shape.

Trustee Lauer is not here tonight. He communicated that to the Board. He asked me to read a statement. Before I do so I just would like it to be on the record that I did hear from Mike. I don't know if it was Tuesday, or I think it Wednesday, indicating that the meeting on the 17th was cancelled and there would be a Board meeting tonight. Obviously I'm here so I was able to make it work out. I travel with work and I've put our meeting calendar into my calendar and I'm doing everything possible to make sure I'm here on those nights. Changing things, and I have really no idea what the changes next week are caused by, and I don't even care to know at this point, but changes are difficult sometimes to accommodate. So I really hope we can keep on our regular schedule.

But Trustee Jeff Lauer says, this evening's Board meeting was not a regularly scheduled meeting. He indicates he was not contacted to see if he would be able to attend this evening, this evening's non-scheduled Board meeting. I should read it verbatim. "I have a prior engagement for this evening, Monday, April 10, 2006. It is difficult to believe that arbitrarily a regular Board meeting would be changed without contacting all Board members in advance to ensure that it would not cause a scheduling conflict. In the spirit of cooperation all Board members should be contacted in advance verbally before a decision is made to change regularly scheduled Board meetings to a different date. Thank you." That's what he said and he wanted it to be in the record.

Steve Kumorkiewicz:

I certainly agree with Mike's comments to Alex. I think this year is going to be different. I'm pretty sure of that and I think the Board is going to work for the good of the community and that's what we're willing to do. There's not too much to say about it . . . we have different thoughts, but I think this time we are all going to work together for the good of the community as we did in the past.

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Alex Tiahnybok:

Thank you, Steve.

6. NEW BUSINESS

- A. Receive Plan Commission Recommendation and Consider Resolution #06-18 and approval of the Final Plat, Development Agreement and related documents for the request of Ajay Kuttemperoor, agent for Crestwood Development LLC owners of the property generally located west of 39th Avenue at 97th Street for the proposed 41 single family lot development to be known as Meadowdale Estates Addition #1 Subdivision.**

Jean Werbie:

Mr. President and members of the Board, Resolution 06-18 is the request for the approval of the final plat development agreement and related documents. This is the request of Ajay Kuttemperoor, agent for Crestwood Development LLC. This is regarding the Meadowdale Estates Addition #1 Subdivision.

As some background information, this is a subdivision that was conditionally approved as part of its conceptual plan on December 6, 1999 by the Village Board. At that time 110 single family lots were proposed. This subdivision is located east of 39th Avenue and south of 93rd Street and north of the future Village Center for Pleasant Prairie.

A neighborhood plan was also approved for this particular area that was the framework for the conceptual plan for this project. The minimum lot sizes within this particular subdivision are 20,000 square feet and a minimum of 100 feet of road frontage. This subdivision falls within the R-3, Urban Single Family Residential Subdivision Zoning District.

On February 7, 2000, the Board conditionally approved a preliminary plat for the entire 110 new single family lots on approximately 87 net acres. The average lot size within this subdivision is 34,639 square feet. The net density is 1.26 units per net acre.

On November 20, 2000, the Board approved the final plat and the related development agreement for the first stage of the Meadowdale Estates Subdivision through Resolution 00-51. ON December 4, 2000, the Village Board approved the zoning map amendments as relate to the subdivision. On October 17, 2005, the Village Board also approved 05-50 to amend and correct the zoning map as it related to the C-1, Lowland Resource Conservancy District, as a result of some new wetland stakings that were done on the property on both the south end as well as the west end of the property.

On October 17, 2005, the Board approved a variance from Section 395-59 D A of the land division ordinance to not construct required temporary turnarounds at the west end of proposed 97th Street and at the south end of 43rd Avenue which is at the south end of the development. These cul-de-sacs are not being constructed at this time because of the amount of wooded treed

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areas that would be disturbed or destroyed as part of the turnaround, so the adjacent roads will be barricaded so that the traveler or the public will not travel down to the end of the road.

Again, this phase of the final plat for this subdivision is 41 single family lots on 28 acres. Projected population at full build out would be 112 persons. The school district was provided with information related to this subdivision, and 17 public school age children are likely to come from this second phase of the development or second stage at full build out.

Under open space, approximately 10 acres or 23 percent of the entire site is to remain as open space, and this includes wetlands, other open space, as well as a Village park, and the Village park is located on the very southwest corner. This piece of property is going to be included as part of the overall Village Green neighborhood park that will service the Meadowdale development as well as Village Green Heights, Devonshire, and some of the adjacent lands.

The final plat, again, is that area that is identified at the south end of this particular development. This is a project that the Plan Commission and the Village Board have seen on numerous occasions. The staff recommends approval of Resolution #06-18, resolution approving the final plat for the Meadowdale Estates Addition #1 Subdivision. It's subject to the conditions as set forth in the resolution and all of the exhibits which are on file with the Village. The staff is proposing that a closing and a pre-construction meeting be set with Village personnel and contractors within 14 days of the Village's approval of the project.

One other thing I wanted to mention since it's always an issue that does come up is there are some existing storm water management facilities that are shown in the referenced subdivision. These facilities were both constructed as part of the original phase of this particular subdivision, so those retention facilities are in place at this time.

Just to clarify some points that were made previous Plan Commission meetings, the access for this subdivision comes from 39th Avenue at 97th, as well as on the north end 43rd Avenue from 93rd Street. There will be future connections to the west into the Devonshire development, and a future connection to the south into the Village Green or the Village Center at such time as that is developed.

John Steinbrink:

Jean, this kind of follows with the Village Green plan, correct?

Jean Werbie:

That's correct.

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John Steinbrink:

Where we had input from all the surrounding areas, the neighborhoods, residents throughout the area and we looked at that plan and matched up the roads and kind of the transition between area to area. Everybody seemed pretty happy with that, correct?

Jean Werbie:

That's correct.

Mike Serpe:

When the Village Green comes forward and the connection is made, is there any way that we can have VK indicate on the sale of each lot that these roads will be connected to another subdivision to the south?

Jean Werbie:

I'm sure Ajay can address that, but we did address that as part of our discussions with the developer in putting some language within the declarations and on the plat, but go ahead.

Ajay Kuttemperoor:

Ajay Kuttemperoor, 19275 West Capitol Drive, Brookfield, Wisconsin. We did insert a paragraph into the supplemental declaration that will be recorded against each of these lots stating that there is a future connection to the south and to the west. And in addition we usually put that in all of our offers as well just so everybody knows.

Mike Serpe:

Thank you. I just never want to relive another Prairie Trails bike trail again. I just don't want to go through that again. If those things are identified at the sale of the lot then that eliminates a whole lot of heartache later on down the road. And, Ajay, I have to commend you and your family for a development that just is outstanding. It's just a joy to go through there and just to watch what's going up and to see the quality and the size. I still don't understand where this money is coming from but it sure does look nice.

Ajay Kuttemperoor:

Thank you.

Steve Kumorkiewicz:

Just one comment, John. Jean, the original lot was supposed to be 121 lots originally the first time it was proposed?

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Jean Werbie:

No, 110.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT RESOLUTION #06-18 AND APPROVAL OF THE FINAL PLAT, DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS FOR THE REQUEST OF AJAY KUTTEMPEEROR, AGENT FOR CRESTWOOD DEVELOPMENT LLC OWNERS OF THE PROPERTY GENERALLY LOCATED WEST OF 39TH AVENUE AT 97TH STREET FOR THE PROPOSED 41 SINGLE FAMILY LOT DEVELOPMENT TO BE KNOWN AS MEADOWDALE ESTATES ADDITION #1 SUBDIVISION; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

- B. Receive Plan Commission Recommendation and Consider Ord. #06-16 and #06-17 for Zoning Map and Text Amendments for the request of Ajay Kuttemperoor, agent for Prairie Villa Limited Partnership owner of the property generally located west of 94th Avenue and north of 97th Court in Prairie Ridge Development to rezone the property for the proposed Prairie Villa Senior Apartments from the R-11 (UHO), Multi-Family Residential District with an Urban Landholding Overlay District to the R-11 (PUD), Multi-Family Residential District with a Planned Unit Overlay District and to create the specific PUD Ordinance requirements for the proposed Prairie Villa Senior Apartments pursuant to Chapter 420-137 of the Village Zoning Ordinance.**

Jean Werbie:

Mr. President and members of the Board, the zoning map and text amendments that are presented this evening are through Ordinance #06-16 and Ordinance #06-17. The request this evening is to rezone the property for the proposed Prairie Villa Senior Apartments to the R-11 PUD District from the R-11 UHO, and a zoning text amendment to create the specific planned unit development ordinance requirements for the development. The specific project is located south of Prairie Ridge Boulevard which is also south of the existing senior housing development and just to the west of 94th Avenue in the Prairie Ridge Development.

As part of some background information, on May 17, 2004, a conceptual plan for the proposed Prairie Ridge Senior Campus, including a total of 521 senior apartments to be constructed in phases, was approved. Phase 1 was one 120-unit building on 6.8 acres. Phase 2, one 71-unit building on 4.2 acres and that's the proposed project this even. Phase 3 is a 70-unit building on 3.3 acres which is a future project for this development. And phases 4 through 7 is 260 total units within two buildings on approximately 9 acres. Again, that's a future project for this area.

The conceptual plan was a refinement of the master conceptual plan that had been approved by the Board, the Plan Commission on January 20, 2003. On November 1, 2004, the mass grading interim development agreement was approved. On May 17, 2004, a variance was approved to allow for the early mass grading to commence. On January 17, 2005, a certified survey map and development agreement and related documents were approved by the Board to commence underground improvements. And on January 17, 2005 a zoning map amendment was approved

to rezone the property into the R-11 UHO.

The proposed project will consist of a three story 71-unit apartment complex with 50 underground parking stalls, and the large board across the hall also does show the specific colors and the materials that are going to be used in this particular project. We also do have some sample board here to show the various types of materials that are being proposed.

The detailed site plan does show that the one 71-unit building does sit on its own parcel of land but it does have some interconnecting private roadways with the senior development project to the north, as well as a connection to the west and then another connection to a road to the south. No new direct connection to 94th Avenue is proposed as a result of this project. So you can see there's a number of adequate access points for dropping off at the facility as well as parking at the facility.

A variety of common areas and amenities for exclusive use of the residents are going to be included. These amenities are similar to what's in the existing senior housing development. The include community dining room, coin operated laundry rooms on every floor, computer room, library, movie and exercise room, craft and game rooms, styling salon, chapel, morning check in system, emergency pull cord system, time security locked entrance doors, storage lockers, car wash bay, and balconies or patios. So you can see there's a lot of additional amenities that have been provided for the seniors. In addition, there's an activity director that will provide a variety of social and recreational and cultural events that will enhance the lifestyle for the residents in the complex.

Individual apartment amenities also include individual gas forced air, individual central air conditioning, walk-in closets, balconies, patios and quality appliances. It should be noted that 15 units will also be designed as handicapped accessible units for residents. This is the final site plan and then, again, the building for the particular project.

The staff recommends approval of ordinance #06-16 and 06-17 for the zoning map and text amendments for the request of Ajay Kuttemperoor, agent for the Prairie Villa Limited Partnership. Again, this project will be known as the Prairie Villa Senior Apartments.

Steve Kumorkiewicz:

I make a motion to adopt 06-16. We were in the Planning Commission meeting.

John Steinbrink:

Do you need them acted on separately, Jean?

Steve Kumorkiewicz:

They can be together I think as they're one item on the agenda.

Steve Kumorkiewicz:

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Okay 06-16 and 06-17 together for approval.

Alex Tiahnybok:

I'll second that.

John Steinbrink:

Motion and a second for 06-16 and 06-17. Any further discussion on the item?

Alex Tiahnybok:

Jean, the impact fees, the first project the Meadowdale Extension Addition full impact fee, right? That's \$2,461 times 41 unit and that's about \$100,000?

Jean Werbie:

Yes.

Alex Tiahnybok:

And then this one, is it the same impact fee per housing unit in a development like this also, or is it different?

Jean Werbie:

No, I believe that there was a variance that was granted by the Village Board a number of months ago to minimize the impact fees.

Alex Tiahnybok:

I remember that now. I guess my 30,000 foot comment, and I've been around for a year now, of course there's a lot of development going on in Pleasant Prairie, and both of these projects look like very high quality additions to Pleasant Prairie, but I see Ajay Kuttemperoor's name pop up over and over again and I keep wondering aren't there any other builders out there? Again, I think this is good, and Ajay, would you mind commenting because I see your name in particular pop up in regards to Prairie Villa and also to Meadowdale, and I think you're associated with VK, is that correct?

Ajay Kuttemperoor:

That's correct.

Alex Tiahnybok:

So how many projects are happening in Pleasant Prairie right now that VK in some form is

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involved in?

Ajay Kuttemperoor:

Besides these two we also have the Shoppes at Prairie Ridge Development which will be coming within the next few months. That was the Target Store and the remaining retail center. In addition to that we do plan on starting our first phase of our Arbor Ridge Condominiums as well. That may happen within the next month or two.

Alex Tiahnybok:

A lot of stuff going on.

Ajay Kuttemperoor:

We are keeping busy in the Village.

Alex Tiahnybok:

Okay, thanks.

Ajay Kuttemperoor:

Do you want me to answer the question on the impact fees?

Alex Tiahnybok:

That would be great.

Ajay Kuttemperoor:

I think in the minutes of the meeting of December 19, 2005 we had a waiver of impact fees excluding the rescue fees which were the only fees that were going to be implemented for the senior housing.

Alex Tiahnybok:

Thanks.

Steve Kumorkiewicz:

One last comment. In 1995 we took a tour in Brookfield with your dad and he was driving the bus when we went to see these apartments. I said it's going to be beautiful to have those in Pleasant Prairie. That's exactly what we saw and what we're looking at here which is great. For your information, Alex, that used to be the largest project in the State of Wisconsin in 1995, 423 square acres. The other thing that reminds me of that is the fact that there's some question in an apartment like that if they have a swimming pool. That was the only one that has a swimming

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pool for senior citizens.

Ajay Kuttemperoor:

No, this one does not have a swimming pool.

John Steinbrink:

Thank you. Any further discussion on this item?

Jean Werbie:

Mr. President, I also wanted to mention in response to Alex's question, with respect to the Meadowdale Estates Development I don't believe that they're going to be building except on a case-by-case basis by request those particular homes in that subdivision. They have all different builders that will be building in that subdivision. They won't be building the homes. I'm not sure if you have any under contract if you want to respond to that, but those are open to any builder.

Ajay Kuttemperoor:

Right. In the first phase typically we don't put up any model homes in our subdivision. In the first phase we did construct two homes in the first phase. Besides those two all we did was sell the lots and they were free to choose any builder. But we still have the architectural control over the plans.

Alex Tiahnybok:

Thanks.

KUMORKIEWICZ MOVED TO CONCUR WITH THE RECEIVE PLAN COMMISSION RECOMMENDATION AND ADOPT ORD. #06-16 AND #06-17 FOR ZONING MAP AND TEXT AMENDMENTS FOR THE REQUEST OF AJAY KUTTEMPELOOR, AGENT FOR PRAIRIE VILLA LIMITED PARTNERSHIP OWNER OF THE PROPERTY GENERALLY LOCATED WEST OF 94TH AVENUE AND NORTH OF 97TH COURT IN PRAIRIE RIDGE DEVELOPMENT TO REZONE THE PROPERTY FOR THE PROPOSED PRAIRIE VILLA SENIOR APARTMENTS FROM THE R-11 (UHO), MULTI-FAMILY RESIDENTIAL DISTRICT WITH AN URBAN LANDHOLDING OVERLAY DISTRICT TO THE R-11 (PUD), MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT OVERLAY DISTRICT AND TO CREATE THE SPECIFIC PUD ORDINANCE

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**REQUIREMENTS FOR THE PROPOSED PRAIRIE VILLA SENIOR APARTMENTS
PURSUANT TO CHAPTER 420-137 OF THE VILLAGE ZONING ORDINANCE; SECONDED
BY TIAHNYBOK; MOTION CARRIED 4-0.**

- C. Receive Plan Commission Recommendation and Consider Ord. #06-18 for a Zoning Map Amendment for the request of Larry and Patricia Day to rezone the property located at 4110 93rd Street from R-2, Urban Single Family Residential District to R-4, Urban Single Family Residential District.**

Jean Werbie:

I'd ask that Item D be brought up at the same time.

- D. Receive Plan Commission Recommendation and Consider the request of Larry and Patricia Day for a Certified Survey Map to subdivide the property located at 4110 93rd Street into two parcels.**

John Steinbrink:

Unless there is objection? Hearing none, we'll act on Items C and D.

Jean Werbie:

Mr. President and members of the Board, the petitioners are requesting to rezone the property located at 4110 93rd Street from the R-2, Urban Single Family Residential District to the R-4, Urban Single Family Residential District so that the property can be subdivided into two parcels. As you can see, the property is located on 93rd Street just east of existing 42nd Avenue and west of 39th Avenue north of 93rd Street.

The request is to go from the R-2 to the R-4 District. The R-2 District requires that minimum lots be 40,000 square feet with 150 feet of frontage. The R-4 District requires minimum lot sizes of 15,000 square feet and 90 feet of road frontage. The proposed zoning map amendment as presented does comply with the Village's Comprehensive Plan and is not inconsistent with the adjacent residentially zoned properties.

Lot 1 is proposed to be just under one acre at 42,401 square feet with 126.65 feet of frontage on 93rd Street. Lot 2 is proposed to be 35,153 square feet with 105 feet of frontage on 93rd Street. Additional right of way is proposed to be dedicated on 93rd Street for a future widening of 93rd Street. No additional easements are required at this time from We Energies.

The staff recommends approval of both the zoning map amendment, which is Ordinance #06-18, as well as the certified survey map at the request of Larry and Patricia Day subject to the comments and conditions as outlined in the staff memorandum.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND ADOPT ORD. #06-18 FOR A ZONING MAP AMENDMENT FOR THE REQUEST OF LARRY AND PATRICIA DAY TO REZONE THE PROPERTY LOCATED AT 4110 93RD STREET FROM R-2, URBAN SINGLE FAMILY RESIDENTIAL DISTRICT TO R-4, URBAN SINGLE FAMILY RESIDENTIAL DISTRICT; SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.

SERPE MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND GRANT THE REQUEST OF LARRY AND PATRICIA DAY FOR A CERTIFIED SURVEY MAP TO SUBDIVIDE THE PROPERTY LOCATED AT 4110 93RD STREET INTO TWO PARCELS, SUBJECT TO STAFF CONDITIONS; SECONDED BY TIAHNYBOK; MOTION CARRIED 4-0.

- E. Receive Plan Commission Recommendation and Consider Ord. #06-19 for a Zoning Text Amendment to Section 420-42 A (5) of the Village Zoning Ordinance related to Home Occupations for child or adult care.**

Jean Werbie:

Mr. President and members of the Board, Ordinance #06-19 is a zoning text amendment and it's to Section 420-42 A (5) of the Village Zoning Ordinance and it relates to home occupations for child or adult daycare. Specifically, the purpose of this amendment is actually to make a modification or a correction to the zoning ordinance in that currently the zoning ordinance states that child or adult daycare for in-home daycares under the home occupations provision of the zoning ordinance shall be fewer than eight children. We've come across some situations where the State standards and licensing requirements state that you can have an in-home daycare meeting certain licensing requirements with eight or fewer children. So to clarify our zoning ordinance that eight or fewer are allowed under a home occupation that is the purpose of this particular text amendment. The Plan Commission and the staff recommend approval of the text amendment as presented.

KUMORKIEWICZ MOVED TO CONCUR WITH THE PLAN COMMISSION RECOMMENDATION AND CONSIDER ORD. #06-19 FOR A ZONING TEXT AMENDMENT TO SECTION 420-42 A (5) OF THE VILLAGE ZONING ORDINANCE RELATED TO HOME OCCUPATIONS FOR CHILD OR ADULT CARE; SECONDED BY TIAHNYBOK; MOTION CARRIED 4-0.

- F. Consent Agenda**
 - 1) Approve Bartender License Applications on file.**
 - 2) Approve the Request of Doris Smaniotto, owner, for a Certified Survey Map to subdivide the property located at 10835 39th Avenue into four parcels.**
 - 3) Approve Letter of Credit Reduction for Arbor Ridge.**

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**SERPE MOVED TO APPROVE CONSENT AGENDA ITEMS 1-3 AS PRESENTED;
SECONDED BY KUMORKIEWICZ; MOTION CARRIED 4-0.**

7. ADJOURNMENT

**TIAHNYBOK MOVED TO ADJOURN THE MEETING; SECONDED BY SERPE;
MOITON CARRIED 4-0 AND MEETING ADJOURNED AT 7:05 P.M.**