

The October 27, 2009 meeting of the Newtown Village Council was called to order at 7:00 p.m. by Mayor Curt Cosby, who led the Pledge of Allegiance to the Flag.

Councilmember's:	Brian Burns	Mark Kobasuk (absent)
	Doug Evans	Ken Pulskamp
	Tracy Hueber (absent)	Daryl Zornes

Mayor: Curt Cosby
Solicitor: Doug Miller
Fiscal Officer: Keri Everett
Police Chief: Tom Synan

Citizen Input

Burger Farm

Mr. Lynn Burger spoke to council regarding the recent theft at Burger Farm. Mr. Burger said due to the quick reaction of the police department, thousands of dollars of materials were recovered. He thanked the police department.

Meet the Candidates

Mr. Curt Tiettmeyer said he thought everyone was remised last Tuesday night, October 20th at Meet the Candidates, in not thanking the staff for putting together the event. Mr. Tiettmeyer said he thought it was a very well organized event and thanked the staff for their hard work and efforts in organizing the event.

Mr. John Russell emceed the "Meet the Candidates" event; we thank him for a job well done. Mr. Russell was appointed to Council in 1975 and re-elected in 1977. He was elected for Mayor in 1979 and re-elected for Mayor in 1983, completing his term in December 1987. Mr. Russell has also served on our Planning Commission since 1974. We also thank him for his many years of service.

Halloween

Halloween will be observed Saturday, October 31st from 6:00 p.m. to 8:00 p.m. in the village.

Hamilton County Park District – Bike Trail (map handout)

Mayor Cosby met with Ross Hamre and Kevin Brill with the HCPD regarding the bike trail coming through Short Park. Restrooms for Short Park were also discussed. Mayor Cosby told Mr. Hamre and Mr. Brill that council would like to see some contribution from HCPD towards the restrooms. Mayor Cosby said they will consider the request. The village has been awarded a \$25,471.00 grant for restrooms at Short Park. The project is to be completed on or before June 30, 2010.

Moundview Grant for Playground Equipment

The grant was discussed at the 10-13-09 council meeting. Mr. Burns said Solicitor Miller will discuss the paperwork that needs to be worked out.

Checklist

Mr. Evans asked if anyone had any questions regarding the checklist. Mr. Burns said the police cruisers and new design look fantastic. Mr. Burns said selling the two old black and white cruisers to Cincinnati State was a great deal. The new cruisers are black with new graphics. Mr. Evans asked if the second cruiser has been received. The second cruiser is here; the invoice will not be paid until some issues with the billing process are resolved, said Chief Synan. Payment has been received from Cincinnati State for the cruisers.

Mr. Pulskamp asked Solicitor Miller if the \$6,251.69 was for more than one month of service. Ms. Everett said it was for one month. Solicitor Miller said council time is part of the standard fee; therefore, not part of this invoice. The invoice includes time for Mayor's Court, Hylant Group, meeting minutes, telephone calls and Flagg Spring Cemetery. Solicitor Miller said \$1,600 of the \$6,251.69 was billed for the Martin Marietta Mining issue.

Mr. Evans asked Ms. Everett about the \$2,085.00 to D & S Consulting, LLC. Ms. Everett said that amount covers two months of billing.

Mr. Evans said we need to add a \$50.00 refund to the checklist Michael Gundrum for cancellation of a reservation at Moundview Park.

Mr. Evans made a motion to accept the checklist dated 10-27-2009, in the amount of \$68,194.70 plus \$50.00 to Michael Gundrum. Mr. Zornes seconded the motion. All Aye. (Ms. Hueber -absent, Mr. Kobasuk-absent) Motion Carried.

Supplemental Appropriations, First Reading Resolution

Mr. Evans made a motion to have a First Reading of a RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR THE CALENDAR YEAR 2009. Mr. Burns seconded the motion.

Discussion

Mr. Burns said the appropriations are moving money within the budget that was already there. It is just to fill different lines, Mr. Burns said.

All Aye. (Ms. Hueber-absent, Mr. Kobasuk-absent) Motion Carried.

Mr. Evans made a motion to have a Second Reading at the 11-10-2009 council meeting. Mr. Burns seconded the motion. All Aye. (Ms. Hueber-absent, Mr. Kobasuk-absent) Motion Carried.

Budget Commission, Second Reading Resolution (due 11-16-09)

Mr. Evans made a motion to have a Second Reading on a Resolution ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. Mr. Burns seconded the motion. All Aye. (Ms. Hueber-absent, Mr. Kobasuk-absent) Motion Carried.

Mr. Evans made a motion to have a Third Reading at the 11-10-2009 council meeting. Mr. Zornes seconded the motion. All Aye. (Ms. Hueber-absent, Mr. Kobasuk-absent) Motion Carried.

SR 32 and Church Street Traffic Light

The traffic light issue has been resolved and is working at SR32/Church Street, said Mr. Pulskamp. Mayor Cosby said it doesn't block the green lights and definitely helps the eastbound intersection.

Bids to Remove Trees

Mr. Pulskamp has obtained bids to have various trees cut down with the debris being removed. He will talk to the Maintenance Department about them removing the debris after the trees are cut to save money. Mr. Pulskamp will bring the bids to the 11-10-09 council meeting.

Executive Session

Mr. Pulskamp requested an Executive Session to discuss property purchase acquisition.

Moundview Grant for Playground Equipment

In reviewing his budget notes, Mr. Pulskamp asked Ms. Everett if money had been appropriated for playground equipment at Moundview Park before applying for the grant. Ms. Everett said, no, money had not been appropriated but they want to take the money from the Recycling Incentive Fund.

Solicitor Miller said it is confusing because there was a resolution and a motion made; he told Mr. Pulskamp he thought he had been the one to make the motion to pass the resolution to apply for the agreement. And part of the resolution was that council would agree to commit the money when the time came for that as in the grant. He said the minutes all of a sudden started talking about the restroom, the one we had before. Solicitor Miller said he thought it was one of those situations where he had sent the resolution out and everyone knew what it was. Apparently, there is nothing in the minutes or on the tape that said it is for the park playground equipment. Mr. Pulskamp said he is all for it but shocked that he could not find anything in the minutes where the money had been approved, like we do for every other grant. Solicitor Miller said what council did was pass a resolution and thought it was the same as the one prior as the grant the year before that just said council agrees they will appropriate the money when the time comes. He said that is in the resolution. Solicitor Miller said he thought it is okay except at some point, council will need to appropriate the money and we are still looking for the exact number. He said there will probably be a resolution to appropriate the money at the 11-10-09 council meeting. Solicitor Miller said the application and council agreeing to put the money up for whatever the match was in the application was approved. Mr. Pulskamp asked if there was a resolution for that. Solicitor Miller said yes. Mr. Burns said the wording in the resolution clearly states that you're discussing points on Short Park restrooms, which are in the minutes. Mr. Burns said, again, they talked with Solicitor Miller and this is the direction we wanted to go. Mayor Cosby said they found the resolution done for the Short Park restrooms done in the beginning of 2008. He said it has been investigated. Solicitor Miller said council passed the resolution for the playground equipment and then immediately started talking about the restrooms. And it looked like it was confusing that that resolution may have been for the restrooms, but the restroom resolution was actually back in 2008. Mr. Pulskamp said he asked because he knows the village will be questioned at the next audit. He said as long as we have the paperwork to back it up is good.

Waste Removal Contract/Garbage Collection Bids

Pulskamp was unable to have the Street Committee meeting last Wednesday; therefore, the meeting was cancelled. The Street Committee meeting is rescheduled for Wednesday, November 4th at 7:00 p.m. Bid specs for garbage collection will be discussed. Council members Pulskamp, Evans and Hueber serve on the Street Committee.

Maintenance Supervisor/Street Commissioner

Mr. Pulskamp brought up the need to hire a Maintenance Supervisor/Street Commissioner. He said he has received conflicting information from some of the council members. On September 22, Mr. Burns and Mr. Kobasuk pushed to fill this position before winter and then all of a sudden at the October 13th meeting, they decided to wait until January, said Mr. Pulskamp. He thinks it would be best to get applications in now to allow time for review. Mr. Burns said he doesn't disagree, but feels this is a lame-duck council session. Mr. Burns said there are seven candidates running for four council seats and we need to wait and see who will be elected to council implementing the right people in the right place. He said his goal was to head off and understand exactly where we are going; we'll know where the voters want to go and how people

can have some influence on making more committees and being involved with the Street Commissioner position. Mr. Pulskamp said he doesn't understand what a new council has to do with hiring the best person for the job. Mr. Burns said you don't even know who is going to sit for the hiring. Mr. Pulskamp said we should at least begin getting applications in so we have something to work with. Mayor Cosby said he does have four or five applications in his office. Mr. Evans said we could get an early winter and need to be prepared in the event someone is off on vacation or sick with the flu. Mayor Cosby suggested discussing this issue at the Street Committee meeting next Wednesday and then bring it back to the November 10th council meeting. Mr. Evans said we do need to fill the position.

10-13-2009 Council Minutes

Mr. Zornes made a motion to approve the 10-13-2009 council minutes, Mr. Pulskamp seconded the motion. All Aye. (Ms. Hueber-absent, Mr. Kobasuk-absent) Motion Carried.

Reserve of Ivy Hills

Solicitor Miller said he did talk to Mr. Brandstetter regarding the Reserve of Ivy Hills; Mr. Brandstetter will get a copy of the punch list to Solicitor Miller.

Mr. Pulskamp made a motion to enter into Executive Session at 7:20 p.m. to discuss possible property acquisition. Mr. Burns seconded the motion. Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes, Mr. Zornes-Yes, (Ms. Hueber-absent, Mr. Kobasuk-absent) Motion Carried.

Council reconvened at 7:24 p.m.; action will be taken as a result of Executive Session.

Mr. Pulskamp made a motion to approve an amount up to \$75,000 to Solicitor Miller for possible property acquisition. Mr. Burns seconded the motion. All Aye. (Ms. Hueber-absent, Mr. Kobasuk-absent) Motion Carried.

Mr. Pulskamp made a motion to adjourn at 7:25 p.m., Mr. Burns seconded the motion. All Aye. (Ms. Hueber-absent, Mr. Kobasuk-absent) Motion Carried.