

The November 27, 2007 meeting of the Newtown Village Council was called to order at 7:30 p.m. by Vice Mayor Mark Kobasuk, who led the Pledge of Allegiance to the Flag.

Councilmembers: Curt Cosby Mark Kobasuk
Doug Evans (absent) Debbie McCarthy
Tracy Hueber Ken Pulskamp

Mayor: John Hammon (absent)
Solicitor: Doug Miller
Fiscal Officer: Keri L. Everett
Chief of Police: Tom Synan
Street Commissioner: Charlie Siegel (absent)

Audience Participation

Resident Joanie Waits: 7133 Monongahela. I missed the meeting after the election and I have some concerns. I know it was voted to take down the parking signs in the west part of the Crull subdivision. Will they park inside the white lines or outside?

Mr. Kobasuk: I would believe they will be parking on the street and they may go over the white lines.

Mr. Pulskamp: It is going back to how it used to be.

Mrs. Waits: John had said the street was 17 feet wide and if a car is about 6-7 foot wide, so that would be 14 feet for two cars. How are you going to get a fire truck through there?

Mr. Kobasuk: I would hope they would not park on either side and they leave adequate space for vehicles to get through. I promise you that if there is abuse of the parking privileges council will take action.

Mrs. Waits: If you take the signs down and it can become a problem if they have the opportunity to park wherever they want to park. What if someone has a house fire and the fire department can't get through? This village must have one heck of a good insurance policy; because if there is a fire and somebody dies they can bankrupt this village.

Ms. Hueber: Joanie, that is why I voted for it and now that the public has voted to rescind it, I'm hoping Doug, it brings those of us as councilmen, if that happens. Those people on West Street would be the first people to sue the village if the fire trucks couldn't get in there.

Mrs. Waits: What they did for us on the hill you can park on one side and have a fire lane on the other. I think that is the only way the village could protect themselves by putting signs on one side in the fire lane.

Mr. Kobasuk: Joanie, I hope there is not abuse of the parking. I would like to see no parking 30 feet from the intersections and I would like to see that enforced where the stop signs are; no parking 30 feet from the intersections. Maybe we can address that when we have a new council down the road. I don't think tonight is the time to vote on anything like that.

Mrs. Waits: I realize that, but I really think as a taxpayer and a citizen, I think you have a big problem on your hands and it could be a disaster.

Mr. Pulskamp: In talking with a few firemen, I found out that our Quint Aerial truck would not be able to set up on any street down there if there is one car parked where they would have to get set up.

Mr. Kobasuk: We can these issues up with the chief; he addressed council on this and all I recall him talking about is perhaps no parking 30 feet from the intersections to allow the fire truck to get through. He didn't advocate or ask for anything else. That is all I recall.

Mrs. Waits: God help us all that there is not a fire down there and not a tragedy, because this whole village will be hurt financially.

Mr. Kobasuk: It's been like that for decades and nothing has happened, but, I appreciate your concern.

Mrs. Waits: You cannot say it will never happen. Things happen in life that people never look forward to and get hit good, so don't say it hasn't happened before and it won't happen this time.

Mr. Kobasuk: You have to look at the past history.

Mrs. Waits: Past history means nothing when it comes to a house fire. I just think it is a shame. I wanted the ordinance to stand; because I think you have a serious problem on your hands.

Mr. Kobasuk: I don't think we're going to solve this issue tonight Mrs. Waits. We put it on the ballot and the voters spoke. We can always take additional action if there is abuse of the parking.

Mrs. Waits: Okay. Thank You.

Councilmember Tracy Hueber

Ms. Hueber made a motion to approve Checklist, dated 11/27/2007. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.

Councilmember Ken Pulskamp

Mr. Pulskamp made a motion to have a Second Reading on A RESOLUTION APPROVING THE VILLAGE TEMPORARY APPROPRIATIONS FOR THE YEAR 2008 AND DECLARING AN EMERGENCY. Mrs. McCarthy seconded the motion.

Mr. Pulskamp made a motion to suspend the rules. Ms. Hueber seconded the motion. All Aye. Motion Carried.

Mr. Pulskamp made a motion to adopt **ORDINANCE 15-2007 AN ORDINANCE ADJUSTING RATES OF PAY OF VILLAGE EMPLOYEES, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY**. Ms. Hueber seconded the motion. Roll Call: Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes, Mr. Kobasuk-Yes, Mr. Evans-Absent. Motion Carried.

Mr. Pulskamp made a motion to suspend the rules. Ms. Hueber seconded the motion. All Aye. Motion Carried.

Mr. Pulskamp made a motion to adopt **RESOLUTION 38-2007 A RESOLUTION AUTHORIZING A CONTRACT FOR PAINTING IMPROVEMENTS AT MOUNDVIEW PARK, DISPENSING WITH THE SECOND AND THIRD READINGS, AND DECLARLING AN EMERGENCY**. Mrs. McCarthy Seconded the motion. Roll Call: Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes, Mr. Kobasuk-Yes, Mr. Evans-Absent. Motion Carried.

Mr. Pulskamp

1. Maintenance Trucks: All of our trucks are in great working condition; salt bins, beds, snow plows, everything has been checked and repaired. We're ready for the weather when it comes.

Councilmemeber Curt Cosby

1. Executive Session: I'd like to call an Executive Session for personnel.

Mr. Kobasuk: Doug mentioned he needed an Executive Session on a personnel matter.

Solicitor Miller: Well, mine would be more litigation, but for personnel you need to have a reason like compensation, discipline, hiring.

Mr. Cosby: It was a compensation issue.

Councilmember Debbie McCarthy

1. Leaves in Street: Is there an ordinance with neighbors blowing their leaves into the street, not to be sucked up, but just that is where they are blowing them.

Mr. Pulskamp: I don't think there is an ordinance for that.

Ms. Hueber: There is not an ordinance, because we put them in the street to be picked up and if the wind blows them.

Mr. Pulskamp: They are supposed to be between the curb and the sidewalk.

Ms. Hueber: Right, but when you don't have curbs and sidewalks the leaves blow out.

Mr. Pulskamp: Maybe one of the maintenance guys should stop by and let them know we offer the service if they get them out to the street.

Mrs. McCarthy: Tony was on my street and I asked him about it the other day. He said there were some residents that do that. He said he doesn't know and just to bring it up at council.

Solicitor Miller: Unless, I don't know if there is something in the property maintenance code. Other than that, I don't recall anything.

Mrs. McCarthy: I'm concerned that there is a drain right in front of my house and if that gets filled up with leaves.

Solicitor Miller: It's not just leaves. If you mow your grass out and that is probably worse.

Mrs. McCarthy: They do that as well. I just didn't know if there is anything in the books.

Mr. Pulskamp: I'll take a look at it.

Mr. Kobasuk: We can check into that Debbie.

Mrs. McCarthy made a motion to approve Council Minutes for 2/11/2003. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.

Mrs. McCarthy made a motion to approve Council Minutes for 10/23/2007. Ms. Hueber seconded the motion. All Aye. Motion Carried.

Police Chief Tom Synan

Mark shared an email with me; after the last council meeting we had discussed: 1) our department being short on officers and asking people to be more careful and 2) sharing information with Doug and Mark had followed up with some people from Anderson Township. I did receive an email Lt. Hartzler and had a phone conversation and we worked out an agreement that I hope will stay in place, as far as how we're going to share information and actually steps we had agreed to follow. To show you the importance of both issues, on the 20th the Circle K was robbed at knife-point. Two of the suspects were involved in the Papa John's robbery where the person was stabbed. We currently have the third person back in the station in custody, so we're closing out the case. It goes to show we have to be: 1) careful and there is a need for the people on the shifts; we have to get them covered, 2) the sharing of information, which was one of the major keys in getting this crime solved. When Anderson Township had their robbery, one of our officers actually went up there. We had already given out videos and pictures, etc and had gone up there and met with them. We showed them the pictures and discovered they had all matched and from there we had been working together with the Sheriff's department and Anderson Township from that day forward. I've got a lot of information between the departments and because we did share the information and because of the hard work from our officers, actually Officer Huber who was there that night Circle K was robbed, came back on his own time the next day and retraced the path where we thought the robbers had left and was able to gather physical evidence. Officer Spencer Bischoff has been named an official detective and he has been

working for three days straight on this case and has actually gathered the information about three to four hours ago as to who the third person was and went and picked them up. Our department, along with Anderson Township did a tremendous job of solving this case and this was a case where the people wore masks and had gloves. For us to get any kind of physical evidence was huge and for us to make an arrest with the mask and the gloves is huge. When I first saw this robbery I didn't think it would get solved. I'm very proud of them and very proud that we all worked together.

Mr. Kobasuk: Tom, would it make sense to read into the record the five points that Hartzler has agreed to.

Chief Syman: The five points are:

1. Send information shared with our Business and Neighborhood watch to Detective Bischoff. (A lot of people travel through Newtown to get to Anderson; whatever happens in Anderson, generally, happens here in Newtown. We need to make sure we share information.)
2. They will include Newtown as a member of the Northern Anderson Business Watch, and invite us to all of the meetings.
3. Send an updated list of offenses reported to our department from the surrounding area to Detective Bischoff. (One of the things that helped solve this case via Swopintel, a tool which gives access to all departments and within an hour of our robbery we put out a video description and how it was done to departments in Ohio, Indiana and Kentucky. One access we didn't have was to the Sheriff's department.)
4. Both offices will share suspect and intelligence information.
5. Officers will continue to meet and share information. (I stressed to Lt. Hartzler how important that the road guys have the information.) We've agreed to have lunch meetings once a month, which is attentively scheduled for December 4th.

Ms. Everett

1. Center for Local Government: You have a handout regarding the grant; if you guys could read it over and discuss it at the next meeting because we have to let them know by December 14th.

Councilmember Curt Cosby

1. Swearing-In Ceremony: Tom Brinkman will be here Tuesday, January 1, 2008 at 11:00 a.m. to swear-in everyone.

Mr. Pulskamp made a motion to enter into Executive Session at 7:45 p.m., to discuss personnel compensation. Mr. Cosby seconded the motion. Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes, Mr. Kobasuk-Yes, Mr. Evans-Absent. Motion Carried.

Council meeting reconvened at 8:03 p.m.

Mr. Pulskamp made a motion to suspend the rules. Mrs. McCarthy seconded the motion. All Aye.

Mr. Pulskamp made a motion to adopt ORDINANCE 16-2007 AN ORDINANCE TO MODIFY THE PERSONNEL PRACTICES OF THE VILLAGE OF NEWTOWN TO STATE THAT AN EMPLOYEE WITH TEN OR MORE YEARS OF SERVICE WITH THE VILLAGE, UPON DEATH OR PERMANENT DISABILITY, SHALL BE PAID FOR THE VALUE OF ACCRUED SICK LEAVE, UP TO A MAXIMUM OF THIRTY (30) DAYS, DISPENSING WITH THE SECOND AND THIRD READING AND DECLARED AN EMERGENCY. Mr. Cosby seconded the motion. Roll Call: Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes, Mr. Kobasuk-Yes, Mr. Evans-Absent. Motion Carried.

Councilmember Curt Cosby (Continued)

2. Vacant Council Seat: Come January, this seat will be vacant and I think we need to follow the practice that we have followed in the past and follow the mandate of the voters and that would be to put Brian Burns into this seat. I want everyone to think about that, but I think that we are here to represent the people, not to override the people and he is the one with the next highest votes. Should things have turned out differently I would have felt the same way that this is the way we should do this.

Mr. Kobasuk: It certainly sounds reasonable to me.

Mr. Cosby: I don't think somebody ought to step up who didn't run. He was the next highest vote-getter and he should be put into this seat.

Ms. Hueber made a motion to adjourn council meeting at 8:05 p.m. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.