

The December 11, 2007 meeting of the Newtown Village Council was called to order at 7:30 p.m. by Mayor John Hammon, who led the Pledge of Allegiance to the Flag.

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

Mayor: John Hammon

Solicitor: Rob Butler

Fiscal Officer: Keri L. Everett

Chief of Police: Tom Synan

Mayor John Hammon (Farewell Speech)

As most of you know, this is my last council meeting, in which I will preside. This is the end of twenty-two years sitting at this council table. I would like to thank everyone, the residents, the business owners, the businesses and the employees of the village for their support I have gotten over the past eight years and for all twenty-two years. Reflecting over the past twenty-two years, when I took the oath of office for the first time I had a fifteen-year old daughter. I know have a seventeen year old granddaughter. I was employed and am now retired and golfing and loving it! I buried a wife, but found and married another wonderful woman. I have served with thirty different council people, six clerk treasurers, six building commissioners, four maintenance supervisors, three police chiefs, four fire chiefs and an administrative chief. In the fourteen years of council, three different mayors. We now have a property maintenance inspector, which did not exist twenty-two years ago. One of the amazing numbers as I was looking back over my career is we have only had two solicitors in twenty-two years. I am really proud of the changes that have occurred over the last eight years in the village, and over the past twenty-two years. We have grown from about 1,500 to 3,500 residents. In 2000, we were the fastest growing community in Hamilton County. I would expect, with our recent increases, we will win that award or achievement again. One of the proudest things is when I hear someone telling me we have great employees. I think that is a great compliment to this village that our employees are respected and appreciated for the job they do, by the residents, citizens and other individuals that deal with us. One of the biggest disappointments is the Crull subdivision parking situation. It was a disappointment for me personally because I was unable to get council to negotiate an ordinance or a solution that would honor everyone's desire. The bike trail is continued on and I think it important that the village recognize that will become the face of Newtown. One of the saddest moments was the death of our Street Commissioner, Charlie Siegel. I would like to say thank you to everyone and I will see you on the golf course next year.

Council and audience applauded.

Mr. Kobasuk: Thank you and a job well done!

Fiscal Officer Keri Everett

1. Temporary Appropriations: We need to have the third reading tonight.
2. Wrecked Police Cruiser: As councilmembers, you are aware that we have had an accident with the cruiser. We have been working with the insurance and today they came back with four options. We are not ready to make a decision; I am waiting to hear back from Fifth Third who we have the agreement with and we have one more payment, so I'm not sure where that will put us. Jeff Wyler currently has the vehicle. The four options are:

Option 1: Like-Quality Engine: The insurance said they can put in a like-quality engine. This would come with a one-year warranty. Our deductible is \$250.00 and they would be paying \$14,884.92 in repairs.

Option 2: Re-manufactured Engine: They would put in a re-manufactured engine straight from Chrysler and Chrysler would give that re-manufactured engine a three-year warranty. The deductible for us would be \$250.00; insurance company would pay \$16,262.42.

Ms. Everett: Under both of these options, because they have not pulled out the engine and pulled apart things, there could be supplemental damage. If we did go one of these routes and more damage happened they will finally get to a dollar amount where they would not want to do it and they would total it., if we chose option 1 or 2.

Option 3: Totaling Vehicle: The insurance company would keep the vehicle and the title. And since we do not own the vehicle or the title yet, the check would be made out to Fifth Third for \$22,325.00.

Option 4: Total Vehicle/Newtown Keeps Vehicle: We would keep the vehicle and the title to salvage, to sell or do whatever we wish. We would get \$18,825.00.

Chief Synan: Option 3, we still have another year left on the warranty. With these cars under warranty, we had saved \$8,000 in our vehicle maintenance line. One of the concerns we had is if we got the car back that was fixed by Dodge and a part fell off or another part was damaged, who would cover it? It is my understanding that insurance wouldn't cover that and neither would Dodge. The other concern is liability. If something was fixed and let's say a bolt is loose or whatever may happen and an officer gets into a pursuit or on a call and that part is damaged and the officer gets into a wreck. What risk is that to us? Basically, by going with Option 3, we are

going with an insurance policy to cover the village in case there is damage it would be another vehicle under warranty. There are not many benefits; we lose all the way around. The only other benefit to this is we can help reduce the vehicle maintenance cost again next year. We originally get \$10,000 every year and this year we only spent \$1,500 in vehicle maintenance and that was for oil and tires. We're hoping next year to spend even less than that. Unfortunately, we saved \$8,000 and lost quite a bit more than that.

Mr. Kobasuk: Your recommendation is Option 3, totaling the vehicle with Fifth Third getting the check?

Chief Synan: Yes. We have no use for the vehicle; we can't start it and the engine doesn't run. They can't steer it and why tow it back here and try to sell it to someone for scrap metal and go through that.

Ms. Everett: We do get all of the equipment off of the vehicle to put on a replacement, the light bar and such.

Mr. Kobasuk: Is our plan then to lease a replacement?

Ms. Everett: I don't know; I'm waiting to hear back from Fifth Third. I left them a message and have not heard from them yet.

Chief Synan: We thought it was appropriate to bring to council so that you knew about it in case we needed to tell Fifth Third or the insurance company something that we would have the blessing of council if needed.

Ms. Everett: I don't want you to act tonight because if Fifth Third comes back and says you have to do this because of your lease contract, we may not have any options. I just don't have an answer yet.

Mr. Pulskamp: Are you looking for a straw vote or what our agreement is also?

Ms. Everett: I think I would like some kind of comments back that if Fifth Third says that they just receive the money and pay it off and we have the title and it ours to total. Yes, I would like to see if council agrees with that. They quoted six months behind, so if we did get a replacement car you are looking at six months to a year down the road before we get the replacement. I'm not really concerned about replacing the vehicle, but if insurance is waiting for an answer and I don't want to give them an answer yet until I speak with Fifth Third about what is in the lease contract. We would like to hear council's opinion thus far.

Mr. Pulskamp: Option 3 would be the one I would tend to go with also.

Mr. Evans: Keri, I would probably tend to agree. The numbers they give you is never going to be less; it is always going to be more from the \$16,000 or the \$14,000 and then you're dealing with something that is not as good as what you had before. I would probably agree with Ken to go with Option 3. We're not in the business of selling used cars. The last thing I want to do is sell it to somebody and have a problem with it later and it come back to us. We didn't own the vehicle; Fifth Third did, so let them have it and do it the right way. I will say one thing; I take it personally when something like this happens. I'd like to find out why the problem happened and make sure it doesn't happen again. Some may disagree, but I have things in my vehicles where I know where my guys are every second of the day. I know how fast they drive and I don't have to listen to stories after the fact. All I have to do is punch it up to see where they are and see how fast they have been driving and it has made my guys drive so much better. It only costs me \$20.00 a month per unit. I think it is a small price to pay to watch over what goes on so you don't have to baby-sit the guys. It's too much money and too much risk that you have when you do something like this; I just think it is a great way to monitor. When one of my guys goes over 65mph it flashes on the screen. I can see where my guys are every minute of the day. I can see if they went to their house and ate lunch for two hours. My guys didn't like it when I first got it, but it made them all better and we don't have to watch any of them anymore. I'm not saying I want to baby-sit police officers; all I want to say is I think it could be a good tool that somebody could use here to help manage your people better.

Mr. Kobasuk: Is there any fixed upfront cost?

Mr. Evans: It costs \$300 per unit to get them started up front.

Mr. Kobasuk: Tom, do you have any opinions on this as chief of police?

Chief Synan: There may or may not be benefits; the thing is we do know where he was; we know what time it was and we know the speed. We know all of the things a GPS would have told us. There are other things that basically we just don't know why, which a GPS is not going to tell you. Why decisions were made.

Ms. Everett: Even if you had it, it probably would not have prevented the accident.

Chief Synan: It wouldn't have prevented the accident.

Mr. Evans: I disagree. You can check the system and check how fast the guy went and where he drove and see a pattern develop on how they drive. I have guys that go through brakes in 125,000 miles and others who go through brakes in 25,000 miles.

Chief Synan: I'm not saying it is not a tool; I'm saying we know everything you said we already know. We know everything he did for the 8 hour shift; we know the speed he was going, we took measurements that were confirmed by two different departments, the time. The GPS won't answer the one question, and this comes down to personnel. It comes down to other issues, which today we had a meeting with the insurance company and I am asking for a risk management person to come in and take a look at the entire department about how we hire, how we train, our personnel practices, everything. There is nothing we could have done that would have the decision that this particular person made. To be quite honest with you, that is my largest concern with this. I know what the speed is; if I knew why I would feel better and then I could stand here and tell you why. I don't know why the decision was made to go certain directions in the area. I know where he was and the time; I know the speed and how fast they were going.

Mr. Evans: Why was he out of Newtown?

Chief Synan: To drop off paperwork at the clerk's office.

Mr. Kobasuk: Tom, do you know of any other departments that have this GPS system installed in their cruisers?

Chief Synan: All of the cruisers have GPS and will be enabled with the Hamilton County Communication Center in the near future. We will be able to track certain things with their MDC's. The benefit is more for the larger agencies like the Sheriff's department and the city. When a call comes in the communication's center will be able to pop up the City of Cincinnati District V or Hamilton County and see where all the cars are at. If they get a 911 call they will be able to pick out which car is closest to that call and dispatch that particular car to that call.

Mr. Kobasuk: To Doug's point, other departments are implementing this GPS.

Chief Synan: We have them on the cars; it is through Hamilton County. We already have them; however, they are not going to be able to track speeds and those types of things. We used to have black boxes in the cars in the old days and then the officers tampered with that and found ways around it.

Mr. Evans: Why did they tamper with them? Because they don't want anybody knowing where they are.

Chief Synan: If you talk to them, back in the old days, they felt that the departments were making stuff up and lied. I know of an officer, who back in the day, felt the department was harassing him. He told me he took it out. He said the thing was constantly wrong. He would have the car off and it said the car was running. That is the old days, not GPS.

Mr. Pulskamp: Anybody driving a vehicle with GPS is going to think twice about speeding. They will know it will show up on somebody's report on their desk. That could have been a preventable accident if our cars did have GPS, and everybody knew that, they may think twice about speeding knowing it would show up.

Chief Synan: I'm going to be honest with you; this was preventable to begin with. He is a sworn police officer who knows what the law. There are other things he should have known not to do this.

Mr. Kobasuk: Keri, you have my support for Option 3.

Mrs. McCarthy: My support for Option 3 as well.

Ms. Everett: Like Tom mentioned, we did meet with the liability insurance today and basically went through the policy and made changes and discussed a lot of different options. They will take that back and come back before the next meeting to give us what the premium will be for next year for us to review.

Mayor Hammon: There will be an increase. We discovered the fire house is not included, not insured.

Ms. Everett: He did say that the premiums are on a decrease right now.

Mr. Evans: Could we check with the insurance to see if it would help our insurance if we had the GPS system?

Ms. Everett: We had a discussion about the vehicles and accidents.

Chief Synan: Mr. Evans, I'll look into it and take your idea serious and see what we can do.

Mr. Evans: Thank you.

Councilmember Ken Pulskamp

1) 2008 Temporary Appropriations

Mr. Pulskamp made a motion to have the Third Reading for **RESOLUTION 39-2007 A RESOLUTION APPROVING THE VILLAGE TEMPORARY APPROPRIATIONS FOR 2008 AND DECLARING AN EMERGENCY**. Mrs. McCarthy seconded the motion. Roll Call: Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mrs. McCarthy-Yes, Ms. Hueber-(Absent), Mr. Cosby-(Absent). Motion Carried.

2) Code of Ordinances

Mr. Pulskamp made a motion to have the First Reading for **AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE VILLAGE OF NEWTOWN**. Mr. Evans seconded the motion.

3) Church Parking Lease

Mr. Pulskamp made a motion to have the First Reading for **A RESOLUTION APPROVING A LEASE FOR PARKING PURPOSES**. Mr. Evans seconded the motion.

Mayor Hammon: I will talk to the church to see if there is an issue that we cannot wait until January 8, 2008.

Mr. Pulskamp (Continued)

4) Charlie Siegel: Just so you all know, with Charlie's passing, we did buyout his sick time. His final check was a little over \$4,300.

5) Police Department Uniforms: We need to get uniforms for the three new part-time officers.

Mr. Pulskamp made a motion to approve an amount, not to exceed \$1,200.13 for part-time police officers. Mrs. McCarthy seconded the motion. All Aye. Motion Carried.

6) Enquirer Ad for Street Commissioner

Mr. Pulskamp made a motion to approve an amount, not to exceed \$1,200 for an ad for Service/Street Commissioner.

Mr. Kobasuk: Do we have any candidates now that are qualified that we are considering?

Mr. Pulskamp: I know there are people that are interested, but I really want to put it out there so we get the best candidate for the job.

Mrs. McCarthy seconded the motion.

Discussion

Mayor Hammon: The one thing I would like to suggest is you really sit down and look at the job and determine if you want it to stay status quo or if you want to change it. I have talked to you a few times and have felt we need to change to go in a different direction. I think you need to discuss that to determine what you're looking for before you advertise.

Mr. Pulskamp: I want to write up some qualifications and will get with you all.

Mr. Kobasuk: I think we talked about changing the job and that made sense in prior conversations, so you're going to come back to council with the job description before we do the ad?

Mr. Pulskamp: Yes, or I will touch base with each one of you personally before we place it.

Mr. Kobasuk: I think it is an important thing to get the job qualifications, as John points out, and I do want to change it somewhat.

Mayor Hammon: You know, as I strongly supported changing it.

Mr. Kobasuk: Could you explain what the change was, so I remember.

Mayor Hammon: I was looking for more of a Public Works Director; someone that was able to read the blue prints and oversee projects. We currently pay Brandstetter Carroll \$60.00 per hour to oversee projects. I thought we could get someone that was capable of reading blue prints. They could take that role on and start doing some projects and take more initiative potentially drawing up some plans and then having final plans drawn. Take on some additional duties. Along with that, I would support wholeheartedly that Tony Baxter be promoted to a supervisor. He has done an outstanding job during Charlie's illness. It is incredible what he has done on his own.

Mr. Evans: Tony has said that he doesn't want the job.

Mayor Hammon: He has often talked to me about other people, but never himself, so I have never offered it to him. He supervises and takes on an excellent position as a supervisor dealing with Bob. He's taken the initiative on McCullough's Run; he worked on his own. They actually have two loads of salt stored because they can't get into the Hamilton County Maintenance Barn to get salt. He's taken that initiative. He's made room in the garage to bring all of the equipment in out of the weather. He's taken a lot of initiative on his own.

Mr. Evans: I agree with you; I've talked to him numerous times. He's always johnny-on-the-spot when you ask him to do something. He's done a great job.

Mr. Kobasuk: Ken, you're in agreement with John's ideas?

Mr. Pulskamp: Definitely.

Mayor Hammon: All in favor of the advertisement fund?

Mr. Evans: But, Ken will get with you before he puts the ad in?

Mr. Pulskamp: I'll get with everybody.

Mayor Hammon: All in favor.....**All Aye. Motion Carried.**

Mr. Pulskamp: I'd like to thank John; I've been at this table for over fifteen years with him. We've butted heads on a lot of things and have been through a lot of rough times and a lot of good times. We had many meetings here after midnight with the development of Ivy Hills when that was first an idea. I've been here all through that process when it was just a gravel pit to new homes. It's been great working with you and seeing the change in the village and working together with you.

Councilmember Doug Evans

Mr. Evans made a motion to accept checklist dated 12/11/2007. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.

1. Charlie's Funeral: I want to thank the village employees and people that helped with Charlie Siegel's burial. The police department was great and the fire department and whoever made the train come at the right time. Charlie was a great guy; he was dedicated to the Village of Newtown. I was amazed by the outpouring of support that he received from the village and the employees. It was good to see that; even on a bad note it turned out really good. Becky and a lot of other people that were there, and Keri. All of the maintenance guys were there; it was a good tribute send-off for Charlie. I think it speaks highly of this village to have that many people there for Charlie.
2. Newtown's First Annual Winterfest: I wasn't quite sure what to expect Saturday with the rain and went to the Winterfest that Joe Motz and the business district put on. I think it was one of the nicest things I have ever been to. I haven't heard one negative thing about any of it. Even the weather, I took all three of my kids and saw other councilmembers there. People were driving the tractors and that was nice. For only doing it the first time, it was one of the nicest things I have seen done. Talking to the fire chief and seeing the police chief and all the nice people here, even people from outside the village came. I think everyone that was part of it deserves a great round of applause, Joe Motz and all your brothers and everyone. I really felt good and there were people there that it was good just to see them. I'm glad to be a part of the small town atmosphere. When you're driving a wagon down the street and the cops are helping and some guy runs out of the pizza place with a hot pizza. It really was nice to see the kids and the guy that played Santa Claus. It was great to see the smiles on everyone's face.

The hot chocolate was great! The cookies were great! Gary Gottenbush and all of the people that were there, I didn't want to go home. I even went home and got another kid and came back. It was good to see your neighbors and other people; your kids talk to the police officers and seeing the tractors and all of the stuff. It was just a great thing. The church/school that let people park over there was having a basketball game at the same time we were doing this – they made their people park in the back and let us park in the front. It was great to see that, and I think council should write a thank you, everyone went out of their way. Tom, all of your guys were great; they looked good. It was safe and good to see all of the kids. I think that is something we need to develop and whatever we can do to get kids and people out will make it more of a good thing. I thought the whole thing was great.

3. John Hammon: John, I've been here about four years and sometimes it feels like thirty. You're a man of your word and have good integrity about you. I know sometimes things don't go exactly the way you want them to go, but there will be change. You've really helped me and I haven't agreed with everything you've done, but I would say I have agreed on most of it and you don't cave in just because of peer pressure. Personally, I would like to thank you and also ask you to help us as we transition, as we try to get people thinking together and helping the village. You've done so much being mayor and I think you can do that much more not being mayor. I respect you, everybody around this table and even people in the audience respect you and think you've done a great job even though certain things might not have really went your way. I hope you can help with the Charlie transition and with some of these other transitions we are coming into. You've done a great job here and I just want to thank you.

Mayor Hammon: My first response is "I'm not moving anywhere," contrary to recent rumors. I did have three weeks of vacation over the past three and a half weeks; but, my dedication has been to the village in trying to be here when needed. Yes, Doug, I appreciate you recognizing I do give my word and I do my best to fulfill that word. That is something I am very proud of and I stand behind. I'll ask you to do one more thing. We need a motion to authorize Keri to pay the bills for the rest of the year since there is no council meeting.

Mr. Evans made a motion to authorize Fiscal Officer, Keri Everett to pay the bills for the remaining year. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Mayor Hammon: Joe, do you have anything you would like to report? I know we had a canned-good collection. I wasn't able to attend; I was out-of-town.

Business Owner, Joe Motz

I first want to say, I certainly don't deserve all of the credit, by a long shot. We had a great team. It was put on by the Newtown Business District; I'm just one member of many. I'm getting way more accolades than I should. Debbie had the hard job going around and voting on residences, which had to be a challenge, but what a great sense of pride it brought about in the community. That is what we were all hoping for; everybody came together and it was awesome. Sorry you missed it John. It was one of those moments where it all worked, even though the weather was trying to threaten us. It was cool to see it all come together. All of the services, as Doug has already said, just did an extraordinary job and police and fire, the churches, the residences, the businesses. I think everybody was thrilled and hopefully, the first annual of many. It was one of those where everybody immediately started talking about what we can do next year and the excitement. It was great! Thanks to all for helping to make it happen.

Councilmember Mark Kobasuk

1. Light-Up-Newtown: It was a great event. It makes Newtown look really good. I think everybody did a marvelous job.
2. John Hammon: John, I have to commend you like everybody has. Fourteen years on council; eight years as mayor is an incredible record. You appointed me to council. I have to admit John, I think you've always done what you felt was in the best interest of Newtown. You and I have not always agreed, but I always felt you did what you thought was best and I commend you for it. Sorry to see you move on, but you have other things in your life. I want to thank you for your dedication to Newtown. Not many people can match twenty-two years serving the village. That's an incredible record that you should be proud of.

Mayor Hammon: I am very proud of it; I do believe it is the longest, continuous service. Bill Judd used to fill holes now and then when we needed a council person. When I was appointed to council, January 1st, 1986, there were four seats available in the November, 1985 election and two people ran. Two of us were appointed to fill those. I think the following election two people ran for two seats. That is one of the things I said I wanted to do is stimulate the interest in the village and I think that has occurred. It is a little bit of pride when you see four people running for two seats. I thank you.

Mr. Kobasuk: (Continued)

3. Zoning Map: Mike Cornette called me and wanted to get some bids for estimates to update the zoning map. It makes sense to me to have these services perform this function. I haven't talked to these people yet who have given the quotes. Are we going to act on this now?

Ms. Everett: Mike and I met with Jacob's; they were the cheaper one of the estimates. They are the ones who originally did the map for us in 1998.

Mr. Kobasuk: I remember talking to Mike; he thought Jacob's was the best to do this update of the Newtown zoning map.

Ms. Everett: Right. We just wanted it done before Mike is sort of out of the picture for good. He has kept up with all of the changes, so I thought it would be a good idea before he left to have input with these people and make sure they get all of the changes and we have an updated map.

Mr. Evans: We have it in the budget?

Mr. Kobasuk: It's only \$600 for Option 1.

Mayor Hammon: We talked about it and with Option 2; they would draw the lines if we had the parcels divided, basically have the parcels updated also within the zones. I think the Reserves of Ivy Hills would be in there, but I'm not real sure.

Mr. Kobasuk: So, you're recommendation is Option 2 at \$1,200?

Mayor Hammon: Yes for \$1,200.

Mr. Kobasuk made a motion to approve up to \$1,200 to update the Newtown zoning map.

Mr. Pulskamp seconded the motion. All Aye. Motion Carried.

Ms. Everett: The gentleman did say he would be more than happy to work with the Planning Commission to help update the actual zoning code book. He is currently working with one community; I guess he is pretty update with the current laws and stuff like that.

Councilmember Debbie McCarthy

1. John Hammon: John, I too want to thank you for your devotion to the Village of Newtown and wish you the best of luck in your new endeavors.

Mrs. McCarthy made a motion to approve council minutes for November 13, 2007 and November 27, 2007 and accept council minutes for March 11, 2003. Mr. Evans seconded the motion. Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Abstain, Mrs. McCarthy-Yes, Mr. Cosby-Absent, Ms. Hueber-Absent. Motion Carried.

2. Winterfest: I want to also mention what a success the festival was. I went ahead and sent an email to the National Honor Society and Key Club at Turpin High School. The children were just fabulous.

Ms. Everett: We should do it to Mercer too for the kids that came to sing from the choir. They were out there in the rain singing. I thought that was pretty neat.

Mrs. McCarthy: There is another teacher that takes care of that.

Mr. Pulskamp: I want to thank Debbie for her past four years also on council. This is her last official meeting also. Hopefully, we'll see your smiling face around Town Hall more.

Mr. Kobasuk: I would echo that Debbie. Thank you for your service.

Mayor Hammon: I would have to remind you that you are a citizen and you're not allowed past the doorway anymore. Ha.

Mayor Hammon

1. Officer Popov: His probation period ends January 1, 2008. We have discussed it with Tom and I am making a recommendation that we do not make him full-time. We basically terminated his employment with us at this time.

Solicitor Butler: You're recommending that he not be appointed.

Mayor Hammon: I recommend that he not be appointed to full-time position.

Mr. Pulskamp made a motion to approve Mayor Hammon and Police Chief Tom Synan's recommendation. Mrs. McCarthy seconded the motion. All Aye. Motion Carried.

Mr. Pulskamp: I want to wish everybody a Merry Christmas and a Happy New Year.

Mr. Pulskamp made a motion to adjourn council meeting at 8:10 p.m. All Aye. Motion Carried.