

The January 12, 2010 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
Doug Evans
Joe Harten

Mark Kobasuk
Curt Tiettmeyer
Daryl Zornes

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

Mayor Cosby welcomed the audience and welcomed the new council members and the new Council. He wished everyone a Happy New Year. Prior to the meeting, Mayor Cosby swore-in Councilman Burns.

Website Committee

Mayor Cosby will form a committee to review the website. The goal is to have the website more interactive for Becky to maintain. To keep people coming back to the website we must keep it updated and interesting.

Maintenance Part-time Employee

Mayor Cosby hired Joe Rutter last week on an emergency basis because of the snow. Mr. Rutter will be part-time. This will be discussed in Executive Session tonight to see what direction to take the part-time position.

Termination of Robert Beson

Mayor Cosby stated Mr. Beson has been on unpaid leave since the end of December. Mayor Cosby recommends termination of Robert Beson's position. This will also be discussed in Executive Session.

Street Cleaning

Mayor Cosby asked the Street Committee to review the current rotation the streets are being cleaned, at least the winter schedule. The streets were swept two days before the recent snow storm and swept up some of the salt that had already been placed on the streets.

WinterFest 2009

Mayor Cosby said WinterFest was a huge success with approximately 1,700 people attending. This was the third annual WinterFest sponsored by the Newtown Business Association. Mayor Cosby received emails from several people saying how much they enjoyed the festivities and that they could not believe most activities were enjoyed at no cost. The Committee is preparing for the 2010 WinterFest. Mr. Burns thanked the NBA for their many hours of preparing for WinterFest.

Drake Street Bridge Improvements and Engineering Fees

Dave Lorei, Brandstetter Carroll introduced himself to the new Council. The Village of Newtown applied for an OPWC/SCIP grant in the Fall of 2009 for Drake Street Bridge Improvements. (OPWC is Ohio Public Works Commission). The project has a preliminary construction cost estimate of \$218,000 with a 70/30 match. The Drake Street Bridge is at the end of its useful life. This application has been forwarded to Small Governments for their review; therefore, we do not have a final answer if it will be funded for the program year 2010, which would mean construction costs and the approval for this year, said Mr. Lorei.

Mr. Lorei, Brandstetter Carroll is presenting the proposal to go ahead and do the engineering for the work. Mr. Lorei said he thinks everyone is in agreement that this work needs to be completed and engineering design completed. If this project does not receive funding this year, in next year's application in the Fall 2010, if the engineering is completed we will increase the point value and probability of receiving funding for program year 2011 for construction.

Engineering Design Services for Drake Street Bridge Project are broken down below:

Topographic Survey	\$ 1,500
Design Development	5,300
Construction Documents	<u>8,000</u>
	\$14,800

Mr. Lorei said the total Engineering Design Services proposal is for \$18,900. Mayor Cosby said Council would approve the fees mentioned above tonight and once the Village receives funding from the grants and put the job out to bid, Council would then approve the \$1,000 for Bidding and Negotiations and \$3,100 for Construction Administration totaling \$4,100. This is the second year for this application, said Mayor Cosby.

Mr. Harten said if this project is not approved for funding this go around, as he understands, the current engineering study can be used in the application the next time around. Mr. Lorei said that is correct; it will be the same engineering design and can only help in next year's application.

Motion to Accept Engineering Fees

Mr. Evans made a motion to approve \$14,800 to Brandstetter Carroll Inc. for Engineering Services for Drake Street Bridge Improvements. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Solicitor Miller will follow-up with a Resolution for the above.

Revise Proposal

Mr. Lorei asked Mayor Cosby and Council if they should revise the proposal to reflect the 14(a) only. Mayor Cosby said; yes and just know the remainder can be added in when the Village receives the grant. Mr. Lorei thanked Mayor Cosby and Council; he will prepare a revised proposal.

Street Commissioner Position

Mayor Cosby, Councilman Burns and Councilman Evans interviewed fourteen applicants for the Street Commissioner's position and have narrowed it down to two candidates: Mr. Darrel Foster and Mr. Ron Dickerson. Mayor Cosby said he is very pleased with the quality of candidates that applied for the position. Mr. Foster and Mr. Dickerson are residents of Newtown. Council gave each candidate an opportunity to introduce themselves and asked both men various questions regarding their background. Council will discuss Mr. Foster and Mr. Dickerson is Executive Session.

Joe Rutter, Part-time Maintenance Technician

Mr. Rutter introduced himself to Council; he resides at Whispering Winds Apartments in Newtown. Mr. Rutter thanked Fire Chief Tom Driggers and Police Chief Tom Synan and their departments for their efforts in safely putting out the fire at Whispering Winds Apartments New Years Day. Mr. Rutter said his front door was 60 feet away from the flames and grateful everyone was safely evacuated. Mr. Rutter served in the Army Reserves for seven years and spoke to his employment background.

Police Department, Meth Bust

December 18, 2009, the Newtown Police Department received complaints of a strong chemical odor coming from an apartment at Ivy Hills Place Apartments. Chief Synan explained the diligence displayed by Detective Spencer Bischoff and Lieutenant Shawn McBreen in looking further into the complaint. Along with the assistance from other law enforcement agencies, Detective Bischoff and Lt. McBreen discovered that this person had purchased large amounts of a key ingredient to make methamphetamines. Chief Synan explained the dangers associated with methamphetamines and the desperation displayed by people that use this drug. All of the Newtown Police Department officers were activated for this drug bust. Norwood Police Drug Unit, HCP SWAT Team, Agents from Ohio Bureau of Criminal Investigations, DEA Agents and Agents from a Methamphetamine Task Force were also activated.

Police Chief Synan presented Detective Spencer Bischoff and Lieutenant Shawn McBreen with a Letter of Commendation for their exemplary performance. Everyone applauded.

Mr. Burns made a motion adjourn at 7:41 p.m. and enter into Executive Session to discuss hiring and discipline. Mr. Evans seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes and Mr. Harten-Yes. Motion Carried.

Council meeting reconvened at 8:15p.m. As a result of Executive Session, some actions will be taken and some will not, said Mayor Cosby. Actions to be taken:

Termination of Robert Beson

Mr. Burns made a motion to terminate Robert Beson's employment due to committing theft of Village property. Mr. Kobasuk seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes and Mr. Harten-Yes. Motion Carried.

Street Commissioner/Supervisor/Cemetery Sexton Position

Mayor Cosby said Mr. Foster and Dickerson are two outstanding candidates and Council struggled with the decision. He thanked Mr. Foster and Mr. Dickerson for applying for the position. Mr. Kobasuk commended both Mr. Dickerson and Mr. Foster and said it was a very difficult decision; unfortunately, someone will be disappointed. After deliberating in Executive Session, it was a unanimous decision to hire the following:

Mr. Kobasuk made a motion to hire Ron Dickerson for a full-time Street Commissioner, Maintenance Supervisor and Cemetery Sexton with a start date of 1-27-2010 allowing Mr. Dickerson to give a two-week notice and pending the approved completion of a physical and background check. Mr. Harten seconded the motion.

Discussion

Mr. Kobasuk said it is no reflection on Mr. Foster; he was an outstanding candidate. Mr. Foster said he appreciated the opportunity. Mr. Dickerson and Mr. Foster wished each other good luck.

All Aye. Motion Carried.

Resolution, Temporary Appropriations

Ms. Everett explained Temporary Appropriations allows the Village to pay ordinary and customary bills beginning January 1st. Any or all of it can be changed when we do Permanent Appropriations, which are due by March 31st.

Mr. Evans made a motion to suspend the rules. Mr. Burns seconded the motion. All Aye. Motion Carried.

Mr. Evans made a motion to adopt RESOLUTION NO. 01-2010 A RESOLUTION APPROVING THE VILLAGE TEMPORARY APPROPRIATIONS FOR 2010, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes and Mr. Harten-Yes. Motion Carried.

Resolution, Supplemental Appropriations

Ms. Everett explained Supplemental Appropriations is moving money from one line to another because the line for the expense ran out of money and these appropriations are to clean up everything for 2009.

Mr. Evans made a motion to suspend the rules. Mr. Burns seconded the motion. All Aye. Motion Carried.

Mr. Evans made a motion to adopt RESOLUTION NO. 02-2010 A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATIONS AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2009, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Burns seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes and Mr. Harten-Yes. Motion Carried.

Establishing Building Maintenance Policy

Mr. Tiettmeyer discussed a proposal to establish a Building Maintenance Policy, whereby on an every other year basis we would have a professional complete an evaluation of all Village-owned public buildings. Mr. Tiettmeyer intends to come back to Council with a resolution.

Mr. Evans said he talked to Mr. Tiettmeyer and they both agreed doing this in-house to cut costs. Mr. Burns spoke with Mr. Spry and said this seemed the direction to go and still met the criteria Mr. Tiettmeyer presented. Mr. Kobasuk asked if it would be better to have an outside independent evaluate the buildings and not a Village employee. Mayor Cosby said Mr. Spry is an independent contractor and will be objective. Mr. Kobasuk said the Village does renew Mr. Spry's contract every year. Mayor Cosby suggested having Mr. Spry speak to what would be involved inspecting the buildings at the 1-26-2010 Council meeting.

Mr. Tiettmeyer recommended the Parks and Recreation Committee administer the Building Maintenance Policy once the policy is in place since half of the buildings are in Parks. Mr. Harten asked Mr. Tiettmeyer if the building inspections would be all done at once or staggered. Mr. Tiettmeyer said from a cost perspective, he would inspect two buildings this year and the remainder next year and then rotate them back and forth. He said it would be up to Mr. Spry as to when the two buildings would be inspected this year.

12-08-2009 Council Minutes

Mr. Zornes made a motion to approve the 12/8/2009 Council Minutes. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Resolution, Liability Insurance

Solicitor Miller said the original Resolution covered the effective period of January 23, 2010 through January 23, 2011. It read, the premium for the insurance shall not exceed \$17,601. Ms. Everett said, no, it is going to be \$17,965. Solicitor Miller said given those parameters and Council is aware of it, why don't we pass the more recent one since it doesn't have a dollar amount since he did not know the dollar amount at that time.

Mr. Zornes made a motion to suspend the rules. Mr. Evans seconded the motion.

Mr. Zornes made a motion to adopt RESOLUTION NO. 03-2010 A RESOLUTION APPROVING A CONTRACT FOR VILLAGE LIABILITY INSURANCE, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Tiettmeyer seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes and Mr. Harten-Yes. Motion Carried.

Resolution, Establishing Funds – Police Department

Mr. Zornes explained this is to establish a Police Fuel Fund and a Police Equipment and Supplies Fund, which are funded strictly by court fines.

Mr. Zornes made a motion to suspend the rules. Mr. Evans seconded the motion. All Aye. Motion Carried.

Mr. Zornes made a motion to adopt RESOLUTION NO. 4-2010 A RESOLUTION ESTABLISHING FUNDS WITHIN THE VILLAGE, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion.

Discussion

Mayor Cosby said these funds are derived from the court. Mr. Burns said we didn't have the formality of the paper work, but we already established this and have been receiving money for it. Mayor Cosby said we had this in lines and are now establishing it in funds. He said there is a difference. Mr. Burns said right. Solicitor Miller said the difference is this is more permanent. He explained you can move money around when it is in lines; when it is in a fund it stays in the fund unless you obtain a court order, it doesn't come out of that fund.

Mr. Tiettmeyer said it is clear that we are establishing these funds for money to go into. He asked what Village policy is established as far as the requirements for removing the funds. Solicitor Miller said the department head is authorized to spend up to \$500 and anything over and above has to be approved from Council. The Mayor can spend more. Mr. Zornes said a committee head can spend up to \$1,000. Solicitor Miller said the amounts can be changed. Mr. Tiettmeyer said, so we are authorizing the Police Chief to spend money within the department as he chooses appropriately up to \$500 and over \$500 he would come to Council for approval. Mayor Cosby said he would come back to Council or come back to him (Mayor Cosby). Solicitor Miller said he already has that authority now that this Resolution is just saying how the funds would be set. Mr. Evans said his department head has to sign off on them. Ms. Everett said over \$500 the Council Chairperson can sign off on it up to \$1,000 and anything over would have to come to the table. Mayor Cosby said or himself. Mr. Evans asked Ms. Everett if she had any issues with this. Ms. Everett said just the process she read with the Auditor's Office is once Council passes this Resolution, she would send the Resolution and a form to the Auditor's Officer and they accept or deny. The Auditor's Office has to approve a new fund. Mr. Harten said he realizes we cannot take money back from a fund it is already in, but asked if money can be stopped from going into the fund at a future time if Council so chooses. Solicitor Miller said yes; he doesn't know why it couldn't be done. He said the money in there can only be spent for these purposes. The purpose can be changed but the money in there would have to be spent for what these purposes are, Solicitor Miller said.

Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes and Mr. Harten-Yes. Motion Carried.

Mayor's Court/Police Computer Fund for Software Yearly Maintenance

Mr. Zornes made a motion to approve an expenditure of \$3,145.84 for the Mayor's Court/Police Computer Fund for the yearly maintenance contract of the software. Mr. Kobasuk seconded the motion.

Discussion

Mr. Tiettmeyer asked if this should have been paid last year. He noticed the invoice was dated 12/1/09 with a start date of 1/01/2010. Ms. Everett said it is usually paid every December. Ms. Everett took the amount out of December 2009's budget after Chief Synan gave her the invoice. The check has been held back for the process and for Council to approve. Mr. Zornes said because we did not have a Council meeting. Ms. Everett said because we did not have a second Council meeting. Ms. Everett explained she held the check to come out of the 2009 budget to avoid having a double invoice of taking \$6,000 for 2010 because we have to pay this again December 2010.

Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes and Mr. Harten-Yes. Motion Carried.

Resolution Opposing Martin Marietta Mining Project

Mr. Kobasuk said it gives him great pleasure to introduce this Resolution that has been discussed for many months regarding Martin Marietta. Mr. Kobasuk said this is one of the biggest campaign issues he discussed with the voters. The voters asked Mr. Kobasuk what Council is doing to oppose the Martin Marietta Mining Project.

Mr. Kobasuk made a motion to suspend the rules. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-No, Mr. Kobasuk-Yes, Mr. Burns-Yes and Mr. Harten-Yes. Motion Carried.

Mr. Kobasuk made a motion to adopt RESOLUTION NO. 05-2010 A RESOLUTION EXPRESSING OPPOSITION TO THE MARTIN MARIETTA MINING PROJECT IN ANDERSON TOWNSHIP. Mr. Zornes seconded the motion.

Discussion

Mr. Kobasuk said the Resolution was drafted by Solicitor Miller and he based it on Hamilton County's Resolution. Mr. Kobasuk said he feels it is something Council should go on recording doing and is long overdue.

Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-No, Mr. Kobasuk-Yes, Mr. Burns-Yes and Mr. Harten-Yes. Motion Carried.

Parking Lot Lease with Newtown Methodist Church

Resolution No. 44-2009 was adopted at the 12-8-2009 Council meeting approving a lease for parking purposes. Mr. Kobasuk asked to have this discussion on the 1-26-2010 Council Agenda for a committee to take up and be responsible for researching alternatives. At the 1-26-2010 Council meeting, Mayor Cosby said we will assign this to a current committee or create a new committee specifically for this issue.

D & S Consulting Contract

Mr. Kobasuk said he would like to see some analysis before Council renews the contract and asked for this to be placed on the 1-26-2010 Council Agenda. He asked for clarification on the monthly amount the Village paid for consulting services. Ms. Everett said the Village paid \$1,500 per month. Mayor Cosby said he does scrutinize the invoices.

Dick Weber Contract, Property Maintenance Inspector

Mr. Kobasuk said Council needs to think about going forward with the Property Maintenance position.

Vice Mayor

Mr. Kobasuk said he thinks Mr. Burns would be a good candidate for Vice Mayor. Mr. Burns has shown a lot of dedication to the Village giving so much time working on the house at Moundview, said Mr. Kobasuk.

Mark Kobasuk made a motion to appoint Brian Burns as Vice Mayor and President pro tem for 2010. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Mr. Burns thanked everyone.

WinterFest 2009

Mr. Kobasuk spoke of how much he and his family enjoyed the festivities at WinterFest. Mr. Kobasuk said he thought it was an outstanding event and had never been to event like that where it was so festive and so much in the holiday spirit of being free. The carriage rides, hayrides and hot chocolate and much more was really enjoyed. Mr. Kobasuk commended the many people that contributed in making WinterFest such a success.

Mr. Burns said it has really become a destination for the Village.

Moundview Park Playground Equipment

Mr. Burns has been working with the consultant regarding schematics and the things that will fit within the amount budget from the ODNR project that came back. It comes off the 2010 state and federal grants and has already gone out for bid to three companies that have a federal and state contract. Mr. Burns hopes to have a drawing that will fit within the atmosphere within the park with the trees. He said he should have the drawing by the end of the week and will forward to council by the end of the week.

Moundview House Renovation

Mr. Burns said about 90% of the work is complete. There is painting, carpentry and electrical work that should be totally completed in a couple of months. The free labor Mr. Burns and Mayor Cosby have been contributing has halted due to working on the streets, Mr. Burns said. Mayor Cosby said volunteers are welcome!

Moundview Basement Door

New Years Eve the security alarm alerted the police department that someone broke into the basement at Moundview Park. The door was damaged but nothing was stolen. Fencing with a padlock was in place but did not deter the break-in. Mr. Burns said the door should be replaced with a custom-made steel door. Mr. Evans asked about insurance. Mr. Burns said the door was plywood with a padlock. Mayor Cosby said the door is presently secured but does need to be replaced with a steel door that is more energy efficient.

Mr. Dickerson presently repairs commercial doors and offered his help. Mr. Burns said he will be in touch and thanked Mr. Dickerson.

Street Openings

This Ordinance was first presented to Council October 13, 2009. Mr. Pulskamp worked out some issues with what was first presented. Mr. Burns said in speaking with Mr. Spry, he would like to delete the Excess Load Permit Fees due to the Village not owning the necessary commercial scales to weigh the trucks. Chief Synan said the police department would need scales to enforce the Excess Load Permit; scales would cost around \$20,000. Chief Synan said a police officer cannot stop a truck just due to weight. The Department of Motor Vehicles issue civil citations, where a police officer would need probably cause to stop the vehicle. Chief Synan offered to look further into what would be involved if Council would like to move forward. Mr. Burns said he would like to remove the Excess Load Permit Fee from the Permit Fee Schedule presented. He said this needs to be completed to protect the Village to make sure our streets are properly restored when they are opened.

Solicitor Miller suggested Council have a First Reading tonight deleting the Excess Load Permit Fees from the schedule.

Mr. Burns made a motion to have a First Reading on AN ORDINANCE ESTABLISHING FEES FOR THE OPENING AND USE OF STREETS AND ROADS, WITH THE EXCLUSION OF THE EXCESS LOAD PERMIT FEES, DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion.

Mr. Burns made a motion to have a Second Reading at the 1/26/2010 Council meeting. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

ODNR Resolution, Application for Financial Assistance of Natural Resources Clean Ohio Trails for Restroom in Short Park

Mr. Burns said with the playground, other ODNR grants were applied for. He specified this resolution before everyone has no packet. This resolution approves and authorizes the Village to only apply for financial assistance. Mr. Burns said this would be utilized for the trail that would go through Short Park. Mr. Burns said the current trail is in bad shape with tree roots buckling the pavement and areas that retain water. This application is for monies from the ODNR Clean Ohio Trail Fund; Mr. Burns believes the Village has a good chance of getting the grant Ms. Rose located.

Mr. Burns made a motion to suspend the rules. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Mr. Burns made a motion to adopt RESOLUTION NO. 06-2010 A RESOLUTION APPROVING AND AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES CLEAN OHIO TRAILS FUND, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion.

Discussion

Solicitor Miller pointed out Council would be obligating the Village to put the money towards this project if the grant is received. Mr. Kobasuk said it would be money well spent if we are going to get the grant. Mayor Cosby asked what the match would be; Mr. Burns said typically, the matches are 20%. Mrs. Fairley asked when this would be done. Mr. Burns said if we get the grant in 2010, we couldn't do anything with it until 2011.

Mrs. Fairley asked Council to please consider planning for Edith, Jefferson and Pine Streets before spending money to redo an existing walking trail or on a restroom at Short Park. She said these streets are eroding and have many areas that retain water creating safety issues.

To be clear, Mr. Tiettmeyer asked if this is for the walking trail. Solicitor Miller said this resolution is for the restroom. Mr. Harten said the Resolution for ODNR Recreational Trails would be for the trails. Mr. Burns apologized, he had them mixed up. Mayor Cosby asked what the resolution is for Mr. Burns read; Mr. Burns said to finish the restroom. Solicitor Miller said Mr. Burns read the resolution for Clean Ohio Trails Fund which is for the restroom at Short Park. Mayor Cosby said we already have some financial aid in place for \$25,471. Mayor Cosby has also been in discussion with Hamilton County Parks because they want to run the bike trail through Short Park and may be willing to contribute to the restrooms. Mr. Burns apologized for the confusion. Mr. Kobasuk asked how much the Village would be out for the restroom. Mayor Cosby said quite possibly nothing.

Solicitor Miller said this ODNR Resolution to approve submitting an application for financial assistance, so you can't have money for this one. Mayor Cosby said the money we have is for a previous one.

(Background information).....Bruce Brandstetter applied for a **Natureworks and Land & Water Conservation Grant** on 1-31-2008 for Short Park Restroom facility. The grant total project cost was estimated at \$66,000; a \$42,000 Natureworks grant was applied for, of which \$25,471 was awarded. The project needs to be completed by 6-30-2010.

Mayor Cosby said it is not time sensitive. Mr. Burns will get the old ordinance and review and bring back to the 1-26-2010 council meeting.

Mr. Tiettmeyer said when information is brought back to Council regarding the restrooms; he would like to understand what the commitment is as far as cost, on the part of the Village, to maintain the restrooms since that will be ongoing expenses.

Mr. Burns rescinded the above motion. Mr. Zornes rescinded the second to the motion. All Aye. Motion Carried.

Mr. Burns made a motion to suspend the rules. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Resolution, ODNR Application Recreational Trails Program (Walking trail in Short Park)

Mr. Burns made a motion to adopt RESOLUTION NO. 06-2010 A RESOLUTION APPROVING AND AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES RECREATIONAL TRAILS PROGRAM, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion.

Discussion

Mr. Harten asked if there was any money involved right now that we could lose. Mr. Burns said no, that this is to apply for assistance and saying we would match 20% of the grant is awarded. Mr. Burns said if it cost \$30,000 to repave the current trail, the Village would be obligated to pay 20% of the \$30,000 within the two years of the grant being awarded. Ms. Everett asked if there was an estimate on the application. Mr. Harten asked what is the number the 20% might be of. Mr. Burns said to be honest, Lorna is not here to ask, but the number will be on the application. Mr. Burns said this is time sensitive and he will get the amount that the 20% will be. Mr. Evans

said it was last done about 20 years and will probably be around \$100,000. Mr. Harten said it is an application, but as Solicitor Miller said, if we are awarded the grant we are paying the 20%.

Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes and Mr. Harten-No. Motion Carried 5:1.

Job Descriptions

Mr. Burns set a goal of having all job descriptions revised or created by a June Council meeting.

Park Rules

Mr. Burns said in talking with Mr. Tiettmeyer, he agrees the rules need to be reviewed and Mr. Burns said he will move forward with the fee structure and bring this back at the same time.

Solicitor Miller

Solicitor Miller congratulated and welcomed Curt Tiettmeyer and Joe Harten to Council.

Solicitor Miller said he and his two-year old granddaughter really enjoyed WinterFest.

Martin Marietta Update (Brief on record at Town Hall)

Solicitor Miller said we are getting to Beginning of the End or the End of the Beginning. He stated all of the Opposition Attorneys have submitted their brief on December 15th. A reply brief is due Friday, January 15th, which will be submitted and filed. The final argument in front of the Board of Zoning Appeals is January 25th. Mr. Kobasuk asked what more could we do as a Village at this point. Solicitor Miller said nothing at this point. Depending on the outcome and the decision where it goes we will have another decision to make if we want to take it further to court. Mr. Kobasuk asked if private citizens could write to anyone; Solicitor Miller said at that point, it is pretty much over with.

Lake Barber

Solicitor Miller inquired about the status of Lake Barber. Mr. Kobasuk asked to put this on the 1-26-2010 Agenda.

Draft Resolutions/Ordinances

Currently, Solicitor Miller sends a "DRAFT" of Resolutions and Ordinances to Council prior to meetings for review. He said it creates a problem with spacing and asked if it would be okay to leave "DRAFT" off. Council was in favor of leaving "DRAFT" off the top.

Recent Snow

Marlene Bowen, Pecos Street, thanked Mayor Cosby, the Maintenance department and those who helped with removing the snow last week. She thought everyone did a great job! Mr. Burns also helped. Council thanked Mrs. Bowen for her comments.

2010 Council Committees

1. **Public Service** (Streets)
Members: Doug Evans (chair), Brian Burns, Curt Tiettmeyer
2. **Parks and Recreation**
Members: Brian Burns (chair), Mark Kobasuk, Joe Harten
3. **Public Safety**
Mark Kobasuk (chair), Brian Burns, Doug Evans
4. **Finance/Ordinances/Audit**
Members: Curt Tiettmeyer (chair), Daryl Zornes, Mark Kobasuk
5. **Planning, Zoning and Development**
Members: Joe Harten, Doug Evans, Daryl Zornes
6. **Human Resources and Communications**
Members: Daryl Zornes, Joe Harten, Curt Tiettmeyer

Planning Commission

Members: Mayor: Curt Cosby, Councilmember: Joe Harten, Building Commissioner: Mike Spry
Residents: John Russell, Leo Honebrink, Chuck Short
Meetings: Last Monday of Each Month @ 7:00 pm (as needed)

Board of Zoning Appeals

Members: Councilmembers: Brian Burns, Daryl Zornes, Building Commissioner: Mike Spry
Residents: Scot Rogers, Debbie McCarthy, (vacant seat TBD)
Meetings: 1st Thursday of Each Month @ 6:30 pm (as needed)

Mr. Burns made a motion to approve 2010 Council Committees. Mr. Harten seconded the motion. All Aye. Motion Carried.

Mr. Zornes made a motion to appoint Chuck Short as Resident-At-Large to Planning Commission. Mr. Kobasuk seconded the motion.

Discussion / Applications being taken for BZA

Mr. Harten spoke to when he became involved in the Planning Commission; one filled out applications to fill an open seat and thought it would be a good idea to seek new blood to allow new people to become involved. He said Chuck Short will be an asset to the Village, nothing against him. Mayor Cosby said it would be good for one to become familiar with the BZA and learn the system before applying for the Planning Commission. Mayor Cosby said we will take applications from the general public for the Board of Zoning Appeals.

All Aye. Motion Carried.

2010 Vice Mayor

Councilman Kobasuk nominated Brian Burns for Vice Mayor.

Council Packet

Mr. Kobasuk asked Mayor Cosby to consider having Becky prepare a packet for Council the Friday before the Tuesday Council meeting. And have the Police Department deliver the packet.

Mayor Cosby said this would not be an issue. He asked if the Police would have an issue with delivering the packet. Chief Synan said unless they are on a call. He asked why the packet couldn't be placed in Council's mailboxes and they stop by Town Hall instead of using police resources to drop off the packets. Mayor Cosby said we will take it under consideration.

Mr. Zornes made a motion to adjourn at 9:10 p.m., seconded by Mr. Kobasuk. Motion Carried.

Transcribed by Becky Fairley