



Ms. Hueber said we have to remember the total project cost is \$66,000 and we requested \$42,000 and were awarded \$25,471. She reminded everyone of the people voicing concerns of the budget, so the village needs to justify putting in a bathroom. Ms. Hueber said normally she would say council should not consider spending money putting in the bathroom with the current economy, but due to the bike path coming through is a way to justify it. She agreed the bathroom is a great upgrade but asked if it was absolutely needed.

Mayor Cosby said to let Dave get back with him and they will make sure to submit something before Thursday and will go from there.

#### 4. Round Bottom Road Improvements

- Reviewed opinion of probable costs, alternatives, and plans with Ken Pulskamp on December 29, 2008. The scope of the project includes full depth pavement repairs, asphalt overlay, minimal intermediate course to get within the funding source, (a little less than 1 ½ inches will be put down) and pavement widening at Round Bottom Road and Valley Avenue. The limits of the project go from the railroad on Round Bottom to the corporation line, past entrance to the park.
- The opinion of probable cost is \$352,000. The grant and money available is \$365,000.
- The crosswalk and signage at Hydro-Systems were included in the opinion of probable costs.
- Bid project in January. Will come back with cost and recommendation at the February 10th council meeting because two weeks is needed to bid. Brandstetter Carroll will advertise the 20<sup>th</sup> of January, January 27<sup>th</sup> and open bids on February 5<sup>th</sup>, then come to council on the 10<sup>th</sup> of February of the recommendation.

#### Discussion

Mr. Pulskamp said this project is a 70/20/10 match; the village would pay the 10%, which is \$36,500; which is the maximum amount for the village. Mr. Lorei said there are OPWC/MRF funds for this project. Mr. Evans said he feels this project will come in only at 75% of the cost.

Mayor Cosby asked if the widening at Round Bottom and Valley Avenue will affect where the telephone poles are set. Dave Lorei said yes that they will need to set the poles back a bit and relocate a traffic box or electrical box as well and a couple of poles. This is part of the estimate. Mr. Pulskamp said it is part of the whole package. Mayor Cosby said we do not want to set the poles and then have to move them.

#### Miscellaneous

- Gallenstein, Reserves of Ivy Hills:
  - BCI sent draft letter to the village to forward to Gallenstein regarding snow removal responsibility. (Becky will put on village letterhead and have mayor sign.)
- River Hills Subdivision:
  - Phase I – River Hills Subdivision – Overall Total Project Cost = \$196,075, includes full-depth pavement repair for \$15,000
  - Phase II – Ivy Hills Lane – Planing and Overlay. (this street should be repaved in conjunction with Phase I, to be completed at \$5,775. Project included in Phase I because the unit cost would have been outrageous with it being such a small area. Mr. Pulskamp said it will be milled down.
- Infrastructure funding

#### River Hills Subdivision / Ivy Hills Lane Discussion

Mr Pulskamp said Ivy Hills Lane will be milled down. Mr. Pulskamp said if we can find the funding for this project, we need to bid this along with the Round Bottom Road project. These numbers could come in 10-20% less than what is currently projected if we bid the two projects together.

Mr. Evans plans on driving up to River Hills Subdivision to assess the needs. He has not spoken to Bruce Brandstetter about it, but said it is hard to tell people in Ivy Hills that they are going to get a slurry seal and we're going to give River Hills full-depth replacement, after they already have their new curb and gutters, especially since we really don't have any money. Ms. Hueber said Ivy Hills Lane was slurry-sealed because their street was pushed ahead before their phase.

Mr. Pulskamp said he asked Bruce and Dave about that because he knew that question would come up. The difference that River Hills is not a candidate for the slurry seal is the difference it has to be made up in the asphalt. From the time the new curbing was put in, there is 1 ½ to 3 inches in areas of difference from the curbing to the paving. In order to make the pavement drain to the curb you cannot do a slurry seal, it has to be milled and build back up to it. Mr. Burns said some of the curbing in River Hills has been down for two years and asked Dave Lorei, at what point would we waste money by not paving this and having the water get back behind there and ruin the curbs and gutters. He asked if River Hills is a priority. Mr. Lorei said the water being trapped is a concern. Mayor Cosby suggested discussing this when the Permanent Appropriations for 2009 are done; either we have the money or we won't. Mr. Evans said he is all for the River Hills project if someone else is paying for it.

Mr. Kobasuk asked Ms. Everett if this is in the budget. Mayor Cosby said not yet because we haven't done it. Mr. Kobasuk said as he recalls these projects were not in the projected when the extrapolation was done; we still had a deficit. Ms. Everett said no comment at this time.

In regards to Ivy Hills, Mr. Kobasuk reminded everyone that council promised Mr. Van Dorselaer that we were going to do that. Mr. Kobasuk said is not disagreeing that we have budget issues, but they need to look back to what was represented to Mr. Van Dorselaer.

#### Town Hall Face-Lift

Mayor Cosby thanked Robert Beson, Maintenance Department for painting the council chambers. Robert did an excellent job; it looks as if it was painted professionally. It has been many years since Town Hall was painted and we appreciate Robert's efforts.

#### Burger Farm – SR 32

January 9<sup>th</sup>, Burger Farm assisted the village in shoring the edge of the road, east of the Burger Environmental driveway and cleaned the drainage swale on SR 32. Mr. Pulskamp said it looks very good; they have the rip wrap in there and is draining well. They saved the village about \$6,000 by doing it for the village. Their efforts are very appreciated by everyone.

#### Liquor Licenses

Mayor Cosby inquired about state restrictions on liquor licenses. Solicitor Miller said the number of liquor licenses in an area is based on the population. He said if the village wanted to go over that number, there is something the state can do if council votes and sends a letter in favor of having an additional license. Ms. Hueber said they can transfer a liquor license from another area if it is approved. Solicitor Miller said he believes it would have to be with council's approval. Mayor Cosby asked Solicitor Miller to look into it.

#### 12-9-2008 Council Minutes

**Mr. Zornes made a motion to approve 12/9/2008 council minutes. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.**

#### Human Resource Committee

Mr. Zornes scheduled a HR committee meeting for Monday, January 19<sup>th</sup> at 7:00 p.m.

#### 2009 Committees

- a) Public Service: Ken Pulskamp (chairperson), Doug Evans and Tracy Hueber
- b) Parks & Recreation: Brian Burns (chairperson), Daryl Zornes and Ken Pulskamp
- c) Public Safety: Tracy Hueber (chairperson), Mark Kobasuk, Ken Pulskamp
- d) Finance/Ordinances/Audit: Doug Evans (chairperson), Tracy Hueber, Daryl Zornes
- e) Planning, Zoning and Development: Mark Kobasuk (chairperson), Brian Burns, Doug Evans
- f) Human Resources and Communications: Daryl Zornes (chairperson), Mark Kobasuk, Brian Burns

#### Newtown Veterans Association / Memorial Day Parade

The Newtown Veterans Association is currently planning the Memorial Day Parade for May 25, 2009. This will be a fund-raiser for the Veteran's Memorial Wall, as well as recapturing days-gone-by when Newtown used to have a Memorial Day Parade annually.

The Newtown Veterans Association is in need of a regular meeting place and has requested permission to utilize the meeting space on the first floor at Moundview. Mayor Cosby and council agreed to allow the NVA to meet at Moundview.

#### Liability Insurance Renewal

On January 12, 2009, Mr. Zornes and Keri met with representatives from The Ohio Plan. Mr. Zornes analyzed the three proposals submitted. Mr. Zornes, Mr. Kobasuk and Keri met last night and they are recommending for the village to remain with The Ohio Plan at a bid of \$17,889. They work with many municipalities and have worked very hard at lowering their premiums, given the economy. Last year the amount was \$25,816. The committee discussed lowering the liability coverage. The current general liability for each occurrence limit is at \$5 million dollars and the general liability annual aggregate limit is at \$7 million. To lower the general liability for each occurrence limit to \$4 million dollars and the general liability annual aggregate limit to \$6 million would save \$1,115. Ms. Everett said the only issue The Ohio Plan has with the village has been our auto accidents; other than that, they feel the village is a very clean municipality. The Ohio Plan goes back the past back five years and they have reassured themselves by increasing the village's deductibles from \$500 to \$1,000, so they feel on their end they have covered the loss-ratio, as far as the automobiles. Council agreed to approve by motion and Solicitor Miller will bring a resolution to the 1/27/09 council meeting.

**Mr. Zornes made a motion to approve \$17,889, minus \$1,115 to renew the liability insurance contract with The Ohio Plan. Mr. Kobasuk seconded the motion.**

Ms. Everett spoke to having the village's buildings and larger structures appraised and the estimate obtained was high; therefore, the mayor suggested Mike Spry and Mike Schmidt review them. If we have to raise the amount, the representative said to raise it by \$1 million, it would only cost about \$600 more on the premium. Ms. Everett said she may come back to council for the \$600 additional once the appraisals come in.

**All Aye. Motion Carried.**

#### Budget Solution Committee

Mr. Kobasuk asked about the status of getting the citizens the budget discussed at the one of the Budget Solution Committee meetings in 2008. Mayor Cosby said they are meeting with the committee heads of various departments; until that happens, there is nothing new to report. Mayor Cosby said the holidays slowed down the process; the committee chairs will meet in January and will probably meet with the Budget Solution Committee in February. Mr. Kobasuk asked to present the budget to the committee and Mayor Cosby said yes.

#### Fire Board

**Ms. Hueber nominated Darwin Brooks to continue his position on the fire board as a resident at-large. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.**

Ms. Hueber said Mr. Brooks is very active on the board and council thanked him for his service.

#### Winterfest 2008

Mr. Pulskamp spoke to the success of the 2<sup>nd</sup> Annual Winterfest and thanked Mayor Cosby and Councilman Burns for driving a tractor. The turnout was amazing! Ms. Hueber thanked all of the volunteers for their time. Barb Greve, Joe Motz, Lynn Burger, Barbara Broerman and Pauline Murrie did a great job going above and beyond. Mr. Evans said one of the business owners paid out of his pocket for the horse and carriage rides. He said people kept doing more and more things to make the village a better place. Ms. Hueber said on the outside it looked like everything flowed smoothly, but recognized a lot of very hard work went into the festivities. Council thanked everyone and those not mentioned. Everyone seemed to have a great time and didn't want it to end. Mrs. Fairley said her son said he felt like he was in a Hallmark movie. The big bon fire, Clydesdale horses, lighting of the Christmas tree certainly made it feel like a "Hallmark" movie.

#### Employee Christmas Party

Mayor Cosby thanked everyone responsible for putting together the Christmas party for the employees. The Newtown Business Association planned and paid for the entire Christmas party. Everyone agreed it was the best Christmas party the employee's have had. Much thought and hard work went into making the party happen and it is greatly appreciated by everyone! Ms. Hueber did say we need to work on the entertainment. (ha.....everyone laughed). Ms. Hueber is referring to (Mayor Curt Cosby, Police Chief Tom Synan, Lieutenant Shaun McBreen, Councilman Doug Evans and Business Owner Joe Motz) doing a skit to "YMCA" by the Village People. Everyone truly enjoyed this one.....Curt Cosby played the cowboy, Tom Synan--"Indian Chief," Shawn McBreen -- "Police Officer" Doug Evans -- "Construction worker," and Joe Motz, the sailor. You just had to be there to appreciate the humor!

#### Methodist Church Parking Lot Lease, 2009 Resolution, Third Reading

Mr. Kobasuk asked if the village had any alternatives, given the current budget concerns. He asked Pastor Howard Preston if the church would consider a dispensation. Pastor Preston said the price was higher and they had already given a dispensation with a lower price of \$6,000. Mr. Pulskamp stated in the beginning it was \$700 or \$750 per month and now the village pays \$500 per month. Mr. Kobasuk said he is just trying to find a way due to the budget. Mayor Cosby said this should have been looked at 2-3 months ago; we're in the twelfth hour and he recommended approving the contract. He said don't drop the issue, but the contract is due. Pastor Preston said the contract was mailed to the mayor November 1, 2008, sixty (60) days before it expired. He said six years ago the village had two options: 1) pay a flat fee or 2) a reduced fee was offered in exchange of the village maintaining the church's lawn and removing the snow in the parking lot. At that time, the village decided to pay the flat fee because the maintenance department was over-burdened. Mr. Kobasuk said he will contact the church's board before the next council meeting. Pastor Preston said the church paid \$55,000 in 2008 to get a top-notch parking lot; they expanded their parking space as well as repaving the old. He said the village uses the parking lot more than the church and council agreed. Mr. Evans said he agrees with Mr. Kobasuk and suggested possibly a 15% reduction in the fee would be helpful. He told Pastor Preston that Evans Landscaping would be happy to do anything they could to help the church in snow removal or whatever. Mr. Kobasuk stated for the record, "the church is a neighbor and nothing against the church, council is just trying to find ways to save money." Solicitor Miller suggested passing the resolution tonight and hold until the 31<sup>st</sup> of January, which is the deadline for payment.

**Mr. Pulskamp made a motion to have a Third Reading on RESOLUTION NO. 01-2009 A RESOLUTION APPROVING A LEASE FOR PARKING PURPOSES AND DECLARING AN EMERGENCY. Ms. Hueber seconded the motion. All Aye. Mr. Zornes-Yes, Mr. Kobasuk-Yes, Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Burns-Yes. Motion Carried.**

Eastern Corridor, Resolution Opposing

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

**Mr. Pulskamp made me a motion to adopt RESOLUTON NO. 02-2009 A RESOLUTION OPPOSING THE PROPOSED ALIGNMENTS OF THE EASTERN CORRIDOR, DISPENSING WITH THE THIRD READING AND DECLARING AN EMERGENCY.**

Discussion

Mr. Kobasuk questioned, Section 2. "The mayor of the village is hereby authorized and directed to take all actions he deems necessary in order to stop the currently proposed alignments of the Eastern Corridor from being constructed." Mr. Kobasuk said it is not the intent to give the mayor unlimited power to spend whatever money necessary. Mr. Kobasuk said it reads very broad and this is just to give the mayor authority to go to meetings and represent the village. Mayor Cosby said we all are of the clear understanding he is not going to go running away with the checkbook on this one.

**Mr. Zornes seconded the motion. All Aye. Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes. Motion Carried.**

Legal Counsel, 2009 Ordinance

Mr. Pulskamp noted this ordinance for legal counsel is at the same rate as last year and the year before. Council thanked Solicitor Miller.

**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 NO. 01-2009 AN ORDINANCE PROVIDING FOR THE EMPLOYMENT AND COMPENSATION OF LEGAL COUNSEL, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes. Motion Carried.**

Mayor's Court Credit Card Machine

Mr. Pulskamp said the village can purchase the credit card machine from Fifth Third Bank for \$742.00 and would be responsible for maintenance. The lease is \$25.00 per month for four years and they cover everything 100%. This will be paid for out of the Mayor's Court fund. Council decided to lease the machine.

**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 NO. 03-2009 A RESOLUTION APPROVING AN EQUIPMENT LEASE, DISPENSING WITH THE THIRD READING AND DECLARING AN EMERGENCY. Ms. Hueber seconded the motion. Mr. Zornes-Yes, Mr. Kobasuk-Yes, Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Burns-Yes. Motion Carried.**

Brandstetter Carroll

**Mr. Pulskamp made a motion for Brandstetter Carroll, Inc. bid Round Bottom Road project with the addition of pricing for River Hills and Ivy Hills Lane as an option. (allows council to consider the numbers and should save money with the two combined.) Ms. Hueber seconded the motion. All Aye. Motion Carried.**

Newtown Landfill

Mr. Pulskamp said in May 2007 he had asked Mr. Kobasuk about the Newtown Landfill when they were advised of the landfill going 25 to 30 feet. In reviewing council minutes, Mr. Pulskamp said January 2008 minutes, Mr. Kobasuk said he would look into it further and Mr. Pulskamp said he has not heard anything back. Mr. Kobasuk said he did give plans to someone at Town Hall and he give a report at the meeting, but he will look at his file. Mayor Cosby said he will take partial responsibility for that; he did speak to Mr. Schweitzer and they were going to meet in May when he returned to Cincinnati. They never did meet, but Mayor Cosby said he will double his efforts to meet with him when he comes back from Florida.

Surplus Two Chairs

**Mr. Pulskamp made a motion to surplus two office chairs at zero value. Mr. Burns seconded the motion. All Aye. Motion Carried.**

Orkin

Mr. Pulskamp said the termite treatment for Town Hall was approved June 2008. The work to the back of the building was just completed and for accounting purposes, Mr. Pulskamp wants to pass another motion. Ms. Everett said Orkin wants a new date.

**Mr. Pulskamp made a motion to approve an amount not to exceed \$1,966 for Orkin chemical control. Mr. Evans seconded the motion. Mr. Zornes-Abstain, Mr. Kobasuk-Yes, Ms. Hueber-Yes, Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes. Motion Carried.**

#### Checklist

Mr. Kobasuk questioned the \$1,500 to D & S Consultants. Mayor Cosby said he is meeting with Mr. Freeman Friday and will give council an update at the 1-27-09 meeting.

**Mr. Burns made a motion to approve Checklist dated 12-31-2008 for \$90,019.38. Mr. Kobasuk seconded the motion. Mr. Burns-Yes, Mr. Evans-Abstain.**

#### Commercial Building

Mr. Evans asked for an update on the in-house Commercial Building Department. Mayor Cosby talked with Mike Spry and unfortunately, the board that approves the Building Department, in Columbus, meets twice a year and does not meet until May 2009.

#### Snow Plowing

Mr. Evans noted he has not heard any complaints regarding snow plowing. Mr. Pulskamp said the Maintenance Department is presently putting down the minimum.

#### Temporary Appropriations Resolution

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

**Mr. Evans made a motion to approve RESOLUTION NO. 04-2009 A RESOLUTION APPROVING THE VILLAGE TEMPORARY APPROPRIATIONS FOR 2009, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Ms. Hueber seconded the motion. Mr. Zornes-Yes, Mr. Kobasuk-Yes, Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes and Mr. Burns-Yes. Motion Carried.**

#### Supplemental Appropriations

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

**Mr. Evans made a motion to adopt RESOLUTION NO. 05-2009 A RESOLUTION APPROVING SUPPLEMENTAL APPROPRIATIONS AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2008, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Burns seconded the motion. Roll Call: Mr. Burns-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, Mr. Evans-Yes. Motion Carried.**

#### Vice Mayor for 2009

**Mr. Burns nominated Mr. Pulskamp for Vice Mayor for 2009. Mr. Zornes seconded the motion. All Aye. Motion Carried.**

#### Executive Session

**Mr. Pulskamp made a motion to enter into Executive Session to discuss personnel discipline and/or pending litigation. Mr. Burns seconded the motion. Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes.**

Council meeting reconvened at 9:15 p.m.; no action to be taken on personnel discipline at this time. Action will be taken on additional co-counsel for the Martin Marietta mining issue.

**Mr. Pulskamp made a motion to authorize Solicitor Miller to hire a co-counsel for the Martin Marietta Mining Issue regarding possible litigation.**

#### Discussion

Solicitor Miller asked council if they wanted to set a cap on the services. Mayor Cosby said he didn't think we would at this time, but council could. Mr. Evans asked for Solicitor Miller to keep council in the loop. Mayor Cosby said council can always come back and decide whether to move forward or not. Mayor Cosby said he believes we should find out shortly where all of this is headed.

**Mr. Zornes seconded the motion. Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-No, Mr. Zornes-Yes. Motion Carried.**

Mr. Pulskamp made a motion to adjourn council meeting at 9:30 p.m.