

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

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

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

Audience Participation

Newtown Veterans Association

Pauline Murrie, Newtown Veterans Association Treasurer, spoke to council regarding the VNVA meeting at Moundview. The VNVA is currently working on the Veterans Memorial Wall and they interested in forming a historical group within the village. At the January 13, 2009 council meeting, mayor and council agreed for the association to meet regularly at Moundview where the Civic League has met in the past. Mrs. Murrie said she and Mr. Ken Baril assessed the meeting space and would like permission to make some changes, inviting the Civic League to join in to keep the Memorial Day Parade alive, as well as other functions within the village. These changes would not cost the village anything; all labor and materials would be donated as the money comes in and as groups and people come forward. Mayor Cosby said along with the Veterans Memorial Wall, having a Veterans Memorial Museum inside the meeting space has also been discussed. Mrs. Murrie said it would be nice to tie in the historical part; they want to focus on the Indian Mound at Moundview. Mr. Evans suggested checking into grants. The VNVA, Civic League and mayor Cosby will meet at Moundview Park, Monday February 16th at 6:30 p.m.

Police Officer Jeff Braun

Police Officer Jeff Braun has been off duty due to a medical issue and may be out an extended period of time. Mayor Cosby said Officer Braun will run out of sick time and the other officers have asked for permission to donate some of their sick time to cover Officer Braun. Mayor Cosby said this is not unheard of; Mr. Zornes and Ms. Hueber acknowledged this has done this in the past. Mayor Cosby asked for a councilman to make a motion allowing the donation of sick time.

D & S Consulting

Mr. Kobasuk asked for an update on D & S Consultants at the January 13th council meeting. Mayor Cosby met with Allen Freeman January 16th and asked him why the invoice did not show hourly. Mr. Freeman said it was an oversight and he will make sure the invoice will show hourly from now on. Mayor Cosby said he is working on some grants with a real opportunity of a \$500,000 grant to go along with the \$300,000 grant the village was awarded in 2008. Mr. Kobasuk just wanted to be clear that Mr. Freeman will invoice by the hour and that Mayor Cosby will monitor his time. Mayor Cosby said he will monitor Mr. Freeman's time. Mr. Kobasuk asked if D & S Consulting would give us a credit if they did not spend that many hours and Mayor Cosby said correct.

Winterfest

Mr. Evans talked to a few other people regarding Winterfest; in particular, Gary Gottenbush and he said to tell everyone thanks for the Winterfest and is looking forward to participating next year.

Finance Committee

Mr. Evans scheduled a finance committee meeting Monday, February 9th at 7:00 p.m.

Checklist

Ms. Hueber asked if Better Window Cleaning was in Newtown and Mayor Cosby said yes. Mr. Evans asked Chief Synan about the check to Hamilton County Treasurer. Chief Synan said they are getting fuel from the Hamilton County Maintenance Barn; it is saving about \$40 to \$65, but with the fuel reimbursement line, \$1,200 was spent on gas in November 2008 and brought in \$1,600 of the fuel reimbursement line, so the \$400 carried over to the next month so actually, the fuel reimbursement is actually paying for the gas for the cruisers. Ms. Hueber thanked Chief Synan.

Mr. Evans made a motion to accept Checklist dated 1/27/2009. Ms. Hueber seconded the motion. All Aye. (Mr. Burns-Absent) Motion Carried.

Snow Storm – Maintenance Department

Mr. Pulskamp said maintenance crews had been out since 3:00 a.m. salting and plowing the roads. Police Chief Tom Synan and Police Officer Spencer Bischoff had a quick lesson today from Tony and Robert on salting and plowing the streets. Tom and Spencer were happy to relieve Tony and Robert so they could go home to get a little rest. Mr. Pulskamp thanked them very much for their efforts and said they have volunteered to help additionally when needed.

Employees Donating Time to Other Employees

Ms. Hueber made a motion to allow employees to donate/transfer any time accumulated, i.e.: sick time, personal or vacation hours to another employee. Mr. Zornes seconded the motion. All Aye. (Mr. Burns-Absent) Motion Carried.

MVCA Donation

The police department received a donation of \$1,000 from Miami Valley Christian Academy. The kids at MVCA collect donations each year for the police and fire department. Ms. Hueber said she wanted to make sure the check was deposited into the Equipment Fund. Everyone said how much the village appreciates the donation.

Newtown Landfill

Mr. Pulskamp asked Mr. Kobasuk for an update on the landfill at the 1-13-09 council meeting. Mr. Kobasuk did follow-up and told Mr. Pulskamp that he did give his report at the February 12, 2008 council meeting. Mr. Kobasuk asked Mr. Pulskamp to read his report in the February 12, 2008 council minutes and said he would be happy to discuss his report with him. Becky has the plans on file in the mayor's office. Mr. Pulskamp thanked Mr. Kobasuk for his follow-up.

Mayor Cosby said Mike Spry is working on some issues regarding the landfill and suggested Mr. Kobasuk and Mr. Pulskamp get with Mr. Spry.

Methodist Church Parking Lot Lease

Mr. Kobasuk spoke with Rev. Howard Preston, United Methodist Church, regarding the lease for the church parking lot. Reverend Preston indicated there was no consensus to reduce the lease. Their board would not have a regularly-scheduled meeting until March and Mr. Kobasuk said he did not see the need to call a special meeting with the lack of a consensus. The check is on the checklist and has already been approved. Mr. Kobasuk suggested council revisit the lease next year.

Resolution, The Ohio Plan, Liability Insurance

Mr. Pulskamp made a motion to suspend the rules. Mr. Kobasuk seconded the motion. All Aye. (Mr. Burns-Absent) Motion Carried.

Mr. Pulskamp made a motion to approve RESOLUTION NO. 06-2009 A RESOLUTION APPROVING A CONTRACT FOR LIABILITY INSURANCE WITH THE OHIO PLAN, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion. Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, (Mr. Burns-Absent) Motion Carried.

Employee Termination Hearing

January 23, 2009, Street Commissioner Mike Schmidt was given a letter recommending his employment be terminated with the village. Mr. Schmidt was suspended with pay, pending action of council at the January 27, 2009 council meeting.

Solicitor Doug Miller swore in those intending to testify. Attorney John C. Korfhagen represented Mr. Schmidt and Mr. Korfhagen asked council for a continuance. Mr. Schmidt was given the letter late Friday afternoon and contacted Mr. Korfhagen Saturday; therefore, Mr. Korfhagen felt he did not have adequate time to prepare for the hearing tonight. The request for a continuance was noted by Mayor Cosby. Solicitor Miller said it was up to council; a motion can be made to move forward or a motion can be made to continue the hearing until the next council meeting. Solicitor Miller said Mr. Schmidt's status would be in limbo if a continuance is granted. Mr. Schmidt has not worked since Friday afternoon at 2:00 p.m., January 23rd.

Mr. Pulskamp made a motion to move forward with the hearing, due to Mr. Schmidt's actions at the time he was presented with the letter from Mayor Cosby and preceding Mr. Schmidt removing personal property from the village maintenance department. Mr. Pulskamp stated serious actions occurred, resulting in the need to move forward with the hearing. These actions were also witnessed by the police department. Ms. Hueber seconded the motion. Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, (Mr. Burns-Absent) Motion Carried.

A court reporter was present and a copy of the court transcription will be kept on file at Town Hall.

Mr. Pulskamp made a motion to terminate employment of Mike Schmidt as Maintenance Supervisor, Cemetery Sexton and Street Commissioner for the Village of Newtown, effective immediately for grounds presented before council and as an at-will employee. Ms. Hueber seconded the motion. Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, (Mr. Burns-Absent) Motion Carried.

Executive Session

Mr. Pulskamp made a motion to enter into Executive Session at 8:37 p.m., to discuss litigation. Mr. Kobasuk seconded the motion. Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, (Mr. Burns-Absent) Motion Carried.

Council reconvened at 8:47 p.m.; no action to be taken as a result of Executive Session.

Mr. Pulskamp made a motion to adjourn meeting; Ms. Hueber seconded. Motion Carried.

Transcribed by Becky Fairley