

Police Chief Synan: A long time ago when you didn't have cars and didn't have very many police departments and mutual aid; basically, your police chief did everything. He was your local police officer and lived in town for that reason. This is purely financial; I love the community and everyone has been a tremendous help to me. All of my friends are here; it's not a matter that I don't want to be here, I found a product that is within my price range.

Mr. Kobasuk: You indicated you would be willing to move back into Newtown if something became available in the future.

Chief Synan: I did look for a year here. One criteria I did look for in this house was that if something did come open that I wouldn't lose my money. I got a phone call today saying the house appraised for more than I am paying. Trust me, the school district is better here, all of you are here and all of you are my friends. I love the community and obviously, it has the best police department in probably the country. I would love to come back and I will keep my options open.

Mr. Kobasuk: I think we should view this as a very limited exception for Tom, and not make it a practice but in this case.

Mr. Pulskamp: I was going to say that Mark; the Ordinance actually does need him only and is not waiving the requirement for every police chief.

Solicitor Miller: This does say you are supposed to be within a 5 mile radius.

Chief Synan: It is and that was the other thing I was looking for.

Solicitor Miller: For those of you who may not have been here, this isn't the first time we've done this. You did waive it for the fire chief back in 2000.

VOTE

Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes, Mr. Kobasuk-Yes. Motion Carried.

Councilmember Debbie McCarthy

I have a question, in the Personnel Practices where you can't carry over the five vacation days, where it used to be carried over.

Mr. Kobasuk: We just had the First Reading; we can talk about it when the Mayor is back.

Solicitor Miller: I only did that just to move the process along because I forgot to bring it up last time.

Mr. Pulskamp: We can discuss it the next meeting.

Solicitor Miller:

1. **Joe Berger Case:** Did you all get my email regarding the Berger case? Does anyone have any questions?

Mr. Kobasuk: That's a victory for the village, as I understand it.

Councilmember Mark Kobasuk (Handout)

1. **Newtown Landfill:** The last meeting, Ken asked me to follow-up with Mike Cornette regarding the Newtown Landfill and the zoning requirements. Mike Cornette put this memo together; you all have a copy. You may want to read it and talk about it next time.

Audience Participation/ Citizen Input

Resident Tammy Thornberry: 6612 West Plum Street. I am here regarding the No Parking issue. I think it's ridiculous and feel it should be at least postponed until we can get a lawyer.

Mr. Kobasuk: I appreciate your thoughts. Council has debated this issue extensively, as you know and we seem to be divided. The Mayor is not here; he is the one who is going to enforce the ordinance. I guess we've given him no choice; the ordinance is on the books. I would just suggest to you one thing if I may; I don't want to give you legal advice. There is something called the Initiative Petition, where you can get signatures and put this on the ballot for the residents of Newtown vote on it. As I recall from looking at it, you need 10% of the residents who voted for the governor in the last election. I don't know the number of residents that voted for governor in the last election, but 10% of that number may not be that many signatures. If you follow the procedures under the Ohio Revised Code; Section 731.28 deals with ordinances. You can do an Initiative Petition, get this one the ballot and let the entire village vote since council cannot. That may be a way to deal with it. You spend a lot of time and energy coming down here, but we as a body cannot collectively agree on it. You may want to take it to the voters.

Mrs. Thornberry: Okay. Will we have to wait until election time?

Mr. Kobasuk: I don't want to give you legal advice; you're going to have to read it, but you need to get it in 75 days before the election which would be about August. There's a pretty extensive process where you have to do the correct form, file it with the village and then go out and get the signatures. There are fairly specific requirements in the statute that you need to follow, but it is not impossible. I'll be happy to talk to answer questions outside the meeting if you like. I'm not trying to take a side, but we can't seem to get a resolution here so I would like to give that to you if I could. Thank you.

Mrs. Thornberry: Thank you.

Resident Shannon Ideman: 6614 Crull Street. I am here regarding the No Parking situation and as a new resident I have some questions. I emailed the Mayor and did not receive a response. I want to make sure I understood correctly that there is not only on-street parking in those neighboring streets, but we would not be able to park inside of the striped lines on our own property. Is that correct?

Mr. Kobasuk: There is no parking in the right-of-way on those streets, as the Ordinance has been passed.

Ms. Ideman: What alternatives would be provided; essentially, as it stands you're telling me I can't have any company.

Mr. Kobasuk: I am not a proponent of the Ordinance ma'am. I was one of the members that wanted to rescind it.

Ms. Ideman: I'm just asking what options have been presented.

Mr. Kobasuk: We all have opinions on this; everybody votes their conscience and is doing the right thing in their mind and we're divided. Right now I think your best option may be to do that Initiative Petition and take it to the voters and put it on the ballot. Expend your energy dealing with your fellow citizens and take it right to the ballot box and go above the heads of council.

Ms. Ideman: I agree and I would like to assist with that. As I understand, this is going in effect May 21st? My son receives Early Intervention services and when we have meetings at my house and at most, I can accommodate three cars in my driveway. Where would the speech pathologist or the early intervention teacher park?

Mr. Pulskamp: There is no solution at this point. Ask your neighbor.

Ms. Hueber: This question was asked of John, and he said if you had a party that people may have to park in your yard and they were not going to cite them because it would be temporary and special event.

Mr. Kobasuk: Maybe you could put a note on the windshields, "special event – intervention underway," and the police will not ticket you.

Resident Wendell Owens: 6608 West Plum Street. My name was brought up at the last council meeting and I did not say those things; it wasn't true. Last September, the Mayor came down and promised me the sign would be moved off my property and it has not been moved. Tracy Hueber has a parking pad right next to her driveway. I've read in the minutes where if you had gravel that you would be grandfathered-in. I have a picture here of May 1988 and I have a survey of my property and I've already proved that they are on my property in the alley. In the September 26, 2006 council minutes I stated that I wanted their blacktop removed and I wanted my grass back. These pictures show my survey and the gravel. They have paved over my property; from what I understand I should be grandfathered-in. If everybody else is grandfathered-in, I should be allowed to be grandfathered-in. These markers in the alley are covered up with blacktop. I think it is against the law to do that. It's paved now; it was gravel.

Mr. Kobasuk: Do the lines give you enough room to park if you parked outside the lines?

Mr. Pulskamp: With what we proposed you could park outside the white lines and you would have no problem.

Mr. Kobasuk: Wendell, are you in favor of those white lines?

Mr. Owens: The Mayor presented it to me that this was the way it was going to be and asked if I could live with it.

Ms. Hueber: Your cars all fit outside the lines because I've seen that you can park outside the white lines. Basically, that is your area that was gravel, which is what we're talking about.

Mr. Owens: Right, that is my property.

Mr. Pulskamp: It's village right-of-way.

Mr. Owens: Only so much of it is village property.

Mr. Kobasuk: Wendell, are you in favor of the ordinance preventing parking or do you want the ordinance to be rescinded?

Mr. Owens: I want it rescinded; I want the signs down. I want people to be able to have family parties and family get-togethers. Newtown says they own 5 feet on the other side of me which is all fields now, which is the golf course. We've parked there before and never had any problems parking in there before. That is 5 feet of property that is really going to waste. In my opinion, the sign can be put over there on the 5 feet of property. I was told it would be removed and it still hasn't.

Mr. Kobasuk: Thank you Wendell. Does anyone else want to address council? Brian, can I just say something before you start? We have debated this issue for one and a half years now. My first night on council we talked about this issue. I think people pretty much have their minds made up; could we maybe give you a minute so we all can get out of here to do other things? I'm not trying to prevent your right to free speech.

Resident Brian Thornberry: Before we start on that, can I ask you a question about Tommy? You waived that law for Tom, which I think is a good thing to do, right? You didn't change the law; you waived it because Tom has been here so long and proved himself?

Mr. Kobasuk: He's doing a good job and we want to keep his services.

Solicitor Miller: It's not a Newtown law; there is nothing Newtown has that says the chief or anybody has to live in the village. It's a state law and we have the right to waive that under the state statute.

Mr. Thornberry: I'm for Tom; I'm not saying I'm against it. I just want to understand it. Wendell was trying to say the Crull subdivision has been there since 1922 and his family has been there since 1926. We were under the impression the signs were coming down. Once again, the committee was formed. They were in our favor; we were told council refused their results. We're all confused on the line issue; we don't agree with the lines. The safety issue is a non-issue. There has never been a safety issue; you can't prove one. Mr. Cosby stated in the past that he has talked to the fire department and there is no problem. The fire department was in the paper; nonetheless.

Mr. Pulskamp: That is not a true statement Brian. The paper stated there has not been a problem. Chief Driggers stated there's not been a problem under his watch. I guarantee you Brian; I know there was a problem.

Mr. Thornberry: Wendell's nephew has special issues and has had over 1,000 calls in his lifetime with the old fire department and the new one; none of which have ever had a problem getting there. If you would have put as much time into seeing what the voters wanted and gone door-to-door then you should have a different vote.

Mr. Kobasuk: Brian, everybody here is doing what they believe is right.

Mr. Thornberry: I'm asking for enough time to seek legal aid; I don't think two weeks is enough when you tricked us.

Mr. Pulskamp: Brian, it's in the minutes that you hired a lawyer a year ago.

Mr. Kobasuk: Other people may have differences of opinion; that doesn't mean they are right or wrong, but everybody I think is voting they way they think it should be so you shouldn't take offense to their position. Thank you so much Brian; you're time is up.

Dave Lorei, Brandstetter Carroll:

1. Church Street Phase II: May 2nd, a revised punch list was created by Dave Stenger and Charlie, and was sent to R.A. Miller for their review and completion today May 8th.
2. Traffic Signal Interconnect: Bid Opening is scheduled June 1, 2007.
3. River Hills Curb Improvements: May 2nd, a punch list of three items was created and also sent to the contractor and he will take care of that issue.
4. Ragland Road: CWW, there is an email from Pat Arnett and he is reviewing the initial survey and will get back with alternatives in the next two weeks.
5. 2007 Curb Improvement: Bid tab is attached; the low bid was Prus Construction. We'll need to pass a Resolution at the next council meeting to accept that bid. I also have a letter for the Mayor giving our recommendation that Prus would be accepted. We'll handle that at the next council meeting. Our estimate was \$99,400; their bid came in at \$92,310. That is actually lower costs to the previous 2007 curb improvement.
6. 2007 Asphalt Improvements: I kept that on from the last project status; there needs to be some discussion as to if anything will be done at Moundview.

Mr. Cosby: Where are we on Moundview; what do we need to do to get this thing done?

Mr. Lorei: I think we need to take a look at the drainage issue. I think some alternatives need to be discussed.

Mr. Cosby: Can you get us a price on the engineering so we can move this thing forward?

Mr. Lorei: I can do that; I'll have that prior to the next council meeting.

Mr. Kobasuk: Thank you.

Resident Delmar Baxter: I walked the neighborhood and everybody has a driveway or a garage; except for people on West Plum. They don't have a driveway or a garage. Why is that?

Mr. Pulskamp: Did you look from the driveway from the alleyway of where the driveway used to be?

Mrs. Baxter: Mine has a pad in the back, but it is not a driveway.

Mr. Kobasuk: Where do you park your vehicle now?

Mrs. Baxter: In the front. A picture was taken of my son's car and was in the Forrest Hill's Journal on the 2nd. That is where I live; we park in the front.

Mr. Kobasuk: Ma'am, do you have an opinion on the No Parking Ordinance that you would like to tell council? Are you in favor of the no parking; are you opposed to the Ordinance?

Mrs. Baxter: I am opposed to the Ordinance.

Mr. Kobasuk: Because it does not give you a place to park?

Mrs. Baxter: No.

Ms. Hueber: You would have been able to park if we would have passed the parking outside the white lines.

Mrs. Baxter: There was no white line on West Plum; you did all the other streets.

Ms. Hueber: With a 14-15 foot line striping you would have had enough space.

Mr. Cosby: Tracy, on some of those streets the line striping was as wide as over 20 feet. It varies all over the subdivision, which was a point I made quite a while back.

Ms. Hueber: We just designated a 14-15 foot.

Mr. Cosby: But we didn't; and I proposed that and we said no. We've already discussed this it is just not a fact.

Ms. Hueber: Everybody that has been here would have sufficient parking if we would have approved the parking outside of the white lines.

Mr. Kobasuk: I don't necessarily agree with that. Ma'am do you want to say anything else?

Mrs. Baxter: Yes. I was shocked to see my son's car in the Forrest Hills Journal and I was a little embarrassed too because no one had asked us if it was okay to put the picture in the paper. Recently, we have a lot of cars just coming through; they in on West Street and go out on Leonard. People are just passing through.

Mr. Kobasuk: Council has no control over what the paper is going to print. I don't think council had any activity relating to that story being covered.

Ms. Hueber made a motion to adjourn meeting at 8:15 p.m. Mr. Pulskamp seconded the meeting.