

The May 26, 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.

<b>Councilmember's:</b>	Brian Burns	Mark Kobasuk
	Doug Evans	Ken Pulskamp
	Tracy Hueber (arrived 7:15 pm)	Daryl Zornes

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

Mayor Cosby welcomed everyone and invited those who were not on the agenda a chance to step forward and speak.

#### Memorial Day Parade

Mayor Cosby spoke to the success of the parade. Mayor Cosby gave a special thank you to Lynn Burger, Bill Teater, Chuck Short, Pauline Murrie and everyone involved in the planning of the parade.

#### Board of Zoning Appeals

Mayor Cosby has discussed the current vacancy on the BZA with resident Chuck Short. Mr. Short has agreed to fill the vacant position on the BZA.

**Councilman Burns made a motion to nominate Chuck Short to fill the current vacant position on the Board of Zoning Appeals. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.**

#### Eastern Corridor Meeting

Tuesday, June 9<sup>th</sup> is our regularly scheduled council meeting at 7:00 p.m. The council meeting will close at 8:00 p.m. to discuss the Eastern Corridor.

#### McGill Smith Punshon, Inc.

McGill Smith Punshon, Inc., an architecture and engineering firm has prepared a proposal for a base map of the Eastern Corridor study. This map would have a couple of variations that would be suitable for Newtown, as far as the Eastern Corridor study is concerned. Mayor Cosby stressed the importance of having this done prior to the 6-9-09 council meeting. This would give us something constructive to present back to the officials attending the meeting. Mayor Cosby said the original proposal was for \$2,500, but believes we can have it done for \$2,000.

Mayor Cosby opened the floor to Citizen Input.

#### Bill Teater, Owner of Great Day Productions

On behalf of the Veterans Association, Newtown Business Association and Civic League, Mr. Teater thanked council for their support of the Memorial Day Parade. He thanked Chief Synan and the police department for doing an outstanding job. We were also happy to have Chief Driggers and the LMFD. Mr. Teater also thanked our current Mayor, Curt Cosby and past Mayors, John Russell, Paul Frede and Bob Fischer for joining in the festivities. The parade could not have happened without the support of everyone. We look forward to our 2010 Memorial Day Parade.

Mayor Cosby thanked Mr. Teater for his help and time volunteering. We had a great turn out for this being the first parade in the past seventeen years.

#### The Top 20 Communitites in the Tristate

Newtown was listed as No. 12 overall in the Top 43 Communities in the Tristate. Information came from "Rating the Burbs" in the Cincy magazine ([www.Cincymagazine.com](http://www.Cincymagazine.com)).

Mr. Pulskamp said the rating was based on tax dollars, property tax evaluation and various other areas. Newtown is lower than Anderson Township in property tax evaluation. Newtown was ranked No. 15 in safety.

#### Police Department

Chief Synan spoke to the Task Force the police department initiated about five weeks ago. Initiating the Task Force reduced drug and alcohol activity and aggressive driving. To date, there have been 312 warnings, 105 citations and 127 arrests. Out of the arrests, 34 were drug-related, 20 alcohol-related, a fire arm was recovered and 31 Driving Under Suspensions. Chief Synan said one of the most disturbing facts is the increase in heroin use and activity. In the last two weeks, the police have made 3 heroin arrests and recently, a resident overdosed on heroin. The paramedics gave this person Narcan and amazingly, this person should probably not be here today, Chief Synan said. Cincinnati Police ran a camera-car here in the village and ran over 1,500 license plates in less than four hours and this was only one way. About one dozen warrants came from the camera-car. In the past few weeks, officers have also encountered a loaded handgun from someone on probation for drug activity. Having the Task Force that evening helped assure the safety that evening of the police officers. Chief Synan said the reality is there is one line of defense in the communities and that is the police officers on the street. Chief Synan said for Newtown to be No. 15 for safety is tremendous. Chief Synan credited the police officers on the street every night. Mr. Evans said Newtown needs to be known for our proactive police force that won't stand for this stuff. We don't want them around here! Mr. Evans said our police do a good job and it's good to have more than one officer on duty at all times for the safety of the officer. Chief Synan said out of the 474 vehicles stopped and 127 criminal arrests, during the five weeks, all were done with no overtime. The schedule was rearranged and some officers volunteered.

Chief Synan said last year the police department participated in the "Click-it or Ticket" program and the state gave the police department a new radar. They came in this morning and delivered another brand new radar.

Mr. Evans asked if the police department could get a camera with grant money. Chief Synan said there is grant money with restrictions, as far as what car it can go on and what you can do with the car. Chief Synan said the cameras range from \$12,000 to \$25,000; he will look into a grant and other costs involved.

#### LMFD Fire Board

Mr. Burns reported he and Mr. Terry Fairley attended the May 20th Fire Board meeting. The meeting was a general update based on Mariemont not joining the fire district. The budget was discussed and everything seemed to be in order, Mr. Burns said. The fire district is looking for alternate funding to build a new fire house in Newtown. Allen Freeman is seeking grant money; they have applied for 3 million dollars of stimulus money to build a fire house in Newtown. There are a couple of sites in Newtown they are considering.

#### Moundview House Renovation and Resolution

Mr. Burns presented a spreadsheet with hours donated and charged to the village for the renovation of Moundview. He said we have had a lot of private donations of time, labor and materials. Mr. Burns said since the beginning of February, there has been about \$13,500 worth of donated time and materials. Mr. Burns thanked everyone. There have been a couple of repairs that were unforeseen. A Resolution for Supplemental Appropriations is needed to cover these repairs.

#### Supplemental Appropriations for Moundview House

**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. 15-2009 A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2009, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY.**

## Discussion

Mr. Evans asked Mr. Burns to explain some of the repairs. Mr. Burns said the original amount council approved was \$5,000. Once into the project bigger issues surfaced. The flooring upstairs in the apartment has been damaged from pets from the past two tenants. The flooring on the bottom floor was sagging; there were seven floor joists infested with termites. Some of the walls had paneling; they needed to be dry walled. Mr. Burns said the electrical didn't meet fire code and had to be redone. He said the boiler is over 25-30 years old and is now rusting out. Mr. Burns said the reason the utilities there have been \$500 to \$600 in the winter to heat with the boiler is because the system was improperly installed. Those are just a few of the problems we have encountered. The project has come a long way; the house just has not had any maintenance for years. The front room where the Civic League had stored items has been totally transformed to the style and period of the house. Mr. Burns invited everyone to take a look at the house. He said there has been much interest expressed in renting the house, especially Memorial Day when people toured the house. The Civic League, NBA and Veterans Association will hold meetings there once things are put back. Mr. Burns said he believes the village will bring in more revenue by renting out the house for different functions. And expects this will be another great additional to what the village is doing for the community.

Mr. Kobasuk asked if the \$5,000 would be enough. Mr. Burns explained this \$5,000 for supplemental appropriations is to cover invoices that need to be paid. Mr. Burns said he does need council's approval for \$17,000 in capital funds moving from Miscellaneous and Contracted Services. Ms. Hueber asked if this amount was on top of the \$5,000 first approved and the \$5,000 in supplemental appropriations. Mr. Burns said yes that the building was not in very good shape. Ms. Hueber said we knew getting into the house would open up a can of worms. Mr. Burns said the house needs to be fixed right. Ms. Hueber asked if this is the time and asked if everyone wants to spend \$30,000 on the house.

Mr. Evans said the house has been rented out and probably not managed the best that it could have been. Mr. Evans said we have made money over the past years; renting the apartment out brought in \$6,000 per year. We also bring in some revenue by renting out the pavilion at Moundview. Mr. Burns said the rental and agreements in the past have been definitely under charged. Currently, we charge \$50 for residents and \$100 for non-residents to rent the pavilion at Moundview. He feels some increases should be made to go along with the quality of the facilities and grounds. Mr. Burns also said renting out the first floor for functions will bring in revenue. Mayor Cosby pointed out people have donated \$13,650 in time and materials. He said nothing has been done to the house for many, many years. Ms. Hueber said it is the property of the village and definitely needs to be done. She just questioned if it should have been done now. Mr. Kobasuk said the money is coming from the Short Park fund that was in the budget and we're not spending additional money. Mr. Evans said yes it is a line transfer. Mayor Cosby said that is correct. Ms. Hueber said it is still coming out of the budget, which has been scrutinized. Mr. Pulskamp said he looks at it like we have great momentum going and if we can get this project done with \$25,000 to \$30,000 plus the donations, then we're getting the project done at fifty cents on the dollar. Ms. Hueber said she agrees. He said let's not stop it and keep it going. We have a lot of people volunteering services, labor, materials and much more. Mayor Cosby said the village spent money on the exterior porches and we can't do some and let the interior just fall apart.

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

## Motion to Approve Monies for Moundview House

**Mr. Burns made a motion to approve \$17,000 of the Miscellaneous Contracted Services and Capital Repairs for the Moundview Park facility. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.**

Checklist

**Mr. Evans made a motion to approve Checklist dated 5-26-2009 with the addition of four additional checks to: Robert Bowers \$256.25, David Martin Dalhouer \$793.75, Pamela Janson \$793.75 and Michael Janson \$2,850.00 for Moundview Park building renovations. Ms. Hueber seconded the motion. All Aye. Motion Carried.**

Round Bottom Road/Ivy Hills Lane/River Hills Subdivision

Mr. Evans said the pavement looks good and looks like they are doing a good job. Mr. Pulskamp said it should be finished this Thursday. The leveling was done today, tomorrow they will raise the man holes and Thursday will be the final coat and striping. The left hand turn light is probably 2-3 weeks away, Mr. Pulskamp said. The lane is already there and is already helping.

Mr. Kobasuk asked if we were happy with the work done on Ivy Hills Lane. Mr. Pulskamp said yes he inspected Ivy Hills Lane; work is 100% completed. River Hills is also completed and inspected. Mr. Pulskamp said they have done a great job.

Memorial Day Parade

Mr. Evans thanked everyone for the Memorial Day Parade. He said his kids enjoyed everything and didn't want to leave. It was a good hometown feeling! Mr. Evans said everyone did a great job. Mayor Cosby said the parade was a huge success. Mr. Pulskamp also thanked everyone and said it was great seeing everyone participate.

Wags Dog Park

Mr. Evans said Wags Park will open this weekend. Mr. Evans took his dog this past weekend and his dog didn't want to leave. It's a great concept! Mr. Bob Slattery is the owner and is very fond of Newtown, so fond of Newtown he bought the Shell station. Mr. Evans said it is great seeing people bring in new businesses and trying different things in Newtown.

Weed Ordinance

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

**Mr. Pulskamp made a motion to adopt ORDINANCE NO. 09-2009 AN ORDINANCE PROVIDING FOR AND AUTHORIZING WEED CUTTING, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. 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.**

Resolution Hiring Susan Pride, Independent Consultant

Ms. Pride audits the Bureau of Motor Vehicles records and corrects the registrations to allow the village to collect the lost revenue fees.

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

**Mr. Pulskamp made a motion to adopt RESOLUTION NO. 16-2009 A RESOLUTION AUTHORIZING HIRING SUSAN PRIDE AS AN INDEPENDENT GOVERNMENTAL AFFAIRS CONSULTANT, 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.**

Resolution, R.I.T.A. Agreement

Mr. Miller explained this resolution allows immediate access by the Village Tax Commissioner to the R.I.T.A. information network.

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

Mr. Pulskamp made a motion to adopt RESOLUTION NO. 17-2009 A RESOLUTION AUTHORIZING THE EXECUTION OF A NETWORK SERVICES AGREEMENT WITH THE REGIONAL INCOME TAX AGENCY, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion. Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes. Motion Carried.

McGill Smith Punshon, Inc.

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

Mr. Pulamp made a motion to approve an amount not to exceed \$2,000 for McGill Smith Punshon, Inc. to prepare a map for the Eastern Corridor. Mr. Burns seconded the motion. Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes. Motion Carried.

Police Department

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

Ms. Hueber made a motion to approve RESOLUTION 18-2009 A RESOLUTION AUTHORIZING THE PURCHASE OF COMPUTER EQUIPMENT AND SOFTWARE, DISPENSING WITH THE SECOND AND THIRD READINGS, AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. . Mr. Burns seconded the motion. Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes. Motion Carried.

Lake Barber

Mr. Kobasuk asked for an update on the Lake Barber issue. Solicitor Miller said he spoke with both attorneys on the telephone and they are going to give a time to meet with Solicitor Miller. Mr. Kobasuk asked if Solicitor Miller had determined the legal rights of what is going on. He said he has heard different things. Solicitor Miller said he has not because they both are telling him what it is and he hasn't wanted to spend the money to duplicate what they have already done. Solicitor Miller is waiting on a copy of the title information and is waiting to hear a date and time for when he will meet with the other two attorneys. Mr. Kobasuk asked if Solicitor Miller would then know the legal rights people have and can advise council. Solicitor Miller said he feels he probably knows that now from having spoken with both attorneys. He said they both have perpetual easement to use the lake. Apparently, Mr. Hall's easement is exclusive and one is not, Solicitor Miller said. Mayor Cosby said to allow Solicitor Miller to work it out.

Martin Marietta

Mr. Kobasuk asked about the recent hearing. Solicitor Miller said the formal opposition has wrapped up and now they will take a night or two for comments from the public. Martin Marietta will come back when it is all done and Solicitor Miller said that is when he intends to get back involved. He said the legal counsel has a meeting this Thursday to put together their brief, rather than everyone submitting a separate brief, everybody is doing one part.

Council Minutes

Mr. Zornes made a motion to approve 5-12-2009 council minutes. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.

Hamilton County Public Library

Mr. Zornes had a meeting this afternoon with the Executive Director of the Hamilton County Public Library. They intend to put a levy on the November ballot.

Cincinnati Museum Center

They are offering free Friday's on select dates from 4:00p.m. to 8:00 p.m

Mayor's Monthly Statement to Council

**Mr. Pulskamp made a motion to approve the April Mayor's Monthly Statement to Council. Mr. Burns seconded the motion. All Aye. Motion Carried.**

Schmidt Case

Solicitor Miller filed a motion to dismiss on the Schmidt case. It is up for June 11<sup>th</sup>. His attorney indicated Mr. Schmidt has another claim he is going to file. Solicitor Miller said has not received any information regarding this claim; he has not received anything yet, but will send it out as soon as he gets the information.

Mr. Pulskamp made a motion to adjourn meeting at 7:50 p.m. Ms. Hueber seconded the motion.

Transcribed by Becky Fairley