

The June 23, 2009 Public Hearing was called to order at 7:00 p.m. by Mayor Curt Cosby; purpose of meeting was to discuss 2010 Budget.

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

Council held a Public Hearing to discuss the 2010 Budget.

The June 23, 2009 meeting of the Newtown Village Council was called to order following the Public Hearing, by Mayor Curt Cosby, who led the Pledge of Allegiance to the Flag.

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

Mayor: Curt Cosby

Solicitor: Doug Miller

Fiscal Officer: Keri Everett

Police Chief: Tom Synan

Mayor Cosby opened the floor to audience participation; there were no participants.

Bruce Brandstetter, Brandstetter Carroll, Inc.: Mr. Brandstetter updated council on the following:

1. Round Bottom Road Improvements

Phase I

- Bids opened February 17, 2009
- Primary work remaining is five-section signal head at Valley, including loop detector.

Phase II and III – Ivy Hills Lane and River Hills Subdivision

- Project Complete
- Cost Summary: Bid/Contract Amount: \$ 150,298.60
Final Pay Request: 145,561.91

2. SR 32 and Church Street Signal Revision

- Bid results: Capital Electric \$ 13,365.00
Atkins and Stang 19,390.00
Elex Electric (should receive price by next council meeting)

3. Miscellaneous

Gallenstein, Reserves of Ivy Hills:

- Streets: Bruce met with Gallenstein on June 17, 2009; Gallenstein says he will complete Concrete repairs within a month. And finish asphalt paving on subdivision; it does not have a surface. Utilities cuts are done; there are a couple of houses yet to be built. Mr. Brandstetter said Thorndale should be paved when Gallenstein comes into finish the asphalt paving in the subdivision. He suggested taking photos, document it and the builder will have to take care of it if damaged. There are concrete repairs that need to be done. Southern Ohio Paving will do the asphalt work.
- Fire Hydrants: Initially, a road was planned and the plans changed and now the two fire hydrants are sitting in someone's back yard. The streets have not been accepted yet; Mr. Burns said the village wouldn't accept that street because there is no street there, so technically, the village would not be responsible for the repair of the hydrants if there was a break from the valve up. Mr. Burns said there is still that possibility for the homeowner's association, where if they just cap it at the valve and took it out, you're less likely to have an impact. Mr. Brandstetter said the water main is the property of CWW; and asked what portion the village is responsible for. Mr. Burns said the village is responsible from the ground to the valve up; the fire department pays from the ground up.

Ms. Everett said the fire department won't pay for it because from day one they have said they want the fire hydrants removed. They will not take any responsibility for those two fire hydrants, Ms. Everett said. Mayor Cosby said a year ago we stated Gallenstein needs to remove the fire hydrants. Mr. Brandstetter will get with Gallenstein on the issue and the village won't accept the streets until the fire hydrant issue is taken care of.

OPWC / Issue II Grants, typically due in mid-September

Potential projects include:

Drake Avenue Bridge Replacement (scored the highest)	\$218,000
Ragland Road Reconstruction (scored the lowest)	725,000
Short Park Creek Storm Improvements (scored in-between)	205,000

Mr. Brandstetter said the Drake Bridge is in bad condition and would be the best project. Local match was 10% and it would get more points if we could get in the 30-40% match. Bruce will check on the last scores and report a recommendation back to council.

ODNR NatureWorks/Short Park Restroom

- Per grant agreement, project shall be completed by June 30, 2010.

Liquor License Transfer Hearing

Mr. Burns made a motion to not request a hearing of the 3804 Church Street, Newtown, Ohio 45244, liquor license transfer from Shell Oil to AndyDandy Center LLC, Robert Slattery owner. Mr. Pulskamp seconded the motion. Ms. Hueber-Absent. All Aye. Motion Carried.

Moundview House Renovation

Mr. Burns spoke to the need of replacing the furnace at the house at Moundview Park. The boiler is probably 35-40 years old and put in improperly; there are two different systems on it, said Mr. Burns. He spoke with Chapman Heating and Cooling and four other companies that said they were not comfortable replacing the boiler on the existing piping. The four other bids were from JE Heating and Cooling, J W Smith Heating and Cooling, Zimmer and Adams Heating and Cooling. JE Heating and Cooling came in with the lowest bid of \$20,500. Mr. Pulskamp Mayor Cosby explained the money will be transferred from the Short Park Improvements for this year and put it back in next year to match the grant money, and \$500 out of Repairs and Maintenance of Buildings. We are still staying within the budget, not going over the appropriations for the year, just using some funds that were appropriated in other locations, said Mayor Cosby. Mr. Evans pointed out that the park and building has brought in many dollars over the past years. Mayor Cosby said once the new heating and cooling is in place construction can be completed. The goal is to rent out the house much like The Heritage Center, Eight Mile Road in Anderson Township. After much discussion, Mr. Burns will have the companies re-bid the job and make sure they have worker's comp, unemployment and liability insurance. Council will authorize an amount not to exceed the lowest bid of \$20,500.

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

Mr. Burns made a motion to adopt RESOLUTION NO. 20-2009 A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2009, DISPENSING WITH THE THIRD READING AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion. Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, Ms. Hueber-Absent. Motion Carried.

Solicitor Miller asked to be notified of the company that is chosen and the dollar amount to prepare a resolution.

Mr. Burns made a motion to authorize an amount not to exceed \$20,500 for the replacement of the heating and air conditioning unit in the house at Moundview Park. Mr. Zornes seconded the motion. Ms. Hueber-Absent. All Aye. Motion Carried.

LMFR Fire Board Meeting, 6-17-2009

Mr. Burns read a memorandum submitted by Board Trustee and resident Terry Fairley. Mr. Burns and Ms. Hueber were unable to attend the 6-17-09 meeting.

Checklist

Mr. Burns made a motion to approve the checklist dated 6-23-2009 for \$197,365.91. Mr. Kobasuk seconded the motion.

Discussion

Mr. Pulskamp asked Ms. Everett to hold check #7636 until the job is completed. Upon completion, Mr. Pulskamp will check the work and release the job for payment.

Mr. Burns asked if check #7654 should be \$145,000; Mr. Pulskamp said check #7654 for \$139,740.40 is minus the retainage; it is correct.

Roll Call: Mr. Burns-Yes, Mr. Pulskamp-Yes, Mr. Evans-Abstain, Mr. Zornes-Abstain, Mr. Kobasuk-Yes, Ms. Hueber-Absent. Motion Carried 3:2.

Park Fees

At the 6-9-09 council meeting, Mr. Pulskamp asked Mr. Burns to check with Anderson Township Park District on their fee structure for renting their fields. Mr. Burns reported Anderson Township charges \$24.84 per hour, which is based on a sliding scale of discount based on the percentage of people utilizing the park from the township. It is based on every team and how it comes in and bill it from there, Mr. Burns said. All games are done on a two-hour increment and all practices are on a one-to-two hour commitment. They have to call and report in their hours every week for billing purposes. Mr. Evans said the fee for our parks should be kept low for kids from Newtown. Mr. Pulskamp asked to take this issue to committee for review.

Eastern Corridor: There will be a Public Hearing to discuss the Eastern Corridor and how it will effect the village, Tuesday, July 14th at 8:00 p.m. at Miami Valley Christian Academy. County Engineer Bill Brayshaw and Chief Deputy County Engineer Ted Hubbard will be present.

Resolution, Amending 2009 Permanent Appropriations: For Round Bottom Road project accepting the OPWC Grant and MRF funds.

Mr. Pulskamp made a motion to suspend the rules. Mr. Burns seconded the motion. All Aye. Ms. Hueber-Absent. Motion Carried.

Mr. Pulskamp made a motion to adopt RESOLUTION NO. 21-2009 A RESOLUTION AMENDING 2009 PERMANENT APPROPRIATIONS AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2009, 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, Mr. Kobasuk-Yes, Mr. Zornes-Yes, Ms. Hueber-Absent. Motion Carried.

Police Department

Police cruisers are in need of tire replacement; Mr. Pulskamp said this is part of the Ohio state bid-fund.

Mr. Pulskamp made a motion to approve an amount not to exceed \$1,505.64 for 3 sets of tires. Mr. Burns seconded the motion.

Discussion

Police Chief Synan said this was planned last year and part of the budget for this year. The tires were purchased at the bid-price from last year.

All Aye. Ms. Hueber-Absent. Motion Carried.

Resolution, 2010 Budget

Mr. Pulskamp made a motion to suspend the rules. Mr. Kobasuk seconded the motion. All Aye. Ms. Hueber-Absent. Motion Carried.

Mr. Pulskamp made a motion to adopt RESOLUTION NO. 22-2009 A RESOLUTION ADOPTING 2010 VILLAGE BUDGET, 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, Mr. Kobasuk-Yes, Mr. Zornes-Yes, Ms. Hueber-Absent. Motion Carried.

Weed Ordinance, 6614 Crull Street

Mr. Pulskamp made a motion to suspend the rules. Mr. Zornes seconded the motion. All Aye. Ms. Hueber-Absent. Motion Carried.

Mr. Pulskamp made a motion to adopt ORDINANCE NO. 10-2009 AN ORDINANCE PROVIDING FOR AND AUTHORIZING WEED CUTTING, DISPENSING WITH THE SECOND AND THIRD READINGS, AND DECLARING AN EMERGENCY. Mr. Burns seconded the motion. Mr. Burns-Yes, Mr. Evans-Yes, Mr. Pulskamp-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, Ms. Hueber-Absent. Motion Carried.

Website: The auto email portion on the village website is up for renewal; Mr. Zornes suggested removing the auto email until a later date.

Council Minutes

Mr. Zornes made a motion to approve 6-9-2009 council minutes. Mr. Pulskamp seconded the motion. All Aye. Ms. Hueber-Absent. Motion Carried.

Farmers' Market

Mayor Cosby reminded everyone that the Farmers' Market, sponsored by the Newtown Business Association is up and running on Wednesdays, 3:00 p.m.-7:00 p.m. Mayor Cosby asked for everyone to please support the local farmers and craftsmen.

View Street Drywell

November 2008, Rack Seven put in a drywell on View Street. The drywell is caving-in; Rack Seven will be out next week to repair the drywell at no charge, Mayor Cosby said.

Mr. Pulskamp made a motion to adjourn council meeting at 7:43 p.m. Mr. Kobasuk seconded the motion.