

The February 22, 2005 Regular Meeting of the Newtown Village Council was called to order at 7:30 PM by Mayor John Hammon, who led the Pledge of Allegiance to the Flag.

Present: Tracy Hueber Barry Phillips Doug Evans
Fiscal Officer Keri Everett Solicitor Doug Miller Debbie McCarthy
Police Lt. Tom Synan Greg Thomas
Street Commissioner Charlie Siegel

Mr. Gary Meisner, Eastern Corridor: I am a landscape architect and I've been working with quite a few people in the room over the last couple of years on the Eastern Corridor project. I know you've been getting updates from time to time from a couple of different people. This concept master plan which we have needs a few more steps but this will be assisting with the next step to be done. This is a foundation green space over which additional studies will be done for possible road alignments. What the committee did over the last six months is talk about water valuable things and needs. There was a list of 34 condensed down to 8 key values. The committee talked a lot about all the issues but this is their recommendation at this time. I did an updated map of the Village. This is basically an aerial photo that shows the limits of the Village, some of the proposed access developments, like the realignment of Roundbottom Road and S.R. 32. When Doug and I talked the other day, we talked about how the Village is looking toward how it can grow and develop it's economic base. We put a tone on there that says these are potential lands in the Village that are going to evolve into something and probably are going to need a little attention from looking at the economics of it. The Village has certain cash cows that are providing revenue right now. Well, in the future, you've got to look to the future. That zone certainly will provide some growth, some reinvestment. Most of the councilmembers have copies of this but we will provide a copy for the Village.

Mayor Hammon: To kind of set the stage for Bruce, Friday a week ago we met with Kokosing, Cincinnati Bell, Anderson Park District, the big thing that came out of that is it looks like they won't be ready to do the intersection until somewhere in the middle of the summer. The other thing is we met with Sunesis to get an update on Roundbottom and 32. Tracy and I met with Bruce and we talked over some projects in the Village.

Mr. Bruce Brandstetter, Brandstetter & Carroll Engineering: Mr. Brandstetter passed out a summation of the meeting with Mayor Hammon and Ms. Hueber and introduced Dave Stenger.

Mr. Brandstetter and Mr. Stenger reviewed the handout with Council (see attached).

Mr. Evans made a motion, seconded by Ms. Hueber for Brandstetter and Carroll Engineering to submit for MRF Dollars for Roundbottom Road. All aye, motion carried.

Citizen Input

Ms. Joan Waits, Monongahela Drive: I came down last Wednesday to fill out a form and was informed that the Property Maintenance Inspector has quit already. I estimate it took 8 months for the Mayor to hire him and he was only on the job 1 ½ months. Why did he quit?

Mayor Hammon: It was his choice.

Ms. Waits: Are you sure there wasn't something more to it than that?

Mayor Hammon: I can't answer that.

Ms. Waits: You should be able to.

Mayor Hammon: I've had a lot of conversations but my conversations are between him and I.

Ms. Waits: Okay. I'm not done yet. I am disturbed, I am angry. Jeff and I began coming down here in July 2003. We started out with recreational and boats. Thank you, Tom. Tom got the ordinance passed and removed 12-15 on the hill. If it had not been done, in 2004 there would have been 10-15 more. Job well done. As far as I know, when it comes to property maintenance, the only 2 who have been cited is the one on Plum Street and the one on Drake Street. Now, I've gone through the Village and I know there are hot spots throughout the whole Village but I can guarantee you none of them are as bad as the two on Monongahela. I don't know how many people at this council table know that the property at 7093 is owned by a business in town, here. I cannot understand why somebody who represents this Village cannot write a letter and attach it to the property ordinance and present it to the Millers and this slum landlord. Years ago, Bob Fisher would not have hesitated; Frede would not have hesitated; and Russell would not have hesitated. I consider them working Mayors. John, I just do not feel you are doing your job.

Mr. Thomas: Well, Joan, that's your opinion.

Mayor Hammon: Now, wait a minute, Greg. I can speak for myself. First off, there are procedures that have been adopted that are a big part of the law, Joanie. I can't supercede the law, and I'm not going to do that. That's one of the issues we've had. We did not want this to be a Gestapo kind of thing.

Ms. Waits: Jeff back here, he's my moral support because he cannot say anything because he is on one of the courts.

Mayor Hammon: That's correct.

Ms. Waits: It's so irritating. I'm to the point that for the first time in 50 years I'm contemplating putting my house up for sale because you people, I think you fail to realize, we are your employers. You work for us. John, you live up there and you see it everyday. Nothing has been done with those homes and I think it's a damn disgrace. If I have to move, I will move.

Mayor Hammon: I'm not going to violate the law. That's part of the process and we are not going to trample on anyone's rights. We have not gone through the court procedures completely to see if we are still on the clear on our procedures.

Ms. Waits: Nobody here would want to live up there with those two homes on their street. We have other alternatives we can go to and I don't think you're going to like it, John.

Mayor Hammon: I live back there, too.

Ms. Waits: And it effects your property values and you don't seem to care.

Mayor Hammon: That is not true, but, I am not going to trample on somebody's rights. I am sorry that you disagree with that and that's the way you want to conduct business. I am not going to conduct business that way. People have rights and I am going to respect those rights.

Ms. Waits: Well, you know what? Who has the right, the majority or the minority, should rule?

Mayor Hammon: They have rights that we passed by law.

Ms. Waits: This officer went up to one family and they complied just by him talking to them. There's something else wrong. How many cases do you have in court right now.

Mayor Hammon: There's three cases.

Lt. Synan: One was cleaned up without any further action. One is in probate court. The third one is the Baker property that has been cited and they are trying to work out a continuance.

Ms. Waits: I do feel Tom has a way of talking to people and if you got as far as you got just by talking to the Millers and then all of a sudden you backed off. And then the Mayor wasted a year hiring this man. Eight months to hire a man that lasted a month and a half. That is a year lost.

Mr. Evans: Joanie, we all went on a Saturday and we took a ride around town. There's a lot of things we do behind the scenes to try to develop and try to get people to bring their property values up. You can't go anywhere else and pay \$100,000 and get a home in Forest Hills Schools. We'd like to see things improve. We can't do things the way that Mayor's used to do them. We have to watch what we do. John does a lot of work. I know things have not gone the way we planned. We could not foresee Greg going back to what he was doing. I've done checking on that and it was nothing Council did, it was nothing John did, it was just a matter of economics. We're on your team. We're here and we want to help you, and listen to you but there are certain things we cannot do by law.

Ms. Waits: I do not think you understand, Doug. Young people come into this Village and buy a starter home. They put money into it. If the neighborhood is going to pot, how in the world are they going to make any money off of their investment? I was told by a realtor, why should I lose \$10,000-\$15,000 on my house because of what is in my neighborhood? That's not fair, Doug.

Mr. Evans: Myself, and everybody here, everything we do is to better Newtown. There are certain things we can do and certain things we can't. We want to do everything in our power.

Lt. Synan: We have to look at this from their perspective. Some of this has been going on for 30 years and it's not going to be taken care of overnight. It's going to take some time to go through the processes and make sure everything is done right and they're not thrown out of court.

Mr. Evans: Joanie, we're on your side. Give us a little bit of time. We're trying to help you.

Ms. Waits: Well, I think I may be stubborn enough to stick it out and I enjoy being a thorn in John's side.

Mayor Hammon: Well, you know where I live.

Ms. Hueber: Joanie, we may call you if you don't show up one day.

Mayor Hammon: I'm not looking to sell my house but I do understand the frustration with it.

Ms. Waits: Well, I thank you for listening to me but I could not keep it in any longer.

Mr. Jeff Prue, Scioto Drive: With the Baker property, is that going to come up sometime soon?

Lt. Synan: It's in the Hamilton County Court system so something is going to happen soon, I think the court date is in March.

Mr. Prue: Can you give me a target date of when you will hire a new property maintenance inspector?

Mayor Hammon: To go through the process, probably two months.

Mr. Prue: Another thing that I'm curious about, I know you were talking about crack and such, and I know I've heard about other departments doing this before, what would be the possibility of just cracking down on everybody for everything? After a while you get a reputation and people know they can't get away with things.

Lt. Synan: There's priorities, especially in the Police Department, we have to prioritize what we need to do. When I was doing the property maintenance code, it was all on top of me, including how to deal with some of the drug issues and things like that. What I'm trying to say is that when we look at this stuff we have to put it all in perspective.

Mr. Turpin Fischer, Harriet Lane: I was absent when this issue with Drake Street on the housing project going in. I had a meeting this morning with Hamilton County Engineer Office regarding the flooding issue with McCullough's Run. My concern is what stage is this project in and what time of retention are you going to require this project to have?

Mayor Hammon: This project is really in it's infancy. They have not done detailed studies yet.

Mr. Fischer: That's part of the problem on this street, is Ivy Hills.

Mayor Hammon: I'll argue, Turpin. Newtown has not flooded since Ivy Hills was built.

Mr. Fischer: Turpin Lane has flooded.

Mayor Hammon: Newtown has not flooded. They took the excess water off and Newtown has not flooded.

Mr. Fischer: We've got an issue on Turpin Lane. We're concerned with what is going on upstream. Wendy's was allowed in without a retention pond. Meridian Diagnostics was allowed in with the addition to their parking lot without any control on it. That creek cannot handle any more water. The people on Lake Street are going to go under water. It's not going to effect me, it's effecting Turpin Lane. My tractors can go through 8 feet of water. There are a lot issues that effect McCullough's Run and they need to be addressed. We have concerns about how this water run-off is going to be addressed.

Mayor Hammon: We don't have the details. We don't have the engineer's study or anything right now. It's just a concept plan and they haven't come back with it. They don't know. They need to do the study to see if it's financially advantageous for them.

Ms. Hueber: Thank you for all the information.

Police Lieutenant Tom Synan

No report.

Fiscal Officer Keri Everett

Ms. Everett updated Council on the need for an agreement with the Auditor's Office for hardware and software maintenance of the UAN network. Mr. Miller has reviewed everything and we'll be paying about \$1,000 more per year because of the new fee structure. The appropriations for 2005 needs three readings. We need to have one reading tonight but it is a very rough draft.

Mr. Evans made a motion, seconded by Ms. Hueber to have a first reading of the appropriations ordinance. All aye, motion carried.

Solicitor Doug Miller

Mr. Miller reminded Council that Mr. Zicka would like an answer on his property. After discussion, it was decided that Council would walk the property before they make a decision.

Street Commissioner Charlie Siegel

No report.

Councilwoman Debbie McCarthy

Mrs. McCarthy: Doug, when is the finance meeting?

Mr. Evans: The third Tuesday at 7:00 pm. That's when we had them last year.

Ms. Everett: Is there any way we could have them in the morning or during the day?

Mrs. McCarthy: Yes, we should have them in the morning.

Ms. Hueber: He is the head of his committee, I suggest we do it when he wants to.

Ms. Everett: Okay, fine.

Mr. Evans: I'd rather do mine in the evening. It doesn't take that long.

Mr. Evans: What about the rest of them?

Ms. Hueber: Mine is staying the same, first Monday at 9:00 am.

Mrs. McCarthy: John, what are we doing in regard to this letter that we received?

Mayor Hammon: Tom and Mike have discussed it and are going to Tuesday.

Councilman Greg Thomas

No report.

Councilmember Barry Phillips

Mr. Phillips apologized for canceling the Human Resource meeting on February 21 and will reschedule it after conferring with his committee members.

Councilman Doug Evans

Mr. Evans made a motion, seconded by Ms. Hueber to accept the checklist dated February 22, 2005. All aye, motion carried.

Mr. Evans made a motion, seconded by Mr. Phillips to go into agreement with UAN for computer hardware and software. All aye, motion carried.

Councilmember Tracey Hueber

Ms. Hueber: Where are we on the thing with Gallenstein? Their time is up March 1st.

Mayor Hammon: Mike and I have talked. I would like to speak with Ryan and Fisher's representatives one on one. The opinion is we barricade it March 1st. Mike has asked if he should stop issuing permits.

Mr. Phillips: Would a barricade be as effective as a stop work order?

Mayor Hammon: Mike and I have talked about no more permits and no more approvals. They are supposed to have the speed study and plans to us by March 1st and actively have done something by April 1st.

Ms. Everett: They did get the speed study done?

Mayor Hammon: They submitted it to the state.

Ms. Hueber: I'm not going to make a motion on these minutes because I haven't read them and I don't think anybody else has yet either. Replacement of the hydrant, Doug you need time to read this, John and I have already looked it over. Where that hydrant is located is PV, Planned Village Center District. Which means, I think, the hydrants have to be within 350 ft.

Mr. Miller: Yeah, I didn't bring my sheet with me. I think it's 300 ft.

Ms. Hueber: You can take this with you, do your assessment on it and come back. We can do one of two things; replace it there for \$1,000, move it back and it's gonna cost us \$10,000, or not replace it.

Mr. Miller: Well, I think it said in the business you're supposed to have one every 300 ft, which you would not. That's Planned Village, but are those businesses?

Ms. Hueber: There's three businesses on that corner.

Mr. Miller: I'll check on it.

Ms. Hueber: Can you update the sheet with the committee members and dates of meetings and put them in our mailboxes.

Ms. Everett: Yeah.

Ms. Hueber: I've got pretty many pieces for the newsletter that we're putting together. It's going to be three pages. It would be nice if Council could jot down notes of ideas to put in the quarterly issues. The first one is going to be an informative issue but just let me know if you have any ideas.

Ms. Hueber made a motion, seconded by Mr. Evans to nominate Mr. Ken Pulskamp to Council to fill the seat vacated by Mr. Gary Collins. On roll call; McCarthy – no, Thomas – yes, Phillips – yes, Evans – yes, Hueber – yes. Motion carried.

Mr. Ken Pulskamp was sworn in by Mayor John Hammon as appointed seat to fill the vacancy by Mr. Gary Collins.

Mayor John Hammon

Mayor Hammon: I have a copy of the speed study and everyone is welcome to have a copy of it. There is a session coming up, some communities got together and they're looking at joining together for healthcare. I know ours is up soon. I can't make it to the meeting. Can anyone else make it? Barry with HR, Doug with Finance? It's March 2 in Mason.

Mr. Miller: The Center for Local Government also has a plan that a number of communities are members.

Mayor Hammon: Anyone interested in representing us? I think we need to have somebody there.

Mr. Pulskamp: I think I can go.

Mayor Hammon: Okay. Sunesis is supposed to start work on the box culvert on Newtown Road on February 28th.

Fiscal Officer Keri Everett

Ms. Everett: As you know, we started in-house payroll January 1st. Before that we used PayChex, a payroll company, in which everybody except for four employees had direct deposit. Since January 1st, I've been trying to work with US Bank to continue to provide direct deposit. I'm having a very difficult time and we still do not have direct deposit. I talked to US Bank representatives two weeks ago and expressed my displeasure in how long this is taking. Someone from UAN contacted them in January and UAN has already sent out the software. I'm having trouble with US Bank's side. I've made an appointment with 5/3 Bank next week. In my opinion, if they can get us up and running I'm going to come back to Council and ask to change our banking.

Mayor Hammon: There are a couple of other issues. We've tried to move money around and placed a couple of phone calls and they have not gotten back to us. They have not been very customer service friendly to us.

Mr. Phillips made a motion, seconded by Mr. Thomas to adjourn the meeting. The meeting adjourned at 9:37 pm.