

The February 27, 2007 meeting of the Newtown Village Council was called to order at 7:30 p.m. by Mayor John Hammon, who led the Pledge of Allegiance to the Flag.

Councilmembers:

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| Curt Cosby | Mark Kobasuk |
| Doug Evans | Debbie McCarthy (absent) |
| Tracy Hueber (arrived late) | Ken Pulskamp |

Mayor: John Hammon
Solicitor: Doug Miller
Fiscal Officer: Keri L. Everett (absent)
Lieutenant: Tom Synan
Street Commissioner: Charlie Siegel (absent)

Mayor Hammon welcomed everyone to the council meeting. Let the records show that Mrs. McCarthy is absent and Ms. Hueber will be late tonight.

Lieutenant Tom Synan: I would like to recognize a couple of officers for outstanding performance.

1. **Sergeant McBreen:** On January 9, 2007, Sergeant McBreen initiated an investigation into business practices of a Newtown auto dealer. Sergeant McBreen coordinated a five month long investigation working closely with the Ohio Bureau of Motor Vehicles and the Attorney General's office. Due to Sergeant McBreen's determination, he was able to uncover that the auto dealer was defrauding lending institutions, warranty companies and consumers. The fraud was so extensive that it exceeded \$102,000.00. Sergeant McBreen's detailed investigation led to a ten (10) count indictment of the business owner and Sergeant McBreen also personally coordinated efforts between the victims of Ohio Attorney General's office to ensure that the victims would be reimbursed for their losses. Sergeant McBreen's hard work, compassion and diligence have brought great credit upon himself in the Newtown Police Department. I would like to present him with a certificate of commendation.
2. **Police Officer Bischoff:** On January 15, 2007, Officer Bischoff was called to a home where a mentally disturbed man was reported to be cutting himself with knife. Officer Bischoff confronted the disturbed man who demanded that Officer Bischoff shoot him. The man attempted to stab himself in the chest; at which time, Officer Bischoff used less than lethal tactics to disarm the man. Officer Bischoff's quick, clear and decisive actions prevented the man from causing further injury to him or others. Officer Bischoff displayed tremendous courage and professionalism during the critical incident. Officer Bischoff has brought great credit upon himself and the Newtown Police Department. I would like to present him with a certificate of commendation.

Resident Donna Brooks: 6620 Crull Street. What is the status of the parking issue in the Crull Subdivision?

Mayor Hammon: I have discussed it with Solicitor Miller, and as the ordinance stands now no one is allowed to park within the right-of-way. I owe them a letter down there to notify them of the decision.

Mrs. Brooks: There are people parking in front yards. Has that been discussed?

Mayor Hammon: That will be up to Tom.

Lieutenant Synan: There is an ordinance against that.

Mayor Hammon: Give us a little time to get the letter out; you can report it to the police and if they are available they can respond.

Resident Darwin Brooks: 6620 Crull Street. The sand and grit that the Maintenance Department has put on the streets, are they going to pick any of that back up?

Mr. Pulskamp: It will probably happen in our spring sweeping.

Mr. Brooks: In the meantime, you know it's going to go in our storm sewer.

Mr. Pulskamp: I'll talk to Charlie about it.

Mr. Brooks: Since that is our storm sewer and I have yet to see them ever clean the basin out. You know where it's going to wind up.

Mr. Pulskamp: I know they clean the catch basins out; that's a yearly project.

Mr. Brooks: A message back from the Newtown Civic League: I know there are two projects at Moundview, one is the porch concept that you brought to council and shared with them. The other is the porch. Civic League wishes to fund and do the porch work themselves. The porch, they would like for the city to stand for that.

Mr. Cosby: There are two projects. One is basically building a porch where it does not exist in front of that front door and changing that whole entrance. The other one is the repair to the existing porch.

Mr. Brooks: The repair of the porch and is it not my understanding that council wants a ramp?

Mayor Hammon: I didn't say that. It's the ADA compliance, whatever it requires.

Mr. Brooks: I asked Mike if he would put that in print and he said he would do so with direction from council.

Mr. Cosby: Maybe that should come to the Park Committee and that point we'll have something to look at.

Mayor Hammon: For the record, Ms. Hueber has showed up at this time so she is present.

Chief Tom Driggers, Little Miami Joint Fire District:

1. Fire District's 2006 Annual Report: I know you have received this report and probably have not have a chance to go over the report. I think it's in precise detail and is interesting. If you have any questions after you have had a chance to peruse it, please feel free to call me.
2. Recent Fires in 3600 Block of Church Street: I will give you a brief update. The first one was in the condominium complex, Whispering Winds. It was an electrical malfunction in one of the corner units. It was investigated by us and the insurance carrier that was on Friday night. The very next night, we had a fire in a detached garage, right across the street from the entrance to the Whispering Winds condominium complex that was caused by improperly disposed of fireplace ashes. It was also investigated by our personnel and the insurance company and everyone was satisfied with those determinations.
3. Lenten Season Fish Fry: We did start last Friday night and Friday for lunch and dinner meals. We will continue this all the way through Lent and will stop the Friday before Good Friday. We ask all of you to support it and bring your friends, family and neighbors. It is a legitimate fundraiser of the year. We hope to see you all there. If you have any questions, I'm here to try and answer them.

Mr. Evans: The money you guys raise for the Fish Fry goes where?

Chief Driggers: It goes to the Association and the Association manages those monies. In the past, they've bought things for the EMS operations and those are type of fundings they traditionally use the money for, things the budget hasn't addressed or there's money to take of, we go to the Association for that.

Mr. Evans: On a good Friday, what are the average sales?

Chief Driggers: We had approximately \$1,800 in sales this week. We'd like to see about \$2,500 per Friday, between lunch and dinner. Lunch wasn't all that well attended; obviously, dinner is better attended because of the hour of the day. We'll net 75-80%.

Mr. Kobasuk: What are the hours of operation?

Chief Driggers: Lunch is 11:30 – 1:30 p.m., Dinner 5:30 – 8:00 p.m. We do have carryout available. We take orders via the telephone, fax machine, word of mouth, and smoke signal. If you can get the order to us, we'll fill it.

Engineer Bruce Brandstetter:

1. Open Bids – River Hills Project: Open bids on the concrete, curb and gutter improvements for River Hills Drive and also incorporated with are some improvements for Ivy Hills Lane. We opened bids on February 16th; the low bid was from R.A. Miller for \$159,975.00. Our estimate was \$186,300.00. Attached is a bid tabulation. You can see \$149,700 was for the River Hills area and \$10,275 was for Ivy Hills Lane, total bid \$159,975.00. We had obtained a couple of quotes late in the year, maybe September or October for Ivy Hills and they were in the \$12,000 - \$15,000 range. So, by incorporating this in with that project we have saved a few bucks. Miller is a good company; they did the concrete work on Church Street. I have no problem recommending Miller and if you want to move forward with them, we will need to do that. I would think they will want to start around the first of April. We can do a pre-construction meeting the third or fourth week of March.

Mr. Kobasuk: What accounts for their low bid? Have they left anything out?

Mr. Brandstetter: I don't think so; if you look at the bids, they are really close.

Mr. Kobasuk: That last one is off the chart.

Mr. Brandstetter: I won't have a comment about them; they don't do this regularly. The other ones are geared up for this kind of production. Fred Nemann does a lot of concrete work, but more roadway. It's not uncommon to have a spread from top to bottom of 50%.

Mr. Evans: Bruce, it's your professional opinion that we need to do it?

Mr. Brandstetter: You either do that or just let it go for a while. I wouldn't patch it anymore; it's been patched twice. If you do it you'll get twenty-five to thirty years easy.

Mr. Pulskamp: They are the original curbs, 1959-1961 or 1962, almost fifty years.

Mr. Brandstetter: I think it was the early sixties, that's forty years old easy. I'd say twenty-five or thirty years easy. You've patched it twice. Our general rule of thumb is if more than forty percent of the curb is bad it is cheaper to go ahead and replace it all.

Mr. Evans; I just want to make sure this is a priority that we really need.

Mayor Hammon: I can tell you from living up there, from my house to the nearest catch basin, it's about five-hundred feet and because of all of the sections there are puddles. In the fall, the water was across the street in some areas because it can't flow, due to it being interrupted.

Mr. Kobasuk: Doug, we need this on Ivy Hills Lane, remember.

Mayor Hammon: That's fine, but River Hills is just as bad, if not worse. A lot of the catch basins are collapsing; we've fixed some temporarily. It's forty-five years of living there. We have seen some people start to replace the curb in front of their house when they do their driveways. They're tired of it so they replace theirs on their own.

Mr. Brandstetter: The pavement is in good shape; there is no need to take the asphalt out and that's why it's not in the program. We did the curb study in late 2005 and this is the way the priority shook out, for the most part. Look at what the village has done the last five years; it's all been these primary streets, Valley, Church and SR 32, the other side of Church. We did Little Dry Run Road about eight or ten years ago. You're next set of priorities is to start on the side residential streets.

Ms. Hueber; What's the next one?

Mr. Brandstetter: I think we budgeted about maybe \$250,000 to do the rest of the subdivision; just the curb and follow-up with the paving. If you remember, those numbers crank down to where you need to be spending about \$125,000 to \$150,000 a year on curb, gutter and paving; just to keep up. Ivy Hills was built in the 1990's and it needs to be paved.

Mr. Evans: There are no grants to spend somebody else's money?

Mr. Brandstetter: Not for this kind of stuff, typically. You've only got about \$100,000 in Church Street, out of \$1,400,000, so that's pretty good numbers.

Mr. Evans: I looked at the bid on the R.A. Miller, that's a good bid.

Mr. Brandstetter: Oh yeah, they're a good company. We're real happy to have them on the job; as far as we're concerned when it comes to quality and timeliness.

Mr. Cosby: Bruce, you said that would be for about half of the streets in River Hills?

Mr. Brandstetter: No, it's a little more than a third. I can bring that next time; we priced it out, I want to say it was like \$350,000 to finish and about \$590,000 total for the whole subdivision.

Mr. Pulskamp: I thought it was like \$485,000 for the whole subdivision.

Mr. Brandstetter: I said a little under \$500,000 maybe that was to do everything, not what is remaining. If you take this off of it, a little more than a third, probably forty percent, not quite half.

Mr. Pulskamp: It's the worse sections that are getting done the first phase.

Mr. Brandstetter: Going back to 1961, that's forty-five years; that concrete has held up well.

Mr. Pulskamp: We'll have a resolution for the next meeting.

Mr. Brandstetter: I probably won't be here for that; let's just pass it and we'll tell Miller we'll do a pre-construction meeting the second or third week of March and get started on it. I have not followed up with Water Works, but we will do that

Mr. Cosby: They say 100 days completion on the bid; can we hold them to that?

Mr. Brandstetter: Yeah, we will hold them to it.

Mayor Hammon: We need to pass an ordinance for no parking while they are working up there so we can enforce to make sure no one is parking in the curb lane. Doug Miller will draft up an ordinance for the next council meeting also. It has to be thirty days before you can enforce it.

Mr. Pulskamp: If you want to send a notice out, I'll hand-deliver them.

Mr. Miller: What streets are we talking about?

Mayor Hammon: Scioto and Monongahela.

Resident Dale Meyers: Ragland Road. (Pictures presented to Council) We've had water on the sidewalks in the day and it freezes at night. There is about 400-500' of ice in the mornings on the sidewalks and the kids are walking in the street to catch the bus in the morning. I'm afraid someone is going to get badly hurt. Some of that water could be going towards the house basement. This situation needs to be taken care of; I've been there for forty-five years and this is the worst I have ever seen it.

Mr. Kobasuk: Is there any kind of fix we can do temporarily or are we just at the mercy of nature?

Mr. Brandstetter: There are really two fixes: one, you can mill the asphalt back down and get it to grade the way it used to or two, you can put a catch basin in there. There is one kind of opposite Harriet, at that "T" and then bring it up to try and pick up some of the water that comes off of there. I'll ask someone to put a catch basin in, maybe do that now. I think taking the pavement back the way it was is the way it should be done.

Mr. Meyers: Is there any program in the village to check on senior citizens to make sure they are okay when bad weather hits? I know if they would call the police, Tom and the boys would be there; I just know some of them won't call the police.

Ms. Hueber: Maybe we could put in the newsletter: "ALERT SENIOR CITIZENS," Please contact the village.

Mr. Cosby: What about the fire department chief? Is that something they could maybe do if they had a list of elderly people.

Chief Driggers: I think if we put out something in the newsletter and have voluntary sign-up and we could at least make a phone call to make sure the people are okay and then if we don't get a response, we along with the police department could do a drive-by and check on them.

Mr. Meyers: From anything like if the power was out, have they got food, heat or water. It would be a good idea.

Mayor Hammon: The other part of this is and I know the Newtown Fire Department started this and I don't know where it really went, but the real trouble you have is in the summertime with the heat. A lot of them don't have air conditioners or won't turn their air conditioners on and they have found people in distress when they went door-to-door. They were building the list informally as they got calls from people and knew an elderly person was there, they would record that and follow-up.

Mr. Meyers: I have three window units that I would give to people. I now have central air.

Chief Tom Driggers, Little Miami Joint Fire District: Last week with the thawing and the rain we had, we had three details all within about twenty to thirty minutes up in the River Hills subdivision on sewage coming up through floor drains. I've had some experience with that when I was the fire chief in Mariemont. It was pretty wide-spread in the older sections of town. What caught me by surprise here is this is one of the higher points of the village and it might be an issue where there may be some crossover between storm and sanitation-sewage; which is not a good thing.

Mayor Hammon: Not in this case; we've shot the storm water and it is not connected to sanitary-sewer system.

Chief Driggers: Then we're at a loss one is getting sewage.

Resident Joan Waits: There were nine homes involved all together.

Mayor Hammon: They were in my area on Scioto and I know MSD has been out and they've been shooting from the man hole to man hole in that area. I do not know what they found; I do know they're working on it.

Mr. Brandstetter: I would suggest that you put in the newsletter for residents to contact MSD; they are more aggressive about solving water in basement problems. They call it "water in basement program." In the newsletter, you could put: "If you get sewage backed up in your basement, pipes are forty-five to fifty years old and pipes are cracked; when they get to be this old you start thinking about replacing them. You get all this rain we've had and the ground is wet and you get infiltration into it and then if the line has a blockage in it somewhere; you can get backups. It's MSD's responsibility; sometimes it turns out to be in the lateral between the mainline sewer and the house; then the property owner is responsible to do it. You could put this in the newsletter and let them know what MSD does; they are more aggressive about cleaning it.

Chief Driggers: We get calls to investigate a lot of different situations and obviously we received these three and there may have been more homes that had water infiltration. We do not have a good portable pumping system to where we can go into a home where there is two or three inches of water. We're going to invest about \$1,000 in some submersible pumps, with some garden homes and so forth so that we can go to a home and we could set up the pump and leave to handle other details. When they are done, they can call us and we can go back and retrieve our equipment. We're going to try and make some effort since we are going to these homes and investigating; I don't like going there and not being able to do something. We're going to do this in the next week or so. With the spring rains coming on, I think we can only assume it's going to happen more frequent.

Mayor Hammon: Those houses that flooded were the newer homes in River Hills. They all have basements; the older homes generally don't.

Chief Driggers: The homes on slabs generally don't have a problem.

Mr. Brandstetter: We'll track down what we can get from MSD and share it with Charlie.

Mrs. Waits: 7133 Monongahela. The young couple next door to me has been in there home less than a year and they had three feet of water in their basement. They are really pleased with Metropolitan Sewer District; those guys just absolutely came in, they go all the reclamation from three different companies. You cannot believe how those three companies worked that night; they took out drywall, carpeting, furniture and they're going to pay for all of this because when they went to the intersection of Rio Grande and Olentangy, it was clogged with grease, twigs and tree roots. John, remember when we had those floods up there in 2003, I talked to several neighbors and we thought that they came and cleaned all of those out that year.

Mayor Hammon: We cleaned out the storm water system. T

his is not the same, this is the sanitary sewer system, which we don't do, that is MSD's.

Mrs. Waits: You can't believe how hard some of these people were hit. If it weren't for MSD coming in and paying for all of this some of these people wouldn't have insurance for water backup and they would be devastated. It wasn't on just the new houses; Seaman on Olentangy got hit and his neighbor next door and my next door neighbor. Thank God I didn't have a basement.

Resident Darwin Brooks: 6620 Crull Street. Curt, for the minutes, Moundview, the steps going down to the lower field, I think it was three years ago the Civic League funded new peers for that step mechanism. Last year, they had to poke rocks under the steps to shore them up; they were in need of repair and I don't think anything has been done with those so maybe that can be done before summer. The repairs the Civic League did were done under the supervision of Mike Cornette.

Mr. Cosby: Thanks. I'll bring that up at the next department meeting.

Lieutenant Tom Synan:

1. **Items to Declare Surplus:** I need to have some items declared as surplus. We took down the large case on the wall that housed our servers. All of this will be no value. We are redesigning the department and have condensed a lot of things; therefore, we have old filing cabinets to be declared surplus, also no value. And our old uniforms surplus, no value.

Mr. Pulskamp: How will you dispose of the uniforms Tom?

Lieutenant Synan: We'll take the patches off and see if maybe we can donate them. There are quite a few of them.

Ms. Hueber: What are you going to do with the cabinets?

Lieutenant Synan: We're going to just get rid of them; we checked with Charlie to see if he needed them and we have no place to store them.

Ms. Hueber: Have you checked with the Free Store?

Lieutenant Synan: We can do that; we can declare them surplus at no value and we'll take them over there to see if they want them.

2. **Cruiser Update:** The last cruiser is done and we will pick that up tomorrow morning. They have been a tremendous hit. We get people stopping us constantly taking pictures, the City of Cincinnati has commented, the county, we have departments calling wanting to take a look at them. Thank you mayor, council and all of the officers, they did a tremendous job. They've really been noticed throughout the county.
3. **Cars/Equipment:** Keri and I talked today; council had passed a motion about the purchase of the cars and a lease of the cars. Mr. Miller may need to help me with this; we're not sure if a motion was passed or if we need one for the money that is going to be spent for the equipment and the graphics because we had separated everything. We had discussed it with council.

Mr. Miller: When you say passed a motion, it was actually an ordinance or a resolution on the purchase/lease of the cars. You should have a motion for the other, but I don't recall if we did that or not.

Lieutenant Synan: We discussed the amount with council; the total is \$22,080 for the equipment and graphics. Council was aware of it and said it was okay. The cars are done and we have the bills for them all. Advantage Signs is \$1,080 and Camp Safety is \$21,000 for three cars.

Mr. Miller: At the very least you should have a motion but you really ought to have a resolution.

Ms. Hueber: The \$21,000 was for what?

Lieutenant Synan: Camp Safety.

Mayor Hammon: The bill here is for \$20,659.

Lieutenant Synan: It should be a little bit under but she had already appropriated this and said it was okay if it was under.

Ms. Hueber: Let Doug get the resolution together and we can do it next meeting.

Lieutenant Synan: Keri handed me an ordinance and Mr. Miller prepared an ordinance to declare the old cruisers surplus.

Ms. Hueber: Are we putting that out to bid?

Mayor Hammon: No. Those cruisers are to leave the church parking lot ASAP; as soon as we can get a buyer on them. If you want to set a price to them, the ordinance in front of you basically says you can sell it to a police department and that's the only people you can sell it to. Let's get them sold.

Mr. Miller: I could find no provision really for not bidding it; so I guess I'm exercising my patent authority and saying they can't be sold to the general public. We have a provision in the ordinance that because they can't be sold to the general public, they are only available to be sold to a law enforcement agency.

Lieutenant Synan: That is all I have; Thank you.

Mayor Hammon:

1. Andy Bradford Resignation: Andy Bradford has resigned from the village. He inquired about getting his vacation time; our current personnel practices do not say anything about this. Doug and I have talked and it is my belief he should get some of his vacation, he has earned it. He was one of these individuals that came late in the year and didn't get any vacation that year or the next year so he only received vacation once in three years. It's council's decision from what you want to give him, from zero to 100%.

Mr. Kobasuk: How long has he been with us?

Mr. Miller: He started in the Fall of 2004 and received no vacation for 2004. He took no vacation in 2005. In 2006, he took the two weeks vacation that he earned for 2004 and 2005. He earned his 2006, but has not taken it.

Mr. Pulskamp: His last day was Friday, February 16th. He gave one-week notice on February 9th and the following Monday and Tuesday he called in sick. Then on Friday 16th, he asked if he could use more of his sick time to go home early just to use some of his sick time; just so you know the circumstances. That's when we had all of the snow and ice.

Ms. Hueber: On top of that, Charlie was shorthanded in the snow blizzard and he asked if Andy could work on that Saturday, and Andy said no. He wouldn't help out, not one day.

Mayor Hammon: We need to discuss it and let him know council's decision.

Mr. Evans: I think we should talk to Charlie; he is his supervisor.

Mr. Kobasuk: What did Charlie say?

Mayor Hammon: I didn't really talk to Charlie about the issue.

Mr. Kobasuk: I think we owe it to Charlie to talk to him.

Mayor Hammon: Well, we talked a little bit about it. This is council making a policy for the village. In lieu of the ordinance that's there, we've overlooked it. In fact, Doug and I have talked about this, rewriting something into the new personnel practices in regards to this.

Ms. Hueber: Charlie did say he was a good worker. He did not treat us right at the end.

Mr. Evans: I'd go back to what it says, are they supposed to give two weeks notice and what does it say about the vacation?

Mayor Hammon: It's not in there.

Mr. Pulskamp: Neither one is in there.

Mayor Hammon: I think we request two weeks; but we don't demand it. Should we say it's mandatory to have it? This is one that is not black and white anywhere Doug.

Mr. Kobasuk: I'd like to get Charlie's opinion.

Mr. Pulskamp; Charlie just said it was council's decision; he was not happy with the whole situation.

Mr. Kobasuk: John, what do you think?

Mayor Hammon: When Keri asked me originally when the letter was turned in, I was unhappy about the one-week notice. I thought that was very unprofessional. I haven't talked to Andy about it, but I understand it was a golf course he was going to. I couldn't see a lot of demand for people working on a golf course in the snow. I kind of sent it back saying that he did earn it, this is something he should of got. Then I said maybe it should be a partial aspect of it. That was before he started taking sick days and certainly of it is, I do not believe it's a 100%. I'm not even sure it's a 50%. Should it be something? Yeah. I look at it another way, he could in fact gave us three weeks notice, worked a week and left and said he was on vacation for two weeks.

Mr. Koasuk: Can we wait and talk to Charlie about this and deal with it next time or do we have to do it now?

Mayor Hammon: The pay period ends and his last paycheck will be coming up on this pay period, which is tomorrow.

Mr. Kobasuk: Can't we pay him on the next pay period?

Mayor Hammon: Doug, how do you feel about that?

Mr. Miller: I guess since you have the ability to say no, you would have the ability to say maybe in two weeks. I don't know that we have anything in here that says to give a two-weeks notice.

Mr. Pulskamp: It's in the new personnel policy; it's not in the old one.

Mr. Miller: The thing is, if the guy has the sick time coming and he followed your policy, which is I guess he didn't need a doctor's excuse.

Mr. Pulskamp: That's the only reason because Charlie told him one more day off sick; he would have to bring a doctor's note in.

Mr. Kobasuk: Just to move it along, I'd be willing to give him a week, 50%. Does anybody else think that's fair?

Mr. Cosby: I'm all for that.

Ms. Hueber made a motion to approve one-week of paid vacation to Andy Bradford. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Mayor Hammon

2. Catch Basin – SR 32 Main Street: I've talked to Ken about the storm sewer catch basin on SR 32, Main Street. We've been having problems and Charlie is trying to get bids and working with Dave Stenger. The first bid from Prus is \$4,500; they would like to get this done once they can get somebody in and look at it. I've asked Ken to make a motion to allocate \$5,000 for my approval to get it fixed.

Mr. Brandstetter: Dave Stenger and I thought the \$4,500 seemed high. We have another company giving us a quote; Tim Mulrooney has a concrete company that has done a lot of work for us on these small projects. He is scheduled to give us a price in a couple days. This does need to be done right away.

Mayor Hammon: If it doesn't come in any lower, we can at least get it moving with Bruce so we can make sure we can get it taken care of. We need to act on it quickly due to traffic on the roadway.

3. Appropriations: Keri would like for you to review these and they need to be passed by the end of this month. We will probably need to have a special council meeting.
4. Police Chief: I have been in discussion with Lieutenant Synan and I will appoint him Police Chief on March 20th. I will ask council to make a motion to confirm that appointment. We will have the swearing-in at 7:30 p.m. that night.

Mr. Pulskamp made a motion for Lieutenant Synan to be confirmed as Police Chief, effective March 20th.

Mr. Kobasuk: Why is it March 20th? I thought March 1 is when Chief Zornes retired and then does that mean we don't have a chief for twenty days?

Mayor Hammon: It is the same situation we're in; he still will be the officer in charge for those twenty days. Tom has asked to be given notice to be able to have friends to come; this is the date he wanted.

Ms. Hueber: Can we have it effective March 1st and he can have his ceremony later?

Mayor Hammon: We need to give him the oath.

Mr. Miller: You can take the oath twice.

Mr. Kobasuk: All right, it's his day. I just want to make sure it gets done.

Mayor Hammon: Tom does not get an increase in pay until the salary ordinances are passed. His pay will stay the same and the title will change until the salary ordinance is passed. What are your feelings Tom?

Lieutenant Synan: March 1st is fine and then have the official ceremony on the 20th.

Mr. Pulskamp amended the motion for Lieutenant Synan to be confirmed as Police Chief, effective March 1, 2007. Mr. Cosby seconded the motion.

Mayor Hammon: I made the nomination based upon a contingency; I'm not sure I'm going to make it now.

Mr. Kobasuk: Why not? We're all in support of it John; he's done a good job.

Mr. Miller: Why are we wasting time on this?

Mayor Hammon: Because Tom and I have sat down and arranged all of this and I know a lot has been going on. All right, I'll nominate Tom to be the next Police Chief, effective March 1, 2007.

Mr. Pulskamp amended the motion for Lieutenant Synan to be confirmed as Police Chief, effective March 1, 2007. Ms. Hueber seconded the motion. All Aye. Motion Carried.

Resident Brian Burns: 6918 Ragland Road. I just want to commend Tom; the level of professionalism that he has raised this police department, whether it be the uniforms, the cars, the officers that he has brought in and changes that he has made. I haven't been in his office many times but he deserves to be paid for that; everyone deserves to be compensated. I don't understand why we can't compensate him until April 1st. In the job I currently work, if you're filling in a position for a person, for which he did for a very long time and he provided such excellent service that we've all seen throughout the village. He should have been retroactively paid for that; he filled the title for all of us; whether it was for you on the council or whether it was for me as a citizen. I personally would like to thank you and I think you should be monetarily compensated for it. We're fighting for a service worker that didn't work hard for us and we just granted him a week of vacation. We have a guy that acted as the police chief and has taken us light years ahead and we're not going to pay him for it. That makes me sick!

Mr. Pulskamp: In our salary ordinance, there is a clause for an officer-in-charge with a rate above their normal pay. Tom has been getting that.

Lieutenant Synan: No I haven't.

Mr. Pulskamp: You have not been getting the officer-in-charge per hour difference? Why not?

Mayor Hammon: I don't know.

Mr. Pulskamp: That should have been effect because you've been officer-in-charge; that is in our salary ordinance. And as Curt Cosby stated, there is no reason that when the salary ordinance passes that we cannot make it retroactive. This council agrees with what you said.

Mr. Burns: I know you've all been very supportive of him. He deserves what he got.

Lieutenant Syman: I just want to say "thank you and I'm very grateful for everyone's help and support." We'll do it on the 20th, but thank you.

Mr. Kobasuk: Thanks for all your hard work.

Councilmember Curt Cosby: I have nothing tonight.

Councilmember Mark Kobasuk: (handout)

1. After our last meeting, I was to have held a Planning Commission meeting. I never had that meeting; the weather was bad, but I did talk to Mike Cornette about his issue about receiving an increase to be certified. Here is his email outlining the economics of his position. As I understand it, Mike is indicating that he is required to be certified by the building department, as well as his partner, Dean Violetta. The Village of Newtown is the only municipality they deal with so in doing this certification just for the village and he wants a 20% increase. If you look at the economic analysis, there is \$17,700 for 2006 revenue with a \$26,760 contract amount, with a deficit of \$9,045. If we were not to use him for the building department activities, that revenue of \$15,000 would go to the county. We would have to get somebody to do the zoning work, which generates about \$2,800 in revenue. If we gave him a 10% raise, the deficit would go from about \$9,000 to almost \$12,000. I just have some concerns about losing his skill set. I'd be inclined to offer him a 10% raise. He has to do that to be certified anyway. Last year he generated almost \$15,000 from the building department revenue.

Mr. Evans: Would he be willing to take a 10% raise?

Mr. Kobasuk: He said he would consider that.

Mr. Evans: I think that's a pretty good compromise. I do agree that he's done a decent job; it's a lot better than sending it down to the county.

Mayor Hammon: Curt had mentioned in previous minutes that we shouldn't raise the permit fees, but if you turn it over to the county, you've raised the permit fees.

Mr. Cosby: I don't want to see it go to the county. I say go with the 10% raise and then you've got a year to look at our options.

Mr. Pulskamp: You'll lose the personal service if you go with the county.

Mayor Hammon: I talked with him before Mark and asked Mike if he would want a two-year contract to cover the cost, instead of try and do it one year and go to a two-year contract. He wasn't against that either.

Mr. Evans: Would he take 7% one year and 7% the next? John said he would like to get a two-year deal out of him. We all agree we want to keep it in Newtown and not send it down to the county.

Mr. Kobasuk: I think you could get that out of him John.

Mayor Hammon: I would strongly recommend keeping it in Newtown.

Mr. Kobasuk: I'll talk to him.

Mr. Pulskamp: Mark, negotiate a 14-15% over a two-year contract.

Mr. Cosby: Or just give him a 10% increase and give him a two-year contract period.

Mr. Kobasuk: I'll talk to him.

Mr. Miller: This is the first step in getting the Ohio Board of Building Standards moving to certify the village. I suggest that since you have enough people here to go ahead and do it and if nothing ever comes of it, it doesn't hurt to have this in place.

Mayor Hammon: Mike will have a copy to send back with the packet.

Mr. Miller: It's not effective until they certify us anyway.

Councilmember Doug Evans:

1. Checklist: Any questions on the checklist dated 2/27/07?

Mayor Hammon: I have an addition. It's to the Hamilton County Municipal League for \$375.00, for our membership.

Mr. Evans made a motion to accept the Checklist for 2/15/2007 and 2/27/2007 with an addition of \$375 to Hamilton County Municipal League. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.

2. Snow Plowing: For the record, Charlie and his guys did a great job on plowing the snow. Of all the places I visited during the snow, Newtown was the best. It's always clear no matter what.

Mr. Kobasuk: I want to second that; I left work one night after the first snow storm and the first paving I saw was in Newtown and I had come all the way from Covington. They did a marvelous job.

Ms. Hueber: Is possible we give an appreciation lunch just for the three of them?

Mr. Pulskamp: I think we should; we've done it for the police and I think we ought to do it for them.

Mr. Cosby: Present them with a plaque for the maintenance barn. He likes that kind of thing and it's professional.

Mr. Pulskamp: Let's do a lunch for them at the maintenance barn.

Mr. Kobasuk: John, what do you think?

Mayor Hammon: When you do it so small, it gives it the employee of the year effect and I think it impacts other people. If you want to recognize them for a job well done then go to it. Mark, I've been trying for years to have a service award of recognition, five years with the village maybe would get a nice shirt or something. I have no problem with it.

3. **Police:** One night I was on my way home and in the middle of SR 32 an officer had stopped with his lights on. He had stopped to help a lady get her dog; she was hysterical. I think that's great that the police do a service like that. The lady was really grateful for it. They just did a great thing.
4. **Generator:** Do we have a generator for backup at the fire house or here at town hall?

Mayor Hammon: No.

Chief Driggers: No, we have applied for the second straight year with FEMA for a backup generator system. It's something that should have been put in probably thirty years ago. I have it at the other station. We're probably the only fire department in the nation that doesn't have a backup generator system. We have a quote for one; I'd be more than happy to share that figure with you. It's about \$20,000 to \$25,000. Every public facility should have a backup generator. If we have a problem where the electricity goes off in this community and if we don't have the doors open, we can't get out. It should have been there a long time ago. I'm waiting for the answer from the feds, if we don't get it this year we are going to do it. We've got it in our capitol expense to do it.

Lieutenant Synan: I just received an email from the police chief association to do a survey and Sgt. McBreen actually did it. The chief that requested is part of Homeland Security; my guess is they're trying to get federal funds to help out with some of this stuff. We don't have one here at town hall, the fire department didn't and I don't think Charlie does either.

Mr. Evans: What about chain saws?

Chief Driggers: We have several chain saws and equipment for tree removal to open up roadways and things of that nature.

Mr. Evans: What about snow chains?

Chief Driggers: No. We do on some of the equipment that has insta-chains. We're in the process of converting everything to insta-chains.

5. **Terrace Park – New Fire House:** I gave John a copy of the article where Terrace Park got a new fire house and how they had been cramped for so long. They put a tax levy on; it passed by 70%. I talked to the councilman that spearheaded it; they have an all-volunteer fire department.

Mr. Pulskamp: I think that in the evening and have a contract with Mariemont for the day.

Chief Driggers: Monday through Friday, twelve hours a day, they are covered by Mariemont and their maintenance crew, which make up four people.

Mr. Pulskamp: Then volunteers on evenings and weekends.

Chief Driggers: They had nineteen fire runs next year. EMS is all volunteer and is covered by a majority of females that live in the village. They get paramedic service in their contract with Miami Township. They have a very very strong volunteer spirit in that community; but they have very little emergency activity. I can assure you that if activity increased the volunteers would decrease because of the strain it puts on them. Because of the property values, that community is taxed greater than this community. As I indicated in my annual report, Newtown and Fairfax needs to look at the infrastructure of their facilities. You can't expect a building that was built in the 1840's as a church to function adequately as a fire station in 2007. It isn't practical.

Mr. Evans: That is one of the reasons I brought it up just so we can keep this positive momentum with the new cruisers and uniforms, the good guys, the helping everybody out and we need to figure a way to help give back a little bit somehow without raising taxes.

Mr. Kobasuk: Yes, I don't want anymore taxes; I got my tax bill.

Mayor Hammon: So did a lot of other people Mark and I heard about it.

Mr. Pulskamp: Did you see how little Newtown got and what a big chunk the school district and everybody else got?

Mr. Kobasuk: I know that tax bill was a big increase and my neighbors said the same thing. I'm not in favor of anymore taxes.

Mr. Evans: I know but I think we need to look outside the box somehow.

Mr. Cosby: There is grant monies available for that type of thing.

Chief Driggers: Several years ago we looked at grant monies and there were none for new construction for public facilities.

Mr. Evans: It's still on our minds just so everybody knows.

Ms. Hueber: I think we need to get generators first.

Mayor Hammon: There is an article today in the Enquirer about Mason and the problem they are having with the citizens and the tax credit. They want a 100% credit and they only get a 50% credit. Council wouldn't do it so one of the councilman got the initiative started and put it on the ballot to let the citizen's vote.

Councilmember Ken Pulskamp:

1. We talked about the ordinance to certify the building department.

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

Mr. Pulskamp made a motion to adopt ORDINANCE 03-2007 AN ORDINANCE AUTHORIZING A REQUEST TO THE OHIO BOARD OF BUILDING STANDARDS TO CERTIFY THE VILLAGE OF NEWTOWN, OHIO FOR ENFORCEMENT OF THE RESIDENTIAL CODE OF OHIO TO EXERCISE SPECIFICATIONS, AND MAKE INSPECTIONS, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Ms. Hueber seconded the motion. Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Cosby-Yes. Motion Carried.

Mr. Pulskamp made a motion to approve an amount, not to exceed \$5,000 for the storm sewer catch basin repair on State Route 32, based upon the Mayor's approval. Mr. Cosby seconded the motion. All Aye. Motion Carried.

2. Maintenance Department: We do have an ad coming out in the paper to replace Andy for the maintenance department. We want to get a full staff again before spring.
3. Mower Replacement: We're going to retire the 2001 Exmark Turf Ranger.

Mr. Pulskamp made a motion not to exceed \$8,900 for the purchase of an Exmark Front Runner 60" mower. It's through a government bid to be purchased through Econowise Rental Incorporated. All Aye. Motion Carried.

Mr. Pulskamp made a motion to declare the 2001 Exmark Turf Ranger Mower as surplus, valued at less than \$1,000. All Aye. Motion Carried.

4. Police Vehicles Surplus: We have an ordinance declaring the police department vehicles as surplus.

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

Mr. Pulskamp made a motion to adopt ORDINANCE 04-007 AN ORDINANCE DECLARING POLICE DEPARTMENT VEHICLES AS SURPLUS, AUTHORIZING THEIR SALE, DISPENSING WITH THE SECOND AND THIRD READINGS, AND DECLARING AN EMERGENCY. Ms. Hueber seconded the motion. Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Cosby-Yes. Motion Carried.

Councilmember Tracy Hueber:

Ms. Hueber made a motion to surplus items from the police department: uniforms, server case, filing and computer cabinets at no value. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.

Ms. Hueber made a motion to nominate Darwin Brooks as person-at-large for the Fire Department Board for 2007. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Mr. Miller: I have Camp Safety on the equipment, Tom what is the other one?

Lieutenant Syman: It is Advantage Signs for \$1,080.

Mayor Hammon: We talked about having Daryl's gun engraved and mounted in a shadow box. Will you declare it as surplus so we can give it to him?

Ms. Hueber made a motion to declare Chief Zorne's gun as surplus. Mr. Cosby seconded the motion. All Aye. Motion Carried.

Mayor Hammon: He is invited to the next council meeting and we will present it to him at that time.

Mr. Pulskamp made a motion to adjourn meeting.