

The January 30, 2007, Special Council meeting of Village of Newtown was called to order at 7:30 p.m. by Mayor John Hammon.

Councilmembers Present: Curt Cosby Mark Kobasuk
Doug Evans Debbie McCarthy
Tracy Hueber Ken Pulskamp

Items to be discussed are Committees, Personnel Practices and Building and Zoning Commissioner.

Council Committees:

Ms. Hueber made a motion to approve 2006 Committees for 2007; Committees will remain the same and are as follow:

Public Service

Members: Ken Pulskamp (C), Doug Evans, Tracy Hueber

Parks and Recreation

Members: Curt Cosby (C), Debbie McCarthy, Ken Pulskamp

Public Safety

Members: Tracy Hueber (C), Mark Kobasuk, Ken Pulskamp
Meeting: 2nd Tuesday of Each Month @ 7:00 p.m.

Finance/Ordinances/Audit:

Members: Doug Evans (C), Tracy Hueber, Debbie McCarthy

Planning, Zoning and Development:

Members: Mark Kobasuk (C), Curt Cosby, Doug Evans

Human Resources and Communications:

Members: Debbie McCarthy (C), Mark Kobasuk, Curt Cosby

Mrs. McCarthy nominated Mike Stain, part owner of Little Dry Run Beverage, for the resident for the Fire Board.

Mayor Hammon said this was not urgent and to hold off until next meeting; the agenda is to discuss committees and personnel practices.

Mayor John Hammon:

Building Commissioner: Mike Cornette and the building department must be certified by the end of May 2007. Mike has estimated with the certification, in order to stay on, it will cost us 20% more to hire him. He said he doesn't see a need that we can turn it over to Hamilton County and they can do the inspections for Newtown. We loose the personal touch and lose people coming through, we elongate the process and basically we're outsourcing it to Hamilton County.

Ms. Everett: We lose the permit money too?

Mayor Hammon: Yes, you lose everything if we turn it over to Hamilton County.

Mr. Kobasuk: What is his pay?

Mayor Hammon: \$26,000 a year. This certification is mandated by the State of Ohio. If we turn it over to Hamilton County, it would be their inspectors and basically it would be no more hands-on where a guy could coach you through the process. After taking a look at it, this is more of what this village is having done right now. An individual that has a house may come in and doesn't know how to go through the process, there would be nobody here to probably coach him on what he needs to do. We would have to send him to Hamilton County. It would be beneficial to have Mike; we need to make a decision because he needs to have the certification done by the end of May. Mark, will you have a committee meeting, invite Mike and talk it over and allow him to present all of the facts to you.

Mr. Kobasuk: Okay.

Mayor Hammon: I think the last time the permit fees were increased was in 1998 or 1999, Curt was Mayor. I believe the building department should be a zero cost to the village and to offset Mike's salary.

Mr. Evans: What is it right now? How much money do we bring in?

Mayor Hammon: I don't know that. That is one of the things the committee will have to come back and look at the aspect of what it is and what it will cost in the long run.

Mr. Kobasuk: Is he going to have that information or does Keri?

Mayor Hammon: If you contact him he could probably tell you that. He can tell you how many.

Ms. Everett: Mike knows all of that; I thought some of that had to do with square footage.

Mr. Evans: When he inspects things, did he do all of the condos over there?

Mayor Hammon: No.

Mr. Evans: Tell me what he inspects.

Ms. Everett: All of the Ivy Hills, he had to sign off on all of that and the new ones coming in.

Mayor Hammon: The Reserves, I thought Hamilton County did it because it was multiple units.

Ms. Everett: They brought all of the plans here and he did permits.

Mr. Evans: Right now he does all residential and anything to do with little projects. What complaints have we had for him so far, lately?

Mayor Hammon: Complaints for him or complaints against him?

Mr. Evans: Either way.

Mayor Hammon: Many people have complained about Mike being rough with them. My experience and Curt, I'll ask you to speak up, you were here briefly as Mayor while Mike has been here. My experience has been people want a short cut and don't want to abide by the law. People get upset that Mike doesn't bend; but, I've watched Mike sit down with people and work through an issue the best he can. He's always caught in a conflict of interest because he can't tell you how you're supposed to do something and many people want him to do that and he can't do that.

Ms. Hueber: He can't tell you how to cut corners, he can tell you what is required.

Mayor Hammon: Two things Mike brings to the table: 1) he is the person for the CRA; we're going to lose that so we'll have to get someone else to do that.

Mr. Kobasuk: Who would do that; one of us?

Mayor Hammon: Someone has to do it Mark, I can't answer that to you. We still have the zoning piece of it that Hamilton County won't do. Mike's suggestion was that if we don't want him here that we talk to Dick Weber and expand his area of duties.

Mr. Evans: Is there anything now that Mike is doing that Dick could maybe do?

Mayor Hammon: Mike says he would stay on a year and turn it over to train. We didn't really negotiate that far. Like Keri said, all of the money and fees would go to Hamilton County.

Ms. Hueber: Do they charge us?

Mayor Hammon: No. They collect the money for all of the building permits.

Ms. Hueber: Then we have to see what he brings in.

Mayor Hammon: I understand that; this is something we need to push because he needs to go through certification and then take the department through certification.

Mr. Cosby: Are you saying that he would go through certification and still only be here possibly for a year?

Mayor Hammon: No. Mike has said that financially, purely economically, it would make sense for him not to be hired back.

Mr. Kobasuk: His economic sense or our economic sense?

Mayor Hammon: Ours.

Ms. Hueber: We pay him \$26,000 plus, we may not bring that in, where Hamilton County doesn't charge us for the service.

Mayor Hammon: We can outsource it with no charge.

Mr. Kobasuk: Who is going to sit on the Planning Commission? He always leads those meetings, basically.

Mayor Hammon: I agree with you Mark. That is why I said you have to sit down and evaluate it. My preference would be what Mike brings to the table, we talked about CRA, but also for FEMA. I've sat down many times with people complaining about the FEMA law and they bring in their own engineer and Mike has always been right 100% of the time. I'm not sure that there is anybody better in the area that knows the FEMA laws better than Mike does. He has worked with them on the flood of 1997, so he has that history too. My personal opinion right here and now is that I think we ought to keep Mike on.

Mr. Pulskamp: I agree.

Ms. Hueber: If we can make it a wash by just raising our permit fees then we can keep Mike here. I think you're right; there is a benefit to us having a personal touch. If he thinks it is economically not to our benefit, then we raise some of our fees.

Mr. Cosby: You've got to be careful with that because then we're raising fees on people that are trying to improve the village.

Mr. Kobasuk: Why does he need a 20% increase?

Mr. Evans: Can't we go to 10%?

Mayor Hammon: He'll have to go through classes, time off from his job, he'll have to go take the test and do a lot of additional work.

Mr. Cosby: Why don't we just pay him for the time away from his work?

Mayor Hammon: I didn't negotiate with him. He called me today and said this is where we're at. These are questions you need to sit down with Mike ask him.

Mr. Kobasuk: I'll call him and have him come to the next Planning Commission meeting.

Personnel Practices

Part-time – Full-time:

Mr. Pulskamp: Doug, full-time employee used to be thirty-two (32) hours or more and now they have it scheduled as forty (40) hours; doesn't Ohio Department of Unemployment consider an employee that works an average of thirty-two (32) hours or more a full-time employee?

Solicitor Miller: I'm not sure; I'm not sure where the forty (40) came from, I don't remember the thirty-two (32).

Mr. Pulskamp: Our old one states thirty-two (32) hours.

Mayor Hammon: When in doubt, Keri and I probably put it.

Mr. Pulskamp: I believe the state definition is anything thirty-two (32) or more average per year is considered a full-time employee and less than thirty-two (32) is considered a part-time employee. That is what is in our original one and I believe that is a state definition for unemployment compensation and things like that.

Mayor Hammon: I can tell you the City of Cincinnati is thirty (30) hours.

Mr. Kobasuk: Doug, can we vary from the state standard?

Mr. Miller: You can make it less; in other words, if the state standard is thirty-two (32) you can say thirty (30), but you can't go up.

Mr. Kobasuk: Ken is making the point it may not be legal.

Mr. Pulskamp: One for Doug to check on for us. Also on No. 10 they are saying less than forty (40) is considered a part-time employee and I believe the state law says thirty-two (32).

Lieutenant Synan: When I looked at the federal law, it actually said there is no definition for part-time, that each employer sets the part-time.

Ms. Hueber: I think you can be part-time and work forty-fifty (40-50) hours.

Lieutenant Synan: Not regular.

Mr. Pulskamp: Right. It's average. So, if we can just check those definitions.

Mr. Kobasuk: Paragraph 11, mid sentence doesn't make any sense to me; "during this period or beyond does not guarantee employment," could we word it that better Doug? Completion of the probation period does not guarantee employment or something.

Mr. Pulskamp: I see a lot of personnel practices state you're hired "at will," where you can be let go for no reason.

Ms. Hueber: I thought everybody was like that now.

Mr. Evans: It is in Ohio.

Mr. Miller: Well, that's the theory. We have that in here on the first page.

Ms. Hueber: When you let somebody go you don't have to give them reason.

Mr. Miller: No, but you have to be careful as to what class they may fall into; you could run into a discrimination problem. In other words, under the ADA if somebody comes to you and says "I have some problem," you would have a problem getting rid of them. Even if you have a legitimate reason for getting rid of them; you may very well see yourself in court because they are going to claim they were fired because of the disability.

Probationary Period – Holidays:

Mayor Hammon: It says, "at least six months," back farther it says, "a probation period of six months."

Mr. Miller: My only thought on that with the way we do that, if somebody serves their six months but they don't come off their probationary period until I think the Mayor is supposed to recommend to council approves. There might be some period of time between the time they come off their six months and it gets to the table; that is why we have the "at least" in there.

Mayor Hammon: I agree with that; I think we ought to put "a probationary period of at least six months continuous service." It gives them the flexibility of getting to the council meeting until their anniversary date.

Mr. Kobasuk: Doug, can we put page numbers in there next time.

Mr. Miller: Yes.

Mayor Hammon: It says here, "during the probationary period, a full-time employee shall receive medical benefits and personal leave only." I don't know why we exclude holidays. Holidays is not generally earned and falls in a normal rotation.

Mr. Kobasuk: I agree.

Ms. Hueber: Right, can we add it? I would think given the other benefits, you might as well put the holidays in there.

Mayor Hammon: Lorna did not get Christmas or New Years.

Ms. Everett: None of us did. The old one you didn't either; no body got anything on the old one.

Mr. Kobasuk: Are we all in agreement they ought to get holidays?

Mr. Cosby: I think so.

Mrs. McCarthy: Yes.

Mr. Evans: So you could start the day before Christmas -

Mr. Pulskamp: And get paid for Christmas.

Mayor Hammon: If you want to hire them then.

Mr. Miller: You say, "during this probationary full-time employees shall receive medical benefits, holiday pay."

Ms. Hueber: I know many companies that don't do that.

Lieutenant Synan: Under the probation period, on the police end of it, the state law says six months; it doesn't say "at least six months." It says, "a period of six months continuous service."

Mr. Miller: Duly noted. We still have to get to council though is the problem.

Lieutenant Synan: It's in the state law too, but it also says six months and then it goes to the Mayor and council. It doesn't say "at least."

Mr. Miller: That is why we're saying "at least," because it has to go to the Mayor and council.

Mr. Cosby: He's just saying if it runs over two weeks or something.

Lieutenant Synan: My concern is state law says at, "six months," they're done; it's not "at least" six months according to state law.

Mayor Hammon: What you just said is it goes to the Mayor and council. If there is not a meeting, it goes beyond six months.

Lieutenant Synan: That's not what the state law says.

Mayor Hammon: Read the state law to me.

Lieutenant Synan: "All appointments made under Section 7:7.15 and 7:37.16 of the Revised Code shall be for a probationary period of six months continuous service and none shall be finally made until the appointee has satisfactorily served his probationary period. At the end of his probationary period, the Mayor shall transmit to the legislative authority of the village of record of such employee service; with his recommendations there on, he may with the concurrence of the legislative authority remove or finally appoint the employee." It is longer than six months, but I'm concerned with the "at least."

Mayor Hammon: That's the reason the said, "at least," because it goes beyond six months.

Lieutenant Synan: But, you can't supercede state law.

Mr. Evans: It's just a play on words, it could say, "more than or at least," is the same thing.

Lieutenant Synan: It doesn't say, "more than or at least," you can't supercede state law.

Mr. Miller: I think the statute is implying that there has to be some period. On the day of the sixth month, I think the statute is implying that's the end of the probationary period and then it comes to the Mayor.

Lieutenant Synan: Right, it doesn't say, "at least."

Personal Leave:

Ms. Everett: During the probationary period, there is a conflict where we gave them a personal leave during the first six months, but if you look back into the personal leave, we're not giving them two until after they've completed one year of service. We're going to have to mark that out because under personal, unless you want to change the personal, they don't get the two until after they've completed one year of service.

Ms. Hueber: Didn't you all change it where to do get vacation?

Ms. Everett: No, not during the first six months.

Mr. Miller: It is something council needs to discuss.

Mr. Evans: But, they get the holidays when they start.

Mr. Cosby: And you get no personal days at all?

Mayor Hammon: On probation.

Mr. Kobasuk: They can't take any vacation in that six months; it accrues, but they can't use it. So, they have no day off except for a holiday.

Mayor Hammon: Correct.

Mr. Cosby: Seems like they need at least one personal day.

Ms. Hueber: Maybe we say one personal day the first six months and one for the next six months.

Mr. Evans: I disagree.

Mr. Pulskamp: I do too.

Mr. Evans: I learned a long time ago, if you give it to them they will use it. During the six months if they get sick, why should you pay for it? I think the benefits are pretty good and I think you can't keep giving them more, more and more. They are on a probationary period anyhow. My company doesn't give holidays or vacation until they've been there a year. A personal day is something usually if they don't take it, they lose it.

Mr. Kobasuk: You don't pay them for Christmas?

Mr. Evans: Yeah, after they've been there a year; it gives them an opportunity to stick around.

Mr. Pulskamp: Most places don't give medical insurance for 30-90 days.

Mr. Kobasuk: John, what do you think about this? Maybe I'm being too generous.

Mayor Hammon: I guess I look at personal days a little differently Mark. I believe giving the minimal amount of holidays and give increased personal days. I look at personal days as a floating holiday. One of the reasons I believe that way is because our police force doesn't get the holiday off; they can't close shop and go away. So, when you make personal days, floating holiday days, I like to lean it that way because with those type of scenarios is you're open for business. The village is open for business all for except the holidays.

Mr. Kobasuk: So you think they ought to get a personal day during the probationary period.

Mayor Hammon: Yeah, Mark I do. I believe our environment is a little different than Doug's; he probably gets more transient employees than we do here. People can always come into you and take the benefits and walk out the door immediately. I probably shouldn't mention names, but Marty Stewart knew he was leaving and he took every sick day, every vacation day, he took everything as soon as he could, like January or February.

Mr. Kobasuk: You probably shouldn't mention names.

Mayor Hammon: But it's true; it's a fact, they can look at the time sheets. He took it all up; unfortunately, it was six months before he could retire. He was trying to take everything immediately; he did ear the most of them, but he was trying to take the personal days and everything up very quickly. That's the thing I talk to people about, as a supervisor it's your responsibility; if you think a guy's walking on you, you can decline a vacation time request, you can decline a personal day request, you can decline it if you think the guy is going to walk on you and he's trying to use all of his benefits.

Mr. Cosby: How many people now do we have that use a personal day?

Ms. Hueber: We only have four and it's not like you have a whole bunch of people.

Mr. Kobasuk: You're talking one day in six months, right Tracy?

Ms. Hueber: That's what I'm saying; they should be entitled to one in case they have an emergency. You can always give it to them unpaid.

Mr. Kobasuk: Doug, do you have a problem?

Mrs. McCarthy: I think they should have one.

Mr. Pulskamp: I agree with Doug; I think we're pretty liberal with what we give. We start from day one paying medical benefits; that is unheard of.

Mr. Evans: We give them boots; we give them all sorts of things. I'm not saying to cut back anything or take something away from them. Once you give it to them; you're done.

Mr. Kobasuk: So, what are we coming down to on the personal days?

Mrs. McCarthy: Should we take a vote on it?

Mr. Evans: We're out-voted on it; I give in. I've lost before and it's alright.

Mr. Pulskamp: You're already giving somebody that starts one day; everybody said they want to give them holidays right away and now we're going to give them personal days too.

Mr. Kobasuk: Does everybody use these personal days?

Mr. Pulskamp: I guarantee you they carry personal days over.

Lieutenant Synan: We don't carry them over; they get used, I don't see an abuse and a lot of this is sick time too where they've earned it. The other concern is that there are other employers out there, especially in the police field that are offering packages like this; so you have to think of that too. You want high quality people; one personal day, is it really that big of a deal to have a quality person. I agree with the Mayor; it would be different if we were having a lot of turnover.

Mr. Pulskamp: I don't have any problem with giving the personal days, but I think they need to earn it after six months. Show us what you have for six months.

Mr. Cosby: Well you're only giving them one.

Mr. Kobasuk: Most of the people stay is what I'm hearing.

Ms. Hueber: It's a small group here and it's not like it's going to make or break this village. If it was then we should start charging for garbage pickup. The employees we have are good employees and it's not like we're offering a ton of extra.

Mr. Pulskamp: Tracy, we're only talking about new employees; we're not talking about existing.

Ms. Hueber: I know, but it takes us like a year to hire anybody.

Lieutenant Synan: In our department, it has to be a written request so I do have the ability to turn it down.

Mr. Kobasuk: I take it you're in favor of the personal day in the six month probation period.

Lieutenant Synan: I don't see a big deal with it; I think it's a good incentive.

Ms. Everett: Doug, you want to put one personal day for the wordage?

Alcohol/Drug Testing

Fitness for Duty

Mr. Kobasuk: Under fitness for duty, I think (c) ought to be moved up to (a). Typically, you order things by priority. I think the priority for this is to protect health and safety; it just didn't seem to me we should have "To comply with Federal and State regulations such as the Drug Free Workplace Act of 1988 "as (a); just a minor point of priorities.

No. 5: It should be "Village of Newtown;" instead of "Sycamore Township."

No. 7: "An employee suspected of being under the influence of alcohol or prohibited drugs must be observed by two persons trained in the detection of drug and alcohol use." Isn't it like two supervisors or two management because later in the paragraph we have two supervisors? I don't know if you can really have two persons trained in detection of drug and alcohol use.

Mr. Miller: You're probably safest doing that. If you're going to make somebody submit to a test you should have an expert saying they think that person is under the influence.

Mr. Kobasuk: It's got to be police officers?

Mr. Miller: That's all we have unless you send somebody else for certification. If there is only one police officer available, it can be only one. It states "reasonable cause can be established by the observations of fewer than two persons only when it is not operationally feasible to have two supervisors involved."

Mr. Kobasuk: Are we changing that or not?

Mr. Miller: If you want to we can; you don't send somebody for drug testing lightly so you ought to have all your ducks in a row. Two cops looking at them are better than one.

Mr. Kobasuk: No. 11 - Do we have random drug testing now or is this a new policy?

Ms. Hueber: I don't think we've ever done it.

Mayor Hammon: Tom, does the police department?

Lieutenant Synan: Every year we go for drug testing; the whole department, but not one person is picked out at random.

Mayor Hammon: Is it randomly or is it part of a physical?

Lieutenant Synan: Right.

Mr. Evans: Does it say all village employees, including council?

Mr. Kobasuk: That's my next question; does it include council?

Ms. Hueber: We're not employees.

Mr. Kobasuk: I think that might be a good indication if we went through it too and the employees see everybody is treated the same.

Mayor Hammon: Personally, I don't believe it belongs here. If you want to make that a policy or recommendation at a council meeting; I'm all for it.

Mr. Kobasuk: What doesn't belong here?

Mayor Hammon: I don't think it is for council; this is a personnel practice. I believe that is an issue that has been going on for twenty years at the council table; drug testing for the council people.

Mr. Kobasuk: Is that right?

Mr. Miller: Every time we discuss it, somebody says, "what about council people?"

Mr. Kobasuk: That was my first thought.

Mayor Hammon: A guy once asked, "how do I know you're not drunk or not taking drugs and you're sitting there making decisions for the village?" I think that is something council could agree and make a motion to do it.

Mr. Evans: If we're not employees what are we?

Mayor Hammon: Elected Officials.

Mr. Kobasuk: Representatives

Mr. Cosby: I don't care if we all get tested; I just think it's time a random drug testing policy.

Ms. Hueber: I think that it should be in there because if somebody thinks that somebody is doing drugs...

Mr. Cosby: It doesn't say that. It says, "The village shall require random drug testing which will be spread evenly throughout the year and testing shall be done by a scientifically valid method."

Mr. Miller: This encompasses everything; this is everything you would ever want. If you don't want to do some of this stuff, that's fine. I put it in there so we can have this discussion.

Mr. Kobasuk: When I read it, it says, "you shall do it." If we're going to put it in there we have to do it.

Mr. Miller: Some places will say, "we're having random drug testing," because it doesn't do me any good if the guy knows his test is coming up in February.

Mr. Kobasuk: How do you select these people by a scientifically valid method?

Mr. Miller: Typically, I believe at Sycamore, they give the names to the hospital.

Mr. Evans: Yeah, they do it. They're all in a pool

Mr. Miller: Maybe the hospital calls you up and say to send Synan in today.

Mr. Evans: I got picked three times in a row; three months in a row.

Lieutenant Synan: It's not that you suspect it. It's just random. How do we set up the random testing and who does it?

Mr. Evans: The hospital will do it for you once you get in their pool.

Mr. Pulskamp: You give them the list of names.

Lieutenant Synan: One of the reasons we got away from this was cost.

Mr. Kobasuk: How does it cost? What does Sycamore pay?

Mr. Miller: I have no clue.

Mayor Hammon: \$60.00, probably about that per test.

Mr. Miller: You don't have anybody that has a CDL; but if they have a commercial driver's license you have to.

Ms. Everett: Two pages over, where it talks about the physical, that's why we left out a specific date. You all had already put in place that you wanted employees to get the physical every year. That's why we added the words "that they are not going to be given prior notice." That was to try and make it random testing. It's not really random; everybody is going to do it. Everybody will get drug tested every year because they already are; they're just not going to be given prior notice.

Lieutenant Synan: Actually, you didn't know the day; the chief would just call you and tell you the date your physical was scheduled. It was usually a 24-48 hour notice.

Mr. Kobasuk: Do we have a problem with people drinking and taking drugs?

Ms. Everett: No. It's just all the insurance recommends them.

Mr. Evans: Mark, no matter what you do when you have employees the last thing you want is your insurance company finding a loop hole in your system that you're not doing right.

Mayor Hammon: We have a lot of people operating equipment and driving vehicles. We have a few administrative people, but most of the people are out driving vehicles.

Ms. Hueber: I think it doesn't hurt to have No. 11. in there that says the village has the right for random checking.

Mr. Cosby: It says "shall."

Mr. Miller: Why don't we find out the cost?

Mr. Evans: It's about \$50; you can do the alcohol check in-house.

Mayor Hammon: All in favor raise your right hand if it stays or not.

Mr. Pulskamp-Stays, Mrs. McCarthy-Stays, Mr. Kobasuk-Stays.

Mayor Hammon: Stays as is for now.

Hiring Procedure

Mr. Pulskamp: Under Hiring Procedure, we're missing a line from the old personnel practices. In the old personnel practices it said it must be presented to council for final approving.

Ms. Everett: That was supposed to be underneath, All Employees Shall Undergo the Physical; it was in there and then it came out. Remember, Doug I told you I would like to put it back in.

Mr. Kobasuk: In the first sentence, should we add councilmember in case the council committee chairperson cannot interview?

Mr. Miller: Why don't we say, at the end of the sentence, "or their designee;" that way if the Mayor can't make it.

Mr. Kobasuk: Same paragraph, last sentence, I think it should say "must successfully complete a physical, including a drug screening in order to insure they are fit for duty." I also think if you're going to point out one employee's position, you should include all of them.

Mr. Miller: We can put them all back in; I don't really like stating the ORC because it can change.

Mr. Kobasuk: How often does that change?

Mr. Miller: I don't think the street commissioner probably hasn't changed in fifty years. The police officers change frequently. The fiscal officer just changed a few years ago.

Mr. Kobasuk: I'd put them back in.

Mr. Cosby: If it changes, it changes.

Mr. Miller: The residency requirements were not necessary to be in the personnel practices. It's all how they are appointed.

Probationary Period

Ms. Everett: Are you going to put in "at least" six months?

Mr. Kobasuk: I agree. You ought to modify personal days or holidays because it says, "employees will not be compensated..."

Mr. Cosby: Tom, at the point where it says six months and Doug's point was it has to get to council; it kind of says that in the ORC, right Doug? It's a period of six months and forwarded from the Mayor to the council, so it kind of addresses that.

Lieutenant Synan: My thinking on that is if you cancelled a council meeting and it went on seven months, you've violated the state law, because it says six months.

Mr. Miller: It says six months and council appoints; two different things to come off. They don't happen on the same day.

Lieutenant Synan: But, I'm saying "at least," if there's a council meeting that is cancelled at seven months, that person has already gone six months and they can say according to this law, that they went through their probationary period.

Mr. Miller: But, they haven't been appointed by council.

Lieutenant Synan: I'm not saying that.

Mr. Miller: First of all, you're going to get rid of somebody before that sixth month day rolls around anyway if they're not working out.

Mr. Cosby: But, what you are saying Doug is it is the sixth month period, but the second leg of that is they still have to go through the approval process. Even if it is seven months, if a meeting was cancelled, council could still have the right to say you're gone.

Mr. Miller: Where you would have an issue is probably at that six month period they should start earning whatever extra benefits that they get.

Lieutenant Synan: I'm just saying I am just concerned that the village is changing wording when you cannot supercede state law.

Mr. Kobasuk: We're not trying to.

Mr. Evans: We all thought it was Daryl.

Lieutenant Synan: This is one of the things he was right on.

Ms. Everett: In the probationary period, Doug, you need to change where it says we're going to give medical benefits **only**; take out only and add "one personal day and holidays." In the next sentence, cross out "personal days or holidays."

Residency Requirements

Mr. Miller: Remove "in addition," it doesn't make sense.

Personnel Files and Records

Mayor Hammon: I would like to clarify, "The department supervisor shall maintain these records....."

Mr. Miller: What if we just say, "These records shall be maintained in the office of the Fiscal Officer." Let me ask you Tom, these talks about personnel records..

Lieutenant Synan: At least.

Mr. Miller: Is that a problem for you that Keri hangs onto them?

Lieutenant Synan: She has to anyway, right?

Mr. Miller: Yeah, but I'm not sure how things were back there in the past, but my presumption is everybody was locked in a drawer.

Lieutenant Synan: I've got personnel files and she has the same thing I have in my files. I make copies and she gets it.

Mr. Miller: The only thing I can tell you is if someone comes in and wants to see somebody's personnel record; you need to let me know because while those are typically a public record, there is information in there like social security number, etc.

Promotions

Mayor Hammon: In reference in what was said earlier, "The Mayor with the concurrence of the Village Council shall then make a final appointment to the position, or remove the employee from the position."

Mr. Kobasuk: Doug, whenever you say "Village," should it not be capitalized? When talking about a village.

Solicitor Miller: If you're to the "Village of Newtown," then yes. If referring to the "village workforce," I would say no.

Mr. Kobasuk: I think they are talking about "The Village of Newtown," village operations, village workforce. It's the Village of Newtown; not any other village.

Mr. Miller: Right, if you look at the Ohio Revised Code, it talks about the village workforce, it is not capitalized.

Mr. Kobasuk: That's because they are talking about every other village. We're talking about The Village of Newtown.

Mr. Miller: It doesn't matter; I don't think it should be capitalized, but if you want to capitalize I will capitalize it.

Attendance – Tardiness – Absence

Mayor Hammon: Where it says, "Absence with Notice" and "Absence without Notice," the descriptions both say the same thing.

Mr. Miller: I think I copied it so we could talk about it; I didn't know if it made a difference to anybody.

Mayor Hammon: The theory is to categorize the absence from the job; if they miss without notifying us it is more severe than calling in saying they are taking a sick day. We would use this to analyze whether we promote, hold or fire; but that is not in here.

Mr. Miller: If you're absent, we couldn't decide if it was any worse to call up and say "I'm not coming in today." At 8:00 a.m. in the morning, I don't know if that matters to Charlie or not.

Mr. Puskamp: I think there's a difference between "Absence with Notice," and "Absence without Notice."

Ms. Hueber: I think "Absence without Notice," is terms for termination.

Mr. Miller: Originally, we just had "Tardy" and "Absence," and now we got into the discussion if there should be a stiffer penalty for somebody who just doesn't show up.

Ms. Everett: I think we were leaving it up to the department supervisor.

Ms. Hueber: I think you should put something in here about "No Show, No Call."

Mr. Miller: It would be just a matter of taking out "not" in the first line, in the description of "Absence with Notice." It would read, "Employees not working his/her scheduled shift and having informed his/her department supervisor."

Ms. Hueber: I believe this has come up in the police department before; if you had "termination" in there, they could have let somebody go.

Mr. Kobasuk: You're going to terminate somebody for not calling in one time.

Ms. Hueber: You have a reason to.

Mr. Evans: You can't really do that.

Mr. Cosby: You're talking about making it a difference or not a difference. I think we all agree that there is a difference. We just need to work out the working of it.

Ms. Hueber: I think we say, "Absence without Notice," can be terms of termination.

Mr. Cosby: Or "reprimand."

Ms. Hueber: It's still up to the supervisor and council to go through that whole ordeal. I think it's a big deal. You've got people calling in if something happened, they're going to have an excuse anyway, and they're not going to get terminated. You would have the right for where somebody comes in and says, "I need off because I'm going to a concert."

Mr. Miller: Where we got into and what's not in here is, it doesn't have guidelines for excessive tardiness/absenteeism and kind of those are the punishments and then we got into should the punishment be greater if they don't even notify anybody. It is kind of up in the air because we couldn't decide what to do so we'll let you guys hash it out.

Mayor Hammon: I will talk to Tom and Charlie and get their input in making the decision.

Travel

Mr. Pulskamp: You've got in there that we're going to reimburse at the current internal revenue rate. We set that rate every year in our salary ordinance and that is what it should read, not compared to the internal revenue rate. Is that correct Doug?

Mr. Miller: I think we did.

Ms. Everett: In our salary ordinance we haven't been doing current IRS.

Mr. Miller: I don't know that you've been upping it.

Mr. Pulskamp: We've been upping it; but we haven't been upping it to the IRS rate.

Ms. Everett: Just depends if you want to go with the IRS; are you allowed to do your own?

Mayor Hammon: Yeah.

Mr. Kobasuk: Wouldn't it just be easier to have it at a prescribed rate with the IRS?

Mr. Pulskamp: They're saying the IRS rate and I'm saying at the job rate that is set forth on our salary ordinance every year. That's what they get reimbursed at whatever our salary ordinance says. That is changed every year.

Ms. Everett: It has not been the IRS rate.

Mr. Pulskamp: Usually Doug brings it up every year with the current rate.

Ms. Hueber: What is our current rate?

Mr. Miller: I'm thinking 31. The only people that are doing any personal car driving would be you if you go anywhere. When you guys go like to court, do you take a cruiser?

Lieutenant Synan: The police car they don't; they take their personal vehicle and get reimbursed on mileage.

Ms. Hueber: We'll put it back in for .39 or .40 cents or whatever.

Mr. Pulskamp: As set in the yearly salary ordinance.

Mayor Hammon: Where it says, "must be authorized in advance by your department supervisor," maybe we should add "or the Mayor," in case the supervisor is gone.

Use of Village Vehicles and Equipment

Mr. Cosby: "Village-owned vehicles and equipment are for official village business only and are not to be taken home with employees." What about the fact that Lieutenant Synan takes home the chief's car. If Tom is at home and number one, he is in the Village of Newtown and he has to respond to something; you want him to respond in that vehicle.

Mr. Pulskamp: The chief is on call twenty-four (24) hours a day, so he is exempt from that because he's on call twenty-four (24) hours a day.

Mr. Kobasuk: He's on official business.

Lieutenant Synan: On the next page, second paragraph: "The Police Chief and Street Commissioner/Maintenance Supervisor are "on call" twenty-four (24) hours a day, seven (7) days a week, and are permitted to drive his/her assigned village-owned vehicle to and from work." That kind of defeats the purpose of being on call twenty-four (24) hours a day, seven (7) days a week.

Ms. Everett: But, if you're on call you are going to and from work.

Lieutenant Synan: What if I'm at the gym or getting a hair cut; unless, the Village is going to pay for the personal insurance on a car?

Mr. Cosby: How do you expect him to respond if he's on call twenty-four (24) hours a day?

Mayor Hammon: What is the nature of an emergency that would make you immediately jump in your car and zoom to the Village?

Lieutenant Synan: Bank Robbery with a hostage, a hostage situation at Pool Care. I've done it twice so far.

Mayor Hammon: You can't come here and pick up a vehicle and go?

Lieutenant Synan: I can't emphasize how important it is that the police chief is there in a timely manner. Situations get out of hand very quickly.

Mr. Miller: What are you suggesting that we take out to and from work?

Lieutenant Synan: Correct.

Mr. Cosby: I agree.

Ms. Hueber: I agree.

Mayor Hammon: I disagree; it's an issue of cost. You give him gas and oil maintenance on a vehicle to use for his personal time constantly.

Mr. Cosby: He's on call twenty-four (24) hours a day; that's not personal time.

Mayor Hammon: I don't give a crap. I was on call 24/7 and no one ever provided me with something. I think we saw from when Daryl had it that it is not required.

Lieutenant Synan: I've had it for six months and I disagree that the previous chief proved that we didn't need it; I think he proved that we did need it. There were several times he should have responded quicker; that's my personal opinion of being on the scene of a very intense situation. I've used it a couple of times. Normally, I go to the gym before work and get changed and come straight to work with it. There are times when I get off work; I will go to the grocery store. Generally, on the weekends, if I'm staying in town, if I'm going to the golf course I may take the car in case there is an emergency, I'm right there. If I'm going too far away, if it's personal business, like I'm going out with somebody, I use my personal car.

Mr. Kobasuk: What if you're going to Eastgate shopping?

Lieutenant Synan: If I'm by myself, sometimes I'll do that; I'll have my gun on me and my badge. I'm expected that I'm going to drop everything I'm doing to respond to a call.

Mr. Kobasuk: You've got a problem with this John?

Mayor Hammon: I think it's a hell of a benefit.

Lieutenant Synan: It's not much of a benefit. I spend maybe \$40.00 on gas with that car. The only times we've spent more is when it's used for road patrol, for off-duty details.

Mr. Cosby: What about the benefit of having him on call twenty-four (24) hours a day, seven (7) days a week? What about that benefit that we're receiving?

Lieutenant Synan: I'm not police chief yet, so whoever the police chief is, my concern, if I was chief and you told me to respond in my personal truck. What if I get into an accident? You tell me I'm on call and I have to respond to an emergency and if I get into a wreck for whatever reason, why should I have to pay for the insurance?

Mr. Miller: Here's the thing, it's Tom. If he abuses it, take it away from him.

Lieutenant Synan: Absolutely, and I think that's with anybody.

Mr. Miller: So, we're taking out "to and from work," do you want that for Charlie also?

Ms. Hueber: No, for the police chief.

Mr. Pulskamp: Charlie doesn't drive as long.

Mr. Miller: Should I take him out of the whole thing?

Mr. Cosby: No, because if there is a snow night, he'll take it home.

Mr. Miller: I'll just do two different sentences, one for police chief and one for street commissioner.

Working Hours

Mr. Pulskamp: Doug is going to check on the full-time status being forty (40) hours. Our standard work week is forty (40).

Mr. Miller: That was Keri's question. What is our work schedule? How many hours is somebody supposed to work and do they get a break and how long is the break?

Gifts and Gratuities

Mr. Kobasuk: Why do we have "Individual" Village? It's just "Village of Newtown" employees.

Mr. Miller: That was specific because people donate things to the police department.

Job Description

Mr. Kobasuk: Doug, should put a qualifying sentence in there so people don't think their job description is everything, that can change or it's not an exhausted list? When we circulate a job description for these positions we have qualifying language because things can change.

Ms. Everett: Typically, the job descriptions that we have done, the very last sentence says something like "this is not an inclusive list."

Mr. Pulskamp: I'm not an attorney, but the job description serves as a basis; it can go up from there, right?

Mr. Kobasuk: I think the qualifying language would help you.

Mr. Miller: We'll add, "generally" before specifies, on the third sentence. Do we have job descriptions?

Ms. Everett: Not on everybody. That's something you guys wanted to work on.

Mayor Hammon: H.R. committee will take care of that.

Pay Cycle

Ms. Everett: I switched it; we've been talking about it for years. Pay day will be on Friday, instead of Thursday, so that the people that work on Wednesday will work complete shift.

Ms. Hueber: We worked hard to get to that, so let's just leave that alone.

Mr. Miller: Is that a change?

Mayor Hammon: Yes, it adds one day.

Mr. Miller: Whenever this is going to start everybody needs to know.

Ms. Everett: They'll have plenty of notice.

Mayor Hammon: People turn their time in after the paychecks are calculated so there is always a constant correction going back. This will eliminate that.

Wages

Mayor Hammon: Second paragraph, it says "Council" approves the ability of the Police Chief to take time off.....generally that is the "Mayor." If he waits for Council it could be a two-week wait. Third paragraph, regarding the Maintenance Supervisor, it should be the same. The Mayor should approve the time off, instead of waiting for a Council meeting.

Compensatory Time

Mr. Kobasuk: First paragraph, last sentence, "employees" should have an apostrophe.

Overtime

Mr. Pulskamp: In the old Personnel Practices, if Maintenance was called out they were paid for a minimum of four (4) hours; not two (2) hours.

Ms. Everett: We changed it though; we changed it in the Salary Ordinance back to two (2) hours for each of them. The Personnel Practices said one thing and the Salary Ordinance said another and you guys passed it to each two (2). It went back to two (2); I'd have to go back and pull the minutes.

Mr. Kobasuk: Two (2) is enough.

Ms. Hueber: I think four (4); if they are coming in on a Saturday and getting called, they have to stop what they're doing and come in whether it takes them two hours to do it. They should at least get paid four (4) hours because they have driving time and everything else.

Mr. Pulskamp: I agree.

Ms. Hueber: I thought we had a big conversation about this.

Ms. Everett: You did and it went back to two (2) hours.

Ms. Hueber: It doesn't happen that often; it's more of an inconvenience and for two (2) hours, I would just not want to come in.

Mr. Miller: It happens with the police officers coming to court.

Lieutenant Synan: It was one of the concerns that Officer Vontz brought up; we didn't know it had switched from four (4) to two (2) either.

Ms. Everett: The police was always two (2).

Lieutenant Synan: At one point, it was four (4) for a call out and two (2) for court.

Mr. Pulskamp: Court was something that was planned and scheduled.

Mr. Miller: If you're going to court you are going to spend two hours at least.

Mr. Pulskamp: I think it should go back to four (4) and the Salary Ordinance needs to change also.

Mr. Kobasuk: I thought two (2) was enough; John, what do you think?

Mayor Hammon: It's mixed emotions. We had a catch basin lid that was tilted and Charlie could have done it, but Tom ran up to help him and that was an incident that took ten minutes. Do you pay them four (4) hours for that? If it happened at 6:00 p.m., it would have been a call out. I hear what Tracy is saying, do you reward them for coming in or do you want to minimize it?

Mr. Cosby: How many incidents do we have?

Ms. Everett: In the snowing season.

Ms. Hueber: That usually takes four hours anyway when they're salting. Charlie keeps them going all of the time.

Mr. Kobasuk: Why did we go to two (2)? We talked about it once.

Ms. Everett: I'd have to pull pack out the discussion.

Ms. Hueber: I think we should move it to four (4).

Mr. Miller: Are they at court pretty much the four hours?

Lieutenant Synan: Lately, they've been under two hours at the prosecutor's office. I think court should be a two (2) hour minimum.

Mr. Miller: I don't see how you could do it less than that.

Ms. Hueber: Why don't we do two (2) for court and go back to four (4) because that is kind of a call out and the same for maintenance. We'll have to make note that the ordinance will have to change as well. Maintenance Department will be four (4) and for the Police Department call outs are four (4) and court two (2).

Lieutenant Synan: Training also would be a scheduled event.

Mr. Miller: So, for court appearances and training, scheduled events will be two (2) hours.

Holidays

Mr. Miller: In the first sentence, we need to take out "who have successfully completed their six (6) month probationary period and."

Ms. Everett: Because you're letting them have it for probation.

Mr. Pulskamp: It has Christmas Eve listed as a ½ day, which is not on the spread sheet.

Ms. Everett: I thought we talked about taking that out and putting the floating holiday in there.

Mr. Miller: I don't know, you said Charlie lets everybody off a half day on Christmas Eve. That's why we put it in there.

Ms. Everett: Well he does; he has always.

Ms. Hueber: That's alright; their supervisors are always doing whatever.

Mayor Hammon: I took it out. The same thing about the police department, they can't take a day off, that's why I said eight holidays and the floating holidays.

Mr. Pulskamp: We're scratching Christmas Eve ½ day as a holiday.

Mr. Miller: Holidays will be: New Years Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

Vacations

Mr. Miller: One way or another when you're annualizing and putting everybody on a calendar year for vacation, somebody is getting cheated depending on when they are hired.

Mr. Pulskamp: I thought this was being set on date of hire; not calendar year.

Mr. Miller: No.

Ms. Everett: After the first year it goes to calendar year every year.

Mr. Miller: Once they hit January 1st, they are going on a calendar year. If they are hired January 2nd, and work the whole year, they are getting the same vacation as somebody hired December 1st; for that year.

Ms. Hueber: Let's just tell them up front when they are hired and it will be all in the open.

Mr. Miller: It just depends on when they're hired.

Personal Leave

Ms. Everett: You need to put in there about the one (1) personal day during the six month probation period. Take out “after one year of service.”

Longevity Pay

Mayor Hammon: I don’t think our salaries belong in this particular document. This says that every year they will get this depending on the finances of the Village. I would rather take that paragraph out and put it in as part of the Salary Ordinance, every year based upon what we can do. If you want to word it “The Village will make every effort to reward it in the salary practice,” I can live with that.

Mr. Pulskamp: I agree.

Mr. Miller: Just take it out if you don’t want it.

Sick Leave

Mr. Miller: Second paragraph, shouldn’t it say, “shall not exceed;” take the “to” out.

Mr. Kobasuk: Fourth paragraph, “In the event an employee is on sick leave for more than five (5) consecutive days;” in the private sector it is often three (3) days.

Mr. Pulskamp: I definitely agree with that.

Mr. Kobasuk: Doug, I have a question on Family Medical Leave Act (FLMA). You’ve checked it with the statute and everything in here is right? I didn’t check it; I just presumed.

Ms. Everett: I pulled it off of the internet.

Mr. Miller: I’m pretty sure we’re okay on that. I’d rather not put it in here; I’d prefer to say “we’ll follow the provisions of the Family Medical Leave Act,” because if it changes then we won’t have to worry about it. We really can’t do that under some court cases.

Bereavement Leave

Mr. Pulskamp: Bereavement Leave is something new. Our old Personnel Practices actually said to use your sick leave for bereavement leave.

Mr. Kobasuk: Why are we changing it?

Ms. Everett: If you will look at the thing I gave you, everybody was giving it so that is why we put it in.

Mr. Pulskamp: Call me the bad guy, but giving, giving, and giving, we’re probably looking at another 17-20% increase on our health insurance again this year. You guys see the figures every month on what we’re paying out. It’s going to go up another \$1,500 to \$2,000 per month. We’re already talking about giving more away. I think we need to leave that alone.

Mr. Kobasuk: You mean have them use sick days?

Mr. Pulskamp: Yes.

Mr. Miller: Or personal days. I always thought that was what a personal day was for.

Mr. Kobasuk: I’m on for that; right me too.

Ms. Hueber: I thought it was for emergencies too. I think we should take that out; it’s fine.

Mayor Hammon: If I code my time as sick time, how do I know it’s authorized when I’m off three days and then I have to come back with a doctor’s note? I think we should have it here; but say they can use sick pay. You can take bereavement, but you must use sick time. I’m just saying don’t delete the sentence. Keep it in here; but instead of paid for, you can use other time off.

Mr. Pulskamp: Right, it says that in our old Personnel Practices.

Mr. Miller: Are we going to say they can use sick leave, personal days or any other?

Ms. Everett: Or they can take them off without being paid.

Mr. Miller: With permission, I guess.

Ms. Everett: That is still in there.

Mr. Pulskamp: In our current Personnel Practices, it says, “employees may use sick leave or absence due to personal illness, pregnancy, injury, exposure to contagious diseases which could be communicated to other employees and for absence due to illness, injury or death in the employee’s immediate family.

Mr. Miller: That’s under your Sick Leave; but you want them to be able to use personal days also. I’ll figure it out something.

Mayor Hammon: Or comp-time or personal leave.

Mr. Miller: Right. That would be another thing.

Mr. Cosby: Or unpaid with permission if you’re out of all of the above.

Ms. Hueber: I used to take at least two weeks a year unpaid.

Insurance

Mr. Pulskamp: Do we want to spell it out exactly as: Medical Insurance, Dental, Vision, Life and Accidental? What if we get to the point that we can’t offer all of that? What if we just decided we wanted to do Medical, Dental and Vision; to start cutting corners?

Ms. Everett: I think it says in the paragraph that each year council determines, is that in there?

Mr. Pulskamp: It says, “specific coverage for each benefit.” You’re listing five benefits. You’re saying, “these are the benefits.” I’m happy with the first sentence, “All regular full time employees are eligible for the Village of Newtown health and life insurance plan or whatever it is; instead of spelling it out.

Mr. Kobasuk: Yeah, why do we have to spell it out?

Mr. Miller: Otherwise, what do you tell them they’re getting?

Mr. Pulskamp: Well, it can change.

Mr. Miller: This is what you put in your Personnel Practices. This is what you get; this is your benefit. Why spell out sick days?

Mayor Hammon: Here's my parameter Ken, if it's something that is going to change on an annual basis, Keri and I talked and I suggested having a benefits sheet that lists our benefits. I think this is something that is not going to change every year. It can change; we may go two years from now and have to redo it. Anything that may change on an annual basis, I tried to discourage it from being in there.

Mr. Miller: If you decide you're not going to offer vision insurance anymore, then you'll have to pull this out, but to me this is no different in saying you get ten sick days a year. That could change too.

Mr. Pulskamp: Okay. I just had a note on there.

Ohio Police and Fire Pension Fund

Mr. Pulskamp: You said something about taking out the percentages.

Mr. Miller: Again, this is another one of those where I don't like putting in something specific because when it changes, and it did change this year.

Mr. Pulskamp: How about, "The Village will deduct the percentage?"

Mr. Miller: "The applicable percentage?"

Mr. Pulskamp: Yeah.

Ms. Hueber: The same for PERS?

Mr. Miller: Yes. That changed this year; it changes last year and it changed this year.

Discipline Policy

Lieutenant Synan: Under Step 1: Doug, how long does a verbal warning stay in someone's personnel file? According to other chiefs, we need to have some kind of policy.

Mr. Miller: I think we just document that there is a verbal warning. I don't care.

Ms. Hueber: For your records, you always want to keep it.

Mr. Pulskamp: Tom, are you asking how long it should stay in somebody's personnel file?

Lieutenant Synan: Yes.

Mayor Hammon: To me it is a record.

Ms. Hueber: It's a record; I would think it should stay in there.

Lieutenant Synan: Talking to Chief Patterson at Fairfax, when he helped me, there are certain times when certain disciplines are supposed to come out. But, we are supposed to have a record of it and I don't know who sets that time or what. I know if they get a written or verbal warning, depending on the events, it will stay there a year.

Ms. Hueber: In my case, wouldn't you want that verbal, because if you take it out and then there is somebody else there, you should see that they've already had one verbal warning. When it comes to promotion or say they get another one, the prior chief may not know and then they're getting another verbal warning when really it should be different.

Mayor Hammon: Doug is going to look into it. I seem to remember reading there is a period of time that certain information must be retained.

Mr. Miller: That doesn't mean that if the state says to keep it for three years that you're not allowed to keep it longer. These are typically the things that are kind of a reprimand; but it's in your personnel file and if you haven't done it in five years, the slate ought to be wiped clean.

Grievance

Ms. Everett: With the Discipline and Grievance both, should we have some kind of an appeals process in there? Like if you get disciplined, is there a process for the employees?

Mr. Miller: We basically took the provisions from the info for the police department, from our old policy, and apply them to everybody. It says, "you do this that or the other thing, but ultimately there is an appeal to council. That doesn't mean you have a federal lawsuit or something; council could turn around and say you are fired. You don't have to have any kind of reason; it's just that you're entitled to due process in front of council.

Mr. Pulskamp: In our current personnel practices, there was an interpretation clause stating that the policies are intended to cover most personnel problems.

Ms. Everett: I think that is in the beginning under Purpose.

Mr. Miller: Yeah. "This Handbook is intended to cover most personnel issues. Those not specifically covered shall be interpreted by Village Council."

Mr. Pulskamp: Okay, I missed it; it's there!

Mr. Pulskamp made a motion to adjourn council meeting. Mr. Kobasuk seconded the motion.