

The March 14, 2006 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 Present:

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

Mayor: John Hammon
Solicitor: Doug Miller
Fiscal Officer: Keri Everett
Lieutenant: Tom Synan
Street Commissioner: Charlie Siegel

Mayor Hammon: I have recommendation for hiring of a part-time officer, so if someone would like to make a motion.

Ms. Hueber made a motion to hire Shaun R. Miller, as a part-time Police Officer for the Village of Newtown. Mrs. McCarthy seconded the motion. All Aye. Motion Carried.

Mayor Hammon conducted swearing-in ceremony for Police Officer Shaun R. Miller.

Fire Chief Tom Driggers: (handout) Assistant Chief Terry Ramsey, served in my absence at your Council meeting on February 28, 2006. He presented you with several items and issues regarding the fire levy that will be on the May 2, 2006 ballot. As a result of that presentation, there still may be some questions that we need to address in regards to exact cost factors to the individual property owner. I'd like to present to Council and to the Mayor a copy of a flyer that will go out to all residents. This is draft of a flyer that will be sent out in pamphlet form. We mailed out the same type of informational pamphlet in 2003 when the Village of Newtown joined the fire district. If you would read this letter, it pertains to the purpose of the levy, exact cost and how it impacts the individual homeowner and their property valuation. Tax issues can be very confusing, page 3 explains the past, current and future tax issues for the fire department and EMS protection. (see handout). This new money should sustain the fire department financially for a period of at least seven years. So based on our projection, we don't anticipate going back to the voter for additional monies for operational purposes, until 2012 or 2013. Hopefully, the information we have prepared in this flyer explains to the penny the impact of this levy and how it affects the individual resident. Every homeowner in Newtown will receive this flyer explaining the levy. We are hoping that along with public meetings that we're going to have, which will be convenient for residents to come and express their concerns about the fire district and the levy. It will be convenient for them to come to the fire station for a public hearing and voice their concerns. We're going to do that in all three communities. We're going to have articles placed in the local media and maybe even some television coverage on it because this is a new form of taxation that we're trying to accomplish here. It will equalize the taxing burden on every business and resident that is in the fire district. Peruse the letter, it's in draft form and I'll be happy to go over any of it with you if you have any comments or additions to make sure the residents get the factual information on the cost of this levy and the personal impact it will have on them.

Mr. Kobasuk: Chief, is this entire letter going to go to people with the attachments?

Chief Driggers: Yes sir, not the attachments. The letter is will go in this format to every home, we feel it is important that everybody receive this information.

Mr. Kobasuk: Are you going to have some type of table showing the village what is shown here that Keri prepared which is pretty good extradition of the changes?

Chief Driggers: The biggest concern I have is that it will be confusing to people. I don't want to send something out to a voter that is going to confuse them, I think that is a recipe for disaster. If we can't convince the voter on the merits of the levy and how it impacts them personally, then I think we need to look at our strategy as to how we sell this information. I surely don't want to confuse anybody, because I don't think a confused voter is going to be a supportive voter.

Mayor Hammon: I talked to Doug Miller and he said we can put sheets 3 and 4 on the website since it's just factual, we can't say, "vote for it," since you're not going to distribute.

Chief Driggers: I think at least people who have Internet capabilities and access to it can get this information on the web. One of the things we have asked and we have gotten the support from the other two communities is that based on the need and effect of this levy, we're asking for each of the Councils or the Board of Trustees to give us an endorsement in this attempt. We've been successful in the other two so far. I ask this Council consider that because I think a unified approach to this levy and what we're trying to accomplish goes a long way in showing the cooperation that we all share with one another.

Mr. Pulskamp: I'd like to simplify things a little bit. If we look at what our tax levy was through 2005, the increase of the new levy is basically \$54.00 per year on a \$100,000 house, which breaks down to \$4.50 a month or .15 per day is what is will cost additional over what we were paying.

Chief Driggers: I think it's a reasonable increase. Assistant Chief Ramsey, the Board and I have worked very hard on coming up with what we believe to be a fair assessment of the financial need and that we took this out for a period of time without having to go back to the voters with any frequency. We've been good stewards of the tax dollar, we've spent it wisely. I think we've demonstrated that and

can continue to demonstrate that and I think this request is well within what is reasonable to expect support for. Thank you.

Mayor Hammon: Would anyone else like to address Council on any other issue?

Jerry Couzins: (handout) I recently purchased the Newtown Mower property. I would like to pass out a little letter that describes a petty issue I was greeted with Saturday. On Saturday, March 4th, my wife received a call from Mr. Dick Weber, Newtown Property Maintenance Inspector asking if she was the owner of the 6713 Main Street. He said the purpose of the call was to inform her that the signed formally used by Newtown Mower had blown down and that we might want to remove it. Mr. Weber further mentioned that the sign should not have been there anyway and quote, "and Mother Nature did you a favor by blowing it down from the wind last night." Upon my inspection of the site on Saturday, March 4, 2006, I was alarmed to make the following observations. One, the local residents informed me that they observed surveyors working by the sign on Friday, March 3, 2006. One of my questions is who hired these surveyors? Secondly, the attached police report which was filed March 4th by Officer Ken Orso details that ¾ inch holes were drilled at the base of both of the wooden support beams. The attached pictures show the holes drilled into the posts and the ribbons that they surveyors placed at the site, as reported by local residents and confirmed by Officer Orso. It is evident that the ¾" drill holes caused the sign to fall and not "Mother Nature," as reported by Mr. Weber to my wife. As Mayor, I hope you can obtain answers to the following questions and I also hope that you can appreciate my concerns that someone would drill holes in the sign posts to cause the sign in question to fall. Why would Mr. Weber report to my wife that the sign shouldn't have been there. Secondly, why would Mr. Weber report that "Mother Nature" had done us a favor of blowing it over, when upon inspection it was obvious that the posts had been drilled. Who was the survey company that was working by the sign on Friday, March 3, 2006? Thank you in advance in helping me to get answers to the above questions. I hope you agree that this incident is questionable and I hope this is not an example of how the Village of Newtown treats the property owners. I look forward to working with my son, he owns the property next to it, to come back to Council and the appropriate officials on Council to work on proposals for developments of that site.

Mayor Hammon: I strongly recommend you go to the Planning Commission and talk to them first about what you want to do in the future.

Mr. Couzins: I know that, I'm just concerned that someone would drill the holes.

Mayor Hammon: First off, I can't answer your question about who surveyed. I wasn't there, I don't know, I didn't see it.

Mr. Couzins: Did they work for the Council or Village of Newtown? Can we find out? Bob Fey, owner of the BarberShop saw them surveying up and down the street.

Mayor Hammon: We hired a surveyor to survey West Street, the alleyways and West Plum. That is not on your side of Main Street. I can't tell you, I can go back and ask them. As far as the sign, it is not compliant. It is grandfathered in, but it is not compliant. It hasn't been, probably a month after he put it up. It is very inappropriate for the village, look around and you will see no signs in the air, unless they were grandfathered in.

Mr. Couzins: Okay, but has someone taken it upon themselves to drill holes in the posts because it is not compliant?

Mayor Hammon: I can't answer that. That is your allegations, not mine. I didn't see it.

Mr. Couzins: The picture is worth a thousand words, you can see the pictures.

Mayor Hammon: I'm well aware of it from the officer, Mr. Weber, I was made aware of everything. I was aware of the police report that was filed, after the fact that Mr. Weber contacted you, so I am well aware of what transpired.

Mr. Couzins: I want to understand this, that you're aware that they drilled the holes into the sign posts?

Mayor Hammon: No, that was an allegation, that's what the police report says. That is all I know.

Mr. Couzins: It's just a concern, that a taxpayer, a property owner can be treated this way. I actually want to view it in a sense of humor, but if you're telling me that is a non-compliant sign and people are going to go drill holes in it because it's been grandfathered in.

Solicitor Doug Miller: I don't think anybody here said that the village drilled holes in it, that is what you said.

Mr. Couzins: I don't know who did.

Mr. Miller: We don't either. I think that is what the Mayor was saying, there was an allegation in the police report. We don't know that the allegation is true.

Mr. Couzins: I would hope you share my concern so that when we put the sign back up, which is what we intend to do since the sign was grandfathered in. I understand the Mayor's contention, the sign will stay there until we continue to work on the property and make improvements.

Mr. Miller: I'm sure Council does.

Mayor Hammon: I would encourage you to make contact with Mike Cornette if you want to put the sign back to make sure that it is compliant now.

Mr. Couzins: I Thank you and I'm glad to be a part of the Newtown Village.

Crull Subdivision "NO PARKING" Issue

Resident Allen Howard: 3525 Leonard Street. Mr. Mayor, Council, I appreciate the opportunity to talk to you tonight. First, I have a petition signed by many residents, I'd like to turn it in if I may. I am opposed to these signs, they have put a major hardship on me. They have pinned me in, I live on the corner. I contacted Mr. Cornette, he had a proposal that was from the twilight zone, I think. I put my

house up for sale and one couple turned me down in about three minutes. It was tentatively sold Saturday to people who had a confrontation with a neighbor over parking, they backed out. I wish you all would really rethink this position.

Mayor Hammon: I have something I want to talk about before we go any further. In a discussion with a couple of the residents down there, the Village is waiving the fee for anybody wants to make any changes. This would allow people to put in driveway cuts, fences, accessory buildings etc., it is all listed for you. I would ask you to consider passing this ordinance.

Resident Shirley Torrence: 3508 West Street. In reviewing January 2005 Council minutes, there is a similar situation regarding parking. But this one has to do with a "SNOW EMERGENCY" in River Hills. Regarding their situation, a resident was complaining that people were parking on the streets. There was a comment made, "in order to get people not to park on the streets, it would put a hardship on them because most of the driveways are one-car driveways and most of the families are two-car families," which 90% of America are two-car families. I just wanted to address this with Council, because in here it states that you didn't want to make a hardship on the residents to make them not park on the streets because they have one-car driveways. I just want to know why you wouldn't do that to them; however, our neighborhood has been singled out and we've been given a hardship.

Mayor Hammon: The issue you have with over the no parking during snow is, if you remember back at that time, the snow was eight to ten inches. If you plow that volume of snow, you plow people in, that's the issue that we were talking about is plowing people in. The hardship yes, with one-car driveway and tell people to get off of it would be difficult. We have put this in the newsletter and the last couple of big snows, people have removed their cars off of the street as much as possible to ease the burden on the maintenance department. The difference between them is that in your neighborhood you have parking access from the rear. River Hills does not have parking from the rear. The Planning Commission has recognized that this is a terrible situation that has been created in the village. If you go to the Reserves of Ivy Hills, you will notice that there is no on street parking. That was identified as being a problem throughout the village. We addressed it there by making them put in parking pads. That is the same concept I talked about was I wanted to put a municipal parking lot down there for parking and nobody wanted it.

Mrs. Torrence: No one wants a parking lot in his or her neighborhood.

Mayor Hammon: Go to the Reserves and you will see twelve or fourteen of them. That is the only way we can get off-street parking.

Mrs. Torrence: Are those townhouse or single houses?

Mayor Hammon: It is all of them, it's the condos. In that development, there is no on-street parking. Once they become public streets, there will be no on street parking allowed.

Mrs. Torrence: But they are a new division.

Mayor Hammon: River Hills probably has the toughest situation for parking in the village, there is no rear access to properties. There are a few exceptions, but most of your neighborhood has rear access parking.

Mrs. Torrence: I'm not here to argue and a lot of people here are not here to argue, they're just very upset at the whole situation.

Mayor Hammon: I'm willing to create an Ad Hoc committee to work with the citizens are residents to come up with a solution. I have asked this Council to go back and reconsider and make an Ad Hoc committee to come up with a proper solution to it. It's a hardship on people financially, I'm looking to create a means to give them assistance to address their property issue.

Mrs. Torrence: You said there would be three residents on that Ad Hoc committee? Who chooses them?

Mayor Hammon: I will. I would hope to get individuals to consider both sides. Not all individuals will be from that neighborhood. I have to consider requests from other residents.

Mrs. Torrence: Mr. Howard is a very good person. One of the fears we have in that area is that good people are going to be ran out and then who knows what is going to come in. The good people are leaving and the good people are really upset.

Mayor Hammon: I understand it. I spent about two and half-hours down there discussing this problem. Actually, I talked to Mike Cornette regarding what he could and couldn't do, now it's based upon what he had really talked to Mike in advance about.

Mr. Kobasuk: I appreciate your comments and I think the Mayor's proposal having an Ad Hoc committee is a good one to look into it and get more facts. He's talking about holding off on enforcement and getting folks together. I think as a village, we need to work together and find a solution to this. It's going to make your life nicer to have the streets less cluttered with vehicles, but I think the total ban may not be the answer, we need to find some middle ground. I commend the Mayor for proposing this Ad Hoc committee, I think we can make some adjustments on the committee. I think we hear your concerns and I think everybody at this table wants to work with you.

Mrs. Torrence: Well that is nice. I'm not alone when I say this that we feel like a lot of times we do bring situations up here and nothing is said or done about it and a lot of people are afraid to say anything.

Mr. Kobasuk: Well you should not be with this Council. You have some new folks here and I know we're going to listen to you. I think some people down there have abused the parking, which has caused this problem. I think to work together in a collective manner, we can find a solution. It's not that difficult, but give us some time to work with the committee.

Resident Robert Smith: 3524 Crawford Street. I'm just concerned, as a community, you have to pull together and support each other and elected officials serve the community. Why over night was fifty some odd "NO PARKING" signs put in our neighborhood when it was like that for years? Why didn't

you first go to the community that it affects and find out how we feel about it? Why didn't the Council say these are some of the things we are considering doing, how do you feel about it? You say some of the people down there have rear access, I don't. I have woods behind my house that some people would like to develop and make more of a mess of the neighborhood. The apartment building next door to me has four units and they park in their parking lot and that leaves no room for any guests. Do you like to entertain people at your house? Do you cut the people off that show up at your house for Thanksgiving or Christmas? I've had parties where guests fill my yard and then park on the side of the street. I don't limit the amount of people that come to my house just because there is no parking in my neighborhood. Yes, the streets are narrow, but there is no parking issue except for what Council has created with the signs.

Mayor Hammon: That's not a true statement because people have come to this Council complaining about the parking conditions. In talking to people over the last three weeks, I continually heard it was abusive parking on West Plum. One individual had nine vehicles or trailers on that street, what does that do to everybody. I have witnessed the abuse myself. I recognize the problem. We had members from your community come forward when the ordinance was proposed and when it was read. That's an issue I pointed out to them, I couldn't solve it for them. That's why I wanted a community parking lot. Mr. Moore has told me that people have come to him and asked to park in his lot when they have a party. That's his discretion.

Mr. Smith: There has got to be some give and take here. Fifty signs over night is a little much.

Mayor Hammon: Crull got them back in September after we passed it and through a miscommunication between Charlie and I the rest of them didn't go up. This is not something that happened over night. I realize there is a problem when you have overnight guests, visitors or parties. This situation came about due to people abusing the streets and we could not enforce it without having the no parking signs.

Resident Tammy Thornberry: 6612 West Plum Street. First of all, Brian Thornberry never brought up Moore's Funeral Home at the last meeting. The news that interviewed Brian Thornberry was in the neighborhood to see someone else and Brian just happened to be out and he spoke with them. In response to what Shirley said, I know of two people who did come up when this was discussed and they were intimidated and now I here there is more intimidation going on, trying to keep people out of these meetings. Some people have jobs in the evenings that prevent them from coming to the meetings and some are elderly and have no way to get in here. When people in this town elected you guys to Council, they thought you were going to represent us, the people of the village. As you can see and hear for yourself, it doesn't sound like this ordinance is the best for all of the people and doesn't represent us. If the people in River Hills have a hardship and can't get off the street for snow, why do we have to get off the street forever? Does River Hills have to comply with this ordinance? Another thing, small cars can go down that alley.

Mayor Hammon: First off, we had the alley surveyed and I believe that more than fifty percent of the fences are in the village right away and on our property. This will come out when the survey is completed and will show who is non-compliant.

Mrs. Thornberry: Why wait fifty something years before you do something like this, why change things?

Mayor Hammon: We've all changed! It has evolved to what it is not supposed to be down there. If you go back to the way it was, the parking was from the rear. There are exceptions. The fact of it is, you have a parking area behind your house that three vehicles can fit into. Now one of those vehicles has flat tires that is parked there now. So you do have available parking behind your home that you do use. You said we didn't allow people to come to the meeting.

Mrs. Thornberry: There are people that won't come here to the meeting because they are intimidated. Myself is one, I was very intimidated after I left the last meeting.

Mr. Kobasuk: I'm sorry you feel that way, you should not be intimidated by coming here. We always listen to you and give you the opportunity to speak. You should never feel intimidated by coming to your Council you elected us.

Mrs. Thornberry: I know there are people down there that won't even speak. There are neighbors fighting that hasn't fought and haven't had problems in years. There are all kinds of problems with this no parking business. I just wanted to bring it to your attention that this really isn't any different than from River Hills. If they can't get off the street for two days for a snow day, why should we have to get off forever.

Mayor Hammon: I have one comment to make back to your allegations. I know exactly who has called the press because before I will talk to the press, it is mandatory that they show me and tell me who has made the calls. I know who has called every radio and television station.

Resident Heather Patton: 3524 Leonard Street. I just thought we all could compromise. It does concern me that you said that possibly the three on the Ad Hoc committee may not even all necessarily be from our neighborhood.

Mayor Hammon: I am struggling with it because this issue has branched out across the village and others have asked to be a part of that. I have not made a decision one way or the other.

Mrs. Patton: I think the signs look really bad and we want the community to look nicer.

Mayor Hammon: We acknowledge there are too many but we want to make sure everyone saw them and we will thin them out once the issue is resolved.

Resident Larry Knepper: 6615 Crull Street. The no parking does create a hardship. Is this going to lead to storm drains, curbs and sidewalks?

Mayor Hammon: I can make no promise. This has been a concept of this village to try and make it a walking community. We invested heavily in drains on Church Street and we're trying to invest in sidewalks. Our goal as a village, at least the Planning Commission, we have talked about some day we would like to see storm water control which is curbs and gutters and sidewalks. The problem is there are very narrow right a ways down through there, we cannot put sidewalks on both sides. There is no plan for the immediate future, we will seek funds to help us pay for it, it will not be a cost for the citizens down there. It is a goal we want to put in place.

Mr. Knepper: I went through the last Newtonian News from the fall/winter and it didn't mention about the no parking issue. Also, it was mentioned about the minutes not being updated to the present.

Mayor Hammon: That is a true statement, we got way behind because of the secretarial situation. We've had contractors come in and try to do it, we're continuing to pump them out we're getting closer and closer bringing them up-to-date. I can tell you that they are as current as what Council has approved.

Resident Bill Coogan: 6619 Crull Street. I want to thank the two Councilmen that took their time, about two weeks ago, to come down and talk to us about the no parking issue. I actually feel like I'm a prisoner of my own property, my daughter will not come because there is no parking on the street. I have talked to a realtor about possibly selling my property and getting out of Newtown, after living here since 1954. They told me I would have to take a \$10,000 hit because of the no parking. Like others, I would like to see these signs come down but at the very least, a compromise of some sort. I would like to see these signs go away, I do want to thank these two councilmen for coming down.

Mayor Hammon: What about the Mayor who spent the afternoon with you?

Mr. Coogan: I saw you, I accidentally seen him.

Mr. Kobasuk: The Mayor has been working these issues down there with you folks, has he not?

Mr. Coogan: What a week ago, is the first time I seen him. I hate to admit, I didn't know who he was. All of a sudden, he said, "hi Bill;" then I knew who he was.

Mr. Kobasuk: He knew you right? That's a good Mayor.

Mayor Hammon: Bill, you have a unique situation, you have no place to park off the street. You have to park in a driving lane because you sit up high on the hill, your property goes right down the edge of the road. It's very difficult, you and a couple of neighbors, there is no way we can allow parking in that section of that roadway because you cannot get off of the road. It's not the same situation today as when we passed the ordinances. That is way I'm willing to try to go back and compromise.

Resident Brian Thornberry: The Mayor goes on hear says and assumes, this is unnerving as a citizen, we want our Mayor to be truthful and speak the facts. For example, in the news broadcast, he is quoted as saying, "whether we back to one way or parking on one side," that was never the case, it's not true, it's an untrue statement.

Mayor Hammon: Wait a minute, you told me that it was one-way at one time. That was your suggestion.

Mr. Thornberry: I never said that, my wife was there and heard the conversation. Another thing, you said you would waive the fees, and talking about getting help to put driveways in for us. That's not true, we all know that. The hardship in River Hills, you admitted tonight that River Hills is the worse case scenario, then why not start there. The reason is, you live there and we live down here. There is a difference in traffic flow, we are a subdivision, there is no reason to go back there unless you have business. There are 36 houses down there, 25 signed the petition in our favor, so if you're going to do a study so don't you think we should be at least two-thirds of the study, instead of people who don't even live there. We appreciate our police department and maintenance men that are for us who enforce your laws. We appreciate and miss our private fire department. I'd like to thank you for listening to me.

Mayor Hammon: (CRA) We did have a mistake in the documentation with Hamilton County Development Corporation for the CRA. I sat down with Catherine Fitzgerald, Drew Barnhorst has left HCDC, that makes two we've lost working on this project for us. They have corrected the mistakes, I have one copy but they did not send a copy for everybody on Council. It was her recommendation that we do not take action tonight on it, to allow the schoolboard a chance to take a look at the corrected document. I have reviewed it briefly, it looks correct me. If anybody else wants to read it, I'll share it with you. I would ask that no action be taken tonight that we do it two weeks from now. I was in the tax incentive review committee meeting yesterday with Rick Toepfer, Treasurer and he said they reviewed it and didn't feel that there was any issues, but I had already promised him we wouldn't take action on it at the recommendation of HCDC.

Councilman Mark Kobasuk:

- There was a Planning Commission Meeting on 3/6/06, it was basically a zoning hearing. It was a proposed property split, a zone change with the property at 7333 Main Street, which is next to Wendy's Restaurant. The zoning was changed to residential so they could construct townhomes that are equivalent to what is there on Miljoie Drive and Thorndale Lane. It was approved unanimously, no verbal opposition. There was one letter that came in, but seemed to be mis-stating an issue of taxes. We're going to have a public meeting on that on April 25, 2006, are we not Mr. Mayor?

Mayor Hammon: Yes, I talked to Mr. Miller. Do you see a copy of an ordinance? We have to have that on record so many days in advance in a period so we don't want to take any action, that's a copy of the ordinance for people to review when it comes.

Ms. Hueber: Is that the one approving the zone change for the Reserve of Ivy Hills?

Mr. Kobasuk: Right.

Mr. Miller: All you need to do tonight is set it for the public hearing. My suggestion, in talking to Mike Cornette, was to do it on April 25, 2006. You have to advertise in the paper at least thirty days prior to that. In terms of preparing the ordinance, I would like to know if it is Council's intention to only have one reading on this? You can't pass the emergency, it has to run the thirty days of the referendum period. You could have three readings or one.

Mr. Evans: Is time an issue for the developer?

Mr. Kobasuk: I would think one reading would be sufficient.

Mr. Cosby: The developer is here if you'd like to ask him.

Mayor Hammon: Now wait a minute, you just heard the public speak out about taking action quickly. Curt and I talked briefly and we thought it would require three readings. My suggestion is if you want to do it, you have the first reading and pass it on the second reading, which is two weeks after that. It still gives people a chance to hear about it and come back to Council. I do not anticipate any issues. Everybody I have talked to has been for it. I'm comfortable with it, but I'd really like a second reading.

Mr. Cosby: If we could pass it on the second reading, I think that would be sufficient. I don't know if you have anything to address with the developer, he's here.

Mr. Miller: You really need to not be discussing this Curt. I'm just trying to figure out how to prepare the ordinance.

Mr. Pulskamp: I would say, not an emergency.

Mr. Miller: It can't be an emergency.

Mayor Hammon: Suspend the third reading.

Mr. Kobasuk made a motion to have a Public Hearing on the Ordinance approving zone change for the Reserve of Ivy Hills, Section 3 Development. Public Hearing would be April 25, 2006, at 7:00 p.m. Mr. Evans seconded the motion. Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Cosby-Abstain, Mrs. McCarthy-Yes. Motion Carried.

Mr. Miller: Because of the number of parcels that it is, not only do we have to advertise in the paper, but you have to send out notice to any contiguous property owner or across the street. You did do a mailing on that one also? So you have it advertised, it has to get in at least thirty days prior to hearing and the mailing has to go out twenty days.

Lieutenant Synan: I have no report for the police department.

Street Commissioner Charlie Siegel:

- Intersection at Round Bottom and River Hills and Main Street, currently some of the punch list is still being done by Sunesis. The ramp where it curves at the corner of River Hills and Main is being replaced because of water problems. Water Works is requiring a back-flow valve on the meter at the island and in doing so, they have to have special piping which was not installed originally so they are having to dig a big hole out there and replace some of the copper piping and put a back-flow preventative valve in there.
- Signaling, who initially put the signals in there have also been doing some punchlist work of some of the wire they didn't pull and some of the other small things they didn't originally do. They finished up their work and then Council hired Wagner Smith to go in and put in new signals and new box to get everything working properly, crosswalks and all of that.
- We have scheduled a pre-construction meeting for Church Street, Phase II for this Friday at 9:00 a.m. All utility people and contractor, Brandstetter Carroll and I will be there. We will go over the pre-construction setup of the project, signs advising motorists of the road being temporarily closed should go up as early as Monday. We'll also be notifying residents on Church Street of the actual construction coming up.

Mayor Hammon: Charlie, can you call Dave tomorrow and ask if they have contacted Forrest Hills to let them know.

Mr. Siegel: Yes I will. I personally contacted the fire department to let them know. Police department was somewhat aware but I did talk to the chief today.

Mayor Hammon: I'm more concerned with impact this will have on a lot of the businesses and depends on the summer traffic. Let's get them in here and out as soon as possible.

Mr. Siegel:

- I did finally get in touch with the person we originally bought the Council chairs from and I am supposed to get back with her tomorrow with some information from one of the chairs. Hopefully, there will be a couple of the chairs replaced with the same fabric and same looks as the rest. I don't feel at this time, personally, that we need to replace all of the chairs. That would be a substantial expense. My department does plan on refinishing the wood part on these chairs.
- We've only used 153 tons of salt this year, compared to 540 tons last year, year before that 418 tons and in 2003, we used 817 tons of salt. We have saved roughly \$15,000 to \$16,000 in salt purchase this year.
- My committee chairman has the bid on the truck, you have a copy of that and he'll bring that up at a later date.
- My people are working out great and we are ready for the spring, we have our mulching done.

Resident Brian Thornberry: In reference to the race, I ran the very first one. But my question is, a friend of mine, who owns the bar before the Village Tavern, had tried to put a sign up and he was told any signs or banners aren't allowed to hang three feet over the sidewalk. I notice every year we put a banner across the entire road. Isn't that in direct violation of our own ordinance?

Mayor Hammon: I can't answer that, I'm more than willing to talk to Mike Cornette. I know in the past, it has been done, not on a permanent basis, it has to be temporary.

Mr. Thornberry: I asked if it goes against town ordinances or not and if you pick and choose. What would you enforce and when?

Mayor Hammon: I don't make the decision, Mike is hired to do it and he enforces the law. I don't know the circumstances you are referring to; therefore, it is inappropriate for me to try and answer.

Mr. Thornberry: Is there a chance Council might take a look at it?

Mayor Hammon: Tell the individual who wanted to do it to come and talk. I don't think you should be here talking for someone else.

Mr. Thornberry: The point is, is there or is there not an ordinance that says that you're not allowed to hang signs over the sidewalk in the roads? I'm pretty sure there is.

Mayor Hammon: I told you I would look into it.

Fiscal Officer Keri Everett:

1. **Dental and Vision Insurance:** (handout) The handout shows a comparison between Security Life Insurance Company of America, who we currently have the dental and vision insurance with to The Center for Local Government. A thirty-day notice is required for cancellation if we decide to go with The Center for Local Government.

2. **Appropriations:** (handout) Last time we discussed the Temporary Appropriations and now I have prepared the Permanent Appropriations. We actually carried over one million dollars, instead of seven-hundred thousand because Sunesis wanted us to make a \$500,000 to \$600,000 payment to them in December, due to a hang-up in the paperwork, it was made to them in January. We still ended up with not quite \$200,000.

Mr. Evans: Have we started getting any money from the dump yet?

Mr. Pulskamp: Since 2005, we have received \$12,252 in from Hamilton County.

Mayor Hammon: That is not of the magnitude we had hoped for, monthly we get about \$1,200 +/- fifty dollars.

Mr. Kobasuk: Keri, can you tell me where you put the extra money that you had?

Ms. Everett: The first thing I did was put \$75,000 back into the Short Park restroom. See page two under general fund.

Councilmember Tracy Hueber:

- I need from everyone, information for the newsletter.
- Are we going to endorse the fire department, they need an answer. Is there anymore discussion, I'm just going to put it on the table. Doug was the only one not here, did you get that information Doug?

Mr. Evans: I got it right now.

Mr. Pulskamp: Doug, what it breaks down to is the levy they are proposing will cost the \$100,000 valuation house, \$54.00 more per year than it did at the end of 2005.

Mr. Evans: And we'd be tied for how many years?

Mr. Pulskamp: It would be a continuing levy, they think it will last at least seven years, 2012 or 2013.

Ms. Hueber: It will always stay on there and if they need to increase it, they may not need to increase it due to the influx of money that will be coming in from Fairfax. Fairfax is going to give a lot more money, which would keep all of our cost down. That's in hopes that that gets developed.

Mr. Evans: What was the thing that somebody brought up, that if it doesn't pass in Newtown, and it passes in Fairfax and Columbia Township?

Mayor Hammon: It's a district-wide levy. It's the majority of the district.

Ms. Hueber: Did you see the difference in the collections from each district? That was on there as well.

Mr. Kobasuk: Tracy, if you're not going to get a unanimous vote at Council, do you really want to ask for it? I sense among some folks, they may not want it.

Ms. Hueber: No, I'm going to put it on the table and if you choose no, you choose no.

Mr. Kobasuk: But, is that going to hurt your cause, that is what I'm pointing out to you.

Mr. Pulskamp: It's going to hurt our cause more if this Council doesn't support it.

Ms. Hueber: If we're the only ones that doesn't do it, it's only going to hurt us.

Mr. Kobasuk: Just remember what you're asking for.

Mr. Miller: Do they have a magistrate?

Ms. Hueber: I only know what I feel is best and if people don't want to support it, then that is their choice.

Mr. Kobasuk: I'm just pointing out to think about what you're asking for because I don't know if you're going to get a unanimous vote of support.

Ms. Hueber: I'm sure there's people at this table that aren't for it.

Mr. Kobasuk: My only point is that I don't sense going around the table that you're going a unanimous vote and does that hurt the resolve?

Ms. Hueber: I think then they'll just leave it blank, but they'll know who is endorsing it and who is not because it'll be in the minutes.

Mr. Kobasuk: I understand that, it's really up to the voters, it's not up to us. It's already on the ballot.

Mr. Pulskamp: No, but it's up to us as Council that was elected by the voters whether we think this is a good thing for the village as a whole or not. That's what we're asking here, we're not asking for personal opinions, we're asking, "is this a good thing for the village?"

Mr. Kobasuk: I'm aware of what you're asking Ken. My problem is that if you're not going to get a good result...

Mr. Pulskamp: I take it you do not think this is a good thing for the village?

Mr. Kobasuk: I didn't say that.

Mayor Hammon: I'm going to stop it for a minute, just put a motion on the table and we'll have discussion and take a vote instead of arguing back and forth.

Ms. Hueber made a motion to support the tax levy for the Little Miami Fire District. Mr. Pulskamp seconded the motion.

Mayor: Okay, now discussion.

Mr. Kobasuk: My discussion point is unless you're going to get a fairly unanimous vote, are you better off not even going there? It's up to the voters. It's been approved by your board and it's on the ballot. What we do here has no legal significance and we did ask them to move it up and maybe they moved it up for other reasons. I feel obligated to go ahead and say yes and support the principle of putting it to the voters. But, I don't know if you're going to get a unanimous vote here. That is my point. I think the levy is too much, but the board voted unanimously on it and they were previed to the information. You (Tracy) and Darwin sat on the board. I'm going to have to rely on you two to have done your due diligence and I'm doing that now.

Ms. Hueber: You got the same figures.

Mr. Kobasuk: But, I wasn't in the meetings, I didn't sit through it all and I rely on the representatives that we sent there. I feel it should have gone in smaller, that's my concern but because we asked them to move it up and they did, I'm going to support it. I'm not sure what you're going to get at the end of the vote.

Ms. Hueber: We're not always sure what you're going to get on any vote.

Mayor Hammon: Anymore discussion? Motion on the table?

Roll Call: Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes. Motion Carried.

Ms. Hueber: I also wanted to thank the police department, once again, for being right on. They received a nice letter from Meridian for the suspicious package they received. Meridian was very thankful how professional they were.

Mr. Pulskamp made a motion to support the Ad Hoc committee to oversee the parking situation, at the Crull subdivision, to go back and review the situation. Ms. Hueber seconded the motion.

Mr. Kobasuk: I have some discussion on that.

Mayor Hammon: Go ahead, now is the time.

Mr. Kobasuk: It is the time and I am going to speak pretty bluntly. You know, Council, I think is divided on this. I commended you Mayor for the compromise. I totally commend you for doing that. I just think the Ad Hoc committee could be different, in two respects. Number one, I feel very strongly that the residents of the Crull subdivision should be on the committee. They are the ones directly affected by this. I would urge Council to select the three, put on the motion three residents from that subdivision. People in Ivy Hills don't need to be deciding that issue, they are the ones directly affected. The second point is; I would think perhaps the Public Service committee, Ken should be the chair of that. I think he should be on the committee. I think Curt has done a lot of work on this issue should also be on the committee. I think you want to try and balance it out. I think you and I both know that those two individuals are on different sides of the issue. We want a balanced result. Frankly, some of the comments I have heard, I tend to agree with them. The approach could have been different. I'm not criticizing Council, I was sitting here when it was voted on. I really think we need to take some of the comments into account. I don't want to see people move out of that area because of this. I think the Public Service committee may not be the best way to go. Ken is the chair, Curt could be another member of the committee and then have residents of that subdivision. I think by using the Public Service committee, I kind of know the outcome of three or two of them. I just think you want to balance.

Mr. Evans: Mark, I agree with you on that, because there has to be somebody from down there or a couple of them. You asked about the newsletter, should we put a couple of questions in there and have them send it back.

Mayor Hammon: What kind of questions do you have?

Mr. Evans: My question would be, if we got a grant, would you want curb and gutter sidewalks? I think you have to look outside the box and look at the big picture of things. Look at what we want to accomplish in the next couple of years and go forward, not backwards. I agree with those people that they should be able to have a say in what really goes on and work through the issue.

Mayor Hammon: I personally don't support Curt because I don't think Curt understands the situation and why it occurred. He does understand it now but he doesn't know why we're here and I think that's an important issue that can't lost in this whole discussion. I just don't think he understands the history and how we got here and the conditions of it. Mark, you and I talked a lot about this issue and I think that is what is lost upon you and Curt is you don't understand what the conditions were down there.

Mr. Kobasuk: Let me respond to that Mr. Mayor. What I understand, is the voice of the people. They have come here and voiced concerns. As a representative, we have to listen to them. I have listened to some of them, Curt has listened to some of them, as have you listened to some of them. I just feel how you structure a committee can affect the outcome. I urge you again to consider putting somebody on the committee besides the members of the public service.

Mr. Hueber: Mark, you even voted for this.

Mr. Kobasuk: I know I did and I regret it because it was the first night I was sitting in this chair. I was sworn in and I voted. An issue came up over more Section Eight housing in River Hills and I was the deciding vote and I voted against it because of the promise that the Mayor or somebody had made to those residents. Then I kept voting and I heard "NO PARKING," and I thought this is not an issue. I voted out of ignorance. I should have done my homework, I should have done my due diligence. But I did, but it was not an informed decision. When these people came and voiced their concerns, they had some issues. If you did this in Ivy Hills, I would be up in arms and I would come down here. Doug, I think you would be with me. They park on both sides of the streets and sometimes I can barely get by, but we live together, we get along. Denying these folks parking down there, totally, when they want to have a party or a baptism, a function or a birthday. It's not right! I have serious reservations as I have gotten into it. You're right, I voted for it.

Ms. Hueber: There have been issues where certain people have abused the system and those same people will continue to abuse the system.

Mr. Kobasuk: I agree. I do not want to go back to where we were, but I don't think we have a good solution, to totally deny parking on the streets. I voiced this to the Mayor and now we're trying to find a compromise and I commend it. I'm just asking you to structure the committee different so that there is a representative for both sides of the issue.

Mr. Pulskamp: Mark, I want to compromise, I'll tell that right up front. There is a hardship down there. There are people that don't have parking but it was not good the way it was. For some reason, it dramatically changed from eighteen months ago. When I was down there, constantly people were up here complaining to what it is now before the signs went up. If you can find a happy medium in there somewhere, sobeit.

Ms. Hueber: John has stated in here some issues in here, he is seeking help, looking for solutions. Obviously, we're in a state of talking.

Mr. Kobasuk: I understand that, my point is, let's just have an evenly balanced committee to look at it. I'm totally in support of this compromise. I don't want to see these neighbors move away and be upset over a parking issue. We have bigger issues to deal with as Newtown Council, then parking, for goodness sakes! I'm just asking for a balanced committee.

Mr. Evans: You're right Mark, either you get on there or Curt.

Mr. Kobasuk: And Ken, that's two sides of the issue.

Ms. Hueber: John has stated that he didn't want Curt.

Mr. Kobasuk: We can vote.

Mr. Cosby: I understand the history of the village, let alone that neighborhood down there. I understand the history fully. I think of the mistakes that was made with this Council is that they didn't go down there door-to-door and talk to these people individually before this decision was made. That was evident in Mark and I going down there over the last two weeks that these people were never informed prior to.

Mayor Hammon: Curt, I am going to argue with you and say that there were at least ten to fifteen households that came to address Council before action was taken.

Mr. Cosby: Where are they now?

Mayor Hammon: They are sitting in the audience, they've elected not to speak up. Yeah, they were here tonight. I've had calls and visits in support of it.

Mr. Cosby: You've got Tracy obviously in favor of it, just because I guess you brought the ordinance to the floor.

Ms. Hueber: No I didn't, Barry Phillips brought it to the floor. Maybe not Barry, but it wasn't brought to the floor, it was brought by the residents.

Mr. Cosby: And you have Darwin in favor of it because he spoke in favor of it and you have Jim Baker on the corner down there who is in favor of it. We didn't get to every house the other night, but 98% of the people we talked to very bluntly stated that it was a hardship for them, they want it back the way it was to restore harmony down there. It is a closed neighborhood. The alternative even if you use the back alley you are tearing down their fences and getting rid of their backyard. They can't have people spend the night, whose relatives come into town, if they drive in because there is no where to park. There are all kinds of hardships we have heard about over these last two weeks and you're not taking that into consideration. I don't care what the history is, this is the history here and now.

Mayor Hammon: I disagree. Talking with people over the time when this started that there is not a split, the neighborhood is split. It is split because of the abuse down there. We had six members from the Crull neighborhood come to the Council meeting when we took the vote and they spoke. We've listened to the people, I personally visited and seen the situation down there when people complained. Talk about hardship, people have parking pads in their backyard. They don't want to park there, it's an inconvenience Curt, it's not a financial hardship.

Mr. Cosby: You don't want me on the committee John, that's fine but I'm not going to sway from my opinion because I went down there and talked to the people and you have signatures in front of you.

Mayor Hammon: And so have I went down and talked to them and I've listened to them over the years. I talked to Dale Martin and he said, "what's the problem, I have to back out of my driveway to let my wife out." Is that a financial hardship?

Ms. Hueber: It's an inconvenience.

Mr. Evans: We need to do it one at a time, and work through these issues. No matter what, if their fences are in the wrong place, they will have to move the fence.

Mr. Cosby: Why?

Mayor Hammon: Because it's too narrow to drive through.

Mr. Evans: If somebody had their fence on your property, what would you do?

Mr. Cosby: You know what, the neighborhood has been down there like that Doug. We talked to people who have been there fifty-two years, forty-five years, thirty-eight years, twenty-eight years.

Mr. Evans: I'm not saying don't work with them.

Mr. Cosby: I'm saying that they never perceived a problem until this ordinance was passed, ever!

Mr. Evans: We do need to work through this problem Mark and Curt and everybody here.

Ms. Everett: May I ask a question? If you're talking about their fences may be in the right a way and having the survey done and what if they are, is your intent to have them move it and are you going to widen the alleyway and repave the alleyways and widen them?

Mayor Hammon: No, we're going to re-pave them, at this point and time.

Mr. Evans: There's liability involved too.

Ms. Everett: That's what I'm saying, then why bring up surveying and why bring up these people's fences on our property?

Mayor Hammon: The question became is who's property we're on, we're on ours our their property. There are sections of the alleyways that's blacktopped from fence to fence and it's not twelve feet. It's not twelve feet apart. Over time, someone has encroached upon the right a way.

Ms. Everett: So, by having it surveyed and finding out that none of these are on the right a way, what is the intent then after that?

Mayor Hammon: That's up to Council.

Mr. Evans: I'll throw it back to Doug Miller. If somebody is driving down there and they hit something, you know if I had a boulder in front of my place, in the right a way and somebody hit it, I'm responsible for it. First of all, I think we have to do what the law says, number one. I also say we need to work with these people to give them something that everybody can live with. I know it's going to be hard John.

Mayor Hammon: It's impacted them, I've gotten emails and you have a copy of a few of them, it's greater than that. You've got to look greater than the individuals because it does have an impact. If you talked about putting townhouses on Main Street, what are they going to overlook. That's what you got to think about, you've got to start branching out a little bit above and beyond the neighborhood. That's a thing you got to consider too when you do it, I know it's a close neighborhood, I know all that aspect of it, but you got to start thinking this village as a whole. Other residents have said, "let's start doing what's right for the village," not for neighborhood, but what's right for the village. That's what we're chartered to look for. I asked David Krings to be the chairman of the committee, to give an unbiased opinion.

Mr. Evans: I think Mark or Curt, they've been down there a lot and get some people from down there and do it the right way. It's definitely a big issue and we need to look at the best way for everybody.

Ms. Hueber: Doug, when you look at it as a liability, we as a village have brought this to the table. For one, the roads are not wide enough to legally park and get cars through on a two-way street. If all of a sudden we retract this and they all park there again. Now that we have brought this out in the open that we now know the streets aren't wide enough, wouldn't that be a liability? What if somebody's house burns down and that same person who was up here complaining, is now suing us, because the fire truck couldn't get around or the police.

Mr. Miller: You've got that potential. First of all, if the house is on fire, the fire truck will get there. It might run over parked cars getting there, but it will push them out of the way. But, you don't want to have that happen. I don't know if it makes a difference whether you had "NO PARKING" on there or didn't have "NO PARKING" or whatever in terms of liability. You're responsible for keeping your streets safe that's true. The whole thing is, Council is the one who put it on, Council is the one that can take it off, Council is the one who can set up this committee however they want to set it up. You're sitting here arguing over stuff, do what you want to do. It's obvious there was a problem before, it's obvious there is a problem now.

Ms. Hueber: We measure the right a ways of the streets, John, and we stripe those streets just like we do out here. There's no way people could then park because they would be on that white line because there's not enough in their front yard to park.

Mr. Miller: What white line, on the end of the road? People are allowed to park in them, there's no law that says you can't park in the right a way, unless you make one.

Mr. Pulskamp: She's saying if we actually mark lanes.

Ms. Hueber: Mark lanes, then if somebody is parked in the lane, they'll see you've got to have a space to get through.

Mr. Cosby: He just said, there's no law that you can't park in the right a ways.

Mr. Miller: Again, you're trying to solve the problem tonight and you need to let the committee work on it.

Ms. Hueber: I think John has a point, it comes down to not a hardship, it's an inconvenience, 75%

Me. Miller: One person's hardship is another person's inconvenience.

Mayor Hammon: I said there are hardships down there Tracy. Recognizing that, that's why I'm trying to work to get financial aid for those who need it.

Mr. Kobasuk: My question is, are we going to go to other neighborhoods after this? Are we going to Jefferson, are we going to Edith or other areas and measuring these streets and moving fences? That's not what I want to do as Council.

Mayor Hammon: Well, I think that's what the citizens are asking you. What are going to do next? You're going back and re-sending what Council did previously thinking it was right, what's your next

thing that you're going to re-send or what are you going to change next? That's what the other citizens of this town are asking. I can tell you I had that presented to me probably ten times following the week of the last Council meeting.

Mr. Kobasuk: That's fine. I hear the outpouring of emotion from these residents and they tell me it is selective enforcement, my question back to Council is, are we going to Jefferson next?

Mr. Miller: Is Jefferson a twelve foot street?

Mr. Evans: No, there are no alleys back there.

Mr. Kobasuk: But there is parking in front of the right a way. We had a drive through Mayor, we say people parking.

Mayor Hammon: I don't know Mark, I have not worked to see that the law says no parking on that. I can go back from previous Council meetings, back fifteen, eighteen, twenty years ago when Bill Judd lived there, it was pointed out and he wanted to strictly enforce no parking, no parking pads and we made several people pull out parking pads that they had put on that paralleled the roadway. There are some parking pads now, the question of it is why go enforce it, what is the law up there? I don't know that off the top of my head. I haven't spent time going through it all. I'm well aware of it, I know it's an issue and that's something I have to address. Are we going any place else? Mark, Council didn't initial this. You got to remember the citizens came here and spoke out.

Mr. Kobasuk: I understand, that was before my time on Council. But, there was not three readings on that ordinance to give people a chance to hear everything and give them a chance to come down and put a referendum on, it was passed on one reading as I recall.

Ms. Hueber: If we had had three readings, no one still would have been down here.

Mr. Kobasuk: Tracy that's not the point.

Mr. Pulskamp made a motion to support the Mayor's Ad Hoc committee and the moratorium for enforcing the parking to review the situation of the parking at Leonard, Crull and West Street subdivision.

Mr. Kobasuk: Can I have some more discussion on this? After we vote on this, I'm going to propose a competing motion.

Mr. Evans: This motion here is if we have a committee, right?

Mr. Pulskamp: Just so we can set up a committee.

Mrs. McCarthy: Any time, we do these committees, it always turns out to be a disaster. How long of a time line are we looking at with this committee?

Mr. Miller: Vote please, I've been sitting here since 4:30 p.m. Will you please make a decision on something.

Mr. Kobasuk: Is this the vote for the committee for the Ad Hoc or just a committee in general?

Mr. Pulskamp: The committee in general.

Mr. Pulskamp made a motion that the Mayor set up an Ad Hoc committee to review the parking situation at the Leonard, Crull, West Street area.

Mr. Kobasuk: See, it's the "Mayor" that has to set it up. I want to propose.....

Ms. Hueber: Why can't the Mayor, he just stated that he has total trust in the Council as a whole.

Mr. Kobasuk: For the reasons I indicated. I thought Ken and Curt should be two competing factions or two members of that committee.

Ms. Hueber: Well, are you not using his better.....are you not? You don't think he's got the.....?

Mr. Kobasuk: I think he's a fine Mayor, he's doing a fine job. Okay, Tracy if that's what you want me to say. I'm just proposing a different committee structure.

Roll Call: Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-No, Mr. Cosby-No, Mrs. McCarthy-No. Mayor: I vote I.

Mayor Hammon: That was to set up the committee, I don't know why you don't want to set a committee up, didn't talk about membership.

Mr. Kobasuk: It said, "as the Mayor set it up." That gives you discretion, how are you going to set it up.

Mayor Hammon: That's right, you want input into it?

Mr. Kobasuk: I do.

Mayor Hammon: All right, that's fine. As I talked to you before, I believe if somebody gets to re-send it, and I don't even know who the committee is. I told you, I thought it was these three, but I don't even know that. I didn't even go check to look. I knew Ken was chairman, but that's all I know.

Mr. Kobasuk: I believe that is the committee.

Mr. Miller: What committee?

Ms. Hueber: The street committee.

Mr. Evans: We'll make sure we get a committee you guys feel comfortable with.

Mr. Cosby: You know my opinion, as you stated earlier, it's not a biased opinion. My opinion was formed by going down there and talking to these people. That is not a biased opinion. I don't live down there. I don't have any interest in one way or the other. I'm just representing what I went down there and heard. I don't know why that is so difficult.

Mr. Evans: We're going to get a committee everybody feels comfortable working with.

Ms. Hueber: John is making the committee, so there. That's what we just voted on.

Mayor Hammon: Tell me if you want to be on it or not. Put names in the hat and draw them out, other than Ken. I think Ken is going to stay on.

Mr. Kobasuk: The Public Service committee is Ken, Doug Evans and Tracy Hueber. The Mayor is going to make up the new committee.

Mr. Miller: I will tell you this, if that is a committee of Council, your meetings are public meetings. They have to be open to the public. You do not have to take any comments or testimonies from members of the public, but you do have to let them know.

Mrs. McCarthy: How long will this process take?

Mayor Hammon: I cannot answer that. It depends on when they come up to a resolution, Debbie.

Mr. Puskamp made a motion to accept the January and February Mayor's Monthly Statements to Council, as presented. All Aye. Motion Carried.

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

Mr. Puskamp made a motion to adopt ORDINANCE 06-2006 AN ORDINANCE ADOPTING THE VILLAGE PERMANENT APPROPRIATIONS FOR 2006, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Evans seconded the motion. Ms. Hueber-Yes, Mr. Puskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes. Motion Carried.

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

Mr. Puskamp made a motion to adopt ORDINANCE 07-2006 AN ORDINANCE WAIVING FEES FOR THE CONSTRUCTION OF OFF STREET PARKING FACILITIES, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Evans seconded the motion. Ms. Hueber-Yes, Mr. Puskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes. Motion Carried.

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

Mr. Puskamp made a motion to adopt ORDINANCE 08-2006 AN ORDINANCE AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH FULLER FORD FOR THE PURCHASE OF A MAINTENANCE TRUCK. Ms. Hueber seconded the motion. Ms. Hueber-Yes, Mr. Puskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes. Motion Carried.

Councilmember Doug Evans:

Mr. Evans made a motion to approve the Checklist, dated 3/14/2006. Ms. Hueber seconded the motion. Ms. Hueber-Yes, Mr. Puskamp-Yes, Mr. Evans-Abstain, Mr. Kobasuk-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes. Motion Carried.

Mr. Evans made a motion to accept the January 2006, Monthly Financial Statements. Mr. Cosby seconded the motion. All Aye. Motion Carried.

Councilmember Curt Cosby:

- At the last meeting, we made a motion on the Anderson Township Little League's use of Short Park, as well as Moundview Park. We also talked about Miami Valley Christian Academy putting in a field down there.

Mr. Cosby made a motion to accept an agreement for Anderson Township Little League to use Short Park. Mr. Puskamp seconded the motion. All Aye. Mr. Evans-not at table; therefore abstain. Motion Carried.

Mr. Cosby made a motion to accept Miami Valley Christian Academy to put in a field at Short Park for April through July, 2006. All Aye. Motion Carried.

Councilmember Debbie McCarthy:

Mrs. McCarthy made a motion to accept Council Minutes for November 14, 2005, November 22, 2005, December 6, 2005 and December 13, 2005. Ms. Hueber seconded the motion. Ms. Hueber-Yes, Mr. Puskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Cosby-Abstain, Mrs. McCarthy-Yes. Motion Carried.

Mrs. McCarthy: Doug and Ken, I need to know when your committee meetings are so I can get them on the website.

Mr. Puskamp: Public Service meetings will be the first Tuesday of the month, at 6:00 p.m. at the Maintenance Building.

Mr. Evans: The Finance meetings will be the third Tuesday of the month, at 7:00 p.m.

Solicitor Doug Miller:

- It's been months since I have heard from the Railroad, because they just don't return my phone calls. I finally talked to them regarding the agreement involving the storm drain system. We pay \$70.00 per year to be able to go through their right a way at the railroad. They wanted us to cough up \$2,000 to get a permanent right a way, which really wasn't any more permanent than what we have now. Which was about thirty years worth of payments. They are sending me out paperwork saying that we are going back to the old \$70.00 per year.
- The Zicka property is done.

Ms. Hueber made a motion to adjourn at 10:10 p.m. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.