

The March 28, 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:** Doug Evans                      Debbie McCarthy  
Tracy Hueber                      Ken Pulskamp  
Mark Kobasuk

**Absent:** Curt Cosby

**Mayor:** John Hammon  
**Solicitor:** Doug Miller  
**Fiscal Officer:** Keri Everett  
**Chief of Police:** Daryl Zornes  
**Street Commissioner:** Charlie Siegel

**Mayor Hammon:** Let the records show that all are present, except for Mr. Cosby. Would anyone like to address Council?

**Resident Brian Thornberry:** 6612 West Plum Street. I would like to thank the Newtown Civic League for sponsoring the Knothole Baseball team again. I greatly appreciate it.

**Chief of Police Daryl Zornes:** I have no report.

**Street Commissioner Charlie Siegel:**

- **Round Bottom and Main Street:** Traffic signals are complete. To my knowledge, Brandstetter Carroll feels Wager Smith has completed the contract with us installing that control cabinet and updating the signals in that intersection.
- **Storm Drain on School Street:** Storm drain has deteriorated, I got an estimate. We do have a dry well in the middle of the street that we could run that storm drain to and that would alleviate the flooding problem on that curve line down there at the school.
- **East Plum Street:** We looked at that today, we're evaluating what to do there. It definitely holds a lot of water in that one area. We will address that at a later time.
- **New Pickup:** Will be in tomorrow and should be in service by the end of the week.
- **Council Chairs:** I did get some estimates to replace the Council chairs that are over twelve years old. We'll have to go with new chairs, if that is what you choose there are no replacement parts to what we currently have, they are obsolete. Ken has the list and book for you all to look at, there are four styles.

**Mayor John Hammon:**

- **Ad Hoc Committee:** I have to tell you, I am very disappointed, I only had two people step forward to be involved. I'll give it an additional twenty-four hours if anyone wants to be involved, call Townhall and leave a message. If I don't get another person, I'll appoint somebody myself. As it is now, there are three Councilmembers; Tracy Hueber, Mark Kobasuk, and Doug Evans. There will be three residents and David Krings will sit and be the moderator for the committee. Leo Honnebrink, a resident who has a tremendous amount of experience in traffic studies, is willing to come forward to serve as an advisor to the committee.

**Resident Brian Thornberry:** We have some people here who are interested that came tonight specifically for this reason.

**Mayor Hammon:** Leave a voicemail or write your name and number on a piece of paper and I'll contact you sometime tomorrow. I don't want to sit here and discuss it.

**Mr. Thornberry:** Will we have a say or is it just you once again making the decision.

**Mayor Hammon:** I'm not in the decision Brian.

**Mr. Evans:** Brian, I'll guarantee you if Mark, Tracy and I are on there, everybody's voice will be heard.

**Mr. Thornberry:** I'm glad that you're at least looking in it again, I thank you for that. For all of you who signed the petition, it will only cost twenty-five dollars each for the attorney if you want to try and fight this in a bigger way. Hopefully, it can be remedied here or we'll seek legal counsel.

**Resident Shirley Torrence:** When you do decide who the members will be, when will that start? Are you waiting until the next Council meeting?

**Mayor Hammon:** No, I will name the sixth person and then let David Krings know and he'll call a meeting to try and start as quickly as possible. Our target is one month to have a recommendation come back as to how the pattern should be down there. The committee meetings will be here at Town Hall and open to the public.

**Solicitor Doug Miller:** Let me point out one thing because I heard Brian say a couple of times they are checking into getting legal counsel and I would assume that would be to maybe do some initiative petition or something.

**Mr. Thornberry:** The people who signed that petition were directly against. When 80% of a no-outlet subdivision believe in something, it doesn't take too much common sense to understand it, they don't want it.

**Solicitor Doug Miller:** I'm just trying to address something you said. I'm not sure what legal counsel would have to do with it, other than if they are helping you do an initiative petition.

**Mr. Thornberry:** I don't even know what that means, all I can tell you is you guys keep talking about this being in the future so I'm going to tell you what is going on. You know what you in future is to have the sidewalks and street drains, but we're against that and that is where we're headed with it. You sat here yourself and said it won't cost a single citizen a dime because you're going to get grants and loans. I'm telling you that the same people who signed that petition, they are prepared, we don't want to be messed with that. We want to be left alone. (I lost my train of thought, I'm getting excited here.) I didn't make any notes because I didn't want to talk tonight, I

just wanted to listen. The problem is, we feel we're being ran out because of our income. We've been parking there our entire life. There is no issue. We will petition grant committees and our congressmen and tell them you are using the money to drive people out and not drive people in. Since you have put the "NO PARKING" signs up, four houses have gone up for sale and all four have been seen by at least three people and turned down and said they would not move in here because of the no parking.

**Ms. Hueber:** We are forming a committee, you just said that nobody is going to agree with parking on one side of the street. We already decided it will never go back to the way it was, plain and simple.

**Mr. Thornberry:** That is why we need legal representation.

**Ms. Hueber:** If you're going to do that, then when we put this committee together, this committee is to come up with a solution. If we decide there would be parking on one side of the street, I can guarantee you that if we picked the other side of the street, you're going to be complaining. We have to come up with a solution. You're already dead set against parking on one side of the street, you want it the way it was. It is not going to be the way it was.

**Mr. Thornberry:** We want to be able to park in front of our own homes. I grew up here, I've been lucky enough to live in the same home I grew up in. My mom emailed you John today and she would like to come out and visit the grandchildren, but she can't with the new law because there is no place to park.

**Resident Darwin Brooks:** 6622 Crull Street. First of all, I'd like to thank Council for putting the signs up, eliminating the parking in the city street. Secondly, I'd like to offer my name for the committee. I have a financial investment down here. I'll submit that tomorrow.

**Resident Brian Thornberry:** First of all, I thought we weren't allowed to have a business down there. I don't know how we got a business there and now we have a second business down there. What's going on with that? Darwin has a machine shop down there and I work in a machine shop, you have oil, metal shavings, cleaners. I've only seen a HAZMAT truck one time. What does he do with his waste? How did he get a business in a non-business district, how does that work?

**Mayor Hammon:** Board of Zoning Appeals, I would assume, that or the Planning Commission.

**Mr. Thornberry:** No assumption. What about Mr. Burger moving his lawn mower shop there?

**Mayor Hammon:** I can't comment on that.

**Resident Randy Smith:** 7493 Pinehurst Drive. I am happy to answer any questions you may have for the School District.

**Mayor Hammon:** I understand the School District has no problem with the final draft of the CRA.

**Mr. Smith:** That is what I understand from Rick Toepfer.

**Resident Donna Brooks:** 6620 Crull Street. My husband lives next door. When will you have the results of the survey for the Crull subdivision?

**Mayor Hammon:** They'll be here at Town Hall, hopefully Monday. It's not a complete survey, just certain parts.

**Mrs. Brooks:** One more thing, the biggest offender here is not even a property owner.

**Mayor Hammon:** All right, I'm going to close the no parking discussion at this time.

**Fiscal Officer Keri Everett:** No report.

**Councilmember Tracy Hueber:** No report.

**Councilmember Ken Pulskamp:**

- Storm Drain on School Street: Rack Seven can do the project right away for \$2,575.00

**Mr. Pulskamp made a motion to approve \$2,575.00 for Rack Seven to repair the storm drain on School Street. Ms. Hueber seconded the motion.**

**Discussion for Storm Drain:**

**Mr. Evans:** I was there with Charlie today and I think Charlie did the right thing looking at it. I would concur, I just want to make sure Rack Seven cuts it out and puts it in the right now and not just put it in on top of the existing pavement. I think they will for that price.

**Ms. Hueber:** Did they quote to fit it out like Doug is saying?

**Mr. Siegel:** I'm not sure to be honest with you.

**Mr. Evans:** I'm sure they will if you tell them that is the way we want it. That way we won't have a problem down the road.

**Mayor Hammon: All in favor? All Aye. Motion Carried.**

**Councilmember Ken Pulskamp:**

- Council Chairs: That whole side of the table has been complaining for a while about the chairs. They are over twelve years old, I think we originally paid \$3,032.00. Charlie has contacted the person we got them from and they gave us four different options. We'd like to go with their recommendation to replace all chairs, which is the second cheapest, out of the four. To replace all chairs would be \$3,007.40, it will be the same material since it has worn well.

**Mr. Pulskamp made a motion to approve \$3,007.40 to be paid to the Warehouse Office Mart for nine chairs. Mrs. McCarthy seconded the motion.**

**Discussion to Replace Council Chairs:**

**Mr. Kobasuk:** Do we really need new chairs? I'm looking at them and they seem serviceable to me.

**Mayor Hammon:** I will defend it, I thought we didn't need them until I sat in a couple of chairs. You're sitting in probably the best chair.

**Mr. Kobasuk:** I have a budget issue this year, these look perfectly serviceable to me. I'd just like to see us not spend a lot of money given we have the fire contract to live up this year.

**Mayor Hammon: We have a motion on the table:**

**Roll Call: Ms. Hueber-No, Mr. Pulskamp-Yes, Mr. Evans-No, Mr. Kobasuk-No, Mrs. McCarthy-Yes. Motion Failed.**

**Mr. Pulskamp:** We did look at repairing them and parts are not available.

**Mrs. McCarthy:** Okay, the bad seats are going to go to you guys.

**Councilmember Ken Pulskamp:**

- I'd like to have the third reading for the CRA's, to get them passed and implemented for our residents.

**Mr. Pulskamp made a motion to accept the Third Reading on CRA-2 (FLOOD PLAIN) A RESOLUTION IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF NEWTOWN AND DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM AND CREATING A COMMUNITY REINVESTMENT AREA HOUSING COUNCIL AND A TAX INCENTIVE REVIEW COUNCIL.**

**Mrs. McCarthy seconded the motion.**

**Solicitor Doug Miller:** If you're doing the flood plain, it's the same description. If you're doing the other area, the description has changed.

**Mr. Kobasuk:** The problem I have is this is a very important ordinance and I think we need to give it due deliberation. Last night, I received the only copy Council had, I gave it back to the Mayor. I reviewed it last night, it seems to be in order. The last one we had had a mistake and we had left out parts of Newtown that should be in one of the CRA's and that was caught. My point is, seven minds are better than one. Why not give it an additional reading, we all get copies and do it next time. I just want us not to make a mistake like could have happened last time. I just think we all should take some time to look at it and let the Solicitor get the ordinances in the right form. I'd like to make sure it's correct.

**Mr. Miller:** I'm just a little concerned that I don't have the same description.

**Mr. Pulskamp:** The area I brought up first is the flood plain area, which is the smaller area. That description is fine and no problems.

**Mr. Miller:** I reviewed it quickly and there didn't seem to be any difference. The ordinance refers to the survey of housing (attached herein as "Exhibit A") and I'm not sure if all of this is what we would want as Exhibit A or just the housing survey.

**Mrs. McCarthy withdrew the second of the motion.**

**Mr. Kobasuk:** Let me just state for the record, I am not opposed to this, I'm just trying to do it in the right manner.

**Mayor Hammon:** I'll contact Catherine and get enough copies for everyone to review.

**Councilmember Doug Evans:**

**Mr. Evans made a motion to accept Checklist, dated 3/28/2006. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.**

- Finance Meeting: We discussed ways to collect Income Tax from people who owe us that have not been paying R.I.T.A. Keri may have some input.

**Ms. Everett:** I approached Doug with it today and he wants time to review the information I found out. Before we can do anything, we have to set up an Income Tax Appeal Board.

**Mr. Evans:** Would that be similar to this Tax Incentive Review Council?

**Mayor Hammon:** No, it's to hear people that don't agree with rulings, they come here.

**Mr. Miller:** Before you start taking people to court, you need to have the Appeal Board in place. What happens is the Tax Commission from R.I.T.A. would tell the taxpayer what they owe and why. There needs to be an Appeal Board so that person could appeal R.I.T.A.'s decision. I think it calls for five members.

**Ms. Everett:** Three members and I'm the secretary.

**Ms. Hueber:** Do they have to be residents?

**Mr. Miller:** I think they do. You can put it on the website for volunteers.

**Ms. Everett:** I'll put a notice on the website.

**Councilmember Doug Evans:** (Continued)

- We also discussed the possibility of David Krings looking into locating grant money to go toward purchase of new facility for Town Hall.

**Mayor Hammon:** You really need to have a plan so you have to spend the dollars amount to have a plan to show people what you want to achieve. There are people out there that write grants for a living. Senator Voinovich sent a letter saying he has a personal staff who will research also.

**Ms. Hueber:** When I attended the Municipal League, a lady gave me a phone number. They said at the end of the year there is so much grant money left over that you just have to write for it. There is an area that is just for grant writing in Columbus. It's in the notebook from the Municipal League.

**Mr. Kobasuk:** I have that notebook, I'll share it with you David. Mr. Mayor, what would our plan be, you talked about needing a plan to get the grant money.

**Ms. Hueber:** The last grant we got was when Greg Thomas was doing the park and we got a grant for \$300,000.

**Mayor Hammon:** My goal is that we try to achieve the E-Check building and go from there. I talked to John Russell here and he said it is not worth while to try and do much here unless we take the property next door going out to the side. The actual police department is where a garage was, we're very limited to how we can expand here. I would like to see the money go toward the E-Check building. We're maxed out here, we have storage issues and we're running out of room.

**Mr. Kobasuk:** I'm in favor of that, I just want to make sure David has a plan.

**Councilmember Mark Kobasuk:**

- **Planning Commission:** Last night, Gerard Brothers Construction made an application for 6621 to 6623 Main Street. The owner wants to sit up a small kiosk and a parking lot to operate a coffee shop, an office and sell hot dogs and snow cones. This town has so much to offer, if we could just work together and get some of this animosity put aside, we have much going for us being so close to down town.

**Solicitor Doug Miller:**

- **Solid Waste Management Committee of Environmental Services:** They have updated the solid waste management plan and are asking all communities to vote yes or no to the update of the management plan. If you vote yes to pass a resolution within ninety days of whenever. I'll bring a resolution next time.

**Mayor Hammon:** (Surveying Crew) They were out the 3<sup>rd</sup>, 6<sup>th</sup> and 7<sup>th</sup> of the month. Mr. Couzins had a concern about his sign being damaged. The surveying crew was long gone by the time Mr. Couzins was down there.

**Mr. Pulskamp made a motion to adjourn meeting at 8:40 p.m. Mrs. McCarthy seconded the motion. All Aye. Motion Carried.**

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