

The May 23, 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 (arrived 8:04pm) Ken Pulskamp

**Mayor:** John Hammon  
**Solicitor:** Rob Butler  
**Fiscal Officer:** Keri L. Everett  
**Chief of Police:** Daryl Zornes  
**Lieutenant:** Tom Synan  
**Street Commissioner:** Charlie Siegel (absent)

**Lieutenant Tom Synan:**

- **Traffic Blitz:** We had our first traffic blitz. In a four-hour period, we issued forty-two citations, made eight misdemeanor arrests, approximately ten misdemeanor arrests of warrants of container, obstructing official business and confiscated 145 grams of marijuana. In the process, we handled a mentally disturbed person call. The point of this, one is that the residents and business people do have legitimate concerns. We are hoping that the message we send out to the public is that we that we will not tolerate aggressive driving. That was the result of the first blitz.

**David Krings, Assistant to the Mayor:**

- **Crull Subdivision:** (Attachment) I have given you all a draft report from the Crull Subdivision No Parking Committee. I will correct this and share it with the committee and share any comments they may have and convey it to Council via email.

**Mayor Hammon:** This is a draft and it will come back for legislation, is Council going to take action and we can discuss it at that point.

**Mr. Krings:** (Continued)

- **Health Insurance:** The Center for Local for Government has been working with Anthem and other providers about the renewal of the health insurance. Last Fall, when we went with the Center, we saved roughly 17% off of the then, United Healthcare charge. United Healthcare had told us to expect when we did the renewal this year, there would be about a 10% increase. When the Center people sent out the renewal, Anthem came back well into the double-digit increases, like 25-31%, depending on the locality. Of course, that was unacceptable to the Center and they are now looking closely at United Healthcare. I told them that I really don't want to come back here with a recommendation that the employees go through another change, what would it take to keep roughly the same plan? They're working on that and the Mayor and I and whomever the Mayor designates will be meeting with the Center representative this Thursday afternoon. The renewal is August 1<sup>st</sup>.

**Mrs. McCarthy:** Keri, why did we leave United Healthcare to begin with?

**Mr. Krings:** We saved 17% with what I believe was a better plan. I'm told by the Center that United now is quoting a plan that parallels the Anthem plan that the Village employees have now.

**Resident Darwin Brooks:** (Member of No Parking Committee) David, was the draft a consensus?

**Mr. Krings:** I think everything, except item 6.

**Mr. Brooks:** I'd like to issue protest, I was not here. Taking the signs away, that's what drove this whole thing where it is now. If you take the sign down, I can't get out of my driveway.

**Mayor Hammon:** Write up a minority report and state your position and opinion and we'll attach it to the draft.

**Mr. Kobasuk:** Darwin, I just wanted to indicate that we basically, as a committee, we are going to revisit this issue if the problem becomes what it was before. We're trying to let these residents work it out. If they don't, the committee or Council would come back and revisit it. Hopefully, the problem will be resolved by resident participation.

**Mayor Hammon:**

- Church Street Construction meeting is scheduled for Thursday, 8:30 a.m., here at Town Hall.
- We need minutes approved from last Council meeting so we can put them with the application of the state.
- We have some weed and dog ordinances to work on.
- In the past, we have canceled the second meeting of the month for June, July and August. You need to decide whether you want to do that.
- I'd like Executive Session for personnel.

**Councilmember Ken Pulskamp**

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

**Mr. Pulskamp made a motion to adopt ORDINANCE #11-2006 AN ORDINANCE PROVIDING FOR AND AUTHORIZING WEED CUTTING, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY for property located at 6614 Crull Street. Mr. Evans seconded the motion. Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Cosby-Yes, Mrs. McCarthy-Yes. Motion Carried.**

**Mr. Pulskamp:** Do we want to try and pass the ordinances for the loud dog noise and the dog excrement?

**Mr. Cosby:** What exactly is the loud dog noise going to be?

**Mayor Hammon:** I've been receiving complaints about people allowing their dogs to bark all night long. Right now, it takes two people to call in to make it a nuisance call. Solicitor Miller and I didn't talk a lot about it.

**Solicitor Rob Butler:** In talking to Doug about this, apparently you guys had talked about the dog excrement ordinance, but not so much the loud dog noise ordinance. He said he would just prepare it for tonight so you all could take a look at it.

**Mr. Kobasuk:** That's the first time I've heard of the loud dog ordinance. One of the observations I have is perhaps we ought to do something like this with three readings to give people a chance to come in and voice concern. The weed cutting is a problem that we need to address right now. But, dealing with dogs, I just think we ought to take three readings and let people come in and talk about it and give it some due deliberation. I think Council should be duly deliberative and take things into account. We do a lot by emergency, I'm not opposed to the ordinance, I would just like to read it for than five minutes before I vote on it. I would like to just have at least two readings, I just want to do things in a deliberative process.

**Mayor Hammon:** I'd like to see it match up with our quiet time, from 11:00 p.m. to 7:00 p.m. I do have problems with people who have dogs that bark continuously.

**Mrs. McCarthy:** Do we need to have two of these ordinances in the newspaper?

**Mr. Pulskamp:** No.

**Mrs. McCarthy:** The whole point to do three readings is to have residents come in and voice their opinion.

**Mr. Pulskamp:** If the Journal wants to do an article that we're in the act of passing an ordinance for dog excrement and dog barking.

**Ms. Everett:** They'll be in the minutes and on the website.

**Mr. Butler:** I tend to agree with Mr. Kobasuk. I think that being here once a year, I see a lot of things done by emergency and sometimes I do wonder whether you should take more time to look at stuff.

**Mr. Pulskamp made a motion to have the First Reading of an Ordinance prohibiting Loud Dogs. Mr. Evans seconded the motion.**

**Mr. Pulskamp made a motion to have the First Reading of an Ordinance requiring the removal of dog excrement. Mrs. McCarthy seconded the motion.**

#### Councilmember Doug Evans:

**Mr. Evans made a motion to approve Checklist, dated 5/9/2006. (Previously authorized Mayor Hammon, but not voted on.) Mr. Kobasuk seconded. All Aye. Motion Carried.**

**Mr. Evans made a motion to approve Checklist, dated 5/23/2006. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.**

Councilmember Mark Kobasuk: In light of our planning session, I don't have anything tonight.

#### Councilmember Curt Cosby:

- Little League: They would like to hang a banner recognizing those of have assisted with field improvement; i.e., Motz, ATLL and Village of Newtown.

**Mrs. McCarthy:** We approved that last year, as long as the banner has nothing to do with liquor or tobacco.

**Mr. Cosby:** Is it necessary to have a permit with it being a non-profit group?

**Mayor Hammon:** Churches are required.

**Mr. Cosby:** I'll let her know.

- Short Park: Little League didn't use it this spring the way they wanted to, because it needs a lot of work. They've had a few teams practice, but have not scheduled games down there. They'd like to put some work into it after their season is over. They're talking about investing thousands of dollars to get that field in shape like Moundview is. Every year, there is this renewal process, is there a way we can permit the use of that field down there on at least an annual or two-three year basis? Because of the amount of money they want to put into the field, I certainly feel that is a reasonable request.

**Mr. Pulskamp:** Didn't we talk about the school also wanting use of the field?

**Mr. Cosby:** They're on the opposite end. I think we've looked at giving the school long-term opportunity there as well, because they're going to build a field from scratch.

**Mr. Evans:** I don't have a problem with a two-year contract just to make it easier on everybody.

**Mr. Cosby:** They don't want to put a few thousand dollars into the field at Short Park and then come next spring, be told they can't use it.

**Mr. Evans:** That's fair.

**Solicitor Butler:** I'll talk to Doug Miller to draft a Resolution to extend the term to a two-year period.

**Mr. Cosby:** (Continued)

- **Ragland Road Creek:** It originates at River Hills channel and the creek goes down. Charlie tries to repair a pipe that is crushed there, where that channel dumps out, it flows on into Yeager's property, the pipe stops too soon and has caused a bunch of erosion behind a couple of houses on Ragland Road. One man's building is right at the edge of the landslide because of the erosion from water. I said something to Charlie and I also think Dave Stenger took a look at it. I just wanted to make Council aware of that. I've not heard back anything about how much it would cost to fix. I think it's something we need to look at and see what we can do to fix.

**Mayor Hammon:** One of the biggest troubles we have is we may not have a right-of-way, easement, right-of-entry. Somehow we're going to have to go back and research all of the channels to see if we can go on the property. The pipe was totally buried last year because people dump on it.

**Mr. Cosby:** I think people will give you permission to come onto their property. We did a out-fall channel out of River Hills because of an erosion problem, which took a big pipe over the side of the hill to fix that, the Village did that. Further down the same creek, they put in new piping and the grates to keep a child from getting sucked through the pipes, so they did work there. To say, we're not going to do any work at the end of it where it's now eroding property, I think since you set a precedence by doing work on it, I don't think it's any different than McCullough's Run, which we've done work on in the past. That runs through private property throughout the Village and we've maintained that.

**Mayor Hammon:** When the pipe was extended, they got the right-of-entry to do the construction. I do remember that.

**Councilmember Debbie McCarthy:**

**Mrs. McCarthy made a motion to approve Council Minutes for March 14, 2006, March 28, 2006 and May 9, 2006. Mr. Cosby seconded the motion. Ms. Hueber- Yes, Mr. Pulskamp- Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Cosby-Abstain, Mrs. McCarthy-Yes. Motion Carried.**

**Councilmember Tracy Hueber:**

- Newtown carried the Levy during the election. It was surprising to me that we're the ones who got that Fire Levy passed. Ivy Hills carried the seat. Columbia Township passed, Fairfax was 50/50.
- Fire District received \$10,000 grant from Maxwell House.

**It was decided to for Council to observe the regular monthly schedule for the summer.**

**Ms. Hueber made a motion to go into Executive Session, at 8:15 p.m., to discuss hiring personnel. Mr. Evans seconded the motion. All Aye. Motion Carried.**

**Council meeting reconvened at 8:21 p.m., action is to be taken, as a result of Executive Session.**

**Mrs. McCarthy, Chairperson of Human Resource Committee, Mayor and Lieutenant Synan, Keri, and Council has approved to hire Tammy Day for the Clerk of Court position, at \$15.00 per hour. Ms. Hueber seconded the motion. All Aye. Motion Carried.**

**Council Meeting adjourned at 8:25 p.m.**