

The October 25, 2005 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 Ken Pulskamp  
Tracy Hueber Greg Thomas  
Mark Kobasuk

**Absent:** Keri Everett  
Debbie McCarthy

**Mayor:** John Hammon  
**Assistant to the Mayor:** David Krings  
**Solicitor:** Doug Miller  
**Lieutenant:** Tom Synan

**Mayor Hammon:** (A few updates)

- 1) **Next Council Meeting:** The next Council Meeting will be November 9<sup>th</sup>, Wednesday following Election Day.
- 2) **Meet the Candidate Night:** Will be November 3<sup>rd</sup>, at 7:30 p.m. at the FireHouse. Doug Hall will be the moderator.
- 3) **Property Maintenance Inspector:** We negotiated a contract with Dick Weber. He comes with much experience at North College Hill. Dick has his workers comp insurance, we have completed a background check. I thought it important to hire someone outside the Village. I have asked for a motion to hire Richard (Dick) Weber for twenty-four months at a rate of \$30.00/hour.

**Mr. Pulskamp made a motion to hire Richard (Dick) Weber for twenty-four months at a rate of \$30.00/hour. Mr. Evans seconded the motion. All Aye. Motion Carried.**

**Mr. Weber:** Thank you very much, it's a pleasure. I will enjoy participating and bringing things around to the way you want to see them.

**Mayor Hammon:** Dick will drive around assessing properties. Procedure will be the same. His hours are not set; therefore, he can work at night when people are home. Whatever it takes to get the job done.

**Mayor Hammon:** Would anyone like to address Council at this time?

**Resident Darwin Brooks:** 6620 Crull St. Is there an ordinance regarding garbage cans not being put out until 6:00 p.m.? Who enforces it?

**Mayor Hammon:** The police up to this point.

**Lieutenant Synan:** By all officers.

**Mr. Brooks:** I understand that Rumpke will not pick up a refrigerator that sits out unless it has a tag. What is the process if there is no tag?

**Mayor Hammon:** We just tell them to take it back. The door has to be removed and freon removed.

**Ms. Hueber:** So, the garbage has been taken, but the refrigerator is still there?

**Mr. Brooks:** The garbage is still there. They put it out today. There have been many Service Department vehicles go by that site today.

**Mr. Pulskamp:** Is the house vacant?

**Mr. Brooks:** So, members of Council, do you know the process?

**Ms. Hueber:** There is an ordinance where the garbage shouldn't be set out prior to Sunday, this is a vacant building.

**Lieutenant Synan:** They just moved out, they don't live there anymore. I could go knock on the door and nobody would answer. My suggestion is to let the garbage pick it up Sunday.

**Mr. Brooks:** You are going to let it sit there all week and on the curb?

**Lieutenant Synan:** Well, if no one is living there.

**Mr. Evans:** If somebody wants to bring it down and put it in my dumpster. Liability wise, I can't send guys to get it.

**Mr. Brooks:** I understand. I may be down. Numerous times on Sunday evening or Saturday garbage has been set out and Service vehicles drive by and don't get out to investigate. That's where I'm going with this. If it's an ordinance and you have service people to police that?

**Lieutenant Synan:** The police write the tickets, my question is, why don't you call?

**Mr. Brooks:** Those service people are on patrol.

**Mr. Thomas:** Maybe they don't know the ordinance.

**Ms. Hueber:** Obviously, there are exceptions to the rules when one goes on vacation. Usually, the garbage cans that are sitting out are always the same people. Tom, maybe we can make note to the officers when they see this to knock on their doors and warn them next time they will be cited or given a ticket.

**Lieutenant Synan:** We do that regularly. It would help if residents would call.

**Mayor Hammon:** It's a fine line. You want it cleaned up, but you don't want it out at the curb to be taken away. I think we need to be sensible and work the issue.

**Lieutenant Synan:** I went to their house and there were two junk cars and the garbage. They cleaned up the junk cars the very next day but left the stuff sitting by the house.

**Ms. Hueber:** We did get rid of the junk cars. That was a plus and in this situation with the abandoned house, we do have our hands tied. It's a safety issue even with the doors off, it could

fall forward and someone could suffocate in it face down. Should we go ahead and have Charlie take the refrigerator?

**Mr. Brooks:** Daryl Foster has a license to deal with refrigerators. The address is 6622 Crull St.

**Mr. Thomas:** We'll take it to the Maintenance Barn first.

**Ms. Hueber:** Daryl may take it for free for us if you take it to the Maintenance Barn.

**Tom Busse:** Ragland Road. I am here representing the Newtown Civic League. I have talked with our insurance carrier and the insurance is squared away for this year. There will be no additional cost as first thought; therefore, the hayride will happen. We are waiting on confirmation from Meridian and Ivy Hills to confirm the dates. Our preferred weekend would be the December 9<sup>th</sup> and 10<sup>th</sup>. If you could get it in the Forrest Hills Journal, and the website. I'll get you some fliers. Santa Claus has been contacted and he'll be there too. All is well.

**Mayor Hammon:**

- 1) **Eastern Corridor:** We have a new map of the Eastern Corridor. Newtown will sit in the middle of all the bike trails. The Park District said the bike trail will be open mid June, up through Terrace Park through Milford on up to Loveland, as far as you want to go to the east. There is some additional information back there if you want to take a look at it.
- 2) **Handout:** You have information on TIF's and JED's. This is from a meeting Mark and I attended October 5<sup>th</sup>. I think it is important you understand the difference between the two. Greg Kathman is scheduled to come back November 9<sup>th</sup> to bring some resolution to his points.
- 3) **Anderson Chamber of Commerce:** I met with Carolyn Mosley of the Anderson Chamber of Commerce. They would like to become active here in Newtown. I invited her back in January, once the new council changes. At that time, she will give a presentation. They are going to list our website on their website now. It's really kind of interesting what they want to do.
- 4) **Intersection at Roundbottom/SR32 & River Hills Dr.:** Bruce will meet tomorrow with Wager & Smith about the controller at the signal light at Roundbottom/SR32 and River Hills Drive. I know it is an issue. I have received a lot of phone calls and emails regarding the timing. He is looking into how we can upgrade it. I have asked Charlie to look into battery back up for all the traffic signals, that way if the electric goes out the signals would continue to work. A back up roughly lasts about six hours.

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

**Ms. Hueber made a motion to accept ORDINANCE 33-2005 AN ORDINANCE DECLARING A 1997 PLYMOUTH VOYAGER AS SURPLUS, AUTHORIZING ITS SALE AND DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Thomas seconded the motion. Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Thomas-Yes. All Aye. Motion Carried. (this is a drug-seized car)**

**Councilmember Tracy Hueber:**

- 1) **Fire Department:** The Bargaining Agreement has been completed and will receive more information later.
- 2) **Employee Appreciation Luncheon:** I talked to John about having an "Employee Appreciation Luncheon", for Keri and all her hard work and we have Becky that has come into to help, the police department and the maintenance department. Mike will be here. I can cater it in from Montgomery Inn, I can get it very cheap. If Council wants to come too. I can get it for \$3.00 per person. John, do you think that's a good idea? In all reality, we could invite the Civic League.

**Mayor Hammon:** I think we should show the employees appreciation.

**Ms. Hueber made a motion to cater an "EMPLOYEES APPRECIATION LUNCHEON", for all employees, councilmembers and village people, not to exceed \$200.00. Mr. Thomas seconded the motion. All Aye. Motion Carried.**

**Ms. Hueber made a motion to a First Reading, ORDINANCE 34-2005 AN ORDINANCE REGULATING ALL DOOR-TO-DOOR SOLICITATION. Mr. Pulskamp seconded the motion. All Aye. Motion Carried.**

**Mr. Miller:** This does have a provision where you can post your property "NO SOLICITING" it gets a dimension on the sign there, then no one is allowed to solicit you. You put your name here at the Village and if someone applies for a permit, we tell them they can't go to your address. That's a change from what we have now. Each house has to be posted with a "NO SOLICITING" sign. Read it and call me with any questions.

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

- 1) **MSD:** The \$10,000 check from MSD was delivered and is deposited. I have given you a copy of the "Thank You" letter to Dave R. for his help. In that letter, I made it clear that the next tap for the park shelter is "free", as long as we use the same water tap. I believe we'll be able to use the same water tap. At least this time, we have a record. It's been delivered to all the various city people. I checked to make sure that it was actually distributed there. Nobody has gone back on that yet. We have that taken care of.

**Mayor Hammon:** \$5,140 of that was spent today for the permit.

- 2) **Healthplan:** You should get moving on that, each of you. I have given you a handout as to a cost of the various plans we have been considering as well as a comparison of the benefits. I

have shared that with representatives from the county, Center for Local Government and the current provider, that would be United Healthcare. We talked before about this going to Ken's committee and get a tentative selection of a provider. I think we should do that fairly soon and present it to the employees.

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

**Mr. Pulskamp made a motion to adopt RESOLUTION 20-2005 A RESOLUTION ACCEPTING A GRANT FROM THE OHIO PUBLIC WORKS COMMISSION, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Thomas-Yes. All Aye. Motion Carried.**

**Mayor Hammon:** To inform the people, this is a \$1.4 mil project. I think our share will be \$150,000, as it sits today. This will be a six-month project. Water Works will come and replace the waterline all the way down the hill. Probably about the same time they're doing Ragland Road. Traffic must be maintained, it will not be shut down.

**Mr. Pulskamp:** So the audience knows, it is the other side of Church St., south of SR32. There will be new curbs, gutters, and sidewalks; basically, it will be like this side of Church St.

**Councilmember Ken Pulskamp:** Has everybody had a chance to look at the website? I was going to tell Debra, "she did a very good job on it, it looks great." There are some things I would like to bring to Council's attention just to get their views before I go to Debra with them to get things that need to be fixed. Originally when we were doing the website, she brought up the "Village Voice" and we need to find out where that goes. It was my understanding and Councilmembers wanted to have copies of that, not just the one person.

**Mr. Thomas:** Voice?

**Mr. Pulskamp:** There is a thing on the website that says, "Village Voice" and it is for complaints and suggestions and other things and where is that going to?

**Ms. Hueber:** Remember we said everybody was supposed to get that email instead of going to one person so we all know what is going on with it.

**Mayor Hammon:** Kenny, I would say to call a "Website Committee Meeting".

**Mr. Pulskamp:** I know, I just wanted to get Council's feelings so I can do this.

**Ms. Hueber:** See, I think everybody should see it. Does everybody else think that complaints that come through Council, everyone should be copied?

**Mr. Kobasuk:** Sure

**Mr. Evans:** Sure

**Mr. Pulskamp:** Then I will talk to Deborah. Doug, correct me if I am wrong; you are not the "yard waste drop off site for Hamilton County" anymore?

**Mr. Evans:** No.

**Mr. Pulskamp:** Okay, so that needs to be corrected on the website because they have Doug Evans listed as the "yard waste drop off site." John, is Deborah the Chairperson of the Planning Committee, Plan Commission, not the Committee, Planning Commission?

**Mayor Hammon:** The Commission Chairman is John Russell.

**Mr. Pulskamp:** Okay, then that needs to be corrected because they have Deborah as the Planning Commission Chairperson. Council Committees need to be updated, most of the Committees on there only have one or two people listed on the Committees so I will have her do that.

**Ms. Hueber:** She can just take that updated sheet that John just passed out. Just give her that.

**Mr. Pulskamp:** I'm going to have her alphabetize the list of Council people so it is easier reading, easier to go down. On the one page on the "Calendar Events," which is a main page in there, there are pictures of non-Village businesses listed on our website. I don't think we should be promoting non-Village businesses with pictures. There are also quite a few non-Village businesses listed under the "Business" section of our Village website, so I'm going to have her remove those. There are six different businesses listed under "Businesses" and they are not within the Village limits. Then she needs to correct the history, I don't know where they got the history from; but they have that "Newtown" became a township in 1960 when we divided from Anderson Township, that Anderson Township once controlled us.

**Mayor Hammon:** That's a true statement.

**Solicitor Doug Miller:** That is probably true but totally irrelevant for anything anybody would need to know. I mean, what you're really

**Mr. Pulskamp:** Anderson Township did not become a township until 1793. The "Village of Newtown" was founded in 1792.

**Mayor Hammon:** It became "Newtown Township" in the 60's.

**Mr. Pulskamp:** But we became a "Village" in 1792.

**Mayor Hammon:** That's a true statement.

**Mr. Pulskamp:** The statement on the website says, "that we were divided from, that we broke out from Anderson Township."

**Ms. Hueber:** Let's just put on there when we became a Village.

**Mr. Miller:** It's "TRUE", it's just a technicality.

**Mr. Pulskamp:** Right.

**Mayor Hammon:** That was done for "fire issues" and that's the reason why we have "Flagg Spring Cemetery."

**Ms. Hueber:** So do we want it to say, "Village in 1792"?

**Mr. Pulskamp:** In the original history, I would like it to say the "Village of Newtown" was founded in 1792, that we were not part of Anderson Township.

**Mr. Miller:** That is all you need to say.

**Mr. Pulskamp:** Other than that, the website looks GREAT! She's done a nice job. I have a list of businesses that are in the Village of Newtown and I want to give to her to put on the website.

**Mayor Hammon:** Ken, I appreciate this but it really could have been done in a Committee meeting.

**Mr. Pulskamp:** I just wanted Council's input also.

**Mayor Hammon:** Go ahead that's my opinion.

**Mr. Pulskamp:** I'm done John.

**Councilmember Doug Evans:**

1) **Checklist:** There are a few big numbers, \$347,000 to Sunesis, \$100,000 to J.R. Jurgensen for Valley and Roundbottom. Are these final payments?

**Mayor Hammon:** Those are partial payments. There are a couple of issues with the intersection that we have not resolved. Keri deducted the Parks payments to us and should not have. She had already written the check out. I said, "let it go for now." Sunesis, until it is completed, we will not do final payments.

**Mr. Evans made a motion to accept the Checklist, dated 10/25/2005. Ms. Hueber seconded the motion. Mr. Evans-abstained, Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Kobasuk-Yes, Mr. Thomas-Yes. Motion Carried.**

**Councilmember Mark Kobasuk:** Should we be doing anything for the tax levy that is going to be on the ballot? As I campaign, people are not asking me about it and I'm wondering if the word is getting out for these folks to pass it. I just have a concern, if the word is getting out and people are going to pass it.

**Ms. Hueber:** The Newsletter will be out soon, should be two weeks prior to the election.

**Mr. Kobasuk:** Do you think that is sufficient?

**Mr. Miller:** You cannot spend Village funds to promote the levy, I don't know if you're talking about something outside of the Village?

**Mr. Kobasuk:** Finding a committee and maybe getting some folks to advocate.

**Mr. Miller:** That is probably something that shouldn't be done at this table. If individuals want to go ahead and do that, certainly can.

**Mayor Hammon:** I had planned to kick it off and explain in more detail at Meet-the-Candidates.

**Ms. Hueber:** "Meet-the-Candidates" will have all but twenty people, so that is not really user friendly.

**Mayor Hammon:** All of these people represent twenty people, so you might be surprised.

**Councilmember Greg Thomas:** Maintenance had a committee meeting yesterday morning. The sewer tap will be installed, should be this week for the Maintenance Barn. The new truck we purchased will be in this week. We have surplus of a couple mowers and purchased one other mower.

**Mr. Thomas made a motion to surplus two mowers, one is a Ex-Mark Ranger, six years old. One is a John Deere, 510 mower, seven years old. I'd like to make motion to declare these two mowers surplus, valued under \$1,000 each. Ms. Hueber seconded the motion. All Aye. Motion Carried.**

**Mr. Thomas:** We're going to purchase a new Ranger mower.

**Mr. Thomas made a motion to purchase a new Ex-Mark Ranger from E-Con-O-Wise Sales, not to exceed \$6,799.20. Ms. Hueber seconded the motion. All Aye. Motion Carried.**

**Solicitor Doug Miller:**

1) **Cell Tower:** The only other thing I have is to report on the Cingular tower. Ken had insisted that I go back and try to get \$9,400. I actually got them up to \$10,000. I can finalize that with them. The main change is there is no more escalator in the contract. It was to go up every five years as the contract renewed by whatever the consumer price index was capped at 15%. That is what is now coming out and will stay at \$10,000 per year. They do have eight or nine more (five-year) renewable terms. I think the original was for fifty years. They want to be able to modify the tower if they need to, which kind of makes sense. It does talk about relocating it within the premises. I don't know there is another place they could go. The rent increase is what they were getting out of so it would stay at \$10,000 per year. I'll go ahead and do the final contract.

**Mr. Pulskamp made a motion to approve the contract renewal for the Cell Tower at the Maintenance building for \$10,000 per year for rent. All Aye. Motion Carried.**

**Mr. Pulskamp made a motion to have a First Reading on AN ORDINANCE REGULATING DOOR-TO-DOOR SOLICITATION. Ms. Hueber seconded the motion.**

**Ms. Hueber made a motion to adjourn. Mr. Evans seconded the motion.**

Completed 12/16/2005  
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