

The January 27, 2015 meeting of the Newtown Village Council was called to order at 7:00 p.m. by Mayor Curt Cosby, who led the Pledge of Allegiance to the Flag.

**Councilmembers:** Joe Harten  
Mark Kobasuk  
Cheryl McConnell  
Chuck Short  
Curt Tiettmeyer  
Daryl Zornes  
Solicitor: Doug Miller  
Fiscal Officer: Keri Everett

Flag Spring Cemetery - Cemetery Deed Process (Reported by Mayor Cosby)

This cemetery was established in 1863 by the Independent Order of Odd Fellows, Lodge No. 152 and has gone by many names: Flagstone Cemetery, Flagg Spring Cemetery, Flag Springs Cemetery, even just Newtown Cemetery. Due to the previous operations of the cemetery, Newtown requires that a deed to a plot be presented before burial takes place. In an effort to assist those that have been left the natural owner of grave plots and do not possess a formal deed, Mr. Harten asked Solicitor Miller to draw up a process that will allow one to make application for a new deed. Mr. Gillespie has acquired the assistance of several volunteers that have been working to organize the cemetery records. Solicitor Miller will discuss a process with Mark Gillespie and bring it back to Council.

Brandstetter Carroll, Inc., Project Status Engineering Updates  
Engineer Bruce Brandstetter

1. Grant Projects

- OPWC District Funds were not awarded for Edith/Pine/Jefferson, nor SR 32 Storm Sewer
- District has recommended both projects for Small Government Funding. District sends up seven projects; Edith/Pine/Jefferson and SR 32 Storm Sewer were two of the seven projects.
  - Revised applications due 2.3.2015
  - Award notification in early May 2015
- At District level:
  - Edith/Pine/Jefferson was 10<sup>th</sup> for LTIP funds out of 66 projects. Four projects funded.
  - SR 32 Storm Water was 21<sup>st</sup> for LTIP funds
  - If not funded by Small Governments, recommend 50% match for future applications

2. Lake Barber

- BCI is coordinating Punch List items with Evans. Bollards, fence and restoration are items
- BCI coordinated with Mark Gillespie on solution for erosion issue at end of pond

Round Bottom Road Storm Pipe Failure

There is flooding on Round Bottom during a heavy rain. Mr. Kobasuk inquired about the status of this issue. Mr. Brandstetter said Ben has been working on an agreement with Hydro Systems to gain access to the property. Police Chief Synan said this pipe failure is a safety hazard and agreed it needs to be repaired. The police department will close the road when needed and work with the maintenance department to pump the water and control traffic. The road floods regularly, four times in the past year. Mayor Cosby will follow-up with Ben.

Chief Tom Synan – HB 129

June 19, 2014, Chief Synan attended the HB 129 bill signing ceremony in Columbus with Governor John Kasich, State Representative Peter Stautberg and others. He presented a framed signed copy of HB 129, along with a pen used by Governor Kaisch to sign the bill, to Mayor, Village Council and Newtown residents. Mayor Cosby and Village Council thanked Chief Synan, on the behalf of Newtown residents.

HB 129:

*To amend sections 2903.21, 2903.211, and 2903.22 and to enact section 2903.215 of the Revised Code to specify that aggravated menacing, menacing by stalking, and menacing include words or conduct that are directed at or identify a corporation, association, or other organization that employs the victim or to which the victim belongs and to authorize the corporation, association, or other organization that employs two or more victims or to which two or more victims belong to seek protection orders in certain cases.*

Miami Valley Christian Academy / Short Park Update (Reported by Joe Harten)

In recent discussions with MVCA's attorney and Solicitor Miller, it was proposed that we conduct a geophysical assessment of the underground materials that are in the former landfill at Short Park. Materials/objects will be located with specialty ground penetrating radar (GPR 305mHz Antenna) and GPS technology. The items will be mapped for further discussion and for site planning purposes.

**Mr. Harten made a motion to approve an amount not to exceed \$4,500 to MAKSo/ve for a ground-penetrating survey of the old landfill at Short Park. Mr. Kobasuk seconded the motion.**

Discussion

Mr. Short asked if this is going to benefit MVCA, shouldn't they partner with the Village and pay half or all of the cost. Mr. Harten said this will benefit everyone to know what is there. Mr. Kobasuk said it could be added in the contract to share the costs, after the results are determined.

Lake Barber Project Update (Reported by Joe Harten)

Currently, there is not a fence at Lake Barber on the Hydro Systems side of the property. Hydro Systems is concerned of the potential liability once the lake is open to the public. In a meeting today, Hydro Systems expressed interest to install a fence with a gate, which will give access to the boat ramp at the end of the property. The gate will also allow their employees to continue enjoying walking around the lake. Hydro Systems will obtain bids and costs for the fence and installation of the fence. It is a great gesture on the part of this organization. A signed agreement will come after numbers are received.

Planning Commission Update (Reported by Cheryl McConnell)

The Planning Commission did not meet in January. The next meeting is Tuesday, February 3, 2015 at 7:00pm.

2015 LMFD Fire Board Update (Reported by Mark Kobasuk)

In an effort to reduce the possibility of an additional tax levy, discussions with an adjoining political subdivision are continuing. If this jurisdiction joins the LMFD, it is projected that a tax levy will not go to the Newtown voters until 2020. The Fire Board would then have eight members, including two new members from the new jurisdiction. Mr. Tiettmeyer thanked Mr. Kobasuk for his efforts to reduce the cost to Newtown citizens. Mr. Kobausk thanked Terry Fairley, member of the Fire Board, resident-at-large.

Ordinance, Salary for Part-Time Police Officer Michael Wedding

**Mr. Kobasuk made a motion to suspend the rules, seconded by Mr. Short. All Aye. Motion Carried.**

**Mr. Kobasuk made a motion to adopt RESOLUTION NO. 10-2015 AN ORDINANCE ESTABLISHING THE SALARY FOR A NEWLY HIRED PART-TIME POLICE OFFICER, WAIVING THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

Mr. Tiettmeyer said in the past, there had been a line for not only what part-time employees make, but that any part-time employee hired in the year would receive the same rate. This would eliminate the need to prepare a resolution on an individual basis. Chief Synan said that would work better than having to come up with a resolution to hire someone mid-stream. He said the police department currently has three open slots.

Checklist

**Mr. Tiettmeyer made a motion to approve the 1.27.2015 Checklist for \$161,396.82. Mr. Harten seconded the motion. All Aye. Motion Carried.**

Resolution, Supplemental Appropriations and Transfers

**Mr. Tiettmeyer made a motion to suspend the rules, seconded by Mr. Zornes. All Aye. Motion Carried.**

**Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 11-2015 A RESOLUTION APPROVING SUPPLEMENTAL APPROPRIATIONS AND TRANSFERS FOR CALENDAR YEAR 2014 AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2014, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

2015 Budget Items from Department Heads (Reported by Curt Tiettmeyer)

Maintenance Department and Parks' numbers have been received. The budget as it looks thus far will be sent to Council.

Municipal Center Odor Issue (Reported by Curt Tiettmeyer)

A meeting was held January 23<sup>rd</sup> at 3:30pm at the Municipal Center regarding the ongoing odor issue. Mayor Cosby, Curt Tiettmeyer, Mike Spry, Keri Everett and Becky Fairley met with Bill Carroll, Proactive Consulting Services, Tony Akers, Structural Systems Repair Group were present with Permakil on speaker phone. Bill Carroll has done testing for various gases. Permakil has been an advisor on bat removal. SSRG gave several opinions, including reducing the height of the hose tower. The end result was recommendation to implement several phases: Phase I: the most immediate phase four

things: 1) install outside vents that are two inches in diameter in the concrete block around the base of the tower. This would help determine if the bat guano has been dropping down into the concrete blocks. 2) install two fresh air vents – one directly above the ceiling of the copy room and one at the top. This will provide for air circulation in the hose tower. 3) Sealing the openings at the top of the tower. A bat can fit into an opening the size of a dime and larger. 4) Installing a door on the second floor will provide easy access for the workers without having to enter through the copy room. It will also provide an access for future inspections. Mr. Tiettmeyer suggested authorizing himself, mayor and fiscal officer to enter into a contract to repair these basic services for an amount not to exceed \$10,000. Mike Spry thinks these services can be done for well below this amount.

**Mr. Tiettmeyer made a motion to approve an amount not to exceed \$10,000 for repairs to the hose tower, under approval of Mayor Cosby, Mike Spry, Curt Tiettmeyer and Keri Everett. Mr. Harten seconded the motion.**

#### Discussion

Mr. Kobasuk asked if anyone had recommended taking down the tower. He said it may be best to excise the cancer and bite the bullet and take it down. Mr. Tiettmeyer said he was in favor of lowering the roof. The Permakil representative said the bats will continue to enter the tower as long as the tower is there. The bats have roosted in the tower for years and have already marked the tower with pheromones. Mr. Tiettmeyer said the option to remove the tower would leave us without a copy room; therefore, more money would be spent to create a new space. Mr. Kobasuk said he thought removing the tower was discussed at the last council meeting. Mayor Cosby said most in the meeting agreed it wasn't the solution unless the entire tower was removed. Mayor Cosby said this is a good first step to a solution. Mr. Tiettmeyer said it was unanimous with the experts that taking these steps and venting the tower, within one week there should be significant improvement.

Google maps show there was a vent pipe inside the tower before construction started and it was removed. The belief is that the pipe was properly capped off, but if odor problems continue after taking these steps, then we have to keep going with other steps. The next step would include cleaning and sealing the inside of the concrete blocks because it's a porous material and perhaps there is bat guano coming through. Mr. Tiettmeyer said we don't want to go there yet – we start getting into more money if the tower is totally removed. Taking the hose tower down five feet is estimated to cost \$30,000. Mayor Cosby said installing the vents will allow the concrete block and tower to breathe. Location of some of the vents will target the location of the vent stack for the sewer to see if the pipe is visible. There would then be further investigation higher up to make certain the pipe is capped off. SSRG will install the access door and vents from inside of the tower.

Mr. Kobasuk asked if any of the experts detected any health issues to those that reside daily in the building, such as Mayor Cosby, Keri or Becky. Mr. Tiettmeyer said no, but they recommended no one enter the tower without wearing proper gear. Mrs. Fairley asked about the estimated time frame to clean and seal the tower. Mr. Tiettmeyer said that would be Phase II. Phase I should result with immediate relief of the odor, according to the three experts. Mrs. Fairley said, if there is or isn't immediate relief, the hose tower would still need to be cleaned and sealed, right? Mr. Tiettmeyer said they were split on the decision whether the tower should be cleaned since it is their belief it isn't harmful unless one enters the tower. He said if the odor is eliminated, it eliminates the problem. Mr. Tiettmeyer suggested completing Phase I before deciding steps for Phase II. He said cleaning and sealing the walls of the hose tower would be one of the next steps to consider. Mayor Cosby said the first priority is to get the air flow changed through ventilation. He also said cleaning and sealing is probably something that still needs to be explored. Mr. Tiettmeyer said he is not saying this is the total solution, but if it's going to generate immediate results and make it better for everyone, he's all for it. We will know a lot more about taking step 2 once the vents are installed. Mrs. McConnell asked if an estimate had been given to seal the walls. SSRG's estimate to coat the interior shaft of the hose tower is \$12,000, stated Mr. Tiettmeyer.

Mrs. McConnell asked if the environmental company hired also deals with plumbing issues. Ms. Everett said Proactive Consulting Services is just an environmental testing company. He said Bill Carroll, Proactive Consulting Services went through a gamut tests. Mrs. McConnell asked if they tested for dry traps. Ms. Everett said the plumber DER used during construction came out and she also called MSD. Mr. Tiettmeyer said results of the testing detected no sewer gas and others have said it is not sewer gas. Mayor Cosby said last Friday, someone in the meeting said if that vent was indeed in the block wall that it may not have been detected by their equipment. Mr. Kobasuk thanked Mr. Tiettmeyer for his efforts in troubleshooting this problem.

**All Aye. Motion Carried.**

Hamilton County Treasurer Designate Proper Taxing Authorities (Reported by Curt Tiettmeyer)

Becky contacted the Hamilton County Treasurer's office regarding the 11.6.2014 letter Mayor Cosby sent requesting they designate the proper taxing authorities on Village of Newtown Real Estate Tax Bills. This request will provide more clarity to Village taxpayers if individual property tax bills disclose the amount of taxes being paid specifically for the Little Miami Joint Fire & Rescue District. *Currently, the tax bill still shows the Little Miami Fire and Rescue levy reporting as a "Township" tax, not a fire district tax. When it says "Township" on the tax bill for Newtown residents, it really means "Little Miami Fire and Rescue District."*

After speaking with Treasurer Goering, Chief Deputy Michael R. Lonneman responded in an email stating their current computer software is unable to breakdown the tax distribution per our request on the bill. The auditor and treasurer offices are currently working to implement a new real estate software package that will be in effect as of December 1, 2015 for next year's real estate taxes. Mayor Cosby said he will call Rob Goering to help facilitate the request.

Resolution, CRM Holdings (Website Maintenance)

**Mr. Tiettmeyer made a motion to suspend the rules, Mr. Zornes seconded the motion. All Aye. Motion Carried.**

**Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 12-2015 A RESOLUTION APPROVING A CONTRACT WITH CRM HOLDINGS LIMITED FOR WEBSITE MAINTENANCE SERVICES, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion.**

Discussion

Sund and Company has provided website assistance since June 2010. They are closing their business so Becky researched companies and has recommended we go with Chris McMahon, CRM Holdings Limited. The contract has been reviewed by Solicitor Miller and references have been checked.

Mr. Tiettmeyer said we really don't spend much money on website maintenance, as Becky does most of the work updating the website. CRM will support Becky with technical aspects when needed.

**Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

Resolution, Duke Energy Retail Sales, LLC

**Mr. Tiettmeyer made a motion to suspend the rules, Mr. Zornes seconded the motion. All Aye. Motion Carried.**

**Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 13-2015 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A MASTER SERVICE AGREEMENT WITH DUKE ENERGY RETAIL SALES, LLC TO PROVIDE ELECTRIC GENERATION SUPPLY AND RELATED SERVICES, DISPENSING WITH THE SECOND AND THIRD READINGS, AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

Resolution, Natural Gas Aggregation

July 8, 2014, Village Council passed Ordinance 10-2014, which authorized all necessary actions to create a governmental natural gas aggregation program in the Village of Newtown and directing Hamilton County Board of Elections to submit the question to the electors to authorize a natural gas aggregation program with opt-out provisions.

The Aggregation program was approved by the voters in the November 4<sup>th</sup> General Election. Public Hearings to discuss the electric portion of the program will take place March 10, 2015 at 2pm and 6:30pm at the Municipal Center.

Electric and Gas prices will be available in May. Ms. Everett will have a representative attend a Council meeting to discuss the process.

**Mr. Tiettmeyer made a motion to suspend the rules, Mr. Zornes seconded the motion. All Aye. Motion Carried.**

**Mr. Tiettmeyer made a motion to adopt ORDINANCE NO. 4-2015 AN ORDINANCE ADOPTING A PLAN OF OPERATION AND GOVERNANCE FOR A NATURAL GAS AGGREGATION PROGRAM IN THE VILLAGE OF NEWTOWN, DISPENSING WITH THE SECOND READING AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

### Economic Development Meeting

Duke Energy is sponsoring the Economic Development - Thursday, January 29<sup>th</sup> from 7:30am to 10:30am in Sharonville. Mayor and Council are invited. There is no fee to attend. Curt Tiettmeyer, Cheryl McConnell and Mark Kobasuk plan on attending.

### Cell Phone Purchase and Policy (Reported by Curt Tiettmeyer)

The current cell phone plan is up for renewal by the end of February. Mark Gillespie sent Council information from various cell phone carriers. Mr. Tiettmeyer contacted four other communities to compare their cell phone policy. 1) Fairfax: Carrier: Verizon (Government Plan), PD does not have village cell phones issued. Their Maintenance supervisor is issued a smart phone (\$60/month); maintenance personnel have basic cell phones (\$35/month). 2) Deer Park: Carrier: MobilComm 2-way phones for everyone, 3) Terrace Park: Carrier: Sprint Direct Connect. Police Chief/Administrator and Maintenance Supervisor are issued phones and 4) Amberly Village: Administrator and Maintenance Supervisor receive a \$150 per year compensation for personal cell phone. They do not compensate maintenance for their personal cell phones.

Mark Gillespie said Newtown is unique and a little different from the other communities. The cell phones for the maintenance department would be for business-use only and would be the primary use of contact. Smart phones for the maintenance technicians would serve as a documentation tool with the ability to receive and send emails. The technicians could address maintenance-related emails if the supervisor would be on vacation. Taking pictures and videos of street and park issues would prove to be an invaluable tool. The phone would also serve as a repository for policies and procedures. Amberly Village provides computers for the maintenance department to access; therefore, Mr. Gillespie believes the smart phones would be a cost savings. The smart phone would also be used as a training tool. Cemetery records could be accessed from the smart phone when out of the shop. The phones could also be used as an inventory management system.

Cell phone carriers and plans vary; Verizon is the cheapest to fit the needs of the department. The phones will be free of charge with a \$150 credit per phone since the carrier is switching from Cincinnati Bell to Verizon. The plan offers ability to upgrade every ten months with the ability to terminate the contract at any time. Mr. Gillespie believes a life-proof case for the phone would be sufficient and sees no need to have insurance. He said he has not had any issues with his personal smart phone in a life-proof case.

Mr. Kobasuk asked if we were talking about just three phones for the maintenance department or talking about a broader cell phone policy. Mayor Cosby said three phones. There is no penalty or cost to add or subtract phones at any time with the Verizon plan. Mr. Kobasuk asked if Mr. Gillespie was convinced the maintenance department technicians that work under him need a smart phone. Mr. Gillespie said, yes he believes it is an efficiency factor. Mr. Kobasuk asked Mr. Tiettmeyer what his determination was after talking to the four municipalities.

Mr. Tiettmeyer asked Solicitor Miller to comment in terms of emails and text messages and the Village's responsibility of public record. Solicitor Miller said it could be a problem whether one is using a Village-issued cell phone or a personal phone. It is public record if one is using their personal cell phone or their personal computer for Village emails. There should be a refresher course as to items that are allowed to be deleted. An electronic message can be deleted once it has gone beyond its administrative necessity, stated Solicitor Miller. Mayor Cosby said the rules have been spelled out in the Records Committee. Mayor Cosby reiterated that one is responsible to keep Village records, whether it is a private cell phone or Village-issued cell phone.

Mr. Gillespie said a picture speaks a thousand words; having the capability to take pictures has already proven to be efficient. Last week, Josh used his personal cell phone to video a pipe that was leaking into Lake Barber. The video was emailed to Village Council and the Police Department instantly. A councilmember quickly identified the pipe as coming from Ivy Hills Golf Course. Mr. Harten said this was a real-time example handled in an efficient manner. In the past, a series of phone calls would have taken place and a decision would not have been made until the next Council meeting. Mr. Short said going with the smart phones would be a more efficient way of doing business and money well spent. Mrs. McConnell said she is impressed with the itemized list Mr. Gillespie presented to Council on why the smart phones would make the department more efficient. The fact the Village can get out of the agreement at anytime without penalty is also a bonus. Mr. Tiettmeyer said that would probably not happen, as they would not go backward.

Mr. Tiettmeyer presented four options to discuss and choose from:

- 1) Provide basic cell phones for everyone (maintenance supervisor and two technicians (\$100-\$130 per month)
- 2) Provide a smart phone for the supervisor and basic cell phones for the two technicians (\$130 range per month)
- 3) Provide no Village cell phones for anyone and just reimburse the employees. Mr. Tiettmeyer said this option is probably out, since the maintenance supervisor needs a Village cell phone to prevent his personal number from being published. This option would get the Village out of the cell phone business.

- 4) Give everyone a smart phone. Mr. Tiettmeyer said other than this being the most expensive option, the other part of it is taking into consideration the public record policy. He said even though we can say we can educate people. We're talking about two maintenance workers. Mr. Tiettmeyer said while Mark would do his best watching over them, he is pretty nervous about a maintenance worker deleting messages and not understanding or not willing to comply. Mr. Tiettmeyer said he thinks we have great guys but thinks it's a temptation to use the phones and frankly, doesn't think it is necessary. He is also concerned about the cost that could be incurred to replace the smart phones. Mr. Kobasuk said if replacing the phones became an issue, the cost to replace the phone could come out of the employee's pocket.

Mr. Kobasuk asked if the cell phone program for smart phones was just for the Maintenance department or for other employees. He asked why single out the three maintenance employees and not give Becky and Keri smart phones. Mr. Short and Mayor Cosby said it's based off of the need. Mrs. Fairley said she has used her personal cell phone for Village-related business for years, but is not asking for reimbursement. Chief Synan said the police department has used their personal cell phones for about ten years and have never asked for any reimbursement. Mr. Kobasuk said it seems we are treating people differently. Mayor Cosby said they are different. Mr. Gillespie said his needs are different from Chief Synan's. The maintenance guys do not have a computer to go back to at the office to retrieve email. Chief Synan said he has talked to his guys and they are not going to be upset if Maintenance is issued smart phones. Mayor Cosby said what Council needs to vote on is if they buy into what Mark is trying to do with efficiency. The agreement can be cancelled at anytime without penalty. The change in cell phones could be reassessed in six months or a year.

**Mr. Tiettmeyer recommended going with Option 2: purchase a smart phone through Verizon for the Maintenance Supervisor and buy basic cell phones for "call only" for the two maintenance employees. Mr. Kobasuk said he will second the motion because Mr. Tiettmeyer spent time looking into it.**

Mayor Cosby said that curtails what Mr. Gillespie is trying to do within his department from one worker to the next. Mr. Tiettmeyer said it also absolves Council from other legitimate concerns in terms of public record. Mrs. McConnell said everyone is subject to the public record law at any given time. Mr. Tiettmeyer said everyone here is professional; we have maintenance workers that are fine gentlemen but don't know. Mrs. McConnell said they are capable of understanding the rules. Mr. Tiettmeyer said to keep in mind if they violate the rules the Village is responsible.

Mr. Harten asked about the cost difference, for a point of reference. He said he is hearing \$130 to \$180 so we're talking about a difference of \$50 per month. Mr. Tiettmeyer said it would be \$70 to \$100 difference per month. Mr. Tiettmeyer suggested "call only" (Option 2) for the two maintenance employees, due to the public record concern.

**Roll Call: Mr. Harten-No, Mrs. McConnell-No, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-No, Mr. Short-No. Motion Failed.**

**Mr. Short made a motion to approve Option 4: free smart phones for the Maintenance Supervisor and two maintenance employees, based on suggestions from the Maintenance Supervisor. Mrs. McConnell seconded the motion.**

#### Discussion

Mr. Kobasuk asked Mr. Tiettmeyer his thought. Mr. Tiettmeyer said if the apprehension to his motion was due to "no texting," then he is fine with adding the texting. He is still concerned with the cost, the data programs given to the maintenance employees, replacing the phones, as well as the uncontrolled use of the phones.

**Mr. Harten amended Mr. Short's motion to review the cell phone program for the Maintenance department in six months.**

**Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-No, Mr. Tiettmeyer-No, Mr. Zornes-No, Mr. Short-Yes. 3:3 Vote – Mayor Cosby-Yes Motion Carried.**

#### Council Minutes

**Mr. Zornes made a motion to approve the 1.13.2015 Council Minutes, seconded by Chuck Short. All Aye. Motion Carried.**

Human Resource Committee (Reported by Daryl Zornes)

The committee will meet Tuesday, February 10<sup>th</sup> at 6:15pm.

Maintenance Department Update (Reported by Chuck Short / Mark Gillespie)

Bids for various catch basins and Lake Barber bridge repair have been submitted. There are 271 total catch basins in the Village. Eight catch basins are in need of repair this year. J.K. Meurer is repairing three of the eight: two on Harriet Lane and one on Main Street in front of Village Tavern. J.K. Meurer is lumping the two on Harriet Lane together. The five remaining are new issues and do not have bids at this time but do need to be repaired in 2015 because they are on Main Street and they are failing. Four of the five are on Main Street, the other one is on Riverhills Drive, across from Meridian, which may be under warranty. Mr. Short said he thought Rack Seven repaired the one Riverhills Drive. Mayor Cosby asked Ms. Everett to check on the catch basin on Riverhills Drive. Mr. Tiettmeyer said the budget request had five catch basins in need of repair. He asked if this was for three more plus the two currently in the process. Mr. Short said they were trying to get the budget amounts to Mr. Tiettmeyer as soon as possible, but will double check the numbers.

Bids have been received to repair the columns at the cemetery. Bids: \$1,500, \$1,295, \$1,294, \$844 (closely matching brick). Mayor Cosby said it is best to use the matching brick. The money from the insurance company has been received. Ms. Everett said a check for \$2,143.48 has been received to cover the column and fence repair. Estimate to repair the fence is \$848.48, said Mr. Gillespie. Total \$2,150 to repair the columns and fence at the cemetery.

Memorandum of Understanding with the Newtown Veterans Association (Reported by Chuck Short)

Mr. Lynn Burger or Ken Burger will present the drawings to Council for approval. Mayor Cosby said someone needs to come for approval sooner than later.

Martin Marietta Mining Issue Update (Reported by Solicitor Miller)

The Martin Marietta case has been removed from the accelerated docket. This means a longer brief can be written.

Mr. Short made a motion to adjourn at 8:50pm, seconded by Mr. Kobasuk. Motion Carried.

Transcribed by Becky Fairley