

The February 11, 2014 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	Chuck Short
	Mark Kobasuk	Curt Tiettmeyer
	Cheryl McConnell	Daryl Zornes

Solicitor: Doug Miller
Fiscal Officer: Keri Everett
Police Chief: Tom Synan

Form of Government

Mrs. McConnell acknowledged Solicitor Miller's memo in response to her question of authority. Mrs. McConnell tabled the discussion until follow-up questions, regarding how mayor and council committee assignments are handled and the scope of responsibilities for each position are answered by Solicitor Miller.

Mayor Cosby talked to former mayor John Russell today regarding the council committees since it has been business as usual for many years. Mr. Russell told him there were no committees established when he was first elected mayor in the 80's; at which time, he instituted council committees with the consent of council.

Council Meetings

Mr. Kobasuk talked about his idea of Village Council using the second Tuesday of the month to handle council business and the fourth Tuesday of the month as a working session for Council Committees. This would be a more efficient way of doing business and would save money with Solicitor Miller and other experts attending only once a month. Mr. Kobasuk also believes conducting formal council business once a month would be more transparent to residents.

Mr. Harten has previously mentioned a "Committee of the Whole." Mr. Kobasuk said the committee chairs and members would meet and discuss committee business in the working session since all council members seem to be attending all of the individual committee meetings.

Mr. Kobasuk made a motion that Village Council would meet once a month on the second Tuesday for a formal Council Meeting and the fourth Tuesday would be utilized as a Working Session for council committee business.

Discussion

Councilman Short wanted to make certain council would still have the ability to call Special meetings. Mayor Cosby talked about legislation requiring three readings and wondered if it would become more confusing to the residents. Mr. Kobasuk said this is not a new concept, as the Village of Fairfax has handled business this way for quite some time.

Solicitor Miller said, "It's a matter of semantics." It would be best that Council keep the two council meetings each month, but have a different type of agenda and a separate set of rules for the second meeting. This way a reading of an ordinance would be allowed to take place at the second meeting slated for council committees. Solicitor Miller suggested leaving the second meeting as a Committee of the Whole, scheduled as a regular meeting taking no comments from the public or others. Council would then not be limited as to what could be discussed at the working session. Mr. Kobasuk asked what if Council did not need to have a working session at the second meeting. Solicitor Miller said Council can do what they want and cut it down to one meeting.

Mr. Harten said one advantage to this proposal is it does standardize all committee meetings on one single evening, which would be more efficient time-wise. Mr. Kobasuk said it would also run more efficiently not having experts or consultants attend the second meeting. If Council goes to only one Council meeting and needs to call for a Special meeting, 24 hours of notice needs to be given to Council and 24 hours notice given to the press, stated Solicitor Miller. Mr. Kobasuk said a Special meeting could be called any time needed, as many were called for the Annexation. The Working Session meeting does not need to be publicized since it is a regular meeting, but a Special meeting does need to be publicized, stated Solicitor Miller.

Mr. Harten agreed that keeping the two set council meetings and changing the agenda for the second meeting gives options. Mrs. McConnell said she believes it would be a great advantage to utilizing the second council meeting as a "Committee of the Whole," where all of Council would be present at the table for all committee discussions. Mayor Cosby said he thinks Mark's concept is good but there is no point in restricting what can be discussed at the second meeting. He suggested changing the agenda format for the second meeting and see how it goes.

Concluding the discussion, Mr. Kobasuk reiterated, the point would be to focus the attendance to the first meeting of the month, which would be the regular formal council meeting (second Tuesday). And Solicitor Miller would not be present at the second meeting (fourth Tuesday), as this would be a "committee night" for council committees to meet as a working session. Mr. Kobasuk suggested not putting the signs out advertising the meeting since it will be a working session. He said Council needs to set the agenda and put the parameters down for what we are going to do. Mr. Kobasuk said it is up to Council.

Ordinance Setting Date, Time and Place

Council of the Village of Newtown wishes to establish and confirm regular meeting place, dates and times. Regular meetings shall be held on the second and fourth Tuesday of each month at 7:00pm at the Newtown Municipal Center, 3537 Church Street, Newtown, Ohio 45244. The date and time of a regular meeting may be changed or cancelled, and the place of a regular meeting may be changed, by a majority vote of Village Council.

Mr. Kobasuk made a motion to suspend the rules. Mr. Harten seconded the motion. All Aye. Motion Carried.

Mr. Kobasuk made a motion to adopt ORDINANCE NO. 04-2014 AN ORDINANCE SETTING THE DATE, TIME AND PLACE OF VILLAGE COUNCIL MEETINGS, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Tiettmeyer 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.

Municipal Center

NorCom will be sending a technician out to address the sound system. Mr. Tiettmeyer said we will work with it until we get it right.

Checklist

Mr. Tiettmeyer made a motion to approve the 2.11.2014 Checklist for \$60,197.07. Mr. Harten seconded the motion. All Aye. Motion Carried.

Finance Committee Update (Reported by Mr. Tiettmeyer)

Municipal Income Tax Collections for January 2014 were \$161,000, which is the highest amount reported in January ever since recorded in eight years. The 2014 Budget was also discussed.

Ordinance, Permanent Appropriations 2014

Mr. Tiettmeyer made a motion to have a First Reading of AN ORDINANCE ADOPTING PERMANENT APPROPRIATIONS FOR 2014 AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion.

Mr. Tiettmeyer made a motion to have a Second Reading at the next Council Meeting. Mr. Kobasuk seconded the motion All Aye. Motion Carried.

Change Order No. 1, w/DER Development - Newtown Police Department Basement

DER Development submitted a bid of \$850 to clean up the water lines in the basement at the Newtown Police Department. CWW will replace the water meter, at no cost to the Village.

Mr. Tiettmeyer made a motion to approve Change Order No. 1 from DER Development Company, LLC. for \$850 for plumbing in the basement of the Police Department. Mr. Zornes seconded the motion.

Discussion

Ms. Everett said Mike Spry will look into No. 7 to see if a backflow preventer device is needed.

All Aye. Motion Carried.

Fireman's Memorial (Reported by Mr. Tiettmeyer)

Relocating the memorial to the fire house has previously been discussed. Relocating the memorial would free up space next to the Municipal Center's parking lot for future use. Fire Chief Terry Ramsey contacted us to see if we would consider sharing any out-of-pocket expenses, if any. One of our firefighter's fathers is a bricklayer and is interested in relocating the memorial for the Village. Mr. Tiettmeyer thought it would be helpful to have the volunteers relocate the memorial and suggested placing a cap on the amount approved.

Mr. Tiettmeyer made a motion to approve the Fire Department to relocate the fireman's memorial and cap the Village's portion at \$250 for any out-of-pocket expenses. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Council Minutes

Mr. Zornes made a motion to approve the 1.28.2014 Council Minutes, seconded by Mr. Tiettmeyer. All Aye. Motion Carried.

Human Resource Committee Update (Reported by Mr. Zornes)

The committee met last night to discuss employee salaries for 2014 and the performance review process. The performance review process discussion will be continued at the working session.

Maintenance Department Update (Reported by Ron Dickerson)

We are running extremely low on salt and have mixed what we have with grit. North American was only able to release one truckload of 25-30 tons of salt to the Village. Additional salt will not be released to the Village until North American fulfills their other contracted amounts with other customers in the eastern United States. It may be close to the end of March before we are able to order more salt.

Lake Barber

Mr. Short sent an email to mayor and council containing a bid of \$1,962 to test core samples of water and soil at Lake Barber. The company also suggested other testing. Hamilton County Water and Soil Conservation will come out and perform an onsite testing of the pH levels and other testing at no charge, per Mr. Dickerson. The testing would also include the core testing. Mr. Kobasuk asked if any environmental testing had been done prior to the purchase of Lake Barber. Ms. Everett said a study was done but didn't include any testing. Mr. Dickerson said it was more of an environmental consulting firm doing Phase I testing. Mr. Kobasuk asked Mr. Short why we were doing the testing now. Mr. Short said the smell from the landfill is very bad and thought it would be best to perform testing before opening the lake to the public. Mr. Short said he is just investigating at this point and not suggesting action to be taken yet. Mr. Kobasuk said he would be more comfortable being guided by the attorneys and having a plan on the testing. Mayor Cosby met with the attorney this morning and he thought it was a great idea.

Executive Session

Mr. Zornes made a motion to enter into Executive Session at 7:48pm to discuss pending litigation and imminent litigation. Mr. Short 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.

The meeting reconvened at 8:12pm with no action to be taken as a result of the Executive Session.

Meeting adjourned.

Transcribed by Becky Fairley