

The October 12, 2010 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:** Brian Burns Mark Kobasuk  
Doug Evans Curt Tiettmeyer  
Joe Harten (absent) Daryl Zornes

**Mayor:** Curt Cosby  
**Solicitor:** Doug Miller  
**Fiscal Officer:** Keri Everett (absent)  
**Police Chief:** Tom Synan

Audience Participation: None

#### WinterFest Lighting

Mayor Cosby and the Maintenance Department installed the electric cable for WinterFest lighting. Mayor Cosby thanked the Maintenance Department for their time and efforts. Everyone thanked Mayor Cosby for his time and efforts also.

#### 10-12-2010 Checklist

**Mr. Tiettmeyer made a motion to approve the Checklist dated 10-12-2010, total \$35,924.42. Mr. Burns seconded the motion. All Aye. (Mr. Harten-absent) Motion Carried.**

#### Village Credit Card

**Mr. Tiettmeyer made a motion to approve raising the Village Fifth Third credit card limit from \$1,500 to \$5,000. Mr. Burns seconded the motion.**

#### Discussion

Mr. Tiettmeyer explained that the reason for raising the limit is due to the Village making more purchases using the Village Fifth Third credit card for general expenses. Mayor Cosby said the \$1,500 limit has tied up the credit card on more than one occasion recently.

**All Aye. (Mr. Harten-absent) Motion Carried.**

#### Council Minutes

**Mr. Zornes made a motion to approve the 9-28-2010 Council Minutes, seconded by Mr. Burns. All Aye. (Mr. Harten-absent) Motion Carried.**

#### Maintenance Department

1. Snow Season: The snow plow equipment will be installed on the new maintenance truck within the next two weeks.
2. Dump Truck Purchase: At the 9-28-2010 Council Meeting, Council approved \$10,000 to purchase a dump truck through Sycamore Township. Sycamore Township accepted another bid before the Village was unable to bid on the truck; therefore, the Village was unable to purchase the truck.

#### Parking Lease - Newtown United Methodist Church

The Village currently leases the parking lot from the Newtown United Methodist Church. The current lease expires December 31, 2010. Mr. Kobasuk and the Parks Committee have discussed utilizing the Municipal Parking Lot behind Newtown Feed. Mr. Kobasuk said the parking at Town Hall allows enough spaces for one on-duty police cruiser, as well as a parking space for Chief Synan. Mr. Kobasuk said Chief Driggers has agreed to make (4) four spaces available at the fire station for police cruisers, along with (3) three additional spaces allotted for Becky, Keri and Lorna. Chief Driggers requested that Chief Synan mark the four designated spaces "Police Parking ONLY." Mr. Kobasuk said his view is to utilize the parking as discussed for nine months or until the fire department moves to their new location. The fire department will break ground on the E-Check property January 2011. Mr. Kobasuk said given Council has approved the Short Park Restrooms; he would like to see Council spend the \$6,600 on the restrooms versus leasing the parking lot from the church. Mr. Kobasuk said he is not in favor of extending the parking lot lease. Parks and Recreation committee members are Brian Burns, Chairman, Mark Kobasuk and Joe Harten. Mr. Burns said, as requested, the committee discussed various options; the committee

also agreed to utilize options discussed and not renew the parking lease with the church. He said it is now up to council to make the final decision. Mr. Tiettmeyer said he and Mr. Zornes walked the property with Mike Spry and the Village would maintain three parking spaces closest to the Town Hall building, as well as one handicapped space. The property is currently marked with survey stakes. Mayor Cosby asked if the monument is on Village property. Mr. Zornes said he believes the monument is on Village property, but the flag pole is not. Mayor Cosby said the Village will provide signage directing people to park in the Municipal Parking Lot. Mr. Kobasuk suggested making a motion if Council is not going to approve the parking lease to give the church notice so they can act accordingly.

**Mr. Kobasuk made a motion to not approve the Parking Lot Lease with the Newtown United Methodist Church, seconded by Mr. Zornes. All Aye. (Mr. Harten-absent) Motion Carried.**

Resolution, Short Park Restroom Contract

**Mr. Burns made a motion to suspend the rules. Mr. Evans seconded the motion. All Aye. (Mr. Harten-absent) Motion Carried.**

**Mr. Burns made a motion to adopt RESOLUTION NO. 40-2010 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH LEO. J. BRIELMAIER CO. FOR THE CONSTRUCTION OF A RESTROOM IN SHORT PARK, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Absent. Motion Carried.**

Wireless Lease, Debolt Road

Communications Capital Group has contacted Solicitor Miller expressing an interest in purchasing the Wireless Lease located at 3711 Debolt Road. The current wireless tenant is Verizon; \$10,000 per year. The lease runs forever with five-year increments. Solicitor Miller said there are at least ten options to renew. Communications Capital Group has offered a purchase price of \$62,000, which means they would continue to collect the monthly rent. The offer of \$62,000 is to purchase the wireless lease, not the property. The offer expires October 31, 2010. Solicitor Miller said it is strictly a financing thing; the Village of would be out of the deal. Mr. Tiettmeyer would like time to review the current lease.

Martin Marietta

**Mr. Kobasuk made a motion to enter into Executive Session at 7:16pm to discuss litigation with Martin Marietta. Mr. Tiettmeyer seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Absent. Motion Carried.**

Mayor Cosby called the meeting back to order at 7:19pm; no action to be taken as a result of the Executive Session.

Mr. Kobasuk made a motion to adjourn at 7:20pm, seconded by Mr. Evans. Motion Carried.