

## Call to Order/Pledge of Allegiance/Attendance

The February 13, 2018 meeting of the Newtown Village Council was called to order at 6:30 p.m. by Mayor Mark Kobasuk, who led the Pledge of Allegiance to the Flag.

|                         |                              |                |                                   |
|-------------------------|------------------------------|----------------|-----------------------------------|
| <b>Council Members:</b> | Curt Tiettmeyer (Vice Mayor) | Terry Fairley  | Solicitor: Emily T. Supinger      |
|                         | Daryl Zornes (absent)        | Don Carroll    | Administrator: Jerry Thamann      |
|                         | Chuck Short                  | Sarah Williams | Fiscal Officer: Keri Everett      |
|                         |                              |                | Assistant to Mayor: Becky Fairley |

## Approval of Council Minutes

**Mr. Short made a motion to approve the 01.23.2018 Council Minutes, Mr. Carroll seconded the motion. All Aye. Motion Carried.**

## SPECIAL PRESENTATIONS

Engineer Ben Brandstetter, BCI Inc. gave the following project status report:

- Ragland Road Culvert (17053)**
  - Easement Status
    - Easement summary table for review
    - Follow up discussions to obtain remaining easements
  - Continuing to coordinate with HCEO. Anderson Township and GCWW
- 2017 Street Paving Program (17045)**
  - Punch List items to be complete in spring. BCI will drive project when weather breaks
  - Final cost \$721,500, \$190,000 under contract, but \$70,000 needs on Harriet/Ragland
- 2018 Capital Improvement Project Alternatives (18007)**
  - See Attached Summary
- SR 32 East Storm (17042)**
  - From field meeting on 11/2/17, ODOT's inclination is to proceed with the storm as the Village believes is best. ODOT would design to it, but they said it would be confirmed. BCI to follow up.
- ODOT SR 32 Safety Grant**
  - ODOT indicated first quarter 2018 to move into Stage One. BCI to check status
  - Discussion of speed limit on SR 32 took place.
  - Village share is \$5,000 for Stage One plans.
- 2016 Paving Program (16051)**
  - J.K Meurer will contract with Adleta to have the work completed in Spring, 2018 as requested by the Village  
Work to be completed in April
- Lake Barber**
  - BCI met with Doug Evans on 10/9/17. Both will review photos
  - Reviewed photos from Chuck M. and Bob H. and text from Evans
  - BCI to double check previous topographic surveys
- MVCA**
  - Met w/MVCA 1/25/18; Progress meeting also scheduled for 2/22/18
- Burger Farm**
  - Meeting held on 2/7/18 concerning drainage
  - Village will contact Hamilton County Department of Health to set up meetings
- Miscellaneous**
  - Grants
    - OPWC/MRF 2019 grant requests, due in August/September

Citizen Participation (Two minute limit for each speaker) (Read by Mayor Kobasuk)

We have reached that point in our meeting where a citizen may express an opinion, make a statement, address a concern, or ask a question on any subject that is not otherwise on the agenda. This will allow the statement to be entered into the official meeting record. This portion of the meeting is not for Council to provide responses to citizen comments. If you have a concern or request information, please be sure to leave your contact information with the staff before you leave the meeting. A member of the staff will contact you regarding your request. Please state your name and where you live when addressing Council. Is there anyone present that would like to bring an item, not otherwise on the agenda, before Council? *There were no participants from the public.*

ADMINISTRATOR'S REPORT

Mr. Thamann asked Council if they had any questions on the report previously submitted. Mr. Fairley asked when the IT Management agreement would be implemented. We are moving forward, as the contract with Afidence was signed yesterday, stated Mr. Thamann.

MAYOR & COUNCIL MEMBER REPORTS

Bike Trail Map Participation

**Mrs. Williams made a motion to approve \$490 to continue Newtown's annual participation in the Bike Trail Map. Mr. Fairley seconded the motion. All Aye. Motion Carried.**

Village Solicitor's Report (Reported by Solicitor Emily Supinger)

1) Personnel Manual: Council received a draft of the Personnel Manual. A meeting will take place next week with Chuck Short, HR Chair, Mayor Kobasuk and Mr. Thamann. A more final draft will be sent to Council after the meeting.

2) HB-49 Litigation: In the past couple years; the state legislature has taken substantial steps to limit municipalities' ability to collect their municipal income taxes. It began in 2014 with the passage of HB-5, which required all municipalities to have strict compliance with the ORC, in order to collect a municipal income tax. More recently, HB-49, the General Assembly has further restricted municipal income tax collection by providing a centralized collection of net profit tax, which is now an option for businesses.

At the 10.10.2017 Council Meeting, Council decided to participate in the litigation with Frost Brown Todd to help fight the consolidation of the income tax collection. Loveland, Wyoming and Woodlawn have jointed the litigation. There are well over one hundred communities participating in this litigation. An injunction is expected to be immediately requested to prevent HB-49 will be requested immediately to prevent HB-49 with provisions that would affect the Municipal Income Tax Code from going into effect on 1.01.2018. If the injunction is not granted, an amendment will need to be made to the Municipal Income Tax Code.

The preliminary injunction on that litigation was held yesterday and today. We should find out shortly whether or not the judge will grant the preliminary injunction. If the injunction is not granted, Council will need to have a special meeting to enact the changes to the Municipal Income Tax Code to get past the February 24<sup>th</sup>, effective date, established by the court.

PENDING LEGISLATION

NEW LEGISLATION

Ordinance, 2018 Permanent Appropriations:

**Mr. Tiettmeyer read the First Reading of AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF NEWTOWN DURING THE FISCAL YEAR, ENDING DECEMBER 31, 2018.**

The second reading will take place on 2/27 with the final reading taking place on 3/13/2018. Mr. Tiettmeyer said it is critical to make any changes to the budget by the second reading. Mayor and Council discussed the 2018 Permanent Appropriations. Mayor Kobasuk said it was first thought that money would be set aside to fund the CIC, but it makes more sense to fund a master plan before the CIC. It has been a few decades since a master plan was done for the Village. Therefore, \$30,000 has been set aside to invest into a master plan, which would offer guidance for the CIC. Mr. Thamann will obtain at least three estimates.

## NEW BUSINESS

### Checklist

**Mr. Tiettmeyer made a motion to approve the 02.13.2018 Checklist, in the amount of \$127,741.47. Mr. Short seconded the motion. All Aye. Motion Approved.**

A few reminders from Mr. Short:

### Lenten Fish Fry

The annual Lenten Fish Fry, sponsored by the Newtown Civic League will take place on Fridays, beginning February 16 through March 30, from 5:00pm to 7:30pm. All are welcome!

### Easter Egg Hunt

The annual Easter Egg Hunt, sponsored by the Newtown Civic League will take place on March 24<sup>th</sup> at 11am at Short Park.

Mr. Short congratulated and thanked Becky for getting her Notary. Mayor Kobasuk congratulated Terry also for getting his notary.

Mr. Short made a motion to adjourn at 6:50pm, seconded by Mr. Fairley. Motion Carried.

Transcribed by Becky Fairley.