

### Call to Order/Pledge of Allegiance/Attendance

The February 27, 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 (excused) |
|                         | Daryl Zornes                 | Don Carroll    | Administrator: Jerry Thamann (excused) |
|                         | Chuck Short                  | Sarah Williams | Fiscal Officer: Keri Everett           |
|                         |                              |                | Assistant to Mayor: Becky Fairley      |

Mayor Kobasuk commended Police Chief Synan and the police officers for doing an outstanding job during the recent flooding. Chief Synan told Mayor Kobasuk he appreciated it and said they do it for the residents.

Chief Synan reported on the recent events of the flooding that impacted 80 homes which occurred mostly on the north side of Crull Street, along with four to five homes on Turpin Lane. These areas experienced actual flooding where water came in from the Ohio River along with water from the Little Miami River. All other homes impacted north of Main Street, including Main Street, West Plum, Leonard, Center Street up to Church Street experienced water from the back-up of the drain or from the sewage. Paperwork with Emergency Management Agency and FEMA is currently being prepared. Lt. McBreen and Detective Bischoff went door-to-door obtaining information and photos for the required paperwork and for the residents. Several residents experienced one to six feet of water in their basement and were temporarily displaced from their homes. The Newtown United Methodist Church was the Flood Relief Center and coordinated efforts with InterParish Ministries, Horizon Community Church and local businesses, assisting those in need with hot meals, cleaning supplies and shelter. The Milford Lowes is going door-to-door with buckets with cleaning supplies. The Village is providing a dumpster for the residents to dispose of their personal items ruined by the flood. Newtown Maintenance Department is assisting the residents with picking up these items from the curb and taking them to the dumpster. MSD has been going door-to-door advising residents of the proper way to clean and sanitize from flooding and sewage backup.

Chief Synan thanked Hamilton County Commissioner Todd Portune and Nick Crosley, Director of Emergency Management & Homeland Security Agency, who came out Sunday surveying the damage. The residents really appreciated their time and efforts they made talking to those available. Due to the flooding of the Ohio River, the police officers have manned traffic lights for over a week. This was a major event with minor impact; thankfully, there were no injuries or deaths and the damage was contained. This flood was different from the 1997 flood, as water this time was actually flowing at a high rate of speed. Police officers Ethan Simms and Jake Stoll went door-to-door between midnight and 2:30am alerting homeowners of the rising waters. Hamilton County Sheriff's department made this possible by carrying the Newtown Police Officers across the street in their SUV.

Chief Synan said the Village was well-prepared for this event; Village employees communicated with one another and everyone did their part! Chief Synan personally recognized Maintenance Supervisor Chuck Morgan, Josh Schrorer and Chad McMillen for their tremendous efforts – they all did an outstanding job! Clearing McCullough's Run the week before helped out tremendously. In 1997, we saw the Little Miami River and McCullough's Run coming up along with the Ohio River flooding both sides of Main Street. The entire south side of Main Street would have also been impacted had McCullough's Run not been cleared out.

Chief Synan thanked Anderson Township Fire Department, and said they are probably one of the most professional organizations he has ever worked with in his twenty-five years of policing. He thanked Fire Chief Mark Ober for his leadership and assistance during this event. Chief Synan has experienced and assisted the Newtown community through several disasters and is amazed at the resilience displayed by the residents willing to assist others. Newtown residents are a very strong and proud group of people and will be back on their feet in no time! While Mayor and Council reached out to Chief Synan offering their support, for which he is grateful, he is appreciative to them for not interfering and allowing everyone to be responsive and do their job.

Mayor Kobasuk thanked Chief Synan and Maintenance Supervisor Chuck Morgan and their respective departments for going above and beyond.

### Thank You! – submitted by Council Member Terry Fairley

While Mayor and Council Members are elected and trusted by Newtown citizens to make the best decisions for the Village as a whole, I would like to acknowledge those that really do the work on a daily basis! We could not be as effective and productive without the employees! Everyone here is an integral part of Village operations and plays an important role in assisting the residents and businesses. The needs are multi-faceted and with the recent flooding, became the focus for Village employees since Friday. I would like to thank all Village personnel for the excellent job they did caring for the needs of others during the recent flooding event.

Newtown residents and business owners are very fortunate to be a part of such a caring community – supported by premiere fire, police and maintenance services. And let's not forget the administrative office support staff that assists the public daily answering the phones and responding to emails directing those in their need to the proper authorities. Thank you Becky, Keri and Heather.

As a Council Member and resident, I congratulate and thank everyone for their efforts and for going above and beyond the call of duty!

#### Approval of Council Minutes

**Mr. Short made a motion to approve the 02.13.2018 Council Minutes, Mr. Zornes seconded the motion. All Aye. Motion Carried.**

#### SPECIAL PRESENTATIONS

Engineer Bruce Brandstetter, BCI Inc. presented a project status report on engineering services.

1. **Ragland Road Culvert (17053)**

- Easement Status
  - Easement summary table for review
  - Follow up discussions to obtain remaining easements

2. **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 is needing on Harriet/Ragland

3. **2018 Capital Improvement Project Alternatives (18007)**

- Presented at the 1/23/2018 council meeting
- **Status of selected projects**

4. **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.

5. **ODOT SR 32 Safety Grant**

- **Per ODOT on 2/15/18, Village may directly select a consultant since under \$50,000 fee**
- **BCI since prepared to submit a detailed proposal**
- **With federal funding, ODOT will provide the consultant agreement**

6. **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**

7. **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

8. **MVCA**

- **Meeting held on 2/22/18**
- **Looking for a Pre-submittal Conference w/OEPA week of March 6 and a submission to OEPA for their review on or around March 15**

9. **Burger Farm**

- Meeting held on 2/7/18 concerning drainage
- Village will contact Hamilton County Department of Health to set up meetings

10. **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 this evening.*

#### ADMINISTRATOR'S REPORT – Emailed to Council 2/22/2018

## MAYOR & COUNCIL MEMBER REPORTS

### Hamilton County Public Health Meeting (Reported by Mayor Kobasuk)

The Board of Health is holding their annual luncheon meeting on 3.12.2018 from 12-1pm. The Village of Newtown is a member and they need elected officials in order to cast a vote. Mayor Kobasuk is unavailable to attend; therefore, it was decided that Mrs. Williams will attend.

### Maintenance Department – Part-time position to full-time (Reported by Mr. Fairley)

Mr. Fairley stated that whenever Chief Synan approaches Council about the purchase of a capital expenditure or hiring additional police officers, Council 99% of the time approve his suggestions and why is that? It is because we trust our Chief of Police and that he knows what is needed to run a police department. And he does it very well and all seven of us combined here could not do the job he does because we do not have the experience or knowledge of what it takes to run his department. Therefore, we rely on Chief Synan to communicate his needs to us and give him the tools and personnel to run the police department efficiently and effectively.

The same consideration should be granted to our Maintenance Supervisor Chuck Morgan. Chuck has proven his worth time and again with his experience and knowledge of what it takes to run a maintenance department for the betterment of the Village. He does not make frivolous expenditures and stays within his budget consistently. And more importantly, Chuck places the needs of the Village and the safety of his employees above all else. Chuck has expressed and outlined the need that the part-time technician position, held by Chad McMillen, is made full-time.

For Council's review, a list of bullet points were presented and included, but not limited to: Catch basin work, Little Dry Run retaining wall repair, Preventative maintenance on Village equipment, vulnerable to salt corrosion, under-staffed for street clearing during inclement weather, safety issues within the department due to inadequate staffing, ongoing cleaning and maintenance of various creeks located within the Village, signage installment program to bring regulatory signs up-to-date, set-up and assemble new salt brine equipment that was purchased 2.5 years ago, leaf collection, cemetery maintenance of old headstones and routine ongoing maintenance, ongoing parks maintenance, streets – handwork painting arrows, stop bars and crosswalks, which should require 3 full-time employees. Mr. Fairley also presented Council with numbers Mayor Kobasuk obtained from the Fiscal Officer regarding part-time vs. full-time.

Mr. Fairley said there is one point that seems prevalent in the bullet points presented and that is safety issues. In many instances, our part-time technician is not scheduled to work, over the allotted part-time hours or working another job during his unassigned hours. And this limits our Maintenance Department to just two people. Many of the tasks performed by the Maintenance Department require three employees to ensure one's safety. For perspective, our surrounding communities are staffed as follows: Mariemont has five full-time staff with additional four-five part-time personnel to assist with seasonal duties such as fall leaf pick-up. Mariemont's entire grass cutting and hedge trimming is contracted out. Terrace Park, roughly the size of Newtown has four full-time staff members, Fairfax has five full-time and one part-time employees. Mr. Morgan knows what is needed to run his department effectively and safely. He is not asking for anything extraordinary and needs his part-time person to become a full-time employee so proper and a safe level of coverage is maintained for the betterment of the Village.

After more discussion, Mr. Fairley asked Council to consider Mr. Morgan's request and take time to review the data presented before moving forward. Mr. Fairley said he is willing to postpone Council voting, as he realizes this is the twelfth hour as far as disrupting the budget. Mr. Fairley recommends taking the part-time position to full-time, based on on-going projects and safety issues if nothing else.

Mayor Kobasuk said Mr. Morgan had raised this issue with the Village Administrator Jerry Thamann and told Chuck he had talked to several council members that would not support Chuck's request. Therefore, the request fell by the wayside. Mayor Kobasuk said we really need to review the request for the consideration of all six council members and the mayor. Mayor Kobasuk said he wanted to bring it up tonight - it is coming up at the last minute since Mr. Thamann kind of shut down the request. Mayor Kobasuk said he believes it is needed. After looking at other communities staffing, he wonders how Newtown has gotten by with two and a half men.

Mr. Short said he is aware of the situation and as the chair of Human Resources supports Mr. Morgan's request since it fits into the budget. Mr. Short said this past week with the unexpected flooding, the Maintenance Department could have used extra personnel. Mr. Carroll said he was curious why the administrator took no action and tabled the request. Mayor Kobasuk said it was his understanding the administrator heard the request from Mr. Morgan and talked to two council members. He did not raise the issue with Mayor Kobasuk so it was sort of tabled. Mayor Kobasuk said it is up to the six council members to pass a budget and the money is in the budget. Mr. Carroll said we need to know that on an ongoing basis that we have the ability to fund a full-time employee if that is what is needed and can also create a budget in line items that make sense from year-to-year. Mr. Carroll told Mayor Kobasuk that he agreed with him that there are things we are funding at a certain level that perhaps should be diverted towards funding a full-time employee. Mrs. Williams asked if we would take back the grass cutting that is currently contracted out. Mr. Fairley we would not forego any of the grass cutting that is currently contracted out, which is the property at the fire house and the grounds at our Flag Spring cemetery which is very labor-intensive. Mr. Fairley explained that while the cemetery was taken from our maintenance duties, they were given a 55 acre lake in Lake Barber to maintain. And doing so put the department back into a bind as far as personnel needs and hours required to take care of everything in the Village. Mr. Fairley said it comes down to, do we want landscapers or do we want a maintenance department that adheres to preventative maintenance and puts the needs of the Village first? Mr. Fairley said Chuck is a working supervisor who doesn't sit behind a desk all day. A Village 2.5 square miles and over 30 miles of roads/streets to maintain, not to mention everything else and doing all of this with two and a half employees is not efficient and can be dangerous. Chuck would not ask for this position to be made full-time if it was not needed, stated Mr. Fairley.

Mayor Kobasuk suggested having Mr. Thamann work on the budget and present to Council at the next council meeting where the Third Reading will take place. Mayor Kobasuk said he and Mr. Tiettmeyer will work with the administrator to work on a five-year plan as this should have been brought to Council sooner. Mayor Kobasuk suggested working on the budget to work in the full-time position. Mr. Tiettmeyer said while he is troubled as Finance chair that he was made aware of the request prior to the meeting held before Council that we want to change the budget at the second reading, he is willing to work on the request. He said this is not a one-time capital expenditure; it is an ongoing expenditure with increases including salary and insurance expenses. Mayor Kobasuk said the meeting held prior to Council was scheduled before the administrator became sick therefore the request may have been presented to Council after the First Reading. Mayor Kobasuk said mayor and all six council members should be more involved in the budget to prevent this from happening. Additional information regarding hours will be presented to Council at the 3.13.2018 Council Meeting.

#### PENDING LEGISLATION

Ordinance, 2018 Permanent Appropriations:

**Mr. Tiettmeyer read the Second 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 final reading will take place on 3/13/2018.

#### NEW LEGISLATION

Ordinance Amending Municipal Income Tax

House Bill (H.B.) 49 of the 132<sup>nd</sup> General Assembly includes Section 803.100 purporting to require that municipalities, on or before January 31, 2018, adopt certain municipal income tax provisions that are also adopted within H.B. 49 to authorize state officials to collect and administer municipal net profits taxes. Section 4 was added by our solicitor which would authorize the solicitor to make amendments should R.I.T.A. have better language.

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

**Mr. Tiettmeyer made a motion to adopt ORDINANCE NO. 07-2018 AN ORDINANCE AMENDING ORDINANCE NO. 19-2015 REGARDING MUNICIPAL INCOME TAX FOR TAX YEARS STARTING ON OR AFTER JANUARY 1, 2018 AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes. Motion Carried.**

Resolution Approving Contract w/Afidence, IT Services

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

**Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 04-2018 A RESOLUTION RATIFYING AND APPROVING A CONTRACT WITH AFIDENCE FOR INFORMATION TECHNOLOGY SERVICES AND DECLARING AN EMERGENCY. Mr. Carroll seconded the motion.**

Discussion

Mr. Tiettmeyer asked Ms. Everett if she had the total cost with the ongoing expenses as well as the one-time expenses. Ms. Everett said \$30,000 was placed in this year's budget before the Administrator signed the contract. Ms. Everett said she has not received additional information from the Administrator.

**Roll Call: Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes. Motion Carried.**

#### NEW BUSINESS

Checklist

**Mr. Tiettmeyer made a motion to approve the 02.27.2018 Checklist, in the amount of \$79,200.08. Mr. Zornes seconded the motion. All Aye. Motion Approved.**

Hamilton County Tax Incentive Review Council (Reported by Curt Tiettmeyer)

HCDC is charged with convening the Hamilton County Tax Incentive Review Council (TIRC) to monitor the compliance of active enterprise zone agreements and community reinvestment area agreements. Formation of the Hamilton County Council is a legislative requirement of the program as outlined in the Ohio Revised Code Section 5709.85. The annual TIRC Board meeting will take place in June. Every municipality/township participating in the enterprise zone program or community reinvestment area within townships must formally designate two (2) representatives to serve on the Hamilton County Council. TIRC members must be approved by the local legislative authority and be residents of the community. Mrs. Fairley assists Gerry Stoker, CRA Housing Authority by facilitating the annual process of reporting to the Ohio Development Services Agency. Mr. Stoker will also attend the TIRC meeting.

**Mr. Zornes made a motion to appoint Mrs. Fairley and Mr. Tiettmeyer to serve as Newtown representatives on the Hamilton County Council. Mr. Short seconded the motion. All Aye. Motion Carried.**

Mr. Short made a motion to adjourn at 7:23pm, seconded by Mr. Fairley. Motion Carried.

Transcribed by Becky Fairley.