

The April 12, 2016 meeting of the Newtown Village Council was called to order at 7:00 p.m. by Mayor Mark Kobasuk, who led the Pledge of Allegiance to the Flag.

Council Members: Curt Tiettmeyer (Vice Mayor) Chuck Short Solicitor: Doug Miller
Daryl Zornes Cheryl McConnell
Joe Harten (absent) Terry Fairley

Fire Safety Update (Reported by ATFD Battalion Chief Rick Martin)

The Monthly Update Report was given - Business inspections continue – all Knox Boxes have been replaced with correct tumblers. Knox boxes provide non-destructive emergency access to commercial and residential property. ATFD is consistently improving communication with the community. A “Community & Business Resource Guide for Anderson and Newtown” flyer, which highlights services provided by ATFD, is available at the Municipal Center. A “Most Frequent Fire Inspection Violations” flyer that is also available at the Municipal Center. Mayor Kobasuk thanked Battalion Chief Martin. It was decided that the monthly update will be given at the first Council meeting of each month, which is held at 7pm on the second Tuesday.

Public Meeting – Storm Water Utility Program

Mayor Kobasuk thanked everyone for attending the second Public Hearing. The Storm Water Utility Program has been under review by Mayor and Council. A totally impervious surface area is being considered. Therefore, the Ordinance read at the 4.12.2016 meeting is a dead letter.

Councilman Tiettmeyer discussed various methods municipalities use to calculate storm water utility fees for non-residential properties. Calculating the impervious area is the most popular method and is more involved and time consuming.

Mayor Kobasuk asked if anyone would like to discuss the Storm Water Utility Program. There was no public involvement at this time.

Engineer Bruce Brandstetter gave a presentation of the existing 37,000 L.F. of storm water pipe in the Village. 33% of the system is over 45 years old and valued at \$5 million. Over 50% of the value of the system is on the main roads. In the 80’s, one of BCI’s first assignments in the Village was to clean out McCullough’s Run, which is a man-made creek that diverts water from Eight Mile sending it parallel to SR32 crossing under SR32 and over Little Miami River. At that time the cost to clean out McCullough’s Run was about \$25,000. Immediate storm water pipe needs are about \$1,020,000, which include: 1) SR32 East Storm \$450,000: Replacement and undersized and failing pipes, 2) Ragland Road/Harriett Lane \$450,000: Culvert replacement and undersized and failing pipes and 3) Edith/Pine/Jefferson \$120,000: Storm improvements for streets and has no storm sewers. Annual maintenance repairs are estimated at \$50,000.

Mr. Tiettmeyer thanked Mr. Brandstetter for the presentation. Council will be asked at a later time to approve an amount for BCI to do an analysis for the cost of pervious vs. impervious area. The challenge is coming up with a plan that is fair to everyone, but will also provide for the funding to repair and replace storm water utility needs. The significance the storm water utility program was not realized until last year when the Village was faced with repairing 80’ of pipe on Round Bottom Road that cost the Village \$100,000. Long-range planning for these projects has not taken place in the past. Mr. Tiettmeyer said Council is charged with the responsibility of taking care of this system and we need to find a way to finance the program. This is not just regarding businesses, it’s non-residential, which is churches and every non-residential property. Mr. Tiettmeyer said he is not just concerned about the issues we know exist, but is concerned about the unknown. Lowering the amount reduces the ability to perform storm water management issues. Mr. Tiettmeyer expressed caution if Council decides to cut the amount of funding, taking the responsibility of not taking care of these needs.

One approach to collecting the money for storm water utility projects would be user fees or placing a property tax levy on the ballot dedicated to storm water, said Mayor Kobasuk. Another approach would be to have BCI look at the impervious surfaces to each property. This would cost the Village about \$17,000. Mayor Kobasuk will report back to Council after he meets with several businesses.

6840 School Street Property Update (Reported by Mayor Kobasuk)

Three bids to demolish the property will be emailed to Council. Mayor Kobasuk said the demolition contract needs to be in place before the notice runs out on May 4th.

Newtown Station No. 22 Building Repairs (Reported by Mayor Kobasuk)

Chuck Morgan is working with the Fire Department looking into automatic timers to close the bay garage doors. An estimate will be brought back to Council.

Martin Marietta Mining (Reported by Mayor Kobasuk)

The Supreme Court denied the certification of taking the case. Solicitor Miller said we can talk to the County Commissioners, as we've exhausted all legal recourse.

Eastern Corridor Development Team (ECDT) Meeting - ODOT Public Meeting

A Focus Area Workshop pertaining to the Newtown Village area will take place Thursday, April 14 at 6pm at MVCA. A Workshop pertaining to the US 50 Corridor area will take place Wednesday, April 13 at the Mariemont High School. Mayor Kobasuk said we need to pay attention to the April 14 meeting, as they are basically starting over looking at the scope and purpose of the Eastern Corridor. Tommy Arnold, Jr., P.E. is the new project team leader. Chief Synan has given them low impact solutions such as a turn lane at Little Dry Run and widening SR 32 in front of Burger Farm for better traffic flow. Mayor Kobasuk and Chief Synan will meet April 22nd with Hamilton County Commissioner Todd Portune. Mayor Kobasuk urged everyone to attend the April 14th meeting and tell ODOT we want low impact solutions, not the Eastern Corridor.

Building Expenses for Municipal Center and Police Department Renovation

Mayor Kobasuk asked if this could be discussed at the next meeting if anyone has questions, as the information regarding these projects was emailed to Council. Mrs. McConnell thanked Keri for putting the information together and asked her to update the information for the 4.26.2016 Council Meeting.

Sierra Club – Green Transportation Efforts

Dr. Chris Curran, Chair of the Sierra Club's Wild and Science Sub-Committee, talked about their ongoing battle against the Eastern Corridor, which is tied in with Martin Marietta Mining. State Representative Tom Brinkman got the legislature to make December 2015 the fish or cut bait decision but all ODOT did was start the process all over again, which is why they call these things "Zombie Projects," said Dr. Curran. It is very important to have people attend the meetings. Anything one can do to keep the highway out minimizes their ability to do business in the valley, which would be very detrimental to the region. The Sierra Club is exploring various legal options. Two of the three Hamilton County Commissioners seats are up so the political pressure is important in terms of fighting the limestone mine. In terms of green transportation, the Sierra Club has always been more than about stopping the Eastern Corridor highway.

The Sierra Club is having an event at the Newtown Municipal Center, May 17th from 6:30pm to 8:30pm – drinks and snack items will be available. The purpose of the event is to speak to the public about the importance of the Little Miami River archaeologically and ecologically.

The Sierra Club will also be volunteering at Lake Barber removing invasive and replanting native ground cover.

Lake Forrest Petition

Resident Brendan McEachern, 5083 Lake Forest Lane presented a petition to Council formally requesting the Village of Newtown investigate the process for Lake Forest Lane to be accepted as a Village street. Lake Forest Lane is currently a non-dedicated street and is not believed to be built to the standards of a dedicated Village Street. Mayor Kobasuk said if the Village accepted Lake Forest Lane as a public street then the Village would have to build it up to a certain code and maintain the street. Solicitor Miller said there are standards the roads are supposed to be built to, not just how wide they are, it's how much base is underneath the street and what the street consists of. He said typically, the roads are built that way because the builder doesn't want to put in the same types of materials and quantity of materials since they would be used for a fewer amount of people. Solicitor Miller said the Village of Newtown has standards, which says the Village will accept a street as a public road and take the responsibility for the road if it is built to certain standards.

Oyster Bay Court and Legends Lane are also private streets where the homeowners contract with a company to plow during the winter. After discussion, Mayor Kobasuk told Mr. McEachern that Council will take the petition under advisement. He will inform Mr. McEachern of the findings after Newtown's Property Maintenance Inspector and Street Supervisor look into the standards of Lake Forest Lane.

Council Checklist

Mr. Tiettmeyer made a motion to approve the 4.12.2016 Council Checklist for \$213,740.56, seconded by Mr. Zornes. All Aye. Motion Carried.

Gutter Guards

Three proposals for adding gutter guards to the Municipal Center, Police Department and the Moundview House have been received. Money for the gutter guards was appropriated in the 2016 Budget. The bids include cleaning out the gutters, installing gutter guards, replacing missing flashing where needed and replacing a section of gutter at the Moundview House. The lowest bid is \$3,233 with Mollett Seamless Gutter Company.

Mr. Tiettmeyer made a motion to approve \$3,233 to Mollett Seamless Gutter Company to complete the items described above. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Resolution, Agreement w/Cincinnati Museum Center (Reported by Curt Tiettmeyer)

The Council of the Village of Newtown wishes to approve entering into an ongoing Loan Agreement with the Cincinnati Museum Center. This agreement is for the items displayed in the display cases that are the property of the Cincinnati Museum Center. The agreement is renewed after a two-year period as long as everything is in good standing. The Mammoth Tusk, which belongs to the Village of Newtown, is on loan to the Cincinnati Museum Center; therefore, the Village will grant the CMC a lease extension should we choose to do so in the next year or so.

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. 19-2016 A RESOLUTION AUTHORIZING AND APPROVING AN OUTGOING LOAN AGREEMENT WITH THE CINCINNATI MUSEUM CENTER, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mrs. McConnell-Yes, Mr. Fairley-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes. Motion Carried.

Police Department

Mr. Zornes recognized Lt. McBreen and Detective Bischoff for the recent act of kindness shown to a veteran from Pittsburgh. Lt. McBreen, Detective Bischoff and employees from the Newtown UDF put their money together to purchase a bus ticket back to Pittsburgh and gave him spending money for the trip. This gentleman was visiting the VA Hospital in Cincinnati. The Cincinnati Enquirer wrote an article, Channel 12 aired the story and it went national to USA Today. Chief Synan said this is everyday stuff police officers and firefighters do across the country.

Council Minutes

Mr. Short made a motion to approve 3.22.2016 Council Minutes, seconded by Mrs. McConnell. All Aye. Motion Carried.

Planning Commission (Reported by Cheryl McConnell)

Planning Commission met 3.24.2016 to bring Gerry Stoker up-to-date on decisions made over the past year. The next meeting is Wednesday, April 27th at 7pm.

Board of Zoning Appeals (Reported by Cheryl McConnell)

The BZA will meet Wednesday, April 27th at 6pm. The BZA will meet to review an application for appeal of a sign for MVCA.

NBA Economic Development Committee Welcome Packet (Reported by Cheryl McConnell)

A "sample packet" welcoming business owners to the Village of Newtown was presented to Council. Mrs. McConnell, Gerry Stoker, Cheryl Franklin, Roger Hauck and Joe Motz (chair) serves on this committee. The Welcome Packet will be given to potential business owners – copies will be kept at the Municipal Center.

Resolution, Hamilton County Public Health "WeTHRIVE!" Initiative

Hamilton County Public Health was founded in 1919 and strives to prevent disease and injury, promote wellness and protect people from environmental hazards. (www.hcph.org). At the 3.22.2016 Council Meeting, Councilman Harten asked Council to have Solicitor Miller construct the following resolution. In Mr. Harten's absence, Mrs. McConnell made the following motion:

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

Mrs. McConnell made a motion to adopt RESOLUTION NO. 20-2016 A RESOLUTION APPROVING A COOPERATIVE AGREEMENT WITH HAMILTON COUNTY PUBLIC HEALTH BY ESTABLISHING A WeTHRIVE! TEAM IN THE VILLAGE OF NEWTOWN, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mrs. McConnell-Yes, Mr. Fairley-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes. Motion Carried.

Maintenance Department (Reported by Terry Fairley)

There are three mercury vapor lights that are twenty years old out at the Maintenance Barn. Chuck Morgan is obtaining bids and working with Duke on a subsidy program for replacing the lights.

2016 Paving Program (Reported by Terry Fairley)

The program will be advertised April 22 and 29. Open Bids May 11 and will be given to Council May 20th.

Executive Session

At Mayor Kobasuk's request, Mr. Zornes made a motion to enter into Executive Session to discuss potential property acquisition at 8:36pm, seconded by Mr. Fairley. Roll Call: Mrs. McConnell-Yes, Mr. Fairley-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes. Motion Carried.

Mayor Kobasuk called the meeting back to order at 8:50pm; no action will be taken as a result of the Executive Session.

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

Transcribed by Becky Fairley