

The May 13, 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
Mark Kobasuk
Cheryl McConnell
Chuck Short
Curt Tiettmeyer
Daryl Zornes

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

Annual Memorial Day Parade: Monday, May 26th at 10am.

Brandstetter Carroll, Inc. – Project Status

SR32 Storm Drainage – East

- Extends from Burger Farm east property line east to Eight Mile Creek
- Sink hole developed late 2013; repairs completed shortly thereafter
- Video of the storm pipe revealed the pipe is under-sized and in poor condition (photos submitted)
- BCI completed preliminary storm calculations. It has less than a Five-Year storm capacity. Ten-Year storm capacity is the minimum design criteria.
- Preliminary estimate (with assumed pipe slope) is \$415,000
- Possible funding sources:
 - OPWC, due 9.19.2014
 - Hamilton County Storm Water District, due late summer/early fall
 - Municipal Roadway Funds, due August
 - Request ODOT assistance
- Documentation of flooding, roadway, structure or property would be helpful (photographs, insurance claims, etc.)

2014 OPWC Grant Applications

- Neither Ragland Road Area Drainage, nor Edith/Pine/Jefferson Street Reconstruction projects received funding in 2013
- Consider SR32 Storm Pipe Replacement – may score higher due to high traffic volume, structural and hydraulic issues
- BCI will meet with Fred Schlimm, OPWC District Coordinator in June to develop a strategy and discuss why Edith/Pine/Jefferson did not move up
(Mayor Cosby said Edith/Pine/Jefferson) is deteriorating. Bruce Brandstetter said it doesn't help to move up with the road being a low traffic area)
- Applications typically due third Friday in September

Pavement Management Update

- An updated study with estimated repairs was presented to Council.
- Documentation of flooding, roadway, structure or property would be helpful (photographs, insurance claims, etc.)

Eagle Scout Project at Moundview Park (Reported by Mrs. McConnell)

Nathan Wilson is currently a Life Scout and is planning an Eagle project for 2014. Nathan has been communicating with the Parks Committee about doing a project at Moundview Park. Mr. Dickerson suggested Nathan work on reclaiming a lower picnic area to the left of the playground area. He asked Village Council for approval to begin the process, which would also need to be approved by the Boy Scouts. The project will be completed Spring 2015.

MVCA / Short Park Joint Venture (Petition presented)

Randy Haverland, 6814 Center Street, presented a petition with signatures from residents that live on Plum, Debolt, Center and Church streets. Mr. Haverland asked Council to consider not doing the project at all. He said most people would be in favor of the athletic campus if it could be built on Zone 3 if the project is approved by Council. Noise, Parking, Traffic and Lights were concerns discussed.

Mr. Harten said a Public Hearing is scheduled for June 24, 2014 at 7:00pm to inform the residents of the facts of the proposed plans for an athletic complex at Short Park.

Mr. Kobasuk made it clear that the athletic campus would be available to village residents and urged everyone to come to the June 24th Public Hearing.

MVCA / Short Park Joint Venture (Headmaster Shawn Baker)

Mr. Baker thanked Council for their efforts and time over the last several months on the proposal set forth by MVCA. MVCA appreciates the great working relationship with the Village of Newtown over the past seventeen years. Mr. Baker said it is their heart's desire to continue and strengthen that relationship. Mr. Baker made it clear that Zone 3 would always be available to the residents. The walking trail would not only be improved, but would also be made available to the residents. MVCA has 90 students from the 45244 zip code and well over 100 from Anderson Township. The ultimate desire is keep the school viable long-term in this vicinity and to chisel out a win-win for the school and the Village of Newtown. Having a home athletic complex promotes growth and sustainability. Currently, the number one reason MVCA doesn't retain students is not having a home athletic complex. The goal is to retain those students and build something that will benefit everyone.

Paul Schacht, MVCA Vice President of Board of Trustees. Mr. Schacht laid out five benefits to the Village of Newtown:

1. Enhanced Park that is currently underutilized.
2. Economic benefit to local businesses
3. Economic benefit to the Village of Newtown
4. Help oppose the Rail project and the Eastern Corridor project
5. Increased viability of MVCA

Mr. Schacht said with the help of Village Council, MVCA will be able to provide a home for outdoor sports. In order for MVCA to grow, the athletic program must be beefed up.

MVCA Traffic/Parking

MVCA has 350 students coming and going on a daily basis with multiple school busses. Police Chief Tom Synan said from the department's position, they are not concerned about traffic. Chief Synan said he does not believe traffic would be an issue at all, as this is not Moeller vs. Elder; this is a private Christian school that already holds events. The police department already deals with traffic from the annual Easter Egg Hunt, Memorial Day Parade and WinterFest.

MVCA has a shared agreement with Faith Christian Fellowship to use their parking. The church holds 300-400 parishioners each week so there would be plenty of parking spaces for the school to utilize.

Field Location/Lighting

The placement of the field and lighting were discussed. It is estimated to cost \$600,000 to fill Zone 3 to utilize as a field. This would be a deal-breaker for MVCA. These items and more will be continued at the June 24th Public Hearing at 7:00pm. It would make better sense for MVCA to use the \$600,000 as a down payment to relocate, which is not out of the realms of possibility.

John Kaufman, MUSCO Lighting presented a layout of an illumination summary and the effects lighting would have on the surrounding area. Mr. Kaufman will also be present at the 6.24.2014 Public Hearing.

MVCA has a football team and future events could expand to youth soccer and youth lacrosse if the Joint Operational Board decided they wanted to lease the facility out. The Joint Operational Board would include two Village Council members, the Mayor and two MVCA representatives. The Village of Newtown would also be able to host tournaments on the field.

MVCA Board Member/Past-President Tom Rhodenbraugh said the high school was added eight years ago increasing headcount from 150 to 330. The max will be 500 to 550 students with 200 being high school students. Often MVCA's impact is not seen, as it is financial, community-based helping folks out. He said MVCA desires to grow and stay in the Village of Newtown. Mr. Rhodenbraugh thanked Council for allowing the school to use Short Park field for the past six years for football and baseball. MVCA hopes to reach an agreement and partner with the Village so they can have a home athletic facility, as it is a weakness for the academy to not have an athletic facility.

In past business transactions with several local businesses, Village Council has been studious making sure fair market value was paid to the Village. Mr. Kobasuk said he understands MVCA will invest \$50,000 in equipment for Zone 3 with 1 million dollars of improvements that the Village can use – 25% of 1 million dollars is \$250,000, which is thought to be fair market value. Mr. Kobasuk asked MVCA members if they would consider increasing the rent component in the agreement

to be fair to the residents. Mr. Tiettmeyer compiled the numbers for the term sheet and said he would be happy to work with MVCA to recalculate numbers taking all improvements into consideration.

Property Values (handout presented for the record)

MVCA had a local broker run a report of real estate comparisons for homes around Turpin High School. The values of the homes were not negatively impacted; actually, they sold for 94.555% to 100.73% of the asking price.

Mr. Kobasuk asked Solicitor Miller to locate a neutral third-party real estate appraiser to prepare comps for the homes in the vicinity of the school and of the proposed athletic complex. Council's intent is to do the right thing for the residents. Mr. Kobasuk said MVCA are good partners in the Village and we do not want them to leave. MVCA is the fifth largest taxpayer in the Village and the students and families generate economic revenue by shopping at local businesses.

Mrs. Sue Barnard said her concern is the placement of the field; she is not against MVCA and the kids.

U Lucky Dawg Hotdog Stand

Owner Steve Carson's hot dog stand is currently set up at the Village Quick Lube. Mr. Carson talked to Council about a recent incident at this location. Mayor Cosby told Mr. Carson he would need to go before Planning Commission or Board of Zoning Appeals for all zoning issues.

Lake Barber Consultant RFP's (Reported by Joe Harten)

Two of four proposals were received; Mr. Harten will meet with each firm and report back to council.

Planning Commission Update (Reported by Joe Harten)

A potential zone change on Church Street was discussed at a recent meeting.

Public Hearing – Tuesday, June 24, 2014 (Reported by Joe Harten)

A Public Hearing is scheduled for June 24, 2014 at 7:00pm to inform the residents of the facts of the proposed plans for an athletic complex at Short Park.

Moundview 2nd Floor Renovation Update (Reported by Mrs. McConnell)

The second floor renovations to the Community Center are progressing. Drywall is being hung. IBI passed the electrical inspections. The two smaller roofing jobs have been completed. The project is expected to be completed by the end of May.

Flooring: The hardwood floors are not thick enough to refinish; therefore, the contractor recommends carpet for the two large rooms. A twenty-year life flooring for the kitchen, stair hall and small room off of the stair hall was discussed. This is a possible \$2,000 additional cost.

Mrs. McConnell made a motion to approve an amount not to exceed \$2,000 for the above mentioned flooring. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.

Moundview Community House Second Floor Use by Charitable or Civic Organizations (Reported by Mrs. McConnell)

Mayor Cosby said he reviewed the Second Floor Use by Charitable or Civic Organizations and said he thought it looked great. Solicitor Miller will review the document.

Veteran's Memorial Memorandum of Understanding (Reported by Mrs. McConnell)

In an effort to clarify ongoing responsibility for any costs associated with the Newtown Veteran's Memorial, the Memorandum of Understanding was constructed. Solicitor Miller will review the document.

Independent Appraisal of Property

As previously discussed, Mr. Kobasuk is asking Solicitor Miller to obtain an independent property appraisal firm to do an evaluation of the property values of the homes in the vicinity of the proposed athletic complex. This will allow council to make a firm decision at the next meeting to retain one of the companies. Council will then give Solicitor Miller the parameters for the use of the football stadium. Mr. Kobasuk stated for the record that Mr. Barnhorn was paid to do the letter regarding the previous appraisal.

If the appraisal company chosen has enough time to complete its findings, they will attend the June 24th Public Meeting to present the report to Council and answer any questions.

Mr. Kobasuk made a motion to instruct Solicitor Miller to obtain an independent property appraisal firm with an estimate not to exceed \$3,500. Ms. McConnell seconded the motion. All Aye. Motion Carried.

Ancor Area Plan & Proposed Ancor Connector Road (Reported by Mr. Kobasuk)

Mr. Kobasuk and Mr. Tiettmeyer recently met with an Anderson Township representative. It was proposed that Newtown pass a resolution to allow the Hamilton County Engineer's to construct the Ancor Connector, which would connect Broadwell Road to SR 32 near the Village of Newtown's eastern boundary with Anderson Township. The road would come out by Valley Asphalt (Martin Marietta) property on the north side of SR32 at the Village/Township eastern boundary. They do not want to come through the hill; they would come through Newtown and asking Village officials to sign off on it. Mr. Jackson will drop off an informational packet for council to review for the 5.27.2014 Council Work Session meeting.

Checklist

Mr. Tiettmeyer made a motion to approve the 5.13.2014 Checklist for \$95,268.70. Mr. Harten seconded the motion. All Aye. Motion Carried.

CMC Proposal for Conservation and Exhibition of the Newtown Tusk (Reported by Mr. Tiettmeyer)

Details have been discussed at previous meetings. The Village of Newtown will obtain ownership of the tusk and loan the tusk to the CMC for a period of time. The Village would pay for the conservation of the item, which is \$2,270. It would take three months to complete the conservation of the tusk.

Mr. Tiettmeyer talked about authorizing the CMC to gain possession of the tusk and proceed with the conservation of the tusk. The Village would agree to loan the tusk for a period that would be coterminous with the existing agreement of the current exhibits in the American Indian Education Center at the Municipal Center. The contract would allow the CMC to exhibit the tusk through November 2015. At which time, Village officials would decide whether to bring back the tusk and determine how it would be encased and displayed or extend the agreement to allow the CMC to continue displaying the tusk.

Mr. Tiettmeyer made a motion to approve \$2,270 for conservation of the tusk and the agreement to loan the tusk to the Cincinnati Museum Center for the period discussed above. Mr. Harten seconded the motion.

Discussion

Mr. Kobasuk said he likes the tusk and would like to keep it here in the Village, but deferred it to Mr. Tiettmeyer, as he believes loaning the tusk to the CMC would be a good effort in fostering our relationship with the CMC. Mr. Kobasuk said he understands the tusk could come back to the Village November 2015 if Village officials chose to do so. Mr. Tiettmeyer thought it would foster a positive working relationship with the CMC and the Village could ask the CMC to refresh the artifacts at the end of the agreement, November 2015. Mayor Cosby said he is in favor of the agreement, but he wants to make certain the Village doesn't lose track of the tusk.

All Aye. Motion Carried.

LOTH Furniture Final Invoice

LOTH stored the furniture donated by Fifth Third to be was used in the Municipal Center and the Police Department. Furniture for the PD will be delivered to the common area of the training room until renovations are completed.

Mr. Tiettmeyer made a motion to approve \$1,404 for the remaining of the warehousing and delivery of the furniture. Mr. Harten seconded the motion. All Aye. Motion Carried.

Police Department Renovation (Reported by Mr. Tiettmeyer)

A meeting with Kyle Hinck, Architect, recently took place regarding the renovations. An updated plan was presented to Council. Changes include all locker rooms to be constructed in the basement, which should save money. Construction drawings for the entire building will be the next step. Bids will be brought to council for approval. Construction will be done in segments. Phase I will include completing the offices.

Mr. Tiettmeyer made a motion to proceed with construction drawings based on the layout of the first floor and the basement as presented. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Safe Removal (Reported by Mr. Tiettmeyer)

Several bids to remove the safe were obtained. Diebold Safe submitted the lower bid of \$2,310 to remove the safe. The bid also includes disposing of the safe. Post Browning also submitted a bid.

Mr. Tiettmeyer made a motion to approve \$2,310 to Diebold Inc. for the removal of the safe. Mr. Harten seconded the motion. All Aye. Motion Carried.

Political Flyers (Reported by Mr. Tiettmeyer)

Tom Brinkman recently distributed flyers in the Village of Newtown. Mr. Brinkman appeared to say that the Village supported him in the flyer and Council clearly did not make a motion to support Mr. Brinkman. Mr. Zornes said he did talk to Mr. Brinkman about not using the Village logo in the future.

Council Minutes

Mr. Zornes made a motion to approve the 4.22.2014 Council Minutes, seconded by Mr. Kobasuk. All Aye. Motion Carried.

Community Aggregation, Energy Alliances

Energy Alliances will be present at the 5.27.2014 meeting to discuss the process of placing the program on the ballot.

Resolution for Council Members Joining Employee Health Insurance

Council decided to not have Solicitor Miller to continue reviewing statute 102.03. Mr. Kobasuk said this is something Council could decide to do in the future with new council members.

Bids for Municipal Center Parking Lot

Two bids were received. Mr. Dickerson recommended that Rack Seven be granted the job since they will apply two coats with a squeegee and Harts bid was to apply one coat.

Mr. Short made a motion to approve \$1,140 to Rack Seven to reseal the parking lot. This will include two coats with a squeegee. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Resolution, Contract w/Cahall Bros., Inc.

Resolution is to acquire a John Deere 4520 Compact Utility Tractor with backhoe front loader for \$46,201.80

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

Mr. Short made a motion to adopt RESOLUTION NO. 14-2014 A RESOLUTION AUTHORIZING A CONTRACT WITH CAHALL BROS., INC. FOR THE PURCHASE OF A UTILITY TRACTOR WITH ADDITIONAL EQUIPMENT, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes 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.

Resolution, Contract w/Cahall Bros., Inc.

This is to acquire from Cahall Bros., Inc. a 1996 John Deere 5400 Tractor with flailing mower and subtract the cost thereof the trade-in of the Village equipment (1992 John Deere 955 4WD Compact Utility Tractor) with front broom and five-foot arm cycle mower. Cost shall not exceed \$3,200.

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

Mr. Short made a motion to adopt RESOLUTION NO. 15-2014 A RESOLUTION AUTHORIZING A CONTRACT WITH CAHALL BROS., INC. FOR THE PURCHASE OF A UTILITY TRACTOR WITH ADDITIONAL EQUIPMENT, DECLARING CERTAIN VILLAGE PROPERTY AS SURPLUS AND AUTHORIING ITS TRADE-IN, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk 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.

Resolution, Contract w/Fuller Ford, Inc.

This is to acquire a 2015 Ford F350 4x4 SDR truck. Cost shall not exceed \$29,748.50.

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

Mr. Short made a motion to adopt RESOLUTION NO. 16-2014 A RESOLUTION AUTHORIZING A CONTRACT WITH

FULLER FORD, INC. FOR THE PURCHASE OF A 2015 FORD F350 4X4 SDR TRUCK, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes 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.

Resolution, Village Property Surplus

This is declaring a 2000 GMC Pick-Up Truck and the 2007 ExMark mower as surplus.

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

Mr. Short made a motion to adopt RESOLUTION NO. 17-2014 A RESOLUTION DECLARING CERTAIN VILLAGE PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.

Hamilton County Storm Water District

Mr. Short made a motion to approve the 2015 Storm Water Service Fee of \$8.13 to be placed on the property owner's tax bill. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Martin Marietta Mining Update

Solicitor Miller emailed a copy of the brief that was filed on behalf of the Village and other communities. Their brief will be due the end of May.

National Police Week (May 12-16, 2014)

Mayor Cosby read a Proclamation designating May 15th as Peace Officers' Memorial Day, and the week in which may 15 falls as National Police Week.

Mr. Kobasuk suggested purchasing lunch for the Newtown police officers, in observance of Peace Officers' Memorial Day.

Mr. Harten made a motion to adjourn at 9:00pm.