

The May 23, 2017 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: Emily T. Supinger
	Daryl Zornes	Cheryl McConnell	Fiscal Officer: Keri Everett
	Joe Harten	Terry Fairley	Assistant to Mayor: Becky Fairley

Council Member Terry Fairley:

As you know, my family suffered a devastating tragedy with the death of our son Caleb on Wednesday, April 19, 2017. These past several weeks have been understandably the most difficult that we have ever faced. I want to take this opportunity to publicly express our gratitude to many who came to our aide offering support and compassion. First of all, I want to thank the Village of Newtown Police Department; specifically, Chief Tom Synan, Lieutenant Shawn McBreen, and Detective Spencer Bischoff for their professionalism; but moreover, their compassion during those first few hours was invaluable and we are forever in their debt. Also, during those first few days there was hardly a minute that a police officer on duty was not at our home making sure that all of our needs were being met and for that we will be forever grateful. Secondly, I would like to thank Chief Ober and the firefighters and EMS personnel who responded that morning. The paramedics were extremely compassionate and we are so fortunate to have a department that is so sensitive to these situations. So please extend our sincerest thanks to all who were involved that day. I would also like to thank our Maintenance Department for their kind generosity and sensitivity in the burial of our son and also for their numerous visits to our home to make sure that we were okay and to see to our needs. I would like to thank Keri for manning the office in Becky's absence and for her coordination of the food and the drink and the organization of Caleb's Celebration at Moundview Park. With that said, we are also very, very much appreciative to the many local and regional businesses who donated food and flowers for Caleb's Celebration. It made the day a little happier and a little brighter. And finally, we just want to thank the entire community for their support during this most difficult time. The outpouring of comfort, condolences and sympathy from so many people has been unbelievable and overwhelming. You know our community is much like a family; although, we sometimes have our differences it is very heartening to know that at the end of the day we can all come together to support one of our very own. Words cannot do justice for the gratitude that we hold forever in our hearts for everyone's support and we just want to recognize that support and please know it did not go unnoticed. Thank you all from the Fairley Family, we appreciate everything very much.

Short Park Development Project (Reported by Mayor Kobask)

At the last meeting we had a resident complaining about the maintenance of the park. I have looked into it and the maintenance issues were not due to MVCA. Hamilton County Park District had not cut the grass along the Bike Trail and a resident had cut honeysuckle and thrown it on park property. Both issues have been taken care of. MVCA is maintaining the park and saving the village money. This park development is in the exploratory stage; we have a lot of work to do yet. I also met with a member of MVCA who showed me sufficient evidence that they have just about \$1,500,000 in ready liquid funds. They are not all in a bank account but in today's world with a phone call or keystroke will have those funds delivered to their bank account. I did not receive or ask for any documents.

A resident would like to have a non-village sponsored public forum on Short Park in this building on 06.06.2017 from 6:00pm-8:00pm. I'm not going to sponsor a village event at this time because we are still in the exploratory stage.

1st Quarter Fire Service Update (Reported by Fire Chief Ober)

First Quarter this year, things are going well, no issues, a few calls down from last year. We are going to be implementing some changes with our Fire Inspection Program similar to what we already do in the township. We follow the Ohio Fire Code and we will continue to inspect the businesses in the Village and implement a permit process. It will affect about 60 businesses; if they have bulk storage, large occupancy, etc. It is sort of a right to know. It gives us a heads up that it is there and we put it in our data base. We just did an inspection recently and did not realize that there is a business in the village that had liquid oxygen. That is a firefighting challenge if and when that were to occur. It's ok, it's a well established business, been here awhile but those are the kind of things that we can put into our process and plans so we know how to deal with it if and when and hope there is never an event. The businesses will be getting a certificate when we make our rounds. We do at least one inspection per year.

Diversified Environmental Consulting, LLC. (Short Park Development Project Update Reported by Barry Franz)

The Village retained Mr. Franz to consult on the Short Park Development Project regarding Environmental Engineering issues. Mr. Franz gave a slide show presentation to Council on the work he has done so far and what our next steps should be. Please see attached slide show documents.

Village Engineering Update (Reported by Bruce Brandstetter)

1. Ivy Hills Trash Rack: Brandstetter Carroll recommends following through with quote from Mike's Welding for \$3,850. It is a stainless steel trash rack placed at the opening of the pipe to keep debris out. Ivy Hills Country Club has offered to come in and periodically clean out the debris that will settle there at the discretion of the Village for \$650 per cleaning. Solicitor Supinger will draft an agreement to be signed by both parties outlining the terms of the pipe cleaning.

2. St. Rt. 32 East Storm Pipe Replacement Project: Field Survey is completed, the final design will be completed in June, advertised in July and ready for Council's approval and start date. Mr. Tiettmeyer congratulated Mr. Brandstetter for obtaining the additional MRF Grant for the Village as it is very beneficial to our Storm Water Utility Fund.

Total Project Cost	\$426,030
OPWC Grant	\$195,015
MRF Grant	\$ 64,500
Village Cost	\$166,515

3. 2017 Street Paving Improvement Project: The bids were opened on 05.16.2017. Two bids were received; Barrett Paving for \$942,022.05 and John R. Jurgensen for \$911,119.40. Jurgensen was the low bid and will be ready to start sometime in July and be completed in September or October. We did include some alternates for catch basin repairs around the village but I think those numbers came in a little high so we are just recommending sticking with the base bid and getting those catch basin's repaired with a smaller company.

4. Ragland Road Culvert Project: We completed the Field Survey and the design will be completed in June. I know we want to get this project moving but the utility coordination and easements are going to take a little bit of time. You are going to need to hire a surveyor to complete the easement work. I still see it being advertised in August and being completed this year depending on the weather. I have some alternatives to sit down and talk through with the Village before completing the design.

5. St. Rt. 32 Widening/ODOT Safety Grant: On 05.17.2017 there was a presentation meeting in Columbus with ODOT. Tim Brandstetter and Lt. McBreen attended the meeting to speak on behalf of the Village for this project. Currently the Village has committed to a 10% match (\$80,000) and was asked if we would be willing to go to 20%. The money and project would not be needed or completed for another 2-3 years by the time we got through design and easements. Council agreed to raise the commitment to 20%.

6. MVCA/Short Park Plan Review: Ben Brandstetter has been working with Barry Franz on the plan review for this project and I think Barry covered that in great detail.

7. I have been approached by some folks in the clusters of Ivy Hills who are concerned about the debris in the creek also. They sent me a video and I met with them last Tuesday; they are getting a bunch of debris coming from upstream in Anderson Township. That creek is on the border of the right of way but is the homeowner's responsibility so we will come up with some steps, a plan to determine what the best way to handle this is.

Council Checklist

Mr. Tiettmeyer made a motion to approve the 05.23.2017 Council Checklist for an amount of \$69,255.86 seconded by Mr. Zornes. All Aye. Motion Carried.

2018 Village Tax Budget

Mr. Tiettmeyer made a motion for the 1st Reading for a RESOLUTION ADOPTING THE 2018 TAX BUDGET FOR THE VILLAGE OF NEWTOWN.

1st Qrt. 2017 Finance Report (Reported by Vice-Mayor Mr. Tiettmeyer)

We should be at about 25% for the first quarter and if you look at some of the line items we are not and that is because some of the revenue items, specifically property tax collections, are only collected twice a year and not yet collected for the first quarter; they will correct themselves as we move forward so we are comfortable where we are currently at. On the expense side, the Police Department, Maintenance Department and Administration are all pretty much in line with our expectations and we have not spent any of the contingency funds.

Surplus (2) PD Smith & Wesson Handguns (Reported by Mr. Zornes)

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

Mr. Zornes made a motion to approve Resolution #18-2017 A RESOLUTION FINDING CERTAIN VILLAGE OWNED PERSONAL PROPERTY TO BE NOT NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE POLICE CHIEF TO EXCHANGE SUCH PROPERTY FOR NEEDED PROPERTY OF THE SAME TYPE. Mr. Harten seconded the motion.

Roll Call: Mr. Zornes – Yes, Mr. Short – Yes, Mr. Tiettmeyer – Yes, Mr. Fairley – Yes, Mrs. McConnell – Yes, Mr. Harten – Yes. Motion Carried.

Moundview Park Porch Repairs (Reported by Mr. Harten)

Chuck Morgan has received some bids for repairs that need to be done on the Moundview Park Porches. I just have some clarifications to make so before the next meeting you will receive a summary of those bids and I will be asking for vendor approval. The funds for the repairs have already been budgeted for this year.

Council Minutes

Mr. Short made a motion to approve the 05.09.2017 Council Minutes, seconded by Mr. Zornes. All Aye. Motion Carried.

Amending the Sick Leave Donation Policy

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

Mr. Short made a motion to approve Ordinance #16-2017 AN ORDINANCE AMENDING THE SICK LEAVE DONATION POLICY CONTAINED WITHIN THE PERSONNEL POLICIES AND PROCEDURES MANUAL AND DECLARING AN EMERGENCY. Mrs. McConnell seconded the motion.

Discussion: Mayor Kobasuk explained with our current policy an employee must exhaust all their leave before accepting sick leave time donated from another employee. Mrs. Supinger said that this amendment will allow a death of an immediate family member to be a qualifying event that you can receive sick leave donation; the village does not have any bereavement leave under its current personnel manual. Also, it allows in extraordinary circumstances, the discretion of the Mayor to authorize an employee to receive donated leave without having first exhausted all of their other leave. It is 100% voluntary.

Mr. Harten: I am trying to do the right thing long term. I would much rather see us do what the rest of the universe does and adopt a bereavement leave policy that we can apply to all employees thereby avoiding problems potentially in the future when the same or similar situation might happen to another employee and no one wants to come forward and donate leave. It's more common to have a bereavement leave policy and I think it's more appropriate and natural in the business world today and I would like to see us move more in that direction then adjust the sick leave policy and extend it in this way at this point. With these kinds of policies there is just the potential for abuse or differential treatment of people so there is worry there.

Chief Synan: The Village does not reimburse us for all of our sick leave; there is only a certain amount that gets reimbursed so in my case I have almost 4000 hours in sick leave so there is no way the Village is going to pay me back for that. That is time actually earned so instead of it being wasted that is one of the reasons we are donating it because it can't be used anyway unless the Village changes the policy on that, that would be time that would just be gone.

Mrs. Supinger: This Policy and the way it was written is modeled after the Ohio Administrative Code provisions that pertains to state employees. It is a direct donation, voluntary from one employee to another. Our policy mirrors the state code.

Mr. Tiettmeyer: Is there any reason why we are doing this now as opposed to doing this in conjunction with the bereavement policy and do it at once? Is it an emergency need?

Mayor Kobasuk: Yes, I would like to get it done now.

Roll Call: Mr. Zornes – Yes, Mr. Short – Yes, Mr. Tiettmeyer – Yes, Mr. Fairley – Abstain, Mrs. McConnell – Yes, Mr. Harten – No. Motion Carried.

Mr. Brinkman, State Representative, will be having a Town Hall meeting here on 06.05.2017 from 6:00-8:00pm. He will be talking about state issues only including healthcare, K-12 education and liberal cause issues.

American Flags (Reported by Mr. Short)

The Civic League purchased new American Flags to replace some old flags and to add more to the Village.

Memorial Day Parade (Reported by Chuck Short)

We will have the Memorial Day Parade on Monday, May 29, 2017 between the hours of 9:45 am and 12:00pm. There will be a Council float so I would like to know how many members of Council are planning on attending so we can have plenty of room on the float?

Mayor Kobasuk: I am going to have the Village purchase candy so we will have plenty to throw.

Jones Fish Hatcheries & Distributors, Inc. Zone Change (Reported by Cheryl McConnell)

Mrs. McConnell had a 1st Reading on AN ORDINANCE APPROVING A ZONE CHANGE FOR PROPERTY LOCATED IN THE VICINITY OF 3411 AND 3433 CHURCH STREET IN THE VILLAGE OF NEWTOWN.

The 2nd reading will be at our 06.13.2017 Council Meeting.

The 05.25.2017 Planning Commission Meeting has been cancelled due to lack of an agenda.

2017 Street Paving Improvement Project (Reported by Terry Fairley)

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

Mr. Fairley made a motion to approve Resolution #19-2017 A RESOLUTION AUTHORIZING A CONTRACT WITH JOHN R. JERGENSEN FOR THE 2017 PAVING IMPROVEMENTS. Mr. Tiettmeyer seconded the motion.
Roll Call: Mr. Fairley – Yes, Mrs. McConnell – Yes, Mr. Harten – Yes, Mr. Tiettmeyer – Yes, Mr. Short – Yes, Mr. Zornes – Yes, Motion Carried.

MRF Grant (\$64,500) For St. Rt. 32 Storm Pipe Replacement Project (Reported by Terry Fairley)
Mr. Fairley made a motion to suspend the rules, seconded by Mr. Short. All Aye. Motion Carried.

Mr. Fairley made a motion to approve Ordinance #17-2017 AN ORDINANCE AUTHORIZING AN AGREEMENT BETWEEN THE VILLAGE OF NEWTOWN AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS RELATIVE TO THE IMPROVEMENT OF MAIN STREET (STATE ROUTE 32) STORM SEWER. Mr. Zornes seconded the motion.
Roll Call: Mr. Fairley – Yes, Mrs. McConnell – Yes, Mr. Harten – Yes, Mr. Tiettmeyer – Yes, Mr. Short – Yes, Mr. Zornes – Yes, Motion Carried.

Executive session under 121.22(G)(1), (2), and (3)

Mr. Short made a motion to go into executive session at 8:32 pm under 121.22(G)(1), (2), and (3) to discuss the appointment and compensation of a public employee, the sale of property at competitive bidding, and to discuss disputes that are the subject of imminent court action with the Village Solicitor. Mr. Zornes seconded the motion.
Roll Call: Mr. Zornes – Yes, Mr. Short – Yes, Mr. Tiettmeyer – Yes, Mr. Fairley – Yes, Mrs. McConnell – Yes, Mr. Harten – Yes.

Mr. Tiettmeyer made a motion to come out of executive session at 9:25 pm, seconded by Mr. Short.

Roll Call: Mr. Harten – Yes, Mrs. McConnell – Yes, Mr. Fairley – Yes, Mr. Tiettmeyer – Yes, Mr. Short – Yes, Mr. Zornes – Yes.

Mayor Kobasuk: We are out of executive session and there is no action to be taken.

Mr. Tiettmeyer made a motion to adjourn at 9:26pm, seconded by Mr. Harten. All Aye. Meeting adjourned.

Transcribed by Fiscal Officer, Keri Everett