

The July 15, 2014 "Special" 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.

<b>Councilmembers:</b>	Joe Harten	Chuck Short
	Mark Kobasuk	Curt Tiettmeyer
	Cheryl McConnell	Daryl Zornes

Solicitor: Doug Miller

The purpose of the special meeting is to have the Final Reading of an Ordinance placing the Short Park / MVCA issue on the November 2014 Ballot.

*Ordinance 04-2014 Section 2: Pursuant to Ohio Revised Code Section 731.46, a special meeting of Village Council may be called by the Mayor of the Village or by any three members of Village Council upon at least twelve hours' notice to each member, served personally or left at his or her usual place of residence.*

The proper procedure to notify Village Council of the special meeting was followed, per Solicitor Miller's direction. Mr. Kobasuk stated for the record, three council members called for the special meeting. Vice Mayor Daryl Zornes, Councilman Short and Councilman Kobasuk called for the special meeting. Everyone was notified by emails and a paper copy of the emails were delivered to the homes of all council members on Friday, July 11, 2014. Mr. Kobasuk said Solicitor's Miller's advice to notify council was followed.

Solicitor Miller suggested passing the ordinance by an Emergency if the ordinance is passed. Two readings took place: one June 24, 2014 and one July 8, 2014. The ordinance needs to be delivered to the Board of Elections by August 6, 2014.

At the July 8th Second Reading of the Ordinance, Mr. Tiettmeyer suggested revising the language by replacing the word "stadium" with "athletic field with bleachers." The language on the below ordinance for the ballot was drafted by Solicitor Miller.

Mrs. McConnell asked Solicitor Miller, if the ballot initiative passes tonight and is placed on the November 2014 ballot and the measure is passed to continue negotiations with Miami Valley Christian Academy, do residents have any recourse at that point? Solicitor Miller said if the agreement would be adopted by an ordinance/resolution by emergency then there would be no referendum of time. The ordinance/resolution would not go into effect until thirty (30) days if it is not passed by emergency. Mr. Kobasuk said, practically speaking, if there is a majority vote that passes the ordinance, the residents that would want to place it back on the ballot a second time would have difficulty gathering signatures. Whereas, the intent now is to vote on it so it is a definitive determined issue with one vote and gives residents a chance to vote.

Mr. Tiettmeyer asked Mr. Harten if he knew how MVCA feels in terms of the issue possibly going on the ballot. Mr. Harten said he talked to Shawn Baker this afternoon and Mr. Baker said he and the Board of Trustees are disappointed but are willing to proceed with the process. At this point and time, they have discussed what might happen next. They will also not be announcing large campaign contributions until this issue is resolved one way or the other, stated Mr. Harten.

Solicitor Miller asked Council if the ordinance is passed tonight placing the issue on the ballot, do they want him to continue the process of negotiations with MVCA. Mayor Cosby said the directive was to continue negotiations, as voters will need solid answers to make an educated vote. Mr. Kobasuk said he doesn't see placing this issue on the ballot as a big delay because it will take time to do the negotiating to get the final draft to have three readings. The terms of the agreement will need to be negotiated and agreed upon, whether the issue is placed on the ballot or not. Mr. Kobasuk said he is fine with Solicitor Miller continuing the negotiations with MVCA.

Solicitor Miller said placing the issue on the ballot is asking the Village residents for an advisory opinion. Council could still decide to move forward with the agreement, regardless of the outcome. Mr. Kobasuk laid out a two track approach: 1) possibly having the ballot initiative and 2) council voted to have Solicitor Miller draft an agreement with MVCA. Then if the voters approve the issue Council would be ready to move forward. Mr. Kobasuk urged Solicitor Miller to follow through with the motion to negotiate with MVCA's attorneys and work on the draft agreement, as Council would like to review the draft in the next few meetings.

Ordinance, Third and Final Reading Placing Short Park / MVCA Issue on Ballot

**Mr. Kobasuk made a motion to have a Third and Final Reading on ORDINANCE 11-2014 AN ORDINANCE DETERMINING TO SUBMIT A QUESTION TO THE ELECTORS OF THE VILLAGE OF NEWTOWN AT THE NOVEMBER 4, 2014 GENERAL ELECTION, DIRECTING THE FISCAL OFFICER TO FILE A COPY OF THIS ORDINANCE WITH THE HAMILTON COUNTY BOARD OF ELECTIONS AND ORDERING THE HAMILTON COUNTY BOARD OF ELECTIONS TO PLACE THE ISSUE ON THE BALLOT. Mr. Short seconded the motion.**

Discussion

Mr. Tiettmeyer is changing his vote from the Second Reading at the July 8<sup>th</sup> Council Meeting and will be voting in favor of placing the initiative on the ballot. He is changing his vote due to Mr. Kobasuk's education on this issue and after further discussion, he better understands the process and why Mr. Kobasuk supports placing the issue on the ballot. Mr. Tiettmeyer said he feels this is the right thing to do and move this forward as quickly as possible. Mr. Kobasuk reiterated he is not trying to delay a determining vote. He believes after receiving the people's vote Council can act accordingly very quickly.

**Roll Call: Mr. Harten-No, Mrs. McConnell-No, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

Mr. Harten asked the council members that voted in favor of placing the issue on the ballot their thoughts about accepting the vote of the people. He asked if this comes back positive or negative, are they going to vote the way the people advise. Mr. Short said he feels it should always be about the voice of the people and that is why this should go on the ballot. Mr. Kobasuk said he will follow the will of the people.

Meeting adjourned at 7:15pm.

Transcribed by Becky Fairley