

Call to Order/Pledge of Allegiance/Attendance

The July 10, 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.

Council Members: Curt Tiettmeyer (Vice Mayor)	Terry Fairley	Solicitor: Emily T. Supinger
Daryl Zornes	Don Carroll	Fiscal Officer: Keri Everett
Chuck Short	Sarah Williams	Assistant to Mayor: Becky Fairley

Public Hearing 2019 Village Budget No audience participation.

Approval of the Minutes

Mr. Short made a motion to approve the 6.12.2018 Council Minutes; motion seconded by Mr. Zornes. All Aye. Motion Carried.

SPECIAL PRESENTATION (None)

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?

Ragland Road Storm Water Drainage Issue

Resident Jody Johnson, 6936 Ragland Road, asked where we stood on the engineering second opinion and the remaining signatures needed for the easement. Mayor Kobasuk said Village officials met with CT Consultants on July 2nd and walked the site. Water from about 90 acres from River Hills dumps into this creek. After researching the issue and preparing an analysis of the drainage issue, CT Consultants will meet with Village officials to discuss the analysis. An update will be discussed at the 7.24.2018 Council Meeting. Two easements remain unsecured.

At the June 12th Council Meeting, Council approved an amount not to exceed \$5,00 to obtain a second opinion with CT Consultants for the Ragland Road Storm Water Drainage Review. Mr. Fairley said spending over half million dollars on this project, the Village wants to make sure we are frugal with taxpayer dollars and getting the best bang for our buck. All options need to be considered for a long-term resolution, due to the enormity of this project. CT Consultants are a reputable firm and came highly recommended. Current plans, photos and videos were reviewed and discussed when Mayor Kobasuk, Mr. Fairley, Mr. Short and Chuck Morgan met with CT Consultants on July 2nd. After discussing the documentation, everyone visited the Edith/Pine/Ragland creek site, walked the creek and assessed the head drain, viewed the flood area and elevation of the yards. Afterwards, everyone went to Ragland Road where residents Mike Hedrick and Jim McNulty explained their experience with the flooding that has taken place for many years. CT Consultants talked about a few ideas after reviewing the documentation and site, which should be contained in their report to the Village. Yeager's pond was also visited where CT Consultants thought that the pond area could be designated as a protected wetland. At the very least, it is a watershed. More discussion will take place after Council receives a detailed report.

MAYOR / COUNCIL REPORTS

Ragland Road Storm Water Drainage – Dredging Creek (Reported by Terry Fairley)

Council approved an amount not to exceed \$7,500 to re-channel the creek, haul away debris, install broken concrete for riprap along edges and restore the property. While this item was brought to Council at the last minute, on the advice of Village Engineer Bruce Brandstetter and Chuck Morgan, the creek bed was pretty much flat and a non-existent creek, which exasperated the flooding. Therefore, taking their recommendation into account, Chuck Morgan scrambled and obtained three bids: Evans (\$20,000), Dave Vogel (\$12,000) and Andy Argo Construction Company gave an hourly quote totaling \$4,088, which did not include restoration.

On June 29th, we contracted with Andy Argo Construction Company, LLC to re-channel the creek, haul away debris from 6.1.2018 flooding, install broken concrete for riprap along edges and restore the property after completion. They worked one day on re-channeling the creek, hauled away the debris that continues to accumulate, installed broken concrete for riprap along the edges. There was an erosion problem with the creek seriously eroding into one of the resident's back yard. They reshaped and re-established the flow of the creek and filled in the eroded area with rip-rap. Anderson Township was gracious and gave the broken concrete to our maintenance department from a job that was done incorrectly where they had to bust up concrete.

A few days later, Argo came back to restore the lawn area that was damaged from the bobcat. The entire project cost \$4,418, which was a bargain. When Mark Brueggemann, CT Consulting saw the work done by Argo Construction, he was amazed at how cheap we were able to get the job done.

Mr. Fairley said it has been suggested and recommended to dredge the Ragland Road Creek on an annual, at the very least, a bi-annual basis. Newtown Maintenance Department will monitor the need regularly. Village Engineer Ben Brandstetter agreed at the June 10th Council Meeting. The last time the creek was dredged was in 2012 and it was about four years overdue.

Aqua Doc (Reported by Terry Fairley)

BCI made a recommendation to have a sediment study of Yeager's pond performed. BCI asked this be done in order to prepare their estimate on possible future work on the pond for the Ragland Road Drainage problem. Aqua Doc submitted a \$580 proposal.

Mr. Fairley made a motion to approve \$580 to Aqua Doc Lake and Pond Management and Supplies for a professional depth and sediment study. Mr. Short seconded the motion. All Aye. Motion Carried.

Maintenance Department Technician Position (Reported by Terry Fairley)

Interviews will take place for several applicants that have been chosen by Chuck Morgan. An update will be given at the next council meeting.

Hamilton County Traffic Department – Long Line Striping (Reported by Terry Fairley)

Hamilton County Traffic Department will be doing our long line striping, yellow and white lines along main thoroughfares. Total is \$4,038.20, which is a budgeted item. Hamilton County does this for the Village at cost; they only charge us for the materials, not the labor.

Mr. Fairley made a motion to approve \$4,038.20 to Hamilton County Traffic Department for painting the long line striping in the Village thoroughfares. Mr. Short seconded the motion. All Aye. Motion Carried.

Fire House Station 22 Air Conditioning Unit (Reported by Daryl Zornes)

There have been ongoing issues with the A/C unit at the fire house cooling properly. Two companies have been unable to pinpoint the leak in the coils. Chuck Morgan had Air-Tech recharge the unit, which should buy us two-three months. It is estimated at \$15,000 to repair the system and \$60,000 to replace the system. Chuck feels it is best to repair the system so we can budget an amount each year for total replacement. The system is only eight years old and should have lasted about twenty years. Chuck Morgan is gathering additional information and will reach out to Peck Hannaford and Briggs to make sure we won't miss out on any possible warranty.

Planning Commission Meeting (Reported by Don Carroll)

Planning Commission met on May 24th with two items on the agenda: 1) 3804 Church Street, The Growler Stop, owned by Bob Slattery. Planning approved an expansion of the building on the backside to accommodate a Dixie Chili restaurant, which will also be a drive-thru. 2) 3237 Church Street, property owned by the Kinney family, who submitted a Conditional Use application. This property was being used by the Cincinnati Soccer Club. This issue was discussed at length at a Public Hearing and continued to the June 28th Planning meeting.

At the June 28th Planning Commission meeting, there was a review of an extensive traffic study that was provided by the applicant, along with feedback from Village Engineer Tim Brandstetter, BCI regarding the traffic study. After lengthy discussions, a long Public Hearings, three meetings, hours and hours of discussion debating input from residents and others, the application for the conditional use came to a vote and was denied by a 3:1:1 vote. (3 in favor of **not** approving the conditional use, 1 **yes**, and 1 **abstention**). The Planning Commission believed the applicant simply did not meet all of the requirements in the Zoning Code for the Conditional Use. At this point, it is believed the applicant is considering an appeal before the Board of Zoning Appeals.

Planning also reviewed the property at 6852 Main Street, in the Planned Village center. The owner is in the process of rehabbing the structure with a mixed-use office space on the bottom floor and two apartments on the top floor. Planning Commission reviewed the plans, the use and approved the use of this building and the rehab under construction.

Planning Commission met on July 5th and reviewed a Conditional Use application for 3652 Round Bottom Road, which is located in our Light Industrial Park zoned area. Forest Hills School District is the applicant and potential owner of the property and was requesting the Conditional Use approval in accordance with the Zoning Code to use the property for transportation and maintenance department for its busses. There were a few comments from the public speaking against the use, primarily related to traffic. A Public Hearing was held with a long presentation from the FHSD, including comments from FHSD

Superintendent Scot Prebles and others, Planning Commission unanimously approved the Conditional Use, after reviewing the traffic flow proposed by the School Board.

Newtown Business Association (Reported by Don Carroll)

Current President Robb O'dell recently had to resign from the NBA. Meetings have been sparsely attended. Dissolving the NBA is being considered, due to lack of interest. A meeting will be held on July 17th.

VILLAGE SOLICITOR'S REPORT

Small Cell Facilities & Wireless Support Structures

Solicitor Supinger reminded Council of recent regulations on small cell facilities and wireless support structures. An ordinance will be presented at the next Council Meeting. The ordinance follows the statute and gives the Village as much authority to regulate the location and appearance and the number of these structures that could potentially be in the Village. The ordinance creates a priority list and fairly high up on the list is that they co-locate on an existing pole or structure as opposed to putting up a new pole. A new pole would have design standards.

Ordinance for Underground Utilities

Solicitor Supinger will also prepare an ordinance for the 7.24. meeting, designating certain areas within the Village as strictly for underground utilities.

NEW LEGISLATION

Resolution, reducing speed limit on SR 32 (Reported by Terry Fairley)

The Village Engineer conducted a traffic study that demonstrates that the current prima-facie speed limit of 50 mph for the operation of motor vehicles on SR 32 between Ivy Hills Place and the eastern limit of the Village is greater than is reasonable and safe under the conditions found to exist at such location. Village Council requests the Ohio Department of Transportation to reduce the speed limit from 50mph to 45mph on SR 32 between Ivy Hills Place and the eastern limit of the Village. A side note to reducing the speed limit, curbs at a smaller footprint will be allowed when we do the work for the storm drain and widen the road. Otherwise, the Village would have had to do ditches and take over some right-of-way. A center turn lane at Little Dry Run and SR 32, will also create a right turn lane at Little Dry Run.

Mr. Fairley made a motion to suspend the rules, seconded by Mr. Zornes. Motion carried.

Mr. Fairley made a motion to adopt RESOLUTION NO. 19-2018 A RESOLUTION REQUESTING THE OHIO DIRECTOR OF TRANSPORTATION TO REDUCE THE SPEED LIMIT FROM 50 MILES PER HOUR TO 45 MILES PER HOUR ON SR 32 BETWEEN IVY HILLS PLACE AND THE EASTERN LIMIT OF THE VILLAGE, IN THE VILLAGE OF NEWTOWN, OHIO. Mr. Carroll seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Carroll-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion carried.

Resolution, adopting 2019 Village Tax Budget

Council is required to adopt a Tax Budget for calendar year 2019.

Mr. Tiettmeyer made a motion to suspend the rules, seconded by Mr. Fairley

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 20-2018 A RESOLUTION ADOPTING THE 2019 TAX BUDGET FOR THE VILLAGE OF NEWTOWN. Mr. Zornes seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Carroll-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion carried.

OLD BUSINESS (None)

NEW BUSINESS

Checklist

Mr. Tiettmeyer made a motion to approve the 07.10.2018 Checklist for \$220,910.31; motion seconded by Mr. Short. All Aye. Motion Approved.

Public Works (Reported by Terry Fairley)

In 2003, President George W. Bush established a directive through Homeland Security recognizing Public Works professionals as First Responders. In May 2018, the American Public Works Association adopted a symbol for Public Works officials. Newtown Maintenance Department will now display the symbols on their vehicles and emergency vests.

Mr. Zornes made a motion to adjourn at 7:15pm; motion seconded by Mr. Short. Meeting Adjourned!

Transcribed by Becky Fairley.