

The August 11, 2015 meeting of the Newtown Village Council was called to order at 7:00 p.m. Mayor Curt Cosby, who led the Pledge of Allegiance to the Flag.

Council Members:	Joe Harten (absent)	Chuck Short	Solicitor: Doug Miller
	Mark Kobasuk	Curt Tiettmeyer	
	Cheryl McConnell	Daryl Zornes	

6840 School Street Property Update

Carrie Vanderzee, School Street, shared information of the attorney's office handling the foreclosure, as well as a contact person with Caliber Home Loans. Mrs. Vanderzee asked how much longer Mr. Murray will be given access to remove his personal items, as she sees very little items being removed. Solicitor Miller said Mr. Murray is still the property owner so he is not trespassing. Council can take additional steps, but it will be time consuming and costly. Mrs. Vanderzee said Mr. Murray is violating hazardous statues (109.4) for the state and thought the state would have the right to tear the house down or give Newtown the power to raze the house for safety reasons. Mrs. Vanderzee said she read the statue in Newtown's council minutes. Solicitor Miller said he will look at the statue. Mr. Kobasuk asked if Newtown is obligated to give access to the house since we boarded up the house. Solicitor Miller said, more than likely, yes because Mr. Murray owns the property but isn't supposed to be in the house since the Board of Health condemned the property. Mr. Tiettmeyer told Solicitor Miller to help find a way so we can board up the house and tell Mr. Murray he can't come back in the house until the issues have been resolved. Mr. Tiettmeyer said this will go on for a long time. Ms. Everett said before action is taken, we need to remember we've given Mr. Murray access to the house two times a week to remove his belongings. Mr. Tiettmeyer said Mr. Murray was supposed to be told by Mr. Weber that his access was granted to continue to remove his belongings, which he is not doing. Ms. Everett said, according to Mr. Weber and Mike Spry, Mr. Murray is making progress removing his belongings.

Eastern Corridor Meeting

Resident John Russell attended the recent Eastern Corridor meeting, along with Mr. Short, Mr. Tiettmeyer and Mr. Harten. Mr. Russell said the Village of Newtown has not been exempted yet and urged Council to remain engaged with the process. West of here is currently out of the study but there is still an opportunity to increase traffic flow and facilitate movement through the Village of Newtown. One of their solutions discussed was an alternate parallel route to SR32 through the Village, one would be east and one would be west. Presumably, it would be next to the railroad track and take off somewhere east of Round Bottom Road and hook up SR32 west of the Village (Main Street). Mr. Russell's opinion is to get this out of their program and continue with low impact studies including signalization and additional turn lanes. A number of things can be done without plowing through the middle of town. Mariemont remains actively engaged since Wooster Pike, Church Street and Newtown Road are part of the low impact studies.

Mr. Short said ODOT is now referring to the Eastern Corridor Study as the Expansion of SR32 Study. ODOT is saying certain things are out of bounds now, but when you take a look at their actual study you can't get from point A to point B without going through some of the others. Mr. Short said in his opinion it was a lot of smoke and mirrors.

LMFR Fire District Proposed Expansion

Resident John Russell said Newtown Council is 100% correct objecting to the proposed expansion with Golf Manor. It doesn't make any sense since Golf Manor is not contiguous to the Village of Newtown.

Bill Teater, owner of Great Day Productions, located in the Village of Newtown, said Chief Ramsey presented numbers to some of the Newtown businesses regarding the possible Golf Manor merger. Mr. Teater asked Mr. Kobasuk to do the same, as it's all about numbers and if the numbers work everyone will be behind the numbers. Mr. Teater voiced his concern about a possible increase in insurance rates if the fire department is not staffed correctly.

Mr. Kobasuk said it is a bad idea to merge with a community that is almost ten miles away, twenty-one minutes away. The concept of a joint fire district is to pull together equipment and manpower. Money paid into a tax levy goes to the joint equipment. Golf Manor would not provide any additional service to Newtown. The merger with Golf Manor would basically be a "tax grab." Mr. Kobasuk said Golf Manor is desperate and they are going to do an end-run around their voters. Golf Manor Council would vote to join Little Miami Fire and Rescue and the Board of Trustees could vote to take them in and the people of Golf Manor would go from 6.5 mills to 12.05 mills. Mr. Kobasuk said their people should have the right to vote on the 12.05 mills. The money they pay should go for their station and equipment. He doesn't want to take their tax dollars and extend our levy. Mr. Kobasuk said he doesn't want to redo their fire station or buy a new truck for Golf Manor. It's a way to get money and go around the ballot box. It's just undemocratic, said Mr. Kobasuk.

Mr. Teater asked if the residents of Newtown voted when Newtown joined the LMFR Fire District. Mr. Kobasuk said the residents should have voted; it's always been a problem since. Mr. Kobasuk said he has not received support from the Fire Board, as he asked well over a year ago to review the numbers and ways to cut costs to prevent another levy. The District came up with the merger as a way to put off a levy. Mr. Kobasuk said he originally supported the merger until he realized that it just didn't make any sense. The Golf Manor merger would not add to Newtown's fire services. Newtown pays the largest share of the levy revenue, which is right at 41%. The Fire Board consists of six members and Newtown has only two votes. Mr. Kobasuk told Mr. Teater he would show him the numbers after the council meeting.

Mr. Kobasuk said as a Newtown Council member, he finds it very offensive that Fire Chief Ramsey went around Council's back to divide Newtown when he visited Newtown business owners without inviting Village Council.

Mr. Tiettmeyer said the budget provided by LMFR is missing information. The revenues going out for ten years are shown but the expenses are lumped into one number across the board. Mr. Tiettmeyer said when he, Mr. Kobasuk and Chief Ramsey were together, Chief Ramsey's comment was "I'll give them to you when we have a meeting. I don't want to send this out in advance." The detail is not there, said Mr. Tiettmeyer. Mayor Cosby thanked Mr. Teater for coming and encouraged him to sit down with Mr. Kobasuk and Mr. Tiettmeyer to discuss the fire department's budget in greater detail.

Planning Commission Update (Reported by Mrs. McConnell)

The Planning Commission met July 30th – most of the meeting involved approval for the zone change for seven parcels on Center and Church Streets. Solicitor Miller created an ordinance, which will be adopted at the 9.22.2015 Council Meeting. The Village of Newtown owns two of the parcels. The zone change will be advertised, along with a Public Hearing scheduled for 6:00pm on Tuesday, September 22, 2015. Advertising the zone change needs to go out by 8.22.2015. The Public Hearing will be held at 3537 Church Street, Newtown, Ohio 45244. Mr. Spry will get the letter out to the property owners, which needs to be done within twenty days of the public hearing.

Mrs. McConnell made a motion to have the Public Hearing for the zone change at 6PM on September 22, 2015. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Mrs. McConnell made a motion to advertise the Public Hearing for the zone change at 6PM on September 22, 2015. Mr. Zornes seconded the motion. All Aye. Motion Carried.

The Planning Commission will meet 8.27.2015 at 7PM.

Ordinance, Rules and Regulations for Lake Barber

The First Reading was held at the 7.28.2015 Council Meeting. Mr. Kobasuk tabled the discussion due to Mr. Harten's absence.

LMFD Fire Board Update (Reported by Mark Kobasuk)

The Fire Board meets 8.19.2015 at 6PM. As of today, Mayor and Council have not received a response to the letter dated July 29, 2015 to the Board of Fire District Trustees regarding the proposed merger with the Village of Golf Manor Fire Department. Mr. Kobasuk said the only thing he has heard is Fire Chief Ramsey going around to the businesses. Chief Synan said he was called by a couple Newtown businesses and has since talked to about six businesses expressing their concern of Chief Ramsey's visit. Chief Synan said some of the businesses have been in the Village for a long time and they were basically told the same thing they heard thirteen years ago when the district was first formed. Some of the businesses told Chief Synan they didn't appreciate the visit, as they believed it was a scare tactic. They were told Newtown would have a "volunteer" fire department and that their business insurance rating would go down. Chief Synan said the businesses support Newtown leaving the fire district.

Special Council Meeting

Council will meet Friday, August 21, 2015 at 6PM to discuss Resolution 32-2015, adopted on August 4, 2015 by Village Council. The resolution places a 12.05 mill levy on the November 3, 2015 general election ballot for the purpose of providing and maintaining fire apparatus, appliances, buildings, or sites therefore, or sources of water supply and materials therefore, or the establishment and maintenance of lines of fire alarm telegraph, or the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, or the purchase of ambulance equipment, or the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company.

Council will decide whether to leave Resolution 32-2015 on the November 3, 2015 general election ballot or remove the resolution from the ballot.

Council Checklist

Mr. Tiettmeyer made a motion to approve the 8.11.2015 Council Checklist for \$108,168.46, seconded by Mr. Zornes. All Aye. Motion Carried.

Police Department Renovation (Reported by Curt Tiettmeyer)

Plumbing issues delayed the renovation but have been resolved; therefore, construction has resumed. Rough-in plumbing is being done and phone cabling has been completed. Additional framing has also been completed.

Resolution, Storm Water Drainage Study

Newtown Council wishes to approve a proposal with Brandstetter Carroll Inc. as Engineers for the Village to conduct a study of the storm water drainage system in the Village of Newtown;

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

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 33-2015 A RESOLUTION APPROVING A PROPOSAL FROM BRANDSTETTER CARROLL, INC. FOR PROFESSIONAL SERVICES TO STUDY STORM WATER DRAINAGE IN THE VILLAGE, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Short seconded the motion. Roll Call: Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.

Maintenance Supervisor – Cemetery Sexton

Mr. Zornes asked for an Executive Session to discuss the open position for Maintenance Supervisor/Cemetery Sexton.

Resolution, Contract with Adleta Construction

The Village of Newtown has a contract with Adleta, Inc. for a stormwater drainage pipe repair on Round Bottom Road. Council wishes to amend its current contract of \$33,263.00 to \$51,718.20.

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. 34-2015 A RESOLUTION APPROVING A CONTRACT WITH ADLETA CONSTRUCTION INC., DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Tiettmeyer seconded the motion. Roll Call: Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.

Martin Marietta Mining Issue

Oral Arguments will be heard August 31st at 9am, stated Solicitor Miller.

Executive Session

Mr. Kobasuk made a motion to enter into Executive Session at 7:38PM to discuss the open position for Maintenance Supervisor/Cemetery Sexton. Mr. Short seconded the motion. All Aye. Motion Carried.

Council reconvened at 8:07PM; there will be no action taken as a result of the executive session.

Mr. Kobasuk made a motion to adjourn at 8:09PM, seconded by Mr. Tiettmeyer. Motion Carried.

Transcribed by Becky Fairley