

The October 14, 2014 meeting of the Newtown Village Council was called to order at 7:00 p.m. by Vice Mayor Daryl Zornes, 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

Veterans Memorial

Bill Teater asked Councilwoman McConnell and Councilman Tiettmeyer to expand on the maintenance agreement for the Veterans Memorial.

Mrs. McConnell's response: The Veteran's Memorial Memorandum of Understanding was adopted by Village Council 6.10.2014. The purpose of the agreement is to clarify ongoing responsibility for costs associated with the Newtown Veteran's Memorial. The Village of Newtown and Newtown Veteran's Association will share the responsibility with the Village taking the majority.

Mr. Teater is the Treasurer for the Newtown Veteran's Association. He said he finds it reprehensible that the Village would expect the Veteran's Association to spend more money on something that was erected for people that have served their country. Mr. Teater said the Veteran's Association is concerned that the Village is asking for money to maintain the monument, which is pretty much maintenance free.

Mr. Tiettmeyer's response: That is not true and incorrect information, as the Village has not asked for money to maintain the monument. The agreement is asking for clarification for future members of council, as to what items the Veteran's Association and the Village of Newtown would be responsible for and some items may have a shared cost. Items such as fencing, lighting, Astroturf, etc. will require some type of maintenance.

Mr. Teater said he feels it is reprehensible the Village would ask money from the Veteran's Association since the Veteran's Association raised money to erect the memorial. He said the Village should take responsibility for their part. Mr. Tiettmeyer said these discussions have taken place during Council meetings many times and the meetings were open for discussion from the Veteran's Association. Mr. Tiettmeyer said he is offended saying this is reprehensible and that Council shouldn't be doing this. Mr. Tiettmeyer said the agreement has not been signed and is wide open for the Veteran's Association to submit input. Mr. Teater asked Mr. Short to keep the Veteran's Association informed so they can be active in the discussion.

Planning Commission Meeting (Reported by Joe Harten)

The next scheduled meeting is Thursday, October 30th at 7pm.

MVCA Short Park Agreement (Reported by Joe Harten)

Solicitor Miller informed Council that MVCA's legal counsel is reviewing the suggestions from Village Council. Council will be updated at a later date.

Collaboration Exploration Meeting (Reported by Joe Harten)

Joe Harten and Cheryl McConnell met September 30th with Anderson Township Trustee Josh Gerth and Anderson Township Administrator Vicky Earhart to discuss potential ways that the Village of Newtown and Anderson Township could work together. Opportunities discussed were: 1) Mowing and landscaping, 2) Snow removal, 3) Curb and gutter repair, 4) Cemetery maintenance, 5) Emergency response, 6) Equipment sharing, 7) Recycling and Rx take-back days, and 8) HR assistance. A handout was presented to Village Council. Mrs. McConnell said she was happy to have met Mrs. Earhart and Josh Gerth, as she felt like a tone was set for going forward with cooperative efforts. Mr. Tiettmeyer asked Solicitor Miller if he had dealt with other communities that have done joint ventures sharing resources. Solicitor Miller said, other than mutual aid for Police and Fire, not really; historically, in this area, communities keep to themselves. He said it's a new area that is being explored since it has not been done in the past.

Moundview – Exterior Stairs (Reported by Cheryl McConnell)

On Deck Services has completed the staining of the exterior stairs going to the lower baseball field and the side porch area.

Moundview House (Reported by Cheryl McConnell) The Newtown Business Association held their October meeting at the Moundview House, in order to tour the second floor renovations. The meeting was well-attended.

Lake Barber Update (Reported by Cheryl McConnell)

Ben Brandstetter provided updates on Lake Barber to Mrs. McConnell. These updates include improvements that have been done by Doug Evans. Things are progressing nicely. The pre-fab pedestrian bridge should be delivered by the last week of October. Pavement sub-grade base for the parking was worked on last week. Depending on the weather, the parking lot is expected to be completed in the next few weeks. Mr. Kobasuk asked if a completion date for the bridge and all agreed upon construction had been given to Mr. Evans. Mrs. McConnell thought the blacktopping of the parking lot would be completed since it has the time constraints of the weather. She was unsure of the completion timeframe of the installation of the bridge. Mr. Brandstetter will oversee the progress of the bridge. Conduit in the parking lot has been installed for the future lighting system. Lighting will be a Village expense since it was not in the original scope of work to be completed by Mr. Evans. Human Nature will be visiting the Lake Barber site Friday, October 17th at 8:30am. All are welcome to tour the site.

LMFR Fire Board Update (Reported by Mark Kobasuk)

The Fire Board meeting is tomorrow. Mr. Kobasuk did communicate with Chief Ramsey about his recommendation of placing an additional 2.75 mill levy on the ballot. He will discuss the possibility of a levy at the November or December Fire Board meeting; at which time, the Fire Board will cast their vote.

Eastern Corridor SR32 Relocation - Mediation Session Update (Reported by Mark Kobasuk)

At the request of the Federal Highway Administration, the state is spending nearly \$1 million on a mediator to find consensus between Mariemont and Newtown and a dozen state and federal agencies on controversial highway relocation of SR32. Meetings have taken place and stakeholders have been interviewed about their views on the project. A 32 page draft of the report was received Oct. 1st. The report is critical of ODOT and reflects view of all represented. Eight options are considered from "NO BUILD" to let's proceed. The final report is expected to be released December 2014.

Checklist

Mr. Tiettmeyer made a motion to approve the 10.14.2014 Council Checklist for \$71,640.71, seconded by Mr. Kobasuk. All Aye. Motion Carried.

Cleaning Village-owned Buildings (Reported by Curt Tiettmeyer)

At the last meeting, Council agreed to move forward with an RFP for sourcing janitorial services for the Municipal Center, Police Department and the Moundview House/Pavilion. RFP's have been sent to nine prospective cleaning services with a deadline of November 7th to receive final proposals. Recommendations will be brought to Council once proposals have been reviewed.

Resolution, Contract w/Better Window Cleaning Ltd. (Reported by Curt Tiettmeyer)

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

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 26-2014 A RESOLUTION APPROVING A CONTRACT WITH BETTER WINDOW CLEANING LTD., DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion.

Discussion

Mr. Tiettmeyer said he and Becky worked on this together. The Village has been using Better Window Cleaning Ltd. to clean the windows, but never on a contractual basis. We went out to bid and had three companies submit proposals; all were very close. Better Window Cleaning Ltd. did have the lowest bid. Solicitor Miller assisted with the contractual arrangements and reviewed the insurance.

Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes. Mr. Zornes-Yes. Motion Carried.

Resolution, Agreement w/Dalene M. Pride (Reported by Curt Tiettmeyer)

Dalene M. Pride, an independent governmental affairs consultant, has contracted with various municipalities to audit the Bureau of Motor Vehicles records and correct the registrations to allow the municipalities to correctly collect the lost revenue fees.

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

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 27-2014 A RESOLUTION AUTHORIZING AN AGREEMENT WITH DALENE M. PRIDE AS AN INDEPENDENT GOVERNMENTAL AFFAIRS CONSULTANT, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Harten seconded the motion.

Discussion

The Village contracts with Ms. Pride annually to locate revenues that may have been lost to the Village by the failure of citizens to inform the BMV that they are Newtown residents. Mr. Tiettmeyer said this is a common mistake. Ms. Everett said for 2014 Ms. Pride collected \$2,811.67 in license tax and \$560 in missive license tax. Ms. Pride is paid \$127.00.

Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes. Mr. Zornes-Yes. Motion Carried.

Municipal Center Firewall Software (Reported by Curt Tiettmeyer)

Mr. Tiettmeyer made a motion to approve \$1,105 for Dell Sonicwall Firewall Software. Mr. Harten seconded the motion. All Aye. Motion Carried.

Cincinnati Museum Center – National Fossil Day (Reported by Curt Tiettmeyer)

A press conference will be held tomorrow (Oct. 15, 2014) at the Cincinnati Museum Center. The conference begins at 10:30am in honor of National Fossil day. The Newtown mastodon tusk is one of the items that will be unveiled. All are welcome!

Third Quarter Financial Report (Reported by Curt Tiettmeyer)

A report will be presented to Council at the 10.28.2014 Council meeting.

Cincinnati Magazine (Reported by Curt Tiettmeyer)

The Cincinnati Magazine is interested in writing an article on the Municipal Center and the American Indian Education Center. Mr. Tiettmeyer was interviewed and provided them with pictures. The article is expected to be in the December issue of the Cincinnati Magazine.

Salt for Village of Newtown (Reported by Curt Tiettmeyer)

Mr. Tiettmeyer asked Mr. Short if the Village was okay regarding salt. Keri sent an email to Council regarding pricing from Springfield Township. Mr. Short said our price was lower than Springfield Township. He thought our price was \$103 per ton and Springfield's price is \$160 per ton delivered. Mr. Short said we are waiting on a confirmation that 230 tons has been ordered. Kirk Music Hamilton County Engineers Maintenance told Mr. Short our salt would need to be delivered to their Remington complex. The Village of Newtown still owes the county 150 tons of salt. The Village will pull salt from the Round Bottom Road complex. Mr. Short said 270 tons will be ordered in January for the 2015 budget at the \$103 per ton price from North America.

Maintenance Department Update (Reported by Chuck Short)

Tony Baxter has been busy keeping up with the day-to-day operations. Thank you to everyone for your patience as we await for the new maintenance technicians to begin.

Ordinance, Approving Rules and Regulations in Flag Spring Cemetery (Reported by Chuck Short)

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

Mr. Short made a motion to adopt ORDINANCE NO. 14-2014 AN ORDINANCE ESTABLISHING, APPROVING AND CONFIRMING RULES AND REGULATIONS IN THE FLAG SPRING CEMETERY, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Harten seconded the motion.

Discussion

Solicitor Miller said the only changes made to the Rules and Regulations were removing Mr. Dickerson's name and phone number. The charges are clarified for various types of burials and markers, stated Mr. Short. Mr. Tiettmeyer said the exhumation process and charges should be clarified. Mr. Tiettmeyer also thought there should be a charge for foundation markers that are raised above the ground due to the extra care required to maintain. Mr. Tiettmeyer said from a revenue point of view, the Village loses money on the cemetery annually. The Village will have full responsibility to maintain the cemetery when all plots are sold; at which time, there will be no income. He asked Mr. Short if he could bring back to Council the amount of plots available and the number that have not been utilized to date. Mr. Short said there is no way to tell the number of plots that are not occupied but a best guess would be several hundred. The records go back several hundred years. Mr. Tiettmeyer said he thought this was the exercise Ron was going to do to determine the plots that are available. Mr. Short said they tried to do that. Mr. Tiettmeyer asked if the exercise was completed or given up on. Mr. Short said the teardrop is the only portion with plots for sale.

Mr. Harten said to Mr. Tiettmeyer's point, there is "x" number of plots remaining to be sold and "y" number of lots sold but remains open. Mr. Harten said he is not hugely interested in increasing the charge per plot, but as the costs increase for the actual burial, Council should have an understanding of what that would look like with no income at all with just expenses remaining. Mr. Harten suggested passing the ordinance tonight and doing research and come back with a revised fee structure. Mr. Tiettmeyer agreed as long as the ordinance is not just passed and forgotten about. This is a Parks Committee issue. Mrs. McConnell said she did a bit of surveying on the numbers and the Village is not far off on the costs of the plots for resident versus non-resident. She said other communities have more detailed information. Mr. Short said at the next Council meeting, he will advise Council the number of available plots.

Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes. Mr. Zornes-Yes. Motion Carried.

Ordinance, Establishing Prices for Sale of Cemetery Lots (Reported by Chuck Short)

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

Mr. Short made a motion to adopt ORDINANCE NO. 15-2014 AN ORDINANCE ESTABLISHING PRICES FOR THE SALE OF CEMETERY LOTS IN THE FLAG SPRING CEMETERY IN THE VILLAGE OF NEWTOWN, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion.

Discussion

Mr. Tiettmeyer said this pricing was done five years ago and it is time to update the pricing. This needs to be approved tonight to move it forward but should be brought back to Council in a reasonable amount of time disclosing what the numbers really are, stated Mr. Tiettmeyer. Mr. Kobasuk agreed.

Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes. Mr. Zornes-Yes. Motion Carried.

Trunk or Treat (Reported by Chuck Short)

Barbara Broerman contacted Chief Synan regarding the children parading in their costume from Graduate Services to the Dairy Corner on Main Street. Chief Synan said there are no safety concerns. This event takes place October 25th from 6-8pm. Barbara Broerman organizes this event with local businesses contributing candy.

Round Bottom Road Storm Pipe Failure (Reported by Chuck Short)

Brandstetter Carroll Inc. has continued to attempt reaching the owner of Liberty Station's Ready Line (formerly One Shot) concerning the drain pipe. As of today, they have not received a call back from the owner. An estimate of \$18,000, which includes fixing and removing a pipe, replacing the 36" conduit and restoration of the seeding, mulching and sediment control has been given. Mr. Short said, at one point, Liberty Station's Ready Line (formerly One Shot) had said they would repair this storm pipe then were unavailable to meet with Ben Brandstetter. Solicitor Miller also tried to reach the owner and did not receive a return phone call.

Council Minutes

Mr. Zornes made a motion to approve the 9.23.2014 Council Minutes, seconded by Mr. Short. All Aye. Motion Carried.

Martin Marietta Issue (Reported by Solicitor Miller)

The judge will make a decision by October 30th. Oral Argument was heard on October 6th in the Court of Common Pleas.

MVCA Short Park Agreement (Reported by Solicitor Miller)

MVCA's legal counsel contacted Solicitor Miller regarding the many suggestions from Village Council. They were somewhat taken aback by the amount of changes. Solicitor Miller said it might behoove Council to have two council members sit down with two people from MVCA to discuss the issues. Council will be updated after Solicitor Miller receives comments from MVCA.

Executive Session – Maintenance Department (Reported by Chuck Short)

Mr. Short made a motion to enter into Executive Session at 7:54pm to discuss personnel hiring and personnel compensation. Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes. Mr. Zornes-Yes. Motion Carried.

The Council meeting reconvened at 8:22pm. As a result of the Executive Session, the following motion was made:

Mr. Harten made a motion to offer the position of Maintenance Technician to Joshua Schroer and Charles Morgan with the beginning pay of \$16.40 per hour. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Mr. Dickerson's Personnel File

For the record, Mr. Tiettmeyer said, the former Street Supervisor Ron Dickerson has committed a couple of actions he finds offensive by putting his (Mr. Tiettmeyer's) personal cell phone number out for village residents to call regarding the cemetery. Mr. Dickerson also called Mr. Lock and told them to call Mr. Tiettmeyer's personal cell phone number when the security alarms go off. Therefore:

Mr. Tiettmeyer made a motion that a note be placed in Mr. Dickerson's personnel file that will indicate Mr. Dickerson is not eligible for rehire. Mr. Harten seconded the motion. All Aye. Motion Carried.

Special Council Meeting

Vice Mayor Zornes called for a Special Council Meeting to be held Tuesday, October 21st at 6pm. The purpose of the meeting is to hold second interviews with candidates for the Maintenance Supervisor position.

Mr. Kobasuk made a motion to adjourn at 8:25pm, seconded by Mr. Harten. All Aye. Motion Carried.

Transcribed by Becky Fairley