

## Call to Order/Pledge of Allegiance/Attendance

The October 9, 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.

<b>Council Members:</b> Curt Tiettmeyer (Vice Mayor) absent	Terry Fairley	Solicitor: Matt Fellerhoff
Daryl Zornes	Don Carroll	Fiscal Officer: Keri Everett
Chuck Short	Sarah Williams	Assistant to Mayor: Becky Fairley

## Approval of the Minutes

Mr. Short made a motion to approve the 9.25.2018 Council Minutes; motion seconded by Mr. Zornes. All Aye. Motion Carried.

## SPECIAL PRESENTATIONS (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?

Jody Johnson, 6936 Ragland Road. Mr. Johnson inquired about the status of the Ragland Road Storm Drainage project.

Mayor Kobasuk's response: Council reviewed the latest estimates of the cost of the project at the last meeting. Estimates have increased due to possibly having to go around the Yeager pond. This project remains in the planning stage with the new re-routing of the pipe; additional easements would need to be obtained. If Council decides to move forward, the project should go out to bid January 2019. Engineering has been in place, including a second opinion with CT Consultants and we have the cost estimates – Council should be at a point of deciding when to move forward. It's a matter of finances and whether Council wants to vote to proceed with the project this year. This discussion will continue at the Oct. 18<sup>th</sup> meeting, which will replace the Oct. 23<sup>rd</sup> Council Meeting.

## MAYOR / COUNCIL REPORTS

### Council Meeting – Date Change (Reported by Mayor Kobasuk)

Council will meet on Thursday, October 18<sup>th</sup>, which replaces the regularly-scheduled October 23<sup>rd</sup> meeting. Typical Council business will be discussed, but the majority of the meeting will be to discuss the Ragland Road Storm Water Project. Council has the estimates and engineering to assist in their decision making on moving forward with the project this year.

**Mr. Short made a motion to move the regularly-scheduled October 23<sup>rd</sup> Council Meeting to Thursday, October 18<sup>th</sup> at 6:30pm. Mr. Zornes seconded the motion. All Aye. Motion Carried.**

### Segments II & III Open Houses Oct. 24 and 25 (5pm to 7pm)

ODOT will host an Open House on Oct. 24 and 25 to review transportation improvements for the Eastern Corridor Segments II and III. ODOT seeks public input on concepts to address transportation needs between the Red Bank corridor and I-275/SR 32 interchange. Oct. 24<sup>th</sup> Open House will take place at MVCA, 6830 School Street | Oct. 25<sup>th</sup> Open House will take place at the R.G. Cribbet Recreation Center located at 5903 Hawthorne Avenue, Fairfax, Ohio.

### Mojave East, LLC – PUBLIC HEARING

Council received a business plan for the proposed event center that would occupy 7202 Main Street. A First Reading of an ordinance approving a zone change for this property will take place tonight. A Public Hearing will take place on November 13<sup>th</sup> at 6:30pm.

**Mr. Carroll made a motion to set the Public Hearing on November 13<sup>th</sup> at 6:30pm, for a zone change located at 7202 Main Street. Mr. Zornes seconded the motion. All Aye. Motion Carried.**

### Homeland Security

In relation to the opioid epidemic, Chief Synan has been networking with Mr. Andre Hentz, Deputy Under Secretary for Science and Technology at the U.S. Department of Homeland Security. Flooding is an area under their purview. Chief Synan spoke to flooding in Newtown and the impact it has had on the community. The hope is that the relationship will grow with them coming into the area with the opioid epidemic. They have funding for flooding, which is a top priority so hopefully something will come of it and they will be able to assist the Village with some of our flooding problems.

### IT Update

Chief Synan reported that the new servers and computers have been installed and the next phase is to reconstruct the PD website.

### Traffic Signals

Mr. Carroll asked Chief Synan if there continues to be issues with the change in the controllers on the traffic signals.

Chief Synan's response: We are aware there have been issues on Little Dry Run and have had discussions with Tommy Arnold, District Traffic Planning Engineer with ODOT, who paid a specialist to re-time the traffic lights. The problem is if the timing is changed on one of the lights, they all change. Lt. McBreen who is an expert at timing the signals for our local traffic discussed this with Mr. Arnold, who then instructed the specialist to turn the timing back to the way they were, which operate on a GPS timing. Radar detection and traffic cameras are being considered to determine the switching of the lights, instead of the timing. Mr. Arnold recommended leaving Lt. McBreen's current timing and he will look into the radars and cameras, which is what it will ultimately take to resolve the timing issue. The rush hour traffic in the morning and afternoon and the long gaps on SR32 and Church Street at times won't work out.

### Speed Bump Inquiry Update (Chief Synan)

This issue was originally discussed at the 9.25.2018 Council Meeting. The police department is looking into borrowing a speed trailer or a radar speed sign from the Sheriff's department in Anderson Township. The resident from the Estates of Ivy Hills that made the initial inquiry appreciates the efforts. When it comes down to the speeding issue in Ivy Hills, the police have been present for a number of years and the average speed is 32-33 mph. It will come down to if people want zero tolerance for speeding, then that would be 26 mph in a 25-mph zone, which more than likely would not uphold in court. Therefore, we need to understand the definition of speeding and the people that generally speed are the residents. Chief Synan asks that the residents be mindful of the speed limit and discuss this with their children that drive. The police will continue to keep an eye out for the speeding in Ivy Hills, as well as the stop sign at Ragland Road, which is also a constant issue. Mayor Kobasuk added that the resident that made the inquiry is doing a survey. It would take a consensus of 50% of the homes wanting speed bumps. Generally, the speed one is going is not as high as it appears, stated Chief Synan.

### Cincinnati Eastern Railroad

Mayor Kobasuk talked about the email he had forwarded to Council, where he had asked Chris Whitley, CEO CCET LLC DBA Cincinnati Eastern Railroad to delineate their plan in a little more detail. Chuck Short, Mayor Kobasuk, Planning Chair John Russell and Gerry Stoker met recently with Mr. Whitley. CCET is proposing to bring aggregate into Newtown via rail and trans-loading said stone onto property controlled by the Railroad located just East of Round Bottom Rd, to the businesses on Main Street/SR32, which are Valley Asphalt, Colas Brewer, Rack Seven and the Hamilton County Maintenance Garage. They are proposing to operate out of the railroad right-of-way. Mayor Kobasuk, Solicitor Supinger, Chuck Short, Don Carroll, Gerry Stoker, John Russell and Bob Wientzen, will meet over the next few weeks to discuss.

### NEW LEGISLATION

#### Resolution, XPEX, LLC.

XPEX, LLC has provided professional services to the Village for building code, zoning code and property maintenance pursuant to an Agreement between the Village and XPEX dated December 6, 2016.

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

**Mr. Fairley made a motion to adopt RESOLUTION NO. 26-2018 A RESOLUTION APPROVING AN ADDENDUM TO AN AGREEMENT WITH XPEX, LLC FOR PROFESSIONAL SERVICES. Mr. Carroll seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Carroll-Yes, Mrs. Williams-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

#### Ordinance, Zone Change

On October 27, 2018, the Village of Newtown Planning Commission held a public hearing to consider the application of Ben Ellass, Christina Rudzinski, and Eugene Martin, the prospective and current owners of 7202 Main Street, more particularly described as Hamilton County Parcel No. 501-0011-0027-00 (the "Property") for a proposed amendment to the zoning map of the Village of Newtown (the "Application"); and the Application sought a rezoning of the Property from Office Research Park (ORP) to General Business (GB).

Mayor Kobasuk explained that a Zone Change is a legislative act for Council. The Planning Commission voted 4:1 to advance it so they approved the zone change 4:1. This has been zoned ORP for decades and nothing has happened. This is the first business of interest. Mayor Kobasuk said John Russell's view is this may jump start this area with Wendy's, etc.

**Mayor Kobasuk read the First Reading of AN ORDINANCE APPROVING A ZONE CHANGE FOR PROPERTY LOCATED AT 7202 MAIN STREET IN THE VILLAGE OF NEWTOWN.**

Mrs. Williams asked how this pertains to our overall plan for what we want to do for that area. She said it strikes her if we commit to one, it may preclude others from a greater plan. Mayor Kobasuk said he thinks it is going to stay pretty much as it is, when you look at the Railroad's plans of buying a lot and having an access to SR32 with a direct shot to their ROW. They have the right to trans-ship product, possibly bringing in aggregate and shipping it out. Mayor Kobasuk said the railroad is governed by federal law and not sure our zoning code will have much influence on federal interstate commerce. With the railroad doing their trans-loading along that area, those businesses seem to be thriving or at least maintaining their operations. To be candid, Mayor Kobasuk said he doesn't see this area changing in our lifetime. It appears Valley Asphalt, Colas Brewer Coat and Rack Seven are thriving. Mr. Short brought up the fact that the Railroad believes they can capture a lot of volume onto rail and eliminate approximately 50% of Newtown's aggregate truck traffic, currently 14,000 trucks annually. Mayor Kobasuk said the state of Ohio gave the Railroad a revitalization grant for \$750,000, in an effort to get trucks off of SR32. Planning will discuss the Master/Vision Plan further at the next meeting.

## NEW BUSINESS

### Checklist

**Mr. Carroll made a motion to approve the 10.09.2018 Checklist for \$172,582.82. Mr. Zornes seconded the motion. All Aye. Motion Approved.**

Mr. Fairley asked if other payments are expected to Afidence since a payment of \$1,557.50 is on the Checklist, which also includes a payment of \$16,112 to Michael Manford for the computers and new servers. Ms. Everett said this was the last payment to Afidence.

### Breakfast with Santa

Mr. Short reminded everyone that WinterFest will not take place this year. In its stead, there will be a Breakfast with Santa on Saturday, December 8<sup>th</sup> at 10:00am at the Newtown Fire House, Station 22. Doscher's Candies will also have an event on the same day.

### Halloween Party

The Civic League is sponsoring a Halloween Party at the Fire House this year.

Mr. Short made a motion to adjourn at 6:56pm; motion seconded by Mr. Zornes. Meeting Adjourned!

Transcribed by Becky Fairley.