

The November 11, 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. Mayor Cosby (absent)

Councilmembers: Joe Harten Chuck Short (absent)
Mark Kobasuk Curt Tiettmeyer
Cheryl McConnell Daryl Zornes

Solicitor: Doug Miller Fiscal Officer: Keri Everett

Veterans Day – November 11

Vice Mayor Zornes thanked all veterans for their service.

Cancellation of November and December 2014 Council Meetings

In observance of Thanksgiving and Christmas holidays, the November 25th and December 23rd Council Meetings are cancelled.

Mr. Kobasuk made a motion to cancel the November 25th Council Meeting, seconded by Mr. Tiettmeyer. All Aye. Motion Carried.

Mr. Tiettmeyer made a motion to cancel the December 9th Council Meeting, seconded by Mrs. McConnell. All Aye. Motion Carried.

Advisory Opinion – Joint Venture w/MVCA (Reported by Joe Harten)

Mr. Harten acknowledged the advisory opinion of the November 4th election regarding the Short Park venture with MVCA. With the recent passage, Mr. Harten, Mr. Kobasuk and Solicitor Miller have been working with MVCA's attorney to set up dates to continue the discussion on the agreement.

Park Rental Summary Report (Reported by Joe Harten)

The report reflects good rental income for the Moundview Park Pavilion and Moundview House through October 2014. This report will be updated throughout 2015. Mr. Harten thanked Becky for creating the report.

Lake Barber Consultant (Reported by Joe Harten)

Human Nature will attend the 12.09.2014 Council meeting for a Public Input session with Council. Human Nature will meet with various businesses and interested individuals throughout the village on December 9th and 10th. To name a few, they plan to meet with MVCA, Hydro Systems and businesses that abut Lake Barber. There will be a Public Input session for the entire Village later in January. Mr. Harten and Mrs. McConnell have discussed Lake Barber improvements and projected expenses for 2015.

Village Employee Health Insurance Renewal (Reported by Joe Harten)

A spreadsheet with a number of different options was presented at the 10.28.2014 Council meeting. The current premium for health insurance will increase 17%. Increasing the spousal surcharge, slight increases to employee premiums and reducing the employer contribution to the HSA will help mitigate the increase.

Mr. Harten recommended renewing the current health insurance plan, unchanged from the plan perspective. The increase in the premium will be reduced by making three changes to the overall program: 1) increasing the spousal surcharge from \$20 to \$50 per month, 2) increasing the employee premium contribution from \$15 for single and \$30 for family to a flat 5% increase across the board and 3) reducing the Village's annual contribution to HSA's from \$2,000 for single coverage to \$1,500 and \$4,000 for family to \$3,000. A single employee currently pays \$15 per month; with the 5% increase it will go up to \$18 per month. An employee with the family plan currently pays \$30 per month, with the 5% increase it will go up to \$33 to \$60 per month, based on the number of people covered and age, etc. This is common to the marketplace but still provides the employees with an attractive insurance package. The total Village employer health insurance cost will increase from \$156,000 to \$159,000 between 2014 and 2015. The renewal is due December 1, 2014. Solicitor Miller will follow-up with an ordinance at the 12.9.2014 Council meeting. The voice vote will be taken with the following motion.

Mr. Harten made a motion to move forward with the health insurance renewal for 2014-2015 as proposed, seconded by Mr. Tiettmeyer. Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.

2014 WinterFest in the Village Saturday, December 13, 2014 (4:00pm to 8:30pm)

Please join us for this annual fun-filled family event, sponsored by the Newtown Business Association. Joe Motz, chairman of the WinterFest committee invited mayor, council and the public to this treasured annual event. WinterFest offers something for everyone to enjoy. Horse-drawn carriage rides, holiday characters and caroling by local children's choirs will transform the evening into an old town hallmark village atmosphere. The popular Mistletoe Mart and local food vendors will be under roof in a large tent making for a warm, festive atmosphere offering a large indoor seating area. There are plenty of activities for the little ones too, including face painting, cookie decorating, hot chocolate, a petting zoo and pictures with Santa. Santa and Mrs. Claus will begin taking photos with your children at 4:30pm at the Newtown Police Department. Fire pits will be placed about for all to enjoy the warmth of the holiday spirit. The event is free to the public. Please join us as we continue this holiday tradition. The evening ends with a free iPad give-a-way and your family's opportunity to participate in our large balloon luminary launch behind the Newtown Baptist Church at 8:15pm.

Lake Barber Update (Reported by Mrs. McConnell)

The parking lot is striped and completed with 39 parking spaces plus three disabled parking spaces. The pedestrian bridge is installed, the rebar and concrete decking is in. A BCI inspector will come in to approve the concrete. Ben Brandstetter will check with the builder of the bridge (ConKtech Engineers) and the bridge specifications to make sure the concrete decking is the correct and final walking surface. Once approved it will be another two weeks for final restoration for seeding. Additional ground restoration may be needed spring 2015.

Veteran's Memorial Agreement (Reported by Mrs. McConnell)

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. Mrs. McConnell has met several times with Lynn Burger. Mr. Burger feels the Veteran's Association should only be responsible for the repair and replacement costs for the following four items in the Memorial: stone monuments, engraving costs, flags and flagpoles. Mr. Burger feels the Memorial was donated to the Village, as an entire community project. For protection of future Council members, if the Village is going to be responsible for replacing a statue, Mrs. McConnell added in the agreement that Council should have the right to say if they do want to replace a particular piece. A second revision to the Veteran's Memorial Agreement was presented to Council for consideration. The resolution approving the Memorandum of Understanding was postponed since discussions are still taking place. Since the agreement has not been signed off on to-date, the Memorial itself is not included in the Village's liability insurance policy, which has a \$1,000 deductible. Solicitor Miller said if a monument is damaged and the Village submits a claim, the Veteran's Association is saying they are responsible for monuments but the Village would still have to pay the deductible. Solicitor Miller said he doesn't have a problem if it exceeds the deductible, submitting a claim, but if they are responsible for monuments or anything else on their side of the cost, why wouldn't they be paying the deductible? Each monument is \$5,000. Mrs. McConnell will report back to Council after discussing the deductible amount and other items with Lynn Burger. Based on conversation with Mr. Burger and Mr. Motz, Mrs. McConnell is working on a list of the cost of items installed at the Memorial. Mrs. McConnell is looking for the new maintenance supervisor to help her complete the list of replacing other items at the Memorial.

LMFR Fire Board Update (Reported by Mark Kobasuk)

The fire district is in negotiation with the union for a new collective bargaining agreement, which is expected to be completed by the end of the year. Some of the firefighters are working to expand the district. Mr. Kobasuk believes expanding the district is the key to avoiding a levy. He said it would be best to quit talking about a levy and let the firefighters work on expanding the district. A levy is counterproductive if you want to expand the district since you don't get more customers by raising your price.

Resolution, Approving Co-Permittee Notice of Intent for EPA

Approving a Co-Permittee Notice of Intent for coverage under the Ohio EPA Small MS4 NPDES General Permit. The reason for the emergency is to provide a timely filing with the Hamilton County Storm Water District and the Ohio EPA.

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

Mr. Kobasuk made a motion to adopt RESOLUTION 30-2014 A RESOLUTION APPROVING A CO-PERMITTEE NOTICE OF INTENT FOR COVERAGE UNDER OHIO EPA SMALL MS4 NPDES GENERAL PERMIT, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Tiettmeyer seconded the motion.

Discussion

Solicitor Miller said Hamilton County Storm Water manages the EPA permits and this needs to be renewed every two years.

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

Checklist

Mr. Tiettmeyer made a motion to approve the 11.11.2014 Checklist for \$79,493.69, seconded by Mr. Kobasuk. All Aye. Motion Carried.

Resolution, Financial Assistance for Ragland Road, Edith & Pine Street Project

The Council of the Village of Newtown is desirous of contracting with the Board of County Commissioners of Hamilton County to obtain financial assistance for the Ragland Road, Edith Street and Pine Street Project to alleviate drainage issues in the Village.

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. 31-2014 A RESOLUTION AUTHORIZING A PROJECT AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Harten seconded the motion. Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.

Village Trash and Recycle Contract (Reported by Curt Tiettmeyer)

It is time to go out for bid for residential solid waste collection and disposal. The current contract with Rumpke was extended two years ago. An "Initiation for Bid" was reviewed by Village Council. Solicitor Miller made a few changes.

Mr. Tiettmeyer made a motion to approve going out to bid for the waste collection and recycling program. The initial term of the contract shall be for three (3) years commencing January 1, 2015. Mr. Harten seconded the motion. All Aye. Motion Carried.

Municipal Center Odor (Reported by Curt Tiettmeyer)

A letter will go out to D.E.R. Development Co., LLC. From Mayor Cosby regarding the ongoing foul odor in the Municipal Center. The letter details steps that have been taken to try to resolve the matter. It has been confirmed that the bats have returned to the hose tower. The tower will be cleaned and ventilation will be added to the top of the tower. Orkin ruled out a mouse infestation. Sewer gas is thought to be part of the issue.

Council Minutes (Reported by Daryl Zornes)

Mr. Zornes made a motion to approve the 10.14.2014 Council Minutes, seconded by Mr. Tiettmeyer. All Aye. Motion Carried.

Mr. Zornes made a motion to approve the 10.21.2014 Special Council Minutes, seconded by Mr. Harten. All Aye. Motion Carried.

Mr. Zornes made a motion to approve the 10.28.2014 Council Work Session Minutes, seconded by Mr. Tiettmeyer. All Aye. Motion Carried.

Ordinance, Salary for Maintenance Supervisor/Street Commissioner/Cemetery Sexton

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

Mr. Zornes made a motion to adopt ORDINANCE NO. 18-2014 AN ORDINANCE ESTABLISHING THE SALARY FOR THE NEWLY HIRED MAINTENANCE SUPERVISOR/STREET COMMISSIONER/CEMETERY SEXTON, WAIVING THE RESIDENCY REQUIREMENT, WAIVING THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Tiettmeyer seconded the motion. Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.

Martin Marietta Mining Issue (Reported by Solicitor Miller)

On October 30, Judge Ruehlman issued his latest decision in which he agreed that the Anderson Township Board of Zoning Appeals decision approving the Martin Marietta mining operation was "illegal, capricious, arbitrary, unreasonable and unsupported by a preponderance of the evidence." An entry has been filed, which reaffirms his decision. Martin Marietta would have thirty days to file their appeal, so the case will probably continue well into 2015.

Round Bottom Road Storm Pipe Failure (Reported by Solicitor Miller)

Solicitor Miller talked to Ben Brandstetter regarding the issue; he will discuss where to go from here with Mayor Cosby and Mr. Short.

Mr. Kobasuk made a motion to adjourn at 7:35pm, seconded by Mr. Harten. Motion Carried.

Transcribed by Becky Fairley