

Call to Order/Pledge of Allegiance/Attendance

The November 13, 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)
Daryl Zornes
Chuck Short

Terry Fairley
Don Carroll
Sarah Williams

Solicitor: Emily Supinger
Fiscal Officer: Keri Everett
Assistant to Mayor: Becky Fairley

PUBLIC HEARING: Zone Change request for 7202 Main Street from ORP (Office Research Park) to GB (General Business)
The Public Hearing was properly advertised in the paper.

Comments regarding Zone Change:

Ken Burger, Burger Farm and Garden, had a few questions for the Planning Commission Members, regarding the process used giving their approval for changing the zone to General Business. Mr. Burger said he supports moving towards General Business, as it shows flexibility and allows for growth. Mr. Burger asked if there was any specific reason changing the zoning to General Business vs. allowing them to operate under (ORP). Mayor Kobasuk said he was told General Business was a better fit for the property and the use with the magnitude of the parking. In December, McBride Dale Clarion will present to the Planning Commission a proposal to redo the Village's Master Plan, which is more than twenty years old. Mayor Kobasuk said rather than the Planning Commission rezone the entire area, it was thought best to do a spot zone and let the Master Plan deal with the other zoning issue there. Parking for the event center was gauged by seating capacity. Other parking options were also discussed. Mr. Burger asked if there were other deviations or exceptions to the zoning plan, in order to make this entity come to life. Mayor Kobasuk said he is not aware of any. Mr. Carroll said that is the purpose of reviewing the Master Plan.

The Public Hearing was closed at 6:38pm with Mr. Ken Burger being the only one from the audience speaking and he spoke in favor of the event center and the zone change.

APPROVAL OF COUNCIL MINUTES:

Mr. Short made a motion to approve the 10.09.2018 Council Minutes, seconded by Mr. Zornes. All Aye. Motion Carried.

Mr. Short made a motion to approve the 10.18.2018 Council Minutes, seconded by Mr. Zornes. All Aye. Motion Carried.

SPECIAL PRESENTATIONS

BCI – Project Status Update (Reported by Bruce Brandstetter)

1. Ragland Road Culvert: Mr. Brandstetter is cautiously optimistic about obtaining the final easement and hopes to present additional info at the 12.11.18 Council Meeting. Mayor Kobasuk said he would hope to have a complete update on the Yeager property at the 12.11.2018 Meeting Mayor Kobasuk feels we are moving in the right direction – Mr. Yeager is trying to work with the Village and help his fellow neighbors.
2. 2018 Street Program (18081)
 - Duke is not completely finished with restoration, which is outside of the paving limits
 - Widening and storm work completed week of 11/5/18
3. Lake Barber Pathway Repairs (18080)
 - Recommend crack sealing of parking lot and trail in 2019
4. SR 32 East Storm
 - ODOT prefers the Village proceed w/construction of storm project – BCI coordinating schedule w/OPWC. ODOT is not moving as quickly as OPWC would like to go.
 - BID in Dec/Jan. Utility coordination in Dec. Bid in January
 - BCI had hoped to use OPWC funds as part of the Village's match, but it's not coming together. Therefore, we should proceed with using the \$200,000 grant and do the work and let ODOT do their thing.
5. ODOT SR 32 Safety Grant BCI coordinating w/ODOT on Stage 1.
6. Burger Farm There will be a follow-up to a meeting that took place today about their issues.

7. Sidewalk Program – River Hills Subdivision

- Property owners will have until 5/30/2019 to complete repair work on their property.
- Letters to the residents will give notification of how many sidewalk slabs need to be replaced.
- Discuss ORC process for bidding schedule w/Solicitor Supinger

8. Plan Reviews/Meetings

- BCI will review plans submitted by Cincinnati Bell Fiber Optics

9. Miscellaneous

- Re-bidding wood lagging in January 2019
- BCI to update pavement plan in November – streets paved this year will be removed from plan
- BCI will recommend streets that need to be paved in 2019
- Recommend annual crack sealing

Short Park Concepts of Improvements Presented by Pat Hoagland, ASLA with Brandstetter Carroll Inc.

Four conceptual drawings of Short Park were presented and discussed. The goal is to consider improvements that would better serve the community. It was decided that the Newtown Parks Committee will meet to consider improvements consisting of a 5-10-year plan, on December 11th at 5:30pm. The plan will assist when looking at the availability of possible grants. Mr. Tiettmeyer said Mayor Kobasuk's comments about looking at some of the uses of the park for soccer rentals to offset the cost is a great idea. There are two components of expenses that will be involved: construction and maintenance. All of Council is invited and urged to attend the Parks Committee meeting.

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?

MAYOR / COUNCIL REPORTS

Ohio Rail Development Commission

Mayor Kobasuk presented Council with a letter from the Ohio Rail Development Commission asking the Village to consent to the railroad project. Mayor Kobasuk will update Council after the 12.3.2018 meeting scheduled with the Railroad. John Russell, Gerry Stoker, Chuck Short and Solicitor Supinger will also be present at this meeting.

2018 Appropriated One-Off Projects

Mr. Tiettmeyer presented Council with an updated list of the 2018 appropriated one-off projects. This shows the progress made on the projects that have been completed. The list also lays out what is remaining so Council can assess the projects they want to continue to complete. The projects that will not be completed will need to be re-appropriated for the 2019 Budget or Council can decide whether or not the projects will be done at all.

Little Dry Run Wood Lagging repairs was appropriated at \$10,000. Mr. Brandstetter had said this would be done in January. Due to the magnitude of this project, it was divided into three pieces so \$10,000 was the budgeted amount for 2018. Mr. Tiettmeyer suggested Council double this amount to \$20,000 and do the work in 2019. BCI will put this out to bid.

Little Dry Run Retailing Wall repairs would be south of Ivy Hills Blvd. This is located on the right-of-way. Mr. Carroll explained that there is not lagging on the wall, but because of the vibration of the heavy equipment from dump trucks, etc. there is damage on that portion of the wall. North of Ivy Hills Blvd. essentially, to the eastside of the golf course, it's lagging that's holding that up. \$25,000 was appropriated with two repairs taking place this year.

Little Dry Run Road Repair and Catch Basin Repair

While J.K. Meurer was in the Village doing repairs in the Crull subdivision, a proposal was obtained to grind and pave (70 x 12) \$4,160 and repair the catch basin that is deteriorating at a dangerous pace for \$1,250.

Mr. Fairley made a motion to approve an amount to J. K. Meurer for \$4,160 to grind and pave the 70 x 12 area on Little Dry Run and \$1,250 to repair the deteriorating catch basin. Mr. Short seconded the motion. All Aye. Motion Carried.

Mr. Fairley will review the River Hills catch basins in need of repair with Engineer Bruce Brandstetter next week during a scheduled meeting.

Short Park Lighting

Due to complaints by residents, Mayor Kobasuk asked Chuck Morgan to obtain bids for LED lighting fixtures. 1) Capital Electric Bid Total \$7,500 and 2) Osterwisch Bid Total \$6,294. Mrs. Williams tabled the discussion since the Parks Committee will meet on 12.3.2018 to discuss these and other plans for the park.

Police Department Ammunition Purchase

Mr. Zornes made a motion to approve an annual ammunition purchase from Ready Line for \$2,975. Mr. Short seconded the motion. All Aye. L Motion Carried.

Employee Annual Gift Cards

Mr. Short made a motion to approve the purchase of (17) \$50 gift cards, total amount of \$850 for employee gift cards. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Village Solicitor's Report (Emily Supinger)

A new statute recently went into effect that places certain requirements on what must be in a credit card policy for a statutory village or city. The ordinance amending the Personnel Policies and Procedures Handbook has revisions regarding the credit card policy, per the recent statute.

An update on the conditional use application by Cincinnati Soccer Club: A transcript from the court reporter has been received from the court reporter, which will be used to draft a decision to be signed by the chairperson and will be mailed to the applicant. From that point forward, the applicant will have thirty days to appeal to the Court of Common Pleas.

NEW LEGISLATION

Ordinance, Zone Change

On October 27, 2018, the Village of Newtown Planning Commission held a public hearing to consider the application of Ben Elass, 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). Mojave East is a proposed event and wedding reception center.

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.

Christina Rudzinski made a presentation to Council, seeking support for the zone change for 7202 Main Street. An event venue for weddings and other celebratory events are planned for this location. This project and vision are expected to add to the current growth efforts of local businesses to further beautify SR 32/Main Street and establish positive and thriving destinations in Newtown. After more discussion, the following motion was made:

Mr. Carroll made a motion to adopt ORDINANCE NO. 22-2018 AN ORDINANCE APPROVING A ZONE CHANGE FOR PROPERTY LOCATED AT 7202 MAIN STREET IN THE VILLAGE OF NEWTOWN. Mr. Zornes seconded the motion. Roll Call: Mr. Carroll-Yes, Mr. Fairley-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, Hamilton County Multi-Hazard Mitigation Plan

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

Mr. Carroll made a motion to adopt RESOLUTION NO. 28-2018 A RESOLUTION ADOPTING THE HAMILTON COUNTY MULTI-HAZARD MITIGATION PLAN. Mr. Zornes seconded the motion. Roll Call: Mr. Carroll-Yes, Mr. Fairley-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, Purchase of Police Cruisers

Solicitor Supinger explained that the resolution is necessary to authorize the vendor to place the order of the vehicles. A purchase order will not be opened until January since it is for the 2019 appropriations. This contract is with Greve Chrysler Jeep Dodge for the purchase of two (2) 2019 Dodge Charger AWD Police Cruisers for a total amount not to exceed \$53,580.00. This amount is based on 2018 prices. If the amount increases, Council will need to revisit the cost, stated Solicitor Supinger.

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

Mr. Zornes made a motion to adopt RESOLUTION NO. 29-2018 A RESOLUTION AUTHORIZING A CONTRACT WITH GREVE CHRYSLER JEEP DODGE FOR THE PURCHASE OF TWO POLICE CRUISERS. Mr. Short seconded the motion.

Discussion

Mr. Tiettmeyer explained that the rotation of purchasing police cruisers every three years was in place prior to him serving on Council. We continue to be pleased with the process. A few years ago, we began purchasing extended warranties for the police cruisers. The two cruisers we are replacing are the last two that had the original three-year warranty. Therefore, this purchase will give us our complete fleet of extended warranties, explained Mr. Tiettmeyer. During the course of 2019, it would be a good opportunity to review with the police department, the purchasing program to see whether or not we should continue buying the extended warranties, if we should keep the cars longer or if we should continue to turn them at three years. Lt. McBreen was present and said there is a \$50 transfer fee, which would allow him to transfer the extend warranty to whomever purchased the used cruisers.

Roll Call: Mr. Carroll-Yes, Mr. Fairley-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Ordinance, Amending Credit Card Policy

Section 8.05 of the Village of Newtown Personnel Policies and Procedures Handbook sets forth the Village's written credit card policy.

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

Mr. Tiettmeyer made a motion to adopt ORDINANCE NO. 23-2018 AN ORDINANCE AMENDING SECTION 8.05 OF THE VILLAGE OF NEWTOWN PERSONNEL POLICIES AND PROCEDURES HANDBOOK. Mr. Zornes seconded the motion.

Roll Call: Mr. Carroll-Yes, Mr. Fairley-Yes, Mrs. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, 2019 Employee Health Benefits

The Village of Newtown wishes to obtain employee health, dental, vision, and life insurance, effective January 1, 2019. Several options were discussed. A spreadsheet of various options was created by the Fiscal Officer, at the direction of Mr. Tiettmeyer, "2019 Village Employee Insurance Renewal" was emailed to Council on 11.09.2018 for review. The employees will realize a slight increase in health insurance (7.45%) with no increase to the vision and life benefits, stated Chuck Short. Mr. Short said he doesn't expect additional costs to the dental plan, which will now cover dependents until the age of 26 years. The vision plan was also changed to cover dependents until the age of 26, at no additional cost, per Mr. Short.

Mr. Tiettmeyer said he has concerns about not changing the employee contribution. For the last two years, the plan hasn't changed and the Village chose to absorb the modest increases without passing along an increase to the employee, other than a percentage cost. The percentage cost difference has been a small change absorbed by the employees for their portion of the contribution. Since this is the third year, it's time to pass along some of the costs to the employees, rather than wait another year, stated Mr. Tiettmeyer. Various options were discussed, along with increasing the spousal surcharge an additional \$25.00 per month.

Mr. Short said he would normally agree, if our employee's compensation was where it should be. Therefore, he suggested that Council not pass along an additional increase to the employees or change the HSA contribution. He is only in favor of increasing the spousal surcharge.

Mr. Carroll said last year it was indicated to the employees that they should be prepared for potential increases since increases had not been passed along for several years. When looking at overall the impact of benefits, salary increases and the cost of benefits should be considered. Mr. Carroll said the spousal surcharge needs to be addressed, as some companies do not allow spouses to come into a plan, if they are offered benefits by their employer. Insurance rates will continue to rise; we need to help the Village maintain the overall cost of salary and benefits as we move forward.

Mr. Tiettmeyer pointed out that he is not locked into changing the HSA contribution. He is fine with council adjusting the rate of contribution from the employee, as opposed to the HSA, but does believe we have to adjust one of the two, as well as the spousal surcharge. The healthcare premium increase to the Village is relatively a small increase and that's all the more reason to do it, because you are gradually raising rates, rather than waiting for the catastrophic increases, stated. Mr. Tiettmeyer.

Mr. Fairley said he recalls last year when Council did not increase the employee contribution because the statement was made, "the day was coming when catastrophic cost would be coming down and that the employees would need to be prepared to absorb some of the increases." He said Mr. Short has done a great job keeping the insurance premium costs down significantly and the catastrophic increase has not been realized this year. Therefore, he is in favor of keeping the employee contributions as they are, moving forward. Mr. Fairley spoke to the comments made about the large salary increase for the police officers this year – yes, they do make up the bulk of the employees, but we also have other employees that only received very minuscule raises so these increases will affect them as well, which potentially eat up the potential salary increase they receive next year. With that said, I don't want to place the burden on those that do not make the salary of the police officers. Mr. Fairley is in favor of an increase for the spousal surcharge.

Sergeant Jim Vontz and Lieutenant Shawn McBreen spoke to the financial impact the increase will have on the employees. Sgt. Vontz said they did not have any information on the insurance for 2019 until two weeks ago.

Mr. Zornes said he agrees with Mr. Short and Mr. Fairley and feels the spousal surcharge could be increased, as they are county-wide with Hamilton County agencies. Increasing the spousal surcharge \$25.00 is not too extravagant to pass along to the employees. Mr. Carroll agrees with increasing the surcharge and suggests a small 1% increase to the employee's contribution with the addition of the families of two employees, which is a 25% increase to the Village. Without the addition of the two families, the increase for 2019 would have been 7%. Mr. Carroll said we need to find incremental ways to manage the healthcare cost, due to annual increases. Mrs. Williams agrees with the spousal surcharge increase and 1% for the employee's contribution.

After more discussion, Council agreed to increasing the spousal surcharge by \$25.00 and a .5% additional increase to the employee's contribution for healthcare, which will increase to 8% of the premium from 7.5%.

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

Mr. Carroll made a motion to increase the employee contribution .5% on healthcare only and a \$25 spousal surcharge increase per month. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Mr. Short made a motion to adopt RESOLUTION 30-2018 A RESOLUTION APPROVING CONTRACTS FOR EMPLOYEE HEALTH, DENTAL, VISION AND LIFE INSURANCE, WITH AN AMENDMENT OF EMPLOYEE CONTRIBUTION INCREASE ON THE MEDICAL PLAN PREMIUM FROM 7.5% TO 8% WITH A SPOUSAL SURCHARGE INCREASE FROM \$75.00 TO \$100 PER MONTH. Mr. Zornes seconded the motion. Roll Call: Mr. Carroll-Yes, Mr. Zornes-Yes, Mr. Short-No, Mr. Tiettmeyer-Yes, Mrs. Williams-Yes, Mr. Fairley-Yes. Motion Carried

NEW BUSINESS

Checklist

Mr. Tiettmeyer made a motion to approve the 11.13.2018 Checklist for \$208,639.81. Mr. Carroll seconded the motion. All Aye. Motion Approved.

Executive Session

Mayor Kobasuk called for an Executive Session, under O.R.C. 121.22(G)(2) to discuss the sale of property.

Mr. Tiettmeyer made a motion to enter into Executive Session at 8:26pm, under O.R.C. 121.22(G)(2) to discussion the sale of property. Mr. Carroll seconded the motion. Roll Call: Mr. Carroll-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mrs. Williams-Yes, Mr. Fairley-Yes. Motion Carried.

Mr. Zornes made a motion to reconvene at 8:52pm; Mr. Fairley seconded the motion. All Aye. Roll Call: Mr. Carroll-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mrs. Williams-Yes, Mr. Fairley-Yes. Motion Carried. (No action was taken)

Mr. Carroll made a motion to adjourn at 8:53pm; motion seconded by Mr. Short. Motion Carried!

Transcribed by Becky Fairley.