

The December 6, 2016 meeting of the Newtown Village Council was called to order at 7:00 p.m. by Mayor Mark Kobasuk, who led the Pledge of Allegiance to the Flag.

Council Members: Curt Tiettmeyer (Vice Mayor) Chuck Short Solicitor: Doug Miller
Daryl Zornes Cheryl McConnell Fiscal Officer: Keri Everett
Joe Harten (absent) Terry Fairley Assistant to Mayor: Becky Fairley

WinterFest in the Village (Reported by Mayor Kobasuk)

This 10th annual event will take place this Saturday, December 10th from 4:00pm to 8:30pm. In the past, we've kept the Municipal Center opened for the event. We have volunteers from 4pm to 6pm and need volunteers if we are going to keep the building open until 8:00pm.

Christmas Tree Donation

Tim Hall, owner of Plant World donated a live Christmas tree for the Municipal Center. Mr. Hall has donated a tree for quite a few years; Mayor Kobasuk thanked him for his generosity.

Short Park Lights

Mayor Kobasuk contacted MVCA about the lights in Short Park parking lot that are in need of repair. They agreed to take care of the lights.

Engineering Status Report

Engineer Bruce Brandstetter reviewed the below projects with Mayor and Council.

1. 2016 Paving Program

- Project is complete other than surface course on East Plum, which should be completed in the spring due to weather. Wedges have been placed around the manholes for time being.

2. MRF / OPWC Grants

- SR 32 Storm Sewer is expected to be funded at a 50% split; roughly a \$400,000 project. Village share would be \$200,000 towards construction. Engineering fees would be separate since OPWC doesn't pay for engineering fees. BCA will coordinate design with possible ODOT safety grant around first of April 2017. Project will go out for bid May 2017; Village should receive a grant agreement the first week of July.
- Update of status of loan award for Ragland Road Drainage Issue – Mr. Brandstetter doesn't think the Village received a loan to replace the box culvert on Ragland. Project is estimated to cost \$430,000 project. Mr. Fred Schlimm, OPWC District Liaison officer administers grant requests.

3. Ivy Hills Blvd. Storm Line

- 30" culvert along Little Dry Run is partially filled with gravel/siltation. This pipe goes under Ivy Hills Blvd. parallel to Little Dry Run and belongs to the Village of Newtown.
- Two quotes to clean the pipe have been obtained. BCI recommends Tele-Vac
- Ivy Hills Country Club agrees to dispose of the material

4. Street Paving Plan

- All Village streets have been assessed by BCI – the streets have been broken down into three categories: 1) streets/alleys, 2) County roads and 3) SR 32. Each one has a potential different funding source.
- Work Includes Pavement Repairs: Curb Repairs / Mill and Pave / Pavement Markings
- The below cost estimates are to be considered for 2017

Village Streets/Alleys – work estimated @ \$2,000,000 (no funding available – Village will fund this project)

County Roads – work estimated @ \$750,000 – MRF funds may be available

State Route 32 – work estimated @ \$1,000,000 – typically, state funds 80% of construction costs/Village pays 20%, which is estimated @ \$256,000

- The Village pays for curb repairs and catch basins also
- On a 17 year cycle, the average annual funding would be \$177,000 | Village Streets/Alleys is \$118,000/year average
- County roads may be eligible for MRF funds for partial funding. 17-year cycle, average \$44,000
- SR32 is eligible for partial ODOT funding. Does not include curb and may not include thermoplastic pavement markings. Village share @ 20% and curb \$200,000

Alternative Plans for 2017

- | | |
|--|-----------|
| 1. Seabrook, Bent Tree and Center Streets | \$131,000 |
| 2. Village Drive, Seabrook Dr. and Bent Tree Drive | \$209,000 |

Proposed Schedule

- | | |
|-------------------------------|---------------|
| 1. Select streets to be paved | January 2017 |
| 2. Prepare Bid Documents | February 2017 |
| 3. Bid | March 2017 |
| 4. Contract Approval | May 2017 |

Mayor Kobasuk said the paving plans for 2017 can be decided after the budget is assessed. Mr. Fairley thanked Bruce Brandstetter and Bruce Sylvester for the comprehensive Street Summary. Mr. Fairley Council can make a sound decision based upon information provided in the spreadsheets.

LMFRD Settlement Agreement (Reported by Solicitor Miller)

Solicitor Miller contacted the Hamilton County Prosecutor and Auditor's office and has not heard back from them. He will also follow-up on the date the lease ends.

Resolution Amending 2016 Permanent Appropriations (TIF Fund Explanation)

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

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 34-2016 A RESOLUTION AMENDING 2016 PERMANENT APPROPRIATIONS AND RECONCILING THE BUDGET, DISPENSING WITH THE SECOND AND THIRD READINGS, AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Fairley-Yes, Mrs. McConnell-Yes. Motion Carried.

Mr. Tiettmeyer explained the following, in order to add a check to the 12.06.2016 Council Checklist. Several of the items in Section I are 2902: TIF Fund. There is a revenue line from General Property Tax and an expense line with payment to the School District. The Village ends up with about \$30,000 from the TIF Funding. An amount of \$43,804.92, payable to Forest Hills School District needs to be added to the 12.6.2016 dollar amount of \$201,208.59, for a 12.6.2016 Checklist total of \$245,013.51. Solicitor Miller explained that there are two developments providing the 2902 TIF Fund in Resolution No. 34-2016: 1) Meridian Bioscience and 2) OSI, (One Shot) Ready Line project. The Village actually has (3) three TIF projects, including Hydro Systems, which is not producing any income at this time because the auditor's office put all of the value on parcel 53, instead of parcels 53 and 47. Parcel 47 is the parcel with the TIF. The auditor's office is adjusting the issue so it should begin to generate funds. Solicitor Miller believes the auditor's office will go back and correct the last three years, so there should be a larger check that comes to the Village. Solicitor Miller said One Shot's TIF was just approved by the Department of Taxation and believes the Village should receive this amount annually for the next (30) thirty years.

Council Checklist

Mr. Tiettmeyer made a motion to approve the 12.06.2016 Council Checklist (\$201,208.59) plus the check to Forest Hills School District (\$43,804.92) for a Checklist total of \$245,013.51. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Resolution Approving 2017 Temporary Appropriations

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

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 35-2016 A RESOLUTION APPROVING THE VILLAGE TEMPORARY APPROPRIATIONS FOR 2017, DISPENSING WITH THE SECOND AND THIRD READINGS, AND DECLARING AN EMERGENCY. Mr. Fairley seconded the motion.

Discussion

Mr. Tiettmeyer explained that this is what we do in the month of December, in order to pay bills for the first few months of the new year until final appropriations have been approved.

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

LMFR (Reported by Curt Tiettmeyer)

An asset with significant value was discovered that was not on LMFR's Inventory List. The item is a fire hose tester and LMFR wanted to pick it up. A value of the fire hose needs to be obtained and the Village would need to be compensated 40% of that value before the item would be released to LMFR. We have not heard back from LMFR, or their attorney.

Council Minutes Approval

Mr. Short made a motion to approve the 11.08.2016 Council Minutes, Mrs. McConnell seconded the motion. All Aye. Motion Carried.

Employee Appreciation Gift Cards

Mr. Short made a motion to approve \$900 to purchase (18) \$50 Kroger gift cards for the employees. Mrs. McConnell seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Fairley-Abstain, Mrs. McConnell-Yes. Motion Carried.

Resolution, Contracts for Employee Health Insurance

Mr. Short explained that Resolution 33-2016, adopted at the 11.08.2016 Council Meeting had a spousal surcharge of \$50.00 and should have had \$75.00. The below resolution reflects the correct amount of \$75.00:

This resolution is for the purpose to obtain employee health, dental, vision and life insurance. Due to a conflict of interest, Mr. Fairley will abstain on the following since Becky Fairley has dental and life insurance, which are included in the resolution.

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

Mr. Short made a motion to adopt RESOLUTION NO. 36-2016 A RESOLUTION APPROVING CONTRACTS FOR EMPLOYEE HEALTH INSURANCE AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Fairley-Abstain, Mrs. McConnell-Yes. Motion Carried.

Enterprise Zone Agreement correction with Hydro Systems (Reported by Cheryl McConnell)

As Solicitor Miller explained earlier, Council needs to approve the administrative correction to add parcel 47 where about 37% of the improvements were actually made, which was not on the original agreement. This administrative correction is supported and approved by HCD. Hamilton County Commissioners require Newtown Council's approval before they approve the correction next week.

Mrs. McConnell made a motion to approve the amendment to the Enterprise Zone Agreement between Hydro Systems and the Village of Newtown. The amendment adds the additional parcel to the agreement, Parcel #501-0011-005200. Mr. Tiettmeyer seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Fairley-Yes, Mrs. McConnell-Yes. Motion Carried.

Resolution, Contract w/XPEX, LLC

Newtown Council wishes to approve a contract with XPEX, LLC for Building Commissioner, Zoning Administrator and Property Maintenance Inspector for the Village of Newtown.

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

Mrs. McConnell made a motion to adopt RESOLUTION NO. 37-2016 A RESOLUTION APPROVING A CONTRACT WITH XPEX, LLC FOR PROFESSIONAL SERVICES, DISPENSING WITH THE SECOND AND THIRD READINGS, AND DECLARING AN EMERGENCY. Mr. Tiettmeyer seconded the motion.

Discussion

The 2017 contract with XPEX, LLC is the same as the 2016 contract with no extra cost to the Village, stated Mrs. McConnell.

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

Mr. Stoker gave Mrs. McConnell a Zoning Permit Log outlining different permit fees received in 2016, which was new for the Village this year since the prior Building Commissioner received 90% of the fees. To date, over \$17,000 has come back to the Village from permit fees, which is a nice return off-setting Mr. Stoker's salary, stated Mrs. McConnell. Mayor Kobasuk commended Mrs. McConnell for bringing Mr. Stoker to the table and changing the zoning. Everyone agreed Mr. Stoker is doing a great job.

Resolution, Adopting Building Fees

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

Mrs. McConnell made a motion to adopt RESOLUTION NO. 38-2016 A RESOLUTION ADOPTING FEES FOR BUILDING PERMITS AND OTHER SERVICES RENDERED BY THE VILLAGE OF NEWTOWN BUILDING DEPARTMENT, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Fairley seconded the motion.

Discussion

Mrs. McConnell explained that this resolution allows the Village to quote fees to the public that are in line with Hamilton County Building Department. The building and zoning fees have not been increased for many years. Most people expect us to have Hamilton County fees since Newtown is in Hamilton County.

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

Resolution, Adopting Zoning Fees

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

Mrs. McConnell made a motion to adopt RESOLUTION NO. 39-2016 A RESOLUTION ADOPTING FEES FOR ZONING APPLICATIONS AND PERMITS AND OTHER SERVICES RENDERED BY THE VILLAGE OF NEWTOWN PLANNING AND ZONING DEPARTMENT, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Short seconded the motion.

Discussion

These zoning fees are newly implemented and are associated with applications submitted to the Planning Commission and Board of Zoning Appeals. Mr. Stoker looked at Fairfax, Silverton, Norwood and Deer Park before creating the list of zoning fees, which are attached to the resolution. The fees with off-set some administrative costs.

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

Planning Commission (Reported by Cheryl McConnell)

Planning Commission met 11.17.2016, Chica Sport, next to Confetti Cats at 6927 Main Street asked for a Conditional Use approval for their retail location, which was approved.

Iron Skillet Property (Reported by Cheryl McConnell)

The Iron Skillet is planning and hoping to demolish the structure on Valley Avenue by year-end.

Urban Grill on Main is planning on opening December 28, 2016.

Ribbon Cutting Ceremony

Ribbon Cuttings for Urban Grill on Main and Chica Sport will take place Thursday, January 5, 2017. The Ribbon Cutting for Urban Grill will take place at 11:00am at 6623 Main Street and Chica Sport at 11:15am at 6927 Main Street. ALL are WELCOME!

Ivy Hills Boulevard Storm Line

Mr. Fairley made a motion to approve \$1,380 to Tele-Vac Environmental for the flush vacuum cleaning of the 30" x 250' storm pipe that is 50% full of sand/gravel/silt at Little Dry Run and Ivy Hills Blvd. This pipe is the responsibility of the Village of Newtown. Mr. Short seconded the motion. All Aye. Motion Carried.

Executive Session

Mr. Fairley made a motion to enter into Executive Session at 7:38pm to discuss Hiring and Compensation of a Public Official. Mrs. McConnell seconded the motion. Roll Call: Mrs. McConnell-Yes, Mr. Fairley-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes. Motion Carried.

Mr. Fairley made a motion to reconvene the Council meeting at 9:01pm. Mrs. McConnell seconded the motion. No action will be taken as a result of the executive session.

Mr. Fairley made a motion to adjourn the Council Meeting at 9:02pm. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.

Transcribed by Becky Fairley