

The December 9, 2014 meeting of the Newtown Village Council was called to order at 7:00 p.m. by Mayor Curt Cosby, who led the Pledge of Allegiance to the Flag.

Councilmembers:	Joe Harten	Chuck Short
	Mark Kobasuk	Curt Tiettmeyer (absent)
	Cheryl McConnell	Daryl Zornes
	Solicitor: Doug Miller	Fiscal Officer: Keri Everett

Lake Barber Project Update

Chris Manning, landscape architect and representative with Human Nature Inc. attended the meeting and thanked Mayor and Council for hiring their team to work on the Lake Barber master plan. Jess Parrett with LSM, Leisure Services Management and CEC, Civil & Environmental Consultants Inc. are also part of the team working on the Lake Barber project. Mr. Manning said he is happy to be here listening to the community and helping to meet their needs. Meetings took place today with representatives from the community. The process began today by listening; no design work has been done yet. Mr. Manning thanked Joe Harten and Cheryl McConnell for putting together the list of the stakeholders. Meetings will also take place tomorrow. Several exhibits of the Lake Barber property were presented. A summary of Phase I will be shared with Mayor and Council. Mayor Cosby thanked everyone for their time meeting with local stakeholders.

Mr. Harten talked about the list of stakeholders, which is a good mixture of businesses, neighbors and landowners that abut to Lake Barber. It was great to hear many comments and different visions people have for Lake Barber. These are the sort of things that can't be bought, said Mr. Harten. Mrs. McConnell said it was a good idea that Council hired a consultant to take the Village through this process and thanked Human Nature and others for their help, as Council would not be at this point alone.

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

Mayor Cosby invited all to attend the fun-filled family event, sponsored by the Newtown Business Association. The weather looks good ~ WinterFest offers something for everyone to enjoy! The Municipal Building will be open from 5:00pm to 8:00pm. Council members: Joe Harten, Curt Tiettmeyer and Cheryl McConnell will take shifts to greet the public.

Christmas Tree Donated to the Municipal Building

Mayor Cosby thanked Tim Hall for donating the Christmas tree for the Municipal Building. Mr. Hall donates a live tree each Christmas season for all to enjoy.

Municipal Center Odor Issue (Reported by Mayor Cosby)

There has been a foul odor in the building since the Open House November 2013. The odor was discussed at the 10.28.2014 Council meeting. Sewer and bats are the suspected sources. Some testing has been done and suggestions have been made to rule out other issues. After meeting with Keri and Mike Spry today, it was decided to remove the middle cabinet in the copy room, cut a hole in the wood floor to look for moisture and see if odor is coming from there. This will help rule out other issues before spending money that may or may not take care of the problem. Pipes will also be assessed at this time. Cutting out a door on the second floor to the hose tower was also discussed. This would give easier access to check out the hose tower in the future. The maintenance department should be able to take care of this in one day. It has been suggested that bat droppings may be inside the block wall in the hose tower. Drilling into the block from the inside will also allow for the detection of moisture and odor.

MVCA / Short Park Update (Reported by Joe Harten)

Solicitor Miller, Mark Kobasuk and Mr. Harten recently met with MVCA's attorney and other representatives to discuss the latest contract revision. After much discussion, good views were exchanged. MVCA should have the next version of the contract to Solicitor Miller for review sometime next week.

Short Park Field Rental (Reported by Joe Harten)

The contract with Cincinnati United Soccer Club and Anderson Township Little League expired 10.31.2014. Mr. Harten has had discussions with both clubs to discuss the potential for construction at Short Park and when that could begin. A one-year contract at the current rate is suggested for Cincinnati United Soccer Club and ATLL. Once a final of the MVCA agreement has been received, contracts will be presented to Council for approval January 2015.

Resolution, Employee Insurance Benefits

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

Mr. Harten made a motion to adopt RESOLUTION NO. 32-2014 A RESOLUTION APPROVING CONTRACTS FOR EMPLOYEE HEALTH, DENTAL, VISION AND LIFE INSURANCE, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, Mr. Short-Yes (Mr. Tiettmeyer-absent) Motion Carried.

Resolution, Contract for Recycling and Trash Removal (Reported by Mr. Harten)

Bids were received from Best Way Disposal, Rumpke and Republic Services. After analyzing the bids, it was determined that Rumpke of Ohio is the lowest and best bid for services requested in the RFP.

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

Mr. Harten made a motion to adopt RESOLUTION NO. 33-2014 A RESOLUTION APPROVING A CONTRACT FOR RECYCLING AND TRASH REMOVAL AND DISPENSING WITH THE SECOND AND THIRD READING. Mr. Zornes seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, Mr. Short-Yes (Mr. Tiettmeyer-absent) Motion Carried.

Lake Barber Site Visits (Reported by Cheryl McConnell)

BCI site visits are substantially completed. Ben Brandstetter and Chris Manning have met to discuss past work and future vision work. Ben Brandstetter will work with Mark Gillespie on the eroded path on the southeastern side of the lake. Landscaping issues need to be addressed before opening. Dan Godec, Civil & Environmental Consultants, Inc. will consult with Mark Gillespie on what the Maintenance Department can do to clear out the landscaping and on what invasive species exist at Lake Barber. Joe Harten will work with Greg Henneke, Hylant Group regarding safety security issues for Lake Barber.

Memorandum of Understanding with the Newtown Veterans Association (Reported by Cheryl McConnell)

Discussions have continued between Mr. Lynn Burger and Village Council since the 6.10.2014 Council Meeting, where Mrs. McConnell made a motion to approve a Memorandum of Understanding between the Village of Newtown and the Newtown Veterans Association in regard to the costs associated with maintaining the Veterans Memorial at Moundview Park. A past Council agreed to donate land at Moundview Park for the memorial, without also creating an agreement regarding maintenance costs over time.

Mr. Burger, Newtown Veterans Association was present and told Village Council he is not happy that the agreement presented today has the Veterans Association agreeing to pay the \$1,000 deductible for all four areas of responsibility as outlined in today's agreement. Those four areas of responsibility are: 1) stone monuments, 2) engraving costs, 3) flags and 4) flag poles. Mr. Burger said many others contributed to the memorial and he feels the Veterans have been singled out to pay the \$1,000 deductible. Mr. Burger is agreeable that all changes to the Veterans Memorial must be approved in advance by the Village Council. The Veterans Association must make application for changes to Village Council at a regularly scheduled meeting. Mr. Burger said the Veterans Association plans to add several new items; two bronze statues have been purchased at \$14,000. All changes must meet building and zoning guidelines.

Mrs. McConnell said it's been a long process, with several meetings and revisions to the agreement over time. The memorial is not just a one and done type of donation to the Village, such as a gazebo; it's an ongoing perpetual thing that requires extra attention as far as an agreement. Mrs. McConnell said this is a special case and the Village looks to the Veterans Association to keep the memorial going with their expertise.

Mayor Cosby said it would be the wrong signal to send that we appreciate your donation, but we are going to nickel and dime you down the road. Mrs. McConnell said no one has had the intention of that being the attitude about this. This was looked at as a partnership to move forward together to care for the memorial.

Mr. Zornes asked why the Village would not pay the deductible since they are paying to insure the memorial. Mr. Harten said this is vastly different than anything else in the Village. He said this is a solid agreement because of the complexity and extent of the project. Until this agreement, there has not been a lot of input from this Council, other than the initial site approval.

Mr. Kobasuk said he would rather the Village pay the \$1,000 deductible. Mr. Burger donates so much of his time to the Village participating in many civic events. Mrs. McConnell asked Mr. Burger if there was anything else in the agreement that bothered him. Mr. Burger said everything else is fine.

After further discussion, Council agreed that Village insurance would cover the repair and replacement costs for the stone monuments. Flagpoles and stone monuments will now come under the Village's responsibility. The Veterans Association will only be responsible for all engraving costs and annual replacement of flags.

After more discussion, Council asked Solicitor Miller to revise the agreement, removing the portion stating the Veterans Association would be responsible for the \$1,000 deductible. The process has been longer than it needed to be, said Solicitor Miller. He didn't want the Village to insure the memorial at any cost. Depending on what can happen in thirty years, the insurance company could deny coverage or raise the rate. The agreement says the Village will insure it at a reasonable cost, the reasonableness of which to be determined by Village Council. The Memorandum of Understanding is an agreement that spells out the obligations of each party. Solicitor Miller said if there is no Veterans Association in the future, it's then up to the Council to decide whether they want to spend the money to fix it or not. Solicitor Miller recommended that this Village Council not tie future Council's hands as to having to have insurance on the memorial and any particular deductible. He said this is a Council decision.

Mrs. McConnell tabled the discussion. Mrs. McConnell stated that she would welcome input from any other council members to finalize the agreement. The revised agreement will be brought back to Council after Solicitor Miller makes the revisions discussed. Mr. Kobasuk thanked Mrs. McConnell for her efforts working on the Veterans Agreement.

Mr. Burger invited Mayor and Council to participate in the 2015 Memorial Day Parade. The Veterans Association provides a float each year for Mayor and Village Council.

Resolution, Contract with B & B Franchising, LLC (Jani-King) (Reported by Cheryl McConnell)

Council wishes to approve a contract for professional cleaning and janitorial services for three Village-owned buildings. (Municipal Center, Police Department and Moundview House)

Mr. Tiettmeyer worked on this with Becky and Keri. The total estimated annual cost to clean the three buildings is \$9,990.00. An estimated savings on maintenance overtime costs of \$3,937.00 was concluded if the Village outsourced the cleaning of the buildings. Calculations were based on 2013 and 2014 average overtime hourly wages (\$20.80) and hours paid to the maintenance department to clean the Moundview House. Total Net Annual Cost is \$6,053; funding will come from a decrease in the Maintenance Salary Budget. Mrs. McConnell said she has discussed this with Mark Gillespie, Maintenance Supervisor, who is agreeable. A future seasonal temporary maintenance employee's hours would be about 1,000 per year, which would be reduced to 700 hours to offset the additional costs.

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

Mrs. McConnell made a motion to adopt RESOLUTION NO. 34-2014 A RESOLUTION APPROVING A CONTRACT WITH B & B FRANCHISING, LLC DOING BUSINESS AS JANI-KING OF CINCINNATI LTD., DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, Mr. Short-Yes (Mr. Tiettmeyer-absent) Motion Carried.

Lake Barber Site Visits (Reported by Cheryl McConnell)

Originally, the Village hired Brandstetter Carroll Inc. to oversee the changes at Lake Barber for \$21,700. As we approach the end of the contract, the \$21,700 has been slightly exceeded, as BCI has monitored all of the construction at Lake Barber. An additional invoice of \$1,620 has been submitted.

Mrs. McConnell made a motion to approve the \$1,620 to BCI, seconded by Mr. Harten. All Aye. Motion Carried.

LMFR Fire Board Update (Reported by Mark Kobasuk)

Mr. Kobasuk and resident Terry Fairley serve on the LMFR Fire Board. The Board of Trustees is currently in negotiations with the Union for a new Collective Bargaining Agreement. According to the comparables of the nearby districts, Mr. Kobasuk said he is not inclined to vote for a pay increase. A Compensation Analysis prepared by Terry Fairley and Salary/Budget Survey prepared by Mr. Kobasuk was presented to Council. The current compensation was approved in 2008 when Tracy Hueber was the Newtown Council representative on the Fire Board. It was a phased-in increase into 2009, 2010 and 2011. Mr. Kobasuk has served the Fire Board since January 2010. Mr. Fairley has served since April 2009. According to the Compensation Analysis, the LMFDF firefighters are well paid with excellent benefits. The Fire Board and LMFDF are working to expand the district. The current fire levy is 12 mills.

Police Department – New Police Car (Reported by Mark Kobasuk)

This car was in the prior year's budget, which was deferred by Chief Synan. Ms. Everett said the approval of the new purchase will be coming from the 2015 Budget. Total cost of the cruiser is \$36,300. An older cruiser will be sold for \$18,000 to offset the purchase price.

Mr. Kobasuk made a motion to authorize a new police cruiser, seconded by Mr. Short. All Aye. Motion Carried.

Resolution, Agreement w/Integrus Energy Services – Natural Gas Aggregation

The Aggregation program was approved by the voters in the November 4th General Election. Public Hearings will take place January 13, 2015 at 2pm and 6:30pm. Energy Alliances will handle the Electric Aggregation; Public Hearings will also take place for the Electric portion of the program.

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

Mr. Kobasuk made a motion to adopt RESOLUTION NO. 35-2014 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH INTEGRYS ENERGY SERVICES –NATURAL GAS, LLC TO PROVIDE NATURAL GAS AGGREGATION CONSULTING SERVICES, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Zornes-Yes, Mr. Short-Yes (Mr. Tiettmeyer-absent) Motion Carried.

Council Minutes

Mr. Zornes made a motion to approve the 11.11.2014 Council Minutes, seconded by Mr. Harten. All Aye. Motion Carried.

Checklist

Mr. Zornes made a motion to approve the 12.09.2014 Checklist for \$141,208.18, seconded by Mr. Short. All Aye. Motion Carried.

Cemetery Column Repair (Reported by Chuck Short)

Mr. Short asked Ms. Everett if she had heard back from the insurance company regarding the repair of the column at Flag Spring Cemetery. The column was damaged in an automobile accident. Ms. Everett said she has submitted all information and waiting to hear back.

Harriet Lane (3202) Storm Drain Repair (Reported by Chuck Short)

Mr. Short said he has been trying to obtain bids for about four months to repair the storm drain at 3202 Harriet Lane. The storm drain is sunken down, cracked a driveway and destroyed the curb line. Bids have been received. J.K. Meurer is the best bid – another bid came in at \$16,000. The third company wasn't interested in bidding.

J.K. Meurer Corp. Proposal for 3202 Harriet Lane:

- Remove 63 feet of curb, existing curb inlet and 5' x 7' sunken area in drive
- Install new 2-2B catch basin and 40' 12" pipe to creek
- Install 63' new curb
- Grind and contour asphalt
- Install 1 ½' 448 Type 1 blacktop for transition to new curb and catch basin
- Restore lawn area

Mayor Cosby asked Ms. Everett about the money. Ms. Everett said this is the first she is hearing about it and would probably be looking at the Contingency Fund. Mayor Cosby said he has seen the storm drain and it has caved the homeowner's driveway.

Mr. Short made a motion to approve an amount not to exceed \$7,500 to J. K. Meurer for the storm drain repair at 3202 Harriet Lane. Mr. Harten seconded the motion.

Discussion

Mr. Harten asked if the money would come from the Contingency Fund. Ms. Everett said that would be the last option, but she will look into it.

All Aye. Motion Carried.

Maintenance Department New Employees

Mayor Cosby welcomed Mark Gillespie in his official role as the Street Maintenance Supervisor/Cemetery Sexton. He also welcomed Chuck Morgan, new Maintenance Technician. Mr. Short thanked Mark for the weekly updates he has been sending to Council via email.

Maintenance Department Update (Reported by Mark Gillespie)

Mark thanked Mayor and Council for the opportunity to serve the Village of Newtown. This is the eleventh day on the job as the Street Maintenance Supervisor. The Maintenance Department has had a complete turnover with new staffing, (Mark Gillespie, Chuck Morgan and Joshua Schroer) A plan is being formulated to focus on tasks at hand and move forward to execute the plan. Present tasks at hand are: training everyone on all of the equipment, repair one dump truck, clean and organize the maintenance shop, and straighten out Flag Spring Cemetery. Digitizing cemetery records is in the plan. A recent meeting with Mt. Moriah Cemetery personnel was very helpful. Leaf-pickup ends December 15. The manger scene and lights for WinterFest have been completed. Policy to shut down the fountain has been implemented. Mark said he has a great team and everyone is looking forward to the challenge and working the plan.

Mrs. McConnell said Council is happy to have Mark, Chuck and Josh on board. Mayor Cosby commended everyone for jumping in and figuring things out. Mark said it helps having a great team. Mayor Cosby thanked Mark for the report.

Police Department Renovation

Ms. Everett said she has been working with Curt Tiettmeyer and Chief Synan and they have been working with Building Commissioner Mike Spry. The goal was to go out to bid tomorrow on the construction documents. Mike Spry is currently reviewing the documents.

Employee Appreciation Gift Card

Mr. Kobasuk made a motion to approve the purchase of Employee Appreciation gift cards for Village employees, in the amount of \$50.00 each. Mrs. McConnell seconded the motion. All Aye. Motion Carried.

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

Transcribed by Becky Fairley