

The March 24, 2015 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
Mark Kobasuk
Cheryl McConnell
Chuck Short
Curt Tiettmeyer
Daryl Zornes
Solicitor: Doug Miller
Fiscal Officer: Keri Everett

Property Maintenance Issue

Carrie and Doug Vanderzee recently purchased a home in Newtown located at 6836 School Street. Mrs. Vanderzee spoke regarding property maintenance issues located at 6840 School Street. She talked to Dick Weber, Property Maintenance Inspector prior to purchasing the home and Mr. Weber said this would be addressed in the spring. Mrs. Vanderzee asked Council for a measurable outcome to resolve these ongoing issues that are now impacting property values. Mayor Cosby said while this should not have taken ten years to clean up this property, certain protocol must be followed within the Property Maintenance Code.

Dick Weber, Property Maintenance Inspector was present and said Mr. Bill Murray was cited to Newtown court in 2011 and cleaned up the property March 2012. Mr. Murray recently told Mr. Weber the items that are currently on the front porch came from inside the home. The foreclosure process was filed months ago on this property.

Council talked to Mr. Weber about various properties and enforcing the Property Maintenance Code. Mr. Tiettmeyer said it took a long time for the School Street property to get to where it is today and it did so well before Council was notified it was under foreclosure. He said it sounds like we were not following the regulations set forth here in the village for maintaining the property. Regulations for dumpsters and inoperable vehicles were also discussed.

Mr. Kobasuk asked Mr. Weber how Mr. Murray's property got to this point again. Mr. Weber said he has had too much compassion for Bill Murray. And no one has complained about it and had allowed him to get by with what he was doing, anticipating he would fix it.

Mrs. McConnell asked Mr. Weber if he actually required someone to make a complaint before the property is addressed. Mr. Weber said very few letters are sent based on complaints, as most of the notices are sent out by him seeing the issue.

Mrs. Vanderzee said she has been looking back at Council minutes since 2007 and just because people are not complaining, doesn't mean the problem isn't horrific. She challenged members of Council to drive by the property and asked Mr. Weber if he would want this blighted property two doors down from his home. Mrs. Vanderzee said condemnation of this property is the only outcome here. Maybe people gave up on complaining because they got nowhere, stated Mrs. Vanderzee. She said it is past the "working with him" stage, as he is not working with Newtown's codes.

Solicitor Miller said statues exist that allow municipalities to clean up properties and secure them due to sanitary conditions or the condition of a property.

Due to Mr. Murray going through Newtown's court process in 2011-2012, Council decided to look into other avenues to bring resolution to this ongoing issue.

History in Your Own Backyard (www.HistoryInYourOwnBackyard.com)

Satolli Glassmeyer, owner of History in Your Own Backyard presented Mayor and Council with information on creating a series of documentary videos of historic sites and buildings in Newtown. History in Your Own Backyard is a regional database of videos on historic structures throughout the tri-state area. The cost is \$199 per video if ten videos are produced. Typically, funding may be provided by the local municipality or businesses may sponsor the video with an ad at the end of the video. Local property owners also pay for their video. The videos can also be posted on a Facebook Page or on one's website. Mrs. McConnell will take this info to the Newtown Business Association.

2015 Bike Trail Map (Reported by Joe Harten)

The Map promotes Newtown and its amenities to likely consumers in the tri state area and beyond. Mr. Harten thanked Council for agreeing to advertise in the Bike Trail Map. Maps may be obtained at the Municipal Center.

MVCA / Short Park Agreement (Reported by Joe Harten)

Mr. Harten and Mr. Kobasuk met last week with members of MVCA to nail down some of the legal language issues. The agreement is now in their possession to propose some revenue sharing opportunities for the Village. Revenue sharing off of the net dollars vs. the gross dollars was discussed and all parties came to a tentative agreement it made more sense to revenue share off of the gross dollars. Mr. Harten will present the agreement to Council once MVCA's Board has had a chance to review the agreement.

Mr. Kobasuk said MVCA has a great desire to use the facility for non-MVCA events, which will generate revenue for field maintenance. Mr. Kobasuk agrees it is best that MVCA handle the rentals off of the gross dollars. The revenue split is currently being discussed, given the input from recent discussions.

Lake Barber Update (Reported by Joe Harten)

Chris Manning, Human Nature and Jess Parrett, grant consultant are researching grants for the Lake Barber development. The Clean Ohio District 2 (Hamilton County) grants have been opened. The Clean Ohio grants are for development and improvement of open space and protection and enhancement of riparian corridors and watersheds. Jess is making inquiries with the Board of Clean Ohio District 2, as to the Village's chances of obtaining a grant. Depending on the findings and Council's approval, there would be a fee associated with Jess Parrett writing a packet for the grant. Applications are due January 2016 with a preliminary deadline of fall 2015. Athletic facilities and active play areas are not available under this grant program. Property acquisition would be available under this grant.

Planning Commission: (Reported by Cheryl McConnell)

The Planning Commission met 3.17.2015 to discuss a lot split for Ameristop on SR 32. A few of the Planning members attended a meeting 3.18.2015 with members of the Forest Hills School District to discuss the possible relocation of their school busses. Round Bottom Road is the area of interest, which is zoned light industrial. Newtown's current zoning doesn't permit such use of the land in the Village. Forest Hills School District is looking at other options. The next Planning Commission meeting is 4.30.2015 at 7pm.

LMFD Fire Board Update (Reported by Mark Kobasuk)

Mr. Kobasuk presented a spreadsheet listing property values in the current fire district vs. property values in the proposed fire district. The current fire district includes: Village of Fairfax, Village of Newtown and Columbia Township. The proposed fire district includes: Village of Fairfax, Village of Newtown, Columbia Township and Golf Manor. The plan is to take all of Columbia Township into the fire district so they would go from \$70 million in property values to \$120 million. We would then take in Golf Manor at \$40 million – so the proposed fire district would include \$90 million of additional property for operating expenses. This would drastically decrease the possibility of a levy. A 12mill levy would be imposed on the entities that would join the LMFD, which includes the other part of Columbia Township and Golf Manor. It comes down to how their elected officials vote for the consolidation. There would be a major savings from consolidation when Fire Chief Terry Ramsey retires in 2017. The LMFD has an assistant fire chief and we would take in the Golf Manor Fire Chief. The Golf Manor fire house would require repairs and equipment improvements. Deer Park / Silverton currently cover part of Columbia Township. Mr. Kobasuk and Mr. Tiettmeyer will review the consolidated budget.

Council Checklist

Mr. Tiettmeyer made a motion to approve the 3.24.2015 Council Checklist for \$139,289.47. Mr. Zornes seconded the motion.

Discussion

Mr. Kobasuk asked Solicitor Miller if the increase in legal fees (\$8,500) was due to MVCA and Martin Marietta. Solicitor Miller said the recent increase is due to Martin Marietta and MVCA prior to this past month. Mr. Gillespie has recently called several times to discuss Flag Spring Cemetery, along with other phone calls and emails.

All Aye. Motion Carried.

Native American Artifact Update (Reported by Curt Tiettmeyer)

Recent discussions with the Cincinnati Museum Center have taken place regarding the status of the shell gorget and slate gorget that were discovered as crews were in the process of doing utility work in the village on 2.13.2015. The Native American Graves Protection and Repatriation Act (NAGPRA) was enacted November 16, 1990. The NAGPRA was designed to make certain people are not digging for artifacts in Native American grave sites. When artifacts are discovered, they must be reported. The Cincinnati Museum Center was notified of the discovery of the artifacts within thirty minutes of the findings. This gives the ability for any Native American tribe that feels that these artifacts and remains are part of their heritage to make a claim. The NAGPRA Board evaluates the claims and determines if artifacts meet their heritage. If the Board were to decide in their favor, the artifacts would be turned over to them with no compensation to the Village. There have been three inquiries: two from the Shawnee tribe and one from the Miami tribe.

The Cincinnati Museum Center is proposing a Memorandum of Understanding. The purpose of this MOU is to ensure that archaeological resources removed from the Village of Newtown are preserved, maintained and accessible according to current professional standards as recognized by the America Alliance of Museums. The MOU will be in effect for five years and can be renewed for additional five-year periods. The Cincinnati Museum Center will handle additional restoration work of the gorgets and all of the claims made by the Native American tribes. Solicitor Miller has reviewed the Memorandum of Understanding. The Village retains 100% ownership of the artifacts. The total budget proposed by the CMC for caring for and restoring the artifacts is \$6,755. Additional expenses are not to be expected. Mr. Tiettmeyer's recommendation is to authorize the Cincinnati Museum Center to move forward and represent the Village of Newtown.

Mr. Tiettmeyer made a motion to move forward with Mayor Cosby signing the Memorandum of Understanding between the Cincinnati Museum Center and the Village of Newtown, as amended by Solicitor Miller. The Village agrees to compensate the CMC \$6,755 for expenses for collection and management of the artifacts. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Municipal Center Odor Issue (Reported by Curt Tiettmeyer)

Air quality in the building has improved, but is still being monitored. The access door has been completed, but there are a few minor details to be done to the area by SSRG. The next step is for Mike Spry and Mayor Cosby to perform a smoke test. The tower will be monitored, as bat season is upon us. Cleaning and additional sealing will be done to the hose tower once additional signs of bat activity are ruled out.

Council Minutes

Mr. Zornes made a motion to approve the 3.10.2015 Council Minutes, seconded by Mr. Short. All Aye. Motion Carried.

Hamilton County Tax Incentive Review Council

HCDC is charged with convening the Hamilton County Tax Incentive Review Council (TIRC) to monitor the compliance of active enterprise zone agreements and community reinvestment area agreements. Council appointed Cheryl McConnell and Keri Everett to serve on the 2015 TIRC Board. Representatives must be a Newtown resident and appointed by local legislative authority. The annual meeting will take place June 9, 2015. Becky Fairley administers the annual process for Mike Spry, CRA Housing Authority, to submit the annual report to the Ohio Development Services Agency. The 2014 CRA Annual Report will be presented to Council May 2015.

Mr. Tiettmeyer made a motion to appoint Cheryl McConnell and Keri Everett to serve on the 2015 TIRC Board. Mr. Harten seconded the motion. All Aye. Motion Carried.

Ivy Hills Golf Course Water Issue (Reported by Chuck Short)

Water from Ivy Hills Golf Course is going into Lake Barber, due to the backflow preventer not working. Mark Gillespie talked with Ivy Hill's maintenance worker and the check valve is currently under water; therefore, it cannot be shut off at this point. Council agreed Ivy Hills is responsible for correcting the issue. Mr. Short will report back to Council.

Police Department Renovation

Discussion took place regarding pods vs. shipping containers to store police records and evidence during the upcoming renovation project. It was agreed pods are the best way to go for this project.

Property Maintenance Inspector

Mr. Tiettmeyer asked Mayor Cosby to talk to Dick Weber about the property maintenance process and steps that should be taken regarding future properties, not allowing them to get out of hand.

Round Bottom Storm Drain Failure

Mr. Tiettmeyer asked where this issue stands. Council authorized money to clean out the sediment and perform repairs on the collapsed pipe. The Village has a CD that was produced by Tele-Vac verifying the collapsed pipe. Mr. Short will contact Bruce Brandstetter and report back to Council.

Mr. Kobasuk made a motion to adjourn at 8:20pm, seconded by Mr. Harten. Motion Carried.

Transcribed by Becky Fairley