

Call to Order/Pledge of Allegiance/Attendance

The November 12, 2024 regularly-scheduled meeting of the Newtown Village Council was called to order at 6:00 p.m. by Mayor Mark Kobasuk, who led the Pledge of Allegiance to the Flag.

Council Members: Terry Fairley
Jerry Schwab
Peg Quallen (excused)
Jeff Drescher
Tracy Boone
Sarah Donohue

Solicitor Emily Supinger
Fiscal Officer Keri Everett
Assistant to Mayor Becky Fairley
Police Chief Tom Synan

Approval of Council Minutes

Mr. Schwab made a motion to adopt the regularly-scheduled 10/08/2024 Council Minutes, seconded by Ms. Boone. All Aye. Motion Carried.

SPECIAL PRESENTATIONS

Engineering Report, submitted by CT Consultants Engineering November 7, 2024

1. Church Street – Funded

- Design work is approaching completion.
- CT met with City staff to review project and confirm bidding schedule.
 - i. Advertise for Bid – January 30, 2025
 - ii. Open Bids – February 21, 2025

2. Little Dry Run – MRF Funded, Seeking OPWC Funding

- The County has approved Municipal Road Funds in the amount of \$175,000. A 50% funding match was applied for- the total project estimate is \$350,000.
 - i. Recommending 30% request. Would leave the Village with 20%.
 - ii. OPWC application submitted on 9/27
- The project would resurface Little Dry Run from SR 32 to the Village Corp Limit.

3. McCullough's Run – Under Construction

- Mobilization began July 28 with work being scheduled to complete by the end of October.
- Project complete. Working to get a punch list scheduled.
- The Village has asked for additional observation time and we currently are set for twice a week to visit the site.

4. Moundview Park Sanitary Sewer – Complete, Pending Punchlist Completion

- Council awarded the Contract to Ashcraft Contracting, Inc.
- Contractor complete.

5. Eastern Corridor Project – Project was not Awarded Funding

- OKI Application was submitted by the deadline on June 7.
- OKI received 18 applications that totaled \$74M in requests. They have \$29M in this round available for funding projects.
- The lowest score funded was 54. Newtown project was a 42.
 - i. The best way for this project to increase its score is by adding to the local share. 20% match receives 0 points. A 50% match receives 10 points. Additionally, the Status of the Project received 2 points which equates to initial request for construction and ROW funding). Point can be increased to 5 if the Construction and ROW drawings are complete.
- The Village and ODOT do not need to move forward with the project. Please let us know if you would like us to setup a meeting with ODOT to review.

6. Drywells at Round Bottom and SR32 – Design Phase

- CT met with Hamilton County Garage and have preliminary approval to place a dry well on their site and Hamilton County is preparing an intergovernmental agreement to that end that Council will need to consider.
- CT is working on design drawings.
- CT met with Emily to discuss obtaining an easement and the necessary documents. CT to prepare easement documents.

7. MVCA Parking Lot

- CT met with task force on 9/25 and provided the following requirements to MVCA for addressing:
 - i. Move the bumper blocks back 30" from the property line
 - ii. Place a fence at the property line (owned and maintained by MVCA). Can be either a 4' wood split rail or a 4' white vinyl split rail.
 - iii. Address ADA issues. This will require an as-built survey of the path (by MVCA) to confirm areas of the path that are in violation. Remove and replace. Provide a plan to the Village for review / approval prior to improvements being complete.
 - iv. Provide an edge seal along the joint between the path and the MVCA parking lot
- CT meeting with MVCA (per MVCA request) on 11/11 to review the proposed drawings.

MVCA Walkway Issue Update

Mayor Kobasuk talked about the email from Tom Rhodenbaugh regarding the Newtown walkway proposal corrections. Mr. Rhodenbaugh met with Frank with CT Consultants and Chuck Morgan and reviewed the drawings. MVCA will submit revised drawings to Frank for the December meeting. **Work on the walkway is expected to be done Spring 2025.**

8. Kinney Property Subdivision

- A list of Hamilton County Regulations recommended for adoption by the Village has been provided to the Village. These include:
 - i. Rules and Regulations of the Hamilton County Regional Planning Commission for Plats and Subdivisions of Land
 - ii. Access Management Regulations
 - iii. Rules and Regulations of the Hamilton County Soil and Water Conservation District
 - iv. Thoroughfare Plan
 - v. Rules and Regulations of the Office of the County Engineer
- CT has forwarded a summary of the major subdivision process to the Village for review.
- CT provided a memo outlining the requirements for the Kinney Subdivision to connect to W Jefferson or connect to Church St.

Audience Participation (3-minute limit - *per person*)

Mayor Kobasuk stated: This is a point in the 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 need information, please talk to the Village staff. Please state your name and where you live when addressing Council.

Cheryl Morgan, 3401 Church Street suggested speed bump on upper Church Street as a possible deterrent from motorists going above 30 mph in a 25-mph residential zone. Mayor Kobasuk said he will contact CT Consultants, Village engineers to weigh in.

Sharon Murrell Scott, no longer lives inside the Village of Newtown but was a longtime resident on Scioto Drive with her parents Lee and Nancy Murrell, whom both have passed away and are buried at Flag Spring Cemetery. Lee passed away in 2018 and her mother Nancy passed away January 2024. Sharon had previously met and discussed their sunken headstones with Chuck Morgan, Cemetery Sexton. Sharon had asked Chuck to try to address the matter before the winter so the base doesn't continue to sink. Ms. Scott commended Chuck and Maintenance staff for addressing her request in such a timely manner – they were diligent in getting the job done and very respectful as he knew the importance and how much this means to families that have their loved ones buried at Flag Spring Cemetery on Round Bottom Road. Ms. Scott also commended the Fire and Police service Newtown is blessed to have caring for the residents and business owner's needs.

Ongoing Issue w/Police and Council

Ed Wolfer, resident and business and property owner of 52 years, 3458 River Hills Drive. Mr. Wolfer continued to talk about Chief Synan and Detective Spencer Bischoff – the way he felt they did him two years ago. Mr. Wolfer continued talking about Chief Synan lying 35 times in the letter he received. Mayor Kobasuk eventually (6:14pm) asked Mr. Wolfer to take a seat as he was disrupting the Public Council Meeting. Mr. Wolfer spoke for four minutes before Mayor Kobasuk asked him to be seated.

MAYOR AND COUNCIL MEMBER REPORTS:

Mayor's Report

Auditor's Real Estate Assessment Fund

The Auditor's Real Estate Assessment (REA) Fund returned \$20 million to local governments, school districts and other taxing authorities in Hamilton County. Newtown's portion of this unspent balance is \$14,468.53. This money comes from the fee that is calculated as a percentage of the County's total tax collections. State law provides for the revenue to be used for the Auditor's real estate and reappraisal work.

Marijuana Issue (Mayor Kobasuk)

In December when we have a full Council present, we should have a discussion on the issue – 90-day moratorium is going to expire in December. A decision will ultimately be made as to whether Council will allow marijuana dispensing operations or cultivating and processing or if we want to continue with the Moratorium. Solicitor Supinger said we will need to extend the moratorium, regardless – just so that whatever decision is reached in December can then be implemented before the Moratorium expires.

Council Members Report:

October 2024 Finance Packet (Mr. Fairley)

83% of the year behind us, General Fund looks good @ 88%, expenditures, all departments are well under that 83% benchmark. Municipal Income Tax Collections, we had a good month in October that actually puts us ahead of where we were last year at about \$13,000. Therefore, as far as revenues, we are in good shape.

Mr. Fairley made a motion to accept the October 2024 Finance Packet presented and discussed Ms. Boone seconded the motion. All Aye. Motion Carried.

Rumpke Trash Pickup Contract

Mr. Fairley said the contract expires December 31, 2024. RFP's will go out so expect to have bids at the December meeting for consideration as to who the Village wants to go with for trash pick-up.

Employee Health Benefits

Mr. Fairley said one of the things Council needs to discuss is domestic partners. In the past, the Village has not included domestic partners in the benefits package. Council needs to decide as to whether the Village wants to offer this as part of the employee health benefits. Mr. Fairley suggested Council consider with stipulations or qualifications due to the liability on the Village. Mr. Fairley said he is tend to vote for one to be single or married and asked Council for their suggestions.

Ms. Donohue asked if domestic partner would be one that is not married. Mr. Fairley said yes, it's a broad area and he is not opposed to include domestic partners but would like a scope to be decided with provisions.

The insurance company has no a description/qualification – they said it is up to the Village. Solicitor Supinger said there is no state or even federal regulations. Solicitor Supinger said she did not look for a definition but there is no requirement on those types of things.

Mr. Schwab said he agrees with Mr. Fairley – he believes a description for approving a domestic partner for insurance and go from there.

Solicitor Supinger said for purposes of determining whether or not they are covered or not by our insurance, yes, we are allowed to ask questions.

Ms. Boone said she doesn't believe now that there are any limits in Ohio as to who can be married – so it can be same sex, opposite sex – she said she tends to stick with people need to be married to be covered by the Village insurance. Ms. Boone talked with a few people that own businesses and no one offered health insurance to domestic partners that are not married. Ms. Boone believes it would put a lot of potential risk on the Village since the Village pays so much of the insurance and takes on so much of the risk for the employees and that it would be a lot of risk on the Village to bring that on!

Mayor Kobasuk said it sounds so far like three Council members do not want to include domestic partners in the insurance. Mr. Drescher said it could impacting hiring – Mr. Fairley said he doesn't disagree just need to have a scope in place for consideration. Solicitor Supinger said it would still treat everyone the same, it would just exclude, regardless of sex, if the person is unmarried but residing together whether it's a same sex relationship or not, it's whether or not that status of residing together and being in a committed relationship but not married is something you would want to extend insurance benefits to. Currently, the Village insurance is not extended to domestic partners – so the issue is are we going to broaden the insurance to include domestic partners, asked Mayor Kobasuk. Ms. Boone said she wouldn't be opposed to having better descriptions to make one qualify under that but to what Jeff said, it is her understand that everyone can get married. Five years ago, maybe not everyone was able to get married whereas now there aren't any limitations as to who can be married so people are not being excluded like in the past. Council will discuss specific criteria for future consideration and will direct Solicitor Supinger. Solicitor Supinger said she doesn't necessarily get into details of what other municipalities insurance covers or doesn't cover, but she is not aware of her other communities with a domestic partner level for insurance – most of them are spouse, dependents. Mr. Fairley reached out to Fairfax and their current policy offers insurance to married couples. Mr. Drescher said at this time, we should go with what we have – he and Mr. Fairley said revisit this issue January 2025.

Maintenance Report for October

Council received the report prior to the meeting and no one had any questions.

Safety Services Reports & Motions for tasers and body cameras (Mr. Drescher)

ATFD Report

Fire Department report submitted shows again the majority of runs being EMS related – ATFD is top notch and Newtown appreciates and benefits from their professionalism and qualifications for keeping residents safe. Newtown is happy to be partnered with ATFD!

Newtown Police Department (Mr. Drescher)

A two-week traffic blitz on Church Street regarding speeding – Chief Synan said the report reflects a month of writing tickets – the Police Department will keep an eye on speeding on Church Street. Chief Synan said the report reflects not just speeding, marked lines, seat belt violations, stop sign violations, driving under suspension, texting while driving then failing to yield at the right-of-way. Chief Synan said it also depends on how the Village wants as far as enforcement which can be different in certain neighborhoods. Chief Synan answered Mr. Fairley's question as far as speed bumps – he said what the city of Cincinnati has done definitely drops the averages. It doesn't eliminate the few that are going to speed no matter what. Chief Synan said Mayor Kobasuk brings up a valid point – Columbia Parkway does get backed up and would also get backed up on Church Street, especially if you were talking about a neighborhood that might be developed. Chief Synan suggests possibly implementing bumble strips (which are grooves in the road) like on Little Dry Run that were installed, calming device for traffic – that is if Council wants to do this – he said this would help and would be his first suggestion from his perspective.

Mr. Drescher said he noticed the invoice for the body cameras was dated April 1, 2024 – he wondered if they were on backorder. Solicitor Supinger said the following two expenditures are included in the below Resolution authorizing a Then and Now Certificate.

Mr. Drescher made a motion to approve \$5,958.42 to Axon Enterprises, Inc. for body cameras for the police department. Mr. Fairley seconded the motion. All Aye. Motion Carried.

Mr. Drescher made a motion to approve \$6,247.24 to Vance's Law Enforcement for tasers for the police department. Ms. Boone seconded the motion. All Aye. Motion Carried.

Planning Commission Meeting: 11/21/2024 (6pm)

Mr. Schwab said meeting is regarding temporary signage – banners for companies in Newtown. We are out of compliance from our original Zoning Code was – during Covid, we became more relaxed. We want to be more business-friendly so Planning will review ways to do this and then bring to Council for approval to amend the Zoning Code.

Winterfest, Sat. Dec. 14 (2p-8pm) (Ms. Boone)

More activities, craft vendors, food options along with carriage rides and a 5K this year will make Winterfest an event you will not want to miss! The 5K begins at 2pm which kicks off Winterfest. The committee is falling short on fundraising as they have lost a few sponsors. (This is a budgeted item)

Ms. Boone made a motion to approve \$5,000 to the Winterfest Committee for the annual event. Mr. Fairley seconded the motion. All Aye. Motion Carried.

CPR Training – Newtown Firehouse (Nov. 14) (Ms. Boone)

This will be a Stop the Bleed, hands only CPR class (no charge) - Training will be from 6:30p to 8p – Becky will place the info at newtownohio.gov All are welcome – no RSVP required – currently, 15 are registered.

Lawn Maintenance Clean-up (Ms. Donohue)

New Grounds Landscaping, previously Kaegi Landscaping (local business) was solicited to bid on cleaning up and mulching beds at the Police Department, Municipal Building and Moundview including the Veterans Memorial. This essentially would eliminate work our Maintenance guys would do – this is more of an additional first phase to a beautification plan. The bid includes cutting back perennials, trim new plant material, removing leaves and debris in beds – removing the mulch that has been piled on top of existing mulch multiple times – applying pre-emergent and fertilizer as needed. Bid also includes installation of two 30" pyramidal boxwoods left and right of the Digital Message Board and cutting down and removing the overgrown plum tree to the left of the Village Office.

Ms. Donohue made a motion to approve \$4,500 to New Grounds Landscaping (Kaegi Landscaping) for Clean-up and mulching as described above. Ms. Boone seconded the motion. All Aye. Motion Carried.

Update on Short Park Walkway (Ms. Donohue)

Discussed above – Ms. Donohue said nothing much has happened since last month.

Moundview House Painting

Mr. Fairley made a motion to approve the bid to A Touch of Grey Painting LLC (local business). The bid includes painting the Moundview House, upstairs and downstairs – walls and trim. The bid amount is \$6,848.59 – Ms. Boone seconded the motion. All Aye. Motion Carried.

Village Solicitor's Report (nothing to report at this time)

Solicitor Supinger talked about the Ordinance adopting the rules and regulations of the Office of Hamilton County Engineer – this stems from further discussions Solicitor Supinger had with CT Consultants about the subdivision regulations, adopted at the last council meeting. They indicated that these regulations in particular supplement those and provide some standards by which to measure against proposals and provides standards the Village can use. CT Consultants requested that Council adopt these regulations as well. The regulations adopted last month are largely process and these have a little more substance to them.

Legislation

Ordinance, Six-Month Moratorium Enforcement Temporary Banners

The Village desires to review the temporary sign provisions as they apply to temporary banner-type signs on non-residential properties and determine whether they should be revised. A six-month moratorium on the enforcement of the provisions related to the placement of signs on non-residential property will provide adequate time to review the regulations and make any needed revisions.

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

Mr. Schwab made a motion to adopt ORDINANCE NO. 21-2024 AN ORDINANCE IMPOSING A SIX-MONTH MORATORIUM ON THE ENFORCEMENT OF REGULATIONS PERTAINING TO TEMPORARY BANNERS AND DECLARING AN EMERGENCY. Mr. Drescher seconded the motion.

Discussion

Ms. Boone asked when it will take effect – Mayor Kobasuk it will have to go to Council. Mr. Schwab said Planning will meet on 11/21/2024 and come up with recommendations for Council and go from there. Solicitor Supinger said the Moratorium will be repealed at the same time new regulations are adopted. Once Planning Commission makes recommendations, it will need to be noticed, which has to be at least thirty (30) days in the paper which means it will be a 45-day period. Council cannot have the Public Hearing – it has to be at least (30) days then they have up to sixty (60) days to decide.

Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Boone-Yes. Motion Carried.

Ordinance, Hamilton County Engineer

Newtown adopted Rules and Regulations of the Hamilton County Regional Planning Commission for Plants and Subdivisions of Land for Newtown and in order to ensure the orderly and proper development of land within the Village, the Council desires to adopt the Rules and Regulations of the Office of the Hamilton County Engineer to supplement the Rules and Regulations of the Hamilton County Regional Planning Commission for Plats and Subdivisions of Land.

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

Mr. Fairley made a motion to adopt ORDINANCE NO. 22-2024 AN ORDINANCE ADOPTING THE RULES AND REGULATIONS OF THE OFFICE OF COUNTY ENGINEER FOR THE VILLAGE OF NEWTOWN AND DECLARING AN EMERGENCY. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Boone-Yes. Motion Carried.

Resolution, Contract w/TEC Engineering (Retiming Study)

Newtown desires to enter into a contract with TEC Engineering, Inc. to perform a Traffic Signal Retiming Study for the Traffic Signal Upgrade Project on SR 32 in the Village of Newtown. Amount not to exceed \$19,475.

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

Mr. Fairley made a motion to adopt RESOLUTION NO. 37-2024 A RESOLUTION APPROVING A CONTRACT WITH TEC ENGINEERING, INC. TO COMPLETE A SIGNAL RETIMING STUDY FOR THE TRAFFIC SIGNAL UPGRADE PROJECT IN THE VILLAGE OF NEWTOWN. Mr. Schwab seconded the motion.

Discussion

Mr. Fairley said the Village needs to decide on the money from the Newtown American Rescue Plan Act (Covid-19 Money) – after meeting with Ms. Everett, it was decided to fund this project and the Capital Equipment (approved last month) and use the money also to pay for the tasers and cruisers already purchased – we will reimburse Newtown for that money. The money will also be used to reimburse Newtown for the recently purchased truck for the Maintenance department. Total comes to \$122,691 – the Capital Equipment \$211,466, engineering w/TEC is \$19,475 = \$230,941. A grant for the timing project is \$50,000 which leaves a balance of \$180,941 minus the funds mentioned for the tasers, cruisers and the maintenance truck. Basically, leaves a balance to pay for all of these projects of \$58,249 which will be taken from the Street Fund so most will be funded with the American Rescue Plan Act money Newtown received.

Solicitor Supinger said Council already passed legislation that already assigned that money as loss of revenue so Ms. Everett can handle it at this point.

Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Boone-Yes. Motion Carried.

Resolution, Agreement w/XPEX, LLC

XPEX, LLC has provided professional services to the Village for building code, zoning code, and property maintenance pursuant to an Agreement between the Village and XPEX dated December 6, 2016, an Addendum to the Agreement dated October 9, 2018, a Second Addendum to the Agreement dated January 11, 2022, and a Third Addendum to the Agreement dated August 9, 2022. Council wishes to approve a Fourth Addendum to an Agreement with XPEX of \$5.00/hour increase. Mr. Stoker's contract ends 12/31/2024.

Mr. Schwab made a motion to suspend the rules. Mr. Fairley seconded the motion. All Aye. Motion Carried.

Discussion

Mr. Drescher asked if XPEX is responsible for inspecting the work once the permit is issued. He talked about a few issues in the Village that have not been inspected – on Mail St. where a house was demolished has a big pile of dirt and a hole – so who inspects after the permit has been issued. Ms. Donohue said she was told Mr. Stoker was also the Building Inspector – after further discussion, Mayor Kobasuk offered to have a conference call with Mr. Stoker and Ms. Donohue to discuss the process and the inspecting issue raised also about Short Park and the issue on Main Street.

Mr. Schwab made a motion to adopt RESOLUTION NO. 38-2024 A RESOLUTION APPROVING AN ADDENDUM TO AN AGREEMENT WITH XPEX, LLC FOR PROFESSIONAL SERVICES. Ms. Boone seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Boone-Yes. Motion Carried.

Resolution, Agreement w/Ohio Public Employees Deferred Compensation Board

A Roth 457 option may be offered within public employee deferred compensation programs as an additional benefit for retirement – employers who choose to offer the Roth 457 option to their employees must execute an Employer Adoption Agreement with the Ohio Public Employees Deferred Compensation Board.

Ms. Boone made a motion to suspend the rules, seconded by Mr. Drescher. All Aye. Motion Carried.

Ms. Boone made a motion to adopt RESOLUTION NO. 39-2024 A RESOLUTION APPROVING AN AGREEMENT WITH THE OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION BOARD TO OFFER A ROTH 457 OPTION TO VILLAGE OF NEWTOWN EMPLOYEES. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Boone-Yes. Motion Carried.

Resolution, Then and Now Certificate

Council desires to approve a Then and Now certificate in the amount of \$5,958.42 for a payment to Axon Enterprise.

Mr. Drescher made a motion to suspend the rules, Ms. Boone seconded the motion. All Aye. Motion Carried.

Mr. Drescher made a motion to adopt RESOLUTION NO. 40-2024 A RESOLUTION AUTHORIZING A THEN AND NOW CERTIFICATE AND PAYMENT IN THE AMOUNT OF \$5,958.42 TO AXON ENTERPRISE. Ms. Boone seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Boone-Yes. Motion Carried.

Resolution, Contract for Employee Health, Dental, Vision and Life Insurance

Mr. Fairley said this contract is renewing the existing insurance – benefits effective January 1, 2025. Initially, there was a 12% increase over last year – HORAN was able to go to Anthem and reduce it to a 10% increase, which is very negligible in these days of health insurance. Plan provides a HRA where the Village would cover out-of-pocket expenses incurred by the employees. Mr. Drescher asked about the spousal surcharge – the \$100 remains the same. Delta Dental is no longer taken by the Village Dental and this is why the Village went with Delta Dental last year. Delta Dental will reimburse the employee 50%. The only change in the renewal plan is the single deductible is going from \$3250 to \$3300 and family deductible from \$6500 to \$6600. These are the minimum deductibles staying in an embedded plan.

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

Mr. Fairley made a motion to adopt RESOLUTION NO. 41-2024 A RESOLUTION APPROVING CONTRACTS FOR EMPLOYEE HEALTH, DENTAL, VISION AND LIFE INSURANCE. Ms. Boone seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Boone-Yes. Motion Carried.

New Business

Council Checklist

Mr. Fairley made a motion to approve the 11/12/2024 Council Checklist for \$383,359.56. Mr. Drescher seconded the motion. All Aye. Motion Carried.

Executive Session

Mr. Fairley made a motion to enter into Executive Session at 7:04pm, pursuant to Section 121.22(G)(1) of the Ohio Revised Code to discuss the compensation of public employees. Mr. Schwab seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Boone-Yes. Motion Carried.

Council reconvened at 7:26pm – no action was taken as a result of Executive Session.

After reconvening, resident Elise Gerrard, 220 Ivy Way talked to Council about the Marijuana Moratorium – Ms. Gerrard feels the possibility of having a dispensary in Newtown is a big issue and one that should be put on the ballot for the residents to decide. She is against having any dispensaries located in the Village of Newtown. Mayor Kobasuk told Ms. Gerrard that Council members were elected to make these decisions and this issue will be discussed at the December meeting when ALL members of Council are present. Mayor Kobasuk suggested to Council members to speak to their neighbors regarding this issue. Below is info discussed on this matter October 8, 2024 Council Meeting and in the Fall 2024 Newsletter:

Marijuana Dispensaries (Fall 2024 Newsletter)

The following Fall Newsletter included “Marijuana Dispensaries” was emailed to residents September 2024.

On November 7, 2023, Ohio became the 24th state to legalize adult-use cannabis with 57% of voters voting in favor of Issue 2, also known as An Act to Control and Regulate Adult Use Cannabis. In Newtown, Issue 2 passed with 62% of the vote. On August 6, 2024, sales in Ohio began with dual-use dispensaries opening their doors to recreational consumers. Council passed an ordinance imposing a moratorium on the issuance or processing of any permits related to the cultivation, processing, or dispensing of marijuana for adult use on January 9, 2024. The moratorium was set to expire on September 30, 2024, and Council extended the moratorium for an additional 90 days. Council will discuss the issue at its October 8 meeting. Ohio levies an additional 10% tax on all consumer sales of adult-use marijuana products. 36% of the additional tax collected by the state is diverted to a Community Host Fund, which is then distributed to communities that have adult-use marijuana dispensaries based on the percentage of adult-use tax attributable to each jurisdiction.

The Marijuana Dispensary issue was discussed at the October 8, 2024 meeting, as stated in the below Fall Newsletter 2024.

Marijuana Dispensaries – Oct. 8, 2024 Council Meeting Discussion

Council adopted an Ordinance 9/10/2024 extending the Moratorium on the issuance and processing of permits allowing retail dispensaries, cultivators, or processors of adult use marijuana within the Village. The Moratorium ended 9/30/2024 – the ordinance passed Ordinance No. 16-2024 extending the legislation by ninety (90) days to maintain the status quo until Council makes a decision. Solicitor Supinger said all medical marijuana are prohibited – this gives Council time to make changes.

Ms. Boone said she has talked to some residents in Ivy Hills that are not in favor of having a dispensary in Newtown and if Newtown goes in that direction to limit it to one (1) dispensary. Ms. Donohue said it is an important issue for the voters as 60% voted yes to legalize it and that it would be a source of tax dollars for the Village – Mr. Schwab said if we do allow a dispensary that it should be located out Round Bottom way.

Ms. Wright, Scioto talked about the issue saying she was glad there was a moratorium as marijuana remains illegal at the federal level. She talked about the laundering of money at federal level.

Mayor Kobasuk suggested to Council members to speak to their neighbors regarding this issue.

Mr. Fairley made a motion to adjourn at 7:44pm, seconded by Ms. Boone. All Aye. Motion Carried.

Transcribed by Becky Fairley