

## **Call to Order/Pledge of Allegiance/Attendance**

The January 23, 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.

<b>Council Members:</b>	Curt Tiettmeyer (Vice Mayor)	Terry Fairley	Solicitor: Emily T. Supinger
	Daryl Zornes	Don Carroll	Administrator: Jerry Thamann
	Chuck Short	Sarah Williams	Fiscal Officer: Keri Everett
			Assistant to Mayor: Becky Fairley

Council Meeting Time Change: Future meetings will take place at 6:30pm, instead of 7:00pm.

## Approval of Council Minutes

**Mr. Short made a motion to approve the 01.09.2018 Council Minutes, Mr. Zornes seconded the motion. All Aye. Motion Carried.**

## SPECIAL PRESENTATIONS

Engineer Bruce Brandstetter, BCI Inc. gave the following project status report:

### **1. Ragland Road Culvert (17053)**

- Easement Status
  - Easement summary table for review
  - Follow up discussions to obtain remaining easements
- Continuing to coordinate with HCEO. Anderson Township and GCWW

### **2. 2017 Street Paving Program (17045)**

- All work complete. BCI processing final pay request
- Project is significantly under budget

### **3. 2018 Capital Improvement Project Alternatives (18007)**

- See below summary

### **4. SR 32 East Storm (17042)**

- From field meeting on 11/2/17, ODOT's inclination is to proceed with the storm as the Village believes is best. ODOT would design to it, but they said it would be confirmed. BCI to follow up.

### **5. ODOT SR 32 Safety Grant**

- ODOT indicated first quarter 2018 to move into Stage One. BCI to check status
- Discussion of speed limit on SR 32 took place
- Village share is \$5,000 for Stage One plans

### **6. 2016 Paving Program (16051)**

- J.K Meurer will contract with Adleta to have the work completed in Spring, 2018 as requested by the Village

### **7. Lake Barber**

- BCI met with Doug Evans on 10/9/17. Both will review photos
- Reviewed photos from Chuck M. and Bob H. and text from Evans
- BCI to double check previous topographic surveys

### **8. MVCA**

- Progress meeting with MVCA scheduled for 1/25/18

### **9. Miscellaneous**

- Grants
  - OPWC/MRF 2019 grant requests, due in August/September

**I. Alternatives**

1. Paving Improvements (Cond. 2 and 3)	\$ 133,000
A. Debolt Neighborhood West, Crawford, Crull, Leonard & West Plum Streets	
B. Jefferson-Edith (Cond. 3) East Jefferson Ave., and Edith and Pine Streets	\$ 70,000
C. Miscellaneous (Cond. 3) View St.	\$ 25,000
Edwards Rd.	\$ 45,000
D. 2018 MRF Application Possible 2019 Construction - Little Dry Run Road (Total)	\$ 120,000
E. ODOT SR32 Safety Grant Match Village Share (2019-2021) Match (Village Share Stage 1 Design in 2018 is \$5,000)	\$ 168,000

Adding this right turn lane on eastbound SR32 going up Little Dry Run Road is about a \$1million project that will decrease the risk of accidents. This will widen the three lanes from Little Dry Run Road east to the corp. limit.

2. Municipal Parking Lots	
A. Repair, Crack Fill, Seal, & Stripe (Rack Seven quote) Moundview Park	\$ 5,500
Municipal Parking Lot	\$ 3,000
Village Municipal Center	\$ 2,000
3. Structure Repairs	
A. Little Dry Run Rd. Lagging Repairs (Budget \$10,000 for 2019 also)	\$ 10,000
Stone wall repair along McCullough's Run/Little Dry Run Rd.	\$ 25,000
4. Lake Barber Trail Repairs	\$ 35,000.-\$ 40,000
5. Riverhills Subdivision	\$ 155,000
A. Sidewalk repair program – Reimbursement	

Mr. Thamann explained the sidewalk program: The sidewalks will first be marked, then a letter notifying the property owners to repair/replace portion of the sidewalks in disrepair or the apron. A timeline will be given to complete the repairs. The Village would step in with a contractor to make the repairs if the property owner does not comply. The amount for the repairs would be assessed to the property owners, after being approved by Council. The Auditor's office would then collect the funds. The Village could set a timeframe of one to two years to collect the money for the repairs. The \$155,000 is just an estimate of what the Village may incur for the project, but knowing the money would be reimbursed from the property owners in two tax payments. This program will eliminate potential hazards. Mr. Thamann thought it would be best to start with River Hills to get an idea of the cost, before moving forward with other areas in the Village.

**II. Proposed 2018 Program**

1. Debolt Neighborhood	\$ 113,000
2. Moundview Park and Municipal Parking Lot	8,500
3. Little Dry Run Road wall repairs	<u>35,000</u>
	Subtotal \$ 156,500
4. Lake Barber Trail	\$ 35,000. - \$ 40,000
5. Riverhills Subdivision, Sidewalk Repairs, Reimbursement	\$ 155,000

Notes:

1. BCI to check condition and unit prices after snow melt
2. Debolt Neighborhood includes \$8,000 in storm improvements
3. Based upon an estimate of 30% defective, at \$8.00/SF, 4 ft wide, 90% request assessment funding  
Total length of sidewalk in subdivision is 15,300 LF
4. Municipal Parking Lot Repair is from quotes the Village has received from Rack Seven

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?

There were no participants wishing to address Village Council.

ADMINISTRATOR’S REPORT

1) Mr. Thamann discussed an IT solution for the Village. This includes servers that handle the PD document management system, Mayor’s Court system, fiber connection to the Municipal Building, internet data speed, email, telephone system and voicemail system, as well as including the incorporation of all administrative documents to a secured server which is backed up. Our overall system is not only outdated, it has become routine for the system to crash. Lt. McBreen has assisted Mr. Thamann with obtaining several proposals. Mr. Thamann said a decision needs to be made and does not want to wait until the budget is approved. Maintenance agreements are typically about \$20,000 annually, which is in addition to items we need to replace and purchase. Mr. Tiettmeyer agreed to the urgency of the matter of presenting a proposal at the Feb. 13<sup>th</sup> Council Meeting.

**Mr. Tiettmeyer made a motion to authorize Village Administrator the authority to proceed upon receipt of a satisfactory proposal to address the IT issues for the Village of Newtown. A resolution will be presented at the 2.13.2018 Council Meeting. Mr. Zornes seconded the motion. All Aye. Motion Carried.**

2) Diversified Environmental Consulting (DEC) has completed the test pit sampling to determine the thickness of the landfill cover of the former Debolt Landfill on Nov. 28, 2017. In accordance with Rule 27-13 permit from OEPA, a certification report must be submitted within 60 days of the permit approval. This report will have to be filed with OEPA before end of January.

3) Researched and/or reviewed grant applications in search of various grant opportunities.

MAYOR & COUNCIL MEMBER REPORTS

Maintenance Department: Mr. Fairley read a letter to Mayor and Council from Joe and Sandy DuBois, 3300 Pine Street. The letter acknowledged the Newtown Maintenance Department, Chuck, Josh and Chad for the extra efforts checking the ditch and drain that floods several properties and for the great job they perform clearing the roads of ice and snow. “They are a credit to our local government, and we would like you all to recognize them for their excellent service to the Village of Newtown, and to us, the residents.”

The current Personnel Policies does not address part-time employees working on holidays, other than part-time police officers. Chad McMillen worked Martin Luther King Day alone plowing the streets of Newtown. Mr. Fairley asked Council to consider paying Chad time and a half for working the holiday. Mr. Fairley received several positive comments from the police officers about how good Chad did working the streets alone. The time and a half pay would be an additional \$89.25.

Mr. Short agreed and suggested making sure this is addressed in the Personnel Policies as they are currently being revised. Mr. Thamann agreed.

**Mr. Fairley made a motion to pay part-time Maintenance Technician Chad McMillen an additional \$89.25 for time worked on Martin Luther King day. Mr. Short seconded the motion. All Aye. Motion Carried.**

Mr. Short thanked the Maintenance Department for the great job they always do clearing our roads of snow and ice.

2018 Permanent Appropriations:

The first reading will take place on 2/13, second reading on 2/27 with the final reading taking place on 3/13/2018. Mr. Tiettmeyer asked that suggestions or comments regarding the budget be communicated.

Newtown Business Association: Mr. Carroll attended the NBA meeting this morning. A committee to revitalize the WinterFest annual event has been formed. The Village beautification project was also discussed; Mr. Carroll will provide financial info regarding these village-related items.

Village Solicitor's Report (Reported by Solicitor Emily Supinger)

1) Personnel Manual: Mrs. Supinger reviewed the draft of the Personnel Manual with Mayor Kobasuk and Jerry yesterday. Council will receive a copy of the draft once additional information to some questions has been obtained.

2) Guide for New Council Members: Mrs. Supinger discussed the guide previously provided to Council. The guide is an informative handout to assist council with identifying and managing some of the more common and frequent issues with the legislative procedure for resolutions and ordinances.

#### PENDING LEGISLATION

Resolution – Memorandum of Understand w/MVCA

Solicitor Supinger discussed the following revisions that have been made to the agreement. MVCA does not have any objection to these changes:

- 1) It adds an annual reporting requirement for MVCA to report total revenue received from the sale of naming rights and sponsorship items to the Governing Board; and
- 2) It clarifies that the provisions of the MOU do not supersede or amend anything in the Joint Venture Agreement

Mayor Kobasuk said the agreement is conceptual in nature, depending upon the project going forward but we are allowing MVCA to possibly raise money by naming rights. The name of the park "Short Park" will not change.

**Mrs. Williams made a motion to accept the above amendments to the RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH MIAMI VALLEY CHRISTIAN ACADEMY. Mr. Tiettmeyer seconded the motion. All Aye. (Mr. Short-No) Motion Carried.**

**Mrs. Williams made a motion to adopt RESOLUTION NO. 01-2018 RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH MIAMI VALLEY CHRISTIAN ACADEMY. Mr. Tiettmeyer seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes, Mr. Tiettmeyer-Yes, Mr. Short-No, Mr. Zornes-Yes. Motion Carried.**

Ordinance, setting date, time and place of council meetings

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

**Mr. Fairley made a motion to adopt ORDINANCE NO. 03-2018 AN ORDINANCE SETTING THE DATE, TIME AND PLACE OF VILLAGE COUNCIL MEETINGS, AND DECLARING AN EMERGENCY. Mr. Carroll seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.**

Ordinance, Supplemental Appropriations and Transfers for 2017

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

**Mr. Tiettmeyer made a motion to adopt ORDINANCE NO. 04-2018 AN ORDINANCE APPROVING SUPPLEMENTAL APPROPRIATIONS AND TRANSFERS FOR CALENDAR YEAR 2017 AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2017. Mr. Zornes seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.**

Ordinance, Legal Counsel

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

**Mr. Carroll made a motion to adopt ORDINANCE NO. 05-2018 AN ORDINANCE PROVIDING FOR THE EMPLOYMENT AND COMPENSATION OF LEGAL COUNSEL, AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.**

Resolution, Approving Contract w/Brandstetter, Carroll Inc.

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

**Mr. Fairley made a motion to adopt RESOLUTION NO. 2-2018 A RESOLUTION APPROVING A CONTRACT WITH BRANDSTETTER CARROLL, INC. FOR PROFESSIONAL SERVICES, AND DECLARING AN EMERGENCY. Mr. Short seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.**

Ordinance, American Legal Publishing's Ohio Basic Code 2018

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

**Mr. Carroll made a motion to adopt ORDINANCE NO. 06-2018 AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2018 EDITION, AS THE CODE OF ORDINANCES FOR THE VILLAGE OF NEWTOWN, OHIO AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.**

Resolution, Contract w/The Ohio Plan Risk Management

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

**Mr. Zornes made a motion to adopt RESOLUTION NO. 03-2018 A RESOLUTION APPROVING A CONTRACT FOR LIABILITY INSURANCE WITH THE OHIO PLAN RISK MANAGEMENT. Mr. Short seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.**

## NEW BUSINESS

Checklist

**Mr. Tiettmeyer made a motion to approve the 01.17.2018 Checklist, in the amount of \$191,720.59. Mr. Zornes seconded the motion.**

Discussion

Mr. Fairley is aware of the recent fire hydrant repair on Edith Street. He asked about the \$2,559.66 to Hamilton County Treasurer for the repair. He thought the utility company would be responsible for the repair. Mr. Thamann said the Village is responsible for fire hydrant maintenance expenses. Mr. Tiettmeyer said this is a budgeted item and is part of the Fire Department Fund.

**All Aye. Motion Approved.**

Tax Review Board Appointment

At Mayor Kobasuk's request, Mr. Zornes made a motion to appoint resident Ralph Ward to replace Mr. Carroll's position on the Tax Review Board. Mr. Tom Busee and Lloyd Johnson were reappointed. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.

Ohio Division of Liquor Control

**Mr. Short made a motion to not request a hearing on the liquor license for the Holly Group, Inc., DBA Main Street Café located at 6903 Main Street. Mr. Fairley seconded the motion. Roll Call: Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes, Mr. Zornes-abstained. Motion Carried.**

Lenten Fish Fry

The annual Lenten Fish Fry, sponsored by the Newtown Civic League will take place on Fridays, beginning February 16 through March 30, from 5:00pm to 7:30pm. All are welcome!

Easter Egg Hunt

The annual Easter Egg Hunt, sponsored by the Newtown Civic League will take place on March 24<sup>th</sup> at 11am at Short Park.

Mr. Short made a motion to adjourn at 7:40pm, seconded by Mr. Fairley. Motion Carried.

Transcribed by Becky Fairley.