

The January 26, 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:** Joe Harten  
Cheryl McConnell  
Curt Tiettmeyer

Chuck Short  
Daryl Zornes

Solicitor: Doug Miller

Public Safety (Reported by Mayor Kobasuk)

Councilman Zornes asked to Chair the Public Safety Committee. Committees will be discussed at the next meeting once the new councilmember is appointed.

Snow Plowing Private Street - Oyster Bay Court Snow Removal

Snow removal for private streets was discussed at the 12.22.2015 and 1.12.2016 Council meetings. It had been presented to Mayor Kobasuk that the Village had plowed these streets in the past. After further research and discussion, the Village will not be removing snow on any private drives/streets. The homeowners on Oyster Bay Court have contracted their snow removal with a private service.

Fire Safety Update (Reported by Fire Chief Mark Ober)

Everything is going just fine - data is still being gathered. Knox box locations in the community are being finalized. Knox boxes provide non-destructive emergency access to commercial and residential property. Currently, there are 40 businesses that have Knox boxes and two residential properties. ATFD offers community awareness for the elderly and those requiring assistance, which is a form of community paramedicine. Community paramedicine is on the rise and can be described as: an organized system of services based on local needs, which are provided by Paramedics who are members of the local or regional mobile integrated health care system and overseen by emergency or primary care physicians. The purpose is to address gaps in primary care services and allow for the presence of EMS personnel for medical response in low call volume geographical areas. This could include, but is not limited to: wellness checks, medical and surgical follow up home visits, medication maintenance checks, and other community health care needs. Community paramedicine frees up local emergency departments for more severe cases.

Engineering Update - Ben Brandstetter, BCI (Project Status Handout)

Ragland Road Drainage Issue (Impacts Edith, Jefferson and Pine)

The flooding issue is a result of a combination of tree limbs and debris gathering against the bar grate at the culvert entrance behind the Edith Street properties, as well as the inadequate downstream capacity of the pipes that drain across Ragland Road and Harriet Street.

- Project cost to improve is \$400,000 – additional trash racks to collect debris as it drains down through the swale, but the continued observation and maintenance of this area will be required long-term. \$50,000 of MRF funds have been received. There is an additional \$37,500 in a HCSWD fund that are pending, which brings estimated total for construction to \$312,000
- Ragland Road Drainage applied for in 2012 (2<sup>nd</sup> Priority) and 2013 (1<sup>st</sup> Priority)
- Ragland Road Drainage combined with Edith/Pine/Jefferson in 2014 and 2015 as 1<sup>st</sup> Priority
- Note: Ragland Road Street Reconstruction applied for in 2008 through 2011 as a street project. Did not include culvert improvements.

Mayor Kobasuk said the flooding is severe and impacts six to eight homes. After many years of applying for grants, he suggested that we move ahead with this project as discussed by Mr. Short at the 1.12.2016 meeting. After many years of applying for grants, Mayor Kobasuk doesn't believe the Village will receive additional funding. Mayor Kobasuk and Vice Mayor Tiettmeyer visited the site last week with John Knuf who also feels it is unlikely that we will receive additional funding. The Storm Water Utility Funds will be used to fund the project around September. Mayor Kobasuk said if he lived in this area with this amount of flooding and damage, he would be demanding action after all of these years.

Engineer Bruce Brandstetter said this project definitely warrants the funding, as well as the attention Mayor and Council are devoting to this ongoing flooding problem. Unfortunately, while the flooding is very bad in this area, it doesn't flood enough to attract the attention of those awarding the grants. Mr. Brandstetter said the flooding is definitely an issue and could be a safety issue if a child were to get caught up in the water. The flooding has gotten into several homes at times. This is also a safety issue for the Maintenance Department when they are faced with having to clear the trash rack in the creek.

Schedule for the project: Design/Survey (March-May), Utility Coordination (March-June), Bidding/Contracting (July), Construction (August-September).

Mr. Harten said asked if we would borrow against the future payment stream of the Storm Water Utility Fund or use our reserves now and then use the Storm Water Utility fees to replenish. Mayor Kobasuk said payments wouldn't need to be made until September and implementing the Storm Water Utility Fee will free up money for road projects. Mayor Kobasuk said we still have money in the Ragland Road/Edith/Jefferson/Pine project. Reconstruction of the streets and curbs would not be Council would not proceed with the reconstruction of the streets and curbs if we proceed with the Ragland Road Drainage project. Mr. Tiettmeyer said from a financial perspective, the intent would be to approve moving forward since we have the \$50,000 that was given to the Village as design money. Mr. Tiettmeyer is researching borrowing the money for this project. Billing for the Storm Water Utility program is expected to begin in May.

Mrs. McConnell asked if the proposed plan will permanently fix the problem of the erosion from River Hills coming down the hill. Engineer Bruce Brandstetter said there are several factors contributing to the ongoing problem: 1) it's a hydraulic issue with the pipes/culvert being undersized underneath Ragland Road backed up to the rear of the houses behind Edith Street. 2) the water comes off of Riverhills Drive in the area in between it's very wooded with a lot of debris and brush that plows against the screen that the maintenance technicians have to clean out. This will still need to be maintained if larger pipes/culverts are installed. 3) the creek will need to be cleaned out and realigned with riprap installed for better flow.

#### 2016 Street Improvements

Mr. Tiettmeyer recommends Council would consider approving BCI to move forward on the bidding process for the repaving of streets that have been outlined and budgeted for by the Street committee. The First Reading of the 2016 Budget will take place at the 2.9.2016 Council Meeting.

#### Storm Water Utility Study/Fee Update (Reported by Mr. Tiettmeyer)

A timeline of implementing the program was presented. Details of the program will be mailed to the community. A draft of the mailer will be reviewed by Council at the 2.9.2016 Council Meeting.

A Storm Water Utility Fee is a small fee that would be charged to every property owner in the Village. The Storm Water Utility Fund would be used exclusively for storm water projects.

- Summary of Municipal Storm Utility Fees was presented
- An estimated annual revenue of \$160,000 is projected
- Residential fees are estimated from \$3.00 to \$6.00 per month
- Businesses would pay \$6.00 minimum to \$500 maximum per month
- Cincinnati Water Works charges 5% and they will handle the billing to the residents and businesses
- Billing is expected to begin in May

#### Vacant Council Seat (Reported by Mayor Kobasuk)

Five excellent candidates applied for the vacant Council seat. Resumes and letters of interest were reviewed by Mayor Kobasuk and Village Council. The following candidates explained how he or she could best serve the Village of Newtown as a council member: Mr. Don Carroll, Mr. Terry Fairley, Mr. Lloyd Johnson, Mr. Ralph Ward and Mrs. Sarah Williams.

Mayor Kobasuk said he is amazed at the quality of the candidates and wished there were five openings. There are many opportunities to serve the Village of Newtown and Mayor Kobasuk encouraged everyone to become involved. The next election cycle for Newtown Council will be November 2017. He thanked everyone for applying. Council will decide which candidate they will appoint in Executive Session at the end of the Council meeting tonight.

#### Planning Commission (Reported by Cheryl McConnell)

The Planning Commission will meet 2.4.2016 at 6pm. Mr. Stoke will send out the agenda to Planning members.

#### Council Checklist

**Mr. Tiettmeyer made a motion to approve the 1.26.2016 Council Checklist for an amount of \$83,445.83. Mr. Zornes seconded the motion. All Aye. Motion Carried.**

#### Police Department Renovation Update (Reported by Curt Tiettmeyer)

The project is moving forward. After installation of the flooring is completed, the painters and plumbers will tie up loose ends.

#### Budget Update (Reported by Curt Tiettmeyer)

Council will have an opportunity to review the budget before the next Council Meeting; at which time, a First Reading of an Ordinance for 2016 Permanent Appropriations will take place.

Resolution, Approving 5/3 Bank as Depository & Authorizing Mayor, Vice Mayor and Fiscal Officer

Due to recent changes in the positions of Mayor and Vice Mayor, the Village is required to change the Authorized Persons who can sign checks, drafts and other documents for Village accounts at the Fifth Third Bank. Fifth Third Bank requires a resolution in order to designate who may sign bank documents on behalf of the Village.

**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. 10-2016 A RESOLUTION APPROVING FIFTH THIRD BANK AS AN AUTHORIZED DEPOSITORY OF THE VILLAGE AND AUTHORIZING THE MAYOR, PRESIDENT PRO TEM/VICE MAYOR, AND THE FISCAL OFFICER AS AUTHORIZED PERSONS, 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. Short-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes. Motion Carried.**

Council Minutes

**Mr. Zornes made a motion to approve the 1.12.2016 Council Minutes, seconded by Mr. Short. All Aye. Motion Carried.**

Resolution, Contract for Fire Hydrant Repairs

Newtown Council wishes to contract with the Board of County Commissioners for fire hydrant repair and replacement.

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

**Mr. Zornes made a motion to adopt RESOLUTION NO. 15-2016 A RESOLUTION APPROVING AND AUTHORIZING A CONTRACT FOR FIRE HYDRANT REPAIRS, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Tiettmeyer seconded the motion.**

Discussion

Fire Chief Mark Ober recommended going with Board of County Commissioners for fire hydrant repair. Mayor Kobasuk said it seems the most efficient way to have fire hydrants repaired.

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

Resolution, Agreement w/Cincinnati United Soccer Club

Cincinnati United Soccer Club desires to use the fields in parks owned by Newtown, known as Moundview Park and Short Park for its soccer activities. Terms: March 1, 2016 thru June 3, 2016 and August 1, 2016 thru Nov. 4, 2016 for Moundview Park property and March 1, 2016 thru June 3, 2016 for Short Park property. It is understood that the field at Short Park will be shared by Anderson Township Little League during the spring season and that Anderson Township Little League will be using the fenced-in baseball field at Moundview Park during both spring and fall seasons.

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

**Mr. Harten made a motion to adopt RESOLUTION NO. 11-2016 A RESOLUTION APPROVING AN AGREEMENT WITH CINCINNATI UNITED SOCCER CLUB FOR USE OF ATHLETIC FIELDS AND DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mrs. McConnell seconded the motion.**

Discussion

For clarification, Mr. Tiettmeyer asked if MVCA would be mowing the field at Short Park. Mr. Harten said MVCA is fully prepared to begin mowing and understand those responsibilities begin as soon as the grass begins to grow in 2016.

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

Resolution, Agreement w/Anderson Township Little League

ATLL desires to use the fields in parks owned by Newtown, known as Moundview Park and Short Park for its baseball activities. Terms: April 1, 2016 thru July 31, 2016 for the Short Park property, and April 1, 2016 thru July 31, 2016, and August 1, 2016 through October 31, 2016 for Moundview Park property. It is understood that the field at Short Park will be shared by Cincinnati United Soccer Club during the spring season, and that Cincinnati United Soccer Club will be using the area outside of the baseball field during both spring and fall seasons.

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

**Mr. Harten made a motion to adopt RESOLUTION NO. 12-2016 A RESOLUTION APPROVING AN AGREEMENT WITH ANDERSON TOWNSHIP LITTLE LEAGUE, INC. FOR USE OF ATHLETIC FIELDS AND 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. Short-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes. Motion Carried.**

Resolution, Designating Representatives on Governing Board – Agreement w/MVCA

Newtown Council controls three of the five seats on the governing board (the “Governing Board”) to be established under the Joint Venture Agreement with Miami Valley Christian Academy (“MVCA”) for the regulation of MVCA facilities in Short Park. Council desires to designate the Newtown representatives on the Governing Board.

In addition to the Mayor, who sits on the Governing Board under the terms of the Joint Venture Agreement w/MVCA, the other two seats on the Governing Board that are appointed by Newtown shall be filled by the Council member who is the Chairperson of the Parks Committee and the Council member who is the Chairperson of the Finance Committee. The alternate for the Mayor would be the President Pro Tem/Vice Mayor of the Village; alternate for the Parks Committee would be the Village Maintenance Supervisor and the alternate for the Finance Committee Chairperson would be the Fiscal Officer. Designating these representatives meet the requirements of the Ohio Department of Natural Resources.

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

**Mr. Harten made a motion to adopt RESOLUTION NO. 13-2016 A RESOLUTION DESIGNATING REPRESENTATIVES AND THEIR ALTERNATES ON THE GOVERNING BOARD PURSUANT TO AN AGREEMENT WITH MIAMI VALLEY CHRISTIAN ACADEMY FOR THE REGULATION OF SHORT PARK, 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. Short-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes. Motion Carried.**

Resolution, Approving and Establishing Park Fees

Newtown Council wishes to establish fees for use of the parks and related facilities in the Village of Newtown.

**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. 14-2016 A RESOLUTION APPROVING AND ESTABLISHING PARK FEES IN THE VILLAGE OF NEWTOWN, 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. Short-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes. Motion Carried.**

Flag Spring Cemetery Maintenance (Reported by Chuck Short)

A & A Lawn Care and Landscaping maintains Milford’s Green Lawn Cemetery. A & A Lawn Care submitted a bid of \$17,000 (25 mowings) to maintain Newtown’s Flag Spring Cemetery grounds. RFP’s will be sent out to additional vendors. Mayor Kobasuk said contracting out the care of Flag Spring Cemetery will free up the maintenance department to perform other duties in the Village. Mr. Short said at times caring for the cemetery grounds have required the time of three to four employees.

Planning Commission (Reported by Cheryl McConnell)

The January 28<sup>th</sup> Planning meeting has been rescheduled for February 4<sup>th</sup> at 6pm.

Executive Session – Appointment of Public Official

**Mr. Zornes made a motion to dismiss at 8:07pm and enter into Executive Session under ORC 121.22 to discuss the appointment of a public official. Mr. Harten seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes. Motion Carried.**

**Mr. Zornes made a motion to reconvene the Council meeting at 8:20pm, seconded by Mr. Short.**

Mayor Kobasuk said it was a difficult decision, as there was a field of five outstanding candidates. Qualifications and commitments candidates have shown to the Village were taken into consideration.

**Mr. Short made a motion to appoint Mr. Terry Fairley as the new council member to fill the council seat vacated by Mark Kobasuk, now serving as Mayor. Mrs. McConnell seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes. Motion Carried.**

Mayor Kobasuk congratulated Mr. Fairley, saying he had earned the council seat. Mayor Kobasuk told Mr. Fairley he worked diligently on the Fire Levy Issue 10 and was a great board member the seven years he served on the LMFR Fire Board. He thanked Mr. Fairley for applying and wished him the best.

Swearing-in Public Official

Mayor Kobasuk performed the swearing-in of newly appointed Councilman Terry Fairley, as he administered the Oath of Office. Everyone applauded. Mr. Fairley said he was truly honored by the appointment and thanked Mayor Kobasuk and Council for their vote of confidence.

Mr. Fairley made a motion to adjourn at 8:25PM, seconded by Mr. Harten. Motion Carried.

Transcribed by Becky Fairley