

## Call to Order/Pledge of Allegiance/Attendance

The February 26, 2019 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.

**Council Members:** Curt Tiettmeyer (Vice Mayor) Terry Fairley Solicitor: Emily Supinger (not present)  
Daryl Zornes Don Carroll Fiscal Officer: Keri Everett  
Chuck Short Sarah Williams (absent) Assistant to Mayor: Becky Fairley

## APPROVAL OF COUNCIL MINUTES:

**Mr. Short made a motion to approve the 02.12.2019 Council Minutes, seconded by Mr. Zornes. All Aye. Motion Carried.**

## SPECIAL PRESENTATIONS

BCI – Project Status Update (Engineer Bruce Brandstetter)

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

- Advertise 3/2 and 3/9, Open 3/20. Report to Council 3/26.
- Meeting Terry Fairley on 2/25/19 and Mr. Yeager later in the week.

### **2. 2018 Street Program (18081)**

- Punch list work to be addressed in the Spring of 2019. Including paving on Crull and puddle at Plum and Leonard.

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

- Project to advertise in late March.

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

- BCI coordinating with ODOT on Stage 1.

### **5. Sidewalk Inspection, Riverhills Subdivision (18085)**

- Schedule
  - Questions are being answered as they come, remarking is needed.
  - BCI will remark sidewalk, in March, actual date will depend upon weather conditions.
  - Property Owner has until 5/30/19 to complete work on their property.
  - Check for completion of defective sections in Spring.
  - Bruce will check will review the ORC procedure with Solicitor Supinger

### **6. Plan Reviews/Meetings**

- MVCA entrance, School Street at Church Street. MVCA will do “informal” traffic counts. Intent is to consider a traffic signal.
- The Motz Company, spot evaluations distributed on 2/28/19.
- Barrett Company drive entrance opposite Ivy Hills Place.
- BCI meeting Chuck Morgan concerning Duke Gas project on 2/25/19.

### **7. 2019 Projects**

- BCI is moving forward with bid documents for 2019 Street
- Paving and Wood Lagging Replacement on Little Dry Run Road.
- Invoice for McCullough’s Run slope repairs, Evans.

## Little Dry Run Potholes

Engineer Bruce Brandstetter will reach out to ODOT regarding the potholes on LDR, per Mr. Carroll’s request.

## Ragland Road Documents

Mayor Kobasuk asked Mr. Brandstetter to have Solicitor Supinger review the Ragland Road documents.

## 2019 Street Program and Little Dry Run Wood Lagging Replacement

These projects will be advertised in March with bids to be presented at the April 9<sup>th</sup> Council Meeting. Budget for Wood Lagging replacement is \$87,000.

Duke's Proposed New Gas Line (Reported by Engineer Bruce Brandstetter)

Duke Energy met with Council Member Curt Tiettmeyer and Chuck Morgan to review their proposed new gas line. The project extends from SR 32/Main Street from Round Bottom Road to the north corporation line.

Two alignments were presented. One is within the Round Bottom Road right of way. The second extends from SR 32 North on private property to the south west corner of the Lake Barber property, then along the Lake Barber pathway towards the northeast. Opposite Valley Avenue it turns west thru the Robbins property towards the intersection of Round Bottom Road and Valley Avenue.

The second alternative would allow the line to be constructed without effecting traffic at the Round Bottom Road/SR 32 intersection. It will require complete reconstruction of the length of the pathway plus any other areas that may be damaged by the pipeline construction.

BCI and the Village will continue discussions with Duke on this issue.

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? *No Participants.*

MAYOR / COUNCIL REPORTS (None)

Village Solicitor's Report (None)

Legislation

Resolution, Agreement w/Cincinnati United Soccer Club

In regards to renting the fields at Short Park, a clause should be considered stating the Village retains the right with notification to begin construction of Short Park for future legislation, suggested by Mr. Carroll.

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

**Mr. Carroll made a motion to adopt RESOLUTION #05-2019 A RESOLUTION APPROVING AN AGREEMENT WITH CINCINNATI UNITED SOCCER CLUB FOR USE OF ATHLETIC FIELDS. Mr. Zornes seconded the motion. Roll Call: Mr. Carroll-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Motion Carried.**

Ordinance for current expenses, year-ending 12/31/2019

**Mr. Tiettmeyer made a motion to have the Second Reading of AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF NEWTOWN DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019.**

Special Energy Improvement District

The creation of an energy special improvement district allows for the costs of energy-related improvements to be financed through a special assessment imposed by the Village. This allows property owners to have the cost of the improvements assessed on the owner's tax bill for up to 30 years, which allows the owner to secure a better interest rate and spread payments over a longer period of time. Gardner-Kline has submitted a petition and a plan to the Village to establish the energy special improvement district. Other local companies may also participate in this program.

Resolution, Approving a Petition for Special Energy Improvement District

**Mr. Carroll made a motion to amend Section 3 of the resolution, appointing Keri Everett to serve on the Board as a representative of the legislative authority of the Village.**

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

Mr. Carroll made a motion to adopt **Resolution #06-2019 A RESOLUTION APPROVING A PETITION FOR SPECIAL ASSESSMENTS FOR SPECIAL ENERGY IMPROVEMENT PROJECTS AND A PLAN FOR PUBLIC IMPROVEMENTS; DECLARING THE NECESSITY OF ACQUIRING, CONSTRUCTING AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS DESCRIBED IN THE PLAN FOR PUBLIC IMPROVEMENTS IN COOPERATION WITH THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT; AND DECLARING AN EMERGENCY.** Mr. Zornes seconded the motion. Roll Call: Mr. Carroll-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Motion Carried.

Ordinance, Proceeding with the Acquisition, Construction and Improvements

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

Mr. Carroll made a motion to adopt **Ordinance #06-2019 AN ORDINANCE DETERMINING TO PROCEED WITH THE ACQUISITION, CONSTRUCTION, AND IMPROVEMENT OF CERTAIN PUBLIC IMPROVEMENTS IN THE VILLAGE OF NEWTOWN, OHIO, IN COOPERATION WITH THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT AND DECLARING AN EMERGENCY.** Mr. Zornes seconded the motion. Roll Call: Mr. Carroll-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Motion Carried.

Ordinance Levying Special Assessments

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

Mr. Carroll made a motion to adopt **ORDINANCE #07-2019 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE VILLAGE OF NEWTOWN, OHIO, IN COOPERATION WITH THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT; AUTHORIZING AND APPROVING AN ENERGY PROJECT COOPERATIVE AGREEMENT BY AND AMONG THE VILLAGE OF NEWTOWN, OHIO, THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT, GARDNER-KLINE INVESTMENT COMPANY, LLC, AND GREENWORKS LENDING LLC PROVIDING FOR THE FINANCIAL OF THOSE PUBLIC IMPROVEMENTS; AUTHORIZING AND APPROVING A SPECIAL ASSESSMENT AGREEMENT BY AND BETWEEN THE VILLAGE OF NEWTOWN, OHIO, THE COUNTY TREASURER OF HAMILTON COUNTY, OHIO, GARNER-KLINE INVESTMENT COMPANY, LLC, THE EASTERN COMMUNITIES ENERGY SPECIAL IMPROVEMENT DISTRICT, AND GREENWORKS LENDING LLC REGARDING THOSE SPECIAL ASSESSMENTS AND DECLARING AN EMERGENCY.** Mr. Zornes seconded the motion. Roll Call: Mr. Carroll-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Motion Carried.

Chris Jones, Director of Pace Financing (cjones@ohpace.org)

The project for Gardner-Kline Investment Company, LLC (together with all future owners of the Project Site) at 6915 Valley Avenue, Cincinnati, Ohio, includes without limitation, replacement roofing, replacement lighting systems, replacement HVAC systems, an 80-kilowatt solar generation system, building envelope improvements, high-efficiency ceiling tiles, electrical system upgrades, heat recovery upgrades, and related improvements.

New Business

Checklist

Mr. Tiettmeyer made a motion to approve the 02/26/2019 Checklist for \$96,168.41. Mr. Short seconded the motion. All Aye. Motion Approved.

Executive Session

Mr. Short made a motion to enter into Executive Session at 7:04pm, pertaining to ORC 121.22(G)(1) to discuss the compensation of public employees. Mr. Zornes seconded the motion. Roll Call: Mr. Carroll-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Zornes-Yes, Motion Carried.

Mr. Zornes made a motion to reconvene at 7:43pm; no action to be taken. Mr. Short seconded the motion. All Aye. Motion Carried.

Lenten Fish Fry (Reported by Chuck Short)

The Lenten Fish Fry, sponsored by the Newtown Civic League, will begin on Friday, March 8<sup>th</sup> and run through Good Friday. Please join us at the Newtown Fire Station 22, 7036 Main Street, from 5:00pm to 7:30pm.

Mr. Short made a motion to adjourn at 7:43pm; motion seconded by Mr. Zornes. Motion Carried!

Transcribed from hand-written notes by Becky Fairley.