

The April 28, 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.

**Council Members:** Joe Harten (absent)  
Mark Kobasuk  
Cheryl McConnell

Chuck Short  
Curt Tiettmeyer  
Daryl Zornes

Solicitor: Doug Miller

Fiscal Officer: Keri Everett

#### Natural Gas Aggregation Program

Bill Grafe, Energy Alliances and a representative with Constellation Energy Services updated Council on the Natural Gas Aggregation program. A timeline was submitted which outlined the opt-out process for residents. Residents will receive a letter near the end of May, which gives them a 21-day window to opt out of the program. Based on the last two year cycle, residents can expect to save anywhere from \$20 to \$80 per year. Constellation Energy Services will provide information to council on actual savings to residents once the program is up and running.

#### Resident Input

Debbie McCarthy, 2995 Bent Tree Drive, brought forward concerns about the flooding around her property during the recent storm.

#### Newtown Beautification Update (Reported by Cheryl McConnell)

The Newtown Beautification Project, led by the Newtown Business Association and Shannon Adams, owner of My Flower Service, will have the Phase I planters installed in the village on or around May 16. These plantings will be maintained by My Flower Service and will be replaced in the fall.

#### Moundview Eagle Scout Project Update (Reported by Cheryl McConnell)

Nathan Wilson, Eagle Scout candidate, who came to council in 2014 requesting approval to reclaim the lower level picnic area in the park, has decided not to pursue the project. However, scout master Gene O'Rourke has several other project candidates, one of whom might be interested in the same project at Moundview. Mr. O'Rourke will work with the village maintenance department if a match is found.

#### Resolution Expressing Continued Opposition to SR32 Relocation and The Eastern Corridor

The Ohio Department of Transportation has proposed several possible realignments of SR32 and the Eastern Corridor as it travels through the Village of Newtown and eastern Hamilton County. The Ohio legislature has recently given the ODOT until December 31, 2015 to decide whether to continue the discussion of the proposed realignment of SR32 and the Eastern Corridor or to permanently terminate the project.

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

**Mr. Kobasuk made a motion to adopt RESOLUTION NO. 21-2015 A RESOLUTION EXPRESSING THE CONTINUED OPPOSITION OF THE VILLAGE OF NEWTOWN TO THE PROPOSED REALIGNMENTS OF STATE ROUTE 32 AND THE EASTERN CORRIDOR, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Short seconded the motion. Roll Call: Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

#### Letter to Jerry Wray, ODOT Director

A draft letter to Jerry Wray, ODOT Director, favoring the NO BUILD option of the Eastern Corridor was distributed to council for review. Changes are to be submitted to Solicitor Miller; all council members are in agreement and plan to sign the letter.

#### Solicitor Legal Fees (Reported by Mr. Kobasuk)

Discussion continued from the last council meeting in regard to finding ways to bring down the cost of Village legal fees, by having Solicitor Miller attend only the first council meeting of each month. Council unanimously agreed that the second meeting of each month will be a work session, where all committee issues can be brought forward for discussion, in lieu of separate committee meetings. Mr. Kobasuk offered to be the liaison to bring legal questions from the second meeting work session to Solicitor Miller on an as-needed basis.

**Mr. Kobasuk made a motion to support Solicitor Miller *not* attend the second meeting work session. Mr. Short seconded the motion. All Aye. Motion Carried.**

#### LMFR Fire Board Update (Reported by Mr. Kobasuk)

Mr. Kobasuk expressed concern that the anticipated LMFR merger with Columbia Township will not occur. Currently only about half of Columbia Township residents are served by the LMFR. Covering the remaining Columbia Township residents would require a significant tax levy for those residents. Mr. Kobasuk stated that one solution to reigning in fire department costs and preventing an additional levy for Newtown would be to cut costs via staffing, such as combining the chief/assistant chief positions. The LMFR board meets on the third Wednesday of each month at the Fairfax fire house at 6:30pm.

#### Parks / Lake Barber

Mr. Kobasuk brought forward for discussion the option of having Lake Barber be a private park for Newtown residents only, rather than a public park. Mr. Kobasuk expressed concern that there are not enough parking spaces in the new parking lot to ensure that residents would have parking options at all times the park is open. Lake Barber is a 60 acre facility in a tranquil setting and believes it can be restricted to Newtown locals only. Other concerns include the cost of maintenance and upkeep of the trails. Mr. Tiettmeyer stated that employees of Newtown businesses should also be included, if the lake would become private. The park is not yet open at all, as plans continue to be finalized. Mr. Kobasuk plans to bring the issue public vs. private back to council for further review at the 5.12.2015 Council meeting.

Mrs. McConnell stated that she believes the lake should open as a public park, for three reasons: 1) As a private park, the Village would not be able to compete for grant money to improve the park, 2) A major theme from the stakeholder meetings with Newtown business owners in December showed a strong preference for connectivity of the lake to the Little Miami trails and other park districts, requiring a public park status, and 3) A private park sends a non-welcoming message; that Newtown as a Village would be viewed as unfriendly to its neighbors.

**Mr. Kobasuk made a motion to approve Solicitor Miller to do a two hour legal research, as to what is involved making the lake a private setting. Mr. Short seconded the motion. All Aye. Motion Carried.**

#### MVCA / Short Park Legal Agreement (Reported by Mark Kobasuk)

The agreement is not yet finalized. A few remaining items need to be decided: 1) Who will be responsible for snow plowing, 2) Revenue sharing of non-MVCA events, and 3) Whether the Village will be reimbursed for approximately \$10,000 in legal fees. Council agreed that the Village will plow the new Zone 3 parking lot once it is paved, on an as-needed basis, and continue to do snow plowing where and how it has historically completed such in the past. The issues of revenue sharing and legal fees will be brought back for further discussion at the next Council meeting.

#### Council Checklist

**Mr. Tiettmeyer made a motion to approve the 4.28.2015 Council Checklist for \$47,486.99. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.**

#### First Quarter Annual Review of 2015 Budget (Reported by Curt Tiettmeyer)

Municipal income tax is down slightly by about \$18,000 compared to first quarter 2014. Year-to-date expenditures which approached the maximum appropriation for 2015 were discussed, including auto (truck) maintenance and insurances which are typically paid out once per year. Mr. Gillespie has applied for a credit on the Village water/sewage service and will advise Council on its resolution.

#### OhioCheckbook

Treasurer of Ohio Josh Mandel's office recently launched [OhioCheckbook.com](http://OhioCheckbook.com) – a new website that allows Ohioans to search and share more than \$400 billion in checkbook-level state spending spanning the past seven years. OhioCheckbook was launched to empower citizens to see how their tax dollars are being spent and to provide public officials with a tool to improve efficiency. Council decided to revisit this issue in three months, after participation and effectiveness is determined.

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

Demolition is expected to be completed by the end of the week. Bids were received for wires and cable to be installed for communication equipment. MVD Communications provided the lowest and best bid of \$6,995, which council approved.

**Mr. Tiettmeyer made a motion to approve \$6,995 to be paid to MVD Communications for the communication data. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.**

Council Minutes

**Mr. Zornes made a motion to approve the 3.24.2015 Council Minutes, seconded by Mr. Tiettmeyer. All Aye. Motion Carried.**

**Mr. Zornes made a motion to approve the 4.14.2015 Council Minutes, seconded by Mr. Kobasuk. All Aye. Motion Carried.**

Resolution, Agreement w/Constellation Energy Services

Governmental Aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of natural gas deregulation through natural gas rates which they would not otherwise be able to have individually. On November 4, 2014, the electorate of the Village of Newtown overwhelmingly approved the establishment of a natural gas aggregation program for the Village.

**Mr. Zornes made a motion to adopt RESOLUTION NO. 22-2015 A RESOLUTION APPROVING AN AGREEMENT WITH CONSTELLATION ENERGY SERVICES – NATURAL GAS, LLC FOR AN AUTOMATIC AGGREGATION PROGRAM, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Tiettmeyer seconded the motion. Roll Call: Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

Maintenance Department (Reported by Mark Gillespie)

The Village currently has four tons of salt remaining. The Village needs to fulfill its order obligation of 126 additional tons immediately at \$104/ton, for a total of \$13,104. Mayor Cosby said an additional 270 tons of salt needs to be ordered to total 400 tons of salt for next winter, but delay purchase until the price comes down this summer.

**Mr. Short made a motion to approve \$13,104 for the purchase of 126 tons of salt. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.**

**Mr. Short made a motion to piggyback on order with Hamilton County, seconded by Mr. Kobasuk. All Aye. Motion Carried.**

Water Fountain – SR32 / Round Bottom Road (Reported by Mark Gillespie)

The motors have locked up due to sitting in a wet environment. Therefore, the pumps are in need of repair and we are waiting on cost estimates. The pumps are currently eight years old, surpassing typical life expectancy of five years. Mr. Tiettmeyer suggested that Mr. Gillespie contact Marcum's Pool Care to discuss the pump issue.

Unused Street Sign Posts

Lt. McBreen worked on this project with Mr. Gillespie. Maintenance plans to remove the posts within the next week.

Lake Barber Pedestrian Bridge

Pictures were presented to council – the new bridge flooded from the recent rains. Mr. Short will contact Engineer Bruce Brandstetter to discuss this issue.

Mr. Tiettmeyer made a motion to adjourn at 8:52pm, seconded by Mr. Kobasuk. Motion Carried.

Minutes were compiled by Becky Fairley from handwritten notes. The recorder did not record the meeting.