The April 14, 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.

Councilmembers:	Joe Harten Mark Kobasuk Cheryl McConnell	Chuck Short Curt Tiettmeyer Daryl Zornes
	Solicitor: Doug Miller	Fiscal Officer: Keri Everett

Hamilton County Municipal Court Judge

Curt Kissinger introduced himself and offered his assistance to Village Council, Police Department and Mayor's Court. Mr. Kissinger began his abbreviated municipal-court term February 9th and can run for election in November to retain the seat until the term expires January 2, 2018. He previously served as Hamilton County's juvenile court administrator. Gov. Kasich's office selected Curt Kissinger from a list of nine names submitted by the Hamilton County Republican Party to fill three vacant judgeships in Hamilton County. Kissinger replaced the vacancy left by Judge Russell J. Mock, who was elected to the First District Court of Appeals.

Electric Aggregation Program

Dynegy Energy Services, formerly Duke Energy Retail, presented an overview of the governmental aggregation program. Two public hearings took place today at the Municipal Center. Documents will be submitted to the PUCO; there is a thirtyday waiting period to be certified. The Village will have ten days to review the opt-out letter once everything is settled with the PUCO. Duke Energy Ohio will provide a list of the residents for approval. Enrollments begin for next available meter read cycle June 29th.

OhioCheckbook

Treasurer of Ohio Josh Mandel's office recently launched <u>OhioCheckbook.com</u> – 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. Mr. Harten said we should investigate the program and see what to do next. Council will discuss at the 4.28.2015 Council meeting.

MVCA / Short Park Agreement (Reported by Joe Harten)

MVCA's Board has reviewed the most recent contract – it is now in their attorney's possession. We should receive the document sometime this week.

Lake Barber Update (Reported by Joe Harten)

Chris Manning, Human Nature and Jess Parrett, grant consultant are researching grants for the Lake Barber development. The Clean Ohio District 2 (Hamilton County) grants have been opened. Chris and Jess believe we stand an excellent chance to obtain money from the Clean Ohio grant program. Jess Parrett will prepare a proposal for Council to review early May. Applications are due January 2016 with a preliminary deadline of fall 2015.

The Parks Committee would like to begin a "renaming contest" for Lake Barber. The history of the name, Lake Barber, has no deep-seated meaning within the Village. Chris Manning, park consultant believes it would be better to have a name that ties in with the Village. Mr. Harten will write up a process for the contest and talk to the Forest Hills Journal. The winner will receive a gift certificate. MVCA's art classes are interested in working on a new logo for the lake. The plan is to open the lake in May. Mark Gillespie has been working on a sign to post the rules and arrange for a port-o-let near the parking lot.

Mr. Harten asked for a motion to approve riprap to stabilize the erosion at the southeastern shore of the lake. This is in the budget – Ben Brandstetter provided a cost-estimate. Mark obtained three bids.

Mr. Harten made a motion to authorize up to \$10,000 for riprap for shore stabilization on the southeastern shore of Lake Barber. Mr. Short seconded the motion. All Aye. Motion Carried.

History in Your Own Backyard (www.HistoryInYourOwnBackyard.com)

Mrs. McConnell will take the information presented at the 3.24.2015 Council meeting to the 5.4.2015 Newtown Business Association meeting to see if they are interested in sponsoring a video.

History in Your Own Backyard is a regional database of videos on historic structures throughout the tri-state area. The cost is \$199 per video if ten videos are produced. Typically, funding may be provided by the local municipality or businesses may sponsor the video with an ad at the end of the video. Local property owners also pay for their video. The videos can also be posted on a Facebook Page or on one's website.

Eastside Gateway Coalition (Reported by Mark Kobasuk)

A special interest group has been formed in an effort to not be branded or directly related to the Eastern Corridor political groups. One of the members emailed Mayor and Village Council a cover intro and maps of a SR 32 re-alignment. This information came from a local business, The Growler Stop. (www.eastsidegateway.org)

Mr. Kobasuk said he is offended a non-resident would be promoting such an effort, as it directly impacts the Village of Newtown residents and businesses. Those backing this effort have property in the right-of-way of the road presented and stand to gain financially. Their proposal seems self-serving. The map shows a clover-leaf at the ANCOR connector, which would tie in with the ANCOR development area. It is also insulting that this group has not presented their plan to the Newtown Planning Commission, Newtown Village Council or to the Community Partnership Committee (CPC).

Mr. Kobasuk said Council needs to do something and not let this group propose to represent the Village and make it seem there is a large segment of the population or the businesses backing this coalition. Mayor Cosby, Village Council and past mayors have spoken out opposing the Eastern Corridor project. Mr. Kobasuk said he doesn't know many that are in favor of the project, besides Bob Slattery and Doug Evans.

Mayor Cosby and Mr. Kobasuk plan to meet with local companies to discuss the Eastside Gateway Coalition proposal.

Resolutions have been adopted in the past opposing the Eastern Corridor (R2-2009 & R19-2013). Mr. Kobasuk asked Solicitor Miller to prepare a new resolution opposing the Eastern Corridor. Becky will draft a letter to Jerry Wray, ODOT Director stating our continued opposition to the Eastern Corridor and that we only favor the **NO BUILD** option. The letter will also state Mayor and Council's position regarding the Eastside Gateway Coalition. Mayor Cosby asked that the letter commend State Representative Tom Brinkman for his efforts sponsoring legislation, amendment to House Bill 53, Section 755.30, which will cut off taxpayer money from the Eastern Corridor and use funding from the last phase of the Eastern Corridor project to replace and repair decaying road infrastructures such as the Western Hills Viaduct in Hamilton County. Mr. Brinkman has done more for the Village of Newtown since he has taken office and our interests than anyone else since he represented the Village before in the same position, stated Mayor Cosby. Mayor Cosby said he hopes that our position supporting Mr. Brinkman's HB53 makes it to the State House because Mr. Brinkman is getting opposition from Todd Portune and Ted Hubbard, as they are going up there telling a different story. Mayor Cosby said Dan Policastro, Mayor, Village of Mariemont had met with Bob Slattery and his son Bobby regarding The Eastside Gateway Coalition and told them Mariemont remained opposed to the Eastern Corridor and their proposal. Mayor Cosby assured Mayor Policastro that he and Newtown Village Council remain united and firmly oppose all alignments of the Eastern Corridor, as well as The Eastside Gateway Coalition proposal, which would go over Lake Barber and have an underground tunnel by the Horizons Community Church and Shell gas station. Mr. Kobasuk said The Village of Newtown would be the most affected community in Hamilton County; we're talking about a road through our village, dividing the village and changing the character of the village.

Mr. Kobasuk made a motion to approve Solicitor Miller preparing a new resolution for the 4.28.2015 Council Meeting. Becky will prepare a draft letter opposing the Eastern Corridor and The Eastside Gateway Coalition. Mr. Short seconded the motion. All Aye. Motion Carried.

Administrative Professionals Week (April 20-24, 2015)

Mr. Kobasuk made a motion to approve \$200 for an Administrative Professionals Day luncheon for the Administrative Staff (Becky and Keri). This luncheon includes the Maintenance Department (Mark, Chuck, Josh and Tony). Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.

National Police Week (May 11-15, 2015)

Peace Officers' Memorial Day is observed annually May 15th. National Police Week is observed annually the week in which May 15 falls as National Police Week.

Mr. Kobasuk made a motion to approve \$200 for a luncheon to honor our police officers for National Police Week. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.

Police Department – Ammunition

Mr. Kobasuk made a motion to approve up to \$5,000 for the purchase of ammunition; \$3,000 will come from the Police Budget line and the Drug Fund will contribute \$1,955. Mr. Harten seconded the motion. All Aye. Motion Carried.

Legal Fees (Reported by Mr. Kobasuk)

Discussion took place about being more conservative with money spent on legal fees. This is the second month we have spent \$8,000 for legal services provided by Donnellon, Donnellon & Miller. Martin Marietta, MVCA and correspondence with mayor, council and employees are a big part of the legal fees. In an effort to reduce legal expenses, having Solicitor Miller attend the first Council meeting and appointing a liaison for communicating purposes with Solicitor Miller were discussed. Mr. Harten reminded everyone that conversations with Solicitor Miller are not free. Mr. Tiettmeyer said about \$5,800 per month is budgeted for legal fees and we are \$5,000 over budget for the first quarter. Mr. Tiettmeyer, Chair of Finance will look at the amount of dollars that have been spent the first quarter on legal fees. Discussion will continue at the 4.28.2015 Council meeting.

Council Checklist

Mr. Tiettmeyer made a motion to approve the 4.14.2015 Council Checklist for \$119,192.38. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Municipal Center Odor Issue (Reported by Curt Tiettmeyer)

Air quality in the building has improved vastly and will continue be monitored since bats are due to return. The Maintenance department will seal the openings currently in the tower.

Native American Artifact Update (Reported by Curt Tiettmeyer)

Mayor Cosby will sign the Memorandum of Understanding approved by Council at the 3.24.2015 Council meeting, once Solicitor Miller emails the final document.

First Quarter Annual Review (Reported by Curt Tiettmeyer)

The first quarter of the budget will be discussed at the 4.28.2015 Council meeting.

Police Department Renovation (Reported by Curt Tiettmeyer)

The Building permit has been issued by Building Commissioner Mike Spry. Demolition begins 4.20.2015; the renovation is expected to take six months.

Ordinance, Electric Aggregation Program

On January 27, 2015, Village Council approved a contract with an electric aggregation consultant. Two public hearings were held on April 14, 2015.

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

Mr. Zornes made a motion to adopt <u>ORDINANCE NO. 10-2015</u> AN ORDINANCE ADOPTING A PLAN OF OPERATION AND GOVERNANCE FOR AN ELECTRIC AGGREGATION PROGRAM IN THE VILLAGE OF NEWTOWN, DISPENSING WITH THE SECOND READING AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Short seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.

Maintenance Department (Reported by Mark Gillespie)

Tony Baxter started this week part-time to help with grass cutting. Tony is a welcomed addition with a wealth of knowledge about the Village.

Line Striping (Reported by Mark Gillespie)

Roads and pedestrian crosswalks are in need of line striping. Hamilton County would paint the lines at 2:00am, which is safer. Hamilton County striped some of the roadway lines in 2010. Bids will be brought back to Council.

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

The motors have locked up due to sitting in a wet environment. EMT currently has the motors. There are two pumps; a rough estimate is \$350 per pump. A bid will be brought back to Council. Preventative measures will be taken moving forward. Mr. Harten said he is leaning towards not having a fountain at all due to the maintenance repairs and expense.

Unused Street Sign Posts

Mr. Kobasuk asked about the empty unused sign posts throughout the Village. Mr. Gillespie said it on his agenda to remove the posts. Mark will get with Lt. McBreen to remove the posts.

Hamilton County Storm Water District

The Hamilton County Storm Water District (District) is offering the same levels of service in the 2016 program year as were offered to Member Jurisdictions in the 2015 program year. The \$25,203 can be collected through property owner tax bills or a direct bill. In the past, this service has been collected through property owner tax bills.

Mr. Short made a motion to approve collecting \$25,203 through property owner tax bills. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.

Round Bottom Storm Drain Failure

SWS will TeleVac the collapsed pipe and remove the sediment and perform repairs, which will take about three days. \$6,000 has been approved. After the last Council meeting, Bruce Brandstetter told Chief Synan there are two separate issues going on that cleaning the pipe will not take care of the flooding issue. It is thought the flooding is due to the grading from Evans and DSI that DSI did not grade their land properly, as there are not enough culverts to retain the water. Mr. Short will meet with Bruce to take a look at the area at DSI and see if the Maintenance department could possibly hit the area with a blade. Mayor Cosby said Bruce gave an amount of \$30,000 to Mr. Tiettmeyer to cover the entire project.

Resolution, Contract with SWS Environmental Services Inc.

Village Council wishes to repair a drainage pipe on Round Bottom Road in the Village of Newtown.

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

Mr. Short made a motion to adopt <u>RESOLUTION NO. 20-2015</u> A RESOLUTION ACCEPTING A PROPOSAL AND APPROVING A CONTRACT WITH SWS ENVIRONMENTAL SERVICES, INC. FOR REPAIRS TO A DRAINAGE PIPE, 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. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.

Cincinnati Bell Fioptics (Reported by Chuck Short)

Cincinnati Bell is in the process of running fioptic cable on Church Street. They had to obtain a permit from the Railroad to be able to cross the tracks. Cincinnati Bell is also having trouble with Ragland and parts of Ivy Hills due to heavy rock formation. River Hills and Ivy Hills Place are complete. Plans are in place to run cable in Ivy Hills Reserve town homes, Thorndale Drive and Miljoie Drive, as well as the Ivy Hills Blvd area.

OPWC Grants (Reported by Chuck Short)

Per Bruce Brandstetter, applications for the OPWC grants will be voted on May 7th. We should know the outcome shortly after. The results will impact the Edith, Jefferson and Pine and SR32 projects. SR32 would also come in with MRF money.

4.28.2015 Council Meeting

Mr. Harten will not be present at the 4.28.2014 Council meeting.

Mr. Short made a motion to adjourn at 8:17pm, seconded by Mr. Kobasuk. Motion Carried.

Transcribed by Becky Fairley