

The June 24, 2014 Work Session 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

Public Hearing

Newtown Village Council is considering entering into a joint venture with Miami Valley Christian Academy (MVCA) so the school can build a sports complex including a turf football field, a new baseball diamond, and a running track at Short Park. The Village would retain ownership of the entire park, but MVCA would pay the entire cost of building and maintaining the sports complex. MVCA would also relocate and improve the current walking trail, basketball courts, and playground equipment. The facilities would be available to village residents when not in use for MVCA activities, and would be available for rental to outside groups (subject to approval from a governing board made up of three village representatives and two school representatives).

Mr. Shawn Baker, Head of School at Miami Valley Christian Academy and Board Members: Paul Schacht, Tom Rhodenbaugh and Nick Ruotolo were present and spoke to the public.

This is the second Public Hearing regarding this issue. *The first Public Hearing was held 11.13.2013 at MVCA.* The meeting was well-attended with the people representing both positions. Three letters were read and presented for the record: 1) A letter from resident Theresa Handleton supporting the proposed cooperative venture between the Village of Newtown and Miami Valley Christian Academy (MVCA). 2) A letter from Bill Teater, Great Day Productions opposing the joint venture and 3) A letter from Brian Murphy with Ray Murphy Realty, builder of the Turpin View subdivision that backs up to Turpin High school and their stadium. The letter states that the stadium and track were great selling points increasing the value when they sold their home. (Letters may be viewed at the Municipal Center.)

MVCA currently supports 350 students with an ultimate enrollment of 500 for the future. Of the 500 students, 175-200 would be middle to high school students and mathematically could not support soccer, lacrosse and football. MVCA has invested and committed to the sport of Football, which has six home varsity games and six away games with one pre-season game at home.

Mr. Kobasuk said although he doesn't have the votes to support an Ordinance which would put the Short Park Venture on the November 2014 ballot, he intends on having three readings. He asked Mr. Baker if he would be in favor of the issue being placed on the ballot. Mr. Baker said enrollment is a big driver to sustainability and obviously, the sooner the better for them being able to make this a reality. Mr. Baker is not a voting member and will take the issue to the MVCA trustees.

Mr. Harten said there is a heavy demand for turf fields. The election and usage of the fields would be at the discretion of the joint committee between MVCA and the Village board.

Mr. Harten made a motion to authorize Solicitor Miller to begin to finalize the negotiations of the terms of the joint venture with Miami Valley Christian Academy, based on the term sheet that has been in the working over the past few months. Mr. Tiettmeyer seconded the motion.

Discussion

Mr. Kobasuk said he will be voting against Mr. Harten's motion and believes this issue should be placed on the ballot and seek resident-involvement in a sub-committee. He feels it is up to the people to decide. Mr. Tiettmeyer said the purpose of the motion is to negotiate terms so there will be something to put on the ballot. As a voter, Mr. Tiettmeyer said, he would have trouble voting on something he didn't understand. Mr. Kobasuk said he feels it should be up to the residents to make the final decision, not seven people at the table, five of whom do not live close to the park. Mr. Short agreed the decision is too big to have Council make the decision. Mr. Kobasuk said it is not that he doesn't want to do his job but he wants to leave it up to the people. Mr. Tiettmeyer said before anything is put on the ballot it needs to be clear legally what is being proposed. Mayor Cosby agreed the terms of the agreement should be in place and said it is worth having Solicitor Miller negotiate the terms of the agreement. The concept of the ballot issue is it is an "advisory" tool, as Council is not bound by the ballot, stated Solicitor Miller. Council has the obligation at some point and time to say this is the agreement, yes or no. Mrs. McConnell said she came in tonight to hear all sides of the issues and feels that was accomplished. She said as members of Village Council, Council has been authorized to make decisions and while she feels for those that are against the venture and understand the reasons, as an elected official, she has a responsibility to represent everybody. She has spoken to residents from River Hills, Ivy Hills Place and other residents

and all have been in favor of the change. Mrs. McConnell said while she understands Mr. Kobasuk's thinking that there is merit to having a ballot issue, the comment made earlier tonight that the ballot issue would probably pass was very telling. Council would then be right back in the same place having to make a decision. Mrs. McConnell said, according to Solicitor Miller, Village Council always has a right to overturn, even the results of the ballot. Mrs. McConnell feels the hard work up to this point deserves a decision either way. If the decision is to go forward - then Council moves forward. If there is not a decision to move forward, she said she is not opposed to the ballot issue, but Council would still be faced with having to make a decision. Mrs. McConnell said she doesn't think the long drawn out process would do anything for the community.

Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-No, Mr. Tiettmeyer-Yes, Mr. Zornes-No, Mr. Short-No. (Mayor breaks a tie vote) Mayor Cosby-Yes.

Mayor Cosby reiterated a governing board made up of three village representatives and two school representatives will be put in place. The Newtown Planning Commission will address all concerns of the proposal before any deal is finalized.

Ordinance, First Reading Placing Short Park / MVCA Issue on Ballot

Mr. Kobasuk said he will read the first reading tonight, the second reading on July 8th and the third on July 22nd. If the third reading on July 22nd is seconded, there will be a vote.

Mr. Kobasuk made a motion to have a First Reading on AN ORDINANCE DETERMINING TO SUBMIT A QUESTION TO THE ELECTORS OF THE VILLAGE OF NEWTOWN AT THE NOVEMBER 4, 2014 GENERAL ELECTION, DIRECTING THE FISCAL OFFICER TO FILE A COPY OF THIS ORDINANCE WITH THE HAMILTON COUNTY BOARD OF ELECTIONS AND ORDERING THE HAMILTON COUNTY BOARD OF ELECTIONS TO PLACE THE ISSUE ON THE BALLOT. Mr. Short seconded the motion. (No Vote Required)

Mr. Kobasuk made a motion to have the Second Reading at the July 8, 2014 Council Meeting. Mr. Zornes seconded the motion.

Discussion

Mr. Harten said he will vote against this ordinance tonight and any other time it comes to the table. He said, Council is paid and elected by the citizens to do a job and this is one of the tough issues and probably as tough as it is going to get. Mr. Kobasuk said sometimes elected officials can get it wrong and sees no wrong in having an advisory vote to get the residents involved. Mr. Kobasuk said, again, he feels this should be up to the voters and believes it would be better for MVCA to place the issue on the ballot. Mr. Tiettmeyer said everyone has had an opportunity to voice their interest to Council and there is ample time to listen and act accordingly. Mr. Kobasuk hopes people will now become more involved. Mr. Short said Council is supposed to listen to the voice of the residents. Mr. Tiettmeyer agreed Council should continue to listen.

Roll Call: Mr. Harten-No, Mrs. McConnell-No, Mr. Kobasuk-Yes, Mr. Tiettmeyer-No, Mr. Zornes-Yes, Mr. Short-Yes. (Mayor breaks a tie vote) Mayor Cosby-Yes.

After a seven minute break, the meeting reconvened at 9:10am.

Moundview 2nd Floor Renovation Update (Reported by Mrs. McConnell)

The project is nearing completion. The roof hatch will be replaced next week, which was previously approved by Council.

Moundview South-side Porch Replacement (Reported by Mrs. McConnell)

This project is in the budget for this year. Chris Hollon submitted a bid to replace the porch.

Mrs. McConnell made a motion to approve the \$1,200 bid from Chris Hollon Construction Company to replace the south-side back porch. Mr. Harten seconded the motion.

Discussion

Mr. Tiettmeyer asked Mr. Dickerson if he had looked at the materials that will be used and asked if he agreed it will be repaired correctly. Mr. Dickerson said he talked to the company about repairing the porch but has not seen the materials list. Mr. Dickerson will look into the materials and report back to Council.

All Aye. Motion Carried.

Public Safety Committee (Reported by Mark Kobasuk)

One of the current part-time police officers is leaving and going full-time at another police department.

Mr. Kobasuk made a motion to allow Chief Synan to hire a new part-time officer to replace the officer leaving. Mr. Harten seconded the motion. All Aye. Motion Carried.

Chief Synan said another part-time police officer may also be leaving soon; at which time, he will move a current auxiliary officer to part-time if Council has no objection.

Checklist

Mr. Tiettmeyer made a motion to approve the 6.24.2014 Checklist for \$110,417.36, seconded by Mr. Harten. All Aye. Motion Carried.

Second Reading of 2015 Tax Budget

Mr. Tiettmeyer made a motion to have a Second Reading on a RESOLUTION ADOPTING THE 2015 TAX BUDGET FOR THE VILLAGE OF NEWTOWN AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Mr. Tiettmeyer made a motion to have the Third Reading at the 7.08.2014 Council Meeting, seconded by Mr. Kobasuk. All Aye. Motion Carried.

Second Reading of Ordinance Amending Income Tax Code

The Village of Newtown has adopted an income tax code that, among other provisions, provides for a credit, not exceeding the amount due the Village of Newtown, against the municipal income tax for taxes paid to another municipality.

Mr. Tiettmeyer made a motion to have a Second Reading of AN ORDINANCE AMENDING INCOME TAX CODE OF THE VILLAGE TO PROVIDE FOR ADDITIONAL CREDITS FOR LOCAL TAXES PAID. Mr. Zornes seconded the motion.

Mr. Tiettmeyer made a motion to have the Third Reading at the 7.08.2014 Council Meeting. Mr. Zornes seconded the motion. All Aye. Motion Carried.

NOR COM – Council Chamber Sound Quality (Reported by Mr. Tiettmeyer)

The goose-neck microphones have been returned to Nor-Com until the issue is resolved. A quote has been received that will allow each council member to have individual microphones. This quote includes a taller microphone for the podium and three for the solicitor's desk.

Mr. Tiettmeyer made a motion to approve the NOR-COM quote for the above devices for \$4,695, seconded by Mr. Zornes. All Aye. Motion Carried.

Council Minutes

Mr. Zornes made a motion to approve the 6.10.2014 Council Minutes, seconded by Mr. Tiettmeyer. All Aye. Motion Carried.

Second Reading of Ordinance, Governmental Electric Aggregation

Mr. Zornes made a motion to have a Second Reading of AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL ELECTRIC VILLAGE AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20, OHIO REVISED CODE, DIRECTING THE HAMILTON COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.

Mr. Zornes made a motion to have the Third Reading at the 7.08.2014 Council Meeting, seconded by Mr. Short. All Aye. Motion Carried.

Second Reading of Ordinance, Governmental Natural Gas Aggregation

Mr. Zornes made a motion to have a Second Reading of AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL NATURAL GAS VILLAGE AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE HAMILTON COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.

Mr. Zornes made a motion to have the Third Reading at the 7.08.2014 Council Meeting, seconded by Mr. Kobasuk. All Aye. Motion Carried.

Edith, Jefferson, Pine Resident Meeting (Reported by Chuck Short)

A meeting took place Tuesday, June 17th at 7:00pm at the corner of Edith and Pine Street. The meeting was well-attended; drainage issues were discussed. Mr. Short will give a report at the next Council meeting, after he discusses the issues further with Bruce Brandstetter. Residents were asked to submit photos, letters and other documentation to submit with the grant application by August 1, 2014.

Round Bottom Road (Reported by Ron Dickerson)

Tele-Vac recently inspected the lines of a collapsed pipe; this first pipe is 100% collapsed. They also found a second pipe to be 90% collapsed. Sediment from area construction presented the pipe to fail. BCI and Mike Spry are involved. MSD has been contacted, as well as the surrounding property owners. BCI will present an action plan this week.

Martin Marietta Issue (Reported by Solicitor Miller)

Solicitor Miller will forward briefs recently received from Anderson Township to Village Council.

Meeting adjourned at 9:23pm.

Transcribed by Becky Fairley