

The August 23, 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.

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|-------------------------|------------------------------|------------------|------------------------|
| Council Members: | Curt Tiettmeyer (Vice Mayor) | Chuck Short | Solicitor: Doug Miller |
| | Daryl Zornes | Cheryl McConnell | |
| | Joe Harten | Terry Fairley | |

The Ohio Checkbook

Lauren Bowen, Public Affairs Liaison with Treasurer Josh Mandel's office and others recently announced the publication of Newtown participating in the OhioCheckbook.com. Ms. Bowen was present and spoke to Village Council about the OhioCheckbook platform on the website. She thanked Mayor Kobasuk and Village Council for their willingness to participate in the program and offered her services should anyone have questions about navigating through the platform located at Newtown.OhioCheckbook.com.

Duke Energy Foundation Grant (Reported by Mayor Kobasuk)

Becky submitted an application for the Duke Energy Foundation Grant this past week. Becky has agreed to apply for other grants when time allows.

WeTHRIVE! Community Discussion (Reported by Mayor Kobasuk)

Save the date – Thursday, October 6, 2016 (6:30pm to 8:30pm) Join community leaders and residents of Newtown in a discussion on how we can work together to enhance the health, safety and vitality of the Village of Newtown.

Storm Water Utility Program - Newtown Business Association

On 8.22.2016, the NBA sent a letter to Village Council stating their support of the low impact option which is capped at \$25 per month. At the NBA's 5.2.2016 business meeting, Mayor Kobasuk and Mrs. McConnell presented information regarding the Storm Water Utility Program. Following discussion, the NBA voted unanimously for the low impact option. Acting President, Shannon Adams with My Flower Service was present and told Council the NBA supports the \$25 cap option for the Storm Water Utility program.

Ragland Road Culvert - Drainage Issue

Mayor Kobasuk requested that Engineer Bruce Brandstetter present the history of the storm sewer and culvert on Ragland Road. An analysis of a two, ten, twenty-five and fifty year storm conditions and cost estimate were presented by Mr. Brandstetter. Cost estimate for proposed improvements is \$432,000.00. BCI prepared the below history of the drainage system:

History of Ragland Road Drainage System

- | | |
|------------------------------------|---------|
| 1. 24" RCP | 1958 |
| 2. 3'x5' Box Culvert | 1930's |
| 3. 3'x5' Elliptical | 1994 |
| 4. Twin 24" RCP | UNKNOWN |
| 5. Headwall/Trash Racks/PIP RAP | 1994 |
| 6. Additional Cleaning/Trash Racks | 2013 |

The raging waters from floods have become a safety concern to many residents on Ragland Road, Pine and Edith Streets. The ongoing flooding and drainage issue impacts property of six to ten homeowners. The flooding has caused damage by entering into homes of residents and flooding back yards damaging structures and landscape.

In addition, several residents have come before Village Council, written letters, or have privately addressed their issues and concerns with multiple council members.

Mr. Brandstetter said the 36" pipes are too small to support the amount of water. The debris needs to be stopped from coming down the hill from River Hills.

Resident Mike Hedrick

Mike Hedrick, 6932 Ragland Road, has lived at this location for forty-two years and witnessed much of the work discussed tonight that has been performed at the creek. Mr. Hedrick's personal property has incurred a lot of damage from the many years of flooding. Mr. Hedrick has replaced his fence multiple times, as well as destroying an outdoor structure. The storm a few months ago left behind thirteen wheelbarrow loads of debris. Mr. Hedrick said he has seen several Mayors and Council members work on this problem for many years and to be honest, nothing is working. Mr. Hedrick told Mayor Kobasuk he just wanted to give Council a little perspective from one's home that is in the center of the ongoing flooding.

Mayor Kobasuk said, if this flooding was happening in his neighborhood, the people wouldn't tolerate it and the flooding would have been stopped a long time ago. He told Mr. Hedrick he is sorry for all he has gone through with the flooding. Mayor Kobasuk said he believes Council is going to take action on the project and expand the pipe. This project is a bit hit to a 2 million dollar budget but we're prepared to borrow the money for the project, stated Mayor Kobasuk. The Storm Water Program, if passed, will help fund the loan for this project. Mayor Kobasuk has instructed Newtown Maintenance Department to write a protocol for cleaning out the creek bed before each rain to minimize the damage until the problem is corrected. Mr. Hedrick looks forward the problem being resolved and thanked Mayor Kobasuk and Council for their efforts to move this project forward.

Ragland Road Drainage Project Timeline (Reported by Bruce Brandstetter)

Hamilton County's OPWC district has 11 million dollars of zero interest loan money. The legislation requires some money to be loaned. A thirty-year loan of \$400,000 would be around \$15,000 per year. There is no penalty for paying loan off early. Newtown wouldn't receive the money and grant agreement until July 2017. Construction would begin afterwards with the project being completed Spring 2018. BCI will submit the application for the grant, which is due 9.16.2016.

SR32 Project (Reported by Bruce Brandstetter)

Storm Water Sewer replacement east SR 32, \$410,000, submitted with 40% match last year \$114,000 Village, \$50,000 MRF in 2015. Scored well last time – apply for a grant if the Village matches 50% at \$205,000. Points will be deducted if grant loans are blended. BCI will look into applying for the loan and report back to Council.

LMFRD Settlement Agreement Reported by Solicitor Miller)

Through extensive negotiations, an agreement has been finalized. LMFRD approved the agreement last night and dropped off signed copies. The agreement will be presented to the Auditor's office, once Newtown's signatures have been obtained.

Checklist

Mr. Tiettmeyer presented an amended amount of \$25.00 to the 8.23.2016 Checklist (\$185,579.45). The \$25.00 is a check to Damage Prevention Safety Registration for Chuck Morgan.

Mr. Tiettmeyer made a motion to approve the amended 8.23.2016 Checklist for \$185,604.45. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Resolution, Division of Assets and Liabilities with Little Miami Joint Fire and Rescue District

The Village withdrew as a member of the LMJFRD, effective January 1, 2016. The withdrawal requires the Hamilton County Auditor to ascertain, apportion, and order a division of the funds, moneys, credits and real and personal property of the District and further requires the Auditor to ascertain apportion, and order a division of District tax collections to serve debt incurred while the Village was a member of the District. Upon authorization from Village Council and the District Board of Trustees, the parties will present the Agreement to the Auditor for approval.

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

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 24-2016 A RESOLUTION APPROVING AND AUTHORIZING AN AGREEMENT WITH THE LITTLE MIAMI JOINT FIRE AND RESCUE DISTRICT FOR THE DIVISION OF ASSETS AND LIABILITIES AND THE APPORTIONMENT OF INDEBTEDNESS OF THE LITTLE MIAMI JOINT FIRE AND RESCUE DISTRICT, 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. Fairley-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes. Motion Carried.

Resolution, County Auditor

At an election held on November 3, 2015, there was submitted to the electors of the Village of Newtown, the question of levying a tax for the purpose of fire and emergency medical services at a rate not exceeding 12.05 mills to be made outside the ten mill limitation for a period of time as provided by law; and the council of the Village of Newtown canvassed the returns of said election and that said question carried. The Council wishes that no taxes for fire and emergency medical services be levied in the Village of Newtown in excess of those levied under the prior levies imposed by the LMJFRD taking into account the amount of levies that will be collected in the Village of Newtown to pay the Village of Newtown's share of the indebtedness of the District.

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

Mr. Tiettmeyer made a motion to adopt **RESOLUTION NO. 25-2016 A RESOLUTION DIRECTING THE COUNTY AUDITOR TO LEVY A TAX OUTSIDE OF TEN MILL LIMITATIONS AS AUTHORIZED BY A VOTE (5705.25(D)), DISPENSING WITH THE SECOND AND THIRD READINGS, AND DECLARING AN EMERGENCY.** Mr. Harten seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Fairley-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes. Motion Carried.

Instead of collecting 12.05 mills, the Village will collect 10.23 mills. Mayor Kobasuk said the intent is that the people will not pay more than paying now.

Resolution, State Capital Improvement Project Funding

The Ohio Public Works Commission (OPWC) requires an official representative to be designated from the Village of Newtown who is legally empowered to represent the Village in both requesting and accepting financial assistance as provided under Chapter 164 of the ORC and 164-1 of the Ohio Administrative Code.

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. 26-2016 A RESOLUTION APPOINTING MARK G. KOBASUK AS OFFICIAL REPRESENTATIVE FOR THE STATE CAPITAL IMPROVEMENT PROJECT FUNDING, 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. Fairley-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes. Motion Carried.

Municipal Center/PD Shared Telephone System

The lease with Cincinnati Bell is up October 2016. A fiber optic cable will connect the Municipal Center and Police Department for shared telephone service. Total upfront cost to run the fiber optic and purchase and installation of the new phone system is \$12,672. Total ongoing annual cost will be \$11,955.00 (\$5,977.50 per department.) \$5,400 will be saved annually from current phone operations in the Municipal Center. The phone system is an Avaya IP Office, voice over IP system.

Mr. Tiettmeyer made a motion to approve the purchase and installation of the new phone system (\$8,157) and (\$4,515) to run the fiber optic cable between the Municipal Center and the Police Department. Total amount approved is \$12,672.00. Mr. Harten seconded the motion. All Aye. Motion Carried.

Parks Rental Analysis (Reported by Joe Harten)

Council adopted a new fee schedule for park rentals on 1.12.2016. It was predicted that we would lose a few renters, but maintain the same amount of income with the expectation of growing the income over time. Becky has been tracking the rental of the parks. The analysis reflects a -30.6% decrease in the number of rentals, but a 6.8% increase in revenue from 2015 rentals. This is a good thing for several reasons: 1) administratively, Becky invests less time showing the house for small amounts of income, 2) there is less wear and tear on the house with many people coming and going and not paying very much in terms of rental income and 3) we now have capacity for higher income rentals for longer periods of time. A wedding package including the pavilion and house is now offered. Initial indications are good - Mr. Harten thanked Becky for keeping track and preparing the analysis. An end-of-the-year analysis will be prepared and presented to Council. The decline of renters included both residents and non-residents, but mainly non-residents.

Council Minutes

Mr. Short made a motion to approve the 07.26.2016 Council Minutes, seconded by Mr. Harten. All Aye. Motion Carried.

Planning Commission (Reported by Cheryl McConnell)

The Planning Commission met July 28th at 6pm. This meeting included an extra courtesy Public Hearing for extra information for the property at 7201 Main Street, next to Ivy Dental. The proposed business is Angel 's Care, two assisted living, dementia and Alzheimer's care facilities. The two facilities architecture fits the design of the Ivy Dental building. The meeting was well-attended. The request for a zone change is from General Business to Multi-Family Residential. Planning voted unanimously to proceed with conditions. An ordinance has been prepared for Solicitor Miller and is on file for viewing by the public, which is required by the ORC.

Mrs. McConnell made a motion to approve a date of October 11, 2016 at 6pm to hold the Public Hearing for the actual zone change. Mr. Harten seconded the motion. All Aye. Motion Carried. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Fairley-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes. Motion Carried.

In an effort to better inform the public of Public Hearings, yard signs are being made for future hearings. Many letters were returned by mail.

Planning also approved with conditions, seven of the eight Church Street lots across from St. John Fisher. The eighth lot is at the corner of Church and Edit Streets. This lot does not meet setback requirements. BZA will hear the appeal Thursday, September 15th at 6pm.

The next Planning meeting is scheduled for 9.22.2016 at 6pm.

Police Department Parking Lot

The Newtown United Methodist Church is having their parking lot sealed by Rack Seven. We're going to realize the economy of scale and piggyback with them to have the police department's parking lot sealed.

Mr. Fairley made a motion to approve \$492 to Rack Seven Paving Co. to seal the parking lot with two coats of Brewer Cote sealer containing sand for traction and durability. This amount includes \$150 to fill existing cracks. Mr. Short seconded the motion. All Aye. Motion Carried.

Ordinance, Amending Charge for Cemetery Foundations

Council desires to amend the price of installing cemetery foundations for grave markers in the Flag Spring Cemetery.

Mr. Fairley made a motion to suspend the rules, seconded by Mrs. McConnell. All Aye. Motion Carried.

Mr. Fairley made a motion to adopt ORDINANCE NO. 12-2016 AN ORDINANCE AMENDING THE CHARGE FOR THE INSTALLATION OF CEMETERY FOUNDATIONS, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING EMERGENCY. Mr. Short seconded the motion.

Chuck Morgan informed Mr. Fairley, Chair of Streets, that we have been vastly undercharging for the installation of cemetery foundations for grave markers. Mayor Kobasuk said Mr. Morgan is doing a very good job and brings things like this to our attention.

Salt Purchase (Reported by Terry Fairley)

Mr. Morgan has locked in a price of \$51/ton for 2017. The Village paid \$72/ton for the purchase of salt for 2016. Mr. Morgan locked in a price of \$51/ton for the 2017 season and ordered 330 tons. The Village will see a savings of \$6,000. Mr. Fairley will bring this back to Council for approval.

Storm Water Utility Program (Reported by Terry Fairley)

Mr. Fairley discussed the Storm Water Utility Options dated August 23, 2016. Mr. Fairley said when he took on this project, it was his hope that he would be able to come with a compromise solution option that everyone could agree upon. After much discussion of the three options presented, the following motion was made to support the low impact option:

Mr. Short made a motion to adopt Option No. 2 with a cap of \$25, generating \$74,021.59. Mr. Fairley seconded the motion. Roll Call: Mr. Fairley-Yes, Mrs. McConnell-Yes, Mr. Harten-No, Mr. Short-Yes, Mr. Zornes-No, Mr. Tiettmeyer-No. Mayor Kobasuk-Yes.

Solicitor Miller will prepare an Ordinance for Council to vote on adopting the Storm Water Utility Program.

2016 Paving Program

The bids for the 2016 Paving Program came in at \$93,000 (\$134,000 was budgeted.) Lake and Bend Streets are in major disrepair - J. K. Meurer will mill, patch and pave these two streets for \$7,920. BCI fees will be \$8,200 so total for 2016 Paving Program will be \$109,120.

Mr. Fairley made a motion to add \$7,920 to the contract with J. K. Meurer to mill, patch and pave Lake and Bend Streets. Mrs. McConnell seconded the motion. All Aye. Motion Carried.

Mr. Fairley made a motion to approve BCI to apply for an OPWC loan for Ragland Road Drainage and SR32 Project (50% grant and local). Mr. Short seconded the motion. All Aye. Motion Carried.

Executive Session

Mr. Short, HR Chair, made a motion at 8:33pm to enter into Executive Session to discuss personnel compensation issues and employment. Mr. Harten seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Fairley-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes. Motion Carried.

The Council Meeting reconvened at 9:05pm. Mayor Kobasuk stated that no action will be taken as a result of the Executive Session.

Mr. Short made a motion to adjourn. Mr. Fairley seconded the motion. Motion Carried.

Transcribed by Becky Fairley