

The August 26, 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	Chuck Short
	Mark Kobasuk	Curt Tiettmeyer
	Cheryl McConnell	Daryl Zornes
	Solicitor: Doug Miller	Fiscal Officer: Keri Everett

Planning Commission Update (Reported by Joe Harten)

At the August 7th Planning Commission Meeting, an informal discussion took place regarding several properties. A vote was taken to begin the process of rezoning several parcels by bringing them into the Planned Village District (PVD). There will be some language changes made to the Zoning Code, since several issues have come to light over the past several years. The Zoning Code was last amended March 2011. The Planning Commission votes to begin the process then Council needs to make a motion to begin the process as well. Building Commissioner Mike Spry will then present the zoning changes and the process of identifying the parcels. A Public Hearing will then take place. Mr. Short asked the location of the parcels that are to be reconsidered for rezoning in the PVD. Mr. Harten said the parcels are located close to Mr. Short's house.

Mr. Harten made a motion to begin the process of writing up the zoning changes and moving the parcels into the Planned Village District. Mrs. McConnell seconded the motion. All Aye. Motion Carried.

Park Rental Summary (Reported by Joe Harten)

Mr. Harten asked Becky to put together a spreadsheet that would track revenues of the park rentals. He thanked Becky and presented the spreadsheet to Council.

MVCA / Short Park Update (Reported by Joe Harten)

Solicitor Miller forwarded a clean and redline copy of revisions to the MVCA agreement to Council on 8.21.2014 for Council's review. MVCA's attorney also received comments from his client. Several proposals of Zone 3 are being considered. MVCA offering to pave the lower parking lot and move the basketball courts was mentioned. Mr. Tiettmeyer said the responsibility of the restrooms was not mentioned in the draft. The restrooms are located in what would be Zone 2. Solicitor Miller suggested breaking the second (25) twenty-five year lease up in five-year increments. Council would review renewing the agreement with MVCA every five years, giving them five years notice to vacate. Mr. Tiettmeyer suggested making it an automatic termination at the twenty-fifth year, unless MVCA notifies Village Council of their intent to renew the agreement. It would require MVCA to take action at year twenty. If they fail to renew, the agreement would terminate at the twenty-fifth year. The Village Council would retain the right to work with MVCA to renew the agreement should they miss renewing the lease. Mr. Kobasuk asked Solicitor Miller to clarify paragraph (11) and think about environmental issues to be indemnified. Mr. Kobasuk asked Council to consider having a provision added to the agreement where MVCA would pay up to \$10,000 for legal fees, which would help cover negotiating the document and legal issues in the first five years. He also suggested asking for more than \$50,000, as some have said \$50,000 is not enough for Zone 3 improvements. Discussion will be continued at the 9.9.2014 Council Meeting.

Newtown Park Rental (Reported by Cheryl McConnell)

The Park Fees & Regulations was last revised in 2011; proposed changes were presented to Council. To qualify for the Newtown Resident Rate, applicants must either live or work in the Village of Newtown. Becky has created two new documents: 1) An Exit Checklist and 2) A Parks Rental Satisfaction Survey. The Satisfaction Survey is available for applicants to complete online or submit a hardcopy. Mrs. McConnell thanked Becky for creating the documents.

Moundview 2nd Floor Improvements (Reported by Cheryl McConnell)

Mrs. McConnell thanked Sgt. Vontz for recently taking pictures of the Moundview House. Becky will upload these to the website.

Moundview – Exterior Stairs (Reported by Cheryl McConnell)

The stairs are usable but Building Commissioner Mike Spry is having the company correct the height of the handrails. The stairs should be stained by the end of September; a stain color needs to be decided.

Parks/Maintenance Monthly Tracking Report (Reported by Cheryl McConnell)

This form was originally put together by Keri and first brought forward in June. In July, there was discussion with the maintenance department that they would incorporate this report into their own monthly tracking forms. Mrs. McConnell said she hasn't heard back from Ron and asked Mr. Short if he knew Ron planned on incorporating the report. Mrs. McConnell said it was her understanding that Ron would be generating a maintenance report that would incorporate parks. Mr. Short said he is sure it will be incorporated, but will double check with Ron.

Veterans Memorial Agreement (Reported by Cheryl McConnell)

Mrs. McConnell asked if the Veterans Memorial Agreement that was approved in June had been implemented. Mayor Cosby said he will look into it, but thought it was signed in June.

Transportation Improvement District (Reported by Mark Kobasuk)

Mr. Kobasuk attended the TID meeting this past week. The federal mediator's "draft" report regarding the Eastern Corridor is expected to come out this month. A final report should be established by the end of the year. Ted Hubbard and Todd Portune will be meeting with Horizon Community Church. If it is an open meeting, Mr. Kobasuk will plan on attending.

LMFR Fire Board Update (Reported by Mark Kobasuk)

The Fire Board has been talking about a possible fire levy for the May 2015 ballot. The levy would be for seven years. The carryover going into 2016 is not sufficient to meet the first quarter expenditures. Currently, LMFDD operates from a 12 mill levy. Mr. Kobasuk will bring a more definitive number regarding the possible millage back to Village Council after the next Fire Board meeting.

Sidewalks Linking Little Dry Run to the Village (Reported by Mr. Kobasuk)

Engineer Bruce Brandstetter is looking into possible grants for sidewalks to link Little Dry Run to the village. The current estimate is \$647,000.

Checklist (Reported by Curt Tiettmeyer)

Mr. Tiettmeyer made a motion to approve the 8.26.2014 Council Checklist for \$87,272.18. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Moundview House – Doors (Reported by Curt Tiettmeyer)

Due to deterioration of the current wood doors, locks and knobs cannot be replaced. The recommendation is to replace the two current wood doors with wood doors that have windows in them. These two doors are not directly exposed to the elements of the weather, as they are covered under the side porches. Hardware, excluding the door knobs, will be included.

Mr. Tiettmeyer made a motion to approve an amount not to exceed \$3,500. Mr. Kobasuk seconded the motion.

Discussion

Mr. Short asked if the wood doors in the basement would work. Mr. Tiettmeyer said these doors have been looked at and they also are not in very good shape.

All Aye. Motion Carried.

Council Minutes (Reported by Daryl Zornes)

Mr. Zornes made a motion to approve the 8.12.2014 Council Minutes, seconded by Mr. Short. All Aye. Motion Carried.

Little Dry Run (Reported by Chuck Short)

The retaining wall holding part of Little Dry Run is deteriorating. Once a scope of work is received from Brandstetter Carroll, Mr. Short will bring this to Council and decide if this can be done in the winter when the prevailing wages are less. Mr. Short said the condition of the wall was revealed when Mr. Evans cleaned out the brush along the sidewalk. A concrete board is being considered to replace the wood. Mayor Cosby said Little Dry Run was redone 1990-1992 with Tax Increment Financing when Ivy Hills was being built.

Maintenance Department Full-time Position (Reported by Mr. Short)

A full-time maintenance technician has given his two-week notice. Mr. Short would like to run the ad as soon as possible.

Mr. Short made a motion to place an ad in the newspaper for the Full-time Maintenance position. Mr. Zornes seconded the motion.

Discussion

Mr. Tiettmeyer asked if Joe Rutter was interested in moving into the full-time position. Mr. Short said they have talked to Joe about moving into full-time and is unable to move to full-time due to caring for his son.

Salt Purchase (Reported by Mr. Short)

Mr. Tiettmeyer asked if there was an update regarding the purchase of salt. Mr. Short said three letters from different carriers had been received and they will not sell the Village any salt. An order has been placed for the 230 tons and the balance will be ordered and billed in 2015. That means the Village will have 80 tons of salt after paying back the 150 tons to Hamilton County.

Martin Marietta Issue (Reported by Solicitor Miller)

The Oral Argument will be heard September 11th at 10am in the Court of Common Pleas.

Permits for Door-to Door Solicitation and Transient Vendor Solicitation (Reported by Solicitor Miller)

At the 8.12.2014 Council Meeting, Mayor Cosby asked Solicitor Miller to look Village Council to see if the duration of the Door-to-Door Solicitation permit could be reduced to a ninety-day period, as it is currently for a six-month period. And change the Transient Vendor, which is currently a thirty day permit, change it to ninety days. Solicitor Miller said there is no set time period that is required, but if it is to be changed, there needs to be a good reason for doing so. Mayor Cosby said for the sake of the people, the six month period is too long to regulate a Door-to-Door solicitation. Solicitor Miller said there is only a "Door-to-Door" and it is the same as the Transient Vendor, one replaced the other. The Transient Vendor Ordinance adopted April 25, 2000 needs to be revoked. The Door-to-Door came out when the Supreme Court came out and said you could not regular in any manner someone who wants to go Door-to-Door for political expression, religious expression or to solicit funds for those types of causes. The commercial solicitations, including those under (18) eighteen, are required to register with the Village and obtain a permit. Mr. Harten said he felt like meeting in the middle (ninety days) of the two current ordinances (thirty days to six months) is a good reason. Solicitor Miller will report back to Council.

Mr. Kobasuk made a motion to adjourn at 7:54pm, seconded by Mr. Zornes. All Aye. Motion Carried.

Transcribed by Becky Fairley