

The October 27, 2015 meeting of the Newtown Village Council was called to order at 7:00 p.m. Mayor Curt Cosby, who led the Pledge of Allegiance to the Flag.

**Council Members:** Joe Harten  
Mark Kobasuk  
Cheryl McConnell

Chuck Short (absent)  
Curt Tiettmeyer  
Daryl Zornes

Solicitor: Doug Miller

#### Anderson Township Fire Department (ATFD)

Fire Chief Mark Ober presented a map that was created using RAVEN911, which is an internet based mapping system developed from the perspective of an emergency operator utilizing exemplary technical expertise and the latest in GIS computer technology. This system is available to fire, police and government agencies. Mr. Ober is in his 39<sup>th</sup> year with Anderson Township Fire Department. Newtown and Anderson have contracted fire services with one another in the past. Anderson's Fire Station 100 on Broadwell Road was built in 1973 on land donated by Heekin Can. Anderson has considered moving this station since 2007. Station 76 would be the fourth slowest fire station operated by Anderson Fire Department, if combined with Station 100. ATFD would end up covering 33 total square miles, service 2868 hydrants (182 in the Village of Newtown) and cover a total population of 47,686. Total responses would be around 4,500. Mr. Ober assured Council ATFD would have no trouble covering the Village of Newtown. Chief Ober said Newtown residents will be treated the same as Anderson residents from EMS billing, fire responses, first aid details, building inspections and mutual aid. Firefighters employed with ATFD are certified paramedics. For the sake of the community, an effort is made to keep the same crew at the four fire stations.

#### ATFD EMS Soft Billing

Chief Ober talked about soft billing, which is handled by a third-party company. If one is transported by ambulance, their insurance company is billed, not the client. Three attempts will be made to collect payment. Third-party billing companies make mistakes from time to time and invoice residents. Residents should contact the fire department if they receive an invoice and the fire department will take care of the charge. Anderson and Newtown residents are **not** to pay out-of-pocket. Council thanked Chief Ober.

#### LMFD Flyers Against Issue 10

Terry Fairley resides at 6931 Edith Street and serves as the Newtown resident-representative on the LMFD Fire Board. Mr. Fairley is also the Treasurer for the Committee for the Newtown Fire/EMS Levy. He talked about the two flyers that were recently distributed by the LMFD regarding Issue 10. Issue 10 will be decided by the voters at the November 3<sup>rd</sup> General Election. The flyers had "Paid for by FUN, 6435 Elbrook, Cincinnati, OH 45237, Charles Weghorn, Treasurer. Mr. Weghorn is part-time firefighter with the Golf Manor Fire Department. Mr. Fairley said he was shocked and disappointed after recently learning from a source close to the LMFD that (FUN) stood for F\*\*\* U Newtown. Mr. Fairley said what this says is (FU Newtown, FU Fairley family, FU Village Council, FU to the Village that has party paid for salaries and benefits and FU to anybody who disagrees with this flyer. Mr. Fairley said he is networked in with the fire department and knows this was the inference made. He asked why it wasn't spelled out if it stood for something like "Firefighters United for Newtown." Mr. Fairley said as a resident he wanted to know who was behind the flyer. He also asked that he, Newtown Council and Newtown residents receive a public apology. Mr. Fairley said this is offensive and insulting. Regardless of the division on this issue, this should insult every resident of Newtown.

Mike Rackley is a resident of Anderson Township and a Captain with the LMFD. Mr. Rackley said he is responsible for the "FUN." He said he was at the Board of Elections turning in the form for Treasurer for the Committee and said he just picked "FUN = Firefighters United for Newtown." Mr. Rackley said it is ridiculous and no way would he insult anybody. Mr. Rackley said he grew up in Newtown and got his start with the Newtown Fire Department. Mr. Teater talked about the number of runs in Newtown and Anderson Township and how LMFR backs up AFD.

#### Fire Department Issue

John Russell, Drake Street. Mr. Russell served two terms as Mayor with a total of twelve years as an elected official. Newtown had a 30-40 member volunteer fire department that was a strong force in the Village when Mr. Russell was in office. Mr. Russell said that time has come and gone and at some point, we have to face the fact we need an effective and professional force. Mr. Russell said after discussing the issue with those that have knowledge of the current arrangement, what we have now is a bad deal for Newtown. Newtown currently contributes over 40% of the real property taxes to LMFD with Newtown having 24% of the runs. The Fire Board has six members with two from Newtown. Newtown Council voted to not support the last fire levy with the two Fire Board members also voting not to support the levy and the other four members overruled. This is not as much about the quality of service, but more about the control for the Village of Newtown. Mr. Russell said we have to get the best deal for Newtown. As mayor, the number one concern is the safety and well-being of the residents at the best price available.

#### 6840 School Street Property Update

Doug and Carrie Vanderzee, School Street told Council they recently learned Caliber Loans released the property and withdrew it from the Sheriff's Sale. They gave up the lien to the property and are giving Newtown the green light to do what they need to do to move forward, stated Mr. Vanderzee. The Antique Road Show contacted Mrs. Vanderzee about her historical home and the possibility of featuring the home on the March 2016 show. Mrs. Vanderzee said she hopes the Village of Newtown will have this property resolved before this time. She asked Council when she and her neighbors could expect a decision about tearing down this property. Mr. Tiettmeyer said he also received the information that Caliber Loans waived the lien. He said it's not that simple to just down the property since Mr. Murray remains the property owner.

Solicitor Miller said Caliber Loans never did own the mortgage on the property. Bank of America holds the mortgage. Caliber Home Loans is the go between for BOA and the property owner/court. Caliber Home Loans merely service the loan, collecting the money and dealing with the property – they never held the lien and still don't. Solicitor Miller said Bank of American recently vacated the judgment for foreclosure, dismissing the case. This doesn't mean they released the lien on the property. Solicitor Miller will do a title exam to determine whether the mortgage is still on the property. Mr. Harten and Mr. Tiettmeyer agreed that the neighbors on School Street have been more than patient. Mr. Tiettmeyer suggested that the Village have the exterior of the property cleaned removing all debris. Solicitor Miller suggested someone pass a motion to move the process along, if the Village is inclined to tear down the house. After more discussion,

**Mr. Kobasuk made a motion to direct Solicitor Miller to move along with the process to clear the title so the Village can raze the property. Mrs. McConnell seconded the motion. All Aye. Motion Carried.**

#### Parks Committee Meeting (Reported by Joe Harten)

The committee will meet November 10<sup>th</sup> at 6pm to discuss the 2016 Parks Budget. Parks Committee Members: Mr. Harten (c), Mr. Short and Mrs. McConnell. All are welcome to attend.

#### Ordinance, Approving a Zone Change (Final Reading)

The Public Hearing for the Zone Change was held 9.22.2015. The First Reading took place at the 9.22.2015 Council Meeting.

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

**Mrs. McConnell made a motion to adopt ORDINANCE NO. 17-2015 AN ORDINANCE APPROVING A ZONE CHANGE FOR PROPERTIES ON CHURCH AND CENTER STREET IN THE VILLAGE OF NEWTOWN, DISPENSING WITH THE SECOND AND THIRD READINGS. Mr. Zornes seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.**

#### Planning Commission (Reported by Cheryl McConnell)

The Planning Commission will meet 10-29-2015 at 7pm.

#### LMFD Fire Board Update and Issue 10 (Reported by Mark Kobasuk)

The consultant hired to review LMFR's operations will attend the November meeting.

Mr. Kobasuk spoke to comments made earlier by Bill Teater. Mr. Kobasuk said in an effort to put a lid on the fire service, Chief Ramsey was directed by the Fire Board to try to work with Mariemont and Anderson Township fire departments. Mariemont is not interested in cohabitation. Chief Ramsey wanted to have Anderson consolidate Station 100 into the Newtown station to save everyone on the cost of fire service. There are a lot of assets in the valley and we are trying to find a way to serve the residents in a better manner. Frankly, I feel more comfortable as a resident having four certified paramedics on duty with EMS being 80% of the runs, said Mr. Kobasuk. This is a way to consolidate service and give the residents a tax break or at the very least put a lid on taxes.

#### Village Facebook

At Solicitor Miller's suggestion, Mr. Kobasuk asked Council to consider removing the Village Facebook page. Currently, the public are able to post to the page. Council agreed.

**Mr. Kobasuk made a motion to remove the Facebook page, seconded by Mr. Harten. All Aye. Motion Carried.**

#### Council Checklist

**Mr. Tiettmeyer made a motion to approve the 10.27.2015 Council Checklist for \$80,879.94, seconded by Mr. Harten. All Aye. Motion Carried.**

#### Ordinance, Second Reading Amending Municipal Income Tax Collection

**Mr. Tiettmeyer made a motion to have the Second Reading of AN ORDINANCE TO AMEND THE ORDINANCES OF THE VILLAGE OF NEWTOWN REGARDING MUNICIPAL INCOME TAX AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. All Aye.**

**Mr. Tiettmeyer made a motion to have the Third Reading at the 11.20.2015 Council Meeting. Mr. Harten seconded the motion. All Aye. Motion Carried.**

#### Finance Committee (Reported by Curt Tiettmeyer)

The Finance Committee will meet 11.10.2015 at 6:30pm to discuss the above ordinance before the final reading.

#### Village Contracted Positions – Request for Proposal/Qualifications (Reported by Curt Tiettmeyer)

RFP's for the following Village contracted positions: Building and Zoning Commissioner, Village Engineer, Village Solicitor and Property Maintenance Inspector were approved at the 10.13.2015 Council Meeting. These positions will be advertised 10.28.2015 and 11.04.2015, as well as posted to the Village website. RFP's were advertised for these positions three years ago.

#### 2016 Budget Requests

Mr. Tiettmeyer asked Council to submit all 2016 requests by the end of the year.

#### Police Department Renovation

The renovation is nicely progressing. This change order is to replace the restroom windows with glass block and lintels.

**Mr. Tiettmeyer made a motion to approve a Change Order with John P. Tumlin and Sons Ltd. for \$7,692. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.**

#### Employee 2016 Health and Dental Insurance

The HR Committee met prior to the meeting. Solicitor Miller will prepare a resolution for the next Council meeting.

**Mr. Zornes made a motion to move forward with the renewal of the 2016 health and dental insurance for the employees. Mr. Harten seconded the motion.**

#### Discussion

Mr. Harten said the health insurance increase for 2016 came in at 5% with no plan changes and 4% for dental with no plan changes. Several different employee contribution scenarios will be prepared by Keri for the next meeting.

**All Aye. Motion Carried.**

#### Capital Electric

At the 10.13.2015 Council Meeting, Mr. Short had made a motion to approve an amount of \$4,900 to Capital Electric to resolve a few issues that were found in the cabinets. In an effort to review the budget, the motion was tabled. Mr. Tiettmeyer said it has been confirmed that this amount can be taken from the Street Fund.

**Mr. Tiettmeyer made a motion to approve an amount not to exceed \$4,900 to Capital Electric for traffic light repairs. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.**

#### Special Meeting

**Mr. Kobasuk made a motion to have a Special Meeting November 4, 2015 at 7pm to assess the General Election results regarding Issue 10, so Council can take action if needed. Mr. Harten seconded the motion. All Aye. Motion Carried.**

Mr. Harten made a motion to adjourn at 8:00PM, seconded by Mr. Kobasuk. Motion Carried.

Transcribed by Becky Fairley