

Call to Order/Pledge of Allegiance/Attendance

The January 14, meeting of the Newtown Village Council was called to order at 6:30 p.m. by Mayor Mark Kobasuk, who led the Pledge of Allegiance to the Flag.

Council Members: Curt Tiettmeyer (Vice Mayor) Solicitor: Emily Supinger
Daryl Zornes Fiscal Officer: Keri Everett
Chuck Short Assistant to Mayor: Becky Fairley
Terry Fairley
Don Carroll
Sarah Williams

POLICE DEPARTMENT – SWEARING-IN CEREMONY

Mr. Zornes made a motion to appoint Anthony Lipps as a part-time police officer for the Newtown Police Department. Mr. Short seconded the motion. All Aye. Motion Carried.

Mayor Kobasuk read the Oath of Office, swearing-in police officer Anthony Lipps. Everyone applauded and welcomed Mr. Lipps.

APPROVAL OF COUNCIL MINUTES:

Mr. Short made a motion to approve the regularly scheduled 12.10.2019 Council Minutes and the special 12.20.2019 Council Minutes. Mr. Carroll seconded the motion. All Aye. Motion Carried.

2020 VICE MAYOR

Mayor Kobasuk has had two meetings with Mr. Carroll and they believe they can have better communication and harmony on Council. Therefore, Mayor Kobasuk nominated Don Carroll as Vice Mayor for 2020 and asked for a motion.

Mr. Tiettmeyer made a motion to appoint Don Carroll as Vice Mayor for 2020. Mr. Short seconded the motion. All Aye. Motion Carried.

SPECIAL PRESENTATIONS:

Engineer Jeff McMullen, BCI Update

The following was submitted and presented to Mayor and Council:

January 9, 2020

1. Ragland Road Culvert (17053)

- BCI has had the following meetings with Mr. Yeager since Mid-October.
 - Bruce Brandstetter 10/10, 11/3, and 11/10
 - Bob Hartz 10/12, and 11/26
 - Bruce looked at the wall 1/12/20– Mr. Yeager was not present
- BCI to review wall and make recommendation by 1/16/2020.

2. 2018 Street Program (18081)

- JK Meurer has agreed to address the Villages' concerns in the Spring of 2020.

3. Sidewalk Inspection, River Hills Subdivision (18085)

- Summary being prepared for the invoicing/assessments to each property owner will be sent to the Village by January 15, 2020

4. Little Dry Run Wall Lagging (19033)

- Details of MOT are being worked thru with Contractor. Their proposed signals have sensors to adjust for traffic flow and also programmable.
- A code for access to the panels was discussed, stated Jeff McMullen. Tim Brandstetter is working on this – Mayor Kobasuk told Mr. McMullen to work w/Chief Synan to make sure the PD has access to the panel
- Mayor Kobasuk said residents will be notified via email – project info will also be placed on the website. The PD is aware of the project; AFD, Hamilton County, FHSD Transportation and the media will also be notified.

5. Plan Reviews/Meetings

- As reported to the Mayor and Law Director on 1/7/2020, the storm regulations now require addressing both stormwater quantity and quality. These new regulations are more stringent.

9. McCullough's Run

- Five phase project:
 - Turpin Lane to Church St, apply for OPWC funds to clean channel and replace sheet pile wall along Jones Fish property. BCI to review wall options to sheet piles.
 - Clean from Church St. to River Hills. Review wooded area after leaves fall.
 - Clean channel from River Hills to east side of Ivy Hills place.
 - Clean from east side of Ivy Hills Place to Ivy Hills Blvd. Review after leaves fall.
 - Clean from Ivy Hills Blvd. to Corporate Line on Little Dry Run Rd.
- Village personnel to grade/fill outfall of public storm from Oyster Bay Lane and Court.
- Village personnel to address drainage flume off of Little Dry Run.

10. MRF/OPWC Applications

- Applications are due late August and Mid-September 2020.

11. Miscellaneous

- BCI to meet with Terry Fairley on 1/16/2020.
- State Capital Funds are recommended by the County for funding by the State. Amount of award will be lower than requested.

Citizen Participation (Two-minute limit for each speaker) (Read by Mayor Kobasuk)

We have reached that point in our meeting where a citizen may express an opinion, make a statement, address a concern, or ask a question on any subject that is not otherwise on the agenda. This will allow the statement to be entered into the official meeting record. This portion of the meeting is not for Council to provide responses to citizen comments. If you have a concern or request information, please be sure to leave your contact information with the staff before you leave the meeting. A member of the staff will contact you regarding your request. Please state your name and where you live when addressing Council. Is there anyone present that would like to bring an item, not otherwise on the agenda, before Council?

PUBLIC COMMENTS/PARTICIPATION No participants

MAYOR AND COUNCIL MEMBER REPORTS:

Newtown Fill: Mayor Kobasuk updated everyone that Newtown Fill is to have its plans to HCPH by Jan. 20th. Barry Franz will be updating Mayor and Council at a future council meeting. There is the issue of the drainage ditch which should be located on the property of Newtown Fill and there maybe a slope variance. We will be notified should Newtown Fill wants any kind of a slope variance.

PLAN Newtown Public Open House (Jan. 22 at 6:30pm at Newtown Municipal Center)

Mayor Kobasuk reminded everyone that McBride Dale Clarion will present the Newtown Comprehensive Plan to the community for input. The draft of the plan has been circulated to the twelve-person Steering Committee and now will be presented to the public for comment. After this meeting, Council and the Planning Commission will adopt the plan.

Hamilton County Commissioners in Newtown - March 19 at 6:30pm at Newtown Municipal Center

In 2019, the Board of County Commissioners began holding evening meetings every third Thursday, with a different jurisdiction hosting the BOCC each month. March 19th, 2020, the Village of Newtown will be hosting. Mayor Kobasuk said all are welcome!

Short Park Revitalization Project

The Short Park Revitalization project is in need of funding from the State of Ohio's capital budget. Short Park previously served as a municipal landfill until the 1970's. The goal now is to further develop Short Park, as the park still experiences settlement, creating uneven surfaces. Mayor Kobasuk asked Ms. Everett to talk about the grant application.

Ms. Everett reported that she submitted a grant application for the Short Park Revitalization project. Money has been allotted for projects for local municipalities. A Cincinnati Business Committee reviewed the applications and made recommendations to the state. Ms. Everett said when she discussed this project with Mr. Brandstetter, he thought it would be a good fit for adding an additional cap of dirt on Short Park in the low areas. She worked with Mr. Brandstetter and Barry Franz and they submitted the application for the cover for Short Park. The Village should hear from the state sometime in February or March. Solicitor Supinger has written a letter to the elected officials in Columbus asking for their support of the project, stated Mayor Kobasuk.

Mr. Tiettmeyer attended the meeting with BCI on 11/20/2019. The Cincinnati Business Committee is screening the many applications for the state to consider. Mr. Tiettmeyer had reached out to HCPH Commissioner Tim Ingram asking him to write a letter in support of the need of this project. He thinks one of the reasons we were able to get to the next round was because of the letter written on behalf of the Village of Newtown, by Mr. Ingram. The fact we had an independent third-party who is well-

recognized by the business community is probably what put us over the edge with the process to get this far, stated Mr. Tiettmeyer. The next step is now to convince the state of Ohio that the request is worthy. He reiterated the need to get the letters to the elected officials in Columbus asking for assistance. In addition to the \$100,000 recommended, there is an additional \$67,000 which would come from a separate fund established by the Cincinnati Soccer Club for them to come in to build their facility, where 4million dollars was committed to fund various causes throughout Hamilton County – we were recommended for \$67,000 of those monies, stated Mr. Tiettmeyer. In our proposal, the map showed the soccer field, so this was probably also helpful. The presentation included the use of the soccer field at Short Park for various communities outside of Newtown. Mayor Kobasuk said this is good work by Barry Franz, BCI, Keri, and Curt.

Fire Department Lighting

Mr. Zornes made a motion to approve an amount not to exceed \$8,963.80 to Capital Electric for lighting at Fire Station 22 parking lot. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.

Finance Committee & Appropriation Readings

Mr. Tiettmeyer called for a Finance Committee meeting on Tuesday, 2/4/2020 at 6pm to review a draft of the appropriations. The First Reading will take place at the 02/11/2020 Council Meeting. The Second Reading on 2/25/2020 with the Final Reading of the appropriation at the 3/10/2020 Council Meeting.

Lake Barber, Stakeholders Sub-Committee

Mrs. Williams has reached out the primary stakeholders around the lake and heard back from a couple. She is trying to schedule a meeting sometime in February. Mayor Kobasuk thanked Mrs. Williams and said he would like to attend the meeting.

Solicitor's Report (Solicitor Supinger)

Last year, the Village established an energy special improvement district, which allows for commercial entities in the Village to obtain financing for energy improvements on their property. This allows the costs to be financed through a special assessment against the property.

The Village has been contacted by Chris Jones, PACE Financing, about establishing a Residential PACE program, in addition to the Commercial PACE program. If so inclined, the Village would adopt the program and property-owners would have the opportunity to finance certain types of improvements through a special assessment as opposed to traditional financing. There are pre-approved qualified contractors as part of the program. If the homeowner elected to do it, they would apply through the contractor. At this time, the program administrator for the entire state of Ohio is this Toledo Port Authority, who would administer the special assessment. There is one PACE lender, Renovate America that does residential; they have been approved by the Toledo Port Authority as its approved lender. The Port Authority at that point and time would determine whether the improvement is a qualified improvement and whether the term for the repayment is appropriate based on the life of the particular type of improvement. On its behalf, the local government would assign the ability to administer to the Toledo Port Authority and then the homeowner would make the improvements. The Village would then place the special assessment on the tax rolls. program is pretty new, only in a couple of counties in Ohio thus far. The Toledo Port Authority is working with Hamilton County Auditor's official working to get in a place a system where the auditor would collect the taxes and remit them directly to the Toledo Port Authority, as opposed to the local jurisdiction, who would then in turn send it to the Port Authority. So far, Hamilton County Auditor has indicated they are not willing to do that – that the special assessment that is collected would have to come to the Village, who would then have to send that money to the Toledo Port Authority. As long as the Village does this, there would be no risk to the Village in terms of a default on a payment. The Toledo Port Authority who is issuing the bonds would bear this risk. The upside to the homeowner, the financing would not be reported to their credit at all. It does act the same as a home equity loan. Minimum investment is \$2500. Mr. Jones will attend a future council meeting to discuss further if council is interested. Mayor Kobasuk said it is worth hearing from him.

Solicitor Supinger said there is no new activity on the soccer issue.

LEGISLATION

Ordinance setting date/time/place of Council Meetings

Regular meetings of Village Council shall be held on the second and fourth Tuesday of the month at 6:30pm.

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

Mrs. Williams made a motion to adopt ORDINANCE 01-2020 AN ORDINANCE SETTING THE DATE, TIME AND PLACE OF VILLAGE COUNCIL MEETINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Carroll-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, contract for Engineering Services

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

Mr. Fairley made a motion to adopt RESOLUTION NO. 01-2020 A RESOLUTION APPROVING A CONTRACT WITH BRANDSTETTER CARROLL INC. FOR PROFESSIONAL SERVICES. Mr. Short seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Carroll-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Ordinance, adopting amended articles rules/regulations for Hamilton County Storm Water District

This is perfunctory, a routine piece of legislation.

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

Mr. Fairley made a motion to adopt ORDINANCE 02-2020 AN ORDINANCE ADOPTING AMENDED ARTICLE I, III, AND V RULES AND REGULATIONS FOR THE HAMILTON COUNTY STORM WATER DISTRICT. Mr. Carroll seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Carroll-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Ordinance, Hamilton County Land Utilization Corp

The Hamilton County Land Utilization Corporation has the ability to acquire tax-foreclosed properties through various statutory mechanisms. Property located at 6840 School Street has been foreclosed upon for delinquent taxes – the Hamilton County Land Reutilization Corporation is willing to attempt to acquire the property for purposes of selling the property to the Wyoming Community Improvement Corporation for \$1,000. Newtown spent public funds to demolish the structure at 6840 School Street and now has the opportunity to recover those funds by acquiring the property for redevelopment.

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

Mr. Carroll made a motion to adopt ORDINANCE 03-2020 AN ORDINANCE APPROVING A SALE/PURCHASE AND DEVELOPMENT AGREEMENT WITH THE HAMILTON COUNTY LAND REUTILIZATION CORPORATION TO ACQUIRE VACANT LAND LOCATED AT 6840 SCHOOL STREET. Mr. Zornes seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Carroll-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution designating Village of Newtown CIC

Council desires to designate the Village of Newtown CIC, Inc. as the agent and instrumentality of the Village for such development and authorize the execution of an agreement with the Village of Newtown, CIC, Inc. This allows the CIC to act on behalf of the Village – the agreement is required per state statute, stated Solicitor Supinger.

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

Mr. Carroll made a motion to adopt RESOLUTION NO. 02-2020 A RESOLUTION DESIGNATING THE VILLAGE OF NEWTOWN CIC, INC. AS THE VILLAGE'S AGENT AND INSTRUMENTALITY FOR DEVELOPMENT IN THE VILLAGE AND AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF NEWTOWN AND THE VILLAGE OF NEWTOWN CIC, INC. Mr. Tiettmeyer seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Carroll-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Ordinance, granting Duke Energy Ohio easements

Newtown owns properties located in the vicinity of Round Bottom Road, more particularly described as Parcel Nos. 501-0011-0053-00 (Lake Barber), 501-0011-0062-00, 501-0011-0063-00, 501-0011-0059-00 and 501-0011-0060-00. Duke Energy Ohio is seeking to install a natural gas pipeline to help bolster its infrastructure for the Village of Newtown and surrounding areas for which it requires easements through the properties.

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

Mr. Carroll made a motion to adopt ORDINANCE NO. 04-2020 AN ORDINANCE GRANTING DUKE ENERGY OHIO EASEMENTS ON PROPERTIES OWNED BY THE VILLAGE OF NEWTOWN AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Carroll-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Ordinance, Legal Counsel

The Council of Newtown desires to employ legal counsel for the Village during calendar year 2020.

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

Mr. Zornes made a motion to adopt ORDINANCE NO. 05-2020 AN ORDINANCE PROVIDING FOR THE EMPLOYMENT AND COMPENSATION OF LEGAL COUNSEL AND DECLARING AN EMERGENCY. Mr. Carroll seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Carroll-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, contract w/Osterwisch

A resolution authorizing a contract w/the Osterwisch Company for lighting at the fire station was on the 01.14.2020 agenda. A motion needs to be made to remove this resolution from the agenda, since a motion was previously made in the meeting to go with another vendor.

Mr. Zornes made a motion to remove the above Resolution from the agenda, seconded by Mr. Carroll. All Aye. Motion Carried.

Resolution, Contract for Liability Insurance w/The Ohio Plan Risk Management

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

Mr. Short made a motion to adopt RESOLUTION NO. 03-2020 A RESOLUTION APPROVING A CONTRACT FOR LIABILITY INSURANCE WITH THE OHIO PLAN RISK MANAGEMENT. Mr. Carroll seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Carroll-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, Amending Resolution 37-2019

On December 20, 2019, Council passed Resolution 37-2019 in order to provide for employee health, dental, vision and life insurance for year 2020. Resolution 37-2019 contained errors pertaining to the employee contributions for medical insurance and the spousal surcharge amounts.

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

Mr. Short made a motion to adopt RESOLUTION 04-2020 A RESOLUTION AMENDING RESOLUTION 37-2019 PERTAINING TO EMPLOYEE HEALTH, DENTAL, VISION AND LIFE INSURANCE. Mr. Carroll seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Carroll-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Ordinance, Approving Supplemental Appropriations and Transfers for 2019

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

Mr. Tiettmeyer made a motion to adopt ORDINANCE NO. 06-2020 AN ORDINANCE APPROVING SUPPLEMENTAL APPROPRIATIONS AND TRANSFERS FOR CALENDAR YEAR 2019 AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2019. Mr. Zornes seconded the motion. Roll Call: Mrs. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes, Mr. Carroll-Yes, Mr. Short-Yes, Mr. Zornes-Yes. Motion Carried.

Checklist

Mr. Tiettmeyer made a motion to approve the 2019 Year-End Checklist for a total of \$114,022.41. Mr. Carroll seconded the motion.

Mr. Short thanked Council and everyone for the cards, well-wishes, phone calls, etc. during his recent recovery – he appreciated it all very much! Mayor Kobasuk told Mr. Short it was good to see him back at it.

Mr. Short made a motion to adjourn, seconded by Mr. Carroll. Meeting adjourned at 7:04pm.

Transcribed by Becky Fairley