

Call to Order/Pledge of Allegiance/Attendance

The August 25, meeting of the Newtown Village Council took place via Zoom and called to order at 6:32 p.m. by Mayor Mark Kobasuk.

Council Members: **Don Carroll** (Vice Mayor)
 Daryl Zornes
 Chuck Short
 Curt Tiettmeyer
 Terry Fairley
 Sarah Williams

Solicitor: Emily Supinger (excused at 7pm)
Fiscal Officer: Keri Everett
Assistant to Mayor: Becky Fairley

APPROVAL OF COUNCIL MINUTES:

Mr. Fairley a motion to approve the regularly scheduled 07.14.2020 Council Minutes and 8.13.2020 Special Council Minutes, after marking Mr. Tiettmeyer as absent at the 8.13.2020 Meeting. Mr. Short seconded the motion. All Aye. Motion Carried.

Village Solicitor's Report (Solicitor Emily Supinger)

Cincy Soccer Appeal

There has been no activity on the soccer appeals case so it remains pending. Judge Ethna Cooper is handling this matter.

Legislation Family Motor Coach (Solicitor Emily Supinger)

Family Motor Coach Association desires to replace a fence on Village property that had been removed as part of a construction project by Duke Energy. This property is located on the Lake Barber property. About twenty years ago, Family Motor Coach had put up this fence that encroached on Village property. They have proposed to purchase the property from the Village – the license agreement presented before council allows FMC to install the fence now and expires after so many months. This gives the Village time to properly advertise the sell of the property, time for a purchase agreement and time for the lot splits, all of which needs to take place before we can close on the property. FMC will pay \$6,000 for the property and Village solicitor fees, as well lot split legal description. To cover the Village, should FMC not pay, the fence would then be removed.

Gilb Landscaping – Lake Barber

Council decided to table the resolution – the Parks Committee will meet on August 28th to discuss the project at greater length. Eric Williamson with Gilb met the Parks Committee at Lake Barber prior to this meeting, which is why revised plans were submitted prior to this meeting for Council's review. The current plans call for 390 plantings, which would be a maintenance issue.

Fire Services Station 22

Mr. Zornes said Chuck Morgan will explain but he would prefer meeting with Fire Chief Rich Martin first regarding the issues and have Solicitor Supinger's input regarding the lease agreement as far as the Village's responsibility before moving forward. This will be discussed at the 9/8/2020 Council Meeting.

SPECIAL PRESENTATIONS:

Engineering Update (Engineer Bruce Brandstetter)

August 21, 2020

1. Ragland Road Culvert (17053)

- A \$26,000 retainage is being held on Majors Pay Request.
- **Majors plans to slit seed in late August/Early September.**
- **Quotes from two other seed contractors have been requested.**

2. 2018 Street Program (18081)

- Paving on Crull St. was completed on July 20, 2020.
- **Retainage being held is pending final payment request. (BCI will keep an eye on the drainage.)**

3. Sidewalk Inspection, River Hills Subdivision (18085)

- Since property invoices were mailed, BCI is aware of one issue. Chuck Morgan is addressing it and others that may be received.
- BCI to be involved as requested.
- BCI will give an update at the 9/8/20 Council Meeting as to how many people have paid and those that want on tax bill.

4. **2020 Paving Program (20054)**

- Construction scheduled to started week on the week of August 17, 2020.
- Construction expected to take three be completed by the end of August.

5. **Plan Reviews and Meetings (20007)**

- Sam Hoh, Evans Construction said in an email dated August 10, 2020 that they will remove and replace the concrete curb and gutter “within a week or two”. BCI to follow up as needed by August 28, 2020.

6. **McCullough’s Run**

- Memo to be distributed under separate covers concerning McCullough’s Run at Ivy Hills Blvd. Three to four alternatives will be presented.

7. **Church Street North Paving (20045)**

- Village was notified of Small Government Funding of construction for this project on July 23, 2020.
- Grant summary:

OPWC	\$153,000
MRF	50,000
Newtown	103,000
	<u>\$306,000</u>
- Recommended January/February bidding.
- Consider bidding 2021 Annual Paving Program with this project.
- BCI will submit proposal for Bidding and Construction Administration Services

8. **Moundview Park (20078)**

- Water use records received. Flows are not consistent.
- Considering three alternatives.
- BCI is coordinating with OEPA/MSD

9. **McCullough’s Run (20007)**

- 2020 Activities:
 - Turpin Lane to Church St, possibly apply for **OPWC** funds to clean channel and replace sheet pile wall along Jones Fish property. Met with SSRG on July 31, 2020 to discuss alternatives and associated costs. More information by the end of August.
 - Clean channel from River Hills to east side of Ivy Hills place, possibly in late 2020.
 - Clean from east side of Ivy Hills Place to Ivy Hills Blvd. Review after leaves fall.

10. **MRF/OPWC Applications**

- Possibly consider McCullough’s Run per item 9 above, Church Street **South and/or** Little Dry Run Road paving.
- MRF are due September 18, 2020.
- OPWC due date is to be determined. District Meeting on 8/21/20.
- Both Programs have been delayed by the Pandemic.

11. **Miscellaneous** (none)

Little Dry Run Washout Wall

Mr. Morgan said money had been put aside for the washout wall and has received three proposals. This is located at the address of 3311 Little Dry Run Road – property owners had reached out to Mr. Morgan couple of years ago concerned about their land being washed away because of the drain culvert that runs underneath the road. It is in the right-of-way. Mr. Morgan will get the proposals out to council prior to the meeting.

Lake Barber Path Repairs

Mr. Morgan recently had the trip hazard taken care of and was hoping to correct some of the water issues. He will get with the asphalt company to see if there is anything, we can do to correct the issue. The mud runs down onto the path when Evans Landscaping waters their landscaping plantings. This has been ongoing for more than three years.

Lake Barber – Ivy Hills Pumping Station

Ivy Hills Country Club was issued a permit by the Village on 7.2.2020 to install a fence around their pump electric panel and above ground piping. The fence installed will be white vinyl. Mayor Kobasuk will check with Gerry Stoker to see what plans were submitted. Mr. Tiettmeyer said since this is Village property, someone should have approved the plans and type of fence.

MAYOR AND COUNCIL MEMBER REPORTS:

Future Council Meetings

Mayor Kobasuk said he is willing to consider conducting council meetings in-person or continue council meetings via Zoom. Anderson Township is still conducting their meetings via Zoom. Chief Synan will present Council with a proposed seating chart with proper COVID-guideline spacing for council's consideration. The 9/8/2020 Council Meeting will be held via Zoom. Planning Commission and Board of Zoning Appeals have been meeting in-person. A member that was uncomfortable attending in-person called in on a speaker phone.

Lake Barber Privacy Screening

Chuck Morgan submitted a \$2,100 quote from EME Fence Co., Inc. for slats for a privacy screening at Gamco. He will submit another quote for council's consideration. Mr. Carroll said someone needs to check with someone to see if they would allow us to place slats in the fence. Council did not object to spending \$2,000 – a decision will not be made until another quote is submitted for review. Chuck Morgan said he will reach out to Gamco to see if they would allow the privacy screening.

CDBG “Community Development Block Grants”

Mayor Kobasuk explained that the grant application parameters have changed and need to be COVID-related.

Landfill

Mayor Kobasuk explained that due to COVID, Newtown Landfill is only receiving about 50% of debris they had anticipated. Therefore, it is a slower go with getting it completed – consultants still expect the landfill to be completed by end of 2021.

Planning Commission

Mr. Carroll explained that the Planning Commission met 7/23/2020. Two Conditional-Use requests were heard: 1) 3410 Church Street, Schloss Roofing's owner requested a conditional use to establish a hair salon in the front portion of the existing commercial building. Plans were reviewed by Planning and approved the use. 2) Planning Commission also approved a conditional use request for 6613 Main Street, Urban Grill, who had requested a conditional use permit for a mobile food vendor truck.

Finance

Mr. Fairley asked if COVID had impacted the Village's revenues. Mr. Tiettmeyer said we were a little behind last year but not terrible. A full report through August will be presented at the 9.08.2020 Council Meeting by Mr. Tiettmeyer.

LEGISLATION

Resolution, License Agreement w/Family Motor Coach

Family Motor Coach Association desires to replace a fence on Village property that had been removed as part of a construction project by Duke Energy, Ohio.

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

Mrs. Williams made a motion to adopt RESOLUTION NO. 18-2020 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LICENSE AGREEMENT WITH FAMILY MOTOR COACH ASSOCIATION FOR THE PLACEMENT OF A FENCE ON VILLAGE PROPERTY. Mr. Carroll seconded the motion. ROLL CALL: Mrs. Williams-Yes, Mr. Carroll-Yes, Mr. Fairley-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes. Motion Carried.

Resolution, Agreement w/Gilb Landscaping

Mr. Carroll made a motion to table the resolution with Gilb Landscaping, Mrs. Williams seconded the motion. All Aye. Motion Carried.

Ordinance, Agreement w/ the Board of Hamilton County Commissioners
This agreement pertains to 2020 Municipal Road Fund Project – Church Street.

Mr. Short made a motion to suspend the rules, Mr. Fairley seconded the motion.

Mr. Short made a motion to adopt ORDINANCE NO. 13-2020 AN ORDINANCE AUTHORIZING AN AGREEMENT BETWEEN THE VILLAGE OF NEWTOWN AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS RELATIVE TO THE IMPROVEMENT OF CHURCH STREET. Mr. Fairley seconded the motion. ROLL CALL: Mrs. Williams-Yes, Mr. Carroll-Yes, Mr. Fairley-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes. Motion Carried.

Resolution, Dynegy Energy Services

The Ohio Legislature has enacted electric deregulation legislation which authorized the legislative authorities of municipal corporations, townships, and counties to aggregate the retail electric loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity.

Mr. Tiettmeyer made a motion to suspend the rules, Mr. Zornes seconded the motion.

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 19-2020 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE AN AGREEMENT ON BEHALF OF THE VILLAGE OF NEWTOWN, HAMILTON COUNTY, OHIO WITH DYNEGY ENERGY SERVICES FOR ELECTRIC SUPPLY TO THE VILLAGE OF NEWTOWN ELECTRIC AGGREGATION PROGRAM. Mr. Zornes seconded the motion. ROLL CALL: Mrs. Williams-Yes, Mr. Carroll-Yes, Mr. Fairley-Yes, Mr. Zornes-Yes, Mr. Tiettmeyer-Yes, Mr. Short-Yes. Motion Carried.

Checklist

Mr. Tiettmeyer made a motion to approve the 08.25.2020 Checklist for \$297,533.02. Mr. Carroll seconded the motion. All Aye. Motion Carried.

Agenda Items

Mayor Kobasuk said the meetings would run a lot smoother if Council would email him or Becky their agenda items or any comments and edits for the agenda.

Mr. Short made a motion to adjourn at 7:54pm; Mr. Fairley seconded the motion.

Transcribed by Becky Fairley