

Call to Order/Pledge of Allegiance/Attendance

The February 09, 2021 meeting of the Newtown Village Council took place via Zoom and called to order at 6:30 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
Fiscal Officer Keri Everett
Assistant to Mayor Becky Fairley
Police Chief Tom Synan

APPROVAL OF COUNCIL MINUTES:

Mr. Fairley made a motion to approve the regularly scheduled 01.12.2021 Council Minutes. Mr. Short seconded the motion. All Aye. Motion Carried.

SPECIAL PRESENTATIONS:

Engineering Update submitted by Bruce Brandstetter

February 5, 2021

1. Ragland Road Culvert (17053)

- A \$26,000 retainage is being held on Majors Pay Request.
- Majors and Yeager may reach a compromise.

2. Plan Reviews and Meetings (20007)

- All concrete and asphalt punch list work are complete on Church Street. Developer needs to submit record drawings of grading and drywells.

3. McCullough’s Run (20007)

- Base map complete.
- Alternatives being finalized. Will include an entrance from Little Dry Run Road opposite of Village Drive.

4. Church Street North Paving (20045)

- Project to be advertised in February with bids to be reviewed at 3/9/21 Council meeting.
- BCI recommends that the Lake Barber Trail Repairs and Seal Coat be contracted separately.
- If the Municipal Parking Lot paving is in the 2021 program, may want to bid with Lake Barber.

5. Moundview Park (20078)

- Alternatives and budget costs:
 - Onsite treatment per existing \$50,000
 - Moving forward with Onsite treatment, either aerobic system per the existing or mound system.
 - Mound system soil absorption test to confirm size required is out for proposal.
- Schedule for construction in 2021 is acceptable to OEPA per 11/17/20 email.

6. Short Park

- Proposed scope and schedule to be presented at 2/9/21 Council meeting.
- First phase shall be the relocation of the basketball courts to the lower level. Due to OEPA Permitting and CDBG plan review and schedule requirements, construction plans to be completed in February.

7. MRF/OPWC Applications

- At the Integrating Committee meeting on 1/29/21, Church Street South was moved from 4th priority for the District to the 2nd. This will be a similar process to last year for Church Street North. BCI to submit fee proposal letter to complete the bid documents in March/April. Proposed funds as follows.

	OPWC	MRF	Village
Church Street South	\$114,500	\$50,000	\$64,500

- District integrating Committee confirmed that under current guidelines and Village documentation, they cannot fund McCullough's Run as submitted. Game plan for 2021 application to be formulated in the next several months.

8. Turpin Lane Drainage

- Property Owner appreciates Village’s response.
- Ultimate solution to involve Hamilton County, USACOE, Newtown, Anderson Township and possibly ODOT.
- Mr. Dan Emsicke emailed Council on 1.21.2021

Mr. Carroll made a motion to approve \$7800 authorizing Brandstetter Carroll Inc. to prepare the bid package and coordinate with Barry Franz to prepare and submit permits for the basketball courts which are due end of June 2021. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.

MAYOR AND COUNCIL MEMBER REPORTS:

Economic Development Projects (Mayor Kobasuk)

Aside from the Motz/Meridian Joint Venture and My Suite Garage, Bob Slattery is renovating Wags Park into Taglio's restaurant, which was rated No. 1 pizza in 2018 in Cincinnati. Forty full-time and ten part-time jobs will be created.

Air Permit Issue (Mayor Kobasuk)

The Village has retained TRC Companies and Dinsmore Shohl – Mayor Kobasuk has seen the first draft of the comments from the public. Once the lawyers weigh-in, he will circulate a rough draft to Council. This is a highly technical document that will be finalized by February 19th. Solicitor Supinger emailed Council regarding retaining TRC and Dinsmore & Shohl and did not receive any objections. Council needs to approve the retention of these two experts.

ODOT – Bike Trail (Mayor Kobasuk)

In a call yesterday with ODOT, about the road improvements in the Village, Mayor Kobasuk learned that Martin Marietta is opposed to the bike trail pedestrian walkway going through their property. It was difficult for ODOT's representative to get a meeting with Martin Marietta. They have a new General Manager. They want the pedestrian walkway going on the southside of SR32 along McCullough's Run. ODOT will reach out to the Railroad to make sure they can get permission to tunnel under the tracks for the connecting trail from the pedestrian walkway going on SR32 to Lake Barber. ODOT will have a portal on their website describing the entire Newtown complex – go to EasternCorridor.org

Finance Committee Report (Mr. Tiettmeyer)

The Finance Committee met on 2/2/2021 at 6:00pm via Zoom. 2020 performance and draft of the 2021 appropriations were discussed and reviewed. Meeting ended at 7:10pm and everyone agreed with all of the changes.

Parks Committee (Ms. Williams)

The Parks Committee met at 3:00pm via Zoom. Revitalization of Short Park discussion continued and septic system for Moundview Park was also discussed. Lake Barber low spots holding water was discussed – meeting ended at 4:04pm.

Solicitor's Report (Solicitor Emily Supinger)

Last week, Gerry Stoker, Bruce Brandstetter and Solicitor Supinger met with Motz representations onsite at the Motz Development to review the project which is moving forward. The sell of the land at Lake Barber to FMCA will be finalized in the next couple weeks. At this time, there is no news on the issue of the Soccer Appeal. Judge Cooper lost the election – not sure if we will receive a ruling from Judge Cooper before she leaves. Judge Cross will probably inherit the Soccer issue appeal.

Legislation

Ordinance, Ohio Basic Code 2021 Edition

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

Mr. Fairley made a motion to adopt ORDINANCE NO. 05-2021 AN ORDINANCE APPROVING ADOPTING/ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2021 EDITION, AS THE CODE OF ORDINANCES FOR THE VILLAGE OF NEWTOWN AND DECLARING AN EMERGENCY. Mr. Short seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Ms. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. All Aye. Motion Carried.

Resolution, CRA w/TRPC LLC

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

Mr. Carroll made a motion to adopt RESOLUTION NO. 04-2021 A RESOLUTION APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT WITH TRPC, LLC FOR A PROJECT TO BE LOCATED AT 3804 CHURCH STREET. Mr. Zornes seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Ms. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. All Aye. Motion Carried.

Ordinance, First Reading Appropriations Year Ending 12/31/2021

Mr. Tiettmeyer made a motion to have a First Reading of AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF NEWTOWN DURING FISCAL YEAR ENDING DEC. 31, 2021.

Resolution, PD Compensation Policy

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

Mr. Fairley made a motion to adopt RESOLUTION NO. 05-2021 A RESOLUTION ADOPTING A POLICE DEPARTMENT COMPENSATION POLICY. Mr. Zornes seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Ms. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. All Aye. Motion Carried.

Resolution, 2021 Ford Purchase

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

Mr. Short made a motion to adopt RESOLUTION NO 06-2021 A RESOLUTION AUTHORIZING PURCHASE OF A 2021 FORD F-350 4X4 TRUCK FROM FULLER FORD. Mr. Zornes seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Carroll-Yes, Ms. Williams-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. All Aye. Motion Carried.

New Business

Council Checklist

Mr. Tiettmeyer made a motion to approve Council Checklist dated 02/09/2021 for \$312,295.89. Mr. Carroll seconded the motion. All Aye. Motion Carried.

TRC, Work Authorization (Air Expert)

Mr. Carroll made a motion to approve TRC Work Authorization for \$3,800 to review and comment on Draft PTIO Issued to Valley Asphalt, Plant #14. Mr. Short seconded the motion. All Aye. Motion Carried.

Dinsmore & Shohl LLP – Legal Representation

Mr. Carroll made a motion to retain Dinsmore & Shohl for Legal Representation regarding the Air Permit Issue for Valley Asphalt, not to exceed 30 hours. Mr. Short seconded the motion. All Aye. Motion Carried.

TIRC Board Representatives

Hamilton County Tax Incentive Review Council

HCDC is charged with convening the Hamilton County Tax Incentive Review Council (TIRC) to monitor the compliance of active enterprise zone agreements and community reinvestment area agreements. Formation of the Hamilton County Council is a legislative requirement of the program as outlined in the Ohio Revised Code Section 5709.85. The annual TIRC Board meeting will take place in June/July. Every municipality/township participating in the enterprise zone program or community reinvestment area within townships must formally designate two (2) representatives to serve on the Hamilton County Council. TIRC members must be approved by the local legislative authority and reside as residents of the community. Mrs. Fairley assists Gerry Stoker, CRA Housing Authority by facilitating the annual process of reporting to the Ohio Development Services Agency. Mr. Stoker will also attend the TIRC meeting. (Mr. Tiettmeyer and Mrs. Fairley have served as representatives for the 2018, 2019 and 2020 TIRC meetings.)

Mr. Carroll made a motion to appoint Mrs. Fairley and Mr. Tiettmeyer as TIRC members to serve as Newtown representatives to serve on the 2021 Hamilton County Council. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Lenten Annual Fish Fry

The Lenten Annual Fish Fry will take place from March 5th thru April 2nd from 5:00pm until 7:30pm at Newtown Fire House Station No. 22 located at 7036 Main Street. Menu is reduced and will be carryout only due to COVID-19. Please support this event sponsored by Newtown Civic League.

Mr. Short made a motion to adjourn at 7:27pm. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Transcribed by Becky Fairley