

Call to Order/Pledge of Allegiance/Attendance

The May 25, 2021 Special Council Meeting of the Newtown Village Council took place via Zoom and called to order at 6:00 p.m. by Mayor Mark Kobasuk.

Council Members:	Don Carroll (Vice Mayor)	Solicitor Emily Supinger
	Daryl Zornes	Fiscal Officer Keri Everett (not present)
	Chuck Short	Assistant to Mayor Becky Fairley
	Curt Tiettmeyer (not present)	Police Chief Tom Synan (not present)
	Terry Fairley	
	Sarah Williams	

A Special Council Meeting was held to review, discuss and vote on the following resolutions. And to conduct any other business, including passing motions, rules suspensions, and executive sessions, necessary to accomplish the foregoing.

Legislation

Resolution, Contract w/Westside Paving – Phase I Short Park Improvement Project

After reviewing submitted bids for Phase I of the Short Park Improvement Project, the Village Engineer advised that the bid submitted by Westside Paving in the amount of \$61,500.99 (plus \$6,080.00 for Alternate No. 1) is the lowest and best bid. Project amount not to exceed \$67,580.00.

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

Ms. Williams made a motion to adopt RESOLUTION NO. 14-2021 A RESOLUTION APPROVING A CONTRACT WITH WESTSIDE PAVING FOR PHASE I OF THE SHORT PARK IMPROVEMENT PROJECT IN THE VILLAGE OF NEWTOWN. Mr. Fairley seconded the motion. Roll Call: Ms. Williams-Yes, Mr. Zornes-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes, Mr. Short-Yes. Motion Carried.

Resolution, Approving Amended/Restated CRA

September 20, 2010, Resolution No. 25-2010 was passed authorizing the Village to enter into a Community Reinvestment Area Agreement with OSI Enterprises, located at 3761 Round Bottom Road, Newtown, Ohio, and an adjacent 3.245-acre parcel.

March 14, 2017, Resolution 11-2017 was passed authorizing an Amended and Restated CRA Agreement w/OSI Enterprises in order to extend the dates for which the abatement would be in place in accordance with the delayed construction schedule.

February 21, 2020, a lawsuit was commenced against OSI Enterprises, and others in Hamilton County Court of Common Pleas captioned *Fifth Third Bank, National Association v. OSI Enterprises, et al.*, Case No. A2000852, seeking, among other things, a foreclosure of the property.

April 26, 2020, the Court authorized the court-appointed receiver to sell the Property to Midwest Properties Acquisitions, LLC.

The receiver, on behalf of OSI Enterprises and Midwest Acquisitions seek to enter into an Assignment and Assumption of the Amended and Restated CRA Agreement as part of the sale of Property.

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. 15-2021 A RESOLUTION APPROVING AN ASSIGNMENT OF THE AMENDED AND RESTATED COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE VILLAGE OF NEWTOWN AND OSI ENTERPRISES, LTD. Mr. Short seconded the motion. Roll Call: Ms. Williams-Yes, Mr. Zornes-Yes, Mr. Fairley-Yes, Mr. Carroll-Yes, Mr. Short-Yes. Motion Carried.

Mr. Carroll made a motion to adjourn at 6:06pm. Mr. Short seconded the motion. All Aye. Motion Carried.

Transcribed by Becky Fairley