

Call to Order/Pledge of Allegiance/Attendance

The September 14, 2021 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: Don Carroll (Vice Mayor) (excused)
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 8.10.2021 Council Minutes, motion was seconded by Mr. Short. All Aye. Motion Carried.

SPECIAL PRESENTATIONS

Engineering Update – Bruce Brandstetter

September 10, 2021

1. Church Street North Paving (20045)

- Scheduled to start September 22nd, possibly a day earlier. Starting with catch basin and curb repairs.

2. Moundview Park (20078)

- Soil absorption test was completed on 6/30/21. Upper grass area did not test well. BCI and Village are coordinating to excavate test holes.
- Lower turf area north of the ball field is a possible option.

3. Short Park Improvements, Phase I – Trail Improvements (21041)

- Construction started September 7, 2021. Completion expected on September 13, 2021.
- Work includes the connection to the Little Miami Trail and relocate trail for the soccer field. This is as per council approval on 8/10/21.

4. Short Park Parking Lot (21064)

- Complete design to bid the project in 1st quarter of 2022. Consider bundling it with Lake Barber Trail Connector and Municipal Parking Lot.

5. Short Park New Soccer Field (21065)

- Preconstruction meeting scheduled for September 15th at 1:30.
- Hamilton County has agreed to move completion date to 10/15/21.

6. McCullough's Run (20119)

- Alternative 5- Grade and landscape for a permanent access point opposite Village Drive.
 - Items of note:
 - Requires right of entries from 13 property owners.
 - May require protection around several trees.
 - Will allow periodic maintenance for the culvert to the pedestrian bridge.
 - Schedule
 - * BCI to fine tune the estimate, \$55,000-\$90,000
 - * Concept approval 9/14/21
 - * Right of entries September-October (Mayor Kobasuk will reach out to HOA President)
 - * Complete bid documents October
 - * Bidding November
 - * Construction December- March
 - * Closeout April
 - Allows access to existing stone wall for grouting and repairs and storm outfall from Oyster Bay Court as well as additional rip rap in the future.
 - Handout sheet from McCullough's Run, 8/16/21 is attached.

7. Lake Barber Trail Connector (21090)

- Draft plans reviewed on 8/16/21.
- Plans have been forwarded to Duke for their approval of alignment.
- May want to bid with the Short Park Parking Lot and the Municipal Parking Lot.

8. Little Dry Run Road Speed Study and Traffic Calming (21007)

- Proposal as reviewed on 8/16/21 is attached.

Chief Synan said perception is not what is happening concerning speeders. He is leaning towards traffic calming as it is significant in reducing the issue, not waiting on traffic study, doesn't think state will approve lowering the speed limit on Little Dry Run.

9. Municipal Building Parking Lot (21007)

- BCI proposal to assist in obtaining quotes as requested.

10. MRF/OPWC Applications (21007)

- MRF applications are due on 9/17/2021 by 2:00pm.
- OPWC applications are due 10/29/2021 by 2:00pm.
- Recommend an application for Church Street South and Little Dry Run Road.
- Proposed Funding

| | <u>Church Street North</u> | <u>Little Dry Run</u> |
|---------|----------------------------|-----------------------|
| Village | \$75,000 | \$76,500 |
| MRF | \$50,000 | \$50,000 |
| OPWC | <u>\$125,000</u> | <u>\$126,500</u> |
| | \$253,000 | \$250,000 |

- Priority of projects to be discussed.
- Will need a resolution by the October Council meeting for submission of applications.

11. Turpin Lane Drainage

- Ultimate solution to involve Hamilton County, USACOE, Anderson Township and possibly ODOT to clean the ditch line.
- A flap valve being reinstalled in a catch basin in the drainage swale on the east side of Turpin Lane is an alternative solution.

Short Park Trail – Berm Repair

Council was previously presented with three quotes; Evans was the lowest bid. There is a steep drop off on both sides of the walking path that were not expected. After much discussion,

Mr. Short made a motion to approve \$21,850 Evans to repair the berm on both sides of the walking trail at Short Park. Mr. Fairley seconded the motion.

Mr. Tiettmeyer said he would vote No as he would wait on Westside Paving to be contacted again.

Mr. Short amended the motion; amount not to exceed \$22,000, giving Mayor Kobasuk discretion to approve lowest bidder. Mr. Fairley seconded the motion. Vote: Mr. Short-Yes, Mr. Fairley-Yes, Mr. Zornes-No, Ms. Williams-No, Mr. Tiettmeyer-No. Motion Failed.

PUBLIC COMMENTS

Resident Paul Frede asked Council to look into property to the left of Wessling's wood shop on Main Street – the sidewalk is uneven and the fence is an eyesore.

Tracy Hueber asked if drive-byes are being done as there are a few issues in her neighborhood. Mayor Kobasuk said Mr. Stoker handles property maintenance issues for the Village and follows the Property Maintenance Code.

Resident Peg Quallen asked that the person on Church Street be notified that their garbage cans need to be taken off the street after Rumpke picks up the garbage.

MAYOR AND COUNCIL MEMBER REPORTS:

Medical Plan 1/1/2022 Renewal for Employees

Mr. Fairley is working with Paul Conroy – it is time to start the process of underwriting of medical benefits for employees. Employees were issued the FormFire survey for Employee Health Benefits. Mr. Fairley will report back to Council once process has been completed.

Short Park Revitalization

Mayor Kobasuk received a text from Lawn Management tonight with an amount of \$6,800 to install an irrigation system at Short Park. They are working with Motz Turf coordinating with the timeline of field installation. \$30,000 was budgeted for the irrigation system. Mr. Kobasuk will check to make sure the irrigation system is commercial grade.

Mr. Tiettmeyer made a motion to approve an amount not to exceed \$8,600 for the irrigation system installation by Lawn Management. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Petition to Vacate Paper Street

Residents Bill and Nancy DeVore have filed a petition to vacate the paper street at Plum. A Public Hearing will be held and brought to Council. They have been advised they will be responsible for the survey costs.

Village Solicitor's Report (Solicitor Supinger)

LEGISLATION

Fire Protection w/Anderson Township

January 1, 2016, the Village of Newtown entered into a three (3) year Agreement for the Provision of Fire Protection and Emergency Medical Services to the Village of Newtown. August 14, 2018, Village Council authorized the renewal of the Agreement for an additional three (3) year term, ending December 31, 2021. This renewal is for an additional three-year term commencing on January 1, 2022, ending on December 31, 2024. (Third Renewal Term)

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

Mr. Tiettmeyer made a motion to adopt ORDINANCE NO. 14-2021 AN ORDINANCE APPROVING THE RENEWAL OF AN AGREEMENT WITH ANDERSON TOWNSHIP FOR THE PROVISION OF FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES TO THE VILLAGE OF NEWTOWN, OHIO. Mr. Short seconded the motion. Roll Call: Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mr. Fairley-Yes, Ms. Williams-Yes. Motion Carried.

Dedication Plat

The Village of Newtown is the owner of certain property located at 7036 Main Street, containing a private roadway. The Village of Newtown desires to dedicate those portions of the private roadway for public use for street purposes, as depicted on the Right of Way Dedication Plat.

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

Mr. Short made a motion to adopt RESOLUTION NO. 25-201 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DEDICATION PLAT TO DEDICATE CERTAIN PROPERTY OWNED BY THE VILLAGE FOR PUBLIC USE FOR STREET PURPOSES. Mr. Fairley seconded the motion. Roll Call: Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mr. Fairley-Yes, Ms. Williams-Yes. Motion Carried.

Right of Way Dedication Plat – Roadway to be Named

The Village of Newtown has been presented with a Right of Way Dedication Plat to dedicate certain property located in the vicinity of 7036 Main Street, currently used as an unnamed private road, to public use for street purposes and to be named "Motz Way." Planning Commission met and approved the dedication plat on July 22, 2021.

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

Mr. Short made a motion to adopt ORDINANCE NO. 15-2021 AN ORDINANCE ACCEPTING THE RIGHT OF WAY DEDICATION PLAT FOR A ROADWAY TO BE NAMED "MOTZ WAY" AND DECLARING AN EMERGENCY. Mr. Fairley seconded the motion. Roll Call: Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mr. Fairley-Yes, Ms. Williams-Yes. Motion Carried.

OPWC State Capital Improvement

The Village of Newtown is planning certain capital improvement projects, namely, the Church Street South Paving Project, the Little Dry Run Paving Project and the McCullough's Run Wall Replacement Project, Phase A.

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

Mr. Tiettmeyer made a motion to adopt RESOLUTION 26-2021 A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.

2021 Permanent Appropriations

This allows the Fiscal Officer to increase the Fund 2907 Fire Fund from \$660,000 to \$675,000.

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. 16-2021 AN ORDINANCE AMENDING 2021 PERMANENT APPROPRIATIONS FOR CALENDAR YEAR ENDING DECEMBER 31, 2021. Mr. Zornes seconded the motion. Roll Call: Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mr. Fairley-Yes, Ms. Williams-Yes. Motion Carried.

Salt Purchase for 2021-2022

Lowest and best bidder for salt procurement was Compass Minerals at a price of \$67.52/ton.

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

Ms. Williams made a motion to adopt RESOLUTION NO. 27-2021 A RESOLUTION AUTHORIZING THE PURCHASE OF SALT FOR THE 2021-2022 WINTER SEASON. Mr. Short seconded the motion. Roll Call: Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mr. Fairley-Yes, Ms. Williams-Yes. Motion Carried.

Personnel / Amending Salary Ordinance

Effective Monday, Kevin Schmid, Maintenance Tech resigned. Hourly rate for the position was \$17.00/hr. Council desires to amend Ordinance No. 04-2021 in order to increase the starting salary for the full-time maintenance worker position at \$20.50/hr.

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

Mr. Short made a motion to adopt ORDINANCE NO. 17-2021 AN ORDINANCE AMENDING ORDINANCE NO. 04-2021 PERTAINING TO THE SALARIES FOR VILLAGE PERSONNEL AND DECLARING AN EMERGENCY. Mr. Fairley seconded the motion. Roll Call: Mr. Zornes-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mr. Fairley-Yes, Ms. Williams-Yes. Motion Carried.

Edwards Road Property Condemned for Demolition

Mr. Tiettmeyer asked about the status of this property as 2-3 months ago, legislation was adopted to have a contractor demolish the Edwards Road property that was involved in a fire. Mayor Kobasuk said he and Mr. Brandstetter inspected the property, Mr. Wolfer has agreed to clean up the inside and outside of the building and agreed to *not* rent the building. Oct. 23rd will be 60 days from the agreement.

New Business

Council Checklist

Mr. Tiettmeyer made a motion to approve Council Checklist dated 09/14/2021 for \$350,048.41. Ms. Williams seconded the motion. All Aye. Motion Carried.

Executive Session

Mr. Zornes made a motion at 7:48pm to enter into Executive Session, per O.R.C. 121.22 (G3) sale of public property. Mr. Short seconded the motion. Roll Call: Mr. Zornes-Yes, Mr. Short-Yes, Ms. Williams-Yes, Mr. Fairley-Yes, Mr. Tiettmeyer-Yes.

Mr. Short made a motion to reconvene at 8:08pm, no action was taken. Council adjourned. Zornes seconded the motion. All Aye. Motion Carried.

Transcribed by Becky Fairley