

Call to Order/Pledge of Allegiance/Attendance

The March 8, 2022 meeting of the Newtown Village Council was called to order at 6:00 p.m. by Mayor Mark Kobasuk, who led the Pledge of Allegiance to the Flag.

Council Members: Chuck Short (Vice Mayor)
Terry Fairley
Daryl Zornes
Peg Quallen
Jerry Schwab
Jeff Drescher

Solicitor Emily Supinger
Fiscal Officer Keri Everett
Assistant to Mayor Becky Fairley
Police Chief Tom Synan

APPROVAL OF COUNCIL MINUTES

Mr. Short made a motion to approve the 02.08.2022 Regularly Scheduled Council Minutes, motion was seconded by Mr. Fairley. All Aye. Motion Carried.

SPECIAL PRESENTATIONS

Little Dry Run Improvements (Chief Synan)

After a recent speed study, 85% of motorists drive 34.5 mph. The speed limit on LDR was increased to 35 mph in 1996 and there have been only five accidents since 1996 in the curve, which does not qualify a reduction of the speed limit. This was confirmed in a recent meeting between Newtown Police and Village engineers. Newtown Maintenance Department installed chevron signs, which are known to show the edge of the road, and caution drivers to the curve or narrowing of a road. bring attention to drivers the curve may be dangerous or narrowing of a road.

Natural Gas Pricing (Mr. Fairley)

It is time to renew the Natural Gas Aggregation program with Energy Alliances who obtained decent rates with Constellation New Energy in 2019. They supply natural gas and electricity in Ohio. This program is an opt-out natural gas aggregation program – The resolution will allow Mayor and Fiscal Officer to enter into a natural gas aggregation agreement w/a natural gas supplier recommended by Energy Alliances. Twenty-four communities in Hamilton County participate in the aggregation program.

CT Engineering March Report (Mr. Short)

Engineering - March Monthly Council Report submitted by CT Consultants

1. Moundview Park Septic System Upgrade:

- CT provided a proposal to detail alternatives for compliance. To date, we have:
 - i. Reviewed the inspection report, NPDES permit and compliance schedule.
 - ii. **CT has spoken with Ohio EPA and shared the soil testing results.**

2. Little Dry Run Safety Improvements Review

- CT has reviewed the speed data information provided by the Village.
- CT met with the Village on 2/10 to review the concerns and existing conditions.
- CT submitted proposal on 2/15 to prepare a letter of recommended improvements within the corridor as well as submit a for a speed reduction request to ODOT.
- Without completing the review and processing the information that we obtained in our site visit, preliminary thoughts on corridor improvements to improve safety could possibly include:
 - Increased lighting
 - Increased signage and technology at the pedestrian crossing at Ivy Hills Blvd
 - Reconstruction of the existing walk to provide a grass strip between the pavement and the walk.
 - Widening of the curve to provide a shoulder and increased lane width – would include the reconstruction of the walk within the bend as well.

3. Short Park Projects:

- Parking Lot:
 - i. Existing survey data has been received from BCI.
 - ii. CT submitted a proposal to complete the design by 4/6.
 - iii. We will be scheduling a review meeting the week of 3/14.
 - iv. Advertise for construction on 4/6. Open 4/21. Construction Summer, 2022.

- Basketball Court Resurfacing:
 - i. CT provided a recommended bid tab, including specification references, for the rebidding of the Basketball Court resurfacing on 2/15/22.

4. Lake Barber Connecting Trail

- CT has requested drawings from BCI. BCI has indicated that they are 95% complete and are working through their final review. BCI to have plans complete by 3/11. Once received and reviewed, we will propose a bidding schedule.

5. MVCA:

- Eliminate left turns out of site and force towards SR 32.
- Possibility of Short Park Road Extension to provide one-way in and one-way out.
- ODOT offered use of drone to review traffic during peak hours.
- This causes an issue during the school peak hours. At first glance we do not believe that there is a simple and economical fix.
- We see 2 options:
 - i. Village work with School to make adjustments – work through trial and error and help to minimize backups as best as can be done.
 - ii. The Village and/or School perform an in-depth
- We would recommend a Traffic Impact Study be completed prior to 300 more students being added to campus.

6. 2022 Paving Improvements:

- It is CT's understanding that the Village will be paving:
 - i. Municipal Center Parking Lot
 - ii. Police Department Parking Lot
 - iii. Fire Department Parking Lot
 - iv. Lake Barber Trail Sections
 - v. Short Park Upper Parking Lot
- If the Village needs assistance, we can provide as needed.

7. 2022 OPWC Applications:

- OPWC applications will be due in September, 2022. CT will setup a meeting in May to review potential submissions.
- CT will review 2021 applications.

8. Ragland Road Drainage:

- CT met with the Village on 2/22. Below is preliminary list of recommendations:
 - i. Remove two of the four upstream trash racks.
 - ii. Dredge existing upstream channel – remove silt and sediment.
 - iii. The plan that CT created in 2018 was not followed. The storm sewer pipe was not installed per proposed plan and included a number of bends. Additionally, CT was proposing a berm around the drainage channel and a backflow ditch that would have directly ancillary drainage around the headwall – would the Village like to revisit the previous set of plans?
 - iv. At the outlet end of the storm sewer, the settling pool should be cleaned of silt, debris and trash.

9. McCullough's Run

- We believe that the next steps should include:
 - i. Coordination meeting in March with a geotechnical engineer and specialty contractor to review options.
 1. Pile driven wall
 2. Green wall
 3. Vegetated slope
 4. Modular block wall
 5. Consider safety of drainage channel and concern if someone is in the channel.
 - ii. Review meeting with Village Attorney to understand the Village rights and responsibilities in the drainage channel.

10. Turpin Lane Drainage – CT to coordinate a meeting with the Village to review the Turpin Lane drainage issue. We will do this in conjunction with our meeting regarding Short Park Parking Lot.

11. Eastern Corridor – ODOT

- CT to hold on review and funding until ODOT has completed their recommendations.

HVAC Agreement (Mr. Short)

The time has come to terminate the agreement with AirTech Mechanical and consider an agreement with DeBra-Kuempel, who has performed more efficiently on the HVAC systems, especially at the Fire House. Solicitor Supinger has reviewed the contract with AirTech and sees no problem moving forward with DeBra-Kuempel.

PUBLIC COMMENTS:

Heroes on the Water-Southwest Ohio (Anderson Township Trustee Josh Gerth)

Josh Gerth, Anderson Township Trustee was present and introduced Andy Stump, Chapter Coordinator with Heroes on the Water-Southwest Ohio division. Mr. Stump is a 15 year-Army veteran. Founded in 2007, Heroes on the Water is a 501(c)3 non-profit that provides recreational wellness experiences. Mr. Stump spoke asking Council to consider allowing Heroes on the Water to hold an event on Lake Barber. Heroes on the Water supports veterans, first responders and their families by creating a peaceful environment for healing. Mr. Gerth is a huge supporter of this organization and thanked Newtown Council for taking this worthy cause under consideration.

Mayor Kobasuk and Village Council supports opening Lake Barber up for one day for Heroes on the Water to have their event of kayaking and canoeing. Solicitor Supinger will prepare an agreement with the Chapter that sets out all the details and have a requirement that all participants execute a waiver before participating in the event.

Mr. Short made a motion to allow Heroes on the Water to host an event on Lake Barber, opening the lake up for kayaking and canoeing for one day only. Mr. Fairley seconded the motion. All Aye. Motion Carried.

Joe Murray for State Representative – 27th District

Joe Murray introduced himself to Mayor Kobasuk and Village Council. Joe is running for State Representative 27th District. Tom Brinkman's term is up – Joe's campaign is about the future – new leadership for a new day for the people of the 27th District!

MAYOR AND COUNCIL MEMBER REPORTS:

Mayor's Report

- Bourbon Trail Sign for Brain Brew on Round Bottom Road
The sign will read "Brain Brew Distillery" this is an informational sign that will be added to the Lake Barber post.

Ms. Quallen made a motion to allow Doug Hall to purchase and erect the above informational signs. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Vacation/Probationary Period

Mr. Short made a motion to allow Village employees to take vacation time during their probationary period. Currently, we have a police officer and a Maintenance tech eligible – Mr. Fairley seconded the motion. All Aye. Motion Carried.

WinterFest 2022 – Committee is in search of a treasurer – if interested, contact Becky at bfairley@newtownohio.gov.

Council Members Reports

2022 Budget (Mr. Fairley)

Mr. Fairley spoke to a few additions to the 2022 Budget, which is expected to pass by Council tonight. \$5,000 to WinterFest has been added, a part-time seasonal maintenance tech has been added and budgeted for – column repair at the Cemetery has been completed but was in the budget and mowing for the cemetery came in higher this year due to equipment costs and increased wages. The budget was discussed in more detail; a copy may be obtained by emailing keverett@newtownohio.gov.

Regarding 2023 Appropriations, Mr. Fairley asked Village staff to make a better effort to wrap up all budgetary needs by the end of January 2023 – at the very latest by mid-February 2023.

Village Solicitor's Report (no report)

LEGISLATION

Resolution, Natural Gas Aggregation

With approval of the voters, the Village of Newtown established an opt-out natural gas aggregation program in order to provide negotiated rates to the Village's businesses and residents. Energy Alliances Inc. is the consultant for the natural gas aggregation program.

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

Mr. Fairley made a motion to adopt RESOLUTION NO. 11-2022 A RESOLUTION APPROVING A NATURAL GAS AGGREGATION AGREEMENT WITH A SUPPLIER RECOMMENDED BY ENERGY ALLIANCES. Ms. Quallen seconded the motion. Roll Call: Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Schwab-Yes, Mr. Short-Yes, Mr. Drescher-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, Agreement w/Anderson Township Little League Inc.

This resolution enters into an agreement w/ATLL for the use of baseball fields in Village Parks, specifically Moundview Park Property, terms March 21, 2022 through June 24, 2022.

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

Ms. Quallen made a motion to adopt RESOLUTION NO. 12-2022 A RESOLUTION APPROVING AN AGREEMENT WITH ANDERSON TOWNSHIP LITTLE LEAGUE, INC. FOR THE USE OF ATHLETIC FIELDS. Mr. Short seconded the motion. Roll Call: Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Schwab-Yes, Mr. Short-Yes, Mr. Drescher-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, Agreement w/Cincinnati Soccer Club – Use of Moundview Park

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

Ms. Quallen made a motion to adopt RESOLUTION NO. 13-2022 A RESOLUTION APPROVING AN AGREEMENT WITH CINCINNATI SOCCER CLUB FOR USE OF MOUNDVIEW PARK FIELD. Mr. Short seconded the motion. Roll Call: Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Schwab-Yes, Mr. Short-Yes, Mr. Drescher-Yes, Mr. Zornes-Yes. Motion Carried.

Ordinance, Permanent Appropriations Year Ending 12/31/2022

Council wishes to adopt permanent appropriations for the year ending December 31, 2022.

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

Mr. Fairley read the second and final reading, making a motion to adopt ORDINANCE NO. 06-2022 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF NEWTOWN DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022. Mr. Short seconded the motion. Roll Call: Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Schwab-Yes, Mr. Short-Yes, Mr. Drescher-Yes, Mr. Zornes-Yes. Motion Carried.

Ordinance, Zone Change at 6616 Main Street

On January 27, 2022, the Village of Newtown Planning Commission held a public hearing to consider the application of Joe Arnett, current owner of 6616 Main Street, Hamilton County Parcel #501-0006-0042-00 for a proposed amendment to the zoning map of the Village of Newtown. Applicant made inquiry to rezone the property from Residential Two Family (R-TF) to Planned Village Center (P-V). After Planning Commission recommending the approval of the proposed zone change, this ordinance is now before Council for their consideration.

Mayor Kobasuk read the First Reading of AN ORDINANCE APPROVING A ZONE CHANGE FOR PROPERTY LOCATED AT 6616 MAIN STREET IN THE VILLAGE OF NEWTOWN.

Ordinance, American Legal Publishing's 2022 Edition Ohio Basic Code

This ordinance is adopted annually by Village Council – this is a Code of Ordinances suitable for adoption for municipalities in Ohio.

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

Mr. Short made a motion to adopt ORDINANCE NO. 07-2022 AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2022 EDITION, AS THE CODE OF ORDINANCES FOR THE VILLAGE OF NEWTOWN, OHIO AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Schwab-Yes, Mr. Short-Yes, Mr. Drescher-Yes, Mr. Zornes-Yes. Motion Carried.

Salary Ordinance was tabled to consider minor changes in Executive Session.

New Business

Council Checklist

Mr. Fairley made a motion to approve the 03.08.2022 Council Checklist for \$198,158.35. Mr. Schwab seconded the motion. All Aye. Motion Carried.

Moundview Septic System – CT Consultants

Mr. Short made a motion to approve a contract with CT Consultants for \$4,500 to review the Moundview Septic System to meet Ohio EPA regulations. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Schwab-Yes, Mr. Short-Yes, Mr. Drescher-Yes, Mr. Zornes-Yes. Motion Carried.

Ohio Division of Liquor Control

Mr. Zornes made a motion to Not Request a Hearing for New Liquor License from Newtown Mart, 7381 Main Street. Mr. Short seconded the motion. Roll Call: Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Schwab-Yes, Mr. Short-Yes, Mr. Drescher-Yes, Mr. Zornes-Yes. Motion Carried.

PUBLIC HEARING

A Public Hearing was noticed in the paper for this evening – Mayor Kobasuk opened the meeting up to the Public Hearing at 6:44pm. The Zone Change is at 6616 Main Street – rezoning property from Residential Two Family (R-TF) to Planned Village Center (P-V). No one from the public spoke regarding this request.

Mr. Schwab made a motion to close the Public Hearing.

Executive Session

Mr. Fairley made a motion at 6:45pm to enter into Executive Session at 6:42pm, pursuant to O.R.C (Section 121.22(G)(1) of the O.R.C. to discuss the compensation of Village employees. Ms. Quallen seconded the motion. Roll Call: Mr. Short-Yes, Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Quallen-Yes, Mr. Schwab-Yes. Motion Carried.

Council reconvened from Executive Session at 6:52pm.

Ordinance, 2022 Salaries for Village Personnel

This ordinance establishes rates of pay and salaries for Village personnel commencing January 13, 2022.

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

Mr. Zornes made a motion to adopt ORDINANCE NO. 08-2022 AN ORDINANCE ESTABLISHING SALARIES FOR VILLAGE PERSONNEL AND DECLARING AN EMERGENCY. Ms. Quallen seconded the motion. Roll Call: Mr. Fairley-Abstain, Ms. Quallen-Yes, Mr. Schwab-Yes, Mr. Short-Yes, Mr. Drescher-Yes, Mr. Zornes-Yes. Motion Carried.

Mr. Short made a motion to adjourn at 6:54p.m., seconded by Mr. Fairley. Meeting Adjourned.

Transcribed by Becky Fairley