

Call to Order/Pledge of Allegiance/Attendance

The December 13, 2022 regularly-scheduled 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. Schwab made a motion to approve the 11.08.2022 regularly-scheduled Council Minutes, seconded by Mr. Zornes. All Aye. Motion Carried.

SPECIAL PRESENTATIONS

Hamilton County R3Source (Solid Waste Plan Update)

Michele Balz, Solid Waste Manager, Hamilton County R3Source, formerly Hamilton County Recycling and Solid Waste District) spoke to Mayor and Council regarding the updating of Hamilton County's 15-year Solid Waste Plan, as required by the Ohio Environmental Protection Agency. The update process takes place every five years. A solid waste plan is a guidance document that a local solid waste district uses to implement programs and initiatives to continually improve recycling and waste reduction within its jurisdiction. To view Hamilton County Solid Waste Management Plan Update 2024-2038 DRAFT, visit: <https://hamiltoncountyr3source.org/432/Solid-Waste-Management-Plan>

Engineering - December 8, 2022 Monthly Council Report submitted by CT Consultants, explained by Mr. Short

1. Short Park Projects:
 - Parking Lot:
 - i. Added 57 spaces, which includes 3 ADA Spaces.
 - ii. Contractor was DJ Drew Company. Contract amount is \$138,275.00.
 - iii. Project complete week of 9/26.
 - iv. Final Contract value - \$132,598.53
 - v. Dry Well is not percolating as expected. Options include:
 1. Perform testing on dry well to confirm materials installed per drawings.
 2. Perform testing to confirm percolation rate.
 3. Install ancillary french drain and connect into nearby swale.
 - vi. To perform 1 & 2 above \$5,550.
 - vii. We believe that the best approach is to setup a meeting with the Contractor and PW on-site to talk through solutions and options and at this time, not engage with a geotechnical engineer, but save those dollars for a fix. CT will setup a meeting on-site.
2. Lake Barber Trail Pedestrian Crossing (Round Bottom & Valley):
 - 2 pedestrian heads and crosswalk is being proposed on the south leg of Round Bottom and Valley. No intersection lighting is proposed.
 - The field design & direct contract with Capital Electric option was selected.
 - i. CT completed schematic design showing proposed locations.
 - ii. Capital Proposal: \$17,996.00.
 1. Scheduled for install the week of 12/5.
 - iii. Curb ramps installed as part of connecting trail construction.
3. 2022 OPWC & MRF Applications:
 - OPWC Application due September 23, 2022 at 2:00 pm - COMPLETE
 - MRF Application due August 31, 2022 at 2:00 pm - COMPLETE
 - CT met with the Village in May to discuss strategy.
 - i. OPWC: Submitted Church Street – Raw scores were released. Unsuccessful – confirmed on 11/28.
 - ii. MRF: Submitted Church Street
 - iii. Future MRF: Round Bottom Road Bridge – awaiting bridge inspection report from Hamilton County Engineer's Office. Bridge report was expected from Hamilton County Engineer's Office in August, 2022. To date, still not received.
 - iv. Future OPWC: CT recommends Pavement Condition Ratings be completed and evaluated to determine next round of OPWC (see Pavement Condition Ratings below).

4. McCullough's Run

- Meeting with Emily occurred on 6/8. Title was ran on 3 properties. No evidence of an easement found for the creek. In order for the Village to complete work on the creek, easement will be needed. Village has indicated that they will make necessary repairs and obtain the necessary easements.
- CT to put together high-level preliminary construction costs for 3 options (note original option was for 500' of wall replacement):
 - i. Option 1 – Remove and replace existing wall – approximately 1,000 lf - \$520,000
 - ii. Option 2 – Remove and replace failed sections of wall – approximately 850 lf - \$442,000
 - iii. Option 3 – Remove existing wall, construct earthen slope – approximately 1,000 lf - \$338,000 – Selected Option.
 - iv. Soft Costs for each option – Approximately \$100,000, includes survey, design, property line resolution, easements, legal costs
- The Village and CT met with Jones Hatchery on 10/27. Jones is willing to grant easement for work, ok with tree clearing, will allow us to use gravel area for staging, would require fence replacement with new chain link. May also request a berm be installed along Church Street frontage. We will have excess spoils from the excavation – (a berm could help save costs)
- Next steps include:
 - i. CT submit proposal for Option 3

5. Pavement Condition Ratings:

- It is our recommendation to develop a new 5 Year Street Program. The previous pavement study was performed in 2016 and segmented the streets into 4 categories; mill and resurface, crack seal and pavement repairs, crack seal and no work. We agree with these categories, with the exception of potentially adding another, reconstruction. The pavement study did not include pavement condition ratings, which would apply a condition score to the improvement category. This allows you to build a 5-year street program. If requested, CT could provide a proposal to complete a Pavement Condition Study and Recommended 5-Year Street Program. It is estimated that this cost is \$10,000 - \$12,000. Having a 5-Year Street Program and Pavement Condition Ratings assists with planning, costs and funding applications. Additionally, this work would be completed utilizing GIS data. We would begin to building a database of Village infrastructure that we would also incorporate with Hamilton County Stormwater District information.

6. SR 32 – Little Dry Run to Corp Line

- This section of SR 32 has silt berms located on each side of the road for portions of its length. The silt berms can be as high as 12" or 18" and should be removed in order to let the storm water to drain to the roadside ditches. CT to develop opinion of construction cost and options for the silt berm removal, including:
 - i. Milling of silt berm (if feasible) and restoration
 - ii. Conventional excavation and restoration

7. SR 32 & Round Bottom Road

- CT to investigate an alternative to the existing dry wells at this location to alleviate storm water ponding at this intersection.
- CT has gathered GIS data and will evaluate the green space on the west side of Round Bottom as an alternative detention area.

PUBLIC COMMENTS:

Ed Wolfer, 3458 River Hills, spoke to mayor and council asking if they and Solicitor Supinger had received the letter, he previously asked Becky to email them. Mr. Wolfer asked they planned to respond on their letterhead and asked to meet with the Safety Committee. Mr. Wolfer said he had left his number and did not hear back from anyone.

Mr. Short told Mr. Wolfer while he understands he may feel he has been mistreated or lied to, he cannot sit any longer listening to his attempt to defame or slander our Police Chief and Police Department or anyone else, Mr. Short said he personally takes offense to that! Mr. Short said he did not see where anyone had lied to Mr. Wolfer.

Mayor Kobasuk reminded Mr. Wolfer that he sent him a letter stating he was not accused of a felony and said he feels this matter is concluded. Mayor Kobasuk said it is up to the Chair of the Safety Committee, Jeff Drescher as to whether a meeting will take place. (Mr. Wolfer was given 20 minutes at the podium)

MAYOR AND COUNCIL MEMBER REPORTS:

Mayor's Report

ATFD EMT – Meeting – Dec. 16th

Mayor Kobasuk, Mr. Fairley and Mr. Drescher will meet with ATFD and Anderson officials to discuss EMT procedures to be implemented.

ODOT Meeting – Dec. 16th (1pm)

Tommy Arnold, Jr., P.E., Acting Capital Programs Administrator/District Planning Engineer ODOT District 8 will meet with Mayor Kobasuk, Mr. Short and Ms. Quallen to discuss the SR 32 project. Cost estimates, refining the design and discussion about moving forward with developing the SR 32 project will take place. Mayor Kobasuk said he wasn't so sure the road improvements are needed anymore since traffic seems to be alleviated due to many working from home since COVID-19.

Street Pavement Condition Study

Mayor Kobasuk said CT Consultants will begin this study in 2023 – \$12,000 is in the Village budget.

Church Street Potential Project

Mayor Kobasuk contacted Sunset Properties for an update on the potential apartment complex. Sunset Properties told Mayor Kobasuk they had closed on all eleven acres, all properties and have hired an architect to help them design what they would like to do. Hills Development is out of the apartment project that has been previously discussed. Sunset Properties told Mayor Kobasuk they would work with the Village and do something that is good for the Village. They will have to come to Council for possible tax abatements if commercial, they can proceed if it's residential – they will need to come to Planning Commission.

Council Members Report:

2022 November Finance Packet (Mr. Fairley)

As part of the audit compliance, Mr. Fairley made the following motion:

Mr. Fairley made a motion to accept the November 2022 Finance Packet presented to Council. Mr. Short seconded the motion. All Aye. Motion Carried.

Planning Commission Update (Mr. Schwab)

Planning Commission met on December 8, 2022; two cases were heard and approved. 1) 3411 Church Street – QCI requested a lot combination of 3411 & 3417 Church Street. 2) 6929 Main Street - Doscher's Candies requested approval to construct a 5,000 sq. ft. addition to the rear of the existing facility.

Winterfest in the Village

Mayor Kobasuk, Mr. Schwab and Mr. Fairley attended Winterfest in the Village on December 9th. Mr. Schwab said it was a fun family event and the Rozzi fireworks were amazing! Ms. Quallen volunteered in the Municipal Building where pictures with Santa were taken.

Police Department- Ammunition Purchase

Mr. Drescher made a motion to approve an ammunition purchase to Just Guns & Ammo, in the amount of \$2,820.00. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Solicitor's Report (Solicitor Supinger)

Solicitor Supinger asked about Public Records Training for council members. Some places require this of council members – Ms. Everett said in the past, Council designated her to handle this requirement. Solicitor Supinger said every public official needs to make that designation if that is what they choose to do – Solicitor Supinger encouraged everyone to actually take the training that contains a lot of important information elected officials should know as well. Solicitor Supinger said the training is required each term in office. Training can be taken online at the Ohio Attorney General's office.

Mr. Short made a motion to designate Ms. Everett to take the required Public Records Training. Mr. Zornes seconded the motion. All Aye. Motion Carried.

LEGISLATION

Ordinance, Temporary Appropriations

Council desires to approve temporary appropriations for the fiscal year ending December 31, 2023. Period commencing January 1, 2023 and ending March 31, 2023.

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 ORDINANCE NO. 16-2022 AN ORDINANCE APPROVING TEMPORARY APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF NEWTOWN FOR FISCAL YEAR 2023. Mr. Short seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Schwab-Yes, Mr. Drescher-Yes, Ms. Quallen-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, Heal Reimbursement Arrangement

Council desires to approve a Health Reimbursement Arrangement (“HRA”) as part of its employee benefits for eligible employees. This reimburses out of pocket expenses and prescriptions.

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

Mr. Fairley made a motion to adopt RESOLUTION NO. 44-2022 A RESOLUTION APPROVING A HEALTH REIMBURSEMENT ARRANGEMENT FOR ELIGIBLE VILLAGE EMPLOYEES. Mr. Short seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Schwab-Yes, Mr. Drescher-Yes, Ms. Quallen-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, Contracts for Health, Dental, Vision & Life Insurance

The Village of Newtown wishes to obtain employee health, dental, vision and life insurance.

That the Council of the Village of Newtown hereby authorizes and directs the Mayor and Fiscal Officer to contract with Anthem SOCA Benefit Plan Blue Access PPO 3000E/0%/6000 w/ HSA Contract Code 6VJ7 to provide medical insurance benefits for those Village employees entitled to such benefits as set forth in the Village Personnel Policy Manual.

That the Council of the Village of Newtown hereby approves the following provisions as they relate to the provision of employee medical insurance benefits to those employees entitled to such benefits:

- 1) The Village of Newtown will fund employee health savings accounts (HSA) in the following manner: \$1,500 for Employee Only coverage and \$3,000 for Employee + Spouse, Employee + Child(ren) and Employee + Spouse + Child(ren) coverage. One-half (1/2) of these amounts will be deposited into employee HSA accounts on January 1, 2023 and one-half (1/2) will be deposited on July 1, 2023.
- 2) Health Reimbursement Arrangement: The Village of Newtown will reimburse 100% of eligible costs for prescriptions and durable medical devices after deductible has been met, up to \$2,000 for Employee only coverage and \$4,000 for Employee Family Coverage, as set forth in the Village of Newtown Health Reimbursement Arrangement.
- 3) Employee contributions will be deducted from employee’s paychecks as follows: Each covered employee shall contribute eight percent (10%) of the premium cost toward the cost of their medical insurance. Such amounts shall be deducted from each covered employee’s salary based on the Village’s payroll period schedule.
- 3) Spousal Insurance surcharge: If an employee’s spouse is offered medical insurance coverage at his/her employment and the employee’s spouse continues to be covered on the Village of Newtown’s Health Plan, a surcharge of \$100 per month shall be paid and deducted from the employee’s paycheck.

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

Mr. Short made a motion to adopt RESOLUTION NO. 45-2022 A RESOLUTION APPROVING CONTRACTS FOR EMPLOYEE HEALTH, DENTAL, VISION AND LIFE INSURANCE. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Schwab-Yes, Mr. Drescher-Yes, Ms. Quallen-Yes, Mr. Zornes-Yes. Motion Carried.

Resolution, Contract w/Mark A. Yontz

Council desires to enter into a contract with Mark A. Yontz for professional services related to the enforcement of the Property Maintenance Code and related ordinances. (\$35/hr)

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

Mr. Schwab made a motion to adopt RESOLUTION NO. 46-2022 A RESOLUTION APPROVING A CONTRACT WITH MARK A. YONTZ FOR PROFESSIONAL SERVICES. Mr. Zornes seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Schwab-Yes, Mr. Drescher-Yes, Ms. Quallen-Yes, Mr. Zornes-Yes. Motion Carried.

Short Park Parking Lot Engineering Services

Previously, Council accepted a proposal by CT Consultants for engineering services related to the Short Park Parking Lot Paving and Expansion in the amount not to exceed \$10,000 – engineering costs for the project increased and CT Consultants estimates that total costs for professional engineering services for the project will be \$16,800.00.

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

Ms. Quallen made a motion to adopt RESOLUTION NO. 47-2022 A RESOLUTION APPROVING A REVISED ESTIMATE FOR ENGINEERING SERVICES RELATED TO THE SHORT PARK PARKING LOT PAVING AND EXPANSION PROJECT. Mr. Zornes seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Short-Yes, Mr. Schwab-Yes, Mr. Drescher-Yes, Ms. Quallen-Yes, Mr. Zornes-Yes. Motion Carried.

New Business

Council Checklist

Mr. Fairley made a motion to approve the 12/13//2022 Checklist for \$578,110.61, Mr. Short seconded the motion. All Aye. Motion Carried.

Mr. Short made a motion to adjourn at 6:52p.m., seconded by Mr. Fairley. Meeting Adjourned.

Mayor and Council wished everyone a Merry Christmas and a Happy New Year!

Transcribed by Becky Fairley