

Call to Order/Pledge of Allegiance/Attendance

The January 10, 2023 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 12.13.2022 regularly-scheduled Council Minutes, seconded by Mr. Short. All Aye. Motion Carried.

SPECIAL PRESENTATIONS

Engineering - January 5, 2023 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 met with Village and Contractor to propose a solution. We are currently working with Contractor to review pricing and we will review with Village.
 2. Lake Barber Trail Pedestrian Crossing (Round Bottom & Valley) - Complete
 3. 2022 OPWC & MRF Applications:
 - OPWC Application due September 23, 2022 at 2:00 pm – Unsuccessful
 - MRF Application due August 31, 2022 at 2:00 pm - COMPLETE
 - i. MRF: Submitted Church Street
 - ii. 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.
 - iii. Future OPWC: Will utilize Pavement Conditions Rating Report to base future applications.
 4. McCullough's Run
 - Meeting with Emily occurred on 6/8. Title was run 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, will 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 submitted proposal for Option 3, includes fee that are time and expense, not to exceed.

Mayor Kobasuk said this is not a cheap project. Tom Brinkman was responsible for getting the Village a \$50,000 grant from the Ohio Capital Budget – this project will be designed to prevent flooding in the Village.

Mr. Short made a motion to accept CT Consultant’s engineering proposal (not to exceed) for McCullough’s Run. (Solicitor Supinger will prepare a resolution for the February Council meeting. Mr. Fairley seconded the motion. All Aye. Motion Carried.

5. Pavement Condition Ratings:
 - 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. The pavement study did not include pavement condition ratings, which would apply a condition score to the improvement category.
 - CT to complete new Pavement Condition Rating and 5-Year Street Program in April and May, 2022. We will following the same categories and add reconstruction. Our end product will build a 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.
 - The Pavement Condition Ratings and 5-year street program will be completed utilizing GIS data, which allows us to begin 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 is developing 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
 - CT completing a safety application to ODOT for a 90/10 funding for the improved shoulder work. Application due 1/31/23.
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, reviewed property information via CAGIS and prepared an exhibit showing a potential area for another drywell for additional storage or a storm water basin. We would recommend getting geotechnical information to understand drywell capabilities at this location.
 - The review of the GIS data does not show an overflow location that we would be able to drain a pond or drywell in the event that it fills up.

MAYOR AND COUNCIL MEMBER REPORTS:

Mayor’s Report

Vice Mayor – 2023

Mayor Kobasuk asked for a motion to support Chuck Short as Vice Mayor for 2023. Mr. Short is a senior Council Member and does a nice job, stated Mayor Kobasuk. This will be Mr. Short’s second term serving as Vice Mayor. Mr. Zornes served as Vice Mayor under Mayor Cosby for quite a few terms.

Mr. Fairley made a motion to appoint Chuck Short as Vice Mayor for 2023; Mr. Zornes seconded the motion. All Aye. Motion Carried.

6935 Main Street Sidewalk (Mayor Kobasuk)

Mayor Kobasuk said it is unfair to ask the owner to install a sidewalk when one was never installed at this location. Mayor Kobasuk asked that the cost of the sidewalk be put into the budget; the property owner Doug Wessling would then be responsible for maintaining the sidewalk moving forward. Doug Wessling will be responsible for installing the apron. Pictures were taken by Chuck Morgan and shared with Council. Council agreed.

ATFD EMT Procedures (Mayor Kobasuk)

A meeting was held Dec. 16, 2022 – Critical Details for implementation of EMT’s into the existing fire department structure was discussed. ATFD will honor the contract with the Village and will continue having firefighters that are paramedics in the station 24/7.

ODOT Meeting – SR 32 Project (Mayor Kobasuk)

Tommy Arnold, Jr., P.E., Acting Capital Programs Administrator/District Planning Engineer ODOT District 8 met with Mayor Kobasuk, Chuck Short and Peg Quallen on Dec. 16, 2022. Cost estimates, refining the design and discussion about moving forward with developing the SR 32 project was discussed. Tommy will attend a council meeting to talk about the improvements in the Village and whether we want to proceed with the project. Mayor Kobasuk said the project will be very expensive and isn’t sure it makes a lot of economic sense. Tommy Arnold will also head up the engineering for the Brent Spence replacement bridge. *Eight Mile Road will be closed from Bridle to SR 32 May 2023 through Thanksgiving.*

Council Members Report:

2022 December Finance Packet (Mr. Fairley)

Mr. Fairley said revenue was up almost \$600,000 in 2022 from what was estimated. Things are looking good for appropriations for 2023. Mayor Kobasuk pointed out that the Municipal Income Tax collections are up 20% from 2021 to 2022 (\$350,000). A lot of this is attributed from the Motz project, joint venture with Meridian. As part of the audit compliance, Mr. Fairley made the following motion:

Mr. Fairley made a motion to accept the December 2022 Finance Packet presented to Council. Ms. Quallen seconded the motion. All Aye. Motion Carried.

ATFD Meeting (Mr. Drescher)

ATFD, along with other departments across the country, are having trouble recruiting qualified firefighters and paramedics, stated Mr. Drescher. Anderson plans on training EMT's inhouse to become paramedics. Contract stays the same – Mayor Kobasuk said he expects them to make a change in 2025 in the EMT/paramedic staffing.

Solicitor's Report (Solicitor Supinger)

Nothing to report on the soccer issue at this time.

LEGISLATION

Ordinance, Council Meetings

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

Mr. Schwab made a motion to adopt ORDINANCE NO. 01-2023 AN ORDINANCE SETTING THE DATE, TIME AND PLACE OF VILLAGE COUNCIL MEETINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Schwab-Yes, Mr. Zornes-Yes, Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Drescher-Yes, Mr. Short-Yes. Motion Carried.

Ordinance, Legal Counsel Employment

Council shall compensate Strauss Troy Co., LPA at the rate of \$195/hr for general municipal representation and Mayor's Court prosecution, \$220/hr for real estate work and non-insurance litigation and \$100/hr for clerk and paralegal time.

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

Mr. Fairley made a motion to adopt ORDINANCE NO. 02-2023 AN ORDINANCE PROVIDING FOR THE EMPLOYMENT AND COMPENSATION OF LEGAL COUNSEL AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Schwab-Yes, Mr. Zornes-Yes, Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Drescher-Yes, Mr. Short-Yes. Motion Carried.

Ordinance, Supplemental Appropriations

Supplemental appropriations and transfers for Calendar Year 2022 and reconciling the budget and amending appropriations for Calendar Year 2022.

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

Mr. Fairley made a motion to adopt ORDINANCE NO. 03-2023 AN ORDINANCE APPROVING SUPPLEMENTAL APPROPRIATIONS AND TRANSFERS FOR CALENDAR YEAR 2022 AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2022. Mr. Short seconded the motion. Roll Call: Mr. Schwab-Yes, Mr. Zornes-Yes, Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Drescher-Yes, Mr. Short-Yes. Motion Carried.

Resolution, Liability Insurance w/The Ohio Plan Risk Management

Term for insurance coverage shall be January 23, 2023 through January 23, 2024.

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

Mr. Zornes made a motion to adopt RESOLUTION NO. 01-2023 A RESOLUTION APPROVING A CONTRACT FOR LIABILITY INSURANCE WITH THE OHIO PLAN RISK MANAGEMENT. Mr. Short seconded the motion. Roll Call: Mr. Schwab-Yes, Mr. Zornes-Yes, Mr. Fairley-Yes, Ms. Quallen-Yes, Mr. Drescher-Yes, Mr. Short-Yes. Motion Carried.

New Business

Council Checklist

Mr. Fairley made a motion to approve the 2022 End of Year Checklist for \$188,624.96., Mr. Short seconded the motion. All Aye. Motion Carried.

Mr. Fairley made a motion to adjourn at 6:23p.m., seconded by Mr. Short. Meeting Adjourned.

Transcribed by Becky Fairley