

## Call to Order/Pledge of Allegiance/Attendance

The February 13, 2024 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:** Terry Fairley  
Jerry Schwab  
Peg Quallen  
Jeff Drescher  
Tracy Boone  
Sarah Donohue

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 regularly-scheduled 01.09.2024 Council Minutes. Ms. Quallen seconded the motion. All Aye. Motion Carried.**

## SPECIAL PRESENTATIONS

### Engineering Report dated 02.01.2024, submitted by CT Consultants Engineering

1. Church Street
  - Estimated Construction Cost - \$358,000 (2023 Estimate)
  - Grant funding was awarded through the Hamilton County Municipal Roadway Fund (MRF) for Church Street resurfacing work - \$98,360.00. I spoke with the county about the time of the expenditure of the funds. While there is no specific deadline for expenditure, the
  - County would like the funds used by the end of 2024.
  - OPWC funds have been sought for the project, but the application has failed to be funded for two years.
  - The Village will need to determine if they would like to fund the balance of the project from local revenue, continue to apply to OPWC or other sources, or forfeit funds.
2. Little Dry Run
  - Little Dry Run is an MRF approved funding street. MRF funding was applied for in the amount of \$175,000. A 50% funding match was applied for- the total project estimate is \$337,000. We expect funding to be announced by the end of January or early February. The project would resurface Little Dry Run from SR 32 to the Village Corp Limit.
3. McCullough's Run
  - The Application that was made to Hamilton County for Funding through a special program that utilizes a balance of ARPA funds for storm water projects for \$214,900 was awarded.
  - The Nationwide Permit Application was submitted on December 11, 2023 and has been approved as of January 25, 2024.
  - CT is completing the documentation for easements required for the project. Bid Documents will be compiled and ready for completion after the grant agreement is approved by the Village.
4. Moundview Park Sanitary Sewer
  - A State Capital Budget Request was submitted, and a presentation was made on December 5, 2023, in support of the project.
  - While the Cincinnati Business Committee did not recommend the project for funding, State Representative Baker has included the project as a priority from her office. I have also reached out to Senator Wilsons office to promote the projects inclusion in the Capital Budget. Announcement of inclusion in budget will not be until late May or June
  - Direction from the Village is required to proceed with bid documents prior to notification or wait until a funding announcement is made.
5. Eastern Corridor Project
  - ODOT presented an update specific to the Village of Newtown at the June 2023 Council Meeting. A meeting was held with ODOT, OPWC and Village on August 28<sup>th</sup> and September 7<sup>th</sup> to discuss additional funding options.
  - The first phase would include adding a turn lane on SR 32 from Little Dry Run to East Corp Line:  
Based on current estimates, the Village would apply for the following dollar amounts:
    - Total Project - \$4,765,000 (\$3,790,000 for Construction and \$975,000 for ROW)
    - OKI: May 2024, 80% of Construction and ROW – total \$3,812,000 (\$3,032,000 for Construction and \$780,000 for ROW)

- OPWC: September 2026 - \$758,000 (construction dollars only)  
Which leaves a budget shortfall of \$195,000 for ROW acquisition. OPWC will not pay for ROW if applying for LTIP funds (most likely source of funding).
  - CT has begun coordinating with ODOT initiate the process of applying for OKI funds in May 2024. If OKI funding is not received, the Village and ODOT do not need to move forward with the project.
6. Drywells at Round Bottom and SR32
    - The application made to Hamilton County for funding of to address the issues with the drywell was awarded for \$150,000.
    - We have begun compiling information necessary to determine the proper method to improve the drainage. We will have a site visit with the Hamilton County Engineers staff to review the dry well on their property in February.
  7. Application was made to ODOTs signal timing and phasing program for to improve the 6 interconnected signals in the Village. This program was recommended by ODOT and Hamilton County Engineering Staff. This is a free program for those that apply if it is approved by ODOT staff.

## MAYOR AND COUNCIL MEMBER REPORTS:

### Mayor's Report

Mayor Kobasuk read the following proclamation honoring past Mayor Paul Frede. Paul's visitation will be held at T.P. White Funeral Home in Mount Washington on March 2<sup>nd</sup> at 1:00pm – a ceremony will follow at Flag Spring Cemetery. Mayor Kobasuk said Paul and his warm, big smiles will be missed!

### PROCLAMATION HONORING PAST MAYOR PAUL FREDE:

WHEREAS, Paul Frede was born on October 25, 1934 and grew up in Cincinnati, Ohio, attending Purcell High School and the Central Vocational School of Automotives; and

WHEREAS, in 1965, after bravely serving his country in the United States Army, Paul Frede opened his business in Newtown, which later became the Village Auto Service located at the corner of Main Street and Round Bottom Road; and

WHEREAS, Paul Frede selflessly dedicated his time and talent as public official for the Village of Newtown, graciously accepting an appointment to serve on the Newtown Village Council from 1985-1988 and serving as the elected Mayor of the Village from 1989-1996; and

WHEREAS, Paul Frede was a visionary who cared deeply about improving the Village of Newtown and, as Mayor, he oversaw some of the most impactful projects in the Village's history, including the development of the Ivy Hills Country Club community, the improvement of Short Park, and the beautification of Main Street; and

WHEREAS, during the years he served as Mayor, while much of the Village's business was conducted at Village Hall, it was not uncommon for Paul Frede to make himself available to residents, employees, and other elected officials at his auto shop, a true testament to his sincere and passionate desire to serve the citizens of Newtown to the best of his ability;

WHEREAS, Paul Frede's steadfast dedication to the Village of Newtown was essential to creating the community that the residents of Newtown enjoy to this day; and

WHEREAS, while his contributions to the Village of Newtown are countless, above all, Paul Frede was a kind-hearted man who took a genuine interest in every person he met; and

WHEREAS, on February 2, 2024, surrounded by his friends and family, Paul Frede passed away at the age of 89. He is survived by his wife, Janice, and his many children and grandchildren; and

WHEREAS, Paul Frede's legacy will have a lasting impact on the Village of Newtown for many years to come and he will be dearly missed by the Newtown community;

NOW THEREFORE, I, Mark Kobasuk, by virtue of the authority vested in me as Mayor of the Village of Newtown, do hereby recognize Paul A. Frede for his many contributions and urge all citizens of the Village of Newtown to remember Paul A. Frede and his family on this 2<sup>nd</sup> day of March, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of March, 2024. | Mayor Mark Kobasuk

### Newtown Fill Update

Placement of the cap has begun and should take an excess of a year. Recycling operations have ended at the site – the equipment is being sold. Hopefully, it will not be much longer before we realize a large grassy mound.

## Council Members Report:

### January 2024 Finance Packet (Mr. Fairley)

The budget has not been established – at this time, the only item we are able to measure against last year's is the Municipal Income Taxes. 2023 the Village took in north of \$217,000 and this year for January we are at \$208,000, which is a drop of 3.7% This could change – a more detailed report will be given once the Budget has been established.

**Mr. Fairley made a motion to accept the January 2024 Finance Packet presented to Council. Ms. Quallen seconded the motion. All Aye. Motion Carried.**

### Planning Commission Update (Mr. Schwab)

The Planning Commission met on January 25<sup>th</sup> – three cases were heard: 1) conditional use for 3511 Round Bottom Road (Tint World.) 2) 6748 Main Street (Tru Life Development) requesting modification to previously approved, along w/approval of exterior façade of proposed single family attached homes. Site plan modifying the site from originally presented four to six attached family townhomes. February 29<sup>th</sup> will be the next meeting for review and possibly approving the changes to the town homes. 3) 6774-78 Main Street – requesting site plan approval of expanding the facility.

### Police Department (Mr. Drescher)

#### Ammunition Purchase for 2024

**Mr. Drescher made a motion to approve \$2,860 to Just Guns and Ammo for the 2024 ammunition purchase. Mr. Schwab seconded the motion. All Aye. Motion Carried.**

#### Lexipol – Annual Law Enforcement Manuals

The \$6,609.23 includes \$1,035.36 for annual law enforcement supplemental manuals and \$5,573.87 for annual law enforcement policy manual and daily training bulletins.

**Mr. Drescher made a motion to approve \$6,609.23, seconded by Mr. Schwab. All Aye. Motion Carried.**

#### County Event Grant Application (Ms. Boone)

Ms. Boone has been working on a Hamilton County Community-based event grant – while her time is greatly appreciated, after consulting with Solicitor Supinger, the Village is required to be the applicant. The Village could apply and manage that aspect of the event. Fireworks, general liability insurance and security and equipment rentals expenses will be applied for, as suggested by Solicitor Supinger. If the Village took on the fireworks, it would be the Village contracting with Rozzi's to do the fireworks – it would no longer be a Winterfest function, stated Solicitor Supinger. Mayor Kobasuk thanked Ms. Boone for her efforts researching the grant.

#### Metro Bus Stop (Ms. Donohue)

Ms. Donohue and Mayor Kobasuk met on January 23, 2024 with Cincinnati Metro to discuss the feasibility providing Metro bus service to Newtown. First step is survey the residents to confirm if there is enough potential. Ten to fifteen riders per day would be required to sustain having a bus stop in Newtown. The survey will be posted on the website newtownohio.gov. Several pick-up points or one park and ride location were discussed. The route would be an offshoot of the existing Milford 29X Express bus that already provides Monday-Friday rush hour service between Milford and downtown. The 29X bus route currently stops in Milford, Terrace Park, Mariemont, Columbia Tusculum and then goes downtown.

#### McCullough's Run Project – Tree Removal

Three bids were obtained for this project – removing trees along creek bed from Church Street at corner of Arnolds to point marked by end of steel wall. Permission from Jones Fish Hatchery has been granted to the Village and contractor for the project. All logs, brush and debris will be hauled from the worksite. Wessling Tree Service is recommended – they were also lowest bid. A resolution has been prepared.

#### Solicitors Report – Amending Personnel Policies and Procedures Manual

Solicitor Supinger talked about the ordinance that has been prepared amending personnel policies and procedures manual. A section would amend the pay-period and exempt employee's provisions – the change would require all exempt employees to account for their time on a daily basis. It reconciles the two provisions – they were internal inconsistent – the two sections of the code as written. This would make exempt employees the same as every other employee in the Village with tracking their time. This would allow them to flex their time and still have accountability for the time they flex. Solicitor Supinger said this is important because the Auditor is getting more interested in looking at how we track time and how employees are compensated to make sure there aren't opportunities for fraud when it comes to timesheets.

Chief Synan said he had questions. He said he checked with the Ohio Auditors and they are not looking at fraud that is internal – they only look to make sure the Village is paying what is on the timesheet. Chief Synan asked if there is an issue or are we making it an issue that isn't there. Mayor Kobasuk said it's basic accountability and auditing. Every other employee's time sheets are detailed with time-entries, including Street Maintenance Supervisor who is also salaried-exempt, stated Mayor Kobasuk. He said Chief Synan's time sheet is the only one turned in that is blank – Mayor Kobasuk he is responsible for signing all sheets. Chief Synan said he checked with the Ohio Auditor's office and salaried exempt that is what it is. He said there is no doubt about the Village being able to implement their own policy. Chief Synan said salaried-exempt is not on quantity or quality of work, nor is it on time so it would just be an internal policy. He asked if there was an issue with the time that is going on now that he is not aware of anyone abusing it. Mayor Kobasuk said in the public area, we can have time sheets – a lot of police chiefs submit timesheets as it protects them. Chief Synan said he questions that – he doesn't know any chief that fills out a time sheet. Solicitor Supinger said she knows police chiefs that fill out timesheets. Chief Synan said the Ohio Auditor's office said a salaried-exempt is paid salary by the year – it's irrelevant of the hours so the hours would just be more internal. Then he asked if there was an issue internally that we have to keep track. Chief Synan asked if there was something he is doing that is causing a concern with Council, as far as time goes. Mayor Kobasuk said it is him – that he has to sign the timesheets. Mr. Drescher said all he would like for Chief Synan to do is fill out a timesheet. He said every other employee does it. Mayor Kobasuk said it's nothing personal and does not see why it's a problem to record his time. Chief Synan said it's about trust – does Council trust him for the thirty years working for the Village, eighteen as Police Chief. He said it's really up to Council - Council sets policy – there's been no issue whatsoever – he said he doesn't take extra time off and is on call 24/7. Chief Synan asked if he was doing something he isn't supposed to be doing. Mayor Kobasuk said it is not about trust – he as mayor would feel more comfortable signing a timesheet that has been filled out. Mayor Kobasuk asked Solicitor Supinger if the mayor can demand timesheets. Solicitor Supinger said the mayor oversees the police department. After further discussion, Solicitor Supinger told Police Synan this is the Village of Newtown wanting to make sure they have a full-time Police Chief – she told Tom it's not about him, nor Chuck....it's about the Village!

## LEGISLATION

### Ordinance, Amending Personnel Policies

Mayor Kobasuk said the change is about the two exempt employees being required to record their time, as explained by Solicitor Supinger. Amends policy manual in order to amend Sections 4.01 and 4.07 to clarify the need for all employees to maintain accurate time sheets of time worked.

**Mr. Drescher made a motion to suspend the rules, seconded by Mr. Fairley. All Aye. Roll Call: Mr. Drescher-Yes, Ms. Boone-Yes, Mr. Fairley-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes, Ms. Donohue-Yes. Motion Carried.**

**Mr. Drescher made a motion to adopt ORDINANCE NO. 05-2024 AN ORDINANCE AMENDING PERSONNEL POLICIES AND PROCEDURES MANUAL. Mr. Fairley seconded the motion. Roll Call: Mr. Drescher-Yes, Ms. Boone-Yes, Mr. Fairley-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes, Ms. Donohue-Yes. Motion Carried.**

### First Reading Ordinance, Appropriations for Current Expenses

**Mr. Fairley made a motion to have a First Reading of AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF NEWTOWN DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024.**

Project List (Annual) Mr. Fairley discussed some of the larger projects which are paving, etc. Moundview Septic System is also a large project and expense. Project list items are normally projects that are not routine.

### Resolution, Agreement w/CT Consultants, Inc.

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

**Mr. Fairley made a motion to adopt RESOLUTION NO. 05-2024 A RESOLUTION APPROVING AN AGREEMENT WITH CT CONSULTANTS, INC. FOR PROFESSIONAL SERVICES. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes, Mr. Drescher-Yes, Ms. Boone-Yes, Ms. Donohue-Yes. All Aye. Motion Carried.**

Resolution, Contract w/Wessling Tree Service

This contract is for the removal of trees and brush as part of the McCullough's Run Project. Wessling Tree Service, LLC submitted the lowest and best proposal in the amount of \$26,200.00

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

**Ms. Quallen made a motion to adopt RESOLUTION 06-2024 A RESOLUTION APPROVING A CONTRACT WITH WESSLING TREE SERVICE, LLC FOR TREE REMOVAL SERVICES. Ms. Boone seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes, Mr. Drescher-Yes, Ms. Boone-Yes, Ms. Donohue-Yes. All Aye. Motion Carried.**

New Business

Council Checklist

**Mr. Fairley made a motion to approve the 2/13/2024 Council Checklist for \$364,093.53. Mr. Drescher seconded the motion. All Aye. Motion Carried.**

**Ms. Quallen made a motion to adjourn at 6:38pm; seconded by Mr. Schwab. Meeting Adjourned.**

Executive Session

**Council adjourned at 6:53pm to enter into Executive Session to discuss compensation of public employees and the sale of Village-owned property – Pursuant to Sections 121.22(G)(1) and 121.22(G)(2). Ms. Quallen made the motion, seconded by Mr. Schwab. Roll Call: Ms. Quallen-Yes, Mr. Schwab-Yes, Mr. Drescher-Yes, Mr. Fairley-Yes, Ms. Boone-Yes, Ms. Donohue-Yes. Motion Carried.**

Council reconvened at 7:44pm making the following motion:

Ordinance, 2024 Salary

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

**Ms. Donohue made a motion to adopt ORDINANCE NO. 06-2024 AN ORDINANCE ESTABLISHING SALARIES FOR VILLAGE PERSONNEL AND DECLARING AN EMERGENCY. Ms. Quallen seconded the motion. Roll Call: Ms. Quallen-Yes, Mr. Schwab-Yes, Mr. Drescher-Yes, Mr. Fairley-Yes, Ms. Boone-Yes, Ms. Donohue-Yes. Motion Carried.**

Mr. Fairley made a motion to adjourn at 7:47pm, seconded by Ms. Quallen. All Aye. Motion Carried.

Transcribed by Becky Fairley