

Call to Order/Pledge of Allegiance/Attendance

The August 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 (excused)
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 adopt the regularly-scheduled 07/09.2024 Council Minutes, seconded by Ms. Quallen. All Aye. Motion Carried.

SPECIAL PRESENTATIONS

Engineering Report, submitted by CT Consultants Engineering September 3, 2024

1. Church Street – Funded

- Design work is approaching completion.
- CT will meet with Village staff to review plans in the upcoming month and discuss when bidding will occur.

2. Little Dry Run – MRF Funded, Seeking OPWC Funding

- The County has approved Municipal Road Funds in the amount of \$175,000. A 50% funding match was applied for- the total project estimate is \$337,000.
 - i. Recommending 30% request. Would leave the Village with 20%.
- CT has evaluated the possibility of OPWC funding and has determined it warranted.
- The application for OPWC is due September 27, 2024.
- The project would resurface Little Dry Run from SR 32 to the Village Corp Limit.

3. McCullough's Run – Under Construction

- Mobilization began July 28 with work being scheduled to complete October 4, 2024.
- The Village has asked for additional observation time and we currently are set for twice a week to visit the site.

4. Moundview Park Sanitary Sewer – Awarded

- Council awarded the Contract to Ashcraft Contracting, Inc.
- The Contractor is working to obtain the appropriate permits through the County.
- Once the permit is issued, a schedule for completion of the project will be issued.

5. Eastern Corridor Project – No Update

- OKI Application was submitted by the deadline on June 7.
- OKI received 18 applications that totaled \$74M in requests. They have \$29M in this round available for funding projects.
- It is anticipated that priority projects will be announced at their September meeting.
- 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 – Design Phase

- CT met with Hamilton County Garage and have preliminary approval to place a dry well on their site and Hamilton County is preparing a intergovernmental agreement to that end that Council will need to consider.
- CT is working on calculations for sizing of the dry well.

7. General Engineering

- Staff has reviewed plans associated with the MVCA parking lot and prepared to review any information provided by MVCA to correct the issues identified.
- Staff reviewed drainage calculations for proposed condominiums on Main Street
- Staff reviewed preliminary plan documents for a proposed 20 lot subdivision and associated connection to Jefferson Avenue and attended the planning commission meeting at which the plans were approved.

Energy Alliances – Electric & Gas Aggregation Program Update

Rich Surace, Chief Operating Officer talked about the Natural Gas Update and Aggregation program. For additional current information, please go to: energyalliances.com/newtown.

Audience Participation (3-minute limit - per person)

Mayor Kobasuk was prepared to read a statement since there was a disruption at the last council meeting. It is a felony to disrupt a public meeting and we can't have that like we had at the last meeting.

Ongoing Issue w/Police and Council

Ed Wolfer, resident and business owner, 3458 River Hills Drive. Mr. Wolfer said to Ms. Donohue that she along with Jeff Drescher must not like Evans to have voted “no” on giving Evans the contract for McCullough’s Run. Ms. Donohue said that was correct but she voted no because she didn’t feel like he was the best person for the job because his bid was lowest. She said Mr. Evans having a felony against his business had nothing to do with her vote. Mr. Wolfer said he had been threatened with a felony for the rest of his life by “Tommy,” Police Chief Synan because his lying cop Spencer lied on a search warrant and then they didn’t find anything. He asked Ms. Donohue to be his liaison since she didn’t like people much that get felonies. Mayor Kobasuk told Ms. Donohue she didn’t have to dialogue. Mr. Wolfer asked Council if they read the letter he asked Keri to email - about a picture of Chief Synan bragging on how he carried a gun with the brain of a 15-year-old. Mr. Wolfer said something needs to be done bragging like that – he’s making everyone down here look like a fool.

MAYOR CLOSED AUDIENCE PARTICIPATION AT 6:22PM

MAYOR AND COUNCIL MEMBER REPORTS:

Mayor’s Report

Anderson Insights

Mayor Kobasuk called to everyone’s attention – in the August 2024 issue of Anderson Insights, Anderson will be running a Public Safety Levy (3.3 mills) on the Fall Ballot on November 5, 2024. The issue can be located on Anderson’s website – the article explains the fire and police expenses they have. The monthly increase in taxes based on a \$200,000 home for 3.3 mills is \$19.25.

Planning Commission (Mayor Kobasuk)

Planning will meet 8/22/2024 at 6pm. Solicitor Supinger said this is considered a working meeting, not a public hearing. Case: 3237 Church Street – R-FT Residential Two Family. James Watson, Executive Vice President of McGill Smith Punshon and representing John Henry Homes is requesting preliminary plan approval of the Planning Commission for a 20-lot subdivision. Approximate cost of homes will be \$700,000.

Council Members Report:

July 2024 Finance Packet (Mr. Fairley)

With 58% of the year lapsed, the revenues in the General Fund are up 62%. Departments remain below their budgeted amount. Municipal Tax Collections are currently at \$860,000 – we are pacing very well – a little above 2022.

Mr. Fairley made a motion to accept the July 2024 Finance Packet presented to Council. Mr. Drescher seconded the motion. All Aye. Motion Carried.

Building Rules (Mr. Fairley)

At the March meeting, Solicitor Supinger had prepared an Ordinance establishing Building Rules – this was tabled by Mr. Fairley and Council for more consideration. The ordinance is on tonight’s agenda for Council to reconsider bringing the Ordinance back to the table for a possible vote.

Solicitor Supinger said Section A under V. Noise and Misconduct – Section A states visitors are expected to be respectful of Village staff time. That the buildings are open to the public for purposes of conducting Village-related business. – The rules address issues that give the Village employees that work in the building every day and law enforcement the ability to control what has somewhat been unfettered access to the Municipal Building.

Maintenance Report for August (Ms. Quallen)

Ms. Quallen said Maintenance is busy preparing for the fall – they were active with the recent Summerfest and 5K Race.

ATFD Report (Mr. Drescher)

The majority of calls in Newtown were EMS calls – we are waiting to hear back from Anderson regarding the contract.

Police Department Report (Mr. Drescher)

Report is thorough – Mr. Drescher said he likes the fact that the officers are receiving a lot of various training. Mr. Drescher thanked Ms. Boone for working with the Police Department on finalizing a report format that pleased everyone. The new cruiser is currently being outfitted with lights and equipment.

Chief Synan talked about the recent dog attack where a Pitbull a resident was fostering left the resident and County Deputy Haze Irwin injured. Chief Synan publicly acknowledged Officers James Campbell and Dylan Muhammed and ATFD for their quick response to a severe and grotesque scene and situation. The resident received over 100 stitches.

Planning Commission Update (Mr. Schwab)

The next meeting will take place on 8/22/2024 at 6pm – as stated by Mayor Kobasuk earlier – this involves the 6.95 acres next to St. John Fisher Catholic church.

Summerfest Update (Ms. Donohue)

Ms. Donohue gave the update in the absence of Ms. Boone. The first Summerfest event was held on August 3rd from 4-10pm. The Naked Karate Girls were a big hit! It is estimated that 1-2,000 people attended – the committee came in \$600 under budget are already planning Summerfest 2025! Mr. Fairley said everyone did an outstanding job – the event was one for the records!

Village Solicitor's Report

Solicitor Supinger asked for an Executive Session at the end of the Council meeting.

Legislation

Resolution Cincinnati United Soccer Club

Cincinnati United Soccer Club rents space at Short Park annually for their soccer practice.

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

Mr. Fairley made a motion to adopt RESOLUTION NO. 28-2024 A RESOLUTION APPROVING AN AGREEMENT WITH CINCINNATI UNITED SOCCER CLUB FOR USE OF ATHLETIC FIELDS. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes. Motion Carried.

Resolution, Board of Hamilton County Commissioners – Little Dry Run Road Project

These funds are to cover a portion of the cost of Little Dry Run Road – Newtown has filed w/the County Engineer a copy of the preliminary plans and estimate of cost of such improvement.

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. 29-2024 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT BETWEEN THE VILLAGE OF NEWTOWN AND THE BOARD OF HAMILTON COUNTY COMMISSIONERS, RELATIVE TO THE IMPROVEMENT OF LITTLE DRY RUN ROAD. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes. Motion Carried.

Resolution, Board of County Commissioners – Community Revitalization Grant

Newtown was awarded a Community Revitalization Grant by the Board of County Commissioners of Hamilton County (\$50,000) for an economic development project, including upgrading traffic signal technology for a major regional throughfare in Newtown.

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

Mr. Schwab made a motion to adopt RESOLUTION NO. 30-2024 A RESOLUTION APPROVING A JOINT AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS, HAMILTON COUNTY, OHIO TO ADMINISTER A COMMUNITY REVITALIZATION GRANT AWARDED FOR INFRASTRUCTURE. Ms. Quallen seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes. Motion Carried.

Resolution, OPWC – Capital Improvements to Little Dry Run Road

Newtown is planning certain capital improvements to Little Dry Run Road – a priority need for the community that qualifies under the OPWC programs.

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

Mr. Schwab made a motion to adopt RESOLUTION NO. 31-2024 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. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes. Motion Carried.

Resolution, Ashcraft Contracting – Moundview Park Septic System Project

The Village accepted a bid of \$94,982.00 by Ashcraft Contracting for the Moundview Park Septic System Project.

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

Mr. Drescher made a motion to adopt RESOLUTION NO. 32-2024 A RESOLUTION APPROVING A CONTRACT WITH ASHCRAFT CONTRACTING FOR THE MOUNDVIEW PARK SEPTIC SYSTEM PROJECT IN THE VILLAGE OF NEWTOWN. Mr. Fairley seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes. Motion Carried.

Ordinance Amending 2024 Permanent Appropriations

Council desires to amend 2024 permanent appropriations for the calendar year ending December 31, 2024.

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

Mr. Fairley made a motion to adopt ORDINANCE NO. 14-2024 AN ORDINANCE AMENDING 2024 PERMANENT APPROPRIATIONS FOR CALENDAR YEAR ENDING DECEMBER 31, 2024. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes. Motion Carried.

Ordinance, Adopting Building Rules

In order to provide for the efficient and orderly operation of Village facilities and ensure the safety of Village employees, Council desires to adopt Building Rules to govern the use of the Municipal Center and Police Station.

Mr. Fairley made a motion to retable the Ordinance that was tabled at the 3.12.2024 Council Meeting. Mr. Schwab seconded the motion. All Aye. Motion Carried.

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

Mr. Fairley made a motion to adopt ORDINANCE NO. 15-2024 AN ORDINANCE ADOPTING BUILDING RULES FOR THE MUNICIPAL CENTER AND POLICE STATION AND DECLARING AN EMERGENCY. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes. Motion Carried.

Ordinance, Second Reading - Regulation Operating Golf Carts

Section 4511.215 of the Ohio Revised Code authorizes municipalities to adopt regulations that would permit and regulate the operation of golf carts and utility vehicles on public roads within its jurisdiction.

A Second Reading of AN ORDINANCE TO PERMIT AND REGULATE THE OPERATION OF CERTAIN GOLF CARTS AND UTILITY VEHICLES IN THE VILLAGE OF NEWTOWN, OHIO.

New Business

Council Checklist

Mr. Fairley made a motion to approve the 8/13/2024 Council Checklist for \$309,581.37. Mr. Schwab seconded the motion. All Aye. Motion Carried.

Executive Session

Mr. Fairley made a motion to convene at 6:52pm and enter into Executive Session under Section 121.22(G)(2) of the Ohio Revised Code to discuss the sale of public property. Mr. Drescher seconded the motion. Roll Call: Mr. Fairley-Yes, Mr. Drescher-Yes, Ms. Donohue-Yes, Mr. Schwab-Yes, Ms. Quallen-Yes. Motion Carried.

Council reconvened at 7:17pm – no action was taken.

Mr. Fairley made a motion to adjourn, seconded by Ms. Quallen. All Aye. Motion Carried.

Transcribed by Becky Fairley