

The January 11, 2011 meeting of the Newtown Village Council was called to order at 7:00 p.m. by Mayor Curt Cosby, who led the Pledge of Allegiance to the Flag.

Councilmembers: Brian Burns Mark Kobasuk
Doug Evans Curt Tiettmeyer
Joe Harten Daryl Zornes

Solicitor: Doug Miller

Fiscal Officer: Keri Everett

Police Chief: Tom Synan

Mayor Cosby wished everyone a Happy New Year.

2010 Police Officer of the Year

Police Chief Synan presented Police Officer Spencer Bischoff as the 2010 Officer of the Year. Chief Synan cited the many accomplishments of Officer Bischoff and also complimented the entire department. Officer Bischoff has served Newtown residents and business owners proudly for 8.5 years. Mayor, Council and members of the audience congratulated Officer Bischoff. Officer Bischoff thanked everyone for their support.

Ivy Hills Reserve

Mayor Cosby spoke to a letter received from the property manager of Ivy Hills Reserve inquiring about the status of the "No Parking" signage. The "No Parking" signage would limit parking to one side of the street within their community. Mayor Cosby has been in discussion with Village Engineer Bruce Brandstetter and is waiting on a report from the engineer. Mayor Cosby discussed posting the signs possibly on the side of the street where the fire hydrants are located. In an effort to not clutter the neighborhood with too many "No Parking" signs, he discussed posting a "No Parking" sign at each entrance. Chief Synan said the police department will be able to enforce the parking if the signs are posted on a dedicated area. Solicitor Miller mentioned that there is a Manual of Uniform Traffic that may require the signs to be a certain distance between each other if tickets are to be written. Mr. Brandstetter will include in his report the amount of distance other communities have between their signs. An ordinance will need to be adopted, per Solicitor Miller.

2011 Vice Mayor and Council Committees

Vice Mayor and Council Committees need to be chosen for 2011. Mayor Cosby asked Council to review their current committees and email any desired changes to him.

Police Department

The police department's fuel expense for 2010 was a little over \$19,000. The Fuel Reimbursement/Equipment Reimbursement Line, implemented last year, reimbursed a little more than \$14,000. Therefore, the cost to the taxpayers was around \$5,100, explained Chief Synan. He said around \$7,000 was brought in for the Equipment Reimbursement Line. Chief Synan reiterated the intent of the program was to offset expenses that we would not have had prior to implementing these lines.

Maintenance Department

Mayor Cosby thanked the maintenance department for keeping the roads safe and clear from the recent snow. Originally, 300 tons of salt was ordered through the county bid; Mr. Dickerson reported to date 180 tons have been used. Mr. Dickerson will order more salt once we get below 50 tons. Mayor Cosby said one of the dump trucks rear end recently was in need of repair and Mr. Dickerson made the repairs, saving the village about \$2,800.

Checklist

Mr. Tiettmeyer made a motion to approve Checklist dated 01-11-2011 for \$130,595.51. Mr. Harten seconded the motion. All Aye. (Mr. Burns Absent) Motion Carried.

Resolution Approving CRA for Meridian Bioscience Inc.

At the 12-14-2010 Council meeting, Council reviewed a CRA application submitted by Meridian Bioscience Inc. for their new location at 7007 Valley Avenue.

Mr. Tiettmeyer made a motion to suspend the rules, seconded by Mr. Kobasuk. All Aye. (Mr. Burns-Absent) Motion Carried.

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 01-2011 A RESOLUTION APPROVING COMMUNITY REINVESTMENT AREA INCENTIVE RECOMMENDATIONS FOR THE MERIDIAN BIOSCIENCE INC., PROJECT AT 7007 VALLEY AVENUE IN THE VILLAGE OF NEWTOWN, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes, Mr. Burns-Absent. Motion Carried.

A Company Agreement has been entered into between the Village of Newtown and Meridian Bioscience Inc. This agreement is attached to the resolution.

Resolution Approving Temporary Appropriations 2011

Mr. Tiettmeyer made a motion to suspend the rules, seconded by Mr. Zornes. All Aye. Mr. Burns-Absent. Motion Carried.

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 02-2011 A RESOLUTION APPROVING THE VILLAGE TEMPORARY APPROPRIATIONS FOR 2011, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes, Mr. Burns-Absent. Motion Carried.

Resolution Approving Supplemental Appropriations 2010

Mr. Tiettmeyer made a motion to suspend the rules, seconded by Mr. Harten. All Aye. Mr. Burns-Absent. Motion Carried.

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 03-2011 A RESOLUTION APPROVING SUPPLEMENTAL APPROPRIATIONS FOR CALENDAR YEAR 2010 AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2010, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes, Mr. Burns-Absent. Motion Carried.

Storm Water Services Agreement

Hamilton County Storm Water District, administered by Hamilton County Engineers office, proposes to return \$2,000 of the annual storm water fees collected from our jurisdiction if the village provides an inventory of drainage issues. Discussion will continue at the 1-25-11 Council meeting. (Deadline 4-1-11)

Finance Committee

The Finance Committee will meet Monday, January 24th at 6pm. Finance Committee members are: Curt Tiettmeyer (chairman), Mark Kobasuk, Daryl Zornes and Fiscal Officer Keri Everett.

Council Minutes

Mr. Zornes made a motion to approve the 12-14-2010 Council Minutes, seconded by Mr. Kobasuk. All Aye. (Mr. Burns-Absent) Motion Carried.

Mr. Zornes made a motion to approve the 12-16-2010 Special Council Minutes, seconded by Mr. Harten. All Aye. (Mr. Burns-Absent) Motion Carried. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes, Mr. Burns-Absent. Motion Carried.

Resolution Approving Liability Insurance

Mr. Zornes made a motion to suspend the rules, seconded by Mr. Kobasuk. All Aye. (Mr. Burns-Absent) Motion Carried.

Mr. Zornes made a motion to adopt RESOLUTION NO. 04-2011 A RESOLUTION APPROVING A CONTRACT FOR LIABILITY INSURANCE WITH THE OHIO PLAN, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Harten seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes, Mr. Burns-Absent. Motion Carried.

Ordinance Appointing Street Commissioner

Mr. Evans commented on Street Commissioner Ron Dickerson's job performance. He has also done a nice job caring for the equipment.

Mr. Evans made a motion to suspend the rules, seconded by Mr. Kobasuk. All Aye. (Mr. Burns-Absent) Motion Carried.

Mr. Evans made a motion to adopt ORDINANCE NO. 01-2011 AN ORDINANCE APPOINTING A STREET COMMISSIONER AND CEMETERY SEXTON IN THE VILLAGE OF NEWTOWN, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes, Mr. Burns-Absent. Motion Carried.

Fire Board Update

The pre-bid meeting was held last week; bids are due January 18, 2011. The Fire Board plans on approving a contract in February. Completion date of project is November 2011, reported Mr. Kobasuk.

Little Miami Fire Board

Mr. Kobasuk, Chairman of Public Safety Committee and resident Terry Fairley currently serve on the Little Miami Fire Board. Mr. Kobasuk said Mr. Fairley has served admirably in the past and would like to make a motion to appoint Mr. Fairley to serve for 2011.

Mr. Kobasuk made a motion to appoint Terry Fairley, resident-at-large, to the Little Miami Fire Board. Mr. Zornes seconded the motion. All Aye. (Mr. Burns-Absent) Motion Carried.

Potential Properties

Mayor and Council are considering several local sites for possible future expansion.

RESOLUTIONS

The following resolutions relate to the purchase of police cruisers, which has been approved through the Finance Committee. Mr. Kobasuk said no more police cruisers will be purchased until 2013.

Resolution Authorizing Contract Gollings Arena Dodge

Mr. Kobasuk made a motion to suspend the rules, seconded by Mr. Zornes. All Aye. (Mr. Burns-Absent) Motion Carried.

Mr. Kobasuk made a motion to adopt RESOLUTION NO. 05-2011 A RESOLUTION AUTHORIZING A CONTRACT WITH GOLLING'S ARENA DODGE FOR POLICE CRUISERS, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes, Mr. Burns-Absent. Motion Carried.

Resolution Authorizing Contract with Mobilcomm

Mr. Kobasuk made a motion to suspend the rules, seconded by Mr. Tiettmeyer. All Aye. (Mr. Burns-Absent) Motion Carried.

Mr. Kobasuk made a motion to adopt RESOLUTION NO. 06-2011 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH MOBILCOMM FOR THE PURCHASE OF POLICE VEHICLE EQUIPMENT, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes, Mr. Burns-Absent. Motion Carried.

Ordinance Declaring Old Police Cruisers as Surplus

Mr. Kobasuk made a motion to suspend the rules, seconded by Mr. Tiettmeyer. All Aye. (Mr. Burns-Absent) Motion Carried.

Mr. Kobasuk made a motion to adopt ORDINANCE NO. 02-2011 AN ORDINANCE DECLARING PERSONAL PROPERTY AS SURPLUS, AUTHORIZING ITS DISPOSITION, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes, Mr. Burns-Absent. Motion Carried.

Newtown Methodist Church Parking Lease

Mr. Kobasuk had a discussion today with a member of the Church Council regarding the parking lot lease. Mr. Kobasuk presented Council with a proposal from the Newtown United Methodist Church. The terms of the proposal are listed below:

1. 25% decrease from \$6,600 to \$5,000 for 2011 lease
2. 2012 lease would be \$5,000
3. 2013 lease would be \$5,500
4. 2011 lease to be paid immediately
5. 2011 Church is going to reconfigure the parking lot, which is non-negotiable

Mr. Kobasuk explained that the church plans on adding add curb stops along the property boundary allowing an additional six cars to be parked perpendicular to the building. There would be two rows of cars parked perpendicular. Reconfiguring the parking lot in this fashion would take away the utility of utilizing the parking area. Mayor Cosby agreed that a master plan needs to be developed for the future. Town Hall does not conform to the Village Zoning Code for parking; Mayor Cosby said we will need to find a way to bring it into code as far as parking spaces.

Mayor Cosby said we need to consider all options and formulate a plan for the future. Mr. Kobasuk suggested reaching out to the residents for input from the community as to where they would like the core center. He spoke of the high property taxes and possible school levy in the near future. Mayor Cosby said he wasn't thinking of raising taxes. Mr. Kobasuk said his personal view is we do not have the money to do a lot of reconfiguring to the village without some kind of levy. Mayor Cosby suggested first just exploring all options. Solicitor Miller spoke of the taxes that are being abated through the Community Reinvestment Area. He discussed potentially TIFing the other half of the taxes, which would be used for municipal parking. Tax Increment Financing (TIF) is an economic development mechanism available to local governments in Ohio to finance public infrastructure improvements and, in certain circumstances, residential rehabilitation. A TIF works by locking in the taxable worth of real property at the value it holds at the time the authorizing legislation was approved. Solicitor Miller will look into the TIF, per Mayor and Council.

Mr. Kobasuk asked Council how they felt about the parking lease. Mr. Kobasuk said he has heard that it is an inconvenience for residents and visitors to park elsewhere when doing daily business at the Village Office. Chief Synan said it really is a hardship with day-to-day operations, but if the church is going to install barricades across the parking lot, that will create safety issues with emergency equipment. Mayor Cosby discussed this concern with Building and Zoning Commissioner Mike Spry. Mr. Spry is looking into the safety issue with this being a public building. Mr. Zornes said during inclement weather, the current parking situation is a hardship on the residents, but if the church is going to install barriers it is going to be

a moot point. Mr. Zornes said he doesn't think money should be wasted on leasing the parking lot if the church is going to install barriers in the parking lot. Mayor Cosby said we do need to make priority a feasible long-term plan.

Resolution Approving ODNR Application – Short Park Playground Equipment

Mr. Tiettmeyer made a motion to suspend the rules, seconded by Mr. Zornes. All Aye. (Mr. Burns-Absent) Motion Carried.

Mr. Tiettmeyer made a motion to approve RESOLUTION NO. 07-2011 A RESOLUTION APPROVING AND AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion.

Discussion

Mr. Tiettmeyer and Mayor Cosby had an earlier discussion regarding this application. This is similar to the ODNR application for playground equipment for Moundview Park. The expectation is that the Village will not be approved due to the delays with the Short Park Restrooms. However, if approved, the match would be 75/25. The Village would be responsible for 25%; estimated cost to the Village is \$12,500. Mayor Cosby said the previous playground equipment had been condemned by the insurance company and has been removed. Mayor Cosby said this isn't a bad deal and hopefully, it will be approved.

Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes, Mr. Burns-Absent. Motion Carried.

Ordinance, 2nd Reading, Zoning Code

Mr. Harten is Chairman of Newtown Planning Commission. The Planning Commission accepted and passed the proposed text for the Zoning Code to Council for final adoption on November 4, 2010. A First Reading of an Ordinance approving the Zoning Code was read at the 12-14-2010 Council meeting.

Mr. Harten made a motion to have a Second Reading adopting AN ORDINANCE APPROVING A ZONE TEXT AMENDMENT FOR THE VILLAGE OF NEWTOWN. Mr. Kobasuk seconded the motion. All Aye. (Mr. Burns-Absent) Motion Carried.

Mr. Harten made a motion to have a Third Reading adopting AN ORDINANCE APPROVING A ZONE TEXT AMENDMENT FOR THE VILLAGE OF NEWTOWN at the 1-25-2011 Council Meeting. Mr. Tiettmeyer seconded the motion. All Aye. (Mr. Burns-Absent) Motion Carried.

Martin Marietta Mining Update

Solicitor Miller said we are waiting to hear from the Judge on the motion from Martin Marietta that the communities do not have standing in the appeal. Our motion is the decision of the Anderson Township BZA was illegal and the whole case and decision should be thrown out.

Mr. Kobasuk made a motion to adjourn at 7:50pm, seconded by Mr. Evans.

Transcribed by Becky Fairley