

Less: School District 56.01%	(37,400.00)	
Annual TIF receipt	29,400.00	
Meridian Project	<u>Current Value</u>	<u>Tax</u>
Parcel 501-0003-0107-00	840,000.00	22,448.54
Projected improvement:	\$3,000,000.00	
Assessed value	1,050,000.00	
Effective tax rate	76.353014	
Tax	80,200.00	
1/2 exemption	(40,100.00)	
Available for TIF	40,100.00	
Less: School District 56.01%	(22,500.00)	
Annual TIF receipt	17,600.00	

If an agreement is entered into with the school district, up to 100% can be exempted for 30 years. If the school district is not involved, only 75% of the project can be exempted for ten years. If the Village does enter into agreement with the school district, typically, the agreements would be that the Village will pay the school district out of the TIF what they would have received anyway, explained Solicitor Miller.

To begin the TIF process, the school district must first be notified with description of the project. They have 45 business days to respond. If a vocational school is in the district, they are notified of the TIF, but no agreement is made with them. The Village would then pass legislation stating the specifics of the TIF listing the public improvements that are necessary as a result of the developments. Application for exemption would be made the year after the legislation is passed because the taxes for the year in which the legislation is passed have to be paid prior to making application, explained Solicitor Miller. The process is followed for each separate project.

Ivy Hills Country Club was a successful TIF for the Village in the mid-late 80's. The Village borrowed money; improvements were Little Dry Run and water and sewer. Solicitor Miller said the development was such a success that the bonds were paid off ten years early.

After more discussion, Council agreed to proceed with the TIF process, choosing to reimburse the schools. Solicitor Miller will get the notice out to the schools and prepare a proposed agreement. Solicitor Miller said the TIF would apply to the 50% of the projects that have not been granted abatement.

Mr. Tiettmeyer made a motion to proceed with the above TIF projects outlined by Solicitor Miller, authorizing Solicitor Miller to move forward with notifying the school districts. Mr. Kobasuk seconded the motion. All Aye. (Mr. Evans-Absent) Motion Carried.

Maintenance Department

Street Commissioner ordered 300 tons of salt for the 2010-2011 winter season. Due to record snowfall this year, Mr. Dickerson ordered an additional 200 tons of salt from Cargill Salt, at the direction of Mr. Evans. The cost per ton is \$68.42 with a total of \$13,684. Mayor and Council thanked the maintenance department for their efforts in keeping the roads safe this season.

Checklist 1-25-2011

Mr. Tiettmeyer made a motion to approve the Checklist dated 1-25-2011, total \$53,953.27, seconded by Mr. Zornes.

Discussion

Mr. Tiettmeyer pointed out Check No. 9476 to the Bureau of Worker's Compensation is in the amount of \$26,328.03, which is close to half of the expense for 2010.

All Aye. (Mr. Evans-Absent) Motion Carried.

Finance Committee Update

The Finance Committee met last night and discussed the final numbers for the 2010 budget. Taking several events into consideration, we ended up with an additional \$82,000 surplus. The committee also took a preliminary look at the 2011 Appropriations. Mr. Tiettmeyer said the Finance Committee will meet

Tuesday, February 1, 2011 at 6:30pm. The committee will present the first reading of a resolution for the 2011 Appropriations to Council at the 2-8-2011 Council meeting.

Storm Water Services Agreement

Mr. Dickerson has reviewed the information submitted by Hamilton County Storm Water District, administered by Hamilton County Engineers office. Mr. Dickerson will look into having a GIS map of the flood plain area created, estimated at \$100 or less. Mr. Tiettmeyer said Engineer Bruce Brandstetter would like to review the information before a recommendation will be made to Council at the 2-8-2011 Council meeting. Solicitor Miller will prepare a resolution for the 2-8-2011 Council meeting.

Ordinance for Legal Counsel

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

Mr. Tiettmeyer made a motion to adopt ORDINANCE NO. 03-2011 AN ORDINANCE PROVIDING FOR THE EMPLOYMENT AND COMPENSATION OF LEGAL COUNSEL, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Burns seconded the motion.

Discussion

Mr. Kobasuk asked if the 2011 rates for legal counsel would remain the same as 2010. Solicitor Miller said, yes the rates for 2011 remain the same.

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

Solicitor Miller thanked Council.

01-11-2011 Council Minutes

Mr. Zornes made a motion to approve the 01-11-2011 Council Minutes, seconded by Mr. Tiettmeyer. All Aye. (Mr. Evans-Absent) Motion Carried.

Human Resource Committee

Mr. Zornes, Chairman of the HR Committee said the committee will meet 02-01-2011 at 6:00pm. Employee compensation/budget for salary increases will be discussed.

Resolution Hiring Independent Governmental Consultant

Susan Pride, an independent governmental affairs consultant, has worked for the Village of Newtown in the past and has contracted with various municipalities to audit the Bureau of Motor Vehicles records and correct the registrations to allow the municipalities to correctly collect the lost revenue fees. Mr. Kobasuk stated that these services are provided on a contingency-fee basis at \$3.00 per vehicle. The Village is not out-of-pocket; we gain money.

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

Mr. Kobasuk made a motion to adopt RESOLUTION NO. 08-2011 A RESOLUTION AUTHORIZING HIRING SUSAN PRIDE AS AN INDEPENDENT GOVERNMENTAL AFFAIRS CONSULTANT, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Burns seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Evans-Absent. Motion Carried.

Mayor's Monthly Statement to Council

Mr. Kobasuk made a motion to approve the December 2010 Mayor's Monthly Statement to Council. Mr. Burns seconded the motion. All Aye. (Mr. Evans-Absent) Motion Carried.

Ordinance Adopting Ohio Basic Code 2011 Edition

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

Mr. Kobasuk made a motion to adopt ORDINANCE NO. 04-2011 AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2011 EDITION, AS THE CODE OF ORDINANCES FOR THE VILLAGE OF NEWTOWN, OHIO, 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. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Evans-Absent. Motion Carried.

Martin Marietta Update

Solicitor Miller explained, the magistrate ruled that Indian Hill, Terrace Park and Newtown did not have standing because they did not have a sufficient, independent interest. Solicitor Miller said we totally disagree and if nothing else, no one else is responsible for taking care of the roads around the project than the Village of Newtown, Terrace Park or Indian Hills. Objections have been filed; the other side has ten days to reply. Solicitor Miller is hopeful the magistrate's ruling will be overruled. The magistrate also ruled against our motion to vacate the decision of the BZA, based on what legal counsel thought was a good case of what should have been a rezoning and not a BZA case. And what counsel thinks is a violation of their zoning code that the BZA is not allowed to grant a variance for. Legal counsel for the three communities also objected to this and will be arguing that issue, stated Solicitor Miller. Solicitor Miller said even if the three villages were to be thrown out, that shouldn't be the end of the case because there are sixty other appellants, represented by Tim Mara, that are still in the case. He said we could still lend moral support to the appellants if the case goes on, but we would much prefer to be an actual party in the appeal.

Council Committees for 2011

Mr. Burns made a motion to approve Council Committees for 2011. Council members will retain their council committee seats. Mr. Harten seconded the motion. All Aye. (Mr. Evans-Absent) Motion Carried.

Vice Mayor

Mr. Burns said he would be happy to retain the seat of Vice Mayor. Mayor Cosby said that would be fine; it is Council's decision. He said Mr. Zornes has expressed interest. Mr. Burns said he would be happy to nominate Mr. Zornes.

Mr. Burns made a motion to appoint Daryl Zornes as the 2011 Vice Mayor. Mr. Harten seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Abstain, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Evans-Absent. Motion Carried.

Ordinance Approving Zone Text Amendment

Mr. Harten made a motion to have a Third Reading and approve ORDINANCE NO. 05-2011 AN ORDINANCE APPROVING A ZONE TEXT AMENDMENT FOR THE VILLAGE OF NEWTOWN. Mr. Burns seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Evans-Absent. Motion Carried.

The Zoning Ordinance will not take effect for thirty days, February 24, 2011, stated Solicitor Miller.

Planning Commission

The Planning Commission meets regularly the fourth Monday of the month at 7:00pm.

Mike Schmidt Case

Mr. Kobasuk asked Solicitor Miller for an update on the status of the Mike Schmidt case. Solicitor Miller said trial is set for April 25, 2011.

Mr. Zornes made a motion to adjourn at 7:45pm, seconded by Mr. Burns. Motion Carried.