

The June 14, 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

Ben Brandstetter, Brandstetter Carroll Inc. presented the following Engineering update:

Short Park Restroom

- Building delivered on 6/09/2011
- Electrical inspection 6/15/2011

Drake Street Bridge

- Bidding is complete; Ford Development is the lowest bidder at \$151,015, including the two addendums.
- Construction will take place July/August 2011.
 - Pending Duke Gas relocation
- Grant Closeout...October 2011
- Replace deck, repair abutments as required
- New deck elevation to be lower than existing
- Improved paving and drainage into Drake Street
- Construction zone limits on Main Street
- Coordinate with Fire, Police and Forest Hills Schools. Fire dept. will place apparatus at end of street during construction. One lane of traffic will be maintained during construction.

2011 Paving Program

- JK Meurer is low bidder at \$41,670

Mayor Cosby said he thought the unit price of \$41,670 would take care of the repairs needed at Short Park Restroom, also making it ADA compatible. Ben will discuss with JK Meurer.

• Scope of work:	
Church Street portion, near North Corporation line (MRF Grant is for \$17,000)	\$ 8,090
Little Dry Run Road near SR 32	33,580*
Little Dry Run Road – Basic Work	
Full Depth Pavement Repairs	\$ 8,000
Pavement Planning	3,885
Tack Coat	550
Asphalt Concrete Surface Course	<u>9,945</u>
	\$ 22,380*
*Will still need to do:	
Pavement Markings	\$ 2,000
Replace Loop Detector	<u>3,000</u>
	\$ 5,000

BCI sent HCEO an email to see if the remaining funds (\$9,000) can be used on Little Dry Run Road.

2012 OPWC Grant Application: Edith/Pine/Jefferson

Resolution will need to be prepared for the 8/09/2011 Council meeting.

Proposed Purchase of Little Miami Scenic Trail Easements

After reviewing the purchase contract for the acquisition, Solicitor Miller submitted changes to Hamilton County Park District. Solicitor Miller said the contract was a purchase contract and the HCPD is purchasing an easement, not the land. Mayor Cosby asked Solicitor Miller to convey to HCPD that he would like to see the proposed easement area staked before signing the contract. Mayor Cosby wants to see the limits marked to the permanent easement, where the path would go, and the temporary construction easement.

Potential Property Purchase

Mr. Tiettmeyer will first contact the owner to determine the interest level. If there is interest in selling, Mr. Tiettmeyer will bring back to Council and call for a Finance Committee meeting.

Checklist

Mr. Tiettmeyer made a motion to approve the 6-14-2011 Checklist, for \$61,388.27, seconded by Mr. Zornes.

Discussion

Mr. Kobasuk asked if the \$3,832.50 to Bricker & Eckler, LLP was the total amount owed for services. April 30, 2011 is the date of invoice and work was also done in May; therefore, another invoice will follow, per Solicitor Miller.

All Aye. Motion Carried.

2012 Village Budget

A Public Hearing for the 2012 Village Budget is tentatively set for June 28th at 7:00pm.

Council Minutes

Mr. Zornes made a motion to approve the 5-24-2011 Council Minutes, seconded by Mr. Tiettmeyer. All Aye. Motion Carried.

Human Resource Committee

The HR Committee will meet 7-6-2011 at 6:00pm to discuss 2012 employee coverage for dental, vision and life insurance.

Resolution Approving Drake Street Bridge Improvements

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

Mr. Evans made a motion to adopt RESOLUTION NO. 12-2011 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH FORD DEVELOPMENT FOR THE DRAKE STREET BRIDGE IMPROVEMENTS PROJECT, 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. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes. Motion Carried.

Resolution 2011 Paving Program

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

Mr. Evans made a motion to adopt RESOLUTION NO. 13-2011 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH JK MEURER FOR THE 2011 PAVING PROGRAM PROJECT, 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. Evans-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes. Motion Carried.

Mr. Evans made a motion to authorize the mayor and fiscal officer to enter into a contract with JK Meurer based on the same unit prices to do the pavement work at Short Park. All Aye. Motion Carried.

Parks Committee

Parks Committee met this evening. Trees located behind Moundview Park have been removed. These trees were brought to our attention from a neighbor living behind the park. The committee also added rates for shorter duration and long-term rentals. Rates will remain the same for the ATLL 2011 season. Solicitor Miller is reviewing the contract; Mr. Burns will have the contract for the 6-28-2011 Council Meeting.

Planning Commission

Mr. Harten reported that Planning Commission has begun discussion on solar energy and its implications of solar power panels for residential use. Currently, several businesses in the village are using solar panels for commercial use. John Russell will present appropriate rules and zoning language regarding solar energy. The next meeting is July 26th at 6:00pm.

Amended HB 153 – Village Zoning

Solicitor Miller spoke to zoning. Inserted into the Senate's version of the budget, is some language regarding fast food restaurants, basically, forbidding any municipality, township or county from passing any kind of regulations that would regulate a fast food operation. This is a new statute under the Health Department rules, written so broadly that a McDonalds could literally be in the middle of Ivy Hills subdivision and there is nothing the village could do about it, said Solicitor Miller. The Ohio Municipal League and the Township Association are working on having this removed from the bill. Solicitor Miller suggested contacting:

State Representative Peter Stautberg (34th District, House of Representatives) 77 S High Street, 11th floor, Columbus, Ohio 45215-6111, phone 614-644-6886 (Email: district34@ohr.state.oh.us)

State Senator Shannon Jones (7th District includes most of eastern Hamilton County and all of Warren County. 1 Capitol Square, Statehouse, Columbus, Ohio 43215, phone 614-466-9737 (Email: sd07@senatestate.oh.us)

Martin Marietta Mining Issue

Oral arguments on Martin Marietta for the objections to the referee's report were held yesterday. Judge Ruehlman will issue a decision by July 14th, stated Solicitor Miller.

Hydro Systems Inc.

Hydro Systems is under contract with Campeon Roofing. Solicitor Miller said they are in their due-diligence period; everything has checked out fine so far. Hydro is waiting on results from test boring samples for load limits; results should be in by the end of the month.

Mr. Evans made a motion to adjourn at 7:33pm, seconded by Mr. Kobasuk. Motion Carried.