

The September 27, 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 Chuck Short (participated after swearing-in ceremony)  
Joe Harten Curt Tiettmeyer  
Mark Kobasuk Daryl Zornes

**Solicitor:** Doug Miller

**Fiscal Officer:** Keri Everett

**Police Chief:** Tom Synan

#### Appointment of Councilman

**Brian Burns made a motion to appoint Chuck Short as Councilman serving the remainder of Doug Evans' 2011 term. Mr. Zornes seconded the motion. All Aye. Motion Carried.**

#### Swearing-in Ceremony

Chuck Short was sworn in as Councilman by Mayor Cosby. Mr. Short was appointed by Council to serve the remaining 2011 term; he is also on the Nov. 8<sup>th</sup> ballot running for councilman to serve 2012-2015.

#### Medal of Merit Award

Chief Synan presented Sgt. Jim Vontz with the Medal of Merit Award.

#### Planning Commission Opening – Get involved!

The Village of Newtown is seeking a citizen representative to the Planning Commission. This five-person Commission is responsible for reviewing proposed zoning amendments and conditional use applications, conducting site plan reviews, initiating zoning map changes, and reviewing the effectiveness and appropriateness of the Village's zoning code. Members include the Mayor, one member of Newtown Village Council, and three other residents appointed by the Mayor. Meetings typically occur on the last Monday of each month at 7:00pm at Village Hall. Interested persons should send a letter of interest to Mayor Curt Cosby stating their qualifications by October 15, 2011. You may email your letter of interest to ([ccosby@newtownohio.gov](mailto:ccosby@newtownohio.gov) or [bfairley@newtownohio.gov](mailto:bfairley@newtownohio.gov)) or mail to 3536 Church Street, Newtown, Ohio 45244.

#### Long-Term Long-Range Planning

John Russell has been serving on the Long-Term Long-Range Planning Committee. The committee has been discussing various aspects of how the Village could expand. Since the fire department will be vacating the existing fire house, the committee arrived on a plan consisting of moving administration facilities from the existing Town Hall to the vacated fire house and expanding the police department to occupy the current Town Hall. Mr. Russell has been charged taking the program that is in the process of finalizing and establishing a program of spaces and then a schematic design of both buildings. He is performing these tasks at no charge to the Village.

The Village currently has a grant request of \$300,000 from the Ohio Cultural Facilities Commission (OCFC), a clearinghouse for these types of grants, for a Native American Cultural Museum. The museum would primarily house various Indian artifacts that have been collected over the years. The Native American Cultural Museum would be available to the public during normal working hours. Mr. Russell has been appointed as the contact person and has been in discussion with various people from the Ohio Cultural Facilities Commission, including the Executive Director. They highly suggested the Village engage a museum consultant to help program the museum and display and the theme of the museum. Mr. Russell said the OCFC is concerned with how the Village plans on developing the museum, along the lines per the grant application. Mr. Russell will send a copy of the program to the Ohio Cultural Facilities Commission tomorrow, per their request.

Mr. Kobasuk said he was under the impression Mr. Russell was going to look at a possible construction of a new facility, in terms of the space that would be needed and the cost. Mr. Kobasuk said from his understanding, as a body, Council has not made the decision to make that transition. Mr. Kobasuk said as a councilmember, he thought Council was going to explore other avenues. He voiced his concern about the age of the current fire house, built in 1841 and asked if anyone had checked the structural

integrity of the building or the roof. Mr. Kobasuk said if he were buying a house he would hire a structural engineer or building inspector to assess the entire property. The fire department has raised issues about the condition of the building. Mr. Kobasuk said he thought it would be more prudent to engage an independent engineering firm under our current RFP process to assess the building and report to Council before we spend taxpayer's money on the building. Mr. Kobasuk said he would also like to see what the Village's needs are, square footage-wise, to construct a new building. A few people have voiced concerns to Mr. Kobasuk about the expenses of operating two older buildings. At a recent LMFD Fire Board meeting, Mr. Kobasuk asked the Little Miami Fire Board if there was enough land next to the new fire house at the E-check site and they were more than willing to allow Newtown to construct a new building on this property. An amount was not discussed. Mr. Kobasuk said he is not proposing a tax levy he just wants to make sure Council is doing the right thing looking at alternatives, as far as the building issue is concerned.

Mr. Tiettmeyer asked Mr. Russell if he had any concerns renovating and operating an old building. Mr. Russell said personally, he has no concern about the structure of the existing fire house; most of the issues have to do with the building code. Mr. Russell said the biggest issue as he sees it, is exit requirements must be addressed if anything is done with the upstairs. After more discussion, the following motion was made:

**Mr. Tiettmeyer made a motion to move forward with a modified version of our current RFP process for three qualified engineering firms, utilizing John Russell's assistance. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.**

Bruce Brandstetter will also give a reference of a structural engineering firm to Keri; she and Mr. Tiettmeyer will handle the RFP. Mr. Russell gave a ballpark of \$150-\$200/sq ft for new construction; more or less for renovation. Mr. Russell will proceed with the program for both buildings. Mr. Tiettmeyer asked Mr. Russell to explain the program. Mr. Russell explained that the program is spaces, a layout listing involving the spaces for both functions. Assign a size to it and then do a schematic layout of both buildings allocating the spaces in a rational way so they work.

**Mr. Tiettmeyer made a motion to reflect Council asking John Russell to continue with the program developments for both buildings to the extent described above. Mr. Harten seconded the motion. All Aye. Motion Carried.**

Mayor and Council thanked John Russell for continuing to work on the project outlined above.

Mr. Freeman has also been in discussion also with the Ohio Cultural Facilities Commission. The OCFC is concerned about the Village having someone to give guidance how to display the artifacts properly. They recommended teaming up with the Cincinnati Museum Center. The Executive Director of the Ohio Cultural Facilities Commission recently met with the Museum Center; they discussed this project and the Museum Center is willing to and interested in discussing this with the Village. Mr. Freeman will arrange a meeting with the Cincinnati Museum Center and Village representatives. The paperwork requested by the OPFC Board is due to the Board by Oct. 29<sup>th</sup>. Mr. Freeman said the goal have this case in front of the OCFC Board at their December meeting. He said this way the funds would be available to Newtown and secure going into 2012, which would allow the Village to begin construction in 2012. Every two years, OKI puts out requests for funding for the Transportation Improvement Program, which funds all transportation projects in the region. Mr. Freeman said this process is set to begin this fall; accepting applications in November, awarding funding to communities by May 2012. Mayor Cosby said this could be used to pave around Lake Barber and tie into the bike trail.

#### Shawn Baker, MVCA Headmaster

Mr. Baker thanked Mayor and Council for their leadership in Newtown. Mr. Baker said he looks forward to partnering with the Village in any capacity to further the betterment of Newtown. MVCA has enjoyed appreciates their involvement in WinterFest and other initiatives. Mr. Baker said he is a phone call away!

#### Larry Dodson – Moundview Community Center

Larry and Michele Dodson recently lost their 25 y/o daughter, Elizabeth Dodson; the Dodson family held an event at the Moundview Community Center to celebrate Beth's life. Mr. Dodson came to Council to express their appreciation for the service they received from the village employees. Mr. Dodson said they appreciated several discussions held with Becky, her kindness, helpful decorating tips and how she made

herself accessible beyond the call of duty. The morning of set-up, the Maintenance department also went beyond the call of duty assisting the Dodson's with unloading items for their event and setting up the concession area. Mr. Dodson said instead of sending a faceless email, he wanted to express his gratitude in person and let Council know about the dedicated employees the Village has working here. Mr. Dodson works for Anderson Township and realizes people may forget to say thank you and how people get lost in the day-to-day shuffle. Mr. Dodson said the Becky and the Maintenance department made a difficult time in their life as easy as possible. They enjoyed the facility at Moundview and commented that it was first class and beautiful! Mayor Cosby and Council thanked Mr. Dodson for taking the time to come before Council.

2012 Lenten Fish Fry: The Newtown Civic League will be sponsoring this year's fish fry. The Little Miami Fire District also plans to participate. The fish fry will be held at the old fire house, at 3537 Church Street. Friday Fish Frys will be held: February 24, March 2-30. There will be NO Fish Fry held Good Friday, April 6, 2012. ALL ARE WELCOME! If you would like to volunteer, please call Pauline Murrie at 513.474.1422.

Bruce Brandstetter, Project Status

1. 2011 Paving Program (11054)
  - Construction is complete
  - Additional work on Church Street per Change Order #2 to be completed by mid-October
  
2. Drake Street Bridge (10023)
  - Duke completed gas relocation w/o Sept. 19, 2011. Minor restoration remains.
  - Proposed Change Order to provide temporary shelter for fire equipment to be located south of McCullough's Run is \$6,593.50, if change order is approved.  
(Council denied change order for temporary shelter for fire truck.)
  
  - Requested Change Order to repair leaning base of Main Street wall.  
(About 150' back of street is to be paved. Swells (first 100') will be closed in as part of the \$151,015 project. New storm pipe to be installed, catch basins and new asphalt.)

OPWC Grant	.....	\$ 130,800.00
Village Match	.....	<u>87,200.00</u>
Total	.....	\$ 218,000.00

Trend Contract Bid ..... \$ 151,015.00

3. 2012 OPWC Grant Application: Edith/Pine/Jefferson (11007)
  - Application submitted mid September as follows:

OPWC	.....	\$ 556,770.00
Newtown	.....	<u>274,230.00</u>
Total	.....	\$ 831,000.00

**NOTE:** GCWW work estimated to be completed in conjunction with project, adds \$250,000 to \$280,000, paid for by GCWW. This will be done ahead of actual work on streets. Duke will need to lower gas main prior to construction of streets. If grant is awarded, improvements to Edith/Pine/Jefferson include lowering the streets, placing curb and gutters down below the front yards and paving roads and sidewalks on both sides. Total new utilities (gas, water, and storm) will be installed prior to beginning the project. The Village should be notified mid-December if project will be funded at the district level; if not funded at the district level there is a chance of small government funding, which we would not be notified until Spring 2012.

4. Lake Barber Access

This would consist of sidewalks across the front of the vacant lot at Round Bottom Road at Valley Avenue. Also a sidewalk back along the eastside of the property line to the existing asphalt trail around Lake Barber, and a parking lot at the end of Edwards Road on part of Doug Hall's property. And sidewalk from the end of the parking lot back to the east-end of the trail, which would include a pre-cast bridge that would go across the creek.

A Boundary Survey of the split off of the Hall property, a legal description and plat of the property given by Doug Hall and residual and a plat for what he has remaining. Berding Surveying quoted \$3,200. Topographic survey/Base map for Hall property parking lot, path/bridge to existing trail and access at Valley Ave., would cost \$2,500. Preliminary design \$6,600; final design \$9,800, which totals \$22,100. Fee and construction administration fee was not quoted by Mr. Brandstetter at this time since this will probably not go out to bid or be involved in construction. Mayor Cosby asked Mr. Brandstetter to speak to this tonight because some of this information is required to complete the agreement. Solicitor Miller told Mr. Brandstetter a legal description is needed of the walkway around the park (the existing asphalt path) as it goes through the Hall property since Mr. Hall is supposed to give the Village an easement. Ms. Everett said the Finance Committee needs to meet to discuss these expenses first.

Finance Committee: The committee will meet Tuesday Oct. 11<sup>th</sup> at 6:00pm at Town Hall. Mr. Tiettmeyer chairs this committee. Mr. Kobasuk and Mr. Zornes also serve on this committee.

#### Short Park Easement

Solicitor Miller has reviewed all documents; he is waiting on an answer to an issue on one course in the legal description. Plats have been reviewed with Mayor Cosby. Mayor Cosby has walked the property.

#### Checklist 09-27-2011

**Mr. Tiettmeyer made a motion to approve the 09-27-2011 Checklist for \$41,845.15, seconded by Mr. Kobasuk. All Aye. Motion Carried.**

Safety Committee: The committee will meet Tuesday, October 11<sup>th</sup> at 6:30pm at Town Hall. Mr. Kobasuk chairs this committee. Mr. Burns and Mr. Short also serve on this committee.

#### Council Minutes

**Mr. Zornes made a motion to approve the 09-13-2011 Council Minutes, seconded by Chuck Short. All Aye. Motion Carried.**

#### Human Resource Committee Update

The committee met tonight; personnel practices were discussed. Further discussion to follow. Mr. Zornes chairs this committee. Mr. Harten and Mr. Tiettmeyer also serve on this committee.

#### Resolution Approving Change Order with Ford Development

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

**Mr. Zornes made a motion to adopt RESOLUTION NO. 26-2011 A RESOLUTION APPROVING A CHANGE ORDER TO A CONTRACT WITH J.K. MEURER CORPORATION, DISPENSING WITH THE THIRD READING AND DECLARING AN EMERGENCY. Mr. Burns seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes. Motion Carried.**

#### Maintenance Update by Mr. Dickerson

The police department renovations will be completed by mid-next week. Leaf season is upon us – all equipment has been serviced and ready to go!

#### LMFD Fire Board Update by Mr. Kobasuk

The fire department should be moved in to their new place by early November. The Fire Board toured the new facility; Mr. Kobasuk said the building is quite impressive. Mr. Kobasuk said it was a wise decision for the Village to stay within the fire district. The new facility will have a community room that civic groups can use. They are not opposed to Newtown building a new government center on their site; they sort of had that concept in mind from previous discussions. Chief Driggers commented that the original intent was to have a shared facility. An amount was not discussed. Mr. Kobasuk said he would discuss price with Council's direction.

#### Police Department – Purchase from Drug Fund

The police department has requested \$3,000 for ammunition, duty and practice use. The budget is \$3,750 for the ammunition. The \$3,000 will come from the Drug Fund. Chief Synan said this year ammo is \$40 to \$50 per case and the Drug Fund money can be used to purchase the ammunition. Chief Synan said they would like to supplement any extras they may need from the Drug Fund. The State of Ohio will be making qualifications stricter and it is extremely important for the officers to pass to keep their certification. Chief Synan said he cut back on what they will use out of that line and increase what they will use in the Drug Fund.

**Mr. Kobasuk made a motion to approve an amount not to exceed \$3,000 for police department ammunition. Mr. Zornes seconded the motion. All Aye. Motion Carried.**

#### New Building / Renovation Issues

Mr. Kobasuk said he senses a certain amount of tension when he brings up these topics. He said he is just trying to do what a logical business person would do....have an inspection of the facility before buying or taking possession of it and look at the cost of a new structure to inform the residents why we are doing one or the other. Mr. Kobasuk said he presumes at this point and time, we will proceed with the inspection but John Russell is not doing anything on a new building and that is going to be dormant. Mr. Kobasuk said the sense he gets is this is Council's will. Mr. Harten said he was in the initial meeting where 1.5 to 2 million dollars was discussed for a new building and the numbers square with everything he has read or heard about the cost of a new building, so he doesn't need any more info to get comfortable with that, but it is fine if others do. Mr. Kobasuk said he never saw it presented in a way that would satisfy some residents just sketched out with the square footage we would need. Mr. Kobasuk made it clear that he is not trying to promote one option over another. He is just approaching it as here is the money we have, here are the options, we have various sites to consider, but as of now we are going to proceed with the inspection and not do any further work. Mr. Kobasuk asked if anyone had any objection to how Council is proceeding. Mr. Tiettmeyer said we should proceed with the inspection because we are going to have to do something with the building and it is money wisely spent. Mr. Burns suggested having both buildings (current Fire House and current Town Hall) inspected by a structural engineer. Mr. Tiettmeyer said the intention at the current Fire House is replacing all electrical, plumbing, etc. that would be an issue from a code perspective. Mr. Tiettmeyer said the same thing would be done for the current Town Hall making sure all electrical and plumbing are updated, if renovation proceeds to take place. Council decided to have both buildings inspected by a structural engineer. The RFP will reflect both buildings.

Mr. Kobasuk said he would like to see Council do more long-range planning; he feels sort of pressed in this building issue, unnecessarily so. He said Council is making a decision that will affect Newtown for decades in the future. Mr. Kobasuk said this would not have even been discussed tonight if the issue to have a full discussion had not been pushed. He said Council needs to consider all options: one person mentioned to him a while back to consider selling Lake Barber and asked if the Village was going to have the money to maintain it and do the residents want to even use the lake. Mr. Kobasuk said Council just needs to think outside the box! He urged Council to do more long-range planning on future issues. Mayor Cosby said Council did set up the Long-Term Long-Range Planning committee and we do run everything through committees before bringing issues back to Council. Mayor Cosby said he doesn't disagree with Mr. Kobasuk's point that this issue was important enough that this be decided by the entire Council.

#### Parks Committee Meeting

The committee will meet Monday, October 17<sup>th</sup> at 6:30pm. Mr. Burns chairs this committee. Mr. Kobasuk and Mr. Harten also serve on this committee. Park Rules will be discussed; specifically, aggressive dogs and hours.

#### Planning Commission Opening

With the appointment of Chuck Short to Council, Mr. Harten discussed the need to replace Mr. Short's seat on Planning Commission. Mr. Harten said this is how he became involved in the Village quite a few years ago. Mr. Harten welcomes new folks to become involved.

The following advertisement is on the Village website:

*The Village of Newtown is seeking a citizen representative to the Planning Commission. This five-person Commission is responsible for reviewing proposed zoning amendments and conditional use applications, conducting site plan reviews, initiating zoning map changes, and reviewing the effectiveness and appropriateness of the Village's zoning code. Members include the Mayor, one member of Newtown Village Council, and three other residents appointed by the Mayor. Meetings typically occur on the last Monday of each month at 7:00pm at Village Hall.*

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Lake Barber

Solicitor Miller spoke with Bruce Brandstetter; he said it would probably take about a month once the sets of plans approved. Construction would not begin until spring to early Summer 2012.

November 8<sup>th</sup> Council Meeting (Date Change)

November 8<sup>th</sup> is Election Day and Board of Elections will be set up in Town Hall. Therefore, Council will be held Thursday, November 10<sup>th</sup> at 7:00pm.

Mr. Kobasuk made a motion to adjourn at 8:46pm, seconded by Mr. Burns.

Transcribed by Becky Fairley