

The February 28, 2012 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 (absent) Chuck Short
Joe Harten Curt Tiettmeyer
Mark Kobasuk Daryl Zornes (absent)

Solicitor: Doug Miller
Fiscal Officer: Keri Everett
Police Chief: Tom Synan

Indian Artifact Museum / Building Renovations

At the 2.12.2012 Council meeting, Village Council made a motion to move forward with the stages of negotiating a contract with Roth Partnership Inc. for architectural services to modify the current Town Hall building located at 3536 Church Street and the old fire house building located at 3537 Church Street.

Dick Krehbiel, AIA, LEED AP with Roth Partnership Inc. thanked Village Council for the opportunity to work with the Village of Newtown on this exciting project. Roth Partnership was established in 1933; they employ nine people led by two architects with a staff interior designer. For this project, Roth has put together a team of Motz Engineering, Advantage Structural Engineering, as well as Kleingers & Associates Landscape Architecture and Civil Engineering. A museum exhibit design firm will be named at a later date. Recent projects with Roth Partnership include the Warren County Historical Society, which was a postal service branch converted into a museum space. Currently, Roth is renovating three Cincinnati Public schools that are historic in nature from 1970 to 1933. And also working on a project at the Shriners hospital with Motz Engineering where they are adding a family center. Roth Partnership Inc. needs to submit a packet to the Ohio Cultural Facilities Commission by April 19th for their September 2012 meeting. Over the next eight weeks, programming, and schematic design will be presented to Council and then Roth will move into design development. September 2012, the project will then be heard by the Ohio Cultural Facilities Commission.

Brad Motz, Motz Engineering thanked Council for the opportunity to serve with Roth Partnership on the Newtown Indian Artifact Museum / Building Renovations project. Motz Engineering was started in 1935; their office is in close proximity to Roth Partnership. Motz Engineering has worked very closely with the Greater Cincinnati Energy Alliance in getting funding for non-profit organizations. They received a \$200,000 grant for Mariemont schools. Mr. Motz said they are very hopeful by looking at energy efficient solutions there will be a fair amount of funding the Alliance will be able to bring to the table for this project.

Mr. Tiettmeyer thanked Mr. Krehbiel and Mr. Motz. The schematic design that will be presented to the Ohio Cultural Facilities Commission will be first presented to Village Council at the March 27th Council Meeting. This will allow Council time to review the design and give feedback before the April 19th meeting with the Ohio Cultural Facilities Commission. At some point, a Public meeting will take place to discuss the budget and design of the renovated buildings.

Lenten Friday Fish Fry: Friday Lenten Fish Fry's, sponsored by the Newtown Civic League will take place each Friday of Lent from 5:00pm until 7:30pm at the old Fire House (3537 Church Street). The last day for the Fish Fry is March 30th. All are welcome!

Frost BrownTodd LLC

Attorney Bill Hayes, Frost Brown Todd LLC, recently met with Mayor Cosby to discuss Newtown Landfill. Mr. Hayes has an extensive background dealing with environmental issues. Mayor Cosby will meet again with Frost Brown Todd LLC March 7th at 8:00am. Newtown Landfill has said they are governed by the Health Department, not the Village of Newtown. It is their plan to build the landfill a minimum of 50 feet taller than SR 32. Mayor Cosby has signed an engagement letter with Frost Brown Todd LLC. Mr. Kobasuk asked Mayor Cosby if he had a projected budget for the initial meetings and where we are going with this. Mayor Cosby said he has no idea at this point. He said we have to do something and not allow the Landfill just to do what they want. Mr. Kobasuk suggested coming up with a budget of estimated expenses to deal with this issue and manage Frost Brown Todd LLC in the process, as well as involving Council.

2011 Police Officer of the Year

The Village of Newtown residents and business owners have an advantage over other communities. Our police officers can be contacted 24/7, as they have made their personal cell number available. Our officers are committed to the Village of Newtown. There is one officer that sets the standards for all of the officers to follow. As put by one of Lt. McBreen's peers that nominated him: "the officer I nominate this year is the backbone of our department and his daily commitment is what allows other officers to excel and function to their fullest potential." Chief Synan presented Lieutenant Shawn McBreen with the 2011 "Officer of the Year" award.

Presidential candidate Mitt Romney recently visited Meridian Bioscience; Chief Synan congratulated the police department for serving this special detail.

Williams Meadow Subdivision

Henry Purdy, President of Williams Meadow Homeowner's Association spoke to Council regarding the impact of the Type 2 Annexation of the property adjacent to their neighborhood of 300+ residents. Williams Meadow residents have considered themselves to be good neighbors and have enjoyed the proximity to the Village of Newtown. The residents of Williams Meadow subdivision have enjoyed being a part of Columbia Township. One of their concerns is the impact the Type 2 Annexation may have on Columbia Township's ability to work with the properties currently in the process of being annexed. Mr. Purdy spoke of the noise ordinance and signage enforcements and restrictions currently in place by Columbia Township that has a direct impact on their neighborhood. Mr. Purdy is specifically speaking about the Hahana Beach and Heritage property. Throughout the year, noise has traveled up the hill negatively impacting Williams Meadow subdivision.

Mayor Cosby spoke to Newtown's noise ordinance and assured Mr. Purdy the Village of Newtown is aware of our neighbors and will not allow a business to have a detrimental impact on anyone. As far as Newtown's noise ordinance is concerned, Mayor Cosby said there will be no special treatment to any business. Mayor Cosby told Mr. Purdy the Village of Newtown will listen to the needs of the residents of Williams Meadow just as if they were a member of the Village of Newtown. Mr. Purdy said as far as noise from Hahana Beach, Williams Meadow has worked both with Hahana Beach and Columbia Township to come to a successful agreement. Therefore, Williams Meadow is concerned if policing the area is split between the business being policed by Newtown and their neighborhood policed by Columbia Township. Mayor Cosby said community outreach is very important to Newtown and Williams Meadow will be viewed as our direct neighbor. The Village of Newtown does not want any negative impact on Williams Meadow or anyone else. As for everyone, the response from the Newtown police department will be immediate. Chief Synan assured Mr. Purdy the Newtown police will work with Columbia Township and its residents to assure a solution for everyone. Chief Synan said the Newtown police would follow-up to make sure there are no ongoing problems. The variance issuance process with Newtown's Board of Zoning Appeals was also discussed. Mr. Howard Jackson said in reviewing Newtown's zoning regulations they appear to be specific and fair in covering both business owners and property owners. He also said no one in Williams Meadow is attempting to restrict the normal business of Hahana Beach, as they recognize it looks much better today than before. They are also optimistic plans for the Heritage will only make that property better than today. Another concern discussed was the possibility of the owner of the Heritage asking for a variance to upgrade the current sign to a digital sign. Mayor Cosby assured Mr. Purdy and Mr. Jackson that if Hahana Beach or the Heritage would ask for a variance that the village would contact them to inform them that this request had been placed on the Planning Commission agenda. Mr. Purdy and Mr. Jackson thanked mayor and council for their time listening to their concerns.

Center for Local Government Electric Aggregation Program

In 2010 the village joined the Center for Local Government's Electric Aggregation Program. At which time, a rate of .04822 per kWh was secured. This year they secured a bid of .04374 per kWh, which is lower. Ms. Everett said this will begin March 1st. Duke Energy provided a bid of .0449 per kWh for traffic and street lighting and .0549 per kWh for other accounts.

Council Minutes

Mr. Tiettmeyer made a motion to approve the 02-14-2012 Council Minutes, seconded by Chuck Short. All Aye. (DZornes-absent, Mr. Burns-absent) Motion Carried.

Checklist

Mr. Tiettmeyer made a motion to approve the 02-28-2012 Checklist for \$60,867.71, seconded by Mr. Short. All Aye. (DZornes-absent, Mr. Burns-absent) Motion Carried.

Ordinance - 2012 Village Appropriations

Mr. Tiettmeyer made a motion to have a Second Reading ADOPTING THE VILLAGE APPROPRIATIONS FOR 2012. Mr. Kobasuk seconded the motion. All Aye. (DZornes-absent, Mr. Burns-absent) Motion Carried.

Mr. Tiettmeyer made a motion to have the Third Reading ADOPTING THE VILLAGE APPROPRIATIONS FOR 2012 at the 03-13-2012 Council Meeting. Mr. Kobasuk seconded the motion. All Aye. (DZornes-absent, Mr. Burns-absent) Motion Carried.

Maintenance Department (Mr. Short)

The restrooms at Short Park were vandalized his past weekend. Maintenance personnel were called in to clean up the vandalism.

Pavement Study

The pavement study was recently completed. Mr. Dickerson said the report should be submitted by the 03-13-2012 Council Meeting.

Edith Jefferson and Pine Water Runoff

Mr. Dickerson is also waiting to hear back from the engineer's assessment of this ongoing issue.

Ordinance – Annexation

Mr. Short made a motion to have a First Reading on AN ORDINANCE AGREEING AS A CONDITION OF ANNEXATION TO ASSUME THE MAINTENANCE OF NEWTOWN ROAD AND U.S. ROUTE 50. Mr. Harten seconded the motion.

Mr. Short made a motion to have a Second Reading at the 03-13-2012 Council Meeting, seconded by Mr. Harten. Roll Call: Mr. Tiettmeyer-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes. (DZornes-absent, Mr. Burns-absent) Motion Carried.

Bike Staging Area Grant

Mr. Kobasuk informed Council that the LMFD was unable to secure the grant for the Bike Staging Area that has been discussed in previous meetings. Therefore, LMFD will not be attending the Planning Commission meeting.

LMFD Fire Board Update

Mr. Kobasuk said the bids came in for the Fairfax Fire Station; bids were around \$140,000 under budget; DER Development was the low bidder. Susan Hughes, Columbia Township Trustee was present at the last meeting and objected to the annexation. Mrs. Hughes asked the fire board to put in a no annexation provision in their documents. There was no support from the fire board to grant Mrs. Hughes request.

Safety Committee

The Safety Committee met today; three issues were discussed: 1) billing residents for EMS services, 2) police department part-time staffing program and 3) event staffing. Mr. Kobasuk said no action was requested by Chief Synan and none was taken.

Ordinance Approving Zoning Text Amendment

Mr. Harten made a motion to have a Second Reading of AN ORDINANCE APPROVING A ZONING TEXT AMENDMENT FOR THE VILLAGE OF NEWTOWN. Mr. Tiettmeyer seconded the motion. All Aye. (DZornes-absent, Mr. Burns-absent) Motion Carried.

Mr. Harten made a motion to have the Third Reading of AN ORDINANCE APPROVING A ZONING TEXT AMENDMENT FOR THE VILLAGE OF NEWTOWN at the 03-13-2012 Council Meeting. Mr. Short seconded the motion. All Aye. (DZornes-absent, Mr. Burns-absent) Motion Carried.

Martin Marietta

Solicitor Miller received a notice from the court stating the case had been removed from the accelerated docket.

Chuck Short made a motion to adjourn, seconded by Mr. Tiettmeyer.

Transcribed by Becky Fairley