

The May 08, 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
Joe Harten (absent)
Mark Kobasuk
Chuck Short
Curt Tiettmeyer
Daryl Zornes

Solicitor: Doug Miller

Fiscal Officer: Keri Everett

Police Chief: Tom Synan

Resident Dale Myers, Ragland Road voiced his displeasure with the soccer fields at Short Park. Mr. Myers presented Council with pictures where a soccer team had parked on the grass close to the Maintenance building, instead of parking in the lot. Mr. Myers said money needs to be spent at Short Park, as the shelters are also in bad condition. Mr. Burns said the Parks Committee will review these concerns and prioritize what needs to be done.

Mr. Myers said at 4:00am there is a paper delivery person with very loud exhaust pipes. This noise can be heard from Edith, Pine, Jefferson and Ragland Road. Mr. Myers asked Chief Synan to look into it. He said it would be nice to have this noise stopped.

Mr. Myers also talked about a dog nuisance law. Mr. Myers said a dog charged at him once last year. Mayor Cosby said these issues need to go through the Park Committee.

Mr. Tiettmeyer said the Finance Committee has approved money for the budget this year to improve the shelters at the park. Mr. Tiettmeyer asked Mr. Dickerson when the shelters would be repaired. Mr. Dickerson said he has been receiving estimates and the two shelters at Short Park will be done within the next month.

Chicks That Shoot Photography: Chrystal Scanlon, 6920 Main Street, approached Village Council regarding a marketing idea where people would participate in a village-wide business to business promotion. For instance, if one uses their photography service, they would take that receipt to Main Street Café and might get 15% off of their bill. In an effort to promote the village and the businesses, Ms. Scanlon suggested marketing the businesses on banners throughout the village. Mayor Cosby thought this was a good idea and suggested Ms. Scanlon take the idea to the Newtown Business Association first. If the association collectively agrees, they could come to Council to discuss further.

Forest Hills Schools District: Randy Smith, 7493 Pinehurst Drive, FHSD Board of Education member. Mr. Smith thanked Newtown for the positive support during the recent school levy. Voters in Hamilton County approved a 3.9 mills levy for Forest Hills Local Schools on Tuesday, March 6, 2012. The levy passed by a vote of 59 percent for to 41 percent against.

National Police Week: National Police Week will be observed May 13-19, 2012.

Public Hearing: A Public Hearing will be held Tuesday, May 15th at 7:00pm at Miami Valley Christian Academy. The annexation and Eastern Corridor will be discussed.

Checklist

Mr. Tiettmeyer made a motion to approve the 05.08.2012 Checklist for \$24,898.81, seconded by Mr. Short. All Aye. Motion Carried.

Resolution, Supplemental Appropriations for 2012

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

Mr. Tiettmeyer made a motion to adopt **RESOLUTION NO. 11-2012 A RESOLUTION APPROVING SUPPLEMENTAL APPROPRIATIONS FOR CALENDAR YEAR 2012 AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2012, 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. Short-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Absent. Motion Carried.

Resolution Approving Contract w/Roth Partnership Inc.

Mr. Tiettmeyer made a motion to have a Third and Final Reading adopting **RESOLUTION NO. 12-2012 A RESOLUTION APPROVING AND AUTHORIZING A CONTRACT WITH ROTH PARTNERSHIP INCORPORATED AND DECLARING AN EMERGENCY.** Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Burns-No, Mr. Harten-Absent. Motion Carried.

Finance Committee Update: The Finance Committee met before Council tonight. The first four months of 2012 Village finances were discussed. Chairman Curt Tiettmeyer said the committee remains cautiously optimistic that the earnings taxes will continue to conform to the previous years. Legal services for current various projects were reviewed. In an effort to stay on top of these expenditures, Ms. Everett will make adjustments to the format and distribute to Council on an ongoing basis. Mr. Kobasuk said he thought we agreed to get budgets from the various law firms to prevent surprises. Budgets for ongoing issues will be put into place, per Mr. Tiettmeyer.

American Indian Artifact Museum

Mr. Tiettmeyer and Solicitor Miller recently concluded that a RFQ for the design/build services for the American Indian Artifact Museum is required. Ms. Everett will construct the RFQ, which will then be reviewed by John Russell and Mr. Tiettmeyer. Once the responses are in, another discussion will take place to approve the firm to be selected to work in conjunction with the architect to prepare for the final proposal to the state of Ohio for approval of the grant.

Mr. Tiettmeyer made a motion to move forward with a RFQ for design/build services for the American Indian Artifact Museum to be incorporated with the renovated Town Hall to be located at 3537 Church Street. Mr. Zornes seconded the motion. All Aye. Motion Carried.

Street Committee Update: The Street Committee met May 3, 2012 to discuss alternatives for the Edith/Pine/Jefferson/Ragland Road Draining issue. Bruce Brandstetter and Joe Dixon presented several alternatives. Brandstetter Carroll will make changes to the drawings and bring back to Council. Solicitor Miller suggested doing a license agreement, which gives permission to do work on private property. He also suggested getting an easement for drainage purposes.

Burger Farm: There is a storm drain along the south side of SR32 in the right-of-way on the eastside. This storm drain is clogged and pooling water at Burger Farm. Mr. Dickerson said the pipes were originally installed by the property owners, not the Village of Newtown. Burger Farm obtained an \$800 estimate to jet-blast the drain and is asking if the Village would be willing to split the cost. Mr. Short asked about liability. Solicitor Miller said to make sure the company that will do the jet-blast has insurance that would cover the Village. Solicitor Miller said to make sure the company has liability insurance and workers' compensation insurance. Mr. Dickerson said he will look into this.

Mr. Short made a motion for the Village of Newtown to partner with Burger Farms for an amount not to exceed \$400. This amount is to jet-blast the pipe to clear the storm drain that is in Village right-of-way. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Flooding Edith/Jefferson/Pine and Ragland Road

Mr. Kobasuk asked Mr. Short for an update on a solution to the flooding coming down from River Hills. Mr. Kobasuk said, as he understands it, the pipes are not sized correctly. Mr. Short said there is no solution yet. There is quite a bit of excavation that needs to be done. Some of the pipes are too small to handle the drainage. At the top of Jefferson and Pine there is a property, the old Judd property, where the sediment has leveled out needs to be dug out. There is a box spring currently in place that catches the debris. This will be removed and dredged out. The people have made a nice culvert to be able to drain the water down. Mr. Short said we have to take care of the water that comes off of the hill first so it will be able to go further down the pipe. As it comes down the pipe, there will be a larger pipe placed down on the bottom side. This will need to be dredged out again coming behind Pine coming into Edith where the

water pools and floods the homes at the end of Edith. There is another area on Ragland Road that will need to be corrected as well. Mr. Tiettmeyer talked about several of the alternatives that were presented at the 05.06.2012 Street Committee meeting. Mr. Tiettmeyer said Brandstetter Carroll did a will great job presenting avenues of improvement the Village would pursue to resolve this problem once and for all. All of this water dumps into Yeager's pond; therefore, the Village would need to look into drainage rights and may need to increase their discharge. Mr. Yeager stated to Mr. Burns that the Village technically doesn't have the right to increase the amount of water that goes into his pond. Mr. Yeager installed the current overflow pipe which goes to McCullough's Run. Brandstetter Carroll will report to Council after looking at water flow rates and performing more analysis. The Village needs to get a budget amount for Brandstetter Carroll's fee for this project, as discussed by the Finance Committee, stated Ms. Everett. Mr. Kobasuk said he hopes Brandstetter Carroll will move quickly, as he would hate for his property to have water in his basement. Brandstetter Carroll is also looking at applying for a grant for this project.

Fence Repair on Main Street: Mr. Short said the fence is due to be repaired Thursday.

Ivy Hills Street Signs: In an effort to replace several street signs in Ivy Hills, Mr. Kobasuk sent an email out to the residents asking for \$60.00. This money will go towards the purchase of the street signs with a black metal post like the Clusters currently have installed. Signs are needed for Spyglass, Sawgrass, Ivy Hills Court and Pinehurst Drive in the Ivy Hills subdivision. Mr. Kobasuk will give an update at the 05-22-2012 Council meeting.

Parks Committee: The committee will meet May 15th at 6:00pm at Town Hall. Mr. Burns is chairman of the Parks Committee. Mr. Harten and Mr. Short also serve on this committee.

Moundview Park: Mr. Burns recently attended a family gathering at Moundview Park and was displeased with the condition of the park. Although, the park was cleaned that morning, Mr. Burns said he personally removed several beer cans from the playground area. Unfortunately, the family that rented the park also encountered an unsightly mishap. Council agreed to refund the money to the family that had rented the park. Mr. Burns suggested removing the weeds from the planters and planting flowers and cleaning the gutters. Mr. Burns acknowledged the plants recently planted by Miami Valley Christian Academy students. The police officers patrol on a regular basis, stated Chief Synan. Chief Synan said he believes the people renting the park are not cleaning up after themselves. Chief Synan said in an effort to enforce renters cleaning up after themselves, the Maintenance department should be in charge of cleaning the park. Currently, there is a refundable deposit of \$100 that is collected from one renting the park. Mayor Cosby suggested increasing the deposit. Park hours are Dawn to Dusk. More discussion will take place at the upcoming Parks Committee meeting.

Martin Marietta Briefing

Mr. Kobasuk asked Solicitor Miller for a budget for the Martin Marietta briefing. Solicitor Miller said it should be no more than \$5,000.

Mr. Kobasuk made a motion to adjourn at 8:00pm, seconded by Mr. Zornes. All Aye. Motion Carried.

Transcribed by Becky Fairley