

The July 24, 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

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

Engineering Update (Bruce Brandstetter)

1. 2012 Street Improvements

- Paving Program is complete; final pay request and final inspection to follow.
- Surface Sealing Program for Spyglass and Sawgrass is scheduled for the week of Aug. 6<sup>th</sup>. Residents will receive notification in advance.

2. OPWC Grant Projects

- Applications due September 21, 2012
- Resolution to submit by 8.28.2012 Council meeting
- Priorities as of May 22, 2012: Edith, Pine and Jefferson as No. 1 request and Ragland Road Area Drainage No. 2 request
- Edith Pine and Jefferson Street Reconstruction

2012/2013 Construction Estimate		\$875,000
Local Match	@ 30%	\$262,500
	@ 40%	\$350,000

**Mr. Brandstetter explained Village No. 1 Priority - OPWC Grant Request:** This project is for street improvement and will include digging out the existing pavement, adding curbs and gutters, new asphalt pavement, which will be lower than the street currently. GCWW will install new water main either prior to the project or in conjunction w/the street improvement project. Storm drainage will also be added to the street. This issue is separate from the Ragland Road creek flooding from the River Hills runoff. The grant application will state this more as a drainage problem explaining that this project will keep drainage from going through back yards working its way down to the creek. Mr. Brandstetter said this should increase the points for the Village in obtaining the grant. GCWW's commitment to replacing the water main as part of the project funding was used in the grant 2010 application. Their cost was included as part of the project cost. Last year it was realized that the Village will get more or as many points if GCWW is removed from the equation. OPWC will be informed that GCWW will do the work but will fund it separately. Once the OPWC grant is submitted, Brandstetter Carroll will notify Duke Gas to let them know GCWW is on board and will ask Duke to also get on board with the project. This will allow Duke time to consider lowering their gas main also.

o NOTES:

- 33% local match for 2011 request; 26% for 2010 request
- Rank increased from 44<sup>th</sup> to 17<sup>th</sup> from 2010 application to 2011
- GCWW is committed to replace the waterline prior to or in conjunction with street improvements to Edith, Pine and Jefferson
- Ragland Road Area Drainage also referred to as (Edith/Jefferson/Pine Flooding and Ragland Road Area Storm Drainage) This runs primarily behind Pine and Edith and to a degree Jefferson Street. This is referred to as "Ragland Road Drainage" since the main culvert goes into Ragland Road.

Replace System		\$365,000
Local Match	@ 30%	\$109,500
	@ 40%	\$146,000

Maps explaining alternatives were handed out.  
Consider short-term creek cleaning

Alternatives explained by Village Engineer Bruce Brandstetter:

Reconstruct Headwall Outfall of existing sewer estimated at \$45,000.

This outlet pipe located behind homes on the south side of Ragland at Harriet Lane. The pipe has fallen down and there are some landslide issues. This pipe works its way up across Harriet Lane. There is a major culvert under Ragland Road (52" x 70"), probably installed by the county years ago. The condition of the culvert is not known at this time. Videotaping this culvert may assist with the OPWC grant application. Hydraulically, the culvert is good for a 25-100 year storm. Then working up stream, there is a small section (38" x 60") pipe right off the edge of pavement on the north side of Ragland Road. The capacity of this pipe is okay; hydraulically, the bottleneck is the twin 24" pipes. They don't have (2) two-year frequency storm capacity. There is a chance of flooding every two years; although, statistically, this is flooding more often. The debris that blocks the structure and the shallow creek bed adds greatly to the problem. The channel can use a bit of reworking. To replace the entire system thru twin 24" inlet thru to the outlet is estimated to cost \$365,000. This includes under Ragland Road. Hydraulically, this should clear the area. The biggest problem is cleaning as much tree-line back. BCI will come up with a better inlet structure at the high end so when the debris does come down it washes up more. BCI will design it as a 25 year storm. Projects get funded on their score, not the cost. Mr. Brandstetter said the project would get funded pretty easily if water backs up into a structure. Total project is estimated at \$365,000.

One thing to help short term is to go in and clean out the underbrush and go in with small a backhoe and remove silt/sand build-up and deepen and widen the channel. The goal is to reduce the frequency and the quantity of water that backs up and get the water through quicker and not have as much backup. This will not permanently alleviate the problem. Property owners Council appointed resident Terry Fairley to obtain signatures of residents that are impacted by the problem. Mr. Brandstetter will provide a right-of-entry form.

- Strategies to consider:
  - Request a loan, engineer will investigate
  - Combine projects
  - Video existing storm on Ragland Road
  - MRF application for culvert within Ragland Road right-of-way if county road

The Village currently has two out-standing loans: one for the Church Street project and one for SR32. One loan pays off in 2019; the other loan pays off 2026. Rates and terms partially depend upon pre-determined economic condition of the community. The length of the loan affects the interest rate. Mr. Brandstetter will look into this for the village.

Mr. Brandstetter suggested applying for the grants as two separate projects. The projects are totally different; they just happen to affect some of the same property owners. He will discuss this further with the people that judge the grant applications and report back to Council.

Videotaping the existing storm drain from the north side of Ragland to the outfall will show if a pipe or culvert is in bad condition. If so this will also add more points to the application.

MRF (Municipal Roadway Funds) applications are due the end of August. These funds are from the \$5.00 license plate tags and are only good on county roads. Two hundred thousand dollars (\$200,000) was used on each section of Church Street. Mr. Brandstetter suggested applying for the MRF application if Ragland Road qualifies as a county road and this could become part of the village's match. Mr. Brandstetter suggested preparing a resolution to submit for a MRF application for Ragland Road at the 08.14.2012 Council meeting. This would become part of the match for the storm sewer. Mayor Cosby said Council will be prepared to act on the application at the 8.14.2012 Council meeting.

Mr. Harten asked if there would be any disadvantage to applying for the MRF. Mr. Brandstetter said if it qualifies he highly recommends it. The village has nothing to lose!

Terry Fairley, 6931 Edith Street. Mr. Fairley spoke to Council regarding the ongoing flooding issue endured by many residents for many years. Pictures of last Wednesday's flooding (July 18<sup>th</sup>) were presented to Council. Mr. Fairley said this past flooding is probably the worst flooding to date. He asked Council to make this priority and act in an urgent manner to implement the "temporary" solution previously laid out by Bruce Brandstetter. The flooding is happening more frequently with less severe rainfall. Mr. Fairley reiterated that there is no creek bed left; therefore, it cannot handle any kind of runoff from River Hills. The problem lies with the debris clogging the drain. In an effort to stop some of the debris, Mr. Fairley suggested building a berm with the dirt collected from dredging the creek bed. He said you can install the largest drain into the grid, but unless the debris is stopped from closing up the drain, it is not going to take the water away. Although, it is good to know Council wants to do something about the problem; realistically, applying for the grants could take three to four years. The flooding is not only causing property erosion, it has become a health issue with undesirables washing up into the back yards of those impacted by the flooding. Mr. Fairley told Village Council he hopes they take action towards working on the temporary solution. This issue has been brought up to previous administrations, in the view of the residents impacted; it is time to stop kicking the can down the road, stated Mr. Fairley. Mr. Kobasuk asked if any water had intruded into anyone's homes. Mr. Fairley said yes water has made its way into several homes. Mr. Fairley's neighbor, Tom Benassi has addressed Council and the Street Committee before with the same problem. Mr. Fairley said the problem is not getting any better. The Village keeps a contingency fund and this is certainly something that would qualify for that, stated Mayor Cosby. Mayor Cosby said since August is usually a dry month; it would be a good time to clear back the tree-line and deepen/widen the channel. Mr. Fairley said that sounds like a possible temporary solution to the problem until the village can take on the entire project. Mr. Kobasuk wanted to approve an amount not to exceed \$10,000 to \$15,000, which would allow Mayor Cosby and Mr. Short to act between now and the 08.14.2012 Council meeting. Mayor Cosby said Bruce needs to get facts and figures back to Council so everyone understands what to act on. Mayor Cosby said there is still no guarantee that between now and the next Council meeting anything will get done. Mr. Kobasuk said if it were his home he would want something done. Mayor Cosby said he doesn't disagree, but feels between now and the next Council meeting, Bruce will be more than prepared for Council to act right away. In an effort to expedite the process, Mr. Short asked Mr. Fairley to talk to some of the neighbors affected so everyone understands what is going on. Mr. Fairley agreed to talk to the residents affected and offered to have the residents sign the right-of-entry forms. Mr. Brandstetter will email the right-of-entry forms and obtain estimates prior the 08.14.2012 meeting. Mayor Cosby assured Mr. Fairley and the residents present in the audience that he and Council understand the problem. Mayor Cosby said he and Council are open to discussion if there is something he and Council have missed. Mayor Cosby said then Council can pull the monetary trigger at the next meeting and get this project going. Brandstetter Carroll will obtain three or four estimates and suggest one with a good reputation.

#### Property Maintenance

Mr. Murray is the property owner of 6840 School Street. Property Maintenance Inspector Dick Weber last updated Council on Mr. Murray's progress at the 06.26.2012 Council meeting. Mr. Murray is working on removing remaining items from his property. Mr. Weber will continue to monitor Mr. Murray's progress and report back to Council if he encounters a problem.

#### Checklist

**Mr. Tiettmeyer made a motion to approve the 07.24.2012 Checklist for an amended amount. A check to Roth Partnership Inc. for \$5,294.10 will be added to the original amount of \$59,413.31 with a revised total of \$64,707.41. Mr. Harten seconded the motion.**

#### Discussion

Mr. Kobasuk asked if the check for \$29,795 to MTS Construction was for services rendered for January thru December 2011 and January thru June 2012. Ms. Everett said yes that she just recently received the invoice from Mr. Spry. Mr. Tiettmeyer said this will be addressed with Mr. Spry.

**All Aye. (Mr. Burns-absent) Motion Carried.**

#### Edwards Road Property Appraisal Update

Three bids to do the appraisal of the property were secured. White Appraisal was the lowest with the cost at \$750 to \$850. The appraisal is expected to be received within the next week, stated Mr. Tiettmeyer.

Finance Committee: Mr. Tiettmeyer chairs this committee. The committee will meet July 31<sup>st</sup> at 6:30pm.

Native American Indian Artifact Museum: Council reviewed the packet submitted last week by the Cincinnati Museum Center outlining the Native American Indian Artifact Museum. The museum will be incorporated into the new Council Chambers. The layout of the museum was also discussed with the Ohio Cultural Facilities Commission last week. The OCFC was very encouraged that they would be recommending our approval to the commission, based on the work that has been done, stated Mr. Tiettmeyer. The layout presented may be viewed at ([www.newtownohio.gov](http://www.newtownohio.gov)).

Mr. Kobasuk asked if a sprinkler system will be required in the newly renovated building if the Village was loaned original artifacts from the museum center. Mr. Tiettmeyer said we are allowed to have our own original artifacts without a sprinkler system. If we asked for traveling exhibits from the Cincinnati Museum Center they may require us to have a sprinkler system. Mr. Tiettmeyer will confirm if it would be an issue for only the originals. Mr. Tiettmeyer said a sprinkler system has been added into the budget for the building. Items to be displayed in the Native American Indian Artifact Museum have yet to be determined. Mayor Cosby said everyone involved in the project is doing a great job. Mr. Harten agreed. He thanked John Russell, Curt Tiettmeyer and Keri for doing tremendous work thus far.

#### Council Minutes

**Mr. Zornes made a motion to approve the 07.10.2012 Council minutes, seconded by Mr. Short. All Aye. (Mr. Burns-absent) Motion Carried.**

#### Enquirer Editorial Board Meeting

Mr. Zornes attended the meeting July 18<sup>th</sup>. Madisonville Council and Sierra Club were present. Mr. Zornes said the editors of the Enquirer have a better understanding of the detrimental effects of the Eastern Corridor. Public Involvement Meetings are scheduled for the Oasis Rail Transit and SR 32 Relocation projects. Email [EasternCorridor@EasternCorridor.org](mailto:EasternCorridor@EasternCorridor.org) for more information.

#### Maintenance Department

Mr. Short commended the maintenance department for quickly addressing the debris from the July 18<sup>th</sup> storm.

#### Newtown Mini Park / Cincinnati Bell Telephone Easement Request

Mr. Short is working with the contractor, Sigma Network Technologies regarding compensating the Village to install a 725 sq ft Calix box in the Mini Park. The larger Calix box will house new fiber services for the Village of Newtown. Mr. Short will work with Mr. Tiettmeyer on negotiating with Sigma Network Technologies and report back to Council at the 08.14.2012 meeting. Mayor Cosby said this would be a good boost to the community and offer options to the residents. He asked Mr. Short to get a timeline from the company as to wiring the entire village, as this would be as beneficial, as monetary compensation. Mr. Tiettmeyer said part of their discussion will be to find out what their intentions are as far as timing and wiring the entire village.

#### Maintenance Update

Mr. Dickerson thanked Councilman Short for coming out last Wednesday, July 18<sup>th</sup> and assisting with the storm cleanup and cleaning out some debris from the creek.

Mr. Dickerson thanked John Butcher, Madison Tree Service for treating the ash tree located at the entrance of Moundview Park, for emerald ash borer, free of charge to the Village of Newtown.

#### Ivy Hills Street Signs

Mr. Dickerson said Frontier Sign Company will be out later on this week to clean up the signs from the installation. The logos should be installed by the end of the first week of August. Mr. Kobasuk asked if they were going to paint the posts, as some do not look very black. Mr. Dickerson said they will clean up the concrete residue on the post when they come out.

#### Surface Sealing Program

Mr. Dickerson reported: The sealing program has begun on Sawgrass, Spyglass, Village Drive and the Cemetery. The company will be out to SAMI seal these streets August 2 and 3. The project will be completed the following week.

Pinehurst Paver Repair

Mr. Dickerson said the company is expected to begin the repair tomorrow.

Mayor's Monthly Statement to Council

**Mr. Kobasuk made a motion to approve the June 2012 Receipts for \$6,062.27. Mr. Short seconded the motion. All Aye. (Mr. Burns-absent) Motion Carried.**

LMFD Fire Board Update: Reported by Mr. Kobasuk:

Chief Driggers will reach out to John Russell about meeting with the Planning Commission to discuss the bike staging area. LMFD has applied for a grant (\$100,000-\$200,000), which would be used to offset station construction with a bike staging area offering 25 parking spaces and public restroom.

The fire department said they would be happy to move the memorial if the Village decides to increase parking in the upcoming renovation. They did ask who would pay for the memorial to be relocated. Mayor Cosby said the memorial is part of the bi-centennial park. If a reasonable number of parking spaces can be achieved by changing the parking lot to perpendicular parking, it would be worth considering relocating the memorial, stated Mr. Tiettmeyer. Bruce Brandstetter is looking into reconfiguring the parking.

The real estate issue mentioned in the recent Fire Board minutes is moving along regarding the new fire house in Fairfax.

The Fire Board is discussing a possible levy for November 2013. In reviewing the 2013 Budget, the Fire Board did think there is enough money to carry over into 2014. Mr. Kobasuk said he is certainly not in favor of a levy.

Planning Commission

Mr. Harten reported that the meeting scheduled for July 30<sup>th</sup> has been changed to August 7<sup>th</sup> at 7:00pm.

Mr. Harten made a motion to adjourn at 7:52pm, seconded by Mr. Zornes. Motion Carried.