



Decide on funding levels:

In 2012, Edith / Pine / Jefferson OPWC grant request was \$525,000, local funds of \$350,000 (60% / 40%).

Ragland Road Drainage was \$287,000 OPWC grant, \$37,500 local and \$50,000 MRF grant (77%/10%/13%).

Maximum points for OPWC at 50% local.

Mr. Brandstetter feels Ragland Road Drainage grant will come through first, with Edith / Pine / Jefferson remaining a high priority. The Village has applied for grants for the past three years to repave Edith / Pine/Jefferson. The village would receive more points if the pavement on Edith, Pine and Jefferson was in worse condition. Mr. Brandstetter said it is not uncommon to take five years to be awarded a grant. Mr. Brandstetter said instead of applying for additional MRF funds for Ragland Drainage, we should reserve applying for MRF funds for other projects in a couple of years, i.e.: Little Dry Run Road, Valley Ave. and Debolt Road, which are county roads.

Checklists

**Mr. Tiettmeyer made a motion to approve the Checklist dated 7.29.2013, in the amount of \$103,154.65, seconded by Mr. Zornes. All Aye. Motion Carried.**

**Mr. Tiettmeyer made a motion to approve the Checklist dated 8.13.2013, in the amount of \$186,236.83, seconded by Mr. Zornes. All Aye. Motion Carried.**

Municipal Center Update (Reported by Mr. Tiettmeyer)

The Village is working to remove the bats currently residing in the hose tower of the old fire house. Bats have a maternal period where they are a protected species from May until August 15. Once agreements are finalized, removal of the bats will take place.

In regards to furniture, some office furniture has been donated from Fifth Third Bank. Chairs for the council chambers will be purchased. Samples and estimates will be brought back to Council for approval.

A security package, which duplicates the alarm system, and also has a surveillance camera component for both inside and outside, is also being put together for the building. From a financial perspective, the surveillance cameras for inside and out may need to be done in phases. The conduits are being run and would be ready to add the surveillance components at any time. Council will be asked their opinion on moving forward at a later date.

Hank Roe, DER Development

Mr. Roe reported the dry wall is now being completed. Rough-in for light fixtures, camera locations and speakers are under way. The paint has been stripped from the outside of the building using chemicals and pressure washing. The brick is undergoing tuck-pointing; stripping the brick has revealed a lot of deteriorated mortar.

Resolution, Change Order No. 6 w/ D.E.R. Development Company (Total \$692)

Change Order is on file at the Village Office.

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

**Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 23-2013 A RESOLUTION APPROVING A CHANGE ORDER TO A CONTRACT WITH D.E.R. DEVELOPMENT COMPANY, LLC, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Harten seconded the motion.**

Discussion

Reason for change order: Council Chamber add saw cut and patch concrete for conduit.

**Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes. Motion Carried.**

Resolution, Change Order No. 7 w/ D.E.R. Development Company (Total \$9,149)

Change Order is on file at the Village Office.

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

**Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 24-2013 A RESOLUTION APPROVING A CHANGE ORDER TO A CONTRACT WITH D.E.R. DEVELOPMENT COMPANY, LLC, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Burns seconded the motion.**

Discussion

Reason for change order: Rear Roof/Light Credit/Flat Roof Guardrail/Copier Room Ceiling Change  
The ceiling change in the copier room will allow for easy access in the event the bats return to the hose tower.

**Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes. Motion Carried.**

Resolution, Change Order No. 8 w/ D.E.R. Development Company (Total \$68,309)  
Change Order is on file at the Village Office.

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

**Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 25-2013 A RESOLUTION APPROVING A CHANGE ORDER TO A CONTRACT WITH D.E.R. DEVELOPMENT COMPANY, LLC, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion.**

Discussion

Reason for change order: Exterior Building Repairs/Village Sidewalk and Curb Repairs

**Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes. Motion Carried.**

Mr. Tiettmeyer asked Council to consider moving forward with the following:

NOR/COM Audio Visual System

A contract with NOR/COM for an audio visual system. NOR/COM was hired by the Cincinnati Museum Center to do their audio/visual work. The village will piggyback with the Cincinnati Museum Center's audio/visual components and be able to use the speakers not only for council but to broadcast throughout the building. Council members will share monitors on the council table allowing them to view information on the screen behind the council table. This will also benefit others holding meetings in the municipal building. The Village of Newtown will pay for the monitors and the Cincinnati Museum Center will pay for the screen and the projector. Cost for the items to be paid for by the Village is \$8,942. NOR/COM will provide DER with a wiring diagram.

**Mr. Tiettmeyer made a motion to approve \$8,942 to be paid to NOR/COM for the audio/visual system for the Village. Mr. Kobasuk seconded the motion.**

Discussion

Mr. Short asked how many input sources would be available. Mr. Tiettmeyer said there is a switching box that will allow for changing from the Museum Center's presentation.

**All Aye. Motion Carried.**

Bat Colony Removal and Cleanup

Mr. Tiettmeyer asked for approval up to \$3,250 for removal and cleanup of the bat colony.

**Mr. Tiettmeyer made a motion to approve up to \$3,250 for the removal and cleanup of the bat colony. Mr. Burns seconded the motion. All Aye. Motion Carried.**

Exterior Concrete Work

The concrete work covers the front porch, sidewalks and the museum's exterior exhibit. Mr. Tiettmeyer said this money was set aside for the front exterior. The concrete work will be done by a local company, RKC. Mayor and Village Council viewed two samples of stamped concrete.

**Mr. Tiettmeyer made a motion to approve \$7,878 for the exterior concrete work. Mr. Harten seconded the motion. All Aye. Motion Carried.**

### Municipal Center Budget

As of today, with all items approved, Mr. Tiettmeyer said the project is \$74,000 under budget. Seventy thousand of the \$74,000 is the contingency that has not been touched.

### Council Minutes

**Mr. Zornes made a motion to approve the 7.09.2013 Council Minutes, seconded by Mr. Short. All Aye. Motion Carried.**

### Hylant Group Insurance

Mr. Zornes is waiting to hear back from the Hylant Group regarding the idea of a skate park.

### Safety Committee - Cross Walk

Lt. McBreen made a presentation to the Safety Committee this evening prior to Council regarding his research on cross walks. The committee voted to go with option No. 1, stated Mr. Short; he will bring a firm cost estimate back to Council. Mr. Kobasuk said it is important to follow officer's recommendation regarding the cross walk. Mr. Short thanked Lt. Shawn McBreen and Street Commissioner Ron Dickerson for their time spent on the cross walk.

### Maintenance Update (Reported by Ron Dickerson)

The bricks on the front porch of the Moundview Community Center have been repaired. This project came in under budget, which offset the cost of the new landscaping at the smaller island next to the fountain. The fluid drive motor was rebuilt on one of the mowers, which saved around \$1,500. The roof on the public restroom at Moundview Park is scheduled to be redone in September or October.

### Civic League – Flags

The flags donated by the Newtown Civic League have been installed along Church and Main Streets. The flags will remain in place through Labor Day. The flags will be displayed for Veterans Day and various other national holidays.

### Hamilton County Storm Water District

The Hamilton County Storm Water District (District) is offering the same levels of service in the 2014 program year as offered to Member Jurisdictions in the 2013 program year. The estimated cost to our jurisdiction (3,100 SFU's) is \$25,203. Method of billing is done through the property owner tax bills. This motion is made annually.

**Mr. Short made a motion the Hamilton County Storm Water District "Permit Compliance Services," to be paid through the property owner tax bills. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.**

### Ragland Road Drainage / Edith/Jefferson/Pine Grants

**Mr. Short made a motion to approve Brandstetter Carroll moving forward with Topographical Survey for the Ragland Road Stormwater Project. Mr. Harten seconded the motion.**

### Discussion

Mr. Harten asked Mr. Short to amend the motion to reflect a limit of \$37,500 for engineering design.

**Mr. Short amended the above motion to reflect a limit of \$37,500 for the engineering design for the Ragland Road Stormwater Project. Mr. Harten seconded the motion. All Aye. Motion Carried.**

### Eastern Corridor Flyers / Update

Mayor Cosby commended Mr. Kobasuk for spearheading the effort on the Eastern Corridor educational flyer. Mr. Kobasuk said the key now is to distribute the flyers. Becky will coordinate the distribution of the flyers.

Mr. Kobasuk met with ODOT to try to get commitment before the flyers went to press and they were non-committal. ODOT said they don't know how high the road will be or where it will go until they do their environmental studies and the Section 106 process. In the meeting, ODOT did say the project is on hold because the Federal Highway Administration is now involved working with ODOT in Columbus. Mr. Kobasuk emailed Laurie Leffler, Division Administrator with the U.S. Department of Transportation Federal Highway Administration requesting a meeting to discuss Newtown's opposition to the relocation of SR 32 as part of the Eastern Corridor Project. As of today, Mr. Kobasuk has not received a response from Ms. Leffler.

Town Hall Meeting ~ Wednesday, September 25<sup>th</sup> at 7:00pm

A Town Hall meeting will take place to bring the public up to date on the Eastern Corridor and the impact it will have on the residents and business owners in the Village of Newtown. The meeting will take place at Miami Valley Christian Academy, located at 6830 School Street, in the Cafetorium.

Little Miami Fire Board Update (Reported by Mr. Kobasuk)

After approving the 2014 Budget at their July meeting, the carryover will be \$174,000. The Board will review the budget again at their September meeting and discuss the possibility of a 2.7 mill levy on the May 2014 ballot and then run it again November 2014. Compensation and health insurance is around 70% of the budget.

Frost Brown Todd Proposal – Newtown Landfill

Mr. Kobasuk recommended that Council engage the recent proposal from Frost Brown Todd.

**Mr. Kobasuk made a motion to accept the revised proposal from Frost Brown Todd LLC. Mr. Harten seconded the motion.**

Discussion

Mr. Tiettmeyer is in favor of moving forward, but asked to see an estimate of what would be billed for the remainder of 2013. Mr. Kobasuk said he will provide that estimate.

**All Aye. Motion Carried.**

Resolution – Lake Barber, BEE Holdings

**Mr. Burns made a motion to suspend the rules, seconded by Mr. Short.**

Discussion

Mr. Kobasuk is not in favor of passing the resolution by an Emergency vote. While he supports the resolution, as a matter of procedure and principal, he feels the residents need a chance to digest the information and come forward if they have an issues. Mr. Kobasuk said it makes sense to have a First Reading and not pass the resolution by an Emergency.

**Mr. Burns rescinded his motion waiving the three readings.**

Resolution (First Reading) – Lake Barber

**Mr. Burns made a motion to have a First Reading on a RESOLUTION ACCEPTING AND AUTHORIZING A SETTLEMENT AGREEMENT, DECLARING AN EMERGENCY. Mr. Harten seconded the motion. All Aye. Motion Carried.**

**Mr. Burns made a motion to have the Second Reading at the 8.27.2013 Council Meeting. Mr. Short seconded the motion. All Aye. Motion Carried.**

Resolution – Lake Barber, HA HA, Inc.

**Mr. Burns made a motion to have a First Reading on A RESOLUTION ACCEPTING AND AUTHORIZING AN AGREEMENT WITH HA HA, INC., DECLARING AN EMERGENCY. Mr. Zornes seconded the motion. All Aye. Motion Carried.**

**Mr. Burns made a motion to have a Second Reading at the 8.27.2013 Council Meeting. Mr. Harten seconded the motion.**

5K Walk/Run

Mr. Harten thanked the maintenance and police departments, participants, and Village volunteers, including Mr. Short for their efforts showcasing the Village of Newtown for the 2013 5K Walk/Run.

Planning Commission

The regularly scheduled meeting is Thursday, August 29<sup>th</sup> at 7:00pm.

### Short Park Update – MVCA “MOU”

Discussion has taken place over the past eighteen months with Miami Valley Christian Academy about their potential need and desire to have a football, baseball and softball fields. One solution would be to have a joint venture at Short Park. Mr. Harten spoke to the Memorandum of Understanding, which is a document prepared by Miami Valley Christian Academy to begin discussions on the joint venture. Solicitor Miller has reviewed the “MOU” form, making minor changes. Mr. Harten has invited Sean Baker, MVCA Headmaster to attend the 8.27.2013 Council Meeting to present their vision. If it is then Village Council's wish, negotiations would proceed, followed with a Public Hearing. Solicitor Miller thought it would be better to have a joint venture than a lease option. Mayor Cosby asked that the Parks Committee give a detailed report to Council after the presentation from MVCA, as to how we have come to this point. Mayor Cosby said before the village would give up certain aspects of the park, it would be a must to involve the public as to moving forward with the joint venture. Mr. Harten said several informal discussions have taken place; the MOU is to begin discussions to see where we go from there.

### Campaign-size Signs

Mr. Tiettmeyer has noticed more temporary signs displayed in the village; he asked if there was a zoning requirement for temporary signs. Mr. Harten said, after one receives approval from the zoning department, there is a thirty-day period. Solicitor Miller said a sign is zoning and Mike Spry is the enforcer of the zoning code. He said it's not property maintenance per se. Mayor Cosby said Mr. Weber could spot the signs and communicate the issue to Mr. Spry. Mr. Harten will follow-up.

### Executive Session

**Mr. Burns made a motion to enter into Executive Session at 8:12pm to discuss litigation, seconded by Mr. Harten. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Burns-Yes, Mr. Harten-Yes. Motion Carried.**

Mayor Cosby called the meeting back to order from Executive Session at 8:20pm.

**Mr. Kobasuk made a motion that the Village of Newtown continues fighting Martin Marietta. Mr. Short seconded the motion. All Aye. Motion Carried.**

The Council meeting adjourned at 8:20pm.

Transcribed by Becky Fairley