

The October 8, 2013 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

Checklist

**Mr. Tiettmeyer made a motion to approve the 10.08.2013 Checklist, total \$283,325.72. Mr. Zornes seconded the motion. All Aye. Motion Carried.**

Finance Committee: The Finance Committee, chaired by Mr. Tiettmeyer, will meet 10.22.2013 at 6pm at Town Hall.

Municipal Center Update (Mr. Tiettmeyer)

A Grand Opening / Ribbon Cutting Ceremony will take place November 12, 2013 at 11:00am. Flyers giving the history of the building and information regarding the Cincinnati Museum Center exhibits will be available.

Municipal Center Budget (Mr. Tiettmeyer)

Mr. Tiettmeyer presented a spreadsheet with various change orders and discussed the expenditures for the project. As with any renovation or building project, there are always unforeseen expenses. After taking into consideration additional expenses, the project remains within the budget. The money for the digital message board will be removed from the budget for the renovation project and taken from the Contingency Fund. The Capital Improvement Fund Ending Balance would then be \$59,924.67, which will be used for must-haves in the Police Department renovations, at 3536 Church Street. The basement has remained dry since it has been waterproofed. The evidence room and armory will be built in the basement.

Motion Change Order No. 10 w/ D.E.R. Development Company (Total \$4,057)

Change Order is on file at the Village Office. NOR-COM Conduits, Dais access panel, credits using horn strobe fire alarm and less masonry restoration, gutter board improvements.

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

**Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 30-2013 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. Kobasuk seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes. Mr. Burns-Absent. Motion Carried.**

Motion Change Order No. 11 w/ D.E.R. Development Company (Total \$9,342)

Change Order is on file at the Village Office. Second floor renovations.

**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. 31-2013 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. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes. Mr. Burns-Absent. Motion Carried.**

Motion Change Order No. 12 w/ D.E.R. Development Company (Total \$19,075)  
Change Order is on file at the Village Office. Down spouts and side porch.

**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. 32-2013 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. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes. Mr. Burns-Absent. Motion Carried.**

Rear Building Retaining Wall – Municipal Center

**Mr. Tiettmeyer made a motion to approve a contract with Gilb Landscaping for \$4,625 to build the rear retaining wall and plant grass. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.**

Exterior Rear Stairs – Municipal Center

The rear staircase is to be used as an emergency exit.

**Mr. Tiettmeyer made a motion to approve the exterior stair repairs for \$1,500 to Scott Kuhlmann. Mr. Short seconded the motion. All Aye. Motion Carried.**

Stained Glass Repair / Custom Lightbox – Municipal Center

**Mr. Tiettmeyer made a motion to approve \$2,460 to Architectural Art Glass Studio for repairs made to the stained glass windows. Mr. Short seconded the motion. All Aye. Motion Carried.**

Parking Lot Expansion / Reconfiguration / Restriping- Municipal Center

**Mr. Tiettmeyer made a motion to approve \$10,453 to Rack Seven for parking lot expansion, reconfiguration, restriping and ADA signage and parking blocks. Mr. Harten seconded the motion. All Aye. Motion Carried.**

Resolution, Accepting Amounts & Rates

**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. 33-2013 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION & AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes. Mr. Burns-Absent. Motion Carried.**

Resolution, Approving Transfer & Supplemental Appropriations

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

**Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 34-2013 A RESOLUTION APPROVING A TRANSFER AND A SUPPLEMENTAL APPROPRIATION AND RECONCILING THE BUDGET AND AMENDING APPROPRIATIONS FOR CALENDAR YEAR 2013, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes. Mr. Burns-Absent. Motion Carried.**

Council Minutes

**Mr. Zornes made a motion to approve the 8.27.2013 Council Minutes, seconded by Mr. Tiettmeyer. All Aye. Motion Carried.**

**Mr. Zornes made a motion to approve the 09.24.2013 Council Minutes, seconded by Mr. Short. All Aye. Motion Carried.**

Maintenance Department

Leaf collection is in full force and will continue through mid-December. The Moundview restroom now has a new roof, thanks to the efforts of our maintenance team. A few mowers have been repaired. In an effort to extend the life of one of the mowers, plans to remove the fluid drive motors and rebuild one mower will take place this winter. Ms. Everett thanked Mr. Dickerson and the maintenance department for helping to keep the renovation project moving forward by helping when necessary.

Newtown Night at Miami Valley Christian Academy (Reported by Mr. Short)

On Saturday, October 26<sup>th</sup>, MVCA will recognize Village officials, Civic organizations and business groups at their football game at the Turpin High School field. Visitors are encouraged to bring food donations for Inter Parish Ministry.

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

Mr. Kobasuk talked to the Fire Board members at a recent meeting regarding money left over from building the Fairfax station. A few comments were made asking if Newtown would support a levy for the fire department if they did consider using the money for a digital sign for Newtown. A vote was not taken at the meeting. Mr. Kobasuk learned the excess funds can be used for operations. Therefore, he will not raise the sign issue again with the Board. Mr. Short asked Mr. Kobasuk to talk to the Fire District about participating in a Fire Prevention Week for 2014.

Newtown Landfill

Mr. Kobasuk asked for an Executive Session to discuss imminent litigation.

Eastern Corridor Public Meeting (Reported by Mr. Kobasuk)

The 9.25.2013 Public Meeting held at MVCA was well-attended. The purpose of this meeting was to energize and update the public. The number of signatures on the petition opposing the Eastern Corridor doubled in less than one week. If you have not signed the petition, you may do so at <http://www.change.org/petitions/ohio-department-of-transportation-do-not-relocate-state-route-32-through-the-village-of-newtown-3>. County Commissioner Todd Portune, Hamilton County Engineer Ted Hubbard and officials with Ohio Department of Transportation will be invited to attend the next Public Meeting to discuss the Eastern Corridor.

Public Meeting - Miami Valley Christian Academy – Short Park (Reported by Mr. Harten)

MVCA will host a Public Meeting ~ Wednesday, 11.13.2013 at 7pm in the Cafetorium at 7:00pm. MVCA has presented plans to Village officials for an athletic campus to be constructed at Short Park. The community will have the opportunity to give input regarding the potential use of the park.

Meet the Candidates Night ~ Monday, Oct. 14<sup>th</sup> at 6:30pm

The event will take place at Miami Valley Christian Academy, 6830 School Street, Elementary School Chapel. There are four (4) council seats up this go 'round with five (5) candidates running: Joe Harten (incumbent), Mark Kobasuk (incumbent), Curt Tiettmeyer (incumbent), Tracy Hueber and Cheryl McConnell.

Executive Session

**Mr. Kobasuk made a motion to enter into Executive Session at 7:35pm to discuss pending and imminent litigation. Mr. Harten seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes, Mr. Kobasuk-Yes, Mr. Harten-Yes. Mr. Burns-Absent. Motion Carried.**

The Council meeting reconvened at 7:45pm. As a result of the Executive Session, action will be taken.

**Mr. Kobasuk made a motion to retain the services of Dinsmore & Shohl LLP to advise Village Council. Mr. Harten seconded the motion. All Aye. Motion Carried.**

### One Shot Explosion Incident

Ms. Gail Roma spoke to the 10.03.2013 explosion that took place at the One Shot Ammunition Manufacturing site at 3753 Round Bottom Road in Newtown. She assured Village Council that Newtown is not in any danger. Three minor injuries were reported. The Ohio State Fire Marshal's Office said during the process of making ammunition, there was a buildup of gunpowder residue, which somehow ignited. Ms. Roma said this incident was one in a million chance and the chances of it happening again are slim to nothing. Blasts were contained to a five-foot area, due to the safety measures put in place by One Shot. One Shot makes ammunition at the site and reloads shells. A gun range is in the process of being built at this location. Ms. Roma commended the Newtown Police Department for the way they handled the scene.

Mr. Harten made a motion to adjourn at 7:58pm.