

The October 22, 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 Chuck Short
 Joe Harten Curt Tiettmeyer
 Mark Kobasuk Daryl Zornes

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

Municipal Center Update Hank Roe, DER Development

Final inspection is scheduled for late next week; move-in for the office staff and the Cincinnati Museum Center will take place week of November 4th. Exterior work is coming along, as our local R. Kelly Constructors is forming the remainder of the concrete work in the front. Once the concrete work has been completed, landscaping will be done by Gilb Landscaping. The side porch and expansion of the parking lot will be completed before move-in.

Checklist

Mr. Tiettmeyer made a motion to approve the 10.22.2013 Checklist for \$67,790.90. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.

Resolution, Roth Partnership, LLC.

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. 35-2013 A RESOLUTION APPROVING AN AMENDMENT TO AN AGREEMENT WITH ROTH PARTNERSHIP LLC, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Zornes seconded the motion.

Discussion

The original agreement with Roth Partnership was for full responsibility of all architectural services for the renovation of the Municipal Center. Part of the agreement calls for Roth to provide Construction Phase Services and Evaluations of the Work for oversight of the work of the contractor on the project. Change orders came up during the construction phase of the project, which have been resolved between Newtown and the contractor, which do not require the services of Roth to oversee and approve. Therefore, Roth has no responsibility for other companies that the Village contracted with directly. And they shall not be entitled to compensation under the Agreement for these change orders.

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

Resolution, Center for Local Government

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. 36-2013 A RESOLUTION DETERMINING TO JOIN THE CENTER FOR LOCAL GOVERNMENT COOPERATIVE PRICING SYSTEM ELECTRIC AGGREGATION PROGRAM, 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-Yes. Motion Carried.

Finance Committee Update (Reported by Mr. Tiettmeyer)

The following items were discussed at the Finance Committee held prior to the Council Meeting: 1) Collections for the Municipal Income Tax, 2) 2014 Budget and 3) Police Department Cruiser Program.

Municipal Center Update (Reported by Mr. Tiettmeyer)

Plans for the Ribbon Cutting / Grand Opening are shaping up, with many local restaurants providing food for the Ribbon Cutting. The brochure is being revised and near completion.

Council Minutes

Mr. Zornes made a motion to approve the 10-08-2013 Council Minutes, seconded by Mr. Short. All Aye. Motion Carried.

Human Resource Committee (Chairman Daryl Zornes)

The committee will meet 10-29-2013 at 6:30pm to discuss employee health benefits.

Drain – Eastbound SR32 (Reported by Mr. Dickerson)

Mr. Dickerson met with Bruce Brandstetter 10-11-2013 concerning the drain, eastbound SR32 just past Burger Farm. A few months ago, having the drain jet-washed was discussed. Burger Farm did pay to have the drain jet-washed and never turned in the half the Village agreed to pay. The pipe has two areas that have collapsed and with the recent three plus inches of rain a few weeks ago, one of the properties did have some backwash. Mr. Brandstetter will present Mr. Short with a plan and cost-estimates to repair the collapsed areas.

Tire Recycling Drive (Reported by Mr. Dickerson)

For your convenience, the Newtown Maintenance Department will be providing a dumpster at 3711 Debolt Street for the collection of old or unwanted tires. The dumpster will be marked "Tire Drive." The drive begins Friday, November 15th - the dumpster will be removed Monday, November 18th. Please direct questions to 513.271.2009.

Moundview Park - Lighting

Mr. Tiettmeyer said the electric work recently done at Moundview looks nice. He asked Mr. Dickerson about the additional electric work to be done to the outdoor lighting around the concession area. Mr. Dickerson said the electrician is submitting a bid on the electric box and converting the porcelain single light fixtures outside.

Maintenance Department

Mr. Tiettmeyer commended the Maintenance Department for removing the shrubs along the side of the parking lot at the Municipal Center. This will allow for the parking lot to be expanded about ten feet. Mr. Dickerson also removed the pavers.

Newtown Landfill Update (Reported by Mr. Kobasuk)

Mr. Kobasuk, Mayor Cosby, Mr. Short and Mr. Dickerson recently met with the legal team. Council will receive an update in thirty days.

Little Miami Fire Board (Reported by Mr. Kobasuk)

The Fire Board is reviewing the budget and the possibility of a future levy. At this time, \$700,000 will be carried over for next year.

Eastern Corridor (Reported by Mr. Kobasuk)

Mr. Kobasuk presented Council with a copy of a letter he and Mr. Short received from the Ohio Department of Transportation and Federal Highway Administration. Mr. Kobasuk and Mr. Short will attend a meeting that will be held November 5th in Columbus to basically plan on how to proceed with the Eastern Corridor going through Newtown. This meeting is in response to the meeting Mayor Cosby spoke at in August. From the tone of the letter, ODOT has made the decision to move forward. The Eastern Corridor seems to be gaining more momentum and Newtown needs to redouble our efforts to oppose the roadway.

Mr. Short recapped the meeting he, Mayor Cosby and Mr. Kobasuk attended at the Ohio Department of Transportation – District 8, Lebanon, Ohio. A "NO BUILD" position has been made known to ODOT for many years, and it was pretty much a unanimous contingent from different municipalities there, including Terrace Park and Mariemont who basically said the same thing. Commissioner Portune and Doug Evans spoke at a meeting that preceded and put a different spin on trying to get the roadway through.

Please sign the petition opposing the Eastern Corridor at: <http://www.change.org/petitions/ohio-department-of-transportation-do-not-relocate-state-route-32-through-the-village-of-newtown-3>

Police Department – Cruiser Purchase

The Finance Committee discussed the purchase of two new police cruisers; total \$60,387, minus the estimated income from the sale of two existing cruisers \$35,500, leaves net cost to the Village \$24,887.

Mr. Kobasuk made a motion to proceed with the purchase of two new police cruisers based on the above cost. Mr. Zornes seconded the motion.

Discussion

Mr. Short asked how the budget looked for the purchase of the cruisers. Normally, three cars are scheduled to be purchased. The third car will be purchased if the 2014 budget allows. Mr. Tiettmeyer and the Finance Committee are in the process of reviewing the 2014 budget.

All Aye. Motion Carried.

Mayor's Monthly Statements to Council

Mr. Kobasuk made a motion to approve the Mayor's Monthly Statement to Council for March through September 2013. Mr. Burns seconded the motion. All Aye. Motion Carried.

Resolution, Mutual Aid Agreement for Law Enforcement

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

Mr. Kobasuk made a motion to adopt RESOLUTION NO. 37-2013 A RESOLUTION APPROVING A MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT, DISPENSING WITH THE SECOND READING 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-Yes. Motion Carried.

Councilman Burns Resignation

Mr. Burns tendered his resignation from Newtown Village Council; effective October 29, 2013. Mr. Burns said it has been a pleasure serving on Newtown Village Council for the past six years. He and his family are moving out of the Village of Newtown. Mayor Cosby and Village Council thanked Mr. Burns for serving the Village of Newtown.

Planning Commission

The Planning Commission will meet Monday, October 28th at 7pm. Mr. Harten said rezoning the Burger property is currently on the agenda.

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

MVCA will host a Public Meeting ~ Wednesday, 11.13.2013 at 7pm in the Cafetorium. 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.

Mr. Short asked Solicitor Miller to look into how the grants from ODNR for Short Park would impact leasing the property. Solicitor Miller said, usually, grants are issued with a specific purpose and permission may need to be obtained if the purpose should change. The grant documents will need to be reviewed. Solicitor Miller said a final answer from ODNR may not come until the Village presents a more definite plan with MVCA. Mr. Kobasuk said he would like to see an Economic Analysis of the property at Short Park. He also said Council needs to discuss at the next meeting what the Village wants to see developed at the park.

Lake Barber

As promised in the beginning of the Lake Barber development, \$20,000 has been received from resident Doug Hall. Solicitor Miller said Lake Barber has now been closed. A Proclamation is being considered.

Council to Meet in New Municipal Center

Mr. Tiettmeyer reminded everyone that this is the last meeting to be held at 3536 Church Street. The 11.12.2013 Council Meeting will be held at the new Municipal Center located at 3537 Church Street.

Mr. Short made a motion to adjourn at 7:30pm.