

The March 11, 2014 meeting of the Newtown Village Council was called to order at 7:00 p.m. by Vice Mayor Daryl Zornes, who led the Pledge of Allegiance to the Flag.

**Councilmembers:** Joe Harten Chuck Short  
Mark Kobasuk Curt Tiettmeyer  
Cheryl McConnell Daryl Zornes

**Solicitor:** Doug Miller

**Fiscal Officer:** Keri Everett

**Police Chief:** Tom Synan

Short Park - Miami Valley Christian Academy Venture (Reported by Joe Harten)

Responses/Comments have been received from MVCA regarding various points of the 1.15.2014 Term Sheet. Village Council discussed each item on the term sheet. MVCA has agreed with many of Council's suggested provisions. Council will be discussing and clarifying with MVCA a few of the items discussed; specifically: 1) Term of agreement, 2) Governing Board and 3) Financial terms. Three zones of the Athletic Complex have been laid out by MVCA. Zone 1 is the current zone planned for the football stadium. Mr. Short said he is for the construction of a football field, but believes Zone 3 would have the least impact on the residents living close to the school and park.

In January, Mr. Short commissioned C. Barry Barnhorn, Real Estate Consultant with Barnhorn Real Estate Appraisal Services to give an opinion on the impact a stadium structure would have on Newtown residents. Mr. Barnhorn's opinion is as follows:

*Relating to Zone 1, the immediate area residents, the construction of a stadium will tend to lower property values. If construction occurs at the optimal location within the boundaries of Short Park, this change will have a positive future effect on the school and provide an additional incentive for new families moving into the area.*

Mr. Kobasuk supports Mr. Short's position in this matter. He said it is easy for him to vote yes since he lives on a hill far away and won't be affected by the lights and noise. Mr. Kobasuk said it is Council's job to protect the rights of the minority, the homeowners – the people that live close. Mr. Kobasuk read the following two sentences taken from Mr. Barnhorn's letter dated 1.27.2014:

*1) To utilize the subject property for a stadium with bleachers is not a value improvement for the surrounding residents, although certainly a value to those who use it.*

*2) To the immediate area residents, the construction of a stadium will tend to lower property values and/or extend marketing time.*

Mr. Kobasuk said for most people, their greatest asset is their home and Council needs to protect the people that live in that area. He would like to go door-to-door to talk with the people and said it may be that they do not object to the stadium. MVCA is a great school with a great mission and he totally supports what they are doing, but Council needs to protect the people that live nearby. Mr. Kobasuk said he would not want a stadium behind his home and is hesitant to agree to the construction of a stadium in Zones 1 and 2 until he talks to the surrounding residents.

Mr. Tiettmeyer said at this point, based on several items that we are pretty far apart on, it is not certain if the deal will MVCA will go through. Once Council continues discussions and moves forward, a Public Meeting will be held to discuss with everyone before finalizing any deal.

Police Chief Synan said MVCA has been very willing to work with the Village. He urged Village Council to look at the big picture since the Village doesn't have an Economic Plan in place.

Mr. Harten voiced his frustration with repeatedly having to re-litigate this issue over and over again. He has worked closely over the past year with MVCA and is in favor of the joint venture with MVCA, as it is a good deal for the Village of Newtown. Mr. Harten is interested in moving forward with discussions regarding the areas of concern and bring the terms to a conclusion, one way or the other.

Mrs. McConnell agreed with Curt Tiettmeyer and Joe Harten to follow through with the process. She suggested giving MVCA an incentive to look at Zone 3 as the prime space, by off-setting the rent amount.

Mrs. McConnell said the goal is to keep the business in Newtown, while making an improvement to the park. Mr. Harten said there is clearly value to people in the Village and the neighborhood as a whole to have the stadium moved to a more feasible location. Mr. Tiettmeyer asked Mr. Harten if he would continue discussion on Items 1, 5, 16 and 18 of the Term Sheet with MVCA, as these could be deal breakers. Mr. Harten said he is happy to discuss everyone's position with MVCA officials.

Planning Commission (Reported by Mr. Harten)

The Planning Commission is scheduled to meet March 27<sup>th</sup> at 7:00pm.

Lake Barber Update (Reported by Mrs. McConnell)

At the 1.14.2014 Council meeting, Village Council approved \$10,000 to Brandstetter Carroll Inc. for design work for a pedestrian bridge to be located at Lake Barber. February 10<sup>th</sup>, Mayor Cosby and Ron Dickerson met with Ben Brandstetter to discuss criteria for the bridge. The bridge will have removable bollards to allow maintenance and emergency vehicles to pass. Ron will be discussing lighting issues with Ben. In an effort to move the project forward, Solicitor Miller, Doug Evans and his attorney, along with a few council members are scheduled to meet tomorrow. Mayor Cosby, Ron Dickerson and a few council members will also be present at the meeting. An area will be graded out for a future restroom. The drawings show a future restroom, but there would not be a sanitation water line. Mr. Tiettmeyer said the Village would need to apply for a grant for future restrooms.

Moundview / Scope of Work – 2<sup>nd</sup> Floor (Reported by Mrs. McConnell)

A Scope of Work for the Moundview Community Center (House) 2<sup>nd</sup> Floor/Ceiling and miscellaneous repairs was presented and discussed. The Scope of Work was constructed by input from Building Commissioner Mike Spry and various contractors. Once the renovations are completed, the second floor would be a nice space to hold meetings and events. Mr. Tiettmeyer and Mr. Kobasuk talked about the economic demand and cost-benefit of doing the repairs. Mr. Tiettmeyer suggested modifying the Scope of Work to include kitchen doors to visually close off that space, as the kitchen may be a future remodeling project.

LMFD Board Update (Reported by Mr. Kobasuk)

The Little Miami Joint Fire & Rescue District has talked to Anderson Township and the Village of Mariemont about a "functional consolidation," or a sharing of space of equipment. In a recent news article, Mariemont Mayor Dan Policastro said Mariemont is not interested at this time. Discussions with Anderson Township will continue.

The 2013 Annual Report for the Little Miami Joint Fire & Rescue District was distributed.

Resolution, Hamilton County Natural Hazard Mitigation Plan

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

**Mr. Kobasuk made a motion to adopt RESOLUTION NO. 09-2014 A RESOLUTION ADOPTING THE HAMILTON COUNTY NATURAL HAZARD MITIGATION PLAN, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Short seconded the motion. Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.**

Ohio Division of Liquor Control

The Ivy Hills Golf Club and Country Club are under new ownership. DBA Ivy Hills Country Club.

**Mr. Kobasuk made a motion that Newtown does not request a hearing from the Ohio Division of Liquor Control for the Ivy Hills Country Club liquor permit. Mr. Harten seconded the motion. All Aye. Motion Carried.**

Checklists

**Mr. Tiettmeyer made a motion to approve the 2.25.2014 Checklist for \$86,147.46. Mr. Short seconded the motion. All Aye. Motion Carried.**

**Mr. Tiettmeyer made a motion to approve the 3.11.2014 Checklist for \$168,274.88 .46. Mr. Kobasuk seconded the motion. All Aye. Motion Carried.**

Ordinance, 2014 Appropriations

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

**Mr. Tiettmeyer made a motion to adopt ORDINANCE NO. 05-2014 AN ORDINANCE ADOPTING PERMANENT APPROPRIATIONS FOR 2014, DISPENSING WITH THE THIRD READING AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion. Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.**

Mammoth Tusk - Items To Be Relocated Update

Mr. Tiettmeyer recently talked to Chris Novy at the Cincinnati Museum Center regarding the restoration of the mammoth tusk. CMC's cost estimate to restore the tusk is projected at \$2,270. CMC would display the tusk for a period of time; the Village of Newtown would retain ownership of the tusk.

Newtown Police Department Basement Plumbing

At the 2.11.2014 Council meeting, Council approved \$850 for DER Development to clean up the water lines in the basement at the Newtown Police Department. Mr. Tiettmeyer said he was disappointed that the plumber was leaving the same size pipe coming from water main into the building. Roth Partnership, and Building Commissioner Mike Spry confirmed that the copper pipe should be expanded to 1 ¼ inch coming into the building to accommodate three or four sprinkler heads in the locker room and going up the steps. A. L. Miller Plumbing was the lowest bidder for the job. A. L. Miller Plumbing did the plumbing in the fire house and performs testing on current backflow preventers in multiple buildings. The below fee includes a backflow preventer and \$500 for per permit fees.

**Mr. Tiettmeyer made a motion to approve the proposal from A. L. Miller Plumbing Company for \$2,225 for additional plumbing work to be performed in the basement of the police department. Mr. Short seconded the motion. All Aye. Motion Carried.**

Architectural Services for Police Department Renovations

Roth Partnership submitted an amount for design changes for the police department renovations. Architect Kyle E. Hinck designed the side porch, which was done after the fact from Roth Partnership's design work for the Municipal Center. A Proposal for Architectural Services has been received from Kyle E. Hinck for interior remodeling of existing police station. In a recent conversation with Mr. Tiettmeyer, Mike Spry suggested to permit the entire building and then do it in phases. The permit will include all ADA requirements. Mr. Tiettmeyer asked for Council's consent to move forward with Kyle E. Hinck for design development and preliminary design drawings.

Resolution, Architectural Services ~ Police Department

**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. 10-2014 A RESOLUTION FOR A PROPOSAL FOR ARCHITECTURAL SERVICES WITH KYLE E. HINCK, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion. Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.**

Cincinnati Museum Center

Due to the winter weather, the outdoor timeline buckled away from the frame; the CMC will soon be out to replace the timeline. The CMC will also be installing a banner-like history timeline inside the Municipal Center, as well as a speaker in the kiosk within the next month.

Original Church Bell

Newtown Baptist Church has been storing the original church bell that hung in the bell tower. Mr. Short will look into restoring the bell and possible ways of displaying the bell. It was suggested to store it in the Maintenance building.

Maintenance Department Update – S.R. 32 Storm Sewer (Burger Farms) Reported by Mr. Short:

J. K. Meurer recently repaired a sinkhole, completed repairing the storm drains and a spot by the police department for \$2,500.

The Village of Newtown contracted Tele-Vac Environmental to complete the Television Inspection of the 12" storm sewer located on S.R.32 at Burger Farms. Tele-Vac identified multiple areas of 100% collapsed storm sewers as well as deformations and crushed or buried pipe.

Brandstetter Carroll Inc. met with Mr. Short 3.5.2014 to discuss the television inspection and tasks to be completed moving forward. It was agreed that due to the condition of the overall storm sewer system, complete replacement of the storm sewer system is warranted. BCI will look for funding alternatives from: OPWC grant, MRF funds, ODOT and Hamilton County Storm Water District.

Items to Bid (Reported by Mr. Short)

A 2000 GMC pick-up truck with snow removal equipment and an eXmark lawn mower will go out to bid at a minimum of \$500 each. Items will be advertised. These items will be declared surplus by an Ordinance.

Pavement Management Study

Mr. Kobasuk asked Mr. Short if Brandstetter Carroll Inc. has issued a recent report on the condition of all of the streets. Mr. Short said Brandstetter Carroll is currently surveying the streets and plans to give an update at the 4.08.2014 Council meeting.

Council Minutes

**Mr. Zornes made a motion to approve the 2.11.2014 Council Minutes, seconded by Mr. Harten. All Aye. Motion Carried.**

Ordinance, 2014 Salaries for Village Personnel

**Mr. Zornes made a motion to suspend the rules, seconded by Mr. Harten.**

Mr. Kobasuk asked to enter into Executive Session regarding a minor adjustment that goes to fundamental fairness.

Executive Session

**Mr. Kobasuk made a motion to enter into Executive Session at 8:11pm to discuss personnel compensation. Mr. Zornes seconded the motion. Roll Call: Mr. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

Mr. Harten made a motion to reconvene the Council meeting at 8:18pm, seconded by Mr. Kobasuk. All Aye. Motion Carried.

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

**Mr. Zornes made a motion to adopt ORDINANCE NO. 05-2014 AN ORDINANCE ESTABLISHING SALARIES FOR VILLAGE PERSONNEL WITH THE AMENDMENT, WAIVING THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Kobasuk seconded the motion. Roll Call: Mr. Kobasuk-Yes, Mrs. McConnell-Yes, Mr. Harten-Yes, Mr. Short-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes. Motion Carried.**

Municipal Center Parking Lot – Bollards

Mr. Tiettmeyer said someone recently bumped into the gas meter in the parking lot. Council approved the funds a while back to install the bollards. Mr. Tiettmeyer asked Mr. Short if he knew when this would be done. Mr. Short will look into it.

Mr. Harten made a motion to adjourn at 8:22pm.

Transcribed by Becky Fairley