

The September 23, 2014 meeting of the Newtown Village Council Work Session was called to order at 7:00 p.m. by Mayor Curt Cosby, who led the Pledge of Allegiance to the Flag.

**Councilmembers:** Joe Harten  
Mark Kobasuk  
Cheryl McConnell  
Chuck Short  
Curt Tiettmeyer  
Daryl Zornes  
Solicitor: Doug Miller  
Fiscal Officer: Keri Everett

Planning Commission Meeting (Reported by Joe Harten)  
The next scheduled meeting is Tuesday, September 29<sup>th</sup> at 7pm.

Moundview – Exterior Stairs (Reported by Cheryl McConnell)  
Bids for staining the stairs have been received. On Deck Services submitted a \$550 bid for labor to stain the stairs, with the Village supplying the stain. Mrs. McConnell will approve this expenditure.

LMFR Fire Board Update (Reported by Mark Kobasuk)  
Chief Ramsey is recommending placing an additional 2.75 mill levy on top of the current 12.05 mills on the May 2015 ballot. LMFD has the highest levy millage in Hamilton County by 2 mills with Milford being the next highest. A spreadsheet was presented that shows where Newtown fits in the fire district having 88.5 million dollars in property, which is larger than Fairfax or Columbia Township; therefore, Newtown pays 41% of the tax revenue of the three jurisdictions.

A 2.75 mill levy will increase taxes on a \$100,000 home by \$94.50; a \$500,000 home will go up \$472.50 per year. This will be in addition to the school levy, which will be \$173 per \$100,000 home value. The fire and school levies added together for a \$100,000 home, taxes will increase \$267.78 annually and a \$500,000 home will go up \$1,338.90 annually. The Fire Board will vote this year and possibly place this on the May 2015 ballot.

Since Newtown joined the Fire District, there have been two prior levies: 1) 2007 and 2) 2009. Mr. Kobasuk said he troubled by the increase in taxes between the Forest Hills School District, the Fire District and the Income Tax. If this additional levy does not pass, the Fire District will place it on the November 2015 ballot. The Fire District will need to cut staffing if the levy fails. Mr. Kobasuk said the Fire Department admits the cost structure is high and they insist on having four firefighters per shift at each station. These are union jobs and the union wants to protect their jobs. Mr. Tiettmeyer thanked Mr. Kobasuk for the information and said, until the levies are turned down by the citizens, the operations of day-to-day business will not change. Mrs. McConnell asked if the surrounding communities have the standard four firefighters on duty at all times. Mr. Kobasuk said it is best practice to have four on duty at all times. Having three on duty is adequate and acceptable with the assistance of mutual aid from local municipalities, stated Mr. Kobasuk.

Police Department (Reported by Mark Kobasuk)  
2,000 traffic citation forms, 1,000 misdemeanor citation forms and 100 arrest forms need to be ordered.

**Mr. Kobasuk made a motion to approve \$1,816 to purchase the above forms, seconded by Mr. Zornes. All Aye. Motion Carried.**

SR 32 – ODOT Signs (Reported by Lt. McBreen)  
The Newtown Police Department has been working on a plan to decrease the amount of signs on SR 32 and bring more awareness to drivers having less signage. The Ohio Department of Transportation has nothing to do with parking signs, but has approved the plan to reduce signage. Council was asked to approve \$2,500 to replace signs according to ODOT's specifications. Mr. Tiettmeyer recommended approving the amount to order the signs, as the money is in the budget. Once the rebuilding of the maintenance department staffing is completed and the new signs have been received, the signs will then be installed. Chief Synan and Council thanked Lt. McBreen for his time spent on this project.

**Mr. Kobasuk made a motion to approve \$2,500 to purchase signs for SR 32, seconded by Mr. Short. All Aye. Motion Carried.**

MVCA Short Park Agreement  
Mr. Kobasuk asked Solicitor Miller to make several revisions to the agreement: 1) add "if it is so determined by the Village Solicitor" to 4.9 regarding prevailing wage requirements. 2) add "mayor, council members or their designated alternates." Council agreed these designees must be an elected official. To Section 5.5, 3) make the last paragraph in 5.5 parallel with section 5.2, repeating the language covering school functions and activities. Mr. Kobasuk asked who would maintain the walking trail in Zone 3. Mayor Cosby said it was never represented that MVCA would maintain the walking trail

throughout and the majority of the walking path in Zone 3 will become the Hamilton County bike trail. Solicitor Miller said MVCA needs to be made aware of the easement the Village sold to Hamilton County. Mayor Cosby said the easement will need to be plotted on the final layout of MVCA's plans. Regarding the environmental language, Mr. Kobasuk said he thought it read where they would indemnify the Village for the result of their use, occupancy or operation of the facility. He asked what if asbestos or other hazardous items are dredged up when moving the ground. Solicitor Miller said MVCA may be responsible, but the Village certainly would be responsible. Mr. Harten said if the Village wants to avoid all liability then a joint venture could not happen with anyone. Mr. Kobasuk said since MVCA doesn't have to buy a large piece of land, he thought they would accept the unlikely liability if anything hazardous would be uncovered. Mr. Tiettmeyer agreed to place this in the draft agreement and wait to see MVCA's response. Mr. Kobasuk said he is trying to be a Good Samaritan for the Village. Mr. Harten said being a Good Samaritan is great, but at some point, this train has to leave the station. Solicitor Miller will make the changes discussed and forward to MVCA reserving the right to make further changes, per Council's direction.

#### Checklist

Ms. Everett said there are two checks that need to be approved by a motion before the checklist is approved. A supervisor has a \$500 limit and these two items were not approved. The two invoices are maintenance-related.

**Mr. Short made a motion to approve the two invoices: 1) Magulac Tire Service for tractor tire replacement for \$786 and 2) ODB Company for leaf vac hose for \$906.90. Mr. Harten seconded the motion. All Aye. Motion Carried.**

**Mr. Tiettmeyer made a motion to approve the 9.23.2014 Council Checklist for \$50,855.86, seconded by Mr. Harten. All Aye. Motion Carried.**

#### Cleaning Village-owned Buildings (Reported by Mr. Tiettmeyer)

At the last meeting, Council was asked to come forward with alternative ideas regarding current services provided by the maintenance department. Mr. Tiettmeyer recommended outsourcing cleaning of the three village-owned buildings and presented one proposal to Council. He presented a Janitorial Service Analysis showing the annual cost having a cleaning company clean the buildings versus the total cost per hour for a maintenance employee to perform the cleaning. Mr. Tiettmeyer suggested we do RFP's and obtain five to six insured bids.

**Mr. Tiettmeyer made a motion to move forward with an RFP for sourcing janitorial services for the three village-owned buildings: 1) Municipal Center, 2) Police Department and 3) Moundview House/Pavilion. Mr. Kobasuk seconded the motion. L All Aye. Motion Carried.**

#### Resolution, Accepting Amounts & Rates

**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. 24-2014 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. Harten-Yes, Mrs. McConnell-Yes, Mr. Kobasuk-Yes, Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Short-Yes. Motion Carried.**

#### Council Minutes

**Mr. Zornes made a motion to approve the 9.09.2014 Council Minutes, seconded by Mr. Kobasuk. All Aye. Motion Carried.**

#### Round Bottom Road Storm Pipe Failure (Reported by Chuck Short)

Brandstetter Carroll Inc. recently gave an \$18,000 estimate, which includes fixing and remove a pipe, replacing the 36" conduit and restoration of the seeding, mulching and sediment control. Mr. Short said, at one point, Liberty Station's Ready Line (formerly One Shot) had said they would repair this storm pipe then were unavailable to meet with Ben Brandstetter. Mr. Brandstetter recommended repairing this pipe and assessing the business, as this has been deemed it is Ready Line's responsibility. Mayor Cosby said it is the Village's obligation to fix this pipe failure and we might have to deal with it through Solicitor Miller. Police Chief Synan said this pipe failure is a safety hazard and a detriment to the people. He said the road floods regularly, four times in the past year. The police department will close the road when needed. Mr. Kobasuk said this is a safety issue that needs to be repaired to avoid liability. Mr. Harten suggested contacting the business one more time. After Solicitor Miller talks with Ben Brandstetter and the owner of Liberty Station's Ready Line (formerly One Shot), he will bring this back to Village Council.

Cemetery Damage from Vehicle Accident (Reported by Chuck Short)

Fencing and one of the brick columns were recently damaged due to a vehicle accident. Mr. Short is in the process of gathering bids. The column needs to be rebuilt before the new fencing is installed. The person that ran into the fence and column has insurance; therefore, the damage will be covered under his insurance. An estimate from EME Fence to repair the fence is \$848.

Maintenance Department Update (Reported by Chuck Short)

Tony Baxter is doing a great job, as he is currently working solo. Schneider Landscaping will temporarily assist with cemetery maintenance. Schneider Landscaping currently works on yards with property maintenance issues.

**Mr. Short made a motion to approve Schneider Landscaping to assist with as-needed grass cutting and weed eating jobs for the next three weeks, up to a total of 80 hours. Mr. Tiettmeyer seconded the motion. All Aye. Motion Carried.**

Exit Interview (Reported by Chuck Short)

Mr. Short emailed an exit interview form to Council and Solicitor Miller for review. Solicitor Miller suggested removing "Council Member" on Page 1. Mr. Short thought "Council Member" should remain on this page. Mrs. McConnell asked why a council member would be needed in that capacity, since a council member does not supervise a paid employee. Mr. Short said, yes they do, under the Maintenance Department; he is the supervisor over the head of the maintenance department. And Mrs. McConnell is over Parks. Mrs. McConnell said she is chairperson of the Parks Committee and the committee makes a decision as a whole. Mrs. McConnell said, the heads of committees do not supervise paid employees of the Village. Mr. Kobasuk suggested the form go through the Human Resource Committee. Mr. Tiettmeyer agreed and said the Employee Application should also be revised through the HR committee. Everyone agreed.

Salt Purchase

Mr. Tiettmeyer asked if salt for the upcoming snow season had been purchased. Mr. Short said 230 tons of salt had been purchased; 150 tons will be paid back to Hamilton County, leaving Newtown with 80 tons. Hamilton County is willing to loan additional salt if the need arises before January. January 2015, 270 tons will be purchased. Salt for the winter and fall of 2015 will come out of the 2015 budget. Mr. Short said the price of the salt purchased is \$103.45/ton.

Resolution, William "Bill" Motto

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

**Mr. Harten made a motion to adopt RESOLUTION NO. 25-2014 A RESOLUTION HONORING WILLIAM MOTTO, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. 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.**

Village Council agreed to honor Mr. Motto with a street sign "Bill Motto Parkway" that will be added below the "Riverhills Blvd." street sign. This will not change the official name of "Riverhills Blvd." Becky will write a Proclamation from the mayor that will be presented at the unveiling of the street sign at a later date.

Martin Marietta Issue (Reported by Solicitor Miller)

The Oral Argument was rescheduled and will be heard on October 6<sup>th</sup> at 10am in the Court of Common Pleas.

Mr. Kobasuk made a motion to adjourn at 8:10pm, seconded by Mr. Zornes. All Aye. Motion Carried.

Transcribed by Becky Fairley