

Vice Mayor Brian Burns opened the Public Hearing at 7:00pm for the following two issues.

Public Hearing - Zone Change for One Shot

A Public Hearing was held Tuesday, July 13, 2010 at 7:00pm to discuss a proposed zone change of a lot split on the property located behind Smith Hughes and DSI at 3753 Round Bottom Road. The property is currently zoned "R-MF Residential Multi-Family" District and "ORP Office Research Park" District. The proposed change is to "G-B General Business" District for the construction of a world class fully contained retail, range, training and law enforcement facility owned by One Shot.

Ms. Gail Roma explained the shooting range will benefit law enforcement officers of Newtown, as well as other law enforcement agencies. There will be a retail shop, 29 lanes, classrooms, training centers, a shoot house with movable walls, self defense classes for women only, some for men, youth classes on gun safety. Ms. Roma said it is everybody's right to own a gun; the facility will offer a place for those with a concealed carry permit a place to practice. She said the facility should generate 20-30 jobs into the community.

Discussion

Mr. Evans asked about the hours of operation and about noise restrictions. Hours of operation will be Monday through Thursday 9am to 10pm, Friday/Saturday 9am to midnight and Sunday 10am to 10pm. Chief Synan said there is something about discharging a fire arm. The material that will be used to reduce the noise is a higher grade product than is used at the Police Academy at Scarlet Oaks, said Chief Synan. As far as shooting within the village corporation limits, Chief Synan said he does not foresee any issues with Planning Commission granting the zoning change. Chief Synan said he has absolutely no concern as far as safety or noise. Ms. Roma said the noise, if any, would be quieter than a piece of equipment being operated. The exterior walls of the range area are eighteen inch thick concrete and soundproofing inside that lines the walls.

Public Hearing - 2011 Village Budget

A Public Hearing was held Tuesday, July 13, 2010 at 7:00pm to give the public an opportunity to ask questions regarding the 2011 Budget. There was no response from the audience.

The July 13, 2010 meeting of the Newtown Village Council was called to order at 7:00 p.m. by Vice Mayor Brian Burns, who led the Pledge of Allegiance to the Flag.

Councilmembers: Brian Burns Mark Kobasuk (absent)
Doug Evans Curt Tiettmeyer
Joe Harten Daryl Zornes

Mayor: Curt Cosby (absent)
Solicitor: Doug Miller
Fiscal Officer: Keri Everett
Police Chief: Tom Synan

Ordinance, One Shot Zone Change

Solicitor Miller told Mr. Evans to abstain since he is an adjoining property owner. Mr. Miller explained that would leave only four council members and five are needed to waive the three-reading rule. Therefore, all we can do tonight is have a first reading.

Mr. Harten made a motion to have a First Reading on an ORDINANCE APPROVING A ZONE CHANGE FOR THE ONE SHOT REAL ESTATE DEVELOPMENT. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Abstain, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Kobasuk-Absent. Motion Carried.

Mr. Harten made a motion to have the Second Reading on an ORDINANCE APPROVING A ZONE CHANGE FOR THE ONE SHOT REAL ESTATE DEVELOPMENT on July 27, 2010. Mr. Tiettmeyer seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Abstain, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Kobasuk-Absent. Motion Carried.

David Pepper, Hamilton County Commissioner

Today, at the Newtown Farmers' Market, surrounded by local leaders and concerned citizens, Hamilton County Commissioner David Pepper introduced a resolution to effectively stop current plans for a proposed underground mine in Anderson Township that has been opposed by various surrounding communities. Councilmen Burns and Zornes attended the meeting. Below is the proposed resolution:

Resolution expressing the continued opposition of the Board of County Commissioners for the Martin Marietta Mining project in Anderson Township and any request to tunnel under county-owned Broadwell Road.

Park Committee Update

At the June meeting, the committee discussed the cemetery fee structure with Cemetery Sexton Dickerson. Mr. Burns will update council with the proposed changes prior to the July 27th council meeting. Mr. Burns plans on having these updates in the form of a resolution for the August 10th council meeting. Parking alternatives were briefly discussed. The committee will continue the discussion at the next meeting.

Checklist

Mr. Tiettmeyer made a motion to approve the 7-13-2010 Checklist, in the amount of \$57,452.44. Mr. Zornes seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Abstain, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Kobasuk-Absent. Motion Carried.

2011 Village Budget

Mr. Tiettmeyer made a motion to have a third and final reading adopting RESOLUTION NO. 25-2010 A RESOLUTION ADOPTING THE 2011 TAX BUDGET FOR THE VILLAGE OF NEWTOWN, DECLARING AN EMERGENCY. Mr. Harten seconded the motion.

Discussion

The 2011 Village Budget has been presented to council two times; there have not been any changes since the first two readings, explained Mr. Tiettmeyer. **Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Kobasuk-Absent. Motion Carried.**

County Water Contract w/City of Cincinnati

Mr. Tiettmeyer made a motion to suspend the rules, seconded by Mr. Zornes. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Kobasuk-Absent. Motion Carried.

Mr. Tiettmeyer made a motion to adopt RESOLUTION NO. 26-2010 A RESOLUTION APPROVING AN AGREEMENT WITH THE CITY OF CINCINNATI TO EXTEND THE COUNTY WATER AREA CONTRACT, DISPENSING WITH THE SECOND AND THIRD READINGS.

Discussion

Solicitor Miller could not find anything in the agreement that said the 1.25 rate and the differential right now continues after the contract. There was passage of that in the 4th amendment; Solicitor Miller had received the 10th amendment to the agreement between the county and Cincinnati. Also, Cincinnati City Council passed an ordinance saying that for any extension of the contract it would be at 1.25%. Solicitor Miller said he did change the village ordinance to reflect the same. (3^d *whereas*)

Mr. Harten seconded the motion. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Kobasuk-Absent. Motion Carried.

Contract w/Sund and Company

Mr. Tiettmeyer made a motion to suspend the rules, seconded by Mr. Harten. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Kobasuk-Absent. Motion Carried.

Mr. Tiettmeyer made a motion to approve RESOLUTION NO. 27-2010 A RESOLUTION APPROVING A CONTRACT FOR INTERNET AND COMPUTER CONSULTING SERVICES WITH CINCINNATI COMPUTER CONCEPTS LLC DBA SUND & COMPANY, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY.

Discussion

Mr. Zornes said the contract states eight hours of training for Becky Fairley; he asked about the training for Keri Everett. Mr. Tiettmeyer said the training would not be limited to eight hours; Mr. Sund did agree to provide necessary training. Mr. Zornes said he noticed in the contract that we are not holding this contractor to the same standards as the previous contractor, which was a 12 hour turnaround time. Mr. Sund's contract is stating 24 hours with no guarantee. Mr. Tiettmeyer said that is because Village staff will be updating the information. Mr. Zornes said he does not feel comfortable paying 30% upfront, as stated in the contract. Mr. Tiettmeyer said he believes it is typical with this type of contract. And this was discussed with the HR Committee; the consensus was the down payment was acceptable. Solicitor Miller said it isn't that unusual for website design and professional services type of contract.

Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-No, Mr. Evans-Yes, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Kobasuk-Absent. Motion Carried.

Council Minutes

Regarding the 6-21-2010 power outage, where it says, "Mayor Cosby sent three administrative employees home at 3:00pm) Mr. Zornes asked that "with pay for the remainder of their shift" be added. He also asked that "for" be added "equal for everybody."

Mr. Zornes made a motion to approve the 6-22-2010 Council Minutes with the above addition and correction, seconded by Mr. Harten. All Aye. Mr. Kobasuk-Absent. Motion Carried.

Mr. Zornes made a motion to approve the 6-30-2010 Special Council Minutes, seconded by Mr. Harten. All Aye. Mr. Kobasuk-Absent. Motion Carried.

Moundview Cleaning

Joe Rutter has been cleaning Moundview Park on the weekends and receiving two hours of over-time. Mr. Zornes said Ms. Everett brought to his attention that for a couple of weeks Mr. Rutter did not have the full forty hours. Mr. Dickerson said Joe occasionally needs to leave for appointments and thought cleaning Moundview would help make up his hours. Mr. Zornes said he is looking for approval from Council to pay Joe the two hours overtime. Ms. Everett said the Personnel Practices say that one doesn't get overtime unless you have worked forty hours. The Personnel Practices also state if a maintenance

employee is called out for something special they would get a minimum of four hours. An approval from Council is needed to deviate from these two things.

Mr. Zornes made a motion to approve two hours of overtime to Joe Rutter for weekend cleaning of Moundview Park, seconded by Mr. Evans. All Aye. Mr. Kobasuk-Absent. Motion Carried.

Matschca Design Resignation

Mr. Zornes said he received a resignation from webmaster Sue Veldkamp, Matschca Design, effective July 4, 2010.

Mr. Zornes made a motion to accept the resignation from webmaster Sue Veldkamp, Matschca Design, effective July 4, 2010. Mr. Evans seconded the motion. All Aye. Mr. Kobasuk-Absent. Motion Carried.

Insurance Committee Update

Mr. Zornes said the committee is still looking at various policies and plans.

Employee Dental, Vision and Life Insurance

Mr. Zornes made a motion to suspend the rules, seconded by Mr. Evans. Roll Call: Mr. Tiettmeyer-Yes, Mr. Zornes-Yes, Mr. Evans-Yes, Mr. Burns-Yes, Mr. Harten-Yes, Mr. Kobasuk-Absent. Motion Carried.

Mr. Zornes made a motion to adopt RESOLUTION NO. 28-2010 A RESOLUTION APPROVING A CONTRACT FOR EMPLOYEE DENTAL, VISION AND LIFE INSURANCE, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Harten seconded the motion.

Discussion

Mr. Harten said the Insurance committee discussed this at the last HR meeting. The overall rating is favorable for all policies. A substantial reduction in the life insurance was negotiated; therefore, the committee recommends moving the employee life insurance coverage from \$15,000 to \$25,000. Mr. Harten said this is more in line with other similar municipalities and basically costs no more money. And the rates are guaranteed for four years.

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

State Representative Peter Stautberg Mr. Stautberg said Ohio legislators are looking at the 7-8 billion dollar hole and how state government will be funded for next year. The local government fund and schools will also be impacted. He said their goal is to make government more efficient and more streamlined. You may email Representative Stautberg at (district34@ohr.state.oh.us) or phone him at 614.644-6886.

Public Service Update

After researching salt prices, Mr. Evans said the cost will be around \$75.00 to \$80.00 per ton.

Mayor's Monthly Statement to Council

Mr. Evans made a motion to approve the June Mayor's Monthly Statement to Council, seconded by Mr. Tiettmeyer. All Aye. Mr. Kobasuk-Absent. Motion Carried.

Village Dry Wells

Mr. Dickerson said the dry wells need to be vacuumed and cleaned. Mr. Dickerson said he could not locate records from the last time this was done, but believes the dry wells have not been cleaned in about 8-12 years. Televac Environmental quoted \$3,200, which would be done in two days with two to three of their employees. This would need to take place during the driest month to keep the cost down.

Mr. Evans made a motion to contract with Televac Environmental to clean out the village dry wells in August or September, amount not to exceed \$3,200. Mr. Harten seconded the motion.

Discussion

Mr. Tiettmeyer said the amount is fine from a budget perspective. **All Aye. Mr. Kobasuk-Absent. Motion Carried.**

Maintenance

- Mr. Dickerson has obtained two estimates to remove trees from Drake Street and from the Short Park entrance. He will go with the cheapest estimate.
- Maintenance repaired a sink hole on Harriet Lane, saving about \$3,500, per Mr. Dickerson.

Lake Barber Insurance

Solicitor Miller asked Council if they wanted to spend \$5,000 per year to insure Lake Barber. This discussion was tabled.

Mr. Zornes made a motion to adjourn at 7:52pm, seconded by Mr. Harten. Motion Carried.

Transcribed by Becky Fairley