

The July 26, 2005 meeting of the Newtown Village Council was called to order at 7:30 p.m. by Mayor John Hammon who led the Pledge of Allegiance to the Flag.

**Council Members Present:** Doug Evans Tracy Hueber  
Mark Kobasuk Debbie McCarthy  
Ken Pulskamp

**Council Members Absent:** Greg Thomas

**Assistant to the Mayor:** David Krings

**Solicitor:** Doug Miller

**Fiscal Officer:** Keri Everett

**Chief of Police:** Daryl Zornes

**Lieutenant:** Tom Synan

**Street Commissioner:** Charlie Siegel

**Mayor Hammon:** While I have several of you in the audience here, the attentive date for changing the intersection at Round Bottom Road and River Hills Drive is this Saturday. Paving the road will be Thursday and Friday, striping the road late Friday we hope. Then Saturday morning we'll activate the lights. Right now, the electric is scheduled for Thursday. We've been waiting on CG&E for seventeen days to hook the lights up.

Would anyone like to address Council at this time?

**Resident Sandra Martin:** 6617 West Plum Street. I want to know what Newtown is going to give us for taking our parking away? You're paving our alleys, but good are the alleys paved if we can't park back there?

**Mayor Hammon:** Generally, the subdivision was laid out and designed for parking in the rear of the homes. That is why the alleyways are there. Trash pickup, parking, garages, most of the homes are laid out that way. In the past two years we have had a couple of people come forward and said that "we're not maintaining them the way we want and why should we enforce the parking if you don't maintain them?" Council made the decision to go ahead and pave them to give people the access to the back of their homes.

**Ms. Martin:** What about people who don't have access, parking lots in the back of their homes?

**Mayor Hammon:** That's an issue that you're going to have to address. At one time there was driveways back there, it may have fifty years ago. You'll probably have to establish a parking facility behind your home.

**Mr. Pulskamp:** Part of the other reason is for emergency response down there also. There is no way you could get a fire truck down that street, safely.

**Mayor Hammon:** We're having it surveyed to make sure the room is there, we'll try and have Rumpke come out and pick up your trash also in the back to keep it off the streets. Yes, I'm concerned that if you had a party, it will be difficult for people to find your driveway. It's my opinion, I'd like to take the empty lot down there and put a parking lot there for that reason. No overnight parking, a common parking area so when people do have parties, they can park there. I'm open to hear your input, if it's a bad idea, I'll abandon it now. If it's a good idea, I'll try enforcing it. Complaints have been made and we've seen the parking on the streets abused down there. It's an ongoing problem.

**Resident Shirley Torrence:** Resides on West Street. I have heard you are planning to either blacktop or concrete the driveways. Is that true? We're all just wondering what the plan, what the goal is and what they want it to look like.

**Mayor Hammon:** The issue of parking in the back has not been enforced yet. People have driveways. Yes you do have to have access to be able to park. The whole jest of it is, when we talk about the town in the past whether it has been in planning or whatever committee; we've talked about sidewalks, curves and them holding water. It's very narrow streets. If you try to improve it at all, it is going to be "NO PARKING." This issue is in the forefront, the first step of what do we do down there. A lot of people have said, "you're putting sidewalks around the Village, can you do something for us?" We're trying to line it up, very slowly to transform having sidewalks, curves and storm water control.

**Ms. Torrence:** Another suggestion a couple of people have had because there are two roads that people tend to use when they from SR 32; they gun it, they fly. West Street is one of them, Leonard Street is the other one, down by the funeral home. We've all talked about some speed bumps.

**Mayor Hammon:** They're called "calming bumps", not speed bumps.

**Ms. Torrence:** That's something that could be put on those two streets to where it wouldn't hurt people's cars, but they could take notice and slow down.

**Mayor Hammon:** Chief, we've talked about that in the past, didn't the fire department have some concerns about the calming bumps with it being kind of low to the ground?

**Fire Chief Driggers:** They had more concerns about the speed bumps. I am familiar with the calming bumps and depending on the clearance, how high you would raise them. I don't know if the traffic code has specific issues to how high they have to be. The ones in Hyde Park, they are on Grandin Road and they have a series of them as you go up Grandin Road. The fire trucks that come out of Hyde Park Station, they haven't had any problems. I would think our clearance would be about the same.

**Mayor Hammon:** Charlie, do you have any concerns about the calming bumps? Any comments, I know you did some research on it in the past.

**Street Commissioner Siegel:** On the particular areas she is mentioning, West Street and Leonard, there is no more than 500 feet, if that far, to the first stop sign. The Stop sign is legal. If

they're speeding down from SR 32 to Plum Street, which is where the stop signs are located, on Leonard and West Street, I don't know how fast they'd be going or what the speed bumps would do for you? In a 500 feet distance, I'm not even sure it's 500 feet in that particular area.

**Ms. Torrence:** When you guys do things, do you notify the residents when you are like voting on things or when you're going to change things? Like the paving of the alleys, do you have to notify the residents or do you send out something saying, "you're going to vote on this next Council meeting." No one ever knows anything or what is going on, no one knows what is going to be voted on. Do you send out letters, do you have to notify the residents or can you guys just vote?

**Mayor Hammon:** We do not have to notify the residents; however, we have tried the website, we have put out a quarterly letter. The quarterly letter will not tell you what the meeting agenda is going to be. That's the kind of information we have out there for you right now. After the fact, I thought about putting a letter out about the paving, but I didn't know when the paving was going to start literally until I met with them Friday and they were on the job working and we had a pre-construction meeting. It happened very quickly. I apologize for it, I'm in the phone book if you want to call me and talk something. There's a Councilperson that lives in your area to talk to.

**Ms. Torrence:** It would just be nice to know ahead of time.

**Mayor Hammon:** But I am going to put the burden back on you to find out instead of me to notify you. Because I have 3,000 residents to identify or contact.

**Ms. Torrence:** But they send out a Newsletter, we're all on database. They could send a letter the same way.

**Mayor Hammon:** I'm not sure we are going to do that, but I will take your advice, your recommendation. Anyone else?

**Resident Stephanie Garrett:** I live at 6618 West Plum. As far as paving the lot that is open in that area, that is the lot that is next to my house. I'm not sure that I want a parking lot right next to my house. It has been rumored that we cannot put driveways in the front of our house. I have a side door access where we were going to put a driveway on the side of our house.

**Mayor Hammon:** That's perfectly legal if you want to come to the front. Most homes probably don't have the clearance to go to the side. But if you have it, there is nothing that says you can't. The way most of the homes are laid out with a narrow strip of lot, the alley is the primary access.

**Mr. Garrett:** We are fortunate to have a lot and a half.

**Ms. Martin:** When you enforce the "NO PARKING", will that apply to everybody?

**Mayor Hammon:** It's "NO PARKING" IN A RIGHT OF WAY. Yes, it applies to everyone there.

**Fire Chief of Little Miami Joint Fire District, Tom Driggers:** Thank you for this opportunity. I know over the last year and a half or so, there has been concern about the general appearance of the Fire Station across the street. I am pleased to announce that within the next two weeks, according to our painter, we have entered into a contract with a commercial painting company to take care of the exterior painting issue. However, carpenters were there yesterday doing some preparation work on some decaying wood and on some overall trim issues that need to be addressed prior to painting. They came across an area in the roof section of the south side of the building over the kitchen area where they have encountered carpenter ants or termites. I don't know the extent of the damage to the wood because it is underneath some shingles. Tomorrow, hopefully we have a commercial roofer who is going to come over and inspect the damage. We also have some flashing that needs to be repaired. I don't know the extent of the wood damage to the building. Based on that and I know our agreement in regards to the Fire District being responsible for the maintenance. Depending on the extent of the damage, I may want to come back and address this issue with Council, if it appears to be extensive. I don't have a great deal money allocated for building maintenance. We're going to take care of the painting and the minor roof repairs and some of those issues. But if we encounter a major issue, I would like to come back and address the issue with Council. Thank you.

**Resident Delmar Baxter:** I live at 6616 West Plum Street. I would like to know if you have decided a date when this will happen.

**Mayor Hammon:** The law has been passed, but we have not set an effective date. The alleyways need to be constructed. I'll tell you probably thirty days from this date the new parking signs will be up and will be enforced. Anyone else, David you want to step forward?

**Assistant to the Mayor, David Krings:**

1) **Hamilton County Development Company Proposal:** You have received their written proposal for economic development services. This evening we have Harry Blanton and Greg Kathman from the Development Company here to elaborate a little bit on their proposal and take whatever questions you may have. I'll yield my time for now to Harry and Greg and we will pick up the other issues later.

**Harry Blanton, HCDC:** Thank you for inviting us here tonight to discuss our proposal and to answer any questions you may have. We appreciate the Mayor and Council and residents of Newtown here. We are a private non-profit corporation that promotes economic development in Hamilton County. We were established twenty-two years ago by the County Commissioners to do a number of things. We first started off doing lending for small businesses. If you are familiar with the small business administration, there is a program called the SBA-504, which is program to help small businesses purchase and renovate buildings they have their businesses in. We also administer some other programs in the State of Ohio to help small businesses with growing, expanding and creating jobs. We have a second division known as the Hamilton County Business Center, located in Norwood. We have about forty-five small businesses in that facility growing, expanding and creating jobs. The idea is to help these small businesses grow to a point where they can go out into the community and fill up the vacant buildings and places throughout the county and grow into mature businesses and provide jobs for different communities in Hamilton County. Tonight, my department, which is under Hamilton County Development Office,

is here to talk about our proposal to provide economic development services. We have been in business for about fifteen years and we have administered tax incentive programs for the County, Enterprise Zone and Community Re-investment programs, which are programs that allow us to offer tax incentives to businesses who are looking to locate in Hamilton County or who might want to expand in Hamilton County or retain them here. We also do a program called Business Retention Expansion and Attraction, which means we meet with businesses through the County to try and retain them in Hamilton County. We try to find out what their issues are to see if there is a red flag to see what we can do and maybe try and keep them here in the County, so we do that as well. We meet with companies who are outside of Ohio or outside of Hamilton County who might be looking to move into the area. We talk to them about the different programs we have and try to track them here, offer them available sites and make them aware of places where there is available land and try to help them locate into the County. Land Development and Re-development and that includes two different programs we have, one is Urban Land Program, which we use to try to revitalize all their industrial facilities that are in Hamilton County that are going under utilized. Closest one here is the old Ford Plant in Fairfax that has been demolished and is being proposed for a new development there. We work closely with that developer and with the Village of Fairfax to help redevelop that site. We also have a program for a tool, Public Community Improving Corporation, which is an entity that redevelops sites that are not brown fields, you might call them cream fields and we work with the CIC in several locations throughout the County. Some of the projects you might be familiar with are out in Harrison, there is about a 160-acre site that is being developed off of Dryfork Road for industrial and office development. We've also worked with Anderson Township in the ANCOR area, to try and redevelop that area. I'm sure Mr. Evans is very familiar with our efforts out there to bring a connector road to help redevelop some of the sites there that are open for development. More recently we have worked on the Bankstone River Development down at the River, we've been brought in to work with the developer to come up with a master agreement on how to redevelop the banks. So, we do a lot of different things. We kind of a full service organization, we work with small businesses, from the small entrepreneur all the way up to your Procter and Gamble and other large companies. We basically try to retain those businesses, attract those businesses and provide jobs for citizens of Hamilton County. Finally, the last thing we do is we go out and talk to communities who might want to hire us to do a local contract and to provide economic services on more of a micro level and be more intense in their communities to try and provide economic development. Specifically here in Newtown, we have worked with Meridian BioSciences on two Enterprise Zone Agreements to help them expand and create more jobs. We also worked with Gardner Publications when they moved into Newtown, we used an Enterprise Zone incentive to attract them to Newtown as well. If you're familiar with Direct Source International on Round Bottom Road, we worked with them when they moved here from BlueAsh, once again used the Enterprise Zone as an incentive to attract them to Newtown. We worked with Hydro Systems on Roundbottom Road and more recent we worked with Rack Seven Paving on SR 32, which got a SPA loan to help buy their building. We've worked with a number of companies here in Newtown. We're proposing is a contract to come in here to be a little more intensive and work closely with your businesses and help you redevelop your community in a way that is appropriated and a way you want to see it developed. Greg will talk to you about the contracts that we proposed for you and some of the contracts we have done for other communities. We'll have time to answer your question.

**Greg Kathman, HCDC:** Thank you, it's good to be here again. There are forty-nine different jurisdictions throughout Hamilton County and most of them are like you; they don't have dedicated full-time staff that are doing economic development and planning type of work. We do provide these services to so many municipalities, we provide a basic level of service through our contract with Hamilton County, that's really more on a micro level, on a high level. We also contract with certain communities to provide more detailed in-depth services to them. Those services then are provided at a fraction of the cost, it would take someone to hire a full-time employee to do those things. When you hire us, you get the full organization, our President David Main with twenty-three years experience and Harry with fifteen and myself with ten years of experience in the industry. We've had several contracts with other jurisdictions throughout the County. In the Village of Woodlawn, we had a contract with them for a number of years when they had some city-owned land, the Woodlawn Commerce Center, right off of I-75 and we help them attract businesses and build up that Commerce Center. We did several contracts in Springfield Township and a contract along with the Winton Road Corridor, the main business corridor. After that came about, they also asked us to look at the Brentwood area and we were able to put together some demographic information. Then the Township administrator took to New York and convinced the owners of the Brentwood Plaza that their assets there were not fully realizing it's potential. They in turn agreed and invested \$10 million in upgrading that plaza. That was a significant accomplishment for that township. We worked with Sharonville on a number of different corridor studies and a restaurant study and they have attracted a couple of new restaurants to their city. They have actually just contacted us to update that previous restaurant study.

**Mayor Hammon:** Can you explain a restaurant study, give me some details about it.

**Mr. Kathman:** Along Chester Road, they have the Convention Center Hotels and they thought they were not getting enough restaurants to service those types of tenants. They were not getting the quality of a restaurant they thought they wanted. We'll look at some of the demographics and some of the traffic patterns some of the occupancy of the hotels and look at the Convention Center, the amount of people that were there. They may take that out and market that potential restaurateurs and say, "it may not look like something, but look at little deeper at the site. We think there's a real potential for some opportunity for you to make money." They can target that towards either national chains or one in case, one of the more successful one was a local chain. I think "Blue Goose Sports Pub" is a real popular place. We supplied

them with information they took out and really opened up some eyes. Rich and I went up to Columbia Township, which is another study we did, that's their main commercial area. We just actually signed a contract recently with your neighbors here in Anderson Township to provide some economic development services for them as well. I thought it was interesting that when we sent our letter and proposal into the Mayor and a couple of weeks later we open up the Cincinnati Enquirer and on the front page is an article about the "secret" being out in the one "sleepy" Newtown. I thought the timing was pretty appropriate, there were some comments in that article about how new residents coming into town and demographics of the town seem to be changing and evolving. Traffic patterns are a possibly changing as well and comments made in the article about the need for more businesses and more services, so we think the timing is pretty appropriate. In the handout I gave you, we put together some ideas, based on our experience in other communities, we took a look at Newtown and asked "what are the issues that Newtown has, what is the potential?" We put together a proposal, it is an initial proposal with some ideas we have. If you have some other services you would like to have, we'd be happy to discuss any of those. The mainline is general economic development assistance, which would be working with all of you to come up with ideas and strategies. We do business retention efforts where we take a look at your major employers here in town. We try to meet with them to see if there are any issues we need to be aware of and what their plans for the future would be and what can the Village or County or whomever do to help retain them in the area. We can put together some demographic and marketing materials that you can use to go out and promote your area to businesses you would like to see. We work with other governmental institutions. We know how programs work, we know about grant opportunities that occasionally come up, we know about State, Federal and County programs that you might be able to use. Once we know about a need in the community, we might be able to identify some opportunities to apply for some funds to do some things. That is the General Economic Development Assistance. We also put a couple of other things here as options. We put together a site-inventory, obviously there is not a lot of unused here, and it is a pretty small community. A lot of times when you get a map together and look at some land, you can identify some opportunities. Once you put it down on paper you'd be surprised when you give it to developers, they say "wow, I didn't know that was all there, I couldn't see that from the road." Often times just putting an inventory of sites together can really peak some interest. Obviously one of the major tools in economic development now is the use of tax increment financing. If the Village wanted to pursue some of those opportunities, we could help work through some of those issues. We would put together the packet and work with legal counsel and work with affected property owners to explain the process and identify the potential benefits. We would then give you advice for consideration and action. Finally, I was here a couple of months ago talking about the CRA, Community Reinvestment Area Assistance where you can get some tax incentives for people that invest in their businesses or homes to do some upgrades. We would put together some numbers and if we were to go ahead and do the work and do the property survey set up the district and get it approved, then actually implement some of the agreements with businesses or homeowners. We are open to any questions about what I have talked about or about our company in general.

**Mr. Evans:** What about grants that we could get to pay for you guys? David, do you know of any? I'm not saying, "we couldn't afford you," but it would be a lot nicer to use someone else's money.

**Mr. Krings:** Right now I don't know of anything directly for this purpose. I can tell you from personal experience that these guys more than pay for themselves. At my former employer, one of my titles was "Economic Development Director." I really didn't do much of anything other than to turn it over to these guys to find out who would be thinking about leaving. In that case the County. Where might we be able to bring folks in? We had a reasonable amount of success and we would ask, "what is the dollar return in that case to the County?" What new revenues are coming to the County, as a result of the work they are doing? They more than paid for themselves by directly improving the economics of the County as a whole. That is why I suggested, when you brought me in and talked to me, that I can't do everything to assist you but I can put you in touch with some top quality people who know well what they are doing. That is why I immediately thought of the Development company. One point I don't think was fully brought out is that they don't go out "Willie Nillie" trying to bring every "dime" business in that is in the world. They work well with elected officials and appointed for that matter to carry out the vision of the elected officials. You are the ones that decide what Newtown is to be like in the future and these are the guys that will help you build that through the work they do and improvements they do. I would look at this as an investment that would pay off later in earnings taxes, property taxes or just the general buzz in the community bringing up the type of community that you want to build.

**Mr. Evans:** When we are surrounded by Anderson Township and we have someone that might come to us and say, "hey we are thinking about doing such and such," but half of the land is in Newtown and half in Anderson Township; could you guys help us work through that type of situation? Sometimes the Newtown/Anderson Township thing kind of gets in the way and if Newtown decided to do one with some of the property being in Anderson Township, would that be a major issue?

**Mr. Kathman:** No, I think we have a great relationship with Anderson Township. I would hopefully say the same as with Newtown. As Greg pointed out earlier we just signed a contract with Anderson as well so I think it would be a easy thing for us to work out between the two communities if there was some kind of an issue where there were two different perspectives and bring a good solution to the table. We have a good track record of working with different communities and we'd be happy to give you a list of the communities we have worked with and their elected or appointed officials and contact them to see what they think about the services we provide. You might have seen us in the Enquirer, there was an article recently about in Sharonville and how they used us about five years ago to do a study to work with them on trying

to revitalize several different corridors in their community. As Greg said, they recently have come back to us and asked us to do some work. So, we've had a good relationship with them for about five years.

**Mr. Evans:** Can you elaborate for a minutes for these residents on the issue where they would invest in their house and wouldn't have to pay taxes on that improvement.

**Mr. Kathman:** It's called a Community Reinvestment Area, a section in the Ohio Revised Code that allows communities to establish an area where it is actually pretty localized on deciding where to put it. The state has to certify the Community Reinvestment Area, but it is not really hard to get them certified, we've done a number of them in Hamilton County. It provides a tax incentive to the owner of the property if they invest let's say, "\$50,000" to renovate their house. That \$50,000 improvement will have the taxes lower for the future, and the existing taxes stay the same; therefore, giving the residents to go ahead with the improvement. It's not a 100% reduction, it's usually about 75%, but that can be worked out in your resolution. If you can get the schoolboard to sign off on 100%, you can do a 100% reduction in the new taxes it would be paid.

**Mr. Evans:** So, in layman's terms, if a person here had \$100,000 house and they spend another \$50,000 on their house, Hamilton County wouldn't raise their taxes to the \$150,000 rate, they would only stay the same as \$100,000?

**Mr. Kathman:** Stay the same on the \$100,000 if they did a 100% on the \$50,000, taxes would stay the same for up to 15 years. That's actually on new construction and that would be the best case scenario. If you see in the city of Cincinnati sometimes you'll see they have CRA's which is a short acronym for this program where they give a fifteen-year abatement on new construction so people aren't paying any property taxes for fifteen years. It's a great selling tool.

**Ms. Hueber:** So this would be like some of the land pockets that Newtown is trying to develop. This would be great for that also, like what was going on Drake Street or something like that. They could be advertised as 100%.

**Mr. Kathman:** Right, it would make your housing much more competitive with other housing developments that are occurring. Something as a community you might decide, some areas would need to be incentivised that is already developing without incentive. There might be some areas where there are houses in sort of disrepair, you might target that area for this program. You can do the largest area, as many as you want and set up several CRA's. It's very flexible.

**Mayor Hammon:** I'm going to challenge that a little bit, Greg said, "like Ivy Hills, you probably couldn't get that in there."

**Mr. Kathman:** Not if it is already there. What you have to do is establish "distress" criteria. There are a lot of different ways of establishing distress. It's pretty flexible, the state very rarely rejects a CRA certification. You might have to kind of gerrymander it or divide it in a way if you want a nicer area redeveloped, you have to include another area that isn't quite as nice so both area can see the same benefit.

**Mr. Krings:** When that area was a gravel pit that could have easily been a distressed area. This tool could have been used at that time. It's not the ultimate use that you look at, it's what the current conditions are in the area you are trying to revitalize.

**Resident Becky Fairley:** Are there any drawbacks?

**Mr. Kathman:** Not from the residents perspective. The Village has to decide on if they need to induce this kind of investment they loose a little bit of revenue they would get in the future. It's a short-term loss of tax revenue. They are really not loosing anything because they get tax base, they are not getting the full 100% future increases. On new development you would be foregoing whatever you wanted to. You can save 50% for new development and 100% for older housing. It's very flexible on the way you want to handle it. You can include or exclude multi-family or single family or commercial. We can sit down with you and talk to you about how it can be constructed in the way you want.

**Mr. Blanton:** You can partner it up with other programs. The County has a home improvement program right now where you can get a couple percentage points taken off of home improvement loans with a variety of banks in the area.

**Mr. Kathman:** The home improvement part can reduce up to 3% on a loan a resident would get to do a house. Basically, the banks agrees to reduce their rate and the County puts up a certificate of deposit where they loose so many return on their investment they would have received to try to induce development. Basically write down a rate for the resident. It's a good program and should be promoted throughout Hamilton County. As Greg said, "it works really well with CRA", it increases the benefit for the resident.

**Mayor Hammon:** We have had a couple of them in the Village.

**Mr. Evans:** Besides costing a little money, are there any other negative things at all?

**Mr. Kathman:** I don't think so because your zoning code would control what types of uses you have in places that you have established. It's just dealing with growth and if you have more residents you would have a plan for that growth.

**Mr. Blanton:** The only other drawback is you need to have someone who actually administers the program. Which is part of our proposal to you that we would administer the program.

**Mr. Kathman:** There is processing of the application, there is legal documentation, certification you have to do and then every year you have to put a report in to the state. Then they call a "tax incentive review counsel" where they review tax incentives and they make sure what was said was going to be done, done.

**Mr. Krings:** Most severe criticism that I received from working with them in the past comes from people who don't want any change. Frankly that is not going to happen, there will be change. This gives you an opportunity to direct that change. There will still be folks that will come in and object to just about any business you might bring in. You decide, I would doubt that you would want heavy industry in downtown Newtown. You decide and they go out and get it.

**Mr. Evans:** "I'm Mr. Jennings and I want to put a restaurant here in Newtown." Would he talk to you first or do I call the Mayor tell him I want to put a restaurant here. He tells me that you all

have a contract with Newtown and the Mayor tells me to call you. Would Mr. Jennings have to sign a contract with you?

**Mr. Kathman:** The Village Council has to approve it basically. In commercial agreements you would have to approve it and in residential agreements you just set it up so it's just an automatic process and residents would just have to put it into a formal application. But it would be automatic, we just go through the process and let the auditor know that it's been approved. By resolution or by statute you approve a residential, but commercial ones are negotiated and have to be approved by Council.

**Mr. Evans:** Say there are five acres over here and we pretty much have a deal worked out, they don't have to pay another 10% or you're not going to jack-it-up somewhere?

**Mr. Kathman:** In our proposal, we have the Village pay us to process those applications so it wouldn't cost the developer any more. We're just basically your staff, we do what you want us to do.

**Ms. Hueber:** On the flipside, where we have area and we direct you, you're also a scout to bring in business that normally wouldn't have come to Newtown, correct? That's the bigger benefit than people just coming here, if we want a coffee shop or a pizza parlor, etc., you're in contact with more people than we are that don't even know about Newtown and would bring those to us.

**Mr. Kathman:** If you want us to we could do very specific studies like we did in Sharonville or we did an office study, a convenient store study and restaurant study in Lincoln Heights. If you want a particular type of restaurant, we'll put together a packet for the developer to look at which basically speaks their language.

**Mr. Krings:** There are also times where we would know in part of the County we were losing a business; sometimes they had outgrown their area and sometimes there are other reasons why they are going to leave one part of Hamilton County. I'd call these guys up and ask them to find a place in the County. They don't have a 100% success rate on that but darn close to it.

**Mr. Miller:** We have an Enterprise Zone here in the Village and my understanding was when people come in with an application for the Enterprise Zone you were charging them a fee.

**Mr. Kathman:** That's a different program, that's correct. We handle that through the county. You guys consent to it but it is actually an agreement between the company and the county. Enterprise Zones at the municipal level, other than the City of Cincinnati; in the State of Ohio, Enterprise Zones are administered by the County. So Cincinnati has the ability to do their own, but for every other jurisdiction in Hamilton County, we negotiate that. Enterprise Zones are geared more towards industrial and larger office developments. In Enterprise Zones you can't do retail or residential. In CRA's you can do retail and residential.

**Mr. Evans:** Sometimes a lot of people want to do things to their house then all they paperwork they have to go through turns them off. Do you guys help somebody if they wanted to put a garage on or if they wanted to do something to help them along through the process a little bit easier. So you could do that whether it's commercial or residential.

**Mr. Kathman:** We have a good reputation for not being bureaucratic, we're a private non-profit corporation so we don't have a lot of different levels of bureaucracy that a lot of communities have so we can kind of do this very quickly. We're very professional and business oriented and get things done quickly. I don't think we'd have a problem with that.

**Mrs. McCarthy:** What is the total cost of your service?

**Mr. Kathman:** There a menu of options and depends on what you want us to do.

**Mrs. McCarthy:** That is for a year? The extras are for applications, \$100 for residential and \$200 for commercial that we pay?

**Mr. Kathman:** Those are for a year yes, or you could have the individual property owner pay the fee. It's totally up to you. We listed how many applications we could process for a certain fee but then if it goes over that number, then we would charge an additional application fee for each application. If you had 500 residents coming in and wanted a CRA, it would be very hard for us to process that with the amount we gave you.

**Mr. Kobasuk:** What type of demand do you anticipate with the CRA program?

**Mr. Kathman:** It depends on if it's a new development or if it's an existing neighborhood. I think in a new development obviously that everyone that moves in is going to want it. In an existing neighborhood, it's got to be somebody that's doing a major renovation to his or her house because the auditor will reassess the evaluation of the property. If you are not doing a certain level of investment then you're probably not going to change the valuation of the home very much. They won't really see the benefit unless they do a major renovation that's why I use a number like \$50,000. If you're putting on a deck, the auditor is not going come and really change the valuation of your home that much.

**Mayor Hammon:** What's the affect of CRA's with the school district's, do they seem to want to fight you on it or do they take a passive role, what is your experience with the schools?

**Mr. Kathman:** It really depends on the individual school districts. We haven't had to deal with CRA's with the Forrest Hills School District so I don't know what their philosophy would be about that. We did an Enterprise Zone in Anderson Township and we have done them here and they have never seemed to have a big problem with that, I believe. As long as revenue sharing is being carried out, we've always had a good relationship with them.

**Mr. Blanton:** That being said, there have been some changes at the state level in the past couple of months the way the taxes are being implemented and things like that. That is the reason we are very wary in trying to figure out ways and implications these tax changes are going to have on their budget so right now they are little more cautious then they use to be in the past.

**Mayor Hammon:** Enterprise Zone hearings we had, I know President of the Forrest Hills School Board was very outspoken. He was very unhappy about Meridian's. I remember that now. Other members of the School Board contacted me and said that he didn't speak for all of them.

**Mr. Kathman:** I didn't think they objected to it, what we do is send out a letter to the School Boards and ask for them to send out an "objection" to it. I don't know when this was, which agreement was it back then?

**Mayor Hammon:** It's the one we did the hearing we had, what six months ago? The numbers gave was like \$200,000 and we came out a couple millions for personal property. I think is what it was and that is what he objected to.

**Mr. Kathman:** Right, personal property is just a big sticky problem right now with the School Boards because the real property is pretty much the same as it was before but personal property has been changed so. This is a "real property" program so hopefully it won't be too big of a deal.

**Fire Chief Driggers:** Just to educate me.....you talked about municipality in the School district, does the tax issue affect other taxing authority in the School District? So you would have to work with the Fire District as well as a taxing authority?

**Mr. Kathman:** We don't work with them, actually this impacts all taxing entities because they are part of the tax structure. But the local municipality has the right to approve these or not to do it and they have to take into consideration the impact it has on your entity.

**Mr. Kobasuk:** Harry, could you explain the Economic Development Assistance in Category A for my benefit.

**Mr. Kathman:** One would be business retention, which is important. I know Newtown has maybe fifteen-twenty major Employers of their residents, like Meridian and Hydro, etc. One threat a community could have is that companies would leave. Sometimes if you don't have a really good relationship with those companies, you might not see them for a while and all of a sudden you realize they are leaving. That actually happened to a lot of those companies that came into Newtown in other communities and one of the things we can do is have a good relationship with those companies so we know way ahead of time what their plans are. We try and keep them here, we would come to you and see if you would be interested in them doing an Enterprise Zone for them to expand so they can reduce their tax burden and allow them to have a better cash flow to do that project. On SR 32 there is a lot of opportunity because you have a lot of different uses that might not be compatible in the future. If you want to plan for the future on how to redevelop that area then we could help you working with businesses that might move in there and follow the plan you have for the future of SR 32. That would be another way if you want to attract some restaurants or some office development along there where the gravel pits are or some other areas.

**Mr. Blanton:** If there happens to be like a key intersection in town or a key vacancy of building that happens to be vacant then you say, "boy this is really a nice or critical corner for our town" we really want to see something happen. That's site specific and we would really try and focus in on that in particular site. We would find out what you guys envision and what is in your plans and what would you like to see on that corner.

**Mayor Hammon:** I talked to Doug briefly, can we get three and add the fourth one later at 20%? In other words we didn't have any TIF's going on we don't see the issue in doing it now, but maybe somebody might come along and say we want to do one. Can we contract at that time?

**Mr. Kathman:** Sure. You might look at it maybe for like a year out or something like that or we might put some time frame on that within the next two years or something, we'll agree what that day is. We'll be flexible on it, we'll work with you.

**Mr. Pulskamp:** Second, third or fourth year, are you looking at price increases?

**Mr. Kathman:** We don't really do large increases, it's usually like 5% or cost of living, 3 or 4% something like that.

**Mr. Blanton:** There is a thirty day clause in here so if you don't feel like you're getting value out of this or if we are down here everyday, then we may have to re-evaluate.

**Mr. Kathman:** But you have the option, this is the way we do our contracts. If you don't like the things we're doing, you have thirty days to tell us and that's done. Even if it's a contract for a year, there is a clause in here where you could end it within thirty days if you're not satisfied.

**Mr. Pulskamp:** This is billed over twelve equal installments every year right?

**Mr. Kathman:** That's the way we've done Exhibit A, B would probably be a completion of that Site Inventory, and we would probably bill you for that. Exhibit C, we could work with you on however you want to do it.

**Mr. Pulskamp:** The draft Resolution Agreement says twelve equal payments.

**Mr. Kathman:** That would be fine.

**Mayor Hammon:** Since the article has appeared in the paper, I have had developers, restaurateurs contact me. That article has sparked a tremendous interest in the Village. It's been a phenomenal response, I really encourage us to go ahead with the three items, maybe not the TIF, but the other ones. The CRA, we need to get it going, I really want to do this, and it's good for the residents. They can help give us guidance, we can talk about the parking lot, is it needed or not. We can draw from their experience. I think it's good we had Greg and Harry here tonight. This is actually Greg's third time this year to come and talk about it, seems like. Actually, Harry and I have been talking about three years. This all started with Gallenstein's property. I think we need to get this in place.

**Mr. Pulskamp:** I agree with John, I did some rough figuring and I agree with leaving out TIF funding. The other three add up to \$27,540.00, if we take off the discount, it drops it down to \$22,032.00 per year which breaks down to \$836.00 per month.

**Ms. Hueber:** You develop the five acres in front of the Gallenstein thing takes care of that.

**Assistant to the Mayor, David Krings:**

2) **MSD Tap Fees:** We have encountered a couple of "NO's", which we ignored and went then ahead. We are pretty close to having the situation worked out, this is not a promise but a hope that we may actually get a better deal and get more money out of this than what we originally set out to do. One area we discovered a way that we can run a water main from the service garage to the future shelter in the park and have that not be considered a second tap. We can physically have two sewer taps, but as long as it's off of one water main they bill it as one tap. That part alone assured me that I'm going to put it in writing so we have a record

here. That part alone takes care of one of our concerns. Then we were looking at the situation with the service garage, that one we originally went after trying to convince them that there wasn't an agreement that we could find a record of anywhere. We thought well maybe we could trade and if the Sewer District was going to do something else in the Village, we could charge them for that something else and make up for the cost of the tap. There wasn't "something else", the last time I spoke with you I said, "there was a possibility the work they are doing on Round Bottom Road," but none of that work involves Village property. So I received an email from Bob Campbell, the head of MSD said, "they really looked but haven't been able to find anything." So Charlie and I got together and thought up another strategy. The other strategy is we are pointing out to MSD the reason why the septic system isn't working is because the equipment of the contractor, MSD's contractor drove over the leach fields and collapsed the pipes., We have put in the claim, a claim for not only the cost of a tap but for the cost of hooking up the sewer system to the Service Garage and that's the part we never thought we were going to get before. I am optimistic that we'll be able to work that out, but again there is no guarantee. I personally delivered the claim to the City of Cincinnati Solicitor that is handling this and have talked with the staff at MSD. The staff at MSD seems satisfied with at least the discussions we have had. I think Charlie and I put together pretty good documentation. We'll see. The MSD staff said they would probably take a couple of weeks to get back to us on this. The lawyer at the Solicitor's office said it would be six to eight weeks. Frankly, I trust Charlie's judgment on this and I advise you to trust Charlie's judgment on this, the effluent is overflowing the system; before it becomes a health hazard whether or not we have a final agreement with the Sewer District, I would say go ahead and take care of it and get the sewer hooked up. I'll turn that over to Charlie as just when we get to that critical point, if we're not there already. At some point, we will because the system simply isn't working.

**3) Health Plan Options:**

a) **Center for Local Government:** We have put the documentation together for the Center for Local Governments option, that's the one Mayor Hammon talked about with some of the Mayor's talked about joining the Center for Local Government, their option. They are considering it, I think we're still talking a matter of weeks before we get a "Yea" or "Nee" from them. Again, when I talked to them they seemed very encouraging. They would like to do business with us.

b) **Hamilton County:** We need to have forms submitted by our covered employees. Right now, we have 70% of those forms back. As soon as we get the remaining forms in, the ChoiceCare people have promised me that they'll respond quickly as to whether or not they would accept us into the County program. At that point, we'll start getting some numbers and comparing whether it's a good deal financially. We'll be getting the list of the doctors who participate in the program so we can compare what the effect is on our individual employees and come up with a conclusion. I think practically though we are talking September/October before we'll be able to make that decision.

4) **Grant for Blighted Areas:** This whole thing with MSD and some other stuff came as a result of sitting here and listening to some of the things going on after my presentation. A similar thing happened in the City of Lockland where they are taking an area of town with a lot of blighted properties and transforming that into greenspace. Basically wiping out the blighted properties and having a grassy area. They also managed to get the City of Wyoming to contribute to that effort. While I have been working on with them, we should be able to get a grant in the area of \$600,000.00 for that process. I haven't had a chance to sit down with Mayor Hammon to discuss that; I don't know if that type of grant arrangement would be appropriate for Newtown or not. But, I know there have been a number of times that you have talked about blighted properties in Newtown. Think about it, we can discuss that at a later time. This grant, this round I am working on is finished on Friday. But, there is going to be another round in the Fall. It could conceivably be something we could here in Newtown as well. The negative thing is that if you take advantage of this grant and do that, it has to remain greenspace forever. You can't have any type of development on it, including active park activities, i.e. no basketball hoops and no parking. It transforms the Village. I suggest you think about that and I can get a follow-up on that for Newtown, now that I'm experienced at it, I'd be happy to do that.

5) **Line of Credit for E-Check Building:** I have some initial response, I'm having a little bit of trouble getting the banks to respond. I dealt with Seasongood & Mayer, they are a local bond house. Maybe a bank loan isn't the best way to go, you've got some bank-qualified debt and this would easily hit the requirements for that. I asked them to take a look at Newtown's financial situation and give me an idea how quickly the Village could borrow a \$1,000,000.00 if you decided you wanted to do so. We're talking a matter of weeks, say in January you decided that you want to borrow a \$1,000,000.00, we could probably have the money in our hands probably sometime in February. Right now, if we were to be borrowing that money as of July 15<sup>th</sup>, the market was such that we would be borrowing it at a rate 3.3%. I'm going to try and get the banks to respond but I'd be surprised if they come up with a much better offer than what we're getting through the bond house.

**Solicitor Doug Miller:** David and I are scheduled to meet next Wednesday on the Personnel Practices to get started on that. Today, after I spoke with you Dave, I did put together something on the Cell Phone Policy. I wanted to get that in right away so I basically took the Police Department's and jockeyed it around a little bit, I have a copy for you if you want to see it. I think it's important enough to get it in just as soon as we can. I do have an ordinance for the table, we can pass that this evening.

**Street Commissioner Charlie Siegel:**

- 1) **Sewer Tap:** I did have an opportunity to work with David on the MSD sewer tap and really enjoyed working with him. Our septic system is just about overflowing and I will have to get it pumped out at a cost of approximately \$250.00. Hopefully that will suffice until we receive a check from MSD from about \$10,000.00 and then we'll go ahead and get our tap done.
- 2) **Moundview:** Service Department did paint the stairway and that is completed.
- 3) **Bids for Truck:** It's been eleven years since the 1994, 1 ton truck was purchased. At the time of purchase, we vowed we would keep it at least ten years. We talked about replacing it last year and my Committee Chairman, Greg Thomas advised we try and keep it going for another year. This truck takes care of all our needs as far as salting. That would give us two solid trucks. We have quite a few hills that definitely need to be taken care of immediately and consistently. Naturally we'll get the state concession on it, which will pull the price down as it does on Police cars. I have no idea what figure we're looking at, fully dressed out with salt removal and everything, you're probably looking at around \$35,000.00. About ten years ago, we paid \$30,000.00 for the same truck. With ten years time, it's increased \$5,000.00. The one we traded in two years ago, we got \$10,000.00, which is a third of what we had in it. To be honest with you, I hope I can get at least that out of this one. That would be a substantial dent in the total cost. We service and maintain them well.
- 4) **Brush Pick-Up:** We are still providing brush pick-up and we will be getting the leaves in a couple of more months.

**Mr. Pulskamp:** Charlie, whenever you have spare time, I would like to see for River Hills to have the curbs replaced that are in need of repair. They are getting worse and worse, they have some big chunks that are missing.

**Mayor Hammon:** If you want Bruce to do it, we can contract with him. I have talked to Bruce about that and his opinion is we have patched it enough and it needs to be replaced. To replace the curbs, I think it is about \$400,000.00 and I'm not sure we need to go to that level at this point and time at one time. Between my neighbor and me, there is no concrete now, just a gravel pit. In front of Jay Moermond, the water doesn't come down the street, it comes behind the curb into the catch basin. There are a lot of major problems we're having up there. If you want, we can contract with Bruce and tell him to have Dave work up the figures and we'll look at it. It is fifty years old.

**Mr. Siegel:** Also, there is a large tree leaning on River Hills Drive. My department will take care of this; however, with the water line being put in right now I am unable to attend to the tree but will get to it as soon as I can before it falls. We did have one fall there a couple of months ago, we got that one also, but we got it too late. It has been leaning for sometime, it's nothing new, the more it grows the heavier the weight. Sooner or later it will just uproot itself and I hope to catch it before that happens.

**Lieutenant Tom Synan:**

- 1) **Police Department:** Nothing to report.
- 2) **Property Maintenance Code:** On the 5<sup>th</sup> of July, the Mayor, Mike Cornette and I went out on what I am calling "Operation Clean Sweep." We went around the Village and looked at all of the properties and decided where we would initiate the Property Maintenance Code. There were eight properties:
  - a) **River Hills Subdivision:** Two of which are in River Hills subdivision. There was a third property in River Hills, but apparently it has been purchased and the hope is that the new owner will take care of the problems. The Property Maintenance Code will be initiated on some of the major problems like the couch that's in front of the house. We notified them and there is some criminal activity that I cannot get into, that's why the couch hasn't been brought back up. But we're going to initiate the Property Maintenance Code anyway and that will be part of it.
  - b) **Church Street Properties:** The Mayor is looking into some other options that we've had problems with.
  - c) **Other Property Updates:** The program has been in effect for about two and a half years and in that time, I have taken care of twenty-nine vehicles that were junk vehicles; twelve of which were in River Hills. Nine of the vehicles were cited, six of those were in River Hills. Thirteen boats, campers and trailers have come into compliance. The Ivy Hills retail center had a problem selling cars on the lot, they have somewhat come into compliance but it is an on-going thing. As of today, there were two cars there; but not nearly the problem it was before. We initiated the program on three properties, one I will declare as a complete success and that was the Hubbard property. Those of you that knew the Hubbard property (Drake St.) and had complained, he has made a difference between night and day. Matter-of-fact, re-did the entire house, put a deck on, tore down the barn so he is my prime example of what the Property Maintenance can do. He did this without being issued a citation. He came before the formal Property Maintenance Board and said, "hey, you guys are 100% right and I'm going to fix it." The Tucker property, the Mayor is currently working on other options and hopefully that will work out. Today was a little hectic; I will get with Doug Miller on what we need to do with that. However, there was some successes out of that; one of which there was four junk vehicles alone on his property removed and I was told today one is back. That will be taken care of. Also, the key to this, I know there is a misconception that we're so far behind on the Property Maintenance Code but we took three properties and we didn't want to take the 100 and have them dismissed. There are a lot of legalities and moral and ethical issues and those things. But with those three properties, particularly the Baker property, we went to court and found out the court was extremely receptive to our process. We found a loophole and since then we fixed the loophole. I'll get with Mr. Miller and that property will probably be going back into the Maintenance Code and court

process again and hopefully be taken care of. There was also two homes on Rio Grande that were brought into compliance just by going out there and talking to the residents and they fixed the problems themselves. I just wanted to update Council, I have just gone with the flow and not really said anything and you really haven't seen the progress. A lot of this is not formal stuff, this is just me going up and knocking on doors. There is progress but it is on-going. It's going to take some time and I am very proud to say, I stood here in front of Council and told you that I wasn't going to compromise the integrity of the program. The integrity of the program has never been comprised; whether it be political pressure or from residents or businesses. The program has maintained it's integrity and that showed in court and because of that we had such a good response from the court. Things are going well.

**Ms. Hueber:** This came up and now the Chief Driggers is in here. We're talking earlier about sometimes working with the Fire Department in cases where there could be a fire issue since we can't just go in places. There is concern where maybe Lt. Synan couldn't go in, when could the Fire Department go in? I'm not totally aware of how, but I know there is a way that if Lt. Synan couldn't get it, you could get in.

**Chief Driggers:** It's a court-ordered action, but in any case where the Fire Department would have to enter a concrete form to enforce the fire code, we can enforce Property Maintenance Code. What we have to demonstrate to the court is that we believe there has to be imminent danger to any occupant in that building. Based on investigation, if we can come up with substantial evidence to take before a Judge to get a court order to get entry if it takes that. We have to substantiate our cause as much as they have to. We have the same requirements of the law, you're looking at two different elements of inspections.

**Mr. Pulskamp:** You're also looking at a difference between residential and commercial.

**Chief Driggers:** We have access to commercial right now without a court order, we don't to residential. At 3910 Roundbottom, we had a fire and based on observation and investigation we believed the property is commercial because they are rental not residential. We believe there to be some zoning issues and some property maintenance issues. That's how we turned it over to Mr. Cornette and that's how the law enforcement issue got involved. There's been some confusion about the area of authority. I think we have the permit worked out; we have a reasonable course of action. We've got the information from the property owner, we have a list of tenants and they are in the process of being contacted. We'll have inspection dates established with those occupants.

**Solicitor Doug Miller:**

1) **Cell Phone Ordinance:** I basically took the Police Department Policy and took out the Police stuff and changed it and in fact, this would not apply to the Police Department because they have their own policy.

2) **Ohio Public Employees Deferred Compensation Plan:** I do have another Resolution that Keri brought up about the Village joining the Ohio Public Employees Deferred Compensation Plan. It's not a 401K Plan for the employees, I think it's a 453, but it's a deferred compensation. Apparently some of the employees have asked about it. It's a good plan, a benefit to them, it doesn't cost the Village anything as far as I know other than the administration of the money and sending it in. In order to do that, you have to pass that resolution to get into the plan.

**Ms. Hueber:** Does the Ohio Public Employees Deferred Compensation Plan have to be passed by emergency?

**Mr. Miller:** I would only because it gets them in that much sooner.

**Mr. Pulskamp:** It doesn't have to be passed tonight, does it?

**Mr. Miller:** No, what did they say to you Keri?

**Ms. Everett:** I have not been able to talk to them. This came from employees who attended a meeting elsewhere and they basically told me that we do not have an option. If they want to do it, we have to allow them to do it.

**Mr. Miller:** Well, I mean you should. There's no reason not to.

**Ms. Hueber:** Does anybody have any information on it?

**Ms. Everett:** Yes, they gave me a whole packet. I have not had time to review it.

**Lt. Synan:** It's another investment plan for us, it's almost like a 401k.

**Mr. Miller:** It allows the employees to take up to 25%, depending on what other type of retirement plans you may have of pre-tax dollars. It's just like a 401k, only it's for government employees.

**Mr. Krings:** I think it's called a 457 Plan. It allows you to put money aside, there is a maximum I'm not sure what the maximum is. There is little or no risk to the municipality other than whatever administrative time it takes. It is a substantial benefit to the employee that you put money aside on the pre-tax basis. I think it's a great program. I'm sorry I didn't know this was being brought up tonight, I would have had further background for you.

**Mr. Miller:** There's no match or anything. The employee can decide how much they want to have withheld from their pay.

**Mr. Siegel:** Will all employees get a packet or something? This is the first I've heard of it.

**Mr. Miller:** You call them up and they'll send a representative down.

**Ms. Everett:** It is not the first you have heard of it because I have tried to hold two meetings and I have notified all employees and no one ever attended. So this time when it was brought to my attention, I told them to go another meeting first. I was not going to set up another one with these people in Town Hall with no one attending. I told them to go attend a meeting, they did and they said they are still interested. Once Council passes this, I can call them and they will come out here and hold a meeting with the employees.

**Ms. Hueber:** Let's make a motion to pass this and then all interested employees can attend that meeting.

**Ms. Hueber made a motion to suspend the rules. Mr. Evans seconded the motion. All Aye. Motion Carried.**

**Ms. Hueber made a motion to adopt RESOLUTION 11-2005 A RESOLUTION ADOPTING A PLAN UNDER THE OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION PROGRAM ADMINISTERED BY THE OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION BOARD FOR PARTICIPATION BY ELIGIBLE EMPLOYEES OF THE VILLAGE OF NEWTOWN, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mr. Evans seconded the motion. Roll Call: Ms. Hueber-Yes, Mr. Pulskamp-No, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mrs. McCarthy-Yes. Motion Carried.**

**Mr. Pulskamp:** I am very disappointed that this is the first this entire Council has heard of it. Charlie had not heard of it. It did not come before a Human Resource Committee whatsoever. I've never heard of it, has anybody at this Council table ever heard of it?

**Mayor Hammon:** Let me ask you, "when was the last meeting held for Human Resources?"

**Mr. Pulskamp:** If there was something to bring up John, I would have done it. The Personnel Practices have been turned over to David and Doug, they have the expertise. I just think it should have been discussed and brought up. I don't like getting a Resolution at the last minute and wanting to pass it, without knowing anything about it. I'm not against it whatsoever, I'm just against how it's been presented to us.

**Ms. Hueber:** Are we going to hold off on the cell phones? Doug, do you have any more?

**Mr. Miller: Fire Levy:** The numbers are the same whether it's Fire or General Operating, you just need to decide what you want. There is the 2-mills on the Operating Levy, apparently there was a type-o on the Resolution so they would not issue the certification. The number will be the same as the 2-mills on the Fire Levy for \$169,404.00. But if you did want to go to 2-mills Operating, we would need to re-pass the Resolution tonight. Basically this is saying, "2-mills will raise an estimated annual revenue of \$169,000.00; 2.5-mills will raise \$199,000.00 and 3-mills is \$239,000.00.

**Ms. Hueber:** We're currently replacing a 4.5-mill of which we're not using, we're not collecting.

**Mr. Miller:** 4.5 of which you don't really need the whole 4.5. Technically you are not collecting a portion of the other 3-mill Levy, but yes.

**Ms. Everett:** You're not collecting 2.5.

**Mr. Miller:** Correct. You're not collecting 2.5 of the 4.5-mill.

**Ms. Hueber:** What is it that we actually need just to break even?

**Mr. Miller:** 2-mill brings in the same amount because the old 4.5 went on a different valuation probably.

**Ms. Hueber:** The key to this is when we do this, the word needs to get out to the taxpayers that this is not an increase, it's actually a decrease. But we need it voted on.

**Mr. Miller:** It's actually a decrease. If it's done as a Fire Levy, I believe the actual ballot language will say that it constitutes....

**Ms. Everett:** Why is the wording on there "additional"?

**Mr. Evans:** Yeah that's a trick.

**Mr. Miller:** It's an Operating Levy, it is "additional", because you don't have an Operating Levy. If it is a Fire Levy, it is a "Replacement and Reduction".

**Ms. Everett:** On the Fire and EMS one, you have "additional".

**Mr. Pulskamp:** The 2.0-mill on the Fire and EMS, it says, "Replace 2.0 and Decrease 2.5". I think the one is actually a type-o.

**Mayor Hammon:** Just to make the audience aware, the 2002 8-mill Levy was passed for the Fire. The State has come back and notified us that 4.5 of it was invalid. We cannot collect it as of the end of this year; therefore, we're looking to put a "Replacement" on which will be less than 4.5-mill. This is the reason why we want to do this at the time. We can put on the Fire and Operating Levy, we can go either way with it, it doesn't change the dollar amount.

**Ms. Everett:** But on the Fire, on the 3-mill, not a 2.5-mill you have Levy type being "additional".

**Mr. Miller:** Yeah, I'm confused now because on the 2.0-mill it says the Levy would be a "Replacement" of 2.0-mills with a decrease of 2.5-mill.

**Mr. Pulskamp:** Right now, the Levy that we passed was a 8.5-mill Levy. After the end of this year we will only be able to collect 4-mills of the 8.5-mill Levy.

**Ms. Everett:** It's 3.5-mills.

**Chief Driggers:** It's a total of 8.0 mills.

**Mr. Pulskamp:** At the end of this year, we're going to loose 4.5-mills. We're deciding if we're going to do a 2.0-mill, 2.5-mill, or 3-mill Levy to replace that 4-mill we are loosing. It expires the end of this year.

**Resident Becky Fairley:** Why are we loosing the 4.5-mills?

**Mayor Hammon:** Paperwork mistake, it didn't get to us three years later. We thought it was "Replacement" in 2002, we're not allowed to run a "Replacement" for 4.5-mill so that expires.

**Ms. Hueber:** The term of the Levy was another thing, this is a "Continuing" so if we pass it as a "Continuing" then we don't have to put it on the ballot again, it just continues. So the mistake was if we would have put "Continuing" it would have just stayed. Now we have to do it, but the problem is a lot of people will think we're passing another Levy, which would mean you would get taxed more. If we don't get this money then we won't be able to afford the Fire, there's things we can't afford. Nobody is going to get anymore taxes, but it's just the "wording" and a lot of people don't understand that when it comes time.

**Mayor Hammon:** We contracted with Little Miami so we need to raise that money.

**Mr. Miller:** Now I am confused.

**Mr. Pulskamp:** The 3.0-mill says "Additional", the 2.5-mill says "Additional" and the 2.0-mill says "Replace and Decrease."

**Mayor Hammon:**

- 1) **Summary of Meeting with Bruce: (See Attached)** Any questions, I'll be happy to discuss them.
- 2) **Imminent Domain by the Village: The** Tucker property on Church Street across from St. John Fisher Catholic Church. It is four lots that have been neglected and deteriorated for years. Doug Miller is looking into how we could work out taking it by Imminent Domain. I'd like to hear from Council whether this is something we are open to or not. Do we want to take it and try the development along or do you just want to let the developers fight for it on their own. This property has been in Probate and we're trying to force it out of the Court system. If we took it by Imminent Domain could we force the issue. Some other developers have come in inquiring about some other property and they said they would like to take it by Imminent Domain. A developed has approached me and I asked him to put together a package and come back and we'll talk about it. I think it's the tool we are going to have to use if we want the Village to move forward.

**Ms. Hueber:** As Council, we have to choose if taking it by Imminent Domain, would this be for the betterment of the Village if that was developed into better property. The brothers will be fighting over this property until one of them dies. We will be faced with this issue unless we intervene. We're trying to clean up the Village, we have to do something. Those houses are more of a fire hazard, there's an old machine shop with old equipment.

**Lt. Synan:** One brother is willing to do whatever it takes to get rid of it. The other brother who according to the Courts is Trustee and anything done, the brothers have to agree on. One brother lives in Florida and one in Louisville. They go back to Probate back and forth and the one brother in Louisville is trying to use our process to get the Court system to do it and each time the Court says, "you guys go and work it out yourselves." Which has never worked.

**Mayor Hammon:** I talked to Doug Miller about it and he has investigating and said, "it can only be in Probate for two years." Doug is doing more investigating on legal issues.

**Lt. Synan:** It was one of the properties we initiated the Property Maintenance Code as one of the three, reason is I have actually been inside the property. The backend is falling down, there is a machine equipment, there's raccoon's, rats. It's been vandalized and broken into many times. As the acting Property Maintenance person, I highly recommend the Village do what is necessary to get rid of that property. It is a health hazard.

**Chief Driggers:** You might want to consider naming it "blighted." On those exact conditions on Imminent Domain as far as health, safety and welfare. That's what Norwood did, named properties "blighted."

**Councilmember Debbie McCarthy:**

- 1) **Signs for Short Park:** I've been working with Mike Cornette for a while getting two signs to indicate on Church Street for Short Park. I never knew that park existed, do you know where it is Mark?

**Mr. Kobasuk:** I do not.

**Mrs. McCarthy:** He had given areas where we could put the sign, one by the railroad tracks and other one by the home next to Sue Bernard's home. The signs would match the other ones that say "Welcome to Newtown", same size with the chain and pole. The cost is about \$963.00 each. I'd like to have that approved.

**Mayor Hammon:** Tell me where again.

**Ms. McCarthy:** Each one would face traffic with an arrow. One would be this side of the street by the railroad tracks and one on the other side by the tree in front of the home. I walked it with Mike, he has checked it all out. Mike has been there twice and re-checked everything.

**Mayor Hammon:** When they surveyed it for construction, the utility poles were on the back edge of the right-of-way.

**Ms. Hueber:** I'm wondering why we need this sign? It's a nice secret for the people of the Village and most people here in the Village do know where it is. Do we want to advertise it that much to the public?

**Mrs. McCarthy:** Yeah I do. I know a lot of people in Ivy Hills don't know that park even exists.

**Mayor Hammon:** I think we need to confirm it with Bruce, he did the survey. I'm not against the idea. We just need to get Bruce's opinion where the end of the right-of-way is to assure that before we spend the bucks. To go by the railroad tracks, you have to make sure you're not in the right-of-way. Before we go ahead, sit down and talk to Bruce.

**Mr. Pulskamp:** The railroad has more right-of-way then we do.

**Mrs. McCarthy:** He was taking all of that I guess into consideration. I just think putting these two signs on each side of the road would be helpful.

**Ms. Hueber:** When that original sign was put up, that was the only legal area we could put the sign.

**Mrs. McCarthy:** Mike had even said, "the location of the original sign is illegal."

**Mayor Hammon:** My other comment is, if you are going to do it, there needs to be a third sign down on Main St. at Debolt.

**Ms. Hueber:** Have Bruce take a look at all three areas and if he gives you the okay, you might as well get three.

**Councilmember Debbie McCarthy:**

- 2) **Website Status:** Ken, I want to ask you again, "what is the status on the website?"

**Mr. Pulskamp:** I apologize for that Deborah, the elderly lady that lives next to me that I take care has been in the hospital for the last six days and I have not gotten to that. As soon as she gets back on her feet, I'll dedicate some time to it. It's my fault.

**Ms. Hueber:** Why, what's wrong with the website?

**Mr. Pulskamp:** I need to get it updated.

**Councilmember Mark Kobasuk:** I have no report tonight.

**Councilmember Doug Evans:** R.I.T.A. will be here soon for the tax audit, August 23<sup>rd</sup>. Any questions on the Checklist?

**Ms. Hueber:** Actually, I want to add something. The "Address for Success," can we add \$324.61 for the mailing of the last Newsletter. We have a disk for Keri. That included an extra \$50.00 this time because I had them do a run of the local businesses. The businesses weren't on the last run. So now we do have an updated mailing list for everybody in the Village.

**Mrs. McCarthy:** Do you have any idea how many people are on that disk?

**Ms. Hueber:** I think there is like 1,100 addresses.

**Mrs. McCarthy:** So all of the residents aren't getting the Newsletter?

**Ms. Hueber:** They pull all the streets and all of the listings on there. If they are listed as a "resident" on the street, if the address is registered in the postal division, they are suppose to get it. Why somebody doesn't get something could be a mail problem. It's to go to all residents. Say, they pull up "Pinehurst" and all that are on the U.S. Postal Service, that's how they do it. They pull from the U.S. Postal Service. We only have less than 2,500 residents, so the 1,100 would make sense, 1,100 homes.

**Mr. Evans made a motion to accept the checklist dated 7/26/05 with the addition of \$324.61 for "Address for Success." Mr. Pulskamp seconded the motion. All Aye. Motion Carried.**

**Councilmember Tracy Hueber:**

1) **Position for Little Miami Fire Board:** At the last meeting, I had mentioned that Jeff resigned from the Fire Department Board of Trustees. Darwin Brooks submitted a letter of consideration to serve as a citizen at large for the position on the Little Miami Fire Board. He has spoken with Chief Driggers. We have maybe five more meetings for the year.

**Mrs. McCarthy:** Why did Jeff resign Tracy?

**Ms. Hueber:** Jeff moved out of the Village, he tried to find residency within the Village. He finally gave us notice probably two days before I made note of it at our last meeting. He resigned.

**Mayor Hammon:** Did he give you a letter Chief? Would you give us a copy for the file? Thank you.

**Chief Driggers:** Yes he did. I will give you a copy.

**Ms. Hueber:** On that note, just to get somebody in there; Darwin said he would like to take the position for the rest of the year.

**Ms. Hueber made a motion to nominate Darwin Brooks for the position of the Village "Resident-at-Large" for the Little Miami Fire Board. Mr. Evans seconded the motion. All Aye. Motion Carried.**

**Mayor Hammon:** You'll need to give Keri the letter for file. If you receive a letter from a citizen, it must be filed with Keri. No matter what it is in regard to.

**Councilmember Tracy Hueber:**

2) **Church on SR 32:** They want to do a non-profit thing for the Village and people surrounding. They are reserving the Park for September 18<sup>th</sup>, can we waive their fees since they are non-profit since they are doing good for the Village. Can we make a motion to waive their fees?

**Mayor Hammon:** Since it's an ordinance, I believe you'd have to pass an ordinance. Doug would have to give some opinion on that.

**Ms. Hueber:** It is \$100.00 if you are not a resident. The Church is having all sorts of activities of free stuff to the Village.

**Mayor Hammon:** I'll warn you, I went through this with Miami Valley Christian Academy doing stuff for the Village. There's a lot of this, this is just a start of an on-going situation. I understand the desire but I'm telling you I can see this potentially snowballing. You're a local, you can reserve your name

**Councilmember Tracy Hueber:**

3) **Village "Garage Sale" Free Date:** I thought we could advertise it as a Spring/Fall Clean-Up, maybe the first week in May and first week in October. Put it on the website, newspaper that it's a free day for Village residents to hold a garage sale. Maybe this would enhance people to clean up!

**Mayor Hammon:** I did experience a round when Batavia had community-wide garage sales that the community advertises. It's a big sign when you go into them. I know if you come in, they don't charge you for a permit, but you get the permit then they put your address on the website. If you go to them, they distribute a map of all of the garage sales. It's pretty impressive, we may want to look at something like that instead of saying it's a "free weekend." That has not gone the way I thought it would have. You can pick a date and say we'll make it "Village-Wide."

**Ms. Hueber:** Can we give it a try for the spring and fall, we'll say it's coming up. Do we want to go through the fact that you still have to get a permit but it will be waived so we know where it is?

**Mayor Hammon:** The maps are the only way I know to get people to come in.

**Ms. Hueber:** We can decide as Council that we are paying for a Village ad and it will be the first week in October and then we'll pick on for the spring if it goes well. We don't have to put out a map, but we can put it in the Forrest Hills Journal, website and in the Newsletter. The Newsletter will go out in September. I don't know about the map thing, I'm having a hard enough time getting the Newsletter out. There's not too many people helping, unless somebody else wants to do it.

**Mayor Hammon:** I know Milford, Batavia and Forrest Park and others have done it that way, where people actually come in and set tables up on Main Street. It is really growing.

**Ms. Hueber:** Madeira has a great one, I get more out of their garbage can the Sunday night after. What do we want to do? I know Keri is probably too busy to initiate something like that.

**Mayor Hammon:** Here's the thing of it, it has to be an ordinance cause you are waiving an existing ordinance.

**Ms. Hueber:** Let's just go with two and we'll do the advertising for it and we'll say people can come in and get a permit but the fee is waived for those two weekends. We won't get too involved if we can get it bigger and better with some better ideas. I'll tell Doug Miller the ordinances will be for May and October. The first Friday of the weekend. That's all I have.

**Mayor Hammon:** A little bit of business... Mark and I talked briefly tonight. Mark doesn't have a committee. I don't know Mark if you have an opinion but, there is the Parks and Recreation open if you are willing to pick that up we can give it to you.

**Mr. Kobasuk:** What are my choices?

**Mayor Hammon:** Well, you can either pick up the open one or we go back and re-do the committees.

**Mrs. McCarthy:** You should go with the committees that came with his seat. That's what we've normally done.

**Mr. Evans:** Not necessarily.

**Mayor Hammon:** We need to give him a committee so he can start doing the work. I know we still haven't resolved the odd numbers on them. We don't have to address this tonight Mark, if you want to go back and think about it.

**Mr. Kobasuk:** Sure.

**Mayor Hammon:** That's the only business I have. We'll take an intermission as of 10:00 p.m. waiting for the attorney.

**Mayor Hammon:** Meeting reconvened at 10:07 p.m.

**Solicitor Doug Miller:** We can't figure out why the numbers are a little different because they are saying in one instance, a mill would raise about \$79,000.00 and in another instance it raises about \$84,000.00 and we can't figure out why those are different. Here's the way I figured it. You are now collecting 5.5-mills and on those Levy's, 1-mill is raising \$75,737.00. Under your current Levy's. You have two different Levy's but they are both raising the same amount of money according to this estimate. You can continue to collect 3.5-mills because that is "not" the Levy that is expiring. This is for five years, the whole idea behind that was when the five years were up, the Fire Department was going to their own thing. If we take the \$75,737.00, and multiply by 3.5, that would mean your existing Levy based on this year's numbers, the 3.5-mill Levy should be bringing in \$265,000.00. The total amount on this estimate that the Levy is supposed to raise is \$416,552.00. That's your 4.5-mill Levy plus your 1-mill Levy for 5.5-mills, which is what you are collecting. Raises \$416,552.00, is what you're collecting now and if you take that amount and subtract out what 3.5-mills brings in, it's \$150,472.50. So theoretically what you need to do to break even on this is raise \$150,000.00. the lowest millage you asked for was a "Replacement" of 2-mills which constitutes also a "Decrease" of 2.5-mills and that raises \$169,000.00 or \$84,000.00 a mill. So 1.5-mills isn't going to be enough, 2-mills is a little over of what you are already collecting. Then it becomes a question, do you want to do it as an "Operating", do it as Fire, do you want 2.5-mills because you never did make up your Operating Levy from years past. If you do it as a "Fire," you are strictly limited to doing it as Fire. That's all you can spend the money on.

**Ms. Hueber:** But, it's continuous.

**Mr. Miller:** But if the Fire Department puts their own Levy on in two years, what good is it?

**Mayor Hammon:** If they get turned down, what happens?

**Mr. Miller:** If they get turned down, who knows what's going to happen. The current Levy can only be done for five years maximum.

**Mr. Evans:** Will the wording we put in show that "taxes won't be raised?"

**Mr. Miller:** I think if you do it as "Fire" Levy, I believe the way it would read is a "Replacement" of 2-mills and a "Decrease" of 2.5-mills if you were doing 2-mills? You might want to do 2.5-mills for inflation purposes. If you do it as an "Operating" Levy, I think it's going to say an "Additional" Levy of 2-mills and you will have to educate the voters, but there's 4.5-mills coming off. If you think that's an advantage you can go with the Fire and the downside to that is that is all you can spend that money on.

**Mayor Hammon:** My opinion is I believe we should with an "Operating" Levy, you've only got two and a-half years to go before they have to bring a Levy out. Keeping collecting for that two years, if you start to build something, that's some money coming in to pay debt. If you go with bonds, you'll start to retire some debt, you've got additional funds coming in., if you start to build something, that's some money coming in to pay debt. If you go with bonds, you'll start to retire some debt, you've got additional funds coming in.

**Ms. Everett:** You've got to remember all the expenses are going up and the revenue is not, for one the garbage and trash is up to \$115,000.00.

**Mr. Miller:** What do you want to do, "Fire" or "Operating?"

**Ms. Everett:** Operating.

**Mr. Miller:** They never use the term "Operating", they use "Current Expenses".

**Mr. Evans:** We need to educate the people and make it seem like it is the "same."

**Ms. Hueber:** That is exactly the "key."

**Mr. Evans:** The people can still turn it down, then what do we have?

**Ms. Hueber:** Nothing.

**Mr. Miller:** Does everybody agree you are talking "Operating Current Expenses", not Fire?

**Councilmembers:** Yes.

**Mr. Miller:** Then do you want 2-mills, 2.5 or 3.0? We need to re-pass the Resolution and make sure we have our wording correct. Then I can also bring back the Resolution next time when I know what you want to do.

**Mr. Evans:** The 2.5-mill sounds the best to me.

**Ms. Hueber:** We're only asking for 2.5 versus what we were collecting.

**Mr. Miller:** To make sure everybody understands, you were collecting 8.0-mills. The Fire Department then started collecting their 2.5 so we told the tax department. We hold two Fire Levy's, a 4.5-mill and a 3.5-mill okay. They both raised the same amount of millage according to the document here they gave us. Both of those Levy's raised \$75,000.00 approximately per mill. So, what you did, you told the County Auditor when the Fire Department started collecting 2.5 on theirs we said, "don't collect 2.5 on our 3.5-mill Levy." You could have done it on either one. So with that, the Village this year collected 5.5-mills, a 4.5-mill Levy and a 1-mill Levy. Now, what you are going to do is flip-flop those because you already have the 3.5-mill Levy so you were collecting 5.5. Now you are going to collect the full 3.5-mill Levy and what do you want to do to make up the difference what you were collecting 5.5 and now 3.5? Do you want to do just 2-mills, do you want to say 2.5-mills?

**Ms. Everett:** 2.0-mills breaks even and 2.5-mills would be taxing them more.

**Mr. Miller:** 1.0-mill will bring in right around \$80,000.00.

**Ms. Hueber:** But if we say 2.0-mills, then we are absolutely saying that "nothing will be raised!"?

**Mr. Miller:** Here is the problem you have with that Tracy because it's all done on effective rates and a mill on the old Levy, according to the numbers they gave us, a mill on a new Levy will raise more money than a mill on an old Levy.

**Ms. Everett:** We'll have to find some creative wording.

**Mr. Miller:** This is only an estimate.

**Ms. Hueber:** Okay, then the question is, "do we want to get a 2.0 or 2.5-mill added?"

**Mr. Pulskamp:** 2.5-mill

**Mayor Hammon:** I strongly advise the 2.5-mill because if we going to add it to the bonds, you start to have some of that income coming in.

**Mrs. McCarthy:** What happens if this goes down?

**Ms. Everett:** You have to renegotiate a contract with the Fire Department.

**Mayor Hammon:** You also have to cut expenses, a lot of options we'd have to go through.

**Ms. Everett:** Anything you put on can fail.

**Mrs. McCarthy:** I know that.

**Mr. Miller:** All right, so you want 2.5-mills?

**Councilmembers:** 2.5-mills.

**Mr. Miller:** Let's redo the Resolution to assure we use the correct language. I'll call them tomorrow. Go ahead and suspend your rules.

**Mr. Pulskamp made a motion to suspend the rules. Ms. Hueber seconded the motion. All Aye. Motion Carried.**

**Mr. Pulskamp made a motion to adopt RESOLUTION 9-2005 A RESOLUTION DECLARING THE NECESSITY OF LEVYING A TAX IN EXCESS OF THE 10-MILL LIMITATION AND REQUESTING THE COUNTY AUDITOR TO CERTIFY MATTERS IN CONNECTION THEREWITH DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY. Mrs. Hueber seconded the motion. Ms. Hueber-Yes, Mr. Pulskamp-Yes, Mr. Evans-Yes, Mr. Kobasuk-Yes, Mrs. McCarthy-Yes. Motion Carried.**

**Mr. Miller:** The plan would be next Council meeting I bring back the Resolution to put it on the ballot. Is everybody going to be here?

**Mr. Pulskamp:** Doug, is the Village allowed to advertise or promote the passage of the Levy?

**Mr. Miller:** No, you may not.

**Mr. Pulskamp:** So we cannot put this in the Newsletter with the Village paying for it?

**Mr. Miller:** I think you can put in the fact that there is a Levy on the ballot. You may not promote it one way or the other.

**Councilmember Ken Pulskamp:** Doug, what about the Zicka property?

**Mr. Miller:** I haven't heard from Mike, he said he would get the stuff together and send it to me. I'll call him.

**Councilmember Tracy Hueber:** Doug, I wanted you to write up an Ordinance for "the first Friday and Saturday of May, 2005, the first Friday and Saturday of October." It's going to be the Village "Yard Sale," suspending the permit fee.

**Mayor Hammon:** I'd like an Executive Session for five minutes to discuss personnel. Mr. Evans-Yes, Mr. Pulskamp-Yes, Ms. Hueber-Yes, Mr. Kobasuk-Yes, Mrs. McCarthy-Yes.

**Meeting reconvened at 10:35 p.m. from Executive Session. No action was taken from Executive Session.**

**Mr. Pulskamp made a motion to adjourn. Mrs. McCarthy seconded the motion. Meeting adjourned at 10:35 p.m.**

Completed 9/29/05  
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