

**Village of Batavia – MINUTES of COUNCIL MEETING,
February 11, 2019**

**Batavia Village Council
Minutes of Meeting
Monday, February 11, 2019**

The Batavia Village Council met in regular session on Monday, February 11, 2019, at 7:00 pm with Mayor John Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Mr. Handra, Ms. Turner, Mr. Garrison, Mr. Vickers, Mr. Gipson, Mr. Ellis

Village Officials Attending the Meeting: Mayor John Thebout, Administrator Dennis Nichols, Fiscal Officer John Waite, Officer Christopher Whitaker. Solicitor Christopher Moore was absent.

Others Attending the Meeting: Scot Culshaw, Doug Saylor, Rex Parsons, Kim Parsons, JoAnn Martino, Watson Beiman, Amy Smiddy, Kim Laffleur, Brayden Beard, Ken Johnson, Christina Johnson

Approval of Financial Reports:

Ms. Turner made a motion to approve the January Bank Statements and Cash Journal, seconded Mr. Handra. The motion passed 6-0

Approval of Minutes:

Mr. Gipson made a motion to approve the minutes of the January 14, 2019 Council Meeting, seconded by Mr. Vickers The motion passed 6-0

Zoning Change for 550 Kilgore

Mr. Nichols reported that Saylor & Associates LLC, owner of the property at 550 Kilgore Avenue (Parcel No. 060206.016) has requested a zoning change for the property from B-1 to R-2. The property has been used as an office for Nichols Surveying but it is being sold to someone who wants to use the property as a personal residence. The Batavia Planning Commission has reviewed the application and has recommended approval. Mr. Nichols asked Council to pass a Motion approving the zoning change in accordance with Section 90.07(D)(1) of the Batavia Zoning Code.

Mr. Vickers made a **Motion** to approve the zoning change; seconded by: Mr. Handra.

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes,
Mr. Gipson, yes, Mr. Ellis, yes. **Motion passed 6-0**

**Village of Batavia – MINUTES of COUNCIL MEETING,
February 11, 2019**

Village Administrator: Dennis Nichols

E. Main Street Storm Drain Project / Purchase of 23 N. Riverside Dr.

Bids for the East Main Street / Riverside Dr. Storm Drain Project were opened on February 7th. The low bidder was Waugh Construction, Inc. at \$179,500, which was less than the engineer's estimated cost of \$200,000. Don Bezold, the engineer with Burgess & Niple, has reviewed the bid and qualifications of Waugh Construction and has recommended awarding the contract to Waugh Construction, Inc.

Mr. Vickers made a **Motion** to award the contract to Waugh Construction and to authorize the Village Administrator to execute the contract on behalf of the Village of Batavia; seconded by: Mr. Gipson.

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes,
Mr. Gipson, yes, Mr. Ellis, yes. **Motion passed 6-0**

Real estate closing for the purchase of 23 N Riverside Dr.

The Village of Batavia and the owners of the property at 23 N Riverside Dr. have signed a Purchase and Sale Agreement for the property at a price of \$126,100. The Village of Batavia Clermont Count CIC, Inc. will be purchasing the property on behalf of the Village. The ownership of the property will allow a path for the storm sewer for the East Main Street / Riverside Dr. Storm Drain Project. The Village plans to demolish the building and use the property for a future project to improve the intersection at Main Street and Riverside Dr. by putting in a right turn lane.

Status of property at 196 E Main Street

Parcel No. 060202.099 includes the buildings at 196 E Main Street and 47 N Second Street. The property is owned by William C. Meeks but is subject to a land contract. The owner wants to evict the land contract tenant. The building at 47 N Second Street is in disrepair and the Village is going to have it condemned. The Village is negotiating with the owner and the land contract tenant for purchase of the property.

Economic Development

Streamside Development – The owner is completing an archeological dig necessary before obtaining permits.

Electric Utility – the administrator is recommending that we proceed specifically for Auto Temp.

Brewery on College Dr. – the project is back on track after resolving a wet-lands issue.

Zoning Enforcement

225 Wood Street – The realtor has reduced the price from \$196,000 to \$86,000. Foreclosure on the property was instituted on February 1st.

280 S. Fourth (former nursing home) and 600 S. Riverside are in the process of being condemned.

**Village of Batavia – MINUTES of COUNCIL MEETING,
February 11, 2019**

Police Department, Officer Whitaker

Officer Whitaker submitted a report of January activity.

Officer Training

Officer Altman has completed an Advanced Roadside Training course.

Officer Lunsford has completed training to be the department's field training officer. He will also be taking over responsibility for the police evidence room once he has completed evidence room training, replacing Officer Fletcher for that responsibility.

Officer Fletcher attended a school shooting training program referred to as "A.L.I.C.E." Batavia Schools paid for the training.

Officers Kuhl and Noonan completed certification as trainers for Glock weapons training.

All officers completed "Stop the Blood" emergency equipment training.

Officer Stephan has completed his new officer training and pursuant to Resolution 270-18 his salary should now change from \$8.55 per hour to \$16.00 per hour.

Mr. Vickers made a **Motion** to recognize that Officer Stephan has completed his training and should have his salary changed to \$16.00 per hour; seconded by: Ms. Turner. **Motion** passed 6-0

The Police Department had only three Tasers. They have purchased 10 Tasers so that each Officer can carry one.

The Police Department will be working with the Clermont Senior Services Department participating in a Visiting Officers Programs where officers visit senior citizens

The American Legion recently contributed \$2,500 to the Batavia Police Department.

The Police Department has applied for a grant to purchase a radar speed trailer that shows drivers how fast they are traveling. The trailer would be used on Fifth Street and N Riverside Dr. to slow down speeders.

Mayor, John Thebout

The Village has interviewed 8 applicants for the position of Police Chief. He will narrow down the selection to 2-3 candidates before presenting them to Council.

The Mayor asked Council to select a date for the spring, 2019 yard-sale. Council voted 6-0 to approve June 1-2 for this year's yard sale.

The Mayor asked Council to approve changing the date for the March Council Meeting from March 11th to March 4th. The Village Administrator will be out of town on March 11th.

Ms. Turner made a **Motion** to change the March Village Council Meeting date from March 11th to March 4th; seconded by: Mr. Garrison. **Motion** passed 6-0

**Village of Batavia – MINUTES of COUNCIL MEETING,
February 11, 2019**

Village Solicitor, Christopher Moore

The solicitor was not in attendance because of a family illness.

Fiscal Officer: John Waite

Mr. Waite presented the Fiscal Officer's report on January activity

Credit card legislation mandated by the Ohio Legislature

The 132nd General Assembly passed H.B. 312 requiring all political subdivision to adopt specific credit card controls. Ordinance 1416-19 amends Ordinance 1245-12 to comply with Ohio law.

Ordinance 1416-19 1st reading

The Clermont County Budget Commission has approved the 2019 Certificate of Estimated Resources for the Village of Batavia. The Village can now pass legislation approving permanent (full-year) appropriation for 2019.

2019 Full-Year Appropriations.

Ordinance 1417-19 1st reading Waive the 3 Readings

If we pass the Ordinance with three readings, it will not be effective until May. We are currently operating under Temporary Appropriations which are meant to cover expenditures for the first three months of the year.

Mr. Handra made a **Motion** to waive the three readings, seconded by: Mr. Gipson

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes,
Mr. Gipson, yes, Mr. Ellis, yes. **Motion passed 6-0**

Ms. Turner made a **Motion** to adopt **Ordinance 1417-19**, seconded by: Mr. Handra

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes,
Mr. Gipson, yes, Mr. Ellis, yes. **Motion passed 6-0**

Legislation authorizing the Fiscal Officer to reallocate appropriations within a Fund

Ordinance 1415-19 2nd reading

Regional Income Tax Agency (R.I.T.A.)

The transfer of the administration of income taxes on July 1st is on schedule.

Ohio Auditor's Local Government Officials Conference in Columbus March 7-8.

This is mandatory continuing education certification. The Fiscal Officer asked Council to approve the fees and expenditures, including one night's hotel and travel expenses, not to exceed \$400.

Mr. Garrison made a **Motion** to approve the expenditures; seconded by: Mr. Handra.

Motion passed 6-0

**Village of Batavia – MINUTES of COUNCIL MEETING,
February 11, 2019**

New Business:

Scott Colshaw, Ingredient Masters, 377 E. Main Street

Mr. Colshaw informed Council that Ingredient Masters had completed the renovation of the Fire House at 377 E. Main Street and the company is now open. He thanked the Village for its help and cooperation in the project. He plans on having an open house to show off the building.

The Ridge Ohio Residential Alcohol and Drug Treatment Center is located in Batavia Township on S.R. 222 in a home formerly owned by Jeff Wyler. They were planning on building a reception center on a parcel of land on Filager Road that is owned by Clermont County and resides in the Village of Batavia. However, the Ridge is now considering utilizing the 1861 Inn located at 300 N Riverside Dr. as their reception center. The Ridge's reception center would be used to house up to 16 individuals. The Ohio Legislature passed a statute last year limiting the ability of local governments to prohibit treatment facilities based upon zoning restrictions. The Planning Commission had expressed opposition to the use of that property for a treatment center and had asked Solicitor, Christopher Moore, to review the matter to see if there was any way the Village could legally block it. At the time of the Council Meeting, Christopher Moore was still working on his answer.

Ken Johnson, 110 Wood Street

Mr. Johnson's property is adjacent to 300 N. Riverside and he expressed his opposition to the treatment center. He reviewed parts of the Ohio Revised Code defining drug addition, mental health, and class 1 and class 2 treatment centers. The treatment center would have to apply for a conditional use permit before opening. He believes that Batavia's zoning prohibits allowing 16 unrelated adults from being housed in a residential area.

Rex Parsons, on behalf of Ruth Parson, 401 Diana Dr.

Ruth Parson's property is also adjacent to 300 N. Riverside Dr. She is opposed to the treatment center. He is concerned about the safety of his mother. He asked if the Village had sent the Ridge a letter informing them that the Village is opposed to the treatment center. He was told that the Village has not sent such a letter.

Mr. Garrison made a **Motion** that the Village write a letter to the Ridge, upon advisement by the Village Solicitor, expressing the Village's opposition to the treatment center at 300 N Riverside Dr.; seconded by Mr. Gipson.

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes,
Mr. Gipson, yes, Mr. Ellis, yes. **Motion passed 6-0**

The Planning Commission's next meeting is February 19th. The next Village Council Meeting is March 4th. Council and the audience wanted to have an opportunity to question the Solicitor and have a further discussion about the treatment center. They asked that the discussion be on March 4

The Mayor announced that there will be a **Public Hearing** of the treatment center on March 4, 2019, at 6:00pm. The Village Administrator said that he would ask a representative of the Ridge to attend.

**Village of Batavia – MINUTES of COUNCIL MEETING,
February 11, 2019**

Committee Reports:

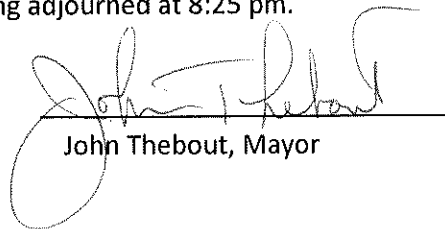
Village Council	Next Meeting	Monday, March 4 @ 7:00 pm
Finance Committee:	Next Meeting:	Thursday, February 28 @ 6:00 pm
Cemetery Committee	Kathy Turner	The annual joint meeting with the Township Trustees will be May 13 at 6:00pm at the Village Hall
Planning Commission	Bob Handra	Next Meeting Tuesday, Feb. 15 @ 7:00pm

Adjournment:

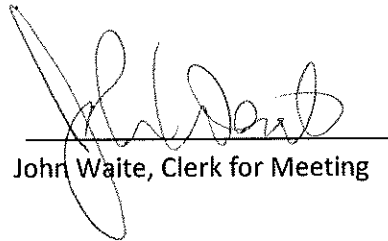
Mr. Ellis made a motion to adjourn, seconded by Mr. Handra. Motion passed 6-0

The meeting adjourned at 8:25 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting