

**Village of Batavia – MINUTES of COUNCIL MEETING,
February 10, 2020**

**Batavia Village Council
Minutes of Meeting
Monday, February 10, 2020**

The Batavia Village Council met in regular session on Monday, February 10, 2020, at 7:00 pm with Mayor 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, Ms. Cole, and Mr. Gipson.

Village Officials Attending the Meeting: Administrator Dennis Nichols, Fiscal Officer John Waite, Solicitor Christopher Moore, and Chief Young.

Others Attending the Meeting: JoAnn Martino, Wayne Smith, John Conners, Kelly Conners Vaughn, Jeannie Zurmehly, Mary Moore, Christopher Henderson-Johns, Kenneth Huber, and Larry Reuss

Approval of Financial Reports:

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

Approval of Minutes:

Ms. Vickers made a motion to approve the minutes of the January 13, 2020 Council Meeting, seconded by Mr. Handra. The motion passed 6-0

Jeannie Zurmehly, Clermont County Treasurer – Candidate for reelection

Ms. Zurmehly introduced herself and announced that she is running for reelection and she is on the March 17 ballot. She asked for support.

She explained that the reason real estate tax bills are now being sent to a bank in Cleveland is that the Cincinnati bank is no longer providing lock box service.

Christopher Henderson-Johns – Car Show on Main Street

Mr. Henderson-Johns asked Council to approve a car show on Main Street on Sunday, June 21. The car show is being sponsored by the Moore Family Funeral Home. The car show is being billed as "Downtown Throwdown Camaros vs Mustangs. Proceeds from the car show will go to the Southwest Ohio VFW Memorial Team for the purchase of a new transport van.

Ms. Turner made a **Motion** to approve the car show on June 21, seconded by Mr. Gipson. Motion passed 6-0.

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Village Administrator: Dennis Nichols

Bonds and Financing Capital Improvements

Mr. Nichols told Council that we are proposing to refinance some existing debt and to issue some additional debt for capital expenditures.

Mr. Connors informed Council that we have an outstanding 2013 Main Street bond that could be refinanced at a lower interest rate and extending the maturity another 7 years, which would reduce the annual interest and principal payments. He estimated that the Village would save \$140,000 in interest payments over the 20-year life of the bonds by issuing new debt at 3.25% interest.

Ordinance 1445-19 3rd reading

The bond will let us refinance the 2013 E Main Street Bond

An Ordinance Providing for the Issuance and Sale of Bonds of the Village of Batavia, Ohio, in the Maximum Aggregate Principal Amount of \$2,120,000 to Pay All or a Portion of the Costs of Refunding Certain Outstanding General Obligation (Limited Tax) Streetscape Improvement Bonds, Series 2013 of the Village and Paying Permissible Costs of Issuance of Said Bonds, and Authorizing a Bond Purchase Agreement, a Bond Registrar Agreement and Continuing Disclosure Agreement Relating Thereto

Mr. Gipson made a **Motion** to adopt **Ordinance 1445-19**, seconded by: Ms. Cole

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0** **Ordinance 1445-19 Adopted**

Ordinance 1446-19 3rd reading

The bond will let us refinance the 1-year \$300,000 armory renovation note.

An Ordinance Providing for the Issuance and Sale of Bonds of the Village of Batavia, Ohio, in the Maximum Aggregate Principal Amount of \$300,000 to Pay All or a Portion of the Costs of Refunding Certain Outstanding Armory Acquisition and Improvement Special Obligation Revenue Bond Anticipation Notes, Series 2019 of the Village and Paying Permissible Costs of Issuance of Said Bonds, and Authorizing a Bond Purchase Agreement, a Bond Registrar Agreement and, if Required, a Continuing Disclosure Agreement Relating Thereto

Mr. Gipson made a **Motion** to adopt **Ordinance 1446-19**, seconded by: Mr. Vickers

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0** **Ordinance 1446-19 Adopted**

Ordinance 1447-19 3rd reading

The bond will provide us with funds to make various capital improvements: purchase transformers for the electric utility, demolish 196 E Main Street, various street repairs and improvements, and trailhead park.

An Ordinance Providing for the Issuance and Sale of Bonds of the Village of Batavia, Ohio, in the Maximum Aggregate Principal Amount of \$1,830,000 to Pay All or a Portion of the Costs of Acquiring

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and Improving Certain Property and Constructing Certain Roadway Improvements in the Village, Together in Each Case with Necessary Appurtenances Thereto, Paying Capitalized Interest and Permissible Costs of Issuance of Said Bonds, and Authorizing a Bond Purchase Agreement, a Bond Registrar Agreement and Continuing Disclosure Agreement Relating Thereto

Mr. Gipson made a **Motion** to adopt **Ordinance 1447-19**, seconded by: Ms. Cole

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, no, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 5-1 Ordinance 1447-19 Adopted**

Ordinance 1448-19 3rd reading

This ordinance allows us to combine the bonds authorized in Ordinances 1445-19, 1446-19 and 1447-19 into a single \$4.25 million bond offering, thus minimizing the issuance costs

An Ordinance Providing for the Issuance and Sale of a Consolidated Issue of Various Purpose Bonds of the Village of Batavia, Ohio, in the Maximum Aggregate Principal Amount of \$4,250,000 for the Purpose of Paying All or a Portion of the Costs of (I) Refunding Certain Outstanding General Obligation (Limited Tax) Streetscape Improvement Bonds, Series 2013 of the Village, (II) Refunding Certain Outstanding Armory Acquisition and Improvement Special Obligation Revenue Bond Anticipation Notes, Series 2019 of the Village, (III) Acquiring and Improving Certain Property and Constructing Certain Roadway Improvements in the Village, Together in Each Case with Necessary Appurtenances Thereto, Paying Capitalized Interest and Permissible Costs of Issuance of Said Bonds, and Authorizing a Bond Purchase Agreement, a Bond Registrar Agreement and Continuing Disclosure Agreement Relating to Said Bonds

Mr. Gipson made a **Motion** to adopt **Ordinance 1448-19**, seconded by: Mr. Handra

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0 Ordinance 1448-19 Adopted**

OPWC project to line the sewers on Old Boston Road, Edith Ave., Charles Street, Gregory Drive and Shelley Drive

We are working with the contractor and engineer to ensure timely completion. We may reduce the scope of the project regarding laterals to avoid neighborhood disruption from trenching. Completion is due by the end of March.

Annexations and Development

We are revising the petition. We were working with two property owners with 158 total acres, but we are dropping one property owner with 10 acres. The primary petitioner is unchanged.

Alcore Senior Living Project

Alcore needs to determine how to get water to the development. They are negotiating with Hal Homes for an easement across the Streamside Development. Representatives from Alcore Senior, LLC, asked the Village to offer assessment bonds and to change route for the water lines. The Administrator rejected the idea.

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Streamside Residential Development

Hal Homes is waiting for Duke to connect the power for the lift station so Ryan Homes can break ground for houses in Phase 1. The expected hookup date with Duke is April 4.

State Route 32, 132 and 222

There are a lot of accidents at the stop sign on S.R. 132 coming down from Owensville with cars on S.R. 222. ODOT wants to put a stoplight at the intersection. They are also considering a roundabout.

Burgess & Niple engineering consultants will prepare plans for changes at the intersection. The State of Ohio will provide 100% funding, if they approve the application.

Sewer System

Fishbeck engineering consultants is working to make our system fully compliant with regulation and to enable merger with the county system. If needed, we will install backflow valves at the houses nearest the Wood Street lift station. The number of houses is estimated to be 6.

Regional Income Tax Agency – Taxpayer Assistance Event

RITA will have staff here on March 4th to help taxpayers with their municipal tax forms.

Limit the number of cats

We previously discussed trying to prohibit feeding feral cats. The administrator believes that feral cats present a health nuisance. The Health District meets March 19th and the administrator wants to present the problem to them.

Dead trees on the nursing home property

Ms. Turner reported that another tree from the nursing home has fallen onto the backyard of a house on Victoria Ave. The administrator will inform Ms. Meeker that she must clear the dead trees or the Village will cut them down and assess her the cost.

Police Department, Chief Young

The January activity was up 22% - 39% in all areas.

The police department is going to a paperless reporting system to reduce redundant work.

Officer Altman is pregnant. She wants to continue working regular duty as long as she can. She may have to be put on light duty at the later stages. When the baby is born, she plans on taking 12 weeks of maternity leave.

Mayor, John Thebout

Spring 2020 village-wide yard sale date

The Mayor asked Council to select the dates for this year's yard sale. Ms. Turner said that last year we had the yard sale on the first weekend in June.

Mr. Gipson made a **Motion** to have the yard sale on June 6-7, seconded by Mr. Vickers. Motion passed 6-0.

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Village Solicitor, Christopher Moore

CRT Auto Electronics Nuisance Suit

The damages hearing for the CRT zoning violation has been set for March 19.

Vacating the Village's ownership rights for a possible extension of 8th Street

The Village owns the right of way for an extension of 8th Street from Wood Street to E Main Street. We plan to vacate our ownership rights. The County has informed us that in order to record a vacation of property rights, we will have to present them with a survey.

Ordinance 1451-20 1st reading

An ordinance vacating the Village's ownership rights for an extension of 8th Street

Fiscal Officer: John Waite

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

Appropriations for 2020

Ordinance 1450-20 1st reading

An ordinance adopting appropriations for the full year 2020

Amendment to 2020 Temporary Appropriations

Ordinance 1449-20 1st reading Declare an emergency and waive the 3 readings

An ordinance adopting appropriations for the full year 2020

This ordinance increases police appropriations for the annual payment for 911 communications. The amount is included in the full-year 2020 appropriations, but I had not included enough in the temporary appropriations for the first 3 months of 2020.

The ordinance also allows for a bookkeeping change in the 1st payment of interest on the \$3 million Steamside bond. The interest payment was capitalized as part of the bond amount and is included in a 2019 carryover purchase order for the Steamside project, but the auditor wants interest payments identified as "interest payment" and the purchase order is for payments for "buildings and property". The existing appropriation/purchase order will be reduced to the amount of the new appropriation for interest payments.

Mr. Handra made a **Motion** to declare this to be an emergency and to waive the three readings because of the necessity to pay for police emergency services, seconded by: Mr. Gipson

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

Mr. Vickers made a **Motion** to adopt **Ordinance 1449-20**, seconded by: Mr. Handra

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0 Ordinance 1449-20 Adopted**

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Committee Reports:

Finance Committee:	Bob Handra	Next Meeting, Thursday, February 27 @ 6:00 pm.
Planning Commission	Bob Handra	Next Meeting, Tuesday, February 18 @ 7:00 pm.

New Business / Public Comment

Joanne Martino

The Kinner property on S. Riverside has junk in the yard. Is it a nuisance violation?

Electric Utility – Duke Energy Lawsuit

Solicitor Moore asked Council to adjourn to Executive Session to discuss the Duke Energy Lawsuit.

Mr. Vickers made a **Motion** to adjourn to Executive Session to discuss legal matters; seconded by Mr. Handra.

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0** Council went into executive session at 8:35pm.

Mr. Handra made a **Motion** to return from Executive Session; seconded by Mr. Vickers

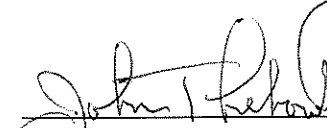
Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0** Council returned from executive session at 8:45pm.

Adjournment:


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

The meeting adjourned at 8:46 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting