

**Village of Batavia – MINUTES of COUNCIL MEETING,
March 9, 2020**

**Batavia Village Council
Minutes of Meeting
Monday, March 9, 2020**

The Batavia Village Council met in regular session on Monday, March 9, 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, Jay Turner, Rich Costello, Wesley Woods, Nathan Thompson

Approval of Financial Reports:

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

Approval of Minutes:

Mr. Gipson made a motion to approve the minutes of the February 10, 2020 Council Meeting, seconded by Mr. Vickers. The motion passed 6-0

Village Administrator: Dennis Nichols

Sale of 389 E. Main Street

We have received an offer to purchase 389 E Main Street for \$200,000, pending an inspection and adjustment for mechanical systems. The purchasing group owns and operates Abby Girl Sweets at Jungle Jim's, plus two other locations. They own a company called United Grounds and plan to operate a coffee roasting and blending firm Grounds at 389.

They sell their coffee to retail outlets. They do not plan to operate a retail coffee outlet at 389. They described to odor from roasting coffee to the smell from popping popcorn.

The Administrator told Council that the 2nd floor air conditioner will need to be repaired, but that he didn't expect adjustments to the \$200,000 price to exceed \$20,000. He also said that the sale is by private sale without a realtor, which will save \$14,000.

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Mr. Handra made a **Motion** to accept the \$200,000 offer, as long as the adjustments do not substantially exceed \$20,000, and to authorize the Village Administrator to proceed with a sale contract.

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, abstained, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 5-0-1**

Disposition of 196 E Main Street

Gerald Harley has inspected the main floors and he will view the basement and attic. He said the rehabilitation of the masonry structure is physically feasible, but recommends stripping away the frame additions. He said that he does not know whether rehab is financially feasible.

Sewer system

OEPA is requiring us to close the constructive overflows. Fishbeck is completing design and a report for the OEPA to release the Village from constraints so that we can merge our systems into the county system. We hope to be able to merge in 2021.

Water System

We have completed the requirements for a merger into the county's system and we are waiting for the draft of a joint resolution with the county. Chris Moore is working with the county.

Karen & Hulick

We have B&N working on cost estimate for water and sewer utilities.

Electric Utility

The Administrator has been negotiating with AAG for a contract for the purchase of the transformers along with an agreement that AAG will repurchase the transformers from us if we ask them.

State Route 32, 132 and 222

There are lots 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.

Hike & Bike Trail

The Clermont County Parks Coalition wants to do a feasibility study for the trail from Elk Lick Road to Main Street. They would need an estimated \$10,000 for the study.

Annexation and Development

We have petitioned to annex 157 acres on the eastern boundary of the village. This is a type 1 annexation. The hearing before the Clermont County Board of Commissioner is set for June 3rd.

Streamside Residential Development

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Hal Homes awaits an electric connection from Duke for the lift station before Ryan can get building permits.

Alcore Senior Living Project

The developer appears to be progressing and is talking to the county about water supply.

Urban property

This is the 48 acres between S.R. 32 and the Streamside Development. We have had inquiries from several developers about the property.

Library sign and veterans monument

We are working on plans. Council expressed concern that the sign not impinge upon our plans for improving the turn lane or the possible development of a veteran's memorial park.

Paul Staggs request

Mr. Staggs asked whether village is willing to provide assessment bond financing for 100-acre development on large lots. The Administrator said we would want a PILOT.

Mr. Handra made a **Motion** to approve the proposal for the village providing assessment bond financing coupled with a PILOT agreement for a residential development on the property owned by Mr. Staggs and to authorize the Administrator to execute documents, seconded by Ms. Cole.

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, abstain. **Motion passed 5-0-1**

Blight

The Administrator recommend declaring nuisance at 225 Wood and 280 South Fourth Streets and setting hearings in April and May. Council approved the recommendation.

Resolution authorizing the purchase of a replacement dump truck

Resolution 286-20 1st reading Waive 3 readings and pass as an emergency

This authorizes the purchase of a replacement dump truck with an estimated cost of \$100,000, which is in excess of the \$50,000 spending limit for the Village Administrator. It also authorizes the Village Administrator to execute documents related to the purchase. The emergency is because once the truck frame is purchased, it will take about six months to get the frame retrofitted and we need to have the truck ready for snow removal next fall.

Mr. Vickers made a **Motion** to declare this to be an emergency and to waive the three readings because of the time necessary to complete the truck, seconded by: Ms. Turner

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**

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Mr. Vickers made a **Motion** to adopt **Resolution 286-20**, seconded by: Ms. Turner

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 Resolution 286-20 Adopted**

Auxier Hall Rentals

Our current rental policy prohibits alcohol or food. We have had several requests to rent the hall for events that would like to serve alcohol. The Mayor suggested council members revisit our rules on allowing alcohol and our rental fees, and then decide next month if we want to make changes.

Police Department, Chief Young

Chief Young's monthly report was in a different format because the department has started using a software program to allow digital reporting by officers.

The Chief announced that the police department is applying for a grant that would pay 75% of the salary for 2 additional police officers. Fiscal Officer Waite suggested that the Chief should ask Council if they agree with this since Council has previously decided that they didn't want to apply for grants that would obligate the Village to continuing to employ the persons once the grant expired. In addition, the grants usually imposed upon the Village an agreement to let the federal government impose rules on how we run the village. The Chief responded that he is merely seeing if we qualify for a grant, and before the Village actually submits a formal application, he will obtain Council's approval.

The chief circulated a photograph of drugs and drug paraphernalia that were seized from a house in the Village. He also showed a photograph of a large seizure of methamphetamine from a traffic stop on S.R. 32.

Mayor, John Thebout

Vacation policy for Chief of Police

The Mayor informed Council that when Chief Young was hired there was no agreement as to the amount of vacation time he would receive. Our Personnel Policy is that new employees with less than 2 years of service receive one week of vacation. After 2 year of service, they receive 2 weeks of vacation and after 8 years of service they receive 3 weeks of vacation. The Chief has requested the Village to make a special exception and award him 3 weeks of annual vacation as of today.

Mr. Vickers made a **Motion** award the Chief 3 weeks of annual vacation, seconded by Mr. Handra. **Motion passed 6-0.**

Village Solicitor, Christopher Moore

CRT Auto Electronics Nuisance Suit

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The criminal trial process for Jeff Bach drags on. The Court has set a date of April 2nd to receive his plea or set trial date. There will probably be additional hearing dates. Our nuisance hearing will continue to be postponed until the criminal suit is resolved.

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. We have not obtained a survey yet so it is premature to proceed with this ordinance at this time.

Batavia Water Utility

Mr Moore met with Allen Edwards to discuss resolving any remaining issues preventing the transfer of the water utility to the county. One of the issues is the awning on the CRT Electronics property that is over the water line.

Electric Utility

Mr Moore has worked on a contract with AAG Glass for the purchase of the transformers.

Sale of 389 E Main Street

Mr Moore has worked on a contract with United Grounds for their purchase of 389 E Main Street.

Central Joint Fire EMS District Board

Dave Fry, solicitor for Batavia Township, has informed Mr. Moore that the Batavia Township Trustees will agree to a revised contract for the Central Joint Fire EMS District stating that the at-large member of the board will be chosen on an alternating 2-year basis between the Township and the Village.

Fiscal Officer: John Waite

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

Appropriations for 2020

Ordinance 1450-20 2nd reading

An ordinance adopting appropriations for the full year 2020. The appropriations have been amended to reflect the approval of the sale of the \$4.25 million bond.

Amendment to 2020 Temporary Appropriations

Ordinance 1452-20 1st reading Declare and emergency and waive the 3 readings

An ordinance adopting appropriations for the full year 2020

This ordinance increases street department contractual fund appropriations to allow for payment for road salt and for the purchase of a hotbox for asphalt for road repairs.

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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 expenses necessary for the maintenance of village streets, 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**

Mr. Vickers made a **Motion** to adopt **Ordinance 1452-20**, seconded by: Ms. Turner

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 1452-20 Adopted**

Amendment to Ordinance 1263-12

Ordinance 1453-20 1st reading Declare an emergency and waive the 3 readings
An ordinance adding the Fiscal Officer as an authorized officer for executing documents on behalf of the Village.

Currently, only the Mayor and the Village Administrator are authorized to execute documents on behalf of the Village of Batavia. This ordinance adds the Fiscal Officer as authorized to execute documents. The Mayor, the Administrator and the Fiscal Officer are all over 70 years of age. This provides for a backup in case the Mayor and/or the Administrator is not available to execute documents.

Mr. Handra made a **Motion** to declare this to be an emergency and to waive the three readings, 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. Gipson made a **Motion** to adopt **Ordinance 1453-20**, 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 1453-20 Adopted**

Committee Reports:

Finance Committee:	Bob Handra	Next Meeting, Thursday, March 26 @ 6:00 pm.
Planning Commission	Bob Handra	Next Meeting, Tuesday, March 17 @ 7:00 pm.
Safety Committee	Brian Vickers	Next Meeting, Wednesday, April 1

New Business / Public Comment

Councilman Garrison

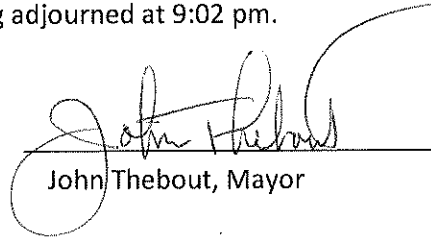
The building on W Main Street next to the Post Office is being renovated. He would like the Mayor to send the owners a letter thanking them for the renovation.

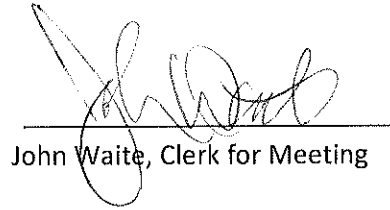
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Adjournment:

Mr. Gipson made a motion to adjourn, seconded by Mr. Handra. Motion passed 6-0
The meeting adjourned at 9:02 pm.

ATTEST:


John Thebout, Mayor


John Waite, Clerk for Meeting