

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

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

The Batavia Village Council met in regular session on Monday, November 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, Mr. Gipson

Village Officials Attending the Meeting: Mayor John Thebout, Administrator Dennis Nichols, Fiscal Officer John Waite, Solicitor Christopher Moore, Street Superintendent Smith, Chief Young

Others Attending the Meeting: Tim Blanton and Mary Moore

Approval of Financial Reports:

Mr. Handra made motion to approve the October Bank Statements and Cash Journal, seconded by Mr. Gipson. The motion passed 6-0

Approval of Minutes:

Ms. Turner made a motion to approve the minutes of the October 19, 2020 Council Meeting, seconded by Mr. Vickers. The motion passed 6-0

Village Administrator: Dennis Nichols

Roads, Maintenance and Facilities:

Main Street Bridge – The ODOT repair work will be completed by the end of the month.

W. Main Street, Broadway and Fifth Street Paving and Striping – A&A Safety will complete the striping by the end of the week.

196 E Main Street – A demolition permit has been issued. We have had the asbestos removed and the utilities disconnected. We have a bid for the demolition. Demolition will begin in about 30 days.

David Pryor informed Council that he would like to see buildings on Main Street renovated instead of being torn down and he has someone who would like the opportunity to inspect the building before it is demolished.

The administrator told him that we have been down this road before. There is still up to 30 days before demolition. If Mr. Pryor were to bring in someone who would make a nonrefundable \$10,000 deposit and obtain a renovation performance bond within 30 days, then we would stop demolition. Otherwise, we will move forward with the demolition.

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

175 E. Main Street and 179 E Main Street – The Clermont County Commissioners sold the properties at auction last week. They were purchased by the Huber family who plan to renovate them for first floor business and second floor residential.

225 Wood Street – The Cincinnati Preservation Society is purchasing the property or arranging for a purchase. Neighbors have asked us to stay the demolition.

Nursing Home property – Ms. Meeks informed us that she has sold the property and the new owner will demolish the building.

Streamside Residential Development

Ryan Homes has sold 25 lots. The Administrator has approved building permits for 15 new houses.

Batavia Electric Utility

The Administrator and the Mayor had two days of depositions with Duke Energy's attorney.

Humana Health Insurance Renewal

Our monthly premium cost for Humana will increase in 2021 from \$10,563 to \$12,746. We received four other bids that were all higher. Our insurance broker, ARC Benefits Solutions, is looking at possibly replacing ClaimLinx as our self-insurance administrator with a company that more closely works with Humana.

Kubicki Project CRA

The Mayor's committee met with the Batavia Schools and the Fire Department and discussed a plan to share the income tax received from the Kubicki development during the period of the real estate tax abatement. The school and the fire department understood that the share of the income tax would be substantially less than the amount of the real estate tax being abated. The school and the fire district suggested that we allocate a share of the income tax between them in proportion to their tax levies.

Mr. Vickers commented that even if the Village gave the schools and fire department all of the income tax from the Kubicki development, it would only be a fraction of the amount of revenue they would lose from the tax abatement.

The Administrator said legislation would lift the cap on that funding the Batavia Schools receive from the State of Ohio. If that legislation passes, then the school would not lose any money from a tax abatement.

The fiscal officer informed Council that an agreement to share the income tax from the Kubicki development with the schools and the fire department during the period of the tax abatement will have to be done annually as part of the Ordinances approving appropriations. However, Council can currently approve the concept of allocating part of the income tax received from the Kubicki development between the Batavia Local Schools and the Central Joint Fire EMS District in proportion to their tax levies.

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

Mr. Vickers made a **Motion** to approve the concept of an allocation of at least 50% of the income tax received from the Kubicki development each year for the period of the tax abatement to be allocated between the Batavia Local School District and the Central Joint Fire EMS District in proportion their tax levies, 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**

Executive Session to Discuss Real Estate Development

The Administrator asked Council to adjourn into Executive Session to discuss possible real estate development.

Mr. Gipson made a **Motion** to adjourn to Executive Session to discuss real estate matters, 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**

Ms. Turner made a **Motion** to return from Executive Session, 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**

Police Department, Chief Young

Chief Young submitted his monthly report to Council. There wasn't any unusual activity for the month of October.

The Chief informed Council that we are purchasing two used police cruisers. One has 20,000 miles and the other has 28,000 miles. We will be selling the 402 and 405 cruisers.

Officer Fletcher is being transferred from school resource officer to regular duty. Officer Ammerman is the new school resource officer. Officer Ammerman had some surgery last week and was off duty all week.

The police department has used some coronavirus relief funds to purchase two mobile data computers and four portable radios. They have also stocked up on cleaning supplies.

Mr. Garrison asked the Chief to have the police check for speeders on N Riverside Dr. between Main Street and Wood Street.

Mr. Pryor complimented the police department on keeping the Village safe.

Mayor, John Thebout

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

There was Veteran's Day Parade on Sunday, November 8. He was unable to attend, but heard that it was well received. The only H.S. band that participated was Williamsburg.

Batavia H.S. asked to have "Seatbelts Save Lives" posted on the Village sign. Ms. Turner responded that it had been done.

Village Solicitor, Christopher Moore

The Solicitor spend most of his hours this month preparing for and monitoring two days of depositions of the Mayor and the Administrator by attorneys for Duke Energy.

The water utility transfer issues are down to two easement. One is through Mr. Bach's property and he is in defiance of a court order requiring him to sign. The other is through the Kinner property and we have started litigation against the Kinnners.

The Bach nuisance suit set a November 10 deadline for Mr. Bach to be in compliance with cleaning up his property. If he fails, then he will be liable for fines of thousands of dollars.

At the request of the Fiscal Officer, Mr. Moore prepared a legal opinion that the Village of Batavia can transfer coronavirus relief funds to the general fund as reimbursement for police salaries.

Fiscal Officer: John Waite

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

Adopt Temporary Appropriations for 2021

Ordinance 1463-20 2nd reading

Adopt appropriations for the first quarter, 2021.

Adjust Wages for Fiscal Officer for 2021

Ordinance 1464-20 2nd reading

Adjust Wages for Fiscal Officer for 2021

Adjust Wages for Village Administrator for 2021

Ordinance 1465-20 2nd reading

Adjust Wages for Village Administrator for 2021

Adjust Wages for Police Chief for 2021

Ordinance 1466-20 2nd reading

Adjust Wages for Police Chief for 2021

Adjust the Street Department Wage Schedule

Resolution 298-20 2nd reading

Adjust the Street Department Wage Schedule

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

Adjust Wages for Police Officers for 2021

Resolution 299-20 2nd reading

Adjust Wages for Police Officers for 2021

2020 Appropriations Amendment

Ordinance 1468-20 1st reading Pass as an emergency and waive the 3 readings

Increase 2020 appropriations for General Fund police department insurance, Coronavirus Relief Fund contractual, and Police Special Revenue Fund capital outlay

We received \$157,046 in coronavirus relief funds. The Village had previously only appropriated \$50,000. We a deadline of November 20 to encumber the funds or we have to give them back to the County. The Police Department is going to use some of the funds for computers, radios and cleaning supplies. We are going to use about \$38,000 to upgrade the sound system in Auxier Hall so that people can hear while maintaining social distance. We then have about \$90,000 left. We have asked for a quote for reconfiguring the stage to place Council Members six feet apart. We estimate that would be about \$20,000. The Clermont County Auditor has informed us that coronavirus funds can be used to reimburse the general fund for police salaries paid since April 1, 2020.

The Police Department is using funds in the Police Special Revenue Fund 2903 to purchase two used police cruisers. We need to increase the appropriations in that fund to allow for the purchase.

Mr. Vickers made a **Motion** declare an emergency and to waive the three readings because there is a time limit for encumbering coronavirus relief funds, 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 1468-20**, 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 1468-20 Adopted**

Authorize the Village to use coronavirus relief funds to reimburse the general fund for police salaries since April 1, 2020

Resolution 300-20 1st reading Pass as an emergency and waive the 3 readings

The Clermont County Auditor informed us that the Office of Management and Budget has determined that they will presume that all safety officers are working on coronavirus related items so we can use the coronavirus relief funds to pay police officers. Our Solicitor has provided us with a legal opinion that the Village can transfer coronavirus relief funds to the general fund as reimbursement for police salaries paid since April 1, 2020.

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

Mr. Vickers made a **Motion** declare an emergency and to waive the three readings because we have a deadline for making the transfer, 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 **Resolution 300-20**, 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 Resolution 300-20 Adopted**

Committee Reports:

Finance Committee:	Bob Handra	Next Meeting, Thursday, November 19 @ 6:00pm (Changed from November 26 Thanksgiving Holiday)
Planning Commission	Bob Handra	Next Meeting Tuesday, November 17 @ 7:00pm

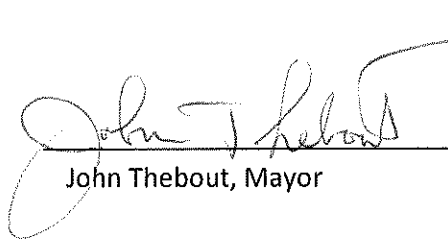
New Business / Audience Participation:

Mr. Gipson stated that as the Village expands with annexations and new developments, he wants Council to maintain the old village center. We need to support buildings and activities the bring people to Main Street.

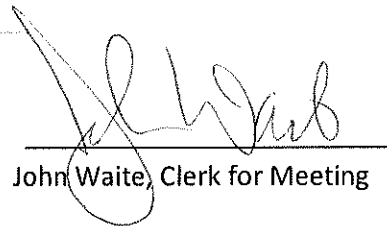
Adjournment:

Mr. Handra made a motion to adjourn, seconded by Mr. Gipson. Motion passed 6-0
The meeting adjourned at 9:05 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting