

**Village of Batavia – MINUTES of COUNCIL MEETING,  
January 11, 2021**

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**Batavia Village Council  
Minutes of Meeting  
Monday, January 11, 2021**

The Batavia Village Council met in regular session on Monday, January 11, 2021, 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, and Officer McMillan

**Others Attending the Meeting:** Joanne Martino

**Approval of Financial Reports:**

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

**Approval of Minutes:**

Mr. Vickers made a motion to approve the minutes of the December 14, 2020 Council Meeting, seconded by Mr. Gipson. The motion passed 6-0

**Village Administrator: Dennis Nichols**

**Roads, Maintenance, and Facilities**

**196 E Main Street**

The Village is adding fill dirt where the ground has settled following the building's demolition.

The owner of the adjacent building will be installing siding on the building that will match the siding on the back of the Building. He has agreed to allow the Village to attach a movie screen to the side of the building if we do no damage to the building or if we restore the building for any damage.

**Roads Equipment**

The Village purchased a used backhoe for \$27,000 in December with year-end Street Fund II money

**Replacement for dump truck / snowplow**

We need to replace our 1999 dump truck. We currently only have one functioning snowplow vehicle for the Village. Wayne shopped distributors and found a new 2019

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Freightliner M2 106 dump truck, diesel powered, with an aluminum bed, fully equipped with snowplow and sprayer. The truck has spent the past year as a show truck for Freightliner and has not been on the road. The price is \$149,836 fully equipped

Mr. Vickers made a **Motion** to approve the purchase of a dump truck / snowplow for approximately \$150,000 with capital improvements bond money, seconded by Ms. Turner.

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

Agreement for ODOT to complete an RCUT intersection at S.R. 32 at Bauer Road

**Resolution 301-21** 1<sup>st</sup> reading Declare and emergency

ODOT has requested the Village to pass this legislation as soon as possible since they have scheduled to begin the project. ODOT is paying the entire cost of the project.

Mr. Vickers made a **Motion** declare an emergency and to waive the three readings because of the ODOT has scheduled the project to begin, seconded by Mr. Handra

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

Mr. Handra made a **Motion** to adopt **Resolution 302-21**, seconded by: Ms. Turner

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Vickers, yes, Mr. Garrison, yes,  
Ms. Turner, yes, Mr. Handra, yes **Motion passed 6-0**  
**Resolution 301-21 Adopted**

Water and Sewer Utilities – Clermont County has announced significant rate increases for water over the next five years. The current rate of \$2.48 per thousand gallons will increase in steps to \$3.90 in 2025.

Streamside Residential Development – Construction is underway, with 17 zoning certificates and a dozen or so starts, 10 under roof by a week ago, and at least one occupied. Realtors say the housing market remains strong.

Electric Utility – Nothing new.

Kubicki Project – The engineer asked to be on the agenda for the February Planning Commission meeting.

Village of Batavia CIC – The Administrator wants to call a meeting of the Village of Batavia CIC for February. He wants to discuss the purchase of a strip of land for future development. He also wants to discuss the possibility of establishing a solar electric panel field.

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**Police Department, Chief Young**

Chief Young submitted his monthly report to Council. He also included a summary of the full-year 2020 activity. The department received 4,700 calls and drove 90,000 miles in 2020.

The two used police cruisers that we purchased have been placed in service. We will sell the two older cars.

Two officers contacted coronavirus. They have recovered and are back at work.

The new School Resource Officer contract has been signed and is in effect.

The Chief has had the police checking for speeders on N Riverside Dr. between Main Street and Wood Street.

**Mayor, John Thebout**

The Mayor announced Committee appointments for 2021

Planning & Zoning

Bob Handra (Chair), John Thebout, Jerry Harley, Steve Staton, Dave Pryor

Finance

Bob Handra (Chair), Jason Gipson, Brian Vickers

Safety

Jason Gipson (Chair), Diana Cole

Cemetery

Kathy Turner (to 12/31/2021)

Records

John Thebout, Jason Garrison, John Waite, Chris Moore

Central Joint Fire & EMS

John Thebout, Bob Handra

Hike/Bike Trail

Jason Gipson (Chair), Jason Garrison, Diana Cole

Tax Appeal Board

Charles Tilbury, Jr, Tom Ellis (to 12/31/2021), Steve Staton (to 12/31/2021)

Ad Hoc Beautification Committee

Kathy Turner (Chair), Jason Garrison, Diana Cole

Preserving Historic Vision

Jason Gipson, Brian Vickers, David Pryor

Selection of Vice-Mayor for 2021 – The Mayor asked if there were any nominations

Ms. Turner **Nominated** to **Mr. Handra** for Vice-Mayor, seconded by: Mr. Vickers

Mr. Garrison **Nominated** to **Mr. Gipson** for Vice-Mayor, seconded by: Ms. Cole

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There were no other nominations

Vote by roll for **Mr. Handra** for Vice-Mayor: Mr. Gipson, no, Ms. Cole, no, Mr. Vickers, yes, Mr. Garrison, no, Ms. Turner, yes, Mr. Handra, yes **Vote: 3 yes, 3 no**

Vote by roll for **Mr. Gipson** for Vice-Mayor: Mr. Gipson, yes, Ms. Cole, yes, Mr. Vickers, no, Mr. Garrison, yes, Ms. Turner, no, Mr. Handra, no **Vote: 3 yes, 3 no**

The Mayor asked that since it was a tie, was anyone willing to change their vote? No one changed their vote. Village Solicitor Moore said that in the case of a tie vote the selection was then up to the Mayor.

The Mayor said that we have two good candidates, but it is time to begin training some younger members of Council. Therefore, he chose **Mr. Gipson to be Vice-Mayor for 2021.**

The Mayor is seeking pricing for some playground equipment for the leased school property on Broadway. When he has the price, he will approach the School Board to see if they will share the cost.

**Village Solicitor, Christopher Moore**

The Solicitor is negotiating with Jeff Bach's attorney on the amended waterline easement that Clermont County has requested.

On January 4, we filed our response to Duke Energy's pleadings in their lawsuit. Duke then has ten days to respond to our response and then the case goes before the judge.

**Fiscal Officer: John Waite**

Mr. Waite presented the Fiscal Officer's report on December activity. After contracting with RITA for income tax collection and administration, we ended 2020 with a \$293,133 increase over 2019. Our General Fund balance at the end of the year was \$1,036,718.

**2021 Appropriations Amendment**

**Ordinance 1470-21**      1<sup>st</sup> reading      Pass as an emergency and waive the 3 readings

Appropriate the remaining coronavirus funds. Congress amended the law so that we now have until the end of 2021 to spend the coronavirus relief funds.

Appropriated funds for the purchase of a dump truck / snowplow

Mr. Garrison made a **Motion** declare an emergency and to waive the three readings because of the necessity to purchase a snowplow, seconded by Mr. Gipson

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

Mr. Garrison made a **Motion** to adopt **Ordinance 1470-21**, seconded by: Mr. Vickers

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Vickers, yes, Mr. Garrison, yes,  
Ms. Turner, yes, Mr. Handra, yes                      **Motion passed 6-0**  
**Ordinance 1470-21 Adopted**

**Ordinance 1471-21**      1<sup>st</sup> reading

An Ordinance declaring that the Village has the right under Home Rule to decide whether or not the payment of an expense is for a public purpose, and when the Mayor, the Administrator or Council approves of the payment of any invoice, whether for sales tax, late fees, interest expenses, penalties, or any other expense, the payment of such approved invoice shall be deemed to be "for a public purpose".

This is a rebuke of a finding by our auditor in our 2018-2019 audit.

**Batavia Union Cemetery Board annual assessment increase**

Mr. Smith has tendered his resignation as Sexton for the Batavia Union Cemetery. The Cemetery Board has been unable to find a replacement for Mr. Smith at his \$10,000 annual salary. They are going to have to increase the offered salary, and as a result, they have to increase the amount of their annual assessments to the Village and to Batavia Township. The Village has been paying \$20,000 per year. The new assessment is going to be \$28,000 per year.

Mr. Vickers made a **Motion** to acknowledge and accept the \$28,000 annual assessment from the Batavia Union Cemetery, seconded by: Mr. Gipson.      Vote by Council 6-0.

**Committee Reports:**

|                     |            |   |
|---------------------|------------|---|
| Finance Committee:  | Bob Handra | Next Meeting, Thursday, January 28 @ 6:00 pm. |
| Planning Commission | Bob Handra | Next Meeting, Tuesday, January 19 @ 7:00pm    |

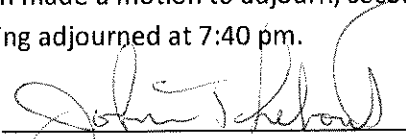
**New Business / Audience Participation:**

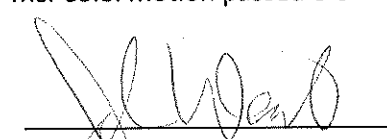
Joanne Martino asked is anyone had any new information about the Kinner house at 225 Wood Street. She said that it went back on the market this week.

**Adjournment:**

Mr. Gipson made a motion to adjourn, seconded by Ms. Cole. Motion passed 6-0  
The meeting adjourned at 7:40 pm.

ATTEST:

  
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John Thebout, Mayor

  
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John Waite, Clerk for Meeting