

**Village of Batavia – MINUTES of COUNCIL MEETING,
July 13, 2020**

**Batavia Village Council
Minutes of Meeting
Monday, July 13, 2020**

The Batavia Village Council met in regular session on Monday, July 13, 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, Chief Jim Young, Officer Whitaker, Street Superintendent Smith

Others Attending the Meeting: Carlos Diaz & Adam Geus (Abell Pest Control), Rick Barron, Mary Moore, Zoe Moore Runk, Terri Morgan, Terrell Snyder, Blair Caviness, Penny Coffey, Shana Brockelman, Steve & Becky Smith, Katy Siz____, Ronald Rogers, Tanner & Karen _____, Joanne Martino, Kelly Wright

Approval of Financial Reports:

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

Approval of Minutes:

Ms. Garrison made a motion to approve the minutes of the June 8, 2020 Council Meeting, seconded by Ms. Cole. The motion passed 4-0-2, with Mr. Vickers & Mr. Gipson abstaining

Joint Resolution with Batavia Township Amending the Board Selection of the Central Joint Fire/EMS District

Resolution 289-20 2nd reading

Adopts a revised process for selecting the at-large member of the Central Joint Fire/EMS District Board

Village Administrator: Dennis Nichols

Blight

A Resolution Ordering the Demolition of Structures at 225 Wood Street as a Public Nuisance

Resolution 287-20 3rd reading

Mr. Vickers made a **Motion** to adopt **Resolution 287-20**, seconded by: Mr. Handra

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Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, Yes, Mr. Garrison, No, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 5-1 Resolution 287-20 Adopted**

A Resolution Ordering the Demolition of Structures at 280 S Fourth Street as a Public Nuisance

Resolution 288-20 3rd reading

Mr. Handra made a **Motion** to adopt **Resolution 288-20**, 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 Resolution 288-20 Adopted**

196 E Main Street – Report from Gerald Harley, AIA

Mr. Harley inspected the structure at 196 E Main Street and made the following report. He estimated that demolishing the building would cost \$60,000 - \$75,000. He estimated that it would cost \$750,000 - \$900,000 to restore the building.

Administrator Nichols asked Council if they were ready to make a decision on what to do with the building, or if they needed more time to evaluate it. Mr. Vickers suggested that the Village approach several commercial realtors to see if there is any interest in the property. Council agreed that they wanted to see if there was any interest in the building before they made a decision.

Annexation

The Clermont County Commissioners approved our annexation of 157.2561 acres owned by Charles J Kubicki, LLC.

Finance and Capital Needs

Todd Cooper, our bond attorney, has prepared the Preliminary Official Statement for the sale of our municipal bonds. John Connors at Connors & Co. said the market for municipal bonds has rallied, and that he expects Batavia's bonds to have the same or even lower rates than we expected earlier in the year. The bond sale is scheduled for Wednesday, July 15.

Water and Sewer

Infiltration & inflow project: Insituform will use the remaining grant money to replace some of the laterals or smaller lines.

Karen & Hulick: Burgess & Niple has presented an alternate design to add 70 acres to the east of the project.

Water and sewer system: Chris Moore said he will talk to the lawyer for Clermont County to see when a draft contract to transfer the water system to the county will be ready.

Economic Development

Streamside: We are reviewing Phase 2 plans.

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Electric utility: AAG Glass is beginning production and will be ready to come online as soon as we clear Duke's obstruction.

Alcore: Alcore still plans on development of the assisted-living facility.

Streets, Maintenance and Facilities

Major repairs and resurfacing: Wayne Smith estimates it will cost \$550,000 to resurface W. Main Street and repair S.R. 132 south of Main.

Police Department, Chief Young

Chief Young submitted his June report to Council. -

Officer Altman has resigned from the department effective July 11. She will continue to work as an auxiliary officer.

The Batavia Police Department helped the Village of Bethel during their protests. There were no issues in Batavia when we had our church-sponsored protest.

Shana Brockelman had complained to the chief about cars speeding on Fifth Street and about loud cars and trucks. The chief told Council that the department has done 40 patrols on Fifth Street last month. They issued 17 warnings for speed, 3 citations for speed, and 1 citation for excessive noise. The Chief was told by the Clermont County Prosecutor that they will not prosecute any noise citations based upon a Village Ordinance. They will only prosecute a noise citation if it is for a loud muffler based upon Ohio Revised Code.

Mayor, John Thebout

The Mayor didn't have any items to present.

Village Solicitor, Christopher Moore

A hearing before Judge Brock has been set for July 29 for determining damages in the CRT nuisance suit. There are currently 29 vehicles on the property.

The Duke Energy lawsuit is currently in the discovery phase. Duke is asking for metadata for items we have already provided to them.

The Sedacca family is offering to donate two small parcels of land to the Village.

Fiscal Officer: John Waite

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

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Coronavirus Relief Aid

Resolution 290-20 1st reading Waive the 3 readings and pass as an emergency

Adopts a Resolution affirming qualification for receiving funding to reimburse the Village of Coronavirus related expenditures. The Village is requesting reimbursement for Family First Coronavirus Response Act expenditures of approximately \$5,520. The State of Ohio has allocated limited funding to Clermont County for distribution. Applications to Clermont County must be made before October 22, 2020, or before funding runs out.

Mr. Handra made a **Motion** to declare this to be an emergency and to waive the three readings because available funds are limited, 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 adopt **Resolution 290-20**, seconded by: Mr. Vicker

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 290-20 Adopted**

Local Government Distribution Formula

Resolution 291-20 1st reading Waive the 3 readings and pass as an emergency

Adopts a revised process for allocating Local Government Funds

Mr. Handra made a **Motion** to declare this to be an emergency and to waive the three readings because the Clermont County Commissioners will be voting on this issue this month, 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**

Mr. Handra made a **Motion** to adopt **Resolution 291-20**, 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 291-20 Adopted**

Appropriations Amendment

Ordinance 1456-20 1st reading Waive the 3 readings and pass as an emergency

Appropriates funds to pay for the bond issuance fees and to pay off the 2013 Street Improvement General Obligation Bond

Mr. Vickers made a **Motion** to declare this to be an emergency and to waive the three readings because the bonds are being issued two days from now, 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. Handra made a **Motion** to adopt **Ordinance 1456-20**, seconded by: Mr. Gipson

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Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0 Ordinance 1456-20 Adopted**

New Business / Public Comment

Feral Cats

League for Animal Welfare – Mike Fulkerson contacted the Village several weeks ago and offered their services for trap-neuter-release for feral cats at no charge.

Abell Pest Control – Adam Geus told Council that his firm can trap-neuter-release feral cats, but they can also trap and remove other animals such as raccoons. Some people of in the audience were against killing raccoons or any animal.

Clermont County Animal Shelter / Clermont County Humane Society – representatives of the Humane Society told Council that they offer trap-neuter-release services for feral cats and are willing to work with the Village to eliminate any problem with feral cats.

Terri Morgan told Council that she has been trapping-neutering-releasing feral cats at her own cost for several years.

Several residents said that they don't believe that there is a feral cat problem in the Village.

On resident suggested that there should be an Ordinance that prohibits outdoor feeding of cats after dark as a way of not feeding animals other than cats.

Council did not take any action regarding feral cats.

Blight – Demolition of Buildings

One of the residents was concerned about Council approving demolition of buildings instead of seeking grants for restoring them. The Village Administrator replied that regarding the three properties on tonight's agenda, the Village has been trying to work with the owners for years to get the properties restored, but that the owners have been unable or unwilling to make improvements. Meanwhile the properties have continued to deteriorate.

Committee Reports:

Finance Committee:	Bob Handra	Next Meeting, Thursday, July 23 @ 6:00 pm.
Planning Commission	Bob Handra	Next Meeting, Tuesday, July 12 @ 7:00pm

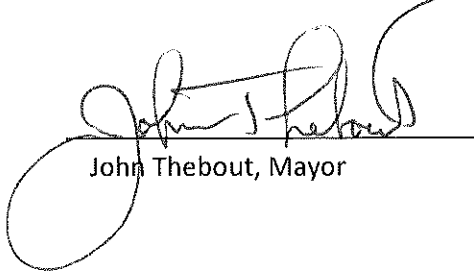
New Business / Public Comment None

Adjournment:

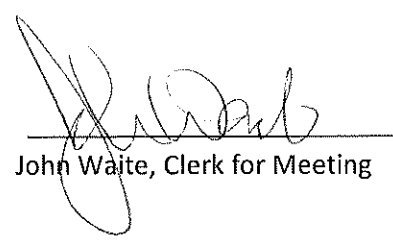
Mr. Vickers made a motion to adjourn, seconded by Mr. Gipson. Motion passed 6-0
The meeting adjourned at 8:35 pm.

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ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting