

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

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

The Batavia Village Council met in regular session on Monday, January 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, 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, Jerry Cole, Wayne Smith. John Conners, Kelly Conners Vaughn, and Todd Cooper

**Approval of Financial Reports:**

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

**Approval of Minutes:**

Ms. Gipson made a motion to approve the minutes of the December 9, 2019 Council Meeting, seconded by Ms. Turner. The motion passed 5-0-1 Ms. Cole abstained

**Wayne Smith – Candidate for appointment to Central Joint Fire & EMS board**

Mr. Smith informed Council that there is an opening for the at-large position on the 5-member fireboard. That position will be elected by a vote of the combined Village Council and Township Trustees. Mr. Smith informed Council that he is entering his name for consideration.

**Village Administrator: Dennis Nichols**

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

Insituform is installing manholes. When all of the manholes have been installed, they will flush the sewer lines and install the liners.

Bean and Brew

They are open and seem to be doing quite well.

Regional Income Tax Agency – Taxpayer Assistance Event

RITA will have staff here on March 4<sup>th</sup> to help taxpayers with filing their municipal tax forms.

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**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 that otherwise would have to be paid from operating income. He asked John Conners, of Conners & Company, to explain the plan.

Mr. Conners 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.

We also have a \$300,000 1-year note that could be included in a refinancing.

If we issue a new bond for \$4,300,000, it would give us \$1,280,000 for capital improvements. We will need to make an investment of approximately \$500,000 in 2020 to get our Electric Utility started. The annual interest and principal payments on a \$4.3 million bond would be approximately \$300,000.

Mr. Conners and bond attorney Todd Cooper informed Council that the new bond would not be sold until April, but there is a lot of work that needs to be done before a bond can be issued, so they recommended that Council waive the third reading and pass the ordinances.

Council decided to not waive the third reading since the bond can't be sold until April.

**Ordinance 1445-19** 2<sup>nd</sup> reading

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

**Ordinance 1446-19** 2<sup>nd</sup> reading

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

**Ordinance 1447-19** 2<sup>nd</sup> 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.

**Ordinance 1448-19** 2<sup>nd</sup> reading

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

**Police Department, Chief Young**

The December activity remained steady. There was nothing unusual to report.

The chief wants to promote a second officer to sergeant to formalize the chain of command for the second shift.

The department has applied for a grant for the purchase of two more mobile computers for police cruisers.

**Mayor, John Thebout**

At the last meeting, Council was provided a proposed revised Personnel Manual for review. The Mayor asked Council if there any questions or corrections. There were none. The Mayor asked for a Motion to adopt the revised personnel policy.

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

## Planning & Zoning

## Finance

## Safety

Cemetery

## Records

Central Joint Fire &amp; EMS

Hike/Bike Trail

Tax Appeal Board

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**Ad Hoc Beautification Committee**

Kathy Turner (Chair), Jason Garrison, Diana Cole

The Mayor informed Council that it is time for Council to elect a Vice-Mayor for 2020. He asked for nominations. Ms. Turner nominated Mr. Handra. Mr. Garrison nominated Mr. Gipson. There were no more nominations. The Mayor asked for a rollcall vote on Mr. Handra as Vice-Mayor.

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, no, Mr. Vickers, yes, Ms. Cole,  
abstain, Mr. Gipson, abstain **Vote in favor was 3-1-2**

Mr. Handra was declared the Vice-Mayor for 2020.

**Village Solicitor, Christopher Moore**

Vacating the Village's ownership rights for a possible extension of 8<sup>th</sup> Street

The Village owns the right of way for an extension of 8<sup>th</sup> Street from Wood Street to E Main Street. There are no plans to adopt the extension.

Mr. Moore stated that the way to vacate the Village's ownership interest is to pass a Resolution that the right of way has no value to the Village, and wishes to abandon its ownership. Mr. Moore agreed to prepare a Resolution for a 1<sup>st</sup> reading at the February meeting.

**Duke Energy Lawsuit**

Duke has informed our attorneys that they see no reason to negotiate with the Village at this time.

**CRT Auto Electronics Nuisance Suit**

Jeff Bach, owner of CRT was arrested on five counts of drug trafficking. The criminal hearing has been postponed until January 30. The zoning hearing for CRT has been postponed until after the criminal trial and we are not able to begin removing cars, since it is now considered to be a crime scene.

**Fiscal Officer: John Waite**

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

**Committee Reports:**

Finance Committee:	Bob Handra	Next Meeting, Thursday, January 23 @ 6:00 pm.
Planning Commission	Bob Handra	Next Meeting, Tuesday, January 21 @ 7:00 pm.

**New Business / Public Comment**

None.

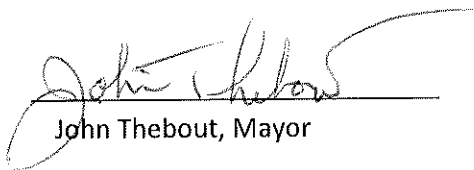
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**Adjournment:**

Mr. Gipson made a motion to adjourn, seconded by Mr. Vickers. Motion passed 6-0  
The meeting adjourned at 8:25 pm.

ATTEST:

  
John Thebout, Mayor

  
John Waite, Clerk for Meeting

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**Batavia Village Council  
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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**      3<sup>rd</sup> 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**      3<sup>rd</sup> 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**      3<sup>rd</sup> 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**      3<sup>rd</sup> 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 4<sup>th</sup> 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 19<sup>th</sup> 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 8<sup>th</sup> Street

The Village owns the right of way for an extension of 8<sup>th</sup> 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 8<sup>th</sup> 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 and 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 1<sup>st</sup> 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

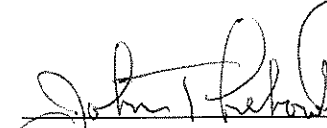
Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0** Council returned from executive session at 8:45pm.


**Adjournment:**

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

The meeting adjourned at 8:46 pm.

ATTEST:

  
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John Thebout, Mayor

  
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John Waite, Clerk for Meeting

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

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**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 2<sup>nd</sup> 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 3<sup>rd</sup>.

**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**      1<sup>st</sup> 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

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

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The criminal trial process for Jeff Bach drags on. The Court has set a date of April 2<sup>nd</sup> 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 8<sup>th</sup> Street

The Village owns the right of way for an extension of 8<sup>th</sup> 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.



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

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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 and 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.

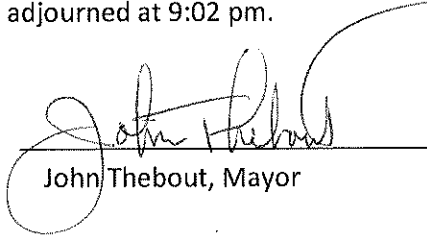
**Village of Batavia – MINUTES of COUNCIL MEETING,  
March 9, 2020**

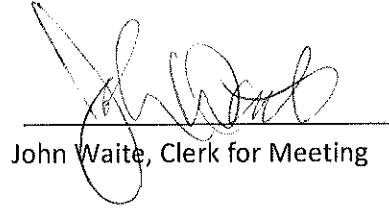
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**Adjournment:**

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

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

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

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

**Village Officials Attending the Meeting:** Administrator Dennis Nichols, Fiscal Officer John Waite, Chief Young, Officer Kuhl, and Officer McMillan.

Solicitor Christopher Moore was not present, but listened in on the live stream.

**Others Attending the Meeting:** Due to safety concerns regarding the corona virus, the public was prohibited from attending the meeting. However, the meeting was streamed live, so the public was able to see and hear the proceedings.

**Approval of Financial Reports:**

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

**Approval of Minutes:**

Mr. Handra noted a correction to the minutes of the March 9 meeting. The date for the March Finance Committee meeting was corrected to March 26. Mr. Vickers noted a correction that his vote on the Motion to accept the \$200,000 offer to sell 389 E. Main Street, was to vote to abstain.

Mr. Vickers made a motion to approve the minutes of the March 9, 2020 Council Meeting, as amended, seconded by Mr. Handra. The motion passed 6-0

**Police Department, Chief Young**

Chief Young reported on the impact of the corona virus on police operations. The police department's part-time officer works full-time for the Clermont Communications Center, and has been told by the Communications Center he will not allowed to work an outside part-time job during the crisis. A full-time police officer has decided to use sick leave to stay home while seeking medical furlough status. The school resource officer is available for regular duty while the schools are closed.

There have not been as many traffic stops recently. The police at trying to do traffic enforcement with limited contact.

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

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The chief introduced Cameron Ammerman, who is being hired as an unpaid auxiliary officer. He works as a full-time officer for University of Cincinnati Health. He lives in Batavia Township. Mr. Ammerman was sworn in by the Mayor.

**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 have been unable to obtain financing for the purchase of the building due to financial turmoil from the corona virus. However, they still want to find a way to purchase the building. They have asked if the Village would consider accepting \$100,000 cash, with an agreement pay the balance in a year; or to pay off the balance within 5 years with interest at prime plus 5%. The Village Solicitor was directed to draft an agreement.

Mr. Handra made a **Motion** to accept the offer of ½ the purchase in cash with the balance to be paid or financed in a year, and to have our Solicitor prepare the agreement, seconded by Mr. Gipson.

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

**Disposition of 196 E Main Street**

The project is on hold until we stabilize our finances.

**Sewer system**

Insituform has finished lining the sewer lines and they will begin lining the laterals next week.

**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.

**State Route 32, 132 and 222**

There are many 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, is preparing plans for changes at the intersection. The State of Ohio will provide 100% funding, if they approve the application.

**Blight**

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

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

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**Annexation and Development**

We have filed the petition 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 3.

**An Ordinance Stating Services to be provided to Annexed Property**

**Ordinance 1454-20**      1<sup>st</sup> reading      Waive 3 readings and pass as an emergency

Ohio Revised Code requires the legislative authority to adopt an Ordinance stating what services will be provided to property being annexed, and to provide that Ordinance to the County Commissioners twenty days before the Commissioners act on the annexation request. The annexation is scheduled for a hearing on June 3. Therefore, this is an emergency.

Mr. Handra made a **Motion** to declare this to be an emergency and to waive the three readings, 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 1454-20**, 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      Ordinance 1454-20 Adopted**

**An Ordinance Authorizing the Transfer and Sale of Certain Undeveloped Parcels of Land through the Village of Batavia Clermont County CIC, Inc.**

**Ordinance 1455-20**      1<sup>st</sup> reading

The Village owns several undeveloped parcels of land that are of no benefit to the Village. This allows us to transfer those parcels to the CIC and sell them, if and when, the transfer would benefit the Village.

**Vacating the Village's ownership rights for a possible extension of 8<sup>th</sup> Street**

**Ordinance 1451-20**      2<sup>nd</sup> Reading      **Do not pass. Table this Ordinance**

Mr. Staggs is considering a 100-acre development with large lots for his property north of Eighth Street. In order to facilitate the development, the Village agreed to vacate its ownership right for a possible extension of Eighth Street from Wood Street to Main Street. We had a first reading of **Ordinance 1451-20** on February 10.

We have now determined that in order to annex his property into the Village, Mr. Staggs will need to have street frontage, and vacating the Village's right of way could prevent an annexation. Therefore, we are recommending that Council table **Ordinance 1451-20**, instead of passing it.

Mr. Vickers made a **Motion** to table Ordinance 1451-20, seconded by Mr. Handra.

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

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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 1451-20 is Tabled**

**Mayor, John Thebout**

**Veteran's Day Parade**

The Mayor informed Council that this year the parade will be Sunday, November 8, at 2:00pm, instead of on November 11.

**Batavia High School**

Since the High School has been closed and there will not be a graduation for the seniors, the school administration has asked if the Village would agree to let the School hang pictures of the seniors from light poles on Main Street for a two or three week period. Council agreed, but specified that the pictures should be put up and taken down by our street department.

**Fiscal Officer: John Waite**

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

**Appropriations for full-year 2020**

**Ordinance 1450-20      3rd reading**

An ordinance adopting appropriations for the full year 2020. The appropriations was amended to reflect the revenue from the sale of the \$4.25 million bond.

Mr. Handra made a **Motion** to adopt **Ordinance 1450-20**, 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      Ordinance 1450-20 Adopted**

The Ohio Public Works Commission has informed us that because of the effect the corona virus is having on the State of Ohio's finances, they may not be able to process any draw requests made on existing grants or loans after June 30. They also may not process any new OPWC applications this year.

**Committee Reports:**

Finance Committee:	Bob Handra	Next Meeting, Thursday, April 23 @ 6:00 pm.
Planning Commission	Bob Handra	the April meeting is being suspended

**New Business / Public Comment**

**None**

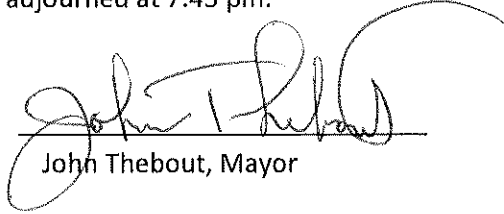
**Village of Batavia – MINUTES of COUNCIL MEETING,  
April 13, 2020**

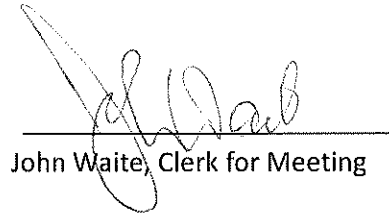
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**Adjournment:**

Mr. Gipson made a motion to adjourn, seconded by Mr. Handra. Motion passed 6-0  
The meeting adjourned at 7:45 pm.

ATTEST:

  
\_\_\_\_\_  
John Thebout, Mayor

  
\_\_\_\_\_  
John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,  
May 11, 2020**

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**Batavia Village Council  
Minutes of Meeting  
Monday, May 11, 2020**

The Batavia Village Council met in regular session on Monday, May 11, 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.

The meeting was streamed live, so the public was able to see and hear the proceedings.

**Roll Call of Members Present**

Mr. Handra, Ms. Turner, Mr. Garrison, Mr. Vickers, and Mr. Gipson. Ms. Cole did not attend.  
Village Officials Attending the Meeting: Administrator Dennis Nichols and Fiscal Officer John Waite  
Solicitor Christopher Moore was not present, but listened on the live stream.

Others Attending the Meeting: Joann Martino.

**Approval of Financial Reports:**

Mr. Handra made motion to approve the April Bank Statements and Cash Journal, seconded Mr. Gipson.  
The motion passed 5-0

**Approval of Minutes:**

Ms. Turner made a motion to approve the minutes of the April 13, 2020 Council Meeting, seconded by Mr. Gipson.  
The motion passed 5-0

**Police Department, Chief Young**

Chief Young did not attend the meeting. His written report was submitted to Council.

The Mayor informed Council that we will be losing one of our officers who has accepted a job with Loveland.

Mr. Vickers asked the Mayor if the Chief has heard anything on the COPS Grant application. The Mayor told him that the Chief hasn't received anything yet.

**Village Administrator: Dennis Nichols**

**Sale of 389 E. Main Street**

The Village of Batavia Clermont County CIC, Inc. sold 389 E Main Street to Nu Biz, Inc. for \$192,500, for ½ in cash and ½ on terms. 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 at 389.



**Village of Batavia – MINUTES of COUNCIL MEETING,  
May 11, 2020**

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Disposition of 196 E Main Street

The project is on hold until we stabilize our finances.

We received an inquiry from a group who wanted permission to tour the building to see if there are any “ghosts”. We turned them down and told them that the building isn’t safe.

Sewer system

We are wrapping up the OPWC infiltration and inflow project and expect completion in June.

Fishbeck is completing design and a report for the OEPA that we can merge our systems into the county system. The county is collecting flow data as we finish lining pipes.

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.

State Route 32, 132 and 222

We are pursuing a state safety grant to reconfigure SR 222 to improve safety and flow. We met with Burgess & Niple today and they plan to submit the proposal to ODOT this week. We have a meeting scheduled with ODOT on Friday. If ODOT accepts the proposal, the state will pick up all of the costs other than our preliminary engineering costs.

Since the turn lane at the intersection has been closed, the number of accidents has been reduced.

An Ordinance Authorizing the Transfer and Sale of Certain Undeveloped Parcels of Land through the Village of Batavia Clermont County CIC, Inc.

**Ordinance 1455-20**      2<sup>nd</sup> reading

The Village owns several undeveloped parcels of land that are of no benefit to the Village. This allows us to transfer those parcels to the CIC and sell them, if and when, the transfer would benefit the Village.

Blight

The Administrator recommend declaring nuisance at 225 Wood and 280 South Fourth Streets and setting hearings in May and June.

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

**Resolution 287-20**      1st reading

The Village of Batavia sent notice to the owners and lienholders of the subject property on March 13, 2020, with a deadline of 4:00 p.m. April 3, 2020, to obtain and present to the Batavia Village office a copy of an executed demolition permit issued by Clermont County Permit Central, with demolition to occur within 15 days after the issuance of that permit; and the owners acknowledged receipt of notice, but neither complied nor appealed

**Village of Batavia – MINUTES of COUNCIL MEETING,  
May 11, 2020**

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A letter from neighbors, Jack and Kathy Leon, complaining about the neglect of 225 Wood Street, with photographs was submitted.

Mr. Nichols told Council that Street Superintendent Wayne Smith received a call from Ken Johnson offering to demolish the house at 225 Wood Street in exchange for a first position in line to acquire ownership of that property. Mr. Nichols rejected the offer as improper.

**A Resolution Ordering the Demolition of Structures at 280 S Fourth Street as a Public Nuisance**  
**Resolution 288-20**      1st reading

The Village of Batavia sent notice to the owners and lienholders of the subject property on March 13, 2020, with a deadline of 4:00 p.m. April 3, 2020, to obtain and present to the Batavia Village office a copy of an executed demolition permit issued by Clermont County Permit Central, with demolition to occur within 15 days after the issuance of that permit; and the owners acknowledged receipt of notice, but neither complied nor appealed

**Mayor, John Thebout**

**Car Show**

The car show scheduled for May has been cancelled. It has been rescheduled for September 13.

Mr. Gipson told council that there is an informal car show gathering on Main Street every Saturday morning.

**Village-wide yard sale June 6-7**

The mayor asked council if they wanted to cancel or postpone the yard sale. There was concern about going forward, but since the Village does not regulate the yard sale, it was decided to leave it to the various residents to determine if they wanted to interact with the public by having a yard sale.

Mr. Garrison asked the Mayor if the Village has a noise ordinance. He wants to complain about a group of cars with loud mufflers that have circulating through the Village. The Mayor told him that there is a noise ordinance, but the police officer must witness the event.

**Fiscal Officer: John Waite**

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

**Bond Issue**

We had expected to sell \$4.25 million in bonds in April. That didn't happen because the corona virus shutdown disrupted the financial markets. The disruption is ongoing and we will not be selling the bonds in May. We are currently expecting to sell them in July.

**Payroll issues**

The federal government passed a law called Family First Corona Response Act (FFCRA) that says any employee who is unable to work because of lack of childcare because the schools and day

**Village of Batavia – MINUTES of COUNCIL MEETING,  
May 11, 2020**

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care centers have been closed, is entitled to have up to 12 weeks off at 2/3 of their normal payroll. We currently have one employee utilizing FFCRA.

**Committee Reports:**

Finance Committee:	Bob Handra	Next Meeting, Thursday, May 28 @ 6:00 pm. The May meeting is being suspended.
Planning Commission	Bob Handra	Next Meeting, Thursday, May 19 @ 7:00pm The May meeting is being suspended

**New Business / Public Comment**

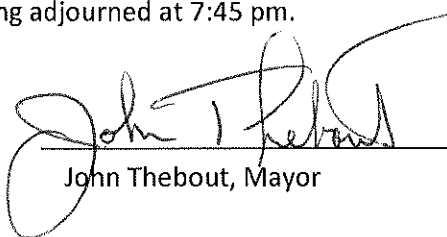
Ms. Turner informed Council that the Farmers Market hopes to open July 1<sup>st</sup> but the County Health Department has imposed some new rules regarding social distancing for farmers markets.

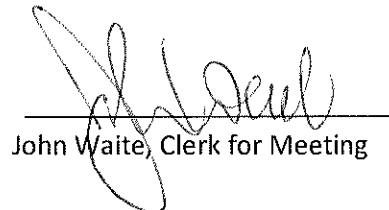
The annual Joint Cemetery Meeting with the Township Trustees that is normally held in May has been rescheduled for June 8.

**Adjournment:**

Mr. Handra made a motion to adjourn, seconded by Mr. Gipson. Motion passed 5-0  
The meeting adjourned at 7:45 pm.

ATTEST:

  
John Thebout, Mayor

  
John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,  
June 8, 2020**

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**Batavia Village Council  
Minutes of Meeting  
Monday, June 8, 2020**

The Batavia Village Council met in regular session on Monday, June 8, 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, Ms. Cole. Mr. Vickers and Mr. Gipson did not attend.

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

**Others Attending the Meeting:** Joann Martino, Jinx Elliott, Adam Craver, Adam West, Pam Foley, Wayne Smith, Shana Brockelman

**Approval of Financial Reports:**

Mr. Handra made motion to approve the April Bank Statements and Cash Journal, seconded by Ms. Turner. The motion passed 4-0

**Approval of Minutes:**

Ms. Turner made a motion to approve the minutes of the May 11, 2020 Council Meeting, seconded by Mr. Handra. The motion passed 4-0

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

**Resolution 289-20** 1<sup>st</sup> reading

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

Mr. Handra asked Solicitor Moore to amend the Resolution to specify who is eligible to be appointed as the at-large member of the Fire Board. Mr. Garrison suggested that the person should be a resident of the fire district. Solicitor Moore agreed to amend the Resolution before the second reading.

**Village Administrator: Dennis Nichols**

**Blight**

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

**Village of Batavia – MINUTES of COUNCIL MEETING,  
June 8, 2020**

---

**Resolution 287-20**      2nd reading

We have been told that the property has been sold and that the new owners are now living in the property. When we receive evidence that there has been a closing, we will table the Resolution.

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

**Resolution 288-20**      2nd reading

Annexation

We presented our annexation case to the Clermont County Commissioners last Wednesday. They have 30 days to act. We expect a decision before the end of the month.

Finance and Capital Needs

John Conners at Conners & 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.

Water and Sewer

Infiltration & inflow project: Insituform and its subcontractors are working overtime to complete lining the mains and laterals

Karen & Hulick: Burgess & Niple has presented two proposed designs, one costing an estimated \$557,000 and the other an estimated \$794,000. We are applying for a grant and/or a 30-year loan to pay for 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: Construction is underway on Ryan's model home for the 64-house Phase 1. Tim Burgoyne of Hal Homes said the model home should be ready to show in July.

Electric utility: AAG Glass wants Batavia to lease the substation transformers from them, rather than buy them, to avoid having to modify their plant mortgage.

Alcore: They informed us that they are still going forward with the project. They have been slowed by the Coronavirus and by negotiating with Hal Homes for an easement.

Authorize a transfer of Village-Owned Property to the Village of Batavia CIC for sale when appropriate

An Ordinance Authorizing the Transfer and Sale of Certain Undeveloped Parcels of Land through the Village of Batavia Clermont County CIC, Inc.

**Ordinance 1455-20**      3<sup>rd</sup> reading

The Village owns several undeveloped parcels of land that are of no benefit to the Village. This allows us to transfer those parcels to the CIC and sell them, if and when, the transfer would benefit the Village.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
June 8, 2020**

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Mr. Handra made a **Motion** to adopt **Ordinance 1455-20**, seconded by: Ms. Cole.

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Ms. Cole, yes

**Motion passed 4-0 Ordinance 1455-20 Adopted**

Streets, Maintenance and Facilities

Major repairs and resurfacing: Wayne Smith suggests budgeting \$75,000 and deferring larger reconstruction to 2021. However, we are now considering using the bond proceeds to grind and repave West Main Street from the bridge to S.R. 32 at an estimated cost of \$500,000. We are seeking an engineering proposal.

State Routes 32, 132 & 222: Burgess & Niple engineer Kendra Schenk and I presented Batavia's application for major improvements to the complex interchange on May 15. Batavia is asking for \$5.6 million in state funds. The village cost is \$11,400 for the concept plan.

State of Ohio Coronavirus Relief Aid

**Resolution 290-20** 1<sup>st</sup> reading

A Resolution asking to participate in the aid program and agreeing to only use the funds to pay for coronavirus expenditures that were not included in our budget.

Facilities

Armory Town Hall: We replaced the third-floor air-conditioning unit at a cost of \$6,793.

**Police Department, Chief Young**

Chief Young submitted his May report to Council. He said that there has been an increase in complaints for speeding and reckless driving in the Village.

Our part-time officer, who had not been able to work during the coronavirus lockdown, is now back working for us.

Shana Brockelman complained to the chief about cars speeding on Fifth Street and about loud cars and trucks. The chief told her that they patrol Fifth Street and traffic is not moving at excessive speeds. He also said that they know who owns the two loud vehicles that Council complained about last month, but they haven't been able to catch them driving through the village.

Jinx Elliott and Adam Craver complained about the person living on Spring Street who is feeding feral cats. Feeding the cats is attracting skunks and raccoons, and the feral cats are creating nuisance and a public health hazard. Solicitor Moore responded that legislation for feral cats is a problem because feeding a stray cat does not constitute ownership. The Health Department has authority if the cats are creating a health hazard, but the Health Department is reluctant to act. He suggested that the best solution is for you to document the fact that the cats are damaging or diminishing the value of your property and then for you to file a civil suit against the perpetrator for damages.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
June 8, 2020**

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**Mayor, John Thebout**

The restaurants are back open and the Mayor urged people to support them. The Village had a year sale last weekend that was much smaller, but the people that participated had success.

The Mayor read a letter from Chris Erhardt, Jr. thanking the Batavia Police Department for its help when called upon in dealing with his father's dementia.

**Village Solicitor, Christopher Moore**

A hearing has been set for July 29 for the CRT nuisance suit.

The Duke Energy lawsuit is currently in the discovery phase. Duke sent out some subpoenas the day after the Governor issued covid-19 restrictions, then Duke complained when the respondents were not able to meet to fulfill the subpoenas.

**Fiscal Officer: John Waite**

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

The Village is undergoing a financial audit for the years 2018-2019, but the auditor is from Marietta and they are not willing to travel to Batavia during the covid-19 shutdown. Therefore, the audit is going slowly.

**Committee Reports:**

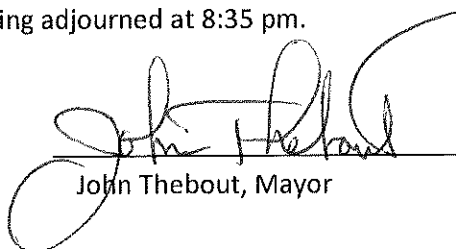
Finance Committee:	Bob Handra	Next Meeting, Thursday, June 25 @ 6:00 pm.
Planning Commission	Bob Handra	Next Meeting, Tuesday, June 16 @ 7:00pm

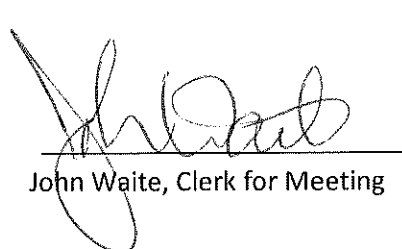
**New Business / Public Comment**          None

**Adjournment:**

Mr. Handra made a motion to adjourn, seconded by Ms. Cole. Motion passed 4-0  
The meeting adjourned at 8:35 pm.

ATTEST:

  
John Thebout, Mayor

  
John Waite, Clerk for Meeting

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

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**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** 2<sup>nd</sup> 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** 3<sup>rd</sup> reading

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



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

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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** 3<sup>rd</sup> 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.

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

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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.

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

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Coronavirus Relief Aid

**Resolution 290-20**      1<sup>st</sup> 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**      1<sup>st</sup> 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**      1<sup>st</sup> 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

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

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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 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

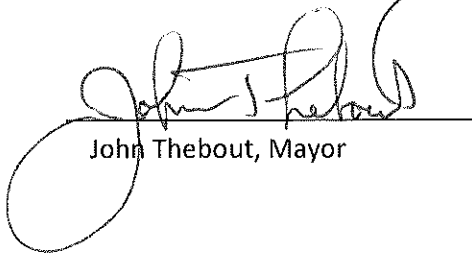
**Adjournment:**

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

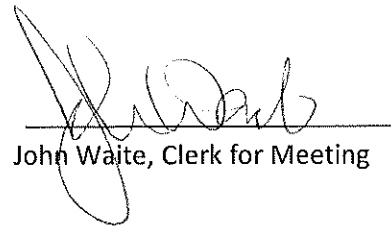
Village of Batavia – MINUTES of COUNCIL MEETING,  
July 13, 2020

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ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting

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

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

The Batavia Village Council met in regular session on Monday, August 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, 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:** Joanne Martino, Kelly Wright, Penny Coffey, Jennifer Elliott, Diane Canlot(?), John P\_\_\_\_(?), Mary Moore, Koren Moore Runck

**Approval of Financial Reports:**

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

**Approval of Minutes:**

Mr. Garrison made a motion to amend the July 13<sup>th</sup> minutes regarding the vote on Resolution 287-20. Mr. Vickers made a motion to approve the minutes of the July 13, 2020 Council Meeting as amended, seconded by Mr. Gipson. The motion passed 6-0

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

**Resolution 289-20** 3<sup>rd</sup> reading

Adopts a revised process for selecting the at-large member of the Central Joint Fire/EMS District Board. Batavia Township passed this Resolution with a stipulation that the first term of office begin on July 1. The Village of Batavia's version had previously stated that the term of office would begin on January 1. The Mayor recommended that the Village adopt an amended Resolution that agrees with Batavia Township's version with the beginning date of July 1.

Mr. Vickers made a **Motion** to adopt **Resolution 289-20** as amended, 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      Resolution 289-20 Adopted**

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

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**Village Administrator: Dennis Nichols**

196 E Main Street

A Resolution authorizing the Administrator to demolish the building at 196 E Main Street and to pave part of the lot for a parking lot for the administration building. He would like to keep the large tree and a green space along Main Street.

**Resolution 294-20**      1<sup>st</sup> reading

We have contracted two commercial realtors and asked if there was any interest in listing the property for redevelopment. Both rejected the concept or rehabilitating the structure, as the cost would far exceed the value.

Mr. Gipson stated that he is ok with demolishing the building, but he is in favor of keeping the Main Street facade. Mr. Nichols responded that when we seek demolition bids, he would seek a bid that would keep the facade.

Joanne Martine, a realtor, stated that the site is much more valuable and attractive to a potential developer if the building would be demolished without keeping the facade.

Infiltration & inflow project Wayne Smith has identified 25 laterals on smaller lines for lining in September.

Water and sewer system: Chris Moore will update Council on the status

Streamside: We have approved Phase 2 plans

Alcore: Alcore has obtained the water easement it needed from Hal Homes. They should begin working on their assisted living facility.

West Main Street repaving project: We will be opening bids on August 13.

Mr. Nichols requested Council for a Special Meeting to accept the bids. Council agreed that everyone except Mr. Garrison could meet on Monday, August 17 at 5:00pm.

Mr. Vickers made a **Motion** to call for a Special Meeting on Monday, August 17 at 5:00pm for the purpose of accepting bids on the W Main Street paving project, seconded by Mr. Handra.      **Vote 6-0      Motion passed.**

**Legal Matters regarding Batavia Township**

Mr. Nichols asked Council to meet in Special Session to discuss legal matters regarding Batavia Township.

Ms. Turner 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**      Adjourned at 7:30

Mr. Vickers made a **Motion** to return from Executive Session, seconded by: Ms. Cole

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

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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**     Returned at 7:45

**Police Department, Chief Young**

Chief Young submitted his July report to Council.

The police department hired Cameron Ammerman to replace Officer Altman, who resigned in July. Officer Ammerman has completed his training. He has also completed school resource officer training so that he can be a backup for Officer Fletcher.

Officer Fletcher will be returning to the Batavia schools as school resource officer on August 17. Our contract with the Batavia Local Schools expires in December. We are negotiating for a new contract.

**Mayor, John Thebout**

The Mayor asked Council to pick a date for the September village-wide yard sale. Council selected September 12-13 because there is going to be a car show on Sunday, September 13 and that will bring in extra people.

**Village Solicitor, Christopher Moore**

At a hearing on July 29 Judge Brock issued the following ruling against CRT Electronics for zoning violations:

- Within 42 days CRT will be in complete compliance with the Village's zoning ordinance,
- CRT is limited to having no more than 12 vehicles on the property,
- CRT will remove the trailer currently being used for storage,
- CRT will remove the awning on the east side of the building that is over a waterline,
- CRT will clear an easement for the waterline, and
- Failure to be in compliance will result in CRT paying a fine to the Village of Batavia of \$35,000.

The Duke Energy is still be obstructive. They just included the City of Hamilton in the lawsuit against Batavia.

There are only two remaining issues with Clermont County regarding the County taking over our water utility. One is the waterline easement on the CRT property that has just been resolved by Judge Brock's ruling. The other is an easement that was previously signed, but that needs to be resigned and the signer is reluctant to do so.

**Fiscal Officer: John Waite**

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

Credit Card Policy



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

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**Ordinance 1457-20**      1<sup>st</sup> reading

Our State Auditor is requiring the Village of Batavia to amend our credit card policy to include retail stores where the Village has a line of credit

**Appropriations Amendment**

**Ordinance 1458-20**      1<sup>st</sup> reading      Waive the 3 readings and pass as an emergency

The 2020 appropriations included \$4.25 million in the general fund from the sale of bonds. The state auditor told us that only \$300,000 belongs in the general fund. \$3,950,000 needs to be in the Street Capital Fund because the use of the funds is restricted to refunding debt and capital improvements. Therefore, the appropriations in the general fund need to be reduced by \$3,950,000. The street capital fund needs to be increased by \$800,000 for capital improvements.

Mr. Vickers made a **Motion** to declare this to be an emergency and to waive the three readings to correctly reflect bond revenue received August 5 so that the funds can be properly appropriated, 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**

Mr. Gipson made a **Motion** to adopt **Ordinance 1458-20**, 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      Ordinance 1458-20 Adopted**

**Coronavirus Relief Fund 2151**

**Ordinance 1459-20**      1<sup>st</sup> reading      Waive the 3 readings and pass as an emergency

The state auditor informed us that Council needs to approve the creation of a new fund account. Fund 2151 was created to receive Coronavirus Relief Funds. This is an emergency because approval is required by O.R. C., the fund is in existence and has already received funding.

Mr. Handra made a **Motion** to declare this to be an emergency and to waive the three readings because approval is required by O.R.C., 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 1459-20**, 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      Ordinance 1459-20 Adopted**

**Tax Budget for 2021**

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

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**Resolution 292-20**      1<sup>st</sup> reading      Waive the 3 readings and pass as an emergency  
The Ohio Revised Code requires the Village to file a tax budget for next year before July 15

Mr. Handra made a **Motion** to declare this to be an emergency and to waive the three readings because O.R.C. requires the adoption before July 15, seconded by: Mr. Gipson

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

Ms. Cole made a **Motion** to adopt **Resolution 292-20**, seconded by: Ms. Turner

Vote by roll:      Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, abstain, Mr. Garrison, yes,  
Ms. Cole, yes, Mr. Gipson, yes      **Motion passed 5-0-1      Resolution 292-20 Adopted**

Establish an Amount Limit for Blanket Purchase Orders

**Resolution 293-20**      1<sup>st</sup> reading      Waive the 3 readings and pass as an emergency  
O.R.C. 5705.41(D03) requires establishing a blanket purchase order amount limit

Ms. Turner made a **Motion** to declare this to be an emergency and to waive the three readings because O.R.C. requires the adoption, 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. Vickers made a **Motion** to adopt **Resolution 293-20**, 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      Resolution 293-20 Adopted**

**New Business / Public Comment**

**Street Lights**

Mr. Garrison informed the Administrator that a street light on N Riverside Dr. between North Street and Wood Street is not working, and asked him to get it fixed.

**Kelly Wright**

Ms. Wright asked if Council Agendas could be made available to the public ahead of the meeting. She was told that the agendas are only prepared a day or two before the meeting. If she wants to be included in the email distribution of the agenda, she should send an email to the Fiscal Officer asking to be put on the list.

Ms. Wright complained that although the minutes of Council Meetings are posted on the Village website, the postings are not current.

Ms. Wright also complained about a resident who is burning garbage in their yard, causing noxious odors. The Mayor told her that he would contact that person.

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

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**Demolition of Buildings**

One of the residents was concerned about Council approving demolition of the buildings instead of seeking grants for restoring them. They particularly objected to the demolition of 225 Wood Street. The Village Administrator replied that regarding the properties approved for demolition, 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 and are nuisances.

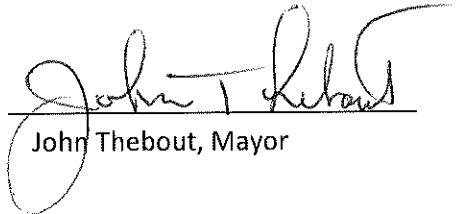
**Committee Reports:**

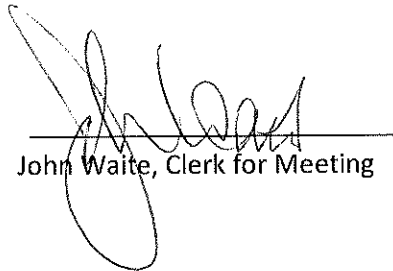
Finance Committee:	Bob Handra	Next Meeting, Thursday, August 27 @ 6:00 pm.
Planning Commission	Bob Handra	Next Meeting, Tuesday, August 18 @ 7:00pm, but it may be cancelled

**Adjournment:**

Mr. Garrison made a motion to adjourn, seconded by Ms. Cole. Motion passed 6-0  
The meeting adjourned at 8:55 pm.

ATTEST:

  
John Thebout, Mayor

  
John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,  
August 17, 2020**

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**Batavia Village Council  
Minutes of Meeting  
Monday, August 17, 2020**

The Batavia Village Council met in special session on Monday, August 17, 2020, at 5:00 pm with Mayor John 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, Mr. Gipson, Mr. Vickers, Ms. Cole. Mr. Garrison and Ms. Turner were absent.

Village Officials Attending the Meeting: Mayor John Thebout, Administrator Nichols and  
Fiscal Officer John Waite

Others Attending the Meeting: Street superintendent Smith

**West Main Street Asphalt Pavement Resurfacing Project**

The Village had a bid opening for the W Main Street Asphalt Pavement Resurfacing Project on Thursday, August 13 at 1:30pm. There were 5 bids.

\$349,605.00	Fillmore Construction LLC 11741 State Route 72 Leesburg, OH 45135
\$349,944.00	Towne Construction Services 500 Kent Road Batavia, OH 45103
\$371,281.00	Barrett Paving Materials, Inc. 3751 Commerce Dr. Franklin, OH 45005
\$385,275.00	John J Jurgensen Company 11641 Mosteller Rd. Cincinnati, OH 45241
\$457,505.00	Rack & Ballauer Excavating Co., Inc. 11321 Paddy's Run Road Hamilton, OH 45013

**Village of Batavia – MINUTES of COUNCIL MEETING,  
August 17, 2020**

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Mr. Handra made a **Motion** to accept the bid from Fillmorre Construction, LLC of \$349,605 for the W Main Street Asphalt Pavement Resurfacing Project, seconded by: Mr. Gipson.

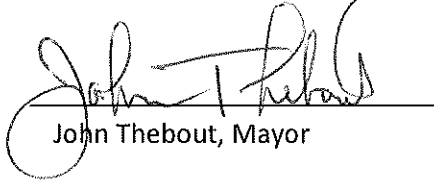
Vote by roll: Mr. Handra, yes, Mr. Vickers, yes, Ms. Cole, yes, Mr. Gipson, yes  
**Motion passed 4-0**

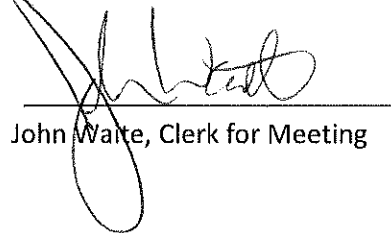
**Adjournment:**

Mr. Gipson made a **Motion** to adjourn, seconded by: Mr. Handra

Vote by roll: Mr. Handra, yes, Mr. Vickers, yes, Ms. Cole, yes, Mr. Gipson, yes  
**Motion passed 4-0**      **Meeting Adjourned at 5:08pm**

ATTEST:

  
\_\_\_\_\_  
John Thebout, Mayor

  
\_\_\_\_\_  
John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 14, 2020**

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**Batavia Village Council  
Minutes of Meeting  
Monday, September 14, 2020**

The Batavia Village Council met in regular session on Monday, September 14, 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

**Batavia Local School District –** Barb Bruner, Kyle Nicholas, C. Scott Runck, Dennis Wells, Keith Millard, Michael Ashmore

**Batavia Township –** Jim Sauls, Randy, Perry, Rex Parsons, Adele Evans, Jennifer Haley

**Central Joint Fire EMS District –** Kevin Riley

**Clermont Northeastern School District –** Mike Mantel, John Espy

**Clermont County Board of Mental Health –** LeeAnn Watson

**Clermont Senior Services –** Cindy Gramke

**Others Attending the Meeting:** JoAnne Martino, Kellie Wright, Mary Moore, Erich Emery, Mechelle Husck, Sandy Sheley, Shana Bockelman, Ken Johnson

**Approval of Financial Reports:**

Mr. Handra made motion to approve the August 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 August 10, 2020 Council Meeting, seconded by Ms. Turner. The motion passed 6-0

Mr. Handra made a motion to approve the minutes of the August 17, 2020 Special Council Meeting, seconded by Mr. Gipson. The motion passed 5-0-1 with Ms. Turner abstaining

**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 14, 2020**

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**Village Administrator: Dennis Nichols**

An Ordinance establishing the rates charged for electric service charged to customers taking service directly from the Village of Batavia electric system and declaring an emergency

**Ordinance 1461-20**      1<sup>st</sup> reading      Waive the 3 readings and pass as an emergency

Mr. Gipson made a **Motion** to declare this to be an emergency and to waive the three readings because rates are needed in order to establish a municipal electric utility and AAG Glass LLC is ready to utilize the service, 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. Vickers made a **Motion** to adopt **Ordinance 1461-20**, 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      Ordinance 1461-20 Adopted**

196 E Main Street

A Resolution authorizing the Administrator to demolish the building at 196 E Main Street and to pave part of the lot for a parking lot for the administration building.

**Resolution 294-20**      2<sup>nd</sup> reading

The Administrator is still seeking a cost estimate for alternative uses..

West Main Street repaving project

At the August 17 Special Council Meeting Council approved the bid from Fillmore Construction, LLC, for paving West Main Street for \$349,605. The engineer had estimated that the project would cost \$550,000. Fillmore Construction has offered to also pave Fifth Street and Broadway for an additional \$151,020. The combined cost for all three streets is less than the \$550,000 we had expected to pay for just West Main Street.

Ms. Cole made a **Motion** to approve a change order for the paving contract with Fillmore Construction, LLC to add Fifth Street and Broadway for an estimated additional cost of \$151,020, seconded by Mr. Gipson.      **Vote 6-0      Motion passed.**

225 Wood Street

The Cincinnati Historical Society has asked us to hold up any demolition while they make an attempt to find an offer to purchase the property with a guarantee to renovate the property. We still need to get an asbestos inspection, a demolition permit and utility disconnections, so the Cincinnati Historical Society's request is not adding any additional delay.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 14, 2020**

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**Infiltration & inflow project**

FTC&H told us that Insituform and Queen City Mechanicals should complete all work by the end of October. The next step is to get the Ohio EPA to say that we are good for the county to take over ownership of the sewer utility.

**Water Utility**

Chris Moore has said he will complete the CRT easement, sue if needed to get the Kinner easement, and set a meeting with the County Water Resources Department and its legal counsel regarding a transfer of ownership of the water utility.

**Streamside Residential Development**

We have approved the zoning permits for the first two houses. Fourteen houses have been sold.

Alcore - Alcore has obtained the water easement it needed for the development. Clermont County is in the process of approving a gas line to go under the road.

**Veteran's Monument**

The Veterans Service Commission wants to place a monument at 23 N. Riverside Dr., on the site of the former Green Valley Store. They are organizing a committee and are requesting our participation. Ms. Cole and Ms. Turner expressed interest in being on the committee.

**Clermont County Senior Services – Cindy Gramke**

There is a 5-year 1.3 mill renewal levy on the November ballot. Cindy Gramke discussed the services being provided to 6,000 residents and urged support for the levy.

**Clermont County Board of Mental Health – LeeAnn Watson**

There is a .75 mill renewal levy on the November ballot. LeeAnn Watson discussed the services provided and urged support for the levy.

**Police Department, Chief Young**

Chief Young is on vacation until October 2. He has submitted his monthly report to Council.

**Mayor, John Thebout**

The Mayor reviewed the success of the weekend's village-wide yard sale.

Mary Moore told Council that there were 46 entries in the car show on Sunday. They raised \$1,450 for a van for the veteran's memorial team.

The Mayor read a Proclamation recognizing the Clermont County Disabled American Veterans Organization.



**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 14, 2020**

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**Village Solicitor, Christopher Moore**

At a hearing on July 29 Judge Brock issued a ruling against CRT Electronics for zoning violations. Mr. Bach is questioning the ruling and has asked for a further hearing on Wednesday, September 16. We need him to sign the waterline easement through his property. We also need the Kinners to sign an easement.

Duke Energy has asked the Mayor and Administrator to sit for depositions.

**Fiscal Officer: John Waite**

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

**Credit Card Policy**

**Ordinance 1457-20**      2<sup>nd</sup> reading

Our State Auditor is requiring the Village of Batavia to amend our credit card policy to include retail stores where the Village has a line of credit

**Appropriations Amendment**

**Ordinance 1460-20**      1<sup>st</sup> reading      Waive the 3 readings and pass as an emergency

The Auditor made us transfer bond proceeds from our General Fund to an Enterprise Fund. This Ordinance appropriates the bond proceeds in the Enterprise Fund.

Mr. Vickers made a **Motion** to declare this an emergency and to waive the three readings because we have outstanding obligations for the bond proceed, 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**

Mr. Handra made a **Motion** to adopt **Ordinance 1460-20**, 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      Ordinance 1460-20 Adopted**

**Clermont County All Hazards Mitigation Plan**

**Resolution 295-20**      1<sup>st</sup> reading      Waive the 3 readings and pass as an emergency

The Clermont County Commissions adopted this legislation and it went into effect on June 15, 2020. The Commissions need to have municipalities approve the plan and have requested us to adopt this Resolution at our next meeting..

Mr. Handra made a **Motion** to declare this to be an emergency and to waive the three readings because the legislation is has already gone into effect, 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**

**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 14, 2020**

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Mr. Handra made a **Motion** to adopt **Resolution 295-20**, 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 295-20 Adopted**

Legislation accepting amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor

**Resolution 296-20**     1<sup>st</sup> reading     Waive the 3 readings and pass as an emergency

Mr. Gipson made a **Motion** to declare this to be an emergency and to waive the three readings, seconded by: Mr. Garrison

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 296-20**, 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 296-20 Adopted**

**Real Estate Matters and Personnel Contract**

Mr. Nichols asked Council to meet in closed session to discuss real estate matters and to discuss a personnel contract

Mr. Handra made a **Motion** to adjourn to Executive Session to discuss legal matters, 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 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**

**Batavia Township Trustees – re Kubicki 15-year CRA with 100% abatement**

Jim Sauls – Mr. Sauls expressed his opposition to the use of a 15-year 100% tax abatement for the Kubicki development because the addition of 800 new residents without funding the CJFED will affect the CJFED's ability to service those residents. He said that the purpose of a Community Reinvestment Area (CRA) is to promote development in economically depressed area, not to promote new development. Mr. Sauls admitted that Batavia Township has five Tax Increment Financing (TIF) areas that do not provide any financing to the CJFED or the schools. Mr. Nichols reminded him that one of the TIFs already in existence is on the Kubicki property and another one is on Lexington Run Subdivision and although those 30-year TIFs do not provide any funding for the CJFED or the schools, the Township Trustees did not object to them when they were passed. Mr. Sauls said that he wasn't a township trustee in 2005.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 14, 2020**

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Rex Parsons – Mr. Parsons spoke in opposition to CRA financing for the Kubicki development. His concern was the 800 new residential units would require additional fire and EMS personnel without provided funding for them. He was concerned that if a CRA with a 100% abatement is adopted for this development, then it would set a precedent for future developments that would deprive the CJFED and schools with adequate funding. He recognized that there are five existing Batavia Township TIFs that do not provide funding for the CJFED or the schools, and he said that the township receives the inside millage that it would have receive without the TIFs. Mr. Nichols asked Mr. Parsons if he had signed the TIF agreement in 2005 that denied funding to the CJFED and Mr. Parsons acknowledged that he had signed the agreement.

Randy Perry – Mr. Perry wanted to reiterate what Mr. Sauls and Mr. Parsons had already said. The only thing he wanted to add was an accusation that Village Council members had approved CRA legislation without being fully informed, because at a CJFED Fire Board meeting Mr. Handra acknowledged that he was not familiar with the terms of the CRA financing that the Village had adopted for the Kubicki development. Mr. Handra responded that Mr. Perry's statement was incorrect because Village Council had not adopted a CRA yet for the Kubicki development because the Kubicki property will not be in the Village until the annexation has been accepted and the Village cannot approve a CRA for property that isn't yet in the Village.

**Central Joint Fire EMS District – re Kubicki 15-year CRA with 100% abatement**

Fire Chief Kevin Riley – Chief Riley expressed his opposition to the use of a 15-year 100% tax abatement for the Kubicki development because the addition of 800 new residents without funding the CJFED will affect the CJFED's ability to service those residents. He said that the existing Streamside CRA, which has a 50% abatement for 20 years, is depriving the CJFED of \$108,000 per year. He has estimated that the Kubicki 400-unit development with a 100% 15-year abatement would deprive the CJFED of \$239,000 per year. He estimated that the five Clermont County TIFs have deprived the CJFED of \$30 million dollars. Mr. Nichols reminded Chief Riley that without development there would be no revenue at all.

**Batavia Local School District – re Kubicki 15-year CRA with 100% abatement**

Barb Bruner – Ms. Bruner expressed her opposition to the use of a 15-year 100% tax abatement for the Kubicki development. She listed reasons why people move to our area and although schools aren't the primary reason, they are an important reason. She is concerned that the Batavia Local Schools won't have room for the children from an additional 800 houses.

Keith Millard – Mr. Millard expressed his opposition to the use of a 15-year 100% tax abatement for the Kubicki development. He said that there are two buckets for school funding: operating levies and capital improvement levies. Residents in a development with abated taxes won't pay on either levy. He suggested that if children from an additional 800 homes are added to the Batavia

**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 14, 2020**

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Schools and those homes don't contribute to the school funding, then the Batavia Schools will be forced to seek another levy.

An Ordinance to accept the annexation from Charles J Kubicki LLC

(Note: The acceptance of the Annexation and the CRA Financing are separate issues.)

**Ordinance 1462-20** 1<sup>st</sup> reading declare an emergency and waive the three readings

Ms. Cole made a **Motion** to declare an emergency and to waive the third reading because of the necessity to move forward to take advantage of the current financial market while interest rates are low and housing demand is high, seconded by Mr. Gipson

Kellie Wright interrupted and asked why this had to be adopted as an emergency. She also complained about Council having passed several other pieces of legislation by emergency tonight. Mr. Waite responded that Council passed two Ordinances by emergency because Clermont County imposed time limits for their passage, and Council passed an Ordinance amended appropriations because our auditor forced us to transfer bond proceeds from one fund to a different fund and we have to approve appropriations from the new fund. Village Solicitor, Christopher Moore, responded that financial considerations qualify as a reason for an emergency adoption.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Vickers, no, Mr. Garrison, yes, Ms. Turner, no, Mr. Handra, yes

**4-2 Vote is less than three-fourths, therefore Motion to declare an emergency fails**

This will therefore be declared to be the **1<sup>st</sup> reading of Ordinance 1462-20**

#### **New Business Items**

Traffic, noise and speed on Fifth Street

Shana Bockelman complained about the problem of traffic noise on Fifth Street. She said that she has been complaining about the problem for six months and has not received a satisfactory response from the Village. She said that Fifth Street is no longer a state highway and she would like to Village to somehow prevent nonresident vehicles from traveling through the Village instead of driving around it. She also wants a noise ordinance posted.

Council Agenda Items

Mr. Vickers was concerned about the ability of council members to put items on the council agenda. The Mayor responded that there is no prohibition from council members putting items on the council agenda, but that if a council member is forwarding a request from a third party, then the Mayor suggested that it is better for the third party to contact to village office directly so that the topic to be added is clearly conveyed.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 14, 2020**

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**Dangerous Dead Tree**

Mr. Garrison reported that there is a dead tree on Main Street near the railroad overpass and the tree could fall onto the street. Street Superintendent Smith said that he would look at the tree.

**Batavia Union Cemetery**

Ms. Turner reported that there a people driving through the cemetery at night. She asked if someone could lock the gate at night. Street Superintendent Smith told her that the police department should be the ones to lock the gate since the police can chase people out of the cemetery before locking the gate.

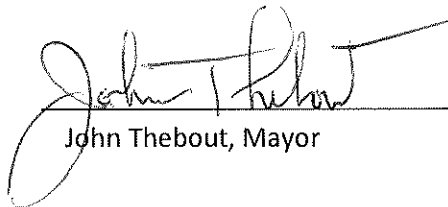
**Committee Reports:**

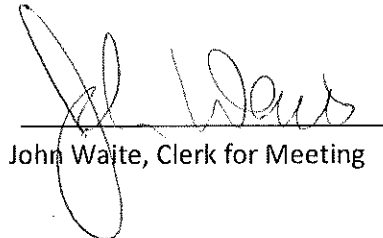
Finance Committee:	Bob Handra	Next Meeting, Thursday, September 24 @ 6:00 pm.
Planning Commission	Bob Handra	Next Meeting, Tuesday, September 15 @ 7:00pm
Safety Committee	Brian Vickers	There will be a meeting in October

**Adjournment:**

Mr. Garrison made a motion to adjourn, seconded by Ms. Cole. Motion passed 6-0  
The meeting adjourned at 9:30 pm.

ATTEST:

  
John Thebout, Mayor

  
John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 18, 2020**

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**Batavia Village Council  
Minutes of Meeting  
Friday, September 18, 2020**

The Batavia Village Council met in special session on Friday, September 18, 2020, at 7:00 pm with Mayor John 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, Ms. Cole, Mr. Gipson. Mr. Vickers was absent.

**Village Officials Attending the Meeting:** Mayor John Thebout, Administrator Nichols and Fiscal Officer John Waite

**Others Attending the Meeting:**

JoAnn Martino, Mary Moore, Erick Emery, Lauri Zagar, Stephanie Scott, Mick Scott

Batavia Local School District – Barb Bruner, C. Scott Runck, Michael Enriquez

**Acceptance of the Kubicki Annexation as Approved by the Clermont County Commissioners  
An Ordinance to accept the annexation from Charles J Kubicki LLC**

**Ordinance 1462-20** 2<sup>nd</sup> reading

**Public Comment**

Erick Emery – He is against development where the new residents don't pay for services and the cost of the services for the development are shifted to existing taxpayers.

Stephanie Scott – She is opposed to abating the cost for fire services and schools

Mary Moore – Financial considerations should not be grounds for waiving the three readings for legislation

Councilman Garrison - His wife is a teacher and he is concerned about the number of kids in a classroom. Depriving the schools of funding will result in a detriment to the school's ability to educate our children.

Administrator Nichols – Part of a school's funding comes from the State of Ohio based upon a formula that compensates for the amount of local funding per pupil.

Michael Enriquez, president of the Batavia Local School Board – He is against abating the school funding for the Kubicki annexation for 15 years. State of Ohio school funding increases with growth, but there caps on the amount that a school district can receive. The Batavia Local Schools are currently capped. Clermont County does make payments in lieu of taxes to the school for the six TIFs. The Batavia Schools currently have 2,400 students. The new school buildings

**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 18, 2020**

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being built are based upon the 1017 census. Additional students from an 800-unit development may require additional space. He is not opposed to development in the school district per se, as long as there is equitable funding.

JoAnn Martino – The current owner of the property is Chuck Kubicki. The land is zoned for commercial development, but Mr. Kubicki has determined that the land is not suitable for commercial development. The only choice is to allow a residential development.

This is the 2<sup>nd</sup> reading for Ordinance 1462-20.

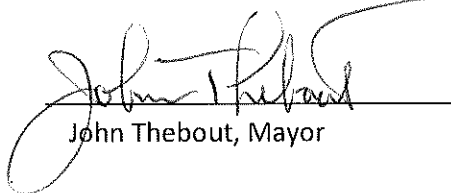
**Adjournment:**

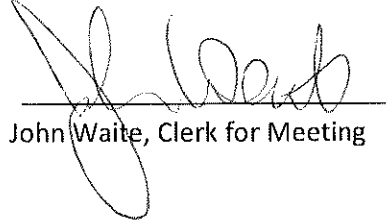
Mr. Handra made a **Motion** to adjourn, seconded by: Mr. Gipson

Vote by roll: Mr. Handra, yes, Ms. Cole, yes, Mr. Gipson, yes, Ms. Turner, yes, Mr. Garrison, Yes

**Motion passed 4-0 Meeting Adjourned at 7:30pm**

ATTEST:

  
John Thebout, Mayor

  
John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 21, 2020**

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**Batavia Village Council  
Minutes of Meeting  
Monday, September 21, 2020**

The Batavia Village Council met in special session on Monday, September 21, 2020, at 7:00 pm with Mayor John 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 Nichols and  
Fiscal Officer John Waite

Others Attending the Meeting:

Rebecca Cole, JoAnn Martino, Mary Moore, Ruth Dorsey, Ashley DeTellem, Kim Parsons, Erick Emery, Victor Ballumy, Mitzy Ballumy, Phillip Nause, Meliah Naylor, Douglas Naylor, Adam West, Angela Burton, Jennifer Jenx Elliott, Denise Barone, Bill Archer

Batavia Local School District – Barb Bruner, C. Scott Runck, Michael Enriquez

Batavia Township – Rex Parsons, Jennifer Haley

**Acceptance of the Kubicki Annexation as Approved by the Clermont County Commissioners  
An Ordinance to accept the annexation from Charles J Kubicki LLC**

**Ordinance 1462-20** 3<sup>rd</sup> reading

Public Comment

Jenx Elliott – What will this do for the people in the Village of Batavia?

Dennis Nichols – The Village peaked in the 1960's. After that, retail moved to Eastgate and businesses moved out. You don't get amenities without people. This will bring more people to the area, which will result in more civic activity. This will be a good development.

Mr. Naylor – I live in Batavia Township. Shifting funding for services from the Village to the Township isn't fair.

Dennis Nichols – The abatement only applies to existing taxes. We are asking the developer to pay a full share on future bonds.

Mr. Archer – live on Bauer Road. Why do you have to give tax breaks for a new development?

Dennis Nichols – Those were the developer's minimum terms.



**Village of Batavia – MINUTES of COUNCIL MEETING,  
September 21, 2020**

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There are currently six TIFs in Batavia Township and none of them requires payments to the schools or the fire department. We understand that in some cases there may be an agreement with the County to make payments in lieu of taxes. We are looking at options. We may form a committee to look at options. The committee would include the Mayor, the Administrator, Councilman Vickers, and we would like to have either Mr. Enriquez or Mr. Ashmore from the school.

Kellie Wright – Will the committee have representatives from the community? If someone submits an application expressing interest to be on the committee, will they be put on the committee?

Mayor Thebout – We will discuss it.

Erich Emery – What will be the cost to the village for the development?

Dennis Nichols – Zero.

This is the 3rd reading for **Ordinance 1462-20**. We need a motion to adopt **Ordinance 1462-20**.

Ms. Cole made a **Motion** to adopt Ordinance 1462-20, seconded by: Mr. Gipson

Vote by roll: Mr. Gibson, yes, Ms. Cole, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Turner, no, Mr. Handra, no      **Motion passed 4-2**      **Ordinance 1462-20 Adopted**

**Next Council Meeting**

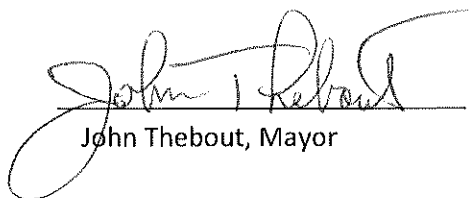
The October Council Meeting date has been changed from October 12 (Columbus Day Holiday) to October 19. Notice will be published in the newspaper.

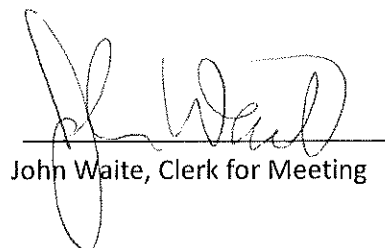
**Adjournment:**

Mr. Gipson made a **Motion** to adjourn, seconded by: Ms. Cole      **Motion passed 6-0**

The Meeting adjourned at 7:25pm

ATTEST:

  
John Thebout, Mayor

  
John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,  
October 19, 2020**

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**Batavia Village Council  
Minutes of Meeting  
Monday, October 19, 2020**

The Batavia Village Council met in regular session on Monday, October 19, 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, Officer Whitaker

Others Attending the Meeting: JoAnne Martino, Mary Moore, Erich Emery, Lee Ann Layman, Sandy Sheley, Shana Bockelman, Daniel Yankey

**Approval of Financial Reports:**

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

**Approval of Minutes:**

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

Mr. Handra made a motion to approve the minutes of the September 18, 2020 Council Meeting, seconded by Ms. Turner. The motion passed 5-0-1 with Mr. Vickers abstaining.

Mr. Vickers made a motion to approve the minutes of the September 21, 2020 Council Meeting, seconded by Mr. Gipson. The motion passed 6-0

**Village Administrator: Dennis Nichols**

196 E Main Street

A Resolution authorizing the Administrator to demolish the building at 196 E Main Street and to pave part of the lot for a parking lot for the administration building.

**Resolution 294-20** 3rd reading

We have been unable to find a developer willing to renovate the property. Architect Gerald Harley estimated that it would cost \$750,000 to \$900,000 to renovate and restore the building, which is about \$200 per square foot.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
October 19, 2020**

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We have had the asbestos removed and we have bids for the demolition of about \$45,000. Mr. Smith estimates that it will take 60 to 90 days to complete the demolition. The property is currently owned in the name of the Village of Batavia CIC.

Mr. Gipson asked if any other council members wanted to keep the facade on Main Street. No one else agreed with him.

Mr. Garrison asked if Council will be given the opportunity review and approve the development plans before the lot is sold to a developer. The Administrator assured him that any sale would have to be approved by Council. Mr. Garrison also asked that the large tree on the property be saved.

Mr. Vickers proposed that **Resolution 294-20** be amended to add, "The Village of Batavia CIC shall be given the final determination of the use of the lot and the financing." Mr. Vickers then made a **Motion** to adopt **Resolution 294-20 as amended**, 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 Resolution 294-20 Adopted**

#### 225 Wood Street

Village Council adopted **Resolution 287-20** authorizing the demolition of 225 Wood Street on July 13, 2020. We have not been able to gain access to the building to have the asbestos removed and the utilities disconnected. The Cincinnati Historical Society had asked us to hold up any demolition while they attempted to find an offer to purchase the property with a bond guarantee to renovate the property. The Cincinnati Historical Society has not found a developer. We intend to proceed with a demolition.

#### Infiltration & inflow project

The project is complete.

#### Water Utility

The Village Solicitor, Chris Moore, is managing this.

#### Streamside Residential Development

The Village Administrator has approved building permits for 15 new houses.

#### Batavia Local Schools Building Plans

The Village Planning Commission will be reviewing zoning approval for the new buildings at its meeting tomorrow.

#### West Main Street repaving project

The project is complete except for striping.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
October 19, 2020**

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**Kubicki Development Project CRA Tax Abatement**

The Mayor and the Administrator met with the developers of the Kubicki project to discuss the CRA tax abatement. The developers agreed that any future tax levies would not be subject to the tax abatement. They also agreed to pay the cost of extending Batavia Road, which the Village estimated would otherwise have cost the Village about \$800,000.

The Mayor and the Administrator also met with Batavia Local School Board President Michael Enriquez and School Treasurer Michael Ashmore to discuss funding for the schools in lieu of the abated real estate tax. The Village offered to share the income tax from the Kubicki development during the term of the abatement. The allocation formula will have to be determined by Village Council. The school was pleased that future tax levies would not be subject Kubicki tax abatement.

Part of the income tax from the Kubicki development would also be shared with the Central Joint Fire EMS District during the term of the abatement.

Mr. Vickers commented that at the last Council Meeting the Mayor said he was going to create a Committee to determine how to adjust the tax abatement to provide funding for the schools and the fire department, but it now appears that the Mayor and Administrator have independently determined a solution and are asking Council to approve it. Mr. Vickers understanding after reading of the pre-annexation agreement is that the Kubicki developer would be provided a tax abatement "up to 100%", and the amount of the abatement was what the Committee would determine.

Mr. Nichols told Mr. Vickers that we only have one CRA and that it applies to the whole Village. The amount of the tax abatement for residential development is 100% for 15 years. It is not possible to create a separate CRA for the Kubicki development because there would have to be an adjacent parcel of land already in the Village that is not part of the existing CRA. The only benefit to the Village from the Kubicki development is income tax, so that is the only thing that we are able to share with the school and the fire department.

Mr. Vickers commented that the Administrator signed the pre-annexation agreement with Kubicki on October 16, 2019, which was the day after the October 15 Council Meeting and Village Council did not review or approve the terms of the CRA within the agreement.

Ms. Turner told the Mayor that she wants the Central Joint Fire EMS District to have a member on the Mayor's Committee and that representative should be independent from the Village Council. The Mayor agreed to

Mr. Vickers made a **Motion** to have the Mayor's Tax Abatement Committee discuss an allocation of the income tax from the Kubicki development with the school and the fire department for the term of the abatement, seconded by Mr. Handra. **Motion** passed 6-0

**OPWC Grant/Loan Application for improvements the intersection of Main Street and Riverside Dr.**

We filed a \$1.2 million OPWC grant and loan application for intersection improvements and turn lanes.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
October 19, 2020**

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**Batavia Electric Utility**

We have orally agreed to hire Warren Walker as an electric utility consultant.

**Police Department, Chief Young**

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

The Chief is looking for two used police cruisers that are one-year old with 10,000-15,000 miles.

Scott Runck reported that at tonight's Batavia School Board Meeting the Batavia Police Department was awarded a Bulldog Award for the School Resource Officer's service.

Mary Moore asked the Mayor and Police Chief if stop signs could be retuned to Broadway. The Mayor replied that stop signs are no longer needed since the school is gone. Street Superintendent Wayne Smith told her that the Village will be painting crosswalks on Broadway, and cars are required to stop for pedestrians in the crosswalks. Mary Moore wanted stop signs to slow speeders on Broadway. The Chief replied that they have paroled Broadway and have not found speeders. Mr.

Ms. Turner said that crossing Broadway at the library is dangerous because parked cars block your view. Mr. Vickers asked if the Village could install flashing lights at the library crosswalk.

**Mayor, John Thebout**

The U.S. Census utilized our building for training in September. They sent us a letter thanking us.

We have decided to cancel this year's Christmas in the Village celebration because of COVID.

The Kiwanis Club will be cleaning up Haglage Park this Saturday.

The Veterans Day Parade will be Sunday, November 8 at 2:00pm.

**Village Solicitor, Christopher Moore**

The Solicitor has started legal action against Joseph Bell, who has consistently failed to pay his trash bill. We are going to make him pay court costs and lawyer fees.

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.

**Fiscal Officer: John Waite**

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

Credit Card Policy

**Village of Batavia – MINUTES of COUNCIL MEETING,  
October 19, 2020**

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**Ordinance 1457-20**      3<sup>rd</sup> reading

Our State Auditor is requiring the Village of Batavia to amend our credit card policy to include retail stores where the Village has a line of credit

Mr. Handra made a **Motion** to adopt **Ordinance 1457-20**, 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 1457-20 Adopted**

**Adopt Temporary Appropriations for 2021**

**Ordinance 1463-20**      1<sup>st</sup> reading

Adopt appropriations for the first quarter, 2021.

**Adjust Wages for Fiscal Officer for 2021**

**Ordinance 1464-20**      1<sup>st</sup> reading

Adjust Wages for Fiscal Officer for 2021

**Adjust Wages for Village Administrator for 2021**

**Ordinance 1465-20**      1<sup>st</sup> reading

Adjust Wages for Village Administrator for 2021

**Adjust Wages for Police Chief for 2021**

**Ordinance 1466-20**      1<sup>st</sup> reading

Adjust Wages for Police Chief for 2021

**2020 Appropriations Amendment**

**Ordinance 1467-20**      1<sup>st</sup> reading

Increase 2020 appropriations for Street Department insurance expenses

Mr. Handra made a **Motion** declare an emergency and to waive the three readings because we have employee insurance expenses that need to be paid, 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 1467-20**, 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      Ordinance 1467-20 Adopted**

**Village of Batavia – MINUTES of COUNCIL MEETING,  
October 19, 2020**

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Authorize Village Administrator to Apply for OPWC Grant/Loan for Main Street / Riverside Dr. Intersection improvement project and to execute contracts related thereto as required

**Resolution 297-20**      1<sup>st</sup> reading      Pass as an emergency and waive the 3 readings

The Village is applying for a \$1.2 million grant and loan for intersection improvements and turn lane improvements.

Mr. Garrison made a **Motion** declare an emergency and to waive the three readings because we have employee insurance expenses that need to be paid, 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**

Mr. Handra made a **Motion** to adopt **Resolution 297-20**, seconded by: Mr. Garrison

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 297-20 Adopted**

Adjust the Street Department Wage Schedule

**Resolution 298-20**      1<sup>st</sup> reading

Adjust the Street Department Wage Schedule

Adjust Wages for Police Officers for 2021

**Resolution 299-20**      1<sup>st</sup> reading

Adjust Wages for Police Officers for 2021

**Committee Reports:**

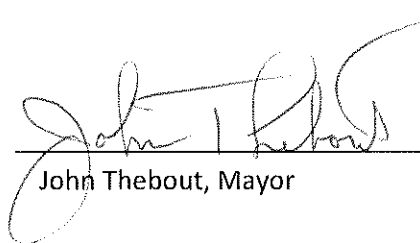
Finance Committee:	Bob Handra	Next Meeting, Thursday, October 22 @ 6:00 pm.
Planning Commission	Bob Handra	Next Meeting, Tuesday, October 20 @ 7:00pm
Safety Committee	Brian Vickers	Next Meeting, Tuesday, October 20 @ 6:00pm

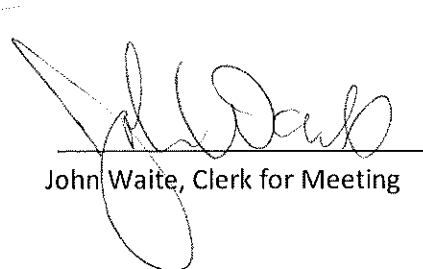
**Adjournment:**

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

The meeting adjourned at 8:40 pm.

ATTEST:

  
John Thebout, Mayor

  
John Waite, Clerk for Meeting

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

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**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**

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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 ClaimLinux 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**

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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**

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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**            2<sup>nd</sup> reading

Adopt appropriations for the first quarter, 2021.

Adjust Wages for Fiscal Officer for 2021

**Ordinance 1464-20**            2<sup>nd</sup> reading

Adjust Wages for Fiscal Officer for 2021

Adjust Wages for Village Administrator for 2021

**Ordinance 1465-20**            2<sup>nd</sup> reading

Adjust Wages for Village Administrator for 2021

Adjust Wages for Police Chief for 2021

**Ordinance 1466-20**            2<sup>nd</sup> reading

Adjust Wages for Police Chief for 2021

Adjust the Street Department Wage Schedule

**Resolution 298-20**            2<sup>nd</sup> reading

Adjust the Street Department Wage Schedule

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

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**Adjust Wages for Police Officers for 2021**

**Resolution 299-20**      2<sup>nd</sup> reading

Adjust Wages for Police Officers for 2021

**2020 Appropriations Amendment**

**Ordinance 1468-20**      1<sup>st</sup> 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**      1<sup>st</sup> 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**

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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

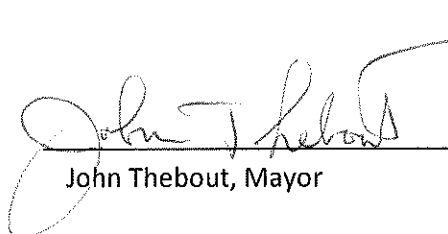
**New Business / Audience Participation:**

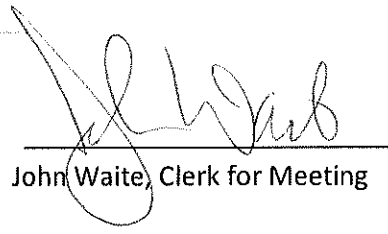
Mr. Gipson stated that as the Village expands with annexations and new developments, he wants Council to maintain the old village center. We need to support buildings and activities the bring people to Main Street.

**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

**Village of Batavia – MINUTES of COUNCIL MEETING,  
December 14, 2020**

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**Batavia Village Council  
Minutes of Meeting  
Monday, December 14, 2020**

The Batavia Village Council met in regular session on Monday, December 14, 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, and Officer Whitaker

Others Attending the Meeting: Joanne Martino

**Approval of Financial Reports:**

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

**Approval of Minutes:**

Mr. Handra made a motion to approve the minutes of the November 9, 2020 Council Meeting, seconded by Ms. Turner. The motion passed 6-0

**Village Administrator: Dennis Nichols**

Roads, Maintenance, and Facilities

196 E Main Street has been demolished.

The Cincinnati Preservation Society continues to work on restoring 225 Wood Street. There has not been a closing on the purchase yet.

Water Utility – We received a signed waterline easement from Jeff Bach today. We have a meeting scheduled with Lyle Bloom on Friday to discuss the transfer of the water utility.

Streamside Residential Development – Hal Homes has started installing sewer lines on section two. Sales of lots in section one continue to be strong.

Electric Utility – Duke Energy has objected to the Village creating an electric utility for only one customer. Mr. Nichols met with the City of Hamilton Electric Utility to see if they would be interested in administering Batavia's Electric Utility if we decide to offer the service to the entire Village. We still believe that it would be best of only serve the one customer.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
December 14, 2020**

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**Rumpke contract two-year renewal**

Our current contract with Rumpke allows for a two-year renewal with some price adjustments. Rumpke has proposed a two-year renewal of the existing contract with annual increases of 1.8% for trash and 1.6% for recycling.

Mr. Vickers made a **Motion** to approve the Rumpke contract two-year renewal with the price adjustments, 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**

Kubicki Project – There is nothing new. The Administrator is waiting on some paperwork from the developer.

Angelo Santoro concerts – There was a Christmas concert on Friday, December 11. Because of the coronavirus restrictions, there are no concerts scheduled until March.

**Police Department, Chief Young**

Chief Young submitted his monthly report to Council. There wasn't any increase in activity for the month of November.

The two used police cruisers have been delivered. As soon as the equipment from the present cruisers is transferred we plan to sell our old cruisers.

We have submitted a contract renewal for the school resource officer to the Batavia School Board. They will be voting on the contract at tonight's school board meeting.

Kayla Altman has resigned from her position as an auxiliary officer.

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

**Mayor, John Thebout**

The Mayor has spoken with a member of the Batavia School Board and asked him to see if the School Board would be willing to lease the Broadway site to the Village for use as a park.

Joanne Martino told Council that before 196 E Main Street was demolished there was a lot of chatter on social media about not wanting to see another building on Main Street being torn down. Now that it has been demolished the chatter seems to have turned positive and people are excited about a green space.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
December 14, 2020**

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**Village Solicitor, Christopher Moore**

The Solicitor held up the waterline easement that we have just received from Jeff Bach. It was supposed to have been signed by both Jeff and his wife, but it is only signed by Jeff. Jeff informed us that he hasn't had any contact with his wife for ten years. The Solicitor said that he will take the easement to the Recorder's Office and see if they will record it.

Duke Energy's position in the Electric Utility lawsuit is that the Village must provide electric to the entire Village not just to one customer. We disagree with that.

The police department received an order from a judge that they can clean out old evidence from the evidence room. They have to destroy the old evidence.

**Fiscal Officer: John Waite**

Mr. Waite presented the Fiscal Officer's report on November activity. After contracting with RITA for income tax collection and administration, we ended 2020 with a \$200,000 increase over 2019. Our General Fund balance at the end of the year will be \$900,000.

**Ordinance 1463-20**      3<sup>rd</sup> reading

Adopt appropriations for the first quarter, 2021.

Mr. Handra made a **Motion** to adopt **Ordinance 1463-20**, seconded by: Mr. Gipson

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 1463-20 Adopted**

**Ordinance 1464-20**      3<sup>rd</sup> reading

Adjust Wages for Fiscal Officer for 2021

Mr. Vickers objected to providing a 10% wage increase to the Administrator and a 5% wage increase to the Police Chief but only providing a 3% wage increase to everyone else. Mr. Gipson asked if there was sufficient funds to provide 5% wage adjustments. The Fiscal Officer responded that the Village currently had sufficient funds. Mr. Gipson said the wage adjustments should be merit based instead of just the same for everyone.

Mr. Vickers made a **Motion** to amend **Ordinance 1464-20** to increase the wage adjustment from 3% to 5% and to adopt **Ordinance 1464-20** as amended, 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**  
**Ordinance 1464-20 Adopted**

**Ordinance 1465-20**      3<sup>rd</sup> reading

Adjust Wages for Village Administrator for 2021



**Village of Batavia – MINUTES of COUNCIL MEETING,  
December 14, 2020**

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Mr. Garrison didn't contest that the Administrator has done good work for the Village, but thought that a 10% raise was more than the Village should give anybody.

Mr. Gipson made a **Motion** to adopt **Ordinance 1465-20**, seconded by: Ms. Cole

Vote by roll:      Mr. Gipson, yes, Ms. Cole, yes, Mr. Vickers, yes, Mr. Garrison, no,  
Ms. Turner, no, Mr. Handra, yes      **Motion passed 4-2**  
**Ordinance 1465-20 Adopted**

**Ordinance 1466-20**      3<sup>rd</sup> reading

Adjust Wages for Police Chief for 2021

Mr. Vickers made a **Motion** to adopt **Ordinance 1466-20**, seconded by: Mr. Gipson

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 1466-20 Adopted**

**Resolution 298-20**      3<sup>rd</sup> reading

Adjust the Street Department Wage Schedule

Mr. Gipson made a **Motion** to amend **Resolution 298-20** to increase the wage adjustment from 3% to 5% and to adopt **Resolution 298-20** as amended, 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**  
**Resolution 298-20 Adopted**

**Resolution 299-20**      3<sup>rd</sup> reading

Adjust Wages for Police Officers for 2021

Mr. Gipson made a **Motion** to amend **Resolution 299-20** to increase the wage adjustment from 3% to 5% and to adopt **Resolution 298-20** as amended, 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 299-20 Adopted**

**2020 Appropriations Amendment**

**Ordinance 1469-20**      1<sup>st</sup> reading      Pass as an emergency and waive the 3 readings

The year 2020 ends with a third payroll in December. We need to increase appropriations for salaries to cover the third payroll. We also need to increase appropriation for police insurance and water department payments to Clermont County. We need to pass this as an emergency.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
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Mr. Handra made a **Motion** declare an emergency and to waive the three readings because of the necessity to cover December payroll, 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**

Mr. Vickers made a **Motion** to adopt **Ordinance 1469-20**, 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**  
**Ordinance 1469-20 Adopted**

**Committee Reports:**

Finance Committee: The Finance Committee meets on the fourth Thursday of each month. The fourth Thursday of December this year is Christmas Eve. Does Council want to change this month's finance committee meeting from December 24<sup>th</sup> to December 17<sup>th</sup> (three days from now) or does Council want to cancel this month's finance meeting?

Mr. Handra made a **Motion** to cancel this month's finance committee meeting, seconded by: Mr. Gipson      Vote: 6-0      Motion passed

The December Finance Committee Meeting has been cancelled.

Planning Commission      Bob Handra      The December 15 Planning Committee Meeting has been cancelled.

**New Business / Audience Participation:**

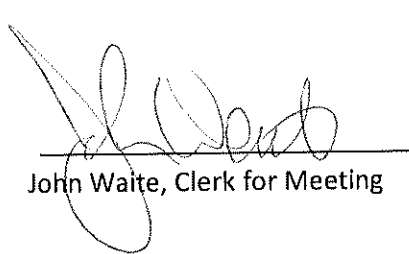
None.

**Adjournment:**

Mr. Vickers made a motion to adjourn, seconded by Mr. Gipson. Motion passed 6-0  
The meeting adjourned at 8:02 pm.

ATTEST:

  
John Thebout, Mayor

  
John Waite, Clerk for Meeting