

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

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

The Batavia Village Council met in regular session on Monday, January 11, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Mr. Handra, Ms. Turner, Mr. Garrison, Mr. Vickers, Ms. Cole, Mr. Gipson

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

Others Attending the Meeting: Joanne Martino

Approval of Financial Reports:

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

Approval of Minutes:

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

Village Administrator: Dennis Nichols

Roads, Maintenance, and Facilities

196 E Main Street

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

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

Roads Equipment

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

Replacement for dump truck / snowplow

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

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

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

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

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

Resolution 301-21 1st reading Declare and emergency

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

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

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

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

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

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

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

Electric Utility – Nothing new.

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

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

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Police Department, Chief Young

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

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

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

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

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

Mayor, John Thebout

The Mayor announced Committee appointments for 2021

Planning & Zoning

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

Finance

Bob Handra (Chair), Jason Gipson, Brian Vickers

Safety

Jason Gipson (Chair), Diana Cole

Cemetery

Kathy Turner (to 12/31/2021)

Records

John Thebout, Jason Garrison, John Waite, Chris Moore

Central Joint Fire & EMS

John Thebout, Bob Handra

Hike/Bike Trail

Jason Gipson (Chair), Jason Garrison, Diana Cole

Tax Appeal Board

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

Ad Hoc Beautification Committee

Kathy Turner (Chair), Jason Garrison, Diana Cole

Preserving Historic Vision

Jason Gipson, Brian Vickers, David Pryor

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

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

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

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There were no other nominations

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

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

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

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

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

Village Solicitor, Christopher Moore

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

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

Fiscal Officer: John Waite

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

2021 Appropriations Amendment

Ordinance 1470-21 1st reading Pass as an emergency and waive the 3 readings

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

Appropriated funds for the purchase of a dump truck / snowplow

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

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

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

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

Ordinance 1471-21 1st reading

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

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

Batavia Union Cemetery Board annual assessment increase

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

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

Committee Reports:

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

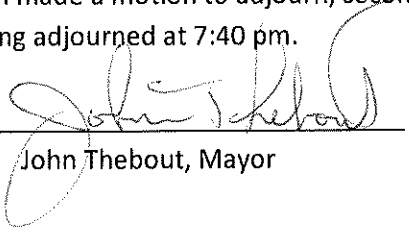
New Business / Audience Participation:

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

Adjournment:

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

ATTEST:


John Thebout, Mayor


John Waite, Clerk for Meeting

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Roll Call of Members Present

Mr. Handra, Ms. Turner, Mr. Garrison, Ms. Cole, Mr. Gipson

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

Others Attending the Meeting: Joanne Martino, Mary Moore, Hank Pryor, Jon Pryor, Anna Thomas, Joe Greener, Stacey Greener, Matt Durham, Jenn Durham, Elin Durham, Logan Durham, Sandy Pryor, Andy Barnes, Cheri Barnes, Katie Pryor, David Pryor, Pete Jung, Kiersten Jung, Scott Runk

Approval of Financial Reports:

Mr. Handra made motion to approve the January Bank Statements and Cash Journal, seconded by Ms. Turner. The motion passed 5-0

Approval of Minutes:

Mr. Garrison made a motion to approve the minutes of the January 11, 2021 Council Meeting, seconded by Ms. Cole. The motion passed 5-0

Vacancy on Council

On January 12, Brian Vickers resigned from Village Council. The Village solicited letters of interest to fill the seat. We received three letters of interest: David Pryor, Mary Moore and Joe Greener. Village Council has 30 days from the date of the vacancy to appoint a replacement member.

Mr. Gipson made a **Motion** to adjourn to Executive Session to interview candidates for the vacancy on council, seconded by Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes
Motion passed 5-0 Council went into Executive Session at 7:10pm.

Mr. Handra made a **Motion** to return from Executive Session, seconded by Ms. Turner.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes
Motion passed 5-0 Council returned from Executive Session at 8:20pm.

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Ms. Turner made a **Motion** to nominate Mary Moore to fill the vacancy on council, seconded by Mr. Garrison.

Mr. Gipson made a **Motion** to nominate David Pryor to fill the vacancy on council, seconded by Ms. Cole.

Vote to appoint Mary Moore to fill the vacancy on council by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Gipson, no, Ms. Cole, no Vote 3yea, 2 nea
Mary Moore appointed to Council

Village Administrator: Dennis Nichols

A Resolution establishing and describing the boundaries of the Community Reinvestment Area in the Village of Batavia

Resolution 302-21 1st reading

Community Reinvestment Area Housing Council

This Council establishes the CRA Housing Council (the “Housing Council”), consisting of two members appointed by the Mayor, two members appointed by this Council, and one member appointed by the Planning Commission. The majority of the members shall then appoint two additional members, who must be residents of the Village. Terms of the members of the Housing Council shall be three years. An unexpired term resulting from a vacancy in the Housing Council shall be filled in the manner as the initial appointment was made. The Housing Council shall inspect the properties annually within the CRA for which an exemption has been granted under Section 3735.67 of the Ohio Revised Code. The Housing Council shall also hear appeals under Section 3735.70 of the Ohio Revised Code

On May 13, 2019, Council appointed Kathy Turner and Jason Garrison to three-year terms.

On March 20, 2018, the Planning Commission appointed Gerald Harley to a three-year term.

The Mayor announced that his two appointments to the Housing Council are Joanne Martino and Edmund “Skip” Parrot.

An Ordinance revising the fees for zoning and sign permits

Ordinance 1474-21 1st reading

Amending Ordinance 1328-15 that established certain fees for zoning and sign permits and procedures

CRA agreement for renovation of 175 & 179 E Main Street.

The Administrator asked Council for approval of CRA for commercial property renovation by Courtney & Adam Huber at 175 & 179 E Main Street.

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Mr. Gipson made **Motion** to approve the CRA for commercial property renovation by Courtney & Adam Huber at 175 & 179 E Main Street, seconded by Ms. Cole.

The **Motion** passed 6-0

Real Estate Development and Annexations

The Administrator told Council that he wanted them to give him confirmation as to whether or not they want him to continue pursuing expansion of the Village through residential development within the existing boundaries or through additional annexations.

He previously negotiated a deal with Hal Homes where the Village issued a \$3 million infrastructure bond to be paid off with a PILOT (Payment In Lieu Of Taxes) equal to 50% of the real estate tax abatement granted to the homeowners through a CRA (Community Reinvestment Area).

He negotiated a deal with Charles Kubicki to annex into the Village for a 400 unit residential Planned Use Development (PUD). The Village did not have to issue infrastructure bonds. The Village, the Batavia Local School District and the Central Joint Fire EMS District have an “understanding” that the Village will share the municipal income tax revenue received from the homeowners during the period of the CRA tax abatement with the schools and the fire district.

The Administrator is currently negotiating with a developer for another residential developer. The Administrator asked Council to go into executive session to discuss real estate development.

Mr. Gipson made a **Motion** to adjourn to Executive Session to discuss real estate development, seconded by Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes Motion passed 6-0 Council went into executive session.

Mr. Handra made a **Motion** to return from Executive Session, seconded by Ms. Turner.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes Motion passed 6-0. Council returned from executive session.

Mr. Handra made a **Motion** to give the Administrator direction to proceed with negotiations for residential development annexations as long as there is substantial compensation to the schools and fire district, seconded by Mr. Gipson. **Motion passed 6-0**

Police Department, Chief Young

Chief Young submitted his monthly report to Council

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The police have been using a borrowed “Your Speed is ____” sign on Fifth Street. It has had some effect in slowing the speed of cars on Fifth Street. He would like to purchase two signs and use them on Riverside Dr. and on Fifth Street.

Mayor, John Thebout

The Mayor presented his annual State of the Village address.

The Mayor appointed Mr. Garrison to fill the vacancy on the Finance Committee.

Village Solicitor, Christopher Moore

The Solicitor working with the Court to determine how to proceed with the continued nuisance violations on the Bach property. Fines will be coming.

All of the briefings for the Duke Energy lawsuit have been completed. There is a hearing before Judge McBride on February 25.

The Solicitor has been having discussions with the Administrator about real estate developments.

Fiscal Officer: John Waite

Mr. Waite presented the Fiscal Officer’s report on January activity.

2021 Appropriations Amendment

Ordinance 1472-21 1st reading Pass as an emergency and waive the 3 readings

This increases the appropriations for police department contractual expenses because Clermont County’s bill for 911 Emergency Calls was greater than the amount appropriated under temporary appropriations.

Mr. Handra made a **Motion** declare an emergency and to waive the three readings because of the necessity to pay for 911 Emergency Call, seconded by Ms. Cole

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

Mr. Gipson made a **Motion** to adopt **Ordinance 1472-21**, seconded by: Mr. Garrison

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes,
Ms. Turner, yes, Mr. Handra, yes **Motion passed 6-0**
Ordinance 1472-21 Adopted

**Village of Batavia – MINUTES of COUNCIL MEETING,
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Ordinance 1471-21 2nd reading

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

Adopt Appropriations for the Full-Year 2021

Ordinance 1473-21 1st reading Waive the 3 readings

It takes three readings to adopt legislation without an emergency waiver. This Ordinance should have been presented for a first reading in January, but the Fiscal Officer failed to include it. The temporary appropriations that the Village is currently operating under will expire on March 31. Without passage of this Ordinance waiving the three readings, the Village will be unable to pay any bills on April 1, 2021.

Mr. Gipson made a **Motion** waive the three readings because of the necessity to pay bills beginning April 1, seconded by Ms. Cole

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

Ms. Turner made a **Motion** to adopt **Ordinance 1473-21**, seconded by: Ms. Cole

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes,
Ms. Turner, yes, Mr. Handra, yes **Motion passed 6-0**
Ordinance 1473-21 Adopted

Committee Reports:

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

New Business / Audience Participation:

Joanne Martino asked is anyone had any new information about the Kinner house at 225 Wood Street. She said that the sale is currently scheduled to close on February 27.

Special Meeting:

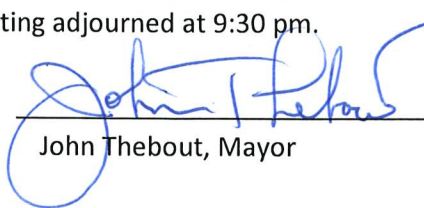
The Administrator asked Council to schedule a special meeting to discuss his succession.
The Mayor declared there will be a special meeting on Thursday, February 25 at 6:30, following the Finance Committee Meeting.

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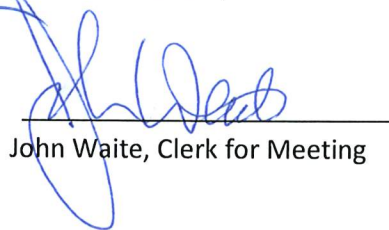
Adjournment:

Mr. Gipson 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,
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Roll Call of Members Present

Ms. Turner, Mr. Garrison, Ms. Cole, Ms. Moore, Mr. Gipson. Mr. Handra was absent.

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

Others Attending the Meeting: Joanne Martino

Approval of Financial Reports:

Mr. Gipson made motion to approve the February Bank Statements and Cash Journal, seconded by Ms. Turner. The motion passed 5-0

Approval of Minutes:

Ms. Turner made a motion to approve the minutes of the February 25, 2021 Special Council Meeting, seconded by Ms. Moore. The motion passed 5-0

Public Hearing for Proposed Changes to Zoning Code

Village Administrator reviewed the proposed changes to Batavia's Zoning Code. The changes are the work of Gerald Harley who went through the Code line by line and corrected inconsistencies. The proposed changes were approved by the Planning Commission.

There were no comments or questions from the public.

Mr. Garrison asked about zoning density and if this makes any changes to the density. The Administrator informed him that the current minimum density for single-family residences is 8,500 square feet. The original lot size in old Batavia was less than that. If someone tears down a house on a smaller lot and then wants to build a replacement house, they can get a variance.

Mr. Garrison made a motion to close the Public Hearing, seconded by Mr. Gipson. The motion passed 5-0, and the meeting returned to regular session at 7:12pm.

Village Administrator: Dennis Nichols

A Resolution establishing and describing the boundaries of the Community Reinvestment Area in the Village of Batavia

Resolution 302-21 3rd reading

**Village of Batavia – MINUTES of COUNCIL MEETING,
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The Administrator told Council that Fisher Homes has named the Kubicki development Harvest Meadows. Fischer Homes has agreed to pay the entire cost of building the access road to the development. Passage of this Resolution is necessary before they can get started.

Ms. Cole made a **Motion** to adopt **Resolution 302-21**, seconded by Mr. Gipson.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes, Ms. Turner, yes
Motion passed 5-0. **Resolution 302-21 adopted.**

An Ordinance revising the fees for zoning and sign permits

Ordinance 1474-21 3rd reading

This amends Ordinance 1328-15 to adjust certain fees for zoning and sign permits to rates currently charged elsewhere. The rates are still low.

Mr. Gipson made a **Motion** to adopt **Ordinance 1474-21**, seconded by Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes, Ms. Turner, yes
Motion passed 5-0. **Ordinance 1474-21 adopted.**

Roads, Maintenance and Facilities

There are a lot of road projects pending.

The intersection of Main Street at Riverside Dr. will begin this summer funded by and OPWC grant.

ODOT will begin work on the intersection of S.R. 32 at Bauer Rd. with ODOT paying the entire cost

ODOT will begin work on a roundabout this fall at the intersection of S.R. 122 and S.R. 132.

The Village is working on a grant application for the intersection of S.R. 32 at Herold Road.

There was a 10" water main break on Wood Street Friday night. The break has been repaired and Clermont County will repair the road today.

Electric Utility update

There was a hearing before Judge McBride where all pending motions were argued. We are waiting for a ruling.

Zoning and Housing

Mr. Garrison asked the Administrator for information about zoning violations.

225 Wood Street is the Kinner house. There was supposed to have been a closing on the sale of the property last Friday. It didn't happen. We are waiting for a response from the Cincinnati Preservation Association.

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570 E. Main Street is an abandoned property where the owner died. We are trying to get the heirs to demolish the house.

234 E. Main is the Moonlight Chili property. The property is beyond repair.

The Nursing Home has been sold. Ms. Turner noted that the new owner has begun clearing the brush along the driveway.

Hike-Bike Trail

The hike-bike trail from Williamsburg currently ends at Ellick Rd. Mr. Gipson offered to work with the Administrator to find a way to get a path to the Village. The Administrator said the problem is getting the path past the railroad. The other problem is that the project has run out of money.

Police Department, Chief Young

Chief Young submitted his monthly report to Council

On February 9 Officer Whitaker stopped to help a driver whose car slid off the road in the snow on S.R. 132. Another car then also slid off the road and hit the first car and forced Officer Whitaker to jump over the guardrail and down an embankment. Officer Whitaker suffered minor injuries.

We have sold the two 2015 cruisers by auction on a website. We netted about \$12,000 after fees. We will be able to pay off the loan we made to purchase the two replacement vehicles with about another \$2,000.

Chip Stewart is an auxiliary officer who doesn't get paid unless he works more than 24 hours in a pay period. He volunteered to work some extra shifts recently to help out and exceeded the 24-hour limit.

The police have been checking speeders on Fifth Street. They made 34 patrols and stopped 13 vehicles. Ms. Moore asked the Chief to also patrol Broadway to check for speeders.

Mayor, John Thebout

The Mayor didn't have anything to report.

Village Solicitor, Christopher Moore

The Solicitor will be meeting with Lyle Bloom on Wednesday to try to finalize the water easement issue with the CRT Electronics property.

There was a hearing before Judge McBride on February 25 where all of the pleadings were heard. The judge will read the briefs and issue a judgement.

The Solicitor has an issue that will require an executive session, but he will hold that off until the end of the meeting.

**Village of Batavia – MINUTES of COUNCIL MEETING,
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Fiscal Officer: John Waite

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

Ordinance 1471-21 3rd reading

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

Ms. Cole made a **Motion** to adopt **Ordinance 1471-21**, seconded by: Mr. Gipson

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes, Ms. Turner, yes
Motion passed 5-0. **Ordinance 1471-21 adopted.**

Village Solicitor, Christopher Moore

The Solicitor discussed the Ohio Open Meeting Act and urged caution when Council Member contacted each other. It is OK to have social interaction, but discussion of Village business should be limited to public meetings.

Ms. Moore asked if the Village could provide email addresses to Council Members so that they don't have to use personal email for Village correspondence. The Administrator agreed to have our I.T. consultants establish the email accounts.

Ms. Moore asked if the Village could establish a committee where Council Member can get together and discuss their visions for the future development of the Village. She suggested workshop meetings Council Members can exchange ideas and then make recommendations at Council Meetings.

The Solicitor suggested that such a committee would have to give notice to the public in advance of each meeting to comply with the Open Meetings Act. He suggested establishing a standard monthly meeting time and date for the public meetings, which can then be cancelled in months where there isn't anything to discuss.

The Fiscal Officer suggested that the Village already has established a Community Investment Corporation whose purpose is to encourage development of the Village. The Village of Batavia Clermont County CIC, Inc. can establish a monthly workshop. Council decided to have the monthly workshops on the fourth Monday of each month at 7:00pm.

The Solicitor asked to have Council adjourn to Executive Session to discuss personnel issues.

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Mr. Gipson made a **Motion** to adjourn to Executive Session to discuss personnel issues, seconded by Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes, Ms. Turner, yes
Motion passed 5-0

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

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes, Ms. Turner, yes
Motion passed 5-0 Council returned from Executive Session at 8:10pm

Committee Reports:

Finance Committee:	Next Meeting, Thursday, March 25 @ 6:00 pm.
Planning Commission	Next Meeting, Tuesday, March 16 @ 7:00pm
There will be Public Hearing on March 16 @ 6:30pm to discuss a zoning variance	

New Business / Audience Participation:

2021 Yard Sale

Council selected the weekends of June 5-6 and September 11-12 for this year's yard sales.

Farmers Market

Mr. Garrison suggested moving the farmers market to the county's new parking lot on Main Street at Third Street. Ms. Moore suggested having it on Broadway at the park. Mr. Gipson suggested having it on Main Street across from the Courthouse. The Mayor was against the Broadway location and didn't want to have it on Main Street where we would have to close a section of the street. There was agreement that the Wednesday afternoon market would have to stay at the current location, but Council was OK with possibly moving the market on Saturday to the Third Street parking lot. The Fiscal Officer said that such a move would only be temporary because the county has plans to build an office at that location.

The Mayor said that he would have the Village contact the county to see if they would allow us to use the parking lot on Saturdays. Ms. Turner said that she would have to discuss a move with the vendors.

Adjournment:

Mr. Gipson made a motion to adjourn, seconded by Ms. Cole. Motion passed 5-0
The meeting adjourned at 8:55 pm.

ATTEST:


John Thebout, Mayor


John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,
April 12, 2021**

**Batavia Village Council
Minutes of Meeting
Monday, April 12, 2021**

The Batavia Village Council met in regular session on Monday, April 12, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Ms. Turner, Mr. Handra, Mr. Garrison, Ms. Cole, Ms. Moore, Mr. Gipson.

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

Others Attending the Meeting: Joanne Martino, Sandy Sheley and Wayne Smith

Approval of Financial Reports:

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

Approval of Minutes:

Mr. Gipson made a motion to approve the minutes of March 22, 2021 Village of Batavia CIC Meeting, seconded by Mr. Handra. The motion passed 6-0

Public Hearing for Proposed Planned Unit Development (PUD) Zoning

Public comments about establishing the PUD zoning district for a 139-acre development on the north side of S.R. 32

The Harvest Meadows residential subdivision plans for 405 single-family homes under planned unit development zoning. There were no comments or questions from the public.

The Public Hearing closed and the meeting returned to regular session at 7:10pm.

Village Administrator: Dennis Nichols

Ordinance to approve amendment to Planned Unit Development Zoning to include Harvest Meadows Residential Development

Ordinance 1475-21 1st reading

The Administrator told Council that Fisher Homes has named the Kubicki development Harvest Meadows. Fischer Homes has agreed to pay the entire cost of building the access road to the development. Passage of this Resolution is necessary before they can get started.

**Village of Batavia – MINUTES of COUNCIL MEETING,
April 12, 2021**

American Rescue Plan Funding

We expect to receive \$388,800, half in 2021 and half in 2022. There are restrictions on the use of the funds, but they can be used to pay for water and sewer improvements.

Roads, Maintenance and Facilities

We are planning on blacktopping several roads this year, including Glen, Ely, Forest and parts of Sixth Street and Seventh Street. We are hiring Burgess & Niple to engineer the project.

We are applying for an OPWC grant to pave the roads and improve storm drains for Diana Dr., Charles Street, Gregory Dr., Shelley Dr., Old Boston Road and Edith Dr.

Streamside Residential Development

There are 26 houses under roof in Section 1. Most of the 64 lots in Section 1 have been sold. Work has begun on the infrastructure on Section 2, which is another 64 lots. We expect there will be about 100 homes completed or under roof by the end of the year.

Electric Utility update

There was a hearing before Judge McBride where all pending motions were argued. We are waiting for a ruling.

Real Estate Development

The Batavia Schools have agreed to not oppose a 30-year 100% TIF for Paul Staggs development

The Administrator asked Council if they were agreeable to acquiring and consolidating property for redevelopment in the Village. The Administrator cited the area including Clark Street, Glen Ave., Ely Street, and Forest Ave. that was annexed into the Village about 1900 and contains mostly small lots. There a lot of vacant lots and dilapidated properties in that area. The Village could begin acquiring those vacant lots and offer to purchase occupied homes in the area for the purpose of consolidated the properties into a large site for redevelopment.

There was a discussion about the use of eminent domain to force a sale form a homeowner who didn't want to sell. Council expressed its opposition to the use of eminent domain.

Site for dumping leaves and for a new Street Department storage barn

We have been talking to a owner of a field that looks promising.

Business Developments

The Golden Grace Boutique in moving to a newly renovated building at 175 E Main Street. There is a grand opening on Friday, April 16 at 4:00pm. They offer clothing, jewelry, accessories, gift items and home décor.

A new business in town, Barrels & Boards, is moving into the spot left available by the relocation of the Golden Grace Boutique. They create and sell hand-crafted furniture from barrels.

**Village of Batavia – MINUTES of COUNCIL MEETING,
April 12, 2021**

The Cincinnati Preservation Association has completed the purchase of the property at 225 Wood Street.

Police Department, Chief Young

Chief Young submitted his monthly report to Council

Two suspected bank robbers found hiding in the Village were arrested. We confiscated drugs and guns from vehicles stopped on S.R. 32. A 36-year old man was arrested for unlawful sexual conduct with a 14-year old female.

Chip Stewart is an auxiliary officer. The Chief, the Mayor and Safety Committee recommended changing his status to Part-Time Patrolman as of March 21, 2021 at a pay rate of \$17.25 per hour.

Ms. Turner made a **Motion** to approve the promotion of Chip Stewart from Auxiliary Officer to Part-Time Patrolman as of March 21, 2021 at \$17.25 per hour, seconded by Ms. Moore.

Motion passed 6-0

The police have been checking speeders on Fifth Street. They made 23 patrols and stopped 4 vehicles.

Ms. Moore asked the Chief if the Village has considered installing speed bumps on Wood Street and Broadway to slow speeders. The Chief said, "No." It seems counter-intuitive, but studies have shown that adding speed bumps actually increases the number of speeders.

Mr. Garrison informed the Chief that he is concerned about the number of cars speeding up the alley that runs from Main Street to Wood Street between Riverside Dr. and Second Street. The Chief agreed to patrol the alley.

Mayor, John Thebout

Resolution authorizing the adoption of an alternative method of apportionment of the undivided Local Government Fund for calendar year 2022

Resolution 303-21 1st reading Declare an emergency

The Clermont County Township Trustees recently submitted a proposal to the Clermont County Commissioners to change the allocation formula for Local Government Funds to allocate a greater share of the money to the Townships. The Clermont County Mayor's Association objected to the change and want to submit an alternate allocation formula to the Clermont County Commissioners that the Mayors believe more fairly allocates the funds.

The Mayor asked Council to adopt **Resolution 303-21** and to do it as an emergency because the Resolution will need to be adopted by a majority of the Clermont County municipalities and submitted to the Clermont County Commissioners as soon as possible. Solicitor Chris Moore stated that this qualifies as an emergency.

**Village of Batavia – MINUTES of COUNCIL MEETING,
April 12, 2021**

Mr. Handra made a **Motion** to declare an emergency and to waive the three readings because of the time constraints for getting the legislation to the County Commissioners in time to implement the change for 2022, seconded by: Mr. Turner.

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

Mr. Handra made a **Motion** to adopt **Resolution 303-21**, seconded by: Mr. Gipson.

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

Motion passed 6-0. **Resolution 303-21 adopted.**

Adjust Wages for Police Chief

Ordinance 1476-21 1st reading

This is a wage adjustment due to completion of the Chiefs' probationary period.

Mr. Garrison complemented the Mayor for the work pruning and preserving the large tree at 196 E Main Street.

Village Solicitor, Christopher Moore

Judge McBride is reviewing the briefs for the Duke Energy lawsuit and we are waiting for him to issue a judgement.

The Solicitor met with Lyle Bloom to finalize the water easement issue with the CRT Electronics property.

A Resolution authorizing the transfer of the Batavia Water Utility to Clermont County

Resolution 304-21 1st reading

CRT Electronics is still in violation of agreement to remove the excess vehicles and will be subject to a \$35,000 fine.

Fiscal Officer: John Waite

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

Last month Council approved a Village of Batavia CIC, Inc. workshop meeting on the fourth Monday of each month, which can be cancelled if there aren't any issues to discuss.

I recommend changing the notice to "Village of Batavia Council Meeting / Village of Batavia CIC, Inc. Meeting" so that we have the option to have either meeting, or both meetings, or cancelling both meetings on the 4th Monday of each month. The advantage of this instead

**Village of Batavia – MINUTES of COUNCIL MEETING,
April 12, 2021**

of calling Special Meetings is that at Special Meetings you are restricted to only acting on the subject specified as the reason for the Special Meeting.

Mr. Gipson made a **Motion** to schedule "Regular Village of Batavia Council Meetings / Village of Batavia CIC, Inc. Meetings" on the fourth Monday of each month, seconded by: Ms. Turner

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

Committee Reports:

Planning Commission Next Meeting, Tuesday, April 20@ 7:00pm
Fischer Homes will make a presentation regarding P.U.D. zoning for Harvest Meadows.
Finance Committee: Next Meeting, Thursday, April 22 @ 6:00 pm.
Joint Cemetery Meeting with Township Trustees Monday, May 10@ 6:30pm

New Business / Audience Participation:

Chickens in Village

A resident has a chicken coop in his yard. He plans to appear at the Planning Commission meeting on April 20 to ask for a zoning variance.

Village Solicitor, Christopher Moore

The Solicitor asked to have Council adjourn to Executive Session to discuss personnel issues regarding a possible hire.

Mr. Gipson made a **Motion** to adjourn to Executive Session to discuss personnel issues, seconded by Mr. Handra.

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

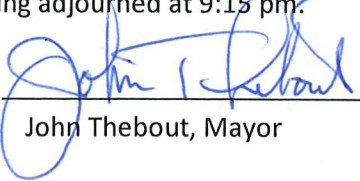
Mr. Gipson made a **Motion** to return from Executive Session, seconded by Ms. Cole.

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

Adjournment:

Mr. Gipson made a motion to adjourn, seconded by Mr. Handra. Motion passed 6-0
The meeting adjourned at 9:15 pm.

ATTEST:


John Thebout, Mayor


John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,
April 26, 2021**

**Batavia Village Council
Minutes of Meeting
Monday, April 26, 2021**

The Batavia Village Council met in regular session on Monday, April 26, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Ms. Turner, Mr. Handra, Mr. Garrison, Ms. Cole, Ms. Moore, Mr. Gipson.

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

Others Attending the Meeting: Joanne Martino, Adam Huber, Courtney Huber

Approval of Minutes:

Mr. Handra made a motion to approve the minutes of April 12, 2021 Regular Council Meeting, seconded by Mr. Gipson. The motion passed 6-0

Village Administrator: Dennis Nichols

Ordinance to approve amendment to Planned Unit Development Zoning to include Harvest Meadows Residential Development

Ordinance 1475-21 2nd reading

The Planning Commission voted to recommend Council to approve the PUD zoning. There will be 51 acres of open space as part of the PUD.

234 E Main Street, N. David property (Moon-Lite Chili)

The David family has offered to donate the property at 234 E Main Street to the Village in “as is” condition. We will check to see if there is an asbestos issue. We plan to accept the property and tear it down.

Mr. Handra made a **Motion** to accept ownership of 234 E Main Street (Parcel 060203.103C) from Naimeh David; seconded by Ms. Turner.

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

Red Hawk Development

Red Hawk Development has asked to annex 82 acres into the Village for a 177-house residential development in exchange for an infrastructure bond to be financed with a CRA/PILOT. The property is located behind the Crossings Church and has access from Clough Pike.

**Village of Batavia – MINUTES of COUNCIL MEETING,
April 26, 2021**

Under the proposed CRA/PILOT agreement, the real estate tax would be diverted to the Village of Batavia for 15 years.

We propose that the Village of Batavia adopts Standard Terms for new residential developments where the Village offers to pay the schools and the fire district 50% of the rate they otherwise would receive on the developed property for the duration of the CRA 15-year period. The balance of the diverted real estate tax would be used by the Village of Batavia to pay off the infrastructure bonds and other purposes deemed by Village Council.

At the February 8, 2021, Council Meeting, Council passed a Motion 6-0, “to give the Administrator direction to proceed with negotiations for residential development annexations as long as there is substantial compensation to the schools and the fire district.”

Ms. Moore asked if this approval is specifically for Red Hawk or if it is to be a blanket formula for all future annexations. The Administrator responded that this request has been prompted by the Red Hawk proposal, but that he is asking for a blanket approval so that he can go forward with negotiations with multiple other proposals also in the works. The Fiscal Officer responded that the numbers aren’t going to change regardless of the development. If we are going to offer infrastructure incentive to a developer, we are going to need a certain amount of money to pay off the bonds, and the amount remaining to share with the schools and fire department is limited by the amount remaining and the needs of the Village.

Ms. Moore expressed concern about real estate developments eliminating green space around the Village. The Administrator responded that we don’t own the property, and so far the developments have been a few hundred acres in an area of thousands of acres of crop fields. It is up to the owners to decide what they are going to do with their property. Ms. Turner expressed concern about the Village growing too fast.

Mr. Garrison asked the Administrator about our obligations regarding the bonds if we pay for infrastructure and then the developer fails to build the houses that would generate the funds to make bond payments. The Administrator responded that the Village would be responsible for the bond payments, but we can require the developer to obtain a performance bond that would cover us.

STANDARD TERMS TO BE OFFERED TO THE SCHOOL DISTRICT AND TO THE FIRE DISTRICT FOR NEW RESIDENTIAL DEVELOPMENTS WHERE THERE IS A 15-YEAR CRA AND A CORRESPONDING 15-YEAR PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT FOR THE PURPOSE OF PAYING OFF BONDS ISSUED TO PAY TO INFRASTRUCTURE COSTS

Motion by Ms. Cole that the Batavia Village Council acknowledges their agreement with the concept for new residential developments where there is a 15-year CRA on the improvements and 15-Year Payment in Lieu of Taxes (PILOT) diverting the real estate tax to the Village of Batavia to provide the funds to pay off the infrastructure bonds, of **offering to pay the school district and the fire district 50% of the rate they otherwise would receive on developed property** for the 15-year duration of the CRA, and to direct the Village Administrator to proceed

**Village of Batavia – MINUTES of COUNCIL MEETING,
April 26, 2021**

with negotiations with developers for new residential developments either already in or to be annexed into the Village of Batavia and to execute documents for new residential developments on behalf of the Village of Batavia with terms in accordance with this agreement by Village Council approving this development concept; seconded by: Mr. Gipson

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

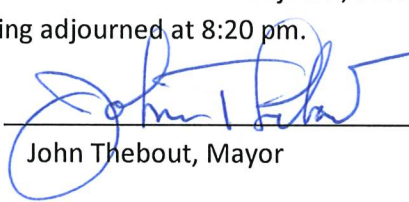
Committee Reports:

Joint Cemetery w/ Township Trustees		Next Meeting Monday, May 10 @ 6:30pm
Village Council	Mayor Thebout	Next Meeting Monday, May 10 @ 7:00pm
Planning Commission	Bob Handra	Next Meeting Tuesday, May 18 @ 7:00pm
Finance Committee	Bob Handra	Next Meeting Thursday, May 27 @ 6:00pm

Adjournment:

Mr. Handra made a motion to adjourn, seconded by Mr. Gipson. Motion passed 6-0
The meeting adjourned at 8:20 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting

Batavia Union Cemetery – MINUTES of MEETING
Annual Joint Meeting of Batavia Township Trustees & Batavia Village Council
May 10, 2021

Batavia Union Cemetery
Minutes of Joint Meeting
Monday, May 10, 2021

The Batavia Township Trustees and the Village Council met in a joint session on Monday, May 10, 2021, at 6:00 pm at the Batavia Village Hall.

Batavia Union Cemetery Board Members present:

Rex Parsons Kathy Turner

Batavia Union Cemetery Board Officials present:

Steve Shinkle, Clerk-Treasurer and Wayne Smith, Sexton

Batavia Township Trustees present:

Randy Perry Rex Parsons

Batavia Township Official present:

Jennifer Haley, Fiscal Officer

Batavia Village Council Members present:

Mr. Handra Ms. Turner Mr. Garrison Ms. Cole Ms. Moore

Batavia Village Officials Attending Meeting

Fiscal Officer Waite

Others Attending Meeting

None

Rex Parsons, Chairman of the Batavia Union Cemetery Board, opened the meeting at 6:00pm.

Steve Shinkle, Batavia Union Cemetery Clerk-Treasurer, presented the **attached report** with the following agenda items:

2020 Batavia Union Cemetery Board Financial Report

2020 Projects and Achievements

2021 and Future Projects

Appointment of At-Large representative for a 3-year term.

Donna Amann, the current at-large representative on the board, has submitted here resignation from the board effective December 31, 2021. The board will be advertising the opening and will make the appointment later this year.

Adjournment

Ms. Turner made a Motion adjourn, seconded by Mr. Handra.

Vote: 7-0 Meeting adjourned at 6:28pm

**Batavia Union Cemetery
65 North Second Street
Batavia, Ohio 45103
513-732-2020**

May 10, 2021

Batavia Township Trustees, Batavia Township Administrator, Batavia Village Council Members, Batavia Mayor, Batavia Village Administrator,

The Joint Meeting of the Batavia Union Cemetery will be held on Monday May 10th, 2021 at 6:00 pm at the Batavia Village Council Chambers.

Joint Meeting Agenda Items

The current Cemetery Board Members are Rex Parsons, Township Trustee Representative, Kathy Turner, Village Council Representative, Donna Amann, Member at Large (township resident). At the January 7, 2021 meeting Rex Parsons was appointed by the Board members as Chairman of the Board for 2021. The Cemetery Board meets in regular meetings the first Wednesday of the month at 6:00 pm in Batavia Village Council chambers. The Joint Meeting of the Cemetery Board is held each year before the first regular Council Meeting in May, as required by Ohio Revised Code.

2020 Batavia Cemetery summary of information provided to Council Members and Trustees. Council Members and Trustees were provided with the Annual Financial Report of Batavia Union Cemetery earlier this year. The Batavia Union Cemetery in 2020 end the year in the black by \$4,992.50.

Batavia Union Cemetery financials for 2013 through 2020 can be viewed online at the Ohio Checkbook web page under Local Government & School, Special Districts. CHECKBOOK.OHIO.gov

2020 Projects and Achievements

The Batavia Union Cemetery conducted 4 joint workdays in 2020. During the first workday the general cleanup of fallen tree limbs and debris was conducted along with removal of all Christmas decorations from the cemetery in preparation for the mowing season. On the second workday general cleanup of the cemetery was conducted with dirt and debris removed from waterways along cemetery roadways, US Flags were placed on veteran grave sites in preparation for Memorial Day. On the third workday concrete rip rap was placed along the waterway along Section II Old in attempts to stop erosion of the bank that is threatening to expose gravesites along the bank of the waterway. The raised flower bed area around the Howitzer artillery piece was completed with the addition of topsoil and replanting of the plants. On the fourth workday general clean-up and leaves were removed from the cemetery and new US Flags were placed on any veteran gravesite with missing or damaged flags in preparation for Veterans Day.

2021 and Future Projects

The Cemetery Board in March of 2021 was informed by Bat'L Landscaping, that he would no longer be able to mow the cemetery. As the cemetery was in needed of mowing in April as emergency Wayne Smith, Cemetery Sexton was able to obtain the service of D & J Landscaping, who is mowing for \$1125.00 per mowing, \$25.00 less per mowing than Bat'L Landscaping. This 2021 mowing contract also includes mulching of Cemetery Entrance, Columbarium, and

Scattering Garden areas, and weeding and weed control in these areas, to improve overall appearance of the cemetery.

Cemetery has experienced a 13% increase in Insurance cost from \$1007.00 in 2020 to \$1139.00 in 2021.

Future Projects

The continued placement of rip rap materials along creek bank to reduce erosion and stop the encroachment on grave sites located in Section II Old were needed.

Continue cutting back and removal of underbrush on the perimeter of cemetery back to the property lines.

Continue resetting and restoration of headstones located in older sections of the cemetery.

Property Line Fence between Section 4 New and property owners on Woodside Drive.

Signage at the corner of Cemetery Lane and Old St. Rt. 32 for Batavia Union Cemetery.

Signage to make cemetery entrance one way traffic pattern going to right and one way exit coming out. This would require permission from The Village of Batavia as Cemetery Lane is a village street.

Repairs to masonry gate post and the Wrought Iron Entrance gates.

Improvements to cemetery's excess dirt dump site on Cemetery Lane.

Improvements to landscaping in the area of the columbarium and scattering garden.

Repaving of cemetery roadways (Batavia Township and Village of Batavia joint venture)

Appointment of Batavia Union Cemetery Member at Large

Appointment of Member at Large representative, 3 year term

January 1, 2022 to December 31, 2024

On May 5, 2021, Donna Amann has regrettably submitted her resignation at the end of her current term. The cemetery board intends to advertise for residents of Batavia Township or Batavia Village interested in serving on the Cemetery Board to submit letters of intent with qualifications. Once letters of intent are received this information will be shared with Council Members and Trustees. The Cemetery Board will then request a Special Joint Meeting to complete the appointment of the Member at Large for 3 year term. The nomination and appointment is at the discretion of the Council and Trustees.

Respectfully,

Stephen A. Shinkle

Steve Shinkle, Clerk-Treasurer
Batavia Union Cemetery

Batavia Union Cemetery 2020 Statistics

	2020	2019	2018	2017	2016
Lot Sales, Corner Markers, Deeds	\$15,330.00	\$9,420.00	\$6,305.00	\$14,030.00	\$10,010.00
Interments	55 (19 cremations)	48 (12 cremations)	34 (6 cremations)	53 (11 cremations)	52 (13 cremations)
Mowing	\$34,075.00 29 Mowings	\$16,150.00 19 Mowings	\$15,600.00 24 Mowings	\$15,860.00 26 Mowings	\$18,300.00 30 Mowings
Grave Digging	\$23,450.00	\$22,400.00	\$16,500.00	\$24,550.00	\$21,300.00
Tree Pro - Tree Service	\$2,485.00	\$5,000.00	--	--	--
Chief Beaver Tree Service	--	--	\$3,300.00	\$3,600.00	\$5,550.00
Headstone Deposits Collected	\$7,500.00	\$7,800.00	\$2,100.00	\$7,000.00	\$8,100.00
Headstone Deposits Returns	\$6,000.00	\$3,300.00	\$2,750.00	\$7,675.00	\$7,165.00

Batavia Union Cemetery Report for 2020

	2020	2019	2018	2017	2016
Total Receipts	\$98,507.84	\$82,743.79	\$63,383.85	\$63,383.85	\$79,165.49
Total Expenditures	\$93,515.34	\$73,787.01	\$78,197.84	\$86,916.43	\$86,889.36
Difference	\$4,992.50	\$8,956.78	-\$14,813.99	-\$23,532.58	-\$7,723.87
Checking Account Balance	12/31/2020	12/31/2019	12/31/2018	12/31/2017	12/31/2016
	\$22,280.67	\$18,655.37	\$12,141.76	\$20,005.21	\$26,767.45
Minus Headstone Deposits	\$7,075.00	\$5,875.00	\$1,375.00	\$3,525.00	\$3,900.00
True Balance	\$15,205.67	\$12,780.37	\$10,766.76	\$16,480.21	\$22,867.45

Batavia Union Cemetery Receipts for 2020

Cash Receipts	2020	2019	2018	2017	2016
Appropriations Village of Batavia	\$20,000.00	\$16,000.00	\$16,000.00	\$16,000.00	\$15,000.00
Appropriations Batavia Township	\$20,000.00	\$16,000.00	\$16,000.00	\$16,000.00	\$15,000.00
Sale of Cemetery Lots	\$13,900.00	\$8,500.00	\$5,700.00	\$5,700.00	\$9,200.00
Headstone Deposits	\$7,500.00	\$7,800.00	\$1,800.00	\$1,800.00	\$6,600.00
Admin Fees / Deed Transfers	\$310.00	\$290.00	\$160.00	\$160.00	\$150.00
Sale of Corner Markers	\$1,120.00	\$630.00	\$385.00	\$385.00	\$630.00
Opening And Closing Grave Fees	\$33,300.00	\$32,910.00	\$22,900.00	\$22,900.00	\$32,560.00
Miscellaneous Receipts					
Bank Interest CD - Peoples Bank	\$62.65	\$61.50	\$60.36	\$60.36	\$8.72
Bank Interest Checking - Peoples Bank	\$6.68	\$10.37	\$9.49	\$9.49	\$16.77
BWC Refunds	\$2,308.51	\$408.92	\$369.00	\$369.00	---
Donations Craig Lytle - Flowers	\$0.00	\$133.00	---	---	---
Total Receipts	\$98,507.84	\$82,743.79	\$63,383.85	\$63,383.85	\$79,165.49

Batavia Union Cemetery Disbursements for 2020

Cash Disbursements	2020	2019	2018	2017	2016
Clerk Salary	\$6,228.00	\$6,228.00	\$5,988.00	\$5,712.00	\$5,340.00
Sexton Salary	\$12,468.00	\$12,469.00	\$11,988.00	\$11,424.00	\$10,680.00
OPERS (Retirement)	\$2,617.44	\$2,617.44	\$2,516.64	\$2,399.04	\$2,243.00
Medicare	\$271.20	\$271.20	\$260.76	\$248.40	\$232.00
Worker's Comp.	\$397.50	\$436.50	\$245.89	\$660.49	\$632.12
Auditing Services	\$996.30	\$0.00	\$1,102.90	\$0.00	\$1,107.00
UAN Fee's	\$603.00	\$804.00	\$354.00	\$786.00	\$936.00
Repairs & Maintenance	\$545.45	\$269.85	\$888.65	\$2,409.95	\$582.84
Travel & Meeting Expenses	\$0.00	\$100.00	\$0.00	\$0.00	\$0.00
Property Insurance Premiums	\$1,007.00	\$927.00	\$865.00	\$819.00	\$758.00
Liability Insurance Premiums	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00
Office Supplies	\$0.00	\$37.13	\$0.00	\$97.41	\$0.00
Bank Fees - NSF - Stop Payment	\$0.00	\$10.00	\$0.00	\$0.00	\$10.00
Legal Fees	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Legal Notice Publication Fees	\$0.00	\$126.00	\$273.00	\$235.14	\$31.50
Contracted Services-Grave Digging	\$23,450.00	\$22,400.00	\$16,500.00	\$24,550.00	\$21,300.00
Contracted Services-Mowing	\$34,075.00	\$16,150.00	\$15,600.00	\$15,860.00	\$18,300.00
Contracted Services-Tree Removal	\$2,485.00	\$5,000.00	\$3,300.00	\$3,600.00	\$5,550.00
Stone Wall Repairs- Vault House Repairs	\$0.00	\$0.00	\$0.00	\$1,800.00	\$0.00
Contracted Services - Headstone Repair	\$0.00	\$0.00	\$2,000.00	\$2,000.00	\$2,000.00
Contracted Services-Surveying	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Contracted Services-pavement repairs	\$0.00	\$0.00	\$2,995.00	---	---
Contracted Services - Bat'L/Bard Landscape	\$0.00	\$350.00	---	\$200.00	\$2,480.00
Contracted Services - Columbaria Footer	---	---	---	---	\$3,471.90
Contracted Services - Massen Masonary	---	---	---	\$1,800.00	---
Contracted Services - Cremation Vaults	\$866.00	\$1,321.04	\$440.00	\$1,100.00	---
Other Expenses-Headstone Deposit returns	\$4,750.00	\$900.00	\$2,750.00	\$4,375.00	\$7,165.00
Other Expenses-Cornermarkers, etc.	\$720.00	\$850.00	\$300.00	\$240.00	\$780.00
Other Expenses-Headstones Purchased	\$1,650.00	\$2,050.00	\$1,250.00	\$2,500.00	\$1,790.00
Other Expenses - Grass Seed & Straw	\$185.45	\$269.85	---	---	---
Other Expenses - cemetery signs	\$0.00	\$0.00	\$580.00	\$0.00	\$0.00
Other Expenses-Grave Plot Buy Back	\$0.00	\$0.00	\$7,800.00	\$3,900.00	\$1,300.00
Total Expenditures	\$93,515.34	\$73,787.01	\$78,197.84	\$86,916.43	\$86,889.36

**Village of Batavia – MINUTES of COUNCIL MEETING,
June 14, 2021**

**Batavia Village Council
Minutes of Meeting
Monday, June 14, 2021**

The Batavia Village Council met in regular session on Monday, June 14, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Ms. Turner, Mr. Handra, Mr. Garrison, Ms. Cole, Ms. Moore, Mr. Gipson.

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

Others Attending the Meeting: Mindy Hatfield, Lana Fritsch, Don Kinner, Claire Kinner, Ethan Kinner, Jamie Kinner, Camryn Cole, Jessie Bullock, Chris Huser, Adam Craver, Jenx Elliott, Tanner Shirley, Koren Moore-Runk, Richard Landwehr, Kelly Watson, Kellie Wright, Zoe Moore-Runk

Approval of Financial Reports:

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

Approval of Minutes:

Ms. Cole made a motion to approve the minutes of May 10, 2021 Village of Batavia Regular Council Meeting, seconded by Mr. Gipson. The motion passed 6-0

Village Administrator: Dennis Nichols

Ordinance to consent for the Ohio Department of Transportation to maintain state highways in the village, including repairs, pavement markings and signs, and removing snow and ice

Ordinance 1477-21 1st reading Pass as an Emergency and Waive the 3 readings

This is an emergency since the maintenance of roads in the village is a safety issue, and ODOT is currently working on the intersection of S.R. 32 at Bauer Road.

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

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

Ms. Cole made a **Motion** to adopt **Ordinance 1477-21**, seconded by: Mr. Gipson.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes, Mr. Handra, yes, Ms. Turner, yes Motion passed 6-0 **Ordinance 1477-21 adopted**

**Village of Batavia – MINUTES of COUNCIL MEETING,
June 14, 2021**

Ordinance amending Code Section 90.39 Hunting Prohibited, Code Section 90.40 Birds, and Code Section 40.41 Keeping Animals

Ordinance 1478-21 1st reading

This Ordinance came from the Planning Committee who asked the Administrator to rewrite the existing Ordinance on Hunting, Birds and Keeping Animals.

Ms. Moore asked why there was a change in limiting the number of dogs and cats from 4 to 3. She also asked about the change from 1 acre minimum to 5 acres.

The Administrator responded that the existing Ordinance says, "4 or more are prohibited". This revised Ordinance says, "no more than 3". That is the same thing, only stated more clearly.

The Administrator responded that there are only a few parcels in the Village that are more than 1 acre. The controversies that have arisen relate to parcels less than 1 acre.

Ms. Moore asked if the proposed legislation would apply to newly annexed and future annexed properties.

The Administrator said, "Yes."

Mr. Garrison asked about the restriction of not having animals within 100 feet of a dwelling. Given the size of lots in the Village, it would be impossible to have an animal pen that wasn't closer than 100 from an existing dwelling. Therefore, this is a prohibition against having animals.

The Administrator responded that animals are currently prohibited on lots less than one acre in size. There are only a handful of lots large enough to allow animals. The proposed Ordinance increases the minimum size for animals from one acre to five acres for health and safety reasons, but existing one acre lots are grandfathered and can continue to have animals. The new requirement for periodic inspections by a veterinarian is also for the health and safety of the animals and that would apply to existing properties because it is not zoning.

Ms. Moore asked if the proposed legislation would apply to newly annexed and future annexed properties because there could be properties greater than 5 acres where hunting would be allowed.

Mr. Garrison asked about chickens because when the issue had been previously raised, he thought that Council was going to make it easier to allow chickens. The Administrator responded when the issue was raised he did not hear Council say that they wanted to allow chickens, and the Planning Commission voted to not change the zoning on chickens.

Ms. Moore asked if that was county planning commission or village planning commission. Mr. Nichols said that it was the village and was asked to draft something compatible with the existing zoning, but he has no preference or recommendation about chickens and Council can do as it wants. Ms. Moore and Mr. Garrison expressed opposition to restricting the ownership of chickens or making it harder to own chickens.

**Village of Batavia – MINUTES of COUNCIL MEETING,
June 14, 2021**

Ms. Moore asked the Administrator if he had reviewed the paper Mr. Huser prepared regarding chickens. The Administrator responded that he had not seen that document. Mr. Huser was asked to provide that document to the Administrator.

Ms. Moore expressed that this is a good topic for discussion by the Village of Batavia CIC meeting so that Council can provide their input.

The Fiscal Officer responded that this is just a first reading and Council now has the opportunity to take it to the CIC meeting to discuss and make changes.

Ms. Cole wanted to make sure that pigs and other farm animals would not be allowed.

Mr. Handra stated that Code Section 90.41 really is focused on poultry.

Zoe Moore-Runk asked why legislation couldn't be drafted that would let the Village determine things like chicken ownership case-by-case. The Administrator responded that such legislation would be unconstitutional. Legislation is written to provide equal treatment to all residents.

Ms. Moore expressed concern over determining if a person actually owned more than 3 cats, or if there were merely feral cats on someone's property.

Kelly Wright asked as a matter of procedure, why a copy of proposed legislation wasn't made available to the public. Solicitor Chris Moore responded that anyone who wants a copy of the legislation can ask the Fiscal Officer for a copy.

Kellie Wright also wanted to know where the determination of a limit of 3 cats or dogs came from. The Administrator didn't know who made that determination, but it has been on the books for decades. There has been no change.

Claire Kinner asked if anyone on Council has had any agricultural training. People who raise animals generally have the health and safety of the animals in mind. Should people who don't have agricultural knowledge be writing legislation about farm animals?

Solicitor Chris Moore responded that although he has not had any college classes in agriculture, he has had more than 20 legal cases involving the mistreatment of animals. He has had cases where animal owners who believed that they were properly caring for their animals were convicted of mistreatment for constraining animals on lots that were too small.

Mr. Gipson moved to table Ordinance 1478-21, seconded by Mr. Garrison.

Ms. Moore asked if tabling the Ordinance would prohibit Council from raising the issue in the future?

Solicitor Chris Moore responded, "It does not prohibit future discussion, but there would have to be a vote of by at least 4 Council Members to remove the Ordinance from the table to move it forward toward adoption."

Council voted 6-0 to table Ordinance 1478-21.

**Village of Batavia – MINUTES of COUNCIL MEETING,
June 14, 2021**

Resolution to authorize the transfer of the Batavia Water Utility to Clermont County

Resolution 304-21 2nd reading

2021 Street Pavement Resurfacing Project

The Village solicited bids to resurface 12 streets. Capital Improvement Funds from the 2020 bond refinancing will be used to fund the project. Fillmore Construction, LLC was the low bidder at \$237,700. The bid was less than the expected cost, therefore we may add another street to the project. The Street Superintendent would like approval to add another street or two while keeping the total cost to under \$260,000.

Ms. Cole made a **Motion** to accept the Fillmore Construction's bid of \$237,700 and authorize payment to Fillmore Construction to include an additional street with total payment to Fillmore Construction not to exceed \$260,000 by, seconded by Mr Garrison

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

The Administrator asked for Council to adjourn to Executive Session to discuss Real Estate

Cincinnati Bell has bundled the property at Clark and Ely with 5 other properties and is offering the bundle for sale. We believe that they may be willing to separate out the building on Clark Street. The building is big enough to allow us to store most of the street equipment. We would still need to build a lean-to structure for the rest the equipment.

If we were to purchase land and build a comparable building, the cost would be in excess of \$500,000.

Ms. Cole made a **Motion** to adjourn to Executive Session, seconded by: Mr. Gipson.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes, Mr. Handra, yes, Ms. Turner, yes Motion passed 6-0 Council adjourned at 8:45

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

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Ms. Moore, yes, Mr. Garrison, yes, Mr. Handra, yes, Ms. Turner, yes Motion passed 6-0 Council resumed at 9:05

Ms. Cole made a **Motion** to authorize the Village Administrator to negotiate with Cincinnati Bell for the purchase of the property at the corner of Clark Street and Ely Ave and to offer a price determined to be reasonable by the Village Administrator pursuant to discussions held in Executive Session, seconded by: Mr. Gipson.

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

Streamside Residential Development – There are currently 36 houses under roof.

**Village of Batavia – MINUTES of COUNCIL MEETING,
June 14, 2021**

Harvest Meadows Residential Development – They plan on beginning infrastructure development this fall, but no houses until next year.

Electric Utility update

There was a hearing before Judge McBride where all pending motions were argued. We are waiting for a ruling.

CRT Electronics Nuisance Suit

The trailer has been removed and the shed has been torn down. The Administrator praised Street Superintendent Wayne Smith for his work in getting compliance with the court order.

Water Utility

The removal of the shed at CRT Electronics was the final hurdle for getting the water utility transferred to Clermont County.

Labor Day Party in the Park

The Administrator proposed having the Village sponsor a Labor Day party in the Broadway Park on September 4th with a band, food trucks, and possibly fireworks. We are waiting on written approval from the School Board to allow us to use the Broadway site for the event.

Evergreen Center Concert at Auxier Hall

There will be a concert on Saturday, June 26th. The public is invited.

Police Department, Chief Young

Chief Young submitted his monthly report to Council. We had 400 calls for service in May.

The Chief reported on an incident where our K-9 aided in the apprehension of a suspect outside of the Village.

The Chief was asked if the cemetery road was being locked at night. He responded that the cemetery board had decided to not lock the gate. Residents whose houses back up to the cemetery responded that they have been happy with the way the police have been patrolling the cemetery.

Mayor, John Thebout

Adjust Wages for Police Chief

Ordinance 1476-21 3rd reading

This is a wage adjustment due to completion of the Chief's probationary period.

Mr. Handra made a **Motion** to adopt **Ordinance 1476-21**, seconded by: Ms. Moore.

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

Motion passed 6-0. **Ordinance 1476-21 adopted.**

**Village of Batavia – MINUTES of COUNCIL MEETING,
June 14, 2021**

Village Solicitor, Christopher Moore

Judge McBride is reviewing the briefs for the Duke Energy lawsuit and we are waiting for him to issue a judgement.

The removal of the shed at CRT Electronic has eliminated the water easement issue with the CRT Electronics property.

Mr. Moore thanked Mr. Smith for his help in obtaining compliance from Jeff Bach.

Fiscal Officer: John Waite

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

A Resolution approving the 2022 Tax Budget

Resolution 305-21 2nd reading

Appropriations Amendment

Ordinance 1479-21 1st reading Pass as an Emergency and Waive the 3 readings

This increases the appropriations in the Street Capital Projects Fund 4902 to allow for expenditures for capital improvements that council approved tonight.

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

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

Mr. Gipson made a **Motion** to adopt **Ordinance 1479-21**, seconded by: Ms. Cole.

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

Motion passed 6-0. **Ordinance 1479-21 adopted.**

New Business / Audience Participation:

A resident whose house backs up to the cemetery asked Council is anyone knew how close to the property line the cemetery is allowed to bury people. Wayne Smith, cemetery sexton, said that there are people currently buried in the cemetery within 2 feet of the property line.

Committee Reports:

Planning Commission The meeting scheduled for Tuesday, June 15 @ 7:00pm has been cancelled.

Finance Committee: Next Meeting, Thursday, June 24 @ 6:00 pm.

**Village of Batavia – MINUTES of COUNCIL MEETING,
June 14, 2021**

Village Council Meetings and Village of Batavia CIC Meetings on the 4th Monday of the Month

Council was asked if they wanted to have a regular Village Council Meeting on Monday, June 28.

Council decided to cancel the second meeting in June.

Council was asked if they wanted to have a regular Village of Batavia CIC Meeting on Monday, June 28.

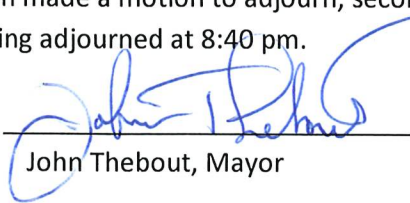
Council decided that they wanted to have that meeting.

Adjournment:

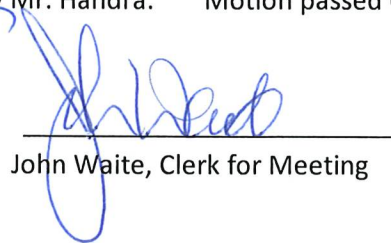
Mr. Gipson made a motion to adjourn, seconded by Mr. Handra. Motion passed 6-0

The meeting adjourned at 8:40 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,
July 12, 2021**

Batavia Village Council

Minutes of Meeting

Monday, July 12, 2021

The Batavia Village Council met in regular session on Monday, July 12, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Ms. Turner, Mr. Handra, Mr. Garrison, and Ms. Moore.

Mr. Gipson arrived at 7:45. Ms. Cole was absent.

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

Street Superintendent Wayne Smith and 2 new Village employees: Jason Smith and Tanner Smith.

Others Attending the Meeting: Lana Fritsch, Don Fritsch, JoAnn Martino, Jamie Kinner, Michael Kinner, Grace Kinner, Claire Kinner, Courtney Huber

Approval of Financial Reports:

Mr. Handra made a **motion** to approve the June 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 June 14, 2021 Village of Batavia Regular Council Meeting, seconded by Mr. Garrison. The **motion** passed 4-0

Village Administrator: Dennis Nichols

Street Department staffing

Street department employee Ryan Collins resigned to take a job with Batavia Township. The street department has hired two new employees, Jason Smith and Tanner Smith. The two new employees were introduced to Council.

Public Events

Village Festival on September 11 – The event is still being organized. We are planning on having fireworks in the evening. The County Commissioners are planning on having a event in the morning commemorating the 20th anniversary of the 9-11 attack.

The administrator has applied for a \$5,000 grant from Connect Clermont to help pay for the monthly Evergreen Center concerts at Auxier Hall

**Village of Batavia – MINUTES of COUNCIL MEETING,
July 12, 2021**

Zoning and Housing

The demolition of 234 E Main Street (Moonlite Chili Parlor) has been completed. The additional green space will augment Haglage Park.

CRT Electronics has been in substantial compliance with the court order pursuant to our nuisance suit

570 E Main Street is another nuisance property. We will have the property demolished and will bill the cost to the property owner.

Community and Economic Development

Streamside Residential Development – Ryan Homes is building new homes at a fast pace. All but 5 of the 64 lots in Section 1 have been sold. The Administrator has issued 52 zoning permits for houses. Ryan is currently paving the streets for Section 2, which is another 64 lots. The plans for Section 3 have been approved.

We expect that there will be 100 houses completed and occupied by the end of 2021. We will begin collecting income tax on the new residents for the part of 2021 they occupied the houses. Real estate taxes on houses completed in 2021 will be put on the 2022 tax bills to be collected in 2023. There is a Payment In Lieu of Taxes (P.I.L.O.T.) agreement on the houses directing the County Auditor to pay 50% of the real estate tax on the houses to the Village of Batavia beginning in 2023. The real estate tax diverted to the Village of Batavia will be used to make payments on the \$3 million infrastructure bond.

The Paul Staggs development will be 27 high-end houses. He has purchased the Auxier property at the end of College Dr.

Electric Utility – we are waiting for a court ruling.

Jurgenson property – nothing new

Harvest Meadows development – The street plans have been submitted to the fire department for review.

OPWC grant application– Later in the meeting we will present **Resolution 306-21** for adoption as an emergency authorizing the Administrator to apply for a \$4 million OPWC grant/loan for storm water drainage, waterline replacement, street repaving and sidewalks on Diana, Charles, Gregory, Shelley, Old Boston and Edith.

Water and Sewer Utilities

Resolution to authorize the transfer of Batavia's water utility to Clermont County

Resolution 304-21 3rd reading

**Village of Batavia – MINUTES of COUNCIL MEETING,
July 12, 2021**

After ownership of the water utility is transferred, village residents will be charged less for their water.

Ms. Turner made a **Motion** to adopt **Resolution 304-21**, seconded by: Mr. Handra.

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

Motion passed 4-0. **Resolution 304-21 adopted.**

Roads, Maintenance and Facilities

The 2021 Street Paving Project has been completed

Main Street and Riverside Drive intersection road improvements project with OPWC funding
We are advertising for bids. The bid opening will be on Friday, July 23. The project will cause major traffic problems in October and November. There are delays in getting the new utility poles, so we don't expect to have the project completed until February.

ODOT Projects

ODOT is currently working on the S.R. 32 at Bauer Road intersection.

ODOT will begin working on the S.R. 132 & S.R. 22 intersection in the fall of 2023.

We are currently working on design plans for the S.R. 32 at Herold Road intersection

Cincinnati Bell Garage at Clark & Ely – We are negotiating for the purchase of the property from Cincinnati Bell, but the property is currently occupied by a tenant that has a 3-year lease.

Other property developments

The Administrator has received inquiries for two more annexation requests.

Ms. Moore requested the Administrator to get the minutes of the Council Meetings posted on the Village website. No meeting minutes have been posted since December.

Police Department, Chief Young

Chief Young submitted his monthly report to Council. We had 41 mutual aid calls out of the Village in June, 11 of which involved the K-9. There were 40 traffic stops, 16 of which resulted in tickets. The rest received warnings.

The Village participated in the annual Clermont County Junior Police Academy

The Chief wants to replace the 2011 Crown Victoria being used by the school resource officer in 2022. Funding would come from the funds received from the Batavia Local Schools for the SRO.

Officer McMillan and K9 Drees will be presented with a Clermont Chamber Award of Excellence at the 2021 Law Enforcement Banquet.

Mayor, John Thebout

**Village of Batavia – MINUTES of COUNCIL MEETING,
July 12, 2021**

The Mayor is still waiting to receive a written decision from the Batavia Local School Board on whether they will lease the Broadway school site to the Village for a park.

Fiscal Officer: John Waite

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

Resolution adopting 2022 Tax Budget

Resolution 305-21 3rd reading

O.R.C. §5705.30 requires the Tax Budget to be adopted by on or before July 15th, and two copies must be submitted to the County Auditor on or before July 20th

Ms. Turner made a **Motion** to adopt **Resolution 305-21**, seconded by: Mr. Garrison.

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

Motion passed 4-0. **Resolution 305-21 adopted.**

Appropriations Amendment– Later in the meeting we will present **Ordinance 1480-21** for adoption as an emergency increasing the General Fund appropriations.

New Business / Audience Participation:

Ms. Martino asked for clarification about the amount of real estate tax the Village receives. The Fiscal Officer told her that the Village currently only receives about \$70,000 a year in real estate tax.

Mr. Gipson arrived at 7:45pm.

Appropriations Amendment

Ordinance 1480-21 1st reading Pass as an Emergency and Waive the 3 readings

The Clermont County Budget Commission approved an increase in the resources available for appropriations. This Ordinance will provide additional appropriations for engineering expenses, contractual expenses and transfers from the General Fund to other Funds. This is an emergency because we have outstanding engineering expenses for the Main Street/Riverside road improvements that can't be paid without approval of this Ordinance.

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

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

Gipson, yes **Motion** passed 5-0

Mr. Garrison made a **Motion** to adopt **Ordinance 1480-21**, seconded by: Mr. Gipson.

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

Gipson, yes **Motion** passed 5-0 **Ordinance 1480-21 Adopted**

**Village of Batavia – MINUTES of COUNCIL MEETING,
July 12, 2021**

Resolution to authorize a OPWC Grant/Loan Application for stormwater drainage, waterline replacement, repaving and sidewalks on Diana, Charles, Gregory, Shelley, Old Boston and Edith.

Resolution 306-21 1st reading Waive the 3 readings

The Administrator is asking that the 3 readings be waived because the Resolution must be passed before the OPWC application can be submitted and the application deadline is in August.

Mr. Garrison made a **Motion** to waive the 3 readings, seconded by: Mr. Gipson.

Vote by roll: Ms. Moore, yes, Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Gipson, yes **Motion passed 5-0**

Mr. Handra made a **Motion** to adopt **Resolution 306-21**, seconded by: Mr. Garrison.

Vote by roll: Ms. Moore, yes, Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Gipson, yes **Motion passed 5-0 Resolution 306-21 Adopted**

Committee Reports:

Planning Commission

Next Meeting, Tuesday, July 20 @ 7:00pm

Finance Committee:

Next Meeting, Thursday, July 22 @ 6:00 pm.

Village Council Meetings and Village of Batavia CIC Meetings on the 4th Monday of the Month

Council was asked if they wanted to have a regular Village Council Meeting on Monday, July 26.

Council decided to cancel the second meeting in July.

Council was asked if they wanted to have a regular Village of Batavia CIC Meeting on Monday, July

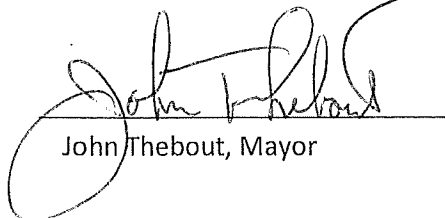
26. Council decided to cancel the second meeting in July.

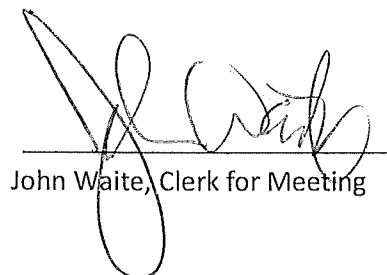
Adjournment:

Mr. Handra made a motion to adjourn, seconded by Mr. Garrison. Motion passed 5-0

The meeting adjourned at 8:00 pm.

ATTEST:


John Thebout, Mayor


John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 9, 2021**

**Batavia Village Council
Minutes of Meeting
Monday, August 9, 2021**

The Batavia Village Council met in regular session on Monday, August 9, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Mr. Handra, Ms. Turner, Mr. Garrison, Ms. Moore, Ms. Cole
Mr. Gipson arrived at 7:50

Village Officials Attending the Meeting: Mayor John Thebout, Administrator Dennis Nichols, Fiscal Officer John Waite, Chief Jim Young, Street Superintendent Wayne Smith, Officer Lunsford, Officer Ammerman, Officer Kuhl, Officer Whitaker

Others Attending the Meeting: Patrick Lunsford, Stephanie Lunsford, JoAnn Martino, Scott Runk, Nancy Drew

Approval of Financial Reports:

Mr. Garrison made a **Motion** to approve the July Bank Statements and Cash Journal, seconded by Ms. Moore. The **Motion** passed 5-0

Approval of Minutes:

Ms. Turner made a **Motion** to approve the minutes of July 12, 2021 Village of Batavia Regular Council Meeting, seconded by Mr. Handra. The **Motion** passed 5-0

Police Department, Chief Young

Promotion of Brandon Lunsford from Patrolman to Sergeant with a pay increase of \$19.95 to \$21.55 per hour. The chief wants to have two supervisors, one for each shift.

Ms. Turner made a **Motion** to approve promotion of Brandon Lunsford from Patrolman to Sergeant with a pay increase of \$19.95 to \$21.55 per hour effective August 8, 2021, seconded by Ms. Cole.

Vote by roll: Ms. Moore, yes, Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Ms. Cole, yes
The **Motion** passed 5-0

Chief Young submitted his monthly report to Council. July calls increased 28% to 479. We had 53 mutual aid calls out of the Village in July, 15 of which involved the K-9.

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 9, 2021**

Some of the police officers have requested the Village establish a deferred compensation plan for employees using the Ohio Public Employees Deferred Compensation Program. We previously established a deferred compensation using Empower Retirement that is inactive but is currently still holding \$156,000 for some former employees.

Ms. Moore made a **Motion** to approve the establishment of a deferred compensation plan for employees using the Ohio Public Employees Deferred Compensation Program, seconded by Mr. Handra.

Vote by roll: Ms. Moore, yes, Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Ms. Cole, yes
The **Motion** passed 5-0

Village Administrator: Dennis Nichols

Public Events

Village Festival on September 11 – The event is still being organized. We are planning on having fireworks in the evening. The County Commissioners are planning on having an event in the morning commemorating the 20th anniversary of the 9-11 attack.

Ms. Moore asked about insurance coverage for the event. Mr. Waite responded that Zambelli Fireworks is providing insurance coverage for the fireworks and Judy Miller is working with our PEP insurance agent to provide insurance for other items.

Ms. Moore asked whether the Village needs Council's approval to pay for the cost of the Fun Fair not covered by contributions. Mr. Nichols responded that he has the authority to approve the payment of the Fun Fair expenses and he has done so.

Ms. Moore also noted that food stations need to show prices so that residents don't think that the food is gratis.

The Administrator requested that Council adjourn to Executive Session to discuss (1) real estate purchases/annexations/developments, and (2) personnel

Ms. Turner made a **Motion** to adjourn to Executive Session to discuss (1) real estate and (2) personnel, seconded by Ms. Moore.

Vote by roll: Ms. Moore, yes, Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Ms. Cole, yes.
The **Motion** passed 5-0 Council adjourned to Executive Session at 7:35.

Mr. Gipson arrived at 7:50

Mr. Gipson made a **Motion** to return from Executive Session, seconded by Mr. Handra.

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

Council returned from Executive Session at 8:35.

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 9, 2021**

Community and Economic Development

Alcore Retirement Housing on Herold Road – Phase 1 and Phase 2

Alcore purchased 25 acres off Herold Road and proposed developing an assisted living residential nursing home as phase one, and then developing some independent living apartments as phase two. They are now proposing to sell half of the acres to another developer who wants to build apartments on the site. The apartments would require a zoning change. The new developer has asked for a 75% reduction in real estate tax for 15 years with a 25% Payment in Lieu of Taxes to be paid to the Village.

The Administrator told Council that this sounds like a “bait and switch” and he isn’t happy about it. Council also expressed uneasiness with the project. The Administrator asked Council for a **Motion** to authorize him to negotiate a contract with the developers.

Mr. Gipson made a **Motion** to authorize the Village Administrator to negotiate a contract with the developers of the property with a 75% abatement of real estate tax for 15 years and a 25% Payment in Lieu of Taxes, seconded by Ms. Cole.

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

The Paul Staggs development will be 27 high-end houses. He has purchased the Auxier property at the end of College Dr.

The development will require maximum municipal bond financing (\$2.6 million) supported by a Payment in Lieu of Taxes. The houses will sell at prices above \$500,000. The Administrator asked Council to let him know if they want him to continue with the negotiations for the development with a 100% CRA 15-year tax abatement

There were no objections from Council for the Administrator to continue with negotiations

Possible additional Annexations

The Village has been approached by some additional developers interested in possibly annexing property into the Village for residential development if the Village will issue a bond for infrastructure with a CRA 15-year tax abatement and a Payment in Lieu of Taxes to the Village. The PILOT would have to be enough to cover the interest and principal payments for the bonds. Council can determine how to allocate any excess from the PILOT payment, after bond payment, between the Village General Fund, the Batavia Local Schools and the Fire District.

The Administrator asked Council if they were in agreement with negotiations with additional developers for annexations for residential developments requiring the Village to issue infrastructure bonds requiring 100% 15-year CRA’s and 75% PILOTs.

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 9, 2021**

Mr. Gipson made a **Motion** to authorize the Village Administrator to negotiate contracts with the developers for possible annexations into the Village for residential developments where the Village issues a bond for infrastructure and the development receives a 100% abatement of real estate tax on the improvements for 15 years, and the developer agrees to pay the Village a 75% Payment in Lieu of Taxes on the abated taxes for the 15-year period, seconded by Ms. Cole.

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

Streamside Residential Development

We are working with the Clermont County Auditor to make sure that assessments for the Steamside Bonds are included on the 2022 tax bills to be collected in 2023.

There is a Payment In Lieu of Taxes (P.I.L.O.T.) agreement on the houses in Steamside for 50% of the real estate tax abated on the houses. The PILOT will be paid to the Village of Batavia and deposited to the General Fund. We are negotiating with the Clermont County Auditor to see if they will administer the collection of the PILOT payments.

Electric Utility – we are waiting for a court ruling.

Jurgenson property – nothing new

Harvest Meadows development – The street plans have been submitted to the fire department for review.

Village Administration Staffing

We are interviewing candidates for a part-time position to help with filing and maintaining the records for the new developments, CRAs and PILOTs.

We need to secure a successor for the Village Administrator and authorize hiring a transitional employee with health insurance benefits. The person would initially be hired as the “Assistant Village Administrator” on a part-time basis with an estimated 30 hours per week.

Mr. Handra asked the Fiscal Officer if the Village can afford to hire an Assistant Administrator. The Fiscal Officer responded that we can afford it.

Mr. Gipson made a **Motion** to authorize hiring a Part-time transitional Village Administrator with health benefits, seconded by Ms. Cole.

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

Roads, Maintenance and Facilities

Bids for Main Street, Riverside Drive, Haskell Lane Intersection improvements.

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 9, 2021**

Adleta Construction, Cincinnati, Ohio, had the low bid of \$756,767.05 for the project. The engineer anticipated a \$750,000 cost. The Ohio Public Works Commission has approved funding up to \$1,191,575, with a \$585,000 grant and a \$606,575 loan.

Ms. Turner made a **Motion** to accept Adleta Construction's \$757,767 bid for the Main Street, Riverside Drive, Haskell Road intersection improvement project, and to authorize the Village Administrator to execute the contracts with Adleta, seconded by Mr. Garrison.

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

Cincinnati Bell Garage at Clark & Ely – We have been negotiating for the purchase of the Cincinnati Bell garage at Clark & Ely. We have offered \$300,000 and Cincinnati Bell has accepted the offer.

Mr. Gipson made a **Motion** to authorize the purchase of the Cincinnati Bell garage for \$300,000 and to authorize the Village Administrator to execute the documents related to the purchase on behalf of the Village, seconded by Ms. Cole.

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

Batavia Union Cemetery

The Batavia Union Cemetery Board is asking the Village of Batavia to approve allowing the Batavia Union Cemetery Board make roads in cemetery one-way as a way to minimize having cars drive off the roads and over the graves in order to get around other cars.

Mr. Handra made a **Motion** to authorize allowing the Batavia Union Cemetery Board make roads in cemetery one-way, seconded by Ms. Cole.

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

The road in the Batavia Union Cemetery to the left of the cannon is a dedicated road owned by the Village of Batavia. The Batavia Union Cemetery Board is asking the Village of Batavia to approve abandoning ownership of the road and turning over ownership and maintenance of the road to the Cemetery Board.

Ms. Moore made a **Motion** to authorize abandoning the ownership of the road to the left of the cannon in the Batavia Union Cemetery and turning over ownership and maintenance of the road to the Batavia Union Cemetery Board, seconded by Mr. Handra.

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

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 9, 2021**

Mayor, John Thebout

The fall Village-wide yard sale is scheduled for September 11-12 during the day.

The Village Fun Fair is scheduled for the evening of September 11. There will be fireworks, activities, food trucks, and a band.

Village Solicitor: Christopher Moore

We are in negotiations with Clermont County Auditor for administration of PILOT payments. The Auditor is reluctant to administer the program. If the Auditor won't administer the Pilot payments, the Village can either administer them itself or we can contract out the work.

Electric Utility – We are still waiting on a ruling for the Duke Energy lawsuit

Batavia Water Utility waterline – update

The last item is getting Jeff Back's wife's signature on the waterline easement. Since she can't be located, we will give notice of service to her by publication in the newspaper.

Joseph Bell doesn't get a water bill but receives trash service and he refuses to pay his bill until he is sued. We received a judgement against him last month. If he still refuses to pay, we can garnish his wages.

Fiscal Officer: John Waite

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

A resolution approving participation in the National Opioid Lawsuit Settlement

Resolution 307-21 1st reading Passed as an emergency

The Attorney General for the State of Ohio has asked us to approve this Resolution as an emergency. He needs 95% of all municipalities in the State of Ohio to adopt this Resolution and to have the Administrator sign the Acceptance of the Settlement Agreement by August 13, 2021.

Mr. Handra made a **Motion** to declare an emergency and to waive the three readings, seconded by: Ms. Cole.

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

Ms. Turner made a **Motion** to adopt **Resolution 307-21**, seconded by: Ms. Moore.

Vote by roll: Ms. Moore, yes, Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes The **Motion** passed 6-0 **Resolution 307-21 Adopted**

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 9, 2021**

New Business / Audience Participation:

Ms. Moore asked that when roads are being closed we notify the residents in advance.

Committee Reports:

Planning Commission

Next Meeting, Tuesday, August 17 @ 7:00pm

Finance Committee:

Next Meeting, Thursday, August 26 @ 6:00 pm.

Village Council Meetings and Village of Batavia CIC Meetings on the 4th Monday of the Month

Council was asked if they wanted to have a regular Village Council Meeting on Monday, July 26.

Council decided to have the second meeting in August as scheduled.

Council was asked if they wanted to have a regular Village of Batavia CIC Meeting on Monday, July 26.

Council decided to have the second meeting in August as scheduled.

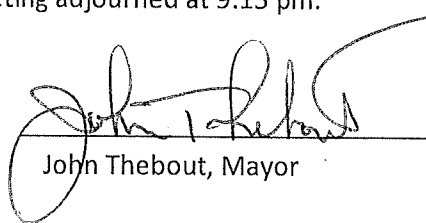
Adjournment:

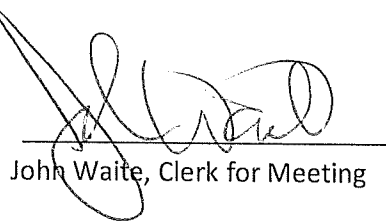
Mr. Gipson made a motion to adjourn, seconded by Ms. Cole.

Motion passed 6-0

The meeting adjourned at 9:15 pm.

ATTEST:


John Thebout, Mayor


John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 23, 2021**

**Batavia Village Council
Minutes of Meeting
Monday, August 23, 2021**

The Batavia Village Council met in regular session on Monday, August 23, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Mr. Gipson, Ms. Cole, Mr. Garrison, Ms. Turner, Ms. Moore Mr. Handra was absent

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

Others Attending the Meeting: JoAnn Martino, Scott Runk, Judy Miller

Village Administrator: Dennis Nichols

Community and Economic Development

Alcore Retirement Housing on Herold Road

The Administrator told Alcore that he will not be offering Alcore incentives for their proposal to build apartment buildings instead of a nursing home.

The Paul Staggs development will be 27 high-end houses. He has purchased the Auxier property at the end of College Dr. The development will require maximum municipal bond financing supported by Payment in Lieu of Taxes. The Administrator supplied Council with a "Term Sheet" summarizing the proposed financing and asked Council if they will agree to the proposal.

Ms. Cole made a **Motion** to approve the "Term Sheet" for the Paul Staggs development, seconded by Mr. Garrison.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes,
Ms. Moore, yes. The **Motion** passed 5-0

Cincinnati Bell Building at 313 Clark Ave.

Cincinnati Bell has accepted the Village's offer to purchase the building for \$300,000. The building has a tenant that will have to vacate at the time of sale. The Village is hoping to gain occupancy by December 1.

Purchase property at 60 N Riverside Dr. from Kroener Hale Law.

The Village is adding a turn lane from N. Riverside Dr. to Main Street. There is a utility pole beside the road at 60 N Riverside Dr. that will have to be moved to install the turn lane. The Village has offered to purchase the property at 60 N Riverside Dr. from Kroener Hale Law for

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 23, 2021**

\$22,000 along with an agreement to allow the law firm to park on the property as long as they maintain their office at 101 N Riverside Dr.

Mr. Garrison made a **Motion** to approve the purchase of 60 N. Riverside Dr. from Kroener-Hale Law and for the Administrator to execute documents related thereto for the Village, seconded by Ms. Moore.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes,
Ms. Moore, yes. The **Motion** passed 5-0

The Administrator asked Council for approval to sell the Street Department Garage (2 building on 3 parcels) at 490 S. Riverside Dr. after the Village purchases the Cincinnati Bell building at 313 Clark Ave. and moves the Street Department to the new location.

Ms. Turner made a **Motion** to approve the Administrator to negotiate the sale of the Street Department Garage (2 building on 3 parcels) at 490 S. Riverside Dr. after the Village purchases the Cincinnati Bell building at 313 Clark Ave. and moves the Street Department to the new location and to execute the documents related to the sale on behalf of the Village, seconded by Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes,
Ms. Moore, yes. The **Motion** passed 5-0

The Administrator asked Council for approval to transfer of ownership of the Street Department Garage (2 building on 3 parcels) at 490 S. Riverside Dr. at the time of sale.

Mr. Gipson made a **Motion** to approve the transfer of ownership of the Street Department Garage (2 building on 3 parcels) at 490 S. Riverside Dr. at the time most advantageous to the Village, seconded by Ms. Moore.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes,
Ms. Moore, yes. The **Motion** passed 5-0

Grant Requests from the Ohio Water, Wastewater and Infrastructure Grant Program

The State of Ohio received money from the federal government under the American Rescue Plan legislation. The State of Ohio is offering grants from those funds for water and wastewater projects. The legislation requesting grant money under the program must be done as an emergency because the deadline for grant applications is August 24.

Resolution 309-21 1st reading Declare emergency and waive the 3 readings
Grant Request for Water, Wastewater and Infrastructure for **improvements to Diana Dr., Charles Ave., Shelley Dr., Gregory St., Old Boston Rd., and Edith Ave.**

Ms. Cole made a **Motion** to declare an emergency and to waive the three readings, because of the deadline for the application, seconded by: Mr. Garrison.

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 23, 2021**

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Ms. Moore, yes.
The **Motion** passed 5-0

Ms. Cole made a **Motion** to adopt **Resolution 309-21**, seconded by: Mr. Gipson.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Ms. Moore, yes.
The **Motion** passed 5-0 **Resolution 309-21 Adopted**

Resolution 310-21 1st reading Declare emergency and waive the 3 readings
Grant Request for Water, Wastewater and Infrastructure for improvements to Karen Drive,
Hulick Lane and Perkins Lane.

Mr. Gipson made a **Motion** to declare an emergency and to waive the three readings, because of the deadline for the application, seconded by: Ms. Turner.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Ms. Moore, yes.
The **Motion** passed 5-0

Mr. Gipson made a **Motion** to adopt **Resolution 310-21**, seconded by: Ms. Moore.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Ms. Moore, yes.
The **Motion** passed 5-0 **Resolution 310-21 Adopted**

Resolution 311-21 1st reading Declare emergency and waive the 3 readings
Grant Request for Water, Wastewater and Infrastructure for improvements to the Wood
Street Sewer Lift Station and replace the force water under the East Fork River.

Ms. Cole made a **Motion** to declare an emergency and to waive the three readings, because of the deadline for the application, seconded by: Mr. Gipson.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Ms. Moore, yes.
The **Motion** passed 5-0

Mr. Gipson made a **Motion** to adopt **Resolution 311-21**, seconded by: Ms. Turner.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Ms. Moore, yes.
The **Motion** passed 5-0 **Resolution 311-21 Adopted**

Fiscal Officer: John Waite

Ordinance 1481-21 1st reading Declare emergency and waive the 3 readings
Appropriation Amendment necessary for state highway repair expenses and for the
purchase of the Cincinnati Bell garage

Ms. Cole made a **Motion** to declare an emergency and to waive the three readings, because of the necessity to pay Village expenses, seconded by: Mr. Gipson.

**Village of Batavia – MINUTES of COUNCIL MEETING,
August 23, 2021**

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Ms. Moore, yes.
The **Motion** passed 5-0

Mr. Gipson made a **Motion** to adopt **Ordinance 1481-21**, seconded by: Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Ms. Moore, yes.
The **Motion** passed 5-0 **Ordinance 1481-21 Adopted**

Resolution 308-21 1st reading Waive the 3 readings

A Resolution authorizing the participation in the Ohio Public Employees Deferred Compensation Program

Ms. Moore made a **Motion** to waive the three readings so that the Village employees can begin contributions to their retirement as soon as possible, seconded by: Ms. Turner.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Ms. Moore, yes.
The **Motion** passed 5-0

Ms. Cole made a **Motion** to adopt **Resolution 308-21**, seconded by: Ms. Moore.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Ms. Moore, yes.
The **Motion** passed 5-0 **Resolution 311-21 Adopted**

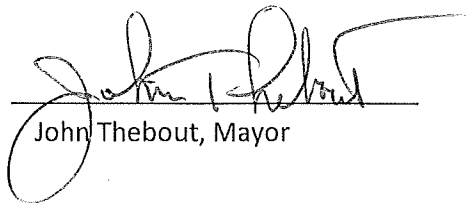
New Business / Audience Participation:

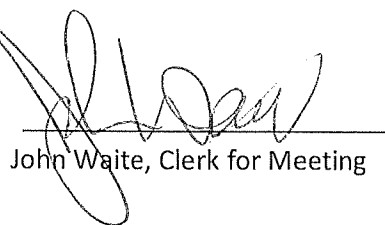
None

Adjournment:

Mr. Gipson made a motion to adjourn, seconded by Ms. Cole. **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,
September 13, 2021**

**Batavia Village Council
Minutes of Meeting
Monday, September 13, 2021**

The Batavia Village Council met in regular session on Monday, September 13, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Mr. Gipson, Ms. Cole, Mr. Garrison, Ms. Turner, Mr. Handra, Ms. Moore

Village Officials Attending the Meeting: Mayor John Thebout, Administrator Dennis Nichols, Fiscal Officer John Waite, Chief Jim Young, Officer McMillan, Officer Whitaker

Others Attending the Meeting: Scott Runk, JoAnn Martino, Lana Fritsch, Judy Miller, Courtney Huber

Approval of Financial Reports:

Ms. Turner made a **Motion** to approve the August Bank Statements and Cash Journal, seconded by Mr. Handra. The **Motion** passed 6-0

Approval of Minutes:

Ms. Cole made a **Motion** to approve the minutes of August 9, 2021 Village of Batavia Regular Council Meeting, seconded by Mr. Gipson. The **Motion** passed 6-0

Mr. Gipson made a **Motion** to approve the minutes of August 23, 2021 Village of Batavia Regular Council Meeting, seconded by Ms. Cole. The **Motion** passed 6-0

Police Department, Chief Young

Chief Young submitted his monthly report to Council. August calls increased 75% .

Officer McMillan has announced his resignation from the police department. He has applied for a position with the Goshen Township police department. The police K-9 Drees will stay at Batavia. The chief has proposed making Officer Whitaker the K-9 Officer. The Mayor thanked Officer McMillan for his service at Batavia and wished him well at his new position.

The police department currently is short-handed. One officer has coronavirus.

The police department has been monitoring the traffic on S.R. 32 at Herold Road because of the road construction.

The Fraternal Order of Eagles has donated \$2,000 to the police department. The chief intends to use the money to help pay for body cameras.

**Village of Batavia – MINUTES of COUNCIL MEETING,
September 13, 2021**

Councilman Garrison asked the chief to post signs and patrol Fifth Street and Riverside Dr. on Halloween to slow traffic to protect children during Trick-or-Treat.

Village Administrator: Dennis Nichols

Public Events

The Fun Fair on September 11 was a great success. We received a lot of positive comments. The Administrator said that the Fun Fair couldn't have happened without Judy Miller coordinating the event and he wanted to publicly thank her. The Mayor also thanked Ms. Miller and asked her to speak. Judy expressed her appreciation for the help provided by JoAnn Martino, the Batavia Street Department employees, the Batavia Police Department, the Batavia Administration Staff, and all of the volunteers and businesses who made financial contributions.

Community and Economic Development

Alcore Retirement Housing on Herold Road

The project is not going to happen. They were not able to get the financing and haven't purchased the property from the Urban family. There are several other developers who have expressed interest in purchasing the Urban's property.

The Paul Staggs development for 27 high-end houses at the end of College Dr.

The development is moving along.

Possible additional Annexations

The Village has been approached by two local developers and a large national developer who have expressed interest in working with the village for residential development in the Village

Village Administrator Staffing

The Administrator has proposed passing an Ordinance creating the position of Assistant Village Administrator who would have the legal authority to sign documents on behalf of the Village if the Village Administrator is unavailable.

Ordinance 1482-21 1st reading Pass as an Emergency and Waive the 3 readings

This is an emergency because it is necessary to have someone available who is able to execute documents if Administrator is unavailable.

Mr. Handra made a **Motion** to declare an emergency and to waive the three reading, seconded by Mr. Gipson

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

**Village of Batavia – MINUTES of COUNCIL MEETING,
September 13, 2021**

Mr. Gipson made a **Motion** to adopt Ordinance 1482-21, seconded by Ms. Turner

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

Ordinance 1482-21 adopted

Streamside Residential Development

We are working with the Clermont County Auditor to make sure that assessments for the Steamside Bonds are included on the 2022 tax bills to be collected in 2023.

There is a Payment In Lieu of Taxes (P.I.L.O.T.) agreement on the houses in Steamside for 50% of the real estate tax abated on the houses. The PILOT will be paid to the Village of Batavia and deposited to the General Fund. We are negotiating with the Clermont County Auditor to see if they will administer the collection of the PILOT payments.

Road Maintenance

Construction of the Main Street at Riverside Dr. intersection improvement will begin on September 27. We don't believe that there will be a major interruption of traffic for the initial phase of construction. We don't expect to receive the new utility poles until spring.

Grant Requests from the Ohio Water, Wastewater and Infrastructure Grant Program

We applied for 4 grants: 1) waterline replacement for the Diana Dr. subdivision, 2) sewer line for Karen, Hulick and Perkins, 3) Wood Street lift station improvement, and 4) storm sewers for Knauer, Kilgore and Main Street above Fifth.

The \$1.55 million grant application for the sewer line improvement for Karen Drive, Hulick Lane and Perkins Lane ranked fifth out of the ten applications and it is expected to be approved. This will open up the Jurgenson property for development.

The other three applications are not expected to be approved.

The Village has recently received inquiries from two local developers and a large national developer who have expressed interest in working with the Village for new developments.

The Clermont Sun building has recently gone on the market.

Mayor, John Thebout

We need to change the date for the October Council Meeting because October 11 is the Columbus Day Holiday. We also need to meet with the Batavia Union Cemetery Board to select a replacement for Donna Amann. The township Trustees would like our Cemetery Board meeting to be on Monday, October 4 at 6:30.

**Village of Batavia – MINUTES of COUNCIL MEETING,
September 13, 2021**

The Mayor asked Council to vote changing the October meeting to October 4. Council approved 6-0.

The Village Fun Fair was a success and we will try to make it an annual event.

There was a decent turnout for the Village-wide yard sale.

The Mayor announced that Halloween will be celebrated on Sunday, October 31 from 6:00 to 8:00.

Village Solicitor: Christopher Moore

We have reached an agreement with the Kroener-Hale Law Firm for the purchase of 60 N. Riverside Dr., the parcel of land we need for the Main Street Riverside Dr. intersection improvement project.

Electric Utility – We are still waiting on a ruling from Judge McBride on the Duke Energy lawsuit

Batavia Water Utility waterline easement - The last item is getting Jeff Back's wife's signature on the waterline easement. Since she can't be located, we will give notice of service to her by publication in the newspaper.

Purchase of the Cincinnati Bell building at 303 Clark Street – The tenant is expected to vacate the building in 2-4 weeks. We will be able to have a closing as soon as the building is vacant.

Fiscal Officer: John Waite

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

Mr. Waite presented Council with a summary of the capital projects that were paid from 2020 refinancing of 2013 bond.

New Business / Audience Participation:

There will be a car show on Sunday, September 26. Main Street will be blocked off from Fourth Street to Riverside Dr. Some of the food trucks who participated in the Fun Fair have asked to participate in the car show. Local businesses and organization that will participate include UDF, Bean and Brew, Grammas, Kiwanis, and the Boy Scouts.

Committee Reports:

Planning Commission

Next Meeting, Tuesday, September 21 @ 7:00pm

Finance Committee:

Next Meeting, Thursday, September 23 @ 6:00 pm.

Village Council Meetings and Village of Batavia CIC Meetings on the 4th Monday of the Month

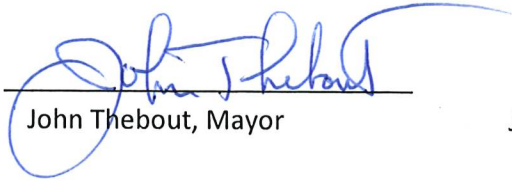
Council decided cancel the September 27 Council Meeting and CIC Meeting.

**Village of Batavia – MINUTES of COUNCIL MEETING,
September 13, 2021**


Adjournment:

Mr. Gipson made a motion to adjourn, seconded by Mr. Garrison. **Motion** passed 6-0
The meeting adjourned at 8:00 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,
October 4, 2021**

**Batavia Village Council
Minutes of Meeting
Monday, October 4, 2021**

The Batavia Village Council met in regular session on Monday, October 4, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Mr. Gipson, Ms. Cole, Mr. Garrison, Ms. Turner, Mr. Handra, Ms. Moore

Village Officials Attending the Meeting: Mayor John Thebout, Administrator Dennis Nichols, Fiscal Officer John Waite, Chief Jim Young, Officer Whitaker

Others Attending the Meeting: Michael Kinner, Jamie Kinner

Approval of Financial Reports:

Mr. Handra made a **Motion** to approve the September Bank Statements and Cash Journal, seconded by Mr. Gipson. The **Motion** passed 6-0

Approval of Minutes:

Mr. Garrison made a **Motion** to approve the minutes of September 13, 2021 Village of Batavia Regular Council Meeting, seconded by Ms. Turner. The **Motion** passed 6-0

Police Department, Chief Young

Chief Young submitted his monthly report to Council. September call were down from August.

Officer McMillan has announced his resignation from the police department. His last day will be October 12.

The Village had 4 events last month: the 9-11 Memorial, the Batavia Fun Fair, the Batavia H.S. homecoming, and the Car Show. All were successful and without any incidents related to the events.

The police department has applied for a \$12,000 State of Ohio grant to help pay for body cameras. The cameras would be on a 3-year contract at \$3,800 per year. The grant application is due October 8. As part of the application, the police department is asking Council to pass a Resolution signifying their intent to continue the contract beyond the first year.

Resolution 313-21 1st reading Waive the 3 readings

Waive the 3 readings because the Grant Application is due on Friday, October 8.

Ms. Moore made a **Motion** to waive the three reading, seconded by Mr. Handra

**Village of Batavia – MINUTES of COUNCIL MEETING,
October 4, 2021**

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

Ms. Turner made a **Motion** to adopt **Resolution 313-21**, seconded by Ms. Moore

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

Resolution 313-21 adopted

Councilman Garrison asked the chief to install a stop sign on the exit from the Batavia Elementary School Batavia Road. Street Superintendent Wayne Smith said that he would take care of it.

Councilman Moore asked the chief if we could make a offer to Officer McMillan to see if he would stay with the Village Police Department. The chief responded that we had made an offer and the offer was refused.

Village Administrator: Dennis Nichols

Paul Staggs development – Nothing new to report

Streamside Development – Nothing new to report

Harvest Meadows Development - They are working on the plans for the development.

Main Street Riverside Drive Haskell Lane Intersection improvements project

They will begin test borings on Wednesday. There is a meeting on Thursday to decide the placement of utility poles.

Purchase of the Cincinnati Bell Building – The tentative closing date is December 1.

Purchase of real estate from Kroener-Hale Law Firm – Our solicitor is working on the closing.

Electric Utility – Nothing new to report

Batavia Water Utility – Nothing new to report

CRT Nuisance Suit – The number of cars is now over the limit allowed.

Mayor, John Thebout

The H.S. Homecoming Parade was a success. There were more people watching than previous years.

The Car Show was also very successful. There were more than 100 cars. The event was well attended. UDF gave away free ice cream. The event raised more than \$2,000 for the SW Ohio Memorial Team, who attends funerals for veterans.

The Mayor announced that Halloween will be Sunday, October 31 from 6:00 to 8:00.

**Village of Batavia – MINUTES of COUNCIL MEETING,
October 4, 2021**

Village Solicitor: Christopher Moore

Mr. Moore did not attend the meeting.

Fiscal Officer: John Waite

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

Ohio Revised Code requires the Village to pass a Banking Services Agreement every 5 years. This year we are going to approve both Peoples Bank and the Fifth Third Bank.

Resolution 312-21 1st reading

Ohio Revised Code requires the Village to pass a Resolution accepting the Amounts and Rates for the next year's real estate tax as determined by the Clermont County Budget Commission.

Resolution 314-21 1st reading Declare an Emergency and Waive the 3 Readings

Waive the 3 readings because the Resolution was supposed to have been filed with the County Auditor by October 1.

Mr. Gipson made a **Motion** to declare an emergency and waive the three reading, seconded by Mr. Handra

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

Mr. Handra made a **Motion** to adopt **Resolution 314-21**, seconded by Ms. Cole

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

Resolution 314-21 adopted

New Business / Audience Participation:

Mr. Gipson received a request from his daughter to have this year's Christmas tree decorated by children in the village. Each child could bring an ornament to be put on the tree. After all of the ornaments are on the tree, we could have a ceremonial "Lighting of the Tree". Council thought that would be a good idea,

Mr. Gipson asked if the Village could pay to have a decorative mural painted on the building beside Haglage Park. Mr. Garrison asked if we could have murals painted on Ken Johnson's retaining wall on N. Riverside.

Ms. Moore asked if the Village has considered direct deposits for payroll checks.

**Village of Batavia – MINUTES of COUNCIL MEETING,
October 4, 2021**

Mr. Waite asked Ms. Turner if there was going to be a "Christmas in the Village Celebration". Ms. Turner didn't know yet. Ms. Moore suggested that we should have a Village CIC Meeting on October 25 to decide about Christmas in the Village, and to plan the event if we decide to have one.

Committee Reports:

Planning Commission

Next Meeting Tuesday, October 19 @ 7:00pm

Finance Committee:

Next Meeting Thursday, October 28 @ 6:00pm

Village Council Meetings and Village of Batavia CIC Meetings on the 4th Monday of the Month

Council decided cancel the October 25 Council Meeting but have a CIC Meeting to discuss Christmas in the Village.

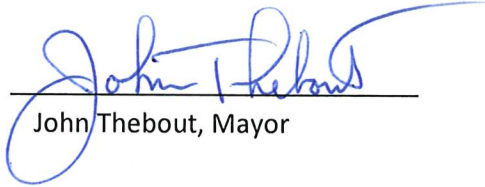
Adjournment:

Mr. Handra made a motion to adjourn, seconded by Ms. Cole.

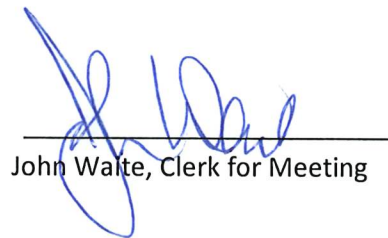
Motion passed 6-0

The meeting adjourned at 7:40 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,
November 8, 2021**

**Batavia Village Council
Minutes of Meeting
Monday, November 8, 2021**

The Batavia Village Council met in regular session on Monday, November 8, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Mr. Gipson, Ms. Cole, Mr. Garrison, Ms. Turner, Mr. Handra, Ms. Moore
(Mr. Gipson arrived at 7:05)

Village Officials Attending the Meeting: Mayor John Thebout, Administrator Dennis Nichols, Fiscal Officer John Waite, Chief Jim Young, Officer Lunsford

Others Attending the Meeting: Scott Runk, Koren Runk, JoAnn Martino Michael Kinner, Jamie Kinner

Approval of Financial Reports:

Ms. Turner made a **Motion** to approve the October Bank Statements and Cash Journal, seconded by Mr. Handra. The **Motion** passed 5-0 (Mr. Gipson hadn't arrived yet.)

Police Department, Chief Young

Chief Young submitted his monthly report to Council.

The Chief read a letter he received from an accident victim thanking Officer Lunsford for safely extricating her from her car after the accident in the Village.

One of the Officers is on sick leave with Covid.

ODOT has told us that they expect to have the S.R. 32 at Bauer Road project completed within a few weeks. We continue to see accidents at the work site.

The Police Officers Association contributed to the Field of Honor event that was held November 6.

The Chief is doing background checks on the final applicants to fill vacancies for full-time and part-time positions.

Village Administrator: Dennis Nichols

There will be free concert here on Saturday, November 20, at 7:30pm.

The Village won the lawsuit Duke Energy issued trying to stop the Village from starting an Electric Utility. We are now moving forward to provide electricity to AAG Glass.

**Village of Batavia – MINUTES of COUNCIL MEETING,
November 8, 2021**

There is nothing new to report regarding the Paul Staggs development, Streamside or Harvest Meadows.

The Schueler Group is purchasing 64 acres of property at S.R. 32 at Herold Road from the Urban family and is pursuing retail business development possibilities.

Main Street Riverside Drive Haskell Lane Intersection improvements project

There have been some delays because of the engineers for the project, but we are still on schedule for completing the project by the June 2022 deadline.

The Kroener-Hale Law Firm has agreed to our offer for the purchase of the parking lot on N. Riverside that we need for the Main Street Riverside Drive improvement project. We hope to close on the purchase by the end of the week.

We have purchased the Cincinnati Bell Building at 313 Clark Street. We have cleaned up the parking lot and are having the building painted.

Jason Smith has received his CDL license and Tanner Smith will be taking his test Friday.

We had applied for an OPWC Grant Application for storm sewer, water lines, sidewalks and blacktopping for Old Boston, Edith, Charles, Diana, Gregory and Shelley, but we didn't score high enough to get the grant.

Mayor, John Thebout

The Kiwanis Club's Field of Honor on Saturday, November 6, drew a nice crowd with several veterans attending.

The Veterans Day parade on Sunday, November 7 was one of the biggest Veterans Day parades for several year. There were at least 6 high school marching bands and lots of spectators.

The Mayor announced that he is working on committee appointments for 2022 and that if anyone has an interest in serving on specific committees they should let him know.

Village Solicitor: Christopher Moore

Mr. Moore said that the Village was granted a summary judgement in Duke Energy's lawsuit trying to prevent the Village from forming an electric utility. The ruling occurred in June and the Clerk emailed notice of the judgement, but none of our attorneys received the email. The Village can now proceed with the electric utility.

Mr. Moore is still trying to get Clermont County to accept our water utility. The only remaining issue is service of process to Jeff Bach's wife.

**Village of Batavia – MINUTES of COUNCIL MEETING,
November 8, 2021**

The Village has purchased the Cincinnati Bell building at 313 Clark Street. There was an issue about some oil drums that had been left on the property, but they have been removed.

The Kroener-Hale Law Firm has accepted the terms of our offer to purchase the parking lot on N Riverside Dr. and we expect to have the closing by the end of the week.

Fiscal Officer: John Waite

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

The Fiscal Officer presented several year-end Ordinances and Resolutions for 1st readings and told Council that there will have to be a second Council Meeting on November 22 to have second readings on the legislation so that they can be adopted before the end of 2021.

Ordinance approving temporary appropriations for 2022.

Ordinance 1483-21 1st reading

Ordinance approving wage adjustment for Fiscal Officer for 2022.

Ordinance 1484-21 1st reading

Ordinance approving wage adjustments for Village Administrator for 2022.

Ordinance 1485-21 1st reading

Ordinance approving wage adjustments for Police Chief for 2022.

Ordinance 1486-21 1st reading

Appropriations Amendment

Ordinance 1487-21 1st reading pass as an emergency

Appropriation adjustments necessary to pay expenses including police department fuel, police department uniforms, engineering expenses and administrative staff expenses.

Mr. Gipson made a **Motion** to declare an emergency and waive the three reading, seconded by Ms. Cole

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

Mr. Gipson made a **Motion** to adopt **Ordinance 1487-21**, seconded by Ms. Cole

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

Ordinance 1487-21 adopted

Resolution Approving Banking Service Agreements with Peoples Bank and Fifth Third Bank.

Resolution 312-21 2nd reading

Ohio Revised Code 135.12 requires a banking resolution every 5 years.

**Village of Batavia – MINUTES of COUNCIL MEETING,
November 8, 2021**

Resolution approving wage schedule for Street Dept for 2022.

Resolution 315-21 1st reading

Resolution approving wage adjustments for Police Dept for 2022.

Resolution 316-21 1st reading

Resolution approving wage adjustments for Administrative staff for 2022

Resolution 317-21 1st reading

Committee Reports:

Planning Commission	Next Meeting Tuesday, November 16 @ 7:00pm
Finance Committee:	Next Meeting will be on the 3 rd Thursday, November 18 @ 6:00pm because the 4 th Thursday is Thanksgiving

New Business / Audience Participation:

The Administrator requested that Council adjourn to Executive Session to discuss personnel issues and real estate matters

Mr. Garrison made a **Motion** to adjourn to executive, seconded by Ms. Cole

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

Council adjourned to executive session at 7:35

Mr. Handra made a **Motion** to return from executive session, seconded by Ms. Turner

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

Council returned from executive session at 8:05

New Business / Audience Participation:

Ms. Moore asked Council to work on the adoption of a Charter for the Village. The process for adopting a Charter is complex. The first step is that Council must pass an ordinance directing that a question of whether a charter commission consisting of 15 electors of the municipality shall be formed for the purpose of framing a charter that will be submitted to the voters.

In order for the voters to pass that legislation, they must know the reason we want to adopt a charter. The voters must see the benefit. It must be clear and not too complicated.

**Village of Batavia – MINUTES of COUNCIL MEETING,
November 8, 2021**

Village Council Meetings and Village of Batavia CIC Meetings on the 4th Monday of the Month

Council agreed to have a second Regular Village Council Meeting on Monday, November 22 to approve 2nd readings for 2022 temporary appropriations and wage adjustments.

Council also agreed to have a Village of Batavia Clermont County CIC, Inc. meeting on Monday, November 22.

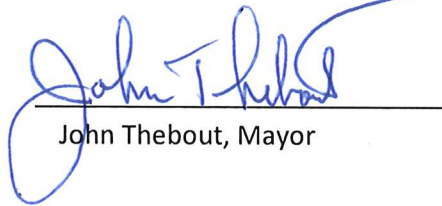
Adjournment:

Mr. Gipson made a motion to adjourn, seconded by Ms. Cole.

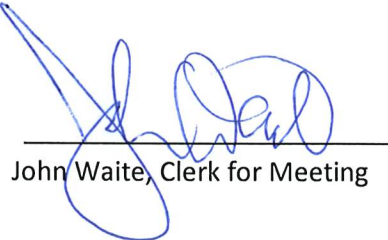
Motion passed 6-0

The meeting adjourned at 8:40 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting

**Village of Batavia – MINUTES of COUNCIL MEETING,
December 13, 2021**

**Batavia Village Council
Minutes of Meeting
Monday, December 13, 2021**

The Batavia Village Council met in regular session on Monday, December 13, 2021, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Mr. Gipson, Ms. Cole, Mr. Garrison, Ms. Turner, Mr. Handra, Ms. Moore

Village Officials Attending the Meeting: Mayor John Thebout, Administrator Dennis Nichols, Fiscal Officer John Waite, Wayne Smith

Others Attending the Meeting: Ken Geis, JoAnn Martino, Cindy Hatfield, Lana Fritsch, Don Fritsch, Adam Huber, Hank Pryor, David Pryor, C Scott Runk

Approval of Financial Reports:

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

Approval of Minutes:

Mr. Garrison made a motion to approve the minutes of November 22, 2021 Regular Council Meeting, seconded by Ms. Turner. The motion passed 6-0

Police Department, Chief Young

Chief Young was absent but he had submitted his monthly report to Council.

Ken Geis

The Village has a resolution to approve a contract with Geis Consulting, Ltd for Village Administrative services. Ken Geis presented himself to Council and the public to receive any questions about his role and his vision for the Village.

Adam Huber asked Mr. Geis where he sees the Village going. Mr. Geis responded that the Village has had positive changes in recent years and he wants to continue that progress. It is important to maintain the historical character of the Village. The Village needs to be able to move quickly to take advantage of opportunities that present themselves and the Village will need capital in order to affect change.

Mr. Garrison asked Mr. Geis about promoting development of vacant residential lots. Mr. Geis said that is a tough question because there are not a lot of large vacant lots. As Main Street gets renovated and more people see Batavia as a desirable location, there should be some incentive for individuals to build on vacant lots.

**Village of Batavia – MINUTES of COUNCIL MEETING,
December 13, 2021**

Ms. Turner said that she has some questions about the contract with Geis Consulting and requested that Council adjourn to Executive Session to discuss personnel issues

Ms. Turner made a **Motion** to adjourn to executive session, seconded by Mr. Handra

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

Ms. Turner made a **Motion** to return from executive session, seconded by Ms. Moore

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

A Resolution approving the contract between Village of Batavia and Geis Consulting Group, Ltd for Village Administrator services

Resolution 318-21 2nd reading waive the 3rd reading

Ms. Cole made a **Motion** to waive the third reading, seconded by: Mr. Gipson.

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

Ms. Cole made a **Motion** to adopt **Resolution 318-21**, seconded by: Mr. Gipson.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Resolution 318-21** adopted

Village Administrator: Dennis Nichols

There will be free concert here on Saturday, December 18, at 7:30pm.

Electric Utility – The Village is working with its consultants to get an interconnect agreement with Duke Energy so we can begin our electric utility.

Paul Staggs has had a change in his development plan. He had previously proposed building 27 large estate homes. He is now proposing a development with 84 lots and houses similar to the houses in Streamside. Mr. Nichols presented Council with a map of the proposed development and asked Council if they would support the new proposal with CRA approval. Council was concerned about density and there only being one entrance to the development at the end of Douglas Dr. Ms. Turner was concerned about firetruck access. Mr. Nicholas concluded that Council did not support the development proposal and said that he would not pursue it. Ms. Turner suggested that the owner propose a different plan.

There was nothing new to report on Streamside, Harvest Meadows or the Schueler Group's proposal for the 64-acre property at S.R. 32 at Herold Road.

The Main Street Riverside Drive Haskell Lane Intersection improvements project is progressing. Work is beginning on widening S. Riverside Dr. beside the UDF store.

**Village of Batavia – MINUTES of COUNCIL MEETING,
December 13, 2021**

The Village completed the purchase of the parking lot on S. Riverside Dr. from the Kroener-Hale law firm.

We have received approval for a \$642,000 grant from the State of Ohio to install a larger sewer line underneath the river from Wood Street. The improved flow should eliminate any future sewage overflows into the river.

We are still negotiating with Clermont County's attorneys regarding the transfer of our water utility to the county.

Mayor, John Thebout

The Mayor is working on committee appointments for 2022. Mr. Handra has agreed to continue to serve on the Planning Committee.

Village Solicitor: Christopher Moore

Mr. Moore was not in attendance.

Fiscal Officer: John Waite

Mr. Waite presented the Fiscal Officer's report on November activity. He noted that 2021 income tax revenue is \$150,000 more than we received in 2020.

The Fiscal Officer presented several year-end Ordinances and Resolutions for approval.

Ordinance approving temporary appropriations for 2022.

Ordinance 1483-21 3rd reading

Mr. Handra made a **Motion** to adopt **Ordinance 1483-21**, seconded by: Mr. Gipson.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Ordinance 1483-21** adopted

Ordinance approving wage adjustment for Fiscal Officer for 2022.

Ordinance 1484-21 3rd reading

Ms. Cole made a **Motion** to adopt **Ordinance 1484-21**, seconded by: Mr. Gipson.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Ordinance 1484-21** adopted

Ordinance approving wage adjustments for Village Administrator for 2022.

Ordinance 1485-21 3rd reading

Mr. Gipson made a **Motion** to adopt **Ordinance 1485-21**, seconded by: Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Ordinance 1485-21** adopted

**Village of Batavia – MINUTES of COUNCIL MEETING,
December 13, 2021**

Ordinance approving wage adjustments for Police Chief for 2022.

Ordinance 1486-21 3rd reading

Mr. Gipson made a **Motion** to adopt **Ordinance 1486-21**, seconded by: Mr. Handra.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Ordinance 1486-21** adopted

Appropriations Amendment

Ordinance 1488-21 2nd reading pass as an emergency and waive the 3rd reading

Appropriation adjustments necessary for payment of expenses at year end.

Ms. Cole made a **Motion** to declare an emergency to waive the 3rd reading, seconded by: Mr. Gipson.

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

Ms. Cole made a **Motion** to adopt **Ordinance 1488-21**, seconded by: Mr. Gipson.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Ordinance 1488-21** adopted

Resolution approving wage schedule for Street Dept for 2022.

Resolution 315-21 3rd reading

Mr. Handra made a **Motion** to adopt **Resolution 315-21**, seconded by: Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Resolution 315-21** adopted

Resolution approving wage adjustments for Police Dept for 2022.

Resolution 316-21 3rd reading

Mr. Gipson made a **Motion** to adopt **Resolution 316-21**, seconded by: Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Resolution 316-21** adopted

Resolution approving wage adjustments for Administrative staff for 2022

Resolution 317-21 3rd reading

Mr. Gipson made a **Motion** to adopt **Resolution 317-21**, seconded by: Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Resolution 317-21** adopted

Transfer Street Department Garage (2 building on 3 parcels) to Village of Batavia. CIC for sale.

Resolution 319-21 2nd reading Waive the 3rd Reading

Mr. Gipson made a **Motion** to waive the 3rd reading, seconded by: Ms. Cole.

**Village of Batavia – MINUTES of COUNCIL MEETING,
December 13, 2021**

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

Mr. Handra made a **Motion** to adopt **Resolution 319-21**, seconded by: Mr. Gipson.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Resolution 319-21** adopted

Accept Anthem Health Insurance proposal for 2022

Resolution 320-21 2nd reading Waive the 3rd Reading

Mr. Handra made a **Motion** to waive the 3rd reading, seconded by: Mr. Gipson.

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

Mr. Gipson made a **Motion** to adopt **Resolution 320-21**, seconded by: Ms. Cole.

Vote by roll: Mr. Gipson, yes, Ms. Cole, yes, Mr. Garrison, yes, Ms. Turner, yes, Mr. Handra, yes,
Ms. Moore, yes. The **Motion** passed 6-0 **Resolution 320-21** adopted

Committee Reports:

Planning Commission Next Meeting Tuesday, December 21 @ 7:00pm
This meeting has been cancelled

Finance Committee: Next Meeting Thursday, December 23 @ 6:00pm
This meeting has been cancelled

New Business / Audience Participation:

Update on Charter for the Village of Batavia

The Village Administrator has been working on procedures for the charter. Council would propose adopting a charter, explain to the voters why a charter is being proposed, and put on the ballot the proposal to establish a Charter Commission including the names of 15 members to be on the Commission. Elected official cannot be members of the Commission, but their spouses can.

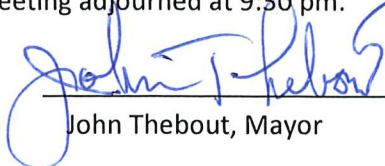
Village of Batavia CIC Meeting

A Village of Batavia CIC meeting will follow this meeting.

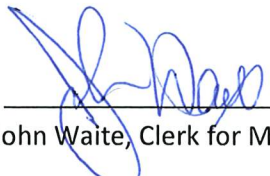
Adjournment:

Mr. Handra made a motion to adjourn, seconded by Mr. Gipson. **Motion** passed 6-0
The meeting adjourned at 9:30 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting