

**Village of Batavia – MINUTES of COUNCIL MEETING,
May 14, 2018**

**Batavia Village Council
Minutes of Meeting
Monday, May 14, 2018**

Public Hearing on proposed **Zoning Changes**

Village Administrator, Dennis Nichols, conducted a public hearing on three proposed zoning changes:

Ordinance 1392-18 would change the zoning on all properties bounded by Main Street, Market Street, Spring Street, and Fourth Streets to B-1. Some of those properties are currently zoned R-2.

Ordinance 1393-18 would change the zoning on 600 W. Main Street (Parcel 060223.070) from Industrial to B-2 to allow retail sales at that site.

Ordinance 1394-18 would revise the zoning code to allow pole signs on Main Street west of 520 W. Main and on non-residential properties on College Dr.

There were no comments from the public regarding the proposed changes.

The Public Hearing was adjourned.

The Batavia Village Council met in regular session on Monday, May 14, 2018, at 7:10 pm with Mayor John Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Ms. Turner, Mr. Vickers, Mr. Gipson and Mr. Ellis
Mr. Handra and Mr. Garrison were not present.

Village Officials Attending the Meeting: Mayor John Thebout, Administrator Dennis Nichols, Fiscal Officer John Waite, Police Chief Michael Gardner, Officer Emily Luthy and Solicitor Christopher Moore.

Others Attending the Meeting: Kevin Norton and Mike Norton (Norton Outdoor Advertising), Randy Dorsey, Amy Brewer

Approval of Financial Reports

Mr. Ellis made a motion to approve the April Bank Statements and Cash Journal, seconded Mr. Gipson. The motion passed 4-0

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Approval of Minutes

Mr. Ellis made a motion to approve the minutes of the April 9, 2018 Council Meeting, seconded by Ms. Turner. The motion passed 4-0.

Presentation for a proposed Digital Gateway Sign on Rubel's property along S.R. 32

Norton Outdoor Advertising would like to be able to erect a large digital billboard along state route 32 on property belonging to the Rubel family. The erection of such a sign is currently prohibited by our zoning ordinances. Norton currently has several similar signs in the Cincinnati area.

Kevin and Mike Norton presented the concept and addressed council's concerns about the brightness of the sign, driver distraction, and content allowed on the sign. Norton is offering to allow the Village to display messages about local events on the sign for free.

The solicitor cautioned council that if the Village is allowed to control the content of messages on the sign, we will be opening ourselves up to possible suits for free speech.

Council voted 4-0 to send the proposal to the Planning Commission for consideration without making a recommendation.

Police Department, Chief Michael Gardner

Chief Michael Gardner presented his statistical activity report for the month.

The Chief reported the following personnel changes:

Corporal Kyle Bouley resigned effective May 19 to accept a position with the Forest Park Police Department.

Part-Time Officer Brian Fletcher is being promoted to Full-Time effective May 20.

Emily Luthy was hired on May 7 as a Part-Time Officer to fill Brian Fletcher's spot.

Council approved the personnel changes.

School Resource Officer at Batavia Local Schools.

The Chief informed Council that the Batavia Local Schools would like to have the Batavia Police Department designate an officer to be the school resource officer. The Chief provided Council with a copy of the proposed 2 ½ year contract which would begin on July 1st. The school would pay 50% of the officer's salary and benefits. If the contract is signed, the Chief expects to promote Part-Time Officer Brandon Lunsford to Full-Time. He will also consider hiring another Part-Time Officer.

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Village Administrator: Dennis Nichols

Legislation Amending Community Reinvestment Area #1

A Resolution Amending Community Reinvestment Area #1, Superseding Resolution 240-15, and Rescinding Resolution 250-16

Resolution 262-18 1st reading

The Administrator had submitted an application for a Community Reinvestment Area #2. He was told to resubmit the application combining the original reinvestment area #1 with the proposed new reinvestment area #2 and to make the two areas contiguous.

Electric service: There are several meetings pending. We will be meeting with the administrator for Village of Obetz, Ohio to discuss the possibility of hiring him as a consultant or as an attorney for establishing an electric utility.

Having met with City of Hamilton utility officials and reviewed the Duncan & Allen preliminary feasibility study for a municipal electric company, the Administrator met with the Georgetown village administrator and spoke to other municipal utility managers, lawyers, and power companies. He has three meetings pending and a proposal by Courtney & Allen to expand the feasibility study and make cost estimates. Our best option is likely to provide electricity services “downstream” of the Duke meter, with our own substation or generation plant. We would serve Kent Road and the Clermont County facilities on Haskell Lane and Filager Road. We would need an interconnection agreement with Duke, and he has talked to four possible intermediaries to help negotiate that. We foresee only county and industrial users at first; later expansion could involve the eastern side of the village and residential service. At least one of our prospective sources would want to own assets, reducing our investment, but at a price in rates and control. The Administrator is working with Solicitor Chris Moore on a recommendation to proceed with one or more partners or consultants. Courtney & Associates is asking for \$15,000 for additional planning. He expects to postpone that decision until late June. AMP Ohio, Hamilton, and Georgetown recommend Courtney for the work.

State Route 32 at Bauer Road and at Herold Road: The State of Ohio wants us to install a new traffic light at Bauer Road at a cost of about \$100,000. The Administrator talked to Clermont County Engineer and was told that there is grant money available for highway safety. Whereas it is unlikely that we could get a \$100,000 grant to replace the light, there is a much greater likelihood that we could get a million-dollar grant that would address our concerns about both the Bauer Road intersection and the Herold Road intersection.

220 E. Main Street (the old Oddfellows Hall next to Haglage Park): The developer who is trying to renovate 220 E Main Street has been obstructed by the Clermont County Building Department. The Administrator has been trying to mediate.

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Streamside: We have had no new developments on the Hal Homes Streamside PUD.

Village properties at 333-389 E. Main: We had an offer of \$260,000 for all three properties.

Council rejected that offer at our April meeting and instructed the Administrator to inform the buyer that we want \$400,000. The buyer refused to increase his bid and he withdrew his offer.

Annexation of Property on S.R. 32 at Batavia Road: The property to be annexed currently has a 10-year 75% TIF on the property that doesn't start until the property is developed. The owner has requested the Village's help to get the T.I.F. removed. The Mayor and the Village Administrator meet with Batavia Township Trustee Randy Perry and Batavia Township Administrator Rex Parsons. The proposal with Mr. Kubicki is to put a CRA on his property which would provide 100% abatement of property taxes on residential development, and collect 50% of the amount abated as "payment in lieu of taxes" (PILOT) to Mr. Kubicki. The proposal the Village made to Batavia Township was to split our share of the PILOT 40% to Batavia Township and 60% to the Village. Batavia Township has agreed to lift the TIF for that 40% share.

Zoning changes –Creager property. Domino's Pizza, pole signs

Ordinance changing the zoning on Third Street between Main and Spring to B-1
Ordinance 1392-18 1st reading

Ordinance changing the zoning on Domino's W Main Parcel 060222.070 to B-2
Ordinance 1393-18 1st reading

Ordinance changing the zoning to allow pole signs on W Main west of 520 W Main
Ordinance 1394-18 1st reading

Backup Generator: We currently do not have a backup in case we lose electricity. We have been seeking prices for a backup generator. It looks like it will cost between \$40,000 to \$50,000. Council approved the purchase of the generator.

Sound System: We want to improve the acoustics in Auxier Hall. The largest problem is the echo from sound. We estimate that it will cost \$10,000 to install sound attenuation panels in the ceiling and on the walls. It will cost about \$30,000 for a surround sound system and another \$20,000 to install a video system. Council directed the Administrator to proceed with the sound attenuation panels, but to hold off on the sound and video systems.

Water and Sewer System: We have only a few waterline easements still to clear up. We have directed the Solicitor to expedite the resolution of those easements. We have also directed him to begin the paperwork for a transfer of ownership of the water utility to Clermont County.

Bats Infestation: We have hired a contractor to remove bats from the armory's attic.

OPWC Grant Application: We have received approval for a \$154,000 OPWC grant/loan for the East Main Street/Riverside Dr. Storm Drain Project.

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Mayor, John Thebout

The mayor reminded Council about three events this week:

The Clermont County Commissioners will be holding a public hearing on Tuesday in Auxier Hall regarding a \$5 fee increase for license plates next year.

The Village-wide yard sale will be Saturday and Sunday.

There is another soccer tournament Saturday and Sunday.

Village Solicitor, Christopher Moore

CRT Electronics: Mr. Moore reported that he had told Judge Ferenc that we are dismissing our complaint against CRT Electronics, and we will be filing a new complaint under our amended zoning code. We hope that we get a different judge to hear the new case.

Mr. Moore has reviewed the proposed contract between the Village and the Batavia Schools regarding a School Resource Officer.

He is preparing nuisance complaints against two properties that we hope to demolish, the nursing home and 600 S. Riverside.

There are three properties on Clough Pike that are not in the Village but which have been receiving Village water. Those properties have been notified that they need to disconnect from the Village water and begin getting their water from Clermont County.

Legislation approving exchange of real estate with Clermont County
An Ordinance approving the exchange of 0.37 acres owned by the Village of Batavia for 0.44 acres owned by Clermont County CIC, Inc.
Ordinance 1391-18 1st reading

Fiscal Officer: John Waite

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

Legislation approving an increase in appropriations
Appropriations Amendment
Ordinance 1395-18 1st reading

New Business

None

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Committee Reports

Annual Joint Cemetery: Next Meeting: Wednesday, May 23 @ 7:00 pm

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

Beautification Kathy Turner Nothing to report.

Planning Commission Bob Handra Next Meeting Tuesday, May 15 @ 7:00pm

Hike-Bike Trail Mayor Thebout No report

Safety Committee Brian Vickers Next Meeting July 17 @ 6:30pm

Safety Committee Brian Vickers No meeting this month

Adjournment:

Mr. Ellis made a motion to adjourn, seconded by Mr. Gipson. Motion passed 4-0

The meeting adjourned at 9:15 pm.

ATTEST:

John Thebout, Mayor

John Waite, Clerk for Meeting