

**Village of Batavia – MINUTES of COUNCIL MEETING,
July 8, 2019**

**Batavia Village Council
Minutes of Meeting
Monday, July 8, 2019**

The Batavia Village Council met in regular session on Monday, July 8, 2019, at 7:00 pm with Mayor John Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

Mr. Handra, Ms. Turner, Mr. Garrison, Mr. Gipson, and Mr. Ellis. Mr. Vickers was absent.

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

Others Attending the Meeting: JoAnn Martino, Joe Laffleur, and Kim Laffleur

Approval of Financial Reports:

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

Approval of Minutes:

Mr. Handra made a motion to approve the minutes of the June 10, 2019 Regular Council Meeting,
seconded by Mr. Gipson. The motion passed 4-0-1, Ms. Turner abstained.

Mr. Ellis made a motion to approve the minutes of the July 1, 2019 Special Council Meeting,
seconded by Ms. Turner. The motion passed 5-0

Village Administrator: Dennis Nichols

Acceptance of Annexation Petition for Property Owned by the Village.

The Bricklayers Union donated a parcel of property beside S.R. 32 to the Village of Batavia. Mayor Thebout filed an annexation petition for the property with the Board of Commissioners of Clermont County. The Commissioners approved the annexation. The Village needs to accept the annexation.

Ordinance 1426-19 3rd reading

An Ordinance accepting and annexation petition for land owned by the Village of Batavia.

Mr. Gipson made a **Motion** to adopt **Ordinance 1426-19**, seconded by: Mr. Ellis

Vote by roll: Mr. Handra, Ms. Turner, yes, Mr. Garrison, yes, Mr. Gipson, yes, Mr. Ellis, yes
Motion passed 5-0 Ordinance 1426-19 Adopted

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Zoning Change for parcels on W. Main Street

Public Hearing regarding Zoning Change for 10 Parcels on West Main Street

Mr. Nichols led a public hearing regarding a zoning change for 10 parcels on W Main Street. Most of the parcels are property owned by Baxla Tractor. The change is from Industrial to B-2 General Business. There were no questions from Council or the audience.

Ordinance 1430-19 1st reading

An Ordinance amending the Batavia Zoning Ordinance to assign 10 parcels on West Main Street to the B-2 General Business District

Municipal Electric Utility

At the April 11 Council Meeting, Council passed Ordinance 1418-19 authorizing the establishment of a municipal electric utility. We now need to pass an ordinance establishing an Electric Utility Enterprise Fund within our accounting system, and agree to comply with all the rules regarding Enterprise Funds.

Ordinance 1433-19 2nd reading Waive the 3rd reading
An Ordinance to Establish an Electric Utility Enterprise Fund and Other Related Policies.

Mr. Nichols asked Council to waive the 3rd reading of Ordinance 1433-19. The Ordinance must be passed before the Village can become a member of AMP Ohio, which is a preliminary step to getting a rate determination with Duke Energy.

Mr. Handra made a **Motion** to waive the third reading, seconded by: Mr. Gipson
Vote by roll: Mr. Handra, Ms. Turner, yes, Mr. Garrison, yes, Mr. Gipson, yes, Mr. Ellis, yes
Motion passed 5-0

Mr. Handra made a **Motion** to adopt **Ordinance 1433-19**, seconded by: Mr. Ellis
Vote by roll: Mr. Handra, Ms. Turner, yes, Mr. Garrison, yes, Mr. Gipson, yes, Mr. Ellis, yes
Motion passed 5-0 Ordinance 1433-19 Adopted

Condemnation of various nuisance buildings

Mr. Nichols told Council that of the seven property owners who were notified of our intent to schedule a hearing to condemn their property, the only property that has yet to reach an agreement is 600 S Riverside Dr.

Police Department, Chief Young

The number of traffic accidents went down from 14 to 2 last month. The police department has been patrolling S.R. 32 trying to slow traffic down. The made 152 traffic stops resulting in 116 warnings and 38 citations.

The Safety Fair is tomorrow, July 9th, from 6:00pm to 9:00pm. The Fire Department and the Sherriff's Department are participating.

The 3rd floor air conditioner broke and had to be replaced.

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The police department purchased a document management software from Power DMS. It should help with updating the policy manual.

Mayor, John Thebout

Community Reinvestment Housing Board

We are still looking for volunteers to serve on the CRA Housing Board. Their duties are to annually look at the CRA properties to see that they are complying with the terms of the tax abatement.

Fall Village-Wide Yard Sale

The Mayor asked Council to pick a date for the fall yard sale. Council selected September 14-15.

Village Solicitor, Christopher Moore

Mr. Moore was out of town.

Judge Brock has set a hearing for a preliminary injunction for the CRT Electronics nuisance violation for September 30.

Fiscal Officer: John Waite

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

Tax Budget for 2020

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.

Public Hearing regarding 2020 Tax Budget

Mr. Waite conducted a public hearing regarding the 2020 Tax Budget. The purpose of the tax budget is to force the entity to make sure that the next year's expenditures will not exceed next year's revenues, or result in a fiscal emergency. The problem is that the entity has to estimate the year-end balance for the current year, and then estimate revenue and expenditures for next year. Mr. Waite told Council and the audience that he expects to end 2019 with about \$700,000 in the General Fund and that the Tax Budget is estimating that the Village will end 2020 with about \$700,000. He cautioned Council that in 2019, the Village's expenditures will exceed revenues by about \$100,000.

Resolution 277-19 3rd reading

A Resolution adopting a tax budget for 2020.

Mr. Ellis made a **Motion** to adopt **Resolution 277-19**, seconded by: Mr. Gipson

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

Motion passed 5-0 Resolution 277-19 Adopted

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Appropriations Amendment

Ordinance 1432-19 1st reading Waive the 3 readings and declare an emergency Increase General Fund appropriations by \$50,000 for contractual expenditures. This is an emergency in that the funds are needed for the payment of routine expenses

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

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

Mr. Handra made a **Motion** to adopt **Ordinance 1431-19**, seconded by: Mr. Gipson

Vote by roll: Mr. Handra, Ms. Turner, yes, Mr. Garrison, yes, Mr. Gipson, yes, Mr. Ellis, yes
Motion passed 5-0 Ordinance 1432-19 Adopted

New Business / Public Comment

Ms. Turner noted that the Mayor and Councilmember Garrison met with Batavia School Superintendent, Keith Millard, this afternoon regarding the vacant school site on Broadway. She asked what was learned. Mr. Garrison told Council that Mr. Millard promised to better maintain the property. They will cut the grass more often. However, they will not purchase additional playground equipment and if there are to be improvements like a walking track, then the schools want the Village to share the expense. Ms. Turner wanted to see more trash cans at the site.

JoAnn Martino thanked the Village for posting the minutes of Council Meetings on the Village website. She also asked the Village to enforce the ban against fireworks since the noise upsets animals.

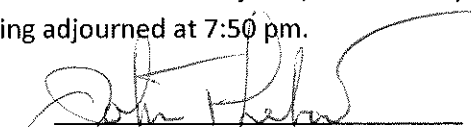
Committee Reports:

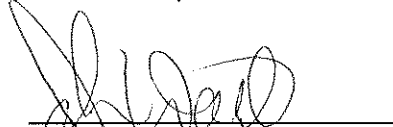
Finance Committee:	Next Meeting:	Wednesday, July 25 @ 6:00 pm. Bob will not attend.
Planning Commission	Bob Handra	Next Meeting Tuesday, July. 16 @ 7:00pm
Safety Committee		Next Meeting, Tuesday, July 16 @ 6:30pm
Farmers Market	Kathy Turner	The market opened July 6th.
Cemetery Committee	Kathy Turner	The lawsuit against the cemetery was dismissed.
Clermont County Fair		July 21 – July 27

Adjournment:

Mr. Ellis made a motion to adjourn, seconded by Mr. Handra. Motion passed 5-0
The meeting adjourned at 7:50 pm.

ATTEST:


John Thebout, Mayor


John Waite, Clerk for Meeting