

**Village of Batavia – MINUTES of COUNCIL MEETING,
December 9, 2019**

**Batavia Village Council
Minutes of Meeting
Monday, December 9, 2019**

The Batavia Village Council met in regular session on Monday, December 9, 2019, 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, Mr. Gipson, and Mr. Ellis.

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

Others Attending the Meeting: JoAnn Martino, Shana Bockelman, and Diana Cole

Approval of Financial Reports:

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

Approval of Minutes:

Ms. Gipson made a motion to approve the minutes of the November 12, 2019 Council Meeting, seconded by Mr. Ellis. The motion passed 4-0-2 Mr. Garrison and Mr. Vickers abstained

Ms. Gipson made a motion to approve the minutes of the November 14, 2019 Council Meeting, seconded by Ms. Turner. The motion passed 5-0-1 Mr. Vickers abstained

Village Administrator: Dennis Nichols

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

Insituform began working on the project this week. They will be installing manholes and then flushing the sewer lines.

Bean and Brew

They have completed all of the improvements required and are waiting on a final inspection from the Health Department. They then need to go to Columbus to get a liquor license approved.

Annexations and Development

Surveyor Gary Nichols has updated the record of surrounding property owners for the annexation territory, more than 150 acres on the north side of State Route 32 east of Batavia Road. Attorney Michael Minniear needs that plat to complete the annexation petition, which we hope to submit to the county before Christmas. The major owner expects to bring us a development plan next week for preliminary review. The developer plans more than 700

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residential units, with more than 50% single-family and the rest condominiums. Batavia will require a planned unit development, with density not to exceed six units per acre.

Vacating the Village's ownership rights for a possible extension of 8th Street

The Village owns the right of way for an extension of 8th Street from Wood Street to E Main Street. The extension will never be made. The land owners on either side of the right of way have asked us to vacate our ownership. We recommend directing the Village Solicitor to research the process for vacating our property rights and to draft the legislation necessary to accomplish it.

Mr. Ellis made a **Motion** to direct the Solicitor to research the process for the vacating the Village's property rights for the extension of 8th Street and to draft the legislation necessary to accomplish it., seconded by: Mr. Garrison

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

An Ordinance to certify trash bill delinquencies so they can be assessed on real estate tax bills.

Ordinance 1442-19 3rd reading

Mr. Handra made a **Motion** to adopt **Ordinance 1442-19.**, seconded by: Mr. Vickers

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

Employee Health Insurance

The Village switched our employee health insurance from Anthem to Humana effective December 1st. The coverage is essentially the same. The savings is about \$1,000 per month.

Bonds and Financing Capital Improvements

Mr. Nichols presented a proposal to Council last month to refinance some existing debt and to issue some additional debt for capital expenditures that otherwise would have to be paid from operating income. He also had informed Council that we expect to receive new revenue from the Streamside Residential Development beginning in 2022. We expect to receive new revenue of \$314,000 in 2022 and \$400,000 per year thereafter, and if only 64 houses are built we would still receive \$157,000 in 2022 and more than \$196,000 thereafter.

Last month John Connors, of Connors and Company, informed Council that we have an outstanding 2013 Main Street bond that could be refinanced at a lower interest rate and extending the maturity another 7 years, which would reduce the annual interest and principal payments. We also have a \$300,000 1-year note that could be included in a refinancing. If we issue a new bond for \$4,300,000, it would give us \$1,280,000 for capital improvements. The annual interest and principal payments on a \$4.3 million bond would be approximately \$300,000.

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Fiscal Officer, Mr. Waite, informed Council that the process for accomplishing the refinancing of the existing debt and authorization for new debt for capital investments involves passage of 4 separate ordinances:

1. An Ordinance approving refinancing the \$2.12 million 2013 Main Street Project Debt
2. An Ordinance approving refinancing the \$300,000 armory renovation debt
3. An Ordinance approving \$1.83 million for capital improvements
4. An Ordinance consolidating the bonds authorized in 1-3 into a single bond.

Mr. Waite informed Council that passage of the four Ordinances is not an emergency, but the Village is going to need funds early in 2020 to purchase the transformers for the electric sub-station for its Electric Utility. Therefore, Mr. Waite would like Council to consider waiving the 3 readings for the four Ordinances.

Ordinance 1445-19 1st reading Waive the 3 readings

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

Mr. Ellis made a **Motion** to waive the three readings., seconded by: Mr. Gipson

Vote by roll: Mr. Ellis, yes, Mr. Gipson, Yes, Mr. Vickers, No, Mr. Garrison, No, Ms.

Turner, No, Mr. Handra, No **Motion Failed 2-4**

Mr. Waite stated that since Council voted to not waive the three readings, this would just be the first reading of **Ordinance 1445-19**.

Ordinance 1446-19 1st reading

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

Ordinance 1447-19 1st reading

The bond will provide us with funds to make various capital improvements: purchase transformers for the electric utility, demolish 196 E Main Street, various street repairs and improvements, and trailhead park.

Ordinance 1448-19 1st reading

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

Mr. Vickers stated that since he was absent at the November Council Meeting, he missed Mr. Conner's presentation of the amortization of the interest rates for the bonds. He asked to have that information made available to him at the January meeting.

Police Department, Chief Young

The November activity remained steady. There was nothing unusual to report. Officers are now patrolling the Streamside construction site. Two hunters were arrested last week by the Department of Natural Resources game warden.

Officer Kuhl completed a criminal patrol training class.

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One of the patrol cars hit a deer and suffered \$3,600 of damages, which will be covered by insurance.

Councilman Garrison thanked the police department for their patrols during Halloween.

Mayor, John Thebout

The Mayor announced that the next Finance Committee is scheduled for December 26th. He asked Council if they wanted to change the meeting to December 19th.

Mr. Vickers made a **Motion** to change the Finance Committee meeting date from December 26 to December 19, seconded by: Mr. Handra. **Motion passed 6-0**

Mayor Thebout informed council that the Personnel Manual has been revised and a copy of the Manual is included in each Councilmember's binder. He requested each Councilmember review the Manual and be ready to discuss it at the January meeting.

The Mayor announced that this will be Tom Ellis's last Council Meeting and he wanted to recognize him for his service. Mr. Ellis received a standing ovation from Council.

The Mayor recognized Councilmember Kathy Turner for her work in organizing this year's Christmas in the Village, which was a great success. Ms. Turner, in turn, thanked all of the people who contributed and helped.

Village Solicitor, Christopher Moore

Duke Energy Lawsuit

The Village had a hearing before Judge McBride in which we requested a dismissal of the suit on the basis that it should be heard before the Public Utilities Commission. Judge McBride refused to dismiss the suit, so we are proceeding with discovery against Duke.

CRT Auto Electronics Nuisance Suit

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

Fiscal Officer: John Waite

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

Mr. Waite presented several end of the year pieces of legislation for Council.

Adjust Wages for Fiscal Officer for 2020

Ordinance 1437-19 3rd reading

Mr. Handra made a **Motion** to adopt **Ordinance 1437-19**, seconded by Mr. Gipson

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Adjust Wages for Village Administrator for 2020

Ordinance 1438-19 3rd reading

Mr. Ellis made a **Motion** to adopt **Ordinance 1438-19**, seconded by Mr. Gipson

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes, Mr. Gipson, yes, Mr. Ellis, yes Motion passed 6-0 **Ordinance 1438-19 adopted**

Adjust Wages for Police Chief for 2020

Ordinance 1439-19 3rd reading

Mr. Ellis made a **Motion** to adopt **Ordinance 1439-19**, seconded by Mr. Vickers

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes, Mr. Gipson, yes, Mr. Ellis, yes Motion passed 6-0 **Ordinance 1439-19 adopted**

Adjust Wage Schedule for the street department for 2020

Resolution 284-19 3rd reading

Mr. Ellis made a **Motion** to adopt **Resolution 284-19**, seconded by Mr. Vickers

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes, Mr. Gipson, yes, Mr. Ellis, yes Motion passed 6-0 **Resolution 284-19 adopted**

Adjust Wages for Police Officers for 2020

Resolution 285-19 3rd reading

Mr. Ellis made a **Motion** to adopt **Resolution 285-19**, seconded by Mr. Gipson

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes, Mr. Gipson, yes, Mr. Ellis, yes Motion passed 6-0 **Resolution 285-19 adopted**

Adopt Temporary Appropriations for 2020

Appropriations to cover expenses for the first 3 months of 2020

Ordinance 1440-19 3rd reading

Mr. Handra made a **Motion** to adopt **Ordinance 1440-19**, seconded by Mr. Ellis

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes, Mr. Gipson, yes, Mr. Ellis, yes Motion passed 6-0 **Ordinance 1440-19 adopted**

Amendment to 2019 Appropriations

Year-end adjustments to appropriations. Increase appropriations to allow payment to OPERS and payment of OPWC loans.

Ordinance 1444-19 1st reading Waive the three readings and declare an emergency.

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

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Mr. Handra made a **Motion** to adopt **Ordinance 1444-19**, seconded by Ms. Turner

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Garrison, yes, Mr. Vickers, yes, Mr. Gipson, yes, Mr. Ellis, yes Motion passed 6-0 **Ordinance 1444-19 adopted**

Committee Reports:

Finance Committee:	Bob Handra	Next Meeting, Thursday, December 19 @ 6:00 pm.
Planning Commission	Bob Handra	December meeting has been cancelled

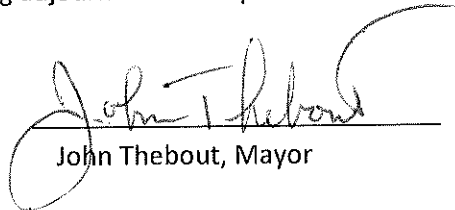
New Business / Public Comment

Shana Bockelman informed Council that she had been told by Rumpke that residents can now obtain a 96-gallon rolling recycling bin from Rumpke.

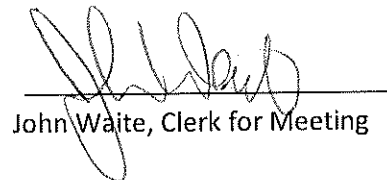
Adjournment:

Mr. Handra made a motion to adjourn, seconded by Mr. Vickers. Motion passed 6-0
The meeting adjourned at 8:05 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting