

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

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

The Batavia Village Council met in regular session on Monday, October 19, 2020, at 7:00 pm with Mayor Thebout presiding. Mayor Thebout called the meeting to order and led the Pledge of Allegiance to the Flag.

Roll Call of Members Present

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

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

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

Approval of Financial Reports:

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

Approval of Minutes:

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

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

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

Village Administrator: Dennis Nichols

196 E Main Street

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

Resolution 294-20 3rd reading

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

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

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

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

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

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0 Resolution 294-20 Adopted**

225 Wood Street

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

Infiltration & inflow project

The project is complete.

Water Utility

The Village Solicitor, Chris Moore, is managing this.

Streamside Residential Development

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

Batavia Local Schools Building Plans

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

West Main Street repaving project

The project is complete except for striping.

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Kubicki Development Project CRA Tax Abatement

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

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

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

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

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

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

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

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

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

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

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Batavia Electric Utility

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

Police Department, Chief Young

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

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

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

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

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

Mayor, John Thebout

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

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

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

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

Village Solicitor, Christopher Moore

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

The Bach nuisance suit set a November 10 deadline for Mr. Bach to be in compliance with cleaning up his property. If he fails, then he will be liable for fines of thousands of dollars.

Fiscal Officer: John Waite

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

Credit Card Policy

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Ordinance 1457-20 3rd reading

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

Mr. Handra made a **Motion** to adopt **Ordinance 1457-20**, seconded by: Ms. Turner

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0 Ordinance 1457-20 Adopted**

Adopt Temporary Appropriations for 2021

Ordinance 1463-20 1st reading

Adopt appropriations for the first quarter, 2021.

Adjust Wages for Fiscal Officer for 2021

Ordinance 1464-20 1st reading

Adjust Wages for Fiscal Officer for 2021

Adjust Wages for Village Administrator for 2021

Ordinance 1465-20 1st reading

Adjust Wages for Village Administrator for 2021

Adjust Wages for Police Chief for 2021

Ordinance 1466-20 1st reading

Adjust Wages for Police Chief for 2021

2020 Appropriations Amendment

Ordinance 1467-20 1st reading

Increase 2020 appropriations for Street Department insurance expenses

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

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

Mr. Vickers made a **Motion** to adopt **Ordinance 1467-20**, seconded by: Mr. Gipson

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0 Ordinance 1467-20 Adopted**

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

Resolution 297-20 1st reading Pass as an emergency and waive the 3 readings

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

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

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

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

Vote by roll: Mr. Handra, yes, Ms. Turner, yes, Mr. Vickers, yes, Mr. Garrison, yes, Ms. Cole, yes, Mr. Gipson, yes **Motion passed 6-0 Resolution 297-20 Adopted**

Adjust the Street Department Wage Schedule

Resolution 298-20 1st reading

Adjust the Street Department Wage Schedule

Adjust Wages for Police Officers for 2021

Resolution 299-20 1st reading

Adjust Wages for Police Officers for 2021

Committee Reports:

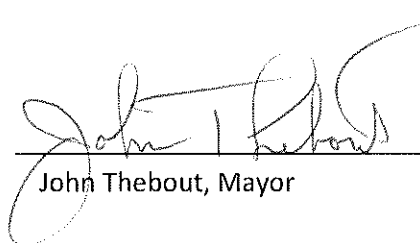
Finance Committee:	Bob Handra	Next Meeting, Thursday, October 22 @ 6:00 pm.
Planning Commission	Bob Handra	Next Meeting, Tuesday, October 20 @ 7:00pm
Safety Committee	Brian Vickers	Next Meeting, Tuesday, October 20 @ 6:00pm

Adjournment:

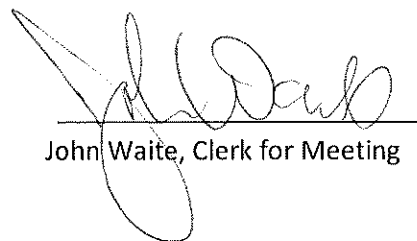
Mr. Gipson made a motion to adjourn, seconded by Ms. Cole. Motion passed 6-0

The meeting adjourned at 8:40 pm.

ATTEST:



John Thebout, Mayor



John Waite, Clerk for Meeting