

**Village of Batavia – MINUTES of COUNCIL MEETING,  
June 8, 2020**

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**Batavia Village Council  
Minutes of Meeting  
Monday, June 8, 2020**

The Batavia Village Council met in regular session on Monday, June 8, 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, Ms. Cole. Mr. Vickers and Mr. Gipson did not attend.

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

Others Attending the Meeting: Joann Martino, Jinx Elliott, Adam Craver, Adam West, Pam Foley, Wayne Smith, Shana Brockelman

**Approval of Financial Reports:**

Mr. Handra made motion to approve the April 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 the May 11, 2020 Council Meeting, seconded by Mr. Handra. The motion passed 4-0

**Joint Resolution with Batavia Township Amending the Board Selection of the Central Joint Fire/EMS District**

**Resolution 289-20** 1<sup>st</sup> reading

Adopts a revised process for selecting the at-large member of the Central Joint Fire/EMS District Board

Mr. Handra asked Solicitor Moore to amend the Resolution to specify who is eligible to be appointed as the at-large member of the Fire Board. Mr. Garrison suggested that the person should be a resident of the fire district. Solicitor Moore agreed to amend the Resolution before the second reading.

**Village Administrator: Dennis Nichols**

Blight

A Resolution Ordering the Demolition of Structures at 225 Wood Street as a Public Nuisance

**Village of Batavia – MINUTES of COUNCIL MEETING,  
June 8, 2020**

---

**Resolution 287-20**      2nd reading

We have been told that the property has been sold and that the new owners are now living in the property. When we receive evidence that there has been a closing, we will table the Resolution.

A Resolution Ordering the Demolition of Structures at 280 S Fourth Street as a Public Nuisance

**Resolution 288-20**      2nd reading

Annexation

We presented our annexation case to the Clermont County Commissioners last Wednesday. They have 30 days to act. We expect a decision before the end of the month.

Finance and Capital Needs

John Conners at Conners & Co. said the market for municipal bonds has rallied, and that he expects Batavia's bonds to have the same or even lower rates than we expected earlier in the year.

Water and Sewer

Infiltration & inflow project: Insituform and its subcontractors are working overtime to complete lining the mains and laterals

Karen & Hulick: Burgess & Niple has presented two proposed designs, one costing an estimated \$557,000 and the other an estimated \$794,000. We are applying for a grant and/or a 30-year loan to pay for the project.

Water and sewer system: Chris Moore said he will talk to the lawyer for Clermont County to see when a draft contract to transfer the water system to the county will be ready.

Economic Development

Streamside: Construction is underway on Ryan's model home for the 64-house Phase 1. Tim Burgoyne of Hal Homes said the model home should be ready to show in July.

Electric utility: AAG Glass wants Batavia to lease the substation transformers from them, rather than buy them, to avoid having to modify their plant mortgage.

Alcore: They informed us that they are still going forward with the project. They have been slowed by the Coronavirus and by negotiating with Hal Homes for an easement.

Authorize a transfer of Village-Owned Property to the Village of Batavia CIC for sale when appropriate

An Ordinance Authorizing the Transfer and Sale of Certain Undeveloped Parcels of Land through the Village of Batavia Clermont County CIC, Inc.

**Ordinance 1455-20**      3<sup>rd</sup> reading

The Village owns several undeveloped parcels of land that are of no benefit to the Village. This allows us to transfer those parcels to the CIC and sell them, if and when, the transfer would benefit the Village.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
June 8, 2020**

---

Mr. Handra made a **Motion** to adopt **Ordinance 1455-20**, seconded by: Ms. Cole.

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

**Motion passed 4-0 Ordinance 1455-20 Adopted**

Streets, Maintenance and Facilities

Major repairs and resurfacing: Wayne Smith suggests budgeting \$75,000 and deferring larger reconstruction to 2021. However, we are now considering using the bond proceeds to grind and repave West Main Street from the bridge to S.R. 32 at an estimated cost of \$500,000. We are seeking an engineering proposal.

State Routes 32, 132 & 222: Burgess & Niple engineer Kendra Schenk and I presented Batavia's application for major improvements to the complex interchange on May 15. Batavia is asking for \$5.6 million in state funds. The village cost is \$11,400 for the concept plan.

State of Ohio Coronavirus Relief Aid

**Resolution 290-20** 1<sup>st</sup> reading

A Resolution asking to participate in the aid program and agreeing to only use the funds to pay for coronavirus expenditures that were not included in our budget.

Facilities

Armory Town Hall: We replaced the third-floor air-conditioning unit at a cost of \$6,793.

**Police Department, Chief Young**

Chief Young submitted his May report to Council. He said that there has been an increase in complaints for speeding and reckless driving in the Village.

Our part-time officer, who had not been able to work during the coronavirus lockdown, is now back working for us.

Shana Brockelman complained to the chief about cars speeding on Fifth Street and about loud cars and trucks. The chief told her that they patrol Fifth Street and traffic is not moving at excessive speeds. He also said that they know who owns the two loud vehicles that Council complained about last month, but they haven't been able to catch them driving through the village.

Jinx Elliott and Adam Craver complained about the person living on Spring Street who is feeding feral cats. Feeding the cats is attracting skunks and raccoons, and the feral cats are creating nuisance and a public health hazard. Solicitor Moore responded that legislation for feral cats is a problem because feeding a stray cat does not constitute ownership. The Health Department has authority if the cats are creating a health hazard, but the Health Department is reluctant to act. He suggested that the best solution is for you to document the fact that the cats are damaging or diminishing the value of your property and then for you to file a civil suit against the perpetrator for damages.

**Village of Batavia – MINUTES of COUNCIL MEETING,  
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---

**Mayor, John Thebout**

The restaurants are back open and the Mayor urged people to support them. The Village had a year sale last weekend that was much smaller, but the people that participated had success.

The Mayor read a letter from Chris Erhardt, Jr. thanking the Batavia Police Department for its help when called upon in dealing with his father's dementia.

**Village Solicitor, Christopher Moore**

A hearing has been set for July 29 for the CRT nuisance suit.

The Duke Energy lawsuit is currently in the discovery phase. Duke sent out some subpoenas the day after the Governor issued covid-19 restrictions, then Duke complained when the respondents were not able to meet to fulfill the subpoenas.

**Fiscal Officer: John Waite**

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

The Village is undergoing a financial audit for the years 2018-2019, but the auditor is from Marietta and they are not willing to travel to Batavia during the covid-19 shutdown. Therefore, the audit is going slowly.

**Committee Reports:**

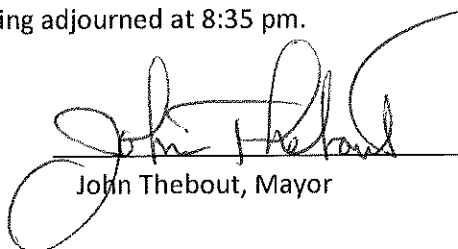
Finance Committee:	Bob Handra	Next Meeting, Thursday, June 25 @ 6:00 pm.
Planning Commission	Bob Handra	Next Meeting, Tuesday, June 16 @ 7:00pm

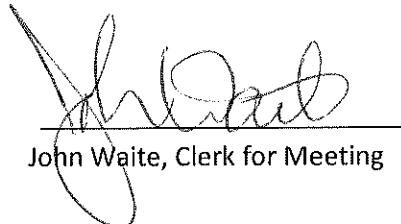
**New Business / Public Comment**          None

**Adjournment:**

Mr. Handra made a motion to adjourn, seconded by Ms. Cole. Motion passed 4-0  
The meeting adjourned at 8:35 pm.

ATTEST:

  
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John Thebout, Mayor

  
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John Waite, Clerk for Meeting