

Village of Maineville Council Mtg.

Held at Maineville Baptist Church

Council Meeting Minutes

September 14, 2023

6:00 PM

Mayor Beebe called the meeting to order at 6:00 PM by everyone reciting the Pledge to the Flag.

The Invocation was given by Jonathan Moore.

Those Present were:

Mayor Beebe – Yes

Councilmember - Hughes – Yes

Councilmember – Billups – Yes

Councilmember – Dook – No

Councilmember – Humphries - No

Councilmember – Williams – Yes

Councilmember – Tomsic – Yes

Motion to excuse Councilmember Humphries was made by Councilmember Billups and seconded by Councilmember Dook. Roll call to excuse Mrs. Humphries was unanimous in favor.

Motion to approve the August 10, 2023 meeting minutes was made by Councilmember Hughes, seconded by Councilmember Williams. Roll call vote to approve the minutes was unanimous in favor.

Motion to approve the September 14, 2023, agenda was made by Councilmember Tomsic, seconded by Councilmember Billups. Roll call vote to approve the agenda was unanimous in favor.

Guests – No guests

Street

A copy of the street report was provided by Steve Allen. A copy of the report is attached to these minutes. Also, there was a minor accident where his passenger side mirror was damaged. The PD made sure there was no damage to the mailbox. Repairs have already been made to the mirror.

Police

There were 232 extra patrol, 31 Fire/EMS, 30 business checks, 17 traffic stops, one notable stop turned into a felony warrant and was caught near Mulberry.

There was a large piece of equipment that caused traffic issues in the township and Village. The route was cleared by ODOT via permit, not the township. The fundraiser for the new K-9 raised a little over \$21,000. That exceeded their goal.

Zoning

Cathy Walton stated that permits are coming in steady. There have been 17 so far. The old school property was purchased. They will be drawing up plans for housing and commercial property in the front. All plans will go through our Planning Commission.

Mayor

Mayor noted that he spoke to Mark Sousa about annexing the small portion of the property behind the school and they are interested in letting that be annexed into the Village of Maineville so that all property purchased is within the Village.

Mayor also met with Rauch Excavating about demolition of the Frazier garage. This would allow us to create a gravel parking lot in that area.

Deersshadow turned out very nice. Foster-Maineville is smoother than it was.

Committees

Planning Commission – starts back to regular meetings in September

Event Committee – Patricia will be in touch with Nicole on the Christmas event. Mary Beth informed Patricia that she will be ordering Maineville ornaments to provide the committee to hand out at the event

Council

Allison Billups – Status of Krimmers? Mayor said Fritz Krimmer said they'd be opening in the fall. However, that hasn't happened, so he will be calling him on the status. Also, will we be talking to the architect on a new building? This will depend on the financial status of funds for this year.

Doug Drook – He inquired about changing meetings to the 3rd Thursday because he'll be gone next month on the 2nd. This didn't work with other members. However, the meeting for October was changed to Tuesday, October 10, 2023 at 7:00.

Patricia Tomsic – She brought up Issue 1 and her concerns. She stated that she would like the Village to create something that provides sanctuary to the unborn within the Village of Maineville limits. Solicitor Julie Byrne stated that she will research this issue and get back to Council.

Fiscal

Financials for August, 2023, were provided by fiscal officer, Mary Beth Campbell.

August's beginning balance of the General fund was \$844,448.53. August's receipts were \$35,278.53. August's payments were \$201,983.68. The August ending balance for the General fund was \$764,676.62. The ending overall balance for August was \$1,857,725.73.

The largest portion of payments for August were due to the Deersshadow project.

Motion to approve the August fiscal officer report was made by Councilmember Hughes and seconded by Councilmember Drook. Roll call to accept was unanimous in favor.

Mary Beth also mentioned that there have been residents that have contacted her regarding waiving penalties and interest, as long as they pay their taxes. A resident from Antietam asked if his could be waived. Mayor had mentioned, in the past, waiving penalties and interest, as long as they pay their taxes, such as a tax amnesty from P&I. Mayor stated that he feels that helps the Village and the resident trying to catch up. Council also all agreed they agreed. Julie Byrne asked what the policy has been in the past for such requests. Mary Beth stated that each case had went to Council to vote on, but she was asking if a policy could be made designating a certain dollar amount or amount of years, with Mayor's approval. RITA cannot go back further than 6 years. Julie Byrne stated that there should be a policy for future cases. This policy would set parameters on what the Mayor can approve Mary Beth to waive through RITA. However, Council can approve the individual on Antietam. Motion to waive P&I for said individual on Antietam was made by Councilmember Billups and seconded by Councilmember Williams. Roll call to waive all P&I was unanimous in favor.

SOLICITOR'S REPORT

There is a tax appeal hearing set for March. We are waiting for a discovery or motion. Sycamore property, there was a motion of stay filed, which means the property cannot be sold yet. There is a hearing on October 4, 2023 at 9:00 a.m. A response was filed to their motion.

In regards to the TIF for Hopkins Commons, we did receive a reimbursement request from their attorney, Stephen Hunt. This was asking for reimbursement for the property costs associated with the roadway and the dog park. Julie informed Mr. Hunt that none of those costs are a benefit to the public. The dog park requires that everyone provide proof of vaccination to the Hopkins Commons office, which means it's not public. The roadway in the back of Hopkins Commons has a gate, closing it off. Also, Mary Beth discovered that the entrance of the property off 48, is not titled to Hopkins Commons. It is titled to Modern Real Estate. Another issue is, the roadway was not built according to public road standards, per Warren County Engineer's Office, Kurt Weber. She stated that in order to reimburse the TIF funds to them, there needs to be something that benefits the public. She told Council to come to her if they think of something that would be a benefit.

Note: If the money is not spent within the 10 years of the TIF agreement, the money moves to the Village general fund.

RITA provided an estimate of what revenue we could possibly have from Loveland, but they were unable to provide any date from Morrow, as they do not have access to that data. Julie asked Council how they want to reimburse those who paid that should've have. She reiterated that the Ohio statute dictates that you only go back a maximum of three years. The statute gives certainty to each municipality and states that after 3 years, it becomes the Village's money and individuals no longer have claim to it. However, Council can go past that if they choose. She needs to draft a resolution or ordinance stating how Council chooses to proceed. She also provided 2 draft letters for their review. Mayor Beebe brought up bringing this to a timely conclusion so that it does not drag on. Mary Beth also stated the same, along with the fact that going past the 3-year statute could cause financial stress to the general fund.

The dollar amount for 3-year refund would total approximately \$165,000 and going past that is over \$300,000. Mayor noted that the statute is put into place to protect

municipalities. Also, RITA will be charging transaction fees for mailing all checks out and updating the accounts.

Councilmember Drook stated that he preferred going past the statute date. Councilmember Hughes preferred 3 years. Councilmember Tomsic preferred past the statute. Councilmember Billups preferred 3 years. Councilmember Williams preferred past the statute. Councilmember Humphries was not in attendance.

Julie Byrne noted that, of the fund summary report, the general fund would be cut, almost in half. Mary Beth noted that we should never go below 6 months of our expenses. Going past the statute would take the general fund down to, almost exactly 6 months. Julie also stated that the Village did not have access to all of the tax payer information. RITA did, as administrator. Mary Beth and Julie requested an auditor and that is how all of this was found. In the future, we can do monthly audits of their addresses. Mary Beth also noted that if Council chooses to go past the 3-year statute, she doesn't think a new administrative building will be possible for quite some time.

RESOLUTION 2023-22 Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor, and Declaring an Emergency

This is done every year after the Warren County budget meeting. Matt sets the tax rates afterwards and this is for Council to accept.

Motion to approve was made by Councilmember Billups and seconded by Councilmember Drook. Roll call to approve was unanimous in favor.

RESOLUTION 2023-23 Authorizing the Mayor and Council to Enter into an Agreement with Warren County Soil & Water Conservation District and Declaring an Emergency

Motion to approve was made by Councilmember Williams and seconded by Councilmember Hughes. Roll call to approve was unanimous in favor.

RESOLUTION 2023-24 Authorizing the Demolition of the Frazier Garage Located at 27 E. Foster-Maineville Rd., Maineville, Ohio 45039, Authorizing the Mayor to Accept the Quote by Rauch Excavating, Inc., for the Demolition of the Frazier Garage and Preparation of Gravel Parking Lot at the Same Location, and Declaring an Emergency

This allows the demolition of the garage. We kept the millings from the Deershadow project and Rauch will spread this out to create a gravel parking lot. We did get a quote from another vendor who said they would not use our millings and only pave it. That cost was over \$80,000. This cost was \$14,800.

Motion to approve was made by Councilmember Tomsic and seconded by Councilmember Billups. Roll call to approve was unanimous in favor.

RESOLUTION 2023-25 A Resolution Determining Certain Personal Property is Obsolete and Has No Value and Authorizing and Directing the Mayor to Dispose of the Same and Declaring an Emergency

This declares the garage and all of its contents of no value and allows the Mayor to decide how to dispose of things.

Motion to approve was made by Councilmember Drook and seconded by Councilmember Billups. Roll call to approve was unanimous in favor.

Public – Ron Durham, 1630 Down Ct., Morrow, OH 45152

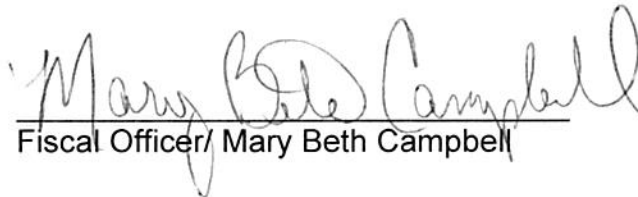
Mr. Durham was previously the Grand Marshall for our Freedom Parade. He wanted to let Council know how much he and his wife enjoy living in Maineville.

With nothing further to be presented to Council a motion from Councilmember Billups to adjourn was seconded by Councilmember Williams and all Councilmembers voted to adjourn at 7:31 pm.

Adopted:



Mayor Bob Beebe



Fiscal Officer/ Mary Beth Campbell