

Village of Maineville Council Mtg.

Held at Council Chambers
8133 S. St. Rt. 48, Maineville, OH
Council Meeting Minutes
August 8, 2024
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 Pastor Sage.

Those Present were:

Mayor Beebe – Yes
Councilmember - Hughes – Yes
Councilmember – Billups – Yes
Councilmember – Drook – Yes
Councilmember – Humphries - Yes
Councilmember – Williams – Yes
Councilmember – Tomsic – Yes

Motion to approve the June 20, 2024 meeting minutes was made by Councilmember Drook, seconded by Councilmember Williams. Roll call vote to approve the minutes was unanimous in favor.

Motion to approve the August 8, 2024 agenda was made by Councilmember Tomsic and seconded by Councilmember Billups. Roll call vote to approve the agenda was unanimous in favor.

GUEST – Chief Jason Jewett, Hamilton Township Fire Department – Chief Jewett shared the 2024 summary of Hamilton Township Fire Department personnel and apparatus. They had a total of approximately 3500 runs so far this year. That is working with 7 people per shift. Due to the rising number of fire runs, he has done a few presentations on lithium ion batteries. There is more info on their Facebook page. He also shared with everyone that CPR classes can be arranged by contacting the fire department and there is a small nominal fee.

Police – Captain Rector – In July, there were a total of 60 traffic stops. There were a few citations written from those. There was a crash report filed when an individual drove into an open hole on 48 where the water mains were being replaced. There was a total of 8 reports taken within the Village. One of those was an OVI. One was involving S.W.A.T. The Freedom Day was wonderful.

Zoning – There was no formal report. However, Julie stated that there were a few citations sent out as well. Julie attended court over a citation with a local business. The business paid the fine and corrected the issue. There is currently a rental property in town with high grass. Cathy will be sending a citation for that.

Street – John and Andy provided a street report. Mayor noted how thorough they have been, even picking up trash on the road after trash day. No one asked them to do these things. They go above and beyond with very little supervision.

Mayor – Mayor was notified 30 minutes prior to the meeting that there had been 7 water main breaks on Sycamore and Broadway. Some residents have not had water. He spoke to workers in the area. He will be reaching out to Warren County to discuss. MaineTowne is doing great and Krimmers will be opening in the next 2 months. Tuft's Funeral Home contacted Mayor about an indigent resident that had passed. He gave his authorization to proceed with cremation and the Village will be paying in accordance with Ohio law. It was \$603. Mayor Beebe welcomed Linda Humphries back. Thoughts and prayers have been with her and her family.

Committees -

Event Committee – The Freedom Parade went great. Mary Beth said that she and Nicole Earley have confirmed the coffee truck for the Christmas event.

Council

Linda Humphries – She shared Robert's Rules of Order is on Amazon and is a helpful resource, especially regarding executive session.

Fiscal

Financials for June 2024, were provided by fiscal officer, Mary Beth Campbell.

June's beginning balance of the General fund was \$755,433.53. June's receipts were \$85,628.97. June's payments were \$694,737.64. That was because she had to reimburse Hopkins Commons their request on the TIF of \$620,000. She also paid the PD and Zoning quarterly payments. The June ending balance for the General fund was \$760,552.05. The ending overall balance for May was \$1,372,844.68.

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

July's beginning balance of the General fund was \$760,552.05. July's receipts were \$115,571.44. July's payments were \$68,711.89. One payment was out of the TIF fund for the installation of the two new lamp posts at the entrance of Hopkins Commons. The July ending balance for the General fund was \$811,938.59. The ending overall balance for May was \$1,419,738.26.

Motion to approve the July fiscal officer report was made by Councilmember Billups and seconded by Councilmember Droom. Roll call to accept was unanimous in favor.

Mrs. Campbell also noted that the 2021 and 2101 fund lines haven't been used in many years. She spoke to the auditor to find out what these particular funds can be used for. She was told that they can only be used on street related expenses. She said that starting next year, any street repairs should also be paid out of these funds so that we aren't completely depleting our street fund.

SOLICITOR'S REPORT

Julie Byrne stated that she attended the arraignment over the recent zoning violation. They paid the fine and have corrected the issue. She also provided an update regarding

the Burchwell case. Judge Oda ordered payment for the sale go directly to Village of Maineville. However, Warren County Court, Judge Fischer stated that it should've went to them first and the statutory fees should've been deducted, then they should've cut the check to Maineville. For that reason, they may request money be paid to them and then deductions made. Then they would cut a check back. They will be letting us know. There has been lots of talk on the JEDD. She is also corresponding with the attorney about a proposed TIF. She has also been checking on dispatch rules on regarding Mayor having access to text notification of runs within the Village, as the executive officer.

JEDD Discussion

Prior to the discussion, Julie noted that, Katie Hughes should recuse herself from any part of the discussion or consideration due to the Ohio Ethics laws because the township premised the continuance of the police and zoning contracts on our acceptance of their last offer of the JEDD contract, and Katie's husband has an interest in the police contract.

Mayor explained that a JEDD is a joint economic development district. What this does is it allows the township to place Maineville's municipal tax on designated parts of the township so that they can collect revenue as well. In this draft JEDD, the township would collect 90% and Maineville would collect 10%. Maineville would be the administrator of all taxes collected through their tax administrator, RITA (Regional Income Tax Agency). Maineville would also not be permitted to annex anywhere without the authorization of Hamilton Township. Current trustees and council may have no issues with that. However, 10 to 20 years down the line, both executive bodies could have different members. After the previous JEDD Hearing and discussion with council, Julie Byrne went back to the Hamilton Township attorney and said there were a few things in the contract that needed changed or negotiated on. After checking with the township trustees, the township law director sent an email saying they would not be negotiating and if the JEDD was not executed expeditiously, the township would be canceling all contracts as soon as possible. That email was received the day before the Freedom Day Parade.

The Mayor had discussions with the WCSO and they've assured us that we would not be without policing service. Mayor voiced his frustration with how this all transpired and did not feel it was right that a contract of this magnitude is expected to be finalized, with no negotiations. He also said that the township wanted to meet in a joint executive session, but since the threat and coercion of canceling the Police contract has now come into play, he wants the meeting to be public, Julie Byrne stated that the contract terms have been made public after the last public hearing. She also said there's no legal basis for an executive session, and the township did not offer one when she contacted the township law director about the situation. Mayor Beebe said he would only meet in public.

The police contract has a 6-month cancellation requirement and zoning has 90 days. Julie Byrne noted that she and Mayor Beebe met with Prosecutor Fornshell and he opined that the township police department would still need to respond on calls, just not patrol the Village.

Linda Humphries noted that we should all support our mayor.

PUBLIC COMMENTS (*Limited to 3 minutes*) – Gus Bunnell – 8111 SR 48 – He noted that the 48 repairs are only getting patched, along with the alleyway. He would like for someone to look into the current conditions. He is thankful the waterlines were replaced, but he's concerned vehicles will be damaged from the road conditions, along with the noise it might cause.

Mike Viox – 7741 Ravenwood Lane – Mr. Viox started by thanking Mayor Beebe. His son, Andrew was diagnosed with leukemia two years ago. He had asked the Mayor to pray for Andrew. Mayor went beyond that and had his picture put on the Maineville digital sign. Mayor also had Andrew be part of the Christmas tree lighting ceremony. Andrew thought that was the greatest thing in the world. When Andrew was released from the hospital after extensive treatment, Mayor Beebe arranged for the police department and fire department to do a drive by of their house. Things like this are awesome and part of the reason they like living in Maineville. In January, his step-son went into cardiac arrest. Mayor Beebe was quick to pray for him and kept in touch regarding his condition. Thankfully, Andrew is now in remission. His step-son got a defibrillator in April. He's doing much better.

He was on the news recently regarding having AEDs mandatory in schools.

He does have a safety concern for kids in the Village. From the Sevier's driveway to the bus stop, there is no sidewalk, and kids are walking on the road. He would like for Council/Mayor to look into installing sidewalks. Mr. Viox also complimented the new street department works and their thorough work.

ORDINANCE 2024-02 – Certifying Stormwater Assessments to the Warren County Auditor for Assessment on the Real Property Tax Records, and Declaring an Emergency

This ordinance included an attached list of stormwater user fees that shall be certified to the property owner's real tax record for assessment and collection by Warren County Auditor's Office through the real property tax bill. The user fees are used to provide for the effective operation, maintenance and financing of the storm water system within the Village of Maineville.

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

RESOLUTION 2024-21 – Authorizing Choice One Engineering to Complete a Topographic Survey and Preliminary Plans for the Intersection of SR 48 & Foster-Maineville Road, in the Village of Maineville, Ohio, and Declaring an Emergency

This resolution authorizes the mayor to sign an agreement with the Village Engineer, Choice One Engineering, to complete a topographic survey and preliminary plans for the possible installation of a traffic signals at the intersection of SR 48 and Foster-Maineville Road. The cost of such engineering work is \$15,300.00. This works with the next resolution and will increase our score with OPWC by at least 2 points.

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

RESOLUTION 2024-22 – Authorizing the Mayor of Maineville to Prepare and Submit an Application to Participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to Execute Contracts as Required and Declaring an Emergency

This authorizes the Mayor to sign an application for OPWC that, if approved, would aid in funding towards a 4-way traffic light being installed downtown at our 4-way stop.

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

RESOLUTION 2024-23 – Declaring the Necessity of the Transfer of Fund #2081 (Drug Law Enforcement), Fund #2271 (OVI-Enforcement/Education), #2401 (Special Assessment-PD Donations), Fund #2903 (Law Enforcement Training) to the General Fund and Declaring an Emergency

This Resolution authorizes the fiscal officer to submit to transfer and close the listed funds to the general fund because they are no longer used.

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

RESOLUTION 2024-24 – Authorizing the Village of Maineville’s Agreement to Execute the Participation Agreement to Include Kroger as a Defendant in the National Opioid Settlement Case Available at [HTTPS://NATIONALOPIOIDSETTLEMENT.COM/](https://nationalopioidsettlement.com/), and Declaring an Emergency

There was no motion made by Council and therefore, no vote taken.

Executive Session

Under Ohio Revised Code 121.22 (G)(1) To consider the... compensation of a public employeeIf a public body holds an executive session pursuant to division (G)(1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (G)(1) of this section are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at the meeting.

Under Ohio Revised Code 121.22 (G)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action

Motion to enter into executive session was made by Councilmember Billups and seconded by Councilmember Williams. Council entered executive session at 7:04 p.m.

Motion to return from executive session with no action taken was made by Councilmember Billups and seconded by Councilmember Tomsic. Roll call to return was unanimous in favor. Council returned from executive session at 7:24 p.m.

RESOLUTION 2024-25 – Authorizing Pay Increases for Village Street Commissioner John Mullikin and Street Commissioner Assistant Andrew Baumann and Declaring an Emergency

Motion was made to amend resolution so that both street commissioner and street commissioner assistant are paid \$25/hour starting next pay period. Said motion to amend was made by Councilmember Williams and seconded by Councilmember Drook. Roll call vote to amend was unanimous in favor.

This Resolution authorizes a pay increase for a new hourly rate of \$25/hour for the Village Street Commissioner and Street Commissioner Assistant.

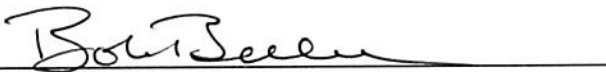
Motion to approve was made by Councilmember Williams and seconded by Councilmember Billups. Roll call to approve was unanimous in favor.

Discussion and possible Motion regarding what to do with the remaining amount on the certificate of judgment from the Burchwell litigation.

A motion was made to forgive and release any remaining amount on the Burchwell certificate of judgement. Motion to forgive and release was made by Councilmember Drook and seconded by Councilmember Billups. Roll call to forgive was unanimous in favor.

With nothing further to be presented to Council, a motion from Councilmember Tomsic to adjourn was seconded by Councilmember Hughes and all Councilmembers voted to adjourn at 7:25 pm.

Adopted:



Mayor Bob Beebe



Fiscal Officer/ Mary Beth Campbell