

Village of Maineville Council Mtg.

Held at Council Chambers
8133 S. St. Rt. 48, Maineville, OH
Council Meeting Minutes
December 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 Mayor Beebe.

Those Present were:

Mayor Beebe – Yes
Councilmember - Hughes – No¹
Councilmember – Billups – Yes
Councilmember – Drook – Yes
Councilmember – Humphries - No
Councilmember – Williams – Yes
Councilmember – Tomsic – Yes

Motion to excuse Councilmember Humphries was made by Councilmember Tomsic and seconded by Councilmember Williams. Motion to excuse was unanimous in favor.

Motion to excuse Councilmember Hughes was made by Councilmember Drook and seconded by Councilmember Williams. Motion to excuse was unanimous in favor.

Motion to approve the November 16, 2023 meeting minutes was made by Councilmember Drook, seconded by Councilmember Billups. Roll call vote to approve the minutes was unanimous in favor.

Solicitor Julie Byrne informed Council that there were not enough members present to pass legislation on an emergency basis (ORC 705.15). For that reason, she suggested that we table the approval of the current agenda until after the guest speaker.

Motion to table the approval of the December 14, 2023, agenda was made by Councilmember Billups, seconded by Councilmember Williams. Roll call vote to table the agenda was unanimous in favor.

Guests – Bruce Rippe – Hopkins Commons

Mr. Rippe explained his family's deep connection with the local community. They've owned property in the area since 1964. His family was instrumental in getting a grant in the 1970's from the Carter administration that was for sewer to Maineville. They negotiated, on Maineville's behalf, bringing gas and water along State Route 48. They negotiated, on behalf of the township, the contract with the administration building and the wireless communication companies that helped pay for the towers there. They developed Fosters Pointe. They also sold the property to MI Homes which is now

¹ Note: Council member Hughes arrived later in the meeting, as noted below.

Regency Park. When Regency Park was planned, there was a PUD put into place for an apartment complex. That PUD then became Hopkins Commons.

In 2014 they began talks regarding Hopkins Commons senior project, which would be 55 and over. This allows the community to have a place for seniors that is affordable and allows folks in Regency Park to move their parents nearby. The Maineville Village Council voted in January of 2014 to recommend this project to OHFA – Ohio Housing Financing Authority. Then the township voted the same. At the time, the development was located in Hamilton Township. At the time, the project applied for and received tax credits from OHFA, to provide low income tax credits for a portion of this project. Up until this time, the only low-income housing that Maineville had was Salem House. That was section 8. This is not section 8. This project was very intriguing to OHFA and the project was given credits to build a portion of the apartments, 27 units. The rest of this would be market rate.

In February of 2016, the project was given approval by Warren County Engineer to put in the streets and roads that are part of Hopkins Commons. In March of 2016, Hopkins Commons met with Ray Warrick, former Administrator of Hamilton Township, regarding a TIF. That is when there were discussions with the township trustees. In May of 2016, the zoning permits were approved by the township to build. In November of 2016, the sewer permits were issued. During the period between March and November of 2016, Hopkins Commons was in conversation with both the township and Little Miami Schools over a difference in political opinions between the township and the schools. This went on for quite some time. Many years ago, the schools ended up under state supervision. That happened because of the impact fee, where the schools had built to the what the anticipated growth would be, but the township put on the impact fee and stopped the growth, the schools didn't have the income that they had anticipated. This caused the schools to go into state supervision and there was a lot of angst between the two related to that. As a result of that, this deal blew up, as they could not come to an agreement.

That was on December 23, 2016. Bruce had a conversation with the late Mayor Bill Shearer before Christmas regarding the possible annexation of Hopkins Commons into the Village of Maineville. Bill was very interested because Maineville has an income tax and the possibility of 160 new senior tenants could possibly bring more income to the Village, plus the future property taxes. On December 27, 2016, Bill Shearer met with the Rippes at Mark Rippe's office on Sharon Road to discuss the project. They discussed the possible TIF. He believed there might have been a member of council there, but he did not recall the name. The conversation continued and on January 20, 2017, Village of Maineville approved moving forward with the annexation of Hopkins Commons into the Village of Maineville. The conversations regarding the TIF were continuing as well. There should be proof of this in the meeting minutes. The pre-annexation vote was taken and approved in March of 2017. In the meantime, Bruce stated that recent conversations indicated that they did not maintain the agreements relative to the approval processes for what is built there. He then provided images of the property from April of 2017. Therefore, the Hopkins Commons was well underway when the TIF was approved. All plans had been submitted to the county and approved by the county. Therefore, all the specifications were built according to Warren County specifications. At the time the township was in conversations with them, they were very much in favor of the TIF. They have multiple emails from Ray Warrick indicating that. What the township didn't want was to own these streets and roads, as they didn't want to maintain any additional roadway. Bruce said that they informed the township that Hopkins Commons would maintain them on their own.

The next question was regarding the road that goes from Regency Park out onto SR 48. Again, the township said they did not want to maintain another roadway or point of egress and Hopkins Commons said they would also maintain it as part of the TIF. That is the background story behind all of this. The financing on all of this was finalized in March of 2017. The project was started prior to the financing and closing because of the requirements by OHFA to use the credits at a certain deadline. Maineville officially annexed the property in April of 2017. In September 2017 the TIF financing was closed. In that TIF financing agreement, there were representations made that the Village, as well as Hopkins Commons were part of this as developers. The attorney that represented the Village in this was Kevin McDonough and Hopkins Commons was represented by Dinsmore. Section 4 of that agreement says that public infrastructure improvements are eligible for reimbursement. It also stated that there had been no breach of the TIF financing agreement at that time. Section B of this notes eligible costs as land associated with the buildings, construction costs, sewers, roadways, parking, and parks. That is why he was discussing the project with Council tonight. This is why Hopkins Commons is requesting a draw from the TIF funds, of taxes that were paid into said TIF fund by the project, to Maineville. Maineville is paying nothing out of pocket. These funds have all been designated by ordinance by the Village of Maineville, for this public use purpose. This was submitted to the state of Ohio. This was an agreement entered into between Hopkins Commons, the developers, and the lender. This is why they have requested a draw to obtain all of the taxes that were paid into the TIF fund held by the Village of Maineville. They are asking the agreement to be honored.

Julie Byrne indicated to Council that they were able to ask Mr. Rippe questions.

Allison Billups asked what the document was that was signed by Bill Shearer. He noted that it was the TIF Financing Agreement and exhibit B indicates the reimbursement specs.

Mary Beth Campbell asked if the reimbursement draw request was done according to the instructions listed within the TIF agreement. Mr. Rippe said yes.

Doug Drook asked why it has taken so long to request a draw from the TIF funds. Mr. Rippe said there has to be funds in the TIF. He noted that they pay money into the TIF through county and then as it accumulates, they can request reimbursement.

Allison Billups asked if there is a public park within Hopkins Commons. Mr. Rippe stated that there is a dog park. In order to use the park, residents are required to have proper immunizations and they have to provide those records to the Hopkins Commons office to get access to the park. There is a fee as well, but they would be willing to waive the fee. Allison also asked what roadway they have. He said that would be the roadway going into the development. She asked if there was a community garden space. He said there is no garden, but there is greenspace throughout. There are areas of seating and a small lake.

Julie Byrne indicated that Council will have to confer and they will get back to him.

MOTION TO AMEND THE AGENDA:

Motion to amend the agenda, moving the Public speaking portion before the remaining items of discussion was made by Councilmember Billups and seconded by Councilmember Williams. Motion to approve was unanimous in favor.

Katie Hughes will be coming in later after her daughter's event. We will need to recess prior to legislation votes.

Public:

Gus Bunnel – 8111 SR 48, Maineville, OH 45039. October 25th, Warren County water had a main break that caused massive damage to his home. It took over 45 minutes to get the water shut off. They aren't reimbursing him for the damage. He currently has no walls or ceiling. Last Friday, there was another break that caused damage that was much worse, to a nearby home. That home had over \$100,000 worth of damage. The residents at that home cannot live in the home and it has been gutted.

These lines were put in somewhere near the 1960s. He requested that Village Council write a letter to Warren County to have the lines replaced soon. They are one of the top 5 oldest waterlines in the county. We need to do something. It could happen again at any time. The commissioners need to do something. The nearby businesses get shut down every time the water is shut off due to main breaks. Toddler Time shuts down each time the water is shut off and then all parents have to find another form of child care. The workers don't get paid if the business is closed. The amount of people this affects is large.

Mayor stated that Julie Byrne suggested contacting the county commissioners. Mayor and Council agree. He said that county is in contact with our engineer, Choice One.

Street – Mayor Beebe provided the street report. Steve has been busy. He replaced the batteries on the flashing stop signs at Zoar. Mary Beth contacted Kleem and they replaced the batteries at no cost, saving over \$500. Steve has been prepping the trucks for snow removal as well.

Police

There were 223 extra patrols. There were 19 traffic stops. There was one traffic crash and a report of a stolen vehicle. There was also one DOA, which appeared to be natural causes. They also assisted in traffic control for the water main breaks.

Zoning

A copy of the zoning report was provided to Council on Cathy's behalf.

Mayor

Mayor wished everyone a Merry Christmas. He's looking forward to what's coming in 2024. There will be 2 new restaurants next year. There is a new salon that opened in November. Also, he mentioned that he met with the Purple Heart program. The spokesperson will come and speak at our January meeting.

Committees

Event Committee – Patricia said that the Christmas event was a success. The drone show had to be cancelled due to rain. The tree lighting still occurred and was great. The crafts that we paid for ran out, so Mary Beth will order more next year. The location of the photo booth and the crafts and popcorn may have to be shifted around. The coffee truck was great. We will be booking them early to make sure they can come to the 2024

Tree lighting as well. Andrew and Eli were the highlight of the entire event. The township street workers stayed after shift on their own time to create a giant light switch for the boys to use for lighting the tree. It was amazing.

Planning Commission – There was supposed to be a special hearing, but it was cancelled.

BZA met for the first time in many years. There are 4 new members. It went well.

Records Retention Committee – The committee met and started marking boxes to be shredded. They will be meeting again at the end of December.

Council

All council members wished others a very Merry Christmas.

Doug Drook – He noted that Stephen or the PD should have access to something to shut the water off when there's a break. That is something that needs looked into. Julie noted that the water main breaks are something that can be addressed in a resolution showing the position of Council that WC needs to take action to address this.

Mary Beth also noted that Councilmember Drook and Dee Drook were responsible for decorating and preparing the new building for the meeting.

Fiscal

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

November's beginning balance of the General fund was \$871,308.74. November's receipts were \$65,594.09. November's payments were \$384,748.95. The November ending balance for the General fund was \$564,434.45. The ending overall balance for November was \$1,673,186.01.

The largest portion of payments for November were to RITA for tax reimbursements, to Mike Stylski for the 3-year lease of the new building, and to Ashbrook Byrne Kresge LLC for legal fees as the Village of Maineville solicitor.

Mary Beth stated that the RITA checks will be mailed out next week. The letters informing individuals that they have a refund check coming, went out last week. There is a phone number listed on the letter that directs residents to call for the team appointed to Maineville. They have 60 days to cash their check.

Mary Beth provided the insurance increase amounts for Steve Allen. There were no other insurance carriers that are willing to handle employers who have one employee. The increase is uniform to other similar plans and cheaper than the previous carrier from 2022.

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

RECESS:

Motion to recess until Katie Hughes arrives was made by Councilmember Drook and seconded by Councilmember Billups. Motion to take a recess at 7:29 p.m. was unanimous in favor.

Motion to return from recess, with no action taken, was made by Councilmember Tomsic and seconded by Councilmember Billups at 8:18 p.m. Motion to return from recess was unanimous in favor.

Councilmember Katie Hughes arrived and was present after the return from recess.

SOLICITOR'S REPORT

Julie Byrne stated that the Burchwell hearing didn't take place and the judge did not grant Burchwell's motion. Opposing council, Julie Byrne, Cathy Walton, and the Mayor will be meeting at the property. If all is in order, we would not oppose stopping the \$100 per day fine. They are still waiting on Judge Oda's response on the other. Julie was also contacted about the possible annexation of the Patel property.

Vacation Buyout – Fiscal Officer (Motion to Approve)-

A request for 64 hours buyout was made by Mary Beth Campbell. Motion to approve the buyout was made by Councilmember Billups and seconded by Councilmember Hughes. Motion to approve was unanimous in favor.

RESOLUTION 2023-39 Authorizing an Amendment to the Agreement with Choice One Engineering to Provide Construction Plans of Two New Storm Culverts on Mulberry Street and Sycamore Street in and Near the Village of Maineville, Ohio, and Declaring an Emergency

The Village of Maineville, through Choice One, had applied for a grant from OPWC. The grant has been approved and the project has been budgeted for. The disbursements will not be made from OPWC until summer of 2024. However, this resolution allows the Village to use the budgeted project funds to pay Choice One to begin the planning of construction for the project.

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

ORDINANCE 2023-08 Approving the 2024 Appropriations and Declaring an Emergency

This is an annual ordinance that approves the 2024 appropriations so that they can be sent to the WC auditor for certification.

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

RESOLUTION 2023-40 Authorizing the Disbursement of Checks for Payroll, Payroll Related Withholdings and Expenses and Other Expenses in 2024 and Declaring an Emergency

This is an annual resolution that allows the fiscal officer to issue payroll or payroll related withholdings and expenses in 2024 prior to the January 2024 meeting with Council.

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

RESOLUTION 2023-41 Authorizing the Semi-Annual Authorization of Blanket Certificates and Establishing Financial Policies for the Approval of Purchase Orders in 2024 and Declaring an Emergency


This is an annual resolution that allows the fiscal officer to issue purchase orders or blanket certificates in 2024 prior to the January 2024 meeting with Council.

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

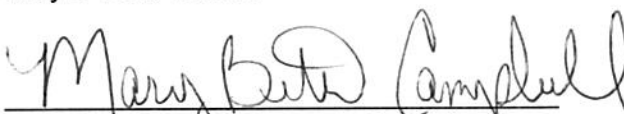
Public

With nothing further to be presented to Council a motion from Councilmember Billups to adjourn was seconded by Councilmember Hughes and all Councilmembers voted to adjourn at 8:32 pm.

Adopted:



Mayor Bob Beebe



Fiscal Officer Mary Beth Campbell