

Village of Maineville Council Mtg.

Held at Council Chambers
8133 S. St. Rt. 48, Maineville, OH
Council Meeting Minutes
November 16, 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 Pastor Sage.

Those Present were:

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

Motion to approve the October 24, 2023 meeting minutes was made by Councilmember Dook, seconded by Councilmember Hughes. Roll call vote to approve the minutes was unanimous in favor.

Motion to approve the November 16, 2023, agenda was made by Councilmember Tomsic, seconded by Councilmember Williams. Roll call vote to approve the agenda was unanimous in favor.

Guests – No guests

Street – Mayor stated we will no longer have a street report

Police

There were 363 calls. There were 228 extra patrol, 24 Fire/EMS, and 34 business checks. They did take 4 reports. One was an OVI call. One was a domestic violence and there were two juvenile calls. There were two arrests. There were 22 traffic stops within the village. Pursuits are up in the township. Council was introduced to Officer Stephens and his K-9, Kahn. Kahn came into the US from Germany in July and has trained with Officer Stephens since then. He is a dual-purpose narcotics dog.

Zoning

Mayor gave the zoning report. There will be a BZA, meeting and a Planning Commission Public Hearing.

Mayor

Mayor Beebe said he was honored to be re-elected. He also congratulated Scott Williams and Allison Billups for being re-elected as well.

Mayor was grateful to be in our new building location.

Committees

Event Committee – Patricia shared that Mary Beth helped get a coffee truck, owned by Kona Ice, for the Tree Lighting event. This is prepaid coffee for two hours, up to 100 servings. The photo booth has been confirmed. The photos for that will be free as well. Mary Beth ordered all of the items for Oriental Trading and brought those to the building tonight. There are many crafts for all of the kids. Patricia noted that anyone that wants to help set up is free to come early. They would need to get there before 3:00 p.m.

Planning Commission – meeting on November 30th

Records Retention Committee – The committee will be meeting the week after Thanksgiving and also again in December.

Council

Allison Billups – Allison was grateful to be re-elected

Doug Drook – Doug was happy to be in the new building

Scott Williams – Said he is humbled and grateful to be elected again

Linda Humphries – asked that Captain Short keep us posted on any homeless or residents in need. She mentioned that there was no participation for the dinner at the church and it was cancelled. She hoped to see that change next year.

Patricia Tomsic – Mrs. Tomsic inquired about listing events, such as the church dinner, on our village sign. Julie Byrne noted that opens us up to posting all events for other businesses or non-government events.

Fiscal

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

October's beginning balance of the General fund was \$908,505.39. October's receipts were \$67,508.74. October's payments were \$103,563.96. The October ending balance for the General fund was \$810,038.71. The ending overall balance for October was \$1,985,387.57.

The largest portion of payments for October were Rauch for garage demo, quarterly payments to the township for zoning and PD contracts, and legal fees to Ashbrook Byrne Kresge.

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

SOLICITOR'S REPORT

Julie Byrne stated that there is an upcoming court hearing regarding the Burchwell property on Sycamore. It will be held in Judge Fischer's chambers at Warren County Court, on Tuesday, November 28th at 1:00 p.m. This is regarding post-conviction relief. He is alleging that the punishment deserves some type of relief. He alleged this violates the 8th amendment and is cruel and unusual punishment to fine him.

She also has been working for all of the resolutions/ordinances for tonight's agenda. She has also been working on the RITA repayments and changes to the RITA ordinance.

RESOLUTION 2023-32 Authorizing the Fiscal Officer and RITA to Refund Certain Tax Overpayments from Non-Residential Taxpayers and Declaring an Emergency

There have been more than a dozen meetings/calls with RITA. We are thankful that this administration caught this and came up with appropriate solutions to reimburse within statute and also to prevent it from happening in the future. RITA's website will have a stop-gap in place that will not allow filers to over-ride their place of residency. Phone calls will also be recorded so that they have record of what is said on a call.

For those who were in the Loveland or Morrow zip code, but living within the Village of Maineville limits, RITA has mailed out the letter already. We started getting calls regarding penalties and interest. Mary Beth and Mayor have been working with residents to get the penalties and interest waived, as noted in our previous resolution allowing this.

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

ORDINANCE 2023-06 Amending Ordinance No. 2002-08, Ordinance No. 2015-05, and Ordinance 2018-06 of the Codified Ordinance of the Village of Maineville Regarding Municipal Income Tax and Declaring an Emergency

There were some mandatory changes made via the General Assembly to the Ohio Revised Code. It is mandatory, to make us compliant, to amend our tax ordinance. The amendments include changes regarding age exemptions and municipal withholdings relating to employees working from home during the COVID timeframe.

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

RESOLUTION 2023-33 Rescinding Resolution 2023-29, and Declaring an Emergency

There were some changes needed to the lease made at the request of the landlord for the new building. This rescinds the previous resolution for lease, as it is now void. The next resolution is the new lease.

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

RESOLUTION 2023-34 Authorizing the Mayor to Enter into a Lease Agreement with Michael R. Stylski and Christopher K. Chilton, Authorizing the Village Solicitor to Record a Memorandum of Lease, Authorizing the Fiscal Officer to Make Payment for the Lease Using ARPA Funds, and Declaring an Emergency

This is the actual 3-year lease, allowing us to sign the lease and use the ARPA fund, not the general fund.

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

RESOLUTION 2023-35 Endorsing Warren County Community Services, Inc. (WCCS) to Receive Federal Designation as Warren County's Community Action Agency, and Declaring an Emergency

Last month, WCCS, attended the council meeting. She informed us that WCCS was currently under Miami Valley. They want to become their own entity and need the endorsement from Warren County municipalities.

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

RESOLUTION 2023-36 Confirming the Appointments of Steve Danhoff, Kristi Montag, and Nick Thomas to the Village of Maineville Board of Zoning Appeals and Declaring an Emergency

These are 3 new individuals who have agreed to join the Board of Zoning Appeals.

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

ORDINANCE 2023-07 Setting Meeting Dates and Times

This changes the official meeting location to 8133 S. St. Rt. 48, Maineville, OH.

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

RESOLUTION 2023-37 Authorizing Payment to Team Maineville LLC for Flooring Materials for New Administration Space and Declaring an Emergency

Mayor Beebe explained that the floor installed in the new building was requested by the him. It is within his authority. However, he still wanted to bring it to Council for approval. There was old ceramic tile from the previous restaurant, which was very slippery. It was hazardous to walk on. Councilmember Tomsic stated that she doesn't agree that we should pay \$4900 for a floor in a building that is not ours. Councilmember Billups noted, we will be in the building for three more years.

Motion to approve was made by Councilmember Hughes and seconded by Councilmember Billups. Roll call was as follows:

Councilmember - Hughes – Yes
Councilmember – Tomsic – No
Councilmember – Billups – Yes
Councilmember – Drock – Yes
Councilmember – Humphries - Yes
Councilmember – Williams – Yes

With a 5 Yes, 1 No vote, Resolution 2023-37, passes.

RESOLUTION 2023-38 Authorizing an Appropriation Amendment and Declaring an Emergency

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

Public

Executive Session

Under Ohio Revised Code 121.22

(G)(1) To consider the...discipline...of a public employee or official..., unless the public employee, official, licensee, or regulated individual requests a public hearing. Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office.

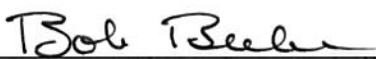
(G)(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action

Motion to enter into executive session was made by Councilmember Billups and seconded by Councilmember Williams. Council went back into executive session at 6:58 p.m.

Motion to return from executive session with no action taken was made by Councilmember Billups and seconded by Councilmember Williams. Roll call to return was unanimous in favor. Council returned from executive session at 7:54 p.m.

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 7:54 pm.

Adopted:



Mayor Bob Beebe



Fiscal Officer/ Mary Beth Campbell