

Village of Maineville Council Mtg.

Rescheduled Regular Session
8133 S. St. Rt. 48, Maineville, OH
Council Meeting Minutes
September 17, 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 Mayor Beebe.

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 August 8, 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 September 17, 2024 agenda was made by Councilmember Billups and seconded by Councilmember Williams. Roll call vote to approve the agenda was unanimous in favor.

GUEST – No guest speaker

Public Forum Regarding Cancellation of Police and Zoning Contracts with Hamilton Township

Mayor Beebe stated that the Village wanted to open the floor to any questions, as the elected officials are here to answer to the residents.

Tony Maraucci, 214 Deersshadow Rd., Maineville – He asked what the JEDD purpose does for the Village of Maineville. Mayor Beebe said that the township does not have an income tax and the JEDD would enable the Village to assign a Village tax to certain parcels that would give Hamilton Township approximately 90% and the Village 10%. The Village would not provide any services within those parcels except for tax collection. Decisions began in 2021 with Township Administrator Centers. The Village said we were interested, but the Township hadn't continued discussions until this year. Discussion was started again. On July 3rd, the day prior to the parade, a Township representative said negotiations were done and if we did not sign the JEDD agreement as it was, all contracted services would be cancelled. The Township said they would consider private discussions with Village Council about approving the JEDD. However, because there were already public hearings, the terms of the JEDD were already public, and the purpose was not to further negotiate the JEDD, Solicitor Byrne said there was no basis for holding private meetings regarding the JEDD. They then served official notice with dates that the zoning and police contracts will be cancelled. We then began discussions

with the WC Sheriff's office on providing coverage in February 2025 when HTPD no longer covers the Village. This is not something that the Village chose. This is something that was forced on us. Councilmember Billups also added that the original JEDD parcels in 2021 were parcels that would benefit the Village with more income. However, the new JEDD parcels do not to the same financial extent. The contract would limit annexing capabilities for the Village. Only one parcel was the same. For this reason, Council did not find it beneficial.

Mr. Maraucci then asked if we would consider bringing back a Village PD. The Mayor noted that that cost was astronomical before and didn't provide enough service. Mayor said he offered to start new discussions and hit a "reset". He was told all 3 trustees said the door to the JEDD discussion is officially closed. Mayor had asked about the police contract discussion and was told that there may be a crack of a chance for discussion. As of now, the contract will expire in February 2025. Mr. Maraucci also brought up the idea of using Facebook Live for meetings.

Joe Crowder, 2338 Mounts Rd., Morrow – Mr. Crowder lives on the edge of Maineville and Hamilton Township, but is officially a resident of Maineville. He said he cannot find Maineville's website by Googling it. Mayor provided mainevilleoh.com is the website. Mr. Crowder found out when he applied to the township for a permit that he was within Maineville. Mr. Crowder thanked Chief Hughes and the PD for patrolling their area. Mr. Crowder asked how much the JEDD would bring to the Village. The most they would generate were approximately \$25,800. RITA also noted that involving an apartment complex is not beneficial as the turnover of residents there is difficult to track for tax purposes. Mr. Crowder asked where the RITA funds are spent and Mayor noted that he shared a fact sheet "Where do my RITA dollars Go". Councilmember Drook shared that the village website link is also on our Facebook page. Mayor stated he will add it to the sign as well.

Roger Gaebel, 270 Mulberry Meadows Ct., Maineville – Mr. Gaebel asked what the Village would receive from the JEDD taxes. Mayor noted this is a new tax and the Village would only get 10% of taxes within the designated parcels. Mr. Gaebel noted that a couple of years ago, ODOT paved 48 and made it look nice. Now it looks bad. Mayor Beebe spoke to ODOT and they said the water department owes us the repairs. Today, he met with Chris and Katrina at the repair site on SR 48. They were not happy with the results and will be doing repairs next month. Mr. Gaebel also asked if Hamilton Township had asked for higher payment to the police department instead of just canceling over the JEDD. The Mayor said it was the latter. Mayor also noted that each year the PD fees slightly increase annually and we've always agreed on the amount. Mayor said he wasn't sure why the Township cancelled the police contract and Mr. Gaebel said it's because it's a perfect negotiation tool.

Doug Billups, 8353 Sandhill Dr., Maineville – Did the township just cancel the contract or did it expire? Julie Byrne stated that the contract allows for 180-day notice to council and that made the official cancellation date after notice in February 2025. Mr. Billups asked about legality of using such a contract in retaliation of us not signing the JEDD. Julie Byrne stated that there were conversations with the WC prosecutor's office regarding that very subject.

Mr. Billups thanked Mayor Beebe and Council for sticking up for the Village and not being pressured into signing a deal that would prevent annexation for the next 30 years. That could possibly prevent development years down the line. For \$25,000 a year, that is not worth it.

Mayor Beebe closed out discussion stating this was not a decision made by the police or any of its ranking officers. He also stated that the Zoning contract will end at the end of the year.

Police – Chief Scott Hughes provided the police report. He thanked Mayor Beebe for clarifying that the PD is not involved with the decision to cancel the contract with the Village. There were 445 calls for service in the Village, of that 279 of those were documented as patrols in the Village. There were 22 business checks and 36 squad runs, 51 traffic stops and 12 citations. There were 4 reports of theft and Mayor reported a case of graffiti. The traffic for the upcoming LPGA tour will be hectic.

Zoning – There were a few permits received for the next Planning Commission meeting. There were two new violations.

Mayor – Our restaurants are doing well. Krimmers is expecting to open within the next 2 months. MaineTowne is flourishing and now have a kids' menu.

The WC Commissioners have agreed to provide 1 million dollars to go towards the water main break repairs.

Committees - None

Council

Linda Humphries – She feels her job is very important and she cares about the residents. She said thank you to all of them and to Council and Mayor.

Allison Billups – She thanked everyone who came to speak tonight.

Scott Williams – He agreed and thanked everyone for coming.

Patricia Tomsic – She stated that she really cares about the future of the Village and those who live there. She said to please always feel free to speak up with any concerns or views. The officials are here to help.

Fiscal

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

August's beginning balance of the General fund was \$811,938.59. August's receipts were \$72,255,255.27. August's payments were \$56,064.06. The August ending balance for the General fund was \$820,421.19. The ending overall balance for May was \$1,435,929.47.

Choice One has submitted our OPWC application for possible funding towards a 4-way traffic light at the downtown intersection. Also, she finished her 2-year audit with the Ohio Auditor and is waiting for it to be officially posted on their state website.

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

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

SOLICITOR'S REPORT

Happy Constitution Day! Julie Byrne stated that she had helped Cathy Walton with some of the violations. There have also been negotiations regarding the police contract. There have been pre-annexation negotiations as well.

A motion was made to add the Street report to the agenda. Motion made by Councilmember Billups and seconded by Councilmember Hughes. Roll call to add the street report was unanimous in favor.

Street – Our street commissioner voiced his concerns regarding damage caused by all the water main breaks. Mayor thanked both John and Andy for all of their hard work. He had them do a comprehensive summary on what street repairs are priority. A report was reviewed by Mr. Mullikin. Ravenwood, Wellington Estates, Melrose, Salt Run, and Mulberry was next. There were other cosmetic expansion joints that were noted as well. This list will be used when making decisions on where street funds will be used in the future.

RESOLUTION 2024-26 – Authorizing the Mayor and Council to Enter into an Agreement with Warren County Soil & Water Conservation District and Declaring an Emergency

This is an annual contract with the county which helps us meet the terms of the EPA National Pollutant Discharge Elimination System municipal separate storm water system. We sign this each year to help keep us in compliance.

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

RESOLUTION 2024-27 – Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County and Declaring an Emergency

This is an annual resolution signed once the 2025 budget has been approved by Warren County Auditor's office and tax rates are provided by Matt Nolan.

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

RESOLUTION 2024-28 – Authorizing an Appropriation Amendment and Declaring an Emergency

Mrs. Campbell requested funds be added so various appropriation lines in order to pay bills for the remainder of 2024.

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

Discussion of Zoning Inspector Job Posting

Mayor noted that since the Zoning contract is ending with the township at the end of the year, it creates a need to bring this position in house. A job description will be shared with Council prior to posting.

Discussion of Salt MOU with Hamilton Township

This is a pre-existing agreement with the township that saved our street department traveling all the way to the county storage to collect salt. Instead, they used to go to the township and load the salt and the Village paid the same rate/cost as we would have paid Warren County. However, after the discussion to end all contracts with the Village, a discussion was had about this arrangement as well. Their law director stated that they would be willing to continue, but at a different rate of pay. They would charge staff labor, storage, and would need 30 minutes prior notice. They proposed that they would add 10% more per ton. We need to decide if we would switch to Warren County or if we keep the MOU in place with the increased costs. After some discussion, Julie Byrne needed direction on how Council wished to proceed. She would like to get any changes in place prior to any major snow event. Until there is a formal termination, the MOU automatically renews each calendar year. They could give notice of termination. Council and Mayor and Julie Byrne discussed that it would be worth the 10% to avoid round trip travel to the county salt storage. Council directed Julie Byrne to move forward on updating the contract.

Discussion of Sidewalk Repairs within the Village (with possible vote of approving sidewalk construction on Ravenwood).

At the previous council meeting, a resident brought to our attention that there is a place on Ravenwood where there was no sidewalk and children have been walking onto the roadway to get to the bus stop. This poses a danger to them and residents and needed looked into urgently.

Julie Byrne noted that there are laws in place that could make the home owner responsible for these costs via assessment. This can be done in a portion/percentage. She wanted to make Council aware. The quote that was given was lowest and best. This is the total cost, in case the Village decides to incur the complete cost.

Julie Byrne also stated that some municipalities can create a sidewalk fund that residents can request assistance in paying for sidewalk construction/maintenance. The fund would be there until it runs out. The homeowner is responsible for any repairs after they are installed. One noted exception was a repair job done a few years ago that was damage created by trees that were planted by the Village. She also noted that the Village has the right to construct a sidewalk.

Mrs. Campbell checked the funds available for these repairs and there was enough in the 2024 budget to pay for this.

Mr. Drook spoke to the homeowner and he was fine with the installation, but was concerned about any future repairs. However, the existing sidewalk in front of the home had been there for years and there are no cracks or damage. Therefore, he agreed that it should be done due to the urgency with kids going to the bus stop.

JK Meurer stated October 31st for excavation and November 4th for pouring concrete. If Council wants to pursue assessment, the next resolution cannot be voted on yet.

Council and Mayor stated that they didn't feel that the resident should not be held responsible for the construction of this sidewalk, and therefore did not want to assess costs.

Motion was made to amend the agenda to add Resolution 2024-29.

Motion was made by Councilmember Drook and seconded by Councilmember Billups. Motion to amend the agenda was unanimous in favor.

RESOLUTION 2024-29 – Authorizing the Mayor to Enter Into a Contract with the JK Meurer Corporation for Sidewalk Construction and Declaring an Emergency

This is to approve the agreement to be signed between the Village and JK Meurer as the lowest and best quote given to construct sidewalk on Ravenwood for the safety of our residents and children walking to the bus stop. The engineer, Choice One, stated that this is the going rate and met all Village sidewalk specifications.

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

Public Comments (Additional):¹

Scott Hughes, 8321 Sandhill Dr., Loveland - Mr. Hughes stated that he was speaking as a resident and this had nothing to do with his role as a police chief. He did not have time to go change clothes like Superman [He was still in uniform]. Two things that are interesting, whether you do the police contract with the township or the WCSO. He stated he knows what the WCSO contract proposal is. There's been some discussion on whether or not the township would have to respond. He stated "We" are looking into that. He also said, "We" are looking into whether or not the police district includes the Village of Maineville. "We" do not believe that it does. Regardless of that, he stated that he is not paying 1% of his earning taxes to have police officers only respond. He said he is paying 1% earnings tax to have 24/7 service. So, if we're going to contract with the sheriff's office it needs to be for 24 /7 service, and he knows for a fact that this village cannot afford that. He said, we are talking about going to a part-time zoning department with 40-hour policing, which is not what we have right now. We cannot justify all this money that we're paying into R.I.T.A. for what we are getting. He said there are two properties that he has been looking at in Regency Park. One of them is in the Village and one is in the township. The township property is assessed at \$5,000 less than the one in the Village. He would be happy to send this to anyone. He said that, at the end of the day, living in the Village of Maineville he is paying 42.5% more than what he would pay living in the township. He also noted that the Village Solicitor is making an obscene amount of money. She is doing the work of, not only the solicitor, but also as an administrator. If we continue to pay her to run these meetings, we need to instead hire someone to be a village manager, not pay a solicitor hundreds of dollars an hour to run meetings. The Village is run by the Council and the Mayor, not run by a solicitor. Your votes as a Council are what matters, not a single vote by the Mayor. He said he had watched these meetings and read the minutes. He's attended meetings and it has been a common

¹ The agenda did not provide for an additional public comment period, but Chief Hughes asked for a chance to speak, and Mayor Beebe allowed him to do so.

reoccurring theme for months and years now. So, if we're going to continue paying a 1% earnings tax and we're going to continue having a village, then someone needs to justify why we are paying this money. He asked, "If it's cheaper for me to live in the township, then why do we have a village?" What are we getting for this money?". Again, he said that statement was made as a resident and not in his capacity as a police chief.

Joe Crowder, 2338 Mounts Rd., Morrow – Stated he is 67 years old. He did some research. There is a police levy for township residents that would cost him \$600 a year if he were in the township, but he does not pay that as a village resident. Also, once you are retired are on disability, you no longer pay RITA taxes. He noted that most residents do not know these things and maybe it would be beneficial to share.

Executive Session

Motion to enter into executive session was made by Councilmember Billups and seconded by Councilmember Williams.

Under Ohio Revised Code 121.22 (G)(8) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, given that both of the following conditions apply:

- (a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of 5709.40 to 5709.43, of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.
- (b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

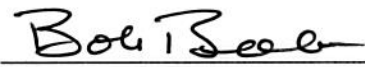
Council unanimously voted to enter executive session at 7:23 p.m.

Motion to return from executive session with no action taken was made by Councilmember Billups and seconded by Councilmember Drook. Roll call to return was unanimous in favor. Council returned from executive session at 7:43 p.m.

Councilmember Tomsic requested that at the next meeting, Council re-open the discussion on abortion sanctuary cities.

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 7:45 pm.

Adopted:

Handwritten signature of Bob Beebe in cursive script.

Mayor Bob Beebe

Handwritten signature of Mary Beth Campbell in cursive script.

Fiscal Officer Mary Beth Campbell