

COVINGTON VILLAGE COUNCIL

MEETING MINUTES

June 20, 2023

Mayor Ed McCord called the meeting to order at 7:00PM. The following roll call was taken for council:

Council Members Present:

- Jesse Reynolds
- Keith Warner
- Derrick Canan
- Julie Blumenstock
- Dawn Duff

Council Members Absent and Excused:

- Amy Welborn

Non-member Staff participating:

- Kyler J. Palmer – Legal Counsel
- Rhonda Gill - Fiscal Officer
- Kyle Hinkelman - Village Administrator
- Lee Harmon – Police Chief
- Tim Cline – Police Sergeant

Consent Agenda:

The consent agenda included:

- Approval of Council Minutes (June 5, 2023)
- May Financial Report
- May Fund Balance Report
- May Check Run Report

A motion to approve the consent agenda was made by Mr. Reynolds and seconded by Mr. Warner. All ayes. Motion carried.

Visitors – Public Comment

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Mr. John Montgomery, 230 College Street, inquired about updates and progress of the Rudy Property demolition project. He expressed concerns about the length of time necessary to complete the project. Mr. Hinkelman explained there had been some delays due to several issues including the location of underground utilities, wet soil conditions, power lines that need removed, and underground tanks that needed to be checked by EPA and removed properly to name some. Mr. Hinkelman continued that due to required waiting that was no fault of the contractor, the contractor asked for an extension until the end of August, which would have been an additional ten weeks from the original date of June 16th. He stated that after reviewing information and working with the engineering firm to determine the amount of time required to wait, the Village agreed to extend the contract until August 1, 2023, which is six weeks, to allow the contractor to meet their deadline obligations.

Mr. Jeff Shields, 201 Grant Street, voiced concerns pertaining to inconveniences to residents living in the Rudy Property demolition area. Mr. Shields stated that he is knowledgeable on how projects are managed and would expect that the Village is doing more to hold the contractor accountable to the timeline. He would prefer that someone is on site every day to assure that the contractor is completing the project on the agreed upon timeline. Mr. Hinkelman explained the activities of the project generally flow through Kleinfelder, the engineering firm that the Village hired to handle the project, but the Village does not have anyone on site every day to monitor the project, as the Village did not have the staff to manage that, nor felt it was a good use of Village funds for the project. Mr. Shields asked about the specifics of the contract, and what happens if the contractor does not complete the work on time, and Mr. Hinkelman noted he did not have the contract in front of him and would not be able to answer the question clearly. He noted that he would have the Village legal counsel reach out to Mr. Montgomery and Mr. Shields to provide contract information and answer other contract information, as that is who the Village utilizes for contract management. Mr. Hinkelman reiterated that the Village would like to get the project completed as quickly as possible, but that everyone must understand the complexities of the project and the many factors that have caused the project to be delayed.

Mr. Kyler Palmer, serving as the legal counsel for the Village in place of Frank Patrizio, explained the rules to hold a company liable and the challenges in doing so when in cases such as this, there are numerous factors at play for consideration.

Mayor's Report

Mayor McCord reminded everyone the July 3rd meeting is rescheduled for July 10th due to the holiday week.

Administrator's Report

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Mr. Hinkelman congratulated 2015 Covington graduate, Nathan Dunn, who qualified for the 2024 Olympic Trials marathon!

He noted that the meetings in July would be on July 10th, for the July 3rd meeting, and July 17th. He also reminded Council that he would be out of the office from June 26 through July 7, but would be available by email.

Mr. Hinkelman asked if there were any additional questions and there were none.

Discussion Items

Government Center Renovation Plan Updates

Mr. Hinkelman discussed the current site plan, floor plan, and financing progress for the work being designed. He noted that Garmann Miller has met with staff many times over the past couple months and has provided recommendations for how the project can be completed. He continued that the Village will have development plans by the middle of July which will include a bid package and cost estimates. This would make the earliest the Village could bid out the project, if there were no changes, being in August or September. The bid would likely be open for a month, so a bid would be accepted in September or October. It is likely a contractor will do the majority of the interior work over the winter months and do the addition in the spring. Garmann Miller estimates the project to take six to eight months if the Village completely vacates the building.

Mr. Canan asked if the technology would be updated to allow for the possibility of streaming, which Mr. Hinkelman indicated it would be brought up to date to allow streaming if the Council decided to change their policy to allow it.

Personnel Policy Manual Changes

Mr. Hinkelman discussed Section 4.08 and 4.09 and the changes proposed to them. He noted these changes are intended to help create a stronger incentive for employees to want to stay with the Village. He noted that communities around the area are continuing to increase pay for employees and the Village is trying to find ways to build more benefits and incentives for employees to stay within the budget we have available.

Mr. Hinkelman asked if there were any questions of him, and there were none. He noted that he would bring this back for formal consideration at the second meeting in July.

Records Retention Policy Updates

Mr. Hinkelman discussed the updates to Resolution R18-11, which is the Village record's retention policy. He noted that these changes would detail further the policies

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related to the management of public records and public record requests. These updates also include updates to the State required RC-2 schedules.

Mr. Hinkelman asked if there were any questions regarding the updates, and there were none. He noted he would bring this back for formal consideration at the second meeting in July.

Subdivision Regulations Updates

Mr. Hinkelman noted that the subdivision regulations in the Village have not been updated in any substantial way since 2003. He discussed why regulations are important, what they cover, and how the Village needs to change to be in compliance with state and federal laws. He continued that he has requested quotes for updates to the second part of these regulations the Construction Standards and Drawings. He noted that these standards need to be updated by an engineering company who can provide recommendations for current standards and regulations. Mr. Hinkelman said the Subdivision Regulations would go in front of the Planning Commission in June for consideration and will likely bring back a package for the Council to consider in July.

Mr. Hinkelman asked if there were any questions of him, and there were none.

Fee Schedule Updates

Mr. Hinkelman discussed the fee schedule and the previous approval in 2021 regarding centralized fees. He noted that there are many Ordinances that create fees, and this schedule is intended to centralize those fees for people to see clearly, but it also formalizes certain zoning, subdivision, and non-utility based fees.

Mr. Hinkelman asked if there were any questions of him, and there were none. He noted that he was still working to integrate additional fees and wouldn't bring this back for formal consideration until August.

Old Business

Resolution R19-23 – Adoption of the 2023 Strategic Plan

Mr. Hinkelman noted that this was the third and final reading.

A motion to approve Resolution R19-23 was made by Mr. Canan, seconded by Mr. Warner. All ayes. Motion carried.

New Business

Ordinance 12-23 – Intention to levy a new 3.0 Mill Fire Levy

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Mr. Hinkelman discussed Ordinance 12-23, which is the second step that is required to place a levy on the November 7, 2023 ballot. He noted that the Miami County Auditor has reviewed the document and approved the language. He continued that this was the 1st reading, with the second reading scheduled for July 10th and the third and final reading on July 17th. This provides enough time to meet the state requirements for ballot access. There were no questions from Council or the public regarding this Ordinance.

Resolution R21-23 – Approving the Alternative Tax Document

Mr. Hinkelman discussed Resolution R21-23 which is an annual resolution that is passed which is the second required approval to utilize the alternative tax document for the 2024 Tax Budget. Mr. Hinkelman asked if there were any questions and there were none.

A motion to waive the three-reading rule for Resolution R21-23 was made by Mr. Reynolds and seconded by Ms. Duff. All ayes, motion passed.

A motion was made to approve Resolution R21-23 by Mr. Reynolds and seconded by Mr. Warner. All ayes, motion passed.

Resolution R22-23 – Authorizing the Village Administrator to Enter into an Agreement with AES – Schoolhouse Park Pole Movement

Mr. Hinkelman discussed Resolution R22-23 which would authorize the Village Administrator to enter into an agreement with AES to move three three-phase distribution poles to outside the Schoolhouse Park boundaries, as required by the Land and Water Conservation Fund grant. He discussed his over yearlong effort to work with AES to design a project that would allow for a reduction in the cost of the work, and how AES is unwilling to work with the Village to bring the cost down to what was originally discussed. He noted that originally AES had stated that they would work with the Village to keep the cost around \$200,000, but when originally invoiced, AES requested \$420,000. Mr. Hinkelman continued that he had to work through multiple levels of leadership in AES Ohio to even get to the point where AES would work on the project. They made the process difficult throughout, and in the end invoiced the Village \$294,737.91 for the work. He continued that he was not pleased with AES or their lack of effort or support, but in the end the Village has no choice but to move forward. He noted that he talked with communities who have their own electric utilities and they noted similar work would be in the \$100,000 range. He stated that he has talked with our legislators about the process and potentially AES pricing this unreasonably.

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He continued that AES will also not provide a timeline for completion of the work, or guarantee that they would prioritize it. He noted that they also require payment upfront, which is not standard practice for any work paid for by the Village.

Ms. Blumenstock stated that she also reached out to PJ Riley, representative for Congressman Mike Carey, and other elected individuals in the state, in the hopes of getting AES to support the Village.

Mr. Canan noted that he also reached out to AES staff to see if they could help the situation.

Based on the discussion, Mr. Hinkelman asked Council to table Resolution R22-23 until the July 10th meeting for consideration.

A motion to table Resolution R22-23 was made by Mr. Canan and seconded by Ms. Duff. All ayes, motion passed.

Resolution R23-23 – Authorizing an Expenditure from the American Rescue Plan Act (ARPA) Funds

Mr. Hinkelman discussed Resolution R23-23 which authorizes the Village to utilize the entire amount of ARPA funding, which is \$284,798.33, for the wastewater treatment facility. He noted that payment requests are now being made of the Village, and this would allow for the first payments to be made through these funds.

Mr. Hinkelman asked if there were any questions of him, and there were none.

A motion to waive the three-reading rule for Resolution R23-23 was made by Ms. Duff and seconded by Mr. Reynolds. All ayes, motion passed.

A motion was made to approve Resolution R23-23 by Mr. Reynolds and seconded by Mr. Warner. All ayes, motion passed.

Police Chief and Elected Official's Comments

Chief Lee Harmon reported there has been a conditional offer made to Ben Marialke, a resident of Covington, contingent upon passing his physical and background check. He is hopeful to have Mr. Marialke sworn in as an officer in July.

Executive Session

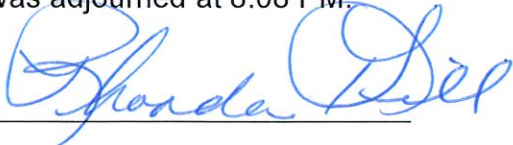
None

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Adjournment

A motion to adjourn was made by Mr. Warner, seconded by Mr. Canan. The meeting was adjourned at 8:08 PM.

A handwritten signature in blue ink, appearing to read "Rhonda Dell", written over a horizontal line.

Fiscal Officer

A handwritten signature in blue ink, appearing to read "Edward L. McCard", written over a horizontal line.

Mayor

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