

**CLERK’S JOURNAL OF A REGULAR SESSION OF THE COUNCIL OF THE CITY OF EATON, OHIO,  
HELD IN COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, AT 6:00 P.M., ON MONDAY,  
FEBRUARY 19, 2024**

Mayor Venable called to order a regular meeting of the Eaton City Council on Monday, February 19, 2024, at 6:00 p.m., in Council Chambers of the Municipal Building. The Deputy Clerk called the roll and found the following to be:

Present:           Jim Ball  
                  Christopher Carr  
                  Dave Kirsch, Vice Mayor  
                  Matt Venable, Mayor  
Absent:           Brad Moore

Also in attendance were City Manager Brad Collins, Assistant City Manager Joe Ferriell, Finance Director Stephanie Hurd, Law Director Ryan Brunk, Police Chief Steve Hurd, Fire/EMS Chief Andrew Bekemeier, Maintenance Worker Jason Erbaugh, Community Development Specialist Leslie Collins, Parks and Service Coordinator Zac Wilson and Public Works Assistant Superintendent Scott Brubaker.

Santo Landerer led the Pledge of Allegiance to the Flag, followed by the Invocation.

**EXCUSE ABSENCE**

Councilman Carr moved to excuse Councilman Moore from the meeting due to an appointment. The motion was seconded by Vice Mayor Kirsch and passed as follows:

Ayes:    Ball, Carr, Kirsch, Venable (4)           Nays:   None (0)

**MINUTES AND FINANCIAL REPORTS**

Councilman Carr moved to approve the Clerk’s Journal Entries, to accept the tapes as the official minutes for the regular meeting of January 15, 2024, and to acknowledge the January 2024 Financial Report. Councilman Moore seconded the motion which passed as follows:

Ayes:    Ball, Carr, Kirsch, Venable (4)           Nays:   None (0)

**SWEARING IN OF BATTALION CAPTION**

Mayor Venable administered the Oath of Office the new Fire/EMS Battalion Captain, Dustin Newton.

**PREBLE CO. COMMON PLEAS JUDGE CANDIDATES**

Attorney Jacob Kovach and Preble County Prosecutor, Marty Votel, spoke to Council about their Candidacies.

**PRESENTATION BY THE FINANCE DIRECTOR**

Finance Director Stephanie Hurd presented Council with a presentation with an overview of the year 2023.

**ORDINANCE 24-02**

An Ordinance Amending Chapter 931 of the Codified Ordinances to Amend Refuse Collection Charges.

Councilman Carr moved for the second reading of Ordinance 24-02, by title only. Vice Mayor Kirsch seconded the motion which passed as follow:

Ayes:    Ball, Carr, Kirsch, Venable (4)           Nays:   None (0)

Law Director, Ryan Brunk, read Ordinance 24-02 by title only.

Councilman Carr moved for the adoption of Ordinance 24-02, to be effective on March 19, 2024. The motion was seconded by Vice Mayor Kirsch which passed as follows:

Ayes:    Ball, Carr, Kirsch, Venable (4)           Nays:   None (0)

**ORDINANCE 24-03**

An Ordinance to Make Appropriation for Current Year Expenses and Other Expenditures of the City of Eaton, Ohio During the Fiscal Year Ending December 31, 2024.

Vice Mayor Kirsch moved for the reading of Ordinance 24-03, by title only. Councilman Ball seconded the motion which passed as follows:

Ayes:    Ball, Carr, Kirsch, Venable (4)           Nays:   None (0)

Law Director, Ryan Brunk, read Ordinance 24-03, by title only.

Vice Mayor Kirsch moved for the adoption of Ordinance 24-03, to be effective as of February 19, 2024. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4)      Nays: None (0)

**ORDINANCE 24-04**

An Ordinance Amending Chapter 1109.02, Special Purpose Flood Damage Reduction Eaton, Ohio.

Councilman Carr moved for the first reading of Ordinance 24-04, by title only. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4)      Nays: None (0)

Law Director, Ryan Brunk, read Ordinance 24-04, by title only.

**ORDINANCE 24-05**

An Ordinance Repealing in its Entirety Existing Section 932.01, Entitled "Service Rates," of the Codified Ordinances of the City of Eaton, Ohio, and Enacting Section 923.01, Entitled "Service Rates"

Councilman Carr moved for the first reading of Ordinance 24-05, by title only. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4)      Nays: None (0)

Law Director, Ryan Brunk, read Ordinance 24-05, by title only.

**ORDINANCE 24-06**

An Ordinance Repealing in its Entirety Existing Section 923.05, Entitled "Tap-In Charges," of the Codified Ordinances of the City of Eaton, Ohio, and Enacting Section 923.05. Entitled "Tap-In Charges"

Councilman Carr moved for the first reading of Ordinance 24-06, by title only. Vice Mayor Kirsch seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4)      Nays: None (0)

Law Director, Ryan Brunk, read Ordinance 24-06, by title only.

**ORDINANCE 24-07**

An Ordinance Repealing in its Entirety Existing Section 923.11(c), Entitled "Water System Capacity Charges," of the Codified Ordinances of the City of Eaton, Ohio, and Enacting Section 923.11(c), Entitled "Water System Capacity Charges"

Councilman Carr moved for the first reading of Ordinance 24-07, by title only. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4)      Nays: None (0)

Law Director, Ryan Brunk, read Ordinance 24-07, by title only.

**ORDINANCE 24-08**

An Ordinance Repealing in its Entirety Existing Section 921.32, Entitled "Rates," of the Codified Ordinances of the City of Eaton, Ohio, and Enacting Section 921.32, Entitled "Rates"

Councilman Carr moved for the first reading of Ordinance 24-08, by title only. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4)      Nays: None (0)

Law Director, Ryan Brunk, read Ordinance 24-08, by title only.

**ORDINANCE 24-09**

An Ordinance Repealing in its Entirety Existing Section 921.28. Entitled "Tap-In Charges," of the Codified Ordinances of the City of Eaton, Ohio, and Enacting Section 921.28, Entitled "Tap-In Charges"

Councilman Carr moved for the first reading of Ordinance 24-09, by title only. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4)      Nays: None (0)

Law Director, Ryan Brunk, read Ordinance 24-09 by title only.

**ORDINANCE 24-10**

An Ordinance Repealing in its Entirety Existing Section 921.27(c), Entitled “Sewerage System Capacity Charges,” and Enacting Section 921.27(c), Entitled “Sewerage System Capacity Charges”

Councilman Carr moved for the first reading of Ordinance 24-10, by title only. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

Law Director, Ryan Brunk, read Ordinance 24-10, by title only.

**REMOVAL OF ORDINANCES 23-19 AND 23-21 FROM THE TABLE PERMANENTLY**

Vice Mayor Kirsch moved to permanently remove Ordinance 23-19 and Ordinance 23-21 from the table. Councilman Carr seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

**ORDINANCE 24-11**

An Ordinance Amending Chapter 1113 of the Unified Development Ordinance to Add 1113.08 Entitled “Large-Scale Solar Facilities/Solar Energy Farms”

Vice Mayor Kirsch moved for the first reading of Ordinance 24-11, by title only. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

Law Director, Ryan Brunk, read Ordinance 24-11, by title only.

**ORDINANCE 24-12**

An Ordinance Amending Chapter 1107 of the Unified Development Ordinance to add 1107.11 Entitled “Solar/Photovoltaic Energy System”

Councilman Carr moved for the first reading of Ordinance 24-12, by title only. Vice Mayor Kirsch seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

Law Director, Ryan Brunk, read Ordinance 24-12, by title only.

**RESOLUTION 24-06**

A Resolution Authorizing the Transfer of Certain General Revenue Funds to Special Revenue Funds.

Councilman Carr moved for the adoption of Resolution 24-06. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

**RESOLUTION 24-07**

A Resolution Appointing a Member to the Parks and Recreation Board.

Councilman Carr announced that Nicholas Mills decided to withdraw his interest from the Board and moved to appoint Dara Williamson to a three-year term ending December 31, 2026. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

**EXECUTIVE SESSION**

Councilman Carr moved, pursuant to Ohio Revised Code Sections 121.22(G)(8) and 121.22(G)(1), that the Board adjourn to executive session for the purpose of appointment, promotion, compensation of a public employee and considering confidential information related to specific business strategy and financial information regarding requests for economic development assistance. Inviting the City Manager, Assistant City Manager, Finance Director and the Law Director.

The motion was seconded by Councilman Ball and passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

#### **RETURN TO REGULAR SESSION**

Vice Mayor Kirsch moved to return to regular session with no action taken. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

#### **RESOLUTION 24-08**

A Resolution Authorizing the City Manager to Enter into a Community Reinvestment Area Agreement with Eaton Hospitality Group.

Councilman Carr moved for the adoption of Resolution 24-08. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

#### **RESOLUTION 24-09**

A Resolution Authorizing the City Manager to Enter into a Permit Fee Reduction Incentive Agreement with Eaton Hospitality Group.

Councilman Carr moved for the adoption of Resolution 24-09. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

#### **RESOLUTION 24-10**

A Resolution Authorizing the City Manager to Enter into a Community Reinvestment Area Agreement with Reid Health Properties, LLC.

Vice Mayor Kirsch moved for the adoption of Resolution 24-10. Councilman Carr seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

#### **CITY MANAGER'S REPORT**

The City Manager handed out the City of Eaton 2023 Year End Reports and the Visitor's Guide from the CVB.

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

None

#### **CITIZEN COMMENTS**

Preble County Commissioner, Adam Craft, spoke to Council regarding his candidacy for a second term as a Preble County Commissioner.

#### **ADJOURN**

Councilman Carr moved to adjourn. Councilman Ball seconded the motion which passed as follows:

Ayes: Ball, Carr, Kirsch, Venable (4) Nays: None (0)

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SS Deputy Clerk of Council

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SS Mayor