

VILLAGE OF HICKSVILLE
REGULAR COUNCIL MINUTES

Monday, March 20, 2017 at 6:00 p.m.

The meeting was called to order by Mayor Diane Collins, who then gave the invocation.

The Pledge of Allegiance was then recited by all present.

The following persons in attendance: Council members Shelia Baker, Mike Barth, Eric Bassett, Ron Jones, Ron Beverly and Mike Headley; Solicitor Troy Essex; Fiscal Officer Cheryl Smith; and Administrator Kent Miller.

Minutes from the March 6th Council Meeting were presented. Ron Jones moved to approve the minutes as written, seconded by Mike Headley. All voted yes.

A list of bills to be paid was presented to council. Beverly objected to the payment to Underground Utilities for additional flow metering. Kent Miller replied that the request came from the EPA and is tied to our permit so compliance is mandated. Beverly said the village should tell the EPA we won't do it. Miller replied that he would be willing to set up a meeting in Bowling Green if that is what council wanted and relay the message. Further discussion ended with council voicing their displeasure but agreeing to pay the invoice. Ron Beverly then made a motion to approve the bills, seconded by Mike Headley. All voted yes.

Boards & Commissions:

- Minutes from the March 15th **Park Board** meeting were presented. Beverly asked why the minutes say there are no restrooms and port-johns are being brought in. Val Shull replied that the minutes are not referring to "no restrooms", but to "no news" on the grant we have been approved for. It will be piggy-backed onto another bill being passed. Barth reported the approval should come in June. The Nature Works grant application being voted on tonight will also provide funding to build the concession stands and ADA restrooms.
- Minutes from the March 18th **Cable TV** meeting were presented.

Council Committees:

The **Water/Sewer Committee** met March 13th. They recommended graduated increases in both the water and sewer rates. The sewer increase is needed to meet future debt incurred with the Long-Term Control Plan projects being completed around town. Payments on the loans will begin in the next year and will raise the annual debt from \$340,000.00 per year to approximately \$500,000.00 per year.

The water increases are being requested for a new water tower, a new well, any emergencies that may occur, as well as general upkeep of the existing plant. Mayor Collins asked the Solicitor to find out if there is a time limit on how long to put a project on hold if the engineering firm has already been rated. She wants council to move forward on construction of a new water tower. A site selection for the tower can be made any time. Miller said a site study would be approximately \$8,000.00.

They also discussed several scenarios concerning trash pick-up - whether to continue as we are or possibly hiring an outside company to do it. Beverly was upset that the situation was "shoved under the carpet" since council had asked Miller to look into outside companies to collect our trash. Miller replied that he was told by the committee to let it go. Headley said that would be a council decision, not a committee decision. Barth apologized for the misunderstanding. Beverly wanted to know if we went with an outside company would we get rid of the garbage truck. The mayor reminded him that the village would keep it. Beverly said if anyone looks in the North Main garage they would see we already have as much machinery as any contractor. He said the only reason we offer trash pick-up is due to former mayor Bob Cook who did it as a "vendetta thing." Miller asked council what to include in the specs to be presented to potential companies so they can write up proposals. Headley said a viable plan would include all the things we do at present ourselves. Miller will begin the process and report back to council.

Beverly told Barth he disagreed with his idea about Chicago Avenue water issues. Instead of running the line along High Street it should be tied in to the line Beverly put in behind Jim Schmidt Ford. Miller replied that that area already handles the maximum it can.

Administrator's Report:

Miller announced the upcoming general pick-up will be April 4th and 5th. He also reported the fence along the alley by the fire hall has been hit again. He has reported it to the insurance company. The street guys have been working today on a sink hole that opened up at High Street and Spencerville. For some reason the ground gave way over an area that had an empty 10" sewer main that had been blocked in on both ends. He advised residents to drive slowly through there as it is too early in the year to repave.

Solicitor's Report:

- **Ordinance 2017-05** was read for the final time by caption only to repeal Chapter 909 and establish a new Chapter 909 addressing the sidewalk issues. A *discussion was held with details in the following paragraph*. Mike Headley made a motion to approve the Ordinance. Eric Bassett seconded. Beverly and Headley voted to approve; Bassett, Baker, Barth, and Jones voted against it. The measure did not pass.
- *Jeff Thiel told council his street has no sidewalk and he would not like one. He doesn't feel the \$3.00 charge is fair to residents with no sidewalk. Councilman Bassett explained that the \$3.00 charge would go into a fund to first fix existing sidewalks, then to install new sidewalks which is for the benefit of everyone. It is more than just the span in front of your house. Everyone uses sidewalks in the village at one time or other. Mr. Thiel then thanked council for doing a very difficult job. He likes living in Hicksville and appreciates all council does to make it a great place.*
- *Megan Cover (??) then spoke. She wanted to know if someone who put in a new sidewalk several years ago would get reimbursed. She also wanted to know if the village would edge the sidewalks and clear snow and ice. She was told the resident would still be responsible for those things. Currently a resident can be cited for failing to keep their sidewalk clear of snow, ice and debris. The village would be responsible for the construction/upkeep of the sidewalk itself.*
- *Troy Essex explained that those items are spelled out in the ordinance. He also said the village would be taking on a greater risk which translates into higher liability insurance rates. He does not recommend the village take on this responsibility.*
- *Mike Brown spoke to council citing statistics about actual residency in the village. He feels the current ordinance is sufficient with proper enforcement.*
- *Richard Fox is a daily "walker." He has a problem with people who park across the sidewalk. This is in violation of the current sidewalk ordinance. Police Chief Stickney said his officers stop and ask people to move their cars whenever they see this happening. Unfortunately, they can't be everywhere. If a citizen would call the non-emergency number and make a report, they would respond. He welcomes the help. Mr. Fox would not like a \$3.00 charge across the board. He has no problem with taking care of his own sidewalk.*
- *After the vote, the mayor assured everyone that council appreciates fixing or replacing a sidewalk could be a hardship for many people. If anyone needs assistance they only need to contact Mike Bailey. The village will, as has been done in the past, fix the sidewalk, assess the cost to the property tax roll over a period of time agreeable to both the village and the resident.*
- **Ordinance 2017-07** was read for the second time by caption only directing the county board of elections to submit a ballot question to the voters for fire protection.
- **Ordinance 2017-08** was read for the first time by caption only to repeal Section 343.14 of the codified ordinances regarding the use of bicycles and similar devices on certain sidewalks in the village.
- **Ordinance 2017-09** was read for the first time by caption only amending Section 921.01 of the codified ordinances to amend the performance bond amount for curb and road excavation.
- **Ordinance 2017-10** was read for the first time by caption only to increase the minimum sewer charge.
- **Ordinance 2017-11** was read for the first time by caption only to revise water rates.
- **Resolution 2017-05** was read for the first time by caption only authorizing the Village Administrator to apply for a nature Works grant and declaring an emergency. Ron Jones made a motion to suspend the rules due to the timing for submitting the application. Mike Barth seconded the motion. All voted yes. Resolution 2017-05 was read for the second and final time by caption only. Mike Headley made a motion to approve, seconded by Eric Bassett. All voted yes.
- **Resolution 2017-06** was read for the first time by caption only to enter a contract with OWDA for a WPCLF loan for the East Cornelia sewer project. Ron Jones made a motion to suspend the rules, seconded by Mike Barth. All voted yes. Resolution 2017-06 was read for the second and final time by caption only. Mike Headley made the motion to approve, seconded by Eric Bassett. All voted yes.

Department Heads:

- **Police Chief Kirk Stickney** reported his staff is down 3 full-time officers. Monty Ballinger retired, Zach Erb went to the Defiance County Sheriff's office and Steve Talbott is retiring. Positions will be advertised and hopefully filled soon.
- **Fire Chief Scott Cramer** reported the department's pancake & sausage breakfast on March 18th was a success. He reminded everyone about the Spaghetti Supper to be held on April 2nd. Tiffany Vollmer has completed her probationary period successfully. The mayor recommended to council she be removed from probationary status. Mike Headley made the motion to approve, seconded by Ron Jones. All voted yes.
- **EMS Chief Loni Kesler** had no report.

Fiscal Officer Report:

- MTD/YTD Cash Report
- January and February Mediacom Franchise Fee Reports
- Smith asked council to decide if the village employees could participate in the Health Fair being held at the hospital April 17-22 this year. Ron Beverly made a motion to approve the request, seconded by Ron Jones. All voted yes.

Mayor’s Report:

The Village has received a letter from the Department of Commerce, Division of Liquor Control. If anyone wishes to make an objection, please contact the mayor. The final date for objections is May 2nd.
The mayor reported that the Mellon property at the edge of Industrial Drive and Meuse Argonne is for sale if the village is interested. The matter was turned over to the Street/Light/Property committee for discussion.
She praised the Fireman’s Appreciation Banquet. She thanked several firemen and EMT’s who have served the village for many years. Council added their congratulations as well.

John Hart, owner of Red Angel Pizza, asked to speak to council about the sign in front of his business. Prior to restriping, there was a sign that said “15-minute parking”. After the striping was finished the second time the sign was removed. He was never consulted and would like it to be replaced. His customers who are just picking up orders have a hard time finding a place to park. This was given to the Street/Light/Property committee to answer. They will set up a meeting as soon as possible with Mr. Hart to remedy the situation.

With no other business to discuss, Eric Bassett made a motion to adjourn. Mike Headley seconded. All voted yes. Council was adjourned at 7:30 pm.

Mayor

Fiscal Officer