

Minutes of Regular Council Meeting

July 18, 2011 at 7:00 p.m.

The meeting was called to order by Mayor Larry Haver.

The Pledge of Allegiance was repeated by all present. Present were:, Council members, Ron Jones, Mick Pocratsky, Ron Beverly, Bruce Hart, Mike Barth & Mike Headley; Solicitor, Troy Essex; and Clerk/Treasurer, Diane Collins.

Jones moved to approve the July 5 minutes. Pocratsky seconded. All voted yes.

Beverly moved to approve the bills. Headley seconded. All voted yes.

Therman Middaugh was on the agenda but wasn't feeling well and cancelled earlier in the day

Planning Commission: Minutes from the July 7 were in the council packet. The meeting was called to consider a lot split between John Kaduk and Youth for Christ involving three acres off West High Street.

A Notice of a Public Hearing on an application for a re-zoning change for Lots 5,6, & A PT and PT 7 of Shepherd & Summers Addition, a/k/a/ 530 N. Main Street from R-2 to R-3 was shared.

Nuisance Board: Minutes of a July 5 meeting were in the council packet. Mayor Haver spoke to the Board of Health and was told they sent letters to residents that do not have water. He was told we can't force someone to have running water. Headley stated he can see some progress in getting properties cleaned up.

Administrator's Report: Miller reported the following:

- The on-line auction for the 2005 Crown Vic and Fire Department Pumper ended July 13. The Pumper Truck was sold to the Wholesale House for \$3,000 and the Crown Vic was sold to Jeremy Cooley for \$1,875. We will owe GovDeal's \$365.63. It was noted that it is a civil issue if neighbors have problems with water being pumped onto their property.
- Thanks to Ron Beverly for finding a dump site for our debris/junk dirt. We hauled 37 loads to clean up behind the tin shed. There are many more to go.
- The backhoe and a vehicle collided during the July 11 main break. Miller is waiting on estimates to replace the tailgate on the sewer pickup truck.
- The shed at the recycling lot has become infested with mold and there may be some structural issues. Options are being considered.
- There were three water main breaks on Meuse Argonne yesterday. Miller wants to do a water line replacement in the area but CSX Railway is not cooperating with an easement. Council instructed Miller to go ahead and put the project to bid with an award date later in August. In the meantime Essex will try to get some cooperation from the "engineer in training" that Miller has been dealing with.
- After some discussion council agreed to give Verizon permission to have a 6' setback for an access road. Council asked Miller to ask Verizon for free calling service for our EMS/Fire & Police cell phones.
- A June Water Supply & Treatment report of Operations was given to everyone

- **Miscellaneous:**

Essex has the following opinion about the Covenants and Declarations of the Industrial Park. "We do not need to take any action on these Covenants and Declarations of the Industrial Park. Article 8.1 states that they are in effect for ten (10) years and then are automatically renewed year to year unless terminated as provided. If we approve them or try to lock them in, it will have to be done in conjunction with the other owners of the property. There is no need to extend it long term. Any amendments or modifications require approval by at least 75 percent of the owners. This gives us some flexibility if we need it."

Ordinance 2011-05 to amend the Annual Appropriations Ordinance was read by caption only for the second reading.

Resolution 2011-09 to enter into a Water Pollution Control Loan Fund Agreement on behalf of the Village for planning, design and/or construction of wastewater facilities was read by caption only for the first reading. Jones moved to suspend the rules. Pocratsky seconded. All voted yes. Resolution 2011-09 was read by caption only for the second and third readings. Headley moved to approve. Pocratsky seconded. All voted yes.

- **Resolution 2011-10** to enter into an agreement with the Defiance County Commissioners for the recovery of monies expended for providing legal counsel to indigent prisoners was read by caption only for the first reading. Essex noted we will need to pass this annually.

Resolution 2011-11 authorizing the Mayor to enter into an agreement with Muirfield Energy for Electric pricing savings was read by caption only

for the first reading. Scott Strahley of RCAP has passed on some suggestions to help us go through this process. He also offered to read any contracts for us.

Resolution 2011-12 to enter into a contract with Utility Service Co., Inc. for improvements to the 400,000 gallon elevated tank was read in full by caption only. Beverly moved to suspend the rules. Hart seconded. All voted yes. Resolution 2011-12 was read by caption only for the second and third readings. Jones moved to approve. Barth seconded. All voted yes.

Resolution 2011-13 to assess street-light millage was read by caption only for the first reading.

Clerk’s Report: The following reports were passed out: The June MTD/YTD Cash Report; Quarterly Rescue Run Collection Report; and the Quarterly Utility Collection Report. The Village is now the proud owner of a garden tractor and trailer with a tank to water various flower beds around town. Collins asked Essex if he had heard anything about the Mediacom Tower Agreement. He is going to check on it. Collins informed council and residents

that the utility billing postcard is going to look different. The Post Office is requiring a Universal Bar Code on all mail. In order for us to do this we need to modify our current post card type bill.

Police Department: Chief Szabo did not have anything to report.

Fire Department & EMS: Chief Milller informed council that Cheryl Smith has picked out some EMS billing software that she likes. It will come out of the EMS budget and should be installed by August 1. Miller also proposed some changes to the Hicksville Fire Department and Rescue Squad by-laws requiring EMT’s to work a minimum of one eight hour shift per week and one forty-eight hour weekend shift per month and; No new member certified as a Basic EMT is eligible for the Intermediate class until their probationary period to the Village has been fulfilled. Beverly moved to approve those additions. Headley seconded. Barth, Headley, Pocratsky, Jones & Beverly voted yes. Hart abstained.

Beverly moved to go into executive session for possible litigation and personnel issues. Barth seconded. All voted yes. (7:55 p.m. – 8:30 p.m.) Beverly moved to return to regular session. Hart seconded. All voted yes.

The Council noted that they are not going to pay a Thornburg Plumbing bill for sewer work that was submitted by a resident.

Mayors Report: Hicksville Summer Fest will be held August 6th. The playground equipment will be installed the week of August 8. Volunteers are needed. The Merritt Ditch project should begin the first of August.

Headley made a motion to adjourn. Hart seconded. All voted yes.

MAYOR _____
Larry Haver

CLERK/TREASURER _____
Diane Collins