

VILLAGE OF HICKSVILLE
REGULAR COUNCIL MINUTES

Monday August 1, 2016 at 6:00 p.m.

The mayor announced the passing of long-time village employee, Elmer Marihugh. He was a volunteer fireman for 31 years before retiring.

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

The Pledge of Allegiance was recited by all present.

Roll call was taken with the following persons in attendance: Mayor Diane Collins; Council members Ron Jones, Shelia Baker, Ron Beverly, Mike Headley, Mike Barth; Mick Pocratsky; Administrator Kent Miller; Solicitor Troy Essex; and Fiscal Officer Cheryl Smith.

Minutes from the Regular Council Meeting on July 18th were presented. Mike Headley moved to approve the minutes as written, seconded by Ron Jones. Mick Pocratsky abstained; Jones, Baker, Barth, Beverly and Headley voted yes.

Ron Jones made a motion to approve the current bills list, seconded by Mick Pocratsky. All voted yes. The invoice for IFM was questioned and it was explained by Ron Daniels, Wastewater Plant Superintendent, that in May and June the biological processes were disrupted and more lab testing was required as the processes were corrected.

The mayor announced a public hearing will be held August 11th at the zoning office at 5 pm to discuss a lot split on Oscar Street. There will also be a public hearing August 18th in council chambers at 5 pm to discuss a zoning change from agricultural to residential on Antwerp Drive.

Boards & Commissions:

The Beautification Committee met July 12th and their minutes were submitted to council.

Council Committees:

There were no meetings scheduled. Several council members had gone to the park area to look at the building to be torn down. The Administrator reported 99% of the things stored there have been removed. Bill Murphy asked Miller to move the filing cabinet and contents to the school. Shelia Baker asked if we couldn't keep the smaller building and install a restroom. Beverly replied that sometimes it is cheaper to tear down and rebuild when the condition of the building is so deteriorated. Council is looking at every option before making a final decision.

Mick Pocratsky asked for an update on the Splash Pad to be built in the park. Kent Miller is in touch with Amy Galbraith and the committee. The State Budget will be finalized in August and the required paperwork will be completed at that time. Further details were requested as to cost and design. Miller reminded council of the dollar threshold for requiring bids for the project. Council should decide if they want to install a pad under \$50,000.00 with the option to add to it later or to go ahead now with all the "bells & whistles" using the proper bid process. Should money be put into next year's budget? Miller is agreeable to either plan. Council will make a decision once more information is provided.

Shelia Baker commented on Josh Metz's work at the cemetery. Everything looks well kept. He is doing a great job.

Mike Barth commented on the flowers around town and how they are looking good, even with the current dry weather, due to volunteers keeping them watered.

Administrator's Report: none

Solicitor's Report:

Ordinance 2016-10 second reading by caption only to amend the open burning ordinance.

Ordinance 2016-11 second reading by caption only authorizing the Fiscal Officer to transfer funds from the general fund to Police & Fire Pension Fund and the Capital Projects Fund.

Resolution 2016-12 first reading by caption only to execute an agreement with OPWC for a North Main Street water-line replacement and declaring an emergency. Ron Beverly moved to suspend the rules, seconded by Mick Pocratsky. Resolution 2016-12 had the second and third reading by caption only. Ron Jones made the motion to approve. Mike Barth seconded it. All voted yes. Miller was asked for the location of the project. It will run from south of the CSX viaduct to the hydrant near the entrance to Meadow Lane.

Resolution 2016-13 first reading by caption only authorizing the sale of the 1999 Ford Cargo Van. It was noted that another department in the village may have use of the van.

Department Heads:

- Police Chief Monty Ballinger read commendations for 2 citizens, Carl Warner and Jeff Hamilton, who showed personal heroism when confronted with a very bad vehicle accident near their homes. They were both presented with plaques and a standing ovation from council and the audience. The mayor added her thanks for their bravery in stepping up like they did.
- Chief Ballinger also announced Zach Miller was leaving to take a teaching job with Van Wert schools. He will be advertising for a new officer to replace Miller.
- Fire Chief Scott Cramer announced the breakfast to be held Saturday during Summer Fest from 7 am to 11 am in the Fire Hall. There will also be kid's activities and at 11 am anyone can sign up to participate in a water contest using fire hoses.
- EMS Chief Loni Kesler was absent. Asst. Chief Cody Royer was present. He had no report.

Fiscal Officer Report:

Reports on the desk as follows:

- MTD/YTD Cash Report
- July Income Tax Collections Report

Mayor's Report:

The mayor asked HIX TV Director Bill Murphy to update council on improvements to the audio system in the council room. He reported the repairman from Mediacom discovered the video problem was due to the switch being set on AV2 instead of AV1. This has been corrected. The audio problem has not been addressed yet. Murphy reported it has to be digitally adjusted. He will contact Ken Ramsey for this. It may be also that the equipment is worn out and may need replaced/updated. Murphy will relay this information to the Cable TV Committee when they meet next.

The mayor commended Steve Eysers from Lifeline Connect Church for his church's hard work this summer around the village. She thanked him for all the projects the mission groups completed. She had attended the community event held at the church and commented on how much fun everyone had.

The mayor read a letter from Jessi Elson, Water Superintendent, who wanted to thank the mayor, Councilmen Headley and Barth, the police department and others who helped out when the guys were called out for a main break on the weekend. The 100-degree heat index made the going tough, but the water, Gatorade and food helped a lot. She thanked the administrator for getting dirty right along with the guys.

The mayor reminded everyone of Summer Fest to be held this weekend downtown. It should be a lot of fun.

Several people had called to be added to the agenda. The mayor asked the first, Christopher Wann, to step to the podium and address council. He wanted to submit a petition to council to change the speed limit on a portion of Spencerville Street from 35 miles per hour to 25 miles per hour. The area would run from High Street to Chicago Avenue. He stated that about 80 children live in the area and drivers go too fast down that stretch. He has 163 signatures which include almost every family on the street. When asked where his concern came from as there have been no accidents and/or fatalities in the area, someone in the audience responded "isn't one too many?".

Police Chief Ballinger reminded all citizens that his door is always open to hear their concerns. He said he has had residents offer him their driveway to sit and watch for speeding cars, and he has taken them up on it. This is not something he can do on a permanent basis because he doesn't have enough officers for that, but it does slow people down.

Kent Miller noted that the speed limits could be set by the state, but he personally has no problem with changing the sign. He also stated that signs don't make people slow down. They have to do that on their own.

The mayor asked Troy Essex to look into this matter and report back at the next council meeting. He will find out if this can be decided by the village or if it is set by the state.

Mr. Wann presented his petition to the Fiscal Officer. The mayor thanked him for his concerns and participation in the process.

Next up was Tristan Scranton. He wanted to address the open burning issue before council. As a lifelong resident of Hicksville he is angry that council is considering changing the existing ordinance. He said he read about the issue in the paper, and as he knows a lot of people don't get the paper, he "took to social media." He had over 100 hits in an hour. The majority all think the existing ordinance is fine as it is. It has protections already and if someone doesn't follow it they are breaking the law. He feels time restrictions will hinder many families who enjoy a recreational fire during the day, not just between 5 pm and 1 am. He asks council to reconsider the time constraint.

Shelley Nighswander spoke to council next. She wanted to reiterate her concerns. She was the person who first brought this to council. She wanted people to understand her viewpoint. She doesn't have time to write letters or go on Facebook. She does not hate her

neighbor. He is the best one she has had yet. His property is very well kept. She just can't stand having fires 24/7/365 with never a break. She has witnessed unattended fires, a neighbor who regularly burns trash in a barrel, another burning cardboard and 2X4's. People who can't afford air conditioning open their windows to the smell of smoke that stays in your house. The elderly and babies suffer from this. Life requires food, water and oxygen. If your food or water is contaminated things are done to fix it. What about contaminated air? She came to council because open burning caused health issues for her. She has actually been asked to move out of Hicksville. She likes living here. Hicksville seems to her to be on the cutting edge of small towns. She believes burning will eventually be banned everywhere. She would just like to be able to spend time outside.

Dave Morse works second shift and he would basically be banned from ever having a recreational fire. He can't understand why the village doesn't just go after the people who burn trash and cause problems. The current ordinance covers this already.

Cody Sanders spoke to council saying the time restrictions were ridiculous. He works 2nd shift as well. On his side of town, he hasn't heard any complaints. If people will use clean wood, there should be no problem. (Applause)

Diana Egly spoke to the issue of retired folks. If you can't have a fire until 5 pm, you will end up eating at 7 pm, and the older generation is ready to go to bed, not eat supper. Most things, like soup or beans, have to cook a while and they are not unattended. She is against the time limits.

Deanie Osmun-Morse is also against the time being regulated. Her husband works during the 5 pm to 1 am time and would miss all the family get-togethers.

Barry Slesman works 3rd shift. He sleeps during the day. He thinks a time line is stupid. When the village decides to cut down the tree near his house, they don't come out during the night while he's at work. They cut it down during the day while he is sleeping. He has to go along with that.

- Jeff Pepple then stepped to the podium with 3 concerns:
- He got an EMS bill for \$110.00. He wasn't hurt and doesn't think he should get a bill. His concerns will be sent to the proper person.
 - His water bill increased - the mayor explained we had a rate increase.
 - He doesn't have any garbage and he doesn't think he should be charged for garbage pick-up. He was asked to discuss utility questions with the utility clerk.

Mrs. Warner asked the village to put up a sign at her curve on West High. Kent Miller answered that he would put up any signs as directed by council but has had complaints already about too many signs.

Finally, Tristan Scranton asked what would happen with the ordinance and when. He was told the ordinance would be read a final time at the next meeting and would be voted on at that time.

Some people in the audience wanted to know how they could participate in village business. They have to take time off work if they work 2nd shift. They were told by Mr. Beverly to get in touch with any council member and they would be directed to the proper committee. Any business starts with the committee designated to discuss specific items. From there a meeting can be set up at the resident's convenience. The council is here to serve the public the best way they can. It is not an easy job, and any resident is invited to join in. Council members reminded the public they work for them. Council welcomes their input.

The mayor addressed a question about Facebook. A resident wanted to know why the village wasn't on Facebook. That way residents could interact with the village. She was told that it was looked into, but Facebook is subjective. It also has misinformation that residents believe is true. There is no way to properly channel information without a lot of things that cause trouble. The village prefers to use the website to disseminate information. The mayor invited any resident to come directly to council with concerns. They can also call her office any time (419-542-6161). The council agenda is posted prior to the meeting, and it is published on the website as well. All council meetings are televised.

Mick Pocratsky made a motion to adjourn. Ron Beverly seconded it. All voted yes. Council was adjourned at 7:15 pm.