

VILLAGE OF HICKSVILLE  
REGULAR COUNCIL MINUTES

Monday, August 7, 2017 at 6:00 p.m.

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

The Pledge of Allegiance was recited by all present.

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

Minutes from the July 17<sup>th</sup> Regular Council Meeting were presented. Eric Bassett made a motion to approve, seconded Mike Headley. All voted yes.

A list of bills to be paid was presented to council. Ron Jones made a motion to approve the list, seconded by Mike Headley. Baker, Bassett, Beverly, Headley and Jones voted yes, with Mike Barth abstaining.

Resident Diana Egly appeared before council to address an issue on Rock Street. She presented a list of neighbors who are upset about a residence in their area. They complain about the garden in the front and side of the house, the trash that has accumulated, and the overall appearance. They are concerned about bugs and rodents, as well as their property values. She had pictures of the yard to show council. Egly also said the resident has a camera in the upstairs window taking pictures of the neighbors and has chickens in her house. She also commented on a prior sewer repair causing a trench and the fact that the sidewalk is torn up. The mayor reported she has spoken with the Zoning Inspector, Mike Bailey, who has sent letters out on July 20<sup>th</sup> and August 4<sup>th</sup>. The mayor is certain Bailey will follow-up with any remedy available. The Nuisance Committee will get involved too.

Egly also spoke about having to have a tree cut down at her expense that is on CSX property. She wanted to know what council could advise her to do about the trees and weeds behind her property on CSX property that are not being cut or trimmed. Nothing was suggested.

**Boards & Commissions:**

- **Park Board** minutes from the July 19<sup>th</sup> meeting were in the packets. Miller noted that the plans for the new restrooms are progressing.

**Council Committees:**

- The **Water/Sewer Committee** met July 31<sup>st</sup> and minutes were in the packets. There was a letter from the contractor on the Clearview Project asking for an extension of time until August 18th. After a brief discussion by council members Mike Barth made a motion to grant the extension, seconded by Ron Jones. Baker, Barth, Bassett, Headley and Jones voted yes. Beverly voted no.
- The **Ordinance Committee** met July 17<sup>th</sup> and minutes were in the packets. They decided not to present any legislation concerning tearing down structures. They consider it a civil matter and private property.

**Administrator's Report:**

Kent Miller had the following report:

*The Village received \$2,000 from the insurance company for the fire dept. railing repairs. I submitted the paperwork after the previous council meeting and the claims people responded very quickly.*

*On the bill's list you will see some from Baker-Shindler and Borderline Construction. This was for a driveway from the Antwerp Drive project of 2016. As part of an extra easement needed from a resident, the Village agreed to do the driveway. The owner did not want the sewer contractor to do the work, but asked the Village to use a local person in 2017. We paid for the cement, our employees provided some vehicles to haul stone, and are paying the cement contractor for his labor, time, and other materials needed. Again, this would have been done in 2016 and buried in a pay request as part of the project, so I'm sure this will raise some eyebrows seeing it as a stand alone bill.*

*On a related note, we will also be paying Buckeye Construction \$300 for some sidewalk work. The area in question was on our list of Village properties to replace, but the adjoining neighbors were both doing sidewalks replacement this past week. Rather than us go in later and tear out, without damaging their new panels, it was simpler to have him do all of them at the same time. His bill may or may not make it for the list tonight, but regardless, you'll know what it's about when it does show up.*

*You will also see a \$500 invoice from V.S. Beck Insurance; this is for a rider to our policy to make CSX happy with the N. Main water line project. Plans are approved and we will eventually be paying CSX more money when it is time for them to provide observation when working near the overpass. Until we have a pre-construction meeting (assuming the legislation passes tonight), a start date is not known.*

*Work will begin on or around September 5 on the E. Cornelia sewer job. This will be in the area between Bunnell Street and Columbus Street.*

*There was a meeting on August 3 with the engineer and architect for the park restroom project. Work will begin on design right away, while the application for the \$50,000 State budget money will be ready once final cost estimates for the building and site and utility work are known.*

*Since a number of streets are still in a “planned to start or be completed” phase, I am still trying to determine a good time for the next general pick up. Doing it with many streets torn up will be a hassle, so there is an outside chance it may not take place until early October. I will keep folks posted.*

**Solicitor’s Report:**

- First reading of **Ordinance 2017-15** by caption only to increase the Fire Chief position wages.
- Third reading of **Resolution 2017-14** by caption only to rehire Solicitor Troy Essex for another one-year contract. Mike Headley made a motion to approve, seconded by Eric Bassett, All voted yes.
- Third reading of **Resolution 2017-15** by caption only to enter contract with Poggemeyer Design for engineering and design of the new water tower siting plan. Ron Jones made a motion to approve, seconded by Mike Headley. Baker, Bassett, Headley, Jones and Barth voted yes. Beverly voted no.
- First reading of **Resolution 2017-16** by caption only to enter contract with Vernon Nagel Inc for the North Main Water-line Project and declaring an emergency. Ron Jones made a motion to suspend the rules, seconded by Mike Barth. All voted yes. Resolution 2017-16 was read for the second and third time by caption only. Mike Barth made a motion to approve, seconded by Eric Bassett. All voted yes.
- First reading of **Resolution 2017-17** by caption only to allow the mayor to submit an application to OPWC and declaring an emergency. Ron Jones made a motion to suspend the rules, seconded by Mike Headley. Resolution 2017-17 was read for a second and third time by caption only. Mike Headley made a motion to approve, seconded by Eric Bassett. All voted yes.
- First Reading of **Resolution 2017-18** by caption only to enter agreement with Defiance Co. Commissioners for recovery of expenses providing legal counsel to indigent persons.
- First reading of **Resolution 2017-19** by caption only directing the Defiance Co. Auditor to assess delinquent utility bills to the tax duplicate.
- First reading of **Resolution 2017-20** by caption only directing the Defiance Co. Auditor to assess delinquent mowing costs to the tax duplicate.
- First reading of **Resolution 2017-21** by caption only to assess street light millage.
- First reading of **Resolution 2017-22** by caption only to enter contract with Werlor Inc. to provide residential refuse and recycling service and declaring an emergency. Ron Beverly made a motion to suspend the rules, seconded by Mike Barth. All voted yes. Mike Headley made a motion to approve, seconded by Eric Bassett. All voted yes.
- First reading of **Resolution 2017-23** by caption only to accept amounts and rates as determined by the Budget Commission and certifying them to the County Auditor.

**Department Heads:**

- **Police Chief Kirk Stickney** had no report.
- **Fire Chief Scott Cramer** asked the mayor to recommend to council that they hire Cody Royer as EMS Chief. Mike Headley made a motion to approve the mayor’s recommendation, seconded by Eric Bassett. All voted yes. He also asked the mayor to recommend Dylan Evans to the Fire Department. The mayor did so pending a good physical and background check. Mike Barth made a motion to accept the mayor’s recommendation, seconded by Mike Headley. All voted yes. Cramer thanked everyone who came out to the Taco Bar.
- Mike Barth asked the public to consider becoming an EMT. If anyone is interested, contact Cody Royer or Scott Cramer.
- **EMS Chief (newly appointed) Cody Royer** had no report.
- **Park Director Val Shull** reported the pool will close August 18<sup>th</sup>. Attendance has been down due to the cooler weather.

**Fiscal Officer Report:**

- A Motion was presented for approval that the Local Government Fund has been set by the Budget Commission. Mike Headley made the motion to approve, seconded by Eric Bassett. All voted yes.
- A request by the Fiscal Officer was set before council that she present the (Petition) Initiative from Red Angel Pizza to the Board of Elections as required.

Eric Bassett made a motion that Cheryl Smith “do what needs to be done”, seconded by Mike Barth. All voted yes.

- Information about the Buckeye Deferred Comp Program was presented.
- MTD/YTD Cash Report
- July Income Tax Report
- July Mayor’s Court Report
- July Revolving Loan Report
- June Mediacom Franchise Fee Report

**Mayor’s Report:**

Invitations to the Chamber of Commerce Back-To-School Breakfast were given out.

Minutes from the July 27<sup>th</sup> meeting with village and township officials discussing a possible EMS District were presented. The mayor reported favorable comments from almost everyone. Ron Beverly had attended and said his opinion was for Hicksville to do what it has always done. The next meeting will be August 31<sup>st</sup> at 6 pm at the Sherwood Public Library.

Minutes from the August 3<sup>rd</sup> meeting to discuss a Community Reinvestment Area (CRA) in Hicksville were also presented. A second meeting is scheduled to be held August 24<sup>th</sup> at 5 pm in council chambers for a more in-depth discussion.

The Mayor asked council if anyone had any objection to Cheryl Smith retiring and being rehired according to village policy. No one objected and all were in favor of Smith remaining in her position as Fiscal Officer.

**Other Discussions:**

Shelia Baker voiced concerns about the semis pulling out of the Cheese Factory and into the alley behind her house. She said they are tearing up yards and are in the process of ruining the new parking lot at the church on Edgerton Street. She has spoken with the owner of the Cheese factory but has not received a satisfactory answer. Ron Jones will call Mr. Hershberger and discuss the matter.

Baker also asked about downspouts and sump pumps and what we are doing about them. Beverly answered that some solutions would be cost prohibitive because we are laying the sewer lines 15-30 feet down. This is a question for the Ordinance Committee.

Mike Headley asked what the village was going to do for the Huber Opera House and their request for funding of some sort. This matter will need to be researched by Troy Essex to see if it is even legal for the village to do so.

The Defiance County Health Department had a meeting with the Mayor to discuss our situation with no local grocery store and accessibility to fresh fruits and vegetables.

A reminder to all residents to take their bicycles to the Police Department and get a license. It only costs one dollar. If your bicycle is licensed and is lost or stolen, it can be identified. Police Chief Stickney reported he has numerous unidentified, unlicensed bicycles at the Police Department garage. If you can identify your bicycle, you can reclaim it. You will have to register it at that time.

Resident **Delphia Elder** asked to speak to council about some issues concerning landlords. It is her opinion that landlords provide a service to the community by providing housing for people who would otherwise be homeless. She wants everyone to do their part to relieve the burden put upon landlords. She reports that she may rent to one family and then they allow others to move in with them. When they leave she is left with unpaid bills and they have just moved down the street. Landlords also have to pay property tax and do extensive repairs all the time. The rent she charges does not always cover the expenses. Shelia Baker asked about deposits. Elder said she charges varying amounts and sometimes no deposit at all. Eric Bassett said being a landlord is not “providing a service” but is a “business.” Elder disagreed. She is tired of having to shoulder the burden alone and wants everyone to chip in. She also feels she is being overcharged by the utility department by the way bills are presented and meters are read. Troy Essex pointed out that she actually has 2 separate concerns as utility bills are based on actual usage, no matter how many people live in a house. As far as having problems with squatters, she should have parameters spelled out in her lease contract that protects her rights as a landlord. When the rules are violated she can evict the tenants. She said that takes time and money. Essex agreed, but it is the legal remedy available. She said if Hicksville doesn’t do something the homeless we could end up with a tent city in the park. Mayor Collins asked Elder if she could agree that Southern Hills is an option. Elder said the poor can’t afford it. Collins reminded her the rent is based on their income. Kent Miller had one last thing to add. When general pick-up time rolls around, his guys pick up an enormous amount of trash, usually at the same rentals. If the tenants are so poor, how do they pay for all the stuff they end up throwing out? Elder said they get it free. She would like the village to provide a final refuse pick-up after the tenant leaves. She said Hicksville’s utility bills are way above the national average. She was asked if her figures included cities or just villages Hicksville’s size? That remains unknown.

Finally, Mike Barth thanked the community for their patience with all the construction and road closings. Council appreciates it. He also warned drivers not to cross into areas marked

off because it is dangerous for the driver and the construction crews. Police Chief Stickney warned that citations are warranted if you are caught in an area that has been marked off.

With no other business to discuss Eric Bassett made a motion to adjourn, seconded by Mike Headley. All voted yes. Meeting adjourned at 7:55 pm.

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Mayor

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Fiscal Officer