

VILLAGE OF HICKSVILLE
REGULAR COUNCIL MINUTES

Monday, December 5, 2016 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.

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, Solicitor Troy Essex; Administrator Kent Miller; and Fiscal Officer Cheryl Smith. Councilman Mick Pocratsky was absent.

Minutes from the Regular Council Meeting on November 21st were presented. Mike Headley moved to approve the minutes as written, seconded by Ron Jones. All voted yes.

The bills list was presented for approval. Ron Jones made a motion to approve with Mike Headley seconding. All voted yes.

A Public Hearing was held tonight to discuss rezoning on Wendell Avenue from Residential to Commercial. No one was present with objections.

Sheriff David Westrick (ret) was present as a guest of the mayor. She asked him to attend so the village could properly thank him for all the years he dedicated his life to law enforcement. He served in Defiance County, including Hicksville Township and Hicksville Village for over 30 years. Police Chief Monty Ballinger also spoke about the influence Sheriff Westrick has had on his life, both personally and professionally. Several current and past law enforcement officials were in the audience as well. Sheriff Westrick spoke briefly relating anecdotes on his time spent in Hicksville over the years.

Boards & Commissions:

Ron Beverly, from the Firefighters Dependents Fund Board, recommended Mike Headley be named to replace Mick Pocratsky on the Board. Ron Beverly made a formal motion to approve the appointment. Mike Barth seconded. Jones, Baker, Barth and Beverly voted yes. Headley abstained.

Council Committees:

No meeting minutes were available at the time of the council meeting.

Water & Sewer met and will have minutes at the next meeting.

Resident Cam Teegarden was present and spoke to Council about his outstanding utility bill. He owned a 3-unit property on E. High Street. When he could no longer afford it, he declared bankruptcy. The village had to write off the amount owed up to that date. When the bankruptcy was discharged, the billing resumed and was sent to the owner of record (Mr. Teegarden). The property went into foreclosure and was sold at a sheriff's sale. Because of the timing of assessing unpaid utility bills to the property by the auditor (once a year in September), and the sale date, the unpaid bill was never assessed. Therefore, the amount due was never collected from the new owner. If the amount is not assessed, the village cannot collect from the new owner and the amount cannot be assessed to the previous owner because the property has been sold. It is a Catch-22. Mr. Teegarden has spoken with Utility Clerk Dawn Hostetler and Water Superintendent Jessi Elson. He was advised to come to council and ask for an adjustment. The mayor asked the committee chairman, Mike Barth, if he could provide some direction. Barth replied that he was unaware of the problem, and the committee had never received a request to discuss it. Barth stated he never had to investigate a question of this nature but he will call a meeting in the very near future and come up with an equitable solution for Mr. Teegarden and the village.

Personnel met to interview the 4 finalists for the 2 Street Department positions available. Ethan Hathaway has quit to go to another job and Austin Zeedyk has moved to the Wastewater Treatment Plant. The two chosen were Anthony Schroeder and Michael Cline. Mike Headley made a motion to approve hiring Anthony Schroeder. Mike Barth seconded. All voted yes. Mike Headley made a motion to approve hiring Michael Cline. Mike Barth seconded. All voted yes. Both are dependent on a good physical, drug screen and background check.

The Finance Committee met to discuss the request by the EMS Chief to hire an outside billing agency to do the EMS billing. It was decided to decline at this time and to investigate other options. The question will be revisited later.

Shelia Baker, Sidewalk Committee, was asked by a resident to find out the details on the 1% tax assessed on residents many years ago, (Edith Harkey was mayor) as it applied to sidewalks. The mayor explained that a 1% income tax was assessed in 1972 and goes into

the “general fund.” 40% of the total (nowadays about \$400,000.00) is transferred each year into “capital projects” to pay for projects the village must complete. It may be sidewalks, sewer, waterlines, streets, or any other infrastructure item the Administrator names in the budget each year.

Administrator’s Report:

The report was in each packet.

Miller asked that Austin Zeedyk be promoted from Grade II Laborer to Grade I Laborer. He has been employed since March 2015 and is an exceptional employee. He recently (October 2016) moved from the Street Dept. to the Wastewater Treatment Plant. He is studying for a license to back-up Superintendent Jeff Rumble. Miller would like council to approve the licensure class which will begin in January. Shelia Baker made a motion to approve the class. Ron Beverly seconded. All voted yes. Ron Jones made a motion to approve the Administrator’s request to promote Zeedyk to Grade I Laborer. Mike Headley seconded. Headley, Jones, Barth and Beverly voted yes. Baker voted no.

Solicitor’s Report:

The Annual Appropriations **Ordinance 2016-15** was read for the second time by caption only.

Ordinance 2016-16 establishing pay ranges for employees beginning January 1, 2017 was read by caption only for the second time.

First reading of **Ordinance 2016-17** by caption only to approve zoning change at Lot 5 Parker Addition to B1 General and Local Business and declaring an emergency. Ron Beverly made a motion to suspend the rules. Mike Headley seconded it. All voted yes. Ordinance 2016-17 was read for the second and final time by caption only. Ron Jones made a motion to approve the change. Mike Barth seconded. All voted yes.

Ron Beverly asked Miller about the 10% contingency listed, but not included, in bid price of the contract. Miller will investigate and get an answer for council. He also wanted to know if the catch basins in the Columbia/Pearl area can be raised. Miller will get with the contractor and correct the problem. The mayor asked Miller to notify Beverly when the basins were corrected.

First reading of **Resolution 2016-23** by caption only to enter contract with Underground Utilities Inc. for LTPC Phase I Sewer project at the Clearview Subdivision and declaring an emergency. Mike Barth made a motion to suspend the rules. Ron Jones seconded. All voted yes. Resolution 2016-23 was read for a second and final time by caption only. Ron Jones made a motion to approve. Mike Barth seconded. Headley, Jones, Baker and Barth voted yes. Beverly voted no.

First reading of **Resolution 2016-24** by caption only to enter contract with Underground Utilities Inc for the Water Line Project at the Clearview Subdivision and declaring an emergency. Mike Barth made a motion to suspend the rules. Mike Headley seconded. All voted yes. Resolution 2016-23 was read for a second and final time by caption only. Ron Jones made a motion to approve. Mike Barth seconded. Headley, Jones, Baker and Barth voted yes. Beverly voted no.

Information on Tower Contract Proposal - further investigation will be done and reported later. We will be renegotiating our current lease in 2017.

Information on subordination requested by 5 Acre Mill - paperwork is being completed.

Information on Revolving Loan application by Gordon Creek Granite - paperwork is about half done at this date.

Council President Ron Jones asked for an executive session before adjourning to discuss appointment and/or employment of personnel.

Department Heads:

Police Chief Monty Ballinger had no report.

Fire Chief Scott Cramer reminded everyone Christmas For Kids applications must be in the “Christmas House” at the municipal building by December 9th.

EMS Chief Loni Kesler absent - no report given.

Fiscal Officer Report:

- MTD/YTD Cash Report.
- MTD/YTD Income Tax Report
- MTD/YTD Revolving Loan Fund Report
- November Mayor’s Court Report
- OWDA/OPWC Report to date
- Rescue Squad Collections Report

Mayor’s Report:

- The mayor thanked retiring County Commissioners Otto Nicely and Thomas Kime for all the hard work they put in on Hicksville’s behalf for many years.

- She also praised Chris Farrington for his work at the 9-1-1 Call Center. She thanked him for all the information he provided her as a new mayor.
- She asked Mike Barth and the Water/Sewer Committee to keep on top of the possibility of a new water tower as we go into a new year.
- Tim Becker, owner of 5 Acre Mill, has shown interest in meeting with the mayor and Troy Essex about annexation.

Mike Barth praised the Christmas Parade held December 3rd by the Hicksville Chamber of Commerce led by Angie Freese.

He encouraged everyone to drive through the Christmas Cruise Thru. Everyone involved with the project puts in a lot of work and the results are wonderful. Reminder from the mayor: volunteers are always needed. Contact Denise Sutter at Alliance Tax if you would like to be a part of it.

At 7:05 pm Ron Beverly made a motion to go into executive session to discuss possible appointment and/or employment of personnel. Mike Headley seconded. All voted yes.

At 7:15 pm Ron Beverly made a motion to return to open session. Mike Headley seconded. All voted yes.

Ron Jones announced that there were 8 citizens who expressed interest in serving on council when Mick Pocratsky takes on his new job as County Commissioner January 1, 2017. Council is in need of a replacement for the remainder of Pocratsky's term, which ends December 31, 2019.

Jones made a motion to accept Eric Bassett as councilman. Mike Headley seconded the motion. All voted yes.

With no other business to discuss, Ron Beverly made a motion to adjourn. Mike Headley seconded it. All voted yes. Council was adjourned at 7:20 pm.

Mayor

Fiscal Officer