

VILLAGE OF HICKSVILLE
REGULAR COUNCIL MINUTES

Monday, December 19, 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, Mick Pocratsky; Solicitor Troy Essex; and Fiscal Officer Cheryl Smith. Administrator Kent Miller was absent.

Minutes from the Regular Council Meeting on December 5th were presented. Mike Headley moved to approve the minutes as written, seconded by Ron Beverly. Pocratsky abstained; Baker, Barth, Beverly, Headley and Jones voted yes.

The bills list was presented for approval. Ron Beverly made a motion to approve with Mike Headley seconding. Barth abstained; Baker, Beverly, Jones, Headley and Pocratsky voted yes.

A Public Hearing will be held January 3rd at 6 pm in council chambers to discuss rezoning on Wendell Avenue.

- EMH&T representatives Ken Kerns, Project Manager; Mark Barga, Engineer; and Marci Bland, Senior Project Manager, were present to bring council up to date on the LTCP Phase 1 projects, and to answer any questions they may have.
- Barga gave the updates on Ogen, Antwerp, and Pearl/Columbia/Hattery. All 3 projects have been completed to a point due to the time of year. Retainage on each project is being held for the final work (paving, landscaping, etc.) to be completed in the spring.
- Ken Kerns reported the Clearview Subdivision will break ground in mid-January, weather permitting and has a 180-day completion time frame. Beverly had questions about the laterals in Clearview. Kerns responded that there are areas where some homes have been connected to an existing lateral, so the legal issues involved with right-of-way prohibit the original plan from being implemented. Originally each home would be responsible for their own lateral. The village will now bear the cost instead of the homeowners.
- Beverly asked if there has been any inspection done (re: downspouts, etc.). Several councilmen responded that they personally walked the area and did not see a problem.
- Bland answered council's concerns about additional money being invoiced for engineering, administration and observation. She explained that originally all 5 projects were to be simultaneous. It turns out each one is being handled as an independent project, and not all were ready to go at the same time. The original contract was to run from July 1, 2016 to December 31, 2016. For a number of reasons, including changes to the plans and funding issues, the time ran out before construction was completed. The Chicago Ave. project was completed by the engineers and is still sitting on the table. The additional funds being requested will only be for actual work performed. If the next projects are completed in as timely a manner as the last 3 were, she expects the cost will be reduced.
- There was an issue with the council not understanding the bid from Underground Utilities. They have been used to the contract including a line item for "change orders" up front. This bid was offered at the contract price and the 10%, not as a line item in the contract, but separate. Some councilmen thought the contractor was asking for a 10% line item as well as an additional 10% allowance. That is not the case. Kerns explained that he doesn't see this contract offered very often. He said if the 10% is built in, a contractor could become complacent about change orders since "it's already in the contract." If it isn't already included they have to make a case before a change order is approved. However, the down side is each change order has to be approved by the funding agency as well as the engineering firm and administrator.
- Beverly stated we have been lucky to have used a couple of excellent contractors. Kerns agreed and said he expects the new contractor, Underground Utilities, will do a fine job. Their references and competitors were both complimentary.
- The mayor thanked EMH&T, and the 3 representatives, for their work and for coming to the meeting to explain things to council.

Boards & Commissions:

Cable TV Board had a meeting November 12th and minutes were in the packets.

Council Committees:

Finance Committee minutes from December 5th were in the packets.

Water & Sewer met December 5th and minutes were in the packets.

Administrator's Report:

The mayor read Miller's report to council. He asked for a motion approving the change order on the Pearl/Columbia/Hattery project for \$3480.22. Mike Headley made the motion to approve, seconded by Ron Beverly. All voted yes.

Solicitor's Report:

The Annual Appropriations **Ordinance 2016-15** was read for the final time by caption only and declaring an emergency. The mayor told council that she was at a meeting in Defiance and the CIC wants Hicksville to add another \$1,000.00 to their annual fee. Council was not agreeable and even discussed cutting our fee back to \$10,000.00 unless we see some progress in this area. Ron Jones made a motion to suspend the rules, seconded by Mike Headley. Beverly voted no, all others voted yes. Ron Jones then made a motion to approve the ordinance. Mike Headley seconded it. Beverly voted no, all others voted yes.

Ordinance 2016-16 establishing pay ranges for employees beginning January 1, 2017 was read by caption only, and declaring an emergency, for the final time. Mike Headley made a motion to suspend the rules. Mick Pocratsky seconded. All voted yes. Mike Headley made a motion to approve the ordinance. Mike Barth seconded. All voted yes.

Ordinance 2016-18 extending the time for longevity pay was read for the first time by caption only. It will be reworded to specify a beginning date.

Ordinance 2016-19 to levy a tax for fire protection was read by caption only for the first time. Smith pointed out that if the village was on the May ballot and no one else had question for the taxpayers, Hicksville would bear the cost for the entire election. If the village waits until the November general election, when several council seats will be on the ballot, the cost would be significantly less. Either election the money would not be received until 2018. Ron Beverly made a motion to let the ordinance lie. Mike Headley seconded. All voted yes.

Ordinance 2016-20 to amend the 2016 appropriations was read for the first time by caption only, and declaring an emergency. Ron Jones made a motion to suspend the rules. Mike Headley seconded. All voted yes. The ordinance was read for the second & third time by caption only. Mick Pocratsky made the motion to approve, seconded by Mike Barth. All voted yes.

The subordination paperwork requested by 5 Acre Mill has been approved and signed by the mayor.

The Revolving Loan application by Gordon Creek Granite paperwork is back at Maumee Valley Planning for a couple of changes. It will be completed soon with the closing before the end of the year.

Department Heads:

Police Chief Monty Ballinger gave a year-end report including statistics on arrests. The number included all types of arrest, with 430 adults so far this year, compared to 269 in 2015.

Fire Chief Scott Cramer and *EMS Chief Loni Kesler* were both absent as they were handing out gifts at the fire hall for Christmas for Kids. Fireman Cody Sanders has completed his 6-month employee probation. The mayor recommended he be taken off probation. Mike Headley made the motion to approve. Mick Pocratsky seconded. All voted yes.

Fiscal Officer Report:

- MTD/YTD Cash Report.
- November Mediacom Franchise Fee Report
- Letter from Mediacom listing rate hikes
- April Allen, Assistant Clerk has completed her 6-month probation satisfactorily. The mayor made the recommendation to take her off probation. Mick Pocratsky made the motion to approve, seconded by Mike Headley. All voted yes.

Mayor's Report:

- The mayor thanked the Fire/EMS Department for all their hard work making Christmas for Kids a success. Chief Kesler reported the village had 78 families apply, with a total of 158 children.
- She also thanked the guys for their excellent work plowing snow. They go above & beyond for the community.
- The mayor had a complaint from a person who lives on State Route 49 - they have been having cats dumped off at their property and would like it to stop. She asked the mayor to report it so it would be in the paper and on TV.

The Mayor asked Mick Pocratsky to step forward and let council thank him for his 20 years of service. She gave him a plaque for his desk and wished him success as our new County Commissioner. She reminded him to remember our part of the county.

Eric Bassett was present and was introduced as the person who will replace Pocratsky and fulfill his unexpired term.

Mike Barth thanked the guys who were called out on a very cold night last week to find and fix a main break on Main Street. He thanked the police officers who assisted as well as the Shell Station that provided hot coffee. They all worked together in terrible conditions and got the job done.

Announcement: There will be a Business and Industry Luncheon January 25th at Community Memorial Hospital. Morris Lewis from Workforce Development will be the speaker. The topic will be how to find the right employees. For details, contact the mayor.

With no other business to discuss, Ron Jones made a motion to adjourn. Ron Beverly seconded. All voted yes. Council was adjourned at 7:15 pm.

Mayor

Fiscal Officer