

VILLAGE OF HICKSVILLE  
REGULAR COUNCIL MINUTES  
Monday August 21, 2023, at 6:00 p.m.

Council met in Council Chambers. If not fully vaccinated, please wear a mask.

The Meeting was called to order by Mayor Ron Jones, followed by an invocation. All cited the Pledge of Allegiance.

Roll Call was read with the following persons in attendance: Mayor Ron Jones; Council Members Ron Beverly, Taylor Klepper, Charlie Martin, Mike Barth, and Toni Egly; Administrator Cory Wann; Solicitor Troy Essex and Fiscal Officer Cheryl Smith. Councilman Eric Bassett was absent.

Minutes from the August 7<sup>th</sup> Regular Council Meeting were presented. Charlie Martin made a motion to approve as written, seconded by Mike Barth. All voted yes.

A list of bills to be paid was presented. Beverly asked about the Jones & Henry invoice, EJP, the blower motor repairs and the new mower. Ron Beverly made a motion to pay the bills, seconded by Charlie Martin. All voted yes.

**Boards & Commissions:** The Planning Commission met August 17<sup>th</sup> at 6 pm. Minutes were in the packets. The lot split at 941 Haver Drive was approved.

**Council Committees:** No minutes were presented.

*NOTE: All committee meeting minutes are available in their entirety in the Fiscal Officer's office at 111 South Main Street, Hicksville or by email request to [hixcs@defnet.com](mailto:hixcs@defnet.com). All council meetings are shown on YouTube and minutes are on the website.*

**Administrator's Report:** (no written report)

- Wann reported the volleyball court has been moved. The poles are set and will be painted soon. Darrin Brown will come in to set the lights.
- A new lift is on order to replace the 2001 we own now. It no longer works properly. It was purchased in 2014 with 17,850 hrs. on it at that time. It has had \$10,035.00 in repairs done since that time. It requires at least \$1,000.00 more. It is used for various reasons throughout the year, specifically changing out streetlight bulbs and other hanging items (flags, baskets, banners, holiday lights). The old one has a possible trade-in value of \$3-5,000. Wann is purchasing the replacement for \$31,500 with a trade-in of \$3,500.00. It will be paid for from the funds that were set aside to buy a new truck, which will now be leased from Enterprise. Beverly asked about the boom - it is 45 ft., articulating, 1700 hrs., diesel - and is in Cartersville, GA at this time.
- Wann has read that in the new Ohio Budget the threshold for purchasing will go from \$50,000 to \$75,000.
- The bid opening for the pool/splashpad project will be August 23<sup>rd</sup> at 4 pm in council chambers by Zoom or in person. Beverly wanted to know who was in charge and what the numbers are. Wann had given handouts with drawings and engineers estimates previously. Beverly wanted the Fiscal Officer to give him some "hard numbers" and was told she did not have them at this time. He said he would take soft numbers. She told him she was not comfortable sending out numbers that have not even been discussed by the Finance Committee yet. The bids have not even been opened yet. Wann is still shooting for an opening by Memorial Day 2024 - to coincide with the original pool's anniversary.
- Wann said he was hiring a part-time groundskeeper to mow tagged properties.
- 422-426 Elm St. properties will soon be demolished. Mel Bontrager has purchased them and those are his plans.
- Ron Beverly said he has been texting with Eric Bassett and Toni Egly. Ron Bauer has contacted Beverly about a solution to the drainage issue on his property. The problem has been caused by the construction of a new house with an apparently faulty elevation in the backyard. Bauer now has dead trees due to too much runoff. Beverly said he gave information and ideas to the Administrator. He then asked Wann to get prices for setting a catch basin. Choice One is \$75,000.00 and JDY is \$18,000.00. Toni Egly said she has been aware of the problem for some time. Who built the problem house? How responsible are they? The mayor asked if we should do a project on private property. Mike Barth said it would set a precedent for other homeowners who wanted work done. Beverly told them "We let it happen." Klepper said the village does not have a plan in place for this and into the future. We should have ordinances on the books. It seems to him this is a civil issue between Bauer and the new homeowner/contractor-builder. Beverly said Klepper was talking from a "book" and he was being practical. He said Mike Bailey hands out permits to build with no follow-up. We never inspect the structure. Beverly was told we do not have anyone who is qualified to look at blueprints, etc. We have to hire someone to do it.

Solicitor Troy Essex said the responsibility should be shared. It is not only the village, but the builder and the homeowner. There should be nothing done without an appropriate agreement with proportionate responsibility spelled out. Beverly said it's the same as the property on Spencerville and we took care of that. Klepper did not agree and Beverly said "Bull!" Toni Egly asked the Administrator if the village employees could do the work. Wann said we have a backhoe, we do not have an excavator to do that kind of work. He would not want them to tackle that job. Beverly made a motion to hire JDY Excavating. No one would second the motion.

- *Note: Beverly wanted to amend the minutes to include his statement that the "Yoder house is the only one on Bryan Street that was constructed properly."*
- Beverly then asked about the sidewalk situation. A resident had parked his backhoe on the piece to be replaced and would not allow village personnel or contractors on his property. Essex has recommended the police department have it towed and make the repair.
- Beverly then wanted to know about the "Beech Street property." He has heard about this since April and now it's August. How much time before this property can be condemned? Who does it? What does it take? Taylor Klepper said he understood the Fire Chief would do the inspection/condemning properties- or maybe the Health Department?  
Beverly said Mike Bailey sends letters and gives out deadlines and then backs off and forgets it. Why hasn't he done something?  
Kent Miller asked to be recognized. He told the council that Mike Bailey is like the "secretary" of the Nuisance Board. (He calls meetings, reports issues and takes notes.) The Nuisance Board is spelled out in village ordinances. It is the Mayor, Fire Chief, Zoning Inspector and a representative of council - which is Ron Beverly.

#### **Solicitor's Report:**

- First reading of **Ordinance 2023-15** by caption only to amend appropriations to balance the budget and declaring an emergency. Taylor Klepper made a motion to suspend the rules, seconded by Mike Barth. All voted yes. Second and final reading of Ordinance 2023-15 by caption only. Taylor Klepper made a motion to approve, seconded by Ron Beverly. All voted yes.
- First reading of **Ordinance 2023-16** by caption only reinstating and extending the Job Creation Tax Incentive Program established by the Village of Hicksville.
- Final reading of **Resolution 2023-14** by caption only to authorize the Village Administrator to enter a lease agreement with Enterprise Fleet Management for vehicle replacements. Toni Egly made a motion to approve, seconded by Charlie Martin. Egly, Martin and Barth voted yes. Klepper and Beverly voted no.
- Second reading of **Resolution 2023-19** by caption only to enter an agreement with the Defiance County Commissioners for recovery of monies expended for providing legal counsel to indigent person for the calendar year 2024.
- First reading of **Resolution 2023-20** by caption only authorizing the Revolving Loan Fund Committee to enter a loan agreement with Choice Physical Therapy and declaring an emergency. Ron Beverly asked to make a statement. He said we all know Community Memorial Hospital is struggling. He told the applicant it was poor timing on his part to open a competitive business downtown. He told the council he can't believe they are going against our own hospital. Taylor Klepper made a motion to suspend the rules, seconded by Charlie Martin. Barth, Egly, Martin and Klepper voted yes. Beverly voted no. No quorum to suspend the rules.
- First reading of **Resolution 2023-21** by caption only expressing support for the Enterprise Zone Agreement between the Board of Commissioners of Defiance County and APT Manufacturing Solutions and declaring an emergency. Taylor Klepper made a motion to suspend the rules, seconded by Mike Barth. All voted yes. Second and final reading of 2023-21 by caption only. Mike Barth made a motion to approve, seconded by Charlie Martin. All voted yes.
- First reading of **Resolution 2023-22** by caption only accepting the amounts and rates as determined by the Budget Commission and authorizing necessary tax levies and certifying them to the County Auditor and declaring an emergency. Mike Barth made a motion to suspend the rules, seconded by Ron Beverly. All voted yes. Second and final reading of Resolution 2023-22 by caption only. Taylor Klepper made a motion to approve, seconded by Toni Egly. All voted yes.
- Note: Charlie Martin, Chair of the Personnel Committee, has interviews set up next week for possible replacements for the Solicitor.
- Erika Willitzer from the Defiance County CIC was present to speak to the Council. She said the project at Industrial Park is moving slowly, but it is moving. She has a new

contact with American Tower and the contract changes are under review. She is hopeful something will happen in the next week.

**Department Heads:**

**Police Chief:** *Mark Denning absent.*

**Fire/EMS Chief:** *Bruce Hart handed out run reports. He reported Hannah Kirkham is off for the next 10-12 weeks. She had a baby boy. Rebecca Somers (EMR) will be taking her place full-time from 4-12 until she's back. She will be joined on that shift by Abbye Franz, who is continuing her nurses' training in the mornings. The day shift will be John Elwood and Bob Meyer. Chief Hart said he had a talk with the EMR's about their inactivity. They explained they have jobs and small children, so it makes it hard to answer the page.*

**Park Director:** *Val Shull absent.*

**Fiscal Officer Report:** The following reports were submitted to Council:

- Fund Status / Cash Summary (Revenue & Expenditures)
- August Revolving Loan reports.
- July Mayor's Court and Police Department collections.

**Mayor's Report:** Mayor Jones reminded residents the Fair is in town. Watch for increased traffic. Next week the kids will be back in school so be sure to be on the lookout for them and the school buses.

Mike Barth announced Mink Energy (Solar Fields) will have an open forum in Antwerp on Thursday the 24<sup>th</sup>.

At 7:05 pm, Councilman Taylor Klepper asked for an Executive Session to discuss economic development, seconded by Ron Beverly. All voted yes.

Council returned to regular session at 7:45 pm with no action taken.

Charlie Martin made a motion to adjourn, seconded by Toni Egly. All voted yes. Council adjourned at 7:45 pm

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Mayor

Fiscal Officer