

**Village of Higginsport
Village Council Meeting
April 14, 2025**

The Council of the Village of Higginsport met in regular session at the Village Municipal Building on Monday, April 14, 2025 at 6:00 p.m. with all members present except Drew Smith.

Also, present were: Fire Chief Rob Starrett, Police Chief Shawn Elliott, Scott Wilburn, Michelle Wilburn, Linda Fester, Sandy Beair, Leslee Hasenstab, Tricia Wood, Peggy Wood, Dean Miracle and Anthony Stronz.

Mayor Beair called the meeting to order and led everyone in the Pledge of Allegiance.

New Business

Mr. Fester reported that three estimates had been obtained for painting the exterior of the municipal building. The estimates being the following:

- Cincinnati Professional Remodeling - \$3,800.00 (does not include the trim around the windows)
- Brush Works Professional Painting - \$8,275.00
- Jr's Home Restoration & Remodeling - \$5,210.00

Council discussed the estimates received as well as funding the project. After discussion it was consensus of Council to hire Cincinnati Professional Remodeling but requested Mrs. Adams contact them to request revising their estimate to include painting the window trim.

Resolution 25-06

Motion by: Mr. Fester

Seconded by: Ms. Null

To approve hiring Cincinnati Professional Remodeling to paint the exterior trim of the municipal building.

Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Absent; Ms. Wills, Yes

Mr. Fester reported the \$50,000.00 capacity grant for IT type work is pending.

Mr. Fester reported that two meetings per week are being held regarding the ballfield project. The project is in the permit phase and the groundbreaking of the project is estimated for August 1, 2025.

Mr. Fester reported that a meeting was held with Kelly Faas regarding possible infrastructure grant funding for sidewalk improvements for US 52 and Washington Street. The approximate cost is projected to be \$170,000.00

Mr. Fester reported the ARC grant application for the village sewer project was ready to be submitted. The grant funding would provide \$50,000.00 in funding for the project with the remaining cost of the project (\$52,000.00-\$53,000.00) to be funded by a OWDA or bank loan.

Motion by: Mr. Fester

Seconded by: Mr. Null

ORDINANCE # 2025-02

AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR CONSTRUCTION OF THE WASTEWATER TREATMENT PLANT EQUIPMENT REPLACEMENT PROJECT BETWEEN THE VILLAGE OF HIGGINSPORT AND THE OHIO WATER DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Higginsport (hereinafter referred to as the “LGA”) needs to replace equipment at the wastewater treatment plant and acquire spare pumps for the sewer collection system; and

WHEREAS, the LGA desires to obtain a loan from the Ohio Water Development Authority (hereinafter referred to as the “OWDA”) to finance costs of the construction of such facilities on the terms set forth in the Cooperative Agreement (defined below); and

WHEREAS, the OWDA has indicated its willingness to make a loan for that purpose and on those terms;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Higginsport, Ohio:

Section 1. That the LGA hereby approves the construction of the aforesaid Wastewater Treatment Plant Equipment Replacement Project in cooperation with the OWDA under the provisions, terms and conditions set forth in the “Cooperative Agreement for State Construction Project” as set forth in Exhibit A (the “Cooperative Agreement”) and hereby authorizes the Chief Executive Officer and the Chief Fiscal Officer of the LGA to execute the Cooperative Agreement with the OWDA substantially in the form set forth in Exhibit A.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3.* That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of said Village of Higginsport for the reason that the immediate construction of the Wastewater Treatment Plant Equipment Replacement Project at the earliest possible time is necessary in order to protect the health of the inhabitants of the LGA by providing new equipment at the wastewater treatment plant,; wherefore, this ordinance shall be in full force and effect from and immediately after its passage.

Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Absent; Ms. Wills, Yes

Mr. Null reported that there had been a culvert issue on Gaines and Main Street. He had contacted the street committee and an emergency repair had been completed by LP Excavating at a cost of \$5,800.00.

Resolution 2025-07

Motion by: Mr. Fester

Seconded by: Mr. Null

To approve the emergency street/culvert repairs at Gaines and Main Street completed by LP Excavating at a cost of \$5,800.00.

Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Absent; Ms. Wills, Yes

A discussion ensued regarding procedures when emergencies arise, council's involvement and emergency contacts.

Mayor Bear reported there was a water run-off issue on Gaines Street as the ditch needed repair. Mr. Null reported there was a hole on John Street that needed repair as well. After a brief discussion it was consensus of council to obtain estimates for the needed repairs.

Fiscal Officer's Report

Mrs. Dufau requested Council approve/accept the mayor's "State of Emergency Declaration" that was issued during the recent Ohio River flooding event.

Resolution 2025-08

Motion by: Mr. Null

Seconded by: Ms. Wills

To approve and accept the "State of Emergency Declaration" issued by the village mayor due to the Ohio River flooding.

Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Absent; Ms. Wills, Yes

A brief discussion ensued regarding the necessity for declaring a state of emergency for possible state and federal emergency funding.

Motion by: Mrs. Adams, seconded by: Mr. Null to approve and pay the bills. Motion passed unanimously

Motion by: Mr. Adams, seconded by: Mr. Fester to approve the regular meeting minutes from March 10, 2025. Motion passed unanimously

Mayor Bear inquired if he obtained three estimates would Council agree to go ahead with the needed street repairs at Gaines and John Streets.

Resolution 2025-09

Motion by: Mr. Fester

Second by: Mr. Null

To approve the street repairs for Gaines and John Streets at a cost not to exceed \$10,000.00

Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Absent; Ms. Wills, Yes

Ms. Wills inquired if the community center had been rented as previously discussed at the last council meeting. Mayor Bear confirmed that the interested party had not followed up with him regarding the facility rental.

Mrs. Adams reported that a bid had been received from T & M Mowing for the village cemetery mowing. The bid for the 2025 mowing season is \$4,700.00.

Resolution 2025-10

Motion by: Mr. Null

Second by: Mr. Fester

To approve contracting with T & M Mowing for the 2025 mowing season at a cost of \$4,700.00.

**Vote: Mrs. Adams, Abstain; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes;
Mr. Smith, Absent; Ms. Wills, Yes**

Police Department Report

Chief Elliott reported on the following:

- Recovery of stolen vehicle and property from the village.
- Junk car has been towed.
- On track with CPT hours
- Street blocked off by the sewer lift station during the river flooding.

Chief Starrett notified Chief Elliott that he had updated the “shelter in place” with the minister at the church and that he would be provided a key.

Chief Starrett addressed the previous discussion regarding emergency contacts for the village and recommended phone numbers of village officials be provided to the county emergency communication center as was done by the township trustees.

Old Business

Mr. Miracle inquired about his previous request for a petty cash. Mrs. Dufau confirmed the village could have a petty cash if Council agreed. If so, Council would need to approve a petty cash policy.

Resolution 2025-11

Motion by: Mr. Null

Second by: Mr. Fester

To approve establishing a petty cash fund of \$100.00 to be provided to the village mayor upon approval of a petty cash policy.

**Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes;
Mr. Smith, Absent; Ms. Wills, Yes**

Mr. Miracle inquired how Council would like to proceed with the properties that were cited last year as nothing has been done to clean-up the properties. Chief Elliott informed Council that the village could have abandoned vehicles towed however the cost to do so would be \$175.00 per vehicle. A discussion ensued regarding the matter with Mr. Null directing Chief Elliott to contact some tow companies to see if the village could possibly get a price break for their towing services.

Mr. Miracle suggested Council consider setting a vendor fee for the upcoming village festival. A discussion ensued regarding charging fees for booth space. Mrs. Dufau confirmed once again that the village was not legally permitted to fundraise and that fees could only be charged to offset any actual costs incurred by the village such as utilities.

Mr. Miracle reported there were several trees in the village that needed trimmed or removed. Council discussed possibly removing and trimming the trees with volunteer labor.

Mr. Miracle expressed that Council needed to address the on-going matter with the village streets that dead end at the river. Mayor Bear reported that he and Mr. Miracle had spoken to three attorneys who all recommended that the streets in question be vacated. Mr. Miracle expressed that he felt that if Council continued to do nothing to address the matter that they would be sued. Mr. Adams expressed that he was not in favor of vacating any of the streets to the river and that barricades and “no outlet” signs could be installed to eliminate the safety issue. Mrs. Adams recommended having all the dead-end streets surveyed. The discussion continued regarding the matter.

Resolution 2025-12

Motion by: Mr. Null

Second by: Mr. Fester

To vacate all dead-end streets in the village.

Resolution/Motion died for lack of vote.

Chief Starrett expressed that Mr. Null and Mr. Fester should not be permitted to vote on the matter as they both would personally benefit. He also explained to vacate the streets all property owners on the streets would have to be notified and their input in the matter would have to be considered. Mr. Miracle stated that there was also a dead-end alley along Mr. and Mrs. Adam’s property. Mrs. Dufau explained should Council desire to proceed with vacating the streets multiple ordinances would have to be presented for there to be enough council members to approve them due to some members personally benefiting from the vacation.

Fire Department Report

Chief Starrett reported on the following:

- The new SCBA’s funded by the grant from the state fire marshal’s office have been received.
- MobilComm is to finish flashing the radios once complete additional new radios will be purchased with the remaining grant funds.
- Met with the Bureau of Worker’s Compensation regarding possible grant funding.

Chief Starrett requested an executive session to discuss a personnel matter.

Motion by: Mr. Fester, seconded by: Mr. Null to go into executive session to discuss a personnel matter. Motion passed unanimously. Time Out: 7:10 p.m.

Motion by: Mr. Null, seconded by: Mr. Fester to return to regular session. Motion passed unanimously. Time Returned: 7:19 p.m.

Ms. Wills requested an executive session to discuss a personnel matter.

Motion by: Mr. Adams, seconded by: Ms. Wills to go into executive session to discuss a personnel matter. **Motion passed unanimously. Time Out: 7:21 p.m.**

Motion by: Mr. Null, seconded by: Mr. Fester to return to regular session. **Motion passed unanimously. Time Returned: 7:41 p.m.**

Resolution 2025-13

Motion by: Mr. Null Second by: Mr. Adams

To approve changing the village mayor’s court clerk position to a salary position effective April 13, 2025 and to further approve the monthly salary to be \$200.00 per month.

Vote: Mrs. Adams, Yes; Mr. Adams, Yes; Mr. Fester, Yes; Mr. Null, Yes; Mr. Smith, Absent; Ms. Wills, Yes

Motion by: Mr. Null, seconded by: Mr. Adams to adjourn the meeting. **Motion passed unanimously.**

Lester Beair, Mayor

Sheila G. Dufau, Fiscal Officer

Kathy Adams, Council Member

Matt Adams, Council Member

Linda Wills, Council Member

Scott Null, Council Member

Mark Fester, Council Member

Drew Smith, Council Member