

Arcadia Village Council Meeting Minutes,

April 15th, 2024

Arcadia Village Council met for the regular rescheduled session on April 15th, 2024, at the Town Hall located at 104 South Gibson Street Arcadia, Ohio at 7:00 p.m. Mayor Brian Fink called the meeting to order. All present recited the Pledge of Allegiance to the Flag.

Roll Call Attendance: Mayor; Brian Fink. Voting Council Members: Stephanie Balderson, Donald Moses, Jenifer Bowman, Rhonda Dingelstedt, Aadam Duckett, and Angela Kimble. Village Administrator; Mark Bowman, Fiscal Officer; Amie Clouse, and Solicitor; John Filkins.

Executive Session: Mayor Brian Fink asked the council to make a motion to go into executive session to interview a solicitor and include himself and council. Rhonda Dingelstedt made a motion to go into executive session with the mayor and council members to interview a solicitor. Donald Moses seconded the motion. All in favor motion carried. Roll call vote 6-0. Enter the executive session at 7.04 p.m.

Rhonda Dingelstedt made a motion to come out of executive session at 7:12. Angela Kimble seconded the motion. All in favor. Motion passes 6-0.

Residents in Attendance: Karen Hanna, Jeff Hanna, Vicki Simon, Nathan Simon, Teresa Margraf, Carol Berning, Carol Mc Donald and Vi Fink.

Visitors in Attendance: Marshall Finelli, solicitor.

Minutes: Mayor Brian Fink asked for a motion to forgo the reading of the March 11th, 2024 minutes. Stephanie Balderson made a motion to forgo the reading of the March 11th minutes. Donald Moses seconded the motion. Roll call 6-0. Motion passes. Mayor Fink asked for a motion to accept the March minutes as written. Stephanie Balderson makes a motion to accept the March 11th minutes as written. Jenifer Bowman seconded the motion. All in favor motion carried. Roll call vote 6-0.

Bills: Mayor Fink asked for a motion to pay the March bills. Rhonda Dingelstedt made a motion to pay the March bills Stephanie Balderson seconded the motion. Roll call vote 6-0. Motion carried.

Resident Concerns: Teresa Margraf updated council that the shed that will have tools for residents to borrow has been assembled. She explained that the shed and the tools were part of the educational grant that the Village was awarded. She also explained that residents will be able to check the tools out and use them to maintain their own trees. She explained that the Tree City Awards will be coming up very soon and members of the tree commission will attend. She also explained that she will be working with the school and the tree commission to plant a tree with the students on May 24. The plans are still being worked on but the date is scheduled. Mrs. Margraf also asked if there was more information about the internet provider that attended the March meeting, Amplex. Mayor Fink explained that Amplex was on the agenda. Vicki Simon inquired about the availability of the minutes. She explained that the latest minutes on the website are August 2023. Mayor Fink explained that Ruthie Tong was working on updating the website. He also explained she could have a copy of the minutes from a member of council that was willing to give their copy up after the meeting. Mr. Bowman offered his minutes to Mrs. Simon. Mrs. Simon also inquired about the regular meeting that was canceled. She did not see it posted on the web site. Mrs. Clouse explained that she posted it in the

newspaper. Mr. Bowman explained that this is the legal requirement. He mentioned that we may be able to look into it with Mr. Filkins to find a different solution.

Guest concerns: Ruthie Tong, Arcadia Heart and Soul project coordinator, was not in attendance. However, she did present the council with a handout to update them on the activities of Heart and Soul.

Administrator Report: Mark Bowman prepared the reports for receipts and expenditures for March 2024:

	<u>Receipts</u>	<u>Expenditures</u>	<u>Gain/Loss</u>
Water	\$28,394.32	\$17,479.26	+\$10,915.06
Sanitary Sewer	\$9,749.58	\$9,386.11	+\$363.47
Electric	\$60,858.27	\$48,882.03	+\$11,976.24

37 delinquent accounts: \$9,632.95

0 residents were disconnected for nonpayment.

Water: TTHM testing has been completed this month. This is part of the EPA quarterly requirements. We are still waiting on the results. The readings have been normal in town and at Red Hawk. He also explained that he increased the chlorine a little as the weather is warming.

Sanitary Sewer: Mr. Bowman explained that we are waiting on a repair kit from Buckeye Pump to repair pump #1. Pump #2 is running fine. Overall, the pump station is working properly.

Electric: Mr. Bowman explained he is still working on the right of way to complete an electric upgrade behind residents on W. Fremont St. He also explained that there were no power outages last month.

Streets: Mr. Bowman explained that he has been cleaning curbs. The plow and salt spreader have been cleaned and stored.

Other: Mr. Bowman spoke with Doug Nelisse from Amplex about porting our current phone numbers over to Amplex and paying a small fee to keep our TDS emails. He estimated that the village could save around \$150 a month to utilize Amplex services for free. Amplex would also offer internet access to the Community Building. This is something that would be beneficial to the community.

Mr. Bowman explained that the shop building that is behind the town hall. Is in need of repairs. The east wall at the top of the building is losing the mortar in the joints between the concrete blocks. It is cracking and needs to be addressed. He contacted 3 contractors but only received a quote from Johnson General Contractor for \$9,400.00.

Mr. Bowman also explained that he received a quote to complete a section of Brown Road between S. Main St. and Fremont St. The quote is for \$12,000. This would complete the section of Brown Road that will be worked on this summer. Mr. Bowman would like to see this section of the road completed.

Mr. Bowman next explained that he had a letter that he wanted Mrs. Clouse to read so that it would be part of the record. Then he stated that he was resigning and left the meeting.

Mrs. Clouse read the letter of resignation to the council. After reading the letter to the council. Mayor Fink addressed some of the topics in the letter. Mr. Bowman's letter stated that Mayor Fink did not include him in meetings or committees that he should have been a part of. The mayor stated that Mr. Bowman did not want to be part of the water rate committee. The letter also stated that the mayor said to Mr. Bowman that he did not need to talk to Councilmen Moses about the matter of renting a truck as the matter was not his concern. Councilman Donald Moses asked why Mr. Bowman was not allowed to speak to council members. Mayor Fink stated that he could but that council did not have the authority to make the approval. Mr. Moses explained that Mr. Bowman asked his opinion on renting a truck to Hancock Wood because it was something that he had not dealt with in the past. Mr. Moses thought that this would be acceptable but he should talk to the mayor. The mayor stated that he did not say Mr.

Bowman could talk to council only that council does not have authority to approve the rental. Mr. Bowman was not looking for approval, he was looking for a recommendation. Mayor Fink thought he should have been the first call.

Fiscal Officers Report: Fiscal Officer, Amie Clouse presented the council with the following reports: Appropriation Status, Revenue Status, Cash Summary by Fund, Year End Balances comparisons (gains/ losses), and the monthly fund balance.

<u>For January</u>	<u>Beginning Balance</u>	<u>Ending Balance</u>
General fund:	\$328,149.00	\$347,835.81
Streets:	\$223,842.30	\$226,596.58
Highway:	\$13,801.65	\$14,028.23
Storm Sewer:	\$96,888.07	\$110,499.10
Permissive Tax:	\$6,126.99	\$6,356.99
ARPA CoronaVirus:	\$61,716.57	\$50,385.79
Heart and Soul:	\$44,434.82	\$60,765.35
Water:	\$168,272.79	\$179,187.85
Sanitary Sewer:	\$250,561.00	\$247,816.17
Electric:	\$981,373.11	\$996,457.65
Enterprise Deposits:	\$18,297.97	\$18,297.97
Enterprise Improvement:	\$101,706.42	\$102,812.12

Mrs. Clouse explained that she had multiple Ordinances, Resolutions and a Proclamation. She explained the purpose of each of them.

Ordinance 2024-3 was for consent to complete a resurfacing project on State Route 12. This is a project that will be completed through the state. The legislation is to approve the project to be completed.

Resolution 2024-B to approve the use of ARPA funds to pay for the new master meter at the water pump station. The council approved the use of these funds for the master meter during the February meeting. This will officially approve the use of ARPA funds.

Resolution 2024-C to approve the payment to Hancock Wood Electric to replace an electric pole that was hit by a car east of Arcadia on State Route 12. The incident has been reported to the insurance company and repayment is expected.

Resolution 2024- D to contract with Johnson General Contractor to complete repairs to the shop building located behind the town hall at 104 S. Gibson St. Arcadia, Oh. Mr. Bowman explained this in his report. The quote for this repair is \$9,400.

Arbor Day Proclamation for May 24, 2024. Mrs. Clouse explained that she has contacted the school about planting a tree with the students for Arbor Day. Teresa Margraf will plant the tree with the students on May 24th. A tree and location are still being determined. Stephanie Balderson pointed out that there was a correction to the Proclamation. Mayor Balderson's name needed to be replaced in the proclamation. Mrs. Clouse will make the correction.

Mayor's Report: Mayor Brian Fink explained that the committee met to discuss the water rate increase. Mayor Fink, Council members Stephanie Balderson and Jenifer Bowman, Fiscal Officer Amie Clouse, and residents Lonnie Moses, Teresa Margraf and Carol McDonald were on the committee. The committee discussed different scenarios. The recommendation from the committee was a 4.5% increase. Mrs. Clouse presented council with a spreadsheet that showed council what 4.5%, 5% ,5.5% and 6% increase would look like to the base rate as well as examples of what an increase to these percentages with uses of 400cf, 600cf and 800cf. The spread sheet also showed the council an example of an estimate of revenue for each percentage. She reminded the council how the 10% increase from Fostoria would affect the revenues and expenses and presented the information about the water increase.

Mayor Fink explained to the council that the Sheriff's contract is up for renewal. He asked if the council was interested in continuing the contract. Aadam Duckett asked if the rates to the contract had changed. Mrs. Clouse explained that the cost did increase a few months ago but

the increase was very insignificant. Mayor Fink explained the total for the year will be around \$10,000.

Council was still looking over the water rate and asked for more information on the handout Mrs. Clouse presented. Solicitor Filkins asked why the water fund saw an increase in revenue for March. Mrs. Clouse explained that it was unusual and she did look into it to see what the change was from. She explained that she could not see where the change was coming from when she looked over the expenses. Rhonda Dingelstedt asked if the committee discussed increasing the rate 3% every year moving forward. The committee did not discuss this topic. Stephanie Balderson stated that the committee discussed looking at the rate again in 6 months. She thought we should look at it again in 3 months. Mrs. Clouse explained that the way the water loan works makes the overall picture of the fund hard to see in this short time frame. Mayor Fink asked for a motion to accept the 4.5% water rate increase, Ordinance 2024-4 with amendments. Adam Duckett made a motion. Jenifer Bowman seconded the motion. Donald Moses asked if we are going to revisit the water rate in 6 months. Council discussed the topic. Mrs. Clouse explained that looking into it again is not a problem. She will keep an eye on this fund and keep the council updated. She explained that later in the year after the water loan has been paid for the year, she will be able to see how the fund is doing. Resident Carol Mc Donald was part of the committee to discuss the water rate. She inquired if the water and sewer department could be combined into one fund. Mrs. Clouse explained that was not an option. This would not be acceptable for the auditor. Mrs. Teresa Margraf stated that Findlay's water and sewer is combined. Mrs. Clouse explained that they may be the same department but that the funds are separate for Findlay as well. Combining these funds is not something that would be acceptable to the state auditor's office. Resident Vicki Simon asked if the legislation needs to be corrected before it can be passed. Council member Stephanie Balderson explained that the legislation would be passed with amendments. This is acceptable. Mayor Brian Fink asked for a motion to pass 2024-4 to increase the water rate 4.5% as an emergency. Stephanie Balderson made the motion. Rhonda Dingelstedt seconded the motion. Roll call 6-0, all in favor. Motion passes. Mayor Fink asked for a motion to pass 2024-4 with amendments to the word six (percent) to four and a half (percent). Stephanie Balderson made a motion. Donald Moses seconded the motion. Vote 5 for 1 oppose. Motion carries.

Mayor Fink asked for a motion to renew the sheriff contract with Hancock County Sheriff's Office. The contract will be renewed under the previous contract rules. Adam Duckett made a motion to accept the renewal of the sheriff contract. Donald Moses seconded the motion. All in favor, vote 6-0. Motion carried.

Next Mayor Fink asked Solicitor John Filkins to go over the contract with Climavision and address any concerns. Mrs. Clouse made copies while Mr. Filkins started going over the contract. First, he addressed the length of the contract. It does not seem to be clear. Second, the compensation for the use of a water tower to install the equipment is not stated in the contract. He mentioned some types of compensation including use of the system and or charge for the use, if this was acceptable to council. He also believed Climavision expressed that they would make repairs while installing the equipment but this is not mentioned in the contract. Another issue was insurance, who is responsible for damage to the equipment and or subsequently the water tower. Next was the ability to put a logo on their equipment. Also, there is a reference to Exhibit A. He did not have that information and requested it. The contract states that the current renter would have the right to sublet the contract to a third party. The solicitor did not understand the purpose of this clause. These were the concerns he addressed. Mayor Fink explained that he spoke to them at the last meeting. The mayor understood that we could make the changes to the contract and they would be acceptable. He instructed the Solicitor to address the concerns he talked about then bring it back to council. Mayor Fink also stated that verbally he was told that Climavision would make repairs to the water tower from their installation as well as address some small concerns we have inside of the water tower when they completed installation. He expressed that Climavision would be responsible for all repairs associated with their equipment. Mrs. Clouse explained that Climavision was going to install a generator that would also be connected to the water tower's electricity. Climavision is interested in running their electric through our existing equipment and paying the utility cost each month. This was acceptable to them so they will not need to install a new electric service. Jeff Hanna had a question about what meter this was associated with. He believed that the meter for the cold storage was the meter that was mentioned. Mrs. Clouse

said that she did not have more information about the meter as she received the information from the administrator. Climavision is willing to pay the electric bill for use of the meter that was discussed. The solicitor addressed the section of the contract that states a separate electric service can be requested by the provider. Mr. Filkins asked what other compensation was offered. Mrs. Clouse stated that the use of the system was also part of the compensation. Mr. Filkins will work on the contract. Mrs. Clouse will request Exhibit A and email it to Mr. Filkins. He will have it available before the next council meeting. Resident Vicki Simon asked who pays for the storage barn now. Mrs. Margraf explained that it was a free service that no one pays for although the residents do pay for it indirectly.

Mayor Fink asked for a motion to pass Resolution 2024-B to pay for a new master water meter at the pump station. After further review it was determined that this resolution would need to be worked on. The cost of the master meter did increase from the previous amount that was approved by council. This resolution will need to be corrected before it is passed. More information is needed.

Mayor Fink asked for a motion to pass Resolution 2024-C to replace an electric pole by Hancock Wood with amendments concerning an emergency. The language of the administrator will be replaced with language to pay the invoice, amendments were recorded. Rhonda Dingelstedt made a motion to accept the resolution with amendments. Angela Kimble seconded the motion. All in favor, 6-0. Motion passed.

Mayor Fink asked for a motion 2024-D to approve work by Johnson General Contractor to complete work on the electric shop with amendments to emergency language. Stephanie Balderson asked that the section that states that the administrator authorize that action be changed to the mayor since the administrator had resigned. Solicitor John Filkins had some questions to clarify the language. Donald Moses made a motion to approve Resolution 2024-D with amendments concerning an emergency and the administrator. Rhonda Dingelstedt seconded the motion. All in favor, 6-0. Motion carried.

Mayor Fink presented Ordinance 2024-3 to authorize a street resurfacing project on State Route 12 to be completed by the State. Mayor Fink asked for a motion to pass it as an emergency. Stephanie Balderson made a motion. Jenifer Bowman seconded the motion. All in favor, 6-0. Motion passed. Stephanie Balderson made a motion to pass Ordinance 2024-3. Donald Moses seconded the motion. All in favor, 6-0. Motion passed. Solicitor John Filkins asked about a section of this Ordinance that asks for the administrator's approval/ signature. He suggested that the president of council replace the administrator for this ordinance. Rhonda Dingelstedt made a motion to accept Ordinance 2024-3 with amendments. Stephanie Balderson seconded the motion. All in favor, 6-0. Motion carried.

Mayor Brian Fink asked for a motion to approve the Arbor Day proclamation for May 24th 2024. Stephanie Balderson made a motion. Angela Kimble seconded the motion. All in favor, 6-0. Motion carried.

Solicitor Report: Nothing extra to report

Old Business: Mayor Brian Fink notified council that 2 spots are still open for the variance committee. He explained that the resident that was previously interested in the building inspector position has declined. He also explained that the topic of hiring a new employee to assist the administrator will be put on hold. Mrs. Clouse inquired who would handle building permits at this time. Solicitor Filkins explained that replacing the administrator would be more pressing as they have been taking this duty on. Resident Jeff Hanna asked who would be responsible in this case he thought it would be the President of Council. Mr. Filkins does not have the answer to this question. Mayor Fink explained that he would ask around for a building inspector.

New Business: no new business

Mayor Fink then asked for a motion to go into executive session for personal, personal issues, dismissal, and appointment. Including himself, council, the solicitor John Filkins, fiscal officer Amie Clouse, and resident Carol Berning. Angela Kimble had some questions about the resident being included in the executive session. Stephanie Balderson stated that it was not appropriate for a resident to be included in a meeting that discusses personal and employment issues. Mrs.

Berning was excused from the meeting. A motion to go into executive session for personal issues, dismissal, appointment with the mayor, council, the solicitor and the fiscal officer was made by Angela Kimble. Jenny Bowman seconded the motion. All in favor, 6-0. Motion carried. Executive session started at 8:20 p.m.

Rhonda Dingelstedt made a motion to come out of executive session at approximately 9:30 p.m. Jenifer Bowman seconded the motion.

Council agreed that someone would reach out to Mr. Bowman. They also agreed to post an ad for a new administrator mid-week if the job was still open.

Adjourn: Stephanie Balderson moved to adjourn the meeting. Jenifer Bowman seconded the motion. Vote 6-0 All in favor, the meeting was adjourned at 9:38 p.m.

Fiscal Officer, Amie Clouse

Mayor, Brian Fink