

Arcadia Village Council Meeting Minutes July 8th, 2024

Arcadia Village Council met for the regular scheduled session on July 8th, 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, Jennifer Bowman, Rhonda Dingelstedt, Aadam Duckett, and Angela Kimble. Village Administrator; Mark Bowman, Fiscal Officer; Amie Clouse and Solicitor; John Filkins.

Residents in Attendance: Michelle Hengsteler, Barb Ebersole, Lonnie Moses, Mary Moses, Vicki Simon, Nan Boone, Charlotte Hartman, Ron Hartman, Teresa Margraf, Carol Berning, Carol McDonald, Chester Balderson, Shelley Hill, and David S. Roberts Sr.

Visitors in Attendance: John Grossman, Dave Lute and Ruth Tong

Minutes: Mayor Brian Fink asked for a motion to forgo the reading of the June 10th, 2024 minutes. Stephanie Balderson made a motion to forgo the reading of the June 10th, 2024 minutes. Donald Moses seconded the motion. Roll call 6-0. All in favor. Motion passes.

Mayor Fink asked for a motion to accept the June 10th minutes as written. Stephanie Balderson made a motion to accept the June 10th minutes. Jennifer Bowman seconded the motion. Roll call vote 6-0. All in favor, motion carried.

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

Resident Concerns: Shelley Hill explained that she had seen some information on social media stating the mayor was not authorized to send out letters about trash and vehicles. She explained that the post stated that residents did not have to comply. She asked solicitor John Filkins to clarify if Mayor Fink was authorized to send these letters to residents for trash and vehicles and if he needed to ask council before he acts. She explained that this was part of the post. Mr. Filkins explained that he did have the authority to send the letters. He added that he thought informing the council would have been a better procedure or policy. Shelley further explained that she received a letter about an issue with her pool that was not approved by council. She explained that if it was ok before it is ok now. That Mayor Fink is only trying to clean the community. He's also working with residents that are making progress. She also asked everyone to work together. Mr. Filkins explained the next step would come before the council. Mrs. Hill explained that Mr. Filkins had answered her question, she only asked about the first step of sending the letters.

Carol Berning inquired about the next steps that would be taken concerning the letters that were sent out. She explained that some residents have made improvements and some have not. Mr. Bowman explained that he has gone around town to look at the properties that needed addressed. Most of them have been addressed. Those that have not should be looked at again.

Mr. Bowman explained that he would like to go around with the mayor and look at the properties in question. The next steps will be to talk with the mayor, solicitor and council.

Carol McDonald explained that she did not see a notice in the newspaper for tonight's council meeting. She stated that it was being placed in the paper. She also inquired about the property by her residence that has not mowed. She explained that 2 of the properties have been mowed because a new house is going to be installed the next day. She explained that the other property still has not mowed. She wanted to know why it had not been taken care of. Mayor Fink explained that letters would be going out for properties that need to be mowed. Mrs. McDonald also wanted to thank Ruthie Tong for all of her hard work during the Heart and Soul event. She explained that Mrs. Tong gave up being with her family for this.

Nan Boone presented the council with pictures of her property where the water is standing. She showed pictures of flooding and green muck. She explained some of the pictures were from 2018. She wanted the council to understand why she is so upset. Donald Moses explained to Mrs. Boone that this problem is on her property and that the village is not responsible for draining her property. He explained that the village can put a catch basin by her property but she will need to get the water to the catch basin. Mr. Moses had a drainage issue on his property. He explained that he was responsible to manage the issue, at his cost. The village will put the catch basin in as soon as it comes in but the village cannot address water issues on personal properties. Mrs. Boone also explained that she was informed by Mr. Bowman at the last council meeting that the catch basin was going to be in. Mr. Bowman explained that he has no control over the shipping and Perrysburg Pipe told him to expect 2-8 weeks. Mrs. Boone asked why she wasn't informed. Mr. Bowman was not aware he needed to inform her of the delivery status.

Teresa Margraf explained that regarding the letters; the village does have Ordinances in place to address trash, mowing and inoperable vehicles. She explained that the legislation explains the rules and how to move forward when residents don't comply. She explained how this was handled when she was in the office. She did not believe there were ever this many offensives. When the meters were read, she would get a list of yards that needed to be mowed and send out letters. She believed that if these ordinances were followed then 47 letters would not have gone out. Michelle Hengsteler stepped in to explain that a trespassing law trumps the right to go on residents' properties to address issues. She explained you have to go to court before you are able to go on someone's private property. Mr. Filkins explained that the trespassing law pertains to taking pictures of an issue on a property without being on the property. As far as the mowing or any other action on a private property Mayor Fink explained that we would litigate before we took action on someone's personal property. Mrs. Margraf inquired about the application to remove the Leather's building located on N. Main St. beside the railroad tracks. Mayor Fink explained that we expect to hear about it in July. Mrs. Clouse explained that this application was with Mr. Leathers and Hancock Regional Planning. The village is not associated with the grant or application process. Mrs. Margraf inquired if he would be getting a letter. Mayor Fink explained that letters would be going out. She reiterated that letters went out regularly in the past.

Barb Ebersole was present to address the letters that went out to residents. She explained that she did not have a problem with the letters. She did have a suggestion to ask the resident if there is some way the village can assist them with their problem. She thought we should try to find out why they are struggling and see if there are ways to help. Mayor Fink explained that he would like to address these ordinances and rewrite them as they are outdated. Mrs. Ebersole would like to see council members or other residents step up to help those that are struggling with these types of issues. Mrs. Ebersole also explained that she did not make it to the 4th event, but was there for the fireworks. She thanked Mrs. Tong for doing such a great job and explained how happy she was to see what was happening in little Arcadia.

Mr. Lonnie Moses explained to the council that he did post on Facebook about the letters. He explained that Adam Duckett did reply to the post, and the subject of an email came up. He then asked Mr. Filkins to address an email that was sent to the council members. Mr. Moses asked if Mr. Filkins sent this email to the mayor that was sent to the council that was legislation

that Mayor Fink was blindsided by. Mr. Moses asked if Mr. Filkins stated that he forgot to copy him to his other email. Mr. Filkins explained that there were about 6 emails that he sent out this particular month. He explained that he did not attach the mayor to approximately 3 of the first emails he sent. Once he realized that he had not included the mayor in the emails he did include him in the remaining ones. Then he emailed the ones that he had not sent to him originally. Mr. Moses then inquired if the emails were sent to the mayor the day of the meeting or before. Mr. Filkins began to answer that he did not know when Mr. Moses asked Mr. Duckett when the emails were sent as he had addressed this in the Facebook post. Mr. Duckett explained that the email was sent to the mayor's email, not his personal email. Mr. Bowman explained that this email usage was addressed at a previous meeting and the mayor was using his mayor email. Next Mr. Moses asked how many emails are going between council that Mayor Fink is not included on. Council stated that they did not have an email like this. Mayor Fink did agree that he was not included in 3 of the emails. Next Mr. Moses explained about the trash properties, Mr. Duckett responded on Facebook that council was not aware of the letters being sent out. He reminded the council that Mrs. Margraf explained that the village has Ordinances to address the rules about these issues. Mrs. Margraf explained that when she was working, the council was not addressed when letters go out. Mr. Moses asked if any of the council members have to look at properties that have issues and look bad. Mr. Moses does not see this at his property but does see it in town. Mr. Moses asked if the council should want what the residents want. Jennifer Bowman explained that she did not understand why Mr. Moses thought that the council did not want the village to look nice and be cleaned up. She explained that she didn't understand where this was coming from. Mr. Moses explained that Mr. Duckett stated that the council didn't know about the letters. Mr. Moses explained that some council members are working against Mayor Fink. Chester Balderson explained that he did not agree with Mr. Moses and that if Mayor Fink has an issue, he can speak for himself. Barb Ebersole stepped in and asked people to be kind and talk to each other about the issues. She also explained that when Mrs. Margraf was in the office, she thought that the council was aware letters were going out. Mrs. Margraf explained that when she was in the office these types of letters went out very regularly. Mrs. Ebersole explained that communication is the key and talking to each other is how to solve problems. Instead, he said she said. She explained how things can be very misconstrued when people do not talk directly to each other. She stated again, please start talking to each other and listening. She also explained to Mayor Fink that communicating to the council might have helped. Mayor Fink explained that when he was the mayor before he sent out 37 letters and 4 of our current council members were on council and didn't bat an eye when he sent out letters. Mrs. Ebersole explained that that was many years ago and this is a different time. Mrs. Simon addressed the letter that was sent to her. Mayor Fink explained that it was on Mr. Bowman. Mr. Bowman explained that he made a mistake and he thought Mrs. Simon got a letter apologizing for getting a letter. Mrs. Clouse wanted to address what Mrs. Ebersole had been saying during the meeting. Mrs. Clouse explained that she does try to call and talk to residents about issues with trash or grass before a formal letter is sent out. She explained that residents are usually very cooperative about addressing the issues she calls about. Under the circumstance of having as many letters going out as there was it would have been difficult to call them all. Mrs. Clouse agreed with Mrs. Ebersole about being kind and believes that is the goal of the village to all residents. Angela Kimble also stated that residents can talk to their neighbors when they have an issue to try to solve problems. Mrs. McDonald stated that sometimes you do not have someone that lives next door to talk to. Mrs. Ebersole explained that there are many different circumstances to consider. Mrs. Balderson explained that she had residents coming to her and other council members asking about the letter that residents had received and had no idea about the letters. Mr. Moses explained that she should have just explained that there are ordinances on these issues. Mrs. Ebersole stated that she would have but she was unaware that any letters had been sent out. Mr. Moses explained that Mrs. Balderson was one of the mayors who did not keep up with sending out letters. Mr. Moses also explained that Mr. Bowman issued him a building permit to cover the

part of his building that was not in his original permit. Mr. Bowman confirmed that he issued Mr. Moses a permit.

Dave Roberts, Sr explained the lights at the cross walk on State Route 12 are not bright enough. He explained that he almost got hit crossing there after the 4th of July celebration. He explained that the ones in Findlay are a lot brighter. He is concerned someone is going to get hurt. Mr. Bowman explained that the lights are managed by the state, not the village. Mr. Roberts also wanted to ask the council to pass legislation restricting fireworks be let off in the village. Mr. Roberts explained that the fireworks are a problem for him due to his PTSD and his hearing aids.

Guest concerns: Dave Lute stated he was here in support of the mayor and then inquired why village equipment is being left outside. Mr. Bowman did not find a problem with this. He explained that it's not out all of the time. Mr. Lute inquired about a mower that was sitting out. Mr. Bowman explained that they do not use the equipment. Mr. Lute was also concerned that Mr. Bowman did not order the catch basin from Bluffton Concrete. Mr. Bowman stated that he was unaware of this option and ordered from Perrysburg Pipe. Mr. Lute explained that you cannot work on private property. He inquired about the project on Mr. Leathers property. Mr. Bowman explained that he has Mr. Leathers permission.

John Grossman explained to Nan Boone that there is a tile that goes along the alley by her property. Mr. Grossman has tied into it in the past. He doesn't believe this tile is on the map and maybe this would help her problem. Mr. Bowman explained that he recently had the line jetted to clear it out.

Ruthie Tong wanted to thank the village, the Lions Club, Washington Twp. Fire Department, Ryan Breyman and all of the volunteers for helping make the Breyman Arcadia 4th of July Celebration such a big success. This was a collaboration that she hopes can continue for years to come. This is the point of Heart and Soul and she wanted to thank everyone for a great day. She explained some of her ideas for next year including improvements and new ideas. Mr. Grossman asked for more pies to judge next year.

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

	<u>Receipts</u>	<u>Expenditures</u>	<u>Gain/Loss</u>
Water	\$29,358.79	\$92,138.06	-\$62,779.27
Sanitary Sewer	\$10,731.81	\$9,032.06	+\$1,699.78
Electric	\$51,229.58	\$49,708.88	+1,520.70

40 delinquent accounts: \$10,070.18

0 residents were disconnected for nonpayment.

Water: Mr. Bowman explained that water testing in town and at Red Hawk has been normal. He has also been flushing hydrants. Mr. Bowman also completed the TTHM quarterly testing. Mr. Bowman explained that the pump that he had ordered for the water lift station was the wrong size when it came in. A new pump needed to be ordered that was going to increase the cost of the pump approximately \$3,000. Mr. Bowman found a pump to rebuild, that can be used at the water lift station. This cost will be approximately \$900. When this rebuilt pump is replaced, he will send the current pump in use to be rebuilt as well.

Sanitary Sewer: The pump station is working properly.

Electric: No power outages this month.

Streets: Mr. Bowman explained that he has been putting the new red and white street signs up around town. Mr. Bowman has been picking up sticks around town. Mr. Bowman explained that he and Jason Mattox have started putting up the veterans' flags up and more will be going up soon. Mr. Bowman would like to look into new side walks around town.

Other: Mr. Bowman reported that he would like to see the Amplex legislation move forward as an emergency as they are ready to move forward. He has also spoken with contacts from Climavision and there is time to complete 3 readings of this legislation.

Solicitor Report: Mr. Filkins asked if the Resolution that was passed to purchase a pump at the water lift station would need to be rescinded. Mr. Filkins will have legislation to rescind the purchase at the next council meeting.

Mr. Filkins discussed concerns with the Amplex contract to be addressed before the contract is signed. He clarified where free internet services would be provided. Locations will be the town hall, community park, water tower and water pump station including the equipment for internet will be provided. Amplex will not provide phone service or phone equipment. With additional language regarding any responsibility to damage relating to pole attachments.

John Filkins read Ordinance 2024-9 to authorize the administrator to execute a written lease agreement between the Village of Arcadia and Climavision. This was the first reading.

Mr. Filkins then read Ordinance 2024-9 to authorize the administrator to execute a pole attachment agreement between the Village of Arcadia and Amplex and declare it an emergency. Mr. Filkins explained that he would include the language to include the concerns that were addressed regarding location of free services and equipment, phone service and pole damage liability.

Mayor Brian Fink asked for a motion to suspend the rules and pass Ordinance 2024-9 as an emergency. Stephanie Balderson made the motion. Donald Moses seconded the motion. All in favor, motion carried. Roll call, 6-0.

Mayor Fink asked for a motion to pass Ordinance 2024-9 to authorize the administrator to execute a contract with Amplex. Rhonda Dingelstedt made a motion. Angela Kimble seconded the motion. All in favor. Roll call, 6-0. Motion carried.

Fiscal Officers Report: Fiscal Officer, Amie Clouse prepared the following reports for the council: Appropriation Status, Revenue Status, Cash Summary by Fund, and the year-to-date monthly fund balance.

<u>For June</u>	<u>Beginning Balance</u>	<u>Ending Balance</u>
General fund:	\$356,431.06	\$361,719.00
Streets:	\$221,512.78	\$220,077.92
Highway:	\$14,422.13	\$14,680.59
Storm Sewer:	\$110,803.10	\$110,777.79
Permissive Tax:	\$6,895.63	\$7,268.13
ARPA CoronaVirus:	\$50,385.79	\$50,385.79
Heart and Soul:	\$54,812.99	\$71,299.54
Water:	\$195,482.58	\$132,703.22
Sanitary Sewer:	\$244,804.59	\$246,504.34
Electric:	\$990,758.74	\$992,279.44
Enterprise Deposits:	\$19,197.97	\$19,197.97
Enterprise Improvement:	\$105,047.68	\$106,093.49

Mrs. Clouse also addressed the OWPC grant to complete a street project in 2025. The streets that we recommended the village apply for is North Main from State Route 12 to South Street. We would also like to complete the area on South Main Street from State Route 12 to Brown Road, then Brown Road from South Main Street to State Route 12. If possible, Vine Street may be on the list. Mrs. Clouse explained that she received an updated cost from Doug Cade from the County Engineering office. Mrs. Clouse explained that the costs had increased to complete the project that was discussed at the last council meeting. She also explained that, at this point, this is the last year of this program, the state may renew the program but it has not been renewed at this time. Council agreed to apply to complete the proposed streets with other options approved and not to exceed a cost to the village of \$150,000.00. Stephanie Balderson

made a motion. Jennifer Bowman seconded the motion. All in favor. Motion carried. Roll call, 6-0.

Rhonda Dingelstedt addressed the Resolution that was passed to purchase the new pump at the lift station that was not purchased. She found that this was Resolution 2024-F. Mr. Filkins will address this legislation.

Mr. Filkins inquired about the loss of funds in the water department. Mrs. Clouse explained that the loss was due to two large payments that came out in June. One for the water loan for installation of the water system and one for the aeration system warranty. Mr. Filkins' concern was regarding the loss in the fund and the funds' ability to handle this expense. Mrs. Clouse explained that this is a typical expense for June and she will be evaluating the effect of the water rate increase and the health of the fund to keep up with cost.

Mayor's Report:

Mayor Fink asked if the infrastructure committee had met to discuss streets and sidewalks. Mr. Donnie Moses explained that he had a list of sidewalks. It is just a matter of how to move forward. Mr. Moses will discuss this further with Mr. Bowman. Mr. Moses would like to work on areas that need attention and determine what work can be completed with village employees. He also said that having a mini excavator would help to address these repairs.

Old Business: Mayor Fink explained that Lonnie Moses would be interested in being the new building inspector. No one opposed. Mayor Fink appointed Mr. Lonnie Mosses as the building inspector.

New Business: Stephanie Balderson reported to the council that finance met. She asked to go into executive session. Mr. Filkins asked to address fees for services before going into executive session. Mrs. Balderson explained that these fees were addressed at the finance meeting and they could be addressed before going into executive session. She continued to explained the recommendation for the following services:

Charges for bulk water fee: \$50.00 (currently no fee)

Charge for disconnect fee: \$150.00 per utility and per disconnection per utility

Charge for reconnect fee: \$150.00 per utility and per re-connection per utility

Currently the fee is \$30.00 for both utilities to be turned off and on, at the meter.

Electric upgrade: \$550.00 (current fee \$250) Hancock Wood's cost is \$475.

New Electric Service: \$1250 (current charge is the same as electric upgrade)

-Mrs. Balderson explained that the committee did not have more information about the cost of a new electric service. Mrs. McDonald remembered that a new electric service for her property cost the village approximately \$5,000 per property. Mrs. Clouse agreed this amount sounded correct. This was a few years ago so costs have likely increased.

Water tap including boring: \$2000.00 in village corporation limits (a bore currently cost the village \$3000.00)

Water taps outside of the village are currently \$1000.00, this affects a small number of users. This amount will also need to be addressed. Mr. Bowman explained that he will get more accurate figures for this determination. Mayor Fink asked if the council wanted to meet and discuss the matter further. Mr. Bowman recommended they move forward with the recommendations that were presented. Mr. Filkins recommended addressing each charge one at a time. Mrs. Balderson presented the service fee to fill a pool to be \$50.00 to cover the cost of employees and equipment. Donald Moses made a motion to charge a service fee of \$50.00 to fill a pool. Angela Kimble seconded the motion. All in favor. Roll Call, 6-0. Motion carried.

The disconnect and re-connection fee was clarified to mean. That if a resident's utilities were turned off the cost to have services turned on would total \$600.00. This amount would be difficult to pay if your utilities are disconnected. Different amounts for different reasons for utilities to be disconnected was discussed. This topic was tabled. Mr. Bowman explained that he would reach out to other communities to see what their fees are for disconnection and re-connection.

Next the council discussed the cost and charge associated with an electric upgrade. This would be a service to disconnect the high service line. The cost from Hancock Wood to complete this service is \$475. Mr. Lute asked if the Village completes these tasks. Mr. Bowman explained Mr. Jim Brown does help the village with electricity when available. Hancock Wood is utilized when needed. Angela Kimble made a motion to increase the charge for an electric upgrade to \$500.00. Jennifer Bowman seconded the motion. All in favor. Roll call, 6-0. Motion carried. The council discussed the cost of water taps inside the corporation limits. The recommendation for inside the corporation limits is \$2000. The cost outside of the village needs to be addressed so this topic is tabled. The new electric service charge was also tabled.

Before going into executive session Mrs. Carol Berning asked if the village could help residents if they needed a dumpster to clean their property. She asked if the village would pay for a dumpster. Mrs. Balderson explained that she thought the community could find ways to help. Mrs. Hengsteler explained that she wanted to end the meeting on a positive note. She explained that when the water samples were picked up the person stated that Mr. Bowman was doing an amazing job.

Executive Session: Rhonda Dingelstedt made a motion to go into executive session to discuss personnel issues and wages, and include the council, mayor, fiscal officer, administrator, and solicitor. Donald Moses seconded the motion. All in favor. Roll call, 6-0. Motion carried. Enter executive session, 8:52 p.m.

Rhonda Dingelstedt made a motion to come out of executive session. Aadam Duckett seconded the motion. Out of executive session, 9:12 p.m.

Rhonda Dingelstedt made a motion to increase pay for administrator, Mark Bowman, to \$22.00 a \$1.50 increase. And for the increase to be retro active from June 1, 2024. Aadam Duckett seconded the motion. Roll call, 4-1. Angela Kimble voted no. Jennifer Bowman abstained.

Adjourn: Mayor Brian Fink asked for a motion to adjourn. Stephanie Balderson moved to adjourn the meeting. Angela Kimble seconded the motion. Roll call 6-0. All in favor, the meeting was adjourned at 9:19 p.m.

Fiscal Officer, Amie Clouse

Mayor Brian Fink

