

Arcadia Village Council Meeting Minutes **August 12th, 2024**

Arcadia Village Council met for the regular scheduled session on August 12th, 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, Rhonda Dingelstedt, Aadam Duckett, and Angela Kimble. Fiscal Officer; Amie Clouse and Solicitor; John Filkins were present. Council Member Jennifer Bowman and Village Administrator Mark Bowman were not present.

Residents in Attendance: Robert Rhoten, Michelle Hengsteler, Barb Ebersole, Lonnie Moses, Mary Moses, Vicki Simon, Nathan Simon, Nan Boone, Charlotte Hartman, Ron Hartman, Teresa Margraf, Carol McDonald, Shelley Hill, Scott Lute, Ron Hartman, Charlotte Hartman, Laurie Lucas, Karen Hanna, Jeff Hanna, Clay Lilly and David S. Roberts Sr.

Visitors in Attendance: Brett O'Conner, Dave Lute and Ruth Tong

Minutes: Mayor Brian Fink asked for a motion to forgo the reading of the July 8th, 2024 minutes. Mrs. Balderson asked what revisions were made by Mayor Brian Fink. He explained he corrected spelling; he explained Filkins and Jenifer were spelt wrong. Rhonda Dingelstedt made a motion to forgo the reading of the July 8th, 2024 minutes. Stephanie Balderson seconded the motion. Roll call 5-0. All in favor. Motion passes.

Mayor Fink asked for a motion to accept the July 8th minutes with revisions. Angela Kimble made a motion to accept the July 8th minutes with revisions. Donald Moses seconded the motion. Roll call vote 5-0. All in favor, motion carried.

Bills: Mayor Fink asked for a motion to pay the July bills. Stephanie Balderson made a motion to pay the July bills. Donald Moses seconded the motion. Roll call vote 5-0. Motion carried.

Resident Concerns: Robert Rhoten asked the council about a drainage issue on his property due to a new construction beside his residents. Lonnie Moses explained that Mr. Rhoten had water on his property and the township should address it. Mayor Fink asked Mr. Moses if he talked to anyone from the township. Mr. L. Moses explained that the township is looking into purchasing additional property to be able to run a tile to the creek. Mr. L. Moses explained that in the meantime something needs to be done with the drainage issue. Councilman Donald Moses stated that the property is still under construction and to give the township time to correct the issue. Mayor Brian Fink stated that he would talk to Washington Trustee Denny Holman about the issue and find a solution.

Barb Ebersole was in attendance to address a building permit and variance application she submitted. She explained a pin from her survey was found but the others were not. She further explained that she asked her daughter Stephanie Balderson, a council member, to help her with the application. She explained that one of the questions was if anyone would be living in the structure, she marked no. She was contacted by Lonnie Moses although she explained that Mark Bowman denied the permit so she understood he would be who she would be dealing with. She explained she was confused who was working on her permit at this point. Mrs. Ebersole stated that Mr. Lonnie Moses told her that he heard that Stephanie and Chet Balderson would be moving into the new building. Mrs. Ebersole was upset that rumors were being spread and wanted to be asked if something was true. She is happy to get to the bottom of what is going on. She again is frustrated that people are not talking and getting along. Mrs. Ebersole explained that she would be at the next meeting as the Variance notice was for the

following council meeting in September. She also explained that she is happy to change anything that she needs to in order for the new construction to be allowed. Mayor Brian Fink stated that Lonnie Moses would handle Mrs. Ebersole's permit as he is currently the zoning inspector. Mr. L. Moses and Mrs. Ebersole communicated some things about the permit that they will resolve after the meeting.

Nan Boone stated presenting to the council was hard for her as Mr. Bowman's father had passed away. She presented some information about a catch basin that was to be placed by her property to help with the flooding issue, including a quote and email from Mr. Bowman and Perrysburg Pipe. She explained that at the June 10th meeting Mr. Bowman said the catch basin was ordered and would be in that week. She said that he lied. She explained that a quote for a catch basin was not received until June 17. She explained that she contacted Perrysburg Pipe and the catch basin was delivered July 12th, to Perrysburg Pipe. She also checked her facts with them and they confirmed them. She has been waiting over 2 months. She also stated that Mr. Bowman should focus on doing his job instead of the zoning inspector job that Lonnie Moses is now doing. Mrs. Boone was also upset with Council member Donald Moses for the way he spoke to her at the last council meeting regarding the catch basin. Mr. Moses explained that he just wanted her to understand what the village would be doing. She then returned the mosquito pellets that she received. Mayor Fink explained that he talked to Brett O'Connor about the project. Mayor Fink explained that the catch basin is a priority and it will get completed when Mr. Bowman returns to work. Snyder Excavating will be contacted to get it scheduled.

Teresa Margraf expressed to Barb Ebersole that she thought it was strange that only one pin was found from the survey. She stated this would not be an official survey. Mrs. Ebersole explained that she got a loan with it and she didn't know anything more about it. Mrs. Margraf also expressed that rumors in a small town are typical. Then Mrs. Margraf was concerned about utility audits. The sanitary sewer connections should be checked for cross connections and water meters checked after 100,000 cf of usage. She explained this was done when she worked for the village and wanted to know if it is being completed now. She has concerns with water being put into a sanitary sewer line. She was also concerned with water usage being consistent with actual usage. Mrs. Margraf also wanted to inform the council that she attended a Heart and Soul meeting and Mr. Roberts had a question about the veterans' flags. She stated that the people at the meeting assaulted Mr. Roberts with words and she left the meeting very sad. Mrs. Margraf will not be helping with Heart and Soul.

Carol McDonald stated that Mrs. Clouse emailed Solicitor John Filkins last meeting. She asked Mr. Filkins if he charges the village when he responds to an email. Mr. Filkins stated that the simple answer was no and explained that he is paid a flat fee each month. Mrs. Margraf asked if the rate was for a certain number of hours. Mr. Filkins explained that was not part of the contract. Although if the Village council needed his services for extra work that would require litigation there would be additional fees and this would be presented and approved by the council.

Dave Lute was concerned with the amount the village was discussing for turning water and electric utilities off. He asked if the work was being subcontracted out. He explained Mr. Bowman should be completing this work. Stephanie Balderson explained that the finance committee met and they would be giving a report later in the meeting. Mr. Lute again asked if the utility work is being farmed out, and stated that if that was the case then the village should get out of the utility business. Mr. Balderson explained that electric work is contracted because Mr. Bowman is not a lineman. Mr. Lute explained that you do not need to be a lineman and that you can get educated to do the work. Mrs. Margraf also stated that Bruce Pappé was the last lineman employed by the village. All other employees were not linemen that were completing electric work. Mrs. Ebersole explained that because of liability issues the village was not having this work done by unlicensed electric linemen. Mr. Lute again explained that there are safety classes that would meet electric requirements.

Vicki Simon explained that she would like to propose starting a garden club or a flower swapping group. She has recently gotten interested in flowers and would like to share her passion as a community group.

Shelly Hill asked about a church revival on the edge of town. She inquired if they needed a permit for this. Mrs. Margraf informs Mrs. Hill that the church mows this property and the owner allows them to use the property. Mrs. McDonald expressed that for the church she attends she inquired about tents and food trucks. She was told that as long as the church isn't charging anything then it's allowed.

Michelle Hengsteler asked if she could address a date for Halloween. She was informed that this is on the agenda.

Administrator Report: Mark Bowman prepared the reports for receipts and expenditures for June 2024 (Mr. Bowman was absent, Mrs. Clouse presented the reports:

	<u>Receipts</u>	<u>Expenditures</u>	<u>Gain/Loss</u>
Water	\$31,823.11	\$22,443.63	+ \$9,379.48
Sanitary Sewer	\$9,605.89	\$8,264.50	+ \$1,341.39
Electric	\$58,767.12	\$55,317.29	+3,449.83

40 delinquent accounts: \$10,229.27

0 residents were disconnected for nonpayment.

Water: Mrs. Clouse explained that water testing in town and at Red Hawk has been normal. She also explained that Brian Dingelstedt is currently helping with upgrading and replacing water meters.

Sanitary Sewer: The pump station is working properly.

Electric: No power outages this month.

Streets: Mrs. Clouse reported that street signs are going up. Mr. Bowman will continue to pick up brush around town. Mr. Bowman explained that Veteran's Banners are up and the second round of banners will be coming in. Mrs. Clouse explained to the council that the OWPC street project for 2025 was approved.

Other: The second reading for the Climavision Ordinance. This will be addressed later in the meeting. Mr. Bowman had some questions about Brett O'Conner using village equipment. He discussed the topic with Mr. Filkins. This will be addressed in executive session.

Mayor Fink stated that he recently spoke with Brett O'Conner, and that he spoke with Mr. Bowman twice already. Once after the June meeting and once in July. Mayor Fink asked Mr. Bowman to take care of weeds and stones along the streets with curbs, Route 12, County Road 216, Main St. and part of Walnut. Mayor Fink explained that he has asked two times and it hasn't been completed. Mayor Fink will ask a 3rd time. Since Mr. Bowman is out this week, Mr. O'Conner will start working on Main Street. When Nan Boone's project is complete, he would like the weeds on the curbs to be cleaned.

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.

For <u>July</u>	Beginning Balance	Ending Balance
General fund:	\$361,719.00	\$363,795.40
Streets:	\$220,077.92	\$217,149.14
Highway:	\$14,680.59	\$17,480.21
Storm Sewer:	\$110,803.10	\$110,777.79
Permissive Tax:	\$7,268.13	\$7,549.53

ARPA CoronaVirus:	\$50,385.79	\$50,385.79
Heart and Soul:	\$71,299.54	\$63,146.59
Water:	\$132,703.22	\$142,082.70

Sanitary Sewer:	\$246,504.34	\$247,845.73
Electric:	\$992,279.44	\$995,729.27
Enterprise Deposits:	\$19,197.97	\$19,197.97
Enterprise Improvement:	\$106,093.49	\$107,201.05

Mrs. Clouse explained to the council that she attached the receipts listing for the month to the reconciliation report to the council signs each month.

Mrs. Clouse informed the council that she will be attending the fiscal conference October 23- 25.

Mrs. Clouse informed the council that she found out that the council and employees need to complete a training video. She will email the very quick video to council members to watch, then turn in a certificate of completion.

Mrs. Clouse and Mr. Bowman met with AMP a few months ago for a yearly update. During the meeting information about residential solar connections was discussed. Mrs. Clouse explained that she has recently had some inquiry about residential use of solar. She emailed Mr. Filkin sample legislation from AMP to address some rules and liability issues. Mrs. Clouse will contact a representative from AMP to come to the next council meeting to discuss this topic. Jeff Hanna asked if this would be a zoning issue. Mrs. Clouse explained that it was an electric utility issue. Mr. Hanna was concerned that in the future someone may put a wind turbine on their property for an electric source and how this issue concerns zoning. Mrs. Clouse explained that solar generates electricity that a meter would track. She asked where the extra electricity goes that hasn't been used. The representatives from AMP were unable to answer this question. The legislation would allow residents to use solar to generate energy but the village would not be responsible to purchase energy that they generated but don't use.

Mrs. Clouse presented the Resolutions that were going to be addressed. Resolution 2024-F is to rescind Resolution 2024-E. Resolution 2024-E was to purchase a new pump for the water lift station. At the July meeting, Mr. Bowman explained that the wrong pump was purchased and during the process of reordering Mr. Bowman discovered that he could have the current pump rebuilt for less than one thousand dollars. Resolution 2024-H is to rescind 2024-G to purchase a solar radar speed sign. Mr. Bowman was having difficulties ordering from the vendor that was recently approved. He instead moved forward with a different vendor and the cost was under the three thousand dollars that he would need councils' approval for the purchase. Resolution 2024- I to accept the OWPC street project for 2025. Resolution 2024-J is approval of the budget commissions method for appropriations. Mrs. Clouse attended a budget meeting that requested this legislation to be passed. The method that local government funds has not changed but it does need to be formally approved at this time.

Mayor Report: Mayor Brian Fink presented Resolution 2024-F to rescind Resolution 2024-E to purchase a new pump at the water lift station. Rhonda Dingelstedt made a motion to accept 2024-F. Adam Duckett seconded the motion. All in favor, roll call 5-0. Motion passed.

Mayor Fink presented 2024-H rescinding 2024-G to purchase a solar radar speed sign. Angela Kimble made a motion to accept 2024-H. Donald Moses seconded the motion. All in favor. Roll call, 5-0. Motion passed.

Mayor Fink presented 2024-1 to accept the OWPC street project for 2025. Rhonda Dingelstedt made a motion to accept 2024-1. Stephanie Balderson seconded the motion. All in favor. Roll call, 5-0. Motion passed.

Mayor Fink presented 2024-J to approve the budget commissions method for appropriations of local government funds. Rhonda Dingelstedt made a motion. Donald Moses seconded the motion. All in favor. Roll call, 5-0. Motion passed.

Mayor Fink read Ordinance 2024-10 the second reading of the Climavision agreement.

Mayor Fink next asked the council about a date for Halloween. Michelle Hengsteler, a Lion's Club member, asked for Halloween to be on the Friday after Halloween. She explained that the Lion's Club and Heart and Soul would like to have a Movie on the Mound after the trick or treat.

They would be watching the movie Hocus Pocus and have snacks for kids. Council decided to have Trick or Treat on Saturday November 2nd from 6:00- 7:30. All of the council agreed.

Solicitor Report: John Filkins reported to the council that on June 25 he received an email for the Ohio Auditor of State, special investigation unit. This email was regarding a complaint filed by Carol Berning. The complaint addressed the current fiscal officer appointment and the compliance of that appointment. Mr. Filkins addressed the concern and sent the information requested to the Ohio Auditor's Office. On July 18, Mr. Filkins received a response from the Auditor's Office that they reviewed his response and the Auditor's Office found the matter to be closed.

Building Inspector: Lonnie Moses asked Mr. Filkins about an email that he sent to him regarding information about utility taps. Mr. Moses explained that he had someone interested in building on Farmers Lane. They inquired about the cost of utilities. When Mr. Moses spoke with Mrs. Clouse, she asked him to have them contact her about that information. Mr. Filkins explained that he received an email from Mr. Moses that he forwarded to Mrs. Clouse. Mr. Filkins has heard nothing more on the matter from Mr. Clouse or Mr. Moses.

Mr. Moses also informed council that a resident had put a pool in but they did not have a permit or a fence around it. It also does not have the required fence around.

Mr. Moses then proposed to the council that he had 5 residents that were interested in being on a variance committee. Jeff Hanna, Scott Lute, Carol Berning, Jim Margraf and Gilbert Santa Cruz. Mr. Moses is requesting the variance committee to be re-established. Lonnie explained that the notice did not have all of the information regarding the variance. He stated that the building permit should have been denied for multiple reasons including the height. He was concerned that the variance would need to be re-posted. Mr. Moses asked if the council would re-establish the variance committee. Council members were concerned about the variance committee adding an extra step to the process of a variance and prolonging the time it takes to complete a variance. Mayor Fink asked for a motion to suspend the 3 readings for 2024-11 to rescind Ordinance 2023-1 that disbanded the variance committee. Rhonda Dingelstedt made a motion to suspend the 3 readings. Donald Moses seconded the motion. Stephanie Balderson abstained from the vote. Aadam Duckett and Angela Kimble voted no. Vote was 2-2. Mayor Brian Fink broke the tie and voted yes. Motion passes.

Mayor Fink asked for a motion to pass Ordinance 2024-11 to rescind ordinance 2023-1 to disband the variance committee. Rhonda Dingelstedt made a motion. Donald Moses seconded the motion. Stephanie Balderson abstained. Aadam Duckett and Angela Kimble voted no. The vote was a tie, 2-2. Mayor Brian Fink broke the tie and voted yes. Motion passed.

New Business: no new business

Old Business: Stephanie Balderson reported that the finance committee met. She explained that the committee recommended increasing the disconnect fee for nonpayment of utilities, water and electric, to \$150 for disconnect and reconnect services. They also recommended that a request to disconnect utilities when a resident needs to complete work on their services will stay the same price of \$30.00 for disconnect and reconnection. Vicki Simon was concerned that the amount that residents would be charged that are unable to pay their utilities was too much for people that are already struggling. Council decided to table the topic until the next meeting.

Executive Session: Stephanie Balderson made a motion to go into executive session to discuss personnel issues and she listed the reasons for executive session from Ohio Revised code Rule 3358:17-1-04.2, and included the council, mayor, fiscal officer, Brett O'Connor and solicitor. Angela Kimble seconded the motion. All in favor. Roll call, 5-0. Motion carried. Enter executive session, 8:46 p.m.

Donald Moses made a motion to come out of executive session. Donald Moses seconded the motion. All in favor. Roll call, 5-0. All in favor, motion carried. Out of executive session, 8:59 p.m.

No action was taken on personnel issues.

Adjourn: Mayor Brian Fink asked for a motion to adjourn. Stephanie Balderson made the motion to adjourn the meeting. Donald Moses seconded the motion. Roll call 5-0. All in favor, the meeting was adjourned at 9:06 p.m.

Fiscal Officer, Amie Clouse

Mayor Brian Fink