

## **Arcadia Village Council Meeting Minutes September 9<sup>th</sup>, 2024**

Arcadia Village Council met for the regular scheduled session on September 9<sup>th</sup>, 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, Jennifer Bowman and Angela Kimble. Fiscal Officer; Amie Clouse, Solicitor; John Filkins, and Village Administrator; Mark Bowman were present.

**Residents in Attendance:** Michelle Hengsteler, Vicki Simon, Nathan Simon, Nan Boone, Teresa Margraf, Carol McDonald, Shelley Hill, Karen Hanna, Jeff Hanna, Clay Lilly, Shelley Crawford, Michelle Santa Cruz, Carol Berning, Vi Fink, Tim Kimble, Wayne Heishman, Simone Jacomet, Seth Jacomet, Gilbert Santa Cruz and David S. Roberts Sr.

**Guests in Attendance:** AMP representatives; Erin Miller and Nathan Saintignon, Brett O'Connor, John Grossman and Ruth Tong

**Minutes:** Mayor Brian Fink asked for a motion to forgo the reading of the August 12<sup>th</sup>, 2024 minutes. Rhonda Dingelstedt made a motion to forgo the reading of the August 12<sup>th</sup>, 2024 minutes. Angela Kimble seconded the motion. Roll call 6-0. All in favor. Motion passes. Mayor Fink asked for a motion to accept the August 12<sup>th</sup> minutes as written. Stephanie Balderson made a motion to accept the July 8<sup>th</sup> minutes as written. Aadam Duckett seconded the motion. Roll call vote 6-0. All in favor, motion carried.

**Bills:** Mayor Fink asked for a motion to pay the August bills. Rhonda Dingelstedt made a motion to pay the bills. Jennifer Bowman seconded the motion. Roll call vote 6-0. Motion carried.

**Guest Concerns:** Erin Miller; a representative from American Municipal Power, presented information to the council regarding solar panels on residential homes. She explained the need for the council to consider how solar would be available to residents including rules and requirements. Mrs. Miller detailed regulations, equipment, metering options, requirements and rates. She explained that federal grants will soon be available to install solar panels on residential homes. This may increase the interest in solar for residential usage. She also explained that AMP has resources available to address the solar issue, including a sample ordinance and policy.

Nathan Saintignon presented an opportunity to purchase power from Blue Creek Wind Farm in Van Wert, Ohio. Mr. www explained that Arcadia is looking for aftermarket resources to fulfill the community's energy needs through 2026-2029. He also explained that the contract price per mwh would not exceed a cost of \$59.00. This is a green energy that will come with credits that are sold to lower the cost. This brings the expected cost to \$48.00 mwh. AMP recommends this resource and will send legislation if the council would like a contract with Blue Creek Wind Farm. The deadline to sign up for the project is December.

**Resident Concerns:** Mayor Brian Fink reminded everyone to try and keep their comments to three minutes.

Wayne Heishman was in attendance to ask about a deck that he recently built. He applied for and paid for a building permit. Mr. Heishman explained that Mr. Lonnie Moses, the building inspector, informed Mr. Heishman that he did not need a building permit for a floating deck. Mr. Heishman asked if he was required to pay for a building permit. Mr. Bowman asked for

more details about the deck and permit. Mr. Bowman asked council to return the cost of the building permit as this is what the building inspector, Lonnie Moses told Mr. Heishman.

Michelle Santa Cruz was in attendance to address the trash and debris that has accumulated on the property beside where she lives. She has dealt with property damage, animals and other health concerns. She does appreciate that Mayor Fink sent letters out to address the issue in the beginning of the year. She has not complained to the village over the years and has even tried to help. Mrs. Santa Cruz is asking for the village to get tougher and help to address the issue. Mayor Brian Fink stated that he will talk to the property owner.

Shelley Crawford explained that she was at the meeting to thank Mark Bowman and the other employees that work for the village. Mrs. Crawford has noticed all of the cleanup that has been happening.

Teresa Margraf asked about the public meeting being posted in the Courier. She explained that she has not seen anything posted. Mrs. Margraf was also curious about a panel that her sister, Mrs. Carol McDonald placed on her property. She questioned why she was required to have a building permit for the 3 fence panels she placed for privacy, considering Mr. Heishman did not need a permit for a deck. Mr. Bowman stated that she would need to ask Mr. Lonnie Moses the building inspector. Mrs. McDonald explained that Mr. Moses told her that she did not need a building permit. Mr. Bowman stated that she should get her money refunded from her building permit as well. Mrs. Margraf thought that the solar information was forward thinking. Mrs. Margraf was more concerned about the state of the property by Mrs. Santa Cruz and a dilapidated building and recommended pursuing a policy for the buildings that will hold up.

Mrs. Stephanie Balderson explained that she had information about a building permit question. She read the zoning book definition of a structure, on page nine, is anything constructed or erected, the use of which requires a more or less permanent location on the ground... interpreted to include storage sheds, satellite dishes, swimming pools, fences etc. Mrs. Santa Cruz also addressed a storage shed that her neighbor placed on their property. Mr. Bowman explained that the storage building needs to be in the rear of the property.

Karen Hanna was in attendance to inquire about the chickens on her neighbor's property. She explained that the chickens are escaping their fence and getting into her yard and flowers. Mrs. Hanna wanted to know what her options were. Mr. Hanna inquired if the chicken comes into his yard can he keep the chicken? Mr. Filkins explained that he could not recommend taking an animal that belonged to someone. Mr. Hanna explained that he asked about this topic months ago and he has not heard anything further on the matter. They would like some direction. Mr. Hanna also explained that he did not want his neighbors to get rid of their chickens; he only wanted them to stay in their yard. Mrs. Michelle Hengsteler brought up an Ordinance that was discussed with some rules regarding animals in town but this has not been addressed further.

Mr. David Roberts was in attendance to requested that the council consider recycling containers in the community.

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

	<u>Receipts</u>	<u>Expenditures</u>	<u>Gain/Loss</u>
Water	\$40,442.19	\$25,323.73	+\$15,118.46
Sanitary Sewer	\$9,415.20	\$8,841.76	+\$573.44
Electric	\$67,548.87	\$56,095.57	+\$11,453.30

48 delinquent accounts: \$14,017.08

0 residents were disconnected for nonpayment.

**Water:** Mr. Bowman explained that the water testing in town and at Red Hawk has been normal. He also explained that the air conditioning unit at the water pump station has been replaced, the unit was approximately \$1,100.00.

**Sanitary Sewer:** The pump station is working properly. Waiting on Buckeye Pump to replace the housing on the grinder.

**Electric:** No power outages this month.

**Streets:** Mr. Bowman explained that he and Brett O'Connor have been working on cleaning the streets. The street has been resurfaced on East Brown Rd. to South Main St. and County Road 254 from Fremont St. South to corporation limits. He also explained that the second round of veteran banners have been put up. Mr. Bowman stated that new cross walk lights have been installed.

**Other:** The third reading for the Climavision Ordinance. This will be addressed later in the meeting.

Mr. Bowman wanted to address some comments from residents that came up at the council meeting in August. Mr. Bowman was not in attendance due to his father passing away. Mr. Bowman explained that Nan Boone called Mr. Bowman a liar. He wanted to defend himself. Mr. Bowman explained that Mrs. Nan Boone stated that she called Perrysburg Pipe to check if Mr. Bowman was lying about ordering the catch basin. Mr. Bowman explained that Mayor Brian Fink is the one that called Perrysburg Pipe to see if Mr. Bowman had ordered the catch basin. Mayor Fink provided a document he received from Mrs. Nan Boone showing that she called Perrysburg Pipe and spoke to "David" and Mayor Fink confirmed the information that she brought to the August meeting. Mrs. Boone again explained that Mr. Bowman only received a quote after the council meeting when he stated the catch basin had already been ordered. Mr. Bowman then asked if the council would like to hear a phone recording from Perrysburg Pipe. Mr. Bowman played the phone conversation with Dave from Perrysburg Pipe where he states that the mayor called to inquire about the catch basin and not Mrs. Boone. Mrs. Boone explained that the phone number was on her phone bill and she spoke with them for 7 minutes. Mr. Bowman explained that she has not had water on her property recently because a storm sewer line has been cleaned out. Mrs. Boone did not believe there had been enough rain to flood her property. She also requested that the village write a letter stating that the village will be responsible if her property floods in the future. Mr. Bowman and Mrs. Boone continued to argue until they were interrupted. Mrs. Shelly Crawford stood up to ask why we are going after people that are trying to improve the village and make things better because things are not exactly the way they need them to be right now. She would like to see everyone give them a chance and work together. Several residents stated that they have been saying the same thing for a long time. Mrs. Crawford explains that she sees Mr. Bowman works around town and she sees him and the other employees doing a good job. Mr. Bowman again explained that he believed that he fixed the problem and had not seen any flooding on Mrs. Boone's yard.

**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 August</u>	<u>Beginning Balance</u>	<u>Ending Balance</u>
General fund:	\$363,795.40	\$371,916.74
Streets:	\$217,149.14	\$215,231.88
Highway:	\$17,480.21	\$17,532.96
Storm Sewer:	\$110,777.79	\$121,706.03
Permissive Tax:	\$7,549.53	\$7,807.03
ARPA CoronaVirus:	\$50,385.79	\$50,385.79
Heart and Soul:	\$63,146.59	\$60,619.48
Water:	\$142,082.70	\$157,201.16
Sanitary Sewer:	\$247,845.73	\$248,419.17
Electric:	\$995,729.27	\$1,007,182.57
Enterprise Deposits:	\$19,197.97	\$19,197.97

Enterprise Improvement: \$107,201.05

\$108,320.72

Mrs. Clouse explained to the council that she received a call from a representative from Amplex. They explained that Amplex was interested in completing a commercial and wanted to have footage of the installation of Amplex and the "Welcome to Arcadia" sign. Mrs. Clouse stated that she told the representative that would be acceptable and if it wasn't she would get back with him. Council agreed that this was acceptable. Mr. Bowman then asked if the village has an official seal. The village does not.

Mrs. Clouse explained that when she attends the Fiscal Conference in October, she will also be attending the public records training. Mrs. Clouse would like to represent all of the council members during this training including new council members Angela Kimble and Jennifer Bowman. New council members are required to complete this training in the first year of their term. Mrs. Clouse encouraged the new council members to complete the training. They both would like to complete the training on their own in addition to Mrs. Clouse completing it on their behalf. She wanted to make sure that the requirements for public records training will be fulfilled. All council members are required to complete public records training once during their term. This training will fulfill this requirement as well.

Mrs. Clouse explained that the EPA is requiring a service line inventory. Mrs. Clouse applied for a grant through the EPA for outside help to complete the inventory. She received an email stating that the village has been accepted to receive assistance. Someone will be reaching out to help with this project.

Mrs. Clouse explained that she asked solicitor John Filkins to prepare Resolution 2024—M to address how the village will use the remaining ARPA funds. There is approximately \$50,000.00 left in the fund to be expended. The street projects that were completed in 2024, E. Brown Rd. and County Road 254 will be approximately \$35,000.00; the project to repair the alley behind the Washington Twp. is estimated to be \$6,000.00. The remaining funds will be appropriated to the street project on N. Main St. in 2025. The resolution will address the approval of the funds to be used for this purpose.

**Mayor Report:** Mayor Brian Fink presented Ordinance 2024-10 the third and final reading of the Climavision agreement. Council agreed to forgo the reading as nothing had changed in the ordinance. Donald Moses made a motion to accept Ordinance 2024-10 to authorize the village administrator to contract with Climavision. Jennifer Bowman seconded the motion. Roll call 6-0, all in favor. Motion passed.

Mrs. Clouse explained that Resolution 2024-K was the estimates of revenue. These are the amounts that are estimated to be the revenue for the 2025 budget. Mayor Fink asked for a motion to accept 2024-K. Rhonda Dingelstedt made a motion to accept 2024-K. Stephanie Balderson seconded the motion. Roll call, 6-0. All in favor motion carried.

Mayor Fink asked for a motion for Resolution 2024-L to complete the work to the shop building. Mayor Fink reminded council of the work that was recently completed on the shop building. Mrs. Clouse provided a quote from Johnson Contractor to the council. Mr. Johnson had the projects itemized in his quote. Mr. Johnson had explained that the council could decide to complete some of the work or all of it. Council agreed to complete the entire project that was quoted. Stephanie Balderson made a motion to accept Resolution 2024-L to contract with Johnson Contractor to complete work on the shop building. Rhonda Dingelstedt seconded the motion. Roll call, 6-0. All in favor, motion carried.

Mayor Fink asked for a motion to pass Resolution 2024-M to use ARPA funds for street projects in 2024 and 2025. Donald Moses made a motion to pass Resolution 2024-M to authorized use of ARPA funds. Stephanie Balderson seconded the motion. Roll call, 6-0. All in favor, motion carried.

Mayor Fink explained that Lonnie Moses resigned from being the building inspector. Mayor Fink explained that Mr. Moses told him it was because of the hassle he has to put up with when he comes to the office. Mayor Fink stated that there was still a variance committee and he will have them get together to decide what they want to do.

**Solicitor Report:** John Filkins reported to the council that he wanted to address the two building permits that were addressed earlier in the meeting. He explained that when he heard the statement that a deck was built, he believed a deck to be a structure. Then stated that when Mrs. Balderson read the definition of a structure a deck was included in the description. Mr. Filkins did not understand what a floating deck was. Mr. Heishman explained that the deck sits on the ground temporarily and is not secured into the ground so it is possible to move it. Mr. Heishman explained that in 5 years he has plans to make improvements and move the deck so this is temporary. Mr. Filkins read the description of a structure. He did not understand why the zoning inspector would tell the residents that they do not need a building permit. He further stated that they should be responsible to get a building permit. Mr. Heishman has already paid for a building permit; his concern was that he had not received a permit and wanted the matter clarified so he was doing what he needed to. Council agreed that he did need the permit and it would be issued to him. Mayor Fink issued the building permit to Mr. Heishman. Similarly, Carol McDonald had a question about her fence. Mrs. McDonald asked how many permits have been issued for fences? Mrs. Clouse stated that all of them had. Mrs. Margraf stated that Mayor Fink has some panels of fencing in his yard and he did not get a permit. Mrs. Clouse stated that he probably should have. Mr. Heishman then asked if he wanted to now put a fence up would he need another permit. Mrs. Clouse explained that he would need to apply for another permit. Mr. Filkins asked council to decide if Mrs. McDonald if they thought her permit was needed or if she should get her money refunded. Council decided that she did need the permit. Mrs. McDonald was fine with this; she only had the question because the building inspector told her she did not need one. She has already paid and has been issued a building permit.

Mr. Filkins asked if anyone was going to raise the issue of the variance committee? He proceeded to explain he would. Mr. Filkins stated that if the variance committee is going to have a meeting, then it needs to be in a public place. They also have to provide notice. Based on the information he has been provided neither of those things happened and there was a meeting. Mrs. Clouse was provided minutes from Mrs. Carol Berning before the meeting. Mrs. Margraf explained that the meeting was just an organizational meeting. Mrs. Balderson stated that it is still a public meeting. Mrs. Michelle Hengsteler stated that if council did the same thing, then everyone would be upset. Mr. Jeff Hanna explained the current council meeting was not posted. Mrs. Clouse explained that she has never posted the meeting every month. These are regular meetings that are scheduled the same time and day each month. Mrs. Clouse explained that she does post special meetings. Mrs. McDonald stated that many public meetings were posted in the newspaper. Mrs. Clouse explained that she is not required to post a regular meeting and Mrs. McDonald could look it up. Mr. Filkins wanted to stay on topic. He asked if the meeting was held in a public place? He read the minutes from the recent variance committee meeting. The residents that attended; Mayor Fink presiding, Jeff Hanna, Jim Margraf, Carol Berning, Scott Lute, Gilbert Santa Cruz and Lonnie Moses. The minutes listed the positions that the members of the committee took. Mr. Filkins asked where the meeting was held. Mrs. Carol Berning stated the meeting was at Lonnie's garage. She explained that they did not have a key to the town hall. Mrs. Balderson explained that she spoke with Mayor Fink before the meeting was to take place and advised him that the committee would need to have the meeting in a public place and a public notice. Mayor Fink explained that the committee gave him different information. Mrs. Berning explained that the meeting did not need to be public because the committee did not exist yet as they were organizing. Mr. Filkins asked how the variance committee was going to move forward without a building inspector. Stephanie Balderson made a motion to appoint Mark Bowman as the inspector. Mrs. Margraf asked if anyone from the variance committee wanted to step up to be the inspector. Mrs. Balderson reminded the council that she had made a motion. Adam Duckett seconded the motion. Mr. Bowman stated that after the variance committee has a meeting and recommendation the council will make the final decision on any variance application. He was concerned the committee was already breaking rules and was unsure of how it should be

handled. Mayor Fink reminded the council that it took 45 minutes to make a decision at the last meeting. Stephanie Balderson stated in her opinion she thought it was unethical that the committee didn't follow the public meeting rules and the council reinstated the committee. Mr. Bowman recommended that the committee be disbanded. Mayor Fink believed that Mr. Bowman had too many things to do and did not need another responsibility. Mrs. Clouse explained that the village does not receive a lot of requests for building permits. Mr. Bowman reminded the council that a motion and a second was made. Roll call, 5-0. Jennifer Bowman abstained from the vote. Motion carried.

**Building Inspector:** Mr. Filkins inquired if we had a building permit report before he left. Mayor Fink explained that he got a text message from Mr. Moses before that he was done. Mr. Filkins asked if he had maintained any kind of record. Mayor Fink replied no.

**New Business:** no new business

**Old Business:** Mayor Fink asked about the utility fees. The topic was tabled.

**Executive Session:** Mayor Fink asked for a motion to go into executive session for personnel issues including council, the solicitor, administrator, fiscal officer and mayor. Aadam Duckett made a motion to go into executive session to discuss personnel issues. Angela Kimble seconded the motion. All in favor. Roll call, 6-0. Motion carried. Enter executive session, 8:35 p.m.

Rhonda Dingelstedt made a motion to come out of executive session. Donald Moses seconded the motion. Roll call, 6-0. All in favor, motion carried. Out of executive session, 9:01p.m.

Mrs. Dingelstedt stated that no action was taken.

Stephanie Balderson made a motion to pass Resolution 2024-N to create a digital document to record employee's reprimands using a google docs or sheet. Mrs. Balderson added that a copy of each offense shall be printed and placed in the employee's personnel file. Donald Moses seconded the motion. All in favor. Roll call, 6-0. Motion carried.

Rhonda Dingelstedt asked council to further discuss the variance committee. Mr. Filkins gave three options. One, send a letter to the chairman of the committee stating some instructions. Two, pass a resolution to disband the committee. Three, see how they proceed after receiving the letter. If they don't comply with the rules then go back to option two. Mrs. Vicki Simon asked the council to consider option three. She hoped the committee could get another chance. If they do not comply then disband them. Mr. Aadam Duckett stated that he was concerned that the mayor was a part of the meeting as well. Mrs. Balderson recommended a flowchart that describes a process for them to follow. Mr. Filkins recommended the process be clarified before the next council meeting. Mrs. Balderson reviewed the variance rules in the zoning book. The letter will inform where to find this information. The letter will also clarify and detail some other requirements. It was discussed that the committee can have public meetings at the town hall or community park building. The administrator can help them access the town hall as he will attend the meetings or they can get a key for the community park building from the utility clerk. The council decided to go with option three.

**Adjourn:** Mayor Brian Fink asked for a motion to adjourn. Donald Moses made the motion to adjourn the meeting. Stephanie Balderson seconded the motion. Roll call 6-0. All in favor, the meeting was adjourned at 9:15 p.m.

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Fiscal Officer, Amie Clouse

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Mayor Brian Fink

