

Arcadia Village Council Meeting Minutes December 9th, 2024

Arcadia Village Council met for regular session on Dec 9th, 2024, at the Town Hall located at 104 South Gibson Street Arcadia, Ohio at 7:00 P.M. President of Council, Aadam Duckett called the meeting to order. All present recited the Pledge of Allegiance to the Flag.

Roll Call Attendance: President of Council, Aadam Duckett. Voting Council Members: Stephanie Balderson, Rhonda Dingelstedt, Jennifer Bowman, and Angela Kimble. Fiscal Officer; Amie Clouse, Village Administrator; Mark Bowman and Solicitor; John Filkins were present. Mayor Brian Fink was not present.

Residents in Attendance: Michelle Hengsteler, Vicki Simon, Nathan Simon, Nan Boone, Teresa Margraf, Carol McDonald, Karen Hanna, Jeff Hanna, Michelle Santa Cruz, Vi Fink, Simone Jacomet, Tim Kimble, Chester Balderson, Joshua Kinney and David J. Roberts Sr.

Guests in Attendance: No guests were in attendance.

Open Council Seat: Amie Clouse read letters that were submitted for the council. She read a letter from Shelly Hill; she was not able to be at the meeting. Carol McDonald was present and submitted a letter that Mrs. Clouse read at her request. Council President Aadam Duckett asked if any other residents were interested in the council seat. Chester Balderson, Vicki Simon and David Roberts Sr. all explained why they were interested in the position. Mr. Duckett noted that Mr. Roberts stated that he had been a resident for over a year and asked him to clarify if he had been a resident for over a year as it is a requirement to be on the village council. Mr. Roberts clarified that he had changed his address at the board of elections last fall, 2023. After residents gave their presentations, the council asked the solicitor to advise them how to move forward. He explained options to decide. Jennifer Bowman asked if the council could go into executive session on the matter. Mr. Filkins explained that this would be acceptable and just needed a motion. Mrs. Clouse asked Mr. Filkins if the president of council can swear the new council member in. Mr. Filkins replied that the president of the council could swear the new member in. Before the council went into executive session Mrs. Balderson asked Mr. Roberts if he was aware that training for council members can be on line as well as in person. He explained that he liked to do things in person. He also explained some other concerns he had with how the village operates. Mrs. Balderson asked the other applicants if they would be able to complete the training in person or online. They all agreed they could complete this requirement. Stephanie Balderson made a motion to go into executive session to discuss personal issues/ the council seat; including the solicitor, administrator, fiscal officer and council members. Jennifer Bowman seconded the motion. All in favor. Motion passes, enter executive session at 7:17.

Stephanie Balderson made a motion to come out of executive session. Angela Kimble seconds the motion. All in favor. Motion passed, exit executive session at 7:37.

Council members voted on ballots and passed them to the President of Council. Stephanie Balderson abstained from the vote. Mr. Duckett read the votes as 2 for Chester Balderson and 1 for Vicki Simon. Chester Balderson will take the open seat and be sworn in after the minutes and bills have been approved.

Minutes: Council President Aadam Duckett asked for a motion to forgo the reading of the November 11th, 2024 minutes. Rhonda Dingelstedt made a motion to forgo the reading of the November 11th, 2024 minutes. Jennifer Bowman seconded the motion. Roll call 4-0. All in favor. Motion passes.

Council President, Aadam Duckett asked for a motion to accept the November 11th, 2024 minutes as written. Rhonda Dingelstedt made a motion to accept the November 11th minutes as written. Angela Kimble seconded the motion. Roll call vote 4-0. All in favor, motion carried.

Council President Aadam Duckett asked for a motion to forgo the reading of the December 2nd, 2024 minutes. Rhonda Dingelstedt made a motion to forgo the reading of the December 2nd, 2024 minutes. Stephanie Balderson seconded the motion. Roll call 4-0. All in favor. Motion passes.

Council President, Aadam Duckett asked for a motion to accept the December 2nd, 2024 minutes as written. Stephanie Balderson made a motion to accept the December 2nd minutes as written. Jennifer Bowman seconded the motion. Roll call vote 4-0. All in favor, motion carried.

Bills: Council President, Aadam Duckett asked for a motion to pay the November bills. Angela Kimble made a motion to pay the bills. Rhonda Dingelstedt seconded the motion. Roll call vote 4-0. Motion carried.

New Council Member: Chester Balderson was sworn in by the President of Council for the open seat with a term to expire at the end of 2025. Mr. Balderson took a seat at the table.

Resident Concerns: Carol McDonald thanked everyone that helped with the Christmas in the ARC event. She was very happy with everything. She and Teresa Margraf helped at their church, Trinity Lutheran Church, and thought that her church benefited from the event too. They had a lot of activities and people there enjoyed the event.

Michelle Hengsteler asked why Mayor Brian Fink was not at the meeting. She asked if he called in sick or if he wasn't supposed to be at the meeting. Mr. Duckett explained that he called in sick. Teresa Margraf had a question about the sign outside of the town hall advertising AMPLEX, a new internet service. She was concerned that the village was only advertising one provider. Mrs. Hengsteler stated that it was a new service and this was a way for residents to know what is available. Mrs. Margraf explained that it is the responsibility of the resident to research providers for a new service. Mrs. Margraf explained that the municipality should be neutral and not promote one over the other. Mrs. Bowman asked if there are rules that state the village is not allowed to do this. Mrs. Margraf explained that it did not matter, it just wasn't something that the village should do. Chester Balderson explained that the new service is fiber optic and he was not sure if TDS has this available. He explained that this was just to inform residents. Stephanie Balderson asked if taking the sign down would resolve the issue. Mrs. Hengsteler was concerned that residents were not aware of the service. Mrs. Margraf was concerned that the damage was already done. Mrs. Margraf inquired who decides who responds to a power outage. She explained how things were handled in the past and was concerned that the village is utilizing Hancock Wood for this type of repair. She explained that they are our competition and would purchase our system if they had the opportunity. Mrs. Margraf asked if the Vaughn Electric out of Carey, Oh was an option that had been considered. Mark Bowman explained that the village has a contract with Hancock Wood Electric. Ms. Bowman asked if the village has always used Hancock Wood. Mrs. Margraf stated that they had not. Mrs. Clouse explained that the village has had a contract with Hancock Wood for around 4 years. Mr. Bowman explained that AMP is also a provider but they have a 2 hour wait time. Vicki Simon explained that Hancock Wood is not competition to the village because residents do not have the opportunity to choose a different provider for electricity. Mrs. Simon explained that she is not able to call Hancock Wood and ask for their service at her home. Mrs. Margraf explained that her concern was that Hancock Wood would like to purchase the village's entire system. Mrs. Clouse explained that the contract with Hancock Wood was established years ago because the response time from AMP was so slow and that council was a part of the decision. Mrs. Margraf did not recall this at any meetings. Mrs. Clouse reminded her that this is something that happened years ago and may not be something easy to recall.

Joshua Kinney had a concern with a light and traffic in an alley behind his home on Joslyn St. The alley runs between South St. and Route 12. This alley gets a lot of traffic and he is concerned for his kids playing and traffic issues. He inquired about getting a slow down sign or something of that nature placed in the alley. Mr. Kinney also informed the council that there is a street light in this alley that has been flickering. He asked if someone could fix the light. Mr. Bowman will look into the matter and place a sign as well.

Michelle Santa Cruz asked the council if the village has an Ordinance about shooting a gun inside the village limits. She was concerned about some shooting by one of her neighbors. Mrs. Clouse explained that the village does not have an Ordinance on this. She further explained that the bottom line of the general rule from the Ohio Revised Code is that you can not shoot onto someone else’s property. Although the residents are not shooting towards Mrs. Santa Cruz’s home and out into the field, she can call the Sheriff when she sees it happening. The council discussed making sure there is not an existing Ordinance on the issue and working on an Ordinance to address shooting a gun inside the village limits. Mrs. Simon read the Ohio Revised Code that confirmed what Mrs. Clouse explained additionally adding near a church. The solicitor’s opinion was asked. Mr. Filkins explained that the village could pass an ordinance to enforce the issue. The council would need to litigate to enforce the issue with a civil or criminal case. To enforce the rules in the Ordinance that may exceed the rules of the Ohio Revised Code would be the responsibility of the village to litigate. Those rules in the Ohio Revised Code could be enforced by the Hancock County Sheriff. Furthermore, enforcement through the sheriff department is cheaper, quicker and a lot less time consuming. Mr. Filkins gave a more detailed explanation of what litigation would look like, it was very time consuming and expensive, possibly \$3,000 to \$4,000.

David Robert Sr. wanted to thank the village for placing the recycling containers. He also inquired about the electric poles on Farmers Lane. Mr. Bowman stated that this would be part of his report.

Guest Concerns: No guest concerns.

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

	<u>Receipts</u>	<u>Expenditures</u>	<u>Gain/Loss</u>
Water	\$29,649.59	\$24,420.29	+\$5,229.30
Sanitary Sewer	\$9,585.69	\$8,129.53	+\$1,456.16
Electric	\$56,631.50	\$57,824.42	-\$1,192.92

39 delinquent accounts: \$9,803.15
 0 residents were disconnected for nonpayment.

Water: Mr. Bowman explained that the water testing in town and at Red Hawk has been normal. He explained that a service line leak was repaired at Red Hawk.

Sanitary Sewer: The pump station is working properly. The new pump was installed and both pumps are working properly.

Electric: One power outage on Thanksgiving morning. Two poles were hit, Hancock Wood responded. Mr. Bowman wanted to thank them.

Streets: Mr. Bowman explained that the plows are ready and waiting for snow.

Other: Mr. Bowman explained that five recycling containers have been placed at the compost area located at the east end of South St. He stated that if they are abused, they will be removed. Mr. Bowman and Mrs. Clouse met with the EPA for a sanitary sewer survey. They are waiting on results.

Mr. Bowman met with 2 members of the infrastructure committee to discuss Mr. Roberts request to move electric poles on Farmers Lane. The committee responded with a no because of the cost and because it only benefits one resident. Mr. Bowman also explained that the village owns the lane to Mr. Roberts property and has no reason to cater to one individual.

Mr. Filkins inquired about the poles that were hit and steps to reimburse the village for the damages. Mr. Bowman will get the police report and forward it to the insurance and check into it further.

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:	\$370,897.23	\$406,091.25
Streets:	\$213,639.32	\$210,756.66
Highway:	\$18,038.23	\$18,251.08
Storm Sewer:	\$121,329.72	\$120,999.56
Permissive Tax:	\$8,348.47	\$8,560.97
ARPA Coronavirus:	\$9,607.89	\$9,607.89
Heart and Soul:	\$78,129.81	\$72,568.31
Water:	\$174,983.36	\$180,212.66
Sanitary Sewer:	\$242,874.62	\$244,330.78
Electric:	\$1,007,718.38	\$1,006,525.46
Enterprise Deposits:	\$19,297.97	\$19,397.97
Enterprise Improvement:	\$110,530.48	\$111,653.28

Mrs. Clouse presented Ordinance 2024-12 Temporary Appropriations. She explained that this would be the budget for the beginning of 2025,

Mrs. Clouse presented Resolution 2024-S to increase the rates from the Hancock County Landfill. Mrs. Clouse explained that she received a letter from the Hancock Landfill with the name Rhonda Dingelstedt on it. Mrs. Dingelstedt works for the landfill and will abstain from the vote on the resolution.

Mrs. Clouse presented to the council that a resident was interested in putting a property up for sale that is an open lot on Fremont Street/ State Route 12. The property owner Gary Yost explained to Mrs. Clouse that he had an offer years ago. Mrs. Clouse confirmed that the property is in the local business district. Mrs. Clouse explained that no action had been taken and the resident was informing the council and asking if the council had any concerns.

Mrs. Clouse explained that the Superette/ Lynn Nye received a late fee last month. Mrs. Clouse read the letter that Mrs. Nye submitted to the council asking for forgiveness for the late fee. Mrs. Nye did pay the bill 2 or 3 days after the due date minus the late fee amount. Council discussed the late fee. Chester Balderson asked to forgive the late fee. Other council members were concerned that if they forgive this late fee then other residents would expect the same. Tim Kimble explained that he believed the late fee should be forgiven. His concern was that when he had an issue with a water meter sending a reading incorrectly, he was still expected to pay the bill and was not given forgiveness for the amount due. Ultimately the council agreed not to forgive the late fee.

Mrs. Clouse has a question for Mr. Filkins about a fund. She explained that the village has a fund that was utilized for Corona Virus funds. This fund has not been used for some time now. Her question was if the fund name could be changed. She would like to utilize this fund for future grant dollars. She would like to have a place to put grant funds that is separated from other funds until it is utilized. Mr. Filkins will look into the matter. Mrs. Clouse also explained that she needed to establish an unclaimed funds account. This is for checks that have been issued but that have not been claimed or cashed. This is a very unusual circumstance but she does have an uncashed check that will need to be added to this fund. She would address this at the next council meeting.

Mayor Report: President of Council, Aadam Duckett presented Ordinance 2024-12 Temporary Appropriations for 2025 as an emergency. Chester Balderson made a motion to accept Ordinance 2024-12. Rhonda Dingelstedt seconded the motion. Roll Call, 5-0. All in favor, motion passed.

President of Council, Aadam Duckett presented Resolution 2024- S to accept the rate increase from the Hancock County Landfill. Mrs. Balderson asked how much the rate was increasing. Mrs. Dingelstedt stated \$4.00 per ton. Stephanie Balderson made the motion to accept Resolution

2024-S. Chester Balderson seconded the motion. Roll call, 4-0. All in favor, motion passed. Rhonda Dingelstedt abstained.

Solicitor Report: nothing to report

Building Inspector: nothing to report

Old Business: Nothing new on the animal committee.

Mrs. Balderson passed out information about the procedures for the variance committee to follow. Council discussed the procedures and agreed to share the information with the committee. Jeff Hanna is part of the variance committee and communicated some confusion about the variance meeting. Jeff Hanna was provided the current document that lists the procedures including steps for the variance committee.

New Business: Angela Kimble explained that the Jerry Blevin sign outside of the village corporation limits is making it difficult to see pulling out onto Route 12. Mr. Bowman will adjust the sign.

Stephanie Balderson stated that the finance committee met to discuss raises and have recommendations but will need to go into executive session.

Executive Session: Stephanie Balderson made a motion to go into executive session for personnel issues and include the solicitor, council members, administrator and fiscal officer. Jennifer Bowman seconded the motion. Roll call, 5-0. All in favor, motion passed. Executive session began at 8:47 p.m.

Stephanie Balderson made a motion to come out of executive session. Chester Balderson seconded the motion. Roll call, 5-0. All in favor, motion passed. Out of executive session 9:20 p.m.

Stephanie Balderson presented the recommendation from the Finance Committee. The committee recommended a 2.5% cola increase to all employees. They recommended an additional \$.35 for Amie Clouse and a total rate increase of \$1.19 for Jason Mattox. Rhonda Dingelstedt made a motion to accept the recommendations and for it to go into effect for the first payroll of 2025. Chester Balderson seconded the motion. Roll call, 4-0. All in favor, motion passed. Jennifer Bowman abstained.

New wage amounts as follows:

Michelle Hengsteler	\$15.38
Ruth Tong	\$15.38
Amie Clouse	\$24.50
Mark Bowman	\$22.55
Jason Mattox	\$21.00
Brett O'Connor	\$15.38
Jim Brown	\$18.96

Jennifer Bowman made a motion for part time employee Brett O'Connor not to exceed 32 hours each week. Rhonda Dingelstedt seconded the motion. Roll call, 5-0. All in favor, motion passed.

Chester Balderson explained that he did not want to get paid for the December council meeting. Angela Kimble made a motion to not pay Chester Balderson for the December 2024 council meeting. Jennifer Bowman seconded the motion. Roll call 3-0. All in favor, motion passed. Stephanie Balderson and Chester Balderson abstained from the vote.

Adjourn: President of Council, Adam Duckett asked for a motion to adjourn. Rhonda Dingelstedt made the motion to adjourn the meeting. Jennifer Bowman seconded the motion. Roll call 5-0. All in favor, the meeting was adjourned at 9:37 p.m.

Fiscal Officer, Amie Clouse

Mayor Brian Fink