

RECORD OF PROCEEDINGS

Regular

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Tuesday, June 27, 2023

Held

The Pandora Village Council met in Regular Session on Tuesday, June 27, 2023 at 7:00 PM at the Arthur-Lugibihl Community Center, with Council President, Rick Fricke, presiding.

Members Present: Burkholder, Eisenbach, Dettrow, Fricke, Braidic, Tadana
Members Absent: None

There were 16 residents/non-residents present.

The meeting was opened with the Pledge of Allegiance.

Motion was made by Mr. Tadana, seconded by Mr. Eisenbach, to approve the June 13, 2023 minutes. Voting: All Yea.

Motion was made by Mr. Burkholder, seconded by Ms. Dettrow, to approve the bills as presented; total non-payroll of \$15,096.76 and payroll of \$16,029.08 for a total of \$31,125.84. Voting: All Yea.

At the June 13, 2023 Council Meeting it was stated that Resolution No. 2023-717: A RESOLUTION FOR PROTECTION OF PRIVACY ACCOMODATIONS IN THE VILLAGE OF PANDORA would be voted on once again at the June 27, 2023 Council Meeting as Mayor, Jeremy Liechty, refused to sign it due to it being unenforceable. If the Resolution was passed by a majority of the members on June 27, 2023, these members would then sign the Resolution in place of Mayor Liechty. Council President, Rick Fricke, informed Council and guests present, that it has been determined by Gary Hunter, the attorney for the Ohio Municipal League, that the Mayor for the Village of Pandora does not have the authority to object and or veto any resolution or ordinance passed by the village Council of Pandora. It was determined that the Mayor of a statutory village does not have the veto power over legislation that a city Mayor has. Mr. Hunter had previously verbally stated that the Mayor did have the power to object and or veto ordinances and resolutions passed by the council, but after further investigation found that the legal sections he was relying on were not applicable to the Village of Pandora. Therefore, Resolution No. 2023-717 is considered adopted.

Resolution No. 2023-721: A RESOLUTION REPEALING RESOLUTION NO. 2023-717 - A RESOLUTION FOR PROTECTION OF PRIVACY ACCOMMODATIONS IN THE VILLAGE OF PANDORA. Motion was made by Ms. Dettrow, seconded by Mr. Eisenbach, to adopt Resolution No. 2023-721 as read. Voting: Eisenbach-Yea; Tadana-Yea; Burkholder-Nay; Braidic-Yea; Dettrow-Yea.

Resolution No. 2023-718: A RESOLUTION IN ACCORDANCE WITH SECTION 5705.09 OF THE OHIO REVISED CODE ESTABLISHING THE 4201 WATER TOWER REPLACEMENT-OPWC FUND, CLASSIFIED AS A CAPITAL PROJECTS FUND. Motion was made by Ms. Dettrow, seconded by Mr. Tadana, to adopt Resolution No. 2023-718 as read. Voting: All Yea.

Resolution No. 2023-719: A RESOLUTION IN ACCORDANCE WITH SECTION 5705.09 OF THE OHIO REVISED CODE ESTABLISHING THE 4202 WATER TOWER REPLACEMENT CDBG-RPIG FUND, CLASSIFIED AS A CAPITAL PROJECTS FUND. Motion was made by Mr. Eisenbach, seconded by Mrs. Braidic, to adopt Resolution No. 2023-719 as read. Voting: All Yea.

Resolution No. 2023-720: A RESOLUTION IN ACCORDANCE WITH SECTION 5705.09 OF THE OHIO REVISED CODE ESTABLISHING THE 2152 WATER TOWER REPLACEMENT ODOD-SLFRF FUND, CLASSIFIED AS A SPECIAL REVENUE FUND. Motion was made by Ms. Dettrow, seconded by Mr. Eisenbach, to adopt Resolution No. 2023-720 as read. Voting: All Yea.

Ordinance No. 609-2023: AN ORDINANCE PROHIBITING THE STORAGE OF VEHICLES IN TOWN AND REQUIRING VEHICLES TO BE PARKED ON IMPROVED SURFACES. Motion was made by Mr. Tadana, seconded by Mr. Burkholder, to adopt Ordinance No. 609-2023 as read for its third and final reading. Voting: All Yea.

Fiscal officer, Kimberly Reese, presented to Council an amendment to the 2023 Certificate of Estimated Resources and Appropriation

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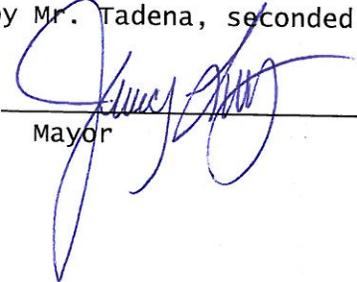
Resolution. This amendment added three new funds for grant sources in the amount of \$2,399,500 and loan funding of \$250,000 for the water Tower Replacement Project. This amendment also reallocated \$15,000 in the General Fund and \$2,500 in the Park Fund. Motion was made by Mrs. Braidic, seconded by Mr. Tadena, to approve amendments as presented. Voting: Eisenbach-Yea; Tadena-Yea; Burkholder-Nay; Braidic-Yea; Dettrow-Yea.

Motion was made by Ms. Dettrow, seconded by Mrs. Braidic, to approve the current credit card statement in the amount of \$14.82. Voting: All Yea.

Council reviewed the water Forgiveness Request Form which listed one resident requesting a one-time calendar year forgiveness on their June bill due to an undetected water leak. Motion was made by Mrs. Braidic, seconded by Ms. Dettrow, to approve said request. Voting: All Yea.

Council President, Rick Fricke, presented to Council a Charitable Donation Agreement from Hilty Home Villas, LLC for the donation of 1.8170 acres of real property designated as Parcel Number 49-129000 located on Friend Court, Pandora, to the village to be used by the village as part of the village's park system. Council discussion on the proposed donation was concern for the condition of the current walk path and the deterioration of the creek bank. Village Administrator Rick Morrison had previously provided a rough quote of \$60,000-\$70,000 to resurface the asphalt walk path. It was also discussed that it may be a benefit for the village to own and maintain both sides of the creek. Motion was made by Mr. Burkholder, seconded by Mr. Tadena, to enter into agreement with Hilty Home Villas, LLC to accept the donation of said property. Voting: Braidic-Nay; Dettrow-Nay; Eisenbach-Nay; Tadena-Nay; Burkholder-Yea.

With no further business to discuss, the meeting was adjourned upon a motion by Mr. Tadena, seconded by Mr. Eisenbach. Voting: All Yea.

SIGNED: 
Mayor

SIGNED: 
Fiscal Officer

Addition: Resolution No. 2023-721 was a last minute addition and was not included in the written agenda.