

**Village of Arcanum Council Meeting**  
**Tuesday, February 23, 2016**  
**7:00 PM**

Mayor Judy Foureman opened the meeting by asking everyone to join her in the Pledge to the Flag, with the Mayor concluding "In God We Trust".

Council members Eric Van Hoose, Jerry Boolman, Julie Willis, Vanessa Delk, and Monte Clark answered roll call. Bonnie Millard was absent. Mayor Foureman asked for a motion to excuse Bonnie Millard. A motion was made by Boolman to excuse Bonnie Millard, Van Hoose seconded. Van Hoose, Boolman, Delk, and Clark voted yea. Willis voted no. Motion passed. Also present were Bill Sinnes, Darcy Woodall, Mark Heggie, Rachel Lloyd from the Daily Advocate, and Paul Myers and Marilyn Walden from the Arcanum Public Library.

**Council Minutes:** Mayor Foureman asked for approval of the minutes of February 9, 2016. A motion was made by Boolman to approve the minutes of the February 9, 2016 Council meeting. Delk seconded. All present voted yea. Motion passed.

**Expenditures:** Mayor Foureman moved the payment of expenditures after New Business.

**Amendments to the Agenda:** Mayor Foureman would like to add an Executive Session after Old Business and add Ordinance No. 2016-07 under New Business.

**Comments from the Public:**

**Paul Myers, Chairman of the Board of Trustees for the Arcanum Public Library reported on the following:** Paul wanted Council to be aware of the renewal levy for support of operations of the library that will be on the March 15<sup>th</sup> ballot. This is a renewal of the levy that was passed in 2011, and it is being converted to a continuing levy. The levy is to supplement funds that were cut by the State in 2008. The money received from the levy represents approximately 30% of the library's budget. If the levy passes, the funds will allow the continuance of a full operating schedule, support adequate funding for materials (i.e. books, videos, etc), and allow the library to offer a full program of services for kids and adults. The levy generates approximately \$113,000/year, and it is a school district levy. The impact to a homeowner is about \$31 to \$35 per \$100,000 of property valuation. Paul feels that the library has done a lot of good things since the levy passed in 2011. One example is the library upgraded their server. They want the library to continue to be a great asset to the community and school system and something that we can all be proud to support. Future plans include looking to upgrade the patron computers and upgrade the amenities available for meetings upstairs. Articles have been run in the Early Bird, the Daily Advocate, and Darke Journal about the library levy to get the message out to get voters to the polls.

**Committee Reports:**

**Service & Leisure Committee:** Meeting was held on February 23, 2016 @ 6:30PM. Committee members present were Eric Van Hoose, Jerry Boolman, and Vanessa Delk. Other attendees were Mayor Judy Foureman, Village Administrator Bill Sinnes, and Julie Willis. Delk reported on the following:

- The committee met briefly right before the Council meeting to discuss options for the swim team contract for 2016. The committee has narrowed it down to a couple of options. Vanessa will contact someone from the swim team to set up a meeting to get their thoughts on what option will work best for the Village and the swim team. Once the committee has met with the swim team and decided on a viable option, another Service and Leisure meeting will be scheduled to finalize the contract.

**Safety Committee:** Nothing at this time.

**Utility Committee:** Nothing at this time. The next meeting will be March 7, 2016 at 4:30PM at the VA Office.

**Planning Committee:** Willis reported that she, Delk, Mayor Foureman, and Village Administrator Bill Sinnes met briefly on Tuesday, February 16<sup>th</sup> to discuss the current Village building and what future options may be. She stated that they have started making lists of things that need fixed and what can and cannot be fixed. She reiterated that it is just in the pre-planning stages at this point.

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**Personnel Committee:** Meeting was held on February 11, 2016. Committee members present were Vanessa Delk and Julie Willis. Other attendees were Mayor Judy Foureman, Village Administrator Bill Sinnes, Utilities Superintendent Keir Smith, and Plant Operator Shawn Smith. Delk reported on the following items:

- Discussed Operator Apprentice, Operator I,, and Operator II. Employees gave input on how the job descriptions could be changed. Delk noted that Keir and Shawn seemed very grateful for the opportunity to provide their thoughts and opinions on how they thought the job descriptions could be changed. The committee will follow up with employees for additional thoughts and feedback.
- Clemans and Nelson got back with Delk to let her know that the other two villages that were considering the group plan on the new personnel manual decided that they did not wish to proceed at this time. Ballpark numbers to come on what it will cost to have a personnel manual done for the Village individually. Delk will report back to Council when a quote is received.

**Finance & Audit Committee:** Nothing at this time. The next meeting will be March 9, 2016 at 4:30PM in Council Chambers.

### **Administrative Reports:**

**Mayor:** Nothing at this time.

**Solicitor:** Nothing at this time, but as we come to different legislation under New Business, Mayor Foureman will refer back for direction.

**Village Administrator:** Sinnes reported on the following:

- Fence repair between Utility Department and VFW is done.
  - Sinnes also reported that he spoke with Hess about pricing on fencing. Hess gave Sinnes a ballpark figure of \$16-\$17/linear foot. He referred back to a previous meeting with Shawn Smith about the lack of security at the Utility Plant. There is a fence and a gate across the front, but the back and sides are completely open. Sinnes has mentioned this to Susan Laux from Mote & Associates, and she indicated that there are EPA grants available specifically for security for utility plants. Sinnes will discuss this further with Susan.
- Annual SARA report on hazardous chemicals is due March 1, 2016. Sinnes was finally able to validate today and will send tomorrow morning.
- Annual Community Reinvestment Area Report is due March 31<sup>st</sup>.
- SEWER INFILTRATION affects the entire LAGOON PROJECT. The Village is working on this issue with the representative from Lake County. Dave Marshall from Mote & Associates was down at the Plant with updated drawings and schematics for the new Wastewater Plant, and Sinnes indicated that things are starting to come together better, especially with communication between Dave and Shawn.
- ELECTRIC DEPARTMENT – Keir is working on running three-phase power to SITEBOUND on State Route 49.
- TREE TRIMMING – The Village received a number of bids. The lowest bid for Ivester Park is Edwards Tree Service at \$11,000, and the lowest bid for the electric wire clearance is Top Cut Tree Service at \$13,700.
  - Boolman asked for confirmation that each of these companies have million dollar liability coverage and also that they will list the Village of Arcanum as an additional insured. Sinnes confirmed that they each do, and they will list Arcanum as an additional insured once they know they've been awarded the bid. Boolman has inquired if Top Cut Tree Service is certified high voltage, and they are.
- HARVEST FIELDS DEVELOPMENT – Three houses are under roof. Most of the electric lines and transformers are placed. The next step will be the street lights.
- Sent purchase orders to Mueller/Hershey salesman for the purchase of 200 water meters and 192 Itron ERTs
- KELLY MERRITT SEWER CONNECTION -- Working on information requested by Darke County Commissioner's Office.
  - Willis asked why the Village is being asked for information from the Commissioner's Office. She was under the impression that letters had been sent to the Merritt's explaining the specifications and requirements. Mayor Foureman explained that the Commissioner's Office is basically looking for something from the Village stating that the Merritt's have permission from the Village to do this project. Mayor Foureman also explained that the Commissioner's Office needs to know what specifications need to be followed, so Sinnes will meet with Keir to discuss that further. There will definitely be something in the specifications stressing that South Main Street will need to be put back to how it was before they started their project.
- BALL FIELD CONTRACT -- Starting. Last year the Village charged the Arcanum Junior Baseball Association \$3500 for use of the ballpark. The contract will be reviewed and any necessary changes made.

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**Fiscal Officer:** Woodall reported on the following:

- Woodall reported that she had provided the updated nCourt agreement in the Council packets. #10 in the agreement has been updated to indicate that nCourt WILL NOT provide card readers to the Village, and the Village will not be processing credit card payments inside the office at the Utility or Tax windows. Credit card payments will only be available online or by calling nCourt's call center during their business hours. Woodall also explained that Mark Heggie, the Village's Solicitor, had reviewed the nCourt agreement, and he felt that some of the verbiage in Appendix A needed to be changed. The current verbiage refers to courts, etc rather than the municipality. Mark would like to see that updated to refer to the municipality. Woodall told Council that she had reached out to the nCourt representative concerning this change but had not heard back from him at meeting time. She hopes to have this resolved by the next Council meeting.
- Woodall addressed a letter received from a resident concerning the shut-off of his electric. The Utility Clerk had given the letter to Woodall and asked her to put it in Council packets and discuss it at the Council meeting. Sinnes asked if any phone calls had been made prior to shutting off this person's electric. Woodall explained that she believed that the Utility Clerk had called individuals that are not normally on the list to be shut off. Woodall explained that she had waited on someone that day that was upset about being shut off. The Utility Clerk did try to reach that person, but she did not have valid contact information for them. Woodall informed the person at the window of this, and then she did get two valid phone numbers from that individual. Woodall went on to explain that many times when phone calls are made to try to help residents avoid shut off, they cannot be reached because the Village does not have updated contact information in the system for everyone. Willis asked to discuss the letter from the resident further. Woodall went on to say that the resident was disenchanted by the fact that the office personnel did not have the authority to "work with" the residents as far as waiving late fees, etc. Delk stated that it was unfortunate that he felt that way; however, the Village has worked hard to get the policy to where it is now. Woodall informed Council that she and the other office personnel have started to let disgruntled residents know that the reason for the stringent utility policy is that the Village was writing off \$20,000 to \$30,000 in delinquent utility bills, and now that the strict policy is in place, that number has decreased dramatically. The residents are told that if the Village had continued to write off those amounts, the residents would have seen their utility rates rise to offset those losses. Members of Council also wanted to clarify that the payment policies and due dates are clearly stated to new residents when they move into the Village. Woodall confirmed that when an application for utilities is filled out for anyone moving into the Village, the policies are gone over in great detail, and it is made very clear that there is a no tolerance policy for late payments and shut offs. All of this information is also clearly stated on the back of the utility bill that each resident receives each month. Woodall also explained that each time that any resident has a complaint about the utility bill policy, she and the other girls in the office let the resident know that they can come to a Council meeting and address their complaint to Council directly as Council is the only one that can waive fees, make exceptions to policy, etc.
- Boolman asked Woodall what was decided about write-offs for old, delinquent utility accounts. Mayor Foureman interjected to say that she and Sinnes had not had an opportunity to sit with the Utility Clerk to go over the information. Mayor Foureman stated that she would meet with the Utility Clerk and then bring the information to the Utility Committee meeting on March 7<sup>th</sup> to allow the Utility Committee to make a decision and bring it to the next Council meeting.
- Woodall let Council know that the Electric Fund would be in need of additional appropriations to the operating account in the coming months. This is due to the 3-phase electric upgrade project at Sitebound on State Route 49 as well as some additional work done in Harvest Fields that was unknown at budget time. Benanzer has paid the first installment of \$20,000 for installation of electric lines in Harvest Fields, and Sitebound has paid \$15,000 for some of the materials purchased for their project. These funds have been paid into a revenue account and will need to be appropriated at a later time.

**New Business:**

**Ordinance No. 2016-05** - Mayor Foureman read by title only an Ordinance establishing 2016 Wage and Benefits for certain Village of Arcanum employees. This is the second reading.

- Mayor Foureman deferred to Mark Heggie for further explanation. He explained that he did not look at the March 14<sup>th</sup> date closely enough or correlate the 30-day requirement to that date as he was hearing a pay date for that pay period of April 1<sup>st</sup>. To remedy this, Mark prepared a new Ordinance that moves the wage increases back one pay period. Ordinance 2016-05 will go to the third reading at the next meeting and then die due to lack of motion.

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**Ordinance No. 2016-06** - Mayor Foureman read by title only an Ordinance providing for an amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency (Sewer and Storm Sewer Surcharge Fund). A motion was made by Boolman to waive the three reading rule on Ordinance No. 2016-06. Clark seconded. All present voted yea. Boolman made a motion to adopt Ordinance No. 2016-06. Clark seconded. All present voted yea. Boolman made a motion to declare an emergency on Ordinance No. 2016-06. Clark seconded. All present voted yea. Legislation passed.

- After Mayor Foureman read the Ordinance, she stopped to explain that when the Service and Leisure Committee meant, it was discussed whether or not the cost of the repairs to the street sweeper could come out of the Storm Sewer Surcharge Fund. The auditor's list of accounts and what can be paid out of each account was referenced, and it was determined to be very vague. After the packets were given out, some members of Council questioned whether the repair cost could in fact come out of that particular fund. They asked to have the Solicitor take a closer look at Ordinance 95-38, which established the Storm Sewer Surcharge Fund and stated what the funds could be used for. That ordinance is also very vague, but it does state that the funds can be used for "planning, engineering, and maintenance of any existing and future storm water sewers, including combination sewers used for the removal of storm water" This concerned the Mayor that these funds couldn't even be used to clean the catch basins because the verbiage seems to only refer to the storm sewer lines. Clark referenced back to a time when Council was told they could not use the funds to purchase a snow plow because that doesn't have anything to do with the storm sewers. Boolman pointed out that the street sweeper helps to keep leaves and other trash out of the storm sewers, which keeps them from getting clogged and causing damage. The Solicitor said that arguably, the repairs to the street sweeper could fall under maintenance if the street sweeper's primary purpose is to keep dirt, leaves, etc out of the storm sewer system.

**Ordinance No. 2016-07** - Mayor Foureman read by title only an Ordinance establishing 2016 Wage and Benefits for certain Village of Arcanum employees. This is the first reading. A motion was made by Delk to waive the three reading rule on Ordinance No. 2016-07. Willis seconded. All present voted yea. Delk made a motion to adopt Ordinance No. 2016-07. Willis seconded. All present voted yea. Legislation passed with an effective date of March 23, 2016.

**Resolution No. 2016-03** - Mayor Foureman read by title only a Resolution authorizing a bulk salt service agreement with Artesian of Pioneer. This is the third reading. The resolution died due to lack of a motion.

**Expenditures:** Mayor Foureman asked for a motion to approve the properly appropriated and funded expenditures. A motion was made by Boolman to pay the properly appropriated and funded expenditures. Van Hoose seconded. All present voted yea. Motion passed.

**Old Business:**

Mayor Foureman asked for an Executive Session to discuss Personnel. A motion was made by Boolman to move to executive session. Willis seconded. All present voted yea. Council went into executive session at 8:07 PM.

\*\*\*\*\***Executive Session**\*\*\*\*\*

A motion was made by Delk to return from executive session. Boolman seconded. Council returned at 8:19 PM.

**Announcements:**

Clark explained that while Mayor Foureman excused herself to speak with a resident about his utility bill, the other Council members were discussing the possibility of using some of the Storm Sewer Surcharge Fund money to purchase a new street sweeper. The Village still needs to fix the street sweeper we have, but due diligence requires that this be investigated further to find out if the funds can be used to help purchase a street sweeper. Willis asked Woodall to check with the State Auditor about those use of funds and if using those funds to purchase a street sweeper will pass audit. There is quite a bit more leg work that would need to be done before proceeding with such a large purchase.

**Adjournment:** A motion was made by Boolman to adjourn. Willis seconded. Meeting ended at 8:24 PM.