

Village of Arcanum Council Meeting
Tuesday, November 8, 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, Monte Clark, and Bonnie Millard answered roll call. Also present were Darcy Woodall and Mike Bruns from Mote & Associates.

Council Minutes: Mayor Foureman asked for approval of the minutes of October 25, 2016. A motion was made by Boolman to approve the minutes of the October 25, 2016 Council meeting. Millard seconded. Van Hoose, Boolman, Willis, Clark, and Millard voted yea. Delk abstained. Motion passed.

Expenditures: Mayor Foureman asked for the approval of properly appropriated and funded expenditures be moved after New Business.

Amendments to the Agenda:

Comments from the Public:

Mike Bruns from Mote & Associates:

- Mike passed out a Procurement Schedule for the WWTP that was discussed at a meeting with Rural Development on November 7th, which was attended by Mike and Susan from Mote & Associates, the Mayor, Nicole Pohlman, Fiscal Officer, Darcy Woodall, and Ashley Kelly from Rural Development. The schedule outlines dates for when advertisements will go out for bids, pre-bid meeting time, bid opening, special council meeting for awarding of bid, bid tab/recommendation to Rural Development, notice of award, contract package to Rural Development, preconstruction meeting, and notice to proceeds
- Waiting on EPA to give final PTI approval – should be received by month end
- Mayor Foureman asked for a motion to allow Mote & Associates to proceed with putting the Wastewater Treatment Plant Project out for bid. Millard made a motion to allow Mote & Associates to proceed with putting the Wastewater Treatment Plant Project out for bid. Van Hoose seconded. All present voted yea. Motion passed.

Committee Reports:

Service & Leisure Committee: Nothing at this time. The Mayor requested that Van Hoose set a meeting. Next meeting is Monday, November 14, 2016 at 4:30PM in Council Chambers.

Safety Committee: Nothing at this time.

Utility Committee: Nothing at this time. The Mayor requested that Boolman set a meeting. Next meeting is Monday, November 28, 2016 at 4:30PM at the VA Office.

Planning Committee: Meeting was held on Thursday, October 13, 2016 at 4PM in Council Chambers. Willis reported that Nicole would be talking later about an ordinance she had prepared. Willis also stated that the committee's homework was page 44, chapter 1141-1167.

Next meeting is Tuesday, November 10, 2016 at 4PM in Council Chambers.

Personnel Committee: Meetings were held on October 12, October 19, and November 2, 2016. Committee members present were Vanessa Delk, Julie Willis, and Eric Van Hoose. Also present was Mayor Judith Foureman. Delk reported on the following:

- **Interviews for Village Administrator** – Two applicants were interviewed on November 2, 2016. Present were Mayor Foureman, Vanessa Delk, Bonnie Millard, and Julie Willis. Tracey Martin and Mike Hackler were the interviewees. Three applicants were originally chosen to attend interviews but only two attended. Both interviews went well. Thanks to everyone who participated for input and questions for applicants. Bot applicants were informed they would be contacted when council has had time to discuss the matter.
- After discussion, it was recommended that the Village Administrator discussion be tabled. The committee recommends that **all** council members be included in the Village Administrator discussion. **A council work session will be needed to determine the needs of the Village and the future of the Village Administrator role in the Village.**
- **Cross training** – the Personnel Committee recommends that all employees be cross trained (or continue to be cross trained) to the extent that their position will allow. The committee believes it is important for the Village to be prepared to operate efficiently, even in the absence of one of our key employees. This will prevent unnecessary costs to the Village. The committee further recommends that the cross training be documented and regularly reported the Personnel Committee/Council (until completion). **A cross training deadline is needed to ensure that cross training is completed in a timely manner.**

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- Representatives from 4One Apparel attended our October 12th meeting to provide us with some samples and ideas for Village of Arcanum office attire. The committee looked through options presented and decided on two to three pieces that could be offered to employees. A Henley style polo (\$20), a ¾ length polo style shirt (\$23), and a knit layering shirt. A unisex “adult fit” polo could be substituted for either of the above polo shirts if the employee prefers the fit. Altogether (with each employee being able to order two to three pieces) the cost to the Village would be well under \$100 per employee. Additional items could be purchased by the employee with the Arcanum logo at the employees cost. 4One Apparel has developed a Village of Arcanum logo to be used on all of the items. 4One is an Arcanum-based outfit, and the Village would be supporting local business. The committee recommends moving forward and allowing employees to order items.
- Personnel has been working on the PPM consistently throughout the past couple of months. Chapters 1-6 are relatively complete. There are several items in chapters 1-6 that will need Council discussion. **After committee discussion on Chapter 7, which pertains to internet policy, it’s recommended that all council members be involved in the development of this chapter to meet the needs of the Village. A work session will be required to discuss Chapter 7.** Our Village Solicitor should be involved in the work session in order to make sure that the Village meets all legal requirements.
- Chapter 1-6 revisions are being completed and will be provided to council before the next council meeting with time for review before the meeting. Council review of the chapters and input is appreciated.
- Next meeting will probably have to be after the first of the year based on the lineup of meetings that the Mayor needs to get in before the end of the year.

Finance & Audit Committee: Meetings were held on Tuesday, November 1, 2016 and Monday, November 7, 2016 at 4:30PM in Council Chambers. Committee members present were Bonnie Millard, Jerry Boolman, and Monte Clark. Also present were Mayor Judith Foureman and Fiscal Officer Darcy Woodall. Millard reported on the following:

November 1, 2016 Meeting:

- Reviewed balanced budget for general fund and miscellaneous accounts
- Tabled any further discussion on pool as to opening and closing date and rates, etc. until next meeting – Confirmed by Nicole: Ohio Ethics Commission of Ohio law prohibits “public officials and public employees from misusing their official positions for their own personal benefit or the benefit of their family members or business associates” – which means that there will be no reduced rates on pool passes for employees or council since we are public elected officials
- **Rumpke** – Nicole checked and could find nothing legally preventing the Village from renewing the contract, but in her opinion, it is her recommendation with the amount of money involved and not bidding since 2012, that the contract go out for bid – the committee is recommending this action and legislation to be prepared by Nicole – requesting bids be turned in by November 23rd, allowing two weeks for publication – found out in last night’s meeting those dates are changing
- Darcy passed out increased requirements in wage and benefit lines to get the Village through until year-end – some of this is due to the changes in allocations of percentages of wages in certain departments – police is partly due to hiring of SRO, but will be reimbursed by Arcanum Schools – rather than committee reviewing these accounts, the committee tasked Darcy to review for line item adjustments and then balance on legislation
- Doss charge of \$75/month to update the Village website on an as needed basis – committee recommends moving forward with this
- **Cross training** – informed that user fees take care of day to day phone calls – however when a catastrophic absence and CMI is required to come to the Village for training purposes, the Village will be charged – as happened when Nancy quit and was not available to train the new utility clerk, CMI was called in and charged the Village
- Judy passed out a “wish list” from the Utility Department – to be reviewed for discussion at next meeting when enterprise funds are budgeted

November 7, 2016 Meeting:

- Enterprise funds were budgeted except for capital lines within the funds – requested Judy to obtain further info before finalizing for next finance meeting – also holding up on budgeting for waste disposal until bids are received – this deadline was initially set for November 23rd to award, but after discussion, this date needs to be changed to allow greater time for bidding process – farm ground lease revenue amount will need to be adjusted based on the bid also – Darcy provided a report by funds of revenue to expense comparison with the funds budgeted to date
- Pool rate structure was again discussed – wanted to simplify the pool passes – discussed going to one rate instead of three different rates regardless of date purchased – currently there are pre-season rates, June rates, and July rates – still feel the Village needs to charge non-residents a higher rate since they do not pay taxes on the levy – seniors will remain the same – single pass resident \$50, single non-resident \$60 – one family price for residents of \$100, non-resident family \$125

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- Still need to discuss closing date of pool – whether it closes for good the Friday evening the fair begins or keep open for pool parties ONLY through Labor Day – all the income and expenses have been calculated and reported previously – this past year cost the Village \$3760 to revenue of \$1022 – if the pool stayed open for only parties during that same 17 days at \$35/day for chemicals, the cost to the Village would be \$525 – Village would need at least 4 pool parties booked to compensate for the extra chemicals
- **Cross training** – committee was provided the planned schedule for cross training of duties to ensure that all financial aspects of the Fiscal Officer, Tax Administrator, and Utility Clerk jobs could be covered with no financial impact to the Village – question and answer session followed with all committee members feeling confident that it is a sound plan barring any unforeseen catastrophic issues that might arise – which it is known in those cases the Village could be charged by CMI if they send a person in to train as was the case with the utility position
- Legislation required for next meeting for minimum wage increase of \$0.05 and for Fiscal Officer for 2017 – office girls would also like pool rates for 2017 passed so pass information and forms can be generated before tax season gets into full swing
- Requested CMI to generate a report to verify what services the residents are currently being billed for and flag any that are an exception to the four services offered (electric, water, sewer, garbage)

Next meeting is Monday, November 14, 2016 at 5:30PM in Council Chambers.

Administrative Reports:

Mayor & Acting Administrator Combined: Mayor Foureman reported on the following:

- **Electric** – Bucket rescue training for the year was November 4th – temporary electric and water taken care of at 701 W George for Arcon – permanent electric and water done on Chippewa for Arcon - Miller Pipeline was in Harvest Fields for Vectren and knocked out electric line – utility department fixed and will invoice Miller for reimbursement
- Shawn and Doug went to Columbus for sewer schooling and got credit hours
- Shawn is working on renewing his water license
- Electric, water, and street each have a truck that needs to be lettered – contacting Wintrow Signs for price
- Chickens removed from Sycamore Street and rooster removed from Westview
- Darcy asked Mayor Foureman to circle back to a piece in the Finance reporting concerning using Doss at a cost of \$75/hour on an as needed basis to update the Village website. Mayor Foureman asked for a motion to allow Doss to update the Village website on an as needed basis at a cost of \$75/hour. Delk made a motion to allow Doss to update the Village website on an as needed basis at a cost of \$75/hour. Willis seconded. All present voted yea. Motion passed.
- Mayor Foureman passed out a schedule of upcoming meetings and items for discussion to allow members of council time to plan ahead.
 - Tuesday, November 8th at 7PM – Regular Council Meeting – set date for Service and Leisure meeting/Set Utility Committee Meeting/Set dates to advertise for waste collection bid (November 11 and 18 – open December 6)
 - Monday, November 14th at 11:05AM – open farm ground lease bids
 - Tuesday, November 15th at 6:30PM – Council Work Session – Mayor asked for Nicole to be present - discuss Village Administrator (exec session) – discuss Fiscal Officer wage options (exec session) – Service and Leisure report for appropriations
 - Tuesday, November 22nd at 6:30PM – Council Work Session - review appropriations – Mayor to report on marijuana and cats
 - Tuesday, November 29th at 7PM – Regular Council Meeting – review final appropriations – legislation for minimum wage increase – legislation for Fiscal Officer wages – award farm ground lease – set advertising dates and cut-off date for VA (December 2 and 9 – cutoff December 16)
 - Tuesday, December 6th at 11:05AM – open waste collection bids
 - Friday, December 9th – last day to turn in any new PO's
 - Tuesday, December 13th at 7PM – Regular Council Meeting – adopt appropriations – award waste collection bid – authorize Fiscal Officer to pay outstanding bills for remainder of December (through motion) so that council doesn't need to have another meeting in December
 - Tuesday, January 3rd at 6:30PM – Organizational Meeting – set interview dates for VA
 - Tuesday, January 10th at 7PM – Regular Council Meeting

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Solicitor: Nicole Pohlman reported on the following:

- **Loffer and minimum water/sewer charges** – Nicole had the utility clerk send her Ordinance 2011-37 and a copy of the water and storm sewer rates – those all contain the same language which states that “minimum water and sewer charges will be applied to all accounts that are physically connected to the Village water and sewer” – based on this, Nicole said that as of now, if a house or whatever is not physically connected to the services, the Village cannot charge the minimums – the following statement reads “unimproved building lots not physically connected to the Village infrastructure will be exempt from the minimum charge” – Millard added that it needs to be determined through further discussion what constitutes an improved versus and unimproved lot
- A discussion then ensued asking what prevents “snowbirds” from disconnecting their water lines when they go away for the winter or other similar situations – Nicole explained that regardless, those residents are still tapped in – Clark pointed out that an empty lot could have a tapped in line – Millard and Boolman both stated that the Loffer property did have a tapped in line at one point (when the property had a trailer sitting on it) – the argument was that the meter was removed – however, even with the meter removed, the line itself is still tapped in – it can only be tapped once – therefore, some council members felt that the Loffer’s should be charged because the lot was tapped in at one point – Mayor Foureman stated that the Village Utility Department is the one who pulled the meter and cut the line, so the resident shouldn’t be responsible for minimums for the last two years they’ve owned the property because of the how the ordinance reads and was referenced by Keir
- Boolman expressed concern that by not going back and charging the minimums and not being able to make it up in another tap fee, this could somehow cause other residents to have to carry more of the burden on the assessments for the new WWTP – Mayor Foureman explained that is why there needs to be new legislation and also that those assessments do not have to be to the County Auditor until September 2018 so there is plenty of time to get this worked out
- The discussion then turned to residents such as the Loffers’ not having to pay the \$10 sewer debt reduction that everyone else has been paying and not having to pay anything until the assessments are putting on – most council members did not feel it was fair for those who had been paying it for the last two years – the Mayor explained that they will have to pay it once new legislation is passed – however, Nicole pointed out again that because it has been established that the Loffer property is in fact tapped into the Village service, they should be charged the minimums and the debt reduction now, and that is based on the current ordinance that is in place – Boolman added that the lot is an improved lot because the service is there whether the line was cut at some point or not
- Willis asked how many lots are like this in town – Millard spoke up and said that this is why she requested that the utility clerk ask CMI if a report can be generated that shows every account and what services they have (water, sewer, electric, garbage), and then a separate report will have to be obtained from the auditor’s office showing all the lots in town – then these will have to be cross checked against each other to see what is not on the CMI report – then Keir will be able to tell if the lots are tapped in because records are now being kept
- Millard stated that she felt the Mayor needed to go back to Loffer and explain that no clear resolution had ever come from council on this matter so therefore it was premature to tell him that nothing was owed – Nicole then said that it needs to be determined how the Village is treating other lots that are like the Loffer property because if those lots are not being charged, then the Village can’t charge Loffer – no clear resolution was reached
- **Merritt Bill** – Nicole sent a letter to Kelly Merritt concerning the engineering invoice that she was sent pertaining to her property being annexed into the Village – Nicole had a conversation with Kelly about the letter and the itemization that she received along with the invoice – the original invoice was for \$975, but Kelly was in dispute of some of the charges as she did not feel they were related to her project – after discussion with Nicole and explanation for why she felt some of the charges should be removed or reduced, the figure was reduced to \$495 – Nicole asked council if they were agreeable to this figure because she has to get back with Ms. Merritt to let her know what council decided – Nicole also informed council that Kelly would need a payment plan to pay the agreed upon amount – she could pay \$100/month, paying the invoice off in five months – Millard made a motion to accept from Kelly Merritt the adjusted invoice amount of \$495 and payment plan arrangement of \$100/month to commence on December 1, 2016. Van Hoose seconded. Van Hoose, Boolman, Willis, Delk, and Millard voted yea. Clark voted no. Motion passed. Nicole will draft an agreement to be signed by Merritt.
- Nicole let Boolman know that she has been in contact with the Health Department concerning the house in town with no electric, water, sewer, etc., but the person she needs to speak with is out of the office and won’t be back in until Thursday.

Fiscal Officer: Nothing at this time.

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New Business:

Ordinance No. 2016-59 - Mayor Foureman read by title only an Ordinance providing for amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (General Fund-Police & Community Environment) Clark asked why so much was needed to cover police wages through year-end. Woodall explained that at budget time last year, it was not known that the Village would be hiring another full time officer and sharing them with the school as the SRO, so that was not built into the budget. He asked if they are paying their share. Woodall explained that even when the school reimburses, those funds go into revenue, not directly to appropriations. Woodall also explained that she had not invoiced the school yet. There was concern expressed that because the contract states the Village will invoice the school bi-weekly that the school may have a problem with receiving a large bill for several payrolls. Woodall also stated that she will be invoicing the school in the next few days for each payroll as well as all of the SRO training as she did just receive those bills. Nicole did state that contractually, the school is obligated to pay. A motion was made by Millard to waive the three reading rule on Ordinance No. 2016-59. Boolman seconded. All present voted yea. Millard made a motion to adopt Ordinance No. 2016-59. Boolman seconded. All present voted yea. Millard made a motion to declare an emergency on Ordinance No. 2016-59. Millard seconded. All present voted yea. Legislation passed.

Ordinance No. 2016-60 - Mayor Foureman read by title only an Ordinance providing for amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (Water, Sewer, and Electric Funds) A motion was made by Van Hoose to waive the three reading rule on Ordinance No. 2016-60. Millard seconded. All present voted yea. Van Hoose made a motion to adopt Ordinance No. 2016-60. Millard seconded. All present voted yea. Van Hoose made a motion to declare an emergency on Ordinance No. 2016-60. Millard seconded. All present voted yea. Legislation passed.

Ordinance No. 2016-61 - Mayor Foureman read by title only an Ordinance providing for amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (Highland Subdivision Resurfacing Fund) A motion was made by Millard to waive the three reading rule on Ordinance No. 2016-61. Van Hoose seconded. All present voted yea. Millard made a motion to adopt Ordinance No. 2016-61. Van Hoose seconded. All present voted yea. Millard made a motion to declare an emergency on Ordinance No. 2016-61. Van Hoose seconded. All present voted yea. Legislation passed.

Resolution No. 2016-35 - Mayor Foureman read by title only a Resolution providing for various appropriation transfers among individual funds of the Village of Arcanum, Darke County, Ohio and declaring an emergency. A motion was made by Millard to waive the three reading rule on Resolution No. 2016-35. Boolman seconded. All present voted yea. Millard made a motion to adopt Resolution No. 2016-35. Boolman seconded. All present voted yea. Millard made a motion to declare an emergency on Resolution No. 2016-35. Boolman seconded. All present voted yea. Legislation passed.

Resolution No. 2016-36 - Mayor Foureman read by title only a Resolution authorizing the Fiscal Officer to seek bids for the 2017 Solid Waste Collection and Disposal contract and declaring an emergency. Willis asked why the legislation has the fiscal officer seeking bids and not the village administrator. Nicole explained that since the Village does not have a village administrator, she knew Darcy was handling submitting the ad to the paper and also most other villages run these same things through their fiscal officers. She said it could be changed if council wished. It was then clarified that this legislation is simply giving permission to advertise for bids, not awarding the bids. A motion was made by Millard to amend Section Two to read "All bids must be received by 11:00 a.m. on Tuesday, December 6, 2016 at the Village Office". Van Hoose seconded. All present voted yea. Motion passed. A motion was made by Millard to waive the three reading rule on Resolution No. 2016-36 as amended. Van Hoose seconded. All present voted yea. Millard made a motion to adopt Resolution No. 2016-36 as amended. Van Hoose seconded. All present voted yea. Millard made a motion to declare an emergency on Resolution No. 2016-36 as amended. Van Hoose seconded. All present voted yea. Legislation passed.

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

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Old Business:

Announcements:

- Millard asked Delk about the apparel order that was passed out with the Personnel Committee meeting minutes – Delk said if everyone was in agreement on the apparel, she would like a motion to move forward – otherwise, if anyone felt there needed to be further discussion about the cost or anything else, that could happen as well
- Millard asked about the Village cost or the employee cost – Delk explained that the thought was that Village would purchase 2 to three pieces per office employee (of the choices on the apparel order form) and anything over and above that or different styles, the employee would have to purchase themselves – Millard asked how many uniform shirts and pants the employees in utility and streets have – Woodall stated that each of those employees is provided 12 pair of pants and 12 shirts through Cintas, which is a uniform rental company, at the Village's expense – the Mayor also added that those employees are also provided with t-shirts in the summer and the winter, which the Village also pays for (again about 12 each for each season) – Millard wanted to know if the office logo apparel would be mandatory everyday – Delk explained that it would not be – she said it was intended more for Fridays or the day utility bills are due or shut off day, etc. – Delk said the intent was not for the items to be a required uniform but more of a trial run to see if the office staff liked the apparel – Millard suggested starting with one item and go from there – Millard then asked Woodall how she felt about it since she is part of the office staff – Woodall stated that she would wear whatever is required – she also expressed that she and the other two girls in the office were all in agreement that if the apparel was going to be required to be worn every day like a uniform, then the Village would need to provide enough apparel to cover each day at the Village's expense – Boolman added that if that was the case, then uniform rentals would be done, not purchasing apparel
- Millard made a motion to purchase one shirt per office employee from 4One Apparel. Delk seconded. All present voted yea. Motion passed.

Adjournment: A motion was made by Delk to adjourn. Boolman seconded. Meeting ended at 8:13 PM.

Fiscal Officer, Darcy Woodall
*Transcribed by Darcy Woodall (clerk to Council)

Mayor Judith F. Foureman