

**Village of Arcanum Council Meeting**  
**Tuesday, March 14, 2017**  
**7:00 PM**

Acting Mayor Bonnie Millard opened the meeting by asking everyone to join her in the Pledge to the Flag.

Council members Eric Van Hoose, Jerry Boolman, Julie Willis, Vanessa Delk, Monte Clark, and Bonnie Millard answered roll call. Also present were Fiscal Officer Darcy Woodall, Mike Bruns from Mote & Associates, and Bill Kessler.

**Council Minutes:** Acting Mayor Millard asked for approval of the minutes of March 7, 2017. A motion was made by Van Hoose to approve the minutes of the March 7, 2017 Special Council meeting. Clark seconded. Van Hoose, Boolman, Willis, and Clark voted yea. Delk and Millard abstained. Motion passed.

**Expenditures:** Acting Mayor Millard asked for a motion to approve the properly appropriated and funded expenditures. Boolman asked if the \$2029.50 for the state audit would be the last bill. Woodall explained there would probably be at least one more because a representative from the State Auditor's office would be coming to the Village this Thursday to do the wrap up/exit interview for the 2014/2015 audit. A motion was made by Clark to pay the properly appropriated and funded expenditures. Boolman seconded. All present voted yea. Motion passed.

**Amendments to the Agenda:** Acting Mayor Bonnie Millard requested to add an Executive Session after Announcements for Personnel.

**Comments from the Public:**

**Administrative Reports:**

**Acting Mayor:** Acting Mayor Millard reported on the following:

- Zoning & Appeals Board Meeting is scheduled for Wednesday, March 22<sup>nd</sup> at 7PM – 2 items on the agenda – Sunoco gas station wants to put an addition onto the existing structure and have adjacent property they own be rezoned and Lyle Bixler is requesting a variance for on a new build
- Permit was issued for 208 Westview for an additional outbuilding – this was approved by the Zoning & Appeals Board in November 2016
- Acting Mayor Millard presented a letter from the Darke County Health Department on mosquito spraying to council for discussion – she reminded council that no mosquito spraying had been done in the Village for about 7 years – Boolman asked for cost – Millard said no cost was listed, but the application for the grant was attached to the letter – any Village interested needs to turn in the application as soon as possible – application is due March 22<sup>nd</sup> – Boolman expressed that he was not opposed to investigating it further – if there turns out to be little to no cost, it would be beneficial due to the increased risk with mosquito bites – Millard said she would look into it further
- The Volunteer Firefighters' Dependents Board needs to be updated - in years past, it has been the committee members of the Safety Committee, the Fire Chief, and one other member of the Fire Department – Council generally just makes a motion on this - the current members of the Safety Committee are Clark, Delk, and Willis – Acting Mayor Millard asked for a motion to appoint the current council members of the Safety Committee to the Volunteer Firefighters' Dependents Board. A motion was made by Boolman to appoint the current council members of the Safety Committee to the Volunteer Firefighters' Dependents Board. Clark seconded. All present voted yea. Motion passed.
- Many complaints have come in on garbage pickup – Millard contacted Niles from Best Way to try to resolve some issues – Van Hoose will address this further in his Service & Leisure Committee report
- CDBG Grant Funding – Millard spoke with Susan at Mote & Associates and confirmed that changes have been made to how these funds will be awarded going forward – counties in this half of the state will be awarded funds in even numbered years – the Village does not need to turn anything in this year as far as potential projects the Village may want funding for
- Millard spoke with Curtis Young about the medical marijuana state law that will go into effect in September – the Village needs to decide if it wants to allow the production of and/or distribution of the product – Young stressed that this is one of those issues that once the law goes into effect, it will be too late for the Village to do anything about it at the Village level – if the Village is opposed to marijuana, legislation needs to be passed as soon as possible – in her conversation with Young, he told Millard that an ordinance would be required to limit or eliminate any production in the Village limits – Twin Township revealed that they intend to pass an ordinance that does not allow the production and/or distribution of medical marijuana – if the ordinance is challenged, a petition is required with the number of signatures needed based on the number of voters in the Village and then it is put on the ballot for referendum – if that would pass, the Zoning & Appeals Board would then have to write rules regarding things like hours of operation, etc. – it is then reviewed annually and if not being followed, can be repealed and revoked immediately – Boolman suggested that a vote be taken to determine if Council is in favor or opposed to allowing the production and/or distribution of medical

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marijuana within the Village limits – Roll call was taken asking if each council member was in favor or opposed to allowing the production and/or distribution of medical marijuana in the Village limits. All present voted NO. The Solicitor was asked to prepare legislation for the next council meeting for this issue.

- Millard had discussion with the Fire Chief about a possible need to change some of the fire lanes at the school – legislation was potentially needed, but as conversation has went on amongst Millard, the fire chief, and the solicitor, this legislation is currently on hold – more information is needed

**Solicitor:** Nothing at this time.

**Acting Village Administrator:** Acting Mayor Millard reported on the following:

- The street department building and all of their vehicles have been cleaned up – Millard then asked Clark to speak further on this – Clark reported that he recently visited the street department and spoke with Jeni – all the vehicles had been washed, waxed, and cleaned out – the building had been cleaned up and organized as well – there was a tremendous improvement in the cleanliness and organization of the department and the vehicles since the last visit back in November - Clark went on to say that he also discussed with her the wishes of the street department on the type of new truck that they would like in the department – Jeni said they would like to have another one ton dump truck like they already have but at this time, they are actually having more problems with the big dump truck – the bigger dump truck is a much older truck so it would make more sense to replace this truck because they can haul more gravel, hot mix, etc. with the bigger truck – Clark went on to explain that Monroe Township had a truck for sale that sold for \$9700 to Justin Hines – his intent when he purchased it was to put a new bed on it and put it back up for sale
- Utility department – lead and copper mapping – Millard asked Mike Bruns from Mote & Associates to speak on this – Mike informed council that all the mapping had been submitted for review and had come back with a few comments – some adjustments were made and the mapping was resubmitted – nothing has been heard since the resubmission
- AMP settlement – letter/request received in connection with the Bechtel Corporation litigation settlement – AMP has yet to receive a response from the Village as to how the Village would like its portion of the settlement handled – the Village's portion of the settlement is \$11,021.40 – there are two options to choose from – option one is the funds can be held for future use toward projects – option two is the funds can be paid to the Village – Council's wish was option 2 – Acting Mayor Millard asked for a motion to request settlement funds of \$11,021.40 from AMP in connection with the Bechtel Corporation litigation. A motion was made by Boolman to request settlement funds of \$11,021.40 from AMP in connection with the Bechtel Corporation litigation. Van Hoose seconded. All present voted yea. Motion passed.
- Sawmill Streets – reported by the Street Department that a piece of the work that was done recently has been torn up – per the contract, the Village has 1 year for these types of incidences from the end of the project, which gives the Village until around August to September – Millard asked Mike Bruns to explain what happened – there is an area where it is tracking off along the curb in the far north corner – it seems that when Hensley did the FDR process underneath and came back and paved, they may have paved over a little further than where they did the FDR process causing a weak base on the very edge that is slightly cracked – Hensley came out and looked at the problem and agreed with Mote's assessment – Hensley asked what needed to be done – Mike stated that there is no big rush – it is better to go closer to the length of the whole one year warranty and then have them come in and fix any other issues there may be at that time as well

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

- Thursday, March 16<sup>th</sup> at 10AM, Carletta from the State Auditor's office will be here to do the exit interview for the 2014-2015 audit – anyone from Council is welcome to attend
- Woodall asked that two members of council from the last meeting please stay after this meeting to sign the approved minutes and a piece of legislation from the previous council meeting due to the Council President and Mayor both being absent from that meeting

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**Committee Reports:**

**Service & Leisure Committee:** Meeting was held on Monday, March 13, 2017 at 4:30PM in Council Chambers. Committee members present were Eric Van Hoose, Bonnie Millard, and Monte Clark. Also present was Bill Kessler as a visitor. Van Hoose reported on the following:

- **Pool** – will have 2 assistant managers and they will report to the Village Administrator – only one assistant manager will be compensated per shift – all employees must have CPR training – lifeguards that need to get CPR training will be reimbursed ½ the cost at the end of the 2017 season – in the Swimming Pool Policies, the wording was changed from Pool Manager to Village Administrator – Millard added that she reached out to two other local community pools and gathered some information – neither of them reimburse their lifeguards for their CPR certification and only one of them pays for the swimsuits – Millard went on to say that these are items that can be reviewed and evaluated once a Village Administrator is hired – Millard did ask Willis if the lifeguards of the Arcanum pool wear the same swimsuit year after year, and Willis confirmed that they do – Millard then informed the rest of council that only 2 applications were received for lifeguarding from the ad that was placed in the newspaper so she called all the previous lifeguards from last season letting them know that an application needs to be turned in each year – so far none of those applications have been turned in either – the committee discussed putting it in the paper again, but this time it will be in Vicky Rhodahamel's column – if there is no response from this or not enough applications are received, then the pool cannot be opened without enough lifeguards
- **Sidewalks** – committee will take a look at sidewalks to be repaired on North Main St with the VA
- **Best Way** – there have been many complaints on garbage pickup – Best Way can start before 7AM (5-6) – recycles on Mondays and trash on Tuesdays – they would be done by 12 noon – Millard added that most of the complaints she had received and that had come into the office as phone calls were about how late the trash was being picked up – most of the residents like the trash being picked up much earlier – in talking with Niles from Best Way, he explained that not being able to begin trash pickup before 7AM really hinders his guys being able to get out of the Village at an earlier time – the residents were used to Rumpke picking up sometimes as early as 4AM – the scenario of all recycles on Mondays and all trash pickup on Tuesday was proposed by Niles, not the Village – after a lengthy discussion, it was determined that it would be less confusing for the residents if the two separate pickup days of Tuesday and Friday that are currently in place were left in place – therefore, it will be relayed to Niles that trash pickup and recycling will still be picked up on the same day, but Best Way can start earlier than the 7AM restriction previously in place – this will be tried for a while to see if it solves the issues
- **Ordinance 2015-58** – ¼% money – looking at street repairs only and capital improvements – up for discussion – Millard voiced that she does not feel that the Village could ever pass a street levy so it is important to continue setting the ¼% aside and letting it build up for street repairs and projects

Next meeting is Tuesday, March 21, 2017 at 4:30PM in Council Chambers

**Safety Committee:** Clark reported that he was upstairs to check on the progress of the two new offices for the police department, and the offices are almost completed. Clark said that the budget for the project was \$1500, and the last gallon of paint for the walls of the offices is the only thing that put them over budget. They will still need some molding to go around the ceiling and the doors. Clark also informed council that the Police Chief will bid on a 2013 Dodge Charger Police Cruiser. There will be legislation later allowing a bid not to exceed \$15K.

**Utility Committee:** Meeting was held on Wednesday, March 1, 2017 at 4:30PM at the VA Office. Committee members present were Jerry Boolman, Monte Clark, and Julie Willis. Also present were Keir Smith, Shawn Smith, Mike Bruns from Mote & Associates, and Bill Kessler as a visitor. Boolman reported on the following:

**Wastewater Debt Reduction Discussion**

- Mote presented options on ways to reduce the Village sewer increase to the residents during this meeting – 3 options were discussed and committee is considering each option – deciding factor will be the final bid number presented to council and then the number that sewer rates would need to be increased
- The options to reduce the residents rates is based on using money in the sewer fund that has been accumulating and can be returned to the Village to help reduce the debt.
- Village contribution of \$146K, which is a portion of what has been paid to date, and the Village rates will still increase to about \$10.90/month
- Village contribution of \$250K along with expenses paid to date, \$356K, will create a new increase of \$9.51/month
- Village contribution of \$500K along with funds paid to date, \$356K, will create a new increase of \$8.75/month

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- However, there is a sewer fee that has to be collected for the first 10 years as a reserve for the project of 10% depending on which option we choose – example: \$10.90/month x 10% = \$12.50; \$9.51/month x 10% = \$10.96; \$8.75/month x 10% = \$10.13 – after the 10 years, the rates can be adjusted down to the original increase as the reserve is met
- These are preliminary numbers based on the bid coming back at the \$8.846 million estimate – if the bid comes back lower, than estimates for the monthly debt and village contribution could be reduced – Mote will create new sewer rate repayment scenarios with the final numbers
- The committee is not recommending at this time until final numbers come back, but committee is favoring using the \$500K to reduce the debt payment to the Village residents
- Some monies could also be used to finish projects that were dropped from the bid that could be done at a later time using local labor to complete – quotes will need to be obtained to evaluate how many projects can be completed with the sewer funds
- No updates on electrical department or water plant activities
- Discussed activities going on with new truck and getting it ready for Village duty

Next meeting is Wednesday, March 29, 2017 at 4:30PM at the VA Office.

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

**Personnel Committee:** Council Work Session scheduled Tuesday, April 4, 2017 at 6PM in Council Chambers.

**Finance & Audit Committee:** Nothing at this time.

**Old Business:**

**New Business:**

**Ordinance No. 2017-06** – Acting Mayor Millard read by title only an Ordinance providing for the appointment of a Village Administrator and declaring an emergency. This is the third reading. Millard brought out a few questions she had for Bill Kessler concerning his consulting firm, Banmea. He assured council that his full time position with the Village would be his priority. A motion was made by Boolman to waive the adopt Ordinance No. 2017-06. Van Hoose seconded. All present voted yea. Motion passed. Boolman made a motion to declare an emergency on Ordinance No. 2017-06. Van Hoose seconded. All present voted yea. Legislation passed.

**Ordinance No. 2017-09** – Acting Mayor Millard read by title only an Ordinance providing for an amendment to the 2017 appropriations of the Village of Arcanum, Darke County, Ohio, and declaring an emergency. (Water & Sewer Funds) This is the second reading. Woodall explained that Ordinance No. 2017-09 had already been used, so this would need to be amended to Ordinance No. 2017-10. A motion was made by Clark to amend Ordinance No. 2017-09 to be Ordinance No. 2017-10. Van Hoose seconded. All present voted yea. A motion was made by Clark to waive the three reading rule on Ordinance No. 2017-10 as amended. Van Hoose seconded. All present voted yea. Clark made a motion to adopt Ordinance No. 2017-10 as amended. Van Hoose seconded. All present voted yea. Clark made a motion to declare an emergency on Ordinance No. 2017-10 as amended. Van Hoose seconded. All present voted yea. Legislation passed.

**Ordinance No. 2017-11** – Acting Mayor Millard read by title only an Ordinance establishing a residential Anti-Displacement and Relocation Assistance Plan and declaring an emergency. A motion was made by Van Hoose to waive the three reading rule on Ordinance No. 2017-11. Delk seconded. All present voted yea. Van Hoose made a motion to adopt Ordinance No. 2017-11. Delk seconded. All present voted yea. Van Hoose made a motion to declare an emergency on Ordinance No. 2017-11. Delk seconded. All present voted yea. Legislation passed.

**Resolution No. 2017-04** – Acting Mayor Millard read by title only a Resolution authorizing an agreement with Selective Insurance Company and Hanover Insurance Company for property and casualty insurance coverage and declaring an emergency. This is a second reading. Woodall explained that the effective date for the new insurance would need to be amended to April 1, 2017. A motion was made by Boolman to amend the effective date from March 1, 2017 to April 1, 2017 on Resolution No. 2017-04. Clark seconded. All present voted yea. A motion was made by Boolman to waive the three reading rule on Resolution No. 2017-04 as amended. Clark seconded. All present voted yea. Boolman made a motion to adopt Resolution No. 2017-04 as amended. Clark seconded. All present voted yea. Boolman made a motion to declare an emergency on Resolution No. 2017-04 as amended. Clark seconded. All present voted yea. Legislation passed.

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**Resolution No. 2017-05** – Acting Mayor Millard read by title only a Resolution authorizing The Village of Arcanum to enter into a contract with The Arcanum Junior Baseball Association for the year 2017 operation and management of the baseball facility and declaring an emergency. Discussion was had with the Junior Baseball board president about potentially lowering the annual rent due. It was previously raised when the new restrooms and shelter were built. However, it was determined that the Junior Baseball Association had paid back their portion of that project over the last several years. The water and electric consumption was also looked at during the months the ballpark is in use and determined that even if the rent is lowered, those expenses would still be covered. Council was all in agreement to lower the annual rent from \$3500 to \$3000. A motion was made by Delk to amend the Management Agreement, page 2, number 8 from the sum of THREE THOUSAND AND FIVE HUNDRED DOLLARS AND NO 00/100 (\$3,500.00) to the sum of THREE THOUSAND DOLLARS AND NO 00/100 (\$3,000.00) and payment schedule from ONE THOUSAND EIGHT HUNDRED DOLLARS AND 00/100 (\$1,800) due June 5, 2017 and ONE THOUSAND SEVEN HUNDRED DOLLARS AND 00/100 (\$1,700) due on August 31, 2017 to ONE THOUSAND FIVE HUNDRED DOLLARS AND NO 00/100 (\$1,500) due on June 5, 2017 and ONE THOUSAND FIVE HUNDRED DOLLARS AND NO 00/100 (\$1,500) due on August 31, 2017 on Resolution No. 2017-05. Willis seconded. All present voted yea. A motion was made by Delk to waive the three reading rule on Resolution No. 2017-05 as amended. Willis seconded. All present voted yea. Delk made a motion to adopt Resolution No. 2017-05 as amended. Willis seconded. All present voted yea. Delk made a motion to declare an emergency on Resolution No. 2017-05 as amended. Willis seconded. All present voted yea. Legislation passed.

**Resolution No. 2017-06** – Acting Mayor Millard read by title only a Resolution authorizing the acquisition of a police cruiser and declaring an emergency. A motion was made by Clark to waive the three reading rule on Resolution No. 2017-06. Willis seconded. All present voted yea. Clark made a motion to adopt Resolution No. 2017-06. Willis seconded. All present voted yea. Clark made a motion to declare an emergency on Resolution No. 2017-06. Willis seconded. All present voted yea. Legislation passed.

**Resolution No. 2017-07** – Acting Mayor Millard read by title only a Resolution authorizing the November 16,2016 to March 1, 2017 utility write-off accounts and declaring an emergency. A motion was made by Van Hoose to waive the three reading rule on Resolution No. 2017-07. Delk seconded. All present voted yea. Van Hoose made a motion to adopt Resolution No. 2017-07. Delk seconded. All present voted yea. Van Hoose made a motion to declare an emergency on Resolution No. 2017-07. Delk seconded. All present voted yea. Legislation passed.

**Resolution No. 2017-08** – Acting Mayor Millard read by title only a Resolution authorizing certification to the County Auditor for the collection of delinquent utility bills and declaring an emergency. A motion was made by Clark to waive the three reading rule on Resolution No. 2017-08. Delk seconded. All present voted yea. Clark made a motion to adopt Resolution No. 2017-08. Delk seconded. All present voted yea. Clark made a motion to declare an emergency on Resolution No. 2017-08. Delk seconded. All present voted yea. Legislation passed.

**Announcements:**

Millard asked Boolman to schedule a Utility Meeting to take care of the improved/unimproved lot situation.

Acting Mayor Millard asked for a motion to go into 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 8:14 PM.

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

A motion was made by Boolman to return from executive session. Willis seconded. Council returned from executive session at 8:15 PM.

**Adjournment:** A motion was made by Boolman to adjourn. Willis seconded. Meeting ended at 8:16 PM.

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

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Mayor Judith F. Foureman