

Village of Arcanum Council Meeting
Tuesday, March 28, 2017
7:00 PM

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

Council Minutes: Mayor Foureman asked for approval of the minutes of March 14, 2017. A motion was made by Boolman to approve the minutes of the March 14, 2017 Council meeting. Clark seconded. All present voted yea. 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:

Administrative Reports:

Mayor: Mayor Foureman reported on the following:

- Mayor Foureman reported that in talking with the State Auditor's Office, Millard could not be appointed as Council President Pro-Tem at the January Organizational Meeting because she was not here to accept it – therefore, Millard would need to accept the position at tonight's council meeting – Mayor Foureman asked Millard if she accepted the position of President of Council – Millard responded yes – Mayor Foureman asked that Millard's acceptance of the position be made part of the minutes for the council meeting
- Mayor Foureman announced that she was glad to be back and thanked Millard for stepping in while she was on leave.

Solicitor: Pohlman reported on the following:

- It was brought to the Solicitor's attention by a couple of individuals as to who would get paid what for the time the Mayor was on a leave of absence – one question was if Mayor Foureman should continue to get paid, and the Solicitor determined that yes, the Mayor would continue to be paid even for the time she was on leave – Nicole then pointed out that there is an ordinance on the books stating that the Acting Mayor is also entitled to compensation during that period if the period is at least 30 days – the amount of compensation would be the difference between Millard's council pay and the monthly salary amount paid to the Mayor – Pohlman stated again that Millard is entitled to that pay, but council could vote or have a motion to authorize payment to Millard for her time as Acting Mayor if they choose – Nicole told council that she had a copy of the ordinance if anyone wanted to view it – Willis commented that technically Millard did not officially become President of Council until tonight's meeting at which time Mayor Foureman said she felt this would be an Auditor decision – Nicole said she would contact the Auditor to get their opinion on the matter – Willis then stated that it was her understanding from the State that if there is no resolution in place stating that Millard could make decisions from states away, then the work Millard did in the Mayor's absence doesn't mean anything – Pohlman then added that as the Solicitor she was not involved in any of those discussions – Mayor Foureman asked Council what their wishes were – however, Nicole stated that if any of the issue is in question, it needs to be investigated further and again, she is willing to do that – Millard then spoke and stated that she wanted Nicole to do further investigation because she did not want to be paid the money if it was not permitted even based on the current ordinance on the books – Nicole agreed to look into this further
- Nicole said her other items for discussion would be in executive session – the Mayor said there would need to be a brief recess before the executive session for her to speak with Nicole

Village Administrator: Bill Kessler reported on the following:

- Bill asked to be granted permission to proceed with pursuing two specific grants – one pertaining to mosquito spraying in the Village through the Darke County Health Department and one pertaining to possible projects in the park/ballpark that he will have more specifics on once he meets with Mote & Associates – Bill has met with the Darke County Health Department to get information and has also signed up for a workshop about mosquito surveillance and control – he has also started a draft for an executive summary stating what the Village intends to do to acquire the grant – the Village has to come up with a mosquito surveillance and control program to present to the County asking for funds – this is due this Friday, March 31st – Bill has a quote from Bug-a-Boo and has also contacted Versailles and Wayne Lakes and spoken with them about how they wrote their grant and also found out that both places are satisfied with the services they are receiving from Bug-a-Boo – the grant is a "pay back" grant and covers the spraying and fogging of mosquitos – the Village would have a contract with Bug-a-Boo for the summer for \$130/treatment and do possibly four to six treatments on an as

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needed basis – at the conclusion, the Village would submit for reimbursement of those costs – the summary submitted to the Health Department will state that the Village is starting a mosquito surveillance and control program – the County will provide (at no cost) mosquito traps that will allow the Village to watch and surveil the mosquito population – Bill attended a meeting a couple of weeks ago with the Parks District about the parks grants that may be available – Roger from the Parks District was in and met with Bill and the Street Department to discuss the types of projects that the Village could apply for grants for – Bill stated the push for the Parks Department this year is safety and access – Bill's plan is to put together more proposals than will be accepted so that the Village can start lining up grant money for the projects the Village wants to do for the next couple of years – Bill would like to put wheelchair access from the new shelter/restrooms to the railroad bed at the ballpark, access to the new playground equipment in Ivester Park, access to the two shelters in Ivester Park that do not have sidewalks leading up to them, and access from the drinking fountain to the restrooms in Ivester Park – Bill is working on gathering quotes for these projects – he does know that the park grants will pay for paving not concrete – Bill also met with Mote & Associates about CDBG – CDBG is not offering any money at the county level this year, but Susan presented many alternative options for grant funding sources – he is meeting with Mike from Mote to discuss grants for sidewalks and curbs, which came out of a discussion from the Service and Leisure meeting – park grant application is due May 5th – Bill also pointed out that if the Village provides any of the labor or work as part of the projects or volunteers, that is counted toward the Village's required contribution – Bill indicated that the Parks District is looking to award projects in the \$3K to \$5K range – legislation will be needed at the next council meeting authorizing Bill to pursue the mentioned grants but because the mosquito grant is due this Friday, a motion can be passed tonight to allow him to submit that application – Mayor Foureman asked for a motion authorizing Bill Kessler to submit a grant application to the Darke County Health Department for mosquito spraying. A motion was made by Clark authorizing Bill Kessler to submit a grant application to the Darke County Health Department for mosquito spraying. Van Hoose seconded. All present voted yea. Motion passed.

Fiscal Officer: Nothing at this time.

Committee Reports:

Service & Leisure Committee: Meeting was held on Tuesday, March 21, 2017 at 4:30PM in Council Chambers. Committee members present were Eric Van Hoose, Bonnie Millard, and Monte Clark. Also present was Village Administrator Bill Kessler. Van Hoose reported on the following:

- **Sidewalks** – Looking at N Main St and E South St for 2017 – Eric and Bill will be making a time to walk the streets to make some decisions about which areas need to be looked at for the sidewalks and also the removal of any trees - Bill is checking on CDBG grants for sidewalks – has a meeting in Greenville on March 22nd
- **Pool** – Street Department will do all maintenance at the pool – because the street department employees have the proper certifications, they will also take care of the chemicals and do the adjustments
- Bill is checking on mosquito spraying
- **Serve Arcanum** – Bill has a list of projects to turn into the school
- **Ball Diamonds** – Bill is looking at possibly repairing the back stops instead of replacing all of them

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

Safety Committee: Clark reported that the police still need to purchase some molding to go around the ceiling and the doors for the new offices upstairs. Clark also reported that the Village won the bid on the 2013 Dodge Charger Police Cruiser from the Village of New Madison.

Utility Committee: Nothing at this time. Meeting is tomorrow, March 29th at 4:30PM at the VA Office.

Planning Committee: Nothing at this time.

Personnel Committee: Delk reminded everyone of the Council Work Session scheduled Tuesday, April 4, 2017 at 6PM in Council Chambers.

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Finance & Audit Committee: Meeting was held on Wednesday, March 15, 2017 at 5:00PM in Council Chambers. Committee members present were Bonnie Millard, Jerry Boolman, and Eric Van Hoose. Also present was Village Administrator Bill Kessler and Fiscal Officer Darcy Woodall. Millard reported on the following:

- Reviewed reports provided by Darcy (also provided in council packets) – reports contained information pertaining to savings for future capital equipment purchases, WWTP debt reduction and operation and maintenance reserve, and ¼% add'l income tax set aside for streets – also discussed match money required for reconstruction of North Street - \$155K plus \$117.5K for sidewalk and curb – sidewalk and curb amount will be reimbursed through assessments
- Darcy asked about transferring the budgeted amounts for specific items listed on the capital equipment projected purchases – committee recommended moving forward with legislation to process transfers
- Darcy informed committee that her bond amount would need to be increased again due to the revised funding scenario and increased loan amount with Rural Development
- Pool control for audit purposes – received written notice on audit report – Bill to discuss further in his reports once he has had time to review
- Mosquito spraying – requested more information as far as costs to the Village before a decision is made – Bill to get more information and report back to committee
- Brought up a program that Dustin Wills, Shelter Director at Darke County Humane Society, discussed with the Village regarding partnering up on a feral cat, Trap-Neuter-Return Program – committee discussed and recommended not to move forward with the program because the cats are returned to the Village – Millard deferred to Bill for further information on this subject that was discovered after the finance meeting in his discussion with the Mayor – because cats are territorial the benefit to neutering them and bringing them back is that new cats will not come in to take over the territory and the cats that are brought back can no longer reproduce – therefore, the population of cats does not increase – the program is a match program – the Village puts in whatever dollar amount they want and then the director takes it to the board to see if there is money to match – if so, the money is matched and however many cats can be neutered for that amount are neutered and returned to the Village
- Truck under review for Street Department that Monroe Township sold to Justin Hines, who plans to do some repairs and resell – Bill is looking into this and will report back to committee – the truck is a large dump truck – Justin has redone the bed of the truck, some painting, etc. – this truck would replace the old large dump truck in the Street Department – the truck is a diesel and has air brakes – the current truck does not have air brakes
- Darcy spoke with committee about a program through the state, Ohio Checkbook – puts Village accounting information online to provide more transparency of expenditures, etc – committee wanted to set up a meeting with Matt Huffman to discuss his thoughts regarding the schools use of the program – Matt indicated that the Village would be better off not getting involved in the program
- Mayor Foureman let Council know that the Fire Chief had been in to let her know that the new fire truck will not be ready until early June – the delay is due to something on the manufacturer's end, not the Village

Meeting was held on Monday, March 27, 2017 at 5:00PM in Council Chambers. Committee members present were Bonnie Millard, Jerry Boolman, and Eric Van Hoose. Also present was Village Administrator Bill Kessler. Millard reported on the following:

- **Discussion of wages for 2017** – it is the recommendation of the Finance Committee to give a separate \$700 bonus check to all full time employees – requesting legislation at next council meeting for disbursement after passage, which will be mid to late May
- **Discrepancy on payroll** – thru due diligence reviewing office wages, it was discovered and later verified through paystubs that the fiscal officer was shorted two pay periods of \$215.39 each pay period in January 2016 – when her appointment ordinance (2016-03) wasn't passed until February 9, 2016 with an increased salary, referenced in Section Six as taking effect January 1, 2016, she did not go back and make the pay retroactive to the first of the year – therefore, the committee feels a motion is needed to authorize to pay her \$430.78 to correct this error – Mayor Foureman asked for a motion authorizing back pay from January 2016 to the Fiscal Officer, Darcy Woodall, of \$430.78 due to an oversight from her appointment in Ordinance No. 2016-03. Clark made a motion authorizing back pay from January 2016 to the Fiscal Officer, Darcy Woodall of \$430.78 due to an oversight from her appointment in Ordinance No. 2016-03. Boolman seconded. All present voted yea. Motion passed. Pay is authorized to paid on the first payroll of April 2017.

Old Business:

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New Business:

Ordinance No. 2017-12 – Mayor Foureman 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. (General Fund-Police) A motion was made by Boolman to waive the three reading rule on Ordinance No. 2017-12. Clark seconded. All present voted yea. Motion passed. Boolman made a motion to adopt Ordinance No. 2017-12. Clark seconded. All present voted yea. Motion passed. Boolman made a motion to declare an emergency on Ordinance No. 2017-12. Clark seconded. All present voted yea. Legislation passed.

Ordinance No. 2017-13 – Mayor Foureman 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. (S Main St Reconstruction Fund) A motion was made by Van Hoose to waive the three reading rule on Ordinance No. 2017-13. Millard seconded. All present voted yea. Motion passed. Van Hoose made a motion to adopt Ordinance No. 2017-13. Millard seconded. All present voted yea. Motion passed. Van Hoose made a motion to declare an emergency on Ordinance No. 2017-13. Millard seconded. All present voted yea. Legislation passed.

Ordinance No. 2017-14 – Mayor Foureman 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. (Fire Fund Advance) This is due to a grant that the Fire Chief applied for. The equipment has to be purchased up front and receipts provided showing payment before the funds will be reimbursed through the grant. Mayor Foureman explained to Council that she had a conversation with the Fire Chief letting him know that going forward, Council needs to be made aware of any grants that the fire department would like to apply for and will also need to pass legislation granting permission to proceed with applying for the grant. A motion was made by Clark to waive the three reading rule on Ordinance No. 2017-14. Delk seconded. All present voted yea. Motion passed. Clark made a motion to adopt Ordinance No. 2017-14. Delk seconded. All present voted yea. Motion passed. Clark made a motion to declare an emergency on Ordinance No. 2017-14. Delk seconded. All present voted yea. Legislation passed.

Ordinance No. 2017-15 – Mayor Foureman read by title only an Ordinance adopting a moratorium on applications for, and the granting of, zoning certificates for any building, structure, use or change of use, or any other authorization, that would enable the cultivation, processing, distribution or sale of medical marijuana for a period not to exceed twelve months in order to allow the Village to review applicable State and Local laws, to plan for regulations relating to such uses, and declaring an emergency. A motion was made by Millard to waive the three reading rule on Ordinance No. 2017-15. Van Hoose seconded. Boolman, Clark, Millard, and Van Hoose voted yea. Willis and Delk voted no. Because 5 yea votes are needed to waive the three reading rule and only 4 were recorded, this is now the first reading of Ordinance No. 2017-15.

Resolution No. 2017-09 – 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. The Mayor asked Woodall to comment on the purpose of the two transfers, so Woodall explained that the \$20K is money being put back for a water tower and the \$10K is money being put back for a street sweeper. A motion was made by Millard to waive the three reading rule on Resolution No. 2017-09. Clark seconded. All present voted yea. Motion passed. Millard made a motion to adopt Resolution No. 2017-09. Clark seconded. All present voted yea. Motion passed. Millard made a motion to declare an emergency on Resolution No. 2017-09. Clark seconded. All present voted yea. Legislation passed.

Resolution No. 2017-10 – Mayor Foureman read by title only a Resolution of the Village Council of the Village of Arcanum authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its facility to serve an area lawfully within its jurisdiction to serve and declaring an emergency. This resolution needs to be passed in order to accept the revised loan amount from USDA/RD because of the changed funding schedule for the WWTP project. Mayor Foureman also clarified that the loan money from USDA will be two separate bonds (\$3M and \$2.25M) so that the Village could retire one bond at a time if they had the money to do so. A motion was made by Millard to waive the three reading rule on Resolution No. 2017-10. Clark seconded. All present voted yea. Motion passed. Millard made a motion to adopt Resolution No. 2017-10. Clark seconded. All present voted yea. Motion passed. Millard made a motion to declare an emergency on Resolution No. 2017-10. Clark seconded. All present voted yea. Legislation passed.

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Resolution No. 2017-11 – Mayor Foureman read by title only a Resolution accepting bids for the construction of a mechanical wastewater treatment facility and declaring an emergency. For discussion purposes, Mike from Mote & Associates passed out information to Council detailing what work the bids were received for, the number of bids received for each contract, and Mote & Associates recommendation to the Village as to what contractor should be awarded the bid for each contract. Mote also recommended that the Village not award Contract B due to the cost. A motion was made by Van Hoose to waive the three reading rule on Resolution No. 2017-11. Millard seconded. All present voted yea. Motion passed. Van Hoose made a motion to adopt Resolution No. 2017-11. Millard seconded. All present voted yea. Motion passed. Van Hoose made a motion to declare an emergency on Resolution No. 2017-11. Millard seconded. All present voted yea. Legislation passed.

When Ashley Kelly from USDA was at the Village office earlier today, he also brought a revised grant agreement for the Village to sign. The revised grant agreement was also due to the changed funding scenario for the WWTP project. The revised grant agreement only requires approval through a motion. Mayor Foureman asked for a motion approving the revised grant agreement with USDA/RD. A motion was made by Clark approving the revised grant agreement with USDA/RD. Delk seconded. All present voted yea. Motion passed.

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

Mayor Foureman asked for a motion authorizing the Solicitor to draft legislation giving all full time employees a one-time bonus of \$700 in a separate check. A motion was made by Boolman authorizing the Solicitor to draft legislation giving all full time employees a one-time bonus of \$700 in a separate check. Van Hoose seconded. All present voted yea. Motion passed.

Mayor Foureman called for a brief recess to speak privately with the Solicitor, Nicole Pohlman.

Mayor Foureman 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 7:57 PM.

*******Executive Session*******

A motion was made by Boolman to return from executive session. Willis seconded. Council returned from executive session at 8:20 PM.

Announcements: Mayor Foureman reminded Council of the work session scheduled for Tuesday, April 4th at 6PM.

Delk made a motion to pay an employee for 6.5 hours of sick pay that was requested but not paid on a previous pay period because of leaving work without informing a supervisor. Willis seconded. Willis and Delk voted yea. Boolman, Clark, Millard, and Van Hoose voted no. Motion did not pass.

Adjournment: A motion was made by Boolman to adjourn. Willis seconded. Meeting ended at 8:21 PM.

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

Mayor Judith F. Foureman