

Village of Arcanum Council Meeting
Tuesday, April 11, 2017
7:00 PM

Council President Bonnie Millard opened the meeting by asking everyone to join her in the Pledge to the Flag.

Council members Vanessa Delk, Monte Clark, Bonnie Millard, Eric Van Hoose, and Jerry Boolman answered roll call. Millard asked for a motion to excuse Willis. Delk made a motion to excuse Julie Willis, Clark seconded. Delk and Clark voted yea. Millard, Van Hoose, and Boolman voted no. Motion did not pass. Willis is unexcused for this meeting. Also present were Village Administrator Bill Kessler, Fiscal Officer Darcy Woodall, and Mike Bruns from Mote & Associates.

Council Minutes: Millard asked for approval of the minutes of March 28, 2017. A motion was made by Boolman to approve the minutes of the March 28, 2017 Council meeting. Delk seconded. All present voted yea. Motion passed. Millard asked for approval of the minutes of April 4, 2017. A motion was made by Delk to approve the minutes of the April 4, 2017 Council Work Session. Boolman seconded. Delk, Clark, Millard, and Boolman voted yea. Van Hoose abstained. Motion passed.

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

Amendments to the Agenda: Millard added Ordinance No. 2017-21 to New Business.

Comments from the Public:

Administrative Reports:

Mayor: In Mayor Foureman's absence, the VA, Bill Kessler fielded a question from Millard:

- Millard asked for an update on the Darke County Humane Society's spay-neuter-return program – Mayor Foureman had stated at the previous council meeting that she would speak with the contact person for further information – the idea behind the program is to trap cats in their territories here in town, spay or neuter them, and then return them to their territory – this helps stop the spread of the cat colonies because new cats do not come in and take over the territories, and the cats that are returned are not producing anymore offspring, therefore not increasing the population
- Council President Millard asked for another poll of council to determine if the Village wanted to pursue the trap, spay/neuter, return program in conjunction with the Darke County Humane Society – Delk and Van Hoose voted yea. Clark, Millard, and Boolman voted no. The Village will not pursue this program in 2017. Millard said she will make a note to look at this again for the 2018 budget.

Solicitor: Pohlman reported on the following:

- Follow up from previous council meeting concerning paying Millard for her time as Acting Mayor – Nicole spoke with the Auditor and explained that they were contacted by a council member from the Village about some of these issues – the council member was advised that the Auditor's Office could not provide and would not provide any legal advice or opinion because it did not cover the audit period and was a present issue – the council member was told by the Auditor that these issues would need to be addressed with the Village Solicitor – Nicole reiterated that no one came to her as she only became aware of the issues/concerns during the last council meeting – Nicole has since done her own research and determined that nothing in the statutes requires someone to be present to accept the position of Council President – Council is merely required to elect someone to that position – there is also nothing in the Village's local council rules pertaining to this issue – Nicole's position is that Millard was duly appointed to the position of Council President by Council, and it is up to Council if they want to pay her for the time she served as Acting Mayor per the Village ordinance that addresses the pay of an Acting Mayor
- A motion was made by Boolman to pay Bonnie Millard per Ordinance No. 2004-36 for the 30 days she worked as Acting Mayor. Van Hoose seconded. Clark, Van Hoose, and Boolman voted yea. Delk voted no. Millard abstained. Motion passed.

Village Administrator: Bill Kessler reported on the following:

- **Possible Dump Truck Purchase** – Asking price is \$17K – '93 L170 Dump Truck, automatic transmission, newer stainless steel bed, power hydraulic brakes, new LED caution lights, and equipped with plow, salt and gravel spreaders – Hines does not want our old dump truck for trade-in – current dump truck is an '89 Ford F700 – concerns are manual transmission and brakes (safety concerns) – if truck is purchased, old dump truck and snow blade will need to be sold – where will the money to purchase come from? – Millard proposed that the money could come from the General Fund, the Street Fund, or the ¼% - Boolman recommended taking it from the ¼% - the rest of council was in agreement. A motion was made by Van Hoose to purchase a '93 L170 Dump Truck from Justin Hines for \$17K and for the funds to come from the ¼% Accrual. Delk seconded. All present voted yea. Motion passed. Legislation for authorization to purchase and additional appropriations to be prepared for next council meeting.

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- **Mosquito Control Grant** – grant submitted and will be awarded on May 1st – attended Ohio Department of Health Mosquito Workshop on 3-30-17 – Village has been given 2 mosquito traps to be monitored by the local health department who will report their findings to the State – information will be used to aid in early detection of diseases (West Nile) and give Village feedback on if fogging is effective – Village will have to purchase and provide locations and batteries for the traps
- **Other Grants** – CDBG – LMI will need to be updated by end of summer/early fall to be better prepared for these grants in 2018 – Park Grant – estimated amount the Village can receive is \$5K – grant will help fund baseball field and park access – Bill is waiting to receive paperwork/quotes back from vendors and then will meet with Parks to put together request for grant – grant application is due May 5th – Safeway to School Grant – grant provides for sidewalk repair – maximum amount receivable is \$250K and grant funding for this program could be ending in 2018 – Bill has copies of New Madison, Ansonia, and Versailles grant applications for review – the Village's present LMI survey expires in May – will have to work with Mote to establish an updated one
- **Safety** – Utility Department has a good program in place, but the rest of the Village does not – Bill is working on fixing/updating the safety program for employees, council, and the public – working with Cintas on quotes for safety/first aid and looking into two more AED devices – will have a better plan as he gets more information
- **Pool** – working on final hiring of lifeguards – interviews set for April 12th – working with YMCA for training/certification of lifeguards – working with Suttons and McVays on pricing and delivery schedule for concessions – in need of ordering a computer with Microsoft Office that will allow assistant managers and lifeguards to clock in/out, check weather, keep a calendar, and email for faster info/communication updates – pool is in need of a door frame replacement, small pump, and some wall and fence repair
- **Capital Assets** – in beginning stages of gathering information to be able to liquidate some of the Village assets such as utility truck, truck cap, dump truck, etc. – were going to get rid of pontoon boat in utility but going to hang on to because one lagoon will still be here as part of the WWTP– reviewing how to do this properly because the Village is a government agency
- **AMP Meeting** – April 4th, Bill and Angie met with AMP representative – information provided was helpful for both to become more familiar on how AMP works – Bill is working to tie up some loose ends on some AMP paperwork
- **EPA License Renewal** – Bill has met with Mote about this – this pertains to the Village's Discharge Permit – it will cost about \$4200 to get this done – Mote will get this done for the Village per their proposal – legislation will be prepared for the next meeting
- **Earned Energy Credits from AMP** – Woodall explained that every five years the Village has to decide whether to sell or not sell the earned energy credits associated with the Village's JV-5 investment – when the Village elects to sell, then about twice a year, the Village receives checks for the value of the earned energy credits – a poll was taken whether to sell or not sell on the JV-5 participant decision form – Delk, Millard, Van Hoose, and Boolman voted to sell – Clark voted to not sell – the Village decision is to mark "sell" on the JV-5 participant decision form

Fiscal Officer: Woodall reported on the following:

- Kelly Merritt made her final payment to the Village for legal engineering fees associated with her sewer project
- Woodall will be out of the office the next two days in Columbus at the Local Government Officials Conference – she will get credit for 11 CPE hours to go toward her state requirement of 24 hours in her first four years – she will still need to obtain 7 more hours in the near future in order to be in compliance with the Fiscal Integrity Act of 2015

Committee Reports:

Service & Leisure Committee: Meeting was held on Thursday, March 30, 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** – Bill and Eric will meet to gather addresses of residents in violation of ORD 2013-22 – Bill also looking for additional info on money available through the Safe Route to School program and LMI grants to offset some of the expenses to the homeowners
- **Ballpark** – getting quotes for parking lot (sealant, tar and gravel, striping) – backstop repairs (issue from last year, getting quotes from Hess)
- **Park** – walkways in park to scout cabin, shelters, and playground equipment (looking to accomplish this through grants)
- **Pool** – Repairs (couple spots need painted, fence needs repaired, metal door frame (\$250), pump motor (\$400), computer for clocking in/out (\$850-actually about \$1100 with Microsoft Office on it)) – committee recommends moving forward with backup motor and computer – committee requested quotes on the rest so that they can be prioritized for safety and available money
- **Lifeguard Reimbursement** – Bill informed committee of pool status and committee requested legislation for next council meeting authorizing Darcy to reimburse lifeguards for their certification

Next meeting is Thursday, April 13, 2017 at 4:30PM in Council Chambers

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Safety Committee: Nothing at this time.

Utility Committee: Meeting was held on Wednesday, March 29, 2017 at 4:30PM at the VA Office. Committee members present were Jerry Boolman, Monte Clark, and Julie Willis. Also present were Village Administrator Bill Kessler, Utilities Superintendent Keir Smith, Plant Supervisor Shawn Smith, and Mike Bruns from Mote & Associates. Boolman reported on the following:

➤ **Wastewater Debt Reduction Discussion**

- Meeting to discuss the amount of increase for the debt reduction – with the final bid amount, Mote was able to create a scenario of payment options
- Unknown will be how much of the \$765K contingency will be left after the project to be used for the loan payment
- Before committing Village money – suggested to wait and see what is left before deciding the final amount to use for the long term repayment amounts
- Committee recommends passing a \$12 increase to cover the amount needed for loan payment – if contingency money is left, it can be used to pay the 1-year reserve (\$196,800) and also pay on the loan – a form was also passed out to council that was prepared by Mote explaining how the sewer rate increase for debt repayment was calculated
- Takes approximately \$300K to lower the payment \$1, so between the contingency and Village funds, it will take \$600K to reduce the payment \$2
- Village responsibility for debt repayment is \$216,480/year ((\$18.04) with the \$146K that has been spent so far – reduction will depend on how much the Village can pay down on loans upon project completion
- A motion was made by Boolman to have legislation prepared to increase the debt reduction rate for sewer an additional \$12/month. Delk seconded. All present voted yea. Motion passed.

➤ **Utility Update**

- Committee approved work from an outside company to come in and service Village switch gear to improve reliability
- Down spouts are being installed on electric building
- Have set about 35 new poles on Arcanum Bears Mill Rd to replace old failing poles
- 1989 bucket truck has developed hydraulic leak and will need to be sent to northern Ohio for repair – Village will be at risk if a pole gets broken as this truck has the hole auger on it – would have to ask for assistance from another municipality

➤ **Annexation**

- Home at West South and Harvest Fields is requesting city services – home is owned by Benazer – pending annexation, services will be provided to the location
- Legislation is to be drawn up to not provide city services in the future unless the owner making the requisition annexes into the city – committee recommends no more city services be provided without annexation – if investments have to be made, that is for the benefit of the Village and should be made
- A motion was made by Boolman to have legislation prepared stating that the Village will not provide utility services in the future unless the owner making the requisition annexes into the Village. Delk seconded. All present voted yea. Motion passed.

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. Delk also provided a summary of the discussion from the last work session. Woodall did point out that the police department does not begin earning overtime until 42.75 hours rather than the 42.5 printed in the summary. Delk made a note of this.

Finance & Audit Committee: Nothing at this time.

Old Business:

New Business:

Ordinance No. 2017-15 – Council President Millard 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. This is the second reading.

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Ordinance No. 2017-16 – Council President Millard read by title only an Ordinance authorizing the issuance of \$5,250,000 sanitary sewer system revenue bonds, series 2017 by the Village of Arcanum, Ohio, pursuant to Article XVIII of the Ohio Constitution for the purpose of retiring an interim loan incurred for the purpose of paying part of the cost of certain sanitary sewer system improvements of the Village and paying additional costs of such improvements; prescribing the form of said bonds; providing for the collection by the Village of revenues from said system sufficient for the purpose of paying the cost of operation and maintenance thereof; providing an adequate reserve fund therefore; providing for the payment of said bonds; providing for the segregation and distribution of said revenues; providing for a lien on the revenues thereof to secure said bonds and to secure any additional parity bonds which may be hereafter authorized; granting a franchise upon default; and further providing for the rights of the holders of said bonds in enforcement thereof; and declaring an emergency. A motion was made by Boolman to waive the three reading rule on Ordinance No. 2017-16. Delk seconded. All present voted yea. Motion passed. Boolman made a motion to adopt Ordinance No. 2017-16. Delk seconded. All present voted yea. Motion passed. Boolman made a motion to declare an emergency on Ordinance No. 2017-16. Delk seconded. All present voted yea. Legislation passed.

Ordinance No. 2017-17 – Council President 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. (General & Highland Subdivision Resurfacing Fund) A motion was made by Van Hoose to waive the three reading rule on Ordinance No. 2017-17. Clark seconded. All present voted yea. Motion passed. Van Hoose made a motion to adopt Ordinance No. 2017-17. Clark seconded. All present voted yea. Motion passed. Van Hoose made a motion to declare an emergency on Ordinance No. 2017-17. Clark seconded. All present voted yea. Legislation passed.

Ordinance No. 2017-18 – Council President Millard read by title only an Ordinance amending Ordinance 2017-06 to correct a clerical error and declaring an emergency. A motion was made by Clark to waive the three reading rule on Ordinance No. 2017-18. Delk seconded. All present voted yea. Motion passed. Clark made a motion to adopt Ordinance No. 2017-18. Delk seconded. All present voted yea. Motion passed. Clark made a motion to declare an emergency on Ordinance No. 2017-18. Delk seconded. All present voted yea. Legislation passed.

Ordinance No. 2017-19 – Council President Millard read by title only an Ordinance providing for a one-time bonus payment for eligible full-time employees of the Village of Arcanum. This is the first reading.

Ordinance No. 2017-20 – Council President Millard read by title only an Ordinance providing for reimbursement of training and certification expenses for lifeguards of the Village of Arcanum. This is the first reading. It was determined that the legislation did not address reimbursement of lifeguards just newly obtaining their certification, so the legislation was amended in Section 2 to read: All lifeguards who are renewing or obtaining their certification. A motion was made by Clark to amend Ordinance No. 2017-20, Section 2. Boolman seconded. All present vote yea. Motion passed.

Ordinance No. 2017-21 – Council President 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. (Sewer Fund) A motion was made by Boolman to waive the three reading rule on Ordinance No. 2017-21. Delk seconded. All present voted yea. Motion passed. Clark made a motion to adopt Ordinance No. 2017-21. Delk seconded. All present voted yea. Motion passed. Clark made a motion to declare an emergency on Ordinance No. 2017-21. Delk seconded. All present voted yea. Legislation passed.

Resolution No. 2017-12 – Council President Millard read by title only a Resolution now authorizing the Village Administrator to prepare and submit a grant application to the Darke County Health Department then and declaring an emergency. A motion was made by Van Hoose to waive the three reading rule on Resolution No. 2017-12. Clark seconded. All present voted yea. Motion passed. Van Hoose made a motion to adopt Resolution No. 2017-12. Clark seconded. All present voted yea. Motion passed. Van Hoose made a motion to declare an emergency on Resolution No. 2017-12. Clark seconded. All present voted yea. Legislation passed.

Resolution No. 2017-13 – Council President Millard read by title only a Resolution authorizing the Village Administrator to prepare and submit a grant application to the Darke County Park District and declaring an emergency. A motion was made by Boolman to waive the three reading rule on Resolution No. 2017-13. Delk seconded. All present voted yea. Motion passed. Boolman made a motion to adopt Resolution No. 2017-13. Delk seconded. All present voted yea. Motion passed. Boolman made a motion to declare an emergency on Resolution No. 2017-13. Delk seconded. All present voted yea. Legislation passed.

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Expenditures: Millard asked for a motion to approve the properly appropriated and funded expenditures. Millard asked about the fire retardant neck guards for electric department. She wanted to know if the safety standards had changed. Woodall explained that yes, some of the safety standards had been updated with new requirements. Millard also asked about the charge for batteries for the trailer project in the Utility Department. She asked if it was for the police speed sign. Woodall explained that it was not for the speed sign but for a trailer that they were putting a fuel transfer tank on. Millard questioned a bill from Mote concerning research done on Village property lines. She asked who authorized the request. Mike from Mote stated that a council member requested the research, but through council discussion, it was determined that if a homeowner was questioning property lines, then it was the responsibility of the homeowner to request and pay for the research, not the Village. Millard asked Mike to make sure in the future to inquire further about requests for services directly from council members. She said Mote needs to make sure that everyone is aware of what Mote is being asked to do and that the request for work is approved to move forward. A motion was made by Boolman to pay the properly appropriated and funded expenditures. Delk seconded. All present voted yea. Motion passed.

Announcements:

Adjournment: A motion was made by Boolman to adjourn. Delk seconded. Meeting ended at 8:50 PM.

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

Mayor Judith F. Foureman