

**Village of Arcanum Council Meeting**  
**Tuesday, October 10, 2017**  
**7:00 PM**

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

Council members Eric Van Hoose, Jerry Boolman, Bonnie Millard, Vanessa Delk, and Monte Clark answered roll call. Council President Millard asked for a motion to excuse Baumle. A motion was made by Delk to excuse Greg Baumle. Boolman seconded. All present voted yea. Motion passed. Also present were Village Administrator Bill Kessler, Fiscal Officer Darcy Woodall, Solicitor Nicole Pohlman, Fire Chief Kurt Troutwine, Erik Martin from the Daily Advocate, Derrick Robinson from Benanzer, and resident Tyler Rardin.

**Council Minutes:** Council President Millard asked for approval of the minutes of September 26, 2017. A motion was made by Boolman to approve the minutes of the September 26, 2017 Council meeting. Delk seconded. All present voted yea. Motion passed.

**Expenditures:** Council President Millard 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. Van Hoose seconded. All present voted yea. Motion passed.

**Amendments to the Agenda:**

**Comments from the Public:**

**Derrick Robinson from Benanzer:** Derrick Robinson was in attendance for the second reading of Resolution No. 2017-38 pertaining to annexation of a property owned by Benanzer into the Village of Arcanum. He brought with him a letter stating Benanzer's intent to pay for all expenses associated with the annexation into the Village. Derrick also stated that he had met with Bill and Keir earlier in the day, and collectively, they had come up with a plan for how Benanzer would be tapping in.

**Mike Bruns from Mote & Associates:** Everything is moving forward at the WWTP – Mote is having a meeting with Ashley Kelly from USDA on Thursday – Nicole asked Mike to let her know when the meeting is for sure – she is going to try to attend – Bill will also be attending - Bill added that there were some construction concerns about dirt rolling over into the easement – Bill spoke with Eric from Building Crafts, Bill got some drawings together and met with Don Roberts's attorney, who gave the okay to take the fence down while the foundation is being laid and also okay if some dirt rolls into the easement – Bill also reported that "NO PARKING" signs should be going up soon if not already up

**Fire Chief Kurt Troutwine:**

- **3rd Quarter Fire Report** – Open House was held on October 7<sup>th</sup> – very well attended with approximately 100 people in attendance – the new fire truck was dedicated at the Open House – Kurt has talked to Keir and has a plan in place to test all the fire hydrants north of the creek – the Arcanum Fire Department and EMS is hosting a regional Fire/EMS training day in November at the school – the Fire Department will be burning down two houses sometime during the winter (one in town, one not) – during one of the burns, the department will be holding a "Feel the Heat Program", which Kurt stated any public official was invited to participate in
- **MARCS Radio Levy on the ballot in November** – Kurt has been on the committee in the County that has been meeting concerning the levy that will be on the ballot in November for the MARCS Radio system that is being transitioned to in April 2018 – Kurt gave a presentation to Council to inform them of the importance of the passage of the levy and to answer questions about the levy ;
  - ✓ Kurt started by giving some background on what has been being provided by the Sheriff's Office at no charge for the last 40 years, which is a 3-component system: the 9-1-1 system (phone system) – separate from the other two components, the Spillman System (computer-aided dispatch), and radio/communication equipment (THIS IS WHAT COMPONENT IS WHAT THE LEVY IS FOR)
  - ✓ The target transition date for going to the MARCS system is April 18, 2018 – the transition WILL happen even if the levy DOES NOT pass – it is the consensus of the committee that it will be much better for ALL communities if the levy passes than if it doesn't – the cost to the smaller communities police, fire, and ems departments to transition is not feasible if the levy does not pass
  - ✓ The County was able to obtain some portable and mobile radios from ODNr for FREE (221 portables and 169 mobiles for a total of 390) to help the smaller communities with equipment costs if the levy does not pass, but it will not alleviate all of the expense because it is not enough radios to give all of those communities all the radios they will need, plus they will still need to purchase repeaters and other equipment – the County will pay for the reprogramming of these radios, but again, this is a temporary fix as these radios only have an expected life of 2 more years

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- ✓ The proposed 0.45 Mill levy is estimated to bring in \$500K per year and will be earmarked to a special fund – the impact to a property owner's real estate taxes is estimated to be \$15.75/ year on a \$100K property
- ✓ Council asked Chief Troutwine if he planned to schedule a Town Hall meeting for residents in town to inform them of all the details of the levy because the general consensus coming from the people is they don't really know what it is for and they are voting no – Kurt said he would be happy to host a Town Hall and representatives from the County would also be in attendance to answer questions and provide detailed information about the necessity for the levy – Kurt will get a date for the Town Hall and get it advertised

**Administrative Reports:**

**Mayor:** Nothing at this time.

**Solicitor:** Nothing at this time. Millard had a question about contracts and wanted the subject brought up in front of all of council. Millard had previously spoken with Bill about Top Cut Tree Services and the contract for trimming trees around power lines. Millard asked Nicole to explain the difference between the need for a contract for trimming the trees around power lines versus no contracts needed for the recent street repair. Nicole started by stating that she doesn't really see that there is a difference. Her feeling is that anytime the Village is having work done, the Village needs something that sets forth the terms of what is being done. She is an attorney, so she is always going to say that the Village should have something in writing, no matter what it is. At the same time, she does feel that sometimes a quote is sufficient. Many times, that is what many tree companies and other types of business do instead of an actual contract. The quote they provide will contain contractual language (i.e. the price can't be changed, insurance information will be provided). These are some of the items the Village needs to make sure they are "covering their bases" on. Woodall mentioned that last year, Top Cut did the exact same thing and provided only a quote and their insurance information and certification for high voltage power lines, and the Village did not require a contract. Bill added that he had quotes from three different companies as well as insurance information etc. Woodall then asked, bottom line, yes the Village needs a contract, or no the Village does not need a contract? Nicole said that it sounded like Bill was going to get her the information that he has (the two older contracts from a previous company that we no longer use and worked under different terms), but she should definitely be involved in it. She will draft a resolution and contract for the next meeting.

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

- **Park Trees** – all the trees are down – some still need trimmed – there were beehives in some trees – calling in a beekeeper – wood is available for people to pick up – the resident who had the tree across the creek removed will be billed directly by Fosters for that tree being removed
- **Request from resident for rock** – a resident in town has made a formal request for the large rock that was removed near the front entrance of the pool – the concern of council is that it would cause a problem with other residents in town who also may have wanted it – further discussion is needed on what will become of the rock, but it will not be going to any resident
- **Violations** – 3 that were issued have received no response or no action – Bill is working with Nicole to see if or how they can be pursued legally and by ordinance or resolution – Boolman asked where things stand with brush, cleanup needed behind his house – Bill informed him that cleanup has begun and continues by that resident – Boolman stated it doesn't look like anything has been cleaned up, but Bill replied that he has been in communication with the resident and cleanup has begun and Bill has seen progress of that – Bill went on to add that the resident isn't avoiding the issue – he has acknowledged there is a problem, and he's working on correcting it
- Street department has been keeping alley ways cleaned up – Jeni has more items for Bill to check
- Boolman questioned Bill about whether or not the police have been informed that they should be bringing violations to the zoning code or nuisances to Bill's attention (i.e. vehicles parked in the same spot without being moved, etc.) so that they can be dealt with – bottom line, Boolman wants to know if the police department is engaged in the process – Bill answered that the police chief has an idea of what he believes the police are responsible for and has a list of those items – Bill does not have a copy of that list – Boolman feels the police have a lot of time on their hands and would like to know why the PD is not more engaged in policing zoning and nuisance violations
- **AMP Conference** – long term energy costs – bills continue to increase because of transport fees – since 2009, the Village's transport costs have increased 400% - in 2018, those costs will increase another 125% - in January 2017, the Village's transport cost was \$29K – it is now \$42K/month and continuing to rise
- **One Call Now** – new quote \$2400/year for 1600 units maximum per group
- **Washington/Franklin Street Repairs** – Mote drafted a letter to the company who did the work – this will be warranty work
- Cameras have been installed in the office

**Fiscal Officer:** Nothing at this time.

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**New Business:**

**Ordinance No. 2017-54** – Council President Millard read by title only an Ordinance authorizing the transfer of real estate to the Village of Arcanum Community Improvement Corporation. This is the first reading.

**Ordinance No. 2017-55** – 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. (Electric Fund) A motion was made by Clark to waive the three reading rule on Ordinance No. 2017-55. Delk seconded. All present voted yea. Motion passed. Clark made a motion to adopt Ordinance No. 2017-55. Delk seconded. All present voted yea. Motion passed. Clark made a motion to declare an emergency on Ordinance No. 2017-55. Delk seconded. All present voted yea. Legislation passed.

**Resolution No. 2017-38** – Council President Millard read by title only a Resolution accepting annexation of certain real property from Twin Township to the Village of Arcanum and declaring an emergency. This is the second reading. A motion was made by Boolman to waive the three reading rule on Resolution No. 2017-38. Clark seconded. All present voted yea. Motion passed. Boolman made a motion to adopt Resolution No. 2017-38. Clark seconded. All present voted yea. Motion passed. Boolman made a motion to declare an emergency on Ordinance No. 2017-38. Clark seconded. All present voted yea. Legislation passed.

**Committee Reports:**

**Service & Leisure Committee:** Nothing at this time. Next meeting is Monday, October 16, 2017 at 5PM in Council Chambers.

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

**Utility Committee:** Boolman asked if the non-cash adjustments policy that was suggested by the auditor could simply be amended/added to the current utility billing policy – Darcy reminded everyone that the auditor asked specifically for a separate policy – Nicole will work on something for the next Council meeting

**Planning Committee:** Boolman reported the following from the Zoning & Appeals Board Meeting from Monday, October 9<sup>th</sup>: The Board came back with two recommendations – as long as Council accepts the recommendations and makes no other changes, the Board does not need to review the proposed new zoning code further, and Council can proceed with legislation to adopt the amended code – **in Section Three 1133.03 line #1, it should read “The Mayor, (or their designate) shall be... - also in Section Three 1133.07 line #5, it should read ...returned to the (applicant) by the... - in Section Four 1167.22B line #3, it should read ...nor any truck larger than (one) ton... - where ( ) = change**

**Personnel Committee:** Delk reported that a meeting was held on October 3<sup>rd</sup> – some roadblocks were encountered – had a phone conference with Wendy from Clemans & Nelson – there was some confusion within the committee as to whether the information being provided by Wendy was correct – therefore, Darcy forwarded the most current draft of the manual to Nicole for review to ensure the Village is not proceeding with any changes that are in violation of the ORC or the law – Nicole will be reviewing the manual at her leisure – Nicole reiterated that she could make no promise as to a date when she will be done reviewing – Delk will not be scheduling another meeting until she gets at least a section or two back from Nicole that has been reviewed with some feedback

**Finance & Audit Committee:** Meetings were held on Wednesday, September 27, 2017 at 5PM and Wednesday, October 4, 2017 at 4:30PM both in Council Chambers. Committee members present were Bonnie Millard, Jerry Boolman, and Eric Van Hoose. Also present was Fiscal Officer Darcy Woodall and Village Administrator Bill Kessler. (Kessler was not present at the September 27<sup>th</sup> meeting). Millard reported on the following:

**September 27<sup>th</sup>:**

- All smaller funds were updated and closer to completion with some questions remaining for fire in regards to pagers, etc. for the MARCS system, operating and capital line items – more information forthcoming on this system
- Darcy reported Ithaca is currently paid to date on their fire contract
- Committee requested Fiscal Officer to provide Council with a spreadsheet of pay requests for WWTP project

**October 4<sup>th</sup>:**

- Darcy checking with Phelan Insurance for possible savings on medical insurance for 2018 – Darcy was informed of a 13.8% increase to current plan with our current agent (not Phelan)
- Committee to work on procedures for utility non-cash adjustments policy
- Discussed new information received regarding MARCS system for the police department – Kurt to inform Council at the next meeting

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- Advised Darcy to include all wish list considerations in budget for next meeting and committee will review bottom line dollars to revenue in respective departments

Next meeting is Tuesday, October 17, 2017 at 4:30PM in Council Chambers.

**Old Business:**

**Announcements:**

**Adjournment:** A motion was made by Boolman to adjourn. Delk seconded. Meeting ended at 8:53 PM.

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

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Mayor Judith F. Foureman