

Village of Arcanum Council Meeting
Tuesday, October 31, 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 Eric Van Hoose, Jerry Boolman, Bonnie Millard, Monte Clark, and Greg Baumle answered roll call. Mayor Foureman asked for a motion to excuse Delk. A motion was made by Boolman to excuse Vanessa Delk. Millard seconded. All present voted yea. Motion passed. Also present were Village Administrator Bill Kessler, Fiscal Officer Darcy Woodall, Solicitor Nicole Pohlman, Mike Bruns and Susan Laux from Mote & Associates, Erik Martin from the Daily Advocate, resident Tom Staley, and resident Corinne Abou.

Council Minutes: Mayor Foureman asked for approval of the minutes of October 10, 2017. A motion was made by Millard to approve the minutes of the October 10, 2017 Council meeting. Clark seconded. Van Hoose, Boolman, Millard, and Clark voted yea. Baumle abstained. Motion passed.

Expenditures: Mayor Foureman asked to move the approval of the properly appropriated and funded expenditures after New Business.

Amendments to the Agenda: Mayor Foureman added a discussion about the current Village offices after New Business.

Comments from the Public:

Mike Bruns from Mote & Associates: Mike passed out a status report for the project at the WWTP – there were two meetings – one on October 12th with Ashley Kelly from USDA and the normal monthly progress meeting held on October 24th

- **Contract C** – extension of piping over to the equalization basin – Mote had this part of the project requoted by Building Crafts with just the equalization basin – USDA still thinks the \$154K quote from Building Crafts is excessive – he suggested going to Jutte Excavating as Mote had wanted to do before, and if Jutte could do the same project for significantly less, then he recommended having Jutte do Contract C and the Village pay for it out of Village funds – Jutte's estimate for Contract C came in at \$49,870 (not including electrical)
 - A motion was made by Millard to move forward with Jutte Excavating as the contractor on Contract C at a cost of \$49,870 to be paid from the Sewer Fund. Baumle seconded. All present voted yea. Motion passed.
- **Billing** – Mike clarified that everything that Mote does during the construction phase is a lump sum, so no matter how many people may be present at a meeting or on the job site or how often, the Village is not being billed an hourly rate per person – there is a lump sum built into the contract – question as to whether the Village was billed for the re-bidding of the project – explanation was that it only seemed that way because the Village was not billed at all until after the re-bid – therefore, the Village was billed for the "bid phase", not the re-bid – the \$40K in additional services previously submitted to USDA by Mote was clarified to Ashley Kelly and has now been given the green light to submit
- **Progress Meeting** – change order #2 removes one of the digester blowers and adds geo controls – controls will make it easier to operate the plant and save electricity – this change resulted in a \$7318 credit

Resident Tom Staley:

Mr. Staley addressed Village Administrator, Bill Kessler and asked for the status of the survey that was done of residents on North Main and East South Streets concerning new curbs and sidewalks. Kessler responded that the surveys had come back about 50/50 for and against. Of the 82 surveys that were mailed out, 46 were sent back. Kessler went on to explain that other options are being discussed in the Service and Leisure committee that could possibly end up funding the project through a grant if the project is put off for a little bit. Essentially, it is a work in progress, and more communication will be forthcoming.

Resident Corinne Abou:

Ms. Abou addressed Council concerning the Ordinance that was recently passed that does not permit farm animals (which includes chickens) within the Village limits. The ordinance was passed on September 26th and became effective on October 26th. Residents have until December 10th to remove any chickens from the Village before being considered in violation. Ms. Abou explained that she purchased some baby chicks back in the spring and the investment that she had in them. She went on to explain the maximum production lifecycle in order to get your investment back. Ms. Abou did ask Council to make an exception so that she may keep her chickens until next fall in order to get her maximum investment out of them. Some further comments were made by Ms. Abou as to why she felt an exception should be made. Mayor Foureman stated that there was a request before Council to have an exception made for Ms. Abou that would allow her to keep her chickens until Fall 2018, at which time she would butcher them. She would also agree not to purchase anymore baby chicks from this point forward while still living in town. Mayor Foureman asked for a roll call of Ms. Abou's request. All present voted no. Request was denied.

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Administrative Reports:

Mayor: Nothing at this time.

Solicitor: Nothing at this time.

Village Administrator: Kessler reported on the following:

- **Code Red** – better option than One Call Now – many more options and benefits for \$2400, plus the use is unlimited – it is a much better design for the Village's setup – this has been budgeted for – the annual fee of \$2400 will never go up
- **AMP** – going to schedule a time to go to AMP to have JV-5 investment explained more in depth and find out when the money the Village pays into this each month (approx. \$16K) is going to pay off for the Village and start seeing a return on our investment
- **Nuisance Violations Legislation** – delayed – Nicole was missing one page of information that Bill has now provided to her
- **Ohio DAS** – Village needs to renew our registration so that the Village is eligible for state bid pricing – registration is \$100/year – this also needs to be done so the quote the Village has for the lawnmower for the street department will be honored – a resolution also has to be passed for this – Bill will provide information to Nicole for this
- **Utility** – the utility department has to purchase a new locate tool (will locate water, gas, and electric)– Bill also needs to sign an agreement with Pro-Tech for maintenance to the Village SCADA systems – cost of this level agreement is \$3K

Fiscal Officer: Nothing at this time.

Committee Reports:

Service & Leisure Committee: Meeting was held on Monday, October 30, 2017 at 5PM 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:

- **North Main Street** – Waiting on an estimate from Wagner Paving to do core samples – core samples every 200 feet on both sides of the street – when the road is resurfaced, they need to be able to grind off 4 inches on each side of the street – the core samples will tell if that is possible – the reason the committee needs to know this pertains to the curbs/sidewalks project and moving forward
- **Sawmill Streets** – waiting on a response on repairing the street – Mote is in contact with the contractor who did the work on these streets and continuing to work toward a resolution
- **Street Sweeper** – Village has money in the budget – George Luce with Best Equipment thinks he will have a street sweeper available for the Village to purchase by spring

Safety Committee: Nothing at this time. Next meeting is Monday, November 13, 2017 at 9AM at the VA Office.

Utility Committee: Nothing at this time. Next meeting is Wednesday, November 8, 2017 at 5PM at the VA Office.

Planning Committee: Nothing at this time. Next meeting is Thursday, November 16, 2017 at 8AM at a location to be determined. This meeting will be joint with the Arcanum CIC during the CIC's regularly scheduled meeting.

Personnel Committee: Delk was absent, but Baumle did ask Nicole if she was able to research to determine if the Village is required to follow the ORC. Nicole did say that yes, the Village is a municipality and does follow the ORC. Baumle also asked the status of outstanding bills with Clemans & Nelson. Woodall stated that a decision does need to be made about payment of the bills or partial payment, as there is a current outstanding balance of roughly \$4K. After some suggestions were tossed around, Nicole suggested that she and Darcy meet to go over the invoices and go from there before she could make any kind of determination about how to proceed.

Finance & Audit Committee: Meetings were held on Tuesday, October 17, 2017 at 5PM and Monday, October 23, 2017 at 5PM both in Council Chambers. Committee members present at both meetings were Bonnie Millard, Jerry Boolman, and Eric Van Hoose. Also present at both meetings was Fiscal Officer Darcy Woodall and Village Administrator Bill Kessler. Millard reported on the following:

October 17th:

- Revised revenue for general fund and enterprise funds – reviewed expenses for enterprise funds

October 23rd:

- All employees have filled out info required for health insurance for determining group rate, which Darcy is expecting by end of month – budget numbers TBD – no increase factored in
- Reviewed budgeted revenue to expenses with adjustments made from last meeting

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- Feedback shared with part time police hourly wages with Versailles at \$15/hour, Lewisburg and West Alex at \$11.40-\$12/hour – discussion followed with idea of increasing to flat rate of \$11.50/hour with no shift premium \$1/hour extra for the 12AM-8AM shift – question arose whether requirement of 2 shifts per month should be changed to 3 shifts per month
- Minimum wage increasing January 1, 2018 from \$8.15 to \$8.30
- With a person short in the Water Department, an employee that holds the required licenses was discussed for an increase from \$23.78/hour to \$24.25/hour for hours logged working in this capacity along with performing the employee's normal duties – Bill to provide estimate of hours per week this will involve

A motion was made by Millard to move to executive session for Personnel. Baumle seconded. All present voted yea. Council went into executive session at 8:26 PM.

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

A motion was made by Boolman to return from executive session. Van Hoose seconded. Council returned from executive session at 8:35 PM.

- A motion was made by Millard to increase Randy Baker 5% above his hourly rate of pay when he is working out of classification. Baumle seconded. All present voted yea. Motion passed.

Next meeting is Monday, November 6, 2017 at 5PM in the VA Office.

Old Business:

New Business:

Ordinance No. 2017-54 – Mayor Foureman read by title only an Ordinance authorizing the transfer of real estate to the Village of Arcanum Community Improvement Corporation. This is the second reading.

Ordinance No. 2017-56 – Mayor Foureman read by title only an Ordinance amending the Planning and Zoning Code of the Village of Arcanum, Ohio. This is the first reading.

Ordinance No. 2017-57 – Mayor Foureman read by title only an Ordinance establishing Fund 704 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 Ordinance No. 2017-57. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to adopt Ordinance No. 2017-57. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to declare an emergency on Ordinance No. 2017-57. Van Hoose seconded. All present voted yea. Legislation passed.

Ordinance No. 2017-58 – 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. (Arcanum Community Ballpark Fund) A motion was made by Millard to waive the three reading rule on Ordinance No. 2017-58. Clark seconded. All present voted yea. Motion passed. Millard made a motion to adopt Ordinance No. 2017-58. Clark seconded. All present voted yea. Motion passed. Millard made a motion to declare an emergency on Ordinance No. 2017-58. Clark seconded. All present voted yea. Legislation passed.

Ordinance No. 2017-59 – 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. (WWTP Improvements Project Fund) A motion was made by Millard to waive the three reading rule on Ordinance No. 2017-59. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to adopt Ordinance No. 2017-59. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to declare an emergency on Ordinance No. 2017-59. Van Hoose seconded. All present voted yea. Legislation passed.

Ordinance No. 2017-60 – 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. (WWTP Improvements Project Fund) A motion was made by Van Hoose to waive the three reading rule on Ordinance No. 2017-60. Clark seconded. All present voted yea. Motion passed. Van Hoose made a motion to adopt Ordinance No. 2017-60. Clark seconded. All present voted yea. Motion passed. Van Hoose made a motion to declare an emergency on Ordinance No. 2017-60. Clark 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 Millard to pay the properly appropriated and funded expenditures. Clark seconded. All present voted yea. Motion passed.

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Village Building Discussion:

October 13th – ERAtech Environmental did air sample testing at the Village offices – results came back that the building did in fact have mold issues – the representative from ERA gave Bill recommendations of where to go from there and also gave him information for two abatement companies to get estimates from for cleanup

October 25th – Abatement company came to go through the building – the mood changed quickly once the gentlemen went upstairs to the second and third floors – it shifted from the Village doesn't really have a severe mold problem but rather a severe bat problem, more specifically the bat droppings (bat guano) – at that point, Bill asked if the building needed to be evacuated – the rep from Drymaxx stated he could not answer that because it is too much of a liability on his part – Drymaxx has since provided Bill with a quote to abate the building - \$247K – this amount is just to clean up the current problem – it will not get rid of the bats, and it will not solve the problem - the Village has also since been contacted by Family Health and asked why the building has not yet been evacuated – it has been determined that the building will be vacated – barring anything else unusual, the move to another building is scheduled for November 6th and 7th

Bill and the Mayor have looked at office space inside All American Clothing Company here in town – at this time, this seems to be the best option considering our current situation and the urgency of our situation – this is also the only space available that meets the needs of the Village's space requirements for office staff and the police department – at this time, the owner is asking for \$800/month rent plus the Village's share of utilities (this share will be determined from a baseline average of the company's previous two years monthly bills compared to what the bill increases once the Village is moved in – the Village will pay the difference) – the Village will not be ADA compliant at the new building right away

Bill needs permission to move forward and sign a lease – Bill has been in contact with a moving company as well as Doss to move our computer equipment and network – our phone lines can be moved by Century Link – records stored upstairs in the current building and the Mayor's office will not be able to be moved at this time – Bill is finding out what will be required to clean those records

Per the insurance adjuster, it does not appear as though the Village has coverage for the bats – the Village can still make a claim, but it will most likely be denied

Nicole is working on drafting a lease agreement – Millard made a motion authorizing Village Administrator Bill Kessler to move forward with a lease agreement with All American Clothing Company for rent of \$800/month plus the Village's portion of utilities. Baumle seconded. All present voted yea. Motion passed.

Announcements:

The Mayor informed Council that the Village offices will be closed on November 6th and 7th while the office is moved from this location to All American Clothing. Mayor Foureman also let Council know that once the office was back up and running at the new location, Darcy's first priority would be payroll, so Council packets would not be ready by the end of the week. They would most likely get them the night of the council meeting, and the minutes of this meeting would probably not be in them. Darcy will make sure that the minutes for this meeting and the November 14th meeting are complete for the November 28th meeting. The Mayor and Darcy both asked for Council to please be patient with Darcy during this transition at this hectic and busy time of year.

Millard asked if it would be okay to advertise for a council person the weekend after the election since there are four open seats and only three on the ballot for the November 7th election. Darcy will make sure the seat is advertised.

Adjournment: A motion was made by Boolman to adjourn. Baumle seconded. Meeting ended at 9:00 PM.

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

Mayor Judith F. Foureman