

**Village of Arcanum Council Meeting**  
**Tuesday, November 14, 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, Bonnie Millard, Vanessa Delk, Monte Clark, Greg Baumle, and Eric Van Hoose answered roll call. Also present were Village Administrator Bill Kessler, Fiscal Officer Darcy Woodall, Solicitor Nicole Pohlman, residents Bruce Shank, Tyler Rardin, Mark Weisenbarger, and one resident who did not sign the visitor's log.

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

**Amendments to the Agenda:** Millard added an Executive Session after New Business for Personnel-Employee Compensation.

**Comments from the Public:**

**Administrative Reports:**

**Mayor:** Nothing at this time.

**Solicitor:** Nothing at this time.

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

- **Village Building Update** – it is okay to go in and out of the building to get something but cannot remain in the building and work – Bill would like to see the Planning Committee come together and come up with at least 3 options for the future of the existing building (i.e. abate/remodel/move back in; abate/take down/build something else; abate/restore to an opera house) – whether the building comes down or we eventually move back in, the building will still have to be abated – more quotes will be forthcoming on abatement of the building – the current Village building is not on the National Registry of historical buildings (the process was started in 1983 but never completed) – the Village's insurance company has confirmed that they will not pay anything toward this problem – clause in our policy states that mold or rodent damage of any kind is not covered – the Mayor and Bill did reach out to Warren Davidson's office for guidance on possible grant/loan options available for our situation – Bill explained that the best possibility right now seemed to be Community Facilities Direct Loan and Grant Program (based on size of our community can get up to 75% of new building in a grant or loan through USDA) – Bill was also contacted by the Ohio Department of Wildlife – someone in the community reported to them the Village was killing bats – Bill CLARIFIED that the Village IS NOT killing the bats – the Darke County Game Warden was even sent down here to verify that the Village was not killing bats. The Wildlife Department did provide information to Bill explaining how the Village will be able to properly get rid of the bats – there is a 2-3 week window in the spring and a 2-3 week window in the fall when this can be done – a third part company will have to be hired to trap the bats
- **Industrial Park** – the current undeveloped industrial park is 56 acres – a last minute opportunity came up last week for a diaper manufacturer that was looking for a place to build their plant (300,000 square foot plant) – the Village was too late to the game for this opportunity, but this made Bill aware that the Village needs to be registered with Zoom Properties to be eligible through Jobs Ohio for possible manufacturing plant opportunities in the future – Bill will get the Village registered so that our industrial park is out there for consideration
- **Sawmill Streets** – Hensley came back to repair Sawmill Streets, but the repair job was subpar – Bill is working with Mote to correct this issue – Hensley does have a bond from this job so one way or another, the street will be fixed properly

**Fiscal Officer:** Woodall reported that she is still playing catch up from the move and from the Tax Administrator being off for two weeks. She hopes to be mostly back on track by the end of November.

**Committee Reports:**

**Service & Leisure Committee:** Nothing at this time.

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**Safety Committee:** Meeting was held on Monday, November 13, 2017 at 9AM at the VA Office. Committee members present were Greg Baumle and Vanessa Delk. Also present were Mayor Judith Foureman, Police Chief Ashbaugh, Fire Chief Troutwine, and Fiscal Officer Darcy Woodall. Delk reported on the following:

- **MARCS Radios** – Chief Troutwine reported that the formula from the County shows the Village will receive 5 mobiles for the fire department and 9 portables and 3 mobiles for the police department. Troutwine will attend another committee meeting on will report any changes to those numbers to the safety committee. The County Commissioners will cover programming and 2 years' worth of user fees for the radios. User fees will need to be in the 2020 budget (\$10/unit per month – this will be an ongoing yearly expense). Chief Ashbaugh and Chief Troutwine will continue to actively search for grants for additional radios.
- **December 9<sup>th</sup> Horse Parade** – The fire department and police department are actively planning for safety measures for the parade. Chief Troutwine will be inspecting all vendor tents and food vendors. There will be members of both the fire and police departments posted at stations along the parade route to insure no one interferes with traffic flow. There is an added concern because the parade is at night.
- **Police Department Scheduling** – The scheduling of part-time officers was discussed. The committee recommends increasing part-time officer wages from \$9.50/hour to \$11.50/hour and also increasing the required number of monthly shifts from 2 to 3. If a part-time officer fails to meet the shift requirement minimum, the officer will first receive a verbal warning (noted in their personnel file). A second occurrence would result in a written warning. A third occurrence would be grounds for termination. Chief Ashbaugh stated he believed most part-time officers would be agreeable to the shift minimum requirement change. The police department manual will need to be revised to state the change. Legislation will be needed.
- **SRO Overtime** – There were some concerns raised about the overtime that the SRO is incurring. Of the Village's full-time officer, the SRO's hourly rate is the lowest. If a shift needs to be covered, the SRO is the go to for that shift because of the cost savings. Note: the SRO is not incurring any overtime in his SRO duties. Any overtime the SRO incurs is out of a need to cover an additional shift. Overall, a minimal number of overtime hours occurs, and it will occur because of the public safety nature of the job. Officers may need to spend time reporting to each other during a shift change or may be caught up in a call and unable to clock out at the exact time their shift ends. Overtime is inevitable. The committee determined that the hours of overtime were minimal and not being abused. In addition, it was mentioned that the full-time officers may have to occasionally take phone calls outside of their regularly scheduled shifts as required. The officers do not charge for these hours and are not compensated for that time.
- **SRO Vehicle Repairs** – The exterior condition of the Tahoe is in need of repair. There are several rust spots, and the overall exterior appearance is poor. Chief Ashbaugh will provide an estimate for the repairs. The Village may be able to partner with Arcanum Schools in order to share the cost. Chief Ashbaugh and Councilman Baumle will approach Superintendent Stephens about this possibility.

**Utility Committee:** Meeting was held on Wednesday, November 8, 2017 at 5PM at the VA Office. Committee members present were Jerry Boolman and Eric Van Hoose. Also present were Village Administrator Bill Kessler, Fiscal Officer Darcy Woodall, and Councilwoman Bonnie Millard. Boolman reported on the following:

- **Non-Cash Payment Adjustment Ordinance** – discussion on pro-rating sewer debt – needs to be language in the ordinance that deals with mid-month move outs and how that transfers back to property owner or next tenant to make up the difference – committee agreed with most language in the draft ordinance and agreed to recommend moving forward if pro-rate can be worked out – Boolman clarified that the pro-rate of the sewer debt reduction does not really have to do with the non-cash adjustment policy – it will be addressed in a separate ordinance
- **Generator Replacement** – quotes are being obtained from Stateline and Kohler to purchase point of use generators – Village will remove old units that can't be run
- **Improved vs. Unimproved Lots**
  - If a lot had utilities at one time and the lot is empty with no usage, can there be a lower minimum charge just to satisfy debt reduction charges? Committee recommends improved lot (never a meter – like Harvest Fields), be charged \$22 per month to cover debt reduction
  - Lot that has been built on and was tapped in before but no longer has a house or is not utilizing utilities will still be required to pay the Village minimum since a tap in fee cannot be charged again (i.e. the leaning house)
  - Utilities clerk to generate a list of properties that fit this criteria and need to be billed moving forward to help offset the debt
  - An unimproved lot has no Village infrastructure available and is not ready to be built on, so no minimum charge
  - Committee moved to have legislation drawn up to reflect the recommendations of the committee – moving forward, no utility billing should stop without approval of council and any lots meeting these requirements should start being charged to meet the debt reduction

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- Any property owners that have multiple lots with Village infrastructure on both lots need to have the lots surveyed and deeded as one lot to eliminate the potential of any additional structures being built and avoiding paying the minimum charges (i.e. Sinnes house, church on South Street) – Nicole commented that this needs to be explored further from a legal perspective – she also mentioned that any lots that this currently applies to could not be forced to do this as they would be grandfathered – this opened the discussion to multiple different scenarios that the Village seems to have with current lots, residential and business – not all of the scenarios are the same, so not a one size fits all solution – through further discussion, it was suggested by the Mayor and upon recommendation from the Solicitor that the Utility Committee and a representative from Zoning may need to get together to discuss this at greater length – it would seem as though some of the recommendations for improved versus unimproved lots and how the minimums or debt reduction should or should not be charged isn't quite as clear now that it's presented in council
- **Utility Department** – mutual aid provide at Celina the last few days due to a tornado in their area – department is requesting a new locate tool (utilities finder) at a cost \$6150 – also need approval for a service/support agreement with Pro-Tech for the Village SCADA systems at a cost of \$3000

**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:** Nothing at this time. Baumle asked Nicole about the ORC and sick leave. The Village is not required to follow the ORC on sick leave. Nicole does not have an exact reason why, the Village just doesn't fall under the parameters of that provision. However, Nicole did say that just because the Village doesn't have to follow a provision in the ORC doesn't mean they shouldn't. Baumle agreed. Nicole's goal is to be done reviewing the personnel manual by the end of this year so Council has it back to review by the beginning of 2018.

**Finance & Audit Committee:** Meetings were held on Monday, November 6, 2017 and Monday, November 13, 2017 both at Pop Rite Drive. Committee members present at both meetings were Bonnie Millard, Jerry Boolman, and Eric Van Hoose. Also present at both meetings was Mayor Judith Foureman, Fiscal Officer Darcy Woodall, and Village Administrator Bill Kessler. Millard reported on the following:

**November 6<sup>th</sup>:**

- Rent at All American Clothing increased from \$800/month to \$1000/month – amount for rent was budgeted into Community Environment
- Requested cost analysis on wage increases of \$0.25, \$0.50, and \$1.00 – also requested a response from the Solicitor regarding a one-time bonus payout versus an hourly wage increase – will be reviewed at next meeting
- Moved to executive session to discuss contract labor wages

**November 13<sup>th</sup>:**

- Moved out of executive session by Boolman – seconded by Van Hoose
- Budget update – no update on 2018 insurance costs – worst case is 13.8% increase – Darcy did provide an email today stating that the 13.8% increase would result in a total increase of \$1250/month (\$15K/year) to the Village across all funds, with the biggest impact seen in the enterprise funds due to having the most employees enrolled in those departments
- Chief Ashbaugh has agreed to change the police manual requiring part-time police to work 3 shifts/month instead of 2 shifts/month to cover the 360 shifts required for the Village and policy manual to include first and second warnings and discharge on third if not in compliance – committee has requested that policy is forwarded to council once completed for review – this change will be in effect for January 1, 2018 – assuming the increase to \$11.50/hour for part-time police, the regular wage line was increased by \$5500 and overtime was decreased – changes will reflect on revised budget reports to see bottom line for balanced budgeting – Baumle did ask what the overtime was decreased from – Millard said it was decreased \$5K from \$15K to \$10K – Woodall then explained that the OT line for 2016 and 2017 was \$20K so ultimately, the OT line was cut \$10K for the 2018 budget – Millard then stated that \$8K in OT was spent in February during the remodel in the upstairs at the old building – Woodall felt that sounded very high – she is going to check on that number – Millard explained that more money can always be moved – Boolman then added that Council never sees the police chief to explain his budget, like they see the fire chief – at this point, Baumle suggested this be discussed further in executive session
- With MARCS Levy rejected by voters, committee revisited necessary costs involved – police need 9 portables, 3 mobiles, and 2 repeaters (\$2400 each + 2 antennas) – fire requires 5 mobiles and 2 repeaters – first 2 years, user fees will be paid by county commissioners – fire fund has a carryover from a grant already received to cover their user fees – this money MUST be used for the user fees – while there may a sufficient number of portables and mobiles for the short term, the expense funds were revised to include repeaters, antennas, power converter, etc.

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- NEW BUSINESS – Darcy to bill school for their portion of street resurfacing/reclamite on Weisenbarger Court
- WAGES – committee received requested reports for review and the Solicitor’s response on bonus pay – moved into executive session to discuss employee wage increases – when committee revisited contracted personnel, Bill and Darcy were asked to leave – moved out of executive session by Boolman – seconded by Van Hoose
- Committee discussed going into executive session at the next council meeting to further review and solicit input from all of council before any recommendations are made

Next meeting is Monday, November 20, 2017 at 5PM in the Conference Room at Pop Rite Drive.

**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 third reading. A motion was made by Boolman to adopt Ordinance No. 2017-54. Delk seconded. All present voted yea. Legislation passed. Ordinance No. 2017-54 will be effective December 14, 2017.

**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 second reading.

**Ordinance No. 2017-61** – Mayor Foureman read by title only an Ordinance establishing a Utility Non-Cash Adjustment Policy for the Village of Arcanum, Ohio. This is the first reading.

**Ordinance No. 2017-62** – 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 Millard to waive the three reading rule on Ordinance No. 2017-62. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to adopt Ordinance No. 2017-62. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to declare an emergency on Ordinance No. 2017-62. Van Hoose seconded. All present voted yea. Legislation passed.

**Resolution No. 2017-41** – Mayor Foureman read by title only a Resolution declaring certain properties in violation of the Village of Arcanum Nuisance Ordinance and ordering abatement and declaring an emergency. Hearing date will be December 26, 2017. A motion was made by Delk to waive the three reading rule on Resolution No. 2017-41. Baumle seconded. All present voted yea. Motion passed. Delk made a motion to adopt Resolution No. 2017-41. Baumle seconded. All present voted yea. Motion passed. Delk made a motion to declare an emergency on Resolution No. 2017-41. Baumle seconded. All present voted yea. Legislation passed.

A motion was made by Delk to move to executive session for Personnel. Van Hoose seconded. All present voted yea. Council went into executive session at 8:03 PM.

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

A motion was made by Delk to return from executive session. Boolman seconded. Council returned from executive session at 9:26 PM.

- A motion was made by Millard authorizing a 2% wage increase for all current Village of Arcanum full-time hourly employees and Keir Smith effective pay period beginning December 18, 2017. Baumle seconded. All present voted yea. Motion passed.
- A motion was made by Millard authorizing the legislation for the appointment of the Fiscal Officer for January 1, 2018 to December 31, 2018 to be drafted and to include a salary amount of \$46,072 per year, with new pay rate effective January 1, 2018. Boolman seconded. All present voted yea. Motion passed.
- A motion was made by Millard authorizing the legislation for the appointment of the Village Administrator for January 1, 2018 to December 31, 2018 to be drafted and to include a salary amount of \$51,064 per year, with new pay rate effective January 1, 2108. Boolman seconded. All present voted yea. Motion passed.

**Announcements:**

**Adjournment:** A motion was made by Boolman to adjourn. Delk seconded. Meeting ended at 9:30 PM.