

**Village of Arcanum Council Meeting**  
**Tuesday, March 29, 2016**  
**7:00 PM**

Mayor Judy 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 Julie Willis, Vanessa Delk, Monte Clark, Bonnie Millard, Eric Van Hoose, and Jerry Boolman answered roll call. Also present were Bill Sinnes and Mitch Thobe from Choice One Engineering.

**Council Minutes:** Mayor Foureman asked for approval of the minutes of March 8, 2016. A motion was made by Boolman to approve the minutes of the March 8, 2016 Council meeting. Willis seconded. Willis, Clark, Millard, Van Hoose, and Boolman voted yea. Delk abstained. Motion passed.

**Expenditures:** Mayor Foureman moved the approval and payment of expenditures after New Business.

**Amendments to the Agenda:** None

**Comments from the Public:** None

**Chief Ashbaugh:** Mayor Foureman asked Chief Ashbaugh to attend the Council meeting concerning the proposed School Resource Officer position and what exactly that officer would do when working for and being paid by the Village. Chief Ashbaugh explained that the Village would have the SRO for a full 12 weeks over the summer months, and for at least 3 of those weeks, the officer would be used to cover each FT officer's week of vacation. The officer would also be used to fill-in for uncovered shifts and sick days. Some additional duties that the SRO could fill would be:

- Old case files – There are filing cabinets full of old case files that have gone unsolved or were not properly investigated due to lack of time of our current staff to devote to these cases.
- Second officer on duty is helpful during peak break-in/vandalism times – With a second officer on shift during these times, it is more difficult for offenders to evade our officers. Chief Ashbaugh stated that an experiment was conducted when Officer Roll was still with the Village, and he never saw our officers once because as soon as they saw headlights, they ducked behind a tree or bush to avoid detection.
- Bike safety program – Chief Ashbaugh stated he has been approached by the Arcanum Library about establishing and running a bike safety program for the library's summer kids. The hope was to kick off the first one this year in June or early July. Chief Ashbaugh has been working with the FOP to get helmets donated for that program. Having the SRO spearhead that program would be a friendly, familiar face for the kids.
- As far as other duties for the SRO on Village time, Chief Ashbaugh said he was open to ideas.

**Mayor Foureman opened the floor for questions from Council:**

- Clark asked about the statute of limitations on old cases – Chief Ashbaugh said that it is 1 year for a misdemeanor and on a felony, it is longer and depends on the degree
- Millard asked how many old cases – Chief Ashbaugh did not have an exact number but did say that there are files going back to 2002
- Millard brought up the number of days the school would use the SRO versus the number of days the Village would use the SRO – Her understanding is that the school would use the SRO for the 180 days that school is in session, M-F. The Village would have the SRO technically only 80 days if you take out weekends (365 days minus 104 days) and base the split off 260 days. Millard pointed out this is more of a 75/25 split, so if the Village puts on a police levy to pay for the SRO and split it 50/50 with the school, why should only the Village taxpayers have to bear that expense instead of the full township with the school district. The Mayor interjected to say she disagrees because the levy the Village would put on and residents would pay tax for would be paying for when the Village is using the officer, not the school. Everyone else, i.e. township residents and Village residents, are paying for when that officer is acting as the SRO, through their school district tax. Millard again expressed that it is still not a 50/50 split of time.
- Willis then asked if there is a reason why the SRO could not work weekends. Chief Ashbaugh explained that indeed if shifts were open, that officer could fill them. Chief Ashbaugh also explained that some of our current PT officers have expressed interest in the SRO position. If one of them were to take the position, then their PT slot wouldn't be filled, leaving open shifts on weekends to be worked.
- The question of overtime was also raised. Chief Ashbaugh explained to Council that up until May 2015, OT was being paid after 40 hours worked in a week. However, that was incorrect. According to the classification of the Village's officers and per the Ohio Revised Code, the officers do not earn overtime until they exceed 42.75 hours worked in a week.
- Willis mentioned that when some classes were attended, it was her understanding that even in the summertime, the SRO was to remain very visible in the community, i.e. stopping at the community ballpark, the swimming pool, the community park, etc, in order to remain a familiar face to the kids and continue to build and maintain that level of trust with the kids. Chief Ashbaugh confirmed that was correct.
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- Millard circled back to the SRO filling gaps in the schedule. She commented that she thought the purpose of our PT officers was to fill those gaps, so why would the SRO be needed to fill gaps? Chief Ashbaugh explained that all of our PT officers have other FT jobs, and due to the policy and procedure manual he inherited, those officers are only required to work 2 shifts per month. He stated that could be changed going forward, but if it was changed for officers hired under the 2 shift rule, there would most likely be a mass exodus of those officers.
- Clark questioned if the bike safety program at the library was a sure thing. Chief Ashbaugh responded that he was approached by the library and asked, "Can you do a bike safety program?" The library wants the police department to run the bike program. Clark asked exactly what is needed. Chief Ashbaugh stated it is still in the planning phase. Chief Ashbaugh was given a preliminary figure by Linda at the library of 20-30 kids participating in the program. Chief Ashbaugh is working on getting a couple of officers to commit to coming in possibly on a Tuesday morning at 10AM for the program.
- Millard asked if the school plans to use the SRO as the crossing guard in the morning and afternoon at the school. Chief Ashbaugh explained that has been talked about but nothing has been decided. The SRO could simply be an additional presence to insure that drivers are obeying traffic and safety laws in the school zone.
- Mayor Foureman reiterated that if the school hired the SRO directly and not in conjunction with the Village, that person would simply be a security guard and not have the powers of enforcement that a police officer would have. When the school checked into working with the Sheriff's office, the cost was just too high.
- Chief Ashbaugh explained that he felt it would be a great idea for members of Council to meet with the school board to get the Council's questions about finances, etc. answered. Clark then mentioned Mayor Foureman had let them know Mr. Stephens intended to have a meeting open to the community in May. The meeting's purpose is to gauge community interest and support for a resource officer at our school.

**Committee Reports:**

**Service & Leisure Committee:** Meeting was held on March 28, 2016. Committee members present were Eric Van Hoose, Jerry Boolman, and Vanessa Delk. Other attendees were Mayor Judy Foureman, and Village Administrator Bill Sinnes. Van Hoose reported on the following items:

- Swim Team contract has not been signed
  - ❖ Millard asked if anyone had actually met with the swim team. Delk explained that the last communication with the swim team indicated that they needed a contract by March 22<sup>nd</sup>. Mayor Foureman informed the swim team that Council would not meet again until March 29<sup>th</sup>. The swim team indicated that Greenville City expressed they would be happy to them at their community pool. Delk stated that no further communication had been had with the swim team since that time, and it was her assumption that the swim team had chosen to use the Greenville facilities. Willis then informed the rest of Council that the swim team was going to clean out the pool house on Saturday, April 2<sup>nd</sup> at 1PM, thereby confirming that they would not be utilizing the Arcanum Community Pool for the swim team this season.
- Baseball contract is on the agenda to be approved. Revision to previous contract - Trash bags are to be placed in the trash barrels for easier pickup
- A citizen asked to plant flowers in the park around the gazebo and near the entrance
  - ❖ The citizen is going to be president of the Garden Club next year, and the committee did decide that she could plant the flowers. She will take care of all the maintenance required. Mayor Foureman stated that she would call the individual after the Council meeting to let her know that she was permitted to plant the flowers.
- PT mowing position – Advertised and taking applications until April 15<sup>th</sup>
  - ❖ Sinnes stated that a few applications had already been received for the position. Millard then asked about the Street Laborer position. Sinnes went on to explain that he and Mark Poston had conducted a couple of interviews. Sinnes indicated that Mark was highly in favor of keeping the current temporary full time employee, Jeanette McFarland, and Sinnes added that he feels she works well with Mark and has settled down since the recent "disruptions".
  - ❖ Sinnes circled back to the proposed wage for the PT mowing position of \$9/hour. Millard wanted to know what was passed for that position on the recent wage ordinance. No one could agree on the amount that passed on that ordinance or on the amount that the PT mower made last year. Sinnes thought that position paid minimum wage (\$8.10/hour) last year. A couple other council members thought it paid \$8.50/hour last year. Mayor Foureman added that additional duties would be added to justify the \$9/hour, i.e. trimming, spraying weed killer, jobs requiring two individuals, etc. Millard then added that Jeni might be upset if the wage is raised to \$9/hour when she was hired last year to do the job for less. Boolman interjected with comment that discussion was had last year about not paying seasonal part time employees more than the part time police, which is why the part time police were raised to \$9.50/hour last year.

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- ✓ Mayor Foureman asked for a motion to set the wage for the Part Time Seasonal Mower at \$9.00/hour. A motion was made by Willis to set the wage for the Part Time Seasonal Mower at \$9.00/hour. Boolman seconded. Willis, Delk, Clark, Van Hoose, and Boolman voted yea. Millard voted no. Motion passed.

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

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

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

**Personnel Committee:** Delk reported on the following:

- Delk passed out a copy of a proposal from Clemans & Nelson to develop a new policy and procedure manual for the Village of Arcanum. Delk has been working with Wendy from Clemans and Nelson to try and get a better deal for the Village since the group deal working with other villages and/or municipalities did not work out. After some discussion, Delk was able to get the firm to come down to an hourly rate of \$87.50 if the Village went with the retainer rates versus the non-retainer rates. Delk's recommendation to Council was to move forward with Clemans & Nelson so that the Village can get the policy & procedure manual cleaned up and in line with current standards so as not to cause any potential problems or loopholes in personnel issues going forward.
  - ❖ Boolman inquired about an "out-the-door, worst case scenario" cost. Delk didn't have an exact number, but was confident that the Village could stay in the \$5000 ballpark.
  - ❖ Millard wanted to know if Clemans & Nelson would come and meet in person with the committee and work directly with them. Delk stated that yes, someone from the firm would meet with the committee in person.
  - ❖ Boolman and Millard both stated that a dollar amount cap should be placed on the project.
  - ❖ Timeframe for completion once started is 6 months to a year. Delk's goal is 6-9 months.
- ✓ Mayor Foureman asked for a motion to enter into a contract with Clemans, Nelson, & Associates, Inc. to redo the Village of Arcanum Policy & Procedure Manual at a retainer rate of \$4650.00. A motion was made by Millard to enter into a contract with Clemans, Nelson, & Associates, Inc. to redo the Village of Arcanum Policy & Procedure Manual at a retainer rate of \$4650.00. Van Hoose seconded. All present voted yea. Motion passed.
- Delk referred to the updated Water/Wastewater job descriptions that were each council member's packet. The current open position was broken down into three different job descriptions: Apprentice, Operator II, and Operator I. There is now a more defined path for someone coming into that department of what they have to do to move up and what the pay ranges are.
  - ✓ Mayor Foureman asked for a motion to adopt the three new Water/Wastewater job descriptions: Operator I, Operator II, & Operator Apprentice. A motion was made by Delk to adopt the three new Water/Wastewater job descriptions: Operator I, Operator II, & Operator Apprentice. Willis seconded. All present voted yea. Motion passed.

**Finance & Audit Committee:** Meeting was held on March 9, 2016. Committee members present were Bonnie Millard, Monte Clark, and Jerry Boolman. Other attendees were Mayor Judy Foureman, Fiscal Officer Darcy Woodall, and Village Administrator Bill Sinnes. Millard reported on the following:

- Committee agreed to take the \$2500 in Playworld labor (2 @ \$750 and 2 @ \$500) to oversee the Arcanum students setting up the playground equipment from the Ivester Park operating expense. There will be \$1500 left in that line item because a quote of \$11000 was received for cutting down the park trees versus a budgeted amount of \$15000.
  - ❖ Sinnes attended a Park Grant meeting, and spoke with Roger Franks. Franks knows the owner of Playworld and is going to speak with him about the possibility of lowering the \$2500 bill to have employees present to oversee putting together the park equipment or maybe having it cost nothing at all.
- Mulch for playground equipment – a recommendation was made and discussed to transfer \$7000 from the General Fund rather than go out to 2017 from the Park/Pool Levy Fund. Monte made a motion and Jerry seconded. All agreed.
- \$20000 for Lake County for their testing of the high water volume filtration during peak rains. No action taken.
- Discussion commenced on the school resource officer position.

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A second meeting was held on March 23, 2016. Committee members present were Bonnie Millard, Monte Clark, and Jerry Boolman. Other attendees were Mayor Judy Foureman, Fiscal Officer Darcy Woodall, and Village Administrator Bill Sinnes. Millard reported on the following:

- Inquiry made into the status of Phase III Separation money that was discussed during budget preparation – Darcy informed committee that the Solicitor requested a copy of the CDA contract. She asked the Mayor if there was a copy in her office rather than having to dig through the archives upstairs. The Mayor believes there is. In question is (\$3972.76)
- Inquired into status of litigation.
  - ❖ Millard did not expand on this point as it would have had to go into executive session.
- Since no action was taken on the \$20000 from previous meeting, Jerry made a motion to transfer \$20000 from the Sewer Fund to Operating Expenses. Monte seconded. All agreed.
- Question and answer session followed regarding School Resource Officer position. After the committee was informed that a meeting was being planned for some time in May, a recommendation was made by Jerry to wait on this and then reconvene for further discussion.

**Administrative Reports:**

**Mayor:** Mayor Foureman reported on the following:

- **Village Solicitor:** Mayor Foureman spoke further with Nicole Pohlman and Phil Garbig of Garbig & Schmidt. The Mayor's recommendation to Council is that a contract to be the Village's Solicitor be awarded to Nicole Pohlman of Garbig & Schmidt and cancel the current contract with Goubeaux & Brand. Mayor Foureman mentioned that she discussed with Nicole prior issues with receiving legislation, etc. in a timely manner. Pohlman explained that in most cases, she had to wait on Mr. Brand to sign off on certain things or provide answers, which contributed to the lateness of requested items.
  - ❖ Millard asked about payment. Mayor Foureman stated that the compensation would be comparable to what was paid to Goubeaux & Brand. Mayor Foureman also expressed that Ms. Pohlman would not necessarily need to be present at every meeting. Boolman inquired as to where things currently stood. Mayor Foureman stated that she would not move forward until she had discussed fully with Council and received their recommendation to proceed.

**Solicitor:** Nothing at this time. Solicitor was absent.

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

- Sinnes started by recognizing Mitch Thobe from Choice One Engineering. Sinnes went on to explain that he had gotten some information from Rodd Hale, Village Administrator in Versailles. He noticed the information came from Choice One Engineering, and Mitch Thobe confirmed that they have worked with the Village of Versailles for many years. Sinnes spoke with Rodd Hale on the phone, and Choice One came highly recommended by Hale.
- UTILITY DEPARTMENT – SITEBOUND is connected. Working on connecting the rest of the customers to new lines
- HARVEST FIELDS – So far has been a real learning experience. Due to some mistakes on Benazer's part, an area had to be re-surveyed. This caused the way the water, sewer, and electric lines were run in that area to have to be routed differently. It also created an issue with a transformer. Keir and the rest of the Utility Dept have expressed some frustration. Millard wanted to know whose paying for these mistakes. Sinnes explained that Benazer paid for the survey and any additional materials, but Willis pointed out that it does cause our Utility workers to have to be out there working additional hours and the Village is paying for that. At this point, Keir has spoken with Benazer, and before they move forward with building any more homes, they will consult with Keir to make sure that everything is line so that no more of these types of instances will arise.
- MERRITT PROJECT – Only basic requirement requirements sent to the Commissioner's Office are that they need to coordinate with Keir for inspections as they progress through the project, and the objective when it's complete is that the street (end of South Main) will look just like it does now once the project is complete.
- STREET DEPARTMENT – Edwards' Tree Service is working in Ivester Park. He thinks a number of ash trees with obvious signs of bore infestation, in addition to original contract, should be removed
  - ❖ Edwards' Tree Service believes that an additional 14 or more trees need to be cut down and removed. He threw out an estimate of \$3500 for the additional work. Sinnes will get with him later this week to get a firm quote.
- TCT Tree Service will be in this week to do clearance trimming around power lines

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- Mote & Associates has engineered (CDBG) sawmill area streets and are ready to bid
  - ❖ Sinnes met with Mike Bruns from Mote who suggested that the 12 foot streets are not wide enough, so he plans to have an alternate bid showing the difference in cost if they are 18 feet wide. Sinnes's opinion is that with the exception of Franklin Street, all the sawmill area streets should be 20 feet, which by his estimate would cost about another \$50000. Willis asked if there was an additional grant that could be applied for to cover the additional cost of the alternate bid. The general consensus was no, not this year and also no more money from the CDBG. Any money needed above and beyond the grant money will have to come out of the Village's pocket. Boolman pointed out that the streets in question are not heavily traveled. However, Delk reiterated that whatever is done needs to blend in with where they meet North Street. Boolman agreed. After some further discussion, it was decided that the Village could bear the cost of wider aprons in the sawmill street area rather than the exorbitant cost of widening all the streets.
- STREET LABORER
- MOWER JOB – is being advertised
- STREET SWEEPER – currently operational
- STORM SEWER LINE – work on West Street – there is another storm sewer problem on First Street that will need to be repaired at some point
- CPR training here in Council Chambers on March 30<sup>th</sup> at 12:30PM – no charge
- UTILITY DEPARTMENT SECURITY FENCE – checking on grants
- Mayor Foureman informed Council that another CDBG application is due on April 22, 2016. Her recommendation is that the Village hires Choice One Engineering for this grant application. This grant money, if awarded, would be used to address the issues on East Street (behind Sunoco) between South Main and West Second.
  - ❖ Members of Council asked various questions of Mr. Thobe from Choice One. He himself has been in the business for 6 years. Choice One has three offices (Sidney, Loveland, and Portland, IN) and has been in business for 21 years. Their pricing is competitive with Mote. They do specialize in infrastructure and transportation. They do have a full time funding specialist whose job is to help villages and municipalities get funding for projects such as the same type that have been discussed in tonight's meeting. Choice One does not charge if a grant is not received. Mr. Thobe also gave Council references that could be checked: City of Versailles, City of Brookville, Fort Recovery, Saint Henry, and a little with Greenville, etc.

**Fiscal Officer:** Nothing to report. Absent.

**New Business:**

**Ordinance No. 2016-08** - Mayor Foureman read by title only an Ordinance providing for an amendment to the 2016 appropriations to the Village of Arcanum, Darke County, Ohio and declaring an emergency. (Sewer Fund) A motion was made by Delk to waive the three reading rule on Ordinance No. 2016-08. Boolman seconded. All present voted yea. Delk made a motion to adopt Ordinance No. 2016-08. Boolman seconded. All present voted yea. Delk made a motion to declare an emergency on Ordinance No. 2016-08. Delk seconded. All present voted yea. Legislation passed.

**Ordinance No. 2016-09** - Mayor Foureman read by title only an Ordinance providing for an amendment to the 2016 appropriations to the Village of Arcanum, Darke County, Ohio and declaring an emergency. (General and Electric Fund) A motion was made by Boolman to waive the three reading rule on Ordinance No. 2016-09. Clark seconded. All present voted yea. Boolman made a motion to adopt Ordinance No. 2016-09. Clark seconded. All present voted yea. Boolman made a motion to declare an emergency on Ordinance No. 2016-09. Clark seconded. All present voted yea. Legislation passed.

**Resolution No. 2016-04** - Mayor Foureman read by title only a Resolution authorizing the Village of Arcanum to enter into a contract with the Arcanum Junior Baseball Association for the year 2016 operation and management of the baseball facility and declaring an emergency. A motion was made by Willis to waive the three reading rule on Resolution No. 2016-04. Boolman seconded. All present voted yea. Willis made a motion to adopt Resolution No. 2016-04. Boolman seconded. All present voted yea. Willis made a motion to declare an emergency on Resolution No. 2016-04. Boolman seconded. All present voted yea. Legislation passed.

**Resolution No. 2016-05** - Mayor Foureman read by title only a Resolution authorizing the Village of Arcanum to enter into a one-year agreement with Balestra, Harr, and Scherer Consulting and declaring an emergency. A motion was made by Van Hoose to waive the three reading rule on Resolution No. 2016-05. Clark seconded. All present voted yea. Van Hoose made a motion to adopt Resolution No. 2016-05. Clark seconded. All present voted yea. Van Hoose made a motion to declare an emergency on Resolution No. 2016-05. Clark seconded. All present voted yea. Legislation passed.

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**Resolution No. 2016-06** - Mayor Foureman read by title only a Resolution authorizing the June to December 2015 Utility Write-Off Accounts and declaring an emergency. A motion was made by Boolman to waive the three reading rule on Resolution No. 2016-06. Willis seconded. All present voted yea. Boolman made a motion to adopt Resolution No. 2016-06. Willis seconded. All present voted yea. Boolman made a motion to declare an emergency on Resolution No. 2016-06. Willis seconded. All present voted yea. Legislation passed.

**Resolution No. 2016-07** - Mayor Foureman read by title only a Resolution authorizing the 2006 to 2013 Utility Write-Off of Old Utility Accounts and declaring an emergency. A motion was made by Clark to waive the three reading rule on Resolution No. 2016-07. Boolman seconded. All present voted yea. Clark made a motion to adopt Resolution No. 2016-07. Boolman seconded. All present voted yea. Clark made a motion to declare an emergency on Resolution No. 2016-07. Boolman seconded. All present voted yea. Legislation passed.

**Resolution No. 2016-08** - Mayor Foureman read by title only a Resolution authorizing certification to the County Auditor for the collection of delinquent utility bills and declaring an emergency. A motion was made by Clark to waive the three reading rule on Resolution No. 2016-08. Van Hoose seconded. All present voted yea. Clark made a motion to adopt Resolution No. 2016-08. Van Hoose seconded. All present voted yea. Clark made a motion to declare an emergency on Resolution No. 2016-08. Van Hoose seconded. All present voted yea. Legislation passed.

**Old Business:**

Mayor Foureman 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. Boolman seconded. All present voted yea. Motion passed.

**Announcements:**

**Adjournment:** A motion was made by Millard to adjourn. Van Hoose seconded. Meeting ended at 9:01 PM.

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

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Mayor Judith F. Foureman