

Village of Arcanum Council Meeting
Tuesday, August 9, 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 Eric Van Hoose, Jerry Boolman, Julie Willis, Vanessa Delk, Monte Clark, and Bonnie Millard answered roll call. Also present were Bill Sinnes, Darcy Woodall, and Mike Bruns from Mote & Associates, and Village resident, Desiree East.

Council Minutes: Mayor Foureman asked for approval of the minutes of July 26, 2016. Clark stated that under the Village Administrator's report, the motion that was made to have Lake County repair approximately 30 manholes at a cost of approximately \$30,000 should have read \$15,000. Woodall amended the minutes to read as such. A motion was made by Millard to approve the minutes of the July 26, 2016 Council meeting as amended. Delk seconded. All present voted yea. Motion passed. Mayor Foureman asked for approval of the minutes of the July 19, 2016 special council meeting. A motion was made by Millard to approve the minutes of the July 19, 2016 Special Council meeting. Van Hoose seconded. All present voted yea. Motion passed.

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

Amendments to the Agenda: None.

Comments from the Public: Mayor Foureman explained she had received a call from resident, Desiree East concerning the RV/camper issue on her property, and Mayor Foureman suggested that Desiree attend the Council meeting to explain her side of the situation and answer any questions Council may have. Ms. East explained that the camper in question has been located on her property since late summer/early fall of 2015 because grandma does not have anywhere to store the camper in Union City where she resides. The camper is owned by her grandmother, who lives in Union City, Ohio (45 minutes away). Her grandmother comes to Desiree's house Monday through Friday on days that Desiree works to babysit her kids. It is a temporary arrangement just for the summer. The kids will go back to their regular babysitter when school starts on August 30th. On Friday through Sunday, the grandmother goes back home to Union City, and she is not living in the camper. There is no water hooked up to the camper. Because the house is small, only two bedrooms, on the nights that the grandmother stays, she does sleep in the camper, so an extension cord is run from the house out to the camper for a fan and a light. Ms. East was unaware that she was violating any ordinances. Millard asked where the grandmother will go once school is back in session. Ms. East stated that she will go back to Union City and will no longer be staying in the camper during the week. Millard asked for confirmation that grandma would not be here after August 30th, and Ms. East did confirm that grandma would not be here after August 30th. Millard made Ms. East aware that the Village does have ordinances prohibiting tying into utilities on a property, and she also let Ms. East know that some of the current ordinances are going to be revised and it is her responsibility as a resident of the Village to be informed of the rules and ordinances. Willis asked if the RV would be leaving as well, and Ms. East explained that the intent was for the camper to stay as grandma does not have anywhere to store it where she lives. She stated she would have to brush up on the rules and regulations about storing the camper and went on to say that you can really only see the camper if you drive down the alley. Millard then stated that some of the concern is whether or not the camper impedes the right-of-way in the alley. Ms. East stated that the camper is stored between her shed and detached 2-car garage/barn. Millard then asked if this same babysitting scenario is going to happen every summer, and Ms. East answered that this was a one-time thing. Millard again reminded Ms. East that ordinances are being updated. Ms. East asked for clarification on what a "short period of time" is. Mayor Foureman stated that a short period of time is someone who is visiting and staying for a week or less. If someone is going to be staying longer, written permission needs to be obtained from the Mayor. The Mayor reiterated that the camper would no longer be occupied by grandma after August 30th, and then the storage of the unit will be addressed through other ordinances that are in the process of being revised. Mayor Foureman asked if this was satisfactory to Council, and they stated it was.

Mike Bruns from Mote & Associates:

- 2015 CDBG Paving Project
 - Project Schedule
 - ✓ August 12, 2016 – Contractor to move equipment in
 - ✓ August 15, 2016 – 10AM conference with Ray Hensley, Inc. at project site (Mayor said to contact Shawn about what is needed for water)
 - ✓ August 15-30, 2016 – Work to be completed
- Wastewater Treatment Plant Project
 - Plans submitted to Ohio EPA
 - ✓ Plans in the Council room for review by Village officials by 8-10-16
 - ✓ Ohio EPA fees (\$15,100 check to be approved tonight)
- Village Council Meeting – August 30, 2016
 - Discuss Rural Development documents and execution of documents
 - ✓ Engagement letter with bond counsel (Dinsmore & Schul)
 - ✓ Loan Resolution
 - ✓ Grant Agreement

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Millard asked about the sewer debt reduction charge that had been added to the utility bills starting in 2015. It started at \$5, then went to \$10, and then the third increase could go to \$15 but may not depending on the total cost of the project. This charge was put on to start collecting to help pay back the loan debt that will be incurred as a result of the WWTP. Millard wanted this revisited because some residents had been in the Village offices asking if the charge was permanent. The office staff was only able to find legislation stating the Utility Clerk had permission to add the charge to the utility bills, but they were unable to find any legislation establishing the sewer debt reduction charge. The general consensus was that the charge would remain for at least the duration of the loan (40 years), but it could also be permanent.

Committee Reports:

Service & Leisure Committee: Meeting was held on Thursday, August 4, 2016 at 5PM in Council Chambers. Van Hoose was absent, but committee members Jerry Boolman and Vanessa Delk were present. Also present was Bill Sinnes. Sinnes reported on the following:

- Received 3 quotes on crack sealing – one quote is per foot and the other two are by pound – needs to get with Mark and find out if \$0.42/foot is the same as \$1.20 to \$2.00/pound – Millard asked Sinnes to get the three quotes together and figure out the correlation between price/foot and price/pound and bring to the next council meeting
- Patching streets – Mark will end up doing cold patch because so far only been able to get one quote because everyone is so busy
- East Street Repair – Wagner Paving came in with a quote of \$22,500 to \$25,000 that would cover from South Street through the First Street intersection – the committee as a whole believes it is not worth spending \$20K plus just for cosmetic reasons and only for one block of street

Safety Committee: Mayor Foureman informed Council that the interviews for the School Resource Officer would be on Thursday, August 11th with Superintendent John Stephens and Board Member Beverly Delk. Chief Ashbaugh will also be present at the interviews. The entire School Board will meet at 7PM with their recommendation, and an officer will be hired.

Utility Committee: Meeting was held on August 8, 2016 at 4:30PM at the VA Office. Committee members present were Jerry Boolman and Monte Clark. Other attendees Village Administrator Bill Sinnes and Plant Operator Shawn Smith. Boolman reported on the following:

- **Utility Department Billing Requests:**
 - Committee recommends approval changing current practice to (48) hours once bad check is discovered. Then serve notice with police on electric termination. Also change the amount of the late check fee from \$25 to \$50 and refer to this fee as an administrative fee. This will eliminate the time currently allotted for bad check days (10 business days) which can currently allow offenders to go into the next month's billing. With the advancements in banking practices, there is no need for such a delay in imposing penalty. If bad check is presented between the 15th to 22nd, notice will be made and offender will have 48 hours to present payment and check fee. Millard commented that legislation would be needed to change this fee because it deals with money. Mayor Foureman recommended turning all of these suggestions over to Nicole to determine what changes need legislation.
 - Committee recommends approval that payments have to be in the deposit box by open of business on the 16th or be post marked or paid by nCourt before the 16th to be current. If payment is not in the drop box or posted at nCourt by 8AM on the 16th, it's not current. Ordinance 2015-40 will need changed to accommodate this request.
 - Committee recommends to change the disconnection fee term to an administration fee term when being charged due to being on the shutoff list. Term will need to be changed on Ordinance 2015-40, section 3.
 - Committee recommends changing the policy on level billing to start anytime due to the ease of starting the program with CMI, and the catch up month will still be July.
 - Committee recommends approval of allowing customers in good standing with no late incidents 1 grace payment with no late fee to be approved by Mayor or head of Utility Committee based on information provided by the Utility clerk. This is the way this is currently being handled, and it is a case-by-case situation. Millard wanted to know if this is something easy for the Utility Clerk to track. Woodall explained that notes/pop-ups can be added in the utility system for tracking purposes. The rest of council did have some questions as to how often the grace payment would be permitted (i.e. annually, once every 5 years, etc)
 - Committee recommends approval of reducing the garbage deposit from \$50 to \$25 since the \$50 represents a 3-month bill, and the Village currently bills monthly.

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➤ **Water Updates:**

- Lake County is repairing manholes and have approximately 30 done. Some large leaks were discovered. This should help with infiltration during rain events.
- Old water tower work is complete.
- PSI sensor was installed, and the system is back online and not using tower level. There was a \$1200 consulting fee for help during the system downtime.
- PO for water automation is in, and spare parts are being ordered. Control boards for our system to reduce downtime during weather events.
- Austen Frech is doing a good job and may start some weekend work shortly.
- Water department worked on sewage plant areas, sludge pumps, aeration pumps, lift station pumps, etc.

Planning Committee: Willis reported on the following:

- Willis was hoping to have an ordinance for tonight's meeting, but after meeting with the Village Solicitor earlier in the day, that was not feasible
- In that same meeting, the person designated as the Village Zoning Officer was discussed. That person is Mayor Foureman, and in her absence, it will be Bill Sinnes or Chief Ashbaugh
- Willis also passed out a complaint form and a nuisance violation citation from the Chief of Police. Willis also passed out a form that Mayor Foureman had found that a previous Mayor had given to the police officers to use to cite residents for violations.
- In speaking with Nicole about the revised ordinance for recreational vehicles, the committee/council has to come up with the ordinance, the ordinance has to be brought before the Zoning & Appeals Board for approval, and then it comes back to council to be passed. Before it can be passed, a public hearing has to be held.
- Willis gave Council an idea of where the committee is going with some of the changes when an ordinance is violated: a letter will be sent, resident has 14 days to correct the situation, if not corrected, then fines can be imposed (range from \$25-250/day up to 10 days) which is a misdemeanor, and then beyond that, Nicole is looking into options for prosecuting
- Another ordinance being addressed is dealing with greenspace and planting of trees. Ordinance 2013-22 will need to be amended/changed. Millard is working on that and will be talking with Mike Bruns from Mote & Associates.
- Willis has spoken in length with Rodd Hale from Versailles, and the committee has taken quite a bit of that information and made it their own to address some of the issues in the current zoning code for the Village
- Nicole's suggestion is to take the current code section by section, make changes and move on to the next section
- Willis also stated that the Village is not current with our version of the Ohio Basic Code. We are currently two years behind. A 2016 version needs to be ordered for the Village office and for Nicole's office. Woodall will get the books ordered. An updated version needs to be ordered each year and adopted by Council.

Next meeting is Thursday, August 17, 2016 at 4PM in Council Chambers.

Personnel Committee: Delk plans to meet with Wendy from Clemans and Nelson during business hours on August 29th to review some items in the rough draft of the new manual. She also informed Council that there will be a need for upcoming work sessions to work toward finalizing the manual.

Next meeting is Monday, August 29, 2016 at 5PM in Council Chambers.

Finance & Audit Committee: Nothing at this time. Next meeting is Monday, August 15, 2016 at 4:30PM in Council Chambers.

Administrative Reports:

Mayor: Nothing at this time.

Solicitor: Not present.

Village Administrator: Sinnes reported on the following:

- BENANZER – bought property on corner of Harvest Fields Way and West South Street, just outside Village corporation line; this is adjacent to Village and Harvest Fields development
- CDBG/SAWMILL PROJECT – Ray Hensley, Inc. will be moving equipment in this Friday, 8-12, and begin work Monday, 8-15. Mote and Sinnes will be consulting with Hensley on Monday, 8-15 at 10 AM. Boolman asked if residents had been informed of upcoming construction. Sinnes said nothing formal. Clark volunteered to post a flyer on each resident's door on Thursday if Sinnes would make up the flyer. All were in agreement.

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- UTILITY DEPARTMENT – working on replacing poles on Grubbs Rex Road
- WATER DEPARTMENT – Lake County worked on sealing over 30 sanitary sewer manholes this past week; Utility Department will be checking when and if we get a good rain; the bill for this work is in and within the \$15,000 allotted
- STREET DEPARTMENT – working on street repairs needed this year; have three quotes for crack sealing
- POOL – new lifeguard seats and swivels were installed but are too flexible; something more sturdy is needed; seats were removed and returned; stronger seats will be ordered; shower in women’s bathroom seems to be working better
- TRASH CONTRACT – Darke County Solid Waste Office is to arrange a meeting in this Council Chamber of several Villages interested in coordinating together to hopefully get a better deal; date has been set for Wednesday, August 31st at 7PM
- AMP – losing \$30 million AMPGS lawsuit; will end up settling for less than \$5 million; AMP requested letter appointing primary and alternate Arcanum representatives for all projects Arcanum is involved in; AMP Solar Phase II Project needs to be completed by November 1

Fiscal Officer: Woodall reported on the following:

- Woodall reported she and the Mayor, Millard, and Delk met with the State Auditor for the pre-audit meeting. Everything went smoothly. The Auditor gave Woodall a list (not all inclusive) of several items that would need to be gathered for the audit. The Auditor explained that someone from their office would be here beginning August 22, 2016 and be here for at least two weeks. Carletta, the Audit Manager, will also be here in the Village for at least a couple of those days. Sometimes the Auditors are also able to work from home. Carletta also let Woodall know that she is always available via email or phone for questions.
- Woodall also reported that she received a call from BWC, and a representative from their office will be calling back at the beginning of September to schedule a time for them to come out and audit as well.

New Business:

Ordinance No. 2016-30 - Mayor Foureman read by title only an Ordinance providing for an amendment to the 2016 appropriations of 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. 2016-30. Millard seconded. All present voted yea. Delk made a motion to adopt Ordinance No. 2016-30. Millard seconded. All present voted yea. Delk made a motion to declare an emergency on Ordinance No. 2016-30. Millard seconded. All present voted yea. Legislation passed.

Ordinance No. 2016-31 - Mayor Foureman read by title only an Ordinance providing for an amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (Parks, Pool, & Recreation Levy Fund) Woodall explained that she received the Kremer Roofing bill, so more needed appropriated to capital improvement. More also needed appropriated to operating expenses to cover payroll for lifeguards for the remainder of the pool season. Willis also took this time to let Council know that the pool received an excellent inspection from the Health Department again this year. This is the fourth year in a row with no complaints. The Health Department brought someone else with them to show them what a clean pool is supposed to look like and how it is supposed to be ran. A motion was made by Willis to waive the three reading rule on Ordinance No. 2016-31. Delk seconded. All present voted yea. Willis made a motion to adopt Ordinance No. 2016-31. Delk seconded. All present voted yea. Willis made a motion to declare an emergency on Ordinance No. 2016-31. Delk seconded. All present voted yea. Legislation passed.

Ordinance No. 2016-32 - Mayor Foureman read by title only an Ordinance providing for an amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (General Fund-Community Environment) Woodall explained that when the 2016 budget was done, the employee whose salary and benefits come out of community environment was not enrolled in the Village’s health plan, but he was later added to the health plan and funds needed to be appropriated to cover the Village’s portion of his medical insurance. A motion was made by Boolman to waive the three reading rule on Ordinance No. 2016-32. Willis seconded. All present voted yea. Boolman made a motion to adopt Ordinance No. 2016-32. Willis seconded. All present voted yea. Boolman made a motion to declare an emergency on Ordinance No. 2016-32. Willis seconded. All present voted yea. Legislation passed.

Ordinance No. 2016-33 - Mayor Foureman read by title only an Ordinance providing for an amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (S. Main St. Reconstruction Fund) A motion was made by Millard to waive the three reading rule on Ordinance No. 2016-33. Van Hoose seconded. All present voted yea. Millard made a motion to adopt Ordinance No. 2016-33. Van Hoose seconded. All present voted yea. Millard made a motion to declare an emergency on Ordinance No. 2016-33. Van Hoose seconded. All present voted yea. Legislation passed.

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Resolution No. 2016-23 - Mayor Foureman read by title only a Resolution to approve the form and authorize the execution of a power sales contract with American Municipal Power, Inc. and taking other actions in connection therewith regarding participation in the AMP Solar Project II. This is a second reading.

Resolution No. 2016-26 - Mayor Foureman read by title only a Resolution providing for various appropriation transfers among individual funds of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (Fire Fund) A motion was made by Delk to waive the three reading rule on Resolution No. 2016-26. Clark seconded. All present voted yea. Delk made a motion to adopt Resolution No. 2016-26. Clark seconded. All present voted yea. Delk made a motion to declare an emergency on Resolution No. 2016-26. Clark seconded. All present voted yea. Legislation passed.

Resolution No. 2016-27 - Mayor Foureman read by title only a Resolution authorizing the Mayor to enter into an agreement with Arcanum-Butler Local School District to provide security personnel services and declaring an emergency. A motion was made by Willis to waive the three reading rule on Resolution No. 2016-27. Delk seconded. All present voted yea. Willis made a motion to adopt Resolution No. 2016-27. Delk seconded. All present voted yea. Willis made a motion to declare an emergency on Resolution No. 2016-27. Delk seconded. All present voted yea. Legislation passed.

Expenditures: Mayor Foureman asked for a motion to approve the properly appropriated and funded expenditures. Millard questioned the bill to Mike's Service for \$2935. Sinnes explained that one of the John Deere tractors needed the injector pump rebuilt, and Clark stated that price was cheap. Boolman questioned the expenditure to Mote & Associates for \$650 for Field Observation and Site Inspection. Millard explained that had to do with sidewalks and greenspace and light poles in Harvest Fields not infringing on the ADA compliant ramps. A motion was made by Millard to pay the properly appropriated and funded expenditures. Boolman seconded. All present voted yea. Motion passed.

Old Business:

Announcements:

Adjournment: A motion was made by Boolman to adjourn. Willis seconded. Meeting ended at 8:27 PM.

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

Mayor Judith F. Foureman