

**Village of Arcanum Council Meeting**  
**Tuesday, October 25, 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 Bonnie Millard, Eric Van Hoose, Jerry Boolman, Julie Willis, and Monte Clark answered roll call. Mayor Foureman asked for a motion to excuse Vanessa Delk. A motion was made by Boolman to excuse Delk, Willis seconded. All present voted yea. Motion passed. Also present were Darcy Woodall and Mike Bruns from Mote & Associates.

**Council Minutes:** Mayor Foureman asked for approval of the minutes of October 11, 2016. A motion was made by Boolman to approve the minutes of the October 11, 2016 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 after New Business.

**Amendments to the Agenda:** Mayor Foureman added an Executive Session after New Business for Personnel.

**Comments from the Public:**

**Mike Bruns from Mote & Associates:**

- Final pay request from Ray Hensley, Inc. for Highland Subdivision Resurfacing Project – at the previous council meeting, council approved the first pay request but held off on approving the request with retainage until the final walk through – the final walk through was done and everything looked good – however, Mote did want to take a look at the pavement after it rained to make sure everything was dry – last Thursday after it rained, Mote came down and walked it – everything looked good
- Mayor Foureman asked for a motion to approve payment of \$3,609 for retainage for a total of \$50,225 to the Darke County Commissioners Office for the Highland Subdivision Resurfacing Project. Millard made a motion to approve payment of \$3,609 for retainage for a total of \$50,225 to the Darke County Commissioners Office for the Highland Subdivision Resurfacing Project. Boolman seconded. All present voted yea. Motion passed.

**Committee Reports:**

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

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

**Utility Committee:** Meeting was held on Monday, October 17, 2016 at 4:30PM at the VA Office. Boolman reported on the following:

- The core of the meeting was about reviewing the comments that came back from the EPA on the new wastewater treatment plant.
- The Village will be keeping one of the current lagoons, which will give the Village 6 million gallons of capacity for the current influx of rain water that is received periodically. It is currently designed to process 400,000 gallons/day. This will give the Village enough capacity to handle any runoff. Keeping this lagoon will cost an additional \$100,000. The lagoon will have to be drained, re-lined, and cut into sections.
- Overall, there was three pages of comments. Mote felt that the comments were normal. There were quite a few print changes, but there were no design changes. Mike from Mote & Associates elaborated on that by saying that the print changes had been made and forwarded to the EPA. Mote met with the reviewer about the changes on Monday, and he has taken those on for further review. Mike said that they have tentatively scheduled to send those on to Rural Development next Friday for their review.
- On the same subject of the Village's influx of water, the Water/Wastewater Department is going to contact Lake County about pricing for 2017 for some issues that need to be addressed so that money can be worked into the 2017 budget. They would also like to budget \$5000 for 2017 for a couple flow meters to be put into the system.
- The Utilities Superintendent will be retiring in a few years and has requested that the Village look at adding another employee to the electric department so that the department will be up to speed before he retires. The committee recommends that the Village begin advertising for lineman to get that process moving.
- Some pipes along the football field may need to be dug up and looked at. They could be contributing to the problem with the high influx of storm water.

**Planning Committee:** Meeting was held on Thursday, October 13, 2016 at 4PM in Council Chambers. Willis reported that Nicole would be talking later about an ordinance she had prepared. Willis also stated that the committee's homework was page 44, chapter 1141-1167.

Next meeting is Tuesday, November 10, 2016 at 4PM in Council Chambers.

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**Personnel Committee:** Delk was not present to report on the meeting that was held. Next meeting is Wednesday, November 2, 2016 at 4:30PM in Council Chambers.

**Finance & Audit Committee:** Meeting was held on Tuesday, October 18, 2016 at 4:30PM in Council Chambers. Committee members present were Bonnie Millard, Jerry Boolman, and Monte Clark. Also present were Mayor Judith Foureman and Fiscal Officer Darcy Woodall. Millard reported on the following:

- **2017 Budget** – Fire – increased General Fund transfer by \$2000 to cover for trips for new truck. Police – concern over SRO contracted base amount won't be enough cover all wages, but Judy confirmed that the school would pay whatever the Village invoices. Darcy to prepare budget with updated numbers for next finance meeting.
- **Verification made by Matthew Clum, State Senior Audit Manager** – “The language clearly says that the levy is for the operation of pool and parks. The Village can use those levy funds for any purpose related to operating the pool and parks. Certainly payment of wages of an employee that is directly involved with the operation of the pool would be an acceptable use of the levy funds.”
- Darcy provided pool recap of actual detailed expenses as reported at last council meeting that raised concern that the numbers were off. Actually it should have been an additional \$3000 of expenses, which would have made revenue of \$21,225 vs. \$38,000 expenses. Over \$24,000 was in wages and benefits alone. Approximately 70% of the overall pool expense for the 2016 pool season was wages and benefits.
- **Separation Phase III** – line item is being worked on by Darcy – trying to have cleaned up for October reports
- **Cross training** – Darcy reported that the consensus of the girls in the office was that they do not feel it is necessary for a part time person. Darcy to prepare a schedule for cross training critical areas of each job in the office (utility, tax, FO) for next finance meeting. In this discussion, Judy said that Nola was getting quotes for a computer and printer along with other office supplies for the VA office. Committee said the computer Bill used here at the Village office is available and can be moved and not have to purchase another since no plans for a part time clerical person – the VA is 6-8 weeks out from being hired, and they can request any other supplies needed once hired
  - Willis added that cross training had also been discussed in Personnel and a schedule had been determined for when the Personnel Committee would like this completed. Delk would have reported on it at tonight's meeting if she had been here.
- Judy to contact person that Bill was working with on the playground grant to make sure there is no further documentation required to ensure authorization of \$20,000 grant money
- Judy said that Loffer didn't owe anything on property at Jones and West George due to the fact they are not connected. Ordinance 2011-37 states “Unimproved building lots not physically connected to Village infrastructure will be exempt from the minimum charge.” She said Angie showed her another document, and we asked for date verification of that document. Further discussion required.
  - Millard asked Mike from Mote & Associates to explain his definition of an improved lot versus an unimproved lot. This sparked a lengthy discussion pertaining to many different scenarios that have happened in town in the past. For example, there have been lots where there was a house and an outbuilding, but now the house is torn down. This also lead into discussion concerning the assessments that will need to go the County Auditor next September for the new WWTP. Clarification on this issue will need to be determined before then so that all lots that are going to be assessed can be assessed, and then any lots deemed “unimproved” will potentially have to pay a higher tap in fee when the time comes.

Next meeting is Tuesday, November 1, 2016 at 4:30PM in Council Chambers.

**Administrative Reports:**

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

- Leaving for Mayor's Conference in Columbus tomorrow
- Applications for Village Administrator – have received 10-12 up to this point – the committee will meet this Friday, October 28<sup>th</sup> at 4PM to go over the questions that will be asked in the interviews
- Fire Inspection – Mayor met two fire inspectors here on Saturday and walked the building – they only found a couple of very minor things – the Village has 30 days to correct those items – Boolman asked what drove this inspection – the Mayor stated that the inspections are done every few years

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**Village Administrator:** Acting Village Administrator Mayor Foureman reported on the following:

- **STREET DEPT**
  - Crack sealing done – will need to do the wide strip on Maple in 2017
  - Ballpark parking lot and handicap asphalt done
  - REDUCED SPEED signs ready to go up this week – already had signs so no cost to order new ones
  - Tree on East First St that was damaged by street sweeper a year ago - removed
  - Two stumps on list for grinding
  - Walk through of Highland Subdivision – Mote still wants to go after a rain to make sure there is no standing water before council approves contingency refund – based on Mike's report earlier in the meeting, this has been done
  - Started some leaf pickup and some cold patch
- **ELECTRIC**
  - Need \$12,000 for another load of poles – will be using the load they just got on Bears Mill
- **WATER/WASTEWATER**
  - Shawn will have left knee surgery on Dec 12 and right knee on Dec 29
  - 5 shut offs on Monday
  - Shawn and Doug going to Orville for training with Mote on November 2
- Going to try a new battery for speed machine because a new machine is \$6700

**Fire Chief Kurt Troutwine:**

- Received all the signed fire contracts back for next year from Twin Township, Van Buren Township, and Ithaca – legislation will have to be passed and the Mayor and Fiscal Officer will need to sign the contracts
- Kurt reviewed the quarterly fire report – the fire department had a total of 34 runs for the third quarter
- Adding another new firefighter, which will bring the total up to 28 – will be fully staffed when he hits 30
- Fire inspectors are starting their program – Kurt turned in legislation and wording to have a fire inspection ordinance drawn up – it was previously researched by the office staff and no previous ordinance could be found that was ever adopted – for the fire department to officially start doing fire inspections, an ordinance has to be in place giving the fire department the authority to do that – Darcy informed Kurt that the legislation was prepared for tonight's council meeting
- Cab and chassis of the new fire truck will roll off the assembly line on January 27, 2017 in Wisconsin and then be driven to Utah where the back part will be put on. Final completion should be early June. The two trips for the inspections of the new truck will be out to Utah.

**Solicitor:** Nicole Pohlman reported on the following:

- An ordinance was passed out for review – the ordinance amends the RV portion of the Village's Zoning Code and also the enforcement section
- Boolman asked what changes were made – Pohlman explained that the whole piece of legislation is changes – Section 4 contains the changes pertaining to RVs, and the rest deals with enforcement – Boolman referenced a portion of the change being that no mobile home could be parked in a residential district and stated he thought that was the problem before – Pohlman responded the problem was that the difference between a mobile home and an RV was unclear – it was cleared up how long RVs can be hooked up to load and unload, that it should never be used as a dwelling, etc.
- Mayor Foureman is in the process of trying to set a meeting of the Zoning Board so that this ordinance can be reviewed by them as well as a couple other issues. She has put out multiple dates to all members but has been unsuccessful in getting 4 out of the 5 to be able to meet on the same day. She is getting other dates together to go back to them with.
- Boolman asked if the new ordinance still allows for RVs to be stored in backyards – Pohlman confirmed that it does – Boolman also commented that it does not limit the number that can be parked in the backyard – he feels that zero should be allowed parked in town – discussion was had that language could be added to the ordinance limiting RVs to one
- Millard raised a question about a car for sale on Main Street in someone's front yard – she thought it was prohibited to put a car out for sale in front of your house in town – Willis also brought up a car that is being moved around to various locations in town that also has a for sale sign in it – this led to Boolman asking why an RV has been sitting in front of a resident's house on Main Street for a week – Mayor Foureman explained that the resident is cleaning it and preparing to take it to a dealer – she gave him permission to have it there and have the for sale sign on it
- Willis stated that with the changes in enforcement in the new ordinance, the police have to be onboard – she explained that while she was out over the weekend, she heard from residents' that if the police are out patrolling, why aren't they addressing any of these issues – Mayor Foureman added that she drove the whole town today, and there are only 3 issues in the whole town, which is good for this size town

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- Boolman pointed out that this new ordinance only addresses non-commercial so what about commercial equipment or non-commercial equipment used for a business without a business name on it that sits in someone's backyard for months at a time – Boolman would like to see something added to this new ordinance that addresses commercial equipment
- For clarification, Nicole asked if council would like language added limiting the number of recreational vehicles stored in a backyard to one – the consensus was yes
- Millard then brought up that many other towns in Ohio are putting in a 6-month moratorium on marijuana even though the law hasn't actually been passed yet and wondered what the rest of council's thoughts were – Boolman thinks the Village should – the Mayor added that she will be learning more about this at her conference over the next two days
- Nicole said she would revise the ordinance for the next planning meeting and then bring it to the end of November council meeting for further review

**Fiscal Officer:** Woodall reported on the following:

- Beginning on November 8<sup>th</sup>, Doss will begin the virus scans and updates on the Village computers and then will be here every month after that. On November 1<sup>st</sup>, Doss will be here to install the additional memory on our server and also the Cloud backup. The tape backups will no longer be needed. Once the backup starts going to the Cloud, the tapes are no longer necessary and will not need to be kept.

**New Business:**

**Ordinance No. 2016-53** - Mayor Foureman read by title only an Ordinance providing for amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (General Fund) A motion was made by Millard to waive the three reading rule on Ordinance No. 2016-53. Boolman seconded. All present voted yea. Millard made a motion to adopt Ordinance No. 2016-53. Boolman seconded. All present voted yea. Millard made a motion to declare an emergency on Ordinance No. 2016-53. Millard seconded. All present voted yea. Legislation passed.

**Ordinance No. 2016-54** - Mayor Foureman read by title only an Ordinance providing for amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (Fire & Parks, Pool, & Recreation Levy Fund) A motion was made by Boolman to waive the three reading rule on Ordinance No. 2016-54. Willis seconded. All present voted yea. Clark made a motion to adopt Ordinance No. 2016-54. Willis seconded. All present voted yea. Clark made a motion to declare an emergency on Ordinance No. 2016-54. Willis seconded. All present voted yea. Legislation passed.

**Ordinance No. 2016-55** - Mayor Foureman read by title only an Ordinance providing for amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (Garbage Deposit & Utilities Deposit Fund) A motion was made by Millard to waive the three reading rule on Ordinance No. 2016-55. Van Hoose seconded. All present voted yea. Millard made a motion to adopt Ordinance No. 2016-55. Van Hoose seconded. All present voted yea. Millard made a motion to declare an emergency on Ordinance No. 2016-55. Van Hoose seconded. All present voted yea. Legislation passed.

**Ordinance No. 2016-56** - Mayor Foureman read by title only an Ordinance providing for amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (Water Meter Surcharge Fund) A motion was made by Boolman to waive the three reading rule on Ordinance No. 2016-56. Millard seconded. All present voted yea. Boolman made a motion to adopt Ordinance No. 2016-56. Millard seconded. All present voted yea. Boolman made a motion to declare an emergency on Ordinance No. 2016-56. Millard seconded. All present voted yea. Legislation passed.

**Ordinance No. 2016-57** - Mayor Foureman read by title only an Ordinance adopting the 2011 Edition of the Ohio Fire Code as the Standard Fire Code for the Municipality of the Village of Arcanum, Ohio and declaring an emergency. A motion was made by Van Hoose to waive the three reading rule on Ordinance No. 2016-57. Willis seconded. All present voted yea. Van Hoose made a motion to adopt Ordinance No. 2016-57. Willis seconded. All present voted yea. Van Hoose made a motion to declare an emergency on Ordinance No. 2016-57. Willis seconded. All present voted yea. Legislation passed.

**Ordinance No. 2016-58** - Mayor Foureman read by title only an Ordinance providing for amendment to the 2016 appropriations of the Village of Arcanum, Darke County, Ohio and declaring an emergency. (Highland Subdivision Resurfacing Fund) A motion was made by Boolman to waive the three reading rule on Ordinance No. 2016-58. Van Hoose seconded. All present voted yea. Boolman made a motion to adopt Ordinance No. 2016-58. Van Hoose seconded. All present voted yea. Boolman made a motion to declare an emergency on Ordinance No. 2016-58. Van Hoose seconded. All present voted yea. Legislation passed.

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**Resolution No. 2016-33** - Mayor Foureman read by title only a Resolution amending Resolution No. 2016-32 to correct a clerical error concerning the deadline for submission of bids for the 2017 farm ground lease and declaring an emergency. A motion was made by Millard to waive the three reading rule on Resolution No. 2016-33. Clark seconded. All present voted yea. Millard made a motion to adopt Resolution No. 2016-33. Clark seconded. All present voted yea. Millard made a motion to declare an emergency on Resolution No. 2016-33. Clark seconded. All present voted yea. Legislation passed.

**Resolution No. 2016-34** - 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. A motion was made by Millard to waive the three reading rule on Resolution No. 2016-34. Van Hoose seconded. All present voted yea. Millard made a motion to adopt Resolution No. 2016-34. Van Hoose seconded. All present voted yea. Millard made a motion to declare an emergency on Resolution No. 2016-34. Van Hoose 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 \$2100 for Hi-Tech for the tires and brakes for the Crown Vic police vehicle. Woodall explained that it was for tires, brakes, and service on the vehicle. Millard then asked if Chief Ashbaugh got quotes on things like tires. The Mayor was not sure. Millard and Boolman thought it would be a good practice going forward for the Chief to get quotes from multiple places. A motion was made by Millard to pay the properly appropriated and funded expenditures as amended. Boolman seconded. All present voted yea. Motion passed.

- Correction from last council meeting: Mayor Foureman reported that the Village would begin receiving about \$4800/month in revenue for electric being billed to poles that Time Warner Cable uses throughout the Village. The Village will actually begin receiving about \$500/month based on Time Warner Cable being billed for usage of approximately 4800 Kw hours per month.

Mayor Foureman asked for a motion to go into an Executive Session to discuss Personnel. A motion was made by Boolman to move to executive session. Willis seconded. All present voted yea. Council went into executive session at 8:37 PM.

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

A motion was made by Boolman to return from executive session. Willis seconded. Council returned from executive session at 8:49 PM.

**Old Business:**

**Announcements:**

**Adjournment:** A motion was made by Boolman to adjourn. Willis seconded. Meeting ended at 8:50 PM.

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

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Mayor Judith F. Foureman