

Village of Arcanum Council Meeting
Tuesday, December 13, 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 Vanessa Delk, Monte Clark, Bonnie Millard, Eric Van Hoose, Jerry Boolman, and Julie Willis answered roll call. Also present were Fiscal Officer Darcy Woodall, Brent Ball from Rumpke, Niles Morrison and DeAnn Wigginton from Best Way Disposal, and Mike Bruns and Susan Laux from Mote & Associates.

Council Minutes: Mayor Foureman asked for approval of the minutes of November 29, 2016. A motion was made by Delk to approve the minutes of the November 29, 2016 Council meeting. Boolman seconded. All present voted yea. Motion passed.

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

Amendments to the Agenda: Mayor Foureman added an Executive Session before Old Business for Personnel.

New Business - Mayor Foureman stated that both companies who submitted bids for waste collection and disposal were present at the meeting, Rumpke and Best Way Disposal. Mayor Foureman suggested that Council proceed with Resolution No. 2016-46.

Resolution No. 2016-46 - Mayor Foureman read by title only a Resolution accepting the bid for solid waste collection and disposal and declaring an emergency. The bid will go to Best Way Disposal. Mayor Foureman stated that Millard and Clark were also present at the bid opening if anyone had any questions. Boolman asked what changes there would be by accepting the bid. The Mayor said the only change would be the trash rates, and there is legislation later in the meeting that will address that. Services will continue as they have with Rumpke, including once a week trash pickup for residents and Best Way will not begin pickup in the Village before 6AM. The Village will also work with Best Way on a schedule for large item pickup to occur once a month. Boolman asked if the new contract relied on the large trash totes for residents. Mayor Foureman said no. Trash collection with Best Way will remain ground pickup. Willis asked if there were dates for large item pickup. The Mayor explained there will still be a date in the spring and fall for very large items, but the once a month time will allow Best Way to potentially have an additional worker on the truck that day knowing there may be large items out. A motion was made by Clark to waive the three reading rule on Resolution No. 2016-46. Boolman seconded. All present voted yea. Clark made a motion to adopt Resolution No. 2016-46. Boolman seconded. All present voted yea. Clark made a motion to declare an emergency on Resolution No. 2016-46. Boolman seconded. All present voted yea. Legislation passed.

Mayor Foureman thanked Rumpke for their service to the Village for the last several years and welcomed Best Way as the new providers. The Mayor told Best Way to call into the Village office the beginning of the following week to begin working out more of the specifics. Before Mr. Ball from Rumpke left, he did ask the council if the \$17,000 savings on the automated bid played into the awarding of the bid to Best Way. Millard said not at this time because the Village is staying with ground service at this point.

The Best Way representatives left, and a small discussion continued. Clark said there was a 3-year option for the contract, but Millard clarified that the contract IS for three years. Millard then asked if anyone was interested in knowing the difference in cost between the two companies because no one asked before the bid was awarded. Mayor Foureman said when the new legislation is discussed for the trash rates, it can be discussed then. Millard then went on to show the difference any way. The per month charge with Best Way is \$17,578, and Rumpke would have been \$18,545, creating a savings of right around \$1000/month. Annually, Best Way is \$210,900, and Rumpke was \$222,500.

Comments from the Public:

Mike Bruns from Mote & Associates:

- **Wastewater Treatment Plant** – talked about the bid advertisement that was in the Dayton Daily News and also passed out a copy of the ad. Mike pointed out a couple of items from the ad. The bid opening date is set for Wednesday, January 11, 2017 at 1PM in Council Chambers. Woodall confirmed that the room has been reserved on the Village calendar. The second paragraph of the ad talks about contractors' picking up plans and examining them. The contractor is allowed to examine plans at the Village (a set of plans was provided to the Village), but the plans have to be purchased from Mote & Associates at their office or on their website. The contractor is not permitted to take the Village's set of plans from the Village office. The set of plans at the Village can also be viewed by any resident as well. The pre-bid conference is set for December 21, 2016 at 10AM in Council Chambers. This time has also been reserved on the Village calendar. The second sheet of the handout was approval from USDA of the plans and allowing the project to move forward to the bidding phase. The third, fourth, fifth, and sixth sheets are approvals from the EPA (permit to install to actually build the project).

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The final sheet was the actual building permit from Darke County giving permission to build the structure.

- **Important dates from bid advertisement** – Pre-bid meeting, December 21, 2016, bid opening, January 11, 2017 (with the intent to have a special council meeting on January 24, 2017 to award the bid). The bid opening date could change because there is so much involved with this project and because the bid packets will be going out just before the holidays, which may not give the contractors' suppliers enough time to get all of the quotes together. Therefore, it is built in that the bid opening date can be pushed back a week to January 18, 2017 at 1PM, and then the bid would be awarded at the regular January 31st council meeting. Mike said this will be determined at the first council meeting in January.

Susan Laux from Mote & Associates:

- **Review Sources and Uses of Funds for WWTP:**

Sources of Funds

Ohio Public Works Commission Grant	\$ 500,000
Ohio Public Works Commission Loan (0%/30 yr)	\$1,500,000
USDA Rural Development Grant	\$1,700,000
USDA Rural Development Loan (2.25%/40 year)	<u>\$3,000,000</u>
Total Sources of Funds	\$6,700,000

Uses of Funds

Construction (Engineer's Estimate)	\$5,600,000
Legal & Permits	\$ 45,000
Engineering Fees	\$ 672,000*
Construction Interest	\$ 100,000
Contingency	<u>\$ 283,000</u>
Total Uses of Funds	\$6,700,000

**to lessen loan funds, use \$500,000 from Sewer Fund towards engineering costs*

Debt Repayment

OPWC Loan:	\$1,500,000 (First \$5 increase/\$50,000/yr)
RD Loan:	<u>\$3,000,000</u> (Property tax assessments)**
Total Loan Funds:	\$4,500,000

Operation & Maintenance: \$5.00 (Covered by second \$5 increase)

***\$600,000 CDBG Grant to pay property assessments of low-moderate income residents with any leftover funds used to reduce loan balances. Need to hold two public hearings and pass resolution to submit application.*

- **CDBG Grant** – This is money that could not be tapped or gone for until the Village received it's permit to install the facility from the EPA, which has now been received. The Village can apply for up to \$600K, and \$100K of that has to be used toward property assessments. Susan explained that CDBG requires that if a project will have any type of property tax assessments attached to it, anyone that is low to moderate income, they cannot be assessed. CDBG will not allow you to have a project with assessments and their money if low to moderate income individuals are being assessed. Essentially, if the Village were to apply for the \$600K, the Village would then have to offer the money to all low to moderate income households in the Village (that meet an eligibility requirement) first to pay their assessments. Everyone that applies that meets the income eligibility requirement would receive enough money to pay the complete assessment. Whatever money would be left after paying assessments would be able to be put towards the WWTP project or lessening the Village's loan amount on the project. The income eligibility applications would be done through the utility clerk and village administrator. You also have to be a home owner, and the home has to be owner occupied. Millard asked what the numbers are for low to moderate income. Susan said they would be based on Darke County numbers which she guesstimated to be around \$35-\$40K for a family of four. She also explained that information does fluctuate up or down some each year. In order to apply for the money, the Village has to hold two public hearings, and a resolution has to be passed as well as an online application has to be completed, an environmental review, a release of funds, status reporting, final reporting, and CDBG allows \$20K out of the \$600K to go toward paying someone to do all of that for the Village (max of \$20K for grant administration for all the paperwork and monitoring). Susan then said that she would need to send a formal letter of intent and pass the resolution as well as schedule the public hearings.
- The first public hearing will be on January 3, 2017 at 6PM in Council Chambers and will cover all the different programs that CDBG offers. The second public hearing will be January 10, 2017 at 6:30PM in Council Chambers and will only be about the Village's project and that the money is being applied for to be able to pay for assessments for individuals that are low to moderate income in regards to this project and remaining funds will be used to either reduce loans or do additional work on the project. Sign in sheets, agendas, locations of the 5 postings of the flyers for the meeting, and minutes from the public hearings all have to be submitted with the application for the grant. Susan will run the meetings.

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- Mayor Foureman asked for a motion to move forward with the scheduling of the public hearings for the CDBG grant for the Wastewater Treatment Plant Project. A motion was made by Willis to move forward with the scheduling of the public hearings for the CDBG grant for the Wastewater Treatment Plant 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: Nothing at this time.

Planning Committee: Next meeting is scheduled for Tuesday, December 20, 2016 at 4PM. Willis has been speaking with Bill Kessler about the Village's internet situation, and he would like to talk with the Village and Paul Doss about what can be done. Boolman asked if anyone is also contacting Time Warner Cable. Willis said that Kessler has done some research on that as well. Willis would also like to discuss the abatement ordinance if time allows. Chief Ashbaugh has done some research on this as well pertaining to land lords who have tenants that are causing problems within the Village.

Personnel Committee: Meeting was held on Tuesday, December 13, 2016 at 5:00PM in Council Chambers. Committee members present were Vanessa Delk and Julie Willis. Also present were Mayor Judith Foureman and Utilities Superintendent Keir Smith. Delk reported on the following:

- **Wage Scale Discussion** – Committee discussed wage scale for the Utility Department with the requested input from Smith – Delk also attached the original worksheet that was started on the wage scale in 2013. Committee recommends the wage scale to be amended to the following: **Utility Craftsman** (Start: \$14 Top Out: \$16), **Lineman Apprentice** (Start: \$17 Top Out: \$19), **Lineman II** (Start: \$20 Top Out: \$22), **Lineman I** (Start: \$23 Top Out: \$23.78), **Utility Clerk** (Start: \$13 Top Out: \$17) – Most of the positions had roughly a 2-year minimum to go from one level to the next with the exception of Lineman II to Lineman I was 3-year
- Instead of raises occurring in set increments (a raise after 6-month probationary period, a raise after one year, etc.), the committee recommends allowing the employee to be granted raises over a two year period as deemed appropriate by the department supervisor. The supervisor would have the ability to reward employees who exceeded expectations. At the same time, the employee would not automatically be entitled to a wage increase if improvements in job performance are needed.
- Discussion of an deal crew was also had – it was determined that a team of 4 plus a supervisor would be ideal, so either two teams of two or one team of four depending on the project and a minimum of two Lineman I – the current situation in the Utility Department is they are one short – they have two Lineman I, no Lineman II, and a Utility Craftsman – however, Devin will shortly be moved to Lineman II and his Utility Craftsman position will need to be back-filled
- Millard brought up how Greenville's pay system is set up – everyone is set up to receive a raise automatically every year for the first five years based on their position at which time they reach their top out – after that, the employee receives no more increases – Willis asked if the employees ever get a cost of living increase – Millard said she was told the employees do not receive cost of living increases – every once and awhile, the Council will decide to give a raise, but it is not a cost of living increase

Finance & Audit Committee: Nothing at this time.

Administrative Reports:

Mayor: Mayor Foureman reported on the following:

- **Mutual Aid Agreement from Montgomery County** – This is an agreement that the Village receives every year or every other year. There are no charges or fees for this agreement. Mayor Foureman asked for a motion authorizing the Mayor to sign a Mutual Aid Agreement with Montgomery County for Police Services. A motion was made by Delk authorizing the Mayor to sign a Mutual Aid Agreement with Montgomery County for Police Services. Boolman seconded. All present voted yea. Motion passed.
- **Quote for flat roof repair** – quote was presented as part of 2017 appropriations, but Kremer roofing has a 30-day clock on the quote. Mayor Foureman asked for a motion to move forward with a flat roof repair in the Utility Department with Kremer Roofing for \$5150. A motion was made by Willis to move forward with a flat roof repair in the Utility Department with Kremer Roofing for \$5150. Delk seconded. Motion passed.

Solicitor: Not present.

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Acting Village Administrator: Mayor Foureman reported on the following:

- Keir reported that during the slower winter months and when weather does not permit them to work outside, the utility department is canvassing town and making note of poles that need to be replaced to be put on a schedule.
- Boolman asked if the bracket had been replaced on the snowplow. The Mayor was of the understanding that everything was in working order.
- The street department worker will be in and out next week with his wife having surgery, so Keir said his department will be available to help where needed.
- The seasonal worker is coming to a point where he will just be on call once Mark is back.
- Millard asked about McFarland. The Mayor said that would be discussed in executive session.
- Two more interviews for Village Administrator were conducted, and the Mayor is still not ready to recommend. Delk expressed that the Personnel Committee felt more interviews needed to be done.
- The Mayor also spoke with Jerry Snyder concerning another roof repair in the Utility Department that has been outstanding for at least two years. Jerry had previously given an invoice for work completed to Bill Sinnes, but that invoice was not passed on to the Fiscal Officer to be paid. Mr. Snyder said that he would re-bill the Village for work that had been completed, and then the Village could contract with someone else to complete the work.

Fiscal Officer: Woodall reported on the following;

- Woodall informed Council that after the approval of expenditures, the Mayor would be asking for a motion authorizing the Fiscal Officer to pay any remaining bills through the end of 2016 since there would be no other meeting in December. Woodall went on to say that most of those bills would be regular monthly bills such as Vectren, Verizon, Century Link, the hardware store, Sutton's, Troutwine's, etc. Woodall also explained that there would not be a large amount of carryover PO's from 2016 into 2017. All PO's for 2016 have been turned in and encumbered.

New Business:

Ordinance No. 2016-67 - Mayor Foureman read by title only an Ordinance establishing 2017 rental rates for various Village-owned facilities in the Village of Arcanum. This is a first reading. A motion was made by Millard to waive the three reading rule on Ordinance No. 2016-67. Delk seconded. All present voted yea. Millard made a motion to adopt Ordinance No. 2016-67. Delk seconded. All present voted yea. Legislation passed. Ordinance will be effective January 13, 2017.

Ordinance No. 2016-68 - Mayor Foureman read by title only an Ordinance authorizing the Village Utility Clerk to institute collection procedures for delinquent electric utility accounts. This is a first reading. A motion was made by Delk to waive the three reading rule on Ordinance No. 2016-68. Van Hoose seconded. All present voted yea. Delk made a motion to adopt Ordinance No. 2016-68. Van Hoose seconded. All present voted yea. Legislation passed. Ordinance will be effective January 13, 2017.

Ordinance No. 2016-69 - Mayor Foureman read by title only an Ordinance for appropriations for current expenses and other expenditures of the Village of Arcanum, Darke County, Ohio, during fiscal year ending December 31, 2017 and declaring an emergency. A motion was made by Boolman to waive the three reading rule on Ordinance No. 2016-69. Willis seconded. All present voted yea. Boolman made a motion to adopt Ordinance No. 2016-69. Willis seconded. All present voted yea. Boolman made a motion to declare an emergency on Ordinance No. 2016-69. Willis seconded. All present voted yea. Legislation passed.

Ordinance No. 2016-70 - 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 Millard to waive the three reading rule on Ordinance No. 2016-70. Clark seconded. All present voted yea. Millard made a motion to adopt Ordinance No. 2016-70. Clark seconded. All present voted yea. Millard made a motion to declare an emergency on Ordinance No. 2016-70. Clark seconded. All present voted yea. Legislation passed.

Ordinance No. 2016-71 - 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. (Garbage & Refuse Fund) Woodall explained that additional appropriations were necessary to pay the remainder of the November bill and whatever the December bill will be. The Rumpke contract amount and what is needed is off about \$18000. Woodall is investigating, but appropriations are necessary in the interim since no more meetings are being held in December. Willis pointed out that in the title of the ordinance, it read "an amendment to the 2015 appropriations" instead of 2016. Woodall made the correction to read "an amendment to the 2016 appropriations". A motion was made by Millard to waive the three reading rule on Ordinance No. 2016-71 as amended. Van Hoose seconded. All present voted yea. Millard made a motion to adopt Ordinance No. 2016-71 as amended. Van Hoose

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seconded. All present voted yea. Millard made a motion to declare an emergency on Ordinance No. 2016-71 as amended. Van Hoose seconded. All present voted yea. Legislation passed.

Ordinance No. 2016-72 - Mayor Foureman read by title only an Ordinance establishing new waste collection rates for the Village of Arcanum. This is a first reading. Millard explained that the trash rates will be slightly lowered. Millard also shared with council that bids were put in for automated trash pickup as well. The cost savings to go automated is considerable. Since this is a three-year contract, Millard had asked Pohlman if it would be legal to change over to automated mid-contract. It wouldn't be legal because at the original bid opening Rumpke was less on the automated than Best Way because Best Way made a mistake on their automated bid. Best Way would be willing to work with the Village on the automated price, but the right thing to do would be to re-bid. Most likely, the Village will maintain ground service for the next 3 years. A motion was made by Van Hoose to waive the three reading rule on Ordinance No. 2016-72. Millard seconded. All present voted yea. Van Hoose made a motion to adopt Ordinance No. 2016-72. Millard seconded. All present voted yea. Legislation passed. Ordinance will be effective January 13, 2017.

Resolution No. 2016-43 - 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. 2016-43. Clark seconded. All present voted yea. Millard made a motion to adopt Resolution No. 2016-43. Clark seconded. All present voted yea. Millard made a motion to declare an emergency on Resolution No. 2016-43. Clark seconded. All present voted yea. Legislation passed.

Resolution No. 2016-44 - Mayor Foureman read by title only a Resolution providing for the 2017 Organizational Meeting and Regular Meetings of Council for the Village of Arcanum, Darke County, Ohio and declaring an emergency. Willis stated that the resolution copy in the council packet was typed as Resolution No. 2017-44 instead of 2016-44. The resolution was amended to read Resolution No. 2016-44. A motion was made by Boolman to waive the three reading rule on Resolution No. 2016-44 as amended. Willis seconded. All present voted yea. Boolman made a motion to adopt Resolution No. 2016-44 as amended. Willis seconded. All present voted yea. Boolman made a motion to declare an emergency on Resolution No. 2016-44 as amended. Willis seconded. All present voted yea. Legislation passed.

Resolution No. 2016-45 - Mayor Foureman read by title only a Resolution authorizing the Village of Arcanum to enter into a renewal agreement with USI Insurance for one year ending December 1, 2017 and declaring an emergency. Woodall did check with Versailles, and they do use another insurance company. USI would not grant the Village a 30-day extension, and there is a clause in the Village's policy with them stating that if the Village cancels the policy within 90-days of renewal, the Village loses 25% of the premium. Woodall still met with Dale Dixon from Wichert Insurance out of Lancaster, and he will put a quote together for the Village. He will send the quote to Woodall, and he would like to come to the Village's January 31 meeting to go through it. Versailles also expressed that they have used Wichert Insurance for years, and they have been very pleased with their service. The renewal with USI is \$41,429. A motion was made by Millard to waive the three reading rule on Resolution No. 2016-45. Delk seconded. All present voted yea. Millard made a motion to adopt Resolution No. 2016-45. Delk seconded. All present voted yea. Millard made a motion to declare an emergency on Resolution No. 2016-45. Delk seconded. All present voted yea. Legislation passed.

Resolution No. 2016-47 - Mayor Foureman read by title only a Resolution authorizing the Mayor to enter into an agreement for the payment of certain engineering costs and declaring an emergency. This is for the Kelly Merritt payment agreement. A motion was made by Millard to waive the three reading rule on Resolution No. 2016-47. Van Hoose seconded. All present voted yea. Millard made a motion to adopt Resolution No. 2016-47. Van Hoose seconded. All present voted yea. Millard made a motion to declare an emergency on Resolution No. 2016-47. Van Hoose seconded. All present voted yea. Legislation passed.

Resolution No. 2016-48 - Mayor Foureman read by title only a Resolution reappointing Tom Staley, Micah Brown, and Bruce Shank to the Zoning & Appeals Board of the Village of Arcanum, Darke County, Ohio and declaring an emergency. Mayor Foureman questioned whether Becky Dynes was actually still on the Zoning & Appeals Board. Woodall said she was on the latest resolution that she found. A motion was made by Delk to waive the three reading rule on Resolution No. 2016-48. Willis seconded. All present voted yea. Delk made a motion to adopt Resolution No. 2016-48. Willis seconded. All present voted yea. Delk made a motion to declare an emergency on Resolution No. 2016-48. Willis seconded. All present voted yea. Legislation passed.

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Resolution No. 2016-49 - Mayor Foureman read by title only a Resolution authorizing the Mayor to apply for, accept, and enter into a cooperative agreement for interim financing of the construction of the mechanical wastewater treatment plant project between the Village of Arcanum, Darke County, Ohio and the Ohio Water Development Authority and declaring an emergency. A motion was made by Boolman to waive the three reading rule on Resolution No. 2016-49. Willis seconded. All present voted yea. Boolman made a motion to adopt Resolution No. 2016-49. Willis seconded. All present voted yea. Boolman made a motion to declare an emergency on Resolution No. 2016-49. Willis seconded. All present voted yea. Legislation passed.

Resolution No. 2016-50 - Mayor Foureman read by title only a Resolution providing for a transfer from the Separation Phase III Capital Projects Fund to the Sewer Debt Service Fund 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. 2016-50. Delk seconded. All present voted yea. Millard made a motion to adopt Resolution No. 2016-50. Delk seconded. All present voted yea. Millard made a motion to declare an emergency on Resolution No. 2016-50. Delk 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 Clark to pay the properly appropriated and funded expenditures. Millard seconded. All present voted yea. Motion passed.

Mayor Foureman asked for a motion to authorize the Fiscal Officer to pay any remaining bills through the remainder of 2016. A motion was made by Van Hoose to authorize the Fiscal Officer to pay any remaining bills through the remainder of 2016. Clark seconded. All present voted yea. Motion passed.

Millard brought to council the definition for improved land versus unimproved land:
Improved land – a building is considered an improvement to land when we speak of improved land in real estate and in listing, it's generally land that has certain utilities and services available to it. These would include electric, water, sewer, telephone, etc.

Millard then went on to discuss a resident that has been coming into the office and complaining to the utility clerk about why he has to keep paying minimums for water and sewer on a lot he owns that does not have a house on it. It is located at 404 W. Washington where a trailer was previously pulled out. The property does still have a meter, so he does get billed the minimum. This prompted the utility clerk to bring up 305 N. Locust that has not paid anything since it went into foreclosure in 2013, and the account was made inactive and the meter pulled. This brings to light again that there is no consistency as far as why some empty houses have their meter pulled and don't pay the minimum and some do. Some empty lots pay the minimum and some don't. However, most of them were factored in originally when the \$10 debt reduction was figured. Bottom line, there is a communication lapse on when we charge and when we don't. This needs to be cleared up.

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 9:12 PM.

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

A motion was made by Boolman to return from executive session. Willis seconded. Council returned from executive session at 9:30 PM.

Mayor Foureman asked for a motion to extend Jeanette McFarland's salary continuation for another 45 business days. A motion was made by Delk to extend Jeanette McFarland's salary continuation for another 45 business days. Boolman seconded. All present voted yea. Motion passed.

Mayor Foureman asked for a motion to pay Nola Ditmars \$500 in a separate check on the last payroll of 2016 due to a clerical error from 2013. A motion was made by Boolman to pay Nola Ditmars \$500 in a separate check on the last payroll of 2016 due to a clerical error from 2013. Boolman seconded. All present voted yea. Motion passed.

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Old Business:

- Millard stated that she reviewed the potential changes to the Village zoning ordinance that was passed out at the previous council meeting, and she had some questions. Millard asked if the new ordinance gets passed by council and then goes to the Zoning & Appeals Board. Mayor Foureman explained that the proposed changes go the Zoning & Appeals Board first, and then council acts on it. This confirmed to Millard that the Zoning & Appeals Board has not even seen the proposed changes yet.
- Millard said there are places in the new ordinance where the Village Administrator is still referenced, and those need to be changed back to the Mayor.
- Millard referenced the Zoning Permit Revocation section, which reads in part “The enforcing officer may issue a revocation notice to revoke a permit or administrative approval which was issued contrary to this zoning code or issued upon false information or misrepresentation.” Millard’s interpretation of this section is that a permit can be taken away and wanted to know if she was interpreting correctly. Willis confirmed that is correct. A permit can be taken away once issued under these circumstances. Millard was referring to a particular residence in town, but Willis informed council that one of the buildings had been taken down.
- Millard read from another section, “Whenever a violation of this zoning code occurs or is alleged to have occurred, any person can file a complaint and take it to the enforcing officer.” Millard feels this statement is okay, but she pointed out the Solicitor believes the Village is not able to do this because of when the new ordinance is going to be passed. However, the new ordinance is not written this way. Willis said she would speak with Nicole about this to make sure that it is okay the way it is written.
- “From April 1st to October 31st, no more than two recreational vehicles..” – Millard’s question was what if someone has two trailers and has snowmobiles on one and four wheelers on the other? Delk pointed out this was discussed, but it was determined there was no way to limit everything specifically. Willis added that if someone were to come back from camping, they would have a few days to unload and get that type of vehicle/equipment cleared away. Boolman said he understood that, but his point was after October 31st, they could store it in their backyard. Millard read on, “From November 1st to March 31st, no such equipment..” – Millard went back to her original point, which was even with definitions in the new ordinance of campers and recreational vehicles and a section addressing commercial, there are still gray areas open to interpretation. Her feeling was the new ordinance was being worked on to be black and white and not open to gray areas.
- Millard read from Versailles’s ordinance the following, “Any and all recreational vehicles and utility trailers parked or stored in the side or rear yard shall be on a hard surface. All wheels of the recreational vehicle or utility trailer shall be resting entirely upon a hard surface.”, and she pointed out this is not included in the Village’s new ordinance. Delk said this would keep resident’s from parking such vehicles in the yard.
- Millard read from another Versailles passage, “In no instance shall there be more than two recreational vehicles and/or utility trailers. All recreational vehicles and utility trailers that are longer than 30 feet, higher than 12 feet, or have more than 6 wheels are strictly prohibited from being stored on residential property within the Village.” Millard thought maybe this language was more clear. Boolman stated the utility trailer verbiage needs to be included in the new ordinance, but he does not agree with the hard surface because he does not want to see trailers being stored on the side of houses all year round.
- Millard stated that she liked the original suggestion that everyone else wanted to change which stated, “No more than one recreational vehicle shall be parked at any time on any residential lot.” Delk said that they ran through many different scenarios, and limiting to one was not going to work.
- Boolman asked what the next step is (i.e. change the verbiage and send the proposed changes to the Zoning Board or something else). Willis stated that this goes back to the Planning Committee now.
- Millard also had questions about the commercial and heavy and over 10,000 pounds. She wanted to know if those were included in this new proposed ordinance. The Mayor explained that those items are addressed in different sections of the whole Zoning Code with different ordinances, and this new ordinance is just another section of the whole Zoning Code. All of these different sections are separate until each has been reviewed and amended or something new passed. When complete, there will be a new complete Zoning Code with the updated ordinances. Millard didn’t understand then why any commercial items were referenced in this new ordinance. Boolman explained that is because items such as lawnmowers are not addressed under heavy equipment, etc. Boolman stated that Pohlman may want to include a reference to the ordinance numbers that specifically address commercial and heavy equipment and over 10,000 pounds.

Announcements:

Adjournment: A motion was made by Delk to adjourn. Willis seconded. Meeting ended at 9:48 PM.