

**Village of Arcanum Council Meeting**  
**Tuesday, April 25, 2017**  
**7:00 PM**

Council President Bonnie Millard opened the meeting by asking everyone to join her in the Pledge to the Flag.

Prior to roll call, Council President Millard stated that a council member had tendered their resignation, and Councilwoman Delk had the letter of resignation to read. Delk read from the letter as follows: "To Whom It May Concern: As of April 25, 2017, I resign from the Village of Arcanum Council. Sincerely, Julie Willis". Delk stated that a copy of the letter was delivered to Mayor Foureman's mailbox so that it could be placed in Willis's file. A motion was made by Delk to accept the resignation of Julie Willis from the Village of Arcanum Council effective April 25, 2017. Clark seconded. All present voted yay. Motion passed.

Council members Bonnie Millard, Eric Van Hoose, Jerry Boolman, Vanessa Delk, and Monte Clark answered roll call. Also present were Village Administrator Bill Kessler, Fiscal Officer Darcy Woodall, Fire Chief Kurt Troutwine, resident Rodney Armstrong, and business owner Jerry Hinshaw.

**Council Minutes:** Millard asked for approval of the minutes of April 11, 2017. A motion was made by Boolman to approve the minutes of the April 11, 2017 Council meeting. Delk seconded. All present voted yea. Motion passed. Millard asked for approval of the minutes of April 18, 2017. A motion was made by Delk to approve the minutes of the April 18, 2017 Council Work Session. Boolman seconded. Millard, Boolman, Delk, and Clark voted yea. Van Hoose abstained. Motion passed.

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

**Amendments to the Agenda:**

**Comments from the Public:**

**Fire Chief Kurt Troutwine gave the first quarter fire report:**

- Millard asked if the Chief keeps files on the maintenance of all the fire vehicles, and he confirmed that yes he does
- Membership is still good – currently at 27 members – two cadets in the cadet program will be graduating from high school in June and plan to stay around as firefighters – Kurt has given the cadets a few goals to meet, one of which is getting all the fire hydrants painted – have started in the north end and are working their way south – all hydrants will be yellow, and the tops will be color coded based on the gallons/minute of water that come out of them – the tops may not be painted right now because the hydrants will be tested to determine how many gallons/minute are dispensed
- New fire engine has been held up – was expected mid-May but has been pushed back to around the first part of June – Kurt has changed the bid information for the truck that is going to be sold to July 1<sup>st</sup> or after – need to get started on legislation for bid approval
- At the conclusion of the Chief's report, Millard passed out copies of a letter that was addressed all council members – a copy was also given to Chief Troutwine – the letter pertained to a concern with a personnel issue/incident within the cadet program – Council and Chief Troutwine discussed the letter

**Administrative Reports:**

**Mayor:** Council President Millard discussed the ad for someone to serve Willis's remaining council term, which expires December 31, 2017. The members of council determined the appropriate language for the ad and directed Woodall to run the ad for the next two weekends. Millard expressed that interviews would need to be conducted and would like to have someone appointed for the May 30<sup>th</sup> meeting. Nicole reminded council that person actually needs to be appointed by or before May 25<sup>th</sup> because Council only has 30 days to appoint someone to the open seat.

**Solicitor:** Nothing at this time.

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

- **Mosquito Control Grant** – grant submitted – waiting on approval – mosquito traps have been received
- **Grants – Park Grant** – pictures and access drawings are available for review – these pictures and drawings are what will be submitted with the application to the Parks District – Bill met with the Parks District to confirm that these projects are good, valid projects – 5 projects will be submitted – Village labor will be used to offset some of the costs so that no Village money will need to be used in addition to the grant money received – the #1 project is at the ballpark, which will be paving from the back of the new shelter/restrooms back to the old railroad bed – this will allow people who park back there access for wheelchairs and strollers - grant is due by May 15<sup>th</sup>, not May 5<sup>th</sup> as previously thought

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- **Safety** – in process of putting together a safety program for the office and street department as well as a first aid and AED plan – got a proposal from Cintas for what it would cost the Village if the Village turned everything over to Cintas and had them provide AEDs/maintenance of AEDs, first aid kits/maintenance of first aid kits – would see upfront costs of about \$7K-\$8K and then \$400/month recurring at a minimum – Bill also met with Terry Schroeder from Arcanum rescue – he believes the Village should be able to buy the AEDs outright and maintain the first aid kits in house – Bill then met with Chief Troutwine to see about the possibility of someone in the fire department checking and maintaining the Village's first aid kits – Bill got a proposal from Physio Control for four more AED units to make sure that the Village has an AED in all public locations – the cost would be \$6900 – these units have an 8-year warranty – Schroeder told Bill that the most important place for the Village to keep an AED is in the Utility Department's truck – these proposals need to be discussed further in Safety Committee
- **Pool** – progress continues – all lifeguards have been hired – some have turned in all necessary paperwork to begin employment
- **Capital Assets** – work on this plan is continuing
- **AMP Meeting** – April 19<sup>th</sup> attended meeting in Columbus – learned more on the hydro plant and the potential that the Village's bills may increase due to the issues AMP is having with getting the plant open
- **Upcoming Meetings** – MESA Meeting May 10<sup>th</sup> in Piqua – CIC wants to find out a long term plan as well as what Arcon's plans are for Carol Acres so set a meeting with Tim from Arcon for April 26<sup>th</sup> – week of April 24<sup>th</sup> have a long term planning meeting with Mote & Associates
- **Annexation** – Annexation letter for council review in packet for tonight's meeting to Robinson Benanzer Custom Homes for annexation of property located at 6492 Hollansburg-Arcanum Rd – Bill researched the subject in the ORC and believes based on what the ORC, the Village is covered on this subject – based on his research and speaking with Curt Garrison, Bill did not feel that further legislation was needed on the subject of annexation (referencing the legislation that was requested by Boolman at the previous council meeting) – Millard opened this for discussion with the rest of council by asking for clarification of some points and then asking if the rest of council was comfortable with no additional legislation on the subject – Boolman was still of the opinion that legislation is needed to state that the Village will not extend Village services unless the property commits to annex – final determination was that legislation is in fact needed as originally requested by Boolman
- **Request** – requesting permission to start an Arcanum Parks & Recreation Board possibly consisting of: Village Administrator, Junior Baseball member, Garden Club member, Public Safety member, Business Association member, Historical Society member, school staff member, Village resident – Millard mentioned that at one time several years ago, there was a park board – she suggested Bill get in contact with Tom Staley, who she believed was on it at that time
- **Ordinance 2012-45** – Bulk Water – needs revised per the utility department staff – currently being billed incorrectly based on the wording in the ordinance – currently reads "there shall be a flat fee of \$25 for all parties who seek to receive bulk water", and needs to read "\$25 per load" – also reads "\$0.075 cents per gallon" – but the readings are done per cubic foot, which there are 7.48 gallons/cubic foot – needs to read "\$0.075 cents per cubic foot" – because of the current language in the ordinance, anyone who has purchased bulk water in the recent past was overcharged – the number of gallons that were purchased should have been divided by 7.48 and then multiplied by the \$0.075 cents to determine the cost – instead, the total number of gallons was multiplied by \$0.075 cents, inflating the cost exponentially – Millard intervened and stated that this should be further discussed in Utility Committee
- **Carwash** – current owner of the carwash, Jerry Hinshaw, would like to entertain the idea of purchasing the railroad bed behind the carwash in order to install an automated carwash bay – Mr. Hinshaw was in attendance at the meeting and introduced himself at this point – Millard stated that this same idea had been discussed a few years ago but at the time, Keir, the Village Utilities Superintendent, had said he didn't feel comfortable with the Village selling that off because it is a direct line to our utility buildings – Millard did say it could be revisited but should be discussed again with Keir and the Utility Committee – Mr. Hinshaw then stated that his intent is to invest \$200K-\$400K in upgrading the carwash to bring more business to it and help the town – he also said if the Village is not willing to sell part of the railroad bed needed for the upgrade, he will just close the carwash completely – through a lengthy discussion, it was determined that Mr. Hinshaw would attend the next Utility Committee meeting (scheduled later in the meeting), at which time, he, Boolman, Bill, Keir, and the rest of the committee could determine if this plan could move forward

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

- Woodall informed Council that she received a letter from Susan at Mote that needed to be approved by motion, signed, and returned to OPWC as soon as possible – the letter stated that the Village no longer needed the \$1.5M loan funds from OPWC for the WWTP project but would still be utilizing the grant funds of \$500K – this release of funds was needed so that OPWC could reallocate those funds to another entity

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- A motion was made by Delk authorizing Woodall to sign a letter to OPWC releasing the loan funds of \$1.5M for the WWTP project back to OPWC but still keeping the \$500K in grant funds. Van Hoose seconded. All present voted yea. Motion passed.

**Committee Reports:**

**Service & Leisure Committee:** Meeting was held on Thursday, April 13, 2017 at 4:30PM in Council Chambers. Committee members present were Eric Van Hoose, Bonnie Millard, and Monte Clark. Also present was Village Administrator Bill Kessler. Van Hoose reported on the following:

- **Sidewalks** – Bill and Eric looked at all properties on Main Street that were in violation with sidewalks and trees – Bill has the list updated with all the properties in violation - Bill will have a letter ready for the committee to review next week – this letter will go out to those properties
- **Grants – Ballpark Access** – 8ft wide from gravel to restrooms – then 4ft along the restrooms (Seamless quote \$5580) – **Ivester Park Access** – 5ft wide path from parking lot to playground equipment and out to the bench (Seamless quote \$3500) – **Scout House/Shelter House** – 5ft wide path to the Scout House and 5ft wide path from drive to shelter house (Seamless quote \$3400) – From drive to the middle of the park to drinking fountain then across the other side (quote \$5K) – **Gazebo** – from gazebo west to the drive
- **Capital Assets** – Bill will take a look at the inventory to see what is necessary – will have a list by mid-July
- **Safety** – Cintas can maintain the first aid kits
- **Fence** – Hess gave an estimate for pool of \$800 and at ball diamonds of \$1900
- **Pool** – Some items that need to be purchased before the pool opens - Small chemical pump (\$403), metal door frame (\$250), flow meter (\$200), 3 skimmers for the pool, safety pouches (\$66), computer (\$1133) – managers will book all pool parties
- **Levy Fund** – Committee recommends repair of fence at ballpark with quote from Hess of \$1900 and take the funds out of the Parks & Rec Levy Fund – Woodall added that the pool fence repair of \$800 would also need to come from the levy fund
- Millard added an issue that she had discussed with Bill and Darcy concerning on call pay for lifeguards – when there is a pool party, two lifeguards are scheduled to work, and a third lifeguard is “on call” in case one of the others calls off or can’t work – historically, the “on call” lifeguard has been paid for 1 hour for being on call – Millard asked Darcy if that is an actual policy and if Darcy felt that legislation was needed to document this policy and authorize her to pay this on call pay – Darcy expressed that it is a practice that has just been done in the past and is not officially documented, but she feels it should be just like call in pay and stand by pay is for the utility and street department – if there is actual legislation on the books for the on call pay, then Darcy is officially authorized to make that payment through payroll, and it does not become an audit issue

Next meeting is Thursday, April 27, 2017 at 5:00PM in Council Chambers

**Safety Committee:** Clark reported on the following:

- Clark passed out a report he had the Fiscal Officer prepare pertaining to police overtime in the first quarter of 2017 – there was \$5489.89 paid out in police overtime during the first quarter – the prepared report broke down by officer how many hours of overtime each officer worked – Clark specifically pointed out the SRO had 91 hours of overtime, questioning why the SRO would have that much overtime when he is only scheduled at the school 5 days a week from 7:15am to 3:45pm – Clark did speak to the police chief, who said he was unaware of how much overtime the SRO was clocking – Clark went on to say that when the project for the new offices upstairs was presented, the police chief told the committee that all the Village had to do was buy the materials – there would be no overtime associated with officers working to finish that project – however, that is not what happened – the officers were paid for working on the project, and it put some of them into overtime – Clark said the police chief assured him that the overtime the second quarter wouldn’t even be half what it was the first quarter – Boolman then asked if it would be possible to have the police chief attend the next Finance Committee meeting – Millard asked Bill to ask Chief Ashbaugh to be in attendance at the Finance Meeting on 4-26 – Millard also brought up the contract negotiation for the SRO contract for the 2017-2018 school year and asked that vacation pay be discussed – she feels the school should bear some of the responsibility for payment of vacation days even if the vacation is not taken during school months – she also wants to know from the Police Chief how the work this extra full time officer does during the three months of time that the Village has them during the summer months will or can be measured to show the value of what the officer is doing or provides for the Village

**Utility Committee:** Nothing at this time. Next meeting is Monday, May 8, 2017 at 4:30PM in Council Chambers.

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- Millard brought up the legislation needed for the increased sewer rates – there is currently \$10 on going to debt reduction – however, \$5 is supposed to be debt reduction and \$5 is supposed to operation and maintenance – the original legislation was passed incorrectly – to avoid confusion, the old legislation will not be amended, and the new legislation will be broken down as follows: \$7 additional for debt reduction and \$5 for operation and maintenance for a total of an additional \$12 increase – this will create three lines in sewer revenue – debt reduction, debt reserve, and asset reserve (operation & maintenance) – council feels it is best to increase it the whole \$12 now (for a total of \$22 increase) and if at the end of the project, there is enough contingency money to partially or fully fund any of the above accounts, then council could back off some of the rate increase at that time

**Planning Committee:** Nothing at this time. Delk offered to pick up and continue items that had been being worked on in committee in light of Willis's resignation. Next meeting is Wednesday, May 10, 2017 at 4:30PM in Council Chambers.

**Personnel Committee:** Delk reported that after some thought and discussion after the last council work session, it seems clear that the updates and changes to the personnel manual to go back to committee rather than continuing with work sessions as there are many detailed things that still need to be discussed and hashed out. Delk told Council that in talking with Bill and him talking with Clemans & Nelson, it was discovered that they were not working off the correct version of our manual, and there had been some breaks in communication and confusion between all parties. Millard also confirmed that she had contacted Clemans & Nelson because she did not feel comfortable that they were working from the correct version. Millard explained to Wendy from Clemans & Nelson what council was told by Mayor Foureman, which was that Clemans & Nelson would provide the Village a basic manual that is used and then the Village would need to add what they want. Wendy told Millard that was not the process. Millard then read from the Clemans & Nelson contract that "the consultant will develop the first draft of the ppm based on information provided by the client, the consultant's analysis of the current policies and procedures". Delk agreed with Millard that this was also her understanding of how the Village would work with Clemans & Nelson, not that Clemans & Nelson would provide the Village with a basic or generic manual and the Village have to add to it. The consensus of Council is that both sides need to bear some of the responsibility for the breakdown and move on from here. Council also believes that at this point, the time and money needs to be put in for the manual to be done right, even if it ends up costing the Village more than originally planned. Delk did say that Clemans & Nelson would not charge for clerical items at this point. However, the Village will continue paying attorney's fees and the monthly retainer. Delk stated this may not be ideal, but it is fair.

**Finance & Audit Committee:** Nothing at this time. Next meeting is Wednesday, April 26, 2017 at 5PM in Council Chambers.

**Old Business:**

**New Business:**

**Ordinance No. 2017-15** – Council President Millard read by title only an Ordinance adopting a moratorium on applications for, and the granting of, zoning certificates for any building, structure, use or change of use, or any other authorization, that would enable the cultivation, processing, distribution or sale of medical marijuana for a period not to exceed twelve months in order to allow the Village to review applicable State and Local laws, to plan for regulations relating to such uses, and declaring an emergency. This is the third reading. A motion was made by Delk to adopt Ordinance No. 2017-15. Boolman seconded. All present voted yea. Legislation passed. Ordinance will be effective May 25, 2017.

**Ordinance No. 2017-19** – Council President Millard read by title only an Ordinance providing for a one-time bonus payment for eligible full-time employees of the Village of Arcanum. This is the second reading. An issue was brought to light concerning the wording in the ordinance that would exclude two current full time employees whose one-year anniversary dates fall just outside of this legislation going into effect. Therefore, Section 1 of the ordinance is to be amended. A motion was made by Millard to amend Ordinance No. 2017-19, Section 1 to now read "All present full-time employees shall be paid a one-time bonus payment of Seven Hundred Dollars (\$700.00), except for the Village Administrator, William Kessler, whose employment with the Village of Arcanum commenced on March 15, 2017. Boolman seconded. All present voted yea. Motion passed.

**Ordinance No. 2017-20** – Council President Millard read by title only an Ordinance providing for reimbursement of training and certification expenses for lifeguards of the Village of Arcanum, Ohio. This is the second reading.

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**Ordinance No. 2017-22** – Council President Millard read by title only an Ordinance providing for an amendment to the 2017 appropriations of the Village of Arcanum, Darke County, Ohio, and declaring an emergency. (General & Street Fund) A motion was made by Boolman to waive the three reading rule on Ordinance No. 2017-22. Delk seconded. All present voted yea. Motion passed. Boolman made a motion to adopt Ordinance No. 2017-22. Delk seconded. All present voted yea. Motion passed. Boolman made a motion to declare an emergency on Ordinance No. 2017-22. Delk seconded. All present voted yea. Legislation passed.

**Ordinance No. 2017-23** – Council President Millard read by title only an Ordinance providing for an amendment to the 2017 appropriations of the Village of Arcanum, Darke County, Ohio, and declaring an emergency. (Parks, Pool & Recreation Levy Fund) A motion was made by Van Hoose to waive the three reading rule on Ordinance No. 2017-23. Delk seconded. All present voted yea. Motion passed. Van Hoose made a motion to adopt Ordinance No. 2017-23. Delk seconded. All present voted yea. Motion passed. Van Hoose made a motion to declare an emergency on Ordinance No. 2017-23. Delk seconded. All present voted yea. Legislation passed.

**Resolution No. 2017-14** – Council President Millard read by title only a Resolution authorizing the acquisition of a dump truck and declaring an emergency. A motion was made by Boolman to waive the three reading rule on Resolution No. 2017-14. Clark seconded. All present voted yea. Motion passed. Boolman made a motion to adopt Resolution No. 2017-14. Clark seconded. All present voted yea. Motion passed. Boolman made a motion to declare an emergency on Resolution No. 2017-14. Clark seconded. All present voted yea. Legislation passed.

**Resolution No. 2017-15** – Council President Millard read by title only a Resolution approving an engineering services proposal for the renewal of the Village of Arcanum's Ohio EPA NPDES Wastewater Permit. This is the first reading.

**Expenditures:** Millard 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. Delk seconded. All present voted yea. Motion passed.

**Announcements:**

**Adjournment:** A motion was made by Boolman to adjourn. Delk seconded. Meeting ended at 9:00 PM.

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

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Mayor Judith F. Foureman