

Village of Arcanum Council Meeting
Tuesday, August 8, 2017
7:00 PM

Mayor Judith 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, Bonnie Millard, Vanessa Delk, and Monte Clark answered roll call. Mayor Foureman asked for a motion to excuse Baumle. Boolman made a motion to excuse Greg Baumle, Clark seconded. All present voted yea. Motion passed. Also present were Village Administrator Bill Kessler, Solicitor Nicole Pohlman, Mike Bruns from Mote & Associates, and Erik Martin from the Daily Advocate.

Council Minutes: Mayor Foureman asked for approval of the minutes of July 25, 2017. A motion was made by Boolman to approve the minutes of the July 25, 2017 Council meeting. Van Hoose seconded. Van Hoose, Boolman, and Millard voted yea. Delk and Clark abstained. Motion passed.

Expenditures: Mayor Foureman asked for a motion to approve the properly appropriated and funded expenditures. Millard asked Kessler if the Village was being reimbursed for expenses associated with the Ty Smith project. Kessler confirmed that the Village is being reimbursed. A motion was made by Van Hoose to pay the properly appropriated and funded expenditures. Clark seconded. All present voted yea. Motion passed.

Amendments to the Agenda:

Comments from the Public: Mike Bruns from Mote & Associates provided some updates on the WWTP project:

- Pre-construction meeting is scheduled for tomorrow, August 9th in Council Chambers
- Need to discuss tonight and prepare legislation for the next meeting concerning who can sign change orders and also pay requests for each month during the WWTP project – Mike indicated that the schedule for change order and pay request due dates does not align with Council's meeting schedule – therefore, typically the Mayor and Village Administrator are authorized to sign up to a certain amount to meet Rural Development's guidelines for such items to be paid – the Mayor indicated that she would not be comfortable signing any change order without first discussing with Council but she would be okay with signing pay requests that are in the normal course of the project – further discussion can be had surrounding change orders at the pre-construction meeting – either way, legislation will need to be passed once a firm decision is made concerning change orders and pay requests

Administrative Reports:

Mayor: Mayor Foureman reported on the following:

- The Mayor has spoken with the Fire Chief, who has made some phone calls pertaining to the sale of the old fire truck – no interested parties were found through the phone calls – Kurt has spoken with a national advertising agent – the agent's suggestion is for the Village to re-advertise with a specific amount that the Village wants for the truck – Kurt would like to move forward with the suggestion and ask for \$40K – Council is okay with Kurt moving forward – Nicole will prepare legislation for the next meeting authorizing this Kurt to move forward

Solicitor: Pohlman reported on the following:

- **Cell Phone/Apple Watch** – as requested, Nicole drafted a letter to Officer Kiser concerning his cell phone and Apple watch to be delivered to Officer Kiser by the Police Chief – letter states that Officer Kiser will be reimbursed for any money he paid toward the iPhone, and the iPhone and the Apple watch are Village property – if Officer Kiser were to leave or be terminated from employment with the Village, the phone and watch would need to be turned into the Village – letter also states that the phone is to be used for Village business only, not for personal use – Council indicated they were okay with the draft and it could be passed on/delivered to Officer Kiser
- **Hillis Property Curb** – Nicole reviewed the situation, and she is of the opinion that the Village cannot expect the current property owner to pay for the installation of the curb due to the fact the house was built in 1962, and the original contractor was negligent in not installing the curb – also, there have been multiple property owners over the years, and none of the previous owners were made to pay to have a curb installed – Nicole said the Village is welcome to go to the current owner and ask for them to pay half and the Village to pay half – if the current owner agrees, great, but if not, the Village cannot legally force the current owner to pay any amount of the installation of the curb – Millard's concern is that a couple other property owners did pay to have curbs installed, and if they find out the Village pays to have this one installed, they may want reimbursed – Nicole stated that was the **choice** of those property owners to install and pay for those curbs – the Village did not make or force them to do so – therefore, the Village cannot force this property owner to install and pay for this curb – Bill was asked to at least ask the current homeowner to pay for half of the curb installation – if the homeowner is not willing to, the Village will absorb the entire cost

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Village Administrator: Bill Kessler reported on the following:

- **2020 Census** – Bill has received some documents in reference to the 2020 Census – one document is inquiring to find out who is here in the Village that will be taking census information – second item of paperwork is asking the Village to assign a liaison for address changes – there would be a cost to the Village to provide the liaison, etc., but the paperwork does ask if the Village has the funds to do this – with this request, Bill explained that what they are looking for is pre-census address information and someone who is a representative of the Village to gather and provide this information – Millard asked what happens if the Village does not provide a liaison – Bill explained they will have to send one of their own people in to gather the information – Millard asked if the Village would be charged for that, and Bill said he hasn't gotten that far yet to know – at this point, Bill intends to advise them the Village does not have money in the budget for a liaison and then see what happens from there
- **Tree Trimming** – Bill has received some quotes – he needs to confer with the Utilities Committee about who should be used for trimming around electrical lines and with the Service and Leisure committee on quotes he has received for trimming trees in the park – going forward, Bill would like to enter into a long-term agreement for tree trimming so that trees in the park and trees around power lines are regularly maintained
- **Safety** – Bill was asked to get a quote for security cameras for the Village office – Bill obtained two quotes (quotes were all inclusive, meaning equipment and installed)– Bill was asked what his choice between the two companies would be – he expressed that Garber Connect would be able to provide better long-term support for the system that was quoted – **A motion was made by Millard to move forward with Garber Connect's quote of \$4000 to purchase and install security cameras at the Village office. Boolman seconded. All present voted yea. Motion passed.**
- **AEDs** – the four we already received are installed – Wayne Foundation would like to come in August 31st and take a picture with the Village of Arcanum and Arcanum CIC – Midmark and Spirit Medical Transport will also be represented as these are the companies who donated most of the money that was used to purchase the AEDs
- **AMP** – Bill plans to attend a 2-day workshop in Columbus sponsored by AMP – cost is \$225 for the workshop – Bill would like to move forward with AMP's Efficiency Smart Program – AMP would like to come and do a presentation on the Efficiency Smart Program, and Bill highly recommends that there be council members who sit in on the presentation so that AMP can explain what the program is and how it would be beneficial to the Village – Bill also informed Council that he contacted Versailles to get Rodd Hale's opinion – Versailles does participate – they spend around \$90K a year and feel the benefits are well worth every dollar Versailles spends
- **Street Sweeper** – current street sweeper had a broken hydraulic line recently – Bill believes that has been repaired – Bill did speak with someone in Jackson Center about our current sweeper – could cost the Village up to \$60K to have it reconditioned – Bill was also told that the current sweeper is not really the right sweeper for the Village – this representative recommends that the Village go with a smaller sweeper, called a Pelican – a used Pelican would be about \$70K-\$80K (brand new \$200K) – Boolman advised Bill that he needs to talk with the employees in the street department and decide if they are only going to use the sweeper to clean the streets and use the current jetter to jet out the catch basins, or do they feel they need a machine that does both – Bill indicated that the street employees feel they only need a sweeper that will clean the streets, and they will continue to use the jetter to maintain the catch basins – Bill asked if there is a fund set up for purchasing a street sweeper – Boolman informed him that money has been being put back for a new sweeper for the last couple years (currently about \$30K) – remaining amount would need to come from the ¼%-streets set aside for capital equipment
- Millard asked Bill where he is at on the subject of chickens – Bill stated that he needs legislation specific to the Village that addresses farm/agricultural animals – the definition in the ORC is open to interpretation – Bill was advised by the County that the Village can specify through legislation that a chicken is a farm animal and farm animals are not permitted in town, and then it is the responsibility of the resident to prove otherwise if they want to fight the Village – **A motion was made by Millard to have legislation drafted defining chickens as farm animals and further stating farm animals are not permitted in town. Boolman seconded. Nicole will draft legislation for the next council meeting.**
- Boolman asked for a status on where things stand with issuing nuisance violations – Bill explained that there are not just one or two issues here and there – there are MANY issues all throughout the Village, and he plans to start addressing them in groups by the type of violation – Millard asked for an update on the semi that was reported to be parking at the ballpark – Bill explained that he had been in contact with the person who drives that semi and explained to him that if he needs to park his semitrailer there overnight, he has to have permission, and it absolutely cannot be parked on the street – Bill also addressed this same issue with a couple of dump truck drivers in town – he told them also that they absolutely cannot park their dump trucks on the street because the street cannot hold that kind of weight on a regular basis – these individuals would also need permission to park at the ballpark

Fiscal Officer: Absent

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Committee Reports:

Service & Leisure Committee: Meetings were held on Wednesday, July 26, 2017 at 4:30PM and Tuesday, August 1, 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:

- **Planting Trees** – requesting an Ordinance that states “No trees or shrubs to be planted in green space on any street that has been totally reconstructed and has piping for storm drainage underground.” – this is pertaining to South Main Street and new road reconstruction in the future that would have same storm drainage system – there is legislation for this tonight
- **Street Project** – have a new proposal from Wagner Paving – waiting on Walls Brothers for quote
- **Park** – at least three trees in park are dead – getting quotes for removal
- **AEDs** – delivered on July 31st – fire department staff will have a checklist to sign when inspecting the first aid kits and AEDs
- **1/4%** - had \$272K as of last December – will cost around \$220K to repair certain streets with grind and overlay and reclamite – will check with Solicitor about legislation or just a motion to spend the \$220K for street repair – Nicole said the Village already did the legislation authorizing bill to put this out for bid – once the Village decides who to award the bid to, legislation will be necessary to accept and award the bid
- **Crack Sealing** – waiting on Justin Hines – Bill has been around town with Justin, and is now just waiting on the quote
- **Park Tree Quotes** – received a quote from Foster Tree & Landscaping – still waiting on three others for quotes

Next meetings are Monday, August 14, 2017 and Monday, August 28, 2017 both at 4:30PM in Council Chambers.

Safety Committee: Nothing at this time.

Utility Committee: Nothing at this time. Meeting scheduled for Thursday, August 17, 2017 at 4:30PM at the VA Office.

Planning Committee: Baumle was absent, but Millard reported that she spoke with Greg about the revision to the Zoning Code that was in council packets. Greg told her rather than have another committee meeting, he felt the revised ordinance was ready to be passed onto the Zoning & Appeals Board. Mayor Foureman added that all Zoning & Appeals Board members now have a copy of the current Zoning Code. Mayor Foureman will make sure to forward the revision to all members of the Board.

Personnel Committee: Delk reported that all members of council received a copy of the latest revision to the PPM. It was decided that the committee only would go through at least the first four chapters to review revisions and report to Council, and then schedule work sessions to go beyond chapter four.

The next meeting is Wednesday, August 16, 2017 at 4PM in Council Chambers.

Finance & Audit Committee: Millard suggested that instead of waiting to appropriate more wages to water, sewer, and electric that were not accounted for at budget time last year to have Darcy go ahead and determine the amounts needed to get through the end of 2016 and prepare legislation. Mayor Foureman added that Darcy would also need additional appropriations approved because of the addition of some individuals to the Village health insurance.

Old Business:

New Business:

Ordinance No. 2017-38 – Mayor Foureman read by title only an Ordinance authorizing the Village Administrator to place “No Through Truck” signs on Albright Street between East South Street and East George Street. This is the second reading. A motion was made by Millard to waive the three reading rule on Ordinance No. 2017-38. Boolman seconded. All present voted yea. Motion passed. Millard made a motion to adopt Ordinance No. 2017-38. Boolman seconded. All present voted yea. Legislation passed. Ordinance No. 2017-38 will be effective September 8, 2017.

Ordinance No. 2017-39 – Mayor Foureman 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 Fund-Police & General Admin) A motion was made by Millard to waive the three reading rule on Ordinance No. 2017-39. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to adopt Ordinance No. 2017-39. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to declare an emergency on Ordinance No. 2017-39. Van Hoose seconded. All present voted yea. Legislation passed.

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Ordinance No. 2017-40 – Mayor Foureman read by title only an Ordinance establishing Fund 702 of the Village of Arcanum, Darke County, Ohio. This is the first reading. It was determined at the end of the meeting that this legislation should be adopted now so the Fiscal Officer could establish the fund before the next utility bills go out. A motion was made by Millard to waive the three reading rule on Ordinance No. 2017-40. Boolman seconded. All present voted yea. Motion passed. Millard made a motion to adopt Ordinance No. 2017-40. Boolman seconded. All present voted yea. Legislation passed. Ordinance No. 2017-40 will be effective September 8, 2017.

Ordinance No. 2017-41 – Mayor Foureman read by title only an Ordinance establishing Fund 703 of the Village of Arcanum, Darke County, Ohio. This is the first reading. It was determined at the end of the meeting that this legislation should be adopted now so the Fiscal Officer could establish the fund before the next utility bills go out. A motion was made by Millard to waive the three reading rule on Ordinance No. 2017-41. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to adopt Ordinance No. 2017-41. Van Hoose seconded. All present voted yea. Legislation passed. Ordinance No. 2017-41 will be effective September 8, 2017.

Ordinance No. 2017-42 – Mayor Foureman read by title only an Ordinance amending the Income Tax Code of the Village of Arcanum, Ohio as it relates to penalties for certain tax violations and declaring an emergency. A motion was made by Boolman to waive the three reading rule on Ordinance No. 2017-42. Millard seconded. All present voted yea. Motion passed. Boolman made a motion to adopt Ordinance No. 2017-42. Millard seconded. All present voted yea. Motion passed. Boolman made a motion to declare an emergency on Ordinance No. 2017-42. Millard seconded. All present voted yea. Legislation passed.

Ordinance No. 2017-43 – Mayor Foureman read by title only an Ordinance providing for a one-time credit to certain Village residents for lead testing performed by the Village. This is a first reading. Millard asked why the Village wants to do a one-time credit now when the Village never has in the past. It was explained that because the resident has to do things a certain way in order for the testing to be accurate and it is an inconvenience to the customer, the Village should provide the one-time credit as a courtesy and a thank you. A motion was made by Boolman to waive the three reading rule on Ordinance No. 2017-43. Van Hoose seconded. All present voted yea. Motion passed. Boolman made a motion to adopt Ordinance No. 2017-43. Van Hoose seconded. Van Hoose, Boolman, Delk, and Clark voted yea. Millard abstained (because her grandson is one of the participants who will be receiving the credit). Legislation passed. Ordinance No. 2017-43 will be effective September 8, 2017.

Ordinance No. 2017-44 – Mayor Foureman read by title only an Ordinance amending Ordinance 2013-22 with regard to the planting of trees in the green space. This is the first reading.

Resolution No. 2017-29 – Mayor Foureman read by title only a Resolution authorizing the Village Administrator to seek bids for the resurfacing of certain streets within the Village and declaring an emergency. This is the second reading. A motion was made by Millard to amend the date of bid opening to Monday, August 28, 2017. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to waive the three reading rule on Resolution No. 2017-29 as amended. Van Hoose seconded. All present voted yea. Motion passed. Millard made a motion to adopt Resolution No. 2017-29 as amended. Boolman seconded. All present voted yea. Motion passed. Millard made a motion to declare an emergency on Resolution No. 2017-29 as amended. Van Hoose seconded. All present voted yea. Legislation passed.

Resolution No. 2017-30 – 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. This is the second reading. A motion was made by Millard to waive the three reading rule on Resolution No. 2017-30. Boolman seconded. All present voted yea. Motion passed. Millard made a motion to adopt Resolution No. 2017-30. Boolman seconded. All present voted yea. Motion passed. Millard made a motion to declare an emergency on Resolution No. 2017-30. Boolman seconded. All present voted yea. Legislation passed.

Resolution No. 2017-31 – Mayor Foureman read by title only a Resolution accepting the bids for the purchase of certain personal property and declaring an emergency. A motion was made by Van Hoose to waive the three reading rule on Resolution No. 2017-31. Clark seconded. All present voted yea. Motion passed. Van Hoose made a motion to adopt Resolution No. 2017-31. Clark seconded. All present voted yea. Motion passed. Van Hoose made a motion to declare an emergency on Resolution No. 2017-31. Clark seconded. All present voted yea. Legislation passed.

Resolution No. 2017-32 – Mayor Foureman read by title only a Resolution authorizing the Village Administrator to seek bids for 2018 tree trimming and declaring an emergency. This is the first reading. It was determined that because the cost will be less than \$50K, the legislation is not necessary.

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Announcements:

Adjournment: A motion was made by Boolman to adjourn. Delk seconded. Meeting ended at 8:23 PM.

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

Mayor Judith F. Foureman