

Village of Arcanum Council Meeting
Tuesday, January 9, 2018
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, Vanessa Delk, Blaine Vencill, and Greg Baumle answered roll call. Mayor Foureman asked for a motion to excuse Millard. A motion was made by Van Hoose to excuse Bonnie Millard. Boolman seconded. All present voted yea. Motion passed. Also present were Village Administrator Bill Kessler, Fiscal Officer Darcy Woodall, Fire Chief Kurt Troutwine, Erik Martin from the Daily Advocate, Mike Bruns from Mote & Associates, and residents Bruce Shank, Dave Kessler, Joe LeMaster, and Jeff Yeomans.

Council Minutes: Mayor Foureman asked for approval of the minutes of December 12, 2017. A motion was made by Boolman to approve the minutes of the December 12, 2017 Council meeting. Delk seconded. Van Hoose, Boolman, and Delk voted yea. Baumle abstained. Motion passed. Mayor Foureman asked for approval of the minutes of January 3, 2018. An amendment was made to the minutes to add that Delk seconded the motion to nominate Delk for Council President Pro-Tem. A motion was made by Delk to approve the minutes of the January 3, 2018 Organizational meeting as amended. Van Hoose seconded. All present voted yea. Motion passed.

Expenditures: Mayor Foureman asked for a motion to approve the properly appropriated and funded expenditures. A motion was made by Boolman to pay the properly appropriated and funded expenditures. Baumle seconded. All present voted yea. Motion passed.

Amendments to the Agenda:

Comments from the Public:

Fire Chief Kurt Troutwine: Chief Troutwine gave his 2017 annual report for the fire department. The fire department had a total of 146 runs for the year. The department lost 3 members in 2017. One moved away, one could no longer devote time to the department, and a Captain retired after 20 years of service to the fire department. There will be a reception for Captain Kevin Monroe on January 28th from 2PM-4PM at the fire house, and anyone is welcome to attend. Two members of a fire department in Elgin, North Dakota contacted the Chief about purchasing the '97 fire truck that the Village replaced last summer. They came down last week to look at the engine and decided to purchase it. The truck sold for \$35K. Chief Troutwine would like permission to use a portion of those proceeds to purchase new MARCS pagers for the fire department. There is a deal available until the end of the month that with the purchase of each pager, the 3-year warranty is included (savings of \$130/pager). The cost for 30 pagers and chargers will be around \$19K.

Resident Joe LeMaster: Mr. LeMaster asked to address Ordinance No. 2017-69. Mayor Foureman directed him to Jerry Boolman, who is the Utility Committee chairman. Joe asked Boolman how many lots or customers this ordinance would affect. Boolman answered that the Village clerk, Nola, was checking into that so he did not have an exact number at this time. Boolman did say that some residents will see a reduction in their current rate and some will see an increase. Joe then asked if anyone was contacted as these changes were being discussed. He was referring to when he purchased the property next to his house 5 years ago and came to the Village then to find out what he had to do so that he would not be charged any minimum charge on that lot. He was told then that he needed to pull the copper tube out of the box, dig a hole and cut a section out of the pipe, and cap it off so nothing could leech back, so he did that then. As he understands the current legislation being presented, he believes he is going to start being charged \$30/month after he did everything he was told to do 5 years ago so that he wouldn't have to pay anything. It was clarified to Joe at this point that the \$30/month fee that he was referring to would not apply to him as he had taken the necessary steps 5 years ago to avoid having to pay the proposed fee. Boolman did explain that there will always be exceptions to every rule, but the committee was trying to come up with something equitable to insure that everyone was paying their "fair share" of the cost of the debt reduction and maintenance of the infrastructure that exists as well as the new treatment plant that is under construction.

The second issue that Mr. LeMaster asked to address is the absence/excusing of the absence of the council member, Bonnie, who goes to Florida every winter yet still receives her council pay even though she is not present at the council meetings. He added that he supposes "she isn't turning back in the money we are paying her for not being at the meetings". He said if council is worried about making things fair, then it should start with council. Joe also said that the precedent should be set that if she (Bonnie) chooses to keep going to Florida in the winter, then she needs to give up her seat on council. He stated that it is very irritating that council wants to implement an ordinance that makes sure everyone is paying their fair share and council wants to take that money, but then turn around and continue to pay a council member who goes on vacation every winter. With what council gets paid per month, that is several months of someone's \$30/month charge the Village wants to charge some residents/landowners. He also pointed out that the Village is continuing to pay her while the rest of the council members are here working. He also brought to light that he is aware that Bonnie contacts the Village Solicitor while she is in Florida, which he knows costs the Village money because the "meter runs" each

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time the Solicitor is contacted. Joe sees that as the Village (including the residents and/or the taxpayers) being “docked” for questions that Bonnie is asking when she isn’t even here. At this point, another resident, Dave Kessler, also chimed in stating that the money that the council is paid is the people’s money NOT the Village’s money. He wrapped it up by saying that it could be \$120/month or \$10K/month. The amount is irrelevant. The Village Council is trying to pass an ordinance to collect more money from residents (their hard earned money), yet here they are paying Bonnie to go on vacation at the Village’s and residents’ expense.

Resident Dave Kessler: Mr. Kessler explained that he has rental properties in several other communities. He asked what Arcanum’s policy is when a tenant’s utility bill is late, especially now that Arcanum has went back to putting everything back in the landlord’s name when a tenant moves out. So, if a tenant moves out without paying, that falls back on the landlord. Dave said that in the other communities, the day that the utility bill is late, he receives notice. He wants to know if that will be happening in Arcanum now that the responsibility falls back to the landlord. He stated that if he is not made aware that the bill is late or unpaid, he should not be liable for it. The Village Administrator did say that he is looking into this more closely to find out how this is handled by the utility clerk. Boolman added that he believed that Nola could put a note in the system on all of his properties that he is to be notified if one of his tenants is late paying their bill. Dave then introduced himself to everyone as our Village Administrator’s older brother.

Resident Jeff Yeomans: Mr. Yeomans was also present to address the changes to utility billing concerning minimum charges for empty lots. In his situation, he has a lot that no longer has a house on the lot but does have a utility building. He is currently paying nothing, but as he reads the ordinance, he would have to start paying \$30/month. He wants to know what makes the difference since he doesn’t plan to have water at the property in the future even though he doesn’t have it capped off. Boolman explained again that once upon a time, someone paid a tap in fee when the house was originally built. That fee can never be charged again, but the infrastructure is still there even though the house is not. Part of the \$30/month charge is to help cover the cost of maintaining the infrastructure. Boolman added that if Mr. Yeomans is going to go to the extreme and tear everything out to where utilities can never be put back on that property, then the Village can take another look and probably not charge the \$30/month.

Administrative Reports:

Mayor: Mayor Foureman reported on the following:

- **Council Packets** – the rules of council state the clerk will deliver the packets to council members’ homes (which has not been being done for quite some time). Currently the packets are being put in council mailboxes at the old building and picked up by council members there. The Mayor asked if Council had any objections to having the packets emailed going forward. There were no objections. The Mayor added that if there was anything in the packet that a council member would like printed out, the clerk could take care of that for them. The rules of council also state the packets will be ready 3 business days prior to the council meeting. The Mayor asked if this could be reduced to 2 business days (Monday morning). There were no objections. Mayor Foureman stated she would ask Nicole to amend the ordinance for the next meeting.

Solicitor: Absent.

Village Administrator: Kessler reported on the following:

- **Village Building** – working with the State on the bat situation – they have given Bill a list of approved companies to eliminate the bats and seal the building – Bill contacted 6 of the companies and got pricing from 3 and 2 of the companies told Bill that if Bill got pricing from Barnes Wildlife, they wouldn’t even bid it because Barnes would do the best job anyway – Barnes quote came in at \$7385 to count the bats, eliminate the bats, and seal the building – process needs to be started in February so it can be completed by end of March or first part of April – the window for completion is very limited – Bill needs approval from Council to move forward – Baumle asked why the Village wouldn’t wait to eliminate the bats if the plan is to hang onto the building for another 1-2 years to see if anyone else wants the building – shouldn’t the Village wait and eliminate the bats right before they get rid of the building or demo it? – Bill just wants to take care of it now so nothing stands in the way of moving forward (i.e. someone wants the building in the middle of the summer) – Baumle is just concerned about a non-guaranteed bat removal and then have a bat problem again in two years – he thinks the Village should not do anything right now – Bill feels that it all comes back to a timing issue – he just wants to be prepared so that the Village can keep the process moving as opportunities come along so the Village doesn’t end up like Chillicothe (2 years down into their bat situation and they are nowhere) – it was decided to table the issue until the next council meeting but have a planning meeting in between to make some decisions/recommendations to bring to the next council meeting for approval – resident Bruce Shank did ask if has been decided if the Village plans to keep the building or demolish it – Kessler replied that at this point, the Village intends to see if anyone is interested in taking the building – this will be offered for a period of two years – if there is no interest, the building will be taken down – Bruce also asked if Bill had gotten any feedback from the Historical Society – Bill indicated that he had spoken with Fred Troutwine and also spent a couple

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of hours speaking with Joanne Hill – Bill has also done quite a bit of his own research on the history of Arcanum and the building – at one time, Arcanum was a very forward-thinking, progressive town – he found that the municipal building was built specifically to meet the needs of the Village at that time – Bill went on to say that the Village is now at point where it needs to put up a new building that meets the needs of the current time

- **Generators** – currently using old 1.3 megawatt diesel train engines – extremely difficult and potentially dangerous to run – at this time are only backing up the well fields and wwtp that are in sync with our electrical grid – the bids for new generators will allow the Village to put in spot backup generators that backup the wells when the power goes down and backup the water plant when the power goes down – this will allow the Village to start the removal of all the integration that we currently have with the generators – the generators we have create 2400 volts, which is not a standard anymore for most power companies – the standard is 7200 volts – in Arcanum, we have 2 grids – a 2400 and a 7200 grid – the 2400 volt grid can't be used with the generators anymore per the EPA – with the building of the new WWTP and replacing that generator, the utility department would like to have the same generators throughout the Village – Bill did research and got pricing from Cummins, Caterpillar, and Kohler – Kohler was not suitable for the WWTP, so it is out – in the end, Caterpillar had the best overall package for the WWTP – therefore, the Village will replace the generator at the well fields and the utility plant with a generator from Caterpillar as well – the generator at the well fields will be replaced first and by fall or the end of this year, the one at the utility plant will be replaced – the old generators will not be moved out at this time because of the cost to do so – they will just be disconnected – this will allow the utility department to go to the substation and start removing the 2400 grid switch gear and converting all the lines to 7200 volt allowing the Village to purchase one type of transformer instead of two – this gives the Village an overall better long term plan – Bill needs Council approval to move forward with Caterpillar to firm up numbers for the well fields generator and to tell the contractor for the WWTP to use Caterpillar for that generator as well
- **Code Red** – has been approved – Code Red is a notification/information system to be used to get information out to residents in the Village - Bill, Angie, and Nola have been through some webinar training – currently figuring out how to set up our database – plan is to be testing in the system by the end of January using a database of employees and council members – if the testing goes well, the system will be rolled out to a much larger database – the police chief and fire chief will both have access to send out alerts on the system – the system can be used for emergencies, general information, etc.
- **Water Tower** – old water tower behind municipal building - paint peeling – tower is currently empty because there is a leak in the bottom – someone is coming to look at the water tower tomorrow – tank will remain empty until leak is repaired – same people who will paint tank will also repair the leak
- **Low to Moderate Income Survey** – Bill contacted the County and is waiting to hear back to see if we can't do the survey ourselves – the last one the Village did expired in May 2016 – a new one has to be done to determine if the Village qualifies for certain grants as part of certain projects – there is an outside possibility the Village could qualify for grant money as part of building a new municipal building (if money is available) – regardless, the Village will be able to get funding through USDA as a loan – first, the Village will have to have some concept drawings done – Alliance Engineering (Dave Kessler's company) can do the drawings and give estimates of costs to construct a new building – cost for this is \$7500 (phase 1) – looking at three locations – parking lot across from current building, in between VA office and Street Department, and lot next to VFW – size of new building will be approximately 6000 square feet, which will house the offices and police department (including a pd garage) – at this time, Dave Kessler reiterated that he and Bill are brothers, and he would have to be hired by Council, not Bill so as not to create a conflict of interest

Fiscal Officer: Nothing at this time.

Committee Reports: Delk passed out the 2018 list of committees as assigned for review. She opened the floor for any discussion. There was no discussion or objections, so Mayor Foureman asked for a motion to approve the 2018 Council Committees. A motion was made by Van Hoose to approve the 2018 Council Committees as assigned. Boolman seconded. All present voted yea. Motion passed.

Service & Leisure Committee: Nothing at this time.

Safety Committee: Meeting scheduled for Tuesday, January 16, 2018 at 6:30PM at 1 Pop Rite Drive.

Utility Committee: Nothing at this time.

Planning Committee: Meeting scheduled for Tuesday, January 16, 2018 at 7:30PM at 1 Pop Rite Drive.

Personnel Committee: Nothing at this time.

Finance & Audit Committee: Nothing at this time.

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Old Business:

New Business:

Ordinance No. 2017-64 – Mayor Foureman read by title only an Ordinance amending Ordinance 2013-14. This is the third reading. No motion was made to adopt, so the legislation died due to lack of a motion.

Ordinance No. 2017-68 – Mayor Foureman read by title only an Ordinance amending the utility billing policy for the Village of Arcanum, Ohio. This is the second reading.

Ordinance No. 2017-69 – Mayor Foureman read by title only an Ordinance establishing certain water and sewer charges for the Village of Arcanum, Ohio. This is the second reading.

Resolution No. 2017-42 – Mayor Foureman read by title only a Resolution authorizing the Village of Arcanum to participate in the State of Ohio Cooperative Purchasing Program. This is the third reading. A motion was made by Delk to adopt Resolution No. 2017-42. Van Hoose seconded. All present voted yea. Legislation passed. Resolution No. 2017-42 will become effective January 12, 2018.

Baumle asked if there needed to be any further discussion about the impending utility ordinance, or was everyone comfortable with the language already in the ordinance. Boolman said he was comfortable with the language as is. Boolman feels that the new ordinance covers most situations and is much better than what is currently in place. He said that no ordinance could ever address every single issue, and there will always be exceptions that can be dealt with as they come up.

Baumle then brought up the comments that were made earlier by Joe LeMaster concerning Bonnie Millard and her absence from council meetings in the winter months while she is in Florida. He explained this is his first year going through this situation where Bonnie goes out of town for a few months. He has heard the same comments and been questioned by other citizens out in the community, not just here at the council meeting tonight. Baumle believes the best thing would be to evaluate the rules of council and make sure that it is fair and the way it should be. He doesn't know if that would be addressed in a council meeting or the personnel committee, or where the issue would be addressed. Boolman then told Baumle he needed to be careful because council had excused Baumle three times. Boolman also said that other people have been excused for illness, or in his case, he could have been absent tonight due to surgery and possibly needed to be off for an extended period. Delk added that things such as illness or needing to be off because of work or surgery are not routine, whereas Millard going to Florida is a habitual thing that has been going on for 5 years. Boolman replied that Baumle knew he had a job when he signed up for council. Furthermore, Bonnie knows more about what goes on in this town when she's in Florida than he does living here. Baumle apologized and didn't mean for Boolman to get defensive. Baumle said the issue was not meant to be about Bonnie specifically. He understands that it is about him too. Baumle also understands that they all give time outside the council meetings that they are uncompensated for. Boolman said he wasn't getting defensive. He said to just be careful what you ask for. He went on to say that Bonnie has put a lot of time and years into this Village and knows a lot that goes on and has a lot of knowledge and a lot of the history, but that is just his opinion. Vencill added that it is more about perception than anything. Joe LeMaster once again stated that he is not the only one upset by the fact that she continues being paid while in Florida. He also added that there is a big difference between being absent from a meeting because you are sick or just had surgery or had to work versus going to Florida for a vacation for three or four or five months. To him, when you accept a council seat, you know you have other jobs, responsibilities, etc. Those are the exceptions, but to go to Florida every year is really doing a disservice to the community. It was determined that the issue would not be resolved at this meeting. Delk suggested that maybe there be a council workshop and invite the community to have input. Baumle then asked if this issue truly needed its own separate meeting. Van Hoose spoke up and said that Millard probably does more work in Florida than most council members do here, but the public doesn't know that. Baumle said he tries to balance it too because he does not feel great about voting to excuse someone's absence when he doesn't know why someone isn't there. For example with him, it is because of work, but he added that he is fine if the others do not excuse his absence because it isn't going to be two meetings in a row. Mayor Foureman said there would be further discussion at the next meeting.

Announcements:

Adjournment: A motion was made by Boolman to adjourn. Delk seconded. Meeting ended at 8:17 PM.