

PLEASANT HILL VILLAGE COUNCIL REGULAR MEETING
OCTOBER 4TH, 2007
MINUTES

Mayor Gary Johnston called the regular meeting to order at 7:00 p.m. Roll call: Melinda Clark – present; Donna Favorite – absent; Rick Baker – present; John Schultz – present; Bob Sollmann – present; Ronald “Bud” Perry – present. The Village Council had received a letter from Donna Favorite stating that she was unable to attend this meeting on the changed date because of a previous commitment. Her letter also stated that Council members had received her letter of resignation, that she has requested that this item be deleted from tonight’s meeting agenda, and that she has some unfinished business that can only be concluded while she is a member of the Village Council. Others present were Richard “Dick” and Norma Holsinger; Charles Hormell; Randal Byrd of Byrd Construction Company; Jeff Derksen, Service Superintendent; Gary Johnston, Mayor; Paul Wagner, Solicitor; Debbie Cress, Income Tax Administrator. Stan Fessler; Donna Hormell; Tony Fessler, Fiscal Officer, arrived after the meeting had started.

Rick made a motion to approve the September 10th, 2007 regular meeting minutes as submitted, seconded by John. Roll Call: Rick – yes; John – yes; Melinda – yes, Bob – yes; Bud – yes. Motion carried.

No Sheriff’s Department representative was present.

The Mayor reported that the only bid received for the street lighting contract was the one submitted by Miami Valley Lighting. He reported that other potential bidders had informed him that there was no point in quoting because the poles and lights are owned by Miami Valley Lighting; he stated that he intends to contact Miami Valley Lighting to understand why the Village had to go through this process if Miami Valley Lighting owns the poles.

Randal Byrd, Byrd Construction Company, presented a proposal to Village Council for work to be done at 2 N Main St. This work was described as demolition of the add-ons and restoration of the main building, with specifics and estimates broken down into sixteen items with an estimated cost of \$220,900. Mr. Byrd noted that there are no approved blueprints, but, based on his experience, he believes he has covered everything, including the parking lot. The Mayor noted that for comparable, consistent quotes, a plan needs to be prepared. The Council expressed their thanks to Mr. Byrd for making his presentation.

Citizens Comments:

Dick Holsinger reported that details of the W SR718 project are becoming more defined, which allows the Tree Committee to better make recommendations regarding placement and types of trees and lighting. Bob stated that it’s his opinion that the infrastructure be put in, then determine the landscaping; Council discussed this statement, and agreed. The Mayor handed out a worksheet about the \$300,000 grant, and pointed out some of the specifics and the earmarking of funds. He also stated that he has asked Fanning/Howey to look into the lights. Melinda asked about large, easy to read, street signs; the Mayor responded that he has asked the Tree Committee to look into this issue. Bob questioned the scope of the Tree Committee and the need for another committee when you have the Beautification Committee. Council further discussed two contrasting ideas: ¹put the infrastructure in and then determine the landscaping and ²that the infrastructure and lighting, sign, and tree specifications should be developed concurrently. Agreement was reached that the final

decision rests with the Council, no matter which committee does the legwork and gathers information. Bob expressed his concern that information has been made available to some individuals, and that information has not been made available to Council members.

Department Reports:

Jeff reported that he had received only one response to his request for quotes on repairing the brick walkway at Tommy Lewis Park, and this quote was not responsive. He reported that he and Tim are going to work on leveling the bricks, and that the gazebo is about 90% painted.

Jeff presented a summary of quotes for the proposed old water tower site and cemetery projects. Jeff reported that the cemetery project would make thirty more grave sites available. Council expressed concern about the dollar discrepancy in the quotes and questioned if the different companies were quoting on the same specifications. Jeff assured Council that the companies had received the same specifications. John asked if anyone had checked with the Post Master about access to the proposed parking lot; Mayor Johnston responded that there is no problem. Melinda asked if any of the distress grant funds can be used for putting in additional parking at the fire house; the Mayor replied that would not be in compliance with the terms of the grant. Jeff pointed out that Summit One Excavating's quote for the old water tower site project is different from the other two quotes in that the Village must dispose of the concrete and other materials and the Village must also do the final grading and compaction. Rick requested that Jeff obtain the cost of paving that area. Jeff and the Mayor reported that the most cost effective time to pave that area would be during the W High St paving project.

Council discussed the proposed cemetery project. Quotes are Miller Brothers - \$1,128; Summit One Excavating - \$1,900; and Lynde Supply - \$1,625; with Summit One and Lynde not quoting on the third option of the project of leveling the west edge of the cemetery. Rick made a motion to accept Miller Brothers' \$1,128 quote for the cemetery project total job. Melinda seconded. Roll call: Rick – yes; Melinda – yes; Bud – yes; Bob – yes; John – yes. Motion carried.

Council consensus was to defer a decision on the water tower parking lot project until next year and requested that it be brought back to Council in February.

Gary reminded Council that one of the first things that has to be done when they get in to the W SR718 project is that they have to pass a Resolution of Necessity. Among items that need to be included are an estimate of how much people are going to be assessed and the basis for that assessment. Therefore Council needs to make a decision on the sidewalks.

John questioned Paul about John's perception that when the subject is the sidewalk situation he has a conflict of interest because of the large amount of sidewalk that he would have to put in, and therefore must refrain from any discussion and vote. Paul stated that during discussion of the sidewalks on W SR718, John has a common interest with everyone else, that any assessment would be the same as his neighbors, so he not only can comment, but as a Council member he has a responsibility to proceed with that; disclosure of his personal interest is fine, but it is still a common interest.

Gary explained to Council the process and the cost for taxpayers when assessments are placed on their property taxes. Council discussed the Village's financial projections, and estimated costs and timing of several major projects. Bud expressed that Council needs to establish how sidewalk assessments are to be handled, which led to a discussion on assessments in general, including sidewalks, past practices, etc. and project and grant specifications, funding, and estimates. Melinda made a motion to assess by linear foot 50% of sidewalks and 100% of curbs and gutters including approaches, and 100% of each property's tree removal cost. Bud seconded. Roll call: Melinda – yes; Bud – yes; Bob – yes; John – abstained; Rick – yes. Motion carried.

Stan Fessler asked the Council to consider not installing the sidewalk going to nowhere along his north property line because he doesn't want the extra maintenance and he doesn't feel it adds any

value. The Council agreed to further discuss his request after they've had an opportunity to look at properties at the other edges of the village limits in an effort to adopt a consistent policy.

Committee Reports: None

Ordinances and Resolutions:

John made a motion for the third reading of Ordinance 1027 Establishing a Village Tree Commission. Rick seconded. Roll call: John – yes; Rick – yes; Melinda – yes; Bob – yes; Bud – yes. Motion carried. Rick made a motion to adopt Ordinance 1027 Establishing a Village Tree Commission. John seconded. Roll call: Rick – yes; John – yes; Bob – yes; Bud – yes; Melinda – yes. Motion carried.

Rick questioned the practice that allows residents and Village personnel to dump leaves and yard waste at the cemetery. Council discussed this practice. Jeff was instructed to clean up the area, and keep it clean. John made a motion not to allow dumping in the cemetery. Melinda seconded. Roll call: John – yes; Melinda – yes; Bud – yes; Bob – yes; Rick – yes. Motion carried. Jeff was instructed not to allow any dumping in the cemetery.

Bud made a motion for the second reading of Ordinance 1029 Yard Waste and Leaves. Rick seconded. Council discussed the details of this ordinance and enforcement responsibilities. Bud withdrew his motion. Bud made a motion to suspend the rules to allow adoption of Ordinance 1029 Yard Waste and Leaves as an emergency ordinance. Bob seconded. Roll call: Bud – yes; Bob – yes; John – yes; Rick – yes; Melinda – yes. Motion carried. Bud made a motion to adopt Ordinance 1029 Yard Waste and Leaves as an emergency ordinance. John seconded. Roll call: Bud – yes; John – yes; Bob – yes; Rick – yes; Melinda – yes. Motion carried.

Melinda asked the status of the rates for the Street Lighting contract; Tony responded that the rates are the same as the last two years. Melinda made a motion to adopt Resolution 2007-05 Authorizing the Mayor to Enter into a Contract for Street Lighting Services for a 4 Year Period Expiring on December 31, 2011. John seconded. Roll call: Melinda – yes; John – yes; Rick – yes; Bud – yes; Bob – yes. Motion carried.

Melinda made a motion to adopt Resolution 2007-09 Authorizing the Village of Pleasant Hill to apply to the OPWC for Funds and Authorizing the Mayor to enter into the agreements for the E SR718 project. Rick seconded. Roll call: Melinda – yes; Rick – yes; John – yes; Bob – yes; Bud – yes. Motion carried.

Council discussed proposed Resolution 2007-10 Statement of Principles Regarding Ohio's Open Records Act and Open Meetings Act. Tony told Council that he had received a letter from the Marc Dann, Ohio Attorney General, advising him that House Bill 9 requires the Attorney General to develop and provide to all public offices a model public records policy and that public offices are required to adopt a formal policy for complying with the Public Records Act by October 1. Tony told Council that this resolution is his adaptation of the sample Statement of Principles provided by the Attorney General, with a proposed Public Records policy to follow. Paul advised Council that he does not consider this resolution necessary; the Mayor agreed. No action taken. The requirement for open records and open meetings training was discussed.

Melinda made a motion to approve the Sheriff's contract for 2008. Rick seconded. Tony noted that the price had not changed. Roll call: Melinda – yes; Rick – yes; John – yes; Bob – yes; Bud – no. Motion carried 4 – 1.

Bud made a motion to award the street lighting contract for January 1, 2008 through December 31, 2011 to Miami Valley Lighting. Bob seconded. Roll call: Bud – yes; Bob – yes; John – yes; Rick – yes; Melinda – yes. Motion carried.

Council discussed the next steps to be taken to determine the future of the 2 N Main St property.

New Business:

The Mayor requested discussion on the cemetery fence status, as related to the W SR718 project. The Mayor reported that the storm sewer will be on the north side of the road, different from the preliminary proposal of locating it on the south side because of tying it in to ODOT's waterway, and will be a closed ditch until it passes Blaho's lane. Council discussed options about the fence, and that there are varying opinions on its worth. John made a motion to take down the south side cemetery fence in sections and place it in storage. Bud seconded. Roll call: John – yes; Bud – yes; Bob – yes; Rick – yes; Melinda – yes. Motion carried. Rick suggested that why the fence was being taken down should be publicized.

Melinda made a motion to adopt Resolution 2007-11 Authorizing the Mayor to Enter in to a Contract with the Sheriff's Department. Rick seconded. Roll call: Melinda – yes; Rick – yes; Bud – no; Bob – yes; John – yes. Motion carried.

Melinda asked if the building at 2 N Main St is being kept locked; Gary advised that it is locked other than when approved individuals request access.

Bob commented that the Sheriff's Department is doing a good job, but can only respond to what they know about. He requested that there be placed in the Village Office a complaint jar so that the Sheriff's Deputy could stop by every day to see what complaints have been filed. Tony stated that he feels the Village complaint system is responsive to this subject. It was noted that the Sheriff's Department does not generally respond to anonymous complaints. Bob requested that citizens' complaints be forwarded to the Sheriff's Department.

It was noted that Beggar's Night is scheduled for October 30, 2007, 6:00 – 8:00 p.m. Rick made a motion to authorize an expenditure not to exceed \$150 for treats and prizes for Beggar's Night activities. Melinda seconded. Roll call: Rick – yes; Melinda – yes; John – yes; Bud – yes; Bob – yes. Motion carried. Rick stated that he will be out of town on the 30th, but will help set up; he expects that like last year, the Fire Department and Ladies' Auxiliary will handle it.

John requested a discussion on the display of drawings in the 2 N Main St windows. Gary expressed that based on his understanding of discussion at the last meeting the options are: ¹parking lot ²a parking lot with a monument ³a parking lot with a building; and that pictures of those ideas would be displayed. He stated there was no discussion about a parking lot/building/monument or a parking lot/building/fountain. He feels that options 4 and 5 are not in compliance with the grant and he is concerned about creditability with the residents if options not in compliance with the grants are displayed. Gary presented drawings from Fanning/Howey on parking lot layouts and associated costs. Melinda made a motion to put all the ideas that have been brought to Council back in the window. After Council discussion, Melinda withdrew her motion. John made a motion to put the Holsinger drawings, revised with parking, up in the window at 2 N Main St. Rick seconded. Roll call: John – yes; Rick – yes; Melinda – yes; Bud – yes; Bob – yes. Motion carried. Council agreed with Tony's request that copies of comments on the use of the property be transmitted to them via their information packets. Bob asked about parking space requirements; he was advised that Ron Puthoff is the one who can advise on the amount of flexibility and the approval process for any changes. The Mayor and Council further discussed proposals and grant requirements. The Mayor proposed that the Council look at the parking lot concepts, with the idea of determining at next month's meeting which ones will be displayed.

Tony reported that he had checked with several surrounding communities to determine how they demonstrate their appreciation to volunteers: Troy has a carry-in picnic once a year in August for employees and volunteers, Piqua had tried a picnic, but it didn't work out, and Covington does nothing.

Melinda made a motion to pay the September bills, other than warrant 3910 to Bud's Sharpening Service. Rick seconded. Roll call: Melinda – yes; Rick – yes; John – yes; Bob – yes; Bud – yes. Motion carried. Melinda made a motion to pay warrant 3910 to Bud's Sharpening Service. Rick seconded. Roll call: Melinda – yes; Rick – yes; John – yes; Bob – yes; Bud – abstained. Motion carried.

Rick made a motion to adjourn, seconded by Bud. Roll Call: Melinda, Bud, John, Rick and Donna all yes. Motion carried. Meeting adjourned at 10:15 p.m.

Mayor / Gary Johnston

Income Tax Administrator / Debbie Cress