

PLEASANT HILL VILLAGE COUNCIL REGULAR

March 10, 2008

Mayor Gary Johnston called the regular meeting to order at 7:05 p.m. Roll call: Ronald "Bud" Perry – present; Robert "Bob" Sollmann – present; John Schultz – present; Rick Baker – present; Donna Favorite – absent, as notified at the February 11 meeting; Melinda Clark – present. Others present were Stan Fessler; Brian May from Fanning/Howey Engineering; Jeff Derksen, Service Superintendent; Gary Johnston, Mayor; Paul Wagner, Solicitor; Debbie Cress, Fiscal Officer.

Rick made a motion to accept the minutes of the February 11, 2008 regular meeting and the February 25, 2008 workshop meeting as presented, seconded by John. Roll Call: Rick – yes; John – yes; Bob – yes; Bud – yes; Melinda – yes. Motion carried.

Miami County Sheriff's Department Report: No representative was present.

Citizens' Comments:

Stan Fessler stated that he would like to see the cemetery fence, which had been taken down and stored because of the W Monument St project, put back up, or at least some type of fence put up; he also commented that if the Council decides to sell the old fence, he would be interested in buying some of it. Gary stated that Village Council's intention is to take it down and store it, and suggested this would be a topic for the next workshop meeting.

Brian May, Fanning/Howey Engineering, described the proposed storm sewer extension along Pearson St between Monument and High streets and stated that he estimates the cost at \$11,335 based on the line items costs in the W Monument St project, but has been unable to verify that with Finrock Construction Co. He stated that it wouldn't matter if this work were done as a change order or as a separate order, as it will be at Village expense. Bud asked if a small tree near the curb on his property would be removed, and expressed that he would like to see it removed. Brian and Jeff agreed to determine if the project requires its removal; tree removal at the property owner's (Bud's) responsibility/expense. John made a motion to approve the storm sewer extension project along Pearson St between Monument and High streets based on a cost of \$11,335, Melinda seconded. John – yes; Melinda – yes; Rick – yes; Bob – yes; Bud – abstained. Motion carried.

Melinda asked if the crosswalks on W SR718 are on the final plan, specifically at Williams St and/or Newton Dr; Brian replied that there is one at Newton St on the plans approved by ODOT.

Bud made a motion to go into executive session to consider two items: the purchase of park property and possible litigation, Melinda seconded. Stan, Jeff, Brian, Paul, Gary, and Debbie were requested to stay for the executive session. Roll call: Bud – yes; Melinda – yes; Rick – yes; John – yes; Bob – yes. Motion carried. Council went into executive session at 7:20 p.m.

John made a motion to reconvene from executive session, Bob seconded. Roll call: John – yes; Bob – yes; Bud – yes; Melinda – yes; Rick – yes. Council reconvened at 7:40 p.m.

John made a motion to reject Bart Denlinger's request for partial or full reimbursement of the \$9,900 that Mr. Denlinger has paid to Miller Brothers for correction of a storm sewer problem in the Ash Knoll Development, Bud seconded. Roll call: John – yes; Bud – yes; Bob – yes; Rick – yes; Melinda – yes. Motion carried.

Melinda made a motion that Council is in favor of Newton Township's position in pursuit of the purchase of the Shoup property for a park, Rick seconded. Roll call: Melinda – yes; Rick – yes; John – yes; Bob – yes; Bud – yes. Motion carried.

Council discussed with Brian their suggestions for the parking lot on the Village's Main St property; expectation of 8 parking spaces. John made a motion to have Brian re-draw the parking lot area based on drawing SU1.4 and their discussion, Rick seconded. Further discussion that this is in conjunction with the Library property, entrances, and sidewalks, and allowing for access to water for watering landscaping.

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Stan questioned the reason for tearing down the building; Council responded that the cost for conversion of the building to any useful purpose makes it unfeasible. Roll call: John – yes; Rick – yes; Bob – yes; Bud – yes; Melinda – yes. Motion carried. The plan is for green space where the main building is currently, with parking and sidewalk to the Library; with this plan to allow for the timely integration for the curb cuts for the W Monument St project.

Council questioned Brian about when the bases for the street lighting would need to be installed; he stated that the bases can be done after the sidewalks and curb. Council discussed types of lighting, and what other villages have done. Brian stated that the process for removal of poles depends on what's hanging on them. Melinda stated that Council wants to remove the pole at the northwest corner of Main and Monument; Brian and Jeff agreed to look into that request.

Department reports:

Service Superintendent: Jeff stated that the backhoe is still in the shop; that he and Tim have been busy with snow and ice removal; the cemetery fence is down and in storage; the cemetery requires clean-up after last week's ice storm; there will be a bill because the snow plow was broken last weekend.

Jeff noted that if anyone has any complaints about the work being done by Miller Pipeline along W Monument St, they should contact the Vectren office in Troy for resolution of issues or property damage.

Stan presented the Wastewater Treatment Plant study prepared by Fanning/Howey. He summarized the study by saying that the current design remains functional, but needs upgrades such as an additional clarifier, updated UV tank, additional head works and screening, and a new lab. Estimated cost is \$1,250,000, with target dates for final design and into the EPA by the end of 2008, fall 2008 for identifying funding through the EPA and CDBG, and bid the job by the end of 2009; 100% financing between grants and zero interest loans.

Stan and the Council discussed the water main replacement on N SR48. Council noted that this is maintenance, and within the Board of Public Affairs' area of responsibility. There was discussion of sanitary sewer installation for this area, which is within Council's area of responsibility, and they agreed that they are unwilling to pay for this, regardless of any possible annexation. Gary, Jeff, Stan, and Council further discussed the sanitary sewer situation for property owners on N SR48 and Walnut Street. Council expressed that regardless of whether the property owners seek annexation or not, extension of the sewer would be at the property owners' expense, either directly or through assessment. It was agreed that the Village has capacity to service these properties, but will not actively seek to add these properties to its sanitary sewer service area; let the Miami County Health Department deal with the situation.

Brian presented the contract for \$65,000 for engineering fees for Phase 2 of the E Monument St project. Bob made a motion to approve the contract for engineering fees for Phase 2 of the Monument St project for \$65,000, Bud seconded. Discussion that these fees would be paid directly by the Village, because, in order to improve the project score and increase the possibility of obtaining OPWC grant funding, engineering fees were removed from the project cost. Roll call: Bob – yes; Bud – yes; John – yes; Rick – yes; Melinda – yes. Motion carried. The Mayor signed the contracts, retained one copy, and gave Brian two.

Brian advised Council of a possible problem with the E Monument St project: if trees along E Monument St are found by the State Environmentalist to be possible areas that harbor the endangered Indiana bat, the trees cannot be removed between April 15 and September 15. Brian agreed to contact the State to determine the status of these trees. Brian stated that it is Fanning/Howey's plan, based on receiving the grant, to bid the project out in June, and have work start in July, when the W Monument St project is finishing. Melinda made a motion that if it is determined that these trees could harbor the Indiana bat, then notify the property owners that they

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have until March 31, 2008, to have these trees cut down, or the Village will take the trees down by April 15, 2008, at a cost not to exceed \$500 per tree and to be assessed to the property owners, John seconded. Roll call: Melinda – yes; John – yes; Rick – yes; Bud – yes; Bob – yes. Motion carried.

Committee Reports:

Bud reported that he had attended a JFD meeting, and the Fire Department wants to know when they will receive the \$10,000 from the Neighborhood Revitalization grant so they can buy their radios. He was advised that Ron Puthoff has not given the approval to proceed with this item, but he will be advised with the process that needs to be followed as soon as it is approved.

Ordinances and Resolutions:

Resolution 2008-01 Public Records Policy: it was decided to schedule this for a workshop meeting

Ordinance 1033 – Bud made a motion for the second reading by title of Ordinance 1033 Ordinance of Assessment for the Street Improvements for the W Monument St Project Phase 1, Rick seconded. Roll call: Bud – yes; Rick – yes; Bob – yes; John – yes; Melinda – yes. Motion carried.

Old Business:

Council discussed their plans for the Village Main St property, and the Hormell's request to purchase part of that property. Rick made a motion that at this time the Village Council does not want to sell any of the Main St property, Bob seconded. Roll call: Rick – yes; Bob – yes; Melinda – yes; John – yes; Bud – yes. Motion carried.

Gary and John reported that the Holsingers had resigned from the Street Tree Commission. Council discussed that having the Street Tree Commission hasn't worked out as expected, and while they want recommendations and suggestions from residents on placement and re-establishment of trees in the community, they feel this can be accomplished through the Beautification Committee. Bud made a motion for the first reading of Ordinance 1035 Repeal of Ordinance 1027 Establishing a Street Tree Commission, Bob seconded. Roll call: Bud – yes; Bob – yes; John – abstained; Rick – yes; Melinda – yes. Motion carried.

John requested that a letter be sent to the Hormells' advising them of the decision not to sell any of the Main St property and of the action to repeal the ordinance establishing a Street Tree Commission.

Gary reported that he has not prepared anything for action on the Jackson Funeral Home parking situation, and requested letting it ride until he has an opportunity to prepare it.

New Business:

Council reviewed Mark Bradley's request for a budget for Christmas decorations for Tommy Lewis Park and agreed that he should request what he needs through Jeff. Council requested that a letter be sent to Mr. Bradley informing him of this decision.

Council discussed Montgomery Tree Surgery's proposal for mosquito spraying for 2008. Gary agreed to contact Mr. Montgomery for information demonstrating effectiveness.

Council discussed insurance coverage. Melinda made a motion to pay \$11,872 to Swartzel Insurance for coverage with the Ohio Plan for the second year of the three year policy for property, inland marine, crime, liability, and automobile coverage for the period March 13, 2008 through March 13, 2009, John seconded. Roll call: Melinda – yes; John – yes; Rick – yes; Bob – yes; Bud – yes. Motion carried.

Items for the next workshop meeting: cemetery fence; public records policy; street lighting. Gary asked Council to notify him or Deb if they have any other items they want on the agenda.

Melinda made a motion to approve payment of the February bills, except for warrant 4186, seconded by Rick. Roll call: Melinda – yes; Rick – yes; John – yes,

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Bob – yes; Bud – yes. Motion carried. Melinda made a motion to approve payment of warrant 4186 to Rick Baker's Auto Service for \$79.73, Bud seconded. Roll call: Melinda – yes; Bud – yes; Bob – yes; John – yes; Rick – abstained. Motion carried.

Bob made a motion to adjourn, seconded by Rick. Roll call: Bob – yes; Rick – yes; Melinda – no, because she had to go back to work; John – yes; Bud – yes. Motion carried. Meeting adjourned at 9:00 p.m.

Mayor / Gary Johnston

Fiscal Officer / Debbie Cress