

## PLEASANT HILL VILLAGE COUNCIL WORKSHOP

APRIL 28, 2008

Mayor Gary Johnston called the workshop meeting to order at 7:00 p.m. Roll call: Melinda Clark – present; Donna Favorite – arrived at 7:05 p.m.; Rick Baker – present; John Schultz – present; Robert (Bob) Sollmann – present; Ronald (Bud) Perry – present. Others present were Robyn Livesay and Meredith Wrobel of Miami Valley Lighting; Gary Johnston, Mayor; Debbie Cress, Fiscal Officer.

The Council discussed outdoor burning. Gary reported that he had received several recent complaints about different residents burning trash and he had spoken to the offenders about this activity being against EPA rules. He reminded Council that they can adopt stronger rules than the EPA ones. John expressed his concern that several residents' fire rings were awfully close to their neighbors' buildings. Rick stated that he doesn't think they want to set up a Village policy, just go by the EPA guidelines. Bob commented that he thinks most residents want to be allowed to have outdoor fires. Melinda expressed her opinion that outdoor burning should be constrained. It was clarified that complainants should call the Sheriff for enforcement.

Miami Valley Lighting dba DPL Energy representatives Robyn Livesay and Meredith Wrobel recommended options for poles and lights for the Monument St projects and provided pricing: e.g. the acorn fixture on a decorative cast aluminum pole on a screw anchor foundation – fixture: installation charge of \$423 and monthly full service lighting charge of \$18.89, which includes maintenance, energy, and cost of ownership; pole: 1 if installed and sold to the Village \$2,060 and the Village would have to pay for any damage or 2 install and lease - pay upfront \$659 and \$16.89 per month to lease the pole, maintenance included. Outlets on the pole for Christmas lighting are available for \$275 per pole, and the Village would have to arrange for energy directly with DPL; a set of banner arms are also available for \$527 per pole. Pricing for other types of fixtures and poles were also discussed. Spacing variations due to pole height were discussed. Council again requested pricing that includes flag brackets; the Village would not be allowed to install flag brackets later because of the wind loading. The project area was defined as Monument St between Church and Long streets. Robyn went over the proposed project scope. Bob expressed concern that screw bases would not be appropriate because of the depth of the limestone. Council and MVL further discussed types of poles, pole height – 12' vs 23', and maintenance (ownership) options and pricing. Donna stated that she is confused about whether MVL is considered a sole source provider. Rick questioned the conduit specifications: Robyn stated that 2" is required and the Monument St bid specs were for 1 ¼"; Robyn agreed to check to see if this is a problem. Gary summarized the decisions that Council needs to make: are they going with Miami Valley Lighting, or a different company. Bob asked if grant money can be used to pay for the lighting; Gary agreed that he would find that out before the next meeting. Donna stated that anything over \$25,000 that the Village purchases, irregardless of a grant, because of being a public entity, has to be bid, unless MVL can prove it is a sole source provider, and she knows they are not. Robyn stated that she knows of no one else who provides it in the manner that MVL does. Donna stated that DPL has a monopoly and there is no other choice; Robyn replied that there are choices: some Villages do it all themselves, purchasing and maintaining, or contract it out. Gary asked if the Village could have the contractor install the lights, and then have MVL maintain them. Robyn agreed that MVL could provide the maintenance, but installation specifications and issues would have to be resolved. Robyn agreed to e-mail information and colored pictures to Melinda.

Gary noted that Council had received a draft of the proposed public records policy and the travel policy, and requested that they review and comment.

Gary and Council discussed the proposed pricing from Miami Valley Lighting, and that it seems expensive; Gary suggested having Brian prepare a quote package, and seeking competitive quotes.

Gary and Council discussed restricted parking. Gary expressed that Council should either go with no restrictions or if restricted parking is desired, e.g. with two hour

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parking, or if there is an intent to designate the restriction during specified business hours, then the business hours need to be stated on the sign. Enforcement was discussed. Donna stated that the signs at Jackson Funeral Home are only for intimidation; John agreed. Donna suggested leaving the two hour parking sign there, knowing there is no ordinance and it is not enforceable. John stated that once it becomes known that the restriction is not enforceable, people will just abuse it. Gary expressed concern about credibility with the Sheriff's Department on having signs stating parking restrictions not being enforceable; either take the signs down or if signs are up, then have an enforceable ordinance. Bud expressed that if a business owner wants restricted parking for his business, then the owner needs to define his business hours, and at that time Council can consider the request. Rick stated his concern about parking at the soon to be established Village parking lot. Gary asked Council to consider whether they want an ordinance(s) to restrict parking for businesses, and act on it at the next meeting. John summarized that he thinks it should be brought up at the next Council meeting, either they want two hour parking there or they don't: if they don't, take the signs down; if they do, leave the signs up and adopt an ordinance to make it enforceable.

Donna and Bob expressed concern about the accuracy (measurements) of the parking lot drawing submitted by Brian May of Fanning/Howey. John stated that he agrees with Donna's ideas for the green space. Donna and John agreed that they want to meet with Brian and determine the specifications for the lot; Gary agreed to contact Brian.

Gary reported that the fence ordinance needs to be changed so it is enforceable since the Mayor's Court is defunct. He also noted that some areas need to be numerically defined – e.g. distance between properties if the property owners can not agree on where to put the fence. He also asked for the definition of the front yard on a corner lot. Bob commented that it may not always be the street that your address is on. Setbacks and fence height were also discussed. Gary asked that Council read the current ordinance – 904, and make suggestions. Council requested that the zoning/planning commission make recommendations to them.

Gary requested that, related to the E SR718 project, Council consider assessments that will be made: how does Council intend to treat low income residents and is Council going to pay for half the sidewalks? Donna commented that on the W SR718 project the \$30,000 Community Development Block Grant Formula Program specifies that low income people cannot be charged, but Council went further – they paid for half the sidewalks for everybody, out of Village funds, because they mandated new sidewalks be installed, besides all of the sidewalks for the low income residents. She cautioned that Council needs to be careful about what they're doing, because the CDBG Formula Program is not available for E SR718. Rick asked if Vectren will be removing the sidewalks on E SR718 for installation of new gas lines; Donna replied yes, they are removing the sidewalk, she had talked to the Superintendent and had told him that they need to coordinate it with the Village. Gary said he has not heard anything official from Vectren about sidewalk removal or a timetable. Gary noted that these assessments need to be decided before voting on the Resolution of Necessity, because after this is adopted the Village has to send out letters notifying the property owners of what's going on, the assessments, and estimated costs. Council stated their intent was that since they had mandated replacement of the sidewalks through the main part of town, they would pay for half.

Gary reported that after looking at several hundred trees, he had found only two that are acceptable for the Village's application: the Cleveland Pear and the Princeton Sentry Ginkgo – they grow up and not out. He does not recommend planting any tree in a three foot curb lawn, and the Village currently has an ordinance that does not allow planting trees in a curb lawn, so if trees in the curb lawn are going to be allowed, the ordinance needs to be changed.

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Donna stated that she had placed notices around town about the cemetery fence being for sale. She further stated that at the meeting Council had voted to sell the fence and had talked about the fence was obsolete, of no further use, and was for sale. She stated that the public notice needs to be put in the paper to be in compliance under the Ohio Revised Code. Donna reported that she had typed up the notice and gave it to Debbie: Public Notice that Council has declared that it is obsolete, of no further use and therefore... Debbie stated that the instructions Council had given her were to place a free ad in the Troy paper and a \$20 ad in the Stillwater Advertiser that fence was for sale for \$50 per 8 foot section. Donna stated that when they have meetings and they make a motion that's not all the ad is, she thinks that somebody is going to write the ad. Debbie reported that she had not yet placed the ads and if Council is now saying that legal advertising is required, that's a lot different from a \$20 Stillwater ad. Donna requested that this be run by Paul Wagner because any time Council sells anything... Bob stated that they had been through this before, with that old tractor and other items they had sold, and they don't have to go through Paul. Donna stated that she is bringing it up, because someone had brought it up to her. Gary stated that he understands her point to be that if it is brought up to sell it, then that should be enough to justify the ad, without making a special issue out of the ad, and that he thinks any issue would be with the auditor than with anyone else. Gary further stated that if something needs to be added, it should be done at a meeting; when the Village decides to sell something, then that needs to be added when the motion is made.

Melinda requested that Council be informed of the amount of money involved if Council decides to pay for one half of the sidewalks on E SR718.

Donna asked the amount of the deduct from payment to Finrock because of Vectren removing the sidewalk; she was informed that the bidders had been notified by an addendum that sidewalk removal was not part of the bid. Donna wanted to know why addendums were not brought to Council for approval before they went in, and that addendums should have been brought to Council.

Melinda reported that she had attended a park meeting last Wednesday night and Gene Laughman had reported that the appraisal came in at an acre and a half less than the Shoups' expected thirty five acres, and the trustees hadn't heard back if this would impact the agreed upon price. Closing is expected on April 30. Gary requested that Melinda make the Newton Trustees aware that the Village needs to find out where and how the Village is going to spend the park money they have, and needs to know the positioning of water, sewer, access roads, and parking lots. Bob expressed concern about responsibility for maintenance. Gary stated that remaining to be determined is who is in charge of the park, and how it will be managed. Donna said that it would not be the Village. Gary and Melinda stated that the Newton Trustees also do not want that responsibility. Melinda stated that a park board had been proposed/discussed, with a representative from the Township, the Village, baseball, soccer, community-at-large.

Gary reported that there had been some community/other concern raised about whether moving the Monument is required to be in compliance with the W SR718 grant award. Investigation has determined that movement of the Monument was in the initial W SR718 paperwork, but when the grant came back from the Small Government group, the scope of the project is street, curb, gutter, sidewalk, water lines, and sewer lines; that is all that has been bid by Finrock, and that is all that is going to be done. If Council decides to move the monument, it will be with their own funds.

The Mayor called for adjournment; Rick made a motion to adjourn, Bud seconded, Council voted "yeas". The meeting was adjourned at 9:40 p.m.

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Mayor Gary Johnston

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Fiscal Officer Debbie Cress