

PLEASANT HILL VILLAGE COUNCIL REGULAR  
December 8, 2008

Mayor Gary Johnston called the regular meeting to order at 7:00 p.m. Roll call: Melinda Clark – arrived at 7:05 p.m.; Donna Favorite – present; Rick Baker – present; John Schultz – present; Robert “Bob” Sollmann – present; Ronald “Bud” Perry – present. Others present were Stan Fessler; Sgt James McGlinch, Miami County Sheriff’s Dept; Brian May from Fanning/Howey Engineering; Paul Wagner, Village Solicitor; Jeff Derksen, Service Superintendent; Gary Johnston, Mayor; Debbie Cress, Fiscal Officer.

John made a motion to approve the minutes of the November 10, 2008 regular meeting as submitted; seconded by Donna. Roll Call: John – yes; Donna – yes; Bud – yes; Bob – yes; Rick – yes. Motion carried.

Miami County Sheriff’s Department Report: Mayor Johnston provided an update on the E SR718 project: the road is now open, it will close again in mid-March, depending on the weather, for 8 – 12 weeks. The new school construction project will begin in the Spring of 2009. Sgt McGlinch, Gary, and the Council discussed these projects and traffic concerns. Bud requested a greater Sheriff’s department presence around the school in the mornings; Sgt McGlinch reported that there is usually at least one deputy, sometimes two or three when they were having problems on E SR718, in the area.

Citizens’ Comments: No citizens were present.

Fanning/Howey:

Project: E SR718 – Brian May presented VTF Excavation’s payment application number 3 for \$59,328.04 (invoice 1280 for \$64,487.00 minus \$5,158.96 retainage) with OPWC paying \$43,902.75, ODOT paying \$0, and the Village paying \$15,425.29. Brian confirmed that the work being invoiced has been completed. Donna made a motion to approve VTF Excavation’s payment application number 3 (OPWC disbursement request number 3) for \$59,328.04; Bud seconded. Roll call: Donna – yes; Bud – yes; Bob – yes; John – yes; Rick – yes; Melinda – yes. Motion carried. Brian presented for Gary’s and Debbie’s signatures the OPWC payment application, disbursement request number 3. Gary also signed document 00518 Application for Payment – estimate number 3.

Project: Building Demolition, Parking Lot, and Lighting Project – Brian presented VTF Excavation’s Change Order Number 1, for \$4,592.00 and explained the changes, noting the although the barrier curb was listed, VTF is not charging for it. Donna made a motion to approve VTF Excavation’s Change Order Number 1 for the additional work in the amount of

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\$4,592.00; John seconded. Roll call: Donna – yes; John – yes; Melinda – yes; Rick – yes; Bob – yes; Bud – yes. Motion carried. Brian presented VTF Excavation’s payment application number 3 for \$13,833.75 (invoice 1282 for \$10,444.68 and invoice 1283 for \$4,592, minus \$1,202.93 retainage) with CDBG paying \$13,833.75 and the Village paying \$0. Brian confirmed that the work being invoiced has been completed. Bob made a motion to approve VTF Excavation’s payment application number 3; Rick seconded. Roll call: Bob – yes; Rick – yes; Bud – yes; John – yes; Donna – yes; Melinda – yes. Motion carried. Gary signed document 00518 Application for Payment – estimate number 3.

Village Council, Brian, Gary, and Jeff discussed the area between residents’ homes and the street along E SR718, the curbs, gutters, and sidewalks having been removed. Council expressed concern about residents having safe access to their properties. Gary said that he and Jeff would review the situation.

Department reports:

Service Superintendent: Jeff stated that all of his items were covered elsewhere on the agenda.

Committee Reports:

Park – Melinda provided the Park project update: reported that an application to the CDBG grant authorizing any change in acceptable projects for which the funds could be spent was required to be submitted by December 7. The proposal, a walking track, which could be used by all ages, requires no change. She stated that Brian had provided a cost estimate of \$64,000 +/- 20% for oil prices. She reported that the current proposal is an 8’ wide walking track, 12 – 15 feet off the property line, and they would like Council to approve engineering fees to have Fanning/Howey design this track. Council discussed that acceptable uses for this track would be walking, in-line skating, and bicycling, no motor vehicles. Specifications were discussed. Melinda made a motion to spend \$60,000 on a walking track around the perimeter of the park; John seconded. Roll call: Melinda – yes; John – yes; Rick – yes; Donna – yes; Bud – yes; Bob – yes. Motion carried. Brian agreed to research the need for a base under the track. Council agreed that they are not required to contribute any funds or matching funds to this project. Melinda made a motion to authorize, at a cost not to exceed \$2,500, Fanning/Howey to develop a design and a bid package for the walking track; Rick seconded. Roll call: Melinda – yes; Rick – yes; Donna – yes; John – yes; Bob – yes; Bud – yes. Motion carried. Council discussed: Donna had contacted the County and a walking track

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would not have to go through zoning and water run-off is not an issue, as it would be for a parking lot; concern about parking/parking lot, and noted that the school is trying to coordinate this with their project; the CDBG grant would not pay for a parking lot, unless amended, and there was no guarantee that the state would approve an amendment. Stan presented to Council the current school grounds layout. Council instructed Brian to bring the design and bid package to their January meeting, with a project completion date of June 30.

Old Business:

Library Air Conditioning Replacement Project – Jeff reported that Tim says the project is finished. Gary requested that Council act on the \$11,480 invoice from Grilliot Heating and Cooling. Donna questioned why lower permit fees and less window repairs were not deducted from the contract. Council, Gary, and Paul discussed when and why change orders are appropriate/acceptable. John made a motion to approve payment of Grilliot Heating and Cooling's invoice for \$11,480; Melinda seconded. Roll call: John – yes; Melinda – yes; Bud – yes; Bob – yes; Rick – yes; Donna – no. Motion carried 5 – 1.

Ordinances and Resolutions:

Resolution 2008–26 Resolution to Employ a Village Solicitor. Donna made a motion to adopt Resolution 2008–26 Resolution to Employ a Village Solicitor; John seconded. Council discussed that the 2009 contract price is \$3,875.00, an increase over the 2008 price. Roll call: Donna – yes; John – yes; Melinda – yes; Rick – yes; Bob – yes; Bud – yes. Motion carried.

Resolution 2008–25 2008 Appropriation Line Item Changes by Fund. Debbie explained the reasons these line items changes are needed. Council, Gary, and Debbie discussed that the Cemetery Fund expenses exceed revenues, requiring support from the General Fund. Donna made a motion to adopt Resolution 2008–25 2008 Appropriation Line Item Changes by Fund; seconded by Bob. Roll call: Donna – yes; Bob – yes; Bud – yes; John – yes; Rick – yes; Melinda – yes. Motion carried.

New Business:

Debbie explained that per the December 10, 2007 minutes, the employee clothing allowance was to be maintained and charged to the general fund. However, when appropriations were set up for 2008, the customary practice of distributing the employee clothing allowance equally to the general, water, and sewer funds was followed. Melinda

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made a motion to change the December 10, 2007 motion and split the employee clothing allowance equally among the general, water, and sewer funds; Donna seconded. Roll call: Melinda – yes; Donna – yes; Rick – yes; John – yes; Bob – yes; Bud – yes. Motion carried.

Council discussed tree and stump removal proposals from Gunkle’s Tree Service– \$3,050 and Junior’s Tree Service – \$4,300. Melinda made a motion to accept Gunkle’s proposal for tree and stump removal in the cemetery (6 trees and 8 stumps) and in Tommy Lewis Park (6 stumps) for \$3,050; Donna seconded. Roll call: Melinda – yes; Donna – yes; Rick – yes; John – yes; Bob – yes; Bud – yes. Motion carried.

Council discussed the Finance Committee’s recommendation that trash fees be increased \$1.00 per month. It was noted that, per the contract, the charge from Best Way will increase \$1.42 per month; but this difference will be offset by late fees and the carryover balance in the fund. Donna made a motion to increase trash fees \$1.00 per month, or \$2.00 per billing cycle; seconded by Melinda. Roll call: Donna – yes; Melinda – yes; Bud – yes; Bob – yes; John – yes; Rick – yes. Motion carried.

Rick made a motion to approve payment of the November bills and acknowledge presentation and review of the November Primary Bank Reconciliation, Payment Summary, and Payroll Register Summary and November year to date Fund Summary, Appropriation Summary, and Revenue Summary; Bob seconded. Roll call: Rick – yes; Bob – yes; Melinda – yes; Donna – yes; John – yes; Bud – yes. Motion carried.

Melinda, noting that she had attended the Audit Conference, asked if the Village’s Income Tax collections had been audited; it was confirmed that all the Village’s financial transactions, including tax collections, are subject to audit, and were sampled/audited.

Donna made a motion to adjourn to executive session for discussion of personnel and salaries. Gary noted that he, Council members, Paul, and Stan would attend the session. Melinda seconded. Roll call: Donna – yes; Melinda – yes; Rick – yes; John – yes; Bob – yes; Bud – yes. Motion carried. Into executive session at 8:15 p.m.

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Gary instructed me, Fiscal Officer Debbie Cress, that my services would no longer be needed this evening, and that I should take the tape recorder with me as he would hand write the minutes when Village Council reconvened from executive session.

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Fiscal Officer / Debbie Cress

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Reconvene:

Council came out of executive session at 8:45 p.m. by motion by Melinda and 2<sup>nd</sup> by Bud roll call all in favor.

Finance committee presented the salary requests made by Deb of an increase in salary retroactive and fully paid health insurance and advised the council not to accept the request. A motion was made by Bob and 2<sup>nd</sup> by Bud to not grant any pay or health insurance increases. The roll call was all in favor of the motion.

Debs letter of resignation was read aloud to the council which stated that if the salary and benefit requirements could not be met, she would work through Dec. 15<sup>th</sup>, take her two weeks' vacation after which her employment would terminate. A motion was made by Bud and 2<sup>nd</sup> by Bob to accept Debs letter of resignation. The roll call was all in favor.

The mayor, as a result of the acceptance of the resignation, asked the council to hire Tony Fessler at a salary of \$500.00 per month and Carol Fessler at a salary of \$20,000.00 per year as the transition team to close out the books for 2008 and get through the tax season up coming and revisions to the current office job content. Motion was made by Melinda to employ Tony at \$500.00 per month starting Dec. 10<sup>th</sup> 2008 and 2<sup>nd</sup> by John, roll call all in favor. Motion by Melinda and 2<sup>nd</sup> by Donna to employ Carol as fiscal officer at a salary of \$20,000.00 per year, starting Dec. 16<sup>th</sup>. Both Tony and Carol will be part-time employees and will not require insurance.

Motion to adjourn the meeting by Melinda and 2<sup>nd</sup> by Rick roll call all in favor meeting was adjourned at 9:10 p.m.

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Mayor / Gary Johnston