

PLEASANT HILL VILLAGE COUNCIL REGULAR MEETING
SEPTEMBER 12, 2011

Prior to the regular meeting, Mayor Gary Johnston called the public hearing on the Tommy Lewis Park to order at 6:30 pm.

Roll Call: Angela Roeth-present; Donna Favorite-present; John Weaver-present; John Schultz-present. Paul Laughman and Kreg Hollenbacher were absent. Others present were Karl Marko, Fiscal Officer.

No residents of the Village of Pleasant Hill were in attendance for the public hearing on the Tommy Lewis Park. This meeting was called to discuss the closing of Tommy Lewis Park and moving all the assets from the Tommy Lewis Park to the new park east of the Newton School. Donna Favorite stated that she had three residents contact her and express an opinion on the proposed closure of Tommy Lewis Park. The first couple was from Brethren Drive and they stated that they were ok with it because they believe that the move would be done in good taste. The second individual helped to build the gazebo and offered his assistance in taking down the gazebo and moving it to the new park. This gentleman did voice some concerns about the benches. The benches were cypress wood and should not have rotted as they have. The neighbors of the park stated that they did not have a problem with closing the park and said that they would be interested in purchasing the land. After some discussion, the Village Council did not take any action on the Tommy Lewis Park.

Mayor Gary Johnston called the regular meeting to order at 7:00pm.

Roll Call: Donna Favorite-present; Angela Roeth-present; John Weaver-present; John Schultz-present; Paul Laughman-absent and Kreg Hollenbacher-absent. Kreg Hollenbacher entered the meeting at 8:57 prior to any action on the resolutions. Others in attendance were Brian May, Fanning/Howey Associates, Jeff Derksen, Service Superintendent, and Karl Marko, Fiscal Officer.

John Weaver moved to accept the minutes of the August 8, 2011 regular council meeting as written. John Schultz seconded the motion. Roll Call: John Weaver-yes; John Schultz-yes; Donna-yes; Angela-yes. All yes. Motion carried.

Sheriff's Department Reports

None

Citizens' Comments

None

Reports

Brian May of Fanning/Howey presented Invoice No. 1813961 in the amount of \$1,500.00 for professional services on Waste Water Treatment Plant project. John

PLEASANT HILL VILLAGE COUNCIL REGULAR MEETING
SEPTEMBER 12, 2011

Weaver moved to authorize the payment of \$1,500.00 to Fanning/Howey Associates for professional services on the Waste Water Treatment Plant project. Donna seconded the motion. Roll Call: John Weaver-yes; Donna-yes; Angela-yes; John Schultz-yes. All yes. Motion carried.

Brian then presented Progress Payment No. 12 for Doll Layman, Ltd. for the amount of \$61,442.02 for the Waste Water Treatment Plant Project. Angela moved to authorize the OWDA to make progress payment number 12 to Doll Layman, Ltd. in the amount of \$61,442.02. John Schultz seconded the motion. Roll Call: Angela-yes; John Schultz-yes; John Weaver-yes; Donna-yes. All yes. Motion carried.

Next, Brian gave Council a Fanning/Howey Invoice No. 1813965 in the amount of \$4,000.00 for professional services on North Church Street project. Payment of this invoice will be made from Village funds. John Schultz moved to authorize the payment of \$4,000.00 to Fanning/Howey Associates for professional services on the North Church Street project. John Weaver seconded the motion. Roll Call: John Schultz-yes; John Weaver-yes; Angela-yes; Donna-yes. All yes. Motion carried.

Next was Fanning/Howey Invoice 1813966 in the amount of \$585.00 for professional services on the Walnut St/Lauver Road Sewer Extension. This invoice will be paid from the OWDA Loan. Donna moved to authorize the payment of \$585.00 to Fanning/Howey Associates for professional services on the Walnut Street/Lauver Road Sewer Extension project. Angela seconded the motion. Roll Call: Donna-yes; Angela-yes; John Weaver-yes; John Schultz-yes. All yes. Motion carried.

Brian then presented Pay Application No. 4 to Tumbusch Construction, Inc. for the amount of \$18,926.86. This also will be paid from OWDA Loan. John Schultz moved to authorize the OWDA to make payment on Pay Application No. 4 to Tumbusch Construction, Inc. in the amount of \$18,926.86. John Weaver seconded the motion. Roll Call: John Schultz-yes; John Weaver-yes; Donna-yes; Angela-yes. All yes. Motion carried.

Donna moved to accept the Certificate of Substantial Completion for the Walnut Street/Lauver Road Sewer Extension Project. John Schultz seconded the motion. Roll Call: Donna-yes; John Schultz-yes; Angela-yes; John Weaver-yes. All yes. Motion carried.

Brian May stated that the Walnut St. /Lauver Rd. Sewer Extension is complete except for the drainage problem at the Marchal and Shellenberger properties. Tom's Construction, Inc. is going to fix the problem for Tumbusch Construction, Inc. before they finish the N. Church St. Project. Brian contacted Miami County to inform them

PLEASANT HILL VILLAGE COUNCIL REGULAR MEETING
SEPTEMBER 12, 2011

that the residents could begin connecting to the Pleasant Hill sewer system. He believes that they have three years to connect.

Brian presented to council Fanning/Howey Invoice No. 1813992 in the amount of \$307.50 for professional services in preparing OPWC Applications for the SR48 Phase 2/and Various Streets. John Weaver moved to authorize the payment of \$307.50 to Fanning/Howey Associates for professional services for the preparation of Ohio Public Works Commission Applications for the State Route 48 Phase 2/Various Street. Donna seconded the motion. Roll Call: John Weaver-yes; Donna-yes; Angela-yes; John Schultz-yes. All yes. Motion carried.

Next was Pay Application No. 3 from Tom's Construction in the amount of \$95,672.11. The OPWC will pay \$49,836.05 and the Village will pay \$45,836.06. Further, Brian submitted Change Order No. 1 for the N. Church St. Project in the amount of \$60,255.30. The largest amount of the change order (\$41,995.99) is because the engineer underestimated the rock excavation. When Fanning/Howey went out for bids they estimated that there would be 200 cubic yards of limestone removed from Church St. When they started working on the north end of the street to replace the water lateral they found out that there was more rock than anticipated. All contractors that submitted bids used the 200 cubic yards for their estimates. With this change order, an additional 383.56 cubic yards of limestone was removed. John Weaver moved to approve Change Order No. 1 in the amount of \$60,255.30 for the N. Church Street Project. John Schultz seconded the motion. Roll Call: John Weaver-yes; John Schultz-yes; Angela-yes; Donna-yes. All yes. Motion carried.

Donna moved to authorize the payment on Pay Application No. 3 to Tom's Construction, Inc. in the amount of \$95,672.00. \$49,836.05 will be paid by the OPWC and \$45,836.06 paid by the Village. Angela seconded the motion. Roll Call: Donna-yes; Angela-yes; John Schultz-yes; John Weaver-yes. All yes. Motion carried.

Brian informed Council that the State of Ohio has additional money available for the 0% loan program for municipal projects. Council discussed the merits of applying for a 0% loan for street improvements to be accomplished at the same time as the South Main Street project. Brian stated that if the loan is approved and it is determined that we do not have the resources to pay back the loan; the Village could always refuse the loan.

John Schultz moved to apply for the 0 percent loan for Village Street Improvements. John Weaver seconded the motion. Roll Call: John Schultz-yes; Angela-yes; John Weaver-yes; Donna-nay. Motion carried 3-1.

PLEASANT HILL VILLAGE COUNCIL REGULAR MEETING
SEPTEMBER 12, 2011

Department Reports

Jeff Derksen-Village Superintendent gave a progress report on all the construction projects going on in the village. Further, he informed Council that someone is dumping at the cemetery and that he and Tim have not given permission for anyone to dump at the cemetery. He would like to have the west side graded and grass planted. He thinks that this would help end the dumping. Jack Estes Excavating has submitted a quote for grading work at the cemetery in the amount of \$1,475.00.

Donna moved to authorize a Purchase Order for Jack Estes to perform the grading at the cemetery for an amount not to exceed \$1,500.00. Angela seconded the motion. Roll Call: Donna-yes; Angela-yes; John Weaver-yes; John Schultz-yes. All yes. Motion carried.

Mayor Report

Mayor stated that the painting of the curbs is going forward and that some of the curbs will be revisited.

Village Solicitor

No report.

Village Fiscal Officer

Fiscal Officer, Karl Marko, Jr. would like to have a finance committee meeting sometime in mid to late October.

Committee Reports

Park Advisory Board

The shelters at the park are finished.

Beautification Committee

John Schultz would like for the Village to do something new next spring for the Village entrances. He asked Council Members to think about what they would like to see in place of the flower boxes.

Ordinances and Resolutions

Because we only had 4 Council Members present, Council could not suspend the rules requiring three readings to suspend the rules, Karl Marko called Kreg Hollenbacher and Paul Laughman to see if they were able to come to the meeting. Mr. Hollenbacher was 20 minutes from the Village and said that he would come to the meeting. Kreg entered the council chambers at 8:57 p.m.

The first resolution was for the annual contract with the Miami County Public Defender Commission for public defender services. The annual contract is at the same cost as last year, \$336.26.

PLEASANT HILL VILLAGE COUNCIL REGULAR MEETING
SEPTEMBER 12, 2011

John Weaver moved to suspend the rules for three readings of Resolution 2011-13, A RESOLUTION AUTHORIZING THE VILLAGE OF PLEASANT HILL TO ENTER INTO AN AGREEMENT WITH THE MIAMI COUNTY PUBLIC DEFENDER COMMISSION FOR PUBLIC DEFENDER SERVICES TO VILLAGE OF PLEASANT HILL RESIDENTS. John Schultz seconded the motion. Roll Call: John Weaver-yes; John Schultz-yes; Angela-yes; Kreg-yes; Donna-yes. All yes. Motion carried.

Donna moved to adopt Resolution 2011-13, A RESOLUTION AUTHORIZING THE VILLAGE OF PLEASANT HILL TO ENTER INTO AN AGREEMENT WITH THE MIAMI COUNTY PUBLIC DEFENDER COMMISSION FOR PUBLIC DEFENDER SERVICES TO VILLAGE OF PLEASANT HILL RESIDENTS. John Weaver seconded the motion. Roll Call: Donna-yes; John Weaver-yes; Kreg-yes; Angela-yes; John Schultz-yes. All yes. Motion carried.

John Schultz moved to suspend the rules for three readings of Resolution 2011-14, A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE MIAMI COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE MIAMI COUNTY AUDITOR. Kreg seconded the motion. Roll Call: John Schultz-yes; Kreg-yes; Angela-yes; John Weaver-yes; Donna-yes. All yes. Motion carried.

John Weaver moved to adopt Resolution 2011-14, A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE MIAMI COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE MIAMI COUNTY AUDITOR. Angela seconded the motion. Roll Call: John Weaver-yes; Angela-yes; Donna-yes; Kreg-yes; John Schultz-yes. All yes. Motion carried.

We have 8 property owners that are delinquent in paying their utility bills. These 8 delinquent utility bills go back to our last assessment in September of 2010. They owe \$1,782.40 including administrative fees. I am asking Council to approve certifying these amounts to the county auditor to be assessed against the owner's properties.

John Schultz moved to suspend the rules for three readings of Resolution 2011-15, A RESOLUTION LEVYING A SPECIAL ASSESSMENT FOR THE PURPOSE OF PAYING THE COST OF UNPAID UTILITY BILLS FOR THE YEAR 2011. Kreg seconded the motion. Roll Call: John Schultz-yes; Kreg-yes; Donna-yes; John Weaver-yes; Angela-yes. All yes. Motion carried.

Donna moved to adopt Resolution 2011-15, A RESOLUTION LEVYING A SPECIAL ASSESSMENT FOR THE PURPOSE OF PAYING THE COST OF

PLEASANT HILL VILLAGE COUNCIL REGULAR MEETING
SEPTEMBER 12, 2011

UNPAID UTILITY BILLS FOR THE YEAR 2011. Angela seconded the motion. Roll Call: Donna-yes; Angela-yes; John Schultz-yes; Kreg-yes; John Weaver-yes. All yes. Motion carried.

We have two properties that are vacant and we have had to hire a contractor to mow the grass and cut down the weeds. If the property owner does not reimburse us for the costs incurred then we place the cost and fees on their property taxes. The owners of these two properties owe the Village \$464.94 and that amount needs to be certified to the county auditor.

John Weaver moved to suspend the rules for three readings of Resolution 2011-16, A RESOLUTION LEVYING A SPECIAL ASSESSMENT FOR THE PURPOSE OF PAYING THE COST OF MOWING TALL OR NOXIOUS WEEDS AND/OR GRASS. John Schultz seconded the motion. Roll Call: John Weaver-yes; John Schultz-yes; Donna-yes; Kreg-yes; Angela-yes. All yes. Motion carried.

Angela moved to adopt Resolution 2011-16, A RESOLUTION LEVYING A SPECIAL ASSESSMENT FOR THE PURPOSE OF PAYING THE COST OF MOWING TALL OR NOXIOUS WEEDS AND/OR GRASS. Donna seconded the motion. Roll Call: Angela-yes; Donna-yes; John Weaver-yes; John Schultz-yes; Kreg-yes. All yes. Motion carried.

Old Business

Donna moved to make Trick or Treat Night in Pleasant Hill on Monday, October 31, 2011 from 6:00PM to 8:00PM and coordinate with Joint Fire District for the evening's festivities and authorize up to \$200 for candy to be passed out during the parade and costume contest. Angela seconded the motion. Roll Call: Donna-yes; Angela-yes; John Weaver-yes; Kreg-yes; John Schultz-yes. All yes. Motion carried.

New Business

None

Financial Reports

John Weaver moved to approve payment of August 2011 bills, and acknowledged presentation and review of the August Primary Bank Reconciliation, Payment Summary, Payroll Register Summary, Fund Summary, Appropriation Summary, and Revenue Summary. John Schultz seconded the motion. Roll Call: John Weaver-yes; John Schultz-yes; Donna-yes; Kreg-yes; Angela-yes. All yes. Motion carried.

Adjourn

There being no other business brought forth to Council, the Mayor stated that he would entertain a motion to adjourn. John Weaver moved to adjourn the meeting;

PLEASANT HILL VILLAGE COUNCIL REGULAR MEETING
SEPTEMBER 12, 2011

seconded by Kreg. Roll Call: John Weaver-yes; Kreg-yes; Angela-yes; Donna-yes;
John Schultz-yes. All yes. Motion carried. Meeting was adjourned at 9:10pm.

Gary L. Johnston, Mayor

Karl Marko, Jr., Fiscal Officer