

**VILLAGE OF PLEASANTVILLE**  
**Council Meeting**  
**Minutes of Regular Session**  
February 14, 2008

**Roll Call:**

Jack Weidner, Mayor	Present
Jason Henderson, Council President	Present
Penny Bell, Council Member	Present
Sean Fowler, Council Member	Absent
Bill Mason, Council Member	Present
Mary Scholl, Council Member	Present
John Snook, Council Member	Absent
Kathy Jenkins, Clerk/Treasurer	Present

**Call To Order:**

The Mayor called the meeting to order at 7:05 p.m. Thursday, February 14, 2008. The Pledge of Allegiance was recited. The roll was called. Two members were absent.

**Guests:**

Ralph George, Administrator of Water, Streets and Storm Sewers

**Minutes:**

The Mayor asked if everyone had had a chance to review the minutes of the January 2008 regular Council meeting and if there were any corrections or comments. As there were none, the Mayor asked for a motion to approve the minutes.

Jason made a motion to approve the minutes of the Regular Council Meeting for January 10, 2008. Bill seconded the motion and the motion passed unopposed.

The Mayor asked if everyone had had a chance to review the minutes of the Special Council meetings held June 25, 2007 and July 26, 2007 and if there were any corrections or comments. As there were none, the Mayor asked for a motion to approve the minutes.

Jason made a motion to approve the minutes of the Special Council meetings held June 25, 2007 and July 26, 2007. Bill seconded the motion and the motion passed unopposed.

**Finance:**

The Mayor turned over the meeting to Jason for the report of the Finance Committee. Jason said that a financial resolution had been necessary. He asked for approval of Resolution 2-14-08-1, which reads as follows:

*Be it resolved by the Village of Pleasantville Council, that the following transfers be approved:*

*OPWC Summit St. Storm Sewer Loan Pymt. Fund - \$1,323.38*

*To Transfers In* 3401-931-0000  
*From General Fund – Transfers Out* 1000-910-910-0001  
*OPWC Loan CQ22D – Payment.*

*Community Center Fund – \$700.00*

*To Transfers In* 2902-931-0003  
*From General Fund – Transfers Out* 1000-910-910-0001  
*Operating Expenses – Natural Gas.*

*Be it resolved by the Village of Pleasantville Council that the following advance be approved:*

*Community Center Fund - \$3,200.00*

*To Advances-In Community Center* 2902-941-0000  
*From Advances-Out General Fund* 1000-920-920-0001  
*Handicap Accessible Restrooms.*

*Be it resolved by the Village of Pleasantville Council, that the following supplemental appropriations be approved:*

*General Fund - \$3,200.00*

*To Advances-Out* 1000-920-920-0000  
*From Transfers-Out* 1000-910-910-0001  
*Advance to Community Center because of possible repayment by County.*

*Water Fund - \$6.93*

*To Social Security* 5101-539-212-0009  
*From Other Professional & Technical* 5101-539-349-0009  
*Last year's Social Security Withholdings.*

*Community Center - \$3,200.00*

*To Repairs & Maintenance of Bldgs. & Land* 2902-330-431-0003  
*Balance Due for Restroom Rehabilitation.*

*General Fund - \$3,835.00*

*To Unemployment Compensation* 1000-790-240-0000  
*Unemployment Claim for Six Months for Uhl.*

Mary made a motion to approve Resolution 2-14-08-1. Penny seconded the motion and the motion passed unopposed.

## **Streets:**

Ralph said that he had reported two streetlights to AEP. They had fixed the one on Roosevelt Street. Ralph had called to ask why they hadn't repaired the one on North Main Street and they had said that they couldn't fix it because they needed traffic control. Ralph will call this light in again and tell them that he or someone in the Village can do the traffic control.

The Mayor suggested that Ralph ask AEP to remove the ribbon indicating a malfunctioning streetlight each time they make a repair to avoid confusion.

The Mayor said that the Village had been keeping up with the snowplowing. He and Ralph agreed that Jason and Gary had been doing a great job.

The Mayor said that they had opened up storm sewers all over town that were blocked by leaves, snow and ice. He said that there was a small pond at Academy Street and Lincoln Avenue due to a plugged storm sewer.

Jason asked Ralph if he could request that AEP trim the trees covering the streetlights on the corner of Academy and Lincoln and on North and South Main Street.

Ralph said that the storm sewer at McCafferty's Hardware had been blocked and that they had called Bill Watson because they thought that there was a waterline break. They discovered that the water was due to a blockage of the storm sewer and had back-flushed with a 50-foot water hose and had gotten some of the leaves out but it is still blocked. Once the weather clears, they will use the small backhoe to repair the storm sewer.

The Mayor said that Bill had checked about a request for gravel on East Columbus. Bill said that they were complaining that it was all muddy for parking but that they were parking clear up in the yard. He said that there was gravel to pull off the road and park because there was room for his van to pull off the road onto the gravel. The Mayor said that the Village was only responsible for maintaining the berm along side of the road and they were not responsible for maintaining additional parking areas.

The Clerk said that she had called the woman who had complained and explained and the woman had been fine with the explanation. She had told the Clerk that she thought that it was probably her landlord's responsibility but he had told her that it was the Village's. She told the Clerk that she would go back to her landlord.

The Mayor said that as Council members, any one of them might receive this type of complaint. He warned that the policy of maintaining the berm but not additional parking needed to be carried out throughout the town. He also suggested anyone on Council who purchased gravel for their own parking area keep their receipt as proof of purchase to eliminate accusations of favoritism.

Jason asked the Clerk if the Request for Service/Complaint Forms were working out. The Clerk said that she was passing them out but that it was up to the Mayor, Council and Gary if they were beneficial. Jason asked about a place to file these forms and the Clerk said that she would set up a place.

The Mayor said that the Council needs to come up with some sort of amendment to deal with the apartment complexes since we can't find the original ordinance. He asked if the Service Committee had discussed this or had any solutions. Jason said that he had looked at the ordinances but couldn't find anything.

The Clerk said that it would be her suggestion that the rate of \$6.25 per thousand gallons of water be established for master meters for multiple dwellings. She said that this would keep the rate they are currently being charged and would categorize them by the distinguishing facts that separate them from other water customers. The Clerk said that there is a monthly minimum for individual users but there isn't a minimum for each of the individual units of a multiple dwelling with a master meter. Jason said that he had not been able to locate the last ordinance for water rates and the Clerk explained that she had pulled this ordinance as she had been investigating this problem for a while. The Mayor asked if this could be passed as an emergency and the Clerk said that she believed it could be since it had been omitted from the original ordinance and there was not going to be any increase at this time. The Clerk said that, if they would go ahead and pass it, she would write it up and Council could sign it next month.

Jason made a motion to amend the original ordinance to include a \$6.25 per thousand-gallon charge for master meters of multiple dwellings as an emergency ordinance. Bill seconded the motion and the motion passed unanimously.

The Mayor asked Ralph if anyone had contacted him regarding water meter and specifications for the new elementary school. Ralph said that the general contractor should have all that information and that the subcontractor's should contact them.

Ralph reported that the meter at the apartment complex on Richland had been replaced. He said that it was a 1-½ inch meter. He said that the first one had arrived broken but a replacement meter had been received.

### **Zoning:**

The Mayor said that Sean was not here to give a report and asked the Clerk if she was aware of anything for Zoning. She said that Melanie had been in briefly and had left a copy of the letter she had sent to the owner of the old garage on North Main Street.

### **Community Center:**

Penny reported that the painting of the walls has been completed and the ceiling painting is about half complete. They have also done some painting downstairs.

There is a rental this weekend.

Jason said that there are no ladders for the Community Center. He said that whenever a light bulb needed to be changed, he had to bring a ladder from home. He asked for approval to purchase a ladder. He said that at Lowe's there are the following options:

10' Aluminum	\$159.00
10' Fiberglass	\$199.00
12' Fiberglass	\$249.00

Penny made a motion to purchase a 10' aluminum ladder from Lowe's for \$159.00. Mary seconded the motion and the motion passed unanimously.

The Mayor said that he would like to have metal chairs for the steak dinner fundraiser. He said that the wooden chairs are not sturdy and he didn't want anyone to get hurt. Jason said that the General Fund could advance funds for the chairs and then profits from the dinner could be returned to the General Fund. Jason said that we need about 70 more chairs.

The Clerk asked about a date for the dinner and if the Council wanted to ask the high school class to serve again.

The Mayor said that he was on vacation from March 26<sup>th</sup> through April 11<sup>th</sup>. He said that the Council could go ahead and have the dinner any time because he didn't have to be there. Jason and Mary did not want to have the dinner without the help of the Mayor and his wife. It was decided to have the dinner on Saturday April 19<sup>th</sup> from 4:00 to 6:00 p.m. Jason said that the Clerk should not mention a price yet as the cost of the meat has increased. Last year's prices were \$7.00 for adults and \$4.00 for children.

They will purchase supplies for 225 dinners.

### **Park and Pool:**

John is absent. The Mayor said that there wasn't much happening to report at this time of year. He said that they had planned to have Camp Ream help with putting up the backstop but they had run out of time and good weather. Jason will ask them to return the end of February or beginning of March.

The Easter Egg Hunt will be Saturday, March 22<sup>nd</sup> at 1:00 p.m. It will be held at the Pleasantville Elementary School. Otte Park is too muddy and has limited parking. Bob and Brenda Pangborn are donating a prize for every child who attends. They have asked if they could raffle Easter Baskets to help defray the cost. The Mayor proposed that the \$50.00 that the Council usually spends on an Easter Basket to raffle be used for the cash prizes for the Easter Egg Hunt so that he would no longer have to donate them. Council agreed.

Bill made a motion to spend \$50.00 for the cash prizes for the Easter Egg Hunt. Penny seconded the motion and the motion passed unopposed.

Penny said that she had some rabbits she would like to donate and the Mayor told her to get with Brenda Pangborn about it.

The Clerk said that she had also received a call about the Community Yard Sale. After some discussion, it was decided to hold the yard sale on the 20<sup>th</sup> and 21<sup>st</sup> of June.

### **Grant Updates:**

The Mayor reported that the county would have \$240,000.00 to distribute in CDBG grants and that they would probably want to spread it around since it is an election year. The Mayor suggested that we follow through with the ADA improvements and ask for sidewalks and a parking pad for the handicapped. The Mayor will have M-E give us estimates for this work and for sidewalks to the old Laundromat.

The Clerk asked everyone to refer to the CAS forms to decide about changes for the CDBG application. The Clerk will prepare the form with the Council's suggestions and send it to M-E.

### **Regional Planning:**

The Mayor said that he had nothing for Regional Planning.

### **Old Business:**

Ralph said that Daubenmire hadn't heard anything about the annexation. The hydrant is still broken on their waterline extension.

The Clerk said that the Council needed to pass a resolution to obtain the multi-cards from Fifth Third that were discussed at the last meeting. She said that this was part of Fifth Third's procedure for obtaining the cards. Also everyone who would be getting a card (8 people) would need to sign an individual cardholder agreement. There would be a \$200.00 limit on each card. There will be no fees as we will be paying the balance each month (19.8% on balances not paid) and cash advances will be prohibited. She said that there is a \$35.00 over-the-limit charge and she will have to check to see if this on each individual card or on the entire account. She said that in her opinion, if it is on the individual cards, the cardholder should have to pay the penalty. Jason disagreed. The Clerk said that she had no vote and Council could decide how they wanted to proceed. No decision was made. The Clerk said that she had chosen the eight people for cards based on the spending limits set last month. Those people were the Mayor, Clerk, Jason, John, Sean, Gary, Bob and Ralph. She said that if Council wanted additional cardholders, she could make the arrangements.

Jason made a motion to approve Resolution 2-14-08-2 to obtain the multi-cards from Fifth Third. Penny seconded the motion and the motion passed unanimously.

The Clerk said that Council needed to pass Resolution 2-14-08-3 approving a public records request policy. After some discussion, the following wording was proposed:

*Be it resolved by the Village of Pleasantville Council, that the following Public Records Request Policy be adopted:*

### **PUBLIC RECORDS REQUEST POLICY**

*The records request policy establishes office procedures for responding to requests for public records. This policy supersedes any and all previous records request policies.*

### **MISSION STATEMENT**

*It is the policy of the Village of Pleasantville that openness leads to a better informed citizenry, which leads to better government and better public policy. Consistent with the premise that government at all levels exists first and foremost to serve the interests of the people, it is the mission and intent of the Village of Pleasantville to at all times fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act and Open Meetings Act.*

### **DEFINING PUBLIC RECORDS**

*All records of the Village of Pleasantville are public unless they are specifically exempt from disclosure under the Ohio Revised Code, or are confidential attorney-client work product or communications. All records must be organized and maintained so that they are readily available for inspection and copying.*

*Public records are defined to include the following: Any document – paper, electronic (including, but not limited to, e-mail), or other format – that is created or received by, or comes under the jurisdiction of the Village of Pleasantville that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office.*

### **RESPONSE TIMEFRAME**

*Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.*

*Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so.*

*Routine requests include, but are not limited to, meeting minutes (both in draft and final form), budgets, salary information, forms and applications, personnel rosters, etc. If fewer than 20 pages of copies are requested or if the records are readily available in an electronic format that can be e-mailed or downloaded easily, these should be made as quickly as the equipment allows.*

*All requests for public records must either be satisfied or be acknowledged in writing within three business days following the office's receipt of the request.*

## **HANDLING REQUESTS**

*Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the office to identify, retrieve, and review the records. If it is not clear what records are being sought, the office must contact the requester for clarification, and should assist the requester in revising the request by informing the requester of the manner in which the office keeps its records.*

*The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is this office's general policy that this information is not to be requested.*

*In processing the request, the office does not have an obligation to create new records or perform new analysis of existing information. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through simple sorting, filtering, or querying. **Although not required by law, the office should accommodate the requestor by generating new records, in order to make otherwise public records available and protect records that are legitimately exempt from disclosure, when it makes sense and is practical under the circumstances.***

*In processing a request for inspection of a public record, an office employee must accompany the requester during inspection to make certain original records are not taken or altered.*

*If a request is for records that may be exempt or prohibited from disclosure, or if the request presents a high probability of litigation or any other unique issue, the recipient of the request must contact the Village Solicitor as the request is being processed. The Village Solicitor will assist in processing the request.*

*A copy of the most recent edition of the Ohio Sunshine Laws manual is available to all employees of the office via the internet for the purpose of keeping employees educated as to the office's obligations under the public records law. This website is [www.ag.state.oh.us/legal/pubs/Ohio\\_Sunshine\\_Laws\\_2008.pdf](http://www.ag.state.oh.us/legal/pubs/Ohio_Sunshine_Laws_2008.pdf).*

## **ELECTRONIC RECORDS**

*Documents in electronic mail format or sent via a hand-held communications device (such as a BlackBerry) are public records when their content relates to the business of the Village of Pleasantville. E-mail and instant messages are to be treated in the same fashion as records in other formats.*

*Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of this office are required to copy their e-mails that relate to public business to their business e-mail accounts and retain them in accordance with applicable records retention schedules.*

### **CONFIDENTIAL AND PRIVILEGED RECORDS**

*Any record that is deemed to be a confidential communication between an attorney and client or created in preparation for trial shall be clearly marked at the top of the first page and at the bottom of each following page with a notation indicating that the record is either a “Confidential Attorney-Client Communication” or “Confidential Attorney Work Product.” If the record is in e-mail format, the notation should be included in the “subject” field.*

*All civil investigatory records and criminal law enforcement records shall be prominently stamped with a “Confidential” notation.*

### **DENIAL OR REDACTION OF A REQUEST**

*If the requester makes an ambiguous or overly broad request or has difficulty in making a request for public records, the request may be denied, but the denial must provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the office.*

*Any denial of public records requested must include an explanation, including legal authority. If the initial request was made in writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. All redactions shall be plainly visible. If there are redactions, each redaction must be accompanied by a supporting explanation, including legal authority.*

### **COPYING AND MAILING COSTS**

*Those seeking public records may be charged only the actual cost of making copies, not labor:*

- *The charge for paper copies is 25 cents per page.*
- *The charge for downloaded computer files to a compact disc is \$1 per disc.*

*A requester may be required to pay in advance for costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium in which the public record is kept, or any other medium on which the record can be duplicated.*

*If a requester asks that documents be mailed to them, they will be charged the actual cost of the postage and mailing supplies. There is no charge for documents e-mailed.*

The Mayor asked for a motion to approve this resolution. Penny made a motion to approve Resolution 2-14-08-3. Bill seconded the motion and the motion passed unopposed.

Jim Herd, the Superintendent of Fairfield Union Local School District, came to the office and reported that Monday the contracts will be signed and by March 1<sup>st</sup> activity would begin on the site. If Thurston wants the playground equipment and if Pleasantville wants the Shelter house roof, they should be removed in the next couple of weeks. The Clerk said that she had called Michelle at Thurston and Bob Black. Michelle said that she would announce this at the Council meeting that night and Bob said that he didn't expect them to do anything, as he had been unable to get anyone to help.

Construction should begin in April. The details are being ironed out on the school's purchase of another couple acres of land from Hoover's.

Once the new elementary school is complete, the 7<sup>th</sup> and 8<sup>th</sup> grade will be moved to the old elementary. They will be there until January of 2011.

The Clerk said that the Village would lose all the revenue from Shelter House rentals unless a shelter is built at Otte Park but the costs of maintaining Otte Park will continue (mowing and electricity as well as maintaining the ball diamonds.)

The Clerk will call tomorrow and ask Mr. Herd if he wants the lights to be shut off or transferred to their account.

The Mayor said that it is time to have the John Deere Tractor evaluated for a trade-in. He will call Sean and ask him to arrange this.

The Mayor said that the chipper that the Clerk had arranged for the CFLP Waste District to donate to the Village was received.

### **New Business:**

Kimberly Neal had come to the office and asked the Clerk if there was any way she might be able to give dance lessons at the Community Center building on a nonprofit basis. She lives next door now. She said that her dance studio is losing money and she can't afford to rent the building on 37 any longer. She said that several students and her daughter want to continue their lessons. She said that most of her students are from the area. She would need the building from September 8<sup>th</sup> through May 15<sup>th</sup> or 16<sup>th</sup> with time off for Christmas vacation, etc. She proposed that she charge the students just enough to cover the rental of the building.

She would only want the building 2 nights a week – Tuesday and Thursday.

Jason suggested that she just charge so much per child and whatever she receives will be donated to the building and the Village will consider it a community service. Jason wants a contract to protect the building.

Penny made a motion to allow the use of the Community Center with above-mentioned stipulations. Bill seconded the motion and the motion passed unanimously.

**Adjournment:**

As there was no further business to be discussed, the Mayor asked for a motion to adjourn. Jason made the motion to adjourn. Mary seconded the motion and the motion passed.

The next regular meeting of the Pleasantville Council will be held on Thursday, March 13, 2008 at 7:00 p.m.

Jack E. Weidner  
Mayor

Kathryn E. Jenkins  
Clerk/Treasurer