

## Village of Shawnee Hills Council Meeting

March 22, 2010

Mayor Monahan called the meeting to order at 7:00 p.m.

Council in Attendance: Charlie Callender, Yvonne Clippinger, Mahesh Dalvi, Kris Garren, James Gauldin and Richard Vedell. Note that Richard Vedell arrived at 8:10 p.m.

Also Present: Fiscal Officer Shirley Roskoski, Administrator Ed Swanson and Solicitor Brian Zets

It was moved by Callender, seconded by Gauldin to approve the minutes of March 8, 2010 with the following amendments: add that the Mayor also requested a schedule of the time frame for the projects being completed this year, on page 4 add the following wording to the first sentence of the second paragraph: by him, change the word tht to that on page 7 and on page 6 after Council member Vedell asked if citations had been written on Shawnee Trail for people going 28 or more the Mayor said that none had been written but a citation had been written for someone not stopping for two stop signs in the Village. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote.

It was moved by Garren, seconded by Clippinger to approve the agenda as amended: add the first reading of Resolution 06-2010. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote.

### **Solicitor**

Brian Zets said one of the things he worked on was the tree ordinance that is before Council tonight. That is actually Ordinance 10-2010. With respect to the tree ordinance, Shirley had passed along a few sample ordinances and we were going to just add one little section in there but once I got a chance to look at the one whole section a couple of other parts should be revised so he just went ahead and revised that whole section G and he thinks that definitely achieves the goal that the Village wanted with respect to allowing the Village Forester to be able to order someone to remove a tree but it cleaned up the other parts in the subsection as well. He said he continues to monitor the Jeff Pearson matter, not a whole lot to report right now and he worked briefly on that speed limit issue, can we ticket at 28 in a 25, he thinks that issue has been resolved now.

### **Administrator**

Ed Swanson informed Council that we received a favorable ruling on our court case in Delaware County concerning the Sullivan skate board ramp. The ramp is gone, they removed it Saturday and Mr. Sullivan was ordered to pay \$2,050.00 but all but \$250.00 was waived if the skateboard ramp was removed by March 30<sup>th</sup>. Part of the reason for the \$250.00 fine was because there were three different spots in our code that had three different fines and the Judge chose the smallest one, so we are going to go back and clean up our code. Mayor Monahan said another thing that came up with this case is that we also need to look at our code regarding the definition of lot versus yard. Ed said that Shirley has completed the tentative schedule of the three

projected construction projects that was asked about last week and Council should have a copy of that. Ed said that the Civic Building has been reserved for April 21 to hold a public meeting in regards to the electric aggregation program that will be on the ballot in May. Ed said that we will be getting a newsletter out to the residents informing them of this public meeting. Ed said that Mark Cameron called last week about some extra costs associated with keeping the sidewalk entirely on the east side of Dublin Road. There are two steep ravines on that side of the road and it will require a pretty substantial amount of money, maybe \$20,000.00 extra to go over these areas and they decided to hold up on the survey just short of those areas so that Ed could come before Council to talk about moving the sidewalk over to the west side of Dublin road at East Parkside Drive and finish the sidewalk the rest of the way on the west side. Council member Dalvi said we need to make sure we have a marked crosswalk where the sidewalk will be changing from one side to the other. Council member Clippinger asked if a decision had been made on whether we were going to continue with the stamped colored concrete. Ed said that they are pricing out regular concrete sidewalks. Council member Gauldin said he didn't know if they had agreed or not but Council member Garren has a good example for a possibility of a sidewalk motif, if you want to call it that. He said it would be nice to see a couple examples of a cheap method to make the sidewalk look unsidewalkee and more unique. Mayor Monahan said we can get some samples to Ed to see what the cost would be. He said that the cost of the colored, stamped concrete is 40% more than the regular sidewalk. John Piccin suggested that the design of the sidewalk be a separate line item in the bid documents so that you can see what the additional cost will be. Council member Dalvi asked about lighting for the sidewalk and Ed and the Mayor both said that is something that they need to work on.

Council member Gauldin said that there is a lot of stuff in our ordinances and he has been kind of going around the Village to try to understand them better and he has noticed that with the snow disappearing we have lots of little gifts that have been left behind in the form of trash that is laying around and he asked Ed if we are doing anything to remind the businesses to clean up their yards. Ed said that to his knowledge nothing has been done yet about that, he suggested that we put this in the newsletter. Council member Gauldin said he knows we have that and there is some other things we have talked about like dumpsters and he knows we have a new request for more dumpster screening and he would like to see other businesses jump on board with that, we have other businesses that have dumpster issues. Mayor Monahan said that we are working on some right now, one has a letter and we are waiting for that to be brought back to the ABR and one of the things that we ought to do is if someone owns a business and the dumpster got OK'd and then we are saying why did that get OK'd, what we need to do is if the business is sold we make like dumpsters and things compliant. Council member Dalvi said, in reference to what Council member Gauldin said, he sees people chucking stuff out while they are driving through Shawnee Hills, if you walk down the side roads especially by Mark Chambers property for sale sign there is trash out there and it can't be from a business because there is no business located there. Council member Gauldin said that Walgreen's has a large fence up and he is sure they pick their trash up on the inside of the fence but they don't realize on the other side of their fence there is a lot of trash over there and they need to be maybe pleasantly reminded that they need to clean up on the other side of their fence.

## **Police Chief Report**

Acting Chief Sean Lefever passed out to Council a traffic survey that they did on Shawnee Trail. He said that they monitored Shawnee Trail on several different dates and he provided Council with a map showing the areas marked with an X are the various areas in which we sat either in a cruiser or on foot with the laser, sometimes the cruiser was relatively visible, other times the cruiser was pretty well hidden, so to speak, just to kind of get an idea of speed measurement.

That led us to two different ways that we did this survey, we did it stationary, vehicle based with radar and we did it laser based observations on foot. He said with the foot traffic we got a lot of positive feedback, both actually, a lot of positive feedback from the residents down on Shawnee Trail thanking us for being there. The weather has been nice so there were a lot of kids out on bikes, parents thanking us a lot for being out there, so really good feedback from a community point of view. Acting Chief Lefever said the times they were out there varied, he didn't give Council that information, however if Council would like to review that he has hard copies available. The reason he did not give that information is because this is a public forum and he does not want to tell everybody where and when we are sitting somewhere just to kind of make sure we are getting accurate readings on this. He said that the average time that they stayed was one hour in any given area; sometimes it was half an hour if a call went out or something like that. It was conducted eight times over a period of eight days. He said they recorded 73 vehicles and out of those 73 vehicles the total miles per hours listed was 1,281 miles per hour which came out to an average speed of 17.6 miles per hour. The highest speed that they recorded was 26 miles per hour and he believes that was only done by one vehicle. The highest speeds recorded were heading northbound between Osage and Seneca which kind of surprised him because it is a little bit shorter of a stretch right there with the curves and he really figured it would be just a tad bit slower through there. He said as far as cutting through the neighborhood that was relatively difficult for them to monitor when you are stationary it is hard to see where the vehicle entered and where they went and that's one of those issues again we come back to a manpower issue. We would have to have a second cruiser that would have to be able to monitor that. The time of day did result in fluctuation of traffic volume, but he did not see a difference in speed, whether it was rush hour or 7 p.m. the speed stayed fairly consistent across the board. Council member Dalvi asked if they were segmenting the commercial vehicles. Acting Chief Lefever said they did not do that but he did this survey five of the days and he only saw one commercial vehicle, like a moving van or a furniture delivery van. He said that by sitting down there and this might make a temporary difference and it is not going to correct the long term issue and what you want to do with the speed limits, but just something he noticed and he directed Council to go to the third page and on the map you will see three small dots and then there are three stop signs. He said we currently have an existing stop sign at Wyandotte and just an initial short term fix might be a stop sign at Hiawatha and a stop sign somewhere around Mohawk and Pawnee. The reason he says that is we have natural barriers at Osage with that curve and at the end of the street we have a dead end that is quite visible that it is a dead end when you are heading that way so if we take that into consideration we only need a couple of breaking points where we need to slow the traffic down and there is also a benefit to doing the stop signs and that is we can enforce that without any question whatsoever, someone runs a stop sign, that's a done deal, it is easily enforced and it can even, to a certain degree, if an officer was on a side street you could see if someone ran the stop sign in another area and wouldn't require so much stationary radar or laser to work, it's just a thought. Council member Clippinger said that is a logical thought and something that has been brought up before but she was told that we could not do that to control speed. Acting Chief Lefever said the second page of his handout shows the form they used to track the vehicles on Shawnee Trail. Council member Callender asked if they surveyed any other streets besides Shawnee Trail. Acting Chief Lefever responded that they have not yet because Shawnee Trail seemed to be the one that everyone wanted to focus on. He said that there is a lot of patrol going on throughout the Village on the side streets, it's just Shawnee Trail is getting more traffic than most of the other side streets. He said that they will be doing this on the other streets also in the future. Council member Dalvi said this is good and he asked how many tickets have been written for people not stopping at the stop sign on Shawnee Trail. Acting Chief Lefever said he did not have that information available tonight but he recently wrote one for someone not stopping at two other stop signs in the Village. Council member Gauldin said that it was noted in this report that there was no sign of cutting through the neighborhood but hard to

monitor and he asked the Acting Chief if he had any suggestions on how we could check that. Acting Chief Lefever said his concern with cutting through, the problem is going to be 1. What is the real violation? Council member Gauldin said avoiding a traffic control device. Acting Chief Lefever that's fine but here is his concern, we have houses that are for sale throughout the Village, we have people driving by their friends house and they didn't see their car so they kept going, we have no way to show intent that they were avoiding a traffic signal. He said do people do that, absolutely and if he saw the same car doing it every day or somebody said this guy blatantly threw his hands up in traffic and turned the corner and then that might be something where they followed him through the Village and they see that nothing stood out that they were looking for someone's house they could probably do something there. He said if they were seen cutting through Walgreen's then it would be easy to stop them and they do stop people that do that quite frequently. He said he is hoping that if they keep doing these traffic surveys then it might cut down on some of the cut through traffic.

Acting Chief Lefever said they have been cracking down trying to get the training done. They have had a lot of issues come up such as evidence, policy and procedures, backgrounds, things they would like to see done differently. He said they now have training scheduled for various people in the department from grant writing, evidence room management classes coming up, records management classes, record retention and destruction, emergency management response. Most of these trainings are occurring between now and the next 90 days so you may hear about this again at another meeting. He said that they are working on a grant for automatic defibrillators for the Village. They are also working on a body armor grant for the Officers as most officers purchase their own. They are also working on other grants for the seniors and children of the Village. He said that the bike patrol has been out the last couple of days since the weather has warmed up. They are still working on the Ident A Kid kits and they need to schedule dates for this. He would like to do this about three times a year.

## **Visitors**

Kathy Isern passed out a letter from Bob Schneider to Council as Bob could not make the meeting tonight. She said that she and her husband are concerned about Ordinance 09-2010 in regards to closing out part of East Osage Drive and putting it out for bid for a private driveway. She said that she has nothing against Larry Burchfield or Cedarbrook, they have done business with him in the past and expect to in the future and certainly voted for his gardens for the people's choice awards at the home and garden show. She said their concerns are more about the general approach to this proposed change and having a concern about the Village looking at its future and doing a fair and open process. She said the first concern they have is that the proposed lease using it for a private use doesn't seem to be justified by the rationale that is stated in the ordinance or actually by what is stated in what she obtained from the Village office last week, a draft agreement. Secondly they wonder whether the Village has the actual authority to lease out a public right of way because everyone in the Village owns the property to the centerline of the streets, there is a public right of way for the operation of a public thoroughfare, she thinks it is well accepted that the Village can vacate a public thoroughfare in which case the property reverts back to the property owners, but she does not know if it has the authority to lease it out for a private purpose that is she doesn't believe it's in the best interest of the Village or serves any benefit to the Village. If it is in fact a legally permissible activity then she also has some issues of what they know about the procurement process and about the draft lease, she thinks there are some very critical pieces missing and the last item again, just looking at the Village's best interest. She said the Village has adopted a comprehensive plan in 2002 that shows that East Osage be made into a one way street heading east towards Shawnee Trail, it doesn't make any mention of closing off the end of that street. She said the proposed ordinance states that East Osage Drive is rarely used but we haven't seen any traffic studies and she believes if Village

citizens wanted to close off part of the street the Village would call for some sort of traffic study to be done, why do you want to do it, what is the traffic flow, what is going to happen on the surrounding streets if you close off the end of that street? Kathy said she thinks this whole ordinance seems to be focused on assisting one private individual. Another concern they have is that they have heard Mayor Monahan say in the past that there have been too many Village streets vacated over the history of the Village with no attention paid to what happens, well she understand that this is described as a lease but who here is going to be here in ten years when this lease would expire, she is not aware of any process in place in the Village that will guarantee that someone will look at this in ten years when the lease will expire. She said the way things have gone on in the Village before because there is a lot of turnover, it's a small place, you to have to rely on people doing a lot of things on their own time, it's very likely it will be forgotten and that lease hold could end up going to the lessee through adverse possession. The other issue is that if you start putting up obstructions to the flow of traffic, you put in a private drive, you put up a sign that says private drive, everyone around here, driving around will figure that it is private property and she thinks the interest of the Village in that current public property will just decline to the point that nobody will care anymore and it will just fall to the interest of the lessee. It will become a defacto vacation of that street whether or not it might be called a lease. She said she was looking at the authorization of the ordinance to put the ad in the paper for bids and she asked about bid specifications for this driveway and as of last week there weren't any. She said she does not know how anyone can respond to the bid if there are not any bid specifications and she does not know how Council can vote on this to approve it without those bid specifications so you know what you are voting on and also as to the lease itself there are some really key terms missing. There is no provision for a lease payment so what benefit is it to the Village, does the Village intend that a dollar a year is acceptable; we have no information on this. There is no way to know if the bidder is presenting the lowest and best bid because we don't know what the bid specifications are. Kathy said the draft lease does not address transferability, can this lease be transferred by the lessee to someone else, could the property be sublet. This could end up being a very inexpensive business asset to the lessee with no action on the part of the Village. Since its not addressed the lessee could try to transfer it for example if the property might change hands or something and the Village might not even know it happened as there is nothing in here that addresses whether or not the Village has the right to approve a sublet or transfer lease so she thinks that is kind of critical. She said the draft lease proposes that the Village will cap the existing road apron with an inch and a half of asphalt twenty feet back. Why is the Village going to do this for a private person with Village money? It says the Village will take out the street sign and put up a private drive sign, why is the Village going to do this for a private individual with Village money. Kathy said it does not talk about the ownership of the various improvements; there are various improvements that are proposed, gravel driveways, some shrubbery, at least in the drawing that we saw. Who owns those improvements? If the lease were terminated early for some reason, could the lessee turn around and say OK I want out but here's a bill Village for the value of those improvements and my cost to maintain them over how many years the lease was in effect. She said again the draft agreement does not address that. She said this could end up being a very costly action for the Village. Kathy said that the ordinance mentions that that section of Osage is in very bad condition and it is because it's not paved, however; the Village has found money in the past for projects that it has chosen to make a priority, Wilma Drive was paved in 2003 or 2004 when there was only one house on it. She said she has heard talk this evening about grants for sidewalks, certainly if that was an issue we could try to seek some money through a grant to pave that, she really does not know that saying there is no money available right now to pave that section of Osage is a valid reason for saying that it should be turned into a private driveway and finally too this whole ordinance seems to be or she said she should say it is difficult to think there is any other possible bidder that would be interested in responding to the add resulting from this ordinance other than Mr. Burchfield. His name is

already in the draft agreement and she thinks that is an issue with the Village's requirement to have open and public procurements. Kathy said, so again those are our concerns, we don't believe that change should never occur in the Village, we do believe that change should occur when it is well thought out, when it's justified with factual information and not just supposition and when it is in the best interest of the Village and its residents and she does not see that this ordinance as its drafted meets any of those criteria.

John Piccin was present to talk about Tim Fellure; he said that Tim originally became involved in Village politics when he learned that the Village was operating in the red. As you know the ORC states that if you are unable to bring your operating funds into the black you have to dissolve. Tim spent weeks poring through the budget and finding savings that made the Village fiscally responsible. Tim realized the only way the Village could stay viable was to establish an income tax, which allowed the Village to have a regular income. Tim is responsible for establishing this and keeping the Village solvent and making it the great place to live that it is. He said that Tim was a member of Council from January 1, 1994 through November 22, 1998, a Member of Council January 1, 2006 through December 2009. He served as Council President and also served on the Wastewater Commission and the Board of Public Affairs. He was responsible for passing a lot of legislation that allowed the Village to get the sanitary sewers, for drainage improvements and street repairs. Tim is one of the greatest men he has ever met, his honesty, his integrity, cannot be surpassed. John said that he wants to thank Pat for proposing legislation to name the municipal building after Tim, it's truly the least this community can do to pay tribute to the man has done so much and I am glad that Pat did this as a big thank you Tim. John said that he received an e-mail back from Tim and Tim said it is an honor to be recognized while alive and an honor to have worked with so many great people, without them we could not have achieved what we have and that is a great community to work in. Mayor Monahan said this decision was made with strong input from Council.

### **Communications**

Mayor Monahan gave the following report:

March 15<sup>th</sup> received a notice from The Delaware General Health District = Keep Delaware County Beautiful program will be part of the "Great American Cleanup" and Ohio's "Plant Pride, Not Litter" Month from April 1 through May 31<sup>st</sup>.

I have asked Service to pick 2 dumpster and chipper days one in spring and 1 in the early fall so we can advertise them to the residents.

I would ask that I get articles sent to Shirley and me for a Spring Newsletter:

Sean, Ed, Shirley and Yvonne I would ask that you have them submitted by next Monday at noon.

We need to schedule the meeting so the residents can learn about the Electrical Service offering and what the ballot issue means. I would propose having a meeting on Wednesday the 21st of April and we need to explain the issues and posting the meeting notice in the Newsletter.

We want to let the residents know about the sidewalk and drainage projects and other Village activities.

I received an e-mail from Jerry and Judy Grigsby and basically it says: The Boy Scouts of America is celebrating the centennial of the founding of the Boy Scouts in America and each BSA district would like to plant a tree in the communities that they service, complete with a small ceremony (lasting 10-15 minutes) which involves getting Government official to

participate. Of course we would like to get the ceremony in the local paper. BSA supplies a 6-7' maple and a nicely done permanent plaque for the location. It is my understanding that a different type of tree can be provided if a Maple is not suitable. Would you give us direction on the best way to get this accomplished? It needs to happen between April 18 and 22. I did respond: Thank you so much. Our Village Administrator Ed Swanson will be contacting you and probably asking for an oak Tree is at all possible. Thanks again and congratulations on the Centennial of doing great things. I was a Boy Scout Troop 555 out of Madeira Ohio, St. Gertrude's. As an ARMY Infantry Staff Sgt. in Vietnam I often have touted that the best training I ever had was in the Boy Scouts. Keep up the great work and thank you.

**Mayor's Report**

Mayor Monahan gave the following report:

Feb. Mayor's Court Report

\$2,252.00 Balance brought forward

**Deposits**

\$2,215.00 Traffic Receipts

799.00 Additional February receipts deposited in March

3,014.00 Total Receipts

**Disbursements**

142.00 Treasurer of State

80.00 Computer Fund

10.00 Refund, Case #2010TRD17523

2,782.00 Total Disbursements

2,252.00 Balance brought forward

+ 799.00 Not posted on Feb. Bank Statement

3,051.00 Adjusted Balance

3,014.00 Disbursements

37.00 Balance maintained in checking

Dear Pat,

I have recommended a 13.2% reduction in property values for all of the properties on the river side of Shawnee Trail.

Since we have already certified the property values for this year, we will not be able to adjust the values until next year. However, any of the affected property owners can file a property valuation complaint with the Board of Revision for this year. The deadline for filing a complaint is March 31<sup>st</sup>. Kelly will provide you with the property value information tomorrow. Thank you.

George

On March 12<sup>th</sup> I met with Director Arsh of the Columbus Division of water. I suggested to Director Arsh that we join with the City of Columbus in the Grant to utilize Rain Gardens to filter the water going into the Reservoir and allow our residents to cut the weeds.

More to come on this!

At the last Council meeting questions were raised to the \$7,000. On March 10<sup>th</sup> Shirley sent out the explanation.

To answer the question of what happened to the \$7,000.00 that I originally said the Jeff Pearson was responsible for. This money was for the employer share of funds sent to Ohio Public Employees Retirement System and it would have been paid by the Village if the funds had been sent to OPERS instead of to Social Security so we cannot charge Jeff for those funds. We did charge him for the interest and penalties on these amounts and also for the amounts that were sent to Social Security instead of OPERS. This wasn't just Jeff not paying into OPERS, it was also for Richard Brown, former Code Enforcement Officer and Jason Mather, former Technical Analyst. The following is the breakdown of these costs:

Jeff Pearson	5,079.94
Richard Brown	1,977.11
Jason Mather	119.46
Total	7,176.51.

If you have any further questions please call.  
Thanks,  
Shirley

As a reminder please makes sure everyone gets their Census filled and submitted!

Just a quick update to let you know that by now census forms have been mailed or hand-delivered to nearly all households across the U.S., and we're happy to report that the census is on time and on budget. Staying on budget will depend, of course, on mail participation and not having to send census takers out to households that didn't mail back their forms.

The MORPC meeting with Executive Director Chester Jourdan is scheduled for Wednesday, April 14, 2010 at 3:00 p.m.

Tonight we will be addressing the changing of the name of our Municipal building.

I want to read an email that Tim asked Robin to send to John Piccin and me:

It is an honor to be recognized while alive and a honor to have worked with so many great people. Without them we could not have achieved what we have, and that is a great community to live in.

Thank you,  
Tim Fellure

I have a copy of the ruling from the Sullivan Case that was found in the Village favor this past week in Delaware County Municipal Court. It does appear we need to address a few issues in our code that would help further clarification. This copy will be in the office should anyone wish to look at it.

This Wednesday I will be participating in the Mayors for Meals Day. It is a national Day where we are asked to deliver Meals on Wheels. I participated in 2008 and last year Yvonne pinch hit because I was in California.

It is a great service and I gained even greater admiration for folks like Yvonne who do this on a regular basis.

I am looking for the output of the ABR meeting and need to know if they are ready for a meeting with the Chamber / Businesses to present the 6 acceptable permanent and 6 temporary signs so we can get input before proposing code changes. Jim were you able to attend? I was in Minneapolis.

I believe a cancellation notice went out today for tomorrow night's P&Z meeting.

In the fall I was asked by the Ohio Wildlife Center if the Village would adjoin with them on a function. I would like to propose a summer Village picnic at the Ohio Wildlife Center and ask The Services Committee to consider that and bring it back to Council.

Safety is mtg. this Wed. at 6:30 and I do want to discuss two things with Safety: The 25MPH speed limit and The No Parking situation on Buckeye Dr.

Yvonne, Ed and I will be mtg. at 7:30 on Wed. on the results of the 2 Police Chief candidates.

### **Pro Tem Report**

Council member Clippinger said she hoped that everyone has had a chance to look at the information that was handed out at the last Council meeting from David Celebrezze of the Air and Water Ohio Environmental Council regarding the no idle policy that we are looking at putting in for the Village. She said she thinks we can go a couple of ways on this but she wants to get Council's feedback on this before we move forward with language. One we could adopt the language for a fuel efficiency or what she calls a conservation policy for the Village and we could wait to see what the ozone results are for Delaware County. We were told that Delaware County currently passes the ozone standards requirements but probably at the end of the year when the new standards come out we probably will not be passing those. She said we can do the fuel conservation policy or we could get ahead of the game as Brian said and go ahead and put in language for a no idle policy also. It is not an ordinance, it's going to be a policy for the Village and hopefully we can get this information out to the Village residents which she thinks is a critical component to what we are doing here, we are trying to make things better for Shawnee Hills. Mayor Monahan said for clarification this is only for Village owned vehicles it is not for the residents. Council member Clippinger concurred. She said a lot of municipalities have this and she thinks we might be one of the first ones in this area to actually do this, so she would like to get Councils input on whether they want to do fuel efficiency policy or would you like to go ahead and just do the whole shebang. Council member Dalvi said the reason they discussed it the last time was because he saw what Gahanna did and he asked how hard will it be to have an overreaching policy that no idling will be part of the fuel efficiency policy. Brian Zets said Gahanna's fuel efficiency policy touched on those items, it's very generic. A no idling policy is very detailed, its very specific. He said you can combine the two but if you are going to have a fuel efficiency policy that talks about idling you might want to actually make the idling portion really have some substance to it. Council member Dalvi said so the reason we are doing this is for the ozone as well as for fuel, what I want to know is what all is there in addition to the no idling and the fuel efficiency. What will be there if you combine the two? Brian said it depends on what you put into the no idling portion, that could be as detailed as you want, his suggestion was that if you include no idling in the fuel efficiency he would do it he would not just give it lip service and give it a quick second. He would put in there how long you can warm up a vehicle, there is no idling for certain periods of time, there's exception for emergencies, making sure equipment runs etc. There's a little more detail to the no idling policy, is it difficult to create? No. There are other ones out here that you can take from and add to your fuel efficiency policy. Council member Gauldin said he thinks in general what they should probably do is both, because

both of these things save money and if you are saying that it is good to have a separate no idling policy just so you can be more green, put both of them in, its saving money, we are doing a good thing for the environment and he thinks with that thought we also have to think about things that Mr. Celebrezze brought up such as block heaters for the motors. He said it would be a good thing to have something like that in the truck so if we do this, as a separate item let's look at mechanically what should we do to our cars to help our employees do their jobs well and for example make sure that the truck starts in the winter because everybody likes their streets plowed. Council member Dalvi said he is fine with adding the no idling as well but let's make sure all these are included. Council member Clippinger said she will work on something and have language at the next meeting.

It was moved by Clippinger, seconded by Gauldin to break for ten minutes. Following vote on the motion was recorded: yea, Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Clippinger, seconded by Gauldin to reconvene. Following vote on the motion was recorded: yea, Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

### **Legislative Actions**

Third Reading- Resolution 04-2010 – Sponsored by Mayor Monahan – A Resolution to establish Mark Katzenbach as a full time employee of the Village of Shawnee Hills, Ohio. It was moved by Vedell, seconded by Dalvi to pass Resolution 04-2010. Following vote on the motion was recorded: yea, Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the Resolution 04-2010 passed by a 6-0 vote.

Second Reading- Ordinance 09-2010 – Sponsored by Mayor Monahan – An Ordinance authorizing the Fiscal officer to Advertise for Bids to Lease for private use and aesthetic improvements the unimproved portion of East Osage Drive from S.R. 745 east approximately 460 feet. Brian Zets said he wanted to address some of the concerns that were raised by Kathy Isern. He said with respect to the draft lease, he is almost afraid to use the term draft lease because he wouldn't even consider it a draft lease, that was just some terms that were thrown around. He said any lease that comes from this would have to go through legal, it would have to come back before Council to pass so the fact that there was this piece of paper that was considered a draft, there is nothing permanent about that and there are a lot of terms that need to be added and included to make what's on that piece of paper a lease agreement between the Village and whoever leases that property and that will be done, I can promise you that. Brian said with respect to the adverse possession, you can not adversely possess Village property no matter who, what, how. The bid specification issue – the advertisement for bid has not been drafted yet and that's only because he is not sure that this ordinance is going to pass, once passed the advertisement will mirror very closely what the ordinance says, nothing in great detail, basically that this section of property will be bid out for lease for private use, it will say something similar to what the ordinance says and that's what will be advertised and the Village will receive the bids. Kathy Isern asked Brian if the Village can actually put out for lease its public right of way. Brian said yes, that is a publicly dedicated street and the process that the Village is going through, that is quoted in the ordinance that is straight from the Ohio Revised Code. If the Village has a property, if the Village has streets that are no longer needed for street or highway use they can lease that property out. We are following the Ohio Revised Code sections on how to do this. Council member Dalvi said he still does not understand what improvements, will that be in the lease language, that I have to do all these improvements. Brian

said that will all be in the lease, he said it will be a true lease that comes out of this and all of those things will be specified and that will come back before Council for approval. Council member Dalvi asked if the lease will contain termination language and what happens upon termination of the lease. Brian said absolutely, that is why he was saying the lease will have lease terms; it will look like you are leasing property. Council member Dalvi said so you are waiting for this ordinance to pass before you write the lease? Brian said he is waiting for the ordinance to pass and someone to bid. Mayor Monahan said what we are voting on is the authorization to put this out for bid. Brian said you do not know who is going to bid and you don't know what they are going to bid for. Ed Swanson said this started because that road is in such bad shape and we did not want to put any money into it because we felt like it wasn't used enough, there is going to be a left turn lane eventually at Glick and Dublin Road and that will possibly eliminate the access to that road coming out unto 745 anyway. We talked about vacating the road, abandoning it altogether and he talked to Larry about it. Ed said we are not doing this specifically for Larry this is a mutual trade off agreement, he thinks, he said Larry did not want the road closed because he wanted access to his property so they come up with this agreement and it can be terminated within thirty days for any reason whatsoever. Ed said he talked to Bob Schneider and Bobs comment was that a \$7,500.00 grant was spent on that road but it has never been right, it's been better, but it's never been right. Ed said he talked to Mark Cameron today to get an updated estimate on what it would cost to fix this road and it will cost approximately \$36,600.00 to fix the drainage and blacktop the road. That cost does not include any catch basin work. Ed said he received a call from Jose Isern and Jose was concerned about the increase of traffic on their street. Ed said if Osage is improved that will just allow more traffic to travel on Osage instead of Waterview. He said there are so many areas within the Village that need work and in his opinion to spend \$36,000.00 on that road when it may not even be there in five years is a bad move. He said the aesthetics of this road are bad and Larry has offered to take care of the aesthetics. Council member Dalvi said the questions he has is Larry going to spend \$36,000.00. Ed said no. Council member Dalvi said the reason the Village wants to do this is because as you enter the Village it looks bad. Ed said that is one of the reasons, the other is we have a liability with that road, it is bad. We put gravel on the road and it washes back out. It needs a drainage fix and it needs to be blacktopped. The idea was to make it look better and still provide access to Larry's driveway, so Larry was going to dress up the front and make it look real nice and the other portion will be grass. Jose said that Ed said the gravel gets washed out and he wanted to know when was the last time that gravel was placed on Osage. He said it hasn't been graveled since he has lived here and he has lived here eight years, so if you can get a couple of dump trucks out here and dump gravel on Osage and you can still dress up the front near 745 and make that look nice and it will still keep Osage open with gravel to the paved portion and he is sure that whatever gravel you put there it should last a good 5 to ten years, it is not going to wash out tomorrow He said Larry does not want that road closed either. Larry said he does not want it closed because his address on that property is 22 E. Osage, his property is on that road. He does not want access to his business closed; the rest of it he does not care what happens to it, it does not benefit him either way, if he gets the lease then he has to take care of it and it is just another expense to him because he has to put it in and maintain it. His intention is to still have access to his property because that is his address and help the Village make that look nicer. Mayor Monahan said we started off with the discussion of closing that road. Kathy Isern said she has an issue with the procurement, the Village is obligated to do open and public procurements for everything and all the discussion, no offence, but obviously Larry is the only person that would have any interest in bidding on this and the whole discussion here has been about what Larry is going to do with that property so it seems to her to be a foregone conclusion and she does not think some legal acts are going to fix that issue. Council member Clippinger said it is obvious that the road has been like that for years and it is obvious, in her opinion, that it is the Village's responsibility to fix that road, has service looked at this, I know they did a couple of years ago

when we were looking at the rest of the roads that haven't been done yet, now we have been doing road work for the last couple of years and getting things up to speed here, is there any grant money out there that we can go after, like with Delaware, is there anything we can do, can we pave it halfway back. Ed said we can do several things, we can keep putting gravel down, we can do something. But again, when that third lane is installed for the intersection improvements that road is likely to be abandoned or done away with anyway, that is why he does not want to spend \$36,000.00. Jose Isern asked if they were going to abandon the entrance to Walgreen's also. Council member Clippinger said Dublin did not say that Osage had to be abandoned. Ed said Dublin did say that Osage would be a problem. Mayor Monahan said two things, a question was asked of service and I know Osage was talked about and it was the fact that we had not done any roadwork for three years and when we did it the year before last it was a matter of what we had to do. Council member Vedell said they looked at all the streets in the Village and we made a decision which streets need work, obviously Osage to bring it up to our standards requires a lot of money, did we go out and ask for bids, ask the engineer to go look for it, did we do a road study, no but we did look at the road and looked at the condition and based upon his experience in construction, in building roads, that that was going to be a lot of money and we had other streets in the Village that needed immediate attention or we were going to have more problems in the Village with the roads and by spending the money on that it was going to greatly extend the life of the road, if we had spent the money on paving Osage we would have a lot less savings in the other areas. Now we got Issue 1 monies last year but the problem with that is we listed roads that needed again, more attention. Kathy Isern said she thinks Osage has just been given up on altogether that's why it's not even in the queue to being considered, even not just necessarily fully paved, but upgraded, graded and graveled. Council member Garren asked what is the impact to the residents who live around Osage? Kathy said their house faces Waterview and Osage is behind them and Iroquois is one street north of them. Iroquois is already closed because of El Vaquero parking lot so Waterview, frankly we get some pretty fast cars coming down Waterview and lots of people turn around in our driveway because they think they can get into the El Vaquero parking lot from Waterview. Kathy said she cannot give Council a count of how many cars use Osage but nobody else can either, so logic would suggest that cars that cannot go down Osage will come down Waterview. Council member Garren said that Kathy had another point when she was speaking, you said we had talked about if we were going to do this, returning that piece that was not paved to grass, would that land get returned to the owners? Kathy said they way they are talking about now is the entire property would be leased even if it was covered with grass it would be part of the leasehold and it would not return to the property owners. Brian said that is correct. Council member Vedell said it was hoped for that we would apply for Issue 1 money again this year, we had Issue 1 money last year, it was an intent to include Osage in that Issue 1 money, if we get the money then we can do Osage, if we don't get any Issue 1 money than I don't believe it is worth \$36,000.00 to pave that road. His concern here is that we are talking about aesthetics and quite frankly he is not concerned about aesthetics, he is concerned with road ability and usability of the Village roads. He said he thinks Jose has a very good point, take some dump trucks back there and dump some gravel on it and it looks better and it becomes more passable, his concern here is that he really does not want people going through the Village and using it as a shortcut whether they use Osage or any other street, he does not think that is what we want to do. The only concern that we have is that there is only one person that benefits from this, improving that road, really from a Village standpoint is Larry and he does not have a big problem with that but he has a problem that he has money that affects a lot of people in the village and he is going to concentrate on those, now we, Ed and I and Charlie rode every one of these streets looking at the streets and we made assessments, several times, to try to get the best bang for our money. He said that now that they have a price they will certainly look at that option. Kathy said they are not even looking at the \$36,000.00 cost, maybe put an apron in and gravel up to where the pavement is right now, but she does not know that it is fair to say that

only Larry would benefit if the road were improved, there are other houses or garages on that street and you could ask the guy whose driveway is right before the end of the pavement because people come to a screeching halt and then back up in his driveway and turn around and go out the other way. Council member Vedell said that's why losing the road will solve that issue because you put up a not a through street sign, you close the road at that end and they can't go through. Kathy said you could say that on any street that we have. Council member Vedell said there are not that many streets you could do that on that does not affect the residents. Kathy said this affects residents. Council member Vedell said not if you close it because if you say one way street, your issue about people coming down and turning around will stop because it will say not a through street. Kathy said she is saying you shouldn't consider closing the street saying it doesn't affect the residents because obviously closing any street affects the people living on that street. Council member Vedell said a valid point has been raised and we will look at taking some gravel down there and dumping it at the end of the road, quite frankly he would like to see the people not come by his house and go up E. Scioto all the time, he gets a lot of traffic down there with people cutting through the Village. Mayor Monahan said this was not designed to benefit Larry, we started talking and thought about closing the road, what are we going to do with it because leaving it as it is the two issues. One, let's take the function out of it, I believe we have a liability, somebody goes and tears out the bottom of their car, and number two the aesthetics are terrible. Essentially what he would like to do is take a look at it again. John Piccin said years ago when the Village was looking at drainage issues we looked at that numerous times. When Walgreens' put their detention system in it seemed to have helped Osage's drainage. John asked if Osage had been graveled since then. Ed said he did not think so. It was moved by Gauldin, seconded by Clippinger to table Ordinance 09-2010 and that we send this to Service, have them look at it and he requests that we look at the cost associated with grading and graveling that area and also looking at the catch basin that is still sitting open there. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

First Reading – Resolution 06-2010 – Sponsored by the Finance Committee – A Resolution to establish the percentage of Health Insurance cost that the Village of Shawnee Hills will provide to their full time employees. Council member Clippinger said every year we look at health insurance for our employees and currently the Village pays 100% of major medical for the employees in the Village. Our insurance carrier this time around came back to us and said that the premiums were going up 9.74% so the Finance Committee is recommending that the employee pick up that percentage, the Village will pay 90% and the employee will pay 10%. Currently we are talking about one employee but after tonight with the passage of hiring Mark Katzenbach we will have two employees and we are still in the process of hiring a Chief of Police. Mayor Monahan said the 100% is for the employee only. Council member Clippinger said that this calculates to \$23.57 per month for Erin and it calculates to \$212.16 per month for the Village which per year is \$2,828.76 and we will continue to pay 100% of the dental for the employees. Council member Gauldin said this is not uncommon for businesses right now. Council member Vedell asked why it was not extended to the dental benefits also. Council member Clippinger said that the Village has paid 100% of the employee benefits ever since she has been on Council and she thinks that we need to be able to sustain what we have, we want to move forward, we want to hire people but she does not think it is fair to ask the employee to pay more. She said if you look at our budget it is good right now, maybe it won't be good next year but we did this to be fair and we need to look at this on an annual basis. Council member Dalvi said we looked at the numbers from an overall budget perspective and it does need to be looked at every year.

First Reading- Resolution 07-2010 – Sponsored by Mayor Monahan and Village Council – A Resolution to rename the Municipal Building the Timothy L. Fellure Shawnee Hills Municipal Building in honor of one of our long time residents and former Council member and declaring an emergency. It was moved by Vedell, seconded by Clippinger that the rule requiring readings on three separate days be suspended and this resolution shall pass on its first reading. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Callender, seconded by Vedell to pass Resolution 07-2010. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared Resolution 07-2010 passed by a 6-0 vote.

First Reading- Resolution 08-2010 – Sponsored by Mayor Monahan – A Resolution to authorize the Mayor and Fiscal Officer to contract with Apptix for E-Mail service for the Village of Shawnee Hills, Ohio. Mayor Monahan said that as we looked into the current Network Solutions our e-mail is not compliant with the ability to answer public records request. What we want to do is move to a service that has that capability and gives us administrative capability to pull a backup to do this. Right now what we have to do is go to the individual Council members, myself and anyone else involved in order to get a pull, with the current system you would probably have to order a forensic pull off their hard drive so the object behind this is to provide up to \$2,600.00 dollars and we are still refining what needs to be done on this and we met and went thought his with the technical advisor and Council member Dalvi has reviewed this. Council member Dalvi sent out an e-mail explaining why this makes sense. Council member Gauldin asked if this system allow for storage of e-mails that comply with our Village's document retention policy. Council member Dalvi said above and beyond, it is a hosted system so you can change whatever you need to and he will work with Joe on this.

First Reading – Ordinance 10-2010 – Sponsored by Mayor Monahan – An Ordinance Amending Section 1113.11 (g) of the Codified Ordinances of the Village of Shawnee Hills, modifying the removal and replacement of certain trees within the Tree Preservation District. Mayor Monahan said that Larry is our Village Forrester and asked him to address Council on this matter. Larry showed Council the form that he uses if a Village resident calls him and asks him to look at a tree. He will keep one copy and will forward a copy to the Village with his recommendations and the Village will make the recommendation to the homeowner with what to do. He said he is just the expert advisor to do these things. Larry said the emerald ash borer issue, if someone has emerald ash borer in the community which he is checking is to get them to take that tree down. Under health, safety and welfare that is how other communities are getting around that and do that because when the tree does die it is a safety issue because it will fall down and as far as welfare this insect is so prolific and it spreads so much it can go to your house and from your house to your neighbor's house, so you are protecting your neighbors by doing this. If emerald ash borer is found, he has to report it to the state forester because they have to keep track of it in the state, but as far as the Village or the communities the enforcement of taking it down is up to them. Larry said that the diseased trees cannot cross county lines so they have to be disposed of in the county in which they are found. Mayor Monahan said that there are cases of emerald ash borer in Dublin. Council member Clippinger said that Dublin's code for dead trees says: the city shall have the right on private property to remove any dead or diseased trees or branches of trees that overhang public property when such tree constitutes a hazard to life and property or harbor an epiphytotic disease that constitutes a potential threat to other trees. She said this is for dead trees which she wants to address tonight, it has nothing to do with emerald ash borer and she is sure they have their own language on that. Council member Gauldin asked Larry if Delaware County had a program that goes out and looks for the ash borer. Larry said no it is strictly the Village, the City or the State. Council member Clippinger said there is nothing in this ordinance

about emerald ash borer and after looking at this she thought wow, when she moved up here she thought this was such a great community because of all the wildlife we have here and some 30 odd years later we still have that wildlife here, we have pileated woodpeckers that nest here, we have barred owls that nest here and this ordinance talks about having the Village go on someone's property and tell people that they have to take down dead trees. She does not agree with this she thinks this is very invasive and she thinks we need to look at this a little bit closer, she agrees with the emerald ash borer stuff and she thought that was what we were trying to do here but that's not what this reads to her. She said after she looked at the ordinance and actually read it she thought wow we have language in here that we should address other than just what she was just talking about here, utility company pruning, what about non emergency pruning of trees that's in here, it says we have to get the Village Forester to come and tell us if we can prune a tree or not, she thinks that's a bit much, if she wants to prune a tree on her property she should not have to call the Forester. She said why are we changing this without looking at the whole thing. Council member Vedell said in the section before this it says you can't take down a tree without the Forester's permission. Brian said this section just has to do with dead, diseased, damaged and over matured trees, there are other sections before (g) that deal with any tree. Council member Clippinger said in the beginning of the tree preservation overlay we state that as a Village we want to preserve healthy trees, which is obvious, but we want to also promote the wildlife here. She said several months ago she brought to Council the National Wildlife Federation proposal that you can apply to certify your yard as a natural habitat. One of their regulations on that form is that you leave dead trees standing on your lot. One of the things it says is in order to provide complete habitat you must provide places for wildlife to engage in courtship behavior and to mate and then to bare and raise their young. How do you provide places to raise young for wildlife and this is what you fill out to get this certified. She said her yard is certified now and there are several other people in the Village that have done this as well and one of the things is matured trees and the other one is dead trees or snags, a snag is a dead tree which has not outlived its life because it provides habitat for wildlife. She said parts of this we should take out, she thinks it is very invasive and she does not think we should be going on people's private property telling them that they have to cut down a dead tree. She leaves them up because she has woodpeckers that nest in them and owls that nest in them. Mayor Monahan said the original intent was to include the emerald ash borer, which looks like a lot of that is missing, what he suggests is that we take this back to service. Council member Clippinger said she thinks it should go to Planning and Zoning since it is under that section in the code. Mayor Monahan said he wants to make sure we incorporate the emerald ash borer stuff. Council member Dalvi said he wants to be careful even with emerald ash borer with what we are trying to say because his neighbor was told he had emerald ash borer and took down the tree and then he found out it was not emerald ash borer and that tree had another ten years of life, so he wants to make sure we are not cutting down trees that do not have to be cut down. Larry said that if he suspects there is emerald ash borer, he has to notify the state forester and they have to come out and identify it and verify that it is emerald ash borer, it is not his total decision. He said he has never gone on someone's property and told them they have to remove a dead tree; no one has ever asked him to do that. Mayor Monahan said he will ask that this be tabled and then he wants to make sure this has emerald ash borer in it. Brian said you don't want to limit it to just emerald ash borer. He said Sections 1 and 2 are exactly like it reads today except he added one word in there and then added 4 and 5 because there was no provision to give them notice. One and 2 in substance are the same as they exist today. Council member Gauldin said no sir, you have removed a whole phrase that says to the extent that there are safety hazards, that's not in this new ordinance. This has been rewritten a little bit more than that so I would have to disagree with you there. The first paragraph in our current code reads; Trees that are diseased, dead or damaged by forces of nature such as storms and high winds to the extent that they are a safety hazard may be removed with the approval of the Village Forester. That doesn't say that in the new proposed ordinance. More

language has been changed in here. Brian said he took that phrase out and added the word only because it didn't make sense to say may be removed then why bother having the forester. Council member Gauldin said you removed to the extent that they are a safety hazard so now it doesn't have to be a safety hazard. Brian said that Section 1 is the property owner going to the Village saying I want to remove this tree so it actually protected more trees because any tree that the property owner wants to remove they have to go to the forester to get permission to remove the tree. Council member Gauldin said he can do that anyway. Brian said no you can't. Council member Gauldin, he can go to the forester and say that I have a damaged tree and I feel that it is a safety hazard and I ask him if I can remove it. Brian said what if you didn't think it was a safety hazard you just didn't like that maple tree and you just buzz it down now you have to go back to the Forester. He said he can put that back in, he was just trying to protect more trees by removing that phrase because any tree you want to remove you have to go talk to Larry about. Council member Gauldin said you (Brian) started the conversation with I added one word but that is not what happened that's why he brought this up there's a little bit more going on here than just one word. Brian said he takes that back, he forgot. Council member Gauldin said one quick thing, I don't by no means, I don't think it's a witch hunt, I don't think anyone is after you Larry and I understand that, but there is definitely some concern about the wording and I would also suggest that if, and again, not to beat on Larry, because I don't owe him any favors and he does not owe be any, we are all good, but if we are really going to put more teeth into this or something like that, that we look at that Forester position and decide if we are given some power or something like that there needs to be a check and balance. He said I do not know that having a Forester that can tell you to take a tree down but he also sells trees in the Village, I want to make sure there's no conflict of interest there to protect him and us and everybody else. It was moved by Clippinger, seconded by Vedell to table Ordinance 10-2010. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

## **Committee Reports**

Finance met and we already talked about the major medical costs tonight. Council member Clippinger said one thing she wanted to bring up was when we were looking at this and talking to our representative we were told that we weren't eligible to shop around for major medical policies because we are only covering one employee at this time but once the new FTE position is approved by Council which it was tonight we can take a look at different polices. We need to cover two employees to look at competitive rates. She said she wanted to clarify something else also, the Village is actually part of the Ohio Public Entities Consortium which is a non profit organization that pools small and medium entities to negotiate cost discounts and benefit advantages. She said the committee is also recommending that the Village give 2% pay raises for employees for 2010. They went over the RITA statement and there is nothing to report on that. Under the agenda items for April will be full time employee call in policy, uniform allowance for Mark for the newly created position. Talked about the Chief of Police compensation and appropriating funds to upgrade our current webpage and we looked at information that Joe See gave us and we all saw that tonight and Mahesh is going to research this further for us. The committee also looked at the appropriation status report for the Village in regards to the new FTE, money to support this position is coming out of the General, Street and Sanitary Sewer Funds. Long term, this year they would like to see Finance come up with suggested base line projections for raises for the Village employees so the Council can use it as a guideline in the coming years. Council member Dalvi said just to react with what Council member Clippinger said, we just want a framework , should it be 2%, should it be 2.5%, 1.5% on some type of model based on projections, based on our revenues.

Council member Callender said he met with Ed and they discussed the sidewalks, they were in agreement to cross over to save some money and they went out and looked at some of the streets and they are kind of leaning towards doing more overlays this year if we can and he suggested that the gravel berms be put on all the streets.

Council member Gauldin said he had a couple of comments while we are on committees. Last meeting we talked about off duty call in policy for Village employees and the Mayor put this down as an action item and he thinks that was maybe going to Finance but you said they were going to start looking at this and maybe go into the manual, where are we on that. Mayor Monahan said he and Ed went into that and there really wasn't a written policy which we basically had established and we recognized that the finances had been good and we established like a three hour call in and he understands that the Police have a four hour call in policy, so we are looking at that. Understand there is a difference in the fact with Mark being full time versus where he was and we are working through what that really means. Mayor Monahan said it will come back through Finance. Another question council member Gauldin had maybe for Finance as well is that at one of the meetings he and Council member Dalvi attended they were talking about the way Villages get wealth coming in and they talked about taxes, this that and the other. We have talked a lot about the fact that the Zoo is getting ready to put a hotel in and expanding and one of the things they brought up and he thinks it might be a good idea now because we don't have this issue yet but we could very well get a bed and breakfast or something up here and it would be nice to look at a bed tax, that is something that we are allowed as a municipality to do for the generation of funds for our coffers and he thinks now doing it ahead of time is better than waiting for something to move in and then suddenly there's this fight, we moved in and now you want taxes. Brian said that New Albany just passed one as they are anticipating a hotel to come in. Council member Gauldin said another thing they brought up was an admissions tax, now the Bogey Inn has some bands and the bands play over on one side of the parking lot which is actually kind of on our turf so should we be getting some of that admissions tax and if we write an admissions tax can we make sure that we don't charge an admissions tax to a fund raising benefit, there's lot of things that can go on there. Mayor Monahan said that needs to start in the committees. Council member Gauldin said the last thing that he had as far as committees, maybe something for safety, he said he is going to tap dance around this the best that he can, it would be nice to hear that our Prosecutor Eric Burden might come to a Safety meeting and show his support for us wanting to work with the speed limit issue. He gets some rumblings that there might be a conflict on what he believes we should do and what Brian has already told us we can do on that. He does not know if that's true or not he is not accusing anybody but it would be nice to hear some support. Mayor Monahan said it isn't a question of support, if you want him there, we will pay him to be there. He said this whole speed limit issue has been rolling around here for a long time.

## **Bills**

Council member Gauldin said the gravel on E. Oneida, that looks like we graveled somebody's parking area, maybe Mr. Popes. Ed said that is actually a road. Council member Gauldin asked if the road turned and go into his garage. Ed said that Mr. Pope paid to put the gravel in his driveway, he liked the looks of the gravel we put in and paid for his driveway, we are not graveled anyone's driveway.

It was moved by Garren, seconded by Gauldin to pay the bills in the amount of \$38,803.63. following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

## Treasurer's Report

It was moved by Vedell, seconded by Clippinger to approve the following treasurer's report: General Fund 200,129.35, Street Fund 54, 826.72, State Highway Fund 3,122.66, Enforcement and Education Fund 1,560.00, Computer Fund 7,811.25, Fire Fund 96,492.62, Weed Fund 6,980.59, TIF Fund 83,024.45, Veteran's Memorial Fund 1,260.00, Building Expansion Fund 700.00, Capital Projects Fund 1,223.84, Sewer Operating Fund 24,983.14, Sewer Replacement Fund 10,000.00, Storm Sewer Fund 3,871.44, Enterprise Debt Service Fund 28,481.12 and Enterprise Debt Service Reserve Fund 79,780.73 for a total of \$604,247.91. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

There being no further business, it was moved by Clippinger, seconded by Callender to adjourn until April 12, 2010. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the meeting adjourned at 9:37 p.m.

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Fiscal Officer

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Mayor