

Village of Shawnee Hills Council Meeting

May 10, 2010

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

Council in Attendance: Charlie Callender, Yvonne Clippinger, Kris Garren and James Gauldin

Absent: Mahesh Dalvi and Richard Vedell

Also Present: Fiscal Officer Shirley Roskoski, Administrator Ed Swanson, Solicitor Brian Zets and Pump Station Operator John Kincaid

It was moved by Callender, seconded by Clippinger to approve the minutes of April 26, 2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

It was moved by Garren, seconded by Gauldin to approve the agenda with the following amendment: Resolution 17-2010 was amended. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

Solicitor

Brian Zets said it was part of his mistake on Friday regarding the payment from Shawnee Associates. There is about \$50,000.00 in the escrow account and the instructions he sent over to the escrow agent were to release about \$42,000.00 of it which was the judgment plus interest and the Mayor kindly reminded him that it should have been about \$50,000.00 and Shirley reminded Brian that Mr. Trembly had been paying into the escrow account instead of paying the Village so really we are entitled to all of the escrow account. Brian said that happened on Friday and the problem is the escrow agents attorney who he spoke with on Thursday was in a seminar all day on Friday so emails were going back and forth so he will be getting the check soon. Brian said he received a letter from Brady Inman's attorney; this was actually the second letter that he received from his attorney. Brian has responded to this letter. Mayor Monahan asked when the TIF 2 would be completed. Brian said it should be ready by the next council meeting.

Village Administrator

Ed Swanson informed Council that there was a malfunction at the pump station last week which caused grey sewage water backup in a resident's house and John Kincaid is here tonight to explain that. Ed said that the gas being released at the Morgan House manhole is not our fault and John is going to write a letter and go into this in more detail at a later date with the Utilities committee. Ed said he met with Mark Cameron today and the sidewalk horizontal drawings are done and the vertical drawings should be done by the end of this week. This project is about a week ahead of schedule. He forwarded to the service committee a list of about 20 roads, blacktop overlay, totaling about \$120,000.00. The Service Committee picked about 13 of these areas totaling about \$69,800.00 and that list has been forwarded to Edgil at CPS today and he will get the bid process started. Council member Clippinger asked if any grant monies were available. Ed said not for this project, we are working on it but the application is not due until October. Mike Eger started the road work on E. Osage today and it should be completed by the end of the week.

Visitors

Scott Sanders, Delaware County Regional Planning, said that they are trying this year to hit as many of their communities that they can. He wanted to let Council know what they do. He said they are a creature of statute by Ohio Revised Code and their main responsibilities are to review zoning, rezoning cases in the unincorporated areas and they are also the subdivision authority, so they review subdivisions in the unincorporated areas so any city or village wouldn't fall under their jurisdiction however since 1960 many villages and cities have been members of our organization just by the way they are set up. Scott said they can also work under contract with a community or groups of communities or school districts or whomever to do types of plans, which include reviewing zoning codes, which we do a lot in the townships. They can also do comprehensive plans. They can update maps or make a lot of different maps based on GIS data. They can do street maps with addresses. He said he is working with Gus Comstock, Economic Development office, on an Economic Development Strategic Plan for the county. He said they have done all the township and village plans but there is nothing that really pulls it all together so they are working on this for the County.

John Kincaid said the incident we had last Thursday night was that the sewer lines throughout the Village backed up due to the lift station going down and the alarm system malfunction or there was a delay in the function and the operations of the lift station. He received a call Thursday night at 8:00 and he got to the Village shortly after 9:00 p.m. He said the alarm is set for 4 ½ feet and when he and Mark have been working on the pumps they have shut the pumps and the alarm off and have let it go for stretches so when he got the alarm he knew he had a little bit of time, he thought. He said when he arrived at the pump station instead of it being at the 4 to even 6 foot range, it was at 13 feet and with it being at the 13 foot level he turned the pumps back on and reset the alarm and the pumps. The pumps being down are the reason why there was a backup in the residence. John said the only glitch they found is that instead of the alarms calling out at 4 ½ feet level it waited until the level was around 13 feet and that is where we had the problem. John said the only thing he can figure out is that the electric is three phase and we must have lost partial power to shut the pumps down and in the meantime the only thing he can come up with is that when it did that it caused the alarm system to malfunction and the best he can figure is that the lift station was down about 12 to 13 hours before he received a phone call. We also do not have surge protection on the alarm system. He said he tested the pumps and the alarm system this morning and everything tested ok this morning. He said they are also looking into a backup system for the pump station. John said that this system is checked weekly and has always checked out. Council member Garren asked why did this only back up in one person's house. John said it was because it was the lowest in the system and they have a basement toilet with a gravity flow instead of a pump.

John said that back on April 7 they purged the force main, they chlorinated it heavily and hydrogen sulphite takes a little bit of time to develop and he has a gas meter that detects hydrogen sulphite and explosive gases and he has been monitoring the lift station that the force main dumps into in front of the Morgan House. John said they purged the system with chlorine and let it sit for a period on April 7 and he came back on April 9 and checked the Morgan House and there was still hydrogen sulphite so the window of time for the hydrogen sulphite to redevelop was too short of time so he is thinking that there is another source of hydrogen sulphite coming into that manhole and maybe what our force main is causing to do is creating turbulence down in the manhole and that turbulence could be releasing the hydrogen sulphite that is in that manhole. He will be giving Dublin a report on this.

Mayor Monahan asked Council if they would do the two readings regarding the Dam Jam before he gave his report since John Piccin has to leave early:

Second Reading- Public Hearing – Resolution 17-2010- Amended – A Resolution to grant a variance to the provisions of the Shawnee Hills Code Section 1121.06(h)(1) to allow applicant, Shawnee Hills Chamber, to deviate from the size of a special sign for the Dam Jam

Second Reading – Public Hearing – Amended – Resolution 18-2010 – A Resolution to grant variance to the provisions of the Shawnee Hills Code Section 509.09 to allow applicant, Shawnee Hills Chamber, to deviate from time and volume standards for the Dam Jam. John said they added a jazz/swing band in the wine garden area. They will be facing straight down Glick Road and they will not be on a stage.

Communications

Mayor Monahan gave the following report:

On 5-5 I met with the Chamber and discussed with the board:

Street Signs = whatever they could do is dependent on the success of the Dam Jam.

Benches along sidewalks = Talked with them about requesting the impacted businesses providing the land for the benches for the new sidewalks.

Snow Cleaning on sidewalks = I told them it was preliminary but we will be most likely be coming to them (legislation) to have the impacted businesses cleaning their respective sections of the sidewalks. Recognizing this still leaves gaps where there is not a business and we will still have to reach that resolution.

Village Picnic = I took the idea that Rich proposed at the last Council mtg. that the Village restaurants participate at *The Ohio Wildlife Center* in the proposed Village picnic that you are considering in a form of “taste of Shawnee Hills.

The Business Advisory Committee meets = on May 18th. Jim can you and I meet prior to that and outline the Signage (permanent and Temporary) proposals (as we know them) and bounce it off the Business Advisory Committee?

We received notice of the Ohio Mayor’s Association of Ohio Conference being held at the Dublin Marriott June 22nd through 25. I will be attending the 23rd through the 25th (vacation from work). Anyone interested in attending the Reception and banquet on Thursday evening the 24th please let Shirley know so we can reserve for you.

Mayor’s Report

Mayor Monahan gave the following report:

On May 3rd Joe See, Council member Dalvi, Shirley and I met to work through some of our technical requirements:

- Meet all Legal requirements in our email system
- Provide Come up file (Outlook calendar) capabilities
 - Contract renewals
 - Mtg. Notifications.
 - Other.
- Renewal of current web-site = completed

- Future web site considerations
- Wireless = not favorable because of security
- Printer in office = recommended MiFi.

As you are probably now aware Dublin is planning a new water tower near the Village Message I sent to Dublin = Mayor, Vice Mayor and City Council via the link above: The Village of Shawnee Hills OH respectfully requests the City of Dublin not place the water tower on our border. This water tower will not service our Village and we believe having a water tower with Dublin on it as a focal point is not something we want. What I will ask you is at a minimum move this water tower 1,000 ft south on your Memorial parking lot property if not a different location.

Thanks! Patrick C Monahan Mayor Shawnee Hills OH

I also sent the message to Terry Fogle (Dublin City Manager and left a voice mail for him and former Mayor Marilee C Z.

I spoke with Terry and he apologized that Dublin Engineering had not contacted us. He said that he will recommend Dublin City Council delay action on the location of the water tower until we respond.

I informed the City Manager that we appreciate our relationship with Dublin and do respectfully request that they move the tower 1000 ft. south if the current consideration is behind the Bogey. I told him that the view approaching the Village from the east is one of the prettiest in all of Central Ohio and the last thing we want is to have a water tower that will not service our Village looming over our Village with a Dublin sign displayed.

Action Requested:

I would ask that Council make a motion = *We the Council and Administration of The Village of Shawnee Hills OH. Respectfully request that our neighbor The City of Dublin OH. Not place the new water tower on our border and in full site of our Village!* It was moved by Clippinger, seconded by Callender that the previous wording presented by the Mayor be approved and sent to the City of Dublin. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

I believe that Dublin has an alternative to move the site a thousand feet south within the property they own (Memorial parking)

Reasons:

- Ascetics
- The Village will not be served by this water tower
- Dublin will be served and the proposed water tower
- Other?

You received a copy of the Code Enforcement activities.

We will be sending out a Special Newsletter this week letting the residents know about Emerald Ash Borer.

A mtg. will be scheduled for next week so the residents can learn about Emerald Ash Borer.

P+Z is working on legislation to propose to Council concerning EAB

ABR will be meeting Thursday May 20th

Pro Tem Report

President Pro Tem said that there are some scheduling difficulties with the Finance Committee and she would like to ask for Council's approval to appoint a third member to Finance and she would like to appoint Jim Gauldin to this committee. It was moved by Clippinger, seconded by Callender to appoint Jim Gauldin to the Finance Committee. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

It was moved by Clippinger, seconded by Gauldin to break for ten minutes. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

It was moved by Clippinger, seconded by Gauldin to reconvene. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

Legislative Actions

Third Reading- Resolution 09-2010 – Sponsored by Mayor Monahan – A Resolution authorizing the Mayor to sign the Release and Assignment Agreement from Western Surety Company in regards to the claim against Jeff Pearson. It was moved by Garren, seconded by Clippinger to pass Resolution 09-2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared Resolution 09-2010 passed by a 4-0 vote.

Second Reading- Public Hearing – Resolution 13-2010-Sponsored by Mayor Monahan and the Finance Committee - A Resolution to increase the annual salary for Shirley Roskoski, Fiscal Officer for the Village of Shawnee Hills, Ohio.

Second Reading – Public Hearing – Resolution 14-2010 – Sponsored by Mayor Monahan and the Finance Committee –A Resolution to increase the rate of pay for Chris Venrick, Police Officer for the Village of Shawnee Hills, Ohio.

Second Reading – Public Hearing – Resolution 15-2010 – Sponsored by Mayor Monahan and the President Pro Tem Clippinger - A Resolution that the Village of Shawnee Hills, Ohio host a Village wide summer picnic at the Ohio Wildlife Center

Second Reading- Public Hearing – Resolution 16-2010 – Amended – Sponsored by Mayor Monahan – A Resolution confirming the Mayor's Appointment to hire Tom Callison as a Part Time Police Officer for the Village of Shawnee Hills, Ohio and declaring an emergency. Since there is not enough members of Council present to pass this as an emergency it was moved by Clippinger, seconded by Gauldin to table Resolution 16-2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared Resolution 16-2010 tabled by a 4-0 vote.

Second Reading – Public Hearing – Resolution 19-2010 – Sponsored by the Finance Committee – A Resolution to establish a No-Idling and Fuel Conservation Policy for the Village of Shawnee Hills, Ohio.

Committee Reports

Council member Callender said that Service met on May 5th and they did make a recommendation on street repairs, they looked at the lowest cost roads so that they could get more done and the cost comes out to about \$68,000.00 and they recommend that a resolution be prepared for the next Council meeting to put this out for bid. He said they also discussed trying to update our five year plan on roads. They want to review that and maybe update that to keep on track. Mayor Monahan said most of our roads are the same age, 2001, due to our sewer project most of the roads were put back in at that time.

Council member Gauldin said Utilities met last Thursday and they reviewed the sewer billing practices and they also talked about how we would investigate a different system of billing in that those who use more water would maybe pay a little bit more for the fees for maintenance and such. They are looking at a tiered system and they are looking to see if the general numbers they threw in there would work. He said they touched briefly on the odors at the Morgan House. Lastly they discussed rubbish collect. Jim said that he called around to Rumpke, Flower Garbage and Waste Management about possibly consolidating to one company to do our rubbish collection and there is a real large swing to each side of good things if we do consolidate and bad things if we consolidate so what he decided to do is to go ahead and get a couple more companies to give him some general information on how they have done it with other small villages so that we can read over it and decide if we wanted to move forward and make a proposal or just drop it at that point and say investigation is over and we are not going to go any further.

Mayor Monahan said that when we talk about sewer bills the one thing that he would like to ask is how can we look at getting the loan paid off earlier. Jim said we don't want to offer a reduction and in six months come back to the residents and increase the rates again. We are trying to find the right balance

Bills

It was moved by Garren, seconded by Callender to pay the bills in the amount of \$12,327.90. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

Treasurer's Report

It was moved by Garren, seconded by Gauldin to approve the following treasurer's report: General Fund 230,787.23, Street Fund 48,497.28, State Highway Fund 3,544.80, Enforcement and Education Fund 1,560.00, Mayor's Court Computer Fund 8,220.26, Fire Fund 96,492.62, Weed Fund 6,613.18, TIF Fund 81,744.95, Veteran's Memorial Fund 993.18, Building Expansion Fund 700.00, Capital Projects Fund 1,223.84, Sewer Operating Fund 34,827.78, Sewer Replacement Fund 10,000.00, Storm Sewer Fund 5,176.65, Enterprise Debt Service Fund 42,355.39, Enterprise Debt Reserve Fund 82,259.72 for a total of \$654,996.88. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

Miscellaneous

Council member Gauldin said that established back in 1962 by President John F. Kennedy in a joint resolution of congress National Police Week was formed and paid special tribute to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others. Currently they are holding the ceremonies in Washington D.C. and that week is May 9 thru 15th this year and he would just like to say thanks for your service (directed to our own Police).

There being no further business, it was moved by Garren, seconded by Clippinger to adjourn until May 24, 2010. Following vote on the motion was recorded: yea, 4: Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the meeting adjourned at 8:50 p.m.

Fiscal Officer

Mayor