

Village of Shawnee Hills Council Meeting

June 14, 2010

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

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

Absent: Richard Vedell

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

Note that Kris Garren arrived at 7:03 p.m.

It was moved by Callender, seconded by Clippinger to approve the minutes of May 25, 2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Dalvi and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

It was moved by Gauldin, seconded by Dalvi to approve the agenda with the following amendments: Add Resolution 27-2010 and add to Resolution 23-2010 and add it as an emergency measure. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote.

Solicitor

Brian Zets said that the TIF Ordinance is complete, just the map needs to be done. It should be ready for Council very soon. He said he worked on miscellaneous legal issues; unimproved roadways, talked with Yvonne on the Tree Preservation Ordinance and also the FirstEnergy Governance Plan. Mayor Monahan asked Brian if he had received the public records request from Dublin. Brian said he has not and has not heard anything from Dublin. Council member Dalvi asked if we had to pay for the copies. Brian said we do and Dublin should let us know what the cost will be. Brian said if it is going to be a lot the municipality usually lets us know beforehand what the cost might be.

Village Administrator

Ed Swanson said that they held a pre bid meeting on June 11 for the sidewalk project and several contractors showed up for that. The bid opening is on June 18th. The contract should be awarded on June 28 and the construction should start about the middle of July. The road bids are also out and the bid opening is scheduled for June 24. Should award the contract on the 28th of June and construction should start around the 26th of July, hopefully sooner. He said that Mark Cameron called him today and said that the storm water project is running three to four weeks behind. It's just because they have a lot going on and he is doing the best that he can do, if he can get it done sooner he will. Mayor Monahan asked when will it be out for bid now. Ed said it should be advertised around August 7, bid opening should be around August 27 and the award should be around August 29 and construction should start the third week of September. Mayor Monahan

said the request will be that he splits the difference on how late he is going to be, if he is saying 4 weeks then he should only be 2 weeks late. Ed said he has already talked to him about that.

Communication

Mayor Monahan gave the following report:

Received the following email:

From: Amelia Costanzo [mailto:acostanzo@morpc.org]

Sent: Friday, June 11, 2010 2:59 PM

To: clippinger@shawneehillsoh.com; monahan@shawneehillsoh.com

Cc: roskoski@shawneehillsoh.com; swanson@shawneehillsoh.com; Amy Lowe

Subject: information on designating a scenic byway

Yvonne and Pat,

When Chester, Amy and I met with you in April, you asked for information on designating Dublin Road as a scenic byway. I am going to send a brochure to you in the mail. The most important component of the application is that you create a corridor management plan. The plan must include the following:

- a statement of significance
- a map of the proposed corridor boundaries
- a development, management and maintenance program
- a *preservation and enhancement strategies of intrinsic qualities* plan
- a promotional and marketing plan
- a signage plan
- documented support from each local governmental jurisdiction along the proposed route
- a public involvement plan
- a project schedule contact list with enumeration of responsibilities

You are able to partner with other jurisdictions to apply.

Let me know if we can be of further help. Thank you,

Amelia

Amelia Costanzo Associate Planner

[Mid-Ohio Regional Planning Commission](#)

111 Liberty Street, Suite 100 | Columbus, OH 43215

tel: 614.233.4161 | fax: 614.233.5731

acostanzo@morpc.org

I have forwarded this to Dublin and told them we are interested in working with them on this

I do have a copy of the 2009 Annual report from the Delaware County for Older Adults. It will be in the office if anyone would like to review it.

I did receive a notice from a Shawnee Trail Riverfront Resident and she let me know that there is a Riverfront Association Mtg. this Wed. at 7PM in the Civic and I hadn't been invited but will be going to the mtg. to bring them up to speed in the Rain Garden talks I will inform you of in the Mayor's Report.

Mayor's Report

Mayor Monahan gave the following report:

MAYOR'S COURT REPORT

MAY, 2010

\$4,586.00	BALANCE BROUGHT FORWARD
10.00	OUTSTANDING CHECK #1417
4,576.00	ADJUSTED BALANCE
<u>DEPOSITS:</u>	
[2,286.00]	TRAFFIC RECEIPTS (\$2,286.00 ON APRIL REPORT)
[500.00]	DELAWARE COURT
4,539.00	TRAFFIC RECEIPTS
4,539.00	TOTAL RECEIPTS
DISBURSEMENTS	
248.50	TREASURER OF STATE
210.00	COMPUTER FUND
4,080.50	VILLAGE: GENERAL FUND
4,539.00	TOTAL DISBURSEMENTS
4,576.00	BALANCE BROUGHT FORWARD
-4,539.00	DISBURSEMENTS
37.00	BALANCE MAINTAINED IN CHECKING

RESPECTFULLY SUBMITTED,
JOYCE A. ARMSTRONG
MAYOR'S COURT CLERK

Columbus Division of Water, Rick Westerfield, John Carter and Lynn Kelly came to the Village and we met on Friday May 28th. The purpose of the mtg. was a follow up to a mtg. I had with director Arsh and Rick Westerfield in March about the overall health and safety impact of the weeds behind the homes on the Riverfront on the overall Village (mosquito's, varmints, etc. and the impact on the property values of the homes along the River).

At that time I told Columbus I was not there to continue the discussion that has gone on for years. I also told them I would not do anything to interfere with the stewardship agreement. The intent was for the overall health and welfare of the Village by proposing we adjoin with Columbus in a project to put a Rain Garden the length of Shawnee Hills along the river. This was to tag on to the project they announced in the Dispatch on January 3rd. Columbus is installing Rain Gardens around the parking lots along the O'Shaughnessy and the other reservoirs to filter the run off.

Rain Garden Concept:

The good news is Columbus wants to do a trial with us:

They are looking for a place along the trail where there is a large water flow to the river (I suggested possibly Darryl Sanders and end the ridiculous law suit) to install a Rain Garden trial.

The idea would be: (nothing firm)

- The residents mow back to the rain garden and use the land.

- The resident would have to sign a release (if you are on their property and get hurt you waive Columbus's responsibility)
- Resident could trim bad branches but not necessarily remove a fallen tree.
- Residents would trim back the Rain garden in the fall.
- The area between the Rain Garden and the River would be natural.

I told them I did not want to do anything to interfere with the Stewardship agreements because they would become political footballs.

More to come on this!

Saturday Shirley, Mahesh, Joe See and I met to get the Village email service move project kicked off. We reserved our new domain and the project is kicked off with a less expensive service. More to come on this.

Email I sent to Delaware County Auditor 6-13-10:

Hi George I wanted to catch up on 3 things:

From Resident concerning the Agricultural use lots on Baker's Property:

The status of lots mentioned below. We are not questioning the taxation value, rather the purpose of lots usage for taxes. The other lots in question are 2067 and 2120 to East of Hillcrest right of way and 2066 and 2120 on West side of Hillcrest Drive bordering our property which are not included in the Village Ordinance. They are also zoned agriculture (CAUV) no commercial plants are growing on these 4 lots either except weeds and piles of debris.

2nd = has your office(Mike?) contacted The Dublin School board about the properties on Shawnee Trail that were lowered in value more than \$50K? I have been waiting to contact them until I heard back from you.

3rd = Can your office determine the property value impact of the proposed Dublin Water Tower. Dublin residents were concerned about the devaluation of their properties if the water tower was placed near them in Muirfield. I have the same concern for the Shawnee Hills residents.

Thanks for your help George!

Pat

Mayor Monahan received some answers from George: He forwarded this request to Kelly Tenant who works in his office and they are starting the CAUV verification today and what they need to demonstrate is that the lots involved produce \$2,500.00 in agriculture. The contention has been that some of the lots at the back of Baker's that are rated agriculture may not be agriculture and they pay maybe \$5.00 a year for taxes, they have to be able to produce 2500.00 on that lot in income to maintain that CAUV status.

The Dublin Water Tower has consumed a considerable amount of time. We are waiting on the Public Records request from Dublin and will determine the next steps. I want to thank the Delaware County Commissioners for their support of the Village.

Delaware County Commissioners

Todd Hanks
Tommy Thompson
Ken O'Brien

Clerk to the Commissioners
Letha George



June 1, 2010

Dublin City Council
Dublin Municipal Building
5200 Emerald Parkway
Dublin, Ohio 43217

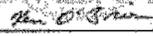
Dear Council Members:

Your recent unanimous vote to construct a new water tower near the Bogey Inn on Glick Road is an unacceptable decision to the citizens of Delaware County and specifically to the residents of Shawnee Hills. The Village officials asked council to consider moving the tower to a location 500 feet away so it would not be on the village doorstep. You denied that request with little consideration to their concerns and the impact the tower would have, not only on the aesthetics of the village, but just as importantly, the impact the tower will have on property values.

We, the Delaware County Commissioners, respectfully are asking that you reconsider the decision that was made without due consideration of your neighbor. As members of the Mid Ohio Regional Planning Commission, an organization that promotes regional cooperation, we are disappointed in your lack of apparent communication before making decision that directly affects a neighboring community.

Sincerely,


Todd Hanks


Ken O'Brien


Tommy Thompson

Received a copy of the below letter from Sandra Puskarcik Community Relations Director of Dublin



I informed Sandra that this was a second slap since I requested to be in the conversation with Mr. Kennebeck and was not included. I have requested a meeting with him and suggested that none of the other 3 sites within the Muirfield Parking lot were ever viable. I requested that the water tower be moved to the Muirfield pool location.

Mayor Monahan said he went back to Gus Comstock, Delaware County Economic Development Director and he has asked him to set up a meeting with the Delaware County Commissioners and Kevin Kennebeck to sit down with him to show him how he can use less land and accomplish what they want.

There will be no ABR mtg. this week.

On Friday the 11th we, Ed, Edgil, Yvonne and I met with Dublin to discuss the intersection at Glick and Dublin Roads.

We agreed that the least intrusive and least expensive plan of adding left turn lanes, ADA compliant intersection with cross walks, creating a 150 ft stack lane, lowering both the intersection and mound at El Vaquero by a couple of feet appears to be the most reasonable solution. ODOT is strongly pushing for a plan that is very extensive and drives the cost of the

project to nearly \$6M. At that price tag it is most likely a certainty to keep being pushed back and not addressed for years.

We agreed that we would work with Dublin and meet with ODOT jointly to lobby for the simpler solution. They are working to set up the mtg. More to come on this!

He said that we need a picnic committee for the late summer and asked for volunteers.

Legislative Actions

First Reading- Public Hearing – Ordinance 13-2010 – An Ordinance adopting the Plan of Operation and Governance for the Electricity Aggregation Program for the Village of Shawnee Hills with FirstEnergy Solution, and declaring an emergency. Tim Suter from FirstEnergy was present to answer any questions and will be at our next meeting also.

First Reading- Resolution 26-2010 A Resolution authorizing the Mayor and the Fiscal Officer to sign the Master Agreement to provide services to an Aggregated Group between the Village of Shawnee Hills, Ohio and First Energy Solutions, Corp. and declaring an emergency

Second Reading- Public Hearing - Resolution 20-2010 – Amended- Sponsored by the Finance Committee – A Resolution to authorize the Mayor and Fiscal Officer to enter into a contract with Eric J. Burden for Prosecutorial Duties for the Village of Shawnee Hills, Ohio

Second Reading- Public Hearing - Resolution 21-2010 – Sponsored by the Finance Committee – A Resolution to authorize the Administrator to enter into a contract with Kincaid Wastewater Services Inc. as Operator of the Sanitary Sewer Pumps station for the Village of Shawnee Hills, Ohio

Second Reading- Public Hearing - Resolution 22-2010 – Sponsored by the Finance Committee – A Resolution to amend the Employee Handbook for the Village of Shawnee Hills, Ohio

Second Reading- Public Hearing - Resolution 23-2010- Amended - Sponsored by the Finance Committee and Mayor Monahan– A Resolution authorizing the Mayor and Fiscal Officer to enter into a contract with Dollar Leasing Corp. for a lease purchase agreement for a 2010/2011 Dodge Charger Police Cruiser. It was moved by Clippinger, seconded by Gauldin to amend Resolution 23-2010 to make it an emergency. 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 Clippinger, seconded by Gauldin that the rule requiring readings on three separate days be suspended and this resolution shall pass on its second reading. 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 Gauldin, seconded by Callender to pass Resolution 23-2010 as amended. Following vote on the

motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared Resolution 23-2010 passed by a 5-0 vote.

Second Reading- Public Hearing - Resolution 24-2010 – Sponsored by the Service Committee – A Resolution to authorize the Mayor, the Village Administrator and CPS Consulting Group LLC, to issue a competitive bid package related to the paving improvement project for the Village of Shawnee Hills, Ohio and declaring an emergency. It was moved by Callender, seconded by Dalvi that the rule requiring readings on three separate days be suspended and this resolution shall pass on its second reading.

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 Callender, seconded by Dalvi to pass Resolution 24-2010. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared Resolution 24-2010 passed by a 5-0 vote.

Second Reading – Public Hearing –Amended - Resolution 25-2010 – Sponsored by the Finance Committee – A Resolution authorizing the Mayor and the Fiscal Officer to sign the Intergovernmental Contract for the Administration of the Public Entities Pool of Ohio and Declaring an Emergency. It was moved by Clippinger, seconded by Garren that the rule requiring readings on three separate days be suspended and this resolution shall pass on its second reading. V 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 Clippinger, seconded by Dalvi to pass Resolution 25-2010. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared Resolution 25-2010 passed by a 5-0 vote.

Second Reading – Public Hearing - Ordinance 11-2010 – Amended - Sponsored by the Finance Committee – An Ordinance to reappropriate funds for current expenses of the Village of Shawnee Hills, State of Ohio, during the Fiscal year ending December 31, 2010 and declaring an emergency. It was moved by Gauldin, seconded by Clippinger that the rule requiring readings on three separate days be suspended and this ordinance shall pass on its second reading. 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 Gauldin, seconded by Clippinger to pass ordinance 11-2010. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared Ordinance 11-2010 passed by a 5-0 vote.

First Reading- Ordinance 12-2010 – Sponsored by the Rules Committee – An Ordinance to amend Section 121.02(d)(4) of the Codified Ordinances of the Village of Shawnee Hills, Order of Business

First Reading – Resolution 27-2010 – A Resolution to repeal Resolution 08-2010 and to authorize the Mayor and the Fiscal Officer to contract with 1 & 1 Internet for email service for the Village of Shawnee Hills, Ohio and declaring an emergency. Council member Dalvi said he took a look at this and it has all the features we need plus some more and it is less expensive than the other provider. He said he will give Council a presentation on this product at the next Council meeting. Council member Gauldin asked

Council member Dalvi if there was any kind of performance guarantee in the contract in case we start seeing stuff that is so slow and we can't access email. Council member Dalvi said all the information is there in terms of performance so if you see those down times and all there is an explanation for it. He said there are a lot of features and one the reasons besides the legal aspects was the calendaring and all that stuff. You also get web access and a legal copy of Outlook that you can have on your computer. They have a lot of things that make sense. Council member Garren said she prefers that this not be passed as an emergency measure tonight. Mayor Monahan said he is ok with waiting for the next meeting to pass this.

Committee Reports

Council member Gauldin said that Utilities met and they discussed the request through Council that there was a desire to have some sort of direct payment services through the bank and it was determined that to do that would be a \$20.00 minimum monthly fee since it would be a ACH debit and the customers would have to allow the Village to debit their account each month in order to pay the bill. Shirley said she needs to research this some more because the person that called her could not give her the per item breakdown. Council member Dalvi said that they talked about this and the customer can use bill pay so that the money is sent to us instead of us taking all the responsibility, the liability and the cost. Mayor Monahan said whatever our procedure is we write it up and give it to them. Council member Gauldin said that Council member Dalvi had heard that the Village is one of the highest areas for lightning strikes so they are going to look into what type of lightning arrester should be used and go to the power company to make sure all of that is being done around our area to protect our residents.

Council member Dalvi said he talked to Dana McDaniels, Development Director of Dublin, because Dublin has gone to a City wide WIFI system and one of their access points is her and they will be using their WIFI for the police cruisers so what he asked him was what will it take for us to get WIFI also as the access point is already there and so that we do not conflict with their system. He has the name of the provider and will be contacting him soon.

Bills

It was moved by Garren, seconded by Callender to pay the bills in the amount of \$30,622.51. 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.

Treasurer's Report

It was moved by Clippinger, seconded by Gauldin to approve the following treasurer's report: General Fund 240,043.61, Street Fund 50,891.87, State Highway Fund 3,768.56, Enforcement and Education Fund 1,560.00, Computer Fund 7,983.80, Fire Fund 104,430.24, Weed Fund 6,429.51, TIF Fund 80,174.45, Veteran's Memorial Fund 1,093.18, Building Expansion Fund 700.00, Capital Projects Fund 1,223.84, Sewer Operating Fund 56,866.94, Sewer Replacement Fund 10,000.00, Enterprise Debt Service Fund 51,162.84, Enterprise Debt Reserve Fund 92,382.36 for a total of \$716,793.95.

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.

Miscellaneous Business

Mayor Monahan asked Ed if had had gotten any information about a couple of extra fire hydrants along Dublin Road. Ed said he talked to Concord Township about this and they would like us to upgrade the water lines before installing the hydrants. Mayor Monahan said he understands that but he would like to concentrate on Dublin Road at this time and the lines are big enough.

Council member Clippinger said that she has been getting numerous complaints from a resident on E. Old Powell Road about the traffic going too fast. She is very concerned about the kids, there are a lot of kids in that area and she asked her to bring it up again and she would even volunteer to pay for putting up some Children At Play signs. Chief Lefever said he has sat down there a couple of days personally. He asked Council member Clippinger if she could find out the peak times that this is happening. Council member Clippinger said she will ask again but in the past she has said it is between 3 and 5:30 p.m. Mayor Monahan asked Ed to see if we could get some more Children At Play signs and put them up.

Mayor Monahan said they have talked about a traffic study device which is basically a piece of equipment that we could put up on a pole and move and be able to capture data so this will be sent to finance.

Council member Dalvi said that if you look at the ones that are speeding, most of them are teenagers that are coming from Muirfield and other locations to meet the teenagers in our Village. There have been cars, especially on E. Mohawk, that are speeding, he knows where they go to and he has talked to the teenager that lives there and asked him to tell his friends to drive slow through the Village.

Council member Dalvi said there seems to be a lot of loitering in the Village and he said it might be good to have some No Loitering signs in the Village. He said there are a lot of empty beer bottles and trash in certain areas of the Village. He also informed Council that his son and his friend were playing on the playground and his son got injured on a piece of equipment. He asked for one more safety report. Mayor Monahan said we need to decide what needs to come down and what can stay.

Mayor Monahan said he would like to see us come up with a Park Commission and let people take a look at things like and say what should we do.

Council member Clippinger said she would like to ask that we come up with an application form for people that want to sit on our boards and have this on our web site also once it is up and running.

Council member Gauldin said he was stopped by a number of residents that said to pass along their thanks for the consideration of the time that the Mayor has put in as well as

Council, on the water tower issue. They were very pleased to know that we have people that are looking out for our Village and that we have people that will go to Dublin and voice their opinions.

Mayor Monahan said it has not been a pleasant experience and it has been an almost all consuming experience and he will also tell you that he has lost a friend over this, and he is highly disappointed with Dublin after all the work we have done with them and we have to continue working with them and he does think less of them with that kind of action and he is considering going back to MORPC and asking what is it when somebody says they are part of a region but they don't function as part of a region. He said he believes that there were people within Dublin that were told not to leave Shawnee Hills out of this discussion or there may be issues. He said it was with sheer arrogance that they would even consider the Strader property for their water tower.

There being no further business, it was moved by Clippinger, seconded by Gauldin to adjourn until June 28, 2010. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the meeting adjourned at 8:00 p.m.

Fiscal Officer

Mayor