

Village of Shawnee Hills Council Meeting

December 13, 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 Mike McVan

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

It was moved by Clippinger, seconded by Callender to approve the minutes of November 22, 2010 with the following amendments: on page 3 remove what is it after the discussion on the cost of permit if they don't file for one. On page 5 change the word think to thing, and on page 7 add the words to do emails after that site. Following vote on the motion as recorded: yea, 5; Callender, Clippinger, Garren, Gauldin and McVan. Nay, none. Abstain, one; Dalvi. Chair declared the motion passed by a 5-0 vote.

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

Solicitor

Brain Zets said he worked with Shirley and Ed to help prepare a few easements for the storm sewer project. The Montessori School property, that foreclosure order was filed with the court so they will be able to sell that property. He said he received another letter from Darryl Sanders attorney which he forwarded to the Mayor and Ed and traded voice mail with our insurance adjuster so she is actually going to take care of that response and he said he received another letter from Barry Thompson. He said the letter was dated November 8 but he did not receive it until November 30. This letter did not pose any questions or ask for any information, it was just a letter.

Administrator

Ed Swanson informed Council that the City of Columbus has reneged on their prior agreement of October 1 which they agreed to trade a sewer lateral pipe for easement rights. He said one of those easements has a pipe in the ground already and all we want to do is replace it with a bigger pipe. He said that pipe is so small that when a lot of water goes through it, it shoots water up in the air and they will not let us replace that. He said that the City of Columbus wants \$32,000.00 from us now for the easements. He said he went back to our funding agencies and got \$30,000.000 more, they won't pay for the easements but they will pay for additional work to get the water going a different route out to the river and that has been worked out and engineered. We haven't met with the contractor yet but we should be able to get it rerouted for the \$30,000.00 and not need easements from the City. Mayor Monahan said he wanted to add something to that, we are very disappointed because people deal honorably and the fact that they backed out of this recognizing they are running to a lot of things, a couple of things, I have asked

our engineer to reevaluate the value of our sanitary sewer lateral and he will probably be coming back to Council, depending on how this works, unless we really need their help, coming back asking Council to rescind the motion to trade the lateral off. We also looked at dropping the 4th easement, we may not need it, but we do not want to close that door yet and this has taken a lot of back and forth on that thing, but we have left it open with Columbus but quite honestly he is highly disappointed in them on this. Council member Dalvi asked how much did they pay us. Ed said they have not paid us anything, we offered them our sanitary sewer lateral just at the cost to us back in 2001 when it was installed. Council member Clippinger asked Ed to verify that the \$30,000.00 was coming from the grant monies. Ed said it was. She asked aren't we doing this because of the EPA. Ed said yes due to the storm water management requirements. She said she does not understand what the issue is here. Council member Dalvi asked why don't we write a letter to the Mayor of Columbus regarding this. Mayor Monahan said he wants to get this settled first before doing something, what he wants to do is if we really need something we can make a trade but he wants to get our 2001 price raised but we have a contractor on the job right now. Council member Dalvi said this is just government waste of \$30,000.00 because some person is playing this game with us so he understands what we are doing but this is about government waste. He said this is a classic example of government waste, we are paying \$30,000.00 more because two government entities are not agreeing on this stupid easement issue. Council member Callender asked isn't Columbus involved with the EPA for Leatherlips, wouldn't the EPA come after them. Mayor Monahan said they have probably had a good 50 plus communications on this trying to get the easements. He said he wants to get the project done so we are not going past the June cutoff date.

Council member Gauldin had a question for Brian. He said we made an offer to Columbus for this easement in trade and that offer was on the table. Columbus came back and said, to his understanding; \$30,000.00 is what the easements are going to cost. At this point can they at any point in time come back to us and say no we will take that offer and the Village will be held to that offer. Council member Gauldin said the point of the questions is; does it expire because his feeling is, there is a point in time and I do not know if we have reached it or not where this offer will do us no good because of our construction plans and what we have to do to continue forward, if we have reached that point of time he would like to rescind it right now and say you know what, it's been good doing business, thanks for coming to the table and talking but it is not going to work for us, we will try again later. He said he does not want that offer out there, we've passed the point of no return and then they want to take it and somehow we would be liable to follow through on that offer. Shirley said the offer was an even trade, no money. Mayor Monahan said if they do not want to trade, that's off. He asked Jim to hold off until the next meeting because today was the first time that Ed said Edgil is 99% sure that we won't need the easements, he wants to make sure that is nailed down because what he doesn't want to do is put a nail in that coffin and find out we have to open it again. Council member Gauldin said he wants to make sure that as we move forward and Edgil says we can that we are not somehow legally bound by this offer. Brian said he does not think so because you had an offer and they did not accept it.

Ed said that the Delaware County Auditor has reviewed some of Roger Baker's property and they are removing some of the lots from the CAUV status. He has been notified of this.

Shirley, Chief LeFever and I met with the insurance representative today and went over cost, expenses and liabilities. This is an audit that is done every two years and he did compliment us on a substantial improvement over the last two years. He was pleased with us doing the sewer and grease trap inspections, the employee handbook and the policies and procedures. We do not have any of the legal obligations that we have had in the past. He commented on our financial status, we are better off than just about anybody else he visits as far as what we have in the General Fund, he was very complimentary. There are a few items we need to change. Ed said that the crosswalk sign has been installed and it is operating.

Visitors

Warren Miller said that everyone is doing a fine job especially the Police Department. He is really proud of our Police Department

Communications

Mayor Monahan gave the following report:

From: brokerbobu@aol.com [mailto:brokerbobu@aol.com]

Sent: Monday, November 29, 2010 3:10 PM

To: pmonahan@columbus.rr.com

Subject: GLICK ROAD

Mr. Mayor,

I realize that it isn't your road or your problem but, since you have taken so much crap for it, I thought that I would personally thank you for the repairs that are being completed today on Glick Road.

Thank you,

Your loyal subject,
Bob Miller ABR,CRS,GRI,CLHMS
RE/MAX Premier Choice
Owner/Broker

Mayor's Report

Mayor Monahan gave the following report:

<u>MAYOR'S COURT REPORT</u>	
<i>NOVEMBER 6TH – 30TH, 2010</i>	
2,598.00	BALANCE BROUGHT FORWARD
<u>DEPOSITS:</u>	
2,516.00	TRAFFIC RECEIPTS
35.00	DELAWARE COURT
2,551.00	TOTAL RECEIPTS
<u>DISBURSEMENTS:</u>	
305.00	TREASURER OF STATE
190.00	COMPUTER FUND

2,056.00 VILLAGE: GENERAL FUND
2,551.00 TOTAL DISBURSEMENTS
2,598.00 *ADJUSTED - BALANCE BROUGHT FORWARD*
2,551.00 *DISBURSEMENTS*
10.00 *OUTSTANDING CHECK #1417, MARINO-17523*
37.00 BALANCE MAINTAINED IN CHECKING
RESPECTFULLY SUBMITTED,
JOYCE A. ARMSTRONG
MAYOR'S COURT CLERK

From: Pat Monahan [mailto:pmonahan@columbus.rr.com]
Sent: Monday, December 06, 2010 5:20 PM
To: 'Carter, John H. (WaterShed Manager)'; 'RCWesterfield@columbus.gov'
Subject: Thanks!
John and Rick, I just wanted to say thanks for the work on Glick road between the west end of the Dam and the Village.
It is a 100% improvement!
Please let me know when you are ready to talk again about the rain gardens!
Hope you and yours have a great and safe holiday season!
Pat
Pat Monahan
Mayor Shawnee Hills, OH.

From: Pat Monahan [mailto:pmonahan@columbus.rr.com]
Sent: Monday, December 06, 2010 5:13 PM
To: 'Chester Jourdan'
Subject: Lunch with Dublin City Manager
Hi Chester hope all is good in your world.
I know Dublin has appointed the City manager and I would ask that we rekindle the efforts for the 3 of us to meet to discuss the Dublin water tower.
Please let me know your thoughts and your help is appreciated!
Thanks Chester!
Pat
Pat Monahan
Mayor Shawnee Hills, OH.

Follow up email:
From: Pat Monahan [mailto:pmonahan@columbus.rr.com]
Sent: Wednesday, December 08, 2010 8:17 PM
To: Cherie Carroll
Subject: FW: Lunch with Dublin City Manager
Hi Cherie sorry I can't make the reception tomorrow evening at Huntington Bank. Working for a living gets in the way!!

I have not heard back from Chester and would like to have a rescheduled lunch with the newly appointed Dublin City manager and Chester at the end of the month or after the 1st of the of the year. Can you check his / their availability and let me know?

I hope you and yours have a great and safe Holiday season!

Thanks Cherie!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

Response: From: Cherie Carroll [mailto:ccarroll@morpc.org]

Sent: Thursday, December 09, 2010 9:23 AM

To: Pat Monahan

Subject: RE: Lunch with Dublin City Manager

Dear Pat:

I'm sorry Chester did not respond back to you – but he did respond to me to get this meeting on the books! So, please be assured he did react!!! I'll be in touch asap.

Happy Holidays to you and your family as well!

Sincerely,

Cherie

From: Pat Monahan [mailto:pmonahan@columbus.rr.com]

Sent: Friday, December 10, 2010 9:49 AM

To: 'RCWesterfield@columbus.gov'; 'Carter, John H. (WaterShed Manager)'

Subject: Lunch with Dublin City Manager - Dublin water tower

Hi Rick and John I have been working with Chester Jourdan, Director of MORPC to meet with the Dublin City Manager to discuss the location of the future (2012) Dublin water tower. This mtg. was delayed with Terry Foegler leaving but is now being rescheduled. With all of the work you have done with the new Glick Park I would ask that Columbus adjoin with Shawnee Hills in requesting Dublin to move their water tower site 300 ft. south along the wood line. Today's planned site (which was done without our being invited to the planning until we found out about the proposal and we invited ourselves at the 11th hour) will be located just past the south west end of the Bogie Property. This unfortunately will further distort the beautiful view coming west across the O'Shaughnessy Dam Bridge.

This water tower not only will detract from our Village while not serving us but will take away from the great work you have done at the Glick Park. There is a simple solution and I believe together we can achieve a 300 ft move.

Rick and John I would appreciate the ability to discuss this with you and do ask for your support negotiating with Dublin.

Thanks and have a great and safe weekend!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

From: Larry Burchfield [mailto:cedarbrookgc@yahoo.com]
Sent: Sunday, December 12, 2010 12:47 PM
To: Pat Monahan
Subject: Re: recommended / permissible replacement trees

Emerald Ash borer update!
Emerald Ash borer in Shawnee Hills, just like the entire state of Ohio, has reached epidemic proportions.
This does not mean panic and cut all ash trees down! The chemical Merit is still an effective control; combatant and preventative want to save non-infested and partially infested ash trees. If you value your ash trees at all that are still alive, please use it! Ideal timing now will be April. Because the Emerald Ash borer is state wide, you can now transport firewood across county lines, but not over state lines.
We are now watching a new insect called the Asian beetle. It is in some other states and is attacking maples and oaks. With the continual loss of trees it becomes very important why you should try to keep any tree healthy and alive!
I will continue to monitor the village's situation and keep you updated on new information.
Village Forester Larry Burchfield

Thanks for getting the TAPCO LED Blinking Signs installed at the crosswalk. They are very visible! Mahesh suggested that we put 2 signs up bringing attention to the crosswalk = The new signal type signs. I asked Ed to have Mark order them and we can leave them up for a month to 6 weeks to bring attention to the crosswalk.

I was looking at the Nov 15th Top 25 Report from RITA. I sent an email to Lori at RITA again reminding her we need to know why the negative disparity with Time Warner and requesting an audit of Walgreen's there is a negative \$3K for 2010 over 2009.

Despite Saturday nights rain the Tree Lighting was a great event. I especially want to thank Mark K for all his work making the event happen and Sgt. Venrick and Cpl. Ekleberry for their help with the event.

As we wrap up this year I want to take a minute to thank all of you for making this a great year in the Village. The progress we made is a testimony to what people working together can get done. That in no way infers that we have or should always agree that would not be representative of the people we are elected to represent.
I want to say thanks I am very proud of this Village and the progress we have made. In the Mayor's Report on January 10th I will do a State of The Village Report to further address the accomplishments of this year.

The Bldg. Steering Committee will be meeting this Wed. evening at 6:30.

Pro Tem Report

Pro Tem Clippinger said she wanted to give everyone another update on the Upper Scioto Watershed Planning Steering Committee meeting. They met on November 30th for their second meeting and at that time they selected, defined and weighted the draft criteria for the conservation areas, the development areas and agricultural areas. These recommendations will be presented to the full Scioto Planning Partnership and she will let everyone know the date of that meeting because all are welcome to attend that and she has the worksheet if anyone wants to see it. These meetings are held at the Dublin Library. She said the future steps are to develop the initial maps based on the criteria and to distribute the maps with the community revision process so that will be coming up in March or after.

Pro Tem Clippinger said she would like to take a moment tonight to thank Council for a very productive year. While other municipalities have cut back due to our economic times, the Village has been able to move forward in a fiscally responsible manner. Council worked on many issues this year from revising our commercial area plan at the beginning of the year to implementing policies such as the No Idle policy for the Village and overtime language for employees. We also worked with the administration to continue to provide services for our residents such as dumpster and chipper days which we were able to offer two times this year as well as building community relations by holding our first community picnic with our neighbor, the Ohio Wildlife Center. In addition we continue to upgrade our roads and this year we were able to extend the sidewalk in the Village making it easier and safer for residents to walk to our business district, so all in all 2010 has been a very good year for the village and thanks to the efforts put forth by everyone here tonight on Council and the Administration. She would like to thank all of you and she has appreciated being the Pro Tem this year and she is looking forward to working with all of you in 2011.

Committee Reports

Council member Garren said that Safety did meet and they were able to see the new Police Department computer system and the Chief did tell them about an issue with the system and the time it takes to get the license plate information on the computer. The PD may stay with the TAC computer system for another year to allow time for the Delaware County system to be upgraded to a faster response time. This is supposed to be corrected sometime next year. Safety Committee does recommend that the PD stay with TAC for another year as the response time from Delaware County is unacceptable. Council member Garren said they also talked about a non-emergency number for residents to call to get a message to the police department. She said you can call the Delaware Dispatch number at 740-833-2800 and when you call that number everything gets sent to ur police department, they don't question it, they don't question what you are asking for, they just forward it on to the department so they can determine what they want to check on or not. She said she wanted to commend the Chief about bringing forward an idea he got from another neighboring police department that does this. They have come up with a contract that if a police officer leaves within a short amount of time, 3 to 6 months, after we have already brought them on and trained them that they would sign this contract agreeing to reimburse specific expenses that the Village had spent on them. She said the first contract they read need to be tweaked a little bit and she said they appreciate the creative thought on this. She said one of her recommendations personally was that no expenses should be charged that were created prior to providing an offer to the officer. Mayor Monahan said the budget has \$1500.00 a year to screen

new officers and we put out \$250.00 per person for psychological and we have had people where we things, uniforms whatever and then they are gone in a few months. All we are looking to do is recoup some of our cost and we will finalize this by going through Brian and we are going to implement this and what we are going to do is the idea to recoup, say look if you are going to come here, get your training, we still have the discretion that if someone gets offered a full time job somewhere, it's the right thing to do. Council member Garren said this is not in place yet and they will be continuing that discussion. Mayor Monahan said they are going to go ahead and put the pro rate in there and go ahead and implement it and try it that way. Council member Garren asked what types of charges are they going to put in. Mayor Monahan said the things that Sean went through. Council member Garren said she is only in agreement with recouping those charges that are acquired after the offer is made for employment. Mayor Monahan said we probably need to up the amount for psychological, that's the only thing because that is where you spend your largest amount initially. Mayor Monahan said we have just screened 4 auxiliary units and two are acceptable so you just spent \$1,000.00 on psychological. Council member Garren said she knows that's a huge fee but we have to run multiple people through the screening process as part of the selection process, that part of the cost of doing business. Mayor Monahan said we may just need to allocate more money to the budget. Council member Garren said she does think that costs that are incurred after the offer is made and the person leaves within even three months she likes the pro-rated item. Council member Clippinger said she agrees with what Council member Garren is saying, but she is still not clear about the psychological and she did not think that we had approved this to go forward, she thought they were going to be looking at this further. Mayor Monahan said he does not know if it needs an approval, he just wanted to share with Safety what they are going to do and they are going to implement this from an administrative standpoint.

Council member Gauldin said Utilities was not able to meet. He said that Service met and they talked about paving in the Village and they discussed that Shawnee Trail, not now, but in a few years will need repaved. Just as a gut estimate it will probably cost just under \$100,000.00 and if you consider that we get about \$80,000.00 a year for our roads, which means we have to start saving now. We also talked a little about Glick and when it might need to have something done to it as well. We also talked about reberming other pieces of the Village, just getting prices for linear reberming to see what that would run us but the main thing on the paving was we have to be prepared to take some of that \$80,000.00 this year and save it for 4 years. Mayor Monahan asked why are you singling out Shawnee Trail. He does not know of anytime we agreed on a whole road. Council member Gauldin said this was at the request of Ed and he said in his opinion that he felt in 4 years the Trail was definitely going to need some work done to it. Council member Gauldin said whether we do it all at once or we do half of it one year and half another year there was a lot of discussion going on. The big point was the fact that we know that is a long stretch, it is going to be very expensive and looking at the money it was suggested that we start looking at what we are going to save up for that and not burn that every year. Mayor Monahan said the one that scares him is Glick Road because that was done in 2004. Council member Gauldin said they briefly talked about the easements and they shared a major disappointment in what they feel is a setback this time around and that has been discussed already and he thinks we are on the same track there. He said they briefly talked about the building and how service would interact with the building or anything like that; this would be the

new building that we have been kicking around in the special committee and that is all he had for Service.

Council member Clippinger said she would like to request that since we have the special building committee that they report at the Council meeting also and they need to elect a Chair for that Committee if they have not done so. Mayor Monahan said that Bart Overly came and gave us a fill in. He had some designs and he thinks the designs were still large; probably \$300,000.00 or more and they gave him their input on that. That was mainly what they did. He said what they discussed was the idea of spending some time getting input of possibilities so this Wednesday night they are going to kind of take a green light session, what if we did this, what if we did that and then apply constraints to it to say what are the constraints, is the constraints less than \$220,000.00, does it have to fit this property, what are those things. He thinks we are doing a lot of this right now. He said one of the suggestions was looking at the potential of the Civic and us doing a combination of the thing. Council member Dalvi said one of his thoughts was lets lay out those 4 or 5 things, the framework of the project. Highlight those things and if you can put those down and then have a discussion around it. He said the only two variables he has heard discussed are the money and the pictures. Mayor Monahan said it is early and what he thinks is happening is that we are widening it out more than we need to and that is the point of this Wednesday's meeting to narrow down some things.

Legislative Actions

Second Reading- Resolution 45-2010 - A Resolution authorizing the Mayor and the Fiscal Officer to enter into a contract with the Delaware County Soil and Water Conservation District for certain public information and participation programs/services required under the Village Storm Water Management Plan

Second Reading- Resolution 46-2010 – Amended - Sponsored by the Finance Committee – A Resolution authorizing the Mayor and Fiscal Officer to contract with the Delaware County Regional Planning Commission to review and update the Village of Shawnee Hills 2001 Comprehensive Plan

Bills

It was moved by Gauldin, seconded by Clippinger to pay the bills in the amount of \$175,768.82. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

Treasurer's Report

It was moved by Clippinger, seconded by Gauldin to approve the following treasurer's report: General Fund 110,170.90, Street Fund 35,455.86, State Highway Fund 3,877.36, Enforcement and Education Fund 1,800.00, Computer Fund 7,459.67, Fire Fund 50,328.87, Weed Fund 7,966.99, TIF Fund 4,088.81, Veteran's memorial Fund 553.18, Building Expansion fund 700.00, Capital Projects Fund 108,916.00, Sewer Operating Fund 82,660.99, Sewer Replacement Fund 14,000.00, Storm Sewer Fund 8,711.53, Debt Service Fund 2,586.73 and Debt Service Reserve Fund 97,488.86 for a total of \$536,765.75. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

Miscellaneous

Council member Gauldin said one of the things that Council might want to think about as we are moving forward on the building project is one of the numbers that we need to try to determine is a number from Finance or a financial number that you feel will be comfortable for this Village if it were to take a loan out, a monthly payment or the yearly burden for that loan on that bill. It is going to be real important, it's going to be one of the higher points that we are going to need to know as we move forward on this building project and we will need to know that number here within weeks he would say, so that something to think about. Mayor Monahan said right now the known factor is we can get a 5 to 7 year loan and we know there is bond issues and stuff but the question is how much can we pay back each year.

There being no further business, it was moved by Garren, seconded by Clippinger to adjourn until January 10, 2011. Following vote on the motion was recorded: Yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the meeting adjourned at 8:00 p.m.

Fiscal Officer

Mayor