

Village of Shawnee Hills Council Meeting Minutes

February 14, 2011

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 and Administrator Ed Swanson

It was moved by Callender, seconded by Gauldin to approve the minutes of January 24, 2011. 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.

It was moved by Clippinger, seconded by Dalvi 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

Mayor Monahan read the following report from Brian Zets as he was not able to attend.

Since our last Council meeting on 1.24.11, things have been fairly quiet. I have worked on the following:

- Spoke several times with our PERSO claims adjuster Jan Lowman regarding Daryl Sanders
- Worked with Shirley on a few public records request issues
- Helped Shirley coordinate a TIRC meeting. However, the meeting date must be rescheduled at the County's request. The County is in the process of appointing new members. Another meeting date will be set once the County finalizes its appointments to the TIRC Board.
- Helped Shirley with Ordinance 01-2011, which is before Council.

Administrator

Ed Swanson said that we have used more salt this year than last year, about 3 times as much, we used \$18,000.00 so far this year. We did have a problem with the motor on the salt spreader so that contributed to the cost somewhat, but not much. He said he has instructed Mark and Richard to be conscious of the situation and to use only what salt is necessary to keep the roads safe. Ed said that everyone is using a lot more salt this year, Concord Township has used a lot more Mayor Monahan said he has heard the same thing from Dublin.

Mayor Monahan said one of the things he discussed with Ed is that we have been pre-salting when it is supposed to be imminent but we actually have been missed by 4 storms that should have hit but did not so we are going to back off a little bit but you are either a hero or a heel when that happens.

Ed said he attended the Service committee meeting and went over a possible variance request from Aspen Energy. They are going to ask for some additional parking.

Ed said the two plans he gave to Council last week regarding the storm water project, one of those will work out, we were waiting on estimates from Bruce Stortz. Edgil had given a price of \$27,000.00 and Stortz came back with \$56,000.00. Ed said we can't afford to do that so we are trying to get an easement from Jim and Jane Jenkins to go through their property with the drainpipe. He said he will get an updated map to Council at the next meeting.

Council member Gauldin asked if we have any idea why the estimate from our Engineer and the contractor are so far off. Ed said he does not know enough about it to give an answer. Mayor Monahan said they will be sitting down with the Engineers' to discuss that.

Ed said he is not sure what Council wants to do with the Jim Bowers contract. Mayor Monahan suggested that we talk about it under miscellaneous.

Communications

Mayor Monahan gave the following report:

To: Ohio Municipal League

Subject: Legislative Update

Hi, everyone - Attached is the schedule of bills of municipal interest up for hearings in the General Assembly next week.

This week, HB 3, was heard and a good number of municipal officials did a very good job of testifying against this effort to repeal the Estate Tax. The bill will be heard again next week (see committee schedule), with possible vote scheduled. Once again, for those who could not testify this week, we could really use your help and hope you will testify next week. Thanks to all those who provided testimony this week.

The biggest crowd this week was generated by SB 5, a reform of the collective bargaining law, which among other things would eliminate collective bargaining for all state employees, including those at state colleges and universities. For other agreements, it bars health care and other benefits from being a matter of bargaining. It limits significantly binding arbitration. It also bars the practice of pension pick-ups for employees and would eliminate step increases for public employees. As with any bill, you can review the 475-page bill www.legislature.state.oh.us. The bill will be heard twice next week.

We continue to follow this bill and discuss it with legislators and the administration. The Tuesday hearing is for proponent testimony and the Thursday hearing is for opponents. You are certainly welcome to testify if you'd like to wade through the hundreds of folks who show up for these hearings.

Finally, HB 50, which would like to start putting obstacles up to Type 2 expedited annexations, will receive its "sponsor only" hearing next week.

At the request of the House Finance Committee, the League provided a broad overview of municipal government in Ohio this week. That testimony is available on our website (www.omloho.org). Just click Budget/State Legislative News from the front page. John

I believe we all received Mark K's Maintenance Report.

In the report he points out that he did install the crosswalk sign in the middle of the street for the crosswalk. It does get attention and is still in the middle of the street.

There was an article in the Dispatch about the complaints about street cleaning following snow storms.

I do believe and receive positive comments about the great job Mark and Richard have done with clearing our streets.

Mayor's Report

Mayor Monahan gave the following report:

MAYOR'S COURT REPORT

January, 2011

3,060.00	BALANCE BROUGHT FORWARD
<u>DEPOSITS:</u>	
2,920.00	TRAFFIC RECEIPTS
93.00	DELAWARE COURT
10.00	CHECK CANCELLED (MARINA,CHECK #1417,
DATED 3/2/2010)	
3,023.00	TOTAL RECEIPTS
<u>DISBURSEMENTS:</u>	
232.50	TREASURER OF STATE
200.00	COMPUTER FUND
2,590.50	VILLAGE: GENERAL FUND
3,023.00	TOTAL DISBURSEMENTS
3,060.00	<i>ADJUSTED - BALANCE BROUGHT FORWARD</i>
3,023.00	<i>DISBURSEMENTS</i>
37.00	BALANCE MAINTAINED IN CHECKING

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

From: Ed Swanson [mailto:ed.swanson@shawneehillsoh.org]
Sent: Tuesday, January 25, 2011 11:49 AM
To: yvonne.clippinger@shawneehillsoh.org; kris.garren@shawneehillsoh.org;
mahesh.dalvi@shawneehillsoh.org; charlie.callender@shawneehillsoh.org;
mike.mcvan@shawneehillsoh.org
Cc: pat.monahan@shawneehillsoh.org; pmonahan@columbus.rr.com;
ed.swanson@shawneehillsoh.org
Subject: Follow up on Grant Discussion at Council

I had a lengthy conversation with Gus Comstock, Delaware County Economic Development Director about the article in the Columbus Dispatch that Yvonne brought to Council.

As I suspected, the only way for us to qualify is if we have enough "low income residents" that could help us be considered, which we do not or a project that is related to ADA necessity. I also talked to Jim Danes again today who concurred.

Gus did offer to meet with Pat and I to readdress any possibilities again for an ADA assisted grant, which I am trying to schedule soon. Gus did say the article was somewhat inaccurate. For instance Delaware County only has about 160 thousand dollars left, not 1.3 million as was reported. By the way, some of the money that was advertised as previously awarded was 25,000 dollars we got for our sidewalk project recently completed. I will inform Council as to the outcome of the meeting with Gus.

Thanks, Ed.

I met with Gus on 1-29 and he did confirm the criteria for eligibility

1 = Low to Moderate income = 80% of median income + ADA

2 = If Mayor declares a slum or blight

3 = If 51% of the jobs are created = Low to Moderate Income.

Gus did indicate there is a Downtown Improvement Program and we have Jim Danes investigating this.

We sent a follow up to the letter to the Managers of CVS and Walgreens Requesting they donate defibrillators.

February 4, 2011

Mr. George Hewitt Jr., Manager Walgreen's

Mr. Aaron Murphy, Manager CVS

Dear Sirs,

On January 12, 2011 I sent you a letter asking for your help donating defibrillators to the Village of Shawnee Hills for carrying in our 2 primary Police cruisers. We have not heard back from you and would ask for your help in updating us on the status of the request.

Once again, thanks for your help in helping keep our residents, businesses and shoppers safer in Shawnee Hills!

Please let Shirley Roskoski, our Village Fiscal Officer know the status at 614-889-2824 or shirley.roskoski@shawneehillsoh.org

Thanks,

Pat Monahan

Mayor

I interviewed a new candidate for the Police A Unit, Russ Baron, who had cleared the background check and was recommended by Chief LeFever. I agreed with the Chief and Officer Baron was sworn in Jan. 31st. The Chief and I discussed Officer Baron with The Safety Committee at their mtg.

We asked for Volunteers in our Newsletter and we were fortunate to receive 3 Volunteers so far.

I have asked both Sue Love and Dan Mathews to come to the meeting tonight so you can meet them. I will read out the appointments and ask them to cover their Bios and introduce themselves to you.

- I make the appointment of Sue Love to the vacant Alternate position on the Architectural Board of Review and ask for a motion from Council to confirm the appointment.

Sue Love said that she has lived in the Village for 15 years and in Central Ohio for 35 years. She has time available as she is no longer working and she wanted to do something to contribute to the Village and saw Pat's query in the newsletter and it just hit at the right time. Her background is in publishing and management, it probably doesn't have a whole lot to do with architectural review but she knows the Village and so she volunteered.

It was moved by Gauldin, seconded by Clippinger to confirm the Mayor's appointment of Sue Love to the vacant position of alternate to the Architectural Board of Review. 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.

- I make the appointment of Dan Mathews to the vacant position on Planning and Zoning and ask for a motion from Council to confirm the appointment.

Dan Mathews said that he has lived in Shawnee Hills since March 2007 and he and his family live on Waterview. He has a 3 year old and a one year old. He said he saw the request in the newsletter and thought he could help out any way he can. His background is in residential lending with a specialization in builder's business. He has worked with surveys and appraisals, things like that.

It was moved by Gauldin, seconded by Garren to approve the appointment of Dan Mathews to the vacant position on the Planning and Zoning Commission. 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.

I want to thank Sue and Dan and we look forward to working with them!
We have also received another volunteer = Mr. Abram at 76 Buckeye Dr, Thank you sir!

On Friday the 11th I met for lunch with Dublin City Manager Marsha Grigsby and MORPC Director Chester Jordan to discuss the Dublin water tower proposed site. City manager Grigsby stated they have begun the plans and are working on the purchase of the land. I requested that Dublin move the water tower 200 to 300 ft. south along the wood line directly behind the Bogey. I told Marsha we realize Dublin needs the water tower but view the choice of sites as a slap at Shawnee Hills. I told her moving it would end this and keeping their current site would continue the conflict.

I have asked Brian what other options are available to us.

We did have a good discussion on the intersection and the potential of linking the Dublin and Zoo bike trails.

One of our A Units, Jeremy Amick, is taking a leave from the department and going back to Afghanistan as a contract employee for six months.

Committee Reports

Council member Garren said that Safety met and she was elected Chair again. She said they talked about the TAC and the ALERT System and we are still working on getting both of those installed in the laptops. If you remember, the alert system had a major outage and it is still limping along a little bit and struggling but it's to a point now where we can put both systems on our laptops and the Chief was working on trying to get that scheduled. He needs to take the laptops in and let the IT guys get both things installed and making sure they are working OK so that is still in the works, that outage really delayed things.

Chief Lefever said, as of today, he made contact with the communications department in Delaware County and our system is up and running and TAC will be installing their software within the week.

Council member Garren said they had some discussion around switching Dublin Road where it goes through Shawnee Hills to a 25 mile per hour speed now that we have a crosswalk going through town. We prefer folks to not be traveling through town at 35 miles per hour with that crosswalk there. We heard of that tragic accident in Dublin and I believe that they changed their speed limit and so we are considering that and the Chief is going to do some research into that.

She said they also approved the crosswalk sign that is now in the middle of the road.

They talked about Russ Barron, the new A Unit and we now have ten A units and we would like to have 15. She said there were some issues with OSHA that needed to be corrected and the Chief got that corrected and they are now in compliance. We also have an issue with the car wash. We can't wash the vehicles over at the municipal building because of EPA regulations that say the runoff cannot go into the storm water system. It's a bit of a dilemma for the Police because Mark can go up to Concord but we can't do that with our Police so what we said is that for now take it to BP once a week because you spend time on a person's salary taking it to a car wash versus running it through a car wash so we said to give it a try.

Council member Callender said that Service met on February 9th and he was elected Chair again. He said Ed updated them on the storm water project and they also requested of Ed to start doing evaluations on the streets, weather permitting. He said he has noticed a lot of deterioration this year on the streets so he thinks we have a huge job to take care of come spring.

They also talked about the Aspen Energy parking situation and they kind of agreed to move forward with that parking for them to keep their business in the Village.

He said they will be meeting on the first Thursday of each month at 7:00 p.m.

Mayor Monahan asked if Service could take a look at an early chipper day due to all the limbs that fell down from the ice storm, possibly in March.

Council member Clippinger said that Finance met on February 1st and she was elected Chair again this year and Jim Gauldin is the co-chair. We discussed the reappropriations needed for the Police salary, the web page design and the Regional Planning Commission contract money and the ordinance is in your packet tonight. Chief LeFever went over his request for an increase in the Police Budget and Finance made their recommendations to increase the 2011 Budget to add additional money for psychological exams to 2,100.00 from 1,538.00. We grant the request for 800.00 to replenish the department medical supplies such as first aid kit supplies, eye wash gauze, etc. Grant 1,600.00 to purchase an evidence storage locker, add monies to bring us up to OSHA compliance as recommended by our insurance company and this will include making Hepatitis B vaccinations available to our officers which would be full time, part time and the A Units and the purchase of spill and clean up kits at a cost of 600.00. Grant 1500.00 in additional funding for our TAC computer software and maintenance. We also went over the new municipal building, architect and construction budget and Finance recommends working parallel with the Building Committee to figure cost estimates. We will look at Bonds, unvoted, bank loans and savings per year. It was suggested that we contact Dennis Schwallie, Bond Counsel for Peck, Shaffer and Williams, for information on unvoted bonds. Since our meeting, Shirley has received some information from Mr. Schwallie and it appears that we can apply for the unvoted bonds for the municipal building and we would like to have Mr. Schwallie attend a council meeting in the near future to discuss this process with Council. She said they also looked at our Right of Way Ordinance. Brian, our Solicitor, has worked with Kirkersville to update their Right of Way Ordinance so she gave the Finance Committee a copy of the ordinance from Kirkersville to look over and to see what we need to change as far as utility fees. We need to

update our fees schedule so we are compliant with other municipalities as Columbus sets the standard for this process and we will work with the solicitor to make those updates over the next few months.

The defibrillator purchase as Pat said we are waiting to hear from Walgreen's and CVS before making a recommendation.

Council member McVan said that the Building Committee met and they discussed the requirements of the building and they have come up with a list that we would like to extend to a couple of architects. He said the list consists of: a unisex bathroom on both levels, ADA compliant, approximately 1400 square foot per floor, 3 offices, a conference area, fire rated storage on a single floor, open foyer/entry way, Mayor's Court and records keeping, upper and lower level entrances, parking area with a minimum of 14 spaces which would include the handicap, an exterior stone work, hardi plank, something that ties into the Village and we ask that it be less than \$250,000.00 as far as what their offer is to us. He said he would like to read through the minutes to see what amount was appropriated to get final renderings from architects which he believes was \$2,000.00. Council member Clippinger said it was \$2,000.00. She looked it up. She asked if that amount was enough. Ed said if you want costs run down, it requires a lot of time, unless you just want a ballpark figure. Ed said he could call one of the architects to find out what he would charge for this. Ed said he would be willing to cost out the project if Council got the prints. Council member Gauldin said he thinks what we need to do is to go to the architects and ask for a preliminary sketch for a building under \$250,000.00 with the above parameters. He said we want to avoid going to an architect and asking for a full set of plans, he wants to get a rough estimate first and he is not sure how we get there. Council member McVan asked about the 2 parcels from Jim Bowers that the Village is considering purchasing and the Building Committee would like to recommend to continue negotiations for those 2 parcels. We hate to go through all this and then one day see something built on those parcels.

Council member Dalvi said the Digital Communications Committee met and he was elected the Chair. He said a survey was sent out with the newsletter and he has received some surveys back. He said their next step is to lay out the requirements and prepare an RFI to a few website developers. He said he will send it to Council for review before sending it out to these website developers.

Legislative Actions

Third Reading of Resolution 01-2011 – Sponsored by Mayor Monahan- A Resolution to increase the annual salary for Shirley Roskoski, Fiscal Officer for the Village of Shawnee Hills, Ohio. It was moved by Garren, seconded by Dalvi to pass Resolution 01-2011. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared Resolution 01-2011 passed by a 6-0 vote.

First Reading- Ordinance 01-2011 – Sponsored by Planning and Zoning – An Ordinance to amend Section 1129.07 of the Codified Ordinances of the Village of Shawnee Hills, Ohio, Fees for Zoning Applications and Permits. Mayor Monahan said what happens is that people start building without a permit and effectively right now even if you get caught, we just ask do you have a building permit and they say no and we tell them they need a permit. This is not meant to nail people but the idea behind it is to make people come get a permit to do this. This is good news, bad news, if you don't get one and you get caught the fee is going to be doubled. The reason behind this is somebody next door to you starts to build the leaning tower of pizza because they think it will look really good there when in fact they do not have a permit to do that. This makes a lot of sense to do this.

First Reading- Ordinance 03-2011 – Sponsored by Planning and Zoning – An Ordinance to amend Section 147.03 of the Codified Ordinances of the Village of Shawnee Hills, Ohio, Plan Review and Approval. Mayor Monahan said right now if you have a non-conforming lot and want to build on or put up a fence or deck you have to go to the ABR for approval rather than just getting an approval from the Code Enforcement Officer as residents on a conforming lot do. Council member Gauldin asked if we had a good history on why this ordinance was put in. Council member Clippinger said she tried to find that out through Planning and Zoning. Scott Love, former Council Member, was present and he said that due to

the sanitary sewer system going in we had to allow people that owned the smaller lots to build on their property but we put standards in place for building on those lots.

First Reading- Ordinance 04-2011 – Sponsored by the Finance Committee – An Ordinance to reappropriate funds for current expenses and other expenditures of the Village of Shawnee Hills, State of Ohio, during the fiscal year ending December 31, 2011. Shirley said Council member Clippinger explained most of items on this ordinance. Shirley said that she added a separate line item for Workers Comp and Department of Job and Family so she would not have to take the amounts from so many different line items. She also added the additional monies for the cost of the salt and added \$12,000.00 to the streets capital outlay.

Bills

It was moved by Clippinger, seconded by Callender to pay the bills in the amount of \$24,678.07. 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 Gauldin, seconded by Clippinger to approve the following treasurer's report: General Fund 118,344.80, Street Fund 30,760.87, State Highway Fund 4,307.27, Enforcement and Education Fund 2,060.00, Computer Fund 7,719.67, 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 56,544.35, Sewer Replacement Fund 54,000.00, Storm Sewer Fund 10,677.18, Enterprise Debt Service Fund 19,976.40, Enterprise Debt Reserve Fund 97,563.39 for a total of \$574,327.78. 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 we talked briefly about the \$ 2,000.00 for the architects work and that was last year's budget and we might have to reappropriate and we might need a motion from Council to appropriate \$2,000.00 Shirley said that it has to be part of an ordinance and they can just amend the reappropriation ordinance that is going through the readings and she asked if \$2,000.00 was going to be enough. Mayor Monahan said it could be amended at the next Council meeting.

Council member Clippinger suggested that we continue to negotiate for those two lots that we are trying to purchase and maybe at the next meeting have an executive session to discuss the amount if Council is OK with that. Mayor Monahan said we already had a set amount, the question is the amount. Council member Dalvi asked if we got a response back from them. Ed said that it came back and they wanted to trade lots and that is the last he has heard from them. Mayor Monahan said they went past their December 31 date; they came back and said they wanted to trade lots. The question is what else do we want to do. Council member Dalvi asked if we asked them to offer something. Mayor Monahan said we did not, we did not have the authorization, I think we cut short last time, rather than upping it by 2 or 4 and then let us do the negotiations. There is no way not to do it on record. We've had the executive session and to have another executive session I think we are going to say the same thing as we said last time. Council member Clippinger said not necessarily. She said that Brian was not in agreement with what the Mayor was saying. Mayor Monahan said Brian decided he was going to pick a number and he does not think that was Brian's to pick. Council member Clippinger said it is ours to pick but she tends to go along with what Brian was saying. Mayor Monahan said his point was that it then depends on what happens after that. Council member Clippinger said then we need to maybe have that discussion so we are not, I don't know, maybe we do need to come back and do it every time but she is OK with thinking a little bit farther down the road instead of continuing to come back to an executive session, but that's just her. Council member Dalvi said he thought we said we could increase it a little bit so that it can be raised a little bit. Council member Clippinger said the we should figure out what is going to be our top dollar and let

these guys negotiate. Council member Gauldin asked if we want further discussion on this and Council member Clippinger said she thinks so. Council member Gauldin said to think about this and we will have an executive session at our next meeting.

There being no further business, it was moved by Gauldin, seconded by Garren to adjourn until February 28, 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 8:10 p.m.