

Village of Shawnee Hills Council Meeting

April 11, 2011

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 Mike McVan

Also present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

It was moved by Callender, seconded by Garren to approve the minutes of March 28, 2011. 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 Gauldin, seconded by Garren to approve the agenda with the following amendments: change the date from the 14th to the 11th, no administrator report, table Resolution 07-2011. 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 that he was contacted by Legacy Design attorney again and he said that he had some drawings and that he wanted to meet with Brian. They have tentatively set up a time for the middle of next week. Brian said he continued to work with Ed regarding a couple of easements for the storm water project. He said he reviewed the mutual aid agreement for the surrounding Police departments and that is OK and the legislation will be on the agenda for the next Council meeting. Brian said the impact fee information will be ready for the Planning and Zoning meeting on the 26th. They will have it ready one week before the meeting date. He said they plan on giving us a couple of different examples so we can see how they are done. Brian said Council should keep moving forward with the ROW Ordinance. He said that Kirkersville did theirs a while ago and now someone wants to install a water line now so the Village will be able to collect fees for this. Council member Clippinger said we already have one in place so technically we can go to those people and say they owe us these fees. Brian said that is correct. She said in the meantime we can be making these changes. Brain said he went ahead and drafted an ordinance on the no texting thing. He said this is modeled after Canal Winchester and that was based on New Albany's which was one of the first in Columbus. He said this language can be tweaked to fit what the Village wants to do.

Communications

Mayor Monahan gave the following report:

HB 153 has a proposal that Income Taxes be collected by the state. Below is information I received from R.I.T.A. on 4-7.

10107 Brecksville Road □ Brecksville, Ohio 44141-3275

Subject: State Control of Municipal Income Tax Collection

Last week, Ohio Tax Commissioner Joe Testa testified on the budget proposals

contained in the State Biennial Budget bill (HB153). During these budget discussions the subject of the Department of Taxation collection of municipal income tax was raised. It is not clear whether the idea was for the State to collect municipal income tax from only businesses or from all taxpayers. In recent years, business and professional groups have suggested that the State collect the local income taxes through a piggyback tax on the State of Ohio tax return. Note that, HB153 does not presently include language for collection of municipal income taxes. However, much can change between now and the end of June when the budget will receive final consideration and will be signed by the Governor.

In most communities, income tax is the largest source of revenue; and in this current economic environment no municipality can afford a disruption in collections. Now is the time to make your voice heard. Call or visit your state representatives and state senators. Let them know that control of municipal income tax collection should remain with your municipality – especially now in the wake of sweeping reductions in the Local Government Fund.

When speaking with your representatives, consider the following:

- How will the State administer your tax ordinance?
- The Department of Taxation's budget FY 2012-2013 includes a reduction of 108 FTEs (103 in Audit & Compliance).¹ To what degree will this decrease impact compliance enforcement?
- Will the State retain your tax records? If so, how will you access these records?
- What will be the frequency of distributions? Will you receive credit for the investment revenue earned from your tax collections before they are distributed to you?
- Will the State provide detailed reports on collections, refunds and past due accounts?

There are many unknowns at this time, but if this idea gathers momentum, it could lead to the control of local income tax administration placed in the hands of the State. We must all make our collective voices heard by reaching out to members of the Ohio General Assembly and the Governor on this important matter.

Governor Kasich has stated that he would like to see more shared services among local governmental units. Your shared tax collection effort is a successful example of this concept. R.I.T.A. will keep you informed of HB153, and all legislation that may impact municipal income tax. If you have questions or would like more information, please contact Mark Taranto or Gary Chips at (440) 922-3590 or toll free (866) 252-0913 or email at MemberServices@ritaohio.com

On 4-4 I received a Thank you email from Glen Scott 129 E Wilma:

Hello Just wanted to give you and the workers kudos for taking care of the limbs Good Job!

Mayor's Report

Mayor Monahan gave the following report

An email I sent to the Delaware County Commissioners concerning the announcement on the News on 3-29-11 of the funding of the building of a traffic circle at the intersection of Home and Riverside:

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

Sent: Tuesday, March 29, 2011 9:20 PM

To: 'TThompson@co.delaware.oh.us'; 'dstapelton@co.delaware.oh.us'; 'O'Brien, Ken'

Cc: 'Deborah Martin'

Subject: Circle on Riverside and Home Rd

First I want to thank you for all that you do. Serving in an elected office I have a greater appreciation of the efforts it takes to improve our Communities.

I was watching the news this evening and heard about the planned traffic circle at Home and Riverside. I was very discouraged that the commitment is to that intersection and not to Dublin and Glick Rds. I think the addition of left turn lanes at our intersection would benefit the residents of Delaware County far more than the aforementioned intersection.

The 40 + businesses and the residents in the Village of Shawnee Hills make a sizable contribution to Delaware County through our taxes. We have long suffered the effects of the 70s failed intersection at Glick and Dublin Rds. Please drive west on Glick on a Friday evening during rush hour. You will find backups that extend to the middle of The O'Shaughnessy Dam. I sincerely doubt that the same is experienced at Home and Riverside.

This is discouraging and we would appreciate you timely help in rectifying the turn lane situation at our intersection.

Thanks!

Respectfully!

Pat Monahan Mayor Shawnee Hills, OH.

Yvonne and I will be going to the April 13 public meeting on Upper Scioto Planning, a special public meeting on April 13 that MORPC will be hosting in partnership with the LUC Regional Planning Commission. The meeting will include basic information about Balanced Growth Planning, and allow for audience feedback about areas valuable for conservation, development and agriculture.

Wednesday, April 13 from 6:00 p.m. – 7:30 p.m.

Union County Service Center, 940 London Avenue, Marysville, Ohio.

If anyone else would like to attend please let me know.

Tonight we have the second reading of Resolution 06-2011, To host a Village Picnic at the Ohio Wildlife Center to celebrate the 70 year anniversary of our Village. I had checked with OWC about the feasibility of having the picnic on July 10th the anniversary date. Here is the response I received from Bryane =

I checked our calendar, and we already have an on-site event on the 10th. We are available Saturday the 9th, Saturday the 16th or Sunday the 17th if any of those will work?

We've tentatively blocked off those dates on our calendar until we hear back from you.

Thanks for thinking of us!

Bryane

We do need to establish a committee = any volunteers??

Shirley sent all of us an email on April 8th with a Draft copy of the Audit covering the audit of 2009 and 2010.

Attached is a draft copy of our audit for 2009 and 2010. This is the best audit the village has ever had. There is no management letter for the first time that I can remember. On Monday, at Council I will need you to sign a form saying whether or not you want an exit conference with the Auditor. This is when the auditor will come in and go over the audit with us and we usually do not have one unless we have a really bad audit.

If you have any questions you can ask them at Council Monday night.

Thanks,
Shirley

A copy of the Audit will be in the Village office for anyone who wishes to review.

ABR mtg. is scheduled for April 21st = Mark will be sending out a notice.
P+Z will meet on April 26th. I have asked Mark to add Impact Fee discussion and under driveway drainage piping to the agenda. I believe Brian is looking at these and a package will be given to the Board members.

I also think we may want to consider the issue of manufactured homes = This is not prefab homes but more so the current situation on E. Mohawk where the home will be extremely difficult to sell because there are no comps due to its manufactured (not prefabricated) nature. Approaching any subject like this has the risk of sounding snooty or prohibitive. In the longer view this is a property that could stand vacant for an extended period of time or result in a significant loss if like Comparison sales aren't available.

I was happy to see the construction equipment staged at Shawnee Trail and E. Old Powell Rd. I believe the Drainage construction resumes next week.

I had asked Shirley on Friday and she had already sent a Communication to Delco water to get the 6 new fire hydrants installed that you authorized last Fall.

Jim and I met on the 31st of March with Bill VanCura of the Business Advisory Committee to give him an update on the direction for Temporary and Permanent Signage.

I would ask Utilities and Finance to take a look at installing 4 new Light posts and the respective new street signage this year to continue the development of our Main Street.

Has Service been able to start prioritizing this year's street work? If not please do. I will be surprised with the current condition of our streets that they may need to come back to Finance and Council for additional money from the General Fund.

As work progresses on the financial considerations for the proposed new bldg. I would ask that two things also be considered.

The reduction of the interest rate on the Sewer Debt

What it would take to finish the Sidewalk Project to the Concord Township line.

The Comprehensive Plan Committee will meet tomorrow in the Village Office at 7:00 p.m.

Committee Reports

Council member Garren said that Safety met and they talked about several things and she apologized to the Mayor as they did not talk too much about the Buckeye Drive issue but there were a couple of concerns related to Buckeye Drive and they are afraid that with the wording saying two wheels off the pavement someone might decide to put two front wheels off the road. Mayor Monahan said it will say two wheels on the passenger side of the car. Mayor Monahan

said he would again ask people to drive up there and see that there is berm all the way down there. Council member Clippinger recommended that they do a survey of the residents and was asking specifically about why the parking was on the south side of the road. Council member Garren said they need to have some more discussion on this. Mayor Monahan said lets have more and the reason why it is the south side is so that emergency vehicles can come down on the north side. Council member Garren said that we can't put both TAC and ALERTS on the computer system for the Police Department as they do not work well together so we are going to stay with ALERTS and we are just going to have to keep on them about improving their system. She said that Russell Baron joined their meeting and he is going to pick up 32 hours and Todd Ekleberry will be picking up an additional 4 hours to replace Officer Chris Venrick who resigned from the department. She said they talked about the no texting issue and we have existing language in our code that is more generalized, that if anything distracts you from driving, so we are going to take a look at that and add some more specifics around it.

Council member Garren said that she and Council member McVan were at the Service Committee meeting but they did not know if it was cancelled because of Ed's surgery.

Legislative Actions

Third Reading- Ordinance 06-2011 – Amended – An Ordinance to grant variances to the provisions of the Shawnee Hills Code Section 509.09 to allow applicant Bogey Inn, to deviate from time and volume standards for the Memorial Tournament events. It was moved by Garren, seconded by Gauldin to pass Ordinance 06-2011. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared Ordinance 06-2011 passed by a 4-0 vote

Third Reading- Ordinance 07-2011 – An Ordinance to amend Section 1133.01(b) of the Codified Ordinances of the Village of Shawnee Hills, Proceedings of the Board of Zoning Appeals. It was moved by Gauldin, seconded by Clippinger to pass Ordinance 07-2011. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared Ordinance 07-2011 passed by a 4-0 vote.

Second Reading – Resolution 06-2011 – A Resolution that the Village of Shawnee Hills host a Village wide summer picnic at the Ohio Wildlife Center to celebrate 70 years as a Village.

It was moved by Gauldin, seconded by Garren to table Resolution 07-2011. 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.

Bills

It was moved by Callender, seconded by Gauldin to pay the bills in the amount of \$10,258.28. 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 Clippinger, seconded by Garren to approve the following treasurer’s report: General Fund 160,678.45, Street Fund 70,917.69, State Highway Fund 4,729.17, Enforcement and Education Fund 2,060.00, Mayor’s Court Computer Fund 8,025.67, Fire Fund 117,213.75, Weed Fund 11,153.20, TIF Fund 14,761.09, Veteran’s Memorial Fund 525.94, Building Expansion Fund 700.00, Capital Projects Fund 108,916.00, Sewer Operating Fund 59,733.19, Sewer Replacement Fund 54,000.00, Storm Sewer Fund 11,818.74, Debt Service Fund 40,613.13, Debt Service Reserve Fund 97,655.42 for a total of \$763,519.44. 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 Business

Council member Clippinger asked if it had been decided when the dumpster day is going to be. Mayor Monahan asked Service to come up with a spring and fall date. He said he would also like to put out in the notice to everyone when we have a copy of the audit so that people can come in and take a look at it.

There being no further business, it was moved by Gauldin, seconded by Garren to adjourn until April 25, 2011. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the meeting adjourned at 7:33 p.m.

Fiscal Officer

Mayor