

## Village of Shawnee Hills Council Meeting

May 23, 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: Solicitor Brian Zets and Fiscal Officer Shirley Roskoski

It was moved by Callender, seconded by Garren to approve the minutes of May 9, 2011 with the following amendments: on page 5 remove the second questions mark, on page 6 remove the words and then in the fourth paragraph, also in the fourth paragraph change the wording that we would have to that would give us, change the word he to I and add to Hillcrest after one way all the way in, and also add the wording that the Mayor will do a drawing to discuss with Safety. Following vote on the motion was recorded: yea, 5; Callender, Dalvi, Garren, Gauldin and McVan. Nay, none. Abstain, one; Clippinger. Chair declared the motion passed by a 5-0 vote.

It was moved by Gauldin, seconded by McVan 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**

Brian Zets said he worked with Yvonne and Shirley on a couple pieces of legislation that are on the agenda tonight regarding the right of way plan and the right of way policy which are Ordinance 12-2011 and Ordinance 13-2011. He worked a bit on that and he thinks they turned out to be good pieces of legislation and he will answer any questions you have when we actually get to the readings. Brian said he did respond to Mike Woytek and Legacy Design. He said when he had that meeting with their attorneys they brought up some points of interest or concerns that they had and Brian got with Ed and we actually sent them a response back addressing some of the concerns that they had. He said he has not heard back from them yet. Brian said he started to work a bit on the manufactured home issue and the regulations. Brian said that Jennifer will attend the Planning and Zoning meeting tomorrow and that works out well as she is the one that did the research on the impact fees and put the package together. Mayor Monahan suggested that they discuss the manufactured homes issue with her also.

### **Village Administrator**

Mayor Monahan gave a report since Ed was not at the meeting. Ed and Shirley met with Jim Danes today and he is going to look into Evo Earth, the group that came to talk with the Utilities Committee and see what's available in that kind of area. Jim will also be working on the Issue 2 grant and that application is due in October.

### **Police Chief Report**

Chief LeFever said he had a few things to bring Council up to speed on. On July 15 the police department will be partnering with Concord Township Fire Department on a blood drive that will

be held here at the Civic center. It is called Guns and Hoses and it is kind of a head to head, who gets the most people to donate blood, Police or Fire, it's kind of a competitive thing but it's for a good cause.

He said the Mutual Aid agreement date for the final signing is scheduled for the first part of July. The AED has been ordered and it will take anywhere between 2 to 6 weeks, the average is 3 for delivery of this unit. Chief LeFever said he is still working with Concord Township Fire for the initial certification on the AED and CPR.

As most of you know the tournament is starting next week and we have a pretty good schedule set up, lots of manpower, the A Units and everybody stepped up, we have a lot of coverage so it should go pretty good.

Click it or Ticket starts May 24 through June 6 and we are actively participating. Today we attended a kickoff event with some Chiefs, Sheriffs and other from different agencies. The newspaper was there as well as some speakers. It was a really good event.

Chief LeFever said that he, along with Sergeant Ekleberry and Council member Clippinger went over to the Columbus Zoo and met with their head of security and some other critical people there in regards to everything from animal escapes, to natural disasters, to their containment systems. Yvonne was nice enough to give us some time behind the scenes so we got to see really what the barriers are or are not and the different animals and the protocol that they have. He said this was extremely valuable information that they got from the Zoo. He said this will assist the department in writing our policies and procedures for response to the Zoo which we have nothing per se in our policy right now. So very important, a lot of good information and we are building a good relationship with the Zoo. We are going to be doing some training with them coming up and I think they are going to be coming over and joining us for some training, their security guys, so a really good relationship being built and he is looking forward to moving on with that.

Chief LeFever said that he and Sergeant Ekleberry were invited to attend training in Alabama last week with the Center for Disaster Preparedness, a division of FEMA. He said the Center for Disaster Preparedness deals with natural disasters, hazmat disasters, all the way up to nuclear and radiological disasters. He said they went down there, all expenses paid, airfare, food, room and board. They treated us like Kings, it was an excellent trip. He said they trained about 75 hours in six days. It was 3 or 4 am until 6-7 at night every day but it was really in depth training, mostly live exercises, we actually worked with everything in biological suits, from serin gas, vn gas, nerve agents, radioactive materials. It was hands on and it really made you put your faith in your equipment. It was excellent training. He said some of the neat things about that training as we are seeing now, the natural disasters seem to be more frequent now, either way we want to be prepared for these things. Chief LeFever said he and Sergeant Ekleberry are the first two graduates, to the best of their knowledge, and the Centers knowledge, in Delaware County. He said they tried to get into this a couple of years ago and there is a waiting list and they were accepted this year to go and they are now graduates and alumni now so they have a lot of benefits for resources if we ever did have a natural disaster or emergency here we know the right people to contact and who is going to get us what we need.

Council member Dalvi asked if we had a disaster plan. Mayor Monahan said we have one from Delaware County. Chief LeFever said that most agencies, local municipalities, villages try to stick to the County's Disaster plan as much as they can. He said he has found, from his perspective, a lot of things fall back on the fire department and Delaware County emergency Management systems just because of the lack of equipment, training and so on. He said they are

trying to change that and get ourselves more actively involved with those areas with the local resources that we have.

Chief LeFever said they have already been invited back for the more advanced training and he does not know how much more advanced it gets then being exposed to serin gas but I guess it's more advanced.

### **Communications**

Mayor Monahan gave the following report:

On May the 12<sup>th</sup>, I received the below email from Mike Woytek at Legacy Design, the property owner across from the Municipal building. We have responded to this and I want to remind everyone as I will in our next Newsletter to the Residents and businesses that no one is to park in the lot across the street from the Timothy L. Fellure Building Village Office. This will also include when we have our Veteran's Day Celebration in November honoring our Veterans. We are no longer cutting the land in tradeoff for using the parking space. A small parking lot will be added next to the Rain Garden to accommodate 4 to 5 new parking spots. It will be in by mid June.

Mayor Monahan,

As you should be aware my legal counsel and I met with Brian Zets several weeks ago. The meeting was to clarify some issues and advise that there was ongoing trespassing on the property my company owns. For the past two weeks there has been an equipment trailer parked on the property without authorization. We were very specific with Brian at our meeting on Wednesday, April 20 such vehicles were not to be on the property. Since we have owned the property, the Village has used the property to stage equipment for at least 3 projects -- Shawnee Trail, the sidewalk project and road resurfacing, all without asking for permission. Remove the trailer or we will have it removed. Stop using the property for storage. We have tried to cooperate but this seems to be a one way street since we have heard nothing from Brian since our meeting.

At our meeting, reluctantly, I told Brian that it could be used for "overflow" parking for the administration or members of council and it was to be confined to the graveled area. No equipment, no commercial vehicles.

Effective immediately, do not use our property for parking for any reason and for any vehicle. A sign will be posted shortly.

Also, we provided a list of encroachments on the property to Brian, including what appears to be a storm sewer. Brian advised it was our problem to deal with and we have heard nothing further. We are going to have to take action in order to begin our development work.

Mike Woytek  
Legacy Design

**Mayor's Report**

Mayor Monahan gave the following report:

**MAYOR'S COURT REPORT**

*April, 2011*

<b>7,854.50</b>	<b>BALANCE BROUGHT FORWARD</b>
<b><u>DEPOSITS:</u></b>	
7,817.00	TRAFFIC RECEIPTS (\$520.00 - processed through NCOURT credit card payments)
7,817.00	<b>TOTAL RECEIPTS</b>
<b><u>DISBURSEMENTS:</u></b>	
584.50	TREASURER OF STATE
440.00	COMPUTER FUND
6,792.50	VILLAGE: GENERAL FUND
<b>7,817.00</b>	<b>TOTAL DISBURSEMENTS</b>
7,854.50	<i>BALANCE BROUGHT FORWARD</i>
7,817.50	<i>DISBURSEMENTS</i>
<b>37.00</b>	<b>BALANCE MAINTAINED IN CHECKING</b>

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

Date 05-19-2011 03:53 PM

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Dear Village Leader - The Mid-Ohio Regional Planning Commission would like to invite you to a networking/workshop specially designed for Central Ohio Village Leaders. Attached please find an invitation and agenda. This workshop is designed for village mayors, village council members and administrators and will be hosted by MORPC.

The workshop is for all villages in our 12 county region both members and non-members of MORPC. This event is planned during the evening to help accommodate the busy schedules of many part-time mayors and council members. We hope that several representatives from each of your communities can attend this important conversation. If anyone did not receive this email that should have from your village, I ask that you please forward it to the correct people and invite them to attend.

Location: Mid-Ohio Regional Planning Commission  
111 Liberty Street, Ste. 100  
Columbus, 43215  
Date: Thursday, June 9, 2011  
Time: 6:00-8:30pm

Appetizers and refreshments will be served.

Don't miss this important conversation for villages featuring:

- \* Vital issues affecting our communities and villages
- \* A discussion on the state budget
- \* A discussion on shared services
- \* Helpful MORPC resources

Please RSVP by Monday, June 6 to <http://bit.ly/jivT8d> .

Contact Amy Lowe, MORPC Community Affairs Coordinator at [ALowe@morpc.org](mailto:ALowe@morpc.org)<<mailto:ALowe@morpc.org>> or 614.233.4135 with questions. We look forward to seeing you on June 9th.

Chester R. Jourdan, Jr.  
Executive Director  
Mid-Ohio Regional Planning Commission

Yesterday I email forwarded the link to our 2010 / 2009 Audit to you but I believe you have already received it:

I would also ask that the Audit be linked off our Village Website for anyone to read.

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

**Sent:** Sunday, May 22, 2011 12:34 PM

**To:** 'Shirley A Roskoski'

**Cc:** 'james.gauldin@shawneehillsoh.org'; 'Kris Garren'; 'charlie.callender@shawneehillsoh.org'; 'Mahesh Dalvi'; 'yvonne.clippinger@shawneehillsoh.org'; 'Mike.mcvan@shawneehillsoh.org'; 'ed.swanson@shawneehillsoh.org'

**Subject:** Follow up Audit Release Notification - [35B62DELA-FI210]

Hi Shirley I know I had communicated with both Ed and you asking if any follow up was required on the part of the Village. You said there was not. After reading through the Audit Report that is linked on the below email can you give us an explanation at the Council mtg. on June 13<sup>th</sup> what is it about our accounting practices that as stated in the Audit Report that aren't compliant with General Accounting Acceptable Practices GAAP of the United States but we are compliant with the State of Ohio?

As you have stated this is the best Audit the Village has ever had and I thank all for that!

I just want to hear is you have any recommendation for us to be GAAP compliant or why our current practices are correct.

Thanks Shirley!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

Shirley said that GAAP is used by larger entities like schools, the Village is compliant.

Officer Jeremy Amick has requested and the Chief has granted a leave of absence from our Police to go overseas and do contract work.

We met with the picnic Committee last Tuesday and Stacy McVan and Beth Dalvi are co-chairing the event and they are working on the event for July 17<sup>th</sup> at The Ohio Wildlife Center to celebrate the 70 year anniversary of the formation of the Village. This event will be advertised in

a timely Newsletter to the residents and businesses as well as signs in the Village. If the event is as successful as I would expect it to be building on last year's picnic you may consider appropriating an additional \$500. to the \$1,000. already appropriated.

Planning and Zoning will meet tomorrow evening at 7PM to discuss Impact Fees.

I want to start a discussion on public parking spots that are not in front of Residences, like those in Downtown Powell that indented in the right of way. As an example:

- On the South side of East canoe (a stubbed of St. next to the Shops of Shawnee)
- On both sides of W. Reindeer
- On both sides of the streets next to the Aspen Energy bldg.
- On the N side of East Old Powell in the ROW of the lot South of Hellas.

We will never be in a position to buy and build a common parking lot. With the building of our sidewalks and formation of our Main Street this will become an issue in the future.

The Comprehensive Plan Committee will be meeting this Wed 5-25 at 7PM to continue the work updating Our Comprehensive Plan.

### **Committee Reports**

Council member Callender said that Service met on Thursday and Ed was present also. They discussed starting to evaluate what sections of the roads need to be done. Ed is presently working on this and as the Mayor mentioned earlier, Ed did meet with Jim Danes to see if we can get some more money because we are short this year. Council member Callender said they are looking at doing more overlays this year rather than full depth reclamation. He said he talked to Ed today and they will get together within the next couple of weeks to inspect the roads. He said they would also like to do more of the gravel berm as they all felt that was an important part of the roadway. Council member Garren asked that if anyone knows of a road that has an issue just email Charlie.

Council member McVan said that Utilities met with Eriyah Flynn from Evo Earth to discuss solar power. They talked to us a bit about brown fields and there is one on SR 42 and the brown field cannot be built on or planted on so they go to the government to get permission to turn these fields into solar power. What we are looking at right now, they asked us for a wish list of what we could use in the Village and one of the big things was the street lights for Dublin Road so we drew up a wish list of 30 street lights, also the power to the pump station and the Village Building. He said he is not sure exactly how it works yet, but basically there is no upfront capital from the Village, they just charge by the kilowatt hour once they put this solar field in. They try to loop a lot of communities together for this field and that way it keeps everyone's cost down. Council member Clippinger asked how does our aggregation agreement with Ohio Edison work with the solar power. Council member McVan said that is something that is being looked into.

Council member Clippinger said that Finance met and she updated the committee on the right of way ordinance language in 907 and we discussed Section 901 of our right of way permits and those are the big things on the agenda tonight and Brian can answer all your questions. She said they also looked at estimated costs for the street lights and the street signs along Dublin Road. We were looking at an estimate to install 4 street lights, which was \$21,306.56 however this did

not include the additional cost from Ohio Edison to install the transformers. Finance did recommend at that meeting appropriating \$14,000.00 from the TIF and \$3,000.00 from the General Fund with the caveat that the Chamber is OK to donate \$4,000.00 of their pledge towards the street lights versus the street signs. Mayor Monahan said the Chamber is and they have asked that we put the banner holders on the lights. Council member Clippinger said they discussed the parking lot issue which has already been brought up tonight for the Municipal Building and she asked if Ed had gotten two bids. Mayor Monahan said Ed did get two bids and he is proceeding with Mike Eger to put in the small parking lot.

Council member Clippinger said that she and Shirley attended the Women in Local Government Conference last Friday and the main speaker was Anne Gallagher, President of Gallagher Consulting Group. Anne gave a presentation on conducting a successful local issue campaign. The afternoon was round table discussions so it was a pretty good conference. She said that we did recognize that we were the smallest municipality there but we are from Delaware County, so we ruled.

Mayor Monahan said it is like this thing from MORPC, it is a good chance to network with people. Council member Clippinger said it is a good way to network and it's a good way for people to understand where this Village has been and where we are right now because we are so far off the beat from everybody else, it's unbelievable. They just complained and talked about no money and she is just sitting there and thinking well we are getting ready to build a municipal building and putting in street lights.

Council member Dalvi said that they have met with the three vendors that responded to the RFI request allowing them an opportunity to ask questions and the proposals are supposed to be in by this Friday. Council member Clippinger said she wanted to bring up that the person that she told him about, Diva Design, never got the packet from us so she was pretty disappointed. She said that DivaDesign is not interested now as they are too busy.

### **Legislative Actions**

Third Reading- Resolution 10-2011 – A Resolution to increase the rate of pay for Erin Cullen, Police Officer for the Village of Shawnee Hills, Ohio. it was moved by Garren, seconded by Gauldin to pass Resolution 10-2011. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared Resolution 10-2011 passed by a 6-0 vote.

Tabled - Second Reading- Ordinance 08-2011 – Sponsored by Planning and Zoning - An Ordinance to adopt Site Plan and/or Conceptual Grading Plan Requirements for the Village of Shawnee Hills, Ohio

Second Reading- Ordinance 10-2011 – Sponsored by the Safety Committee and Mayor Monahan – An Ordinance amending Part 3 (Traffic Code) of the Codified Ordinances of Shawnee Hills, Ohio by enacting Section 331.46, Prohibiting Sending, Reading or Writing a Text Message or Accessing the Internet while Driving

First Reading - Ordinance 11-2011 – Sponsored by the Safety Committee – An Ordinance to amend Section 525.09 of the Codified Ordinances of the Village of Shawnee Hills, Ohio,

(Resisting Arrest). Brian said this will now mirror the Ohio Revised Code, our current law does not.

First Reading- Ordinance 12-2011 – Sponsored by the Finance Committee – An Ordinance to repeal Sections 901.03, 901.04, 901.05, 901.06 of the Codified Ordinances of the Village of Shawnee Hills, Ohio. Mayor Monahan said what we are repealing will be reflected in Ordinance 13-2011.

First Reading- Ordinance 13-2011 – Sponsored by the Finance Committee – An Ordinance to amend Chapter 907 of the Codified Ordinances of the Village of Shawnee Hills, Ohio (Right of Way Management Policy). Brian said some of this was already in the original 907 but a lot of it was not. It now basically updates the right of way management policy; it updates the fees that are charged, there's basically three sets of fees; there are three different types of right of way permits that are required, you have the cable, television franchise telecommunication, utility and a special permit. There is the application fee and a work permit fee that's the one that went from \$250.00 to \$500.00. The rest of this just explains how you have to use the right of way. Brian said these are reflective of Dublin and Columbus fees so as the fees seem high, if the utilities go anywhere else they are paying the same fees. Council member Dalvi asked why does the termination need to be approved by the Village Council instead of the Village Administrator. Council member Clippinger said if there is any problem within the right of way by an applicant then this will give the applicant the right to an appeal process. Council member Gauldin asked if enforcement was included in this language or is that up to the administration. Mayor Monahan said it is going to be up to Mark or anyone else to notice that someone is working in the right of way and we need to make sure that they have a permit to do so.

First Reading- Ordinance 14-2011 – Sponsored by Planning and Zoning – An Ordinance to Establish Requirements for a drive culvert within the Village of Shawnee Hills, Ohio. Mayor Monahan said we are splitting the drive culvert from the drainage ordinance because it was too complex.

First Reading - Resolution 12-2011 – A Resolution to increase the rate of pay for Ed Swanson, Village Administrator for the Village of Shawnee Hills, Ohio

First Reading- Resolution 13-2011 – A Resolution to authorize the Village Administrator and Sands Decker CPS, LLC to issue a competitive bid package related to the paving improvements project for the Village of Shawnee Hills, Ohio

### **Bills**

It was moved by Gauldin, seconded by Garren to pay the bills in the amount of \$18,585.21. 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 Dalvi, seconded by Callender to approve the following treasurer's report:

General Fund 172,149.17, Street Fund 76,998.11, State Highway Fund 4,271.78, Enforcement and Education Fund 2,060.00, Mayor's Court Computer Fund 8,825.67, Fire Fund 124, 574.82, Weed Fund 10,908.30, 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 47,599.98, Sewer Replacement Fund 54,000.00, Storm Sewer Fund 10,709.86, Debt Service Fund 53,432.44, Debt Service Reserve Fund 97,696.25 for a total of \$788,129.41. 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 Clippinger said when she was looking for how much money we had allocated for the picnic, she noticed that we did not do anything to vote to give the Ohio Wildlife Center any money and she asked if they wanted to have the discussion now. Mayor Monahan said last year we gave them \$300.00 to hold the picnic up there. It was moved by Clippinger, seconded by Garren to pay Ohio Wildlife Center \$300.00 this year for the picnic. 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.

There being no further business, it was moved by Gauldin, seconded by Garren to adjourn until June 13, 2011. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Garren, Gauldin and McVan. Nay, none. Chair declared the meeting adjourned at 7:56 p.m.

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Fiscal Officer

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Mayor