

Village of Shawnee Hills Council Meeting

September 26, 2011

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

Council in attendance: Charlie Callender, Kris Garren, James Gauldin and Mike McVan.

Absent: Yvonne Clippinger and Mahesh Dalvi

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

It was moved by Garren, seconded by McVan to approve the minutes of September 12, 2011. Following vote on the motion was recorded: yea, 4; Callender, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 4-0 vote.

Mayor Monahan asked Council to table the Ordinance 22-2011 as we do not have enough Council members to vote on the emergency measure. It was moved by Gauldin, seconded by McVan to table Ordinance 22-2011. Following vote on the motion was recorded; yea, 4; Callender, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 4-0 vote.

It was moved by Gauldin, seconded by Callender to approve the agenda as amended: Following vote on the motion was recorded: yea, 4; Callender, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 4-0 vote.

Solicitor

Brian Zets said the he worked on legislation for the vicious dog ordinance amendment, worked on legislation for the parking amendments for Buckeye Drive parking and worked on the Armeni annexation legislation. He said that the vicious dog and the annexation legislation is before Council tonight and we are still working on the Buckeye Drive parking. He said we had the sign code meeting Friday a week ago. He is working hard to get that back to Council, maybe by the end of the year. He said they had a Records Commission meeting right before the Council meeting tonight and Kris will give a report on that and he said he received a call from one of the attorneys over at Schottenstein, and he asked about how to do lot splitting and they wanted to know if Delaware County handled it or the Village. Brian said this was a very general conversation and he directed them to call the Village Office.

Administrator

Ed Swanson said the 2011 street paving project has been delayed one week, until October 10th, due to the rain. He said he is meeting tomorrow with Jim Danes to finalize the 2012 street paving grant application. The demolition of the Priestino property started today and he drove down by Ron Seward's house, which is the second house that is to be torn down and it looks like that will be happening this week. He said the pump station went down on Saturday due to the power outage but both of the alarm systems worked and alerts were sent out.

Council member Gauldin said that at one time we talked about possible reberming of certain areas and he asked if that made it into the grant application. Ed said that there is berming included with the application.

Communications

Mayor Monahan gave the following report:

Register today for MORPC's Summit.
Early bird pricing ends Monday!



**You're Invited to MORPC's 2011
Summit on Sustainability & the Environment**

Tuesday, October 11, 10:30am to 4:30pm at COSI
[Register](#) today, early bird pricing ends Monday.

MORPC's Summit on Sustainability & the Environment is coming up on Tuesday, October 11, 10:30am to 4:30pm at COSI, 333 W Broad Street in Columbus. Attendees, sponsors and exhibitors can [register here](#). Early bird registration deadline is September 26 for Summit and reception tickets.

This year the keynote presentation will be delivered by Amy Camacho, Secretary of Environmental Sustainability and Territorial Planning of the State of Puebla, Mexico and former Director General of African Safari wildlife park. The keynote is hosted in partnership with Columbus Council on World Affairs. Also during the Summit, attendees will



have the opportunity to participate in workshops which have been organized in collaboration with MORPC's partners at Clean Fuels Ohio, the U.S. Green Building Council Central Ohio Chapter, and the Central Ohio Greenways & Trails Forum. Expert speakers will be providing an informative and engaging experience.

The Wexner Center for the Arts will host a pre-event reception on October 10 from 6:00pm to 8:00pm featuring environmentally-themed art exhibitions, hors d'oeuvres, and the annual Green Pact signing ceremony. The Wexner Center for the Arts is The Ohio State University's multidisciplinary, international laboratory for the exploration and advancement of contemporary art. Sherri Geldin, Director of the Wexner Center for the Arts, will be present to welcome everyone and share information about the Center and their programming. The newest Central Ohio Green Pact members will also participate in the event and share the sustainability efforts occurring in their communities. Pre-event reception tickets can be purchased for only \$25, or add the reception to your Summit event ticket for a total of \$85.

[Learn more about the 2011 Summit on Sustainability & the Environment.](#)

I believe we all received a Code Enforcement / Maintenance Report from Mark K. I did ask Mark to drop the font size and the bolding to save ink. We have a lot going on.

Mayor's Report

Mayor Monahan gave the following report:
The Priestino property is coming down today.
Halloween is October 31st.

The Employee Appreciation dinner will be at Cedarbrook on December 3rd from 6 – 9.

Over the past few months we have been working with a resident who expressed interest in donating 3 lots on E. Parkview adjacent to the existing park land. After some investigating we are recommending we do not further pursue the generous donation.

Email From: Ed Swanson [mailto:ed.swanson@shawneehillsoh.org]

Sent: Wednesday, September 21, 2011 12:03 PM

To: pat.monahan@shawneehillsoh.org

Cc: ed.swanson@shawneehillsoh.org

Subject: Jean Nolan Property

Pat, I contacted lawyer Scot Miller as you requested to research the three lots that Jean Nolan wants to donate to the village. Scot is well versed in researching Shawnee Hills lots. He has been my real estate attorney for over 25 years investigating title work for me personally on over 100

lots in Shawnee Hills. Additionally, several title companies hire him to do their background research in Shawnee Hills as they can be extra difficult.

Scot has informed me after a rather long "preliminary" search that in order to provide "good title" would require many hours of research in several counties, written statements from the many shareholders in the property as well as their spouses. It would require Scot to physically go to other county court houses or hire someone in that local to investigate through probate various wills to determine if there are others that might have an legal claim to the property.

Scot has indicated that it could take \$3,000.00 to \$5,000.00 or more to do all the work necessary to obtain a clear title, with no guarantee that in the end such title could be obtained. I think it is a nice gesture by Jean to donate the property to the Village though I question whether, because of the cost and uncertainty of the end result we should accept this donation. (Scot only charged us \$250.00 for a lot of time and effort.....as more of a favor).

My response to Jean Nolan:

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

Sent: Saturday, September 24, 2011 10:09 AM

To: 'Gloria Nolan'

Subject: Jean Nolan Property

Hello Jean we have been investigating what effort it would take to get a clear title on the property you have been so generous to offer to donate to the Village for parkland use. Ed Swanson has been working with Attorney Scot Miller and according to Scot this will take a considerable amount of time and money due to the number of partial owners and the other complexities. With that work there may be no way to assure it would be a clear title.

Jean on behalf of the Village I want to thank you for your offer and wish there was a way to make it happen but at this time we will have to decline the offer.

I have been very excited about the possibility of the Village developing a passive park but there doesn't appear to be a clear economical path to accomplishing this. If you can think of another approach (i.e.: cousin who is an attorney) please let me know.

Once again Jean thank you!

Respectfully!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

On Friday Sept 16th the Chief and I interviewed two Auxiliary Police candidates and they both appear to be very good and with the Chief's recommendation I offered and they accepted the commission with the Shawnee Hills Police. I swore in officers, Christy M. Litzinger and Stacy Rainey.

There is nothing on the agenda for Planning and Zoning so there won't be a mtg. tomorrow evening 9-27.

Mark K, Ed and I have been working with the lot owner, builder and potential owner of the proposed Veterinarian Clinic who wants to build at the corner of E. Mohawk and Dublin Rds.

We have made it very clear that our code won't allow outside runs or overnight stays. They would need to have post surgery overnight stays and have proposed a soundproof area in the building. We want to make sure no residents would be subjected to barking. We believe they will file with the BZA for a variance.

I would like to ask the Service and Utilities Committee along with Ed as Chair to be the screening committee to determine if we get a new Engineering Firm or renew with Sands Decker. There are a number of steps we must take to post and do this and the Engineering contract renewal is coming up in February of 2012.

I have asked language be added to tabled Ordinance 20-2011 to hopefully get it moving again. We have also added a map per the request at the last mtg.

I will forward the guard rail estimate to Safety and Finance for your consideration. Ed is attempting to get a second estimate which we will distribute as soon as we have it. This is for the east side of Dublin Rd. where the new storm drainage pipe was replaced. Please take some time to look at the location before the respective committee mtgs.

I want to commend Chief LeFever for attending the FEMA Training in Alabama at no cost to the Village.

Mayor Monahan asked Ed if he had heard back from Todd Cooper on proposing any more fire hydrants. Ed said that Todd does not recommend we install any more hydrants until the size of the water lines are increased. Todd did say that on W. Hiawatha at Dublin Road there was a 100 foot stretch of water line that he would like to see the Village increase the size and install fire hydrants.

Pro Tem Report

Pro Tem Gauldin said we have talked about ringing the Village with the larger water lines and he wanted to know if we are approaching the point where we should start talking and planning that. Ed said no we do not have enough money to do that yet. He said it will be a very expensive project.

Council member Gauldin said he has had a couple of residents stop him and asked him about the work that was being done on the sidewalk area and informed them of the street lights that are going to be going up and everything is positive.

Committee Reports

Council member Garren said that the Rules Committee met and she was elected Chair person and they did not have anything on the agenda to discuss this evening.

Council member Callender said that Utilities met and they discussed the engineering contract and they will work with Services and Ed on that. They also discussed the power outage on Saturday and they are happy that all the alarms did what they were supposed to do and they are concerned about the generator not kicking on automatically and they know that John Kincaid is

concerned about that also. Ed said that it is a concern and John has said that it does happen sometimes and not the other times and that is why we have the alarm systems that we have. Council member Callender said that Council member Dalvi has a storm sewer in front of his property that is not draining correctly and he has made an offer to pay for the materials, the pipe, that would have to be installed if the Village would pay for the labor. The Utilities Committee thinks it's a win, win for the Village and recommend that we take up his offer of paying for the materials. He asked Council for their thoughts on this. Ed said the cost for this project is \$3,500.00 for material and labor and there will be at least one catch basin and 100 feet of N12 pipe. \$1,500.00 would be in materials. Mayor Monahan asked if this was part of our master storm water plan. Ed said it was. Council member Gauldin asked when are we looking at our next chunk of storm water work. Ed said it could be years, we do not have any money and since we are applying for a grant for next year we may not get one the following year. Ed said he thinks it might be a good idea to take Mahesh up on this as we do not know when we will get to this without the financial help Mahesh is offering.

Legislative Actions

Third Reading- Resolution 18-2011 – A Resolution to increase the rate of pay for Todd Ekleberry, Police Officer for the Village of Shawnee Hills, Ohio. It was moved by Garren, seconded by Gauldin to pass Resolution 18-2011. Following vote on the motion was recorded: yea, 4; Callender, Garren, Gauldin and McVan. Nay, none. Chair declared Resolution 18-2011 passed by a 4-0 vote.

Third Reading- Resolution 19-2011 –A Resolution to increase the rate of pay for Sean LeFever, Police Chief for the Village of Shawnee Hills, Ohio. It was moved by Garren, seconded by Gauldin to pass Resolution 19-2011. Following vote on the motion was recorded: yea, 4; Callender, Garren, Gauldin and McVan. Nay, none. Chair declared Resolution 19-2011 passed by a 4-0 vote.

Third Reading – Resolution 20-2011 – A Resolution to increase the rate of pay for Joyce Armstrong, Mayor's Court Clerk for the Village of Shawnee Hills, Ohio. It was moved by Garren, seconded by McVan to pass Resolution 20-2011. Following vote on the motion was recorded: yea, 4; Callender, Garren, Gauldin and McVan. Nay, none. Chair declared Resolution 20-2011 passed by a 4-0 vote.

Second Reading- Ordinance 19-2011 – An Ordinance to amend Section 1313.05 of the Codified Ordinances of the Village of Shawnee Hills Ohio

Second Reading- Ordinance 21-2011 Amended - Sponsored by Mayor Monahan and Planning and Zoning – An Ordinance to amend Section 1113.13(g) of the Codified Ordinances of the Village of Shawnee Hills, Ohio

First Reading- Ordinance 23-2011 – Sponsored by Mayor Monahan and the Safety Committee – an Ordinance to amend Section 505.14 of the Codified Ordinances of the Village of Shawnee Hills and Prohibit Pit Bull Terriers

First Reading- Resolution 22-2011 – A Resolution that the Village of Shawnee Hills host an employee appreciation dinner

First Reading – Resolution 23-2011 – A Resolution accepting a petition for annexation of +/- 0.0303 acres from Concord Township (Delaware County) to the Village of Shawnee Hills

Bills

It was moved by Callender, seconded by McVan to pay the bills in the amount of \$23,974.28. Following vote on the motion was recorded: yea, 4; Callender, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 4-0 vote.

Treasurer’s Report

It was moved by Callender, seconded by Gauldin to approve the following treasurer’s report: General Fund 209,523.67, Street Fund 96,149.31, State Highway Fund 2,248.75, Enforcement and Education Fund 2,060.00, Mayor’s Court Computer Fund 10,358.65, Fire Fund 180,115.49, Weed Fund 10,537.12, TIF Fund 19,021.67, Veteran’s Memorial Fund 530.94, Building Expansion Fund 700.00, Capital Projects Fund 105,000.00, Sewer Operating Fund 58,315.61, Sewer Replacement 54,000.00, Storm Sewer Fund 15,178.93, Debt Service Fund 88,972.67 and Debt Service Reserve Fund 97,877.64 for a total of \$950,590.64. Following vote on the motion was recorded: yea, 4; Callender, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 4-0 vote.

There being no further business, it was moved by Garren, seconded by Gauldin to adjourn until October 10, 2011. Following vote on the motion was recorded: yea, 4; Callender, Garren, Gauldin and McVan. Nay, none. Chair declared the meeting adjourned at 7:41 p.m.

Fiscal Officer

Mayor