

Village of Shawnee Hills Council Meeting

October 10, 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, Solicitor Brian Zets and Administrator Ed Swanson

It was moved by Garren, seconded by McVan to approve the minutes of September 26, 2011 with the following amendments: on page 6 under the discussion regarding Mahesh's drainage, add that the Mayor asked if this was part of the stormwater master plan and Ed answered yes. Under the treasurer's report correct the amounts typed incorrectly. Following vote on the motion was recorded: yea, 4; Callender, Garren, Gauldin and McVan. Nay, none. Abstain, two, Clippinger and Dalvi. Chair declared the motion passed by a 4-0 vote.

It was moved by Gauldin, seconded by Callender 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 did some quick research on that bull terrier issue to make sure that it was ok. He said the changes were acceptable. He said he looked into the Nolan land transfer and he worked on the Buckeye Drive parking that may come off the table tonight.

Administrator

Ed said that the road work will start the last week of October due to the rainy weather. He said he spoke to Dublin several times regarding their water line work. They have reengineered their water line so that they will not be in our easement, they will stay in their own easement. Ed said he called Tim Suter today to see if he could speed up the connection of our street lights. He spoke with Mark Cameron in regards to the agreement he made with the Mayor some time ago during the sidewalk construction which involves a \$4,000.00 credit to the Village and he sent a letter out to Council detailing this. Mayor Monahan said that Sands Decker had underestimated the levels of the streets in conjunction with the ADA ramps for the sidewalks. It came back that we were going to have to pay x amount of dollars and he went back to Mark Cameron and told him that we would split the cost with Sands Decker and we ended up paying for more but the end result was that Mark agreed to pay \$4,000.00. Mark then came back to us with something that he found in 2005 and we went back to him and told him we expect them to pay the \$4,000.00 and Mark has agreed to that if he can spread it out over the next few months. Council member Gauldin said so with that in mind can we say that the item that they came back with from 2006 or 2007 is that all finally put to bed. Would that be reasonable? Ed said he believes it is. Council member Dalvi asked if we could have something in writing saying that the matter is closed. Ed said he will ask.

Council member Dalvi asked Ed that if the road work starts the end of October, is the weather going to be a factor. Ed said it will still be OK. He said he tried to get an emergency measure three months ago so that the pavement could be put down in warmer weather. At 75degrees you will get a better job. It has to be 40 degrees and rising before they will put blacktop down. Council member Dalvi said so this is a lesson learned, correct. What would be an ideal time to start this. Council member Clippinger said January. Mayor Monahan said the trouble is you do not know what the roads look like until winter is over. Council member Clippinger said it is a two stage process, the first stage is to just give the administrator the ok to go out and get a bid, so you can do that in January, then whenever the roads clear then that has to come back to Council. She said it has been this way for years, it has always been an emergency and she has never understood that. Council member Dalvi said that is what he is trying to understand, moving into next year what can we do so that we can get this moving earlier. Ed said if you remember he was off due to surgery and he had the roads already marked prior to his first surgery and because of the winter, the roads had heaved up so much and Edgil told him that they will come down once the ground warms up so some of the areas you marked may not be the ones that you really want to do and after a month or two the roads did settle back down and we picked different areas to do. He said this is a long process and the contractor himself has 30 days before starting the project.

Communications

Mayor Monahan gave the following report:

I received the following email from Glen Scott

Sent: Wednesday, September 28, 2011 8:37 PM

To: pat.monahan@shawneehillsoh.org

Subject: Sgt. Ekleberry

Hello,

On Sunday, Sept. 18, I was taken by EMS squad to Riverside Hospital as I was experiencing a heart attack. Sgt. Ekleberry arrived just before the squad and asked if he could call any family; I was having difficulty responding coherently (at least, that's how I remember it) but I said my son's # was in my cell phone under 'Kevyn.' The Sgt. called my son and said he would lock up the house, then give my cell phone, house keys and wallet to the EMS squad.

When my son came to the hospital, he was told that my cell phone and keys were nowhere to be found. When my son arrived home in Hilliard, later that night, he called the Shawnee Hills dispatcher who contacted the Sgt. The Sgt. called my son in a few minutes and explained he gave the items to the EMS Squad and, according to Kevyn, the Sgt. stated he would call the EMS squad. A while later, the Sgt. called my son and said the EMS squad did, in fact, give the items to the cath lab nurse.

The Sgt. also called Riverside cath lab and talked to the nurse taking care of me who stated that the phone and wallet were in the cath lab and hadn't been taken to my room yet.

In my son's words, Sgt. Ekleberry went far beyond what he needed to do (particularly since he was off duty, as per the dispatcher) and that Shawnee Hills is fortunate to have such a caring professional on their police force.

Regards,
Glen Scott
129 E Wilma Dr

I sent out the following email:

From: Pat Monahan [mailto:pmonahan@columbus.rr.com]
Sent: Thursday, September 29, 2011 1:55 PM
To: 'David M. Efland'; 'Brown, Dottie'
Cc: 'ed.swanson@shawneehillsoh.org'
Subject: 9732 Dublin Rd + E Pawnee demolition

On behalf of the Village I want to thank you for a great job getting both properties taken down. It looks great!

Thank you!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

From: David M. Efland [mailto:defland@delawareohio.net]
Sent: Thursday, September 29, 2011 2:16 PM
To: Pat Monahan; 'Brown, Dottie'
Cc: ed.swanson@shawneehillsoh.org
Subject: RE: 9732 Dublin Rd + E Pawnee demolition

Your welcome! Sorry it took so long.

David M. Efland, AICP

Director of Planning & Community Development

City of Delaware

1 S. Sandusky St.

Delaware, OH 43015

I received the following email:

October 4, 2011

Re: Daryl T. Sanders, et al v. Village of Shawnee Hills, et al
Delaware County Court of Common Pleas Case No. 11 CVC-06-0704
Claim No.: PEP014451A1
Poling | Petrello File No.: 24170-00016

Dear Brad, Mr. Monahan, Mr. Swanson, and Ms. Roskoski:

Please find the enclosed Judgment Entry scheduling a status conference in this case for Monday, April 23, 2012, at 1:30 p.m. As indicated on the Entry all parties and persons with settlement authority must be present. Judge Whitney is absolute in this regard and failure to comply with his attendance requirement will likely result in sanctions against us. Accordingly, please mark your calendar and plan on attending.

As indicated, the Court is seeking that we have settlement authority at the time of this conference. Clearly, the Court envisions that we will have substantially completed discovery by April of 2012. At this time, Plaintiff's counsel has indicated he wanted to take the depositions of various representatives of the Village of Shawnee Hills, but he has not followed up with any specific requests. I will advise you as soon as I hear anything further.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,
POLING | PETRELLO
Paul-Michael La Fayette

Mayor's Report

Mayor Monahan gave the following report:

MAYOR'S COURT REPORT
September 1 - September 30, 2011

4, 255.00	BALANCE BROUGHT FORWARD
<u>DEPOSITS:</u>	
\$4,218.00	TRAFFIC RECEIPTS
\$4,218.00	TOTAL RECEIPTS (includes \$1,190 credit card payments)
<u>DISBURSEMENTS:</u>	
435.00	TREASURER OF STATE
256.00	COMPUTER FUND
3,527.00	VILLAGE: GENERAL FUND
4,218.00	TOTAL DISBURSEMENTS
4,255.00	<i>BALANCE BROUGHT FORWARD</i>
4,218.00	<i>DISBURSEMENTS</i>
37.00	BALANCE MAINTAINED IN CHECKING

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

We received the RITA Top 25 Report for Sept.

Year to date = we are ahead of 2010 by \$24,786.84

I would ask Finance to take a look at a couple of negative differences

Quezada Real Estate = lower this year by \$4,767.00

Time Warner = lower this year by \$2,086.39

Shops at Shawnee Hills Inc. = lower this year by \$991.00 \$0.00 to date

I have asked Ed to proceed with getting the guardrail installed on the east side of Dublin Rd. The west side of Dublin Rd. guardrail will be the responsibility of Concord Township.

I would expect that the street lights be lit this week. Can we get a hold of Tim and see if he can make that happen.

When will the banner holders and flag holders be installed?

At our mtg. on Sept 12 I had asked that a backup Plan be developed for the remainder of our critical processes of payroll, Reporting etc. by the end of the year. I ask that Shirley and Ed get together to determine what those processes are and report back at our 1st mtg. in November what approach they feel is best for us to take.

Looking at the time frames the Process will take to screen for a Village Engineer whether we end up with a new engineer or we decide to stay with Sands Decker I would ask that the process be started this week. I think posting is the beginning of the process. Ed please check with Brian and I ask that you chair the selection committee and the combination of the Service and Utilities Committee make up the Committee.

In order for the legislation to be in effect we need a recommendation in November.

Pro Tem Report

Pro Tem Gauldin said there seems to be a lot of excitement about the street lights and we are all waiting for the lights to come on. The second thing he wanted to bring up was a piece of communication that came from the Mayor's report and Chief , I will bring you in on this as well. Todd Ekleberry did a nice deed for Glen Scott and followed up maybe above and beyond and at one time he remembers hearing that there was a interest of maybe a merit type badge for officers. He said he does not know if that has gone anywhere or not. Chief LeFever said that they do have several awards and commendations that are in place. He said they have one award that is for recognition from a community member and a copy of the letter from Mr. Scott has been placed in Todd's file and he will receive that award at the end of this year.

Committee Reports

Council member Garren said that Safety met and they discussed the guardrail and made a recommendation to purchase the guardrail and they had considered perhaps looking into used materials but as the Mayor said there was not enough of a cost savings so we will go with the lower estimate of \$3,456.00. That has to go through finance to be approved. Mayor Monahan said we got it down to around \$3,000.00 by using our own Police for traffic control.

Council member Callender said that Service met and they discussed potentially interviewing other engineering firms for the contract renewal in February. He said it was also discussed about the \$4,000.00 that Sand Decker owes the Village and it was brought to their attention that they wanted to pay this in intervals, not sure what intervals that wanted to pay this back to the Village but basically what we talked about and what we recommend is yes we do want to interview other potential engineering firms basically on the basis that it has been a few years since we have gone out and looked at other engineering firms, we are not sure if we are getting the best price for our money so that is one reason and basically it is just a good idea to do that every so often. Along that line with the \$4,000.00 the contract with Sand Decker will be ending in February, now whether or not it will be renewed, we are not sure, we have no problem with them paying us back on an interval basis with it being all paid back by end of the contract period and that is what our recommendation is. He said they also talked about the guardrails for a little bit as long as finance oks the money for it.

Council member McVan said the building committee met and we hope to, in two weeks, have another rendering that Bill is going to do free of charge again and present it to Council with our recommendation and basically just to hit the highlights, it will be roughly under roof 4200 square foot building with pretty much little less than 50% of the original budget, so it will be the biggest building we looked at yet the cheapest. We hope to have that in two weeks and present to Council then.

Council member Clippinger said the Comprehensive Plan committee met and that was their last meeting and we are just waiting now to get the final draft document from Scott Sanders so that can come before Council.

Council member Dalvi said the Digital committee has not met but he wanted to give an update on where we are. He did get a status report this morning from Brad stating that the mock up designs will be ready this week and he will present to us this week. He will meet with them and get a preliminary review to see what they look like and he would like him to come in two weeks to show Council what it is looking like. Still trying to get this done by the end of the year. He said some of the content of the comprehensive plan we would like to get on the new site.

Mayor Monahan said we discussed a planning meeting and wanted to know if next Monday night at 7:00 p.m. would work for everyone. Council said that would work.

Legislative Actions

Third Reading- Ordinance 19-2011 – An Ordinance to amend Section 1313.05 of the Codified Ordinances of the Village of Shawnee Hills Ohio. It was moved by Dalvi, seconded by Garren to pass Ordinance 19-2011. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared Ordinance 19-2011 passed by a 6-0 vote.

It was moved by Gauldin, seconded by Clippinger to take Ordinance 20-2011 off the table. 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.

Second Reading- Amended - Ordinance 20-2011 – Sponsored by Mayor Monahan and the Safety Committee – An Ordinance to amend Chapter 351.14(b) of the Codified Ordinances of the Village of Shawnee Hills, Ohio (Parking of Motor Vehicles)

Third 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. It was moved by Clippinger, seconded by Dalvi to pass Ordinance 21-2011. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared Ordinance 21-2011 passed by a 6-0 vote.

It was moved by Gauldin, seconded by Clippinger to remove Ordinance 22-2011 from the table. 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.

Second Reading – Ordinance 22-2011 – Sponsored by the Finance Committee – An Ordinance providing for retaining Bond Attorneys in connection with the issuance of securities in connection with certain improvements, and declaring an emergency. It was moved by Dalvi, seconded by Gauldin that the rule requiring readings on three separate days be suspended and this ordinance shall pass on its second reading. 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 pass Ordinance 22-2011. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared ordinance 22-2011 passed by a 6-0 vote.

Second Reading- Amended -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. It was moved by Gauldin, seconded by Garren to amend Ordinance 23-2011 by removing the words Bull terrier from lines 2, 5, and 7 of section 505.14 (C) of this ordinance. 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.

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

Second 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 Gauldin, seconded by McVan to pay the bills in the amount of \$30,653.18. 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 Callender to approve the following treasurer's report: General Fund 209,883.11, Street Fund 95,943.42, State Highway Fund 2,421.67, 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 15,647.86, Veteran's Memorial Fund 530.94, Building Expansion Fund 700.00, Capital Projects Fund 105,000.00, Sewer Operating Fund 61,877.87, Sewer Replacement Fund 54,000.00, Storm Sewer Fund 15,714.63, Debt Service Fund 93,304.04, Debt Service Reserve Fund 97,929.44 for a total of \$956,024.24. 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

Mayor Monahan we are looking for the new truck to be here around the first of November. He said the Veteran's Day celebration will be November 12th at 11:00 a.m. We will be celebrating Women in the Military this year.

Councilmember Gauldin said he noticed our entrance to the Village has a nice planting of flowers and it looks very nice. Mayor Monahan said Mark was able to get a lot of mums from Larry Burchfield.

There being no further business, it was moved by Callender, seconded by Gauldin to adjourn until October 24, 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 7:45 p.m.

Fiscal Officer

Mayor