

Village of Shawnee Hills Council Meeting Minutes

June 26, 2017

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

Council in Attendance: James Gauldin, Douglas Gil, Dan Mathews, Mike McVan and Josh Vidor

Absent: Mahesh Dalvi

Also Present: Fiscal Officer Shirley Roskoski, Administrator Steve DeBolt and Solicitor Brian Zets

Minutes

It was moved by Gauldin, seconded by Vidor to approve the minutes from June 12, 2017 with the following amendments: on page three change *pave only right* to *pave correctly* and change *bringing two of his students* to *bringing two of his classmates*. Following vote on the motion is recorded: yea, 4; Gauldin, Mathews, McVan and Vidor. Nay, none. Abstain, one Gil. Chair declared the motion passed by a 5-0 vote.

Agenda

It was moved by Mathews, seconded by Vidor to amend the agenda by adding Ordinance 13-2017. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote. It was moved by Gauldin, seconded by Mathews to approve the agenda as amended. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Solicitor

Brian said I am still working on the legislation for the sign code and the A frame signs but that is a little more complicated than the food truck legislation. Mayor's Court and Delaware Court are running smoothly.

Steve asked Brian to talk about maybe making an adjustment to the proposed right of way fee ordinance. I talked to Chris and he suggested that maybe we can make a major and a minor fee. Keep the minor one the way it is and just bump up the major one. Between Chris and I we can determine what it is. Chris said we will know when it is coming in.

Mayor Monahan asked if we needed to change the wording in there.

Brian said I don't think you do. The way the legislation is drafted Steve has the ability, it's his discretion. If Steve and Chris believe there is a big project that potentially could have much more than the deposit requires they could just ask for that to be the amount.

Shirley said you are still increasing the minor fee by \$500.00. If Steve has the authority to charge a higher fee why do we have to raise the minimum fee.

Mayor Monahan said that was brought up because of the work that was done on Reindeer and back here on Mohawk. That hadn't been changed for a couple of years so we took a look at it.

Shirley said that is the only instance that we have ever had so why raise it because four new homes went in. I can see if it is a major development or something where a higher fee is charged but why raise it for the residents who want to improve their property.

Mayor Monahan asked if anyone from UST wanted to comment.

Shirley said this had never happened before so I can't see that it is going to happen again. Everyone has gotten money back from their deposit.

Steve said it was his initiative because of the fact it happened and I did not realize how many times it had happened.

Mayor Monahan said let's discuss it when we do the reading.

Brian said if Council decides they want to change the number we can do that. I wouldn't say just scrap the whole piece of legislation. Just to make clear the newly drafted version I think works a little better and little easier and it is more clear.

Village Administrator

Steve said I guess you have heard by now the work on the bridge has been delayed through Thursday and I am sure we will be notified if it is going to be longer than that.

The bathroom at the park is still under construction. We did have some plumbing delays. It is back on track and should be done in a couple of weeks if everything goes good from this point on.

I did speak to Columbus Asphalt paving and it looks like we will do the paving in August. He wanted to do it in September and I wanted it in July so we compromised on August.

We have a project that is under way. It is kind of a private/public partnership on Buckeye Drive at the circle. There are some storm water issues that if the residents take care of that then we can address the issue of the loose gravel in the circle by paving the entire circle.

Chris is still working on the storm water plan. He plans on having it completed by mid-July so hopefully we can apply for grants this fall.

Up at the Shoppes of Shawnee there is a new business coming in. It is a cabinet shop and we welcome them to the village. It looks like a dentist has secured some land in the village and will be coming in. There is another dentist that has been in negotiations and is looking at the Aspen Building. They are still working on it. Subway would like to be here in the village. They are looking at two locations so hopefully we can work out something with them. There is another gentleman that has some interest in some land to develop here and we have talked to some ladies

and they are still interested in doing some residential development on Westview and Jeff, who owns the Bogey, is developing next to Straders. That area will be retail and storage space both.

Mid- Ohio Regional Planning Commission sponsored a grant seminar so I attended that last week. There are lots of grants out there and lots to look through so I shared that with Russ as well. I will continue to look for things especially ones for parks, bike paths and storm water.

I contacted Rumpke and they were generous enough to provide us with a couple of extra trash bins for the music series.

We have a contractor that is going to take down two dead trees at Frambes Park. Richard will be doing some more spraying for weeds and Mark and Richard will be replacing a few signs later this week.

If you ever notice anything amiss in the village please don't hesitate to let Shirley, Mark or I know. It's always good to have an extra set of eyes and ears out there so don't hesitate to give us a call.

Mayor Monahan asked when is Ohio Edison going to start with the tree trimming in the village. Steve said they were supposed to contact the residents at the end of last month and then trim a month later but they have not started here yet. Mayor Monahan asked Steve to have them take a look at the big tree across from Buckeye on Dublin Road. There are some large limbs hanging over the road.

Police Chief Report

Chief Baron said we sent two supervisors to the Ohio Tactical Officers Training Conference this past month. One of them took armorers classes and they both took leadership classes. We had another officer complete taser instructor training so all of our officers can be recertified with that. We attended EMA Executive Board and the Delaware County Law Enforcement Executive meeting, the Child Abduction Response Team meeting, detectives meeting, things that we have participated in the last thirty days. Erin is currently attending the FBI Negotiator training school this week in Columbus.

We swore in another auxiliary officer, Joshua Hoar. He graduated from Tiffin University with a Bachelor's Degree in Criminal Justice. He was previously an intern here so that's a win. He is the first one to come back to us that wants to work for us.

We had a handful of traffic citations from the Memorial Tournament. We really did not have too much trouble during the tournament. We had two tournament related arrests, a disorderly conduct and an assault, two separate incidents. The Bogey broke their attendance record on Friday night. We did not have loud music complaints either.

The building project is nearly complete. Hopefully within the next couple of weeks we will be all settled in.

I have seen a lot of things on Facebook, a lot of posts on Facebook, parties at the civic association, suspicious person and things like that. If you see something, please call us. We can't

do anything based off of a Facebook post. You are not bothering us either. Especially the loud parties and there were some other concerns expressed today. If you see something call us, we will take care of it or we will at least document it, that way we can move forward. Again I want to give everyone the number to call us: 740-833-2800. This is the dispatch at Delaware County Sheriff's Office. They will send an officer out. Every Monday when we come in we have messages on voice mail. A lot of our new officers don't even know how to check the voice mail so it gets checked Monday. You could be calling us about something and you want an officer to come out. There is not an officer in the building on weekends that is staffed there and we are not going to get it until Monday so please call the dispatch number.

Visitors

Maggie and Kris Mahovich, 77 E Pawnee Drive.

Maggie introduced herself and her wife. She said I am coming before the Mayor and the Village Council today to address a concern that I am having. On May 27th we had an issue with our dog. The police were called and everything was handled. However, what happened after this altercation with our dog and the other dog, we had some neighbors who got involved who were not a part of the incident, who had nothing to do with the incident, and this was on May 27th and I apologize we haven't come sooner, we both work. Our dog Snooki got into a fight with another dog while it was walking down our street. We got everything taken care of. As a result of that the police were called. Officer Amick responded and after the other dog was taken away by his owners, Officer Amick was doing his reports, taking information. He was in his vehicle typing things up, getting things in order as you would expect an officer to do. As I was on the phone with my landlord because I called him as I rent at 77 E. Pawnee Drive. I don't own it. I called my landlord to let him know what had happened because this is something he needs to know. While I was on the phone with him Mahesh Dalvi came over, on to my property, trespassing, I was in the middle of my yard and he tried to take my phone away saying that he was going to call Cody. I was already on the phone with Cody and I told him that. I asked him multiple times to leave my property to which he said you don't tell me what to do Cody tells me what to do. This went on for about twenty, thirty minutes. I kept asking him repeatedly to leave. Officer Amick was busy with his reports so I did not want to bother him. I was on the phone with my landlord and I kept telling my landlord he will not leave. I have asked him repeatedly to leave and he will not leave and he said tell him to get off of your property. I had to put my landlord, Cody Jordan, on speaker phone and Cody had to say tell him to get off his property and at that point he left and he stood in the street and he took about a half hour of this officer's time just telling him I don't know what. I didn't hear it but he was taking up precious officer time to where somebody could have had a real incident, an injury, a kid could have gotten hurt, an adult could have gotten hurt and here is Mahesh Dalvi taking up precious resources. Now I happen to live in the middle of kind of a very bad oreo sandwich there and I have accepted that. I have lived here for five years and I have never had an incident until this day. There was no stake for him in this. He doesn't have a dog; he doesn't have a young child. I understand his concerns and his concerns have been addressed. I have rehomed the dog, I have paid my fine and all of my things were dismissed so I have taken care of everything except the \$72.00 I owe to Mayor's Court which I am going to pay on Friday. I have taken care of everything with the dog because it has become such a horrible concern. There was so much tension between the two neighbors that I felt like I could not go outside. I know that he is a member of this panel of elected or appointed officials. I would just hope that somebody that represents the village would be more tactful and abide by the law. That

is why I am coming in front of you today because I am concerned about that. My wife and I are concerned about that.

Kris Mahovich said that really is the concern here. I don't think that anyone who is representing the village even if not on village business should behave in that manner.

Maggie said it was clear that when he took up the officer's time he was trying to act as a village advocate when that wasn't necessary. The officer was the village advocate and so was the dog warden.

Mayor Monahan said understood. From the standpoint of neighbor to neighbor when I interact with my neighbor, it's neighbor to neighbor. What I want to do is get with Brian and have Brian, Mahesh and I have a talk. I don't expect things to happen like that but I want to hear the rest of it but effectively we don't need to be having any more conversations.

Maggie said I don't actually speak to most of my neighbors. Mahesh didn't even know my name until a year ago when my landlord introduced me and I had lived there for four years so I keep to myself, other than going out to water my flowers and walking my dog, we have a little dog now, I don't really interact. I interact with Bella and that's about it. We go to work and come home, that's it. We were just worried that if he was doing this to us he could be doing it to other people in the village and that's a concern especially with someday who's appointed or elected.

Kris said we did everything we needed to do so it should have just been left between us and the other dog owner. We just wanted to let you know. We don't really expect anything to happen we just thought it should be on public record.

Mayor Monahan said I appreciate it and I will get with Brian and he and Mahesh and I will have a talk.

Maggie said Officer Amick, give him all the credit, he did a wonderful job that night. Everybody was upset, everybody was running on adrenaline and he had a lot to sort out but somebody probably yelling at him for twenty minutes didn't help. I felt bad for him.

Mayor Monahan said I believe our job is to get things calmed down and sorted out. We have had too much tension and we are neighbors so we will have that talk.

Maggie said I don't plan on speaking with Mahesh or my other neighbor but I just wanted to bring it as a concern because if I am experiencing this bully attitude somebody else is too.

Communications

Mayor Monahan gave the following report:

I do ask that we pass the 09-2017 considered and approved tonight if we can. This was a safety improvement in conjunction with the fire and last time we decided to let it go to a second reading before going to an emergency. We have been trying to get this done for four years so if we can do that appreciate it.

Last meeting, I had a moment of silence for Jack Gibbons, a longtime resident who passed away and I got a note from Vicki and their son John – What a wonderful tribute to Jack to receive a

day to celebrate his life. We all miss him dearly. She just thanked us as I declared Jack Gibbons day in the village and he was just one of the real good guys.

The Village picnic will be held on Sunday September 24th from 1pm to 4pm. We are going to do an open house for the police department and the park,

Mayor's Report

Mayor Monahan gave the following report:

We do not have any filings for the 6-27 Planning and Zoning meeting.

Next month we should have two filings for zoning changes and new builds.

We met with Jeff Parenteau from the Bogey to discuss what he will be proposing as the retail front space north of Straders. We were very concerned about the fact that we are not lovers of storage but he has a large retail area up front. Jeff is working on a couple of proposals. He was working with a high end grocer and a high end grocer is something that would go very well here. Additionally, he is looking at a couple of other pieces of business up front there. He also had a couple other proposals that he is looking at so we are concerned about and even in the past he talked about the potential of a gas station and my comment to him was half the people will love you and half will hate you. It is one of the places in the village that is probably the least intrusive, between Straders and the Priestino property keeping in mind that the property is very non-conducive to a lot of things because of the cell tower sitting in the center of it.

I proudly performed a wedding ceremony on June 23, 2017. This was for Torri Jo Winiesdorffer and Fisher Brian Bertke. A neat young couple Fisher just graduated from the US Air Force Academy and they were headed to his first duty station- flight school.

I ask the Chamber for help on two issues. Help on signage, last Thursday evening there was some ridiculous signage out on the streets so any help is appreciated. Besides tent signs there were flags and multiple tent signs. We will be going through that legislation getting people to pull them in at night because they are not pulled in at night. What I would say in advance is that if you are going to use the signs, you have brought up in the past, Dells signs and some other ones, for the tournament next year I would start moving toward getting that permanent business district sign.

Carol Kender said we would love to have that happen. It is stalled again. Nothing is going to happen until the Farm Market closes in October.

I participated in the Ohio Mayor's Conference June 14th through 16th. We explored medical marijuana and to complement Brian and Council we already dealt with what other people are concerned with right now with prohibiting the growth, distribution and sale of marijuana in the village.

We worked on Veteran issues and economic development issues.

There are a couple of books over there on Veteran's issue and I have invited the Secretary of Veteran's Affairs for the State of Ohio to speak at our next Veteran's Day celebration in

November so hopefully we can get him to do it. It is on Veteran's Day so it may be difficult for him to do it.

As village leaders we discussed helping each other with best practices and what to do with absent and delinquent retail property owners. There is nothing we can do with getting the landlords to rent out all their office space.

Committee Reports

Pro Tem Mathews said Finance met before this meeting. There was a lot of discussion but nothing that we needed to approve or amend other than the street paving of which the funds have already been allocated. We added the paving of the circle on Buckeye and paving of Mohawk. Touched on health insurance and salary of employees and we started to kind of brainstorm on ideas of major projects that we have in 2018. Just to name a few – finishing up the park and the playground, the insurance, the salaries, possible cross walk at the Bogey, storm water project, adding more fire hydrants and putting more money into the rainy day fund.

Legislative Actions

Second Reading- Resolution 09-2017- A Resolution authorizing and directing the Village Administrator and Fiscal Officer to accept the bid of, and enter into a contract with, Vititoe Construction, Inc. for the Village of Shawnee Hills 2017 Waterline Improvement Project and declaring an emergency. It was moved by Gauldin, seconded by Mathews to suspend with the third reading and make Resolution 09-2017 an emergency. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote. It was moved by Vidor, seconded by Mathews to adopt Resolution 09-2017 as an emergency. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Resolution 09-2017 adopted by a 5-0 vote.

Second Reading- Ordinance 11-2017- An Ordinance to amend Section 907.09(J)(1) (Right-of Way Work Permit Fee and Deposit) of the Codified Ordinances of the Village of Shawnee Hills. Mayor Monahan said this is the one we were discussing earlier where we were raising from \$2500.00 to \$3000.00 and as Brian suggested there are other works in there so what's the pleasure of Council on this.

Council member Gauldin said why don't we put it back down to \$2,500.00 where it was. I don't disagree with that We have enough leeway for any kind of changes we need given the size of the projects. Council member Mathews said do we run into any kind of legal problems since it says at Steve's discretion. Do we have to have some sort of baseline for what he can charge?

Brian said Steve will work in conjunction with Chris so we will place similar projects in the similar line of that spectrum and the justification will come from Chris as to why it will be more. It was moved by Mathews, seconded by Gauldin to amend Ordinance 11-2017 that the fee amount remain at \$2,500.00 and all other verbiage stay the same. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

First Reading- Ordinance 13-2017 – An Ordinance amending Section 769.07(A) of the Village of Shawnee Hills Codified Ordinances (General Operating Requirements for Mobile Food Vendors) and thereby prohibiting the use of external grills and other cooking surfaces.

Bills

It was moved by Vidor, seconded by Mathews to approve the bills in the amount of \$32,624.70. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Treasurer’s Report

It was moved by Gauldin, seconded by McVan to approve the following treasurer’s report:

General	300,631.53	Fire	100,824.27
Street	152,939.35	Weed	7,411.65
State Highway	15,060.77	TIF	259.23
Parks and Recreation	2,888.87	TIF 2	11,849.34
PD Body Armor	875.68	Veteran’s Mem.	98.97
Cont. Prof. Training	4,110.02	Sewer Oper.	66,051.79
Drug Law Enf.	249.56	Sewer Repl.	181,000.00
Indigent Drivers	385.84	Storm Sewer	3,434.00
Enfct. and Education	1,160.85	Debt Service	170,291.70
Court Computer	4,190.63		

For a total of \$1,023,714.05.

Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Miscellaneous Business

Shirley said that the State Auditors will be starting this Wednesday at 6:30 a.m.

Council member Gil asked Steve if he could be engaged in the conversations with the two ladies that are looking at developing on Westview. Steve said there are two ladies that have an interest in building approximately ten houses there and their biggest hurdle was finding the owners of the property. They finally located them and they are in discussion. That is about it.

Adjournment

There being no further business, it was moved by McVan, seconded by Mathews to adjourn until July 24, 2017. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the meeting adjourned at 7:45 p.m.

Fiscal Officer

Mayor