

Village of Shawnee Hills Council Meeting Minutes

November 9, 2015

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

Council in Attendance: Charlie Callender, James Gauldin, Dan Mathews, Mike McVan and Josh Vidor

Also Present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

Absent: Council member Mahesh Dalvi and Administrator Ed Swanson

Minutes

It was moved by Gauldin, seconded by Callender to approve the minutes of October 26, 2015 with the following amendments: on page two change 93-85 to 493-85 and remove the letter e after the word violation. On page 4 remove the word steel before the word camera. Following vote on the motion is recorded: yea, 5; Callender, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Agenda

It was moved by Mathews, seconded by Gauldin to amend the agenda by adding Ordinance 29-2015 and Ordinance 30-2015. Following vote on the motion is recorded: yea, 5; Callender, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

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

Solicitor

Brian said he has been working with Acting Chief Baron on policies and an inspection process for under speed vehicles. He also worked with Mark on the Larry Burchfield matter which is continuing and ongoing but we are working through the things going on there. I was at my first Mayor's Court last Wednesday.

Village Administrator

Mayor Monahan said Ed is still off. He has been undergoing a lot of tests. Our new maintenance truck will be in by the end of this week or the beginning of next week.

Visitors

Carol Kender, 148 W Mohawk Drive

At this point, you all know me. My name is Carol Kender and I received 36 percent of the votes for Mayor in the election November 3. I think this number is significant because it means that one third of the village is not happy with some of the ways the direction is going here. I am not here to criticize anybody.

As I walked around the village and talked to residents I came up with a number of people that complained about things. Some of these things I did not know about before I started. The first one I got was Shawnee Trace and I got blamed for publicizing Shawnee Trace and really was an innocent victim. I was just on the same street that everybody else was complaining about. I think what we learned from that particular experience is that there's an awful lot of people that are very upset about the idea of what essentially amounts to a subdivision being put into our village and I am hoping that council addresses that. The second thing, I knew about BCS, Cedarbrook, and Leatherlips. I knew about it before I filed but as I got into my campaign I learned of the depths of frustration especially from Leatherlips. Those people are very upset. Now I pulled from our village website: We are a small charming, growing community that offers a comfortable, small town home atmosphere where managed growth and quality amenities are among the top priorities. It seems that our small town atmosphere is getting encroached and becoming something other than that. I sort of suspect that there are other things going on but I will leave that one alone.

Council member Mathews said actually I would like you to elaborate. Council member Gauldin said please and Council member Vidor said we would appreciate that.

Carol said let me finish and then I will answer your questions. The one thing that I found and this was the number one complaint from businesses and residents and it might surprise you, it was storm water management. I had businesses complain that the highway construction project and the sidewalk construction project meant that stormwater was running into their building every time it rained hard. I had a resident who said that every time there was a hard rain her yard was like a flood reservoir with the water running into the reservoir. I personally myself have put over several thousand dollars of my own money into managing storm water on my property on Mohawk and that was to create a dry creek bed and to rebuild the road in front of my house so the mail lady could drop the mail off. All of these people said to me when they complained to the village, there was no money. This is my suggestion. You take some of the money that you are designating in your meetings, in your minutes and everything else towards things like parks and you put it into getting an engineer out there to figure out how to take care of this storm water management. That seems to be the biggest complaint that I got.

As I said frequently in my campaign, I love this village. I moved here because I was attracted to the narrow straight line streets. I wanted the small town feel and the small town atmosphere that it represents. I am not opposed to growth but not at the expense of the other things that I mentioned.

Pat, Dan, I congratulate you on your election. I look forward to working with you. I hope that you will move forward into 2016 and respect the village. I also want to point out that 2016 is the seventy fifth anniversary of the incorporation of this village and I think we should celebrate the small town atmosphere of this village. I am going to conclude with personal. Pat, you and I were friends for a long time. I told you when I registered to run it was not personal and I hope we can continue that personal relationship. Now what was the question?

Council member Mathews said your statement was something about there was maybe other things going on.

Carol said you want to know other things that people asked me. Carol said I said I only wanted to cover three because I did not want this meeting to last until ten o'clock tonight. If you would like to sit down with me I will go over some of the other things at another time.

Council member Vidor said I feel like there are accusations being made from your statement that there's some kind of underhanded deal or something and you are hinting at it and that's what I think we want you to elaborate on.

Carol said I don't have to come to every council meeting to figure out what is going on. I have read all the minutes. The only minutes I did not read ahead of time are the ones I just picked up tonight. Over a two year period I've seen reference to a contractor looking at different sites to build different things. A contractor looking at putting in a planned unit development and I just wonder if that fits with that slogan on the front of our website that says we are a small community and we want to stay small.

Council member Mathews said I think it absolutely mirrors what that statement is, absolutely. Controlled growth, that's what a planned unit development is.

Carol said it is not controlled.

Council member Mathews said it is controlled. We have the control. That was the ideal of the PUD legislation.

Carol said but what you are looking at there is a subdivision. I said this the last time I was here. It's a subdivision, you are looking at putting in a homeowners association. That in itself pulls those people out of being a part of the village because they now have their own little government.

Council member Mathews said you are wrong. You could have a property management. It is solely for the care of the grounds, that's all it is. I know there is a lot of misinformation. That's all the homeowners association is meant to do, care for the common area.

Carol said okay, here is the question I asked before and I was accused of wanting to raise taxes. When we put in sewers and I was at the meetings that O'Shaughnessy

ran. The idea was to add a specific amount of funds to the sewer bill to cover the retirement of the debt for sewer. If you are going to put in a community like that and you are going to have a common area that you need controlled, why can't you do the same thing, add it to the sewer bill to cover that common area. Put it on the sewer bill instead of making a homeowner's association.

Mayor Monahan said it was a very preliminary report that was given. They said that. I will tell you that without a planned unit development what will probably happen. If someone comes in and files to build on a 14,700 square foot lot they will build right next to the existing house that is there today. There would be no green space. That is just one proposal. We may choose to say that we will hire someone to do that, who knows. That came from the developer.

Council member Mathews said the homeowners association has nothing to do with the PUD. You can have a PUD without having a homeowners association.

Erin Hatcher said when we talk about this PUD and nothing against it or anything but what I don't understand is, we say that individual growth is bad. Buckeye Drive was developed without a PUD. Mayor Monahan said that was pre PUD but it was a planned development. There is a retention and detention pond on Buckeye and those would not be there if it was just one house at a time. Erin asked how was Buckeye developed.

Shirley said one person owned all the property. He put in all the stormwater and the sanitary sewer lines and then sold off each individual lot. He replatted and made the lots all 14,700 square feet to meet our current code. There is about twenty acres and thirty homes built there.

Mayor Monahan said he would like to address what Carol said about drainage. About eight years ago we had what we called the dirty dozen list of storm water problem. We were able to acquire grant money to fix some of these problems. Some of the plant life and other things on Cedarbrook property is forcing the rain water to go out onto Glick Road. One of the other issues is the retention pond by the Morgan House. We know we have to get that water diverted and we are working on it.

Erin Hatcher said she just wanted to follow up on the status of potentially a community advisory group about development in the neighborhood. I know it was mentioned in the last council meeting and I read the council minutes as well and I know that you guys, rightfully, talk a lot about development and growth in the village. I was thinking that it is worth it to do this for more than just the development off Westview too. It's to have the community to talk about different business that we want to come in here, that sort of thing. I know we are a small village of 770 and when you talk about that small of a number just little things can be impactful on a tiny little village. I just wanted to follow up to see if there had been any more discussion around getting a community group together.

Council member Mathews said no advisory committee yet. We are still waiting to hear back from the developer on should we be doing something or what are they doing right now. We kind of wanted to see when they wanted to get together again. Erin said she will volunteer herself for any kind of help. I am not a sit back and wait kind of individual so I am all for getting together and starting a discussion before the developer even gets back to us. I know the developer has been looking at this for some time now. When it comes to the development on Westview, things that I just kind of wanted to bring up as a thought. We talk about the roadways and we talk about creating new roadways and I understand that. The concern I would have and this is all coming from my reading the past six months. We sit down and we have a discussion on what roads can we fix this year because of monetary value. If we are going to add even wider roads then I guess my concern would be we can't pay for what we have right now. For example, I live on Ridge Drive and it has not been paved in thirty years. There are only two houses on that road and we have made it work, it's not a problem for us but I know you have to do an evaluation; you have certain funds, Two homes versus another street that has twelve homes. How would we pay for that is something that I am wondering and thinking about.

Communications

Mayor Monahan gave the following report:

I received an email from Zina Samoyloff.

Wanted to share couple wonderful news for our community. As you maybe know my son Nicholas is participating in Columbus International Children's Choir. The choir conductor and founder Tatiana lives at 91 Buckeye. Tomorrow the choir will be featured on Good Day Columbus morning program around 9:30 am. Also they are going to perform at the White House on December 10. But that is not all. Next June the choir travels to Italy to perform at St Peter's Cathedral in Rome. That is something for our community to be proud of. This coming Saturday we're having a fundraiser concert and dinner. If you know someone who loves music and good

food, we still have few tickets left. The event is November 7 at 6 pm. Admission is only \$30 for dinner and a show. Please let me know if someone you know wants to attend. And watch us on ABC 6 tomorrow at 9:30.

Thank you and have a nice day.

Zina Samoyloff

I did receive a notification from Stacy McVan that Edward Jones is holding a Fall Open House on this Wed Veterans Day from 4 to 7 PM at their office 6075 Glick Rd, Suite B. There is a special gift for any veterans who attend.

The new truck is to be here this week. It will have a new salt distribution mechanism which should be a big help. That is one of the most vulnerable parts of the equipment. We are looking forward to having the new truck which is now on a 3 year lease buy and will remain under warranty instead of the past 4 year. This truck because of the quality of our trade in reduces our monthly fee.

Mayor's Report

Mayor Monahan gave the following report:

OCTOBER 2015 MAYOR'S COURT REPORT

RECEIPTS

\$ 4,632.00 Total receipts

Disbursements

\$920.50 Treasurer, State of Ohio

\$34.50 HB 562 IDAT Fund

\$3,437.00 General Fund

\$240.00 Computer Fund

Erik Spaulding,

Mayor's Court Clerk

As a reminder please join our Veterans Celebration this Sat at 11 AM at our Vets Memorial. Following the ceremony the Boy Scouts will conduct a flag retirement ceremony at the Civic and we will have a pizza lunch.

Please join us in honoring our many Veterans, past and present!

The Appreciation dinner will be at Shanghai Lily on Sat Dec 5th from 6 to 7:30 PM

Please remind everyone that our Annual Holiday tree lighting will be at 6PM on Sunday Dec 6th in our Memorial Park behind the Police station and Veteran's Memorial. We have the cub scouts from Eli Penny leading us in Caroling.

For anyone who would like to understand the facts about the Cedarbrook code violation filings we have:

- Copies of the July 22 Planning and Zoning mtg. (10 pages) where we brokered a path for Cedarbrook to become compliant over a 9 month period. This was agreed to by Mr. Burchfield and his attorney Doug Curtis.

- There are copies of the Oct 13, 2014 Council mtg. where Council passed Ordinance 22-2014 allowing for Cedarbrook to have horticultural only buildings on the two respective lots

- There are copies of Ordinance 22-2014 allowing for Cedarbrook to have horticultural only buildings on the two respective lots. And setting the time period for compliance to the agreed 9 months from the 7-22-14 Planning and Zoning mtg. which Mr. Burchfield and his attorney Doug Curtis agreed to. Cedarbrook had to April 2015 to file the necessary applications and have the

proper hearings and they took no action.

I hope this clears up this situation!

Our Code Enforcement Officer Mark Katzenbach received an email from Dr. Bookmyer that she would like to talk with Planning and Zoning about the possibility of getting the right to have right of way parking on the sides of the Animal hospital. This would be similar to what was done to help Aspen Energy as they outgrew their parking. I have asked Mark and Kathy Isern to help make that initial conversation happen so the necessary filings, public hearing, etc. could get started.

We have RITA finalizing the Business Income Tax audit. They have uncovered a few businesses that have not been paying the taxes as we do and are working that issue. In doing some analysis I do see what appears to be 1 or possibly 2 businesses that haven't paid anything yet this year and they will be investigated by RITA.

Pro Tem Report

Pro Tem Mathews said that he wanted remind everyone to have committees ready to go and if anyone wanted to shuffle around. Council member Callender said he will finish out this year at RPC and Council member Gauldin will do January and February of next year.

Legislative Actions

Third Reading- Ordinance 27-2015- An Ordinance to appropriate funds for current expenses and other expenditures of the Village of Shawnee Hills, State of Ohio, during the fiscal year ending December 31, 2016. It was moved by Gauldin, seconded by Mathews to adopt Ordinance 27-2015. Following vote on the motion is recorded: yea, 4; Gauldin, Mathews, McVan and Vidor. Nay, none. Abstain, one; Callender. Chair declared Ordinance 27-2015 adopted by a 5-0 vote.

Second Reading- Ordinance 28-2015- An Ordinance to amend Chapter 181 of the Codified Ordinances of the Village of Shawnee Hills, (Income Tax) and declaring an emergency. It was moved by Mathews, seconded by Gauldin to suspend with the third reading and declare Ordinance 28-2015 an emergency. Following vote on the motion is recorded: yea, 4; Gauldin, Mathews, McVan and Vidor. Nay, none. Abstain, one; Callender. Chair declared the motion passed by a 5-0 vote.

It was moved by Gauldin, seconded by McVan to adopt Ordinance 28-2015. Following vote on the motion is recorded: yea, 4; Gauldin, Mathews, McVan and Vidor. Nay, none. Abstain, one; Callender. Chair declared Ordinance 28-2015 adopted by a 5-0 vote.

First Reading- Ordinance 29-2015- An Ordinance to reappropriate funds for current expenses and other expenditures of the Village of Shawnee Hills, State of Ohio, during the fiscal year ending December 31, 2015 and declaring an emergency. Shirley said this is from the sidewalk project and I just received a copy of it today but the final bills was actually sent last September and I talked to Ed and Chris Tebbe about this and there were some change orders to the project which I was not aware of the amount so I only had \$5,000.00 left in appropriations for them and the total due is \$10,908.80. Shirley said that Chris has approved this invoice and this is the final one. It was moved by Callender, seconded by McVan to suspend with the second and third reading and declare Ordinance 29-2015 an emergency. Following vote on the motion is recorded: yea, 5; Callender, Gauldin, Mathews, McVan and Vidor. Chair declared the motion passed by a 5-0 vote. Council member Vidor asked what was the nature of the extra five thousand dollars? Shirley said that she does not know, that would have to be answered by Ed. Shirley said that when she talked to Derek he said there were some change orders. Shirley said that she can get the information from Chris but he is on vacation this week. She will get the information from Chris and this can be voted on at the next meeting. Council said they wanted this to just be a first reading.

First Reading-Ordinance 30-2015- An Ordinance authorizing the payment of the invoice received from D. L. Smith Concrete and Design and declaring an emergency.

Bills

It was moved by McVan, seconded by Vidor to amend the amount of the bills to \$29,497.85. Following vote on the motion is recorded: yea, 5; Callender, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote. It was moved by McVan, seconded by Callender to approve the bills in the amount of \$29,497.85. Following vote on the motion is recorded: yea, 5; Callender, Gauldin, Mathews, McVan and Vidor. Chair declared the motion passed by a 5-0 vote.

JoAnna Kralian had a question about the bills. She said she knows that the police chief is on administrative leave and she asked how long that goes on. Mayor Monahan said it will be three months on the 14th and I will let Brian address that. Brian said he is on paid administrative leave right now and we are hoping to hear something one way or another from Delaware County. He will continue to be on paid administrative leave until they decide if there is going to be anyone under indictment or something else. Whatever is going to happen happens.

Treasurer’s Report

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

General Fund	305,896.38	Fire Fund	78,739.10
Street Fund	177,231.58	TIF Fund	11,457.79
State Highway Fund	10,815.47	TIF 2 Fund	8,510.96
Parks/Recreation Fund	900.00	Veteran’s Memorial	98.97
Continuing Prof Training	1,280.00	Sewer Operating	8,475.53
Drug Law Enforcement Fund	200.00	Sewer Replacement	166,000.00
Indigent Drivers Interlock Fund	385.84	Storm Sewer	1,133.51
Enforcement and Education	2,010.00	Debt Service	131,650.70
Mayor’s Court Computer	7,408.30	Debt Reserve	100,329.36
Weed Fund	4,072.38		

Total \$1,036,595.87

Following vote on the motion is recorded: yea, 5; Callender, Gauldin, Mathews, McVan and Vidor. Chair declared the motion passed by a 5-0 vote

Miscellaneous Business

Council member Gauldin said that he received a letter from the Civic Association noting that low enrollment coupled with the general wear and life span of the facilities has placed the group with a burden financially. Now I will note that I have enjoyed many of the civics events including the Easter Egg hunt, Breakfast with Santa and I have heard there’s a Chili cook off once in a while and there might be something to do with crawling from pub to pub. Having said all that what it did was it made me think about the community and what I enjoy about the community and the fact that I like to see my kid having fun with the Easter Egg hunt so in that newsletter it encouraged residents to consider a membership to the civic which I have considered and Robin and I have talked about it and I will become a member shortly and I would just encourage other individuals and homeowners that live here to consider that as a possibility for what they have in their family’s finances. Mayor Monahan said he totally agrees. We use the civic for after the Veteran’s Memorial and they also provide hot chocolate and cookies for the tree lighting and I just think it is such a good part of the village. You can also rent the hall at a very reasonable rate.

Adjournment

There being no further business, it was moved by Callender, seconded by Gauldin to adjourn until November 23, 2015. Following vote on the motion is recorded: yea, 5; Callender, Gauldin, Mathews, McVan and Vidor. Chair declared the meeting adjourned at 7:50 p.m.

Fiscal Officer

Mayor