

Village of Shawnee Hills Council Meeting Minutes

May 23, 2016

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

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

Absent: Mahesh Dalvi, James Gauldin and Solicitor Brian Zets

Also Present: Fiscal Officer Shirley Roskoski, Administrator Steve DeBolt and Engineer Chris Tebbe

Minutes

It was moved by Mathews, seconded by Gil to approve the minutes from May 9, 2016 Following vote on the motion is recorded: yea, 4; Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

Agenda

It was moved by McVan, seconded by Gil to approve the agenda. Following vote on the motion is recorded: yea, 4; Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

Engineer

Chris Tebbe said he was contacted by Michael Sapp with the Ohio EPA regarding Leatherlips sewer connection. Evidently the City of Columbus is having an issue connecting or actually getting a good price for the connection. The estimate was \$160,000.00 to connect which Michael Sapp was unsure of why they were running into such problems. It should just be a grinder pump, more sophisticated than a house connection but not radically more sophisticated, and then a force main. They have been spending time trying to find the tap that was put in. A pipe was put in but it wasn't connected to the main line, for whatever reason, it wasn't connected. My understanding, from the emails going back and forth, the Parks and Recs were trying to get out of actually connecting. They were looking at abandoning the septic which would mean no sinks, showers, toilets, everything. The EPA was of the opinion that sewer is available, it is, and they should be able to reasonable connect so he was going to go tell Columbus that they need to connect and if they have any questions they are to contact me. Back in 2000 when the agreement was made, Leatherlips was not on the map on the agreement between Columbus and Shawnee Hills because Leatherlips is Columbus City property. The very last statement in the agreement says that both parties can amend this map if they both agree to it. Chris said I don't see any reason to not want to include them. I think what is going to happen is we will have to have written agreements and amend this contract. Chris said I will have to talk to them to see what they are attempting to do and see if there is a better way. See if they are trying to design a Cadillac when a Chevy will do. Right now I understand the EPA is going to force them to connect, they can't just abandon. This should happen within a year.

Chris said in regards to Cedarbrook. The ditch looks good, grass is growing and it looks good. Trees are the only thing left and Mark is dealing with that. Larry said they are going in once it stops raining. Chris said I told Steve to pay the last ten percent to the contractor.

Chris said we had a bid opening last Friday for the paving project. We got five bids and the lowest bid was 9.4 percent below my engineer's estimate so we are able to do everything and save a little money.

Chris said we also bid the water project and we received one bid. It was high. The total overall bid was within the estimate but the base bid was high and actually higher than the funding that you have. I am going to go back and review it. You only received one bid which is never good. I talked to several contractors and they don't like how DelCo has it arranged where they supply the pipe and we contract the labor. Chris said the price that we got was the price you would normally get if you were paying for the pipe. So DelCo giving us this pipe did not help us. I am going to talk to DelCo to see if they can bid the project out because they are used to working with contractors who are used to them supplying the materials. It makes a lot more sense if our project is lumped in with their projects and we pay our portion, or reasonable share, and move on with it. Chris said there were five locations down at Shawnee Trail where water lines were put in on the connecting streets but they stopped short of connecting to the line on Shawnee Trail. We want to connect these lines to gain better water pressure and get better flow everywhere. The other site was taking the line on W. Hiawatha and going under Dublin Road to connect the lines to each other and that one is expensive. This will also give us the ability to install more fire hydrants.

Chris said one of the bigger things I have been looking at is the storm sewer issues. There are many points to the storm sewer plan. Your existing storm sewer master plan was completed in 2006. Some of these projects were done and some were not. Some things have changed. There are more houses and one of the biggest issues is that this plan was done right after 2000 when the sanitary sewers were put in and with that project a lot of the ditches disappeared. Since that time we have been getting more of them back due to new homes being constructed. The problem is that you have ditch, ditch, ditch, no ditch and ditch, ditch, ditch. The water is going to go somewhere, it is going to build up or it is going to go left, right, or the other, it will always find its spot. I have looked at a lot of things in regards to the storm water. I have looked at the plan and then Carol and I looked at five different sites in the village and I have also been looking at roadside ditches and maintenance responsibility. It is not a popular thing but ditches are just like sidewalks and the maintenance of them are the responsibility of the homeowner. If there are major drainage ways going through your yard you can't block them but if you have storm sewers and drains that becomes more the responsibility of the village. I have talked to a couple of property owners in existing houses and they are looking at fixing the ditch and I have gotten in touch with people to try to help them.

Chris said I belong to the Central Ohio Engineer Group which is basically all the City and Village Engineers for Central Ohio and we meet every two months. We talked about storm water utility rate comparisons. The Village has a storm water utility and you charge \$1.98 a month per residential unit but all that money goes to Columbus. They actually did a survey of 31 different municipalities of what they charge per square footage. Just to give you an idea, it ranges from

zero for Dublin to \$6.65 for Newark. Most of them are in the \$3.50 to 3.75 range per month and they charge that amount for every 2500 square foot of impervious area for all of the commercial. This is a mechanism to pay for storm water improvements instead of just taking it out of the general fund. Twenty years ago when I started engineering here, storm water projects were always paid out of the general fund. It was either grants or general fund. Most municipalities have adopted storm water utilities to at least pay for a portion of it. A lot of times they use that money for the local match portion of grants and loans. The more money you can kick in for a project the easier it is to get grants and loans for these projects.

Chris said every year we have to send in a report to the EPA for our MS4 permit. One of the biggest things and one of the most nebulous things that they really don't define is getting the public involved. You have to show that the public involvement is effective so you can have the clean-up day and tell them how much trash is collected or you can send out newsletters or you can set up a booth and you already belong and contribute to the Delaware County Soil and Water Conservation District. They are getting a little more picky by saying that you only had three people come to your booth so you only had one percent of your population come and they are saying how can you get more public involvement. I will be sending emails out asking for suggestions or things to do to get more involvement. Drainage, you have better luck when there are people buying into it and taking stewardship for it. They have to understand what is involved, what is public and what is private, what's going on and how projects are assessed. In some ways, stuff like that where people are involved helps, it gives something to show the EPA that it's not just a number, it's not just a pamphlet, you are actually getting people involved in the education of not polluting, not dumping stuff.

Mayor Monahan said maybe Chris can work with the UST committee and come up with something.

Chris said the big part of this is the storm water master plan needs to be updated. I need to come up with a priority list so I am working at trying to figure out what it is going to take so we have a number so at least we will know what we are looking at. Like I said there are certain things that are private, ditches are private but there are other things that definitely need repaired, things that we've done, things that we have cleaned up, things fill in and get overgrown all the time. It changes the drainage.

Mayor Monahan asked what is the next step?

Chris said for me is to quantify all this, what we are looking at, so we have a good framework of what we are looking at and then the next step would be to come up with a priority list. There might be something out there that I don't know about yet that might be more of a problem and more important than what's come up so far.

Village Administrator

Steve DeBolt gave the following report:

I had a good meeting with Dana McDaniel, City Manager of Dublin earlier this month and issues discussed included community Wi-Fi access and opportunities that may arise for mutual assistance. For example, we may be able to purchase a relatively new zero turn mower for the

Village from Dublin at a very reasonable cost and utilize the "grass cutting fund". I also attended the quarterly meeting of the Mid Ohio Managers Association meeting held in Dublin last week which included a tour of the Ohio University Campus there.

Shepherds Excavating has completed the additional grading work needed for the drainage swale and the tree planting is the remaining work needing to be completed. Ohio Edison has also trimmed the dead tree that might jeopardize both the nearby power lines and drainage swale if it fell.

The drawings for the Pavilion have been completed and will be submitted to the Delaware County Building Dept. on Tuesday. It is anticipated that ADA issues with the proposed location have been addressed. The shelf time for application review is currently around 21 days so construction will begin upon issuance of the permit and should take less than two weeks. Shirley and I have started to look at picnic tables. We will be able to place four 8 foot tables in the Pavilion.

We started getting quotes for a generator here at Village Hall. One has come in at \$9800 to date.

Councilman Dalvi and I were going to meet with representatives of the Leatherlips Yacht club regarding the boat parking issue. Due to scheduling issues, Mahesh met with the members and discussed the following issues: the clubs desire to park boats on their property closer to Shawnee Trail, connecting the club to the sewer system, utilizing Old Powell Rd. east of Shawnee Trail for a trail, residents walking at LYC and concerns about vandalism. They have also invited representatives from the Village to attend their next Board meeting on June 13 to discuss these issues and meet with the Mayor and I prior.

On the Maintenance front, Mark is meeting with John Kincaid this week to investigate a potential sewer issue and will be starting sewer inspections, he will also be doing a dye test on two sink holes that have been found in the Village, the new flags have been put up along Dublin Road, and pot holes have been repaired and gravel is being used to smooth out worn down street corners.

Police Chief Report

Chief Baron said last Saturday ended Police Week. Last year they added 250 names to the wall, 123 were in 2015. Hilliard PD just lost an officer last week. It was the third line of duty death in Ohio, two of them have been within a stone's throw of our village. Some of us, including myself, knew Officer Johnson down in Hilliard and we will be attending that funeral. We appreciate the village's support during that. We also appreciate the goodies that everybody dropped off during Police Week.

So far this month Erin and I attended the Law Enforcement Administrative Conference in Dublin. I attended both the Delaware County Law Enforcement Executives and Delaware County Criminal Justice Association meetings. Erin attended the Drug Free Delaware meeting. That is where we got the prescription drop box where the residents can come in and drop off unused prescription pills, anything but needles and liquids. I think we have taken in over one hundred pounds so far this year. We ended last year with one hundred and twenty pounds.

Sergeant Amick attended the Click it or Ticket kickoff event. Mayor Monahan, at the last Safety meeting signed a proclamation declaring May 23 thru June 6 as Click it or Ticket Enforcement Week, urging everyone in the village to wear their seatbelts and drive responsibly.

I signed a memorandum of understanding with the Ohio Adult Protective Services. I spoke with Brian about it and we are bound by ORC but there was no recourse if we didn't participate. Spoke with the Director from Delaware County and we are most definitely going to participate in it. It lays out how we are going to investigate and coordinate an investigation into any elder abuse or any crime involving an elder individual. We are going to coordinate that with Delaware County so they get the most resources out of it that we can provide.

Next week, after the tournament, Sergeant Amick and Lieutenant Cullen are attending the Advanced Crisis Intervention Team training in Dublin.

I think everyone has had a chance to see the speed sign. I want to air it again that it is not collecting photographs, it is not writing tickets, it's not video, its counting the number of cars that come down the street and its logging the speeds that it is collecting. We have had a lot of positive feedback on the sign. We are going to move it around the village. I will keep it where it is until after the tournament and then it will go to Buckeye Drive and then W. Hiawatha. I am going to talk to Safety tonight about purchasing it.

I attended the Chamber meeting about Summerfest. I received the permit for this event and I got with Shirley and we decided that because it is a non-profit event we did waive the fee for Summerfest. We felt that was appropriate. There is legislation tonight for the noise variance for this event and I do want to say it was a fantastic event last year; we really support the event and moving forward I don't see any reason why that would go down.

I spoke with Mark and he is going to get the No Parking signs out again as usual for the Memorial Tournament. We are going to have some extra patrols during the event. We are going to monitor the sound level and continue to work with the Bogey to make sure everything goes well and with the Sheriff's Office. I am not throwing as much staffing at it as we usually did in years past in an effort to kind of save money but not jeopardize anyone's safety.

We will be working with the Zoo to help mitigate the traffic backups that are expected this summer. We are adding officers to special duty down there and they have recently added the sticks, the traffic barricade, for those cars making a right hand turn from Riverside Drive so they don't cut across the lane immediately upon turning. We worked with the Zoo to get a good plan in place and we hope that it works and we will adjust if we need to. If it does back up our officers will block Shawnee Trail at Glick Road so you won't be able to turn into Shawnee Trail at that location and the officer will help direct the traffic coming off of Shawnee Trail unto Glick Road.

I spoke with Finance tonight and we are looking at a better way to be a little bit more efficient when it comes to these changes that are coming down from the State and the Federal Government about how our policies, our practices, how our training goes. One of the things we looked at was Lexipol. Lexipol is a risk management company that deals with police and fire and

EMS policies and trainings. I sent Lieutenant Cullen over to Westerville Police Department, who is a Lexipol Agency and he tested out the system of the policies they put out, the quizzes they do, the tracking of the policy acknowledgements. I looked at the amount of money that we pay annually for Brian to work on things and for me to work on things and the Sergeant and Lieutenant and it is almost a savings so we are going to explore that a little bit more.

Visitors

David Raber said I was out of town this morning and when I got back I received an email from Shirley and it was the letter from the Shawnee Hills Chamber of Commerce. I looked up the Chamber on the website and I expected to see that Mr. Burchfield and Mr. Iacono were members but I did not expect Larry to be the President of the Chamber. So right there I think I saw where the bias and disingenuous may have come from. The one paragraph talks about decreased numbers. I talked to one of the beer and wine distributors in central Ohio that services both Iacono's and Cedarbrook. The number he had for them was pretty consistent regarding their sales but when they talk about decreased sales, the Chamber, they don't say how substantially the volume has increased in Shawnee Hills. For example, where Cedarbrook says they were down, they didn't give the numbers for 2014 because Walgreen's did not sell beer and wine for that part of the year. Walgreens was issued their license on November 5, 2014 so for a full ten months Cedarbrook didn't have any competition from Walgreens. The numbers I got from the distributor from 2013 to 2014 Cedarbrook was down over twenty percent and that's with Walgreens just having two months of sales and that is going into the Holidays sales. Every December is the biggest month generally for beer and wine sales. They can't wait for the holiday season. The Division of Liquor Control will not do any agency store relocation during the holiday season because they are afraid they are going to lose sales during that time. Just to show you that from listening to Mr. Iacono last week he seems to think there is a fine line in the pie and if he is down twenty two percent then that means that Walgreens is taking that twenty two percent. Well that is incorrect; the pie has more than doubled since 2014. Just to give an example, this year to date Cedarbrook is even with its 2015 cases of beer and wine that they purchase from this beer and wine wholesaler. Walgreens is up fifty three cases. So those cases did not come from Iacono's drive thru, those cases did not come from Cedarbrook. That's the market expanding. When I got back today I looked at some of the periodicals I received. Business First on Friday, Then and Now selling beer is a different game. On the Daily Reporter in Toledo, After Four decades the Memorial Tournament is still giving central Ohio an economic boost and in the Ohio Tavern News, House okays bill upping craft distillery production and we did discuss about the APV the House did concur with the Senate so it is just awaiting the Governor's signature. I think just my general observation coming in here today. I drove by El Vaquero and their parking lot seemed pretty much full. When I drove around Iacono's there were five or six cars in the front and a few in the back. I just did a google search today about garden centers in Shawnee Hills and five came up. My only point is the fact that if CVS is given a license I can say with absolute certainty that's not going to take business away from Iacono's or Cedarbrook. They have different customers. In fact, right now with Walgreens, their average price for a bottle of wine is under ten dollars. At Cedarbrook their average bottle of wine is over twelve dollars so you have different customers. CVS will be in competition with Walgreens and they will also be in competition with the upgraded Kroger store over on Powell Road and the upgraded Giant Eagle. Alcohol sales drive consumers, there's no doubt about that. That is why Kroger paid three million dollars for that State Agency contract. They wanted that advantage

over Giant Eagle. All CVS is asking for is that they be treated the same as Walgreens did. Now I know that last week you tabled this so you could talk to the Council. I was hoping the Solicitor would be here and I would just respectfully suggest, because I am a former State Attorney General, that you might want to talk to your Village Solicitor about the equal protection clause in the Ohio and United States Constitutions.

Council member Vidor said when you were starting you talked about figures from the suppliers, they did not correspond with the letter we got from the Chamber, is that what I gathered.

David said what the letter didn't contain was. It just had the sale figures from Iacono's and Cedarbrook and they have decreased and I am not questioning those numbers. The percentages, I think there's a margin of error but I think my numbers are accountable. They were in the margin of error. What they didn't say was in 2013 to present how substantially the sales have increased in Shawnee Hills and what they also didn't show is that in 2016 where Cedarbrook is even with where they were in 2015 but Walgreens is up fifty three cases and those fifty three cases did not come from Iacono's drive thru or Cedarbrook.

Communications

Mayor Monahan gave the following report:

We have heard back from RITA on the requested business audit =

As for the business review, we continuously try to monitor as filings come in. Due to filing season and allocated resources we will not be able to do a specific review until mid to late summer but we can revisit a few accounts then.

Mayor's Report

Mayor Monahan gave the following report:

Our Village turns 75 years old on July 10th! We are working on an idea of (if possible) dedicating the Memorial Park pavilion at that time and also have a commemorative plaque on the pavilion celebrate Shawnee Hills turning 75.

We did check after the statement was made at our last Council mtg. that Council member Gil had only heard of the Pavilion 2 weeks before. Besides being discussed over the past 2 years since the Playground was planned and installed it was also covered in:

- Mar 28th Finance Committee
- Apr 11th Mayor's Report
- April 25th Village Administrator's Report

The Architectural Board of Appeals met on May 19th and approved the application from Dell's Ice Cream to repaint their bldg. and change colors.

Tomorrow evening Planning and Zoning will meet at 6:30 and the owners of the Bogey will present an expanded view of the Glick Rd. development to obtain our input for their decision to move forward.

Steve DeBolt, Dan Mathews and I met with Dublin and Mid-Ohio Regional Planning MORPC to discuss the connection of the Dublin bike path with the Delaware County bike path at the Zoo. We believe in addition to providing increased access for bicycling it would be a potentially great safety boost for kids bicycling to Zoombezi Bay and the ZOO. More to come on this!

I want to commend Steve for getting the pavement over the culvert on Dublin Rd fixed. It is a welcomed solution.

Just a reminder the Tournament will begin Memorial Day week and conclude on June 5th.

Pro Tem Report

Pro Tem Mathews said that last Tuesday was the BZA hearing for the variance and appeal for the development on Westview. Both were denied but at times it seemed like a Law and Order episode. We are waiting on them for whatever their next steps will be, whether they drop it whatever.

Mayor Monahan said he checked with Brian and the next step is the BZA has to issue what their findings were.

Council member Vidor said they are asking for that because they said they were going to waive that.

Committee Reports

Council member Vidor said that Finance met today and we spoke of refinancing the sewer loan. It looks like we have a chance to get a better interest rate which would mean a lower cost for sewers for all of our residents which is a good thing because prior we were denied and it looked like we had no hope for that so that's exciting. We discussed the hydrant upgrade cost. Chris also talked about the same thing. We talked about food truck licensing fees, reappropriations for the Police Department for body armor. Council member Mathews reviewed the bank reconciliation. We talked about picnic table pricing, discussed a drainage plan, possibly updating the plan like Chris Tebbe talked about. We also discussed the cost comparison of Lexipol versus current use of manpower as well as our Solicitor. It seems like Lexipol will not cost us additionally taking into account what we are already paying the Solicitor for his work and we also talked about purchasing the used speed radar sign.

Legislative Actions

Second Reading- Resolution 07-2016- A Resolution to amend the Employee Handbook for the Village of Shawnee Hills

Second Reading- Resolution 08-2016- A Resolution that the Village of Shawnee Hills host an ice cream social and a picnic to celebrate the 75th Anniversary of the Village.

Shirley asked if Council would amend Ordinance 12-2016 by adding \$884.00 to the Special Revenue Fund for Body Armor. It was moved by Vidor, seconded by Mathews to amend Ordinance 12-2016 as mentioned above. Following vote on the motion is recorded: yea, 4; Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

Second Reading-Ordinance 12-2016- 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, 2016

First Reading- Ordinance 13-2016- An Ordinance to grant variances to the provisions of the Shawnee Hills Code Section 509.09 to allow applicant, Shawnee Hills Chamber of Commerce to deviate from time and volume standards for the Summerfest. Mayor Monahan said this is very similar to what we do each year for the Bogey.

First Reading- Resolution 09-2016- A Resolution declaring municipal personal property (3 axon body cameras, 1 axon single bay dock, and 2 axon single bay extension docks) is not needed for municipal purposes/public use, or is obsolete or unfit for the use for which it was acquired, and that the property has no value, authorizing this property be donated to the Village of Ostrander, and declaring an emergency.

First Reading- Resolution 10-2016- A Resolution authorizing the Administrator to sign the contract with Strawser Paving, Inc. for the 2016 paving improvement project for the Village of Shawnee Hills, Ohio and declaring an emergency.

Bills

It was moved by Mathews, seconded by Gil to approve the bills in the amount of \$29,002.65. Following vote on the motion is recorded: yea, 4; Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

Treasurer's Report

It was moved by McVan, seconded by Gil to approve the following treasurer's report:

General	284,236.84	Fire	86,557.83
Street	224,990.58	Weed	5,262.47
State Highway	12,252.53	TIF	20,369.14
Parks and Recreation	900.00	TIF 2	9,335.46
PD Body Armor	884.63	Veteran's Mem.	98.97
Cont. Prof. Training	2,545.00	Sewer Oper.	49,914.91
Drug Law Enf.	200.00	Sewer Repl.	166,000.00
Indigent Drivers	385.84	Storm Sewer	1,652.23
Enfct. and Education	2,010.00	Debt Service	100,303.46
Court Computer	5,315.53	Debt Reserve	100,603.76

For a total of \$1,073,819.18

Following vote on the motion is recorded: yea, 4 Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

Miscellaneous Business

Shirley said she received the annual insurance invoice today and the payment is due Thursday so she asked Council to approve paying this. It was moved by Vidor, seconded by Mathews to approve paying the insurance invoice in the amount of \$20,100.00. Following vote on the motion

is recorded: yea, 4 Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

Adjournment

There being no further business, it was moved by McVan, seconded by Gil to adjourn until June 13, 2016. Following vote on the motion is recorded: yea, 4 Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the meeting adjourned at 7:55 p.m.

Fiscal Officer

Mayor