

Village of Shawnee Hills Council Meeting

August 11, 2014

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

Council in Attendance: Mahesh Dalvi, Dan Mathews, Mike McVan, and Josh Vidor

Absent: Charlie Callender and James Gauldin

Also Present: Administrator Ed Swanson and Fiscal Officer Shirley Roskoski

It was moved by Dalvi, seconded by Vidor to approve the minutes from July 28, 2014. Following vote on the motion is recorded: yea, 4; Dalvi, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

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

Village Administrator

Ed said he addressed several issues in regards to the intersection, the sidewalk and code violations. The blacktop should be starting the 25th, if not it will be the following week. They will also finish the sidewalk blacktop at the same time.

Visitors

Bella Awad, 100 E Pawnee Drive, said that they have a code violation and what she mainly wants to ask is what is the protocol, if there is any protocol, for the Code Enforcement Officer to enforce or let us know. What is the protocol? Mayor Monahan said basically we need to cite someone if they haven't done that. In a lot of cases we will talk to people and say hey if you have a chance to go ahead and clean this up, do this, but effectively in order to move forward we have to cite people. Bella asked if that was verbally, email, phone, casual. Mayor Monahan said generally it is a certified letter, is that correct? Ed said we hand deliver them sometimes, sometimes we mail them, not certified. Bella said okay so the protocol to hand deliver is her question. Ed said we have done that before. Bella asked what is the ethical way to do that, is it anywhere, like if I am in by backyard sunbathing, he can come into my yard and hand deliver it or knock on my door. Mayor Monahan said it is just that we hand deliver it, we don't really have a set protocol. Bella said so there is no door knocking. Ed said we use common sense. Bella said her concern is the day that we were handed the violation or actually handed the ordinance, is that what you do first, you just highlight the ordinance and then hand that with no written, it's just verbal, is that the first thing. Ed said he was not sure what was done. Bella said what he did, Mark, the Code Enforcement Officer, walked seventy feet back into my property to my back gate. I have twelve lots so my children were on the other side of the lot and they did not see him but he also brought someone with him, can I ask who that someone was. Ed said it was an employee of the Village. Bella said then Mark went to the back gate and looked around and had blocked the driveway and then he says do you have chickens and he (Samir Awad, Bella's husband) said yes . Bella said everybody in this village has been nice to us up until that point. When he said you have until tomorrow noon, this was at 2p.m, less than twenty four hours, you have until tomorrow noon or you will be prosecuted, with an attitude. So that is why I was just wondering why he didn't knock on the door, why he didn't even see if we were at home.

Ed said from what he knows Mark checked to see if you were home and saw somebody in the back so he headed back there to talk to Samir. Bella said he wasn't home, he had to park on the street to get to. Ed said he walked back to talk to somebody, to see if anybody was back there, then he gave it to you, Samir, is that correct? Samir said yes he did and he asked if I had chickens and I said yes

Village of Shawnee Hills Council

August 11, 2014

and Mark said you need to have these removed by noon tomorrow or you will be prosecuted. That's like threatening. Ed said and since then I talked to Bella and offered her lots of time, whatever time she needed to get rid of them. Bella said yes you asked me how much time I needed to get rid of them. Ed said he is not sure what exactly was said because he was not there. Bella said that is her main concern is she doesn't see that, you know, that it just doesn't seem appropriate. Ed said that does not sound like Mark so I will have to talk to Mark.

Mayor Monahan said we can say next time that we will always knock on the door and hand you a letter. Bella said her main concern is that he comes, maybe my daughters have recognized Mark because they have played with his dog before, but not the other person and to just have someone go all the way back, it wasn't like my back door is twenty feet in, it's seventy feet back into the yard and for him to be peering through, it was very uncomfortable and also when I called you (Ed) and I spoke to you about it you must have immediately thought that I was giving an attitude because you were discourteous and wanted to end the conversation four times. Ed said I would disagree with that one hundred percent. We can talk about that all day long and I will disagree with you, I treated you with respect. Bella said no, that's fine. Also I read from the minutes that the legislation seems to be foremost, your main concern or focus is the legislation, right, not necessarily like, if this house needs this code bent or something or you know to go to the zoning, or some deviation, you want to stick to the rules, is that correct. Mayor Monahan said let me address that. One we can't discuss the case with you because you have been cited to court so the court will have to make a decision and if you want to go to Delaware County Court you have the right to go to Delaware County Court. When we get sworn in I will guarantee you there's lines in the books, especially Ohio Revised Code, that we are sworn to uphold the ordinances of the Village of Shawnee Hills and the laws of the State of Ohio so yes we have to uphold those. Aside from that if you wanted to ask Council to look at making changes to that you have the right to ask that and Council will make a decision if they want to refer it to planning and zoning or take it up in a committee to make any changes. Bella said that's perfect because as stated, that's fine, I just want to know that you're reading the same thing that I am reading, the same ordinance, in the same fashion, with the same verbiage. You don't have an updated version maybe in the books, in the office.

Mayor Monahan said our ordinances are codified annually so you won't see any new legislation online until they are codified.

Bella said that's fine, her main concern was the execution of the violation.

Mayor Monahan said I know that if it was a matter of knocking on the door and presenting you with a letter or certified mail, we can do that. Trouble is if you don't hand it to somebody they can say they never received it.

Bella said she understands that but Mark previously, for the deck, he simply emailed me and I came the next day and wrote a check and had no issues. She said this seemed to be getting a little personal in respect that everything we have done to code and we've done with permission because as I have been taught it is easier to ask for permission than forgiveness so we managed to do that.

Mayor Monahan said on something like a deck we can say hey as a reminder but when we are issuing citations we can't do that. In some ways we are wrong for even saying hey you have to do this or do that, we are really supposed to hand out citations and we try not to operate that way. The intent is to say to somebody, we had this happen a lot when the blight ordinance came through, people for years had stuff stored and we gave them so much time to get everything done.

Bella said she was not on board with how he presented them to me and she wanted to know if there was a certain protocol. Thank you.

Samir Awad said we were persecuted for something that was not legally proven that we were wrong. Bella said right, I'm sorry, I was going to bring that up, generally speaking, are we not to be treated as guilty until proven innocent or innocent until proven guilty.

August 11, 2014

Mayor Monahan said that the court will hear that and they will make a decision, he cannot comment on that. If you do not like what is said in Mayor's Court you have the right to go to Delaware County Court.

Communications

Mayor Monahan gave the following report:

We received a very nice Thank You note from Joyce Armstrong our long term and retiring Mayor's Court Clerk

I received the following from Doug Gil who is interested in the open seat on the BZA

Professional:

Doug Gil is an IT Specialist who has worked in the Columbus Metropolitan area for the last 10 years. He first moved to Shawnee Hills from Great New York area in 2003. He is a graduate from Stony Brook University with a Bachelor of Science in Computer Information Systems. Currently, Douglas is busy keeping up with the fast-paced business environment of information technology and raising two children.

Personal Biography:

Doug is loving husband of 21 years and a father of two. He has been actively involved with the Shawnee Hills community for several years as a way to spend more time with his children and teach them the importance of giving back to their community. He has led Boy Scout troops, coached youth sports teams, is member of Rotary International, and holds a leadership positions in his church. In his spare time he enjoys traveling, camping, and hiking. Doug is eager to further serve Shawnee Hills and continue to make it an even better place to live by bringing his diverse experience to the Board of Zoning Appeals.

Mayor's Report

Mayor Monahan gave the following report:

On Jul 30, 2014, "Pat Monahan" <pmonahan@columbus.rr.com> wrote:

Hi Tom I hope all is good in your world! I would expect the cooler weather is great on the Zoo and golf course but not as good on Zoombezi Bay.

Tom if you can direct me to the proper person in your organization I will pursue this and possibly along with our Chamber meet with them.

A letter was sent to your Facilities Manager / Parking Supervisor on July 10 th by Larry Burchfield the owner of Cedarbrook Nursery in our Village. I am in full agreement that we need the Zoo's help. On Saturdays and Sundays due to the slow entrance to the Zoo parking lot traffic fills up not only from the entrance back to and across Riverside and all the way across the bridge to Dublin Rd. I know hindsight is wonderful but had a 2 to 3 lane bridge been built accessed from the right lane on 750 headed east over the road into the Zoo this problem would be far less blocking. What happens today is traffic heading North on Riverside and turning east on 750 fills both lanes trying to get into the Zoo's South West entrance. This is compounded by traffic coming east on the O'Shaughnessy Dam bridge both to go to Powell and the Zoo resulting in the aforementioned back up all the way through our Village impeding our businesses customers..

I think if your folks look at this the current answer is to either have all the traffic come in your main Eastern entrance or install some additional parking ticketing booths to expedite the process and see if that helps.

Tom just like Larry said in his letter we are all proud of the work you and your staff have done and are doing at the Zoo. We just need help to assure traffic flow and hopefully alleviate the blockages.

Thanks Tom!

Pat

Village of Shawnee Hills Council

August 11, 2014

Pat Monahan

Mayor Shawnee Hills, OH.

From: Stalf, Tom [mailto:Tom.Stalf@columbuszoo.org]

Sent: Wednesday, July 30, 2014 5:24 PM

To: Pat Monahan

Subject: Re: Traffic on Sat and Sun

Thanks Pat. John Gannon has stopped by to meet with Larry but he was out of the office. John will get together with him soon. We are working on traffic control. I appreciate your support.

Tom Stalf

Yesterday morning I had a very disturbing issue relayed to me:

From: sean.lefever [mailto:sean.lefever@shawneehillsoh.org]

Sent: Sunday, August 10, 2014 8:51 AM

To: pat.monahan@shawneehillsoh.org

Subject: Fwd: Dublin.....

I thought you might want to know about this as an fyi.

----- Original message -----

From: Russell Baron

Date:08/09/2014 3:44 PM (GMT-05:00)

To: Sean.LeFever@ShawneeHillsOh.Org

Subject: Dublin.....

Chief,

Officer Hevezi was in Walgreens today when a City of Dublin Councilman introduced himself to him. The councilman asked him if he worked for Shawnee Hills and Hevezi said "yes". The councilman told Hevezi "you know Dublin paid for most of the intersection because Shawnee Hills is Broke". Hevezi didn't respond, the councilman told him that he needed to write more tickets to pay for it but warned him because "Brice and New Rome got into a lot of trouble for it". I wanted to let you know about the encounter as it left a bad taste in Hevezi's mouth with the professionalism within Dublin's City Government, and I was not too pleased to hear it either as this project is a joint venture between the two municipalities.

Thank You,

Lt. Baron

Shawnee Hills Police

I sent the following response to Dublin City Manager Marsha Grigsby and Sandra the Dublin Community Relations Director:

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

Sent: Sunday, August 10, 2014 11:02 AM

To: 'Marsha I. Grigsby'; 'Sandra Puskarcik'

Cc: 'Sean LeFever'; 'dan.mathews@shawneehillsoh.org'; 'Swanson Ed'; 'Paul A. Hammersmith'; 'Russell Baron'

Subject: FW: Dublin.....

Hi Marsha and Sandra I would appreciate if you were to bring up at Dublin's Council (Please read this into record) that this is HIGHLY unprofessional and a formal apology from the uninformed or possibly just ignorant of the facts Dublin Council member is required.

Village of Shawnee Hills Council

August 11, 2014

Not that this irresponsible person needs to be helped digging out of their ignorance but in a recent post Brice issues Channel 6 the FOX affiliate came to us with a special records request. After 3.5 days of Chief LeFever's time and a day and a half of Lt. Barron's time a 532 page record was given to Channel 6. Our statistics showed we were only issuing tickets (not warnings) on less than 38 % of our traffic stops. I would appreciate if Dublin Police would furnish us with their 2013 / 1 + 2 Q 2014 statistics so I can read them into record.

Marsha and Sandra we deeply appreciate all the work that has been done together and I believe Dublin, Delaware County, ODOT and Shawnee Hills show a great example of what can be accomplished when government entities work together for the greater good of our residents and neighbors.

Please let the irresponsible Dublin Councilmember that there is a Walgreens at Powell and Sawmill and I am sure they would like his business but not his advice!
Thanks!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

I received an immediate response from Sandra asking who was the Council member.

I want to commend the Police, Concord Township Fire, Delaware County and the Shawnee Hills Church of Christ for a great National Night out event on Tuesday the 5th. It was a great event and something they can build on. What a great Community event and Kudos to our Police!

Planning and Zoning tomorrow evening at 7PM.

On Thursday the 7th we had an Annexation potential mtg. It was very informative and we will be mtg. in the near future to continue our investigation.

Pro Tem Report

Pro Tem Mathews said he received an email today from the playground people as our playground was leaving the loading dock. It should be here after August 22nd. Dan said he was told that as far as prep work to kill the weeds and make sure everything is level.

Council member Dalvi asked if they did a safety check once it was done. Shirley said our insurance representative will come out and take a look at it. Mayor Monahan said he will throw that back to Safety.

Dan said he will ask the company that is doing the install and he assumes that is the reason why we are having them install.

Pro Tem Mathews said he sent out an email introducing Doug Gil in regards to an open seat on the BZA and Doug Gil has volunteered to be this Board.

Doug Gil spoke and said that he moved here in 2002 and he has seen the Village grow. His son Anthony is in Boy Scouts and he volunteers with them and he sees how the village works and he is fascinated with what you guys do and he hopes that he can help for many years to come.

It was moved by Mathews, seconded by Dalvi to appoint Doug Gil to the Board of Zoning Appeals for three years. Following vote on the motion is recorded: yea, 4; Dalvi, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

Pro Tem Mathews said that Brendan Murphy is going to build us an information center for his Eagle Scout project and the cost is approximately \$500.00. This will be put over at the playground.

Village of Shawnee Hills Council

August 11, 2014

Legislative Actions

Third Reading- Resolution 06-2014- A Resolution to increase the rate of pay for Ed Swanson, Village Administrator for the Village of Shawnee Hills, Ohio. It was moved by Dalvi, seconded by McVan to adopt Resolution 06-2014. Following vote on the motion is recorded: yea, 4; Dalvi, Mathews, McVan and Vidor. Nay, none. Chair declared Resolution 06-2014 passed by a 4-0 vote.

Third Reading- Resolution 09-2014 – Sponsored by the Finance Committee – A Resolution creating a Budget Stabilization Account for the Village of Shawnee Hills, Ohio. It was moved by Dalvi, seconded by McVan to adopt Resolution 09-2014. Following vote on the motion is recorded: yea, 4; Dalvi, Mathews, McVan and Vidor. Nay, none. Chair declared Resolution 09-2014 passed by a 4-0 vote.

Second Reading- Resolution 10-2014 – A Resolution that the Village of Shawnee Hills host an employee appreciation dinner.

First Reading- Resolution 11-2014 – A Resolution declaring the official intent and reasonable expectation of the Village of Shawnee Hills on behalf of the State of Ohio to reimburse its Capital Project Fund for the Dublin Rd/SR745 & Glick Rd intersection improvement project, CQ07R/CQ08R with the proceeds of tax exempt debt of the State of Ohio and declaring an emergency.

First Reading- Resolution 12-2014- A Resolution authorizing the Administrator to hire Erik F. Spaulding as the Mayor's Court Clerk for the Village of Shawnee Hills, Ohio and declaring an emergency

First Reading- Ordinance 20-2014 – A 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, 2014 and declaring an emergency

Bills

It was moved by Dalvi, seconded by Vidor to pay the bills in the amount of \$196,208.73. Following vote on the motion is recorded: yea, 4; Dalvi, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

Treasurer's Report

It was moved by Dalvi, seconded by Mathews to approve the following treasurer's report: General Fund 340,050.41, Street Fund 97,532.49, State Highway Fund 7,300.21, Drug Law Enforcement Fund 717.00, Indigent Driver's Interlock Fund 385.84, Enforcement and Education Fund 1,985.00, Mayor's Court Computer Fund 10,011.85, Fire Fund 194,601.01, Weed Fund 11,489.35, TIF Fund 42,591.27, TIF 2 Fund 1,743.36, Veteran's Memorial Fund 98.97, Capital Projects Building Fund 90,065.76, Capital Projects Intersection Fund 50,000.00, Capital Projects 9484 Dublin Rd Fund 5,770.25, Capital Projects Sidewalk Fund 9.50, Sewer Operating Fund 51,042.31, Sewer Replacement Fund 126,000.00, Storm Sewer Fund 2,498.48, Enterprise Debt Service Fund 124,232.78 and Enterprise Debt Service Reserve Fund 99,436.05 for a total of \$1,257,436.05. Following vote on the motion is recorded: yea, 4; Dalvi, Mathews, McVan and Vidor. Nay, none. Chair declared Resolution 06-2014 passed by a 4-0 vote.

Mayor Monahan said obviously the crosswalk, the sidewalks, the intersection and everything are huge issues and I just want to commend everybody for staying with it because we have been at the intersection or at least six years and it is a great cooperative effort.

Village of Shawnee Hills Council

August 11, 2014

There being no further business, it was moved by McVan, seconded by Vidor to adjourn until August 25, 2014. Following vote on the motion is recorded: yea, 4; Dalvi, Mathews, McVan and Vidor. Nay, none. Chair declared the meeting adjourned at 7:46 p.m.

Fiscal Officer

Mayor