

Village of Shawnee Hills Council Meeting Minutes

August 24, 2015

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

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

Also Present: Fiscal Officer Shirley Roskoski, Administrator Ed Swanson and Solicitor Brian Zets

Minutes

It was moved by Callender, seconded by Gauldin to approve the minutes of August 10, 2015. Following vote on the motion is recorded: yea, 4; Callender, Gauldin, McVan and Vidor. Nay, none. Abstain, two; Dalvi and Mathews. Chair declared the motion passed by a 6-0 vote.

It was moved by Dalvi, seconded by Vidor to approve the minutes of August 18, 2015. Following vote on the motion is recorded: yea 5; Callender, Dalvi, Mathews, McVan and Vidor. Nay, none. Abstain, one; Gauldin. Chair declared the motion passed by a 6-0 vote.

Agenda

It was moved by Dalvi, seconded by Vidor to approve the agenda. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

Mayor Monahan said he wanted to recognize that our audience is a little different tonight. Former council member of fifteen years Jack Frambes and Rob Thatcher are present.

Solicitor

Brian said he will be heading to Delaware County to handle a change of plea hearing on one of our cases. He also worked with Mark on the stop work order for 65 Buckeye Drive. This is where some trees had been removed and they were not supposed to be removed.

Village Administrator

Ed said we had a bid opening last week for the street paving project and the bids came in very high. They were not even close to the engineer's estimate. They have to be within ten percent of the estimate or we cannot accept the bids. He said that Chris is proposing that we wait until next year, early spring, to bid this project out. One of the contractors said they are busy and it is the end of the year so the bids are high.

Council member Dalvi said we talked about this in the Finance Committee tonight and we talked about doing a three year road map in terms of what to do and you may want to continue discussing this in the UST meeting.

Council member Callender asked about the parking lot. Ed said the parking lot is scheduled for the first week in October.

Ed said the striping we talked about doing down by Iacono's will be completed by the same company that does our parking lot as well as the striping that needs to be done along our sidewalks. Our sidewalk contractor is busy and he said we can use someone else and Ed said that we still have \$7,000.00 of their money.

Ed said the bids for the waterline and hydrant installation will go out in the next couple of weeks. They got sent back again and a couple of changes were made.

He met with Paul Lafayette regarding some pending litigation.

Police Chief Report

Acting Chief Baron said that they had great attendance at National Night Out. Probably about the same amount of people we had last year, it was just spread out a little bit more. We are looking at feedback to try to keep the crowd there longer.

We worked with the Chamber on Summerfest and it was a fantastic event. We had no issues. He said he attended a meeting last week with the Chamber and they were happy with us and they are planning on adding to it next year and they are talking about an Octoberfest. They will keep us in the loop on that.

The drug drop box, as of last week, we have taken in one hundred pounds of prescription pills. That is more than what we took in last year. The grant has been renewed for another six years. Just a reminder that liquids and needles are not allowed. We are seeing a lot of that tucked in the bags.

We have worked with the zoo to get a good system worked out to minimize the traffic backups.

We are still working out the kinks on the new cruiser but it is running great. Thank you. The AED is hanging on the wall now and the training is in the process of being scheduled.

Communications

Mayor Monahan gave the following report:

I received an invite from Gwen Stetler from Lucy Depp to the Labor Day picnic and Dedication Ceremony of the Historic Marker.

Congratulations to our neighbors and hope to see you there!

I am hoping we can add a Civil War Veteran from Lucy Depp who is buried in Lucy Depp as one of our honorees at our annual Veteran's Day celebration to be held this year Saturday Nov 14th 11 AM at The Shawnee Hills Veteran's Memorial.

I was asked by a resident if our Village elections were partisan. I let him know they are not and believe that is a big contributor to our success of working together and not developing Pelosi – Boehner disease!!

Mayor's Report

Mayor Monahan gave the following report:

JULY 2015 MAYOR'S COURT REPORT

RECEIPTS

\$4,537.00 Total receipts

Disbursements

1,017.00 Treasurer, State of Ohio
\$36.00 HB 562 IDAT Fund
\$3,212.00 General Fund
\$272.00 Computer Fund

Erik Spaulding
Mayor's Court Clerk

As most of you know on Thursday, August 13th I was contacted by Delaware County Sherriff Russ Martin letting me know there was an investigation being conducted on Chief LeFever.

With advice I put Chief LeFever on paid Administrative leave right away.

I appointed Lt. Baron as acting Chief.

On Tuesday Aug 18th Council approved the appointment of Lt. Baron as acting Chief.

In the Saturday Dispatch in the Columbus Dispatch there was an article titled Shawnee Hills police chief the subject of theft probe. I have the article and whenever you are interviewed there are always some misquoting but overall the article was written well. The part I wanted to emphasize in the article and want to emphasize is that a person is presumed innocent until proven guilty and that we will fully cooperate to aid the investigation. I ask that everyone follow the chain of command as it is stated in our Police and employee handbooks and focus on getting this investigation completed to reveal the truth and we move forward in a positive manner working together. It is what our success has been based on and raises the Village. I just hope we do that and what I am trying to make sure we don't do is keep throwing things at each other and we can at least get ourselves down to where we continue to raise the Village. We have had investigations in the past. I know back in 2004, 2005 we had one on Chief Bossa, as I remember, so there are just a number of things like that.

I was thinking a lot (too much) about this and I want to quote something Russ Baron put in an email Thursday Aug 6th:

"I would like to personally thank everyone for the donations and support that I have received from the police department and the village due to my father's passing. As I have told several people over the last few days this is a great place to work and live. The way we come together in times of crisis or when someone is in need is truly humbling". Lt. Baron

That's what moving forward is. The truth needs to come out, we need to deal with that and we need to move forward.

I agree with Russ!

I also wanted to complement the police. On Saturday, August 15, Julia and I were on our way out and both of our police cars shot by us as they were headed to the zoo to help restrain and remove a rowdy individual from the zoo.

Planning and Zoning will be meeting tomorrow evening and further discuss the PUD legislation. We have looked at the possibility of designating areas (surrounding future commercial development) for potential multi housing. Brian has informed us that we cannot designate areas. I believe we need to bring this discussion to closure. I do not want residents to be concerned and intend to push that we only allow single housing units as we always have.

2nd Annual Red Tail Run Flyway 5K and Walk for Wildlife! The fun, family-oriented event is taking place in honor of Dr. Donald L. Burton, Ohio Wildlife Center's founder, and benefits Ohio's native wild animals. All net proceeds from the day's activities go to Ohio Wildlife Center. Runners 'take flight' at 9am on Saturday, October 4th.

Just a reminder our Village picnic is being held at the Ohio Wildlife Center on Sunday Sept 20th from 1PM to 5PM. This will be a good opportunity for the new residents to meet the rest of the Village residents. It's been a great event each year we have had it.

I have asked Council President Mathews to form a committee to recommend how we can put some governance around our time reporting. We have four different reporting methods and my hope is with possibly Brian's view across different municipalities it will help us assure the residents that our time reporting is accurate and is as it always should be. I don't know if that is something that maybe you can take a look at. The only time card I see is Ed's unless there is a dispute.

Pro Tem Report

Pro Tem Mathews said he and the Mayor met with the developer that is interested in the property up on Westview. He is still progressing as far as land acquisition but he did come up with an idea as far as property types, kind of a general layout. From all accounts it looks plausible. He still has to crunch numbers but it looked like it would be a pretty nice addition to the village.

Mayor Monahan said very preliminary. He has a lot of work to do and he wants to talk to the existing residents back there to see what they think and he has some buffering land that he could either deed to them or it could become like a park and then the question is, do we maintain it, how do we maintain it.

Committee Reports

Council member Gauldin said that UST met and we discussed some issues on Buckeye Drive which boiled down to needing further study on drainage before anything can really move forward.

We also discussed Glick Road and the most efficient route of water off of there and we are waiting for Chris to come back on that also.

Some of the other things we talked about was how positive chipper day is in the spring and we like to throw out there if there is any drive for maybe a leaf day in the fall instead of a chipper day and to do that we would need some sort of cost on a leaf truck coming in and vacuuming up those leaves. He asked Ed if he could ask Mark to look up companies and prices to do this.

Mayor Monahan said he wanted to compliment Dumpster Day. Even though it looked awfully crowded here, it certainly seemed to come out as a real success.

Council member Dalvi said that Finance met today and on the agenda were two topics. One was with regards to the police building and some repairs that were proposed. One was electrical and one was the roof

The recommendation is to move forward with the electrical repair after getting some additional quotes on the project. He said the other discussion was on how we start doing budget allocations for the roads. We added almost thirty thousand to the roads this year and that will be carried over to next year. He said the thought was and I think UST would be the right place to discuss this is since we are going to start this process next year maybe we can tweak it to do a two to three year projection.

Ed said that the roads we had planned to do this year should not be in any worse shape next spring. They were all overlays, not full depth reclamation.

Dan asked if contractors would be able to bid out projects for a three year time frame instead of just one year at a time. Ed said he did not know.

Council member McVan said that Safety met and basically the whole meeting was based around our speed limits on our side roads. What is enforceable and what is not enforceable. What the State law is and we need to do everything in our power to let the police enforce our speed limit but people need to know what our speed limit is and the speed limit on the side roads are 25 mph. That is the legal speed limit and the police can't really enforce it until we post the proper speed limit signs.

Mayor Monahan said a lot of this stemmed from the fact that we have been told all along that you can't ticket until 27 because you give a little bit of leeway on that. Well, that happened and somebody raised up and it was a big deal. I communicated then with the Chief and Eric at the time is that look if somebody is going to get a warning between these things but once they hit a certain thing they are definitely getting a ticket and it will be prosecuted. I want to be fair to the police because I don't think it's fair where we are.

Legislative Actions

Second Reading- Resolution 15-2015- Sponsored by the Finance Committee - A Resolution authorizing the Administrator and Fiscal Officer to enter into a contract with Tax Exempt Leasing Corp. for a lease purchase agreement for a 2016 Ford F350 SRW Reg Cab pickup truck and declaring an emergency. It was moved by

Gauldin, seconded by Mathews to suspend with the third reading and declare Resolution 15-2015 an emergency. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Gauldin, seconded by Mathews to adopt Resolution 15-2015 as an emergency. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared Resolution 15-2015 adopted by a 6-0 vote.

Second Reading- Ordinance 21-2015- Sponsored by Planning and Zoning- An Ordinance to amend Section 1117.12 (Amendments to PUD) of the Codified Ordinances of the Village of Shawnee Hills and declaring an emergency. It was moved by Dalvi, seconded by Mathews to suspend with the third reading and declare Ordinance 21-2015 an emergency. . Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Dalvi, seconded by Mathews to adopt Ordinance 21-2015 as an emergency. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 21-2015 adopted by a 6-0 vote.

Second Reading- Ordinance 22-2015- Sponsored by Planning and Zoning- An Ordinance to amend Section 147.03(A) (ABR Plan Review and Approval) of the Codified Ordinances of the Village of Shawnee Hills and declaring an emergency. It was moved by Callender, seconded by Mathews to suspend with the third reading and declare Ordinance 22-2015 an emergency. . Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Dalvi, seconded by Mathews to adopt Ordinance 22-2015 as an emergency. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 22-2015 adopted by a 6-0 vote.

Second Reading- Ordinance 23-2015- Sponsored by Planning and Zoning- An Ordinance to amend Section 1129.03 (Zoning Amendments) of the Codified Ordinances of the Village of Shawnee Hills and declaring an emergency. It was moved by Mathews, seconded by Dalvi to suspend with the third reading and declare Ordinance 23-2015 an emergency. . Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Dalvi, seconded by Mathews to adopt Ordinance 23-2015 as an emergency. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 23-2015 adopted by a 6-0 vote.

Second Reading- Ordinance 24-2015- Sponsored by Planning and Zoning- An Ordinance repealing Section 1113.12 (SCPD) of the Codified Ordinances of the Village of Shawnee Hills and declaring an emergency. It was moved by Callender, seconded by Mathews to suspend with the third reading and declare Ordinance 24-2015 an emergency. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Mathews, seconded by Callender to adopt Ordinance 24-2015 as an emergency. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 24-2015 adopted by a 6-0 vote.

Second Reading Ordinance 25-2015- 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. It was moved by Dalvi, seconded by Gauldin to amend Ordinance 25-2015 by adding an appropriation of \$8,000.00 for building maintenance for the police department. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Dalvi, seconded by Gauldin to suspend with the third reading and declare Ordinance 25-2015 as an emergency as amended. Following vote on the motion is recorded: yea, 6;

Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Dalvi, seconded by Gauldin to adopt Ordinance 25-2015 as amended as an emergency. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 25-2015 adopted by a 6-0 vote.

First Reading- Resolution 17-2015- A Resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county auditor and declaring an emergency

Bills

It was moved by Vidor, seconded by Mathews to approve the bills in the amount of \$101,723.07. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

Treasurer's Report

It was moved by Dalvi, seconded by Gauldin to approve the following treasurer's report: General Fund 364,549.66, Street Fund 136,046.69, State Highway Fund 9,977.57, Drug Law Enforcement Fund 200.00, Indigent Drivers Interlock Fund 385.84, Enforcement and Education Fund 2,010.00, Mayor's Court Computer Fund 7,104.98, Fire Fund 70,904.25, Weed Fund 5,009.27, TIF Fund 12,832.71, TIF 2 Fund 8,510.96, Veterans Memorial Fund 98.97, Capital Projects Fund 5,770.25, Sewer Operating Fund 32,526.88, Sewer Replacement Fund 166,000.00, Storm Sewer Fund 2,778.03, Enterprise Debt Service Fund 149,694.57 and Enterprise Debt Service Reserve Fund 100,115.36 for a total of \$1,074,515.99. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

Miscellaneous Business

Council member Gauldin brought up the loud music coming from the Zoo this past weekend and asked if the Mayor or the Police could have a discussion with them about this.

Adjournment

There being no further business, it was moved by Gauldin, seconded by Callender to adjourn until September 14, 2015. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the meeting adjourned at 7:40 p.m.

Fiscal Officer

Mayor