

## **Village of Shawnee Hills Council Meeting Minutes**

**September 12, 2016**

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

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

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

### **Minutes**

It was moved by Gauldin, seconded by McVan to approve the minutes from August 22, 2016 with the following amendment: on page six add the following after what the Mayor had read what Bella Awad had sent to him. If we stick with the facts we will be okay. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Abstain, one; Dalvi. Nay, none. Chair declared the motion passed by a 6-0 vote.

### **Agenda**

It was moved by Dalvi, seconded by Vidor to approve the agenda with the following amendments: Mayor Monahan said he would like Resolution 15-2016 and Resolution 16-2016 go to Finance first. That we remove them tonight and they go to Finance. Change the amount of the bills to \$1,610,657.86. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

### **Solicitor**

Brian said he worked with Mark and Steve on the Leatherlips question regarding zoning and the parking of the boats. Shirley asked a question about the FLSA and overtime issues and those new rules go into effect December 1<sup>st</sup>. We do have two employees, Shirley and the Chief who will be affected by that new overtime legislation so things to think about for Council and actually for the village is tracking hours so we can keep a good and accurate record of hours worked and overtime that is eligible to be paid. Who actually keeps those records, how they are kept, you want to make sure we are all in line with that. We have a couple of months to think about it but those are things we should be thinking about as are all employees everywhere.

I talked to Chris Tebbe a few times on the waterline project and with DelCo, whether they were doing it, how it was going to be done. I think those issues have resolved themselves.

We did file the record on the appeal for the CV Real Property. We had forty days to file the complete record so that was done August 23<sup>rd</sup>. There is no briefing scheduled yet on the docket for this.

Held Mayor's Court on the tenth and thirty first last month also had a pre-trial up in Delaware County on the fifteenth.

## **Village Administrator**

Steve said we received five proposals in for the web site.

Down at the park we have been able to make some upgrades. We laid the new bricks that we had ordered and we bordered them around the older bricks. The fence has been erected. Two fans have been installed at the pavilion. The grill is in place and a new bike rack has been installed. A new trash can is at the park and a new bench is there as well, a lot of nice things going on there. Tomorrow we are going to plant some beach grass and some smaller bushes between them along the fence line. On three corners of the park we are going to install fence corners with plantings. We are still going to apply for a bathroom and we will put that in after we do the bike path grant. The estimate for the bike path is \$65,000.00. Initially Jim Danes thought we had to do a 50/50 match and now he thinks we can do a grant with a 20% match. Thirty two thousand will be our share if it is a 50% match. Hopefully we can get the twenty to twenty five percent match. We are also trying to get some letters of support from the Zoo, Dublin and Delaware County. I want to thank Bob for coming today. Bob is the Economic Development Director from Delaware County. He is helping us get a good start and he is here to do a presentation tonight as well.

Mark and I had a two hour meeting with Leatherlips and we want to make sure they get due process so we met with them and let them know what they need to do to put in for their variances and we had not heard anything back from them yet.

Council member Dalvi said we still have not met with their Board yet have we. Steve said I did not know if that was something we needed to do with the other issues or wait until they come back to this or not. They haven't extended another invitation. Council member Dalvi said they probably will have an end of the year meeting and we should probably go to that. Mayor Monahan said let's get these things settled is what we can do. I don't have a problem going. Council member Dalvi said I think we should go and just give them an overview of what we are doing from a village perspective. Mayor Monahan said I think the key that we come up with is to make sure that nothing we do there opens Pandora's Box.

Steve said we had hopes that we could piggyback on DelCo Water's contract for the water line. There's been a glitch in that but Chris and Brian are looking into our options. It is not as smooth as we had initially hoped but it is not out of the realm.

I got a call from someone who does fiber optics so I sat down with him to pick his brain and get some background information. He was pretty informative and willing to help out with any background information we needed. I had talked to Dana from Dublin before so I think I will do a follow up call with him to see where they are at. Ideally I think if we could piggy back with something it is better than us making a major investment.

Council member Dalvi said he has been in discussion with Jobs Ohio recently around the whole smart city Columbus project. Is Delaware doing something similar? Bob said we are doing a couple of things right now that falls within the smart city, smart county grant concept. We are not part of the award that was made to Columbus. We are trying to leverage it where we can expand our own fiber network.

Steve said I had a chance to take a tour with the director of the Ohio Wildlife Center. It's the first time that I have been there and it is a nice facility. There might be some opportunities to do some things there with the Village.

This marks my six month time frame here with the village. I appreciate the opportunity to work with the residents, staff, Council and the Mayor and I look forward to some opportunity to do that in the future to make the village a better place to live. It is a good place and hopefully together we can make it a better place.

### **Visitors**

Michelle Grooms said she wants to ask for some help or some support around the shed ordinance. I live on Buckeye Drive and I reached out to Mark to find out what I would need to do to put in a new shed. I already have a shed on my property. It sits on my back corner, tucked out of the way. What I found out is, since we put our shed in and all we want to do is put a bigger shed on the same footprint that is already there, that the shed ordinance has changed. Now with the setbacks, we need to bring it in fifteen feet from our back lot line and ten feet in from the side lot. I have a small lot on Buckeye Drive and some of us here in Shawnee Hills do have small lots and that kind of sits that in the middle of my back yard space that we do all of our playing and cooking out and things like that. I am really just asking for some help with that ordinance and what can we do to, I don't know, grandfather in a situation or look at it maybe on a case by case basis and saying they have a shed there and they only want to make it bigger in the same area and allow us to do that. I think it make sense. As I drive around the village and even on my street that may happen to a lot of families who like, myself, moved in, had no kids, we were young, and bought an inexpensive shed thinking we had nothing to put in it and now our family has grown and we stayed in the village and now we need more storage. We are outgrowing our garage and our shed and I can see that happening to others as well.

Mayor Monahan said I want to show something on the map here. A few years ago we went through the discussion on how lots face. Remember the opposing house thing and I might have been the person that brought it up at the time. If you were where Dan lives, Dan has a house facing the other way next to him. The idea was, if I lived in one that faced north and he lived in one that faced south, I couldn't put a shed up on the corner lot right next to his property and I think what we might have done, because that really impacts this section of the village. You could not do that on Shawnee Trail, you couldn't do that on parts of E. Scioto, you couldn't do that on some of the other ones here. In fact on Shawnee Trail if you tried to do that you would not have room because their lots run right into Columbus. What I have asked Brian to do is to take a look at what could be brought before planning and zoning and get a recommendation to Council if it would make sense that if somebody had an existing shed that they could put a shed on that spot. This really doesn't apply to houses that have the opposite facing direction. Effectively maybe it could be built up to fifty percent bigger, whatever that is. I think what we inadvertently did, when we tried to fix the problem for opposing houses we might have bumped something else off the table which I think is the shed. It doesn't seem to make sense to me that you would take somebody here, here or a lot of these other streets, you take West Hiawatha and you say okay you have a shed that backs up to Dublin now and if you are going to replace that shed you have to move it in fifteen feet.

Council member McVan said even with that being said that will take months to get done and if I were her I would want an answer tomorrow, realistically. Can't she just file a variance?

Mayor Monahan said she can file a variance for \$350.00. It doesn't prohibit that.

Council member Vidor said our code is cut and dry as we have it right now because you could actually create a situation where you are closer to your neighbor's house how it is currently, sometimes a zero setback is ideal. If it's a street that isn't developed behind you, the further away from the front street the more ideal it is. I think we need a little more criteria and fifteen off is not necessarily ideal in your circumstance and probably fifty percent of the village it's counterproductive.

Mayor Monahan said in my head, if you are replacing an existing, it could be on that corner and maybe be no bigger than fifty percent larger. I don't know what the answer is but I think it would be a good discussion for the planning and zoning meeting on the 27<sup>th</sup>.

Council member Dalvi said what you don't want to do is start creating rules for a specific street in the village. Variances are probably the best way to address that.

Michelle said I knew a variance was an option. Three hundred and fifty dollars when you are talking about the cost of a shed is very high. If it was a house that would be no big deal but for a shed it is ten percent the cost of the shed.

Council member Dalvi said if you follow the process right now realistically you are not going to get it done before December.

Councilmember Mathews said is it easier to revise or is it easier to say hey we will waive our fee.

Brian said I would not waive the fee. Councilmembers Vidor and Dalvi said we can't waive our fee.

Bob Lamb, Delaware County Economic Development Director, said I have been with the County for about a year. I was here about nine months ago to let you know the main reason why the County Commissioners have brought me on which was really to help resolve several issues on how we were going to position Delaware County to grow successfully over the next ten, twenty, thirty years. By that success how are we going to create a tax base that can help sustain services that the County residents desire. What are we going to do to support the school districts that exist within the County and how are we going to provide services to the businesses that are already here. We undertook the creation of a draft action plan. This plan is to help guide us for the next thirteen years, so from now until 2030. Over the last six months we have engaged stakeholders, schools, businesses, property owners, residents to better understand what their needs are and what they want to see. We conducted sixty stakeholder meetings. We did five public meetings. We did an online survey and now we have a fairly good idea of what residents and the stakeholders in the County want to see. I am going to very quickly go through the key main points that we heard and the five of the proposed action steps that we are going to take forward to the Commissioners in November. What I am doing right now is going around to all the

jurisdictions and different organizations within the County showcasing this and asking for feedback. That feedback can either be provided here tonight at the discretion of Council or you can send me emails. Bob proceeded to go through a slideshow presentation with Council. This slideshow went through the Growth of Delaware County, Economic Comparison of Ohio's Ex-Urban Counties, Value of High Wage Jobs, Delaware County Resident Economic Priorities, Delaware County Economic Challenges, Recommendations – Business Development, Transportation Infrastructure, Site Development, Standard Development Process, and Marketing Value of High Wage Jobs

### **Communications**

Mayor Monahan gave the following report:

I would like to read a dedication to Chief Baron's father:

Richard C. Baron, Executive Director had a total of thirty one years of service in public safety and emergency service field. He was an inspirational leader and an incredible public servant and his contributions to the State will continue. In memory of Executive Director, Richard C. Baron. Richard served thirty one years in public service including nearly four years as Executive Director of Ohio Homeland Security. He was instrumental in the development and implementation of the Ohio Homeland Security Fusion Center and was the center's first Chief of Operation. He previously served as Captain with the Ohio State Highway patrol, a police officer with the Hubbard Township police department and a fire fighter and emergency medical technician in Coco Beach, Florida. He was an inspirational leader and devoted family man and husband, father and grandfather. He contributed to the safety of Ohio, safer country and a safer world continues on through the work of his fusion center. This first day of September, 2016 the SAIC Cyber Center is dedicated to the memory of Director Baron. John R. Kasich, Governor.

Russ how proud you and your family must be!

I received the following email from Ted Guarasci owner of the former TAG market on Sept 9th:

I enjoyed being in business in the village of Shawnee Hills and marvel at the change that I have seen take place since I sold Tag Market. As you may know, I spend most of the year in Florida and return each year for the summer. Each year I am overwhelmed with the improvements that have taken place - new homes (many), sidewalks, street lighting, park areas and many new businesses and other improvements.

It is heartwarming to see what Shawnee Hills has become. Even though I am not a part of the progress, I must commend the leaders of the Village that have brought it to what it is.  
NICE JOB.....

My gratitude will always be in the Village that I spent 41 years doing business in.

The best for the future.

Ted Guarasci (owner Tag Market)

I receive notice from Chief Baron on Sept 2nd that:  
Former Police Chief LeFever was sentenced in Delaware County Court. The sentence was:  
1-year probation  
Restitution of \$3,143.86  
40 hours of Community Services work  
\$1,000. Fine  
Forfeiture of Police certificate'

I have heard that E Scioto, one of our recently paved streets, received a berm of 36 inches instead of our normal 18 inches. I asked Steve to work with our Village Engineer and see what occurred and why and if that is something we are being billed.

**Mayor's Report**

Mayor Monahan gave the following report:

AUGUST 2016 MAYOR'S COURT REPORT

**RECEIPTS**

\$2,765.00 Total receipts

**Disbursements**

\$ 750.00 Treasurer, State of Ohio  
\$30.00 HB 562 IDAT Fund  
\$1,775.00 General Fund  
\$210.00 Computer Fund

Erik Spaulding  
Mayor's Court Clerk

Due to a situation that is showing a lack of respect for neighbors and the community I have asked Brian to research and propose potential modifications to our Blight Ordinance to end this collection. I have asked Brian to bring this to the Planning and Zoning mtg. on Tuesday the 27th for consideration and potential legislative recommendations to Council.

We have no desire to be cookie cutter nor do we want to have some of the junkyards we see outside of Shawnee Hills.

It's all about mutual responsibility and respect.

Tom Bassett, owner of the Shops of Shawnee, reportedly purchased the equipment in the unopened Pepperoni Parlor and has leased it to someone who has operated a pizza shop in Hilliard for 10 years and is supposedly opening by the end of the month.

The construction adding onto the workout center at north end of the Shops of Shawnee will begin soon.

Jimmy V is working on getting the Liquor license so he can modify and open the restaurant.

Please remember the Village Picnic at our Memorial Park on Sunday Sept 25<sup>th</sup> from 1-5 PM.

It is a great time to see old friends and meet new! Hope to see you there.

I received a picture from one of our Council members of a front loader being driven on our sidewalks by one of our local Garden Shops. We have talked with the business on a few occasions not to do this and it is apparently being ignored. Russ I instruct the Police to cite the business the next time and get with Brian and if any legislative changes need to be proposed to Council please make them.

These sidewalks are for our residents and visitors. We welcome people to ride non-motorized vehicles (like bicycles) on our sidewalks for the safety especially the kids.

From our Council member: He has repeatedly thumbed his nose at us, as well as is showing a complete disregard for the community by selfishly putting our sidewalks at risk. They weren't built to withstand that weight; their base isn't deep enough, and the psi mix was too low to prevent damage when loaded with more than pedestrian traffic. That kind of selfish behavior really puzzles me.

This is again all about mutual responsibility and respect. Thanks! We have no problem at all with kids riding bicycles or non-motorized vehicles. That is for safety purposes.

### **Pro Tem Report**

Pro Tem Mathews said that Chris Anderson has relocated from Shawnee Hills so we need to fill his seat on BZA and Dan Boggess has a history, he served on ABR, and volunteered to take the open position for BZA. I forwarded his resume or bio around and Dan is here tonight if you want to ask any questions.

Dan Boggess said he has been a resident of the village since July 2008. I live on Westview at the intersection of Westview and Parkside. Happy to help out any way I can. I think this is an opportunity to get involved. Anything I can do to help the village in a positive way I'd love to lend my time to in a manner that moves us all forward.

Dan said that Josh Vidor is also due for renewal of his seat on the BZA.

It was moved by Mathews, seconded by Gauldin to appoint Dan Boggess to the BZA to fill Chris Andersons seat. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Mathews, seconded by Gauldin to renew Josh Vidor's seat on the BZA. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

### **Committee Reports**

Council member Gauldin said UST met right before this council meeting. We went over website details with five different proposals which I will let Mahesh talk more in depth on that.

Mahesh said we went through the process of issuing the RFI. We received five proposals from that RFI. We have created an evaluation metrics and we are evaluating each of those proposals against those metrics. The plan is to shortlist three of them. Once we get to those three we will have a one hour session with each of them to go over their proposals. We are seeking two references for these three in regards to the work they have done. We have a timeline to get this

thing done. The goal is to go through the process for the next two weeks and then select the final one by the end of the two weeks and then start contract negotiations after that. Our goal is still to launch this in 2017 so we are on track with our timeline.

Council member Gauldin said that the roads were finished up her recently. They are packing the berms and edges plus we had some add-ons that we were able to do this year and those are coming within the next couple of weeks. We are currently working with Chris Tebbe on the master drainage plan and lastly we spoke about the garbage pickup. We are reviewing now contracts with Concord Township and I have asked Brian to look over those as well and we have some more discussion to do on those before we make any decision on it but it does look promising.

Council member Vidor said that Safety met on August 22<sup>nd</sup>. We reviewed a citizen complaint that had gone to the PD. We discussed a cross walk crossing over at the Glick Road/Park/Bogey Inn area, the necessity of that from a safety standpoint. We discussed some police equipment purchase to replace some aging equipment. Discussed maintenance fund from special duty and recommended to move that to finance.

### **Legislative Actions**

First Reading- Ordinance 20-2016- An Ordinance approving the edition and inclusion of certain ordinances as parts of the various component codes of the codified ordinances of Shawnee Hills, Ohio, and declaring an emergency. It was moved by Dalvi, seconded by Mathews to suspend with the second and third reading and declare Ordinance 20-2016 an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, 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 20-2016. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 02-2016 adopted by a 6-0 vote.

First Reading- Ordinance 21-2016- 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 and declaring an emergency. It was moved by Dalvi, seconded by Mathews to suspend with the second and third readings and declare Ordinance 21-2016 an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, 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 21-2016 as an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 21-2016 adopted by a 6-0 vote.

First Reading- Resolution 13-2016- 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. It was moved by Dalvi, seconded by Mathews to suspend with the second and third readings and declare Resolution 13-2016 an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Mathews, seconded by Gauldin to adopt Resolution 13-2016 as an emergency. Following vote on the

motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Resolution 13-2016 adopted by a 6-0 vote.

First Reading- Resolution 14-2016 – 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 2017 Ford Explorer AWD Interceptor Cruiser and declaring an emergency. It was moved by Mathews, seconded by Gauldin to suspend with the second and third readings and declare Resolution 14-2016 an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Mathews, seconded by Vidor to adopt Resolution 14-2016 as an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair Resolution 14-2016 adopted by a 6-0 vote.

It was moved by Gauldin, seconded by Dalvi to table Resolution 15-2016. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Gauldin, seconded by Dalvi to table Resolution 16-2016. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

### **Bills**

It was moved by McVan, seconded by Mathews to approve the bills in the amount of \$1,610,657.86. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

### **Treasurer's Report**

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

General	283,649.18	Fire	85,926.26
Street	268,399.82	Weed	7,272.86
State Highway	13,054.27	TIF	9,644.85
Parks and Recreation	757.87	TIF 2	12,578.54
PD Body Armor	94.43	Veteran's Mem.	98.97
Cont. Prof. Training	2,105.00	Sewer Oper.	56,348.62
Drug Law Enf.	3,797.44	Sewer Repl.	181,000.00
Indigent Drivers	385.84	Storm Sewer	2,662.92
Enfct. and Education	2,010.00	Debt Service	86,945.10
Court Computer	5,698.53	Debt Reserve	0.00

For a total of \$1,022,432.50

Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

### **Miscellaneous Business**

Mayor Monahan said on our Veteran's Celebration which will be the Saturday, November 12<sup>th</sup> at 11:00. We are going to do something different. We are going to be dealing with the support given by families of veterans so if anybody has any real good examples of that, we have a couple, but we want to celebrate the families that have supported the veteran's throughout the different conflicts and wars throughout time so if anybody comes up with anything we deeply appreciate it.

### **Adjournment**

There being no further business, it was moved by McVan, seconded by Vidor to adjourn until September 26, 2016. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the meeting adjourned at 8:06 p.m.