

Village of Shawnee Hills Council Meeting Minutes

August 14, 2017

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

Mayor Monahan welcomed Boy Scout Troop 185.

Minutes

It was moved by Vidor, seconded by McVan to approve the minutes from July 24, 2017. 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.

Agenda

It was moved by McVan, seconded by Gauldin to approve the agenda. 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 Zets said over the last month we had just some general village issues and police department issues. Recently I worked on the two ordinances that are on for their first reading tonight. One is the sign code amendment and I think there will be more things to come with the sign code but this is a measure that was needed right away but I do think there will be more revisions. I worked with Steve on some TIF district questions and zoning questions. I know the village received a TREX application form today but there were some questions on it so it has been sent back to the applicant.

Councilmember Dalvi asked if there was a time frame in which he has to start using the license. Brian said he was not sure.

Village Administrator

Steve DeBolt gave the following report:

Columbus Asphalt paving has completed paving the designated streets in the Village and finished up the last parking area this afternoon. They did a good job and were timely in getting it done. They still have some berm work and striping to complete. We were also able to get some extra paving completed at no additional cost. The contractor did not realize that West View was only to have berm work done until after the area was milled and semi-sealed which is needed in preparation for paving. Therefore, the two block area on Westview had to be paved but at no

cost to the Village. Also, due to an oversight in the overlap of two sections on W. Mohawk that were scheduled to be paved, there was an additional amount of asphalt quantity included in the bid package than needed. We included some areas in need of paving repair from contractor traffic around the PD.

The private drainage project by three residents at the Buckeye circle that needed to be completed prior to paving in that area was done just before the paving crews arrived. Therefore, water can now be better drained around the circle in resident yards and the excess pooling of water and gravel in the center of the circle has been eliminated due to paving. Thanks to Buckeye Drive residents Gary Mann, Dave Kerscher and Bill Henderson in their role in completing this project and resolving a problem area that has existed for many years. Also, thanks to Village Engineer Chris Tebbe and contractor Mike Eger for their assistance in this endeavor.

The upgrade of the waterline project to improve water pressure along Shawnee Trail for new fire hydrants is scheduled for completion in the Fall and Chris is setting up a preconstruction meeting with the contractor.

Chris will attend the August 28th Council meeting and present the final version of the updated storm water master plan for the Village. We are reviewing storm water improvement options for a grant submission this Fall.

There have been additional delays in completing the park bathroom project due to inspection compliance and back order of supplies. However, the contractor did assist the Village in completing a timely grading of the area behind the Police Dept. prior to paving. Remainder of the work involves fixture installation, final plumbing and electrical hook up work and outside sidewalk repair.

Chris and I met with Dublin Waste Water staff and they were helpful in providing data Chris is using to prepare a plan of compliance with EPA waste water orders. As reported at the last Council meeting this will be done on a five year plan.

A representative from Nelson Tree, on behalf of Ohio Edison, is in the Village talking to residents regarding tree trimming around power lines. Work is scheduled to start next week and could take up to 3 weeks.

Delaware County Health Department did treat Village bodies of water for mosquitos recently.

I was contacted today about an application for a liquor permit at the former Jimmy V's restaurant and our Attorney, Brian Zets raised some issues they need to address.

The late summer newsletter will be in the mail this week.

Police Chief

Chief Baron said on June 2nd, during the tournament, Sergeant Amick was working special duty across the street and we were working with the Sheriff's office. There were two intoxicated males that left the Bogey Inn and one of them found their way on the high side of the dam on the outside of the railing holding on to the pole. Sergeant Amick made it to him just before he fell and got him and pulled him back over the barrier. It was Deputy Jack Daniels from Delaware County that recommended him for the Life Saving Award. It came up through the chain and we all strongly agree and Captain Savage from the Delaware County Sheriff's office also submitted a letter and we think this is highly appropriate. Chief Baron presented Sergeant Amick with this award.

Visitors

Kathy Ragsdale, 215 W Parkside Drive, said I am speaking to you tonight to read an opinion piece that I submitted to the Village Gazette. The piece was about my positive view of the Mayor and Council and living in Shawnee Hills. The piece was printed in the last Gazette however they chose to edit my opinion. They removed two significant statements that complimented the Mayor and Council. To that end I feel that it is very important that I have my entire opinion heard.

Editorial Opinion

Proud of Shawnee Hill by Kathy Ragsdale

In the July 2017 Village Gazette, an opinion piece was published expressing dismay about our village council. There were several themes outlined: the gender of the council, term limits, and a pause in the “gentrification” of the village. The writer spoke of “nepotism”. I decided to ask the Mayor about these points. He stated that he has never appointed someone to council. The seats on council are all elected positions. If a seat is not filled during an election, Council has 30 days to appoint someone. If Council does not select a new council member in 30 days, the Mayor may then appoint a new council member. If someone vacates a council position, that position is temporarily filled until the next election. While it is true the only woman at the table, right now, is the Fiscal Officer, there are several women on committees. In the past there have been several women on Council as well as several female Mayors. *This next sentence was left out: The Mayor and Council have done an excellent job with our village finances.* We have seen many, many improvements in this little village over the last few years: streets paved, sidewalks installed, more water hydrants, a park and a gazebo built. *The next sentence was left out: The Mayor won the last election by more than 2/3rds of the vote.* Most people in the village are very happy with how our little piece of heaven is managed. Of course there is always room for improvement and this is why it is important to attend the village council meetings. I would like to close with this thought: there is so much negative rhetoric out there now, I choose to take a positive view. If I see something that needs addressing, I try to do so in a positive way. I would like to see more people take that approach.

Julia Monahan, 44 Buckeye Drive, said I am speaking tonight as a representative of the group Proud of Shawnee Hills. We gathered on August 3rd to discuss the Village Gazette and the information that was omitted from Kathy Ragsdale’s piece. I am going to follow up on that a little bit. As Kathy just mentioned the Gazette chose to eliminate two positive sentences from Kathy’s opinion piece about the Mayor and Council indicating there wasn’t enough space in the paper. However, when you look at the Gazette, very clearly, one can see there was plenty of room for Kathy’s opinion piece to be printed in its entirety. Additionally, the font size used for Kathy’s opinion piece was smaller than the other articles and it was placed last in a series of letters. Proud of Shawnee Hills does not understand the intention or the bottom line of the group of people who publish the Gazette, the negative innuendos, misinformation, lies, and now the arbitrary omission of part of someone’s opinion with the obvious intent to lessen the message by using a smaller font size and placing it last in a series of letters is unacceptable. Proud of Shawnee Hills is requesting the Gazette editors apologize to Kathy and their September publication about their intentionally selected omission, republish Kathy’s opinion piece in its entirety and in a respectable font and location of paper for all to see clearly. A follow up letter will be sent to the Village Gazette outlining our request.

I would also like to talk about an issue regarding misinformation presented in the legislative review section of the August Village Gazette. The latest misinformation is regarding the taxation

amount the village pays to Concord Township for fire protection and emergency medical services. While the formula is correct and this is the formula: it's the current sum of the fire levy plus the ten percent property tax rollback, plus the 2.5 percent property tax rollback, plus the homestead reimbursement from the State of Ohio minus ten percent or \$55,750.00 whichever amount is greater. The author didn't follow through with the actual numbers which are public record and not difficult to find. Instead the author stated the village makes payments of approximately \$55,750.00 to Concord Township yearly. Now I am going to read the actual numbers which are the truth. In 2014 the village paid \$130,754.44, in 2015 the village paid \$135,293.92 and in 2016 the village paid \$138,825.79. While the numbers may not be important to some of you the point we are trying to make is that this is just another example of the Gazette's sloppy journalism whether by intention or by ignorance that has plagued the village since the Gazette's inception. Once again this is unacceptable and will not be tolerated. Proud of Shawnee Hills is requesting a retraction in the September Gazette stating the author's mistake and publishing the correct numbers. We are also requesting if you really don't know what you are talking about or feel the need to stretch the truth or want to intentionally misinform or mislead the good people of Shawnee Hills to please refrain from publishing your articles. One final note, I want to make it very clear that the businesses in Shawnee Hills are extremely important to all of us. We love them and most of us are loyal patrons. We recently learned the Gazette gave the businesses a great deal to advertise in their paper prior to the paper going to publication. Unfortunately, we imagine the businesses had no idea exactly what they would be supporting. Thank you very much.

Bella Awad said who has access to the original letter that was read by Julia Monahan at the last meeting. She said you do realize that you omitted a very crucial word from that letter when you read it. Julia asked what was the word I omitted. Bella said that you were going to somehow seek legal, what was the word. Julia said that is not what I talked about tonight.

Council member Dalvi said why are we allowing this. You need to stop this discussion.

Bella said she omitted the information that she was going to reach out to village counsel. Julia said I never said village counsel. Bella said it was in your letter. Bella said you decided to omit information there. You are calling us out on this now. There is a double standard here. Julia said there is not a double standard here.

Mayor Monahan said alright let's move forward.

Communications

Mayor Monahan gave the following report:

I want to remind everyone that we encourage people and especially the kids, to ride their bicycles and other non-motorized vehicles on our sidewalks. We don't want them in harm's way riding on Dublin Rd. Safety is always our number 1 priority.

I want to thank Steve DeBolt for finalizing a paving effort that has been going on for a number of years. Below are a couple of communications I rec:

- **From:** Ilya Utkin [mailto:iutkin@cmaacademy.org]
Sent: Saturday, August 12, 2017 3:36 PM

To: Pat Monahan (pmonahan@columbus.rr.com) <pmonahan@columbus.rr.com>

Subject: THANK YOU!

Hello Pat,

- Thank you so much for repairing our road! We are very happy that the loop is fixed. You made it happen!
Ilya
- Yesterday I stopped by Hellas to pick up a carry out on the way home from church and ran into Gary and Patty Mann who live at the end of Buckeye. They stated their and their neighbor's appreciation for getting the drainage and paving issues completed at the end circle on Buckeye.

It was Steve's determination and professionalism that helped complete this and the rest of the paving issues. Thanks Steve!

Mayor's Report

Mayor Monahan gave the following report:

JULY 2017 MAYOR'S COURT REPORT

RECEIPTS

\$4,309.00 Total receipts

Disbursements

\$1,087.50 Treasurer, State of Ohio

\$43.50 HB 562 IDAT Fund

\$2,898.00 General Fund

\$280.00 Computer Fund

Erik Spaulding

Mayor's Court Clerk

Kudos to:

The Civic for a great Pub Crawl event!

And to

The Chamber for the Music in the Village events.

I do want to make clear some erroneous information that was published in the August Gazette:

- The article in the gazette concerning, what we pay to contract with Concord Township to provide the Fire and EMS services was incorrect. The formula was correct, but as stated it was the larger of the 2 figures. Below is what we have paid:
 - 2016 \$138,825.79
 - 2015 \$135,293.92
 - 2014 \$130,754.44

I am concerned with the frequent and ongoing inaccuracies and obvious slant to disparage the Village in the Legislative articles. The reposting of information that is known to be inaccurate to Next door Shawnee Hills, further compounds the issue. That could be considered to be lies!

We always want to patronize our local businesses! I have continued to push back and let them know I am sure our merchants advertising in the gazette do not know how the editor and author are publishing less than the truth!

As examples:

I have been approached by residents stating that they do not want to support our local merchants who advertise in the Gazette for the aforementioned reasons. A local business owner told me he had also been approached by a resident who stated he is sick of the GD paper and asked the merchant if he advertised in the Gazette, since he is considering not patronizing businesses who advertise in the paper. The respective merchant let the resident know he does not advertise in the gazette.

We love our businesses! I totally agree with our local business owner's response to the resident and have stated the same to those raising concerns. Our Merchants wouldn't know that this is the slant of that portion of the Gazette and we need to support our local businesses.

I do find it ironic that the association of the publisher and relationship to the Chamber leadership is having this effect!

The Village picnic will be Sunday Sept 24th at the Village pavilion 1 PM to 4 PM.

As of now we do not have any Planning and Zoning filings for an Aug 22nd mtg. They are working on drainage and retail property layout at this time.

We had one of our cruisers rear ended by someone who was charged with being under the influence. Officer Antalocy and Emch were on a traffic stop on Riverside. When completing the stop, they were getting in our cruiser when rear-ended. We are most concerned by our officers and I ask Chief Baron to give us an update.

The cruiser is being repaired at this time.

Committee Reports

Pro Tem Mathews said that Finance will be looking at projects for next year and we are at the end of the three- year income salary and we have started discussions with that.

Councilmember Dalvi said UST met tonight. We discussed the following: two projects to put on our roadmap. One was around the final leg of the three phase project of installing sidewalks in the village. We still need to install them on Glick Road. We have a lot of children traveling to the Zoo and there is no sidewalk for them to walk on along Glick Road. The Chief talked about a crosswalk also in that area. He said we have invested almost every year in our roads and I think next year we could have an opportunity to allocate that street budget to W. Riverview if nothing happens to the roads over the winter. The other project we talked about was upgrading and enhancing our park next to the PD.

Council member Vidor said Safety met on the 14th and we discussed pursuing an emergency warning system based from Delaware County. We discussed the police making an annual report

of labor in the future. We talked about the Drug Free Delaware event. Talked about the Ohio Community Police Collaborative Certificate and discussed the upcoming community advisory committee that will be formed and talked about adding a dog station to the park.

Legislative Actions

Third Reading- Ordinance 13-2017- An Ordinance amending Section 769.07(A) of the Village of Shawnee Hills Codified Ordinances (General Operating Requirements for Mobile Food Vendors) and thereby prohibiting the use of external grills and other cooking surfaces. Council member Gil said he provided Council with a picture of a grill next to the food truck and a copy of the police report from the grease fire from another food truck. Mayor Monahan said this was brought up to Planning and Zoning and Planning and Zoning recommended to not have external grills. Food Trucks present a different issue. They are a fact of life right now but some of the food trucks have a grill sitting outside their truck. Ours was a safety concern on that.

Council member McVan said everyone has a grill behind their house. The fire department signs off on the grill for the food trucks before they can operate their business. The health department signs off on it. You cannot pick on an individual just because you don't like something about it. Council member Gil asked do you sell hot dogs in your back yard. This is a commercial property. They do this for a living. That was the only issue. This is a safety issue. Council member McVan said we will take the grill out of the park if this passes. I just want to clarify we will take it out of our park if this passes.

Councilmember Dalvi said I know we talked about it and we took it to Planning and Zoning. Have we taken it to Safety?

Council member Vidor said it was discussed in Safety but no decision was made.

Council member Dalvi said I looked at the picture and I thought what if there was a safety panel or some kind of enclosure around the grill so that it is not as open as it is so that we can say you can still use it but put some kind of safety barrier around it. Council member Gil said if you put some sort of cover around it I do not think it looks pretty in a downtown area. When I pulled into the parking lot I thought that does not look right to me.

Council member Dalvi said when we put in something that bans something you have to put some more thought into it.

Councilmember Gil said Mike is talking about the grill at the park. You are never going to have a tank right next to it. Council member McVan said what do you have under your grill at your house. What sits right underneath that fire. Council member Gil said that is at my house and I do have insurance. Council member McVan said he has insurance.

Council member Dalvi said let's take a step back, send this to Safety and have them discuss it and then bring it back and we can amend it if necessary.

It was moved by Dalvi, seconded by McVan to table Ordinance 13-2017. Following vote on the motion is recorded: Yea, 5; Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, one; Gil. Chair declared the motion passed by a 5-1 vote.

Second Reading- Resolution 10-2017- A Resolution that the Village of Shawnee Hills host a village wide picnic September 24, 2017 at the village pavilion.

Second Reading- Resolution 11-2017- A Resolution proclaiming the month of September 2017 as National Prostate Cancer Awareness Month.

First Reading- Ordinance 18-2017- An Ordinance amending Section 1121.06 of the Village of Shawnee Hills Codified Ordinances (Signs) by adding sub-sections 11221.06(B)(7) and 1121.06(N).

First Reading- Ordinance 19-2017- An Ordinance to amend Section 121.02 (c)(1) (Standing Committees) of the Codified Ordinances of the Village of Shawnee Hills. Chief Baron said this would form a community police advisory committee that would meet quarterly. This would be made up of members of the community, members of safety and council.

Bills

It was moved by Vidor, seconded by Gauldin to approve the bills in the amount of \$135,700.49. 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 Dalvi, seconded by Vidor to approve the following treasurer’s report:

General	295,609.52	Fire	165,368.19
Street	186,383.00	Weed	7,186.67
State Highway	12,152.94	TIF	9,693.16
Parks and Recreation	1,203.02	TIF 2	18,695.15
PD Body Armor	875.68	Veteran’s Mem.	98.97
Cont. Prof. Training	1,830.15	Sewer Oper.	26,174.56
Drug Law Enf.	249.56	Sewer Repl.	196,000.00
Indigent Drivers	385.84	Storm Sewer	1,904.14
Enfct. and Education	1,160.85	Debt Service	104,758.86
Court Computer	4,780.63		

For a total of \$1,034,510.89.

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

Bella Awad said she would like to say something on the record. I am just going to read from the July 13th We are Proud of Shawnee Hills letter that was read aloud here and into the record at the last council meeting by Julia Monahan. I have the original copy what was read into the notes. Towards the bottom it says: our group, as one of our first steps will be requesting advise from the village solicitor regarding what we believe to be the continuous attempts to hurt our village administration. Attempts to ruin numerous individual reputations and attempts to damage the reputation of our village.

Bella asked does everyone have this copy. Council said yes. Mayor Monahan said the solicitor was not here at the last meeting. Council member Dalvi said what is the issue.

Bella said their first attempts means they are going to contact those individuals which is Julia Monahan, the wife of Mayor Pat Monahan, Beth Dalvi which is the wife of Councilman Mahesh Dalvi and then we have Mary Gates who is on a committee. Council member Vidor asked what are you getting at? Katie Mathews who is the wife of Pro Tem Dan Mathews and then we have a

future candidate here, Rob Thatcher and his wife and Virginia Miller so we have a lot of seasoned individuals here signing that they wish to contact the village solicitor. Could I just get a quick understanding of what village solicitor means and what it has to do with this group.

Mayor Monahan said the village solicitor is not the attorney for the folks. The people that can actually sue for liable is someone who gets attacked by the Village Gazette. I have the right to sue the writer of that.

Bella said I am asking why the Village Solicitor was even in this letter. Council member Dalvi said why not. Much like other people they can go and they went to him.

Bella said much like other people. I was asked on the record a question, I turned around and tried to ask Brian Zets a question and he told me that he doesn't work for me. So to my understanding I am assuming that your wife, your wife, people who have been on committees, your running for council. I am assuming the Pro Tem's wife knows that they should not be contacting the village solicitor.

Mayor Monahan said they now know that they are not allowed to do that. They met as a group to do that and they know they are not allowed to do that.

Julia said she did not know that at the time. Bella said I know you know now that you are not allowed. I am just wondering how is it that you didn't know that.

Mayor Monahan said how is it that you didn't know when you asked Brian that same thing. Bella said I am not married to the Mayor.

Virginia Miller said that should make no difference. His life and her life are separate. What she does she does for the group. What the Mayor does he does for the village.

Mayor Monahan said let me stop you right here. May I first say thank God and may I also come back with a follow up that says these are the same people that you said have no right to exercise their first amendment rights and even post on Facebook.

Bella said do I have that right. Mayor Monahan said you have that right to post on Facebook. Bella said do I have the right to post it in the Village Gazette. Mayor Monahan said is it a fact. You are entitled to your opinions but not the facts. Bella said my title heading was an editorial opinion and editorial opinions can be read far and wide all over this world, in the Washington Post, anywhere and they don't get persecuted. Oh they do get persecuted I am okay with being persecuted but to solicit from our funds. Mayor Monahan said the answer was no they can't go to the village solicitor.

Brian Zets said since everyone is talking about me. I never saw this letter that you are talking about but none of those people that you are talking about ever contacted me.

Adjournment

There being no further business, it was moved by McVan, seconded by Gauldin to adjourn until August 28, 2017. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil. Mathews, McVan and Vidor. Nay, none. Chair declared the meeting adjourned at 7:53 p.m.

Fiscal Officer

Mayor