

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

**April 24, 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

### **Minutes**

It was moved by Gauldin, seconded by McVan to approve the minutes from April 10, 2017 with the following amendment: on page seven change Bell to Bella. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Abstain, one; Dalvi. Chair declared the motion passed by a 6-0 vote.

### **Agenda**

It was moved by Mathews, seconded by Gil to amend the agenda as follows: Remove Resolution 06-2017 and 07-2017 and add Ordinance 08-2017 and Ordinance 09-2017. These are essentially the same thing but should have been ordinances instead of resolutions. 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 McVan to approve the agenda as amended. 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 was in Delaware Court on April 12<sup>th</sup> and we did Mayor's Court here on the 19<sup>th</sup>. I am still working with Steve on ideas about the sign code to keep that project moving forward.

I did also take a look at the entertainment district issue. The bottom line is it is not a tool that is available for the village. You need at least twenty acres of land to include in there. You only get one additional liquor license per five acres so to maximize the numbers you need 75 total acres to maximize all the liquor licenses. If your population is over 100,000 there is no economic development numbers. If your population is between 20,000 and 100,000 you need to have secured a fifty million dollar investment into the property in order to have the district. If you drop all the way down to the lowest population of 5,000 people you need one hundred million dollars in the economic development area.

There are about sixty entertainment districts around Ohio.

## **Village Administrator**

Steve DeBolt gave the following report:

The original construction estimate for this year's street paving program has been increased from \$88k to \$120K by using multiple past years' costs rather than last year's costs to be more accurate. However, in the event the bids still come in at a more favorable amount, the next street that would be due to be paved has been included as a potential additional add on this year in the event funds remain available. Chris will put the project out to bid pending Council approval.

I was talking to Brian just a few minutes ago about some of the work that we have to do that was caused by the construction traffic . The question is can we really recoup that. For example, right out here on Pawnee, that will only cost \$3,400.00, on Reindeer where we have had four houses built, that cost to repair is \$23,000.00. The street opening permit amount they paid is not going to cover the cost of the repair. The discussion was why don't we enact a performance bond, where it basically covers the damage that was done. It is more for what you need for this kind of project. Most places it is okay for five thousand but you get some work that is going on multiple places like that and it just doesn't cover it. Brian can put something together if you are in that mind set and I think it's a good thing for the village.

Mayor Monahan said this is really the first time the cost has exceeded the permit fee. We implemented the ROW fee back in 2004. It's a bond that somebody posts and they get x amount back but if they do damage to the street we keep the cost of the damage.

Council member Dalvi said the damage done on Mohawk was clearly they have not done a good job of cleaning up. It is not the regular wear and tear stuff.

Mayor Monahan said we can run this performance bond idea through planning and zoning first and take it to finance.

The other project being prepared for bid is the Waterline/Fire hydrant project on Shawnee Trail and Hiawatha. It should be noted that the project is designed to increase water line pressure for 5 existing hydrants but only add one new hydrant as this time. Future hydrant additions have been identified with the FD as funds become available.

The contract has been signed for construction of the restroom at the Village Park. We have scheduled a gas line and phone line to be moved from the construction area and the building permit should be available in two weeks. The contractor does not anticipate any problems in completing construction by the beginning of June. A grant for \$2500 from Ohio Edison will go towards the \$19,000 construction fee.

Mark is working with a Boy Scout Troop for a project to upgrade the Park fence, landscape and infrastructure on May 6. A \$500 grant from Columbia Gas will help offset some of the costs for this project.

Mayor Monahan said along that line. When we did the retention pond down on Buckeye, we put in a bat house which may be a good idea for the playground.

This is a reminder to residents to take advantage of Dumpster and Chipper day this coming weekend and Monday, respectively.

Mark and I met with Representatives of Ohio Edison and they will be starting tree trimming around power lines in late June/early July timeframe. A representative from Nelson tree service will be contacting residents in person if their property has trees needing pruned in late May-early June time frame. Residents not home will receive a green door hanger describing the work needing done and the trees will be marked. The contractor will be using a chipper to grind the branches. However, wood too large to run through the chipper will be cut into manageable pieces and left on the property. Note that on occasion due to the type of tree, its condition and proximity to wires, a tree may need to be removed, as much of the tree will be removed as possible when this occurs.

On the Economic Development front negotiations are underway between a building owner and dentist interested in locating in the Village. A Developer has contacted me regarding some general zoning issues and I have contacted Subway about the possibility of locating a franchise in a recently vacated build out in the Shops of Shawnee plaza. Shirley and I have contacted another Healthcare consortium to see if any health care saving may be available through them.

A reminder to residents that the end of this week is the deadline to return the storm water surveys. They are important to determine stormwater project needs and help determine priorities when funding becomes available. Once the surveys are reviewed Chris will complete the stormwater master plan that is needed for grant funding.

I attended a class on Damage assessment of structures sponsored by the Ohio Emergency Management Agency that will be helpful in the event of storm damage to local structures.

Council member Gil said he had a question on the community garden email that went around. Do you have an update on this? Did Mr. Morgan talk to Gwen?

Steve said I am not sure of the timing but he called me and bottom line is that some of the neighbors near there have some concerns about the location of the garden on our property by the church and it brought the Mayor and I to think that there are concerns from any resident for wherever you may put it so we said we would look for some other locations in the village to give them some options. If a location is decided on we will ask that Gwen or someone from the committee talk to the neighbors to see if they support it or not.

### **Police Chief Report**

Chief Baron said a couple of our officers went to child abduction training. This is kind of tied in with the CART Team we are on. It was an exercise at the Columbus Zoo, half day exercise, half day training. We were very fortunate, the detective that was on the Amber Hageman case in Texas was the instructor and the Amber Hageman case is where the Amber alert came from. We had a lot of officers attend child safety seat training, how to recognize a faulty seat in a car on traffic stops and how to adjust it properly. It was brought to my attention at a meeting that we

had two traffic fatalities within a mile of our village that both involved juveniles in car seats and they were both improperly in the car seat. We were put on the spot and asked what are we going to do about it and we started out with some training and we are going to look at some education enforcement later on this summer in conjunction with the Sheriff's office and the Highway patrol.

Renovations are going smoothly at the PD. We are going to have a lobby that is open to the public and one of the features in the lobby will be a deadbolt that can be locked from the inside. If someone does have an issue and they have to go somewhere safe they can come to the lobby and lock the door and call.

We are leaving an officer in the building while the workers are there.

Animals, excluding domesticated pets, have been on Facebook a lot lately. It is the season for wildlife animals to be out and about. A lot of babies are being born and we have seen a lot more in the neighborhood. There has been a lot of talk about a fox that is pretty sickly. We can't do anything about the animals. If we come out and encounter a sick animal that is a danger to you or your pets we are going to put it down. I would say contact the Wildlife Center, there is really little we can do. SCRAM will charge you to come out. Regarding coyotes make noise when you are going outside to deter them. Leave a porch light on when you go outside. Don't just let your little dog outside at night. Turn the light on and make sure it is okay to let the dog out.

I just heard of a dog that attacked another dog and a person on Pawnee. We weren't called. If there is an issue with a domesticated animal please call us and we will come out and take care of it. We have ordinances in the village to handle that.

We are interviewing four new candidates this week and hoping to hire two auxiliary officers.

I am going to speak to the Chamber event, I support the noise variance and I think it's a good thing to work into the community. However, along with the chamber event, there have been other people who have asked about alcohol in the park. There is no bring your own permit that the State offers. As far as a liquor permit for the park, unless the entity there would be a 501 C 3 - a non-profit, they can apply for a permit to have alcohol there. They have to be the one selling it and patrolling it. Being that it is on government land there are a lot of hoops to jump through. I will be working with Safety tonight and we are going to make a Park Rules sign to put up on the bulletin board down there. We cannot bend State Law.

## **Communications**

Mayor Monahan gave the following report:

### **I did reach out to a couple of businesses checking progress:**

- 1) Sent 2 emails and left a voicemail with Bill Trembly about the shopping center asking if he would reconsider Caribou coffee or other businesses. I also asked Steve to check the condition of their parking lot. It is in bad repair and appears to be marked.  
-I have not heard back from Mr. Trembly!
- 2) I communicated twice and left a Voice mail for Jimmy V to check status and remind him the property needs attention. I have asked Steve to have Mark send him a time bound notification.  
- I have not heard back from Jim!

- 3) I talked with Tom Bassett the owner of the Shops of Shawnee and complimented him on the addition they added to the Workout Center. I also asked Tom what they will do with the Cigar Shop. He said they may have to gut the shop to get rid of the cigar smell. I did ask Tom if he considered a Subway shop and didn't know if the parking lot could support it.
- 4) Mark K and I met with another business who is exploring the possibility of building a new building. We made them aware of the steps that would need to be taken.
- 5) I do want to sit down with Jeff at the Bogey to see what his next steps are and when with both the Priestino property and the property at the corner of Shawnee Trail and Glick Rds.
- 6) As we have let you know before we received notice from Columbus that the bridge will be resurfaced and closed for 3 weeks between June 5th (after the Tournament and mid-July. We will make sure this is on our website. It is more problematic because Dublin Rd. is closed northbound from the library to Emerald Parkway.

### **Mayor's Report**

Mayor Monahan gave the following report:

Chipper Day is Monday May 1<sup>st</sup> = un-bagged yard waste to the curb in a pile no larger than a mid-sized car.

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Dumpster Day is Sat Apr 29th and the dumpsters will be behind the Municipal Bldg. Bring the slip provided in the Newsletter.

Dumpster Day – Bring this along to allow you to dump nontoxic, non-electronics waste and no tires. You must present this slip. Only residents may dump – thanks!

We received a number of concerns from residents surrounding the Village land behind the church. After communicating with them we cannot allow the Community Garden to be there. I do understand their concerns and there has never been an intent to take this from a positive to a negative.

Unfortunately, that is the only Village owned land that could be utilized for growing. The other land areas are either a ravine, a heavily shaded area, or a water retention areas.

After I made Gwen aware, both Steve and I have reached out to 4 different potential property owners to see if they would be willing to offer their land for use. As I have stated before I think a Community garden if well cared for is a great idea and I admire the work that has been done. It can't occur in an area that impacts negatively our residents.

I do encourage Gwen and other residents who are on the Committee for the Community Garden to look for acceptable places for the garden so it can move forward.

I appreciate the work that has been done on the street improvement and Waterline Fire Hydrant project. You will be considering Ordinances 08 and 09 this evening and ask your support to move these forward.

The early issuing of these projects has, in the past, been a help getting bids and a decent price quote.

As of now we do not have anything scheduled for the April 25th Planning and Zoning mtg.

I do have the RITA Top 25 Report as of Mar 31st if anyone wants to discuss it. Recognize this is a snapshot we are running ahead around \$13K at this time over last year.

### **Committee Reports**

Pro tem Mathews said Finance met tonight and we had a couple of things that we started to talk about and some of it got pushed to a later date. The first thing we talked about was potential tax incentives or any sort of incentive for potential businesses relocating in the village and those interested in the Aspen Building. On the docket was employee benefits and wages and we opted to push that to the June meeting maybe to see where we are as far as revenue and how that relates to the budget and moving forward how that would look like. Three years ago we did a three year plan and that ended this past January. We touched on additional paving that we could possibly add to the street paving project at the police department at the rear of the building. We will wait to see how the bids come back on that.

### **Legislative Actions**

Third Reading- Resolution 05-2017- A Resolution that the Village host a village wide picnic late summer/early fall at the pavilion. It was moved by Mathews, seconded by Gauldin to adopt Resolution 05-2017. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Resolution 05-2017 adopted by a 6-0 vote.

Second Reading – Ordinance 07-2017- An Ordinance to grant variances to the provisions of the Shawnee Hills Code Section 509.09 to allow Shawnee Hills Chamber of Commerce to deviate from time and volume standards for the Music in the Village events this summer.

Mayor Monahan said the times should read 6:30 p.m. to 8:30 p.m. instead of 7:00 p.m. to 8:30 p.m. It was moved by Mathews, seconded by Gil to amend the times to read 6:30 p.m. to 8:30 p.m. 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.

First Reading- Ordinance 08-2017- An Ordinance authorizing the Village Administrator, or his designee, to advertise for bid certain water line improvements and declaring an emergency. It was moved by Mathews, seconded by Gauldin to suspend with the second and third readings and declare Ordinance 08-2017 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 Gauldin, seconded by McVan to adopt Ordinance 08-2017 as an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 08-2017 adopted by a 6-0 vote.

First Reading- Ordinance 09-2017- An Ordinance authorizing the Village Administrator, or his designee, to advertise for bid to pave portions of numerous streets within the Village of Shawnee Hills, Ohio and declaring an emergency. It was moved by Dalvi, seconded by Mathews to suspend with the second and third readings and declare Ordinance 09-2017 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 09-2017 as an emergency. Following vote on the

motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 09-2017 adopted by a 6-0 vote.

### **Bills**

It was moved by Dalvi, seconded by Vidor to pay the bills in the amount of \$41,162.01. 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 Mathews to approve the following treasurer's report:

General	280,514.99	Fire	100,824.27
Street	154,655.10	Weed	8,097.66
State Highway	14,671.90	TIF	16,259.12
Parks and Recreation	2,888.87	TIF 2	15,349.34
PD Body Armor	875.68	Veteran's Mem.	98.97
Cont. Prof. Training	4,110.02	Sewer Oper.	71,591.06
Drug Law Enf.	249.56	Sewer Repl.	181,000.00
Indigent Drivers	385.84	Storm Sewer	5,519.18
Enfct. and Education	1,160.85	Debt Service	153,364.35
Court Computer	3,810.63		

For a total of \$ 1,015,427.39.

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**

Bella Awad said she had a question about the community garden. If it is on private land does the community garden community have to ask the neighbors?

Mayor Monahan said I would.

Bella asked what is the distance?

Mayor Monahan said the contiguous property owners.

Council member Vidor said it is private land, can't you use it as you please.

Brian said I don't know if a community garden is a permitted use in the code.

Mayor Monahan asked him to look into that and let us know.

Carol Kender asked if there was a possibility to put more bat houses throughout the village.

Mayor Monahan said we can look into that but you are more than welcome to put it on your own property.

Mary Gates said we have had a lot of traffic with the building that is going in up on Westview. We had a close call, and it happened to be a resident, it wasn't a worker, but the workers have been guilty of this especially on their way home. They come flying down Mohawk, sometimes they are not even touching the ground, that's how fast they are going. But in this situation that I am referencing there was a resident and they were in our driveway to avoid colliding with a mower. After looking both ways, with the crest of that hill, if you are going way over the speed

like this car was anybody that would be in our property or even towards Carol would be wiped out.

**Adjournment**

There being no further business, it was moved by McVan, seconded by Gauldin to adjourn until May 8, 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 7:46 p.m.

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Fiscal Officer

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Mayor