

Village of Shawnee Hills Council Meeting Minutes

October 26, 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 and Solicitor Brian Zets

Absent: Administrator Ed Swanson

Minutes

It was moved by Dalvi, seconded by Gauldin to approve the minutes from October 12, 2015. 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.

Agenda

It was moved by Gauldin, seconded by Callender 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.

Solicitor

Brian said he attended the planning and zoning meeting on October 19th. It was very productive and informative. Not much came out of it I think they are going to continue working on some of the things that were discussed there. It had to do with the Shawnee Trace neighborhood. It was more information than anything else but I was there just in case there were any questions regarding the PUD legislation or anything else. I have never seen this room that full as it was that night.

Brian said they had a pretrial in Delaware County Municipal Court on the 19th. We have that case resolved and we had another pretrial on the 21st and that case was resolved. The Burchfield matter is set for trial this week. I think that is going to be switched to a pretrial so more to come on that case.

I helped the Acting Chief with a couple of polices that he is working hard to get some policies in place. When he has one he sends them up to me to take a look at or give some thought into so we worked on a few of those.

Mayor Monahan said Brian I will ask you or I will report it. There's some information circulating as far as the Burchfield case. When we met on the 22nd of July, 2014, Planning and Zoning, and we came to an agreement that they would accept two horticultural buildings to be put on those lots and Council passed 22-2014 allowing for that and the reason why he is in court

is that in the nine months they were allowed to do that did they file any papers to actually reach that agreement.

Brian said no there wasn't. He said what had happened Council passed legislation and they were given nine months to do the things that needed to be done to put that property into full compliance and it wasn't. When that time expired, Mark filed the charge of the zoning violation against the property owners because the property was not in compliance and they had done nothing since they were in front of council to bring it into compliance. That is correct.

Council member Dalvi said just to clarify. It was not the entire business; it was just the zoning around those greenhouses.

Brian said there are a couple of specific charges that have to do with the greenhouses that are out back. I think some of the stuff that is out there as well had not been cleaned up. I believe that is one of the other charges as well.

Mayor Monahan said I think they did a good job of cleaning it up, that part of it I believe is in compliance, their side yard. We don't climb over fences looking for violations but if we had received complaints about the way it looked.

Brian said to Pat's point, this has nothing to do with the building up front, it has to do with the greenhouses that extend back onto lots 848 and 849.

Mayor Monahan and those are the ones that in 493-85 they were allowed to put plant life on, no buildings. Brian said no buildings, no driveways.

Council member Vidor said Brian if you could just clarify. If we knowingly were aware that they were violating us and we turned a blind eye and just let him do what he wanted are there legal ramifications for us as a village. Brian said I don't really think the argument of some sort of waiver/estoppel legally can work against the village. The law is those are not viable arguments against a municipality. I think if you do the research that is what it would show you.

Mayor Monahan said the fascination of the whole thing was the same attorney that had the boat shop is the one that pointed to his other client that they were in violation.

Village Administrator

Mayor Monahan said Ed is not here. He is sick and has been going through a lot of tests. I did want to report that the new truck is in. We are getting \$18,500.00 for our trade in which is more than we anticipated. We are going to a three year lease this time around. Last time it was a four year lease.

Council member Callender said there was a ruling on the news about the overspending on the salt. Will we get any revenue back from that? Shirley said she does not know. Council member Dalvi said I think the money has been allocated and broken down. We should ask.

Mayor Monahan said he went back to Mark and Ed with that. Brian said that is probably our call to Dublin to see if we get the break.

Council member Dalvi said the majority of that money went to Cleveland. Brian said New Albany got a little and so did Dublin.

Police Chief Report

Acting Chief Baron said council passed a reappropriation for some of our funds and part of that was to send an officer through firearms training. There's a large chunk on the bills for ammunition and that was used for the training.

We are sending an officer for background investigation training. We are losing our two background investigators, both to Delaware County Sheriff's office. Recently I attend the new Chief's training through Ohio Association Chiefs of Police and Sgt. Cullen and myself attend the Ohio Attorney General's Conference. We went to classes on body cameras and new laws coming out and operation of OPOTA (Peace Officers Training Academy). We are hosing the class for the rifle armor and it is open to the community. We still have a lot of spots we need to fill. Contact us for information. We are sending two officers to that for free. My theory on it is we have the equipment; we need to maintain that equipment. I don't want to be coming back in two years asking to buy new equipment. It is free to train them to maintain it.

Some maintenance at the PD, the electric work is complete. We did have to repair some drywall. They took down one of the lights and half the ceiling came with it in one area and it was all water damaged. We installed automatic light switches to conserve energy. The roof repair is scheduled to happen in November. They had to order the parts; they order the sheets and everything to size. It will have a 45 year paint warranty. That is why we went with this group instead of the lowest bid. We took the middle bid of 5600.00 It is a better warranty and instead of replacing the old bubble fan vents they will be putting in a ridge vent. It is going to save us some money on heating and cooling as well.

Council member Dalvi asked how long will it take. Acting Chief Baron said they said we will not be interrupted.

Technology – I was wrong when I said the computers would take me thirty days. I got them in in about twenty four hours. We updated the hard drive on the older computers and they actually just went right in the new computers. Erin's computer quit working this week. Apparently there is an issue with Windows Ten. It killed the ram in the computers so he got a new computer this week.

The body cameras – I got a lot of good information at the Ohio Attorney General's conference. There is legislation currently moving forward that would possibly make body cameras required for police agencies. There are two, one is funded and one is unfunded or there are two options to that. We are going to hold off before we purchase body cameras until that funding comes through or see if we can find some grant money. The taser, our initial ninety day trial program, has worn out now. It is an insane amount of money if you want to continue that for the rest of the year on a product that we don't know if we are going to use and it is not that effective because you can only have two officers now to each camera. The cameras we are looking at are a little bit more expensive than the taser camera but there is no subscription. We buy the camera, it comes with the software and the officers can put their name on the camera at the end of the night and only the administrator can alter that. We should be getting one of the cameras in for a ninety day

trial and error and we are going to go from there as far as making a choice. The camera we are looking at replaces the microphone on the walkie-talkie. That is something we have to purchase anyways. It also has a camera built into it. Akron just bought six hundred of them. It has an audio only mode. There are some case laws that came out of another state requiring officers to shut the cameras off at certain periods of time or when requested if they are not on a crime. What a lot of agencies are doing is switching it over to audio only mode so you still have that audio transaction or if you just want to record an interview they can do that without the camera running.

Starting January first we contracted with LexisNexis for our crash reports. We are going to do our reports online. It is going to save us the paper and the ink. Residents can go online and get a copy of the crash report. There is a fee through LexisNexis or they can come to us and we can print out a copy of the report. It brings us up to date. We are one of the few agencies in the state that actually handwrites the crash reports now.

We strengthened some of the requirements for the awards policy. It was outdated. Our training award was for forty hours of training when the state is asking for twenty hours of training. We want people to work for that so we upped it to sixty hours. Our achievement award was you had to receive a letter from the public. That award was put in place when we had ten officers. Now that we are upwards of twenty with our auxiliary officers the achievement award, the officer has to go above and beyond. So if Dan calls in and says the officer came to my house and did a really good job, great. Under the old guidelines he would get an award for that. We don't think that is appropriate, that's his job. Now if you say the officer came to my house, climbed up on the roof using a trash can and save my cat, we are going to give him an award for that.

Special Duty Policy- For year's special duty was an area we didn't have a policy for. The three key points on the policy are: The village is going to charge ten dollars an hour for vehicle. There is no reason why the village has to incur cost for us to work special duty at the zoo running a vehicle. It is thirty five dollars an hour for an officer. The county special duty standard is between ten and fifteen for a vehicle and thirty five dollars and hour for an officer. I don't want to tell my guys that they are any less valuable than an officer standing next to them from another agency. It can't conflict with any village employment.

Some upcoming events, this Wednesday we are going to the Drug Free Delaware Red Ribbon Event. It's drug free week and it's at an elementary school in Delaware City and it's a county wide event.

November 18th at 6:30- we are going to have the open house here at the Municipal Building, Would like to hear some input from the residents. We can sit here all day long behind our desks or the dashboard of our cruisers and say well I think this is a good program for the community. We would like to hear what the community thinks. That way we can serve you the way you need to be.

We are working with the Chamber of Commerce to plan Holiday in the village.

Trick or Treat coming up Thursday.

Visitors

JoAnna Kralian from 121 W. Mohawk Drive said she has a letter that she would like to have included in the minutes. She read the following:

Dear Council of Shawnee Hills,

We respectfully ask the council to implement an “ad hoc” committee of interested citizens to explore and facilitate the issues surrounding the future growth in Shawnee Hills. This is to help advise and direct the Council in solving the complex issues that the pressures of surrounding development have triggered here in the Village.

It is to everyone’s advantage that the Village proceeds cautiously in deciding and approving future growth. Just because a property or properties becomes available, doesn’t mean we need to rush the decision making process.

Respectfully submitted,
JoAnn and Kevin Kralian
121 W Mohawk Dr.

JoAnna said I attended that meeting and I was like oh my gosh. There were so many people that seemed like they were not sure exactly what was going on as far as the PUD and what the implications of that were. I think one of the things I heard was we didn’t even know and of course that is on them because they should be more involved in their community. With that being said, it is a community. People are very interested and I was just thinking this might be a way to help give a voice to people that are unable to come to meetings, that are not the meeting type.

Mayor Monahan said we are a community and working together on things is the best way we can go, it truly is. JoAnna do you see that as also where there is commercial development or do you see that as residential development. JoAnna said I see that as the entire village because whether it is residential or commercial it affects all of us who live here. I don’t think you can really separate one for the other anymore. I grew up in Worthington and where I grew up once you passed Wilson Bridge Road you were in the country. There was nothing and I lived on Home Road for many years. Now you can see, so there is pressure everywhere and the more pressure that comes the more unique. Mayor Monahan said he will throw this over to Dan as President of Council, and council can create ad hoc committees that can be part of something too. This is something that can be considered. I think the more we are in this and understand it the better off we are. One of the things is, we get people talking to us preliminarily. We had a preliminary thing talking about the whole Cedarbrook and boat property and it possibly being a commercial development.

That is where some of the how do you buffer the residential area from that because I wouldn’t want to look out by back door at a commercial building but if I know I was buying a house that was a buffer that would be different.

JoAnn said I think as things become more muddled and complex that it might be a way to help clarify you know to have that.

Council member Dalvi said my only comment is that’s great. Any feedback from the community is okay especially with regards to where we want to go with a roadmap but this process, especially when it comes to planning and zoning and our ordinances we have all these rules and regulations to follow so we just have to be cognizant of that. That we don’t do anything that puts

us in some kind of litigation all over the place. Those litigations cost the villagers and that money to pay for the litigation comes from our tax money. So that is what we have to be very careful about as we try to balance this stuff.

Mayor Monahan said last Monday night might have been the clanging of the pitchforks. I don't think people realize that the PUD was designed so we have input. I am not disagreeing with you at all. I think the more input you have the better off you are. It's really interesting some of the meetings we had with the owners of a large property here to try to work towards getting a high end grocery store and butcher shop and people will say isn't anything going on. Many meetings and different things like that.

JoAnna said one of the grocery stores that Worthington got in, on a very small footprint, is a Fresh Thyme store. This would be an ideal location for something like that.

Council member Dalvi said we have been working on that for a year. He said one thing we have talked about before is having an annual roadmap meeting and keep that updated as we move along and I think in that context having some kind of citizen advisory or resident advisory would be good but it has to be an ongoing process. A lot of times we set up these things and it doesn't last.

Council member Gauldin asked, in your opinion, what is the easiest way that you seem to get information that happens around the village.

JoAnna said just talking to people. I walk around a lot and I would see people and chat with them and from that information just gets passed along. I am not on Facebook or any of that stuff and I never intend to do that because my feeling is what is happening here as far as the village is concerned is here and in zoning where it is official. Everything else is like rumor and stories so I don't waste my time with that.

Communications

Mayor Monahan gave the following report:

We received a request from Ariana Clealand, one of our residents who is a student at Dublin Jerome high school, to perform an internship with the Village. She has communicated with Shirley:

On Oct 14, 2015, at 8:56 AM, Shirley Roskoski <shirley.roskoski@shawneehillsoh.org> wrote:

Ariana,

We would be more than happy to work with you on an internship. I know how important these are for your continuing education. Please let us know when you will be available to come in and sit down with us to tell us what you would like to learn and we can work out a schedule for you.

We are all looking forward to working with you.

Shirley A Roskoski Fiscal Officer

From: Ariana Clealand

Date: October 15, 2015 at 6:05:38 PM EDT

To: Shirley Roskoski
Subject: Re: internship

Hi Ms. Roskoski,

I'm quite grateful to be given the opportunity to work with you all in the Village offices. I'd like to meet with you and I'd like to as soon as possible. I get off school at 2:42 so I would be able to meet with you around 3:30 on any weekday except for Wednesdays. I hope to meet with you soon and once again thank you.

Sincerely, Ariana C.

We really appreciate Ariana to work with us and thank both she and Shirley.

Mayor's Report

Mayor Monahan gave the following report:

Just a reminder that Trick or Treat night is this Thursday Oct 29th from 6 to 8 PM.

Our Police will be out doing the great job they always do. Please take all measures to be safe and especially our littlest residents. I would also ask to please watch your speed and report where you see speeding to our Police.

I want to thank Steve Smith after the Planning and Zoning mtg. on 10-19 where we received the preliminary concept presentation I asked Steve if he would talk with The Priestino's and Straders to see if a construction entrance were required in the future would they be amenable to having an improved road to handle that potential traffic.

I want to remind everyone that this year's Veterans Celebration will be held at our Veterans Memorial on West Reindeer at 11 AM on Sat Nov 14th. This year we will honor 2 local service members:

- "Aurelius Depp" who is buried in the Lucy Depp cemetery.

Enlisted in the 12th U.S.C.I. on September 3, 1864 at the age of 35 years.

He served in the Civil War with the Ohio 27th Colored Troops.

He was in a 2 day battle of Nashville, TN, also at Franklin, TN, and Decatur, AL

He served 1 year and no other further records are found.

Born: October 20, 1831 (near Richmond, VA).

He attended Oberlin College for 2 years.

After military service, he was a successful farmer and stock raiser in this area.

Herman Bosley Our long term resident who passed away earlier this year. Herman had a career in the US Airforce. I am working on getting his information from his Daughter.

- Please Plan on attending and honor our vets.
- There will be a clothing drive for the vets and working on a flag retirement ceremony with the boy scouts.
- The Honor Guard will be presented by Dublin American Legion Post 800 of which a few of us in the Village are members. The Columbus drum and bugle core will also help honor our Vets. Acting Chief Russ Baron is part of the unit.

And please remember Election Day is Tuesday Nov 3rd. Please vote for whomever and whatever you vote for. We fought wars to have the right to vote!

Pro Tem Report

Pro Tem Mathews said he typed up a letter and said that planning and zoning got fairly heated and I just want this on record so that people can go and read what I am thinking. He read the following: I would like to read this into the council minutes tonight in hopes that there is interest and feedback on the topics that we have coming before us in the future and while useful Facebook and social media is not the most accurate source of information. I think I can speak on behalf of everyone on village council when I say we got involved to help enhance and improve the quality of life we all experience here, not for the lucrative pay scale. I believe our decisions are based not only on the greater good of the residents currently living here but of future families and generations. Obviously the possibility of any future development on Westview is the most recent subject of much debate. I would like to reiterate here that the village has nothing to do with the transaction of selling, purchasing, or brokering the deal between the land owner and the developer. There are valid concerns about how any development in this location on any scale will have ramifications for anyone living on the west side of the village. Together we need to come up with a reasonable plan of what is tolerable to the current lifestyle and together we need to maintain as much control of the growth with our input into how this affects us. I believe everyone on council is intelligent, conscientious, and thoughtful about all topics that come before us and I believe that we have always acted in the best interest of the residents and I assume this will continue. We all welcome feedback, questions and suggestions and I encourage anyone with concerns on anything to contact any of us personally and to get involved. Read the minutes, attend council and committee meetings and lets all look for a solution together not as opponents.

Mayor Monahan said one thing I would like to add. There was something sent out about Cedarbrook and I will tell you it is offensive and I will tell you it is untrue. We gave the opportunity for the Burchfield's and Cedarbrook to rectify the situation we brokered. If you get a chance to read the July 22, 2014 minutes of planning and zoning, it was a long meeting. We negotiated a middle ground deal and council conscientiously passed something allowing this to be fixed. Cedarbrook, in the nine months they had, chose not to do that and we wished they had.

Committee Reports

Council member Dalvi said finance met this evening. On the agenda was the review of the 2016 budget that Shirley has prepared as well as the proposal from the police in terms of how they will operate in 2016. There were some improvements suggested by our Acting Chief Baron. In addition to that one of the things we did was to, every year we have to go and look at the health insurance cost. We did review that and I think we need a motion. It was moved by Gauldin, seconded by Mathews that we go ahead and accept to keep the current coverage for the employees as noted in the paperwork that Shirley has for the new contract. Council member Callender said does this have to be voted on tonight. Shirley said it has to be back by the end of November. Council member Dalvi said every year we look at this and we have gone with a cooperative to give us the best options and the rates are increasing but the benefits are staying the same. Council member Callender said he did not get a copy of the cost and would like to have time to review them. Council member Dalvi moved to withdraw the resolution around the employee insurance. Seconded by Callender. 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.

Council member Gauldin said that UST met and are main topic of the meeting was there was some information that came to us about garbage collection, waste disposal and pickup. We discussed that a little bit, ran through a couple of different agencies that we thought about making contact with and how we would approach them in the best manner to do that so that we could start a good conversation of what might be our options for the village. While this didn't happen in the meeting I did start making those calls today and that was the majority of our meeting.

Legislative Actions

Second Reading- Ordinance 27-2015- An Ordinance to appropriate funds for current expenses and other expenditures of the Village of Shawnee Hills, State of Ohio, during the fiscal year ending December 31, 2016

First Reading- Ordinance 28-2015- An Ordinance to amend Chapter 181 of the Codified Ordinances of the Village of Shawnee Hills, (Income Tax) and declaring an emergency

Bills

It was moved by Callender, seconded by Vidor to approve the bills in the amount of \$112,866.68. 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 Callender to approve the following treasurer's report: General Fund 290,249.45, Street Fund 175,623.40, State Highway Fund 10,581.44, Parks and Recreation Fund 900.00, Continuing Professional Training Fund 1,280.00, Drug Law Enforcement Fund 200.00, Indigent Drivers Interlock Fund 385.84, Enforcement and Education Fund 2,010.00, Mayor's Court Computer Fund 7,408.30, Fire Fund 78,739.10, Weed Fund 4,072.38, TIF Fund 11,457.79, TIF 2 Fund 8,510.96, Veteran's Memorial Fund 98.97, Sewer Operating Fund 23,237.66, Sewer Replacement Fund 166,000.00, Storm Sewer Fund 708.99, Enterprise Debt Service Fund 127,084.46 and Enterprise Debt Service Reserve Fund 100,252.60 for a total of \$1,008,801.34. 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 asked if Jess Howard will be coming back to fix the street light. Mayor Monahan said Mark is working on that.

Adjournment

There being no further business, it was moved by Dalvi, seconded by Mathews to adjourn until November 9, 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 8:11 p.m.

