

Village of Shawnee Hills Council Meeting Minutes

April 25, 2016

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

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

Absent: Mahesh Dalvi and Solicitor Brian Zets

Also Present: Fiscal Officer Shirley Roskoski and Administrator Steve DeBolt

Minutes

It was moved by Mathews, seconded by McVan to approve the minutes from April 11, 2016 with the following amendment: on page two change the word sty to say. Following vote on the motion is recorded: Yea, 4; Gil, Mathews, McVan and Vidor. Nay, none. Abstain, one; Gauldin. Chair declared the motion passed by a 5-0 vote.

Agenda

It was moved by McVan, seconded by Mathews to approve the agenda. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Village Administrator

Steve said that he and Chris met at the Cedarbrook location this afternoon. The drainage has started in earnest and they made good progress today. They have about half the grading done. We also met with a resident on E. Waterview that had a question about drainage and we gave him some advice and he was happy about that.

A resident from Concord Township has brought up an issue about the bump on Dublin Road where ODOT replaced a culvert a few years ago. I called into ODOT and received a call back from one of the managers and they committed to look at it and it looks like the quick fix would be to do some paving there to smooth it out so hopefully they will do that and I asked them to get back to me whether they thought it was practical or not so I could let the resident know.

Routine issues Mark has taken care of. He put a sign back up on W. Hiawatha and he also took care of a large pothole in front of Cedarbrook.

Steve said a new battery backup was installed at the pump station and John Kincaid has asked for a flashlight at the pump station because it gets dark there at night so Mark will be getting one for there.

Steve said at one of his first meetings here there was talk about increasing the awareness of some of the community events. I looked at various sign options and if you want to get a bigger A Frame we could spend another \$275.00 to get a couple of those each but in talking to the sign guy today the ones we already have can be interchangeable so for as little as \$60.00 we can

switch those out and get three sets of those for half the price of one of those big signs. Finance thought that would be a good idea so I will proceed and will keep the color scheme the same. I have spent a lot of time this last week looking into the pavilion cost. I have received a few quotes and we have determined that for the land we have that an 18 by 24 foot pavilion would be the best use of the property. Plenty of room to put a number of picnic tables in and to have a nice reunion or picnic for a family, whatever it may be. We will probably be able to build something in the twenty to thirty thousand dollar range.

I noticed that it's the Village's 75th Anniversary this year and I was at a place that we had our 50th Anniversary and we build a pavilion with that in mind to try to have an event down there. We had an ice cream social and it was a big event.

Police Chief Report

Chief Baron said we have a handful of grant applications out there right now. We did receive the 2015 funds for the body armor grant. We've applied for 2016 funds and that grant is pretty much a gimme once you have been awarded it. We did up the grant amount since we have another full time employee.

Certification for the Police Department that I have talked about at every meeting so far, we completed the self-certification and we completed our audit on April 14th. We passed with flying colors and we were awarded full certification. I am waiting on the certificate.

I attended the Collaboration Committee meeting last Monday. They seem to have them quarterly. We were recognized for our certification and I did a couple of interviews with the media. We were the first agency in Central Ohio to get it. More standards will be coming in the future. One of the things I will be discussing with Safety tonight is there may be another way to manage our policies and certifications and standards a little bit better as they come out.

Chief Baron introduced our new officer Justin Hanes and pointed out that he was wearing a body camera. He said all the equipment is installed in the cars. We are ironing out the bugs in the hardware right now. Powell just purchased the same units we purchased and I have been talking with a Deputy Chief about possibly integrating the units, sharing the serial numbers, that way there is more oversight between the two agencies. We work together a lot so our cameras will work together also.

Council member Vidor said so their cars will be able to turn our cameras on and vice versa.

Chief Baron said correct. He said Dublin is also testing the same cameras.

He said our Safety Day is coming up. It is August 13th starting at 4:00 p.m. We will do another outdoor movie and we already have a couple of sponsors for things and we are looking for partners from the community so if anyone has any ideas let us know. We got away from the National Night Out and turned it into a Safety Day because one of the biggest things we got back from the community was it was a week day so this is the Saturday before school starts, a good event for the kids and I comingled more of the safety services instead of just police and making it a bigger and better event.

He said we all saw in the media that the golf cart state law passed so in 2017 golf carts can be legal on all state roadways up to 35 miles per hour and under. Even with the state law it requires the inspection, the title, the insurance and the plates.

Visitors

David Raber, attorney representing the CVS store on Glick Road said he was here last November requesting what is called a TREX transfer because in Shawnee Hills there is only one carry out

liquor license available which is already issued. We applied for the TREX transfer and the client found out that Walgreen's had gone through the same procedure so stores are just like kids once one gets one the other one wants one. He said in the email he received one of the questions was where is the economic development. The Division of Liquor Control and members of the general assembly amended the statute in 2012. It was just a matter of fairness, for instance, just using the example of the stores here. CVS was constructed in 2010 under the old statute and Walgreens built their store in 2014. They could take advantage of the economic development saying that it would bring more jobs, taxes and they thought it was unfair that businesses that came to the area prior would not be able to take advantage of that law so they changed it to say existing stores. So CVS can use the economic development and they have just shy of a million dollars invested in that store, twenty five employees and they pay approximately seventy five thousand dollars annually in various taxes.

Council member Vidor asked how would that benefit the village.

David said it would be a benefit, as the stores say, one stop shopping. If I was in picking up my prescription, I could also pick up a six pack of beer or a bottle of wine.

Mayor Monahan said on the stores that have gotten this what percentage of increase have you seen in sales.

David said with CVS it is small, two to three percent of their gross sales but that is enough to help pay their rent.

Council member Gil said that someone made the comment at the last meeting that it is like having too many gas station in the area and we have business here that already have the licenses and I question why we would give another license when we already have established business with the license. We are taking away from one business and CVS is a major corporation and I struggle with this.

Mayor Monahan said we have continued to push the shopping center to grow and do things so I think this could help to counter some of that and Walgreens has it also.

Larry Burchfield, Cedarbrook Garden Center, said David Raber talked about CVS being here and I have been in this community for 35 years and I got a carry out license when Tag Market left twelve to thirteen years ago so seeing someone else come in is tough on me as a small businessman and that takes money out of my pocket. Walgreen's got one and I think one of the reasons that got it was because they offered longer hours than I did with mine although Iacono's drive thru does offer longer hours. There is more than one carry out license here, Iacono's, Cedarbrook and Walgreen's. What does bringing in a license for CVS do for the village as far as increasing revenue for the village and the only thing that would be is a person working. I know how long it takes me to get my wine and put it on a shelf. It takes me four hours a week. I do not have a computer that barcodes and somebody else orders it from corporate and brings it in and they just put it on a shelf so I don't really see how it's going to be economic development that calls for more jobs for CVS.

Sue Badgley, 227 Ridge Drive.

My name is Sue Badgley. My husband, Dan, and I live at 227 Ridge Dr. Dan is unable to attend this meeting due to his poor health. We have lived in the village for 39 years. Our property is contiguous to Mr. Drake's property.

I was rather confused by the official newsletter received last week and the discussion around the development of Mr. Drake's property. When the original proposal was

presented in October, residents expressed concerns over this plan and how a PUD would be used in relationship to this plan. At that time, I believe the developer was asked to come back with a proposal that would address those concerns. Since that time, we have all waited patiently for a revised plan to be brought forward so we could feel more comfortable with this development. I don't believe we were asking too much to review the density of homes and ask how construction traffic would be handled. I believe a council member questioned how much difference 10 fewer homes would make. It would represent 20 fewer vehicles passing the five existing homes each day. I believe Buckeye Drive is also on ten acres and I believe someone said there were 20 homes on that road. They experience about 40 cars a day moving in and out of that area. With 35 homes we would experience 70 vehicles a day passing our homes. We currently see about 10. I don't believe there is any other area in the village that would have that concentration of housing without direct access to Dublin Road. So, yes, this is a concern for many residents on the West Side of the village.

Some residents were asking questions among themselves about what options would be available if their concerns were ignored and this project was pushed forward without any adjustments. There have been other areas such as Powell and Hilliard where residents moved forward on referendums because they felt their concerns were not being heard. There was also a situation where Dublin residents were concerned over a development on Avery Road where a developer had submitted a plan for over 400 homes to be built on the old golf course. They went to Dublin and expressed their concerns over the huge increase in traffic from this density of homes in an area that already experiences high volumes of traffic. Dublin apparently went back to the developer and it is my understanding that the developer decreased the density by over 100 homes. These are two different ways problems have been resolved. That is the beauty of living in the United States. Citizens do have paths to have their voices heard if they have concerns with how particular situations are being handled by elected officials. Sometimes those processes are not very efficient but they are there to protect everyone. This should not be viewed as a threat. Does it slow down the developer's timeline? Yes. But that should also be an incentive to work together so it does not come to a referendum.

Instead of coming back with a reasonable compromise, we have now been presented with a ridiculous plan of 57 homes that is purely an exploitation of current home owners and appears to be a veiled threat that if we don't take the previous plan without any discussion that they will attempt to jam 57 homes down our throats. This does not speak highly of the integrity of this developer.

I understand that Mr. Drake has a right to develop his property but it should not be at the expense of other village resident's comfort and well-being. I also understand that it is the developer's main goal to make as much money as possible but council has a responsibility to protect residents from exploitation.

I believe that passing a PUD as an emergency sends the wrong message to residents. A developer should not dictate how the village handles business. The normal process is to have three readings to allow residents to participate and provide input to elected officials. A developer should not be

allowed to interfere with this process because he does not want to or cannot afford to change his plans.

Too often residents are accused of not being involved. Prior to this, I admit I have not been involved with the village for many years. I have voted each year and trusted that elected officials would do what is best and, in most cases that has happened. I understand that Planning and Zoning spent 18 months working on future development. However, when residents came to the meeting and began to ask questions around the PUD and what this involved, I felt that we became an annoyance to some members when, in fact, they have a responsibility to explain this process to the residents.

Personally, I believe that a PUD is probably the only way to get zoning back under control. It appears that numerous variances have been granted over the years and left the village in a precarious position when trying to enforce the 6 lot minimum or 14,700sq. ft. min. which is the equivalent to 6 lots that are 35X70.

I ask that council move carefully on developing a PUD and protect residents so we can all enjoy our homes as we have over the years. We do have a unique place to live and should be very protective of our village and not allow outside forces dictate how we move forward.

Mayor Monahan said there have been many attempts to get them back. We want them to come back.

Erin Hatcher, 9511 Westview Dr. said I just have a few questions in regards to the newsletter and I am just operating under the assumption this is an appropriate forum to ask those questions. I know that in regards to the development on Westview, there was a lot of discussion in the newsletter and I know that there was the intention to just answer some questions from residents. However, when I was reading the minutes I didn't quite understand how we even got to that thought process of an emergency vote to not allow the right to a referendum so I am just kind of asking why did we even go down that path., was that a suggestion by the developers or is that a suggestion by us to get them back to the negotiating table?

Mayor Monahan said at the last meeting Kathy Ragsdale asked us to explain what are all the options. I wrote the newsletter saying, Not Advocating. When you take a look at the different options involved, number one if we could have what we want, get them back here, reduce the density, come up with some resolutions for the traffic aspect, construction entrance etc. that was the desire. It is not an easy subject.

Erin said that is not even an option right now because he is not even proposing a PUD.

Mayor Monahan said he has not brought it back, no, exactly. If you read the rest of the newsletter, it said that they can continue to do this. They were due to be at BZA earlier this month and they had a conflict with the date so they are going to come in May. We have invited them many times to planning and zoning, tomorrow. What we wanted them to do is come back with a new plan. Right now if BZA has turned down the application, if that gets upheld then they would have to right to accept that or go to Delaware County Court. If they went to Delaware County Court then we are put in the position that is a bit unenviable to keep fighting through this. I suspect there will be a lot of village time and money spent to be involved in that to continue to fight that. Their fear is, and they have repeated it about three different times, that

they come back with something and it goes to a referendum. That's their fear. We are going to continue to fight that and it will be up to Council and the allocation of money to do that.

Council member Gil said please refresh my memory, the PUD was passed then he came after that correct? Mayor Monahan said we started back in August of 2013. We didn't know what a PUD was. At the time we had Bart Overly, who is an architect, on ABR, he was the one that proposed the access road off of the Priestino property. We also had Bob Grant who owns property here and Iulianelli homes. We got all the way to February 2015 and then CV said to us hey, are you passing a PUD. They were never involved, they came to us later. We did get some advice from the architect and from Bob Grant.

Council member Mathews said I want to correct something. The ability to have a PUD is just a zoning tool. There is no PUD, a PUD does not exist. No plans have ever been submitted for a PUD.

Erin said right now they aren't willing to do a PUD so why was it said we could pass the PUD as an emergency. Mayor Monahan said if it were filed. Dan's absolutely right, there's been none filed. The closest thing we have ever had to that is the SCPD, Select Commercial Planned District. All of us would like to see them in here bargaining in good faith but they were told when they left here in October there would be a referendum and that is their fear because they just went through that over in Powell.

Erin said so my second question would be based on, again, I understand this is all hypothetical, all just options laid out on the table and everything, but P&Z currently is part of the process for any kind of PUD recommendation so the developer presents it to P&Z, then P&Z votes to recommend it to Council.

Mayor Monahan said they come to Code Enforcement, Code Enforcement would work with them to say what fits, what doesn't fit, what has to happen and that. Once it's framed out, Steve would be involved, our attorney would be involved and then they bring it to P&Z. People bring things to P&Z to see if we are interested in doing this kind of thing because what they don't want to do is get all the way down the road and get this. So then P&Z, after holding open meetings will make a recommend to Council, then it would be up to Council.

Erin said so through that process if there would be an emergency situation where you decide to do an emergency vote the whole process of going to Code Enforcement and P&Z, that entire process will continue to be in play, nothing will get bypassed.

Mayor Monahan said absolutely not, it will come to a recommendation, again, wasn't advocating, just explaining.

Erin said I understand, there have been situations and the reason why the question came to mind, I know for Dublin with the Bridge Street project they had issues where things weren't happening in a timely fashion for the developer so they actually cut P&Z out so it was something in my mind so I just want to make sure that right now we are advocating that all that process will stay the same.

Mayor Monahan said absolutely and once again that is where you want that kind of input, if we could only rewind the clock, the ability to understand what a PUD is and if we could get that negotiated down to something reasonable.

Erin said that was my third and final question. In the newsletter it mentioned 28 homes and I just wanted to know where that number came from.

Mayor Monahan said he popped that out of the air. When I was listening to them and heard everybody here talking I thought what would be a reasonable amount. Here's the one thing that was said by them later, anything you reduce the homes on lessens the ability to do other improvements outside the area.

Erin said with the number of 28 we were all discussing how traffic is an issue, I know 24, our engineer has stated is under our current code. Mayor Monahan said he just came up with a figure in an attempt to explain what the possibilities are, that's all we were trying to do.

Erin said I do have a statement that I want to discuss based on some of the information that was in the newsletter. I know some of you have had discussions with my husband so you know that I am passionate so just keep that in mind when I am reading this. It is just coming from a place of explanation. With the most recent newsletter and comments that I have witnessed from a few members of council and the community there is a feeling of mocking or vilifying of our concerns. I feel compelled to explain to you then that like families like mine that are closest to the proposed development how we will be impacted by the current issue and why it is so important to us. I just feel it is important I am sure you all know but I just want you to hear it from my own words. First of all even twenty eight homes as Sue mentioned in her letter, the proposed density and housing development is unmatched by any other in the village so there are members of the council aside from one that are fortunate enough at this point, and I know this has nothing to do with it, but you are fortunate that you will not reside in close proximity to the development. However myself and my neighbors will be directly impacted by this high density on a daily basis for the rest of our residency here, which this was going to be our forever home so keep that in mind. It will be my land that will actually be taken for a right of way. I understand it's right of way, it's still my property. It will be my driveway that will be taken so the developer can widen the current road and it will be my personal money that will be used to correct the issue so that my family can continue to use our garage for its intended purpose. It will be my front door that will now see one hundred car trips a day. I did call, that's a good number based on what Delaware County uses. Since the only route to get in and out of the development will be my front yard and let's not forget to mention the traffic of all the workers coming to build the homes. They leave for lunch, they run errands, they go home for the day. It will be my children, all girls, ages 9, 5 and 1 that can no longer ride their bikes due to the increase in traffic safety in concern of massive trucks and non-residents driving on these roads. We don't have access to sidewalks or bike paths, the streets are what they have. It will be every morning for two to five years and if the developer takes the time frame he did on the condos in Rutherford it will be actually longer that my family will sit outside enjoying our home with sounds of construction and building every afternoon, evening, every child's birthday party, every gathering we chose to host. I read that seven to ten is the noise ordinance so we don't get a lot of buffer there. It will be my home and car that will be surrounded by dirt, mud, screws, nails, from

construction taking place. I grew up in a new development, get holes in your tires, all that kind of stuff from all the nails that are left over. That's a replacement. It will be my home value that could be potentially impacted for the negative in my investment in my family's future. This is where my passion is coming from. The impact on my daily life and the lives of my children is where my fear is stemming from and you have to understand that my fear is coming because there are six individuals that will ultimately decide that. It is not my decision. The developer was first presented to me as someone that wants to work with the village, who wants to put something behind my home that he can be proud of and bring value to our community but at the very first hint of opposition to his ideas he answers back with an application and I understand it's for one home, but he wants to do it fifty seven times, and it will double the density of housing that he originally proposed. His tactics show a lack of respect for us, for our council and for our community. It shows that he is not interested in working with the village but he wants to bully us into his way. Not stating that any of these cases are right or wrong, so this is me not giving a verdict on our recent court cases, but we have fought court battles already, for blight issues, for sewage and drainage issues, for issues that have minimally impacted the residents as a whole. So please realize that the developer, any developer, bullying his way into our village is also a fight worth taking. It is the outcome of this fight that will be far more impactful than any trash, boat, drainage in anyone else's yard. I realize for everyone on council your jobs are difficult and I understand you are not paid high wages for what you are doing but you agreed and swore an oath to uphold this role to the best of your ability. I am not a trouble maker, I am not screaming referendum, but please do not discredit our experience and please do not twist our concerns as making people looking for conflict. I don't like conflict ever. I am not excited to take the time to come to these meetings to explain my position I would much rather be at home with my family, going to the softball practice that I had to leave, but being that I do have a family, I am not looking to make anyone's role difficult but my role as a mother is to protect my family and that includes protecting my children's home from the greed of a developer. I appreciate the transparency of the newsletter, I sincerely mean that, but it disheartened me when I was reading it. Upon learning the developer petitioned to put fifty seven homes, however you want to word it, where currently twenty four are only allowed by code, I had hoped that the community would unite together to send a message that we will not be threatened but I am not convinced that we are all on that same page. This statement with the request to remember please that however you decide to move forward in this situation it will impact all of the families that live along Westview and Mohawk for the time of their residency here and if you take away their voice it would be very devastating to each and every one of us.

Council member Gil applauded.

Mayor Monahan said I do believe we will be in battle for a long time and that is something we would all rather not be in.

Erin said I don't want that either.

Mayor Monahan said I looked right at the guy and said let's do something that we are all proud of and fits and I think that's the key.

Council member Gil said you mentioned in the newsletter that when the developer was here in October we told him that there would be a referendum. There were a lot of people here but I do not recall that. Can you refresh my memory?

Mayor Monahan said he told us that before he left the building he was told that.

Carol Kender, 148 W. Mohawk said it seems like we are all ganging up on you guys tonight. I have lived here for sixteen years coming this June. I moved in prior to the sewers being installed. The installation of the sewers I think was handled in a very professional manner by the then Mayor O'Shaughnessy and his council. The project was potentially a major interruption to the traffic flow in the entire village. There were all sorts of meetings, all sorts of flyers put out. Everybody knew everything that was going on and I appreciated the way they dealt with that. I also appreciated that the sewers were a major interruption but we got through it. Now we are coming to this potential construction of this, whatever anybody says, between twenty eight and fifty seven homes in the northwest quadrant just off of Mohawk. It seems like there was no real concern from the rest of the village when a potential developer came into planning and zoning and presented the plan. If I am correct the only people who were actually invited to that meeting were the people on Westview and W. Mohawk, right at that juncture. No consideration seemed to have been given to the rest of the people that live on those streets.

Mayor Monahan asked are you talking about the meeting in October. Carol said yes. Mayor Monahan said that was an open meeting for everybody. Carol said the only reason that anybody knew about it was because a couple of people who live down there put out flyers and let everybody know what was happening. Mayor Monahan said they were coming with a preliminary plan. Carol said I understand it was a preliminary plan and I understand your position Mr. Mayor but the position is most of the people that are here right now are here because of that issue and the only reason they're here is because they put out flyers to get people to come to the meeting. How many planning and zoning meetings have you had where forty five people showed up.

Mayor Monahan said we don't get anybody. We had people from all over the village at that meeting also.

Carol said am I correct that the only people who really got invited to that meeting were the people whose houses were contingent to the property.

Mayor Monahan said everybody is invited to the meetings. Carol said they didn't know about it. Mayor Monahan said do you research and find out the agendas. Do you look for them? Council member McVan said every meeting is publicly posted. Carol said I understand that but there are an awful lot of people that don't know they have to go and look at the bulletin board in front of the civic every week to find out what is going on.

Council member Gil said I live right next to this property and I did not get anything.

Carol said so it is not put in enough public places. Council member McVan said where else would you like it put. It's been there for years and years, it's on the internet. Where is this magical place, do you want to put a billboard up out there.

Carol said it didn't seem to me like there was enough publicity put out by this legislative body. The actual publicity was put out by these people who live on Westview and Mohawk. I got involved because I live on Mohawk. I also coincidentally registered to run for Mayor. That wasn't part of my platform; I just got blamed for being involved in it because I live on Mohawk. I want to go on record on something else because I was accused of vilifying the PUD. In fact after lots of consideration and discussion with a friend of mine, Scott Sanders, who is Delaware Regional Planner, I really do think that the PUD is important in certain circumstances if it's properly implemented. I am really glad to hear the answer that we don't have a PUD though because we need to be real careful there. What I am opposed to on that is the congestion, the number of houses in that area. I am opposed to the fact that nobody seems to have given consideration to those of us who live on Mohawk and Westview where Mohawk is eleven feet wide and you are going to run traffic back and forth. I know you talked about it because somewhere in the minutes I found where you actually suggested a one way street down Mohawk and then another one way street down Riverview. Now JoAnna would be really upset because that means traffic goes this way and that way around her house. Several weeks ago I spoke with somebody who lives on Buckeye Drive and I said something about the construction entrance to this thing and the actual entrance to this thing should come down Buckeye Drive. I went down and I looked and there are three lots that are for sale at the end of Buckeye Drive and you can see Westview from them. Those lots belong to a woman who would be willing to sell it and I looked on the map and a route could be made there. What I am saying is if you are really looking at the traffic why not bring the thing down Buckeye Drive.

Mayor Monahan asked Bella if she had a question. Bella said Carol had a question are you going to answer it.

Mayor Monahan said there is no PUD that is in place that we can look at all these things. We have looked at other alternatives and it was thought at one time that somebody said could you bring a construction entrance over to Logan. Logan is in Concord Township. I will have Steve look at a map tomorrow to see if that is a route that is possible. After Buckeye was built we asked Concord if they wanted to connect Buckeye to Mohican and Concord did not want to do that. If they were to get to a PUD all these things will be looked at, engineering, traffic study, all those types of things. All we had was an initial proposal.

Council member Gil said I believe they are coming soon to the BZA and not everyone received a letter and they don't have a right to talk I believe. Mayor Monahan said the rules were developed by the State of Ohio. The BZA is a Court in the State of Ohio so that is why you are sworn in.

Bella Awad, 100 E. Pawnee, said she is here to present a couple of questions the residents have submitted to the Village Gazette and via email we got one question from a resident who asked: In reading the previous minutes and agendas I noticed that lately and in the past there seems to be a lot of litigation and settlements going on in the village. I am referring to the blight case and the two year injury/village negligence case. How much money went into handling these and is

there a way we can find out and is there a diplomatic approach the village can take to prevent legal fees in the future.

Mayor Monahan said we can ask Brian what legal fees were involved in those particular things. The one that talked about the blight thing, which is called mutual responsibility and respect for your neighbor. People thinking that they have the constitutional right to do whatever they want to do on their property is not correct. They have to read what the ordinances are and things involved. That one could have been resolved very easily. What we asked there and even the Judge up in Delaware County said Look, work with the Code Enforcement Officer, get the thing cleaned up. I went by today and it still isn't that clean. That would be one way to diplomatically do it. We tried that a number of times. That was probably the third or fourth citation that occurred on that property.

Bella said so prior to a citation what steps are taken.

Mayor Monahan said we give so many days to get it cleaned up. We don't have to do that but we generally send something saying we give you so many days to get it cleaned up.

Bella said by saying that it kind of sends the message that is anti- mutual respect and responsibility.

Mayor Monahan said we don't have to give them the time but we do give them time. We have gone as far as ten days to do this, we don't want to have to go to court as it cost us money. On the negligence one, we had a person who was walking on our road and stepped in a Delco access point and broke her ankle. This was settled in court by our insurance company.

Bella said another question she received was: In the Village Gazette I read that two council men were appointed and not elected. I have lived here over eight years and I do not recall hearing that these seats were vacant. How does the Mayor communicate this to the interested parties.

Mayor Monahan said people come to the meetings and if there is an opening they let people know the availability and if someone leaves during their term, one of the vacancies I believe was filled when the Kemplin's moved to Colorado. We had another one filled when Rich Vedell moved to norther Ohio.

Bella said so the protocol is to come to the meetings and read the minutes and maybe we will hear it through the grapevine. Could it be posted on the website?

Bella said I think Robin mentioned at the last meeting, about council terms or committee terms and you mentioned I don't see people knocking down our doors to join committees or something.

Mayor Monahan said keep in mind, for years; Warren was about the only attendee at our meetings. People would say you know what we ought to do and I would say if you look outside at the line of volunteers, it was just a standing line. We want more people to be involved.

Bella said what I would like to propose, maybe something crazy, but, Franklin County has a youth council and essentially what they do is invite local youth to participate in the council meetings and it would be a great way for you guys to train your successors.

Mayor Monahan said we have worked with a lot of the Scout Troops and I love doing that. That to me is one of the more refreshing things to do.

Bella said maybe it could be council initiated or it could be resident initiated and maybe invite them twice a year.

Mayor Monahan said I would welcome people who have kids in school. I think this is a very good civics lesson. I love to stop and explain the reason why we are doing this. I think it's great. The trouble is who can organize it and move it forward.

Council member Gil said the Mayor works with the Boy Scouts and he has a great reputation with Troop 117. We have a lot of kids in this troop who are moving to high school next year that might be interested. Council member Gil told Bella that he is here to help her if she needed it.

Communications

Mayor Monahan gave the following report:

We received the RITA Top 25 tax report running through Mar 31st. I have noticed some business discrepancies and have asked Shirley to request a Business audit to assure we are receiving the proper income taxes. If you are working from home your taxes should be paid to the Village.

Mayor's Report

Mayor Monahan gave the following report:

Our Village turns 75 years old on July 10th! We are working on an idea of (if possible) dedicating the Memorial Park pavilion at that time and also have a commemorative plaque on the pavilion celebrate Shawnee Hills turning 75.

I had the honor of presenting Marian Beck, our E Cherokee resident, a plaque yesterday proclaiming today being Marion Beck Day in the Village of Shawnee Hills. Mary turned 90 today and is the Mother of Shelly Congrove. Shelly and John live at 92 E Cherokee.

Good business news:

We heard from Oxford School that they a doubling in size and now taking over the middle building between their current operation and Re-Max on Glick Rd.

I was also contacted by attorney Rob Rishel. He is representing the Owners of Crimson Cup Coffee from Clintonville. They are interested in meeting with Bill Trembly to look at the old Champagne Bank location at the north east end of the Shawnee Square shopping center. Getting timely mtgs. set up with Mr. Trembly is difficult but I am continuing to work on it.

I spoke with Jon Peele, CEO of Aspen Energy. Jon said the building did sell and the new investment owners are working on the building now. Hopefully we will see new businesses soon.

Steve DeBolt, Dan Mathews and I met with Bob Lamb, the Economic Development Director of Delaware County to discuss the business growth within the Village. Bob will be sending an outline of suggestions and we will work with them to promote growth.

Dumpster Day will be May 7th. There was a slip in the Spring Newsletter that residents and only residents can bring to dump nontoxic and non-electronic items. Please bring the slip from the Newsletter with your Name and Address on it allowing you to dump.

Chipper Day will be May 9th. Please have any yard waste piled next to the street in a pile no bigger than a mid-sized car

As a reminder:

Shawnee Hills Civic Association Annual Spaghetti Dinner Saturday May 14 from 5 – 7 pm at 36 W Mohawk

All you can eat Spaghetti, meatballs, salad, dessert (bring your own adult beverages)

Thanks to Iacono's for the donation of the meatballs and sauce.

We always participate and think this is a great opportunity to meet old friends and make new friends.

I commend the Civic on this and their many other functions.

The Official Newsletter went out last week and I received good comments on it.

How soon will the paving go out for bid? Steve said tomorrow.

We received a notice from the Eagle Scout candidate that he will not be able to work on our website. I ask that UST move full speed ahead to make the improvements that will bring welcomed user friendly changes to our site. I believe we need to have meeting agendas readily accessible as well as other needed changes. Thanks!

The planning and zoning meeting scheduled for tomorrow has been cancelled.

Pro Tem Report

Pro Tem Mathews said that he and Russ will be meeting at Delaware County on Thursday morning with several municipalities and villages about joint sharing of products and materials. Putting something in place where these smaller communities might not have access to other equipment could possible go together.

Committee Reports

Council member Gauldin said that Finance met right before this meeting. We reviewed the bank reconciliation against the budget and I believe that was approved for the quarter. We reviewed the upgrade to the replaceable signs. These were the signs we just purchased and found out that we can actually get some double sided signs made up for a fairly low amount to broadcast a few more events and that was to not exceed \$250.00. We reviewed the continuing maintenance on the flags we have on our light posts and we have approved up to \$800.00 for replacement of those and lastly we spoke in detail about the pavilion and finance approved up to \$30,000.00 for the pavilion, site prep install, tables, extended concrete pad and an enclosed ceiling etc., so that we can get moving on that. We hope to see more information come back on that in a short time.

Mary Gates said she noticed that the Ohio flag and the American flag that is out here is frayed.

Mayor Monahan said we are going to be replacing them. We try to keep three sets so we can keep them clean and we can rotate them. As you know that wind we have had has been terrible on the flags and also our flags that are on the street poles were kind of let out too long. I kind of like it a week before Memorial Day and after the tournament and then essentially a week before the Fourth of July and after. I think they hung out there a long time. They occasionally get hit by a tractor trailer also.

Council member Gil said he has a question for Jim. He said I was trying to come to the Finance meeting tonight but I could not because there were already three council members present and I would have been the fourth creating a quorum of council. In the code it says that council members can attend any committee meeting and ask questions but they cannot vote. Shirley reached out to Brian and he said no you cannot attend so now we have to change either the number of committee members or that section of the code.

Council member Gauldin said let me tell you where that came from because I was the one that put in effect that three people should be on a committee. When I first started within in a quick amount of time I realized that we all have these different jobs outside of here. I don't know about anybody else but my family comes first, and to support that family my job comes second, this job is third. I have no problem making this job my third job but I also have to respect the fact that job number two which supports my family is important as well and when I have to travel and I am not here that puts a burden on my family and I noticed at the time that it puts a burden on us because we were not getting things done. We were working very hard but we couldn't get anywhere because members were traveling at the time. If that is different now, that's fine. I don't mind reducing that but I know that Mahesh travels a lot, my job has changed a bit so I have to travel more so I think, if we are going to do that, we need to find a way to make sure that we still have these meetings because we must have a quorum of two people to make that meeting happen.

Shirley said three is fine it was the other section in there that said any council members can come ask questions and that section is the one Brian was concerned with. If all the council members showed up you might as well have a council meeting.

It was suggested that the Rules Committee meet to talk about this.

Legislative Actions

Third Reading- Resolution 04-2016- A Resolution proclaiming the month of September 2016 as National Prostate Cancer Awareness Month. It was moved by McVan, seconded by Vidor to adopt Resolution 04-2016. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Resolution 04-2016 adopted by a 5-0 vote.

Second Reading- Resolution 06-2016- A Resolution authorizing and directing the Village Administrator to execute an Economic Development (TREX) transfer form for Ohio CVS Stores, LLC

Bills

It was moved by McVan, seconded by Gauldin to approve the bills in the amount of \$60,305.62. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Treasurer’s Report

It was moved by Gauldin, seconded by McVan to approve the following Treasurer’s Report:

General	275,178.88	Fire	86,557.83
Street	224,588.21	Weed	5,262.47
State Highway	11,976.59	TIF	23,834.14
Parks and Recreation	900.00	TIF 2	9,335.46
PD Body Armor	884.63	Veteran’s Mem.	98.97
Cont. Prof. Training	2,545.00	Sewer Oper.	60,087.73
Drug Law Enf.	200.00	Sewer Repl.	166,000.00
Indigent Drivers	385.84	Storm Sewer	4,683.49
Enfct. and Education	2,010.00	Debt Service	91,228.48
Court Computer	5,175.53	Debt Reserve	100,561.42

Total: \$1,071,494.67

Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Adjournment

There being no further business, it was moved by Gauldin, seconded by McVan to adjourn until May 9, 2016. Following vote on the motion is recorded: yea, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the meeting adjourned at 8:15 p.m.

Fiscal Officer

Mayor