

Village of Shawnee Hills Council

August 26, 2013

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

Council in Attendance: Charlie Callender, Mahesh Dalvi, Kris Garren, James Gauldin, Dan Mathews and Mike McVan

Also Present: Fiscal Officer Shirley Roskoski, Administrator Ed Swanson and Solicitor Brian Zets

It was moved by Callender, seconded by McVan to approve the minutes of August 12, 2013. Following vote on the motion was recorded: yea, 5; Callender, Dalvi, Gauldin, Mathews and McVan. Nay, none. Abstain, one; Garren. Chair declared the motion passed by a 5-0 vote.

It was moved by Garren, seconded by Callender to approve the agenda. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

**Solicitor**

Brian said that since he was on vacation last week he did not have anything to report.

**Administrator**

Ed said he had a preconstruction meeting with Shelly and Sands last Tuesday and they walked Shawnee Trail and noted things that need to be done specifically along the Trail. There are a couple of other places that have potholes and they went and looked at those. Ed said this paving project should start the first week of September, hopefully.

He said he is also getting some prices to redo the municipal parking lot.

Ed said he has had several communications with Dublin over the past couple of weeks. Shirley, Jim Danes and I met with Tina W. from Dublin to go over the project. Jim had some concerns about the grant and we got those worked out and Jim is proceeding with the grant application that is due in October. Ed said he has also talked to Marsha Grigsby, Dublin City Manager, a couple of times regarding this intersection project. Ed said they finally did agree that they will pay the loan back that the Village will take out for this. We still have to draw up an agreement for this. Brian asked if this was okay with OPWC. Ed said yes, he has talked to Sue Spiker about this and Dublin has also.

Ed said he has had several discussions with property owners about the needed easements and he is still working on that. Ed said he will be going with a Dublin official to talk to the property owners in Dublin that we need easements from. Ed said that Mark has done several code inspections and issued some citations. Sewer inspections will start next month and should take thirty to forty days to get done and we do this once a year.

**Police Chief**

Chief LeFever said that Cadet Redd and Officer Moran both successfully completed their academies and are now in the field doing their field training portion of their employment. They are doing really good and we are happy for them.

Officer Laura Diamond who has been with us for some time has taken a full time position with Columbus State. She previously worked at Columbus State in safety and security and she has transferred over to the Police Division but she is staying with us because that is a state commission so she is able to do that but she had to cut her schedule down to one day per week instead of two day so in lieu of that we moved Officer Pete Marlin into a one day a week part time position.

Chief LeFever said the cruiser computer project is moving along. The laptops are here and we had a couple of meetings last week and he has one more final

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meeting this week to coordinate the options for the layout in the cruisers and to make sure we have all the right equipment in place and then we can start the install on those. He said this is a smaller laptop and the screen flips around backwards and it folds up so the only thing that will be exposed inside the cruiser is the screen itself and a keyboard mount. Whether it is a driver only officer car or driver and passenger they will be able to move that keyboard and use it. He said this will be a lot more user friendly and safer for the officers.

He said for the Presidents Cup planning we have had about a meeting a week here the last couple of weeks and three to four more coming up with the various law enforcement agencies and with the City of Dublin. There's a couple of things that are going to be different this year as far as traffic control and he will make sure that we get some type of heads up out to the Village to make sure that they know. It looks like the dam closure and one way traffic is all going to be about the same as it has always been. We did our traffic control study and what the best way to make sure traffic is running through the village is and we shared some of that with Safety at the last meeting and we will have a little bit more coming up and we are working on the signs and several different things. He said we are going to have an extra special duty officer, as all of you have probably noticed, over the last several years, Ohio State Patrol handles the Dublin and Glick Road intersection with someone at the control box there but there is no physical officer out there doing any kind of traffic direction when it does get backed up. Due to the increase in the amount of traffic, they are expecting, the tournament draws, they estimated between nine and twelve thousand people and they are estimating based off of current statistics between thirty five to fifty thousand people a day at this. Traffic flows will all be coming from the Zoo as that is where all the parking will be. We will have officers out there doing special duty at the intersection along with Ohio State Patrol and coming into the Village to make sure people on Shawnee Trail will be able to get where they need to get to as well so we are going to try to minimize the already congested traffic issues.

Chief LeFever said this is still in the early phases but he is looking for some options for our officers to be able to complete their higher education. He said that the school he has been attending for several years has what they call a Learning Partner Program and that program is where if we partner with the school the school gives a discount to officers and public service workers that wish to attend their school. Not much of a commitment from us other than spreading the word but a lot of the officers have expressed an interest in it so he is working with Columbia Southern University to coordinate all of those things and it looks like it will have some pretty good benefits for us and more to come on that.

### **Visitors**

Scott Vasko, 9255 Shawnee Trail, said that the Yacht Club has installed new lights on their property and two of the lights are on the City of Columbus property and one is in the village limits. He said these are very bright globe type lights that put out light in all directions and that actually affects his house because the whole front of his house is lit up at night. He said he brought this up with Mark the next business day after he noticed it and he said Mark has been working to contact them and ask them as a neighbor to do something about the lights. Ed said he was present the day Mark called and talked to someone about the lights. Scott said they turned out two of the lights but they have come back on. It looks like they rotated them 90 degrees but that really doesn't do anything. He said there is one that is in the village and that is the one that is right across from his driveway. Ed said he will work with Mark on this.

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### Communications

Mayor Monahan gave the following report:

#### **Join Rep. Brenner for a Town Hall Event, Hosted by Americans for Prosperity - Ohio**

Please join us for this upcoming event!  
State Representative Andrew O. Brenner will be the featured speaker at a [town hall on state spending hosted by Americans for Prosperity – Ohio on Thursday, August 29 in Powell](#).

The town hall will take place at the Powell City Hall (47 Hall St., Powell) at 6:30pm and will feature remarks from Rep. Brenner, who represents the 67th Ohio House District.

"Decreasing the amount of money we spend at all layers of government in the State of Ohio is imperative," Rep. Brenner said. "I look forward to the opportunity to discuss this important matter with my constituents."

Networking and light refreshments will be at 6:30pm, and the event will begin promptly at 7pm. Parking is free in the lot surrounding the building.

The town hall is free and open to the public. Attendees may pre-register at [www.AndrewBrenner.com](http://www.AndrewBrenner.com).

On Sunday August 25 th I did send Representative Brenner another email requesting that he help kill House Bill 5 which is another detrimental impact on funding to municipalities.

I believe we all received the RITA Top 25 Report. As always I ask Finance to look at this and see if there are any audits we should be requesting of RITA to make. This to me would be most strongly indicated by businesses of individuals that show a significant drop to zero paid this year over next. I would also ask to always be invited to the Finance mtg. to make sure we have the opportunity to discuss issues. Thanks!

In the Delaware Gazette there was a listing of 9 candidates that have to appeal their petition to run for office because some technicality occurred. I am disappointed in the Board of Elections for a couple of reasons: It is not like we have that illusive line of volunteers standing outside and efforts should be made to guide the candidates. This is not something that a person does on a regular basis and maybe only once or twice in life. I have worked with the Delaware County Board of Elections and they are good people and Karla Herron is the Director and a great professional. I believe as a process improvement they could easily implement a check list that they ran through with the applying candidates to assure their petitions are completed. This could be when submitting to run and when filing the petitions. It isn't always easy to get good people to run for and hold office in our Communities and we have been very fortunate. The help of the Board of Elections would be greatly appreciated.

I sent this in an email to Director Herron yesterday – Sunday 8-25:  
Hi Karla the below is in my Mayors Report for 8-26-13. We had one of our candidates for Council have his petition denied and I have always admired the operation of the Board of Elections. Since running for office isn't something

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many people do only once or twice in their life I would suggest covering a checklist both at the time of taking out the petition to run for office and filing the petition may be a helpful way to avoid some of the issues that could prohibit good people from serving our communities.

Thanks Karla and I appreciate your consideration!

Pat

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Response I received back from Director Herron:

**From:** Herron, Karla [mailto:kherron@co.delaware.oh.us]

**Sent:** Sunday, August 25, 2013 5:34 PM

**To:** Pat Monahan

**Subject:** RE: Hi Karla the below is in my Mayors Report for 8-26-13

Hi Pat.

I hope all is well with you.

I cannot tell you how much it breaks my heart when candidates don't make it to the ballot. No one does this for money or glory but for the good of the community.

Yes, we have an extensive tutorial at the time potential candidates pick up their petitions. This is why we do not put the information on our website. We believe that "in person" is the best way to give instructions. We go over all points one by one and then have the candidate sign and take home a copy.

When a potential candidate comes in to file, we are now prohibited by directive to "pre-check" the petition, so we have an area that we direct all petitioners to. This area has every type of petition with all areas that are to be filled in on the petition highlighted.

Unfortunately, most that didn't make it to the ballot did not come in to our office to receive our assistance.

Thanks for your feedback.

Best regards,

Karla

### **Mayor's Report**

Mayor Monahan gave the following report:

On 8-21 I sent the below email to Marsha Grigsby Dublin City Manager about the intersection project:

Hi Marsha we do appreciate working with you on this and look forward to the end result.

I do need to clarify what was said in our mtg. Shawnee Hills cannot spend any more than the \$50,000.00 we have committed. We do need as mentioned by Ed to draw up the legal document where if we are eligible to borrow the money through a 0% loan from the grant that Dublin will repay, it we cannot.

My last point is Ed will go with Tina or whomever from Dublin goes to negotiate the right of way at the Morgan House (both Glick and Dublin Rds.) but that is your negotiation as is the SW corner of the intersection. Ed is progressing on our 2 corners and as we both know it is no minor task.

Thanks for your help Marsha!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

Dublin City Manager Grigsby responded on Thursday August 22nd:

Mayor,

In addition to your email, I received an email from Ed and Ed and I had a conversation late Monday discussing the Dublin Road/Glick Road intersection improvement project.

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I am pleased to hear about the progress Ed has made with the property owners in Shawnee Hills in which right-of-way and/or easements will be needed to implement the project. I also appreciate Ed being involved with us in the discussions with The Morgan House.

The City of Dublin will be responsible for the repayment of the \$250,000 loan from the Ohio Public Works Commission (OPWC) as long as the other items in my letter of August 7 come to fruition.

In addition to being successful in our request of OPWC grant funding in the amount of \$400,000 and the \$250,000 loan, the right-of-way acquisition is a major unknown at this time. If Shawnee Hills is unable to obtain the right-of-way and/or easements from the property owners in Shawnee Hills at no cost or Dublin determines any costs related to the acquisition from The Morgan House are unreasonable or not financially doable, Dublin reserves the right to not proceed with the project.

It is important that we continue advancing the project with the understanding that we will evaluate the status at each step. As we discussed, this is an important project for the area and we will work to move the project forward.

Mayor, I appreciate your efforts, as well as Ed's, in trying to address this longstanding need to improve the intersection.

Marsha

In Conjunction with a mtg. the Chief, Sgt. Baron and I met with Delaware County Sheriff Russ Martin and his team on 9-16-13. Sheriff Martin asked me to follow up our appeal with a letter. Below is that communication:

20 August 2013

Sheriff Martin,

I want to thank you for the opportunity to sit down and talk with both of our teams last Friday about the distribution of the funds / weapons from the Hilty case in Shawnee Hills.

As I am sure you are aware we fully appreciate working with your organization and I know we are both proud of the professionalism of our individual and joint operations. Shawnee Hills as a 700 + person Village operates on a limited budget and we have done well doing so.

When the recent Shawnee Hills drug case investigation began Sgt. Baron headed up the initial work and as it progressed Chief LeFever and he called in the Delaware County Drug Task Force. I believe the overall case is a great example of teamwork. We invested many hours of a number of our officers and were of the understanding that we would share in the distribution of what was confiscated. As we discussed I now better understand how the task force works and do want to make sure our respective departments work closely together to do the right thing and get these dangerous drugs off the streets.

My appeal as discussed with you is that Shawnee Hills share in the distribution at 20% to help compensate us for all the work we have done and expenses we have incurred. I have asked Chief LeFever to weigh in and list if any of the confiscated weapons would help us as a department and establish a fair market value that we could get as part of the aforementioned 20%.

The weapons that we are most interested in for conversion to law enforcement use are as follows:

List of weapons our Police requested was included.

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Russ I again appreciate your help in this and look forward to working together for many years.

Thanks respectfully!

Pat

Just a question our Treasurer's Report this evening reflects that TIF 1 has \$21,363.48 in it could that money be used towards the \$50,000. Intersection commitment we have made and \$21,363.48 from the \$50,000. Be moved to the General Fund or Rainy Day funds if necessary?

The next Planning and Zoning mtg. will be held on Tuesday Sept 24<sup>th</sup>. Question, has the application for rezoning been resubmitted for the North East corner of Buckeye Dr. or are we still at the point we were on July 22<sup>nd</sup>? Ed said he has not submitted an application yet.

**11-6**

PLEASE remind everyone about our Village Picnic coming up on Sunday September 15<sup>th</sup> from 1PM to 5 PM at the Ohio Wildlife Center.

On Thursday September 26th there is a mtg. of the Delaware County Elected Officials at 7Pm at the Old Bag of Nails at 7PM. The subject will center around the negative impact of Big Box retailers on a local community. If anyone else is interested in attending I will be going and you are welcome to ride with me. The This organization which I am vice president of, mainly because I was there to nominate Dave Anderson of Liberty Township as President, is an excellent opportunity to Network with the other municipalities and the Delaware county officials.

**Committee Reports**

Council member Dalvi said that Finance met last Monday and a couple of Agenda items that we covered were a tax issue that came to us and a couple of other things were discussed. Shirley has done a first draft of the 2014 Budget and we are reviewing that and we have provided some basic guidance on where we would like to start allocating money. One example is if you look at our rainy day fund we really don't have a structure on how to allocate funds to the rainy day fund so one of the things we are recommending to the administration is that moving forward in surplus years we allocate twenty percent of the surplus to the rainy day fund and move that rainy day fund up to \$100,000.00. It could take us a year, it could take us four years but we will be contributing a percentage of our carry over on an annual basis until we reach that \$100,000.00.

The reason we chose \$100,000.00, if you look at our run rate today from a finance perspective we have almost 70 – 80 percent of our tax income goes to labor cost and a few other things we need to worry about so at this point \$100,000.00 feels like the right thing we need to do, it's the minimal amount we need to keep the Village running and we will adjust it accordingly but right now that looks like a good amount to go after.

He said the other we discussed is that we have asked that moving forward that the administration comes up with a proposal in terms of how we do annual reviews and promotions and pay raises. We have assumed over the years that we have just 2% pay raises that we have done that every year and there is some discussion going on or at least some proposals that we hope to figure out how to do that. One way is to allocate a certain amount based on our revenues coming in and then leave it up to the discretion of our administration to allocate it. It could be two percent, three percent, one percent so that is also something we talked about. Mayor Monahan said that has to do with raises. Council member Dalvi said yes,

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incremental raises. The reason we think this is the right time to do this is if you look at the rate we are going, it is not sustainable to keep giving two percent pay raises, in ten years it will cross eighty percent of our general fund budget.

Mayor Monahan said it is a little more difficult with a public thing because all those raises are public knowledge.

Mayor Monahan asked if Finance took into account what happened last year that even though money was committed in one year it does not carry over into the following year. So we talked about finance must have a meeting in December to do whatever.

Council Member Dalvi said this year has kind of been an anomaly because we have spent a lot of money so the carry over is going to be different so we won't have that flexibility to play with the general fund as we had the year before.

Mayor Monahan said so is everything that is not spent by December 31<sup>st</sup> carried over even if it had been on the committed list. Council member Dalvi said it is carried over but it has to be recommitted. He said for example in our budget we have \$117,000.00 budgeted for the sidewalk. That doesn't disappear; it just gets carried over and has to be reallocated. He said there are a bunch of different line items like labor, salaries there are all those things that have to be figured out.

Mayor Monahan said the question was more if you had a purchase order out for \$70,000.00 and on December 31<sup>st</sup> \$60,000.00 was spent of it, is the rest of that a carryover and is that considered a carryover because it is not allocated at that point and we do not have to answer that here tonight.

Council member Gauldin said we are going to have to look at those things on a point by point basis because if we have already committed purchase orders and they are going to roll through we just need to know at the beginning of the year, we as Finance need to prepare for the next year that those things will be committed.

Shirley said she tries not to have carry over purchase orders but last year was different.

Council member Dalvi said the good news is our revenue has been going up and with ten new houses we expect more but our expenses have gone up, we have added police and a lot of other stuff so we need to figure out how get to a point where it all makes sense.

Council member Gauldin said one more thing to mention is that we need to start thinking about budgets, if the truck needs work or the tractor or if you think something is coming up with the cruisers, start thinking about that so we can budget for next year accordingly.

Council member Dalvi said the sidewalk is one of the things that will carry over and one of the things we discussed is a bad thing to do is borrow money and pay interest and not put that money to work and we have an issue with that \$117,000.00 and I do not want to be sitting here in 2014 and say I still have \$117,000.00 to be carried over. If we cannot do the whole stretch then we need to figure out what stretch to do.

What the finance committee wants to do is to be very structured moving forward, have a real good guidance going into 2014.

Council member Garren said that Safety did meet and they were pleased to meet Pete Marlin. There are a couple of ordinances that the Chief is currently working on that we discussed that will probably come through soon. We talked about the motor scooters that are currently illegal and we had a couple of incidences so we wanted to have Brian take a look at that and make sure that everything was in order. As the Chief mentioned we did discuss the Presidents Cup and reviewed the plans for the Presidents Cup and also put together a guide book for members of the community if they want to put together a community watch.

Mayor Monahan said if a block watch is done the police will be glad to advise them but it will not be Shawnee Hills from a government standpoint. There's a lot

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more work to be done if somebody comes and wants to do that they need to come forward and the Chief is more than glad to help.

### **Legislative Actions**

First Reading- Ordinance 19-2013 – An Ordinance approving the edition and inclusion of certain Ordinances as parts of the various component codes of the codified ordinances of Shawnee Hills, Ohio and declaring an emergency. Mayor Monahan said this is something we do every year and it basically says that everything we passed over the past year gets codified into our book. It was moved by Gauldin, seconded by McVan to suspend with the second and third readings and make this an emergency. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Callender, seconded by Gauldin to pass Ordinance 19-2013. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared Ordinance 19-2013 passed by a 6-0 vote.

Second Reading- Ordinance 22-2013- Sponsored by Mayor Monahan and the Planning and Zoning Commission – An Ordinance to amend Section 1113.04(d)(2)(B) (Accessory Structures) of the Codified Ordinances of the Village of Shawnee Hills. Mayor Monahan said this is where we are limiting it to two sheds and the sheds are no more than 400 square feet combined and then the question came up about garages and Brian amended this and then we had a discussion about the height. Council member Gauldin said he did not have a chance to go any further with this and asked Brian if he had a chance to look to see if anyone did anything different than this. Brian said he had not since he was on vacation. Council member McVan said he thinks the best way to do this is in correlation to your home, the topography and everything comes into play and realistically there is not going to be a great distance variance, a couple of feet here or there, it's not going to be something you are going to catch with the naked eye at first glance but it gives the homeowner wiggle room because it kind of plays havoc with the pitch of the roof. That's where you are going to run into trouble so if you give them that little bit of a buffer it is easier to work with.

Third Reading- Resolution 14-2013 – A Resolution to increase the rate of pay for Ed Swanson, Village Administrator for the Village of Shawnee Hills. It was moved by Gauldin, seconded by Garren to pass Resolution 14-2013. Following vote on the motion is recorded: Yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

First Reading- Resolution 16-2013 – A Resolution accepting the amounts and rates as determined by the Budget Commissions and authorizing the necessary tax levies and certifying them to the County Auditor

First Reading – 17-2013 – A Resolution adopting a Plan under the Ohio Public Employees Deferred Compensation administered by the Ohio Public Employees Deferred Compensation Board for participation by “eligible employees” of the Village of Shawnee Hills

### **Bills**

It was moved by Gauldin, seconded by Dalvi to approve the bills in the amount of \$23,886.72 after making the following correction: Laura Diamond's pay should be 210.34 instead of 21.34. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

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**Treasurer's Report**

It was moved by Garren, seconded by Callender to approve the following treasurer's report:

General Fund 247,073.79, Street Fund 141,489.71, State Highway Fund 4,673.47, Drug Law Enforcement Fund 627.00, Enforcement and Education Fund 1,985.00, Mayor's Court Computer Fund 8,224.43, Fire Fund 184,896.77, Weed Fund 7,990.66, TIF Fund 21,410.11, TIF 2 Fund 935.48, Veteran's Memorial Fund 98.97, Capital Projects Building Fund 90,065.76, Capital Projects Intersection Fund 50,000.00, Capital Projects 9484 Dublin Rd. Fund 5,770.25, Capital Projects Sidewalk Fund 117,780.00, Sewer Operating Fund 54,611.66, Sewer Replacement Fund 106,000.00, Storm Sewer Fund 5,245.42, Enterprise Debt Service Fund 111,687.65 and Enterprise Debt Service Reserve Fund 98,916.93 for a total of \$1,259,483.07. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

**Executive Session**

It was moved by Gauldin, seconded by Garren to adjourn from regular session and move into executive session to discuss personnel issues. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Gauldin, seconded by Garren to adjourn from executive session. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Gauldin, seconded by McVan to reconvene regular session. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

There being no further business, it was moved by Garren, seconded by Callender to adjourn until September 9, 2013. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the meeting adjourned at 8:25 p.m.

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Fiscal Officer

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Mayor