

Village of Shawnee Hills Council Meeting Minutes

December 12, 2011

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

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

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

It was moved by Gauldin, seconded by Garren to amend the minutes of November 14, 2011 by adding the following: under Pro Tem Report add that a motion was made and seconded to establish an Engineering Review Committee to be set up with the members of the Service committee and Council member Gauldin and with Ed Swanson as a consultant. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Garren, seconded by McVan to approve the minutes of November 14, 2011 as amended. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Gauldin, seconded by McVan to approve the minutes of November 28, 2011 with the following amendments: on page 2 under Police Chief Report, 1st paragraph, second to last sentence add the word *that* to things like *that*. On page 5 remove the slash mark from the last sentence. On page 10 change the word livestock to nursery stock. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Gauldin, seconded by Garren to approve the agenda with the following amendment: add the first reading of Resolution 26-2011. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

Solicitor

Brian Zets said he answered some questions in regards to the tree preservation district and worked with Ed a little bit on some questions about the engineer's job and worked that out quickly. He said just a quick update; he talked to the folks at Esquire title today about the Nolan land situation. The title search people came back and they kind of gave a description and Brian sent it back and said he needs a definitive statement that clearly, distinctively states who owns the land as they had come back with these two people own it and then there was some real wishy, washy comment on there about the other folks so he said we need to know exactly so we can transfer the land.

Administrator

Ed said that for the past two weeks he attended several meetings with the Engineering Review Committee to review applicants for the Village Engineer's position and Mike will report on that later. Met with Todd Cooper, Concord Township Administrator/ Fire Chief and they have a new trustee and the trustees are concerned with Mark loading his own salt, liability issues mostly. They do not have a full time person there to load the salt so we are going to get the salt from Dublin if Mark is not able to get the salt from Concord Township. The cost of the salt is about the same. It will just take Mark longer to drive to get the salt from Dublin then from Concord Township. Still waiting for the guard rail to be installed, its taking longer due to the wet weather. Working on getting the light installed in the parking lot. He has been working with CPS on the revised drainage plan, should have that by the first of the year.

Visitors

David Rutter, Mid Ohio Regional Planning Commission, was present to give an update on the Upper Scioto Watershed Planning Committee. David provided maps for Council to review. One is of Shawnee Hills with the priority areas identified on it; the other one shows the entire planning area. He reminded Council that if they are not familiar with the balanced growth plan, it's a planning process that was developed by the State, it was started in the Lake Erie watershed for the first time several years ago and they thought it went very well and they started to do this statewide. It's meant to kind of be a companion piece to a watershed action plan which focuses very much on the water issues, what needs to be done to restore the waters where they are not meeting the clean water act standards, what things need to be protected, those types of things. David said the balanced growth plan is meant to kind of be that companion piece, to focus in on land use, recognizing that how we use the land has a direct impact on how clean the water is. Part of that is identification of priority development areas, priority conservation and where appropriate priority agricultural areas. He said this is a voluntary process, the end product of this is, these are not codes, these are not laws that hold anybody to anything else. It is not one community telling another community what they can or cannot do within their jurisdiction. These are a voluntary piece. Now as a part that, as part of the planning process as we get the plan completed we will be coming back and asking for your support of the plan to get state endorsement. David said what he just passed out to you is the definition that the Upper Scioto Planning Partnership came up with for each of those priority areas. The other sheet is just a list of the criteria that they came up with to determine how we were going to identify each of those priority areas. Once the planning partnership completed that task then they went back to the MORPC staff with our GIS folks who, using GIS, did an analysis and laid out, identifying what would be those priority conservations areas. So as you look at the map anything orange is identified as priority development, anything purple is identified priority conservation and anything that is green is priority agriculture and you can see there is not a priority agriculture within or near Shawnee Hills on the map. There are not any overlaps either. What this is is a draft map; this is a map that is based purely on that analysis of those criteria. The data sets that we have are not 100% accurate, they are going to pick up things and identify them as potential priority area for whatever that maybe doesn't fit really with what is actually on the ground and that's where the local review process of bringing it out for you all to go through and review that and identify what needs to be identified, any changes that need to be made to the map, things that are identified as priority but need to be either taken out or included. Since there are not overlaps you do not need to decide which one it would go in. David said that is where we are at tonight;

he has also brought along a copy of the instructions for reviewing the map and then the worksheet to help identify the areas and he will leave the big map for us to mark on with any changes that need to be made and return the map to him with what changes need to be made. Do an explanation on the worksheet and he would like the map returned to him by January 16th. He said they would like to have all the changes completed and a draft plan done by the end of February, first of March going into a 30 day public comment phase at that point where they will hold a couple of public meetings to allow folks to give input on that and then doing final changes, revisions to the plan and then bringing the final plan out to each jurisdiction and asking for a resolution of support on that plan. Mayor Monahan asked him why they show the area around the municipal building as priority conservation. David asked if we had park land around the area. Shirley said that the maps all call the area parkland. David said even if it says a priority conservation area, it does not mean that you cannot do any development in that area. Part of that plan is a big toolbox of different things you can do and it could just be recognizing the issue that it is a little more sensitive in terms of water quality and that it is taken into consideration when you do any type of development. David said this is not a comprehensive plan, it is not a zoning map, it is a guide as you move forward for where your community wants to make the effort to guide that development. Council member Dalvi asked what is the end output of the MORPC committee and as a Village, how do we leverage this, if we have some areas identified as conservation areas, do we work with MORPC in terms of getting some guidance or is there a funding vehicle for us. David said that this being a part of a State program once the plan is endorsed, this is a State endorsed plan, they have incentives that go along with having participated and having endorsed balanced growth plan. So for conservation things there are 19 grants and you get additional points on those grant applications, you get some additional points and move you up the ladder a little bit for development dollars that might be there within priority development areas, especially for redevelopment and those types of things. Those are the incentives that the State has been trying to put together. Council member Dalvi asked if MORPC collaborated or have partnerships with other governmental entities like ODOT or is it just strictly the counties and government. David said MORPC in general has a very close relationship with ODOT as the NPO. In terms of once the plan is actually adopted if you endorse that and want to start using this as guidance within your community as you begin to do updates, next time you might want to incorporate some of this into your comprehensive code. He said MORPC will work with you on any issues that you have in trying to help you in identifying what programs might be out there. David said one of the other pieces that they would ask is for you to continue to be involved and to incorporate the plan and to implement the plan and then continue to be involved in this ongoing plan and partnership and how we envision that generally is just a once a year meeting, some annual reporting on what have any of you done towards that.

Communications

Mayor Monahan gave the following report:

From: Pat Monahan [mailto:pmonahan@columbus.rr.com]

Sent: Sunday, December 11, 2011 10:45 AM

To: 'Robin Fellure'; 'piccin.john@gmail.com'; 'Lucy Plahy'; 'cedarbrookgc@yahoo.com'

Subject: Holiday tree lighting

I want to thank The Chamber, Civic and Cedarbrook for a great event that just helps emphasize why Shawnee Hills is a great place to live, work and shop!

Thank you all for helping create great memories!

Pat

Pat Monahan
Mayor Shawnee Hills, OH.

The below is an email I sent to The Concord Township Trustees on Sunday 12-11-11:
From: Pat Monahan [mailto:pmonahan@columbus.rr.com]
Sent: Sunday, December 11, 2011 12:16 PM
To: 'kkoch@concordtwp.org'; 'jgarrett@concordtwp.org'; 'bjohnson@concordtwp.org'
Cc: 'tcooper@concordtwp.org'; 'Sean Lefever'; 'james.gauldin@shawneehillsoh.org'; 'Kris Garren'
Subject: Potential of Shawnee Hills Police coverage of Concord Township Trustees:

As always I want to thank you and Todd Cooper for the relationship we have as neighbors and commit to you that we will always work with you to retain that relationship. The below article was included in our Village Newsletter that went out last week.

Concord Township can use our help:

First Energy proposed 138,000 volt power line directly through residential Concord Township. Please help by signing our petition. Go to www.NoNewWires.org thanks for all of your help. This is to the west and north of the Village. First Energy has the ability to traverse existing right of ways. This petition is available to sign in our Village Office and is a show of opposition to First Energy forcing a new right of way through our Concord Township neighbors' land.

I would like to let you know Our Police, Safety Committee, Council and I have spent a considerable amount of time investigating the possibility of The Shawnee Hills Police providing contracted Police service to Concord Township to replace and exceed the contract you recently ended with The Delaware County Sheriff.

Police update:

In this year we have responded to over 40 calls in Concord Township and as a neighbor we have been glad to help keep our Communities safe. We are capable of providing differing levels of service and pride ourselves in what we believe you are now missing. It is very obvious in the Village that we have a Police presence. Chief Le Fever and our Police force are a community friendly operation and professionally vigilance in working to keep our residents, businesses and visitors safe. We are incredibly proud of their operation and the stellar results that are consistently producing.

What I would like to propose is a fact meeting the last week of this month or after the 1st of the year to discuss your Police protection plans and see if we can together come up with a win – win for both our communities.

We wish you and yours the greatest and safest Holiday Season ever!

Respectfully!

Pat

Pat Monahan
Mayor Shawnee Hills, OH.

I received letters from both Congressman Pat Tiberi and State Representative Andrew Brenner offering the Village help when we needed it.

I would suspect that we will take up both on their offer as the intersection discussions progress. I can see inviting both to a future discussion especially considering the safety of children

traversing the intersection going to Zoombezi Bay, the opportunity to alleviate congestion caused by the failed intersection and connect two bike/walking paths between Dublin and Delaware County.

Mayor's Report

Mayor Monahan gave the following report:

From: Sean Lefever [mailto:sean.lefever@shawneehillsoh.org]

Sent: Monday, November 28, 2011 8:49 PM

To: Monahan, Pat (personal)

Subject: Officer Khristopher Moore

Sir, Officer Khristopher (Cody) Moore has turned in his official resignation. It has been placed in his file and his state paperwork was filed today to remove him from our roster.

Thanks,

Chief Sean LeFever
Chief of Police
Shawnee Hills Police

I want thank Officer Dean Schambs for his service to our Village Police. Dean resigned last week.

I believe every Charlie, Mike, Dan and I all received notification of the swearing in times at Delaware County Municipal Court this coming Friday Dec 16th or Wed. Dec 28th at 4PM. In the letter dated Dec. 6th it states "Please be sure to bring with you both your bond form and oath of office form.

Shirley are these forms that you will prepare for each of us? I believe Shirley and I are the only two bonded is that correct? Shirley said yes.

If anyone wants to ride up to Delaware with me this Friday I will leave the Municipal bldg. at 2PM.

I think Ed will have covered the cost of road salt from the City of Dublin. If not we received a notice that it will be \$62.67 a ton.

I think everyone received the November Police Report correct?

The Newsletter went out last week I do receive many positive responses on the Newsletters. I would like to take this opportunity to read this short Article into record.

Thank you for service to our community:

As this year and this term draws to a close I want to take the time to thank our longest term Council member Yvonne Clippinger. Yvonne has been on Council for 5 years and during that time served 3 years as President Pro tem of Council. Yvonne's service includes Chairing the Finance Committee, serving on Safety, Comprehensive Planning, Scioto Watershed representative and many others. Her attention to detail and grasp of our code (which isn't easy) will be missed.

Thanks to Yvonne for her Service to help make Shawnee Hills the great Village it is today.

I also want to take this opportunity to thank all of you, our residents, our Board members, Volunteers, Council, Police and the Administrative personnel for your support and hard work. I believe that our differing opinions and our common concerns in representing the people we serve have produced a year in the Village we can all be proud of.

The Appreciation Dinner on Dec 3rd and the Tree Lighting on Dec 10th were well attended and great events. Thanks to Cedarbrook for the tree and decorating and to Ted Guarasci for letting us use the property The Sweet Adeline's Columbus Chorus and to the Chamber and Civic for their support and help in making the 4th annual Tree lighting a success.

At the Concord Township mtg. on the First Energy Power Lines I attended I met and discussed with Delaware County President of the Commissioners, Dennis Stapleton that after the 1st of the year we will be inviting he and their Engineer to a mtg. to start planning for improving the Rt. 745 and Glick Rd. intersection to include left turn lanes and ADA compliancy. We discussed that we were disappointed that Delaware County funds were being spent to develop a Traffic circle at Home and Section line Rds. I mentioned to the Commissioner that we as a Village pay a considerable amount of money to Delaware County and believe the money could better serve the residents and businesses in this area by finally improving the intersection.

We discussed that with all the work going on in the area and the fact that this intersection serves far more Dublin residents than Shawnee Hills that it isn't on Dublin's 5 year plan or ODOTS radar. This discussion between Dublin, ODOT and ourselves has been produce similar results to a dog chasing its tale and we are interested with Delaware Counties help to move forward. Commissioner Stapleton asked that we contact him when we are ready to talk after the 1st of the year.

Pro Tem Report

Pro Tem Gauldin said he also wanted to thank Council member Clippinger for all the work that she has done this term and before this term as well. He has been privileged to work with her on a lot of things and while we don't always agree either, he thinks in the end we come up with some pretty solid stuff and it's good to work with someone who is very solid on reading something and understanding it and having a very good opinion even when you may disagree with it, so thank you very much for your time and efforts with the Village.

He also said that he thinks everyone has seen some of the items that are hanging on our new light poles, the wreaths, the banners and especially he saw some gift wrap on one of the rocks leading into the Village and it thought it was quite cute himself. He said it all looks great, it's a nice touch, it's not too big and gaudy or out of place. He said he wants to thank all the people that have donated items for this holiday season.

Committee Reports

Council member Garren said that Safety committee met and they talked about a new code that will be presented at the next Council meeting in regards to falsification. We currently do not have anything our code regarding falsification and the Chief brought it up to Safety as a concern. Right now he either has to go to a felony forgery or a minor misdemeanor so there really is not anything good to handle that and he has had some false drivers license being presented to him recently. She said we are basically going to mirror the Ohio Revised Code. It's a motion that was

made during Safety and Kris, Yvonne and Jim all said yes and the Mayor is going to co-sponsor this. Councilmember Garren said that one of our officers was struck in the arm by a car out by Cedarbrook when they were pulling another car over so we discussed what options there might be for that area which is very dark. We were going to look into some possible portable lighting, the Chief was going to look at some options for us, but we definitely need to do something because not only did we have this incident but we also had an incident with another officer, who had flares out and cones out and twice when she was out someone almost hit her. She didn't get hit but it was a little too close and to have the flares out and the cones out and to still have that experience definitely show that it is kind of a difficult place to see and we are going to continue to investigate what we can do there. Probably leaning towards a portable lighting solution. She said they also touched on Concord Township, an update on that which the Mayor gave.

Council member Callender said that the Service Committee met and the whole meeting was devoted to reviewing the applications, resumes from the different engineering firms and reviewing those with Ed and set up dates for interviews and to make a recommendation which Mike will report on.

Council member McVan said the Building Committee met and basically went over and made some small changes to the plan and sent that back to Bill and he will have that back to us at the first of the year to look over and get everyone's final ok and at that point we should be moving forward and proceeding with a new building.

Council member McVan said the Engineering Review Committee met and we had the review/interview process and we met again after that and we want to come forward with a recommendation to contract with Pomeroy and Associates for one year. He said they just stood out a little above everyone else for the simple fact of their close relationship with ODOT and what we are trying to accomplish here with the intersection, they just accomplished that in the city of Ashville recently.

Council member Clippinger said that the Finance committee met and they looked at three things that were on the agenda and we discussed a couple of other things. One was the allocation of TIF funds for two park benches plus the installation and the Finance Committee voted not to allocate that money at this time. We would like to ask the administration to ask the business owners if they would like to sponsor a bench and get the word out to our residents about sponsoring a bench before we move forward with that. They also looked at the up to \$500.00 to match the illumination on the two streetlamps at Walgreens'. We did not allocate any money for that either and we suggest that it be revisited when one of the lamps go out. When one of those burn out we can then replace both of the lights at Walgreen's at the same time. We also looked at putting the electrical outlets in the street lights and we did not allocate any money there either and we will revisit that in 2012. She said one of the things that did come up at the meeting is that we would like to request that the village discontinue the use of the cardboard signs and purchase permanent banners for the events that we have on a regular basic, like the village picnic and the tree lighting. We would kind of like to see something designed with the Village logo and maybe a couple of designs to choose from. She said that Shirley reported to the committee that for our end of the year revenue status we actually collected more money in court fines and in income tax than what was anticipated.

Council member Dalvi said the test website is up and running and asked everyone to please take a look at it. He said this is still on track to be up and running by the first of the year.

Legislative Actions

Third Reading – Resolution 24-2011 – Sponsored by the Comprehensive Plan Review Committee – A Resolution to adopt the Revised Shawnee Hills Comprehensive Land Use Plan as amended. It was moved by Clippinger, seconded by McVan to pass Resolution 24-2011. Following vote on the motion was recorded: Yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared Resolution 24-2011 passed by a 6-0 vote.

First Reading – Ordinance 27-2011 – An Ordinance to amend Ordinance 508-85 for the Village of Shawnee Hills, Ohio

First Reading- Resolution 26-2011 – A Resolution authorizing the Mayor and the Fiscal Officer to enter into a contract with Pomeroy & Associates, Ltd. for Engineering Services for the Village of Shawnee Hills, Ohio. Brian said that this should say the Administrator and the Fiscal Officer. It was moved by Gauldin, seconded by Garren to amend Resolution 26-2011 by changing the name Mayor to Administrator. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

Bills

It was moved by Garren, seconded by McVan to approve the bills in the amount of \$194,921.07. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan..Nay, none. Chair declared the motion passed by a 6-0 vote.

Treasurer's Report

It was moved by Gauldin, seconded by Dalvi to approve the following treasurer's report: General Fund 206,693.90, Street Fund 31,714.74, State Highway Fund 2,876.33, Enforcement and Education Fund 1,985.00, Mayor's Court Computer Fund 951.67, Fire Fund 180,115.49, Weed Fund 10,430.94, TIF Fund 5,379.41, Veteran's Memorial Fund 530.94, Building Expansion Fund 700.00, Capital Projects Fund 105,000.00, Sewer Operating Fund 61,190.65, Sewer Replacement Fund 54,000.00, Storm Sewer Fund 14,247.90, Debt Service Fund 12,976.39 and Debt Service Reserve Fund 98,037.27 for a total of \$786,830.63.

Miscellaneous Business

Chief LeFever thanked Council on behalf of the officers for the Kroger gift cards.

Council member Gauldin asked that if changes are made to ordinances and resolutions during the three readings can we get a copy of the changes made on the ordinance or resolution by adding the changes and/or making strikethroughs.

Mayor Monahan asked Yvonne if she would like to stay on Planning and Zoning since Dan Mathews is coming to Council and he sat on P&Z and if Dan would be interested in being the Council Rep to P&Z so that the continuity remained.

There being no further business, it was moved by Garren, seconded by Gauldin to adjourn until January 9, 2012. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the meeting adjourned at 7:55 p.m.