

Village of Shawnee Hills Council Meeting Minutes

December 16, 2013

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

Council in attendance: Charlie Callender, Mahesh Dalvi, Kris Garren, Mike McVan and Dan Mathews

Absent: James Gauldin

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

It was moved by Garren, seconded by Dalvi to approve the minutes from November 25, 2013 with the following amendments: on page one clarify that it was the Mayor's brother Mike that has no voting authority. On page 3 second to last line change the word *he* to *the*. On page 4 say that Joyce added an explanation to her Mayor's report. On page seven remove the word *a* and on page 9 change the words *the one thing that hurts* to *the things that hurt*. Following vote on the motion is recorded: yea, 4; Dalvi, Garren, Mathews and McVan. Nay, none. Abstain, one; Callender. Chair declared the motion passed by a 5-0 vote.

It was moved by Garren, seconded by McVan to approve the agenda with the following amendment. Move the third reading of Ordinance 25-2013 to right after Ed gives his report as Dave, the applicant, has another event tonight to attend. Following vote on the motion is recorded: Yea, 5; Callender, Dalvi, Garren, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

Solicitor

Brian said he just handled general questions and attended the BZA hearing on December 10th. That was for a conditional use for a home to be built on three side by side lots. The only other interesting notable thing is that Darryl Sanders refiled his lawsuit against the Village. This case was filed and worked on in 2012, 2013 and Mr. Sanders had an attorney at that time and Paul LaFayette handled this through our insurance carrier and we had moved for summary judgment and asked the court to dismiss the case and Mr. Sanders dismissed his lawsuit. The way the rules work you have one year from the day you dismiss it to be able to refile it. Mr. Sanders refiled it but he does not have an attorney at this time.

Mayor Monahan said he wanted to add to something that Brian said about the BZA. We have been trying to make that a more professional process and he has asked Brian to develop a checklist for the BZA to use during the meetings as there are different steps to cover for a variance and/or a conditional use. They do not meet very often and this will be a big help to them.

Administrator

Ed said that he also talked to Paul LaFayette. Shirley had received the letter that said that Mr. Sanders had refiled and we sent it over to Paul. Ed informed Council that Paul said he was not concerned about this and he will file to have it dismissed again.

Ed said he has been working with the engineer and the contractor on the sidewalk project. It is moving along and it needs to be done by the end of the month or shortly after that.

He said that Pat wanted to send a letter out to all of the folks that we need easements from so he sent the Mayor all their email addresses and he has talked to all of them again and they all seem very receptive but they haven't made any offers. We are kind of waiting for the Morgan House to talk to Dublin. Dublin is paying to have an appraisal done of that property as that will give us some guidance of what to expect to have to pay.

Mayor Monahan said he does not want to use that much as a guide because they probably have the most impact of anybody. It's landscaping, it's not just land. He wants to put it in a positive light and he has already communicated with the Attorney from Walgreens and he will contact the others. He wants to get these tentative agreements in front so we are not getting to February and March and then start that process which could take us into the summer.

He said he would like to put up a sign thanking the businesses for their help with this project.

Council member Dalvi said we will have to make necessary provisions in our budget to cover these expenses, correct. Ed said we should know by February if we get the grant and loan.

Council member Callender asked what do you anticipate the timeline is for getting the easements once you get the ballpark figure. Ed said he is hoping a month.

Ed said that Mark has completed all but six of the sewer inspections. Those are in unimproved road easement areas that are covered with snow right now. Mark will be getting those done as soon as he can. Ed said 122 are done and Mark takes pictures and files them.

Ed said that Dr. Dawn has trapped twenty seven of the cats over at Cal and Dottie's house. There are two or three more that she is still trying to get. All the female cats have been fixed except for the one or two she is still trying to catch. Eleven have been adopted out. She is helping Cal and Dottie with how to care for the cats and not attract any more to their house.

Ed informed Council that Dublin and Concord are both out of salt at this time. We should not need it tonight. He said unless there is an inch or more of snow on the ground the plow will not plow anything anyways. Ed said they are hoping to get more salt tomorrow.

Mayor Monahan said according to how we modified the agenda we are going to have the third reading of Ordinance 25-2013 – Sponsored by Mayor Monahan and Planning and Zoning – An Ordinance to amend the zoning district map of the Village of Shawnee Hills, Delaware County, Ohio, by rezoning 9699 Dublin Road from Neighborhood Commercial District to the R-2 Single Family District. Mayor Monahan said we have been kind of going around this since probably June or so. We asked that they go ahead and do the filing, they did the filing, Planning and Zoning has looked at it and he asked Dan if he had anything to add to this. Council member Mathews said again the reason we thought this made the most sense to rezone to residential, the lot size itself wouldn't necessarily lend itself to any sort of business and we thought it was far enough away from the major center of the businesses and we just thought it was the right thing to

do as far as the aesthetics of the Village. Council member Callender said doesn't it open the door for someone else to come in and ask for a zoning change within the Village along Dublin Road and say hey that property changed. Council member Mathews said yes, I would say it does but I think the loophole was somewhat closed with how you have to go through the process, they have to go through Planning and Zoning, they file the petition to start it. Council member Dalvi said and what reason would you give for every property from right here to the end of the road. Council member Mathews said it would be a case by case. Mayor Monahan said it would be case by case. Council member Dalvi said what is the criteria. Council member Mathews said we would have to look at it case by case, this one had several things, it had safety issues because the kids have to get on the bus there, the cutout, the size of the lot, where would you put the traffic that would go from 45 to 35, people turning into a business. There were quite a few things. Council member Dalvi said is the goal now is that the first thing upon entering our village on both sides of Dublin Road should be houses. Mayor Monahan said no not necessarily, again, it is a case by case. Council member Dalvi said the concern is and as he has stated before, is on Dublin Road, as we go through Dublin Road, we did not abruptly say that this was a commercial and this wasn't a commercial. Personally he just does not like the fact that there is house, business, house, business and we are abruptly deciding that. Mayor Monahan said again we have gone through, we asked Dave to file this, we've had the Planning and Zoning review and recommend this twice. Council member Mahesh said he appreciates the process and we have taken Dave through this process and appreciates you guys going through that. Mayor Monahan said he really does believe, let's just say a larger property, we wouldn't have the same view. You are not going to fit hardly anything there and the likelihood of a business buying that in the next ten years versus residential is probably incredibly low. It was moved by Garren, seconded by Mathews to pass Ordinance 25-2013. Following vote on the motion is recorded: Yea, 2; Garren and Mathews. Nay, 3; Callender, Dalvi and McVan. Chair declared the motion failed by a 3-2 vote.

Police Chief Report

Chief LeFever said the department has been involved in a lot of stuff in the village over the last couple of weeks, the holidays and everything. He said they also participated in a really neat program with the Delaware County Sheriff's Department and a couple of other agencies called Shop with a Cop. We did it for two weeks on various days and we had our officers' volunteer. It is for underprivileged kids and different stores like Walmart and Meijer's, made donations and then the Officer helps them shop for their gift. Each kid got paired up with an Officer from various agencies and then took the kid shopping. This was really neat and we had about eight of our Officer's go over the course of the few days that they did it. The Holiday in the Village, the tree lighting, Breakfast with Santa, several different things with the Chamber, the Civic kept us pretty busy.

We finally went door to door with the Senior's project this past Saturday. Our Officers went door to door to each person that was on the seniors list. They handed out a packet of resources and some information about contacting the police department, magnets, and pencils. The packet contained several things, for example, how to get a ride to a doctor's appointment. He said they will keep that up to date, probably quarterly. He said this went very smoothly and got a lot of positive feedback.

Chief LeFever said their first mandatory meeting of the year will be coming up and at that time they will be doing their officer awards for any type of recognition they earned in 2013. Also

today Officer Sen Greenlee and his wife had their first baby. So we have another Shawnee Hills Police Baby, seven pounds, eleven ounces, named Finnegan.

Chief LeFever said that tonight is Council member Garren's last night on Council and she has done a lot of great things for the Police department and has done a lot to help them out and she has been supportive. She has been on Safety, Finance and several different projects that we were on and he just wanted her to know that from the Police Department we appreciate what you did and your time with Council and Safety and he and Lieutenant Barron wanted to present her with a certificate of appreciation.

Communications

Mayor Monahan gave the following report:

I received a note from William Murdock the Executive Director of MORPC in conjunction with our mtg. on Dec 4th.

We have been meeting with a prospective buyer of the land at the corner of E. Riverview and Dublin Roads and some possible implications of fitting a building on those 3 lots. More to come on this!

We received a Holiday card with from the Delaware County Council for Older Adults.

Mayor's Report

Mayor Monahan gave the following report:

November 2013 Mayor's Court Report

6,136.00 Balance Brought Forward

Deposits

4,243.00 Traffic Receipts

4,243.00 Total Receipts

Disbursements

1,041.50 State Treasurer

364.00 Computer Fund

40.50 HB 562 Indigent Driver

2,797.00 General Fund

4,243.00 Total Disbursements

6,136.00 Balance Brought Forward

-4,243.00 Total Disbursements

-1,863.00 Outstanding Debits

30.00 Maintained in Checking

I want to thank Mark K and Richard Ey for all their work keeping our streets clear during the snow and ice storms. I have always said we have the best snow removal in all of central Ohio! Also want to recognize their work in conjunction with the Holiday tree lighting and thank Cedarbrook, the Civic, the Chamber, and Hella's for letting us hook up for electricity and our friend Ted Guarasci for the use of his land. That is a great Village event!

I am appointing Christy Schimmoller to ABR moving her from the alternate spot to replace Bobbi Jo Cea who moved from the Village and I ask for a motion of your confirmation. It was moved by Garren, seconded by Callender to confirm the Mayor's Appointment of Christy Schimmoller to the ABR. Following vote on the motion is recorded: yea, 5; Callender, Dalvi, Garren, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

I sent the below email to Kristina Summers Raymond Senior Attorney Community & Real Estate Law Walgreen Co.

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

Sent: Tuesday, December 03, 2013

To: 'kristina.raymond@walgreens.com'

Cc: 'Ed Swanson'

Subject: Walgreens store # 6116 - 9110 Dublin Rd, Shawnee Hills, OH. Road widening easement.

Hi Kristina the improvement to the intersection at Glick and Dublin Roads are the single most important factors to the economic development of this area. This has been a 5 year plus project in the planning and long overdue. This will certainly benefit Walgreen's and our other neighborhood businesses. Today people traversing this intersection are lined up in all directions and it has been repeatedly stated that people avoid coming here because of the congestion.

It is my current intention to have a sign made and putting it at the intersection listing the businesses that have helped us alleviate these issues and thanking them.

I would like to ask for your timely help working with Ed to help us move forward.

Thanks Kristina!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

On Wed Dec 4th we met with MORPC Executive Director William Murdock and Eileen and had a great discussion.

At the end of 2007 I met Jeff and Kris Garren and once in office asked Kris if she would serve on the ABR and she did. Kris then ran for Council and was elected. It has been a pleasure working with Kris on Council and her dedication to Chairing the safety committee and work with the Police and her work on Finance has been exemplary. She always functions with the best interest of our residents as her foundation.

Kris you will be missed and we hope you chose to return in the future. Thank you for everything you have done for the Village!

Received thanks from the Sharron's in conjunction with the Senior Program the visits were initiated on Sat the 14th.

From: Joan Sharron [mailto:joansharron@ymail.com]

Sent: Saturday, December 14, 2013 11:06 PM

To: Pat Monahan

Subject: Thanks

Hey Pat, two of Shawnee Hill's finest stopped by today to bring us old people a nice packet of senior info. Nice surprise. Thank you and anyone that's responsible.

Nice seeing you guys at Sam's. Always nice to see you.

Joan

I want to take a minute to thank everyone for a great year.

When you look back at our move into and dedication of our new Municipal bldg. The renovation the Police did of the Police bldg. The creation of 2 small parks, the start of the Playground and Memorial park project and the writing of the grant, and the negotiating of the intersection project to mention a few, it has been a year of great accomplishments.

These things have been accomplished because of the collective we working together to help raise our Community with great support of our residents. Please look back at 2013 with a great sense of deserved pride and Thanks for all you do!

Committee Reports

Council member Dalvi said he attended the Economic Development seminar that MORPC hosted at the Ohio Union last Friday. Just two take aways from that: one, with JOBS Ohio and all that other stuff happening in Ohio there are a lot of services that are available to us, just to primarily attract businesses. I think we have eight or nine lots around Dublin Road that are potential to attract business which, of course, increases our tax base. There are services available through MORPC even for villages like us. He said one thing that came through very loud and clear from all the sessions that he attended was: We as a Village are required to have a brand. We just don't have a brand, we don't have the visibility and that's an area that we will have to look into going into next year as a project. We need to figure out how to do it, with the Chamber, the residents and everyone else. He said that MORPC and others can help us with that, in terms of putting a brand together so something to think about. That's what they ask for, what is your brand. He said a lot of other stuff goes with it, a lot of information about our demographics, our village and all that stuff. They put all that packaging into a brand and that is how they go and talk to investors and other people who wouldn't have wanted to come to our village and invest in business. He said it was a good meeting, a lot of participation and there were more than 400 people there.

Council member Garren said that Safety met and she said that Russ was there and showed them the new computers in the cruisers. She said they went through the education policy and a change to a couple of ordinances.

Legislative Actions

Second Reading- Resolution 24-2013 – A Resolution authorizing the Administrator and the Fiscal Officer to enter into a contract with the Delaware Soil and Water Conservation District for

certain public information and participation programs/services required under the Village Storm Water Management Plan.

First Reading- Resolution 25-2013 – A Resolution authorizing the Administrator and the Fiscal Officer to enter into a contract with Pomeroy & Associates, Ltd. for Engineering Services for the Village of Shawnee Hills, Ohio.

First Reading- Resolution 26-2013 – A Resolution to authorize the Administrator and the Fiscal Officer to enter into a contract with Eric J. Burden for Prosecutorial Duties for the Village of Shawnee Hills, Ohio.

First Reading- Resolution 27-2013 – A Resolution concurring with the Mayor's Appointments to the Tax Incentive Review Council

First Reading- Resolution 28-2013 – A Resolution authorizing the Mayor and Fiscal Officer to contract with Concord Township for Fire and Emergency Medical Protection and declaring an emergency. Mayor Monahan said this is the same price and it's a five year contract. It was moved by Callender, seconded by McVan to suspend with the second and third reading and declare Resolution 28-2013 an emergency. Following vote on the motion is recorded: yea, 5; Callender, Dalvi, Garren, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote. It was moved by Garren, seconded by Dalvi to pass Resolution 28-2013 as an emergency. Following vote on the motion is recorded: yea, 5; Callender, Dalvi, Garren, Mathews and McVan. Nay, none. Chair declared Resolution 28-2013 passed by a 5-0 vote.

Bills

It was moved by McVan, seconded by Callender to pay the bills in the amount of \$264,239.42. Following vote on the motion is recorded: yea, 5; Callender, Dalvi, Garren, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

Treasurer's Report

It was moved by Callender, seconded by Garren to approve the following treasurer's report: General Fund 231,496.02, Street Fund 30,283.84, State Highway Fund 5,535.28, Drug Law Enforcement Fund 627.00, Enforcement and Education Fund 1,985.00, Mayor's Court Computer Fund 9,432.19, Fire Fund 57,291.78, Weed Fund 6,169.79, 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 75,849.85, Sewer Replacement Fund 106,000.00, Storm Sewer Fund 8,481.62, Debt Service Fund 46,549.67 and Debt Service Reserve Fund 99,035.47 for a total of \$964,798.08. Following vote on the motion is recorded: yea, 5; Callender, Dalvi, Garren, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

There being no further business, it was moved by Garren, seconded by Callender to adjourn until January 13, 2014. Following vote on the motion is recorded: yea, 5; Callender, Dalvi, Garren, Mathews and McVan. Nay, none. Chair declared the meeting adjourned at 7:49 p.m.

Fiscal Officer

Mayor