

## Minutes of Village of Shawnee Hills Council Meeting

January 14, 2013

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

Council in attendance: Charlie Callender, Kris Garren, James Gauldin, Dan Mathews and Mike McVan

Absent: Mahesh Dalvi

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

It was moved by Callender, seconded by Gauldin to approve the minutes of December 10, 2012 with the following amendments: on page 4, down at the bottom in the Chief's Report add: we congratulated Christy, both the Mayor and Council, on page 8 in the middle of the page, remove see Jan and gave her, and change the wording to: realize that your paying to and on the next page add the wording to the Village after net gain. On page 9 after cars put in a comma and continue the sentence. Following vote on the motion was recorded: yea, 5; Callender, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

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

### **Election of President Pro Tempore**

President Pro Tem Gauldin said every year, according to our ordinances and probably other miscellaneous laws of the State of Ohio, we elect a President Pro Tem of Council and he has been doing it for a few years now and he appreciates the support and he enjoys it and he would be more than willing to do it again unless someone else would like to step forward. He said if there are any nominations they can be heard now. It was moved by Callender, seconded by Garren to keep the same Pro Tem. He has done a great job and if he wants to continue he can. Following vote on the motion was recorded: yea, 5; Callender, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

### **Solicitor**

Brain Zets said he worked with Ed a little bit on a legal issue that came up with respect to conforming and non conforming lots. We just had to come to a decision on how things could be or how they couldn't be so it wasn't that big of an issue. He worked with the Chief and Sergeant Baron briefly on some criminal cases that have been filed in Delaware County Municipal Court. He worked briefly on the Russ Dempsey appeal and that appeal was filed from the Armeni BZA matter but that has been turned over to Paul Lafayette, our insurance counsel, so he is off and running with that. He said he continued to work with Mark on BZA issues. We had a BZA meeting on the Animal Clinic last week and we did not have a quorum so we really did not have a meeting so he is working with Mark on just getting the process down to make sure they have

an understanding of what they have to do because that helps them understand what they have to do and that in turn helps the BZA, which helps the whole process out, so we are still working on that but things are going well and we will have another BZA hearing on that. Mayor Monahan said he had asked Brian to attend that meeting and he did. He said the week of the meeting he wants confirmation from the members that they will be there and Ed and I have talked about this. Ed said that Mark did notify all the members by email but there was a problem with the internet and not all the members received the email.

### **Village Administrator**

Ed said he has been working on the new building. We are waiting for the occupancy permit and we should be able to move in about three weeks. We are waiting for the railing for the handicap ramp to be installed.

Ed said he talked to our engineer and he is still working on last minute items for the hydrant/waterline extension and also the sidewalks. Hopefully we will be putting these projects out for bid in February.

### **Communications**

Mayor Monahan gave the following report:

**From:** Robin Fellure [mailto:robine4@ameritech.net]

**Sent:** Thursday, December 13, 2012

**To:** 'Pat Monahan'

**Subject:** RE: Proudly the new Municipal bldg. will be known as the Timothy L. Fellure bldg.

Thanks Pat this means the world to our family.

Robin

### **MORPC Names New Executive Director**

*William Murdock, AICP to serve as MORPC's new Executive Director beginning January 2013*

Dear Community Leader:

Today we are proud to announce the Mid-Ohio Regional Planning Commission (MORPC) has named William Murdock, AICP, as our new executive director. William currently serves as the chief of community services at the Ohio Development Services Agency.

As executive director, William will be responsible for carrying out MORPC's mission, strategic goals, policies and programs. He will oversee the overall management of MORPC including structure, personnel, finance and the implementation of policies and programs. William will also represent the agency before a variety of government, business and stakeholder organizations across the region, state and nation.

William brings knowledge and expertise in the areas of community services, urban planning and redevelopment, which is critical as MORPC continues to grow and adapt to the changing needs of the region. His focus on strengthening MORPC's core services, partnered with his experience, innovative spirit and integrity, will amplify the voices of our members and take our work to the next level.

In his role as the chief of community services at the Ohio Development Services Agency, William managed a \$650 million budget and 180 employees. He also led the state's community programs, incentives and investments with an emphasis on redevelopment, energy efficiency, infrastructure and services to individuals and communities in need.

I received an invite from the Ohio Municipal league about the OML Legislative Luncheon on Wed Feb. 6th from Noon to 1:15 PM. I will give the invite to Shirley if anyone is able to attend.

Jack Frambes and I went to the swearing in ceremony for Gary Merrill the new Delaware County commissioner on Jan 2<sup>nd</sup>.

I was able to discuss the Glick and Dublin Rds. intersection with Chris Bauserman – Delaware County Engineer. I thanked Chris for the Delaware County commitment of \$50,000. Toward the project and suggested we may want to look into possibly changing the traffic pattern to one at a time in the interim. I will ask Ed to make a contact with Delaware County Engineering request the study the feasibility to see if it provides any benefits to alleviate the traffic issues that exists.

### **Mayor's Report**

- Mayor Monahan gave the following report:

#### **State of the Village:**

- The state of the Village is good and financially sound.
- We started 2012 with \$199,031. in the General fund and closed out 2012 with \$276,780. with additional funds earmarked for Building expansion and intersection improvement (most likely 2014). Our incoming Revenue in 2012 rose approximately \$80,000. over 2011. Many thanks to Council and the Administration in the application of sound financial practices.
- After a 3 year exhaustive research project to possibly rebuild our existing 40 W. Reindeer Municipal bldg it came out to be economically unfeasible. We sought out and obtained a \$500,000. bond from Delaware County to purchase our new Municipal Bldg. to open in February of this year. The bond also allows us to complete phase 2 of our sidewalk plan extending our sidewalks in the spring of 2013 all the way to the North end of the Village on Dublin Rd. **This has all been accounted for through our current budget with no additional taxes.** The commitment of Council and the Administration is to accelerate the payoff of the sidewalks.
- After receiving a Title 2 grant we were able to obtain and complete a sizable amount of street repaving.
- Council approved and we are about complete with the building of our first private park for the residents and guest of Shawnee Hills. The Jack Frambes Park is on E Park View and will be dedicated this spring.
- We applied for and are working on grants to build a Memorial Park around the 40 W. Reindeer bldg. which going forward will be our Police and maintenance bldg.
- Our Police have continued to solidify the strong unit they are and we can all be proud of.

- There are so many more things that could be said about 2012 and the most achievements in any year. I am extremely proud of the accomplishments made by our Council and Administration working together and the great support we have received from our residents and businesses. Thank you all!

NOVEMBER 2012  
MAYOR'S COURT REPORT

|                       |  |
|-----------------------|--|
| 4,890.00              | BAL. BROUGHT FORWARD                   |
| <u>DEPOSITS:</u>      |  |
| 4,860.00              | TRAFFIC RECEIPT                        |
| 4,860.00              | TOTAL RECEIPTS                         |
| <u>DISBURSEMENTS:</u> |  |
| 1,147.50              | STATE TREASURER                        |
| 385.00                | COMPUTER FUND                          |
| 3,284.00              | GENERAL REVENUE FUND                   |
| 43.50                 | DELAWARE COURT: HB 562 INDIGENT DRIVER |
| 4,860.00              | TOTAL DISBURSEMENTS                    |
| 4,890.00              | BAL. BROUGHT FORWARD                   |
| 4,860.00              | DISBURSEMENTS                          |
| 30.00                 | MAINTAINED BALANCE                     |

RESPECTFULLY SUBMITTED,  
JOYCE A ARMSTRONG  
MAYOR'S COURT CLERK

I want to read into record a letter I sent the Columbus Dispatch and after receiving what I perceived as a threat on Dec 14th:

**I want to let my constituents know I am against illegal guns!**

As an introduction I am a local Mayor, a Vietnam Infantry veteran, a responsible gun owner and am a proudly a member of Mayors Against illegal Guns.

On December 14th like so many of us I watched in shock as the massacre of children and brave teachers and school personnel in Connecticut unfolded. Like most of us uttered how can this happen? Why didn't someone see this coming with yet another deranged killer of innocent people stockpiles weapons and ammunition in preparation of these horrific events?

Later in the day I went to the mailbox and found what I believe to be a somewhat intended threatening piece of mail from James Irvine Chairman of the Buckeye Firearms Association that apparently was sent to any of us who are one of the 750 members of The Mayor's Against **Illegal Guns**. To quote Mr. Irvine " In the near future, we will be letting our supporters know that you have been advised of this deception, and invited to drop out of MAIG, so you will likely start to receive some phone calls or emails to inquire as to whether you plan to continue with this anti-gun rights group." *Apparently they missed the words Illegal guns!* The letter went on to state **in bold and underlined; "If you decide to drop out, please fax us a copy of your resignation**

**letter to 419-301-0258, or email it to our Vice Chairman at cbaus@buckeyefirearms.org. Once you have done so, we will let our supporters know they don't need to contact you.**

I would expect all law abiding citizens both responsible gun owners like me and non gun owners to want to stop **illegal guns**! I also cannot understand why someone who considers themselves a sportsman needs an assault rifle like I carried in Vietnam as a Staff Sgt. while leading patrols. These are weapons of war and do not need to be on our streets legally or illegally!

There was a Congresswoman on TV in the next few days after the Newtown massacre whose son had been killed in the 90s in a subway shooting. Her statement was simple ***"it is time for reasonable people to sit down and find reasonable solutions that help keep our society safer"***. From the proposed solutions of both The Ohio Attorney General Mike DeWine and the NRA they may not be some of those reasonable people.

I want my constituency to know what **Mayors against Illegal Guns** stands for and that I am proud to be part of that as a responsible gun owner who does respect the 2<sup>nd</sup> amendment but not at the price of the taking of innocent lives.

The MAIG positions are:

- Require every gun buyer to pass a criminal background check
- Get high capacity rifles and ammunition magazines off our streets
- Make gun trafficking a federal crime
- Appoint an ATF director to enforce the laws
- Prosecute prohibited purchasers who attempt to buy firearms, ammunition or high-capacity magazines
- Require federal agencies to report records to NICS = mental health and substance abuse = I believe we need a relational database that nationally send up a red flag to local and County law enforcement when someone being treated for mental health or substance abuse issues buys body armor, large amounts of ammunition or guns.
- Repeal remaining Tiahrt restrictions

In the past days, the American people came together in a national outpouring of grief and sympathy for the families of victims slain in the mass shooting in Newtown. I share in that grief. But our constituents are also outraged and looking for leadership from the White House, Congress, state and local governments and yes local firearms associations. We look forward to working together as reasonable people to find a solution to gun violence in our country.

Respectfully to all!

Pat Monahan

Citizen, Mayor, VFW and American Legion member and gun owner

I asked Shirley to take the Treasurers Reports from the past starting with 2007 and put together what I believe to be a useful report for trending for Finance and all of us to use. It has the following columns:

Annual Budget Comparisons in the General Fund

| Year | Beginning Balance | Revenues   | Expenditures | Transfers Out                            | Ending Balance |
|------|-------------------|------------|--------------|--|----------------|
| 2007 | 34,936.59         | 474,845.55 | 496,156.86   |  | 13,625.28      |
| 2008 | 13,625.28         | 506,931.73 | 425,319.95   |  | 95,237.06      |
| 2009 | 95,237.06         | 512,554.87 | 423,919.40   | 21,000.00                                | 162,872.53     |
| 2010 | 162,872.53        | 540,897.56 | 486,634.91   | 116,052.00                               | 101,083.18     |
| 2011 | 101,083.18        | 566,831.01 | 468,882.90   | + bldg fund                              | 199,031.29     |
| 2012 | 199,031.29        | 649,586.02 | 521,837.14   | 50,000.00<br>+ non borrowed<br>Bldg fund | 276,780.17     |

Also I believe finance has the Top 25 report.

I believe everyone received the Police statistics for Dec. 4<sup>th</sup> Quarter and 2012.

We completed the background checks, interviews and I swore in:

Officers Pete Marlin, Steven Luoma and Cadet Jessica Redd.

I want to thank Ed, Shirley and Mark for the many things that have been completed and are in the process at the Fellure Municipal bldg.

The monument sign should be in this week and the Fellure bldg. sign will be installed.

The Communications issues are being worked.

The furniture will arrive on the 25th and on Feb 8<sup>th</sup>.

The long pole in the tent now is getting the ADA ramp handrails built and installed. Dan Fortin is expediting this and once it is installed we can receive our occupancy permit.

On Dec 17<sup>th</sup> we received the following correspondence:

Mayor Monahan & Council Members,

Let me take this opportunity to thank you for attaching my name to a Shawnee Hills Park. I was quite surprised and I appreciate the thought and effort that went in to this decision. I have lived in Shawnee Hills for 28 years and have spent most of my life in this vicinity.

The park is beautiful and I know it will be utilized for years to come.

Sincerely, Jack W. Frambes

## **Pro Tem Report**

Pro Tem Gauldin said that if anyone has an interest in a different committee, please let him know. He will make appointments at the next meeting if he can. He thanked Council for voting him back in as President Pro Tem.

He said the other thing he has on his mind and it will be a teaser because he does not have everything worked out yet. If you have, and anybody in the Village that has pictures of the Village that they know of, dig them out and start thinking about them because hopefully by the next meeting he would like to have a small contest put together and it would be comprised of submitting those photos and there is more to come on that.

## **Legislative Actions**

Third Reading- Ordinance 20-2012- An Ordinance approving the application for development plan amendment submitted by Quezada Real Estate Investments for property located at 9130 Dublin Road, Delaware County, Ohio. It was moved by Gauldin, seconded by McVan to pass Ordinance 20-2012. Following vote on the motion was recorded: yea, 5; Callender, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared Ordinance 20-2012 passed by a 5-0 vote.

First Reading- Resolution 02-2012 –It was moved by Gauldin, seconded by Callender to amend this to read Resolution 01-2013. Following vote on the motion was recorded: yea, 5; Callender, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote. 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- Ordinance 01-2013 – An Ordinance to reappropriate funds for current expenses and other expenditures of the Village of Shawnee Hills, Delaware County, State of Ohio, during the fiscal year ending December 31, 2013 and declaring an emergency. It was moved by Gauldin, seconded by Callender to suspend with the second and third reading and declare it an emergency. Following vote on the motion was recorded: yea, 5; Callender, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote. It was moved by Garren, seconded by Gauldin to pass Ordinance 01-2013. Following vote on the motion was recorded: yea, 5; Callender, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared Ordinance 01-2013 passed by a 5-0 vote..

## **Bills**

It was moved by Garren, seconded by Gauldin to pay the bills in the amount of \$76,339.76. Following vote on the motion was recorded: yea, 5; Callender, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

## **Treasurer's Report**

It was moved by Garren, seconded by McVan to approve the following treasurer's report: General Fund 277,387.56, Street Fund 71,702.55, State Highway Fund 3,134.11, Drug Law Enforcement Fund 120.00, Enforcement and Education Fund 1,985.00, Mayor's Court Computer Fund 7,072.89, Fire Fund 51,698.35, Weed Fund 9,398.84, TIF Fund 1,279.04, TIF 2 Fund 4.86, Veteran's Memorial Fund 99.97, Capital Projects- Building 90,065.76, Capital Projects –

Intersection 50,000.00, Capital Projects – 9484 Dublin Rd. 35,625.55, Capital Projects – Sidewalk 150,000.00, Sewer Operating Fund 52,484.59, Sewer Replacement Fund 96,000.00, Storm Sewer Fund 8,106.96, Enterprise Debt Service Fund 33,700.79 and Enterprise Debt Service Reserve Fund 98,659.56 for a total of \$1,038,525.38. Following vote on the motion was recorded: yea, 5; Callender, Garren, Gauldin, 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 28, 2013. Following vote on the motion was recorded: yea, 5; Callender, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the meeting adjourned at 7:45 p.m.

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Fiscal Officer

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Mayor