

Village of Shawnee Hills Council

November 28, 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: Fiscal Officer Shirley Roskoski, Administrator Ed Swanson and Solicitor Brian Zets

Mayor Monahan said that the recorder did not work properly at the last Council meeting so he asked Council to send any reports or notes that they have to Shirley within the next two days so that she can get the minutes together.

It was moved by Gauldin, seconded by Garren to approve the agenda. 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 that he did talk again to the folks from Esquire Title about the Nolan land transfer and he needs the parcel numbers for these three lots. He also answered some questions from the Mayor with respect to a professional design service and what the law requires.

**Administrator**

Ed Swanson said he has been working with CPS to update the drainage plan. He met with Edgil today for a couple of hours and we should have something by the first of the year which he will present to the Utilities committee. He said the ABR met and they did approve the variance for the Veterinary Clinic. He said he heard a lot of good things about the meeting itself, how it went. Mayor Monahan said the BZA met and approved the variance and the variance in this case was building the sound proof room when they have to keep an animal overnight as our law prohibits that and prohibits outside walks. He also said it was a great meeting with the ABR. We also want to make sure we have the Village Forester involved in the landscaping aspect, but it was done very, very well. Council member Dalvi asked if we offset the driveway from the Vet clinic so that it does not back up to Ellen Phillips driveway. He said the reason is that the driveway Ellen has, they back out of it. Mayor Monahan said the applicant was very amenable to making changes, they agreed to change the fence from a less shiny material to making it more earth tone and adding landscaping behind the fencing, putting drainage pipes under both driveways. Ed said he would check on it. Ed said that Ohio Edison has been contacted to add a light to the new parking lot at the Municipal building. He is not sure when that is going to be installed; they are kind of backed up right now. They are not going to charge us anything for the installation. Ed said that several code enforcement letters have been sent out in reference to the blight ordinance. He said we are still waiting for the guard rail to be installed. It is too wet right now. The new truck is in and is ready to go. Pat asked me where we were on the business continuity plan and we are working on it. He talked to George Kaitsa's office about the zoning on the Baker property. He said the current CAUV zoning has been revoked so Baker is back to paying the higher property taxes on his property. Ed said that we have 6 applicants for the engineer's position and we will be meeting Thursday at 6:00 p.m. Ed said that Mahesh had asked him about the lights at Walgreen's not matching the other lights and he had asked for a price to change that out. Ed said the cost to change these out is \$300.00 to \$500.00. It was also asked about adding an outlet to the lampposts and that cost is going to be \$150.00 to \$200.00 for each light. Council member Dalvi asked if there could be a light installed on Shawnee Trail at Glick. He said it is very dark especially with the wine tasting and people walking from

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the Bogey. Mayor Monahan said we just installed one between the Boat Shop and Cedarbrook and he asked Council member Dalvi to take a look again at the area. Council member Clippinger said she thinks there is a light out at the corner of Shawnee Trail and Glick.

### **Police Chief Report**

Chief LeFever gave a handout to Council on the training that he attended in Detroit Michigan. It is a program that they are trying to get support on. Since 1944 we have not lost less than 100 Police Officers in any given year. Some years it has been as high as 300 and 260, 270 and other years a little bit lower but never less than 100. This is a program that every state is sponsoring now with a couple of basic premises that we wear a seatbelt, wear a vest, watch your speed when you are driving, and basically don't get complacent. That's the idea behind this; this was a really interesting seminar. He said one officer that is listed in this brochure and it kind of relates to a small town, it's never going to happen here, kind of attitude. He said this was Mount Orab, Ohio an officer who thought it would never happen here and it did happen. Council member Garren asked if this 100 was for the state. Chief LeFever said no, it is a nationwide number. He said last year he thinks we lost 166 officers nationwide. The concept behind this program and the reason he is bringing it to Council, because it is very enlightening. He said last year 72% of all officers killed in the line of duty were either struck by a vehicle, killed on a traffic stop, or they were killed in a traffic crash. It was very interesting to see that out of those 72% they believe that based off of the damage to the vehicle that almost 49% of them would have lived if they would have had their seatbelt on or were wearing their body armor. It is really interesting to see the statistics out in front of you to see what's killing all the officers and it may not be gunfire, which is the second cause of death but really interesting so this has fired us to come back and we met today and we are putting some new policies in place as far as mandatory seatbelt wear, body armor is already in place but there are certain times where an officer would not be required to wear body armor, they might have court of something like that, but we are now going to enact that it is a requirement, safety belt, watching your speed, things like that. He said he just wanted to share this and if you get a chance browse through it. We took it to heart and we want to make some changes.

Chief LeFever said that they did do a presentation at Concord Township two weeks ago and he has not received any feedback from that yet. He sent out follow up letters a couple of days later and we are just going to let them think about what they want to do and get back with us. Council member Dalvi asked if they had any questions during the presentation. Chief LeFever said that they did have some questions about our funding, how long we had been around as a police department, things like that.

Chief LeFever said that he was invited to take a position on the Emergency Management Association, actually the State of Ohio Homeland Security; he would be on the EMA Executive Board. He is working on some paperwork to see how what that is going to entail exactly but he would represent the villages in Delaware County on this board for emergency management disaster recovery type of things so he is looking forward to seeing where we are going to go with that. He said the he and Ed signed the Mutual Aid Agreement. We are waiting on about three more agencies to have their people sign and we are looking at that going into effect the first of the year.

He said the holiday season is coming up and we are going to be partnering with the Delaware County Safe Communities and our liquor establishments here in Shawnee Hills to promote responsible drinking during the holiday season. We are going to provide the bars, restaurants with some nice handouts, posters, things like that so they can help promote safe and responsible drinking during the holiday season. They are also participating in another effort, through Christmas and New Years, with Mothers against Drunk Driving, the tie one on for safety

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campaign and he will have some in the municipal office for people to pick up and tie on their cars.

**Communications**

Mayor Monahan gave the following report

I communicated with Karen Koch, Concord Township President of the Township Trustees concerning a blight or health situation that is behind one of the homes on Buckeye and is in Concord Township.

I told Karen I recognize that they don't have a blight Ordinance but wondered if a Health inspection would be in order for this obvious hoarder situation?

Below is a portion of Karen's response.

**From:** Karen Koch [mailto:kkoch1@columbus.rr.com]

**Sent:** Wednesday, November 16, 2011 7:55 AM

**To:** 'Pat Monahan'

**Subject:** RE: Hi Karen

Hi Pat,

I will drive by and if it is the place I am thinking of it may belong to a resident who has terminal cancer in the last stages so if it is their place, probably cleaning it up can't happen. But I will let you know, may be a different residence altogether.

We had a very nice presentation from your police dept last night. Very professional.

Karen

Email from Jim Jenkins (resident on Shawnee Trail) following the Veterans Celebration on 11-12

Mr. Mayor, sorry I'm late, but I wanted to let you know that Saturday's memorial service very respectfully reminded all persons present of the great sacrifices that the men and women of our armed services have made for The United States of America !!

The personal accounts presented by the local men and women were very enlightening.

Thanks to you and to all of those persons who helped to make this a memorable experience!!

Jim & Jane

(I think that Dawn Mather's father may have been killed in Vietnam. Not sure, but I'll look into this. If so, she would have only been very several years old at the time. Her story would relate to the many children, small and grown, who have lost a parent due to the horrors of keeping peace in this world)

**Mayor's Report**

Mayor Monahan gave the following report:

MAYOR'S COURT REPORT

*October 1 –October 31, 2011*

4,900.00	BALANCE BROUGHT FORWARD
<u>DEPOSITS:</u>	
\$4,863.00	TRAFFIC RECEIPTS
\$4,863.00	TOTAL RECEIPTS (includes \$1,785.00 credit card payments)
<u>DISBURSEMENTS:</u>	
366.50	TREASURER OF STATE
309.00	COMPUTER FUN
4,187.50	VILLAGE: GENERAL FUND
4,863.00	TOTAL DISBURSEMENTS
4,900.00	BALANCE BROUGHT FORWARD
4,863.00	DISBURSEMENTS
37.00	BALANCE MAINTAINED IN CHECKING

RESPECTFULLY SUBMITTED,

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JOYCE A. ARMSTRONG  
MAYOR'S COURT CLERK

I have been communicating with Joe Fish from MORPC about our intersection after he sent up the top crash intersection report.

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

**Sent:** Friday, November 18, 2011 10:06 AM

**To:** Joe Fish

**Cc:** 'Ed Swanson'; [kris.garren@shawneehillsoh.org](mailto:kris.garren@shawneehillsoh.org)

**Subject:** RE: Reminder: please review 08-10 high crash locations for your jurisdiction

Hi Joe I know this is high crash and I don't know the numbers for the intersection in our Village at Dublin (Rts. 745) and Glick Rds. Delaware County.

This is a miserably failed intersection and is problematic because we have Dublin, ODOT and Shawnee Hills all as part of the intersection.

It is disappointing that Delaware County has chosen to put a second traffic circle at Home Rd and Section Line instead of spending the money at the aforementioned intersection.

Please let me know if you would like to discuss this.

Thanks for your help Joe!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

**Joe's Response to me on 11-21**

Hi Pat,

Thanks for your email. Is this intersection maintained by Delaware County?

I took a closer look, and it does have 12 crashes according to our data, but if it's maintained by Delaware County, it wouldn't make it onto the list for the high crash locations per jurisdiction.

That doesn't mean that it can't be eligible for safety funding, though.

Thanks,

Joe

**My follow up to Joe on 11-21:**

Hi Joe thanks for looking into it.

One of the biggest obstacles is in answer to who maintains the intersection is.

Rt. 745 (Dublin Rd is maintained by ODOT.

The west side of Glick Rd. is Dublin (in Delaware County)

The East side of Glick Rd. is in Shawnee Hills (Delaware County).

If you ever want to see a failed intersection on a Friday evening approx 5:30 drive west on Glick towards 745 and you will end up backed up on the O'Shaughnessy Dam half way across.

Earlier this year I met with Marsha (Dublin City Mgr.) and Chester Jordan for lunch. We did discuss that this was a great candidate besides the left turn lane upgrade to connect Dublin's bike path / walking path from the intersection (which isn't ADA and has no crosswalks) over to the Zoo / Delaware county bike path.

This is very dangerous and many kids cross to go to Zoombezi bay. I believe this would be an excellent MORPC let effort to get communities to work together and also headed in the exercise direction.

Thanks Joe let me know if you want to talk!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

**Joe's Response 11-22:**

Hi Pat,

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I've talked to Dave Carlin from ODOT and Tina Wawzkiewicz from Dublin about this intersection to get a better perspective. We'd prefer not to include it on our list, since technically ODOT maintains jurisdiction over the intersection. However, we are happy to write a letter of support or otherwise facilitate your effort to address safety problems at this intersection. Please let me know if we can be of any assistance or if you have any additional questions.

Thanks,  
Joe

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Joe Fish  
Associate Planner  
Mid-Ohio Regional Planning Commission

**My Response to Joe:**

We have come full circle and are exactly where we have ended up every time!

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After the 1<sup>st</sup> of the year I want to have a mtg. with Delaware County Engineering, Administrator and Commissioners to go after their help. Dublin does not have the intersection at Glick and Dublin on their 5 year plan and it is traveled more heavily by Dublin residents than ours. I believe the only way we will get movement on this is with Delaware County's help.

I had asked Brian based on the Building Committee's recommendation how we should proceed. This is the 1<sup>st</sup> 2 paragraphs of his response which I have forwarded to the building committee:

From: Brian M. Zets [mailto:bzets@wileslaw.com]  
Sent: Tuesday, November 22, 2011 4:22 PM  
To: pmonahan@columbus.rr.com  
Cc: mike.mcvan@shawneehillsoh.org  
Subject: RE: Voice mail [WBBB-DMS.FID481274]

Mayor -

The individual/firm, who the Building Committee has been working with, must submit a statement of qualifications, and the Village should keep the Statement on file.

Then, assuming the professional design services/work for the new municipal building will be less than \$50,000, we do not have to follow a formal selection RFP/RFQ process. See R.C. 153.71(A). As such, council can pass a motion to (1) accept the Building Committee's design recommendation and (2) negotiate a contract with our architect.

Brian M. Zets, Esq.  
Wiles, Boyle, Burkholder  
& Bringardner Co., LPA

As a reminder the Employee Appreciation Dinner is at Cedarbrook this coming Saturday from 6 – 9 PM. Shanghai Lilly will be providing the food and Cedarbrook will have tickets available to purchase for alcoholic beverages. Hope to see everybody there.

The Holiday Tree Lighting will be on Ted Guarasci' lot across from Iacono's on Saturday the 10<sup>th</sup> of December at 7PM. This will be at the end of the Holiday in the Village Day.

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It is a great event. I can guarantee the weather will be better than last year = because it couldn't be worse! Hope to see everyone there and please spread the word.

Anyone having articles to submit for the Winter Newsletter please get them to me by noon this Friday 12-2.

There is a mtg. tomorrow evening at The Concord Township Hall to make citizens aware of proposed high tension electrical towers and wires being proposed to cross what I believe is north and west of us in Concord township. I don't know anymore about it at this time but will be attending the mtg. at 7PM tomorrow evening Tuesday 11-29-11. I will bring the information back and if appropriate will summarize it in the Newsletter and discuss it at our last Council mtg. of the year on 12-12-11.

### **Committee Reports**

Council member Garren said that the building committee met and Mike was not able to attend so she stood in as acting chair that evening. She said that the group reviewed the plans, which she has a copy of here, and made a couple of motions, one motion was to recommend the plans that we put together here with a couple of minor changes- adding an interior door to the maintenance room and swapping out the file room with the second office, we thought it would be best positioned in the reverse order and Jim seconded the motion and Jim, Kris and Pat both approved that motion. More importantly we made a motion to move forward with appropriating the funds in the amount of \$10,200.00. To break down that cost, building and spec plans are \$3,240.00, spec book is \$4,800.00, and the bid process is \$2,160.00. Kris made a motion to approve those funds which are already in the building fund, Jim seconded it and Kris, Jim and Pat approved. Council member Clippinger asked if the plan they have at the meeting tonight is the plan they are approving. Council member Garren said yes. Mayor Monahan said we are approving going forward with that concept, with that design. Council member Clippinger asked if we are going to vote on this as a Council. Mayor Monahan said at the time, he knows that Mahesh and Charlie were at the building committee meeting. Council member Clippinger said she was not there and she prefers that the Council vote on this if you are planning on moving ahead with this because she thinks this not a good plan, she does not like it herself, it doesn't make sense. Council member Garren said that that the building committee made the recommendation. Council member Clippinger said that Council should vote on this and she thinks the public needs to know what is going on. Mayor Monahan said let me go through the process, the Council will need to adopt that this is the direction that we are moving, he believes also that this needs to be approved so that we can get the drawings done, we need the drawings to go after finance. Once we have the drawings, I totally agree that it needs to go out to the public to go ahead and say that we are going to build this building. So that would go through the normal ordinances at that time. Shirley said that she was told today by Jim that this was not the final plan and that there was room for improvement and then you guys are coming tonight and saying no this is the plan and she has some issues with it herself. Council member Gauldin said his understanding was that this is what we are going to start with and that there are some things that we are going to do and we talked about moving some things around but the idea being is that we have to get money to the person to makes the prints and to do that we have to have a starting point and this is different than what we had talked about previously which set up this. Council member Dalvi said this is not the final plan, there are going to be changes to it. He said the other issue was aren't we going to be in the chicken and egg situation because we need some money to get something done and we cannot go to the bond attorney to get the funding we need. He said we need the plan, we need the spec book to move forward. Shirley

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said she think before we get to the spec book, this plan is not a very good workable plan for a village office and there are some security issues that she sees with this plan. Mayor Monahan said we have talked about this for three years, we have gone through a church, we have gone through a bunch of other things, we have a design that we are getting to Bill and Bill is coming back and we took a look at the ones that Bart gave us and we took one that Bill gave us. We took the other one that Bill had which has been modified and that plan basically did not give us the 4100 square feet. He said he went to Bill and asked him to draw out these things for us and we will move on from that, so this is what he has drawn out and we decided why don't we go all the way over with that so what the building committee did we went ahead and got together and Jim put together the drawing and then we gave it back to Bill and he put it on CAD which is what we have here. This does a couple of things for us; we don't have the albatross sitting there undone, we can deal with security issues, we can deal with small changes but the end result is at some point in time we need to move forward and in order to move forward the next thing would be, if we wanted to just go ahead and say ok go ahead and put together the drawing and the building site plans but until we get past this we are not going to build anything. Shirley said she thinks the committee does not understand that we share so many things. We share the copier, we share the breakroom, we share the bathroom and she thinks this just makes it very difficult for the police to use the copier, to get to the breakroom and for them to have to walk through a garage to use the bathroom or to get to anywhere else in the building, to get to the copier, it just isn't very efficient. Council member Gauldin said let me do this, Sean is over the Police department and Sean I think you have seen this and do you feel like you have an issue with that. If we can just break this down and then we will tackle the issues one at a time, do you feel that the police, from your perspective, that there is any kind of issue with either using the copier, bathrooms or anything else like that at this point. Sean said from his perspective, he does not mind the plans, again he is not looking at the rest of the building, he is just looking at his point of view and he thinks everything is functional for what we need. He thinks it serves the purpose; our main priority is the evidence and things like that. Council member Callender asked what about security. Sean said the security issues that they had have been corrected. As long as they can secure our area and it remains secure, he is fine. Council member Dalvi said now the evidence room is placed in a secure location correct. Sean said yes. Council member Dalvi said now the mechanical room has been moved also. Mayor Monahan said we also went back and actually the Police have had a lot of input on this mainly because they wanted their internal and external perimeter so what this did was hit that. The copier is the only thing he does see. Shirley said that in the municipal building you had a door installed between the bathroom and the office so that the police would not be interrupting any meetings going on in the office and but now you have a bathroom and a breakroom in the council chambers or in the area that you are calling the fiscal office with one desk in there. This fiscal office is just going to be a busy beehive of activity no more different than what it is now with the interruptions with the police coming back and forth and she said she really does not like the bathroom with two doors. If Mayor's Court is going to be held in the council area, she does not think people should have access to the fiscal office, especially people that we do not even know, they have that full access. Council member McVan said you will have locks on the door. Shirley said why have two doors. Council member McVan said for public access. This will be locked down in the evenings and people will be able to access it from there. Shirley said how can you have locks on both sides of a door. Mayor Monahan said again these are minor tweaks. He said we have a design that the building committee is recommending and it doesn't mean that there aren't going to be some changes on the thing. Council member McVan said let me put it this way, basically what we need to move forward at all is a footprint, that's all we are looking at here. Things can be changed and moved

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around, nothing is set in stone, concrete, but to do anything past this point there has to be a footprint and that is what we have come up with. The biggest we can get for the money that we have unless someone knows about some money, this is all we can get for the money we have. We don't have any more money to build bigger, better, different place; this is what we can afford. Shirley asked what is the estimated cost for this. Mayor Monahan said \$150,000.00. Council member McVan said that is what we can afford. Council member Clippinger said then why did we go through the bond attorney to get money so that we can do a municipal building that we want, not something that we have to settle for, she does not understand how we got from that to this. She understands that we do not want to incur debt to the Village but we worked it out in Finance that we would be ok. Council member Dalvi said we are but \$150,000.00 is just a base core building, correct. Council member McVan said realistically it is going to be a new building, what is going to be used of the existing building is some concrete here, maybe a few studs out of the wall here and there. Council member Clippinger said she would like to not see a garage. Shirley asked why are rehabbing one garage and building another one, wouldn't we save money if we just leave the garages where they are at and put the office space back, like the first plan that Bill did when he added on, when you had all the police back in that area. Wouldn't that be cheaper, fiscally, wouldn't that be cheaper than moving a wall in the garage and rehabbing that when you really do not have to. Mayor Monahan said we took that to the Police and the Police said it is a bad security perimeter; it doesn't do what we need. This design, one it helps us reface the existing building, so what you are looking at on the outside isn't what you are looking at now. We put an entire new roof on it and it is the largest structure of anything that we have done. It is 4,100 square feet. Council member Clippinger asked what do we need to do to move this forward, let me make sure I understand what you are saying; this is a footprint, this just the picture and you are going to fill it in as you go, but what do you need to move forward with Bill. Mayor Monahan said we need a motion to move forward, to accept the footprint and we need a motion to appropriate the funds otherwise we are going to be sitting in the same spot we have been sitting in. Council member Clippinger said she is ok with that, she just wants to make sure this is not what we are going to get, this is not a good plan. Mayor Monahan said actually he thinks the committee has done a lot of work on it and again we can get some more input. Council member Clippinger said the size is fine and it is nice that we are going to upgrade the building that we are in now and get it up to code because that is what we are going to have to do right. Mayor Monahan said yes. Council member Clippinger asked how much money are we talking about. Mayor Monahan said here is the breakdown from Bill, basically to him what we really need to approve now is the base plan and we could probably go with the site plan without doing the spec books or we can do the site plan which is 3,240.00, the spec book which is 4,800.00 and the bid process which is 2,160.00 for a total of \$10,200.00. Council member Dalvi said this doesn't mean we are spending this all at once; these are sequential steps, correct. We are approving this all at one time so that we do not have to come back three different times. Mayor Monahan said we could do that, in the motion you can put that this is based on us accepting the design. Council member Clippinger said the \$10,200.00 will come out of the \$105,000.00 that we have already put aside, correct. Council member Dalvi said that what this will do is to get the paperwork completed and it will set the stage for the bond attorney and that is why he was for it. He knows it is not finalized but let's go after the entire amount so we can set the bond attorney, with just the plan he cannot do anything. Council member McVan said also Monday when Bill was there, when he said \$150,000.00 that was a bare bones building, it was a building with flooring and lights, and you will get a lighting package and things like that. It is not furniture, it's not the parking lots and he has already gone to Delaware County and asked them about green or ADA stuff and those kinds of things. Council member Garren moved that we accept the footprint as the design here

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realizing that it will change as we move forward with the interior design. Seconded by Dalvi. 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 to spend the money that is already allocated in the Building Fund in the amount of \$10,200.00 as broken out- the building and site plans are \$3,240.00, the spec book is \$4,800.00 and the bid process is \$2,160.00 for a total of \$10,200.00 with the caveat that the spec funding and bid process funding will only be released after the initial site plan is accepted. Seconded by Dalvi. 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.

Council member Callender said that the Utilities committee met but nothing was brought up at the meeting so it was adjourned.

Council member Clippinger said she wanted to inform Council that she hasn't said much about the Upper Scioto Watershed Planning Committee recently but that is because one of the gentlemen that was heading it up actually got a job somewhere else and she finally got contacted by them and the maps are ready to go. It is just a preliminary map and she asked the person who called, David Rutter, if he if he could attend the next Council meeting to present the maps to Council since she will not be here after that and it will only take about ten minutes for him to do that. She said this is not the final process; the final process will come later. She said they have been working on this for a year and a half with MORPC and it probably won't get done until June or July. Mayor Monahan said he will be happy to sit in these meeting with whoever wants to go to those.

### **Legislative Actions**

Third Reading- Ordinance 24-2011 – Sponsored by the Finance Committee – An Ordinance to appropriate funds for current expenses and other expenditures of the Village of Shawnee Hills, State of Ohio, during the fiscal year ending December 31, 2012. It was moved by Clippinger, seconded by Gauldin to approve Ordinance 24-2011. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Garren, Gauldin and McVan. Nay, none. Chair declared Ordinance 24-2011 passed by a 6-0 vote.

It was moved by Gauldin, seconded by Clippinger to remove from the table the second reading of Resolution 24-2011. 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. Council member Clippinger said that she went back to Scott Sanders and asked him to rework the map for our comprehensive plan. Today she talked to Brian and went over the ordinances. She said the land behind Bakers and also the land which is over by Adlick, which is no longer there; those were the two areas that were in question. That land is used by Larry Burchfield for his trees and so forth, just like the land that Baker's uses. There were two ordinances done in 1985 by Council, Ordinance 508-85 and also 493-85 concerning this zoning. She said that they read that the lots behind Bakers and the lots behind Adlick will be rezoned from R-2 Residential to General Commercial with limitations as set forth in Section 2 and 3 of this ordinance and the limitations are that the land shall be limited to the storing and growing of nursery stock such as trees, shrubs, flowers, herbs and perennials. There will be no structure erected or maintained on any of the lots as described in Section 1 and there will be no parking of customer or employee parking. Basically in a nutshell that land is to be used for the growing of their nursery stock. She said she is not sure what happened between 2002, because actually in 2002 the map was red, meaning it was general commercial so that kind of got lost somewhere. So what

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she would like to do tonight is to just go ahead and amend this so that it reflects what the ordinances say and when the maps come out they will reflect that also. She said when she got on the Delaware County Regional Planning website the correct map was there. Ed said does the stipulation in this ordinance regarding the zoning reverting back, is that legal or not. Brian said the revert language is called contract zoning and you are not allowed to do that. Council member Clippinger said that it needs to be changed but it does not affect what we are doing tonight and it should be changed and at our next Council meeting. It was moved by Clippinger, seconded by McVan to amend Resolution 24-2011 so that it reflects the language in Ordinances 493-85 and 508-85 with regards to the Comprehensive Land Use Plan map. 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. Second 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.

**Bills**

It was moved by Gauldin, seconded by Garren to pay the bills in the amount of \$ 39,063.45. 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 Garren, seconded by McVan to approve the following treasurer's report: General Fund 202,109.69, Street Fund 99,361.29, State Highway Fund 2,760.99, Enforcement and Education Fund 1,985.00, Mayor's Court Computer Fund 10,614.65, Fire Fund 180,115.49, Weed Fund 5,689.33, TIF Fund 5,689.33, Veteran's Memorial Fund 530.94, Building Expansion Fund 700.00, Capital Projects Fund 105,000.00, Sewer Operating Fund 58,928.98, Sewer Replacement Fund 54,000.00, Storm Sewer Fund 14,339.9, Debt Service Fund 105,735.48 and Debt Service Reserve Fund 97,981.69 for a total of \$950,355.16. 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. Mayor Monahan asked if Finance or Service could look at the idea of putting in two new benches to be paid out of the TIF fund. Council member Gauldin asked if the businesses had been polled to see if they would buy one. Mayor Monahan said he is going to put together something to take to them. Council member Gauldin said it might be nice if they would buy the first two.

**Miscellaneous**

Council member Dalvi said that very soon the test site for the new web design will be up and running. He is hoping that it will be up by the next Council meeting.

There being no further business, it was moved by Callender, seconded by Gauldin to adjourn until December 12, 2011. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the meeting adjourned at 8:00 p.m.

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Fiscal Officer

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Mayor