

## **Village of Shawnee Hills Council Meeting Minutes**

**September 11, 2017**

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

Council in Attendance: James Gauldin, Douglas Gil, Dan Mathews, and Josh Vidor

Absent: Mahesh Dalvi and Mike McVan

Also Present: Fiscal Officer Shirley Roskoski, Administrator Steve DeBolt and Solicitor Brian Zets

### **Minutes**

It was moved by Gauldin, seconded by Vidor to approve the minutes from August 28, 2017. Following vote on the motion is recorded: yea, 4; Gauldin, Gil, Mathews and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

### **Agenda**

It was moved by Mathews, seconded by Gauldin to approve the agenda. Following vote on the motion is recorded: yea, 4; Gauldin, Gil, Mathews and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

### **Solicitor**

Brian said I did get the information on the TREX transfer numbers in regards to tax numbers. Here is the list: \$20,000 in taxes to RITA, \$500.00 in CAT, \$12,000 State, \$4,500 FUTA, \$40,000 withholding and \$30,00 business tax. I worked on legislation for the Police Chief and that is listed as an emergency but you won't be able to pass any emergencies tonight. Shirley and I were working a little bit today on the TIRC. Delaware, in the past, has always held and coordinated those meetings but for some reason Delaware County has decided it is really our responsibility as are all the other municipalities that have TIRC councils. At the end of the day nothing is really changing except we will be holding those meetings as opposed to having them hold it.

### **Village Administrator**

Steve said he is happy to report all the work is done on the bathroom. We have been talking about it for three and a half months.

We did receive a check from Ohio Edison in the amount of \$2,500.00 so I want to thank them for helping to sponsor the building of the bathroom. The cost to build the bathroom was \$22,000.00. The original contractor said the cost would be \$25,000.00 We did spend more time than we wanted but we got a better price. We are also waiting on a check from Columbia Gas in the amount of \$500.00. Landscaping has also been done in that area.

We had a pre-construction meeting last week for the waterline project. That is going to start in a couple of weeks. The work will be done on Shawnee Trail and W. Hiawatha. It is four new fire hydrants on Shawnee Trail and upsized water lines and one new fire hydrant on the western end

of Hiawatha. The four fire hydrants will be located at E. Scioto, E Riverview, E Old Powell and E Iroquois along Shawnee Trail. There will be some temporary interruptions in the water service. Del Co will be notifying the residents that will be affected and the contractor has door hangers to put out.

Nelson Tree is trimming trees under power lines. They have been contracted by Ohio Edison for this.

The big tree down by Buckeye on the east side of Dublin Road was removed last week. Mark did a good job of talking to the property owners to get this removed.

From time to time by talking to the residents we find something that maybe needs some attention. This was the case up by Bakers on Dublin Road. There is a stormwater issue that needs to be resolved This can be done by jetting out the pipe and we contacted ODOT to do some compacted berming in that area also.

Chris and I have spent a considerable amount of time here in the last few weeks responding to a resident on Reindeer Dr. that had a concern about their right of way fee only being partially refunded. We felt like we provided a thorough response and from not just the request on right of way information but for the project in general. There seems to be a clear lack of comprehension or desire to comprehend how the project came about. Again in the facts as we know them, what Chris has provided, which I think are very accurate. They didn't use the facts to substantiate their point of view, bottom line. We might not have heard the end of it but at the same time we've provided the documentation of public records request, what we had. I have asked Brian to look into something else that they made a request for and he is doing that but again I think we did our due diligence. I want to say on Chris's behalf, I know that he went above and beyond his duty to make sure the residents were served in that capacity. It was a difficult situation for them because they had to incur a high cost for what they were doing there so we tried to accommodate them as best we could on the time that we had to do our reviews. They looked at it differently but we addressed it and we are moving on.

Sometimes I try to mention things in my report that are going on in the village that might have to do with economic development and I noticed that on one that I mentioned I know it was accurate because I heard it from the owner but sometimes things change so I am going to try to restrain from that in the future just from the fact that somebody is in there, or we have plans submitted, sometimes it can be misconstrued. For example, we have someone looking to come into the Aspen Energy building and that is very close to happening. I just got a call late this afternoon from somebody's representative saying they noticed in one of the minutes that I mentioned that there was potentially another dentist coming into another part of the village that has a land contract. When they saw that they said this village is not big enough for two dentists therefore they had second thoughts so he asked if I could clarify that. I called the owner directly and he said the land was in contract at the time but it fell through because it didn't meet the spatial needs of that parcel of land on Buckeye Drive. At the time it looked like it was going to happen but I remember getting a call from an architect/engineer from that entity inquiring about that and having some concerns so that project did not go forth.

Council member Gauldin asked on the road paving were we able to walk all the roads that were paved, verify that they all looked good.

Steve said yes, they did a real thorough and complete job and this was one of the better ones I have seen across the board. They took care of the residents' concerns also. They had to replace a mailbox and repair a concrete drive.

### **Visitors**

Robin Fellure said I am here tonight on behalf of the Northwest Business Association. We would like to propose a light pole decorating contest here in the village. It would be for the fall. What we are proposing is that businesses or individuals or organizations could purchase a fall decorating kit which would include cornstalks, scarecrows, skeletons, pumpkins, fall things. The kit will cost \$50.00. The kit will be given to them and they can pick which light pole they would like to decorate. We would ask your permission that they would be allowed to put a sign there that says that this pole is sponsored by that business and then we are going to do a judging on the various light poles throughout the community and then we are going to offer prizes. One hundred dollars for first place, fifty dollars for second place and twenty-five dollars for third place. I am asking your permission to do this as an introduction for our association into the community.

Mayor Monahan asked how large will the sign be.

Robin said she was thinking 24 by 24 but if you want them smaller we can go smaller; whatever Council would like. We will do any size that you will like.

Mayor Monahan suggested we do this as a trial. My only two concerns were the size of the sign and how soon afterwards they would get taken down.

Robin said that would be part of the contract that they sign up for, that they would have to remove it within a certain date. We don't even want to do it through the fall. We would like to see it happen through the holidays, during Christmas, the spring and the summer. I know in the past we have had some of the nurseries decorate the poles and it looked really neat and I think we should go back to something like that.

Council member Vidor said his only concern is that the signs are going to look tacky if we are going to be doing it regularly.

Robin said I understand that. I do get that. I don't have a problem with going smaller. I would like to put something out there so that people do realize that, for the voting purposes, we are still working out the logistics of whether we are going to have the residents vote or how we are going to do that. We can do something smaller that maybe we can mount on the pole, not screw in permanently. She said can we do 8 1/2 by 11 for the sign. If we can trial it to see how it works that would be fine.

Robin said you tell me how long you want the decorations to be up. Maybe the fall ones through the first week of November and then Christmas decorations a week after Halloween and down by the end of the year.

Council member Vidor asked who is responsible for the decorations in case they start looking ratty or they get damaged.

Robin said they are responsible for their decorations the whole time. I will stand here and say if I think they start looking bad I will be responsible for them. I will police it.

It was moved by Mathews, seconded by Gauldin to do a trial period for the light pole decorating. The fall decorations will be up through the week after Halloween and the Christmas decorations will be up until the end of the year. Following vote on the motion is recorded: yea, 4; Gauldin, Gil, Mathews and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

### **Communications**

Mayor Monahan gave the following report:

On Sep 7th I heard from Jimmy V after I notified him we, per your request at our last Council meeting, we needed tax information. It was confirmed we now have the information was furnished.

Jim sent me a message, Thanks for your concern and help

Thank you!

I stopped by to let Bill VanCura know that when he is ready to get the permanent Shawnee Hills Business District sign / signs, to talk with Steve DeBolt who can help break through issues.

### **Mayor's Report**

Mayor Monahan gave the following report:

AUGUST 2017 MAYOR'S COURT REPORT

RECEIPTS

\$5,311.00 Total receipts

DISBURSEMENTS

\$1,267.50 Treasurer, State of Ohio

\$49.50 HB 562 IDAT Fund

\$3,664.00 General Fund

\$350.00 Computer Fund

Erik Spaulding

Mayor's Court Clerk

The Village picnic will be Sunday Sept 24th at the Village pavilion 1 PM to 4 PM.

You are considering this evening:

Are you going to leave the grill thing on the table?

Council member Gil said I talked to Josh and I told him that I am waiting for the Fire Chief to come back to us. I just emailed Steve and told him that it was going to come back via letterhead.

Mayor Monahan said we have been dealing with this for four months so if you are going to leave it on the table it's fine.

Council member Vidor said can we have a time limitation where if we don't hear back we are going to just move forward on it. do you want to give it until next Council? Council member Gil said I do not think that is enough time. Maybe by November, is that okay.

The Veteran's celebration this year will be on Nov 11<sup>th</sup>, Veterans Day, at 11 AM at our Veteran's Memorial. We will have a flag retirement ceremony by the Boy Scouts.

Kudos to Chief Baron and the Police for the drug information session held last Thursday. It was very informative and I have asked that this information be summarized and published in the next Newsletter.

### **Committee Reports**

Council member Vidor said Safety met on the 28<sup>th</sup>. We discussed external grills on food trucks. Captain Doug Kindall had said the grills should be attended, verbally, that is all he has suggested.

Safety Committee agrees that is an adequate and reasonable solution but currently we are waiting for something in writing.

We discussed the Police time card policy changes. Reviewed the traffic speed sign data.

Recommend purchasing a second speed sign when available in the budget. Discussed the 2018 police budget. Safety recommends to Finance that we consider adding one full time police officer position and phase out all but five auxiliary officers. That is going to take time and it is going to be per finance but that's our recommendation.

### **Legislative Actions**

Third Reading- Ordinance 18-2017- An Ordinance amending Section 1121.06 of the Village of Shawnee Hills Codified Ordinances (Signs) by adding sub-sections 1121.06 (B)(7) and 1121.06(N). Mayor Monahan said last time at the public hearing Bill Daulton came and Bill does not have a sidewalk and there is kind of a split in the village where you do or do not have a sidewalk in front of you. Where you have a sidewalk the tent signs seem to work very well. Bill doesn't have a sidewalk and he said the only problem he has is that the six square foot is a little small for him so if we could make it a little larger he could work with it. It was moved by Mathews, seconded by Vidor to amend Ordinance 18-2017 to read properties without a sidewalk that the signage size be increased to eight square feet and everything else stays the same. Brian asked where is that actually going to go. Council member Gauldin said portable signs, number five. I think you are going to have to add a line in there to indicate without a sidewalk. It would read the same as number five but without a sidewalk. Mayor Monahan said you would have to create a line that says – where there is no sidewalk in front of a business the tent sign could be eight square feet.

Steve said I know we are addressing this probably because that one business does not have a sidewalk. It was brought to my attention that I guess there is a settlement agreement with that particular business and it covers some of these issues so if we are going to change the ordinance to include that I just want to make you aware that it is addressed in the settlement agreement. Mayor Monahan said it does not apply only to there, it applies to any business that doesn't have a sidewalk in front of it. The tent sign is really kind of a neat thing when there is a sidewalk. We are not finished with signage.

Steve said but, just so, if the ordinance will take precedence over the settlement agreement, just so everybody is aware of that.

Brian said I don't know about that. I don't understand why you would want a bigger sign if there is no sidewalk. There is no difference on where it is going to be so why does the sign have to be bigger.

Mayor Monahan said it is just more identifiable. Bill said that he can live with it. He said if it was a little larger it would be very helpful.

Council member Vidor said I think he was saying that he has to have it further back because he doesn't have a sidewalk, he has a large area that cars go in and out of. He can't put the sign up close or it would get hit.

Council member Gauldin said there is no defining driveway so they pull through at any spot so because of that he had to sit it back a little and he had bought a specific sign that was a standard and it is just a little bigger.

Council member Mathews asked Brian if he had the settlement in front of him. Brian said yes. It says no advertisement or other form of signage shall be placed on any easement adjacent to this subject property. Brian said so he has to sit the sign further back. Brian said number 5 doesn't deal with him it deals with everybody who doesn't have a sidewalk is what you are trying to say. He has to, by our agreement, his sign can't be that close.

Council member Mathews said I think the argument makes sense for all the properties without a sidewalk. Council member Gauldin said you give it a try. If it doesn't work out, we come back and make another adjustment.

Following vote on the motion is recorded: yea, 4; Gauldin, Gil, Mathews and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote. It was moved by Gauldin, seconded by Vidor to adopt Ordinance 18-2017 as amended. Following vote on the motion is recorded: yea, 4; Gauldin, Gil, Mathews and Vidor. Nay, none. Chair declared Ordinance 18-2017 adopted by a 4-0 vote.

Third Reading- Ordinance 19-2017- An Ordinance to amend Section 121.02(c)(1) (Standing Committees) of the Codified Ordinances of the Village of Shawnee Hills. It was moved by Vidor, seconded by Mathews to adopt Ordinance 19-2017. Following vote on the motion is recorded: yea, 4; Gauldin, Gil, Mathews and Vidor. Nay, none. Chair declared Ordinance 19-2017 adopted by a 4-0 vote.

Second Reading- Resolution 12-2017- A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

It was moved by Mathews, seconded by Gauldin to table Resolution 13-2017. Following vote on the motion is recorded: yea, 4; Gauldin, Gil, Mathews and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

First Reading- Resolution 14-2017- A Resolution to increase the rate of pay for Erik Spaulding, Mayor's Court Clerk, for the Village of Shawnee Hills, Ohio and declaring an emergency.

First Reading- Resolution 15-2017- A Resolution to increase the rate of pay for Village of Shawnee Hills Police Chief Russell Baron and declaring an emergency.

First Reading- Resolution 16-2017- A Resolution authorizing and directing the Village Administrator to execute an employment agreement with Richard Ey and declaring an emergency.

First Reading- Ordinance 21-2017- An Ordinance confirming the Mayor's appointment of Linda Goetz as a part-time Police Officer for the Village of Shawnee Hills and declaring an emergency.

**Bills**

It was moved by Gauldin, seconded by Mathews to approve the bills in the amount of \$166,416.47. Following vote on the motion is recorded: yea, 4; Gauldin, Gil, Mathews and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

**Treasurer's Report**

It was moved by Gauldin, seconded by Mathews to approve the following treasurer's report:

General	276,010.64	Fire	106,728.74
Street	68,769.64	Weed	7,186.67
State Highway	12,381.05	TIF	11,419.98
Parks and Recreation	1,203.02	TIF 2	18,725.73
PD Body Armor	94.43	Veteran's Mem.	98.97
Cont. Prof. Training	1,830.15	Sewer Oper.	36,005.09
Drug Law Enf.	249.56	Sewer Repl.	196,000.00
Indigent Drivers	385.84	Storm Sewer	3,466.96
Enfct. and Education	1,160.85	Debt Service	113,075.70
Court Computer	5,036.13		

For a total of \$859,829.15

Following vote on the motion is recorded: yea, 4; Gauldin, Gil, Mathews and Vidor. Nay, none. Chair declared the motion passed by a 4-0 vote.

**Adjournment**

There being no further business, it was moved by Gauldin, seconded by Mathews to adjourn until September 25, 2017. Following vote on the motion is recorded: yea, 4; Gauldin, Gil, Mathews and Vidor. Nay, none. Chair declared the meeting adjourned at 7:43 p.m.

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Fiscal Officer

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Mayor