

Village of Shawnee Hills Council Meeting Minutes

March 14, 2022

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

Council in Attendance: Mary Gates, Kathy Isern, Justin LaRosa, Renee Matney, Robert Thatcher and Todd Zimmerman

Also Present: Fiscal Officer Shirley Roskoski, Administrator Russell Baron and Solicitor Brian Zets

Minutes

It was moved by Gates, seconded by Isern to approve the minutes of February 28, 2022. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed.

Agenda

It was moved by Thatcher, seconded by Isern to approve the agenda with the following amendment: add an executive session after miscellaneous business to consider the purchase of property for public purposes and invite in the Mayor, Administrator and Solicitor. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed.

Solicitor

Brian said my report tonight can be summed up with one word, zoning. It has consumed up all of my time, either with Mark or with Russ or with Mark and Russ or some combination thereof. It has been busy couple of weeks with respect to zoning.

Village Administrator

Russ said I attended both the BZA and Planning and Zoning meetings. I think we need to have our committee members read the ordinances as to what their purview is and how the meeting should run. I encourage every board member to do that. The ordinances all spell out duties and responsibilities as it relates to the boards. I am always available if someone has a question. Brian is available if someone has a question. If I don't know the answer I am going to call Brian. Internally there were some things we found that we can do better. I am new in the role. This was my first PUD. Osage Meadows is the first PUD for me as it was for the village. We made a checklist and some other information sheets that can follow along with the projects to keep us a little bit more organized. Make sure steps are being followed to a T on the village end. Because of the added work load here lately, with projects and proposals, Brian and Chris are going to be attending the next couple of meetings. Brian to make sure they flow properly and Chris to make sure the answers are given in a timely manner.

I continue to meet with Equity in regards to the traffic signal. That is the last piece of the puzzle down there. We hope to have something soon.

Given the pending sale of the Bogey and the recent sale of Shawnee Square we are going to hold off on any improvements on the south side of Glick Road.

We are taking action on three properties in the village for blight. Another property along Dublin Road was issued another stop work order and not even twenty minutes after us leaving he hit a waterline.

We keep discussing Ohio Groundskeeping. The village installed a silt fence which is required around the lot because of the mud issue. They are going to reimburse us for that. We will be meeting with them on Friday. This will be the last opportunity to work with us and get it done before we have to go into court.

There was a house being built on Shawnee Trial without a permit. A resident brought that to our attention. We confirmed they were building without a permit and we filed a complaint with the County.

Richard cold patched some areas of the streets. He started compiling a list of what needs paved.

John Kincaid has been working on the last repairs to the pump station.

Straders will be finishing their storm drainage project soon. This should alleviate some of the issues on Oneida and Cuyuga.

We ask residents to ensure that their ditches are clear and storm structures on the property are free of debris. I received a lot of calls and a lot of it was go into your back yard and remove the sticks from the top of the stormwater grate. When it does rain heavily I have had Richard go around and check that all the structures we can see from the road are clear. We are not going into your back yard to do that.

We will be sending letters out shortly in regards to trees out in the roadway. These need to be cut back by the property owner.

We have a Town Hall meeting tomorrow at 6:30 p.m. We will discuss our development process and goals the village has. We will not discuss details of any pending project. We are going to keep a hundred-yard view of what our processes are. It is not a time to come vent about a project that a resident may or may not have issues about. That is what the committee meetings are for. We will be there to answer any questions about development in the village. It will be myself, the Mayor, Solicitor and Engineer.

We sent out a notice regarding a tree on Olentangy at Miami that has been dropping limbs in the roadway. It is dead and in danger of falling down. It is on a single lot owned by someone in Florida. We sent them a thirty-day notice and they have not responded. We need to remove that tree before it is any more danger to the powerlines or the roadways. I am looking to remove the tree and we will then bill the property owner. If they do not respond to that bill, there will be a

process to assess that resident for cutting down that tree. What I would like to request is: permission to remove the tree and permission to spend up to \$1,000.00 to remove the tree.

It was moved by Gates, seconded by LaRosa for the village to move forward and spend up to \$1,000.00 to remove a dead tree on Olentangy at Miami. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed.

Council member Gates said I just want to talk about, maybe think about it for the future, training, kind of a refresher course for council and all committees. I know that kind of dovetails about what you just mentioned about reading the ordinances. I think sometimes an hour or two meeting with Brian might help.

Visitors

Claudia Husak, W. Riverview Dr., said I have a question on the visitor portion of the agenda and a second question on the ordinance. Maybe this is a question for the solicitor. I am trying to understand the way the ordinances are structured in terms of first, second and third reading. We are looking at an ordinance tonight that is a public hearing but it is the second reading and maybe Mr. Zets could give us a little heads up as to how this works.

Brian said normally the second readings are always the public reading of any ordinance. All councils will take comments at a first reading or a third reading, but technically, the second reading is always the public hearing. Whenever we have legislation that requires a public hearing, because of something else, not just because it's a second reading, Shirley and I usually try to match up the second reading with what will be the notified public hearing on the zoning matter or something like that. The third reading will be the reading where council will take a vote on that particular piece of legislation.

Claudia asked if you take comments at all the meetings.

Brian said technically it's the second, but I have never seen a council anywhere, tell someone they can't talk at the first or the third.

Communications

Mayor Mathews said mine is much the same as Brian's and Russ's. I did attend both the BZA hearing and Planning and Zoning meeting.

Pro Tem Report

Pro Tem Thatcher said we have been receiving letters and copies of ordinances regarding zoning. I appreciate that. We do read them. We know what they are and we are working on it.

Committee Reports

Council member Gates said BZA met last Tuesday, the 8th. The reason for the meeting was the Ninja Gym wanted to have a variance given for a piece of property that they were going to use as a parking lot. The staff recommended that they be granted a variance and it was voted down. I

was the only one that voted for it. That is all I want to talk about because there were other issues that came after that. Hopefully they will come back.

Pro Tem Thatcher said that UST met. We discussed the tree issue with Russ. We also discussed fire hydrants. The village does not have any large bore hydrants on the west side of Dublin Road. When they have had fires previously they had to run hoses across the road and shut the road down. Obviously, that is not a great issue for safety or anything else. We have the money in the fire fund and we asked them to explore the issue of at least five new fire hydrants. The cost is approximately \$7,000.00 per hydrant but that includes engineering. The cost depends on the location of the water line. They will be located on the side streets but closer to Dublin Road.

Legislative Actions

Third Reading – Ordinance 05-2022 – An Ordinance to increase the credit card limit for the Chief of Police for the Village of Shawnee Hills.

It was moved by Zimmerman, seconded by Thatcher to adopt Ordinance 05-2022. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed.

Second Reading – Ordinance 08-2022 – An Ordinance vacating the unimproved E. Eileen Drive right-of-way.

Mayor Mathews said he is opening the public hearing in regards to this vacating request.

Claudia Husak asked if this was a platted right-of-way.

Brian said it is a platted, improved right-of-way.

Claudia asked what is the purpose for vacating it.

Mayor Mathews said there was an applicant that requested that it be vacated.

Claudia asked for what reason.

One of the applicants, Shawn Swaagman, said we are requesting to vacate E. Eileen as it is currently an unimproved right-of-way full of trees and nature, where the deer bed down back in that part of the woods. It's about a two-acre lot coming from Shawnee Trail to almost Dublin Road. It does connect with E. Wilma. The primary reason is that all the people that currently own the lots signed a petition requesting this. It was signed by myself, my neighbors on E. Wilma, my sister who purchased the wooded lots, the acre that goes down to Shawnee Trail. We don't really have a use for the road itself. We would like to keep the trees if possible. We have hired an arborist to go through and try to figure out what invasive species need removed and to keep it as green space at the northern edge of our village.

Claudia asked does the village in and of itself have some sort, when you vacate a right-of-way obviously you get half to the property on one side and half to the property on the other side. Does the village have any sort of policy in terms of vacating right-of-way? Specifically, why I am asking is because my lot has present road occupied and I would also love to vacate that. So if

I make this request would you consider this as an application and there is no real policy that the village has in terms of vacating a right-of-way.

Mayor Mathews said there is probably no written policy. There is probably a precedence of, historically they did vacate roads that went to the river on the east side of Shawnee Trail so at some point in history that was done. I don't know of any written policy or stance that the village takes on it.

Council member Gates said historically, in the past, and from people who are still around that were either Mayor or Acting Mayor at the time, have expressed concern about vacating property because the village does not know in the future what they might need and she proceeded to talk about how the village had to end up spending money years down the road to buy a property back in order to get a right-of-way. Historically this council has not vacated.

Mayor Mathews closed the public hearing.

Second Reading – Ordinance 09-2022 – An Ordinance to grant variances to the provisions of the Shawnee Hills Code Section 509.09 to allow applicant, Shawnee Hills Chamber of Commerce to deviate from time and volume standards for the Music in the Village Summer Concerts.

Bills

It was moved by Gates, seconded by Zimmerman to pay the bills in the amount of \$52,013.26. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed.

Treasurer's Report

It was moved by Matney, seconded by to approve the following treasurers report:

General	185,892.42	Weed	0.00
Street	370,111.44	TIF	58,580.57
State Highway	25,072.44	TIF 2	17,366.65
PD Body Armor	810.52	Police District Fund	111,390.18
Drug Law Enfct.	534.41	Veteran's Memorial	248.97
Indigent Driver	385.84	Sewer Operating	13,971.29
Law Enfct. Trust	6,840.72	Sewer Replacement	13,211.08
Enfct. and Education	1,245.85	Storm Sewer	10,745.88
Fire Levy	74,992.20	Debt Service	100,692.05
American Rescue Plan	20,298.75		

For a total of \$ 1,013,391.26

Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed.

Miscellaneous

Mayor Mathews said I went to Third Base Pint Room for the K9 fund raiser. We certainly have a lot of people that like dogs in this village because that dog has more money than most. It was quite the success from what I could tell. We should have that more often.

Russ said I can piggyback on that. I am waiting to hear back from Third Base as they are giving us a percentage of sales back. We were about \$6,200.00 before their portion of that. I want to thank everyone for coming out.

Executive Session

It was moved by Thatcher, seconded by Isern to move into executive session pursuant to Revised Code 121.22G2 to consider purchase of property for public purposes and invited into the executive session is Mayor Mathews, Village Administrator Russ Baron and Solicitor Brian Zets along with Council. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed.

It was moved by Thatcher, seconded by Isern to return to the regular Council meeting. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed.

Adjournment

There being no further business, it was moved by Isern, seconded by Zimmerman to adjourn. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Meeting adjourned at 7:59 p.m.

Fiscal Officer

Mayor