

Village of Shawnee Hills Council Meeting Minutes

September 26, 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 Zimmerman to approve the minutes of September 12, 2022. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

Agenda

It was moved by Thatcher, seconded by Zimmerman to approve the agenda. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

Solicitor

Brian said I did attend the Evans Farm JEDD Board meeting that was held earlier this month. Commercial buildings one and two are up and they expect to have tenants in thirty to sixty days. Commercial buildings three and four are being built. Commercial buildings five and six are in the planning stages. The question that the Board really was considering, and they are going to continue when they meet again in November is the idea, what does the income tax apply to. Is it the people working and the net profits of the businesses in the district or is it the people working and the net profits of the businesses and those residing in the district? So, there's that threshold question of what it really meant. the JEDD contract actually spells out that it is just those who are working in the district and the net profits of the businesses operating in the district. That language was sent to RITA, and RITA, through their counsel, said the Ohio Revised Code says it should apply to everyone, including those who are living there. So, the JEDD Board and their counsel are trying to figure out who should it really apply to, given the contract excludes residents, but Ohio law includes them. Can you really have one meaning and not the other. Once they figure that out, then the next question is where are you really talking about because apparently there are some town homes and condos on their own piece of land and even if you had to tax the residents living there, you can exclude that land from the JEDD, and then you wouldn't have to worry about it. However, there are areas where there is commercial on the ground floor and apartments on the top floor, so you only have one piece of property that has both, so it is hard to split the top level of the building off for taxing purposes. There are some issues there that they have to think about and work on, but those conversations are happening now. The developer's representative asked the question, should the contractors working on buildings three, four, five and six be taxed. The JEDD Board said yes.

Brian said after the Maronda Homes marathon meeting we did get a public records request from someone who was there. The village has worked on producing some records and we are trying to process that and determine if the request is valid or not. We will work on getting that done as well.

Village Administrator

Russ said the grass on the Dublin Road property has been cut back and it looks really nice.

I have submitted our 2023 Tree City application pending the signature page from the Mayor that I left sitting on my desk. We were above their per capita amount which is 2. We were at \$3.08 dollars per resident on tree maintenance. Chipper Day was a big part of that.

Did have a pre-construction meeting for paving. They plan on coming in one day and mill everything, then come back the next day and pave everything. These are just sections of some of the streets, not a full street paving job. They will provide us with exact dates and the route they are going to go. I already spoke with Holly and she will put something out on Facebook.

I did have a meeting last week with the Zoo, Dublin and Powell to work to make the Zoo more pedestrian and bicycle friendly to local residents. The Zoo is doing a long-term plan with some finances that they have and that is one of the items that was included. There is also some MORPC money that they might be able to tap into. With the sidewalk in on Glick Road, the residents should be able to walk to the Zoo, and hopefully, on the other end of that, the Zoo can accommodate pedestrians safely. They currently can't.

Chris' contract has expired. There is a clause in the contract that we can renew for two more years. I am waiting to get more things from Chris.

Sanitary Sewer Repairs – it's on the agenda tonight to approve for the project to go out for bid. This is for the mandatory EPA sewer repairs that were four or five years in the making. We applied for some funds and the State came back and said we just gave you COVID money that you can use on that. It doesn't cover all of it but it should cover most of it. We have to get those repairs done by March. There are twelve locations that we have to repair.

Police Chief

Cops and Kids Day, our cruiser, with the new graphics on it, placed first in the cruiser competition this year.

Lexipol – We did receive gold status again on their achievement program. These are their policies and training and their items there.

I have training with the CART Team tomorrow. I will be in the swimming pool working with some new equipment that we got.

I did have the opportunity to speak at the Ohio Amber Alert conference and spoke in front of other law enforcement officers, dispatchers, and administrators about resources that they have when a child goes missing and some training that is available to their officers. It's a feather in the cap of our police department to be able to provide that training and that information to other agencies across the State.

On the agenda tonight is the EMA contract. All that contract does is add the Board of Health and the City of Sunbury. Once Sunbury became a City they have a place at the table. Just a reminder if anyone has any questions or concerns about emergency management, I do sit on the Board. I represent all the village's in the County.

The code update ordinance on the agenda tonight is just annual housekeeping. It just changes our code to reflect current State law.

Council member Matney asked about trick-or-treat.

Russ said MORPC has it on Halloween, Monday the 31st. There has been a request to move it to Sunday. We are going to do the trick-or-treat tailgate. The Main Street committee was planning some extra things along with it. It would be beneficial for that, to do it on Sunday, but I also understand the pulling to have it on Monday, on Halloween. I will gracefully walk away from the podium and allow you guys to have that conversation.

Council member Matney said I was just asking if the police were doing something.

Russ said we will be closing Shawnee Trail again and setting up at Wyandotte. There was a very positive response on closing Shawnee Trail. It can accommodate two cars side by side but it is still too narrow to put all those people and traffic in the same area. The lady that lives at the corner is lending us her driveway so we will have things in the driveway. It will be a good event for everybody.

Council member LaRosa asked did you ever hear anything more about doing a dot.gov instead of doing a dot.org or having options for both in the village.

Russ said yes, but I don't remember what my answer was. I will put it back on my list.

Mayor Mathews asked what's the difference.

Council member LaRosa said because we are a governmental agency. Right now, we are a dot.org so we are not recognized as a government entity.

Mayor Mathews asked is there any discussion on Halloween.

Shirley said I have already had people ask when trick-or-treat is.

Mayor Mathews said here's my two cents. I've been around and I understand where traditionally, we had Halloween in Shawnee Hills regardless of what MORPC said, and it is fantastic. I think Halloween is probably the best holiday that we have here, well, anywhere around here. I think that it's become bigger than having it on that day. I think, giving the production that it has become, I think to set it up for a weekday night really is a pain in the butt.

Council member LaRosa said to add to that, it's more of an event with the set-up planning and everything else. We kind of embrace that day. Last year we did it on Sunday and it turned out really well.

Council member Matney said this year the 31st is on Monday and MORPC is recognizing Monday as trick-or-treat day. Is that correct? Yes.

Council member Isern said if it is an event type of thing that might work this year, you back it up one day but what happens if Halloween moves to Wednesday. Are you still following the same kind of rule?

Mayor Mathews said in my opinion I think we should.

Council member Zimmerman said, and I am just talking this year, if we do it on Sunday parents aren't rushing around trying to get home to get to the events. They have time in the afternoon to get the kids ready and not feel rushed. They have time to set everything up. This will just be an easier process I think.

Brian said you have done legislation before so I would probably do legislation again. You have time to do this.

Russ said we start the tailgate two hours before trick or treat which is normally 6p.m. – 8p.m.

Council member Matney said do you feel like we should do a poll to see what day it should be on. That is what we did last time.

Mayor Mathews said we can put a poll out.

Visitors

Josh Cross, First Energy, External Affairs, introduced himself to Council. He said he typically works with Chief Baron on different issues that come up in the village. He said Ohio Edison serves almost all the customers in the village on Dublin and Glick and all of the side streets here. We have about 340 services. We also have about 85 street lights that are throughout the village. I met with Chief Baron a couple of times about changing some street lights in the near future to LEDs. As that comes along, I will be working with the Chief on those issues that come up. I really just wanted to introduce myself. I am your point of contact for any outage events that take place in the village. Road work projects that take place. Tree trimming, that we may come in the village and do. I know that always gets people excited when we start trimming trees. It's just part of the process and helps mitigate a lot of our outages. It is something we do on a four-year cycle. We don't really have any significant projects planned in the village with our power lines that go down Dublin Road.

Council member Gates said I think we had a redundancy program in place. I think you folks were going to be putting in things so if one of the transformers went out another one would kick in. How's that process going.

Josh said, down at the corner we have two services, two circuits, that come in, so not necessarily to a specific transformer. We do have the ability to feed the village from two different sources. That has been in play for many years, as far as I know.

Council member LaRosa asked if that was on an ATS or do you have to manually switch it.

Josh said I believe that is automated so that can be done from our Akron location or our dispatch office. I will verify that it is automated.

Council member LaRosa said if it isn't automated, I am interested, going forward, could we put something in place to make that automated.

Josh said in our second filing of our grid mod 2, which we just filed last month with the PUCO, we are investing hundreds of millions of dollars into a smart infrastructure and a lot of that is the smart technology to put more scathing controls, not necessarily for that one site we have been talking about, but across the entire line. We would have a lot quicker response time. The trucks are in Marion so it is about an hour away. In my experience, over twelve years, being down this way, our trucks are usually in Cardington or Mt. Gilead when something goes out down here so it takes even longer. With the smart technology the response times would get shorter.

Russ said in the spring we seem to have a lot of power outages. Do you guys look into why and how it goes out any time the power goes out?

Josh said for power quality type issues such as that, as long as the customers are reporting them when it happens. That's basically how our system works. Our management system is based on customer input so if they are not calling in to report that outage or only if only one person calls in it is harder for us to really determine if there is a problem there. We encourage every customer to call in every single time the power is out, even if they are outside at the mailbox and the neighbor says don't worry about calling them I already called them. They should call as well.

Russ asked who handles the trimming of trees and brush around the transformers.

Josh said we handle that. Just let me know what locations need trimmed back.

Craig Baldrige, Shawnee Hills Blooms, said the paperwork I am giving you is more or less what I am going to talk about. It's hard to believe that back in late March, Russ and I sat down and started talking about this process and even more amazing is that it was June 6 that we had our first Town Hall meeting. It seems like a lot has happened since that time frame. Going back to the Growing Vibrant Communities, there were seven areas that were identified to be worked within and I am happy to say that we are making some nice headway in four of the seven areas. In the flower area, we held three volunteer organizational meeting. We have had three weeding and planting parties. One of those was in a torrential downpour. We have had numerous meetings with outside experts (i.e. Delaware County Master Gardeners Association, Delaware County Soil and Water, and with some of the experts from Growing Vibrant Communities themselves). There are currently 23 volunteers in our ranks. From nothing to 23 in three or four months is great.

Current projects:

Flower beds at the gateways, the Municipal Building, Frambes Park and the Memorial Park. Richard installed planters on the light poles.

Starting the Shawnee Hills Education Series on the second Thursday of each month starting in October. We have six events planned. These will be open to all the community members and they will be held here at the Municipal Building.

We will probably have an admission fee because they found that when they do these and don't charge something there's not much skin in the game so if someone doesn't feel like going they just don't show up. If they put a little bit of money in to attend the training they do come. One of the things we will do is go around to some of the vendors and our village businesses and solicit some discount coupons from the folks. It may cost them five bucks to get in the door but it may save them ten bucks some place else within the village. We are working on putting that together. We have implemented a scheduling platform for volunteers to sign up.

We are currently exploring a platform for a community calendar for village events and things related to Shawnee Hills Blooms.

We have just recently began starting a decorating committee. As we got ready to remove the plants this fall on the poles we realized we did not know what we were going to put up for Halloween, Thanksgiving and other things. We are forming that committee and we will solicit ideas from everybody. We will try to work with volunteers, Scout Troops and try to make as many things as we can.

One of the things I will ask everyone for is coroplast signs. (plastic yard signs that sit on an H bracket of metal). If you have any please give to the committee because we can repurpose those and make decorations from them.

Future projects:

Install the rest of the planters on the light poles.

Future flowers. We are looking to do things with businesses and also along Dublin Road near the benches.

Some kind of a flower event, possibly a flower swap or seed swap.

More education opportunism through the year.

Urban Forestry

We have formed a Tree Committee. Right now, it is Terry Herzog and myself. We are still looking for volunteers. One person has volunteered to be on the committee where it entails doing some work, cleanup, things of that nature.

We have surveyed Dublin Road because it was on our list of wouldn't it be nice to have trees along Dublin Road. Terry and I did a walk to get a better handle on how challenging that really is going to be.

We started to review our current Village Tree Code and we plan to be involved in Arbor Day.

Heritage Committee

We have a committee formed and Mary Gates has graciously volunteered to lead that committee. There will be a meeting soon on that.

Community Vitality

One of the aspects of the Community Vitality is activities and programs. About a month and a half ago the Main Street Shawnee Hills Commission was formed. Working with local organizations, Main Street Shawnee Hills' mission is to serve the community by focusing on community events that help build community vitality for its residents, businesses, and visitors. The visitors really help bring more money into our businesses. So, the aspect of looking at how we can do events that can include our businesses in those events is paramount because that gets our community involved in those businesses and it also helps to bring more outside folks in to enjoy our businesses and help support them as well.

We are currently working on Halloween in the Village. We are going to play off of last year's successes and improve upon those. We are currently adding things like cotton candy machine, popcorn machine, and some games.

The second item that we are currently working on is the Holidays in the Village on December 3. We have always had the breakfast with Santa and we have always had the Christmas Tree lighting at the end of the day. We would like to fill out the in-between times. We are trying to come up with some things that will keep people active and involved in the village, promoting the businesses that will be open. We are talking to village businesses about; would you sponsor an event. I talked to Bumbles and they are excited. They think this is a fun and neat idea. She wants to do something with cookie decorations where the kids can come in and decorate a cookie and then have the ability to buy packages of cookies that they can take home with them to decorate.

When I am working with all of our village businesses. I am walking in and saying to them, I am here to help you make more money. I want you to survive by selling more of your own product.

Council member Isern said it sounds great. That's a lot of activity, a lot of people getting involved and I think it is only upward bound. I appreciate the effort.

Mayor Mathews said going back years, I think it was the lack of involvement that kind of sunk everything and that you have that many people already volunteering, the trajectory of this is straight up. I appreciate it.

Council member LaRosa said when you were talking about trees on Dublin Road, is that something that we as the village will, like would Mark and Richard be helping if we decide to put trees in, dig the holes.

Russ said Growing Vibrant Communities is much like the Civic and the Chamber. They are an independent organization that has the support of the village. They are our allies, they are our friends. They are going to make recommendations. Some things the village can act on. Obviously, we are not asking them to buy trees and plant trees. Sometimes they may need help. The Main Street Committee has been phenomenal, especially with trick- or-treat, taking some of that off our plate. We have four employees over here, we can't do everything and we can't deliver the type of community that everyone wants so relying on the Civic and the Chamber and Growing Vibrant Communities is what makes Shawnee Hills a fun place and a great place to live.

Council member LaRosa said that was my question going forward. We are going to be to help assist in any way we can.

Communications

Mayor Mathews said it has been a quiet two weeks.

Pro Tem Report

Pro Tem Thatcher said I have been working on the Veterans Day in the Village, November 5 at 11:00 a.m. It will be similar to previous years. I have the American Legion on board, the Color Guard, and working on whoever is going to speak.

Committee Reports

Council member Matney said Finance met tonight. Shirley had a review of our finances, year to date. Revenues are still up on RITA. The revenue is up substantially and should continue that trajectory for the rest of the year. Shirley and Russ have also been working on the budget for 2023 so we reviewed some of that.

Council member Thatcher said UST held a special meeting to discuss the potential for gas aggregation and potential legislation that will be discussed under miscellaneous business.

Legislative Actions

Third Reading – Ordinance 19-2022 -An Ordinance creating and establishing Fund Number 2901 (State of Ohio Opioid Litigation Settlement Fund).

It was moved by Isern, seconded by Zimmerman to adopt Ordinance 19-2022.

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

Second Reading – Resolution 12-2022 – A Resolution to approve the Delaware County Office of Homeland Security and Emergency Management Fifth Amended Countywide Emergency Management Plan

First Reading – Ordinance 20-2022 – An Ordinance approving the edition and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances of Shawnee Hills, Ohio, and declaring an emergency.

It was moved by Isern, seconded by Zimmerman to suspend with the second and third readings and declare Ordinance 20-2022 an emergency. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

It was moved by Matney, seconded by Zimmerman to adopt Ordinance 20-2022 as an emergency. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

First Reading – Ordinance 21-2022 – An Ordinance authorizing the Village Administrator, or his designee, to advertise for bid to repair numerous sanitary sewer manholes and lines within the Village of Shawnee Hills, Ohio, and declaring an emergency.

It was moved by LaRosa, seconded by Zimmerman to suspend with the second and third readings and declare Ordinance 21-2022 an emergency. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. It was moved by Matney, seconded by Thatcher to adopt Ordinance 21-2022 as an emergency. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

First Reading – Ordinance 22-2022 – An Ordinance to reappropriate funds for current expenses and other expenditures of the Village of Shawnee Hills, State of Ohio, during the fiscal year ending December 31, 2022.

Bills

It was moved by Gates, seconded by Zimmerman to pay the bills in the amount of \$31,624.51. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

Treasurer’s Report

It was moved by Thatcher, seconded by Isern to approve the following treasurer’s report:

General Fund	403,853.96	Enfct. and Education	1,245.85
Street Fund	487,505.70	Fire Fund	70,672.93
State Highway	32,006.36	TIF Fund	97,855.06
PD Body Armor	2,753.48	TIF 2 Fund	30,699.54
Cont. Pro. Training	2,535.48	Police District Fund	167,803.94
Evans Farm JEDD	.91	Veteran’s Memorial	248.97
Drug Law Enfct.	534.41	Sewer Operating	40,145.52
Indigent Drivers	385.84	Sewer Replacement	13,036.08
Law Enfct. Trust	6,678.33	Storm Sewer Fund	16,403.36
Am Rescue Plan	63,418.14	Debt Service Fund	71,085.62

For a total of \$1,508,869.48

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

Miscellaneous

Council member Thatcher said we had Jay from Aspen Energy here and we were discussing the gas aggregation. We are due to renew it for the village. He needs to have an answer in the early part of October and he was telling us how many of the other villages around Ohio, small towns that compare to us, like Shelby, Ottawa and others that have done it and they have authorized their village manager to sign a contract for 36 months and at the rate he thinks the best he can get is .0795 per cubic foot. For example, Columbia Gas is at 1.10 for the same thing right now.

Council member Matney asked when did our contract expire.

Council member Thatcher said he has to have it in by the next week so it can start December 1.

Shirley said it is because Volunteer Energy filed bankruptcy so we do not have a contract with anyone.

Council member Matney said so we are paying the market rate right now. He's not saying go ahead and lock in today at .0795. He is saying when it gets there we want to authorize Russ to move on it.

Council member Thatcher said he wants us to authorize Russ to move on it at that rate or below so he can lock it in for December 1.

Councilmember Matney asked Brian if he still had some legal concerns about giving Russ this authorization.

Brian said last time it was really much more vague. It was like just enter into any contract for any year, any length of time, any price. It was just a little too much vagueness for me. I think this time we know it is a 36-month contract if the rate is at .0795 or below. I am good with that.

Council member Matney said last time Jay talked about if the rate drops lower we would have the option to renegotiate and extend. Is that still what was proposed today.

Council member Thatcher said there were two options for that. There is the blend and extend, which normally happens if you are two years in. If we have one year left on our contract, they would extend it another year but they would give us a lower price or everyone has the option, at any time, to opt out at no cost.

It was moved by Thatcher, seconded by Gates to authorize and direct the Village Administrator to enter into a 36 month aggregate gas contract if and when the rate drops at or below .0795 and the contract has been reviewed and approved by legal.

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

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 8:03 p.m.

Fiscal Officer

Mayor