

Village of Shawnee Hills Council Meeting Minutes

July 12, 2021

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

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

Absent: Kathy Isern

Also Present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

Minutes

It was moved by Gates, seconded by Zimmerman to approve the minutes of June 28, 2021 with the following amendments: on page 2, first paragraph, last sentence, after *can* add the word *do*. Under Committee Reports, third sentence down, dirt is used twice so change to dirt backed with gravel and under Legislative Actions, third paragraph, place a period after emergency and the rest of the sentence can be dropped.

Following vote on the motion is recorded: yea, 5; Gates, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed.

Agenda

It was moved by LaRosa, seconded by Zimmerman to approve the agenda. Following vote on the motion is recorded: yea, 5; Gates, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed.

Solicitor

Brian said he worked on a few miscellaneous items. He has nothing else to report.

Village Administrator

Mayor Mathews said that both Galbreath's and Equity have submitted their drainage report. It appears that we are about to embark on quite a bit of construction around here. I look forward to it and what Glick Road will eventually look like. I look forward to what my back yard will look like.

Communications

Mayor Mathews said Brian and I talked to Andy Johanni two weeks ago and we are waiting to hear back from him in regards to Delaware County and any type of abatement.

Pro Tem Report

Pro Tem Thatcher said he restructured the UST and Safety Committees due to the change in council.

Council member Zimmerman asked Shirley about the funding for COVID.

Shirley said I just had the Mayor sign the paperwork so we can request the funds.

Legislative Actions

Public Hearing- Second Reading- Ordinance 12-2021 – An Ordinance creating a Designated Outdoor Refreshment Area in the Village of Shawnee Hills and establishing regulations as required by law.

Council member Matney said refresh my memory. What does the color-coding mean? Red is General Commercial, light orange is Select Commercial, green is Community Commercial, yellow is Limited Use, pink is R-2 Single Family, and blue is Neighborhood Commercial.

Mike McGlinchey, 33 W. Parkside Dr. said it looks to me like you are creating the entire village as a drinking area. Is that what you are doing?

Mayor Mathews said the general idea of it is designated outdoor refreshment areas. We started this discussion a year and a half ago. We are trailing the other communities. Powell has it. Dublin has it. Westerville has it, among others. Essentially you are able to purchase a beverage in a licensed cup and if you wanted to walk from El Vaquero to Iacono's you can do so. There will be signage for when you are leaving the designated area. Businesses can opt out if they like so if you bought something at Iacono's and wanted to go buy flowers, Baker's could say no we don't want anything to do with the DORA. We didn't designate a day because we did not want to be chasing holidays. It is daily and the hours are noon to midnight.

Mike McGlinchey asked what time is alcohol allowed to be served in the village.

Chief Baron said 2 or 2:30.

Council member Thatcher said that is covered by the State.

Mike said I have lived here 38 years. I have had drunks peeing in my yard already and I am not interested in drunks running around until midnight. In June I had somebody bring their kid over by my house, in the street, which is visible from my front porch to urinate because Dell's restrooms were closed. I have seen drunks do that. I have had to chase them out of my yard. Last month at 2:30 there was somebody yelling in the back yard at Iacono's that I could hear clear inside my house. I am not really interested in having people intoxicated running around here until midnight. Clear up to almost Harriott Road. It seems like a bit much for a quiet little village like this. I moved here 38 years ago to get away from that kind of stuff. It is kind of an intrusion, I think, to have this big of an area. If people want to drink alcohol do it on the premise where it is purchased. I don't want them out running around on the streets. That means the police have to be out until midnight every night to enforce where it is allowed to be done and how late it is allowed to be done. I don't really see it as a big benefit here.

Council member Gates said I believe they are not allowed to go past a certain point and into residential areas.

Mike said who is going to enforce that. Just like the people I have had to run out. By the time any police would have been here and I have lived here long enough, it wouldn't be Shawnee Hills that would respond because there wouldn't be anyone on duty. It would be Delaware County Sheriff. who is already understaffed.

Chief Baron said we are here 24/7.

Mike said I know you are now but when that kid was peeing in my yard you wouldn't be able to get there fast enough to do anything about it. It is over and done. I think it is a lot to ask of a small village like this to have this kind of alcohol consumption basically the entire length of the village on the main street.

At one point they extended the size of the commercial area and part of that included my front porch. If we had let that stand then somebody could have been in my yard drinking. I bought two commercial lots just to keep the commercial away from me. I just think that's a lot of area for a small village like this. I would also like to know if you have had any other input from residents that live adjacent to the proposed DORA.

Council member Thatcher said you are the first one so far.

Ken Scott said I will be the second. We technically don't live in the village but we abut this property right here. I like to go in a bar and have a beer. I don't buy a beer in the bar so I can go out on the street with my beer. I can see absolutely no point in doing that. The people in Powell said they did the DORA for festivals where they can block off the street and put tents up in the streets and allow people to move from place to place under these tents. I can kind of see that. What you are talking about doing is creating a 365 day a year, seven day a week festival the entire length of the village. Who is pushing this? Who wants this? I can see a Chamber of Commerce or something like that. If I walk into Third Base for a beer, I think they are going to want me to stay there and maybe have some food to eat. I don't think they want me to take my beer and wander out into the street and drink my beer in the street and maybe go to someone else's bar. I don't see what we are gaining on this. Can anybody tell me what the plus is of it?

Council member Thatcher said the Chamber of Commerce is actually behind it. Everywhere it has been so far, it's proven beneficial for the businesses. We are trying to keep and maintain small businesses which provides a big part of our tax base with the employees there and everything else. I would be kind of nice, I think, when the new brewery comes in. It looks fantastic. I am excited about it. I wouldn't mind going down there. They are not going to be able to walk everywhere with it. They have specific cups. They have specific signage and there are trash cans and they are going to be maintained in a partnership with the Chamber of Commerce. There's a bunch of things to this. I can't address kids peeing in your yard and I am not saying that will never ever happen but every place this has been so far it has turned out very beneficial. We can always modify the terms later. We just didn't want to have to change it every time to fit a specific date. A lot of the other city councils and village councils have spent a lot of time changing it to try to capture specific weekends and things like that. The Chamber of Commerce has a plan to have specific roll out weekends to get people into it. To show the proper areas and

everything else but no one is advocating 365 days a year just wandering up and down the streets drinking.

Ken said that is what it sounds like.

Council member Thatcher said you can only purchase it legally in a legal spot.

Ken said and go the entire length of the village with it.

Council member LaRosa said if you want to walk up and down the sidewalk that far sure.

Mike said this village does not exist for the benefit of the Chamber of Commerce. It exists for the benefit of the residents. I really don't see much benefit for the residents.

Mayor Mathews asked if there was any correlation to a DORA and increased instances of that.

Mike said I do not have any statistics; however, I have already had to deal with as much as I want to so I am not interested in more potential problems. The benefit to the village seems small to me. The benefit to the business owners seems great. As far as increased income, most of the people that work in the village get minimum wage. Doesn't seem to me that it increases the amount of money that the village receives.

Carol Kender said I am a resident of the village and I am a business person in the village and I am also the director of the Chamber of Commerce. Right now, I am going to speak as all three of those. I first discussed this a long time ago with the management and the administration in Powell. It is not a drunken orgy. It is people walking to a bar. They pick up a mixed drink in a specially designed cup and then they walk to another entity in the village, such as if the Chamber puts on Music in the Village or something like that, you can walk over there and enjoy your drink and enjoy a picnic lunch and it is not going to be a drunken orgy. I talked to the Police Chief at Powell and I talked to the Village Administrator at Powell and they said that they have had two problems in the whole time that the DORA has been in effect. My personal opinion is that it is good for everybody. Of course, I am representing businesses in the community. I have one business that does not want anything to do with it and that is her business. I think it is a good deal for the entire community to be able to be free from having to stay within the confines of a bar patio and just walk around and enjoy yourself. Now talk about the cups and Dan mentioned it. The cups are specially designed cups and have to be marked to say DORA and they have to be disposed of before they leave the DORA area. You cannot come into a DORA area with your own alcohol. You have to purchase it within the DORA area. The Chamber will be helping with putting out specially designed trash cans and specially designed signs. I don't think it is going to be a major drunken orgy going on down there. I think it is just going to free people up to visit restaurants and shops. If you have a DORA cup from Iacono's you cannot take that into Third Base. You have to dispose of that cup and buy another drink from Third Base. It is much more restrictive than what it looks like.

Mike said I didn't move here that long ago to have more problems with alcohol and people roving around. I moved here 38 years ago from Columbus to get away from that kind of thing and I am just not interested in living where it is going on.

Pauline Scott said I was wondering if perhaps Powell is a different sort of place. The center of Powell is all shops and restaurants. Where people might be wandering around here you have children with bikes going to the ice cream store or myself taking a walk, It just seems out of place to just have alcohol being walked up and down the streets, especially with being so strict on the containers. You wouldn't go into one of the stores still drinking a drink.

Carol said you can if the store will allow you. You can't walk around with a bottle of beer. It has to be in this plastic cup.

Council member Thatcher said you can only get these cups at a few locations. Just because we have all this business area, the cups are still only going to be available at specific locations. If you are up by your house the closest place potentially to get one is going to be Iacono's or the new brewery. Most people are not going to walk that far.

Pauline said I am just concerned if a bar goes into the place in front of the storage units. We also came to this location for the peace and quiet. We have a deck that will overlook the storage area. It alters our way of life if there is too much drinking going on and if you are up until 12 at night. I am questioning the sense of it in a family community.

Council member Gates said I would like to address your comments about Powell. I have been through there many times, morning and evening, and there are people that are part of the DORA and there are lots of people that are not and they are all intermingling. It is a little more compact and we are a little bit more spread out but as Rob said the chance of someone taking a drink all the way down to Logan is probably more of a stretch. It is probably more likely that someone will go from Largo's to El Vaquero or to Third Base.

Ken said I wish you would consider to: one- reduce the area, two – reduce the time to 9:00 pm and three – reduce the number of days. Why don't we start with a reduced area and time to see if it works out.

Mike said I agree with that. It seems to me to be a bit large in anticipation of businesses that far north who may or may not want to be included. You have said that Powell has had to make several adjustments. Well, I think maybe you ought to consider that as part of the thing that happens here is that you may have to change things a little bit as time goes on. To include the entire area that you have included just seems way too big to me.

Council member Matney said the legislation is written for 365 to midnight but it is highly unlikely, as you mentioned, to have people out there every night.

Mike said that is just conjecture on your part, you don't know what is going to happen, but we have seen what has happened.

Council member Matney said that is not what is happening in other communities that have the DORA.

Mike said it is happening here without the DORA. I am already complaining about people being out when they shouldn't be and doing things that they shouldn't be doing.

Council member Matney said I see that as a separate issue. That is an issue that we have our police available to assist with.

Council member LaRosa asked Mike if he has made any attempts to contact the police department so they can assist you.

Mike said the other night I just about did but since they left the area there was not much I could do about it.

Council member LaRosa said if you make a report, make the initiative to call, they don't know what is going on if you don't tell them.

Mike asked who pays for the disposal of the cups.

Carol said the businesses that are participating pay for the cups, the trash collections and the trash cans. The Chamber will pick up some of that.

Carol said what is happening over in Powell is the restaurants are all buying their own cups. They have to have a specific logo on them. They have to be designated for the DORA and they cannot leave the premises of the DORA.

Mike said this isn't Powell or everywhere else.

Council member LaRosa said a lot of people are coming in from other jurisdictions and other areas to shop our local establishments. Judging from other areas the DORA has not caused an issue so it may not cause any issue here. We can always adjust if necessary.

Mayor Mathews said the DORA area can only be so big and we happen to be small enough that the maximum area covers the entire village.

Council member LaRosa said if you purchase a glass of wine from the winery you could technically walk and have a stroll with your significant other from one end to the other and back, looking at the lights, enjoying the scenery and not cause any trouble and still make it from one end to the other.

Chief Baron said statistically speaking from communities that already have this, there has been no significant increase in vandalism or disturbances.

Council member LaRosa said this is a personal situation that happened to me years ago so I understand where you are coming from. I was sitting in my living room and a person who was

well intoxicated from the Bogey on one of the Memorial nights walked into my house, sat down, did not knock. I do understand how that transpires.

Carol said the DORA does not include the Bogey. Third Base, El Vaquero, Iacono's, and possibly Shanghai Lily will participate in the DORA.

Bills

It was moved by Zimmerman, seconded by Gates to approve the bills in the amount of \$61,260.48. Following vote on the motion is recorded: yea, 5; Gates, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed

Treasurer's Report

It was moved by Thatcher, seconded by Zimmerman to approve the following treasurer's report:

General	222,363.44	Weed	3,514.30
Street	326,692.63	TIF	41,367.62
State Highway	21,935.16	TIF 2	12,702.29
PD Body Armor	810.52	Police District Fund	83,228.42
Drug Law Enfct.	534.41	Veteran's Memorial	248.97
Indigent Driver	385.84	Sewer Operating	35,675.79
Law Enfct. Trust	6,198.05	Sewer Replacement	45,996.08
Enfct. and Education	1,220.85	Storm Sewer	9,629.85
Fire Levy	66,813.92	Debt Service	125,202.64

For a total of \$1,004,520.78

Following vote on the motion is recorded: yea, 5; Gates, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Motion passed

Adjournment

There being no further business, it was moved by Matney, seconded by LaRosa to adjourn. Following vote on the motion is recorded: yea, 5; Gates, LaRosa, Matney, Thatcher and Zimmerman. Nay, none. Meeting adjourned at 7:39 p.m.