

## Village of Shawnee Hills Council

August 28, 2017

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

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

Absent: Mahesh Dalvi

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

### Minutes

It was moved by Mathews, seconded by Vidor to approve the minutes from August 14, 2017 with the following amendment. Correct the spelling of Douglas Gil's last name on page 7. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

### Agenda

It was moved by Mathews, seconded by McVan to amend the agenda by adding Resolution 13-2017. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

It was moved by Vidor, seconded by Gil to approve the agenda as amended. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

### Solicitor

Brian said I worked on things related to the TREX transfer legislation. I received a copy of the complete application so I think Shirley did attach that, even though it is not part of the resolution, I think she attached it to the resolution so you could see what they submitted. Worked with the Chief a little bit on a special event permit and the process for people holding special events in the village. It is modeled a little bit after Dublin's special event permit. Also we had two rezoning applications that came in and I started to work on those but there was more information that was needed for both of those.

### Village Administrator

Steve DeBolt gave the following report:

The paving program is complete. The good news is the budget was approximately \$162,000.00 and it was able to come in at \$141,000. The invoice for striping and stop bars is still being processed and it looks like it will be \$4,000.00 on top of that. Columbus Asphalt did a good and timely job for the Village this year. The bathroom at Village park is now functional with a few add-on items being finished up including an auto on/off switch, trimming and paint.

Chris Tebbe, Village Engineer, is working on the sewer study plan which is needed for State of Ohio EPA and will be reporting on the Master storm water plan tonight. I was contacted Friday by the County Health Commissioner that there was an Algae Bloom spotted in the waterway near the Rt. 42/257 bridge and tests are being run on it. If positive, contact for those with some chronic additional warning is advised.

A concern was brought to my attention by a resident on Reindeer. To refresh your memory, we had four homes come in there about a year ago. Some challenges because of the storm water pipe that was going through the property. We made a point to work with them closely because of the number of people affected and the fact that they were caught off guard with the situation there and the financial impact to them. So we did everything we could, especially Chris, he did a lot of time working with them, consulting with them, and the bottom line is, the project, the

## Village of Shawnee Hills Council

August 28, 2017

storm water plan that was implemented has been effective. You might remember a lot of water being out on Reindeer, that's not there anymore, the homes haven't been affected so it was very successful. The resident had an issue with the amount of refund that they got back on their right of way fund and again we took money out because of the roads but Chris did it equally across the board and he actually charged the village as well. A lot more than he charged the residents because we had some construction going on at the police department. We thought we had made it clear to what their responsibilities would be in utilizing Chris. One resident felt to the contrary very strongly, so Chris and I and with Brian's consultation are preparing a response and I will give it to her this week but again I felt that Chris did an excellent job in all facets on that project and we will let that resident know with documentation that they asked for, we will provide that per the public records request. We gave them something, they asked for more and again, with the public records request you don't have to create a document, we would have to create something to give her what she really wanted, so we are going to inform her what we gave her is sufficient based on public records law and leave it at that for now.

I am renewing John Kincaid's contract for another year for Waste Water services in the Village at a rate of \$397 per month which is an \$8 per month increase over last year. With Finance Committees' approval I am going to do that. He does a good job for the village and he is working closely with Chris on the EPA program that we are trying to be in compliance with.

A property maintenance issue of overgrown vegetation was taken care of on Parkview Dr. near Frambes park promptly by one of the owners who happened to be a realtor once we were able to make contact.

I had the pleasure to attend a few of the Chamber of Commerce Music Series events this summer and wanted to thank Carol and the Chamber for bringing some quality entertainment for the residents this summer.

Council member Vidor said on the Reindeer drainage, he has had a couple of residents now show him pictures where it is still flooding and they are still having problems there. Are you familiar with that at all? Steve said no, I have heard from other residents that it was fine. Council member Vidor said he will tell them to get in contact with Steve. He does not want to be in the middle of it.

Chris Tebbe said he knows that 77 W Reindeer had issues during construction because they had not finished their grading and when we had those heavy rains it went right to their foundation so they ended up with a second sump pump before they moved into their house.

### **Police Chief**

Chief Baron said he wanted to thank Council and the village for sending flowers. My wife's grandfather passed away earlier this month and I know it is customary and I thank you.

We attended the Delaware Law Enforcement Executives meeting, EMA Executive Board Meeting, the Drive Sober Kick Off Campaign, Coffee in the Park, I answered a lot of dog questions and some other questions about the police department. I think we had a really good meeting and a really good talk with the residents.

Our Detective attended the Countywide Detective meeting which actually led to the arrest of someone that I had told you about earlier. Someone that had stolen a firearm off of Buckeye Drive. We got him this morning. The same Detective is assigned to the Sexual Assault Response Team and they had their annual meeting and training last week so he attended that.

I have taken the event permit to Safety and Finance and we are working out a couple more kinks and I am going to get with Mark, Shirley and Steve to iron these out and hopefully we will get this in place for January 1 for everybody.

## Village of Shawnee Hills Council

August 28, 2017

Our building is 99% done and so far we have hosted an in-service for the drug task force which is a lot of good information and we are continuing our continuing professional training. We have to do a six-hour webinar and we also have a defensive tactics course that we have to take. We also have to take a taser refresher and new certification for all of our officers.

Thank you for the building again. Without that training space we would have difficulty trying to find a place to go for training or work around what is going on here in this building.

We had a lot of call outs this last month. I do not have an update on when the one cruiser will be back in service. CART was activated in Delaware County for a missing child in the City of Delaware. The child was located, no problems. Erin has had two call outs for search warrants and one last night was a barricaded individual who ended up taking his own life.

The Community Advisory Committee is on the agenda for tonight. Someone had asked me at the last meeting what the committee was for and how it would be made up. This committee will be made up of two council members from Safety, two residents, one business owner and a representative from the police department. We will meet quarterly in conjunction with Safety and some of the goals of the board will be to open the door of communication with the community and the police department. The community members can share concerns or ideas with the police department and we can best function if we address actual concerns, not just concerns that we perceive from behind a desk. We will present some, not all of our equipment request, procedures and programs, looking for feedback from the community. How it is going to be perceived, multiple facets of that, financial or actual perception. The community is not meant to influence our decisions. Many actions will require council approval. We are still going to adhere to that but the community is going to influence our decisions, not make our decisions for us. I kind of wanted to make that clear, it is an advisory committee. It is not a committee that we are going to come to for approval then take it to council for approval.

We are having our open house during the village picnic. We are looking forward to that.

On September 6<sup>th</sup> at 7:00 p.m. we are hosting, in conjunction with Drug Free Delaware, a course for parents or adults only, no children will be allowed to enter. It is called Hidden in Plain Sight. There will be an information session and then an activity for the adults to do. I can't stress enough that we cannot let children enter that.

### **Visitors**

Chris Tebbe, Village Engineer, said he has been working on several items. The first one is the storm sewer study. This is the update to the 2006 study. That was the last time it had been done. Every year we are required to file an MS4 report on storm water. Our efforts and everything we are doing to improve storm water and how we are controlling it. We haven't updated the plan in eleven years and the village has changed in the last eleven years with the sheer amount of development and everything since then.

Mayor Monahan asked how often should this be updated.

Chris said generally ten years, most places do it five. There are ways I want to implement to actually make it more proactive to where we can get stuff on the website where people can inquire about stuff. Rather than having to start from scratch every ten years we can add stuff as we go. It makes a lot more sense as more houses come in or as development comes in we update the plan.

Chris said questionnaires were sent out to everybody and we ended up getting about twenty-seven of them back. I sent out my younger engineer's every time it rained to see what the issues are. That's where the questionnaires really helped because everybody lives here so you know what is going on and a picture tells me a lot more

## Village of Shawnee Hills Council

August 28, 2017

than long emails or hoping that I catch it when the flooding is. We had some fairly significant rain about five weeks ago, about 2 inches of rain in a half hour and most of the village did pretty good with drainage. There was some flooding on Glick that was due to some trash on the inlet. Unfortunately, sometimes a shopping bag can cause flooding. If the bag covers the top of the structure the water will not be able to enter it. Since we rerouted the ditch around Cedarbrook we haven't had as much flooding. We will get puddles but part of that is grading of the pavement. I looked at the places that were mentioned in the questionnaire and I looked at places that I knew of and any areas that we saw water. We tried to identify areas that were holding water and what the root cause of it is. Is it a maintenance thing? The village was originally designed with roadside ditches. There is a lot of fall from west to east in the village. Overtime the ditches fill in. You have drive culverts that have silted in. If there is erosion upstream of the culverts it will cause them to back up. There is a distinction between private and public storm sewers. The public portion of it is stuff that is in the right of way. The stuff that went in with the road. There is not a lot of public storm sewers that are off of the road, there are outfalls. The ones that are under Dublin Road are ODOT's. The village isn't like the City of Delaware where they have intricate storm sewer systems. Where they have curb inlets and pipes connected. In some ways its good and some ways its bad. Over time they fill in. It used to be get the water and send it to the river. Now they are working more towards green infrastructure where they are wanting you to hold it, treat it, clean it before you release it. This is where rain gardens and infiltration ditches come in. Instead of a normal ditch you actually put gravel underneath where you want it to soak into it as opposed to all the water rushing down the street as fast it can and getting into the river. That is one of the things, as we look at solutions, is to look at greener ways to do it but also ones that will last longer. Clintonville is moving to rain gardens and infiltration ditches and stuff like that and then the storm sewer. So instead of a 24 inch storm sewer you might end up with an 8 inch storm sewer but you are treating and cleaning the water before you send it out and that is actually the whole purpose behind the MS4 permit.

We have identified a bunch of places where we have qualified them as right of way issues, private property issues, issues that we can address where it is a valid thing to address. For example, one of them, the development going in for the cell tower site. Downstream of that is Miami Drive, Cutting Up is in the ditch, and the natural drainage goes in that direction. One of our long term goals is to actually catch that low spot and take it to the river. You have sinkholes in the village. Some you know about some you don't. Some are full of trash, some of them are right there plain as day. There is one immediately south of Logan. When we had that 2-inch rainfall I had Mark go look at it and it was dry and it has twenty acres going to it. The water just disappears. Before the dam was built that area was 140 feet higher than the river was so that used to drain. Somewhere underneath there is a very efficient drainage way. For this particular site sinkholes are not an acceptable outfall, ever. You are not allowed to add more water to a sinkhole because you are adding more erosion to whatever that system is so you could technically be responsible for the failure of it. This particular development is looking at having to do an offsite improvement. Literally build a storm sewer from his property to the river. As part of that though there is potential for the village to fix that portion of Miami at a much cheaper rate as we have discussed in Finance. Right now they don't have plans for what they are doing yet so once that comes along we will incorporate that and as development comes in or redevelopment occurs always try to find ways to leverage that to fix any know drainage issues.

I am going to work with Shirley to get things on the website so that if residents know of an issue they can submit something online and it will come to me and I can look at it the next time I am in the village and determine if it is a private issue, is it something we need to be concerned about, something that needs to make the list, add it to the live document. I will make this plan digitally available for everyone.

## Village of Shawnee Hills Council

August 28, 2017

Chris said the other thing I want to discuss is sanitary sewer. Back in 2002 the City of Columbus agreed to an Ohio EPA consent order to fix their sewers. Fix the overflows, fix the storm getting into the sanitary and overflows into the river. By 2009 the City of Columbus said okay we have done as much as we can what about the twenty satellite communities that discharge to us and we have no control over their collection system. Any I&I, any water coming into their system we have to deal with. In February 2009 all twenty satellite communities, which we are one of, signed an EPA Findings and Orders to fix it. There is a fifteen- year plan that I did not know about when I started here. I have only been here four years. In July the EPA finally realized we had not submitted an SSES plan. Dublin and all the other ones are low hanging fruit and we are like the forgotten fruit because we go into Dublin and then into Columbus. We had a meeting with the EPA and a meeting with the City of Dublin and the City of Dublin actually gave us their plan and everything they have implemented for their sanitary sewer plan. It is complicated. What the EPA wants you to do is evaluate your system, know what all the issues with it are, fix them and then have an ongoing maintenance plan for it. The consent order gave everyone fifteen years from 2009 to have everything fixed. Your sanitary sewers need to be watertight and you have a plan on how to maintain them so by 2024 everything has to be buttoned up. Your system is only seventeen years old so we lucked out. We have had some manholes that were damaged and water coming into them and we fix them as we go. We really haven't been having overflows or water in the basement issues or stuff like that so we lucked out. We still have to evaluate the system. It is something that is going to take the next three years to evaluate it, figure out the solution which takes us to 2021 and then probably two to three years after that to fix the issues. If there are manholes that need lined or there are sewers that need replaced or fixed, then that's where we go from there. We are just beginning this and I will work with UST to walk them through the process.

Bill Daulton said he just read over the proposed sign code changes and the only thing he saw in it, looking at it from his own point of view, is it says no driveways and my whole place except for down by the pole is a driveway on the Shawnee Trail side and on the other side. I could go down by the pole and it would still be on my property, it would still be there. I see what you are trying to do, from my perspective the sign might be a little small but we can make it work. It is a little bit small. I forget the square footage. It said in there you weren't allowed to have two signs. We can live with that. I don't know if that includes open and closed signs because some people are not out quite as strong as I am. They are not right out on the road as I am. I don't know if that is going to be counted as one of the signs.

Mayor Monahan said the intent when it came to planning and zoning, with the sidewalks and you are an anomaly because you don't have those in front of you, was the fact that people were putting tent signs out and leaving them out all night, that type of things. We are trying to control how much of that.

Bill said the size of the sign is his concern if we are only going to be allowed one and does the open and close sign count. The size is a little small. We have two now but we always bring them in when we close.

Carol Kender said the Chamber of Commerce just wrapped up Music in the Village Friday with a concert by Andy Shaw. It was awesome. From the people who stopped by and talked to me that evening and commented the series I think was a very good success. I had one woman who came to me, and she comes from Dublin, she said we didn't even know you were here until we saw your ads. We also stopped by Bucci's, we didn't know they were there. I think we made a lot of progress there. We dealt with two rainouts and one attempt to move to another venue but all in all I think we estimated we had about 2,000 people total listen to the music in the village. I talked to residents who didn't show up at the venue, they listened from their house. A large

Village of Shawnee Hills Council

August 28, 2017

portion of our success was due to this man sitting right next to me which is Craig Tuthill. Craig is the man who lined up or confirmed all the musician. I picked out three of them but he interfaced with them. He was there every night. He was there before the thing started and he stayed there until it was all cleaned up and I think we need to publicly recognize him for the work that he did for the Chamber. Carol said he is part of our Chamber board and this segues into another thing. It is my pleasure to announce that Craig has accepted the responsibility of being the Chamber liaison with the Village of Shawnee Hills. He will be at every council meeting. He is the person to contact if you have an issue, if you want to talk about something. I have contact info for you. I want to thank you guys for helping us with this, especially Steve over there. We sweated through that restroom and we finally got it working the last day.

**Communications**

Mayor Monahan gave the following report:

I contacted Steve Smith and as I stated in the Newsletter, we want the input of our businesses on the signage legislation we are considering. I suspect following the disposition of this legislation the next issues we need to address are the temporary stick in signs and the number of signs a business can have. This has generally been based on square footage and size of business footprint. I want to have this on the Planning and Zoning agenda for our Sept 26th mtg. and we will need Brian's involvement. I think one of the cleanest and comprehensive signs in the Village is the Village Market's sign!

I also communicated with Steve Smith, to remind the Chamber that stick in signs will not be permitted during the Tournament going forward. I recommended that the Chamber move forward with a permanent Shawnee Hills business district directional sign. I reminded Steve of the sign I had my Son take pictures of and I forwarded from Madeira OH. It is basically the same concept we discussed at a business advisory meeting in Feb of 2014 or 2015.

On Aug 22nd I communicated with Bill Trembly, the owner of The Shawnee Square shopping center.

**Subject:** The shopping center in Shawnee Hills

Bill, as we have continued to move the Village forward it is very disappointing that the shopping center is still terribly underutilized and slipping in appearance.

We need a coffee business in the bank and a high-end meat shop as a couple of examples,

Bill, your participation would be appreciated!

Pat

This year's Veteran's Celebration will be Saturday Nov 11th at 11 AM at our Veteran's celebration. The Civic as always has shown their Veteran dedication and offered us the use of the building for lunch – prior to starting the remodel.

Kurt Hebner and the Boy Scouts have offered the same Veteran dedication by agreeing to conduct a flag retirement ceremony as they have in the past at the Civic. If you haven't attended this ceremony in the past you will find it befittingly respectful to our flags' retirement.

**Mayor's Report**

Mayor Monahan gave the following report:

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

## Village of Shawnee Hills Council

August 28, 2017

Kudos to Steve Smith and Carol for the Chamber for the Music in the Village events.

I do want to make sure we DO NOT accept signage that states Dublin or Powell! If they want to be in Dublin or Powell they ought to be. Should the verbiage on the signs be filed with the Architecture Board of Review? It creates taxing risks.

We have added legislation to the agenda the Jimmy Vs wine and beer license. I would appreciate your consideration getting this business reopened. Thanks!

### **Pro Tem Report**

Pro Tem Mathews said I did this last year but wanted to read the Conduct of Council Meetings. Essentially the back and forth between council member should be kept to a minimum and then for anybody that is visiting we just ask you to fill out a visitor's form to kind of stop the back and forth. It is not really a discussion; it is a business meeting.

### **Committee Reports**

Council member Mathews said Finance met and it was packed with information that we went over. A good bit of it was spent on salaries whether it be for part time or full time employees. We also covered our current situation with health insurance for full time employees. Our current carrier is not doing so well and they happen to be the supplier for a good bit of the municipalities so we as the Finance committee have opted to opt out and we will go about acquiring quotes from different providers. Chris was able to touch on the storm water plan. It positions us to not only apply for grants but for taking care this quadrant up here at a lower cost as far as drainage.

### **Legislative Actions**

Third Reading- Resolution 10-2017- A Resolution that the Village of Shawnee Hills host a village wide picnic September 24, 2017 at the village pavilion. It was moved by Vidor, seconded by Mathews to adopt Resolution 10-2017. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Resolution 10-2017 adopted by a 5-0 vote.

Third Reading- Resolution 11-2017 - A Resolution proclaiming the month of September 2017 as National Prostate Cancer Awareness Month. It was moved by Gauldin, seconded by McVan to adopt Resolution 11-2017. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Resolution 11-2017 adopted by a 5-0 vote.

Second 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).

Second 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.

First 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.

First Reading- Ordinance 20-2017- 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, 2017 and declaring an emergency. It was moved by Mathews, seconded by Gauldin to suspend with the second and third reading and declare Ordinance 20-2017 an emergency. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote. It was moved by McVan, seconded

Village of Shawnee Hills Council

August 28, 2017

by Gauldin to adopt Ordinance 20-2017 as an emergency. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 20-2017 adopted by a 5-0 vote.

First Reading- Resolution 13-2017- A Resolution authorizing and directing the Village Administrator to execute an economic development (TRES) transfer form for JVS III, LLC.

**Bills**

It was moved by McVan, seconded by Gauldin to approve the bills in the amount of \$100,038.56. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

**Treasurer’s Report**

It was moved by McVan, seconded by Gil to approve the following treasurer’s report:

General	278,412.21	Fire	98,429.75
Street	186,223.50	Weed	7,186.67
State Highway	12,248.54	TIF	8,919.98
Parks and Recreation	1,203.02	TIF 2	18,695.15
PD Body Armor	94.43	Veteran’s Mem.	98.97
Cont. Prof. Training	1,830.15	Sewer Oper.	30,228.72
Drug Law Enf.	249.56	Sewer Repl.	196,000.00
Indigent Drivers	385.84	Storm Sewer	2,513.13
Enfct. and Education	1,160.85	Debt Service	108,291.74
Court Computer	4,780.63		

For a total of \$956,952.84. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

**Adjournment**

There being no further business, it was moved by McVan, seconded by Gil to adjourn until September 11, 2017. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the meeting adjourned at 7:56 p.m.

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Fiscal Officer

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Mayor