

## Village of Shawnee Hills Council Meeting Minutes

November 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 Thatcher to approve the minutes of October 24, 2022 with the following amendments: on page 2, first line, change medium to median, and in the seventh paragraph, change understating to understanding. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

### Agenda

It was moved by Matney, 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 attended the November 1 Planning Commission meeting. There were no applications, no Maronda talk, none of that on the agenda. Planning Commission is taking a look at making a few minor adjustments to the Planned Unit Development code. As Planning Commission starts to walk through a full complicated application like Maronda, you see some things that could maybe be done better, so we are taking a look at some of that language. I would look forward to seeing some legislation at the beginning of January to have those recommendations looked at and possibly adopted by Council.

I attended, a week later, the Evans Farm JEDD Board meeting. The future of the JEDD is uncertain. As I reported last time, there are no real funds coming in, so the JEDD Board really can't fund anything, including liability insurance for itself, bonding for Kathy, and attorney fees. There is no real sign on whether or not much money will come in. The residents are not going to be taxed so there is no income tax there. You don't have a large employer base there so you don't have that income tax. The JEDD Board is looking at that to see what the future of the JEDD is going to hold. More to come on that.

Russ asked Brian to clarify that Planning and Zoning is looking at changing the PUD ordinance. Would that affect any existing applications or any application that comes in before it is passed.

Brian said no. The changes are minor tweaks anyways, but, no, it will not.

## **Village Administrator**

Russ said I met with Ohio Edison last week regarding the lights on Glick Road and Dublin Road. You should have an agreement coming before you at the next meeting. Ohio Edison has an energy savings program that we pay a certain rate for our street lights. Moving to the LED technology, the savings is not on that program yet. It costs more per hour and it costs more per month. He said it comes out in the wash with how much it costs to run the lights. The cobra heads on Dublin and Glick Roads only will be changed over to the LED lights. These lights are a little bit brighter so there is less need for more lights. They are completely downcast and are dark sky compliant. This will give us consistency in our lighting throughout the village. By 2024 to 2030, they are hoping to have our area changed over anyways. Dublin and Glick Roads will be a little bit brighter. We will wait for them to have to force us to change the lights in the neighborhoods. That will go to a low, pretty much the same color LED that is out there now. There are some perks with it. Right now, if a car hits a pole, or a truck hits a pole, or a light gets damaged, the village has to pay for that or we turn it into our insurance company. Going to this new program Edison will repair or replace the damaged pole and/or light at their cost.

Working with Equity to finalize their project. Brian and I met with Equity today. We are working on the traffic light agreement and maybe some offsite things. They are on their third construction manager so things have been lost and we are trying to recoup them and get that moving forward.

I am meeting with MORPC tomorrow along with Dublin, Powell, and the Delaware County Engineer to apply for technical assistance funding through the Greenways Visioning category. It is a grant that will focus on pedestrian access in and around the zoo. We have had one meeting. Obviously, that is a multi-jurisdictional project. We will see where that goes.

Bids for the EPA mandated sewer repairs will open December 7. This actually came in a little bit less than what Chris was thinking originally. The majority of the funds will come from the American Rescue Plan money that we received. This is the last phase of the repairs that need to be done on the sewers per the EPA mandate. I do have a list of all the work that will be done. I will have Holly post it. It is little projects. Some are in front yards. Some are in the street. There are some displaced pipes, some cracks in the pipe, some castings for the manholes that need to be raised. Our deadline for that is spring and then we should be good to go. All those mandates from the EPA will be behind us.

Still waiting on quotes to fix drainage on W. Hiawatha. I believe there is a crushed pipe under the road on E. Hiawatha. That should be fixed soon. Everything drains into the corner lot by Hillcrest on Hiawatha. The ditch along the side of the road is now eroding away from the roadway on Hiawatha. The fix for that isn't that bad, however, downstream, it creates an issue with the Plaza that already floods. That could be a major project. I am working with Chris and Mark. We think some of the work may have already been done. I should have more on that soon. It's a ditch that feeds into a ten-inch pipe that is broken, that goes into a manhole and then goes under the plaza there at Shawnee Square. The pipe is about half the size that it needs to be. We did not want to fix this end and then create an issue at the other end.

Met with a company last week with the Mayor and Justin LaRosa regarding the website and certain things the community has been asking for. We met with a marketing company that is

local here. They work with a couple of governmental agencies. We are going to see what all he can do for us as far as the website.

Mark and Richard both attended training for pavement marking and street signs. Richard also went to a plowing course which helps the village with some liability should he hit something.

On the agenda tonight, Ordinance 24-2022 sets the starting pay and positions for the municipal side. This is a staffing matrix with a starting salary. There is a pay increase for municipal employees built into that. Ordinance 25-2022 updates the staffing matrix and pay scale. Ordinance 26-2022 is the budget for next year.

Chris's contract expired last year but we are in the one year agreed upon grace period on his contract. It doesn't need to be an emergency. There is a slight rate increase on his new contract.

We are running a Toy Drive from now until December 2. You can drop new toys and coats off at the PD or the Municipal building. On December 3 we will have an in-person toy drive at the PD. It all goes to Common Ground Free Store Ministries in Delaware. It is truly free and helps a lot of families in the area. They don't have a lot of donors coming in so this would be huge for them.

### **Police Chief**

Chief Baron said Joshua Hoar has accepted a position with the City of Johnstown. He and his wife are moving there and want to be closer to work.

Ryan Campbell has been here three or four years and is excited to take over the full-time slot. That legislation is on the agenda tonight.

### **Visitors**

Megan Bello, 205 Forest Drive, said Russ had made mention of this and I just wanted to get a little bit more information. I don't know if it was brought to anyone's attention but the color and the brightness of the lamp posts on Dublin Road are shining into peoples' properties. They are pretty abrasive when you drive by and I didn't know if there was an opportunity to change those either to be a bit more down lighting, to be a soft white so, it is more of a uniform look and a little less harsh. It feels a bit like when you have a car coming at you with their headlights on when you are driving through the village. It's just a bit harsh. I didn't know if there were plans to revise all of that lighting. To have it not be the bright white but have it be a bit more of the soft and not have it spill into other peoples property. I have some pictures. This is from her front porch. She actually gets a shadow cast in on her home, through her windows, from the new lighting that wasn't there previously.

Council member Gates said we had someone else come to the last council meeting and said the same thing and Russ addressed it both times. Both last council and just now. Just before you spoke. He just talked about it.

Russ said there are three options. Option one, the village spends about \$5,000.00 and retrofit all the lights again with a different bulb. That bulb and wattage and brightness is the same wattage and brightness that just about every community in Central Ohio is installing right now. Because

of visibility there is no need to install additional lighting. We did look at changing out the light posts to downcast lighting, which I would love to do, but we would have to replace the pole and the head and we would have to have an electrician out to do that because the way the poles are made you can't just plop a different head on them.

Megan asked if the downlighting is being changed, is it necessary to have those lights. Have something so bright?

Russ said when the downlighting is replaced these streetlights won't be so dramatically bright. It will wash.

Megan said it will wash and it will still be in people's house's, right? So, there is no opportunity to change it.

Mayor Mathews said I would say no. I would say the technology is LED.

Megan said I have LED in my house but they aren't that color and they are not that bright.

Council member Thatcher said they are set at what they are. However, we did not get the brightest ones. We have lower than many other communities and we are in the middle of the range. It is a State highway and we do have certain responsibilities, lighting wise, because they did have to be replaced and that is where it had to be somewhere close in that range.

Russ said we have 4000 lumens and Concord put 5000 at the bridge and those lights are about fifteen feet apart. It is relevant to the village where the light shines.

Megan said when you make those decision how does that happen. I think, in some of these cases, we have a lot of people who are not pleased with the decision. If there was an opportunity to understand how that decision is made maybe we can make more people happy or not impact their homes and follow the appropriate decision-making process in having that engagement early on rather than having people complain after the fact.

Mayor Mathews said I think we made the decision to change these things over based on the lack of production of the old light bulbs and I thought we tried to do it as least intrusive as possible. We just had a conversation in UST about additional lighting at El Vaquero because someone is going to get hit crossing the street. There's a fine line that we have to walk as far as a municipality. We have to care about the safety of the pedestrians, people driving on the road and I think we found a balance.

Megan asked when a change has to be made how does that process take place.

Mayor Mathews said something like this would go through UST first. It goes through the normal committee process.

Megan said what could be an opportunity, when other changes like that come into play, maybe change one, understand how it impacts the homes around, see if there is another option, maybe

get some feedback from people before spending five grand on something that negatively impacts homeowners.

Council member Gates said that sounds great except part of it is we have a safety issue on Dublin Road. There seems to be a fairly consistent amount of complaints of people almost hitting pedestrians because there is not enough light. The LED itself is so much different than the fluorescent. I know Russ talked at the last meeting that if we wanted to do something softer we would have to put in more streetlights which is also price prohibitive.

Megan said soft white tends to be a bit more appealing and a little less harsh on the eyes.

Council member LaRosa said because it is round it is like an omni directional light. It shines everywhere compared to the cobra heads which are down lighting. If you were to go with a soft white like a 3000 k, 3500, which is more yellow, when we did the cobra heads it would look completely goofy. It would look like tiger stripes. Some of it is too, a few months ago, Ohio Edison gave us our options and said here is what everyone else is doing. This was not an immediate decision. There was a whole process behind this. First the necessity was made. Then we got with Ohio Edison and then we looked at, financially, what makes the most sense and then looked at other communities to see what they have done and the ultimate solution was what we have.

Russ said the original plan the engineer came up with for lighting on Glick Road to meet a certain standard was twelve on each side at five thousand dollars a light pole. With these lights, we knocked it down to six on each side.

Carol Kender said I would like to complement Rob on the Veteran's presentation last Saturday. I was very much impressed with the quality of the presentation. I was disappointed with the lack of attendance. Is that normal?

Council member Thatcher said the attendance was fairly close to what we normally have.

Carol said Toni Ellington was not able to be here tonight so she wrote a letter to council and she took a bunch of pictures. Each picture has a signature on the back of where the picture was taken at and she encourages you take a look at them and I will read her letter.

Carol read:

My name is Toni Ellington, I live at 35 W. Reindeer Dr. I would like to address my concerns with the new LED lighting in the park.

There are two light poles in the park, and I was told that one was mistakenly changed to the new obnoxiously bright lights that currently line Dublin Rd. I was extremely pleased and thankful on October 22<sup>nd</sup> when the Village turned off the lamp post that was mistakenly changed.

At the last council meeting on October 24th, Russ stated that the lighting along Dublin Rd would not be used back in the neighborhood. Unfortunately, on November 3<sup>rd</sup>, not only was the light post turned back on but the second light post in the park was changed to a bright white LED light as well.

Chapter 749 in our codes and ordinances talks about lighting.

Section A: this regulation is to encourage lighting practices that minimize the degradation of night-time visual environment while preventing glare, light trespass, and light pollution.

Section B: minimize spillover

Section C: minimize or substantially reduce glare, minimize light trespass, minimize sky illumination, and present an appearance that is compatible with the Village's character

Section D: No lighting shall be permitted to disperse over a broad area so that it becomes a nuisance to the residents and business owners.

I can see 7 streetlights and lamps in total from my front porch. Four of these 7 lights are the new LED lights. Two are in the park and two are located on Dublin Rd. The two at the park shine into my bedroom and office. And the two on Dublin Rd create a lot of glare and light pollution.

My neighbors who live around the park on W. Cherokee and W. Riverview also share my concerns. One compared the lights to an airport and the other said the lights from the park light up their backyard and the front of their house.

I'm asking the Village to please fix the lighting at the park and if possible, along Dublin Rd. I have found several companies online selling high-pressure sodium bulbs that were previously used in the light posts. They also make low-wattage amber LED's which might be a better fit for our Village than the 80-watt white LED's that are currently being used. Please figure this out so we can look more like a village and less like an airport or in my opinion, an apartment complex.

I have included some photos to illustrate my and my neighbors' concerns.

Toni Ellington

Russ said I would address the park lights have been changed out to 65-watt home grade LED bulbs. It doesn't get any lighter than that.

Council member Gates said I think one of the things you have to keep in mind with all of this also, and I think one thing is, we live here so we forget it, and that is our businesses are very close to residential so when you are trying to keep a highway lit along with the businesses you are going to impact the people living very close to that road. Also, I just have to say, I have been approached several times by different people in the village who have trouble with their neighbors with light. My point is I think everyone has a problem at some point where they live with lighting. We currently don't have anything in our ordinances that I know of that has to do with neighbors impacting other neighbors with light. That's not even a safety issue, it is just a nuisance. This is a safety issue.

### **Communications**

Mayor Mathews said, as Russ mentioned, we met with the marketing executive who lives in the area, so he is pretty familiar with what we are looking for and what we are about. It is going to

be kind of an al la carte, we pick what we want, and then get a price from there. That will go through UST and then Finance.

Jane Fox, from Dublin, forwarded along my name and contact information to the Mayor's Alliance which generally works with bigger municipalities and he did say if we needed any help with grant ideas he would be willing to look at it with us.

### **Pro Tem Report**

Pro Tem Thatcher said I just want to thank Russ, as both Administrator and Chief of Police, for all help he gave me on the Veterans' Day Celebration, Concord Fire Department, Jack Guyton played the bagpipes, the American Legion Post 800 and John Metzger, who spoke, from Chase, who is retired for the Air Reserve. I want to thank everyone who made it successful and possible.

### **Committee Reports**

Pro Tem Thatcher said UST met, but we beat that light bulb to a pulp, so we are pretty much covered.

Council member Isern said Planning and Zoning met and Brian talked about what we are looking at changing. Proposing a few small changes to the PUD ordinance.

### **Legislative Actions**

Third Reading – Ordinance 24-2022 – An Ordinance creating, establishing and adopting a new compensation and pay schedule for certain non-police positions within the Village of Shawnee Hills.

It was moved by Gates, seconded by LaRosa to adopt Ordinance 24-2022. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

Third Reading – Ordinance 25-2022 – An Ordinance amending Section 4 of Ordinance 34-2019, thereby amending the Village of Shawnee Hills Police Department staffing matrix and increasing the starting pay for part-time Police Officers, full-time Police Officers, Sergeants, Lieutenants, and the Police Chief.

It was moved by LaRosa, seconded by Gates to adopt Ordinance 25-2022. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

Third Reading – Ordinance 26-2022 – An Ordinance to appropriate funds for current expenses and other expenditures of the Village of Shawnee Hills, State of Ohio, during the fiscal year ending December 31, 2023.

It was moved by Thatcher, seconded by Zimmerman to adopt Ordinance 26-2022. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

First Reading – Resolution 14-2022 – A Resolution authorizing and directing the Village Administrator and Fiscal Officer to execute a contract with Tebbe Civil Engineering, LLC for Professional Engineering Services for the Village of Shawnee Hills, Ohio.

First Reading – Ordinance 28-2022 – An Ordinance confirming the Mayor’s appointment of Ryan Campbell as a full-time Police Officer for the Village of Shawnee Hills and declaring an emergency.

It was moved by Zimmerman, seconded by Gates to suspend with the second and third readings and declare Ordinance 28-2022 an emergency. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

It was moved by Thatcher, seconded by Zimmerman to adopt Ordinance 28-2022 as an emergency. Following vote on the motion is recorded: yea, 6; Gates, Isern, LaRosa, Matney, Thatcher and Zimmerman. Nay, none.

**Bills**

It was moved by Isern, seconded by Gates to pay the bills in the amount of \$110,459.84. 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 Zimmerman to approve the following treasurer’s report:

General Fund	488,124.28	Enfct. and Education	1,245.85
Street Fund	423,848.38	Fire Fund	70,672.93
State Highway	32,382.42	TIF Fund	92,161.26
PD Body Armor	2,753.48	TIF 2 Fund	28,886.54
Cont. Pro. Training	2,535.48	Police District Fund	89,795.60
Evans Farm JEDD	22.06	Veteran’s Memorial	248.97
Drug Law Enfct.	534.41	Sewer Operating	21,128.96
Indigent Drivers	385.84	Sewer Replacement	13,036.08
Law Enfct. Trust	4,398.91	Storm Sewer Fund	14,723.64
Am Rescue Plan	63,418.14	Debt Service Fund	80,505.39

For a total of \$1,430,808.62.

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

**Miscellaneous**

Candice Myers, Delaware General Health Department, said speaking of lighting, this is more than I have ever heard about lighting, we are doing a recycling program for the holiday lights. She had information on that and also on the new Health Commissioner. She told Council that Shelia said goodbye to everyone and she really appreciates everybody and she is busy transitioning to her new role.

Council member Zimmerman said the bag piper was a really nice touch. It really hit home for me.

Council member Thatcher said he was really good. He did a great job and he was very happy to do it. The National Anthem was sung by Jacob Banker, one of our residents, and he was great. I

think he is better than Leo. He does a great job and he belts it out, it's fantastic. It is so awesome because it is all local people, it's our people, right in our area, so it's really good.

**Adjournment**

There being no further business, it was moved by Thatcher, 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 7:48 p.m.

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Fiscal Officer

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Mayor