

## Village of Shawnee Hills Council Meeting Minutes

August 10, 2020

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

Council in Attendance: Mary Gates, Geoff Hanna, Renee Matney, Jeff Stacy and Robert Thatcher

Also Present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

### Minutes

It was moved by Hanna, seconded by Gates to approve the minutes of July 27, 2020 with the following amendments: on page one, under Police Chief, next to radios, change *are* to *our*. On page 4, very bottom, there is a double dollar sign. Following vote on the motion is recorded: yea, 4; Gates, Hanna, Matney, and Stacy. Nay, none. Abstain, one; Thatcher. Motion passed.

### Agenda

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

### Solicitor

Brian said that the Planning Commission did recommend the approval of the rezoning of the PUD for the E. Osage Woods project. The applicant submitted their preliminary plan for the proposed homes to be built on E. Osage Dr. I prepared the legislation and Shirley has sent out the public notices as required. There will also be a contract for the paving of E. Osage Woods. This will be a separate piece of legislation and we will run it through at the same time as the rezoning.

Council member Gates said to Brian. Last week we had a discussion on how we were going to vote for multiple candidates for the empty seat on council. I was told that there are no secret votes, however, since we are representing the citizens of the community and if this was a regular voting process, no one would know how they voted. My concern is that there is undue pressure on people to vote a certain way or for a certain person. We were waiting to see what you said about this.

Brian said whoever told you that was very wise because that is the rule. I go to council meetings all the time and I have seen somewhat the awkwardness of someone making the motion to have someone take a seat and then not get a second or they get a second and it is not voted in favor. Council can have no secret ballots on anything. You can have no secret conversations. Technically, you should not have side bars for any meeting while you are up there talking. No conversation should happen behind the scenes about how those votes are going to go.

Council member Gates said that is amazing. I even contacted fraternal organizations and they don't do things like that.

Brian said that is because they don't follow the open meetings act and we do. There is a fairly recent case where they did it by secret ballot on paper. The court was pretty quick to say that was not allowed.

### **Village Administrator**

Mayor Mathews said Craig did leave his village report. It is much of the same. A lot of the work has started obviously, if you have noticed. I will let Rob touch on that through the UST report.

### **Police Chief**

Chief Baron said after our last finance and council meeting, someone raised a concern to the Board of Health about council not wearing masks at the meeting.

I spoke with Shelia Hiddleston from the Board of Health, at length, about this and one of the things that we, as a police department, had to do is get all these orders in, interpret them and determine how we are going to enforce them. So different places interpret things differently. There are sixteen exemptions to the indoor mask requirement. Three of those exemptions, two specifically, being the individual is communicating or seeking to communicate with someone who is hearing impaired or has a disability where the disability needs to see the mouth for essential communication, or the individual is actively participating in broadcast communications because it is media recorded and the minutes are taken from that and they need to be accurate. The other one is the individual is engaged in the act of public safety. After speaking with Shelia she agreed those three reasons applied to this council while you are speaking or council has a need to communicate, council members do not have to have a face covering on. If you get up and walk around you need a mask and any spectator has to have a face covering on. That goes for anyone addressing council, they can remove their face mask.

### **Visitors**

Todd Zimmerman, 55 E. Muskingum Drive, said I am applying for the open vacancy on village council. I have lived in Shawnee Hills for five years. Before that I lived in Dublin for twenty plus years. I moved from New York to Ohio with my parents in 1970. I just want to say my experience here is almost two years on your planning and zoning board. The other experiences I have had with city government are: I spent three years with Dublin on the Board of Zoning Appeals, two of which were Chairman. I had thirteen years on the City of Dublin's Planning and Zoning Commission. A couple of years as Chairman and five years as Vice-Chairman. We did it a little bit different than you do it. A little bit different volume but it is all the same thing. One of the bigger things I enjoyed at that time was, every year, the City of Dublin would send us to the American Planning Association, which is a five day schooling. You went and physically looked at the models of their cities and you were taught everything from doing planned unit developments to commercial and residential. That helped out a lot over the years.

The five years I have been here in the village reminds me of when I grew up in a small town in western New York. It has the same, kids are playing in the street, vibe. Neighbors walk, talk, say hello. This is a great village. I have seen more residential being built, commercial being built and I would like to be part of the finishing touches of the rest of the residential and continuing on

commercial. I think I can offer something to the village. The village has offered me a lot here. I really enjoy living here.

Dan Boggess, 9349 Westview Drive, said I am here tonight to express my interest in filling the open position on village council. I am glad to be here and I am excited for this potential opportunity. I certainly wish we were here on different terms. I know we have a huge hole to fill in the terms of leadership and care for this village that Pat provided. As Pat often would tell many of us that good people working together can accomplish a lot of good.

I have lived here in the village since 2008. We moved here when our son Sam was three years old. He is now a sophomore at Jerome High School. Along the way we added Tuck and Libby who are both at Eli Pinney and two dogs and a cat. We set up roots here and throughout getting involved in Shawnee Hills and realizing a lot of good things about it. The neighborliness, the farmer's market, all of these wonderful things we enjoy. These things did not happen by accident. This was people coming together, providing their time and their effort and their talent to make things better. I agree with that and along the way I volunteered to serve on the BZA and the ABR, which I am currently on. I think we have done a lot of good in those groups as well. I think it is important that we continue to try to move the village forward while at the same time trying to maintain what this village is about. Again, that friendliness, that small town feel.

A little bit about myself, professionally. I have my Bachelors from Miami University, my MBA from the Ohio State University and I own my own company which is called Village Controls, which is a nod to the village where it started and where I operate my business from. We design and build large commercial lighting projects. I have gotten to work on things locally, like the Exchange, over at the new Dublin development. I worked on the controls for the new Dublin bridge. I am working on larger projects beyond that. I just got the contract to do the lighting controls for the Brooklyn Bridge and I am doing the lighting for a basketball arena. I tell you those things, while it's kind of neat to say for me because those are some pretty fun projects to work on, it is a certain amount of worldliness that I am able to bring to this, both working locally and also on large scale projects. Many of you, in your professional careers, have worked on large projects that are high profile and there's a lot at stake. What you tend to realize is there's a lot of teamwork that is needed. There's communication that's needed. There's a lot of setting egos aside and working for the common good. I think my experience here in the village, working on committees, working on some really amazing professional projects and now that the kids are getting older, having a little bit more time to dedicate myself a little bit more to the village. That is kind of what landed me in this seat tonight. I just wanted to say hi and I hope you consider me.

Mayor Mathews said both of these guys: I appreciate the willingness to serve. I think either one would be an excellent choice.

### **Communications**

Mayor Mathews said going back to the riverfront. I traded emails with Shelia Hiddleston, Delaware General Health Dept. and potentially one day this week she is going to bring a sanitarian and meet with Rob Miller, Dr. O'Shaughnessy, Mary, myself and maybe you guys if you are available. We are going to walk some of the riverfront so they can actually see and decide if this is something they can actually approach Columbus about the condition of it. That is kind of the next step. It will decide the next step and who else we get involved.

The second thing, I talked to Rob Platte today, and this is along the lines of a JEDD. One of the township trustees from Berlin would like to talk about future JEDD's.

### **Committee Reports**

Council member Thatcher said UST met tonight. We went over the stormwater project on Glick Road. It will be starting in the next week. You will start to see equipment coming in. It should not take too long. The O'Shaughnessy Crossing project is underway. They will be boring to bring a waterline under Dublin Road. They need water to run the boring machine under Dublin Road. A survey will be completed on E. Osage to determine what needs to be removed from the right of way. Still waiting for Chris to send a list of repairs needed for the sanitary sewer lines. They are working on the generator install at the pump station. They are running conduit now and that should be completed soon. They started the repaving today on Dublin Road.

Council member Gates said Planning and Zoning met on July 28. We met for a public hearing on the rezoning application, application #423-2019 filed by Lopriesti Land, LLC for the purpose of rezoning the 26 parcels from R-2 to a Planned Unit Development (PUD) on E. Osage and Shawnee Trail. The PUD enables more density than is permitted through the R-2 zoning. This preliminary development plan was discussed and voted on in order to move this to Council. January was the last time this development was discussed so Joe Clase from Lopriesti Land reviewed the proposed development. The owners, David and Marlena Galbreath were in attendance as were several residents. After much discussion, Planning and Zoning voted to approve the rezoning request and the preliminary plan and to condition such approval upon the execution of a Memorandum of Understanding between the Village and the developer concerning the paving of E. Osage Drive.

### **Legislative Actions**

Third Reading- Ordinance 15-2020 – An Ordinance amending Section 311.02 (J) (Police Services, Special Duty Fees) of the Village of Shawnee Hills Codified Ordinances.

It was moved by Gates, seconded by Thatcher to adopt Ordinance 15-2020. Following vote on the motion is recorded: yea, 5; Gates, Hanna, Matney, Stacy and Thatcher. Nay, none. Motion passed.

Public Hearing – Second Reading- Ordinance 16-2020 – An Ordinance to amend the zoning district map of the Village of Shawnee Hills, Delaware County, Ohio, by rezoning parcel numbers 60031514052000, 60031414053000 and 60031514054000 from the Single Family District (R-2) to the General Commercial District (GC).

Carol Kender asked where is this property. Shirley said this is the property located at the corner of Logan and Dublin Roads. It is the retention pond area for the O'Shaughnessy Crossing project

Third Reading- Resolution 15-2020 – A Resolution authorizing and directing the Village Administrator and Fiscal Officer to execute an employment agreement with Richard Ey.

Council member Gates said I know we talked about this, in general, before council but some people weren't here. I had a talk with Craig about having a little bit more specificity with regards to Richard's contract. We came up with, I think a good plan at this point, at least a start. That we have a seasonal work program that kind of lists, or highlights, what he does in general and what some of his goals might be and I think he is going to be working with Mark according to what

Craig said. I just wanted to throw that out there that the next time that his contract comes up, that should be part of that.

Council member Hanna said so you want more specifics on his duties.

Council member Gates said because I think that sometimes people do question what he does.

Mayor Mathews said when we first hired Richard on it was for a backup snow plow driver. It has grown to more since then.

Brian said I don't know exactly when his contract is up but if you want more specificity we can build it into this version. Council could table this. We can work on this and in two weeks we can come back with the revised version.

Council member Matney said his contract is already up.

Brian said you can table this and I can work with Craig and Craig can work with Richard and figure that out and you can have the contract you really want now.

Council member Gates said that's a good idea. We should do that.

It was moved by Hanna, seconded by Thatcher to table Resolution 15-2020. Following vote on the motion is recorded: yea, 5; Gates, Hanna, Matney, Stacy and Thatcher. Nay, none. Motion passed.

First Reading- Resolution 17-2020 – A Resolution authorizing the Administrator and Fiscal officer to enter into a contract with Tax Exempt Leasing Corp. for a lease purchase agreement for police radios and declaring an emergency.

It was moved by Thatcher, seconded by Hanna to suspend with the second and third reading and declare Resolution 17-2020 an emergency. Following vote on the motion is recorded: yea, 5; Gates, Hanna, Matney, Stacy and Thatcher. Nay, none. Motion passed.

It was moved by Matney, seconded by Hanna to adopt Resolution 17-2020 as an emergency. Following vote on the motion is recorded: yea, 5; Gates, Hanna, Matney, Stacy and Thatcher. Nay, none. Motion passed.

**Bills**

It was moved by Gates, seconded by Hanna to approve the bills in the amount of \$34,014.53. Following vote on the motion is recorded: yea, 5; Gates, Hanna, Matney, Stacy and Thatcher. Nay, none. Motion passed.

**Treasurer's Report**

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

General	209,811.57	Mayor's Court Computer	1,030.14
Street	206,769.96	Fire	50,044.03
State Highway	22,896.28	Weed	3,965.04

Parks & Recreation	0.00	TIF	27,428.34
PD Body Armor	1,073.83	TIF 2	55,830.18
Cont. Prof. Training	179.77	Veteran's Memorial	248.97
Drug Law Enfct.	534.41	Sewer Operating	40,146.06
Indigent Driver	385.84	Sewer Replacement	77,405.09
Law Enfct. Trust	6,676.71	Storm Sewer	12,284.09
Enfct. and Education	1,220.85	Debt Service	123,388.86
		Coronavirus Relief Fund	142.42

For a total of \$841,462.44

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

**Miscellaneous**

Council member Hanna said I would like to talk about the Village Gazette that came out this past month. I was a little distraught that we had a resident, Mike Koren, who asked to have a letter supporting the police department be published in this newsletter and it was not. Back in March, when this levy came up, there were letters published by the editor, full letters, by opposing views. I want the residents to know that there is some kind of scrutiny going on here in what gets published and what does not get published. I thought Mike had a very well written letter that should have been in this newsletter.

Carol Kender said I would like to address that. Mike sent the letter to me. I asked him to edit it so it was not so long. He never replied.

Council member Hanna said if you look at your newsletter. There is an article here about to use a purse or not to use a purse and to fill it in here you reduced the font size so that it will all fit. You get over here to legislation, you increased the type font. You could have always decreased the size. I have your newsletter from March and the font size is all reduced to fill all those objectionable letters against the police department levy. I think a lot of people don't read the minutes from the meetings and they don't get a full view. They get the cliff notes from here and you kind of obstruct really what should be said.

Carol said, as I said, I sent Mike a note. The same thing on the two letters you say on the issues that were opposing the police, I sent both of those people letters saying I can't use what you, he never responded. If he is a friend of yours...

Council member Hanna said he is not a friend of mine. I just thought he was a well-spoken resident of the village that was very articulate and I thought his letter was to the point and I thought the residents needed to hear that. That is all I am saying.

Judy Stephenson said you obviously knew he had sent it.

Council member Hanna said I did. I did not know the correspondence between you two. I just wanted to make sure it is noted that the village knows that things are skewed.

Mayor Mathews said I can piggy back on the police. I have a mentally handicap brother that lives on E. Iroquois. He turned fifty this past week and my wife arranged for these drive by parade things. With the help of Sgt. Larosa, the police department was there, Concord Township Fire Department came and all I can say is I see the things that go on in Portland, Oregon and the things that go on in Seattle and it just amazes me that there is such opposition to the police department. I think if you actually had the relationships we have with the police and fire departments, it's certainly a quality of life thing and makes it easier to live here. Thank you to Shawnee Hills Police, Sgt. Larosa, and Concord Township Fire Department.

**Adjournment**

There being no further business, it was moved by Thatcher, seconded by Hanna to adjourn until August 24, 2020. Following vote on the motion is recorded: yea, 5; Gates, Hanna, Matney, Stacy and Thatcher. Nay, none. Meeting adjourned at 7:32 p.m.

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Fiscal Officer

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Mayor