

Village of Shawnee Hills Council Meeting Minutes

September 14, 2020

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

Mayor Mathews' son lead us in the Pledge of Allegiance.

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

Also Present: Fiscal Officer Shirley Roskoski, Administrator Craig Thompson and Solicitor Brian Zets

Minutes

It was moved by Hanna, seconded by Zimmerman to approve the minutes of August 24, 2020 with the following amendments: on page one, under executive session, remove the following words: employment, dismissal, discipline, promotion, demotion or compensation.

Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Agenda

It was moved by Matney, seconded by Zimmerman to approve the agenda.

Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Solicitor

Brian said I finished working on Richard Ey's contract. The newly updated version of this contract with the work plan has been incorporated with the contract and attached to it so that is part of Resolution 15-2020. At Council's pleasure you can remove it from the table and amend the resolution by substitution and then you can adopt the resolution as amended.

There is a very important piece of legislation on the agenda tonight and that is Resolution 19-2020 which is the renewal of our contract. I thank you for that and I do appreciate the work for the village. This is the same contract you have always had. There is no increase in cost.

I worked with Shirley on the CARES Act funds.

Since Delaware County is handling all our prosecution, including zoning matters, Mark still has to put together the charge and get it filed. Kelli, in my office, created a fillable form for Mark to use.

Village Administrator

Craig Thompson gave the following report:

Storm Water Drainage Project on Glick Road: That has been completed. I have driven by there a couple of times and it looks good. Shirley told me, after the last big rain here, that there was no standing water on Glick Road.

Ninja Gym: Still under construction.

O'Shaughnessy Crossing: They are doing work between Shawnee Trail and the river. That is in the Minton-Myers easement and the easement we obtained from the City of Columbus. They have cleared out the vegetation in that easement and they are starting to lay pipe. They will work their way back up to Shawnee Trail, then zig zag to Oneida and work their way up to Dublin Road. We did get one complaint from the owner to the south that his trees have been damaged and he lost some tomato plants. Chris has looked at it. Jeff Parenteau has looked at it as well because the developer is the one who contracted out with the tree removal service, not the village. There will be restoration with the City of Columbus property as that was part of the easement agreement. The Minton-Myers property easement was between them and the developer.

Osage Woods PUD: First reading is tonight and the public hearing is scheduled for September 28.

Sanitary Sewer Line Inspection: I do not expect anything on this until the end of the year.

Schirmer Brew Pub: Nothing new on this.

Pump Station Back Up Generator: Still waiting for our electrical permit from Delaware County.

Dublin Road Repaving: This project has been completed.

Wine Snob Project at Shawnee Square. Nothing new on this.

Glick Road Annexation: I stay in touch with my contact in Columbus on this. The Columbus City Attorney's office is reviewing the Deed of Easement we obtained back in 2000 for that portion of Glick Road. They want to make sure everything looks good before they send the whole package off to Council for the annexation. Once they get approval from Columbus City Council they can file the petition for annexation with the Delaware County Commissioners.

Delaware City Prosecutor: New form to be submitted to Prosecutors Office for existing nuisance violation. Brian spoke about this earlier.

Crosswalk Light: The crosswalk light by Dells is not working. We had to order an all new light system as they do not make replacement parts for the existing lights.

Village Truck: Truck has been serviced for winter.

New Bakery: A new bakery has located in the shops of Shawnee. It is located in the space formerly occupied by Doggie Daycare.

Council member Zimmerman asked Craig if he knew how long the pipe project will be.

Craig said he does not know but he will find out.

Visitors

Arthur Siegesmund, 9267 Leap Drive, Dublin Ohio said he is here to talk about a shared use trail on Glick Road and active trails. I am with the Weybridge West home owners association. This is part of Muirfield Village. I am here tonight to hand deliver a letter of recommendation from our homeowners association regarding a bike/shared use trail on Glick Road. I know last year this was tabled and I also understand the City of Dublin was willing to fund \$15,000.00 for that project. We feel that the trail is beneficial for our development. We do business over here and travel through Shawnee Hills by bike or walking, I personally do. The City of Dublin is building a bike trail along Glick Road from Muirkirk to Din Eidyn which will complete the trail from Avery Road all the way to here, where there is no trail. Once you get across the bridge the trail goes all the way into Powell. If this connection is made here, the trail will go all the way from Glacier Ridge to Powell and Zoombezi Bay. That is why I am here to represent and hand deliver this letter.

Craig Thompson said we were unable to get two easements that we needed in order to do this project. That is why the project was dropped.

Council member Hanna asked if there was a way we could push this through as a safety issue.

Craig said you are dealing with a private owner who is out of state. He has been contacted numerous times and he does not want to grant that easement.

Mayor Mathews said I think the problem with that particular land owner is the timing of the ask. He is marketing that property for sale and he does not want to be in the middle of an easement. I am just guessing.

Council member Matney asked if we could use eminent domain. Craig said we have had that discussion.

Allison Short, 36 E. Oneida Drive, said she is here tonight to talk about the drainage project under constructions. She said those of us who do not have any property in the way of the easement were not contacted about this project and quite honestly, the right of way is in my yard. That is my yard. I may be one of the most impacted that does not have anything in the right of way. The trucks block my driveway and when they use all of their equipment, it is literally in my yard. Craig, Mark and Chris came out to my house and we had a discussion when this first started. The lack of communication is what disappointed me the most. To all of a sudden to have this boring machine in my yard. There was dirt in my yard, I don't care, that was fine, and I thought everything was going to be okay. Craig and Chris agreed that the drilling of the giant hole was going to take three weeks to complete. I had asked them, for safety issues, I have an almost four year old son and a brand new dog, can you please make sure it is fenced up around the giant hole. They said yes. It comes down to who is liable if someone climbs on that and gets hurt. Is it the developer? Does the developer even know that this is out there? They are leaving these huge pieces of metal something that the kids can climb on. There are kids who live all over there. They agreed and fencing went up and it was up for about a week and a half. There has not been any more fencing. There are two huge mud piles that go the entire width of my parcel plus a big round piece that would go in the ground when they were putting the pipe in plus they left

some of their other equipment there not fenced off. Because the village had the developer do this work, is it on the village. I don't think we want to be responsible for anybody getting hurt. I certainly wouldn't want that on my homeowners insurance if somebody come in my yard. My son was playing in the dirt when I turned my back very quickly and it scared me to death. That promise was made and it wasn't followed through. I had asked them to talk to the developer and make sure that within thirty days of the project being completed that my yard would be put back to the way it was, the easement. I want the same slope that was there. I do not want any puddling. I have not heard anything back from anyone. I would like to have the developers contact information. I would like to send them some photos and a letter. I want them to know that potentially they are at risk. They have a right to know that they could be liable for something happening if they are not aware. I don't think thirty days is too much to ask. In Delaware County, per their engineering department, if you do anything to an easement, private or otherwise, fourteen days it is seeded, sodded, everything is back to normal. Unfortunately, they said that the Village of Shawnee Hills, once it becomes village property, it is on Shawnee Hills to determine when that timing occurs. Does anybody know what that code is?

Craig said we did talk about that and Chris mentioned that there is a restoration component for the project because the village has partnered with the developer in terms of upgrading the size of the pipe. The restoration will be after the whole project is completed. It is not complete yet. I can get in touch with Chris tomorrow to find out when this project is supposed to be completed and then from there we can calculate the restoration part of it. As far as the fencing, I do not know why that has come down.

Allison said I think it is a different company now.

Craig said I will talk to Chris about that also. You said they are blocking your driveway also.

Allison said they are but they will move their equipment if we need to go out. It is hard for me to take my dog out to go to the bathroom because he is a brand new rescue dog and he is like what is going on and wants at these people and I only have one way in and out, right there. We would like to put our house up for sale in the next couple of months. I have lived in the village for fifteen years. I love this place. I would like to find another place in the village but if the project is not going to be done for forty five days and then you come back and do restoration, I can't put it on the market within a couple months. That really impacts me. My neighbors have not said anything but the back of their yard faces E. Oneida Drive and their yard has been destroyed too. It is on the easement but with the trucks going through it the yard is bad. Their yard gets soggy right there anyway, but I want to make sure that their yard gets taken care of too, just because it has never been brought up.

Mayor Mathews asked if we have documented the work as the work progresses. Craig said Chris is taking care of the documentation.

Council member Matney said the whole project seems to be taking ten times longer than what they said.

Allison said my main purpose in coming her today was to hopefully hear some good news about the progression of the project but the fact that we do not know anything is very disappointing. The way that the easement is, it literally in my yard. It is a muddy disgusting mess and there is no way I can put my house on the market. I don't like my kid to play in the yard or the dog. It makes me very uncomfortable. It has become a hindrance, quite honestly, with no preparation.

Communications

Mayor Mathews said this Friday at 2:00 p.m., Shelia Hiddleston is coming down to take a look at our riverfront issue and hopefully this will give us a road map of where we want to go from there. Just prior to that we will have a zoom meeting to see what the popular vote is on how places will handle Halloween trick-or-treat. This is so everyone in the County will follow the same protection protocols.

Steve Smith, at Keller Williams, will host a shredder day on Saturday from 11-2.

Mayor Mathews said I want to make mention, we have a first reading tonight and I know we ran into this in years past. Regardless of how this goes, this will be our first PUD. We had a similar situation ten years ago. I am not one for social media. My wife had to read this to me. There were a lot of opinions that I saw on a PUD. I want people to realize that a PUD is a zoning tool. It is not this specific project, it's not the project that we had on the west end up here. It is a zoning tool that behooves us to have access to that tool because then we have some say in what goes in there. In this particular case, the way this broke down, they could have put seven units in here. So as it is now they proposed ten. The fire department came back and said you can only do nine because of space. With getting nine we can get a street paved, we can get an eight inch water line, we can get a fire hydrant. There are a lot of things that come with that. We can dictate what materials they use, we can dictate all these types of things that go into that negotiation, not just alright good luck, build seven of them, and we will see you in four years when you are done. So there are things that come with that. I know everybody has their opinions on it and some of those opinions, not saying they are wrong or right, they are opinions, but I saw a lot of things about the traffic and which way they should go and if we should shut down the road. We can rely on what the police say about that. We can rely on what those affected say, I live right behind there, rely on what those people have to say too. I just wanted people to know that. A PUD behooves us having that negotiation or having that say in negotiation.

Committee Reports

Council member Thatcher said I talked to Bob Lamb and he said that the Evans Farm JEDD has closed on a lot of commercial property there. That should benefit us greatly. Bob said things are progressing well there. He also said that they are continuing to work on another JEDD.

I also talked to Pat and he would like to see us move forward with our traditional Veteran's Day gathering this year.

Mayor Mathews said the Veteran's Day will go on as scheduled.

Rob said Pat asked me to take it over and get with you guys on figuring out how we are going to do the rest of it.

Council member Hanna said UST met. Craig went through everything in his meeting. Shirley brought to our attention some savings on the utility bills and we also looked at recommendations for the storm water fund to have a slight increase there to cover some future costs that we will incur next year. We voted for that to come before council.

Legislative Actions

It was moved by Gates, seconded by Hanna to remove Resolution 15-2020 from the table. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Council member Matney said the job description, the work plan, some of the things that it says in here, complete continuing education for pesticide license. Is Richard's pesticide license current now? Craig said yes. Council member Matney asked if it had lapsed before. Is it current at the moment?

Craig said it is current at the moment. There are a certain number of CEU's that he has to have to maintain that over a period of time. That is all we are saying here, to continue to do that.

Council member Matney said I don't know what would come up that is not in here but are we open if something would come up that is not in here. Is this just a guideline?

Craig said this wasn't written in stone, it's just a summary of his duties.

Brian said I made sure of that. Under Section 2 under duties, subsection 4 is the all familiar perform other similar or related duties as assigned.

It was moved by Stacy, seconded by Zimmerman to amend Resolution 15-2020 by substitution. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Third Reading- Resolution 15-2020 – A Resolution authorizing and directing the Village Administrator and Fiscal Officer to execute an employment agreement with Richard Ey. It was moved by Gates, seconded by Matney to adopt Resolution 15-2020. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

First Reading – Resolution 19-2020 – A Resolution to hire Isaac Wiles as a contractual employee for the Village of Shawnee Hills.

First Reading- Resolution 20-2020 – 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 and declaring an emergency. It was moved by Hanna, seconded by Thatcher to suspend with the second and third readings and declare Resolution 20-2020 an emergency. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed. It was moved by Matney, seconded by Zimmerman to adopt Resolution 20-2020. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

First Reading- Resolution 21-2020 – A Resolution authorizing and directing the Village Administrator to execute a paving contract with Lopriesti Land, LLC for the paving of part of E. Osage Drive.

First Reading- Ordinance 21-2020 – An Ordinance to amend the zoning district map of the Village of Shawnee Hills, , Delaware County, Ohio by rezoning twenty –six (26) parcels, consisting of +/- 2.50 acres, located along E. Osage Drive between Shawnee Trail and Walgreens, from the Single Family District (R-2) to the Planned Unit Development District (PUD).

First Reading- Ordinance 22-2020 – An Ordinance confirming the Mayor’s appointment of Dorian Martin as a part-time police officer for the Village of Shawnee Hills and declaring an emergency.

It was moved by Thatcher, seconded by Zimmerman to suspend with the second and third readings and declare Ordinance 22-2020 an emergency. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

It was moved by Gates, seconded by Hanna to adopt Ordinance 22-2020. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

First Reading- Ordinance 23-2020 – An Ordinance transferring funds from the Coronavirus Relief Fund to the General Fund to pay Police Department Wages, Benefits and Supplies in accordance with the Cares Act and Declaring an emergency.

It was moved by Hanna, seconded by Zimmerman to suspend with the second and third readings and declare Ordinance 23-2020 an emergency. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

It was moved by Matney, seconded by Hanna to adopt Ordinance 23-2020. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

First Reading – Ordinance 24-2020 – 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, 2020 and declaring an emergency.

It was moved by Hanna, seconded by Zimmerman to suspend with the second and third readings and declare Ordinance 24-2020 an emergency. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

It was moved by Matney, seconded by Thatcher to adopt Ordinance 24-2020. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Bills

It was moved by Zimmerman, seconded by Hanna to approve the bills in the amount of \$204,834.91. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Treasurer’s Report

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

General	207,905.54	Mayor’s Court Computer	1,030.14
Street	210,443.01	Fire	50,044.03
State Highway	23,272.33	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	0.00	Veteran’s Memorial	248.97
Drug Law Enfct.	534.41	Sewer Operating	17,786.75
Indigent Driver	385.84	Sewer Replacement	66,005.09
Law Enfct. Trust	5,369.72	Storm Sewer	9,007.97
Enfct. and Education	1,220.85	Debt Service	53,509.77
Coronavirus Relief	6,865.54		

For a total of \$741,928.35

Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Miscellaneous

Council member Hanna said I sold my house so there will be another council seat open. I plan on working through the end of the month so I am resigning effective October 1. He said Pat had a good council here when he left and you have a great council with the addition of Todd. You have a good group of people to work with.

Council member Thatcher said he will work on committee assignments once all the changes happen.

Adjournment

There being no further business, it was moved by Stacy, seconded by Hanna to adjourn until September 28, 2020. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Meeting adjourned at 7:55 p.m.

Fiscal Officer

Mayor