

## **Village of Shawnee Hills Council Meeting Minutes**

**November 23, 2020**

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

Council in Attendance: Mary Gates, Kathy Isern, 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 Gates, seconded by Zimmerman to approve the minutes of November 9, 2020. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

### **Agenda**

It was moved by Stacy, seconded by Isern to approve the agenda. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

### **Solicitor**

Brian said I worked with Mark a little bit following the November 10<sup>th</sup> BZA hearing. BZA had done a couple of things that Mark wanted to touch base with me on. I worked with Mark through it and I think he was going to get back with the applicant because they may have to change their plan or resubmit a variance application. We kind of worked through the legal issues of what was going on.

I drafted the legislation, Resolution 25-2020, which is on tonight's agenda. This is a TREX transfer of a liquor license.

Mayor Mathews asked Brian if that is transferring the liquor license from Cedarbrook to the Wine Snob.

Brian said it is a permit from Kettering Pizzeria Partners LLC to Cedarbrook Nursery. It is a D5, D6 transfer from Kettering Pizzeria Partners.

Mayor Mathews said so does this have anything to do with the Wine Snob. Does it go to Cedarbrook first and then it goes to the Wine Snob.

Brian said I do not know any of the details behind it. The application only said Cedarbrook Nurseries LLC. That is where I got the information that is in the whereas clause. Those TREX transfers are very simple. It is just a one page document. There is not much on them.

## **Village Administrator**

Craig gave the following report:

Ninja Gym – nothing new there. Work is still underway.

O’Shaughnessy Crossing – There were several questions at the last meeting. The steel plate has been removed and a catch basin installed. The sidewalk that is blocked by gravel has not been taken care of yet. It is still on the punch list. The regrading has been completed on E. Oneida plus they have the repaving done on Shawnee Trail.

Osage Woods – they are going to hold off on submitting their final development plan as they will be working with Equity, the Glick Road Development, as far as storm water issues that exist at the Benmar easement. That is good and kind of what we wanted.

Bridge’s End Brewing Co.- they will be resubmitting plans to the BZA.

Backup generator – this has been installed and we are just waiting on the County to inspect it.

Wine Snob – they have submitted an application to the ABR but it is incomplete so we are going to send another letter to them asking them to resubmit.

Glick Road annexation – nothing new.

Delaware City Prosecutor – all three blight cases that we have up there are scheduled to go to court on December 7.

Glick Road redevelopment – they are scheduled to go before the ABR on December 3.

E. Cuyuga Dr. stormwater – Chris Tebbe is putting together some solutions, with some alternatives, to solve this drainage issue. This will involve Straders along with a couple of properties on E. Cuyuga.

## **Police Chief**

Chief Baron said the police department is going back to what we did in the spring in regards to COVID restrictions. The building will be closed to the public. Fingerprinting will be put on hold for now. The officers have been asked to wear masks. Obviously there is a law enforcement carve out in the executive orders. We have asked the officers to only remove their mask or not put a mask on if they are in an extreme situation.

Our restaurants and businesses seem to be complying with the orders. We are not actively pursuing violations. If anything comes to us we are forwarding to the Health Department. They have more authority to enforce that than we do.

Worked with Mike on some computer projects related to COVID money. Hopefully it will make this process, Zoom meetings, a little easier for everyone.

We did receive our fourth certification from the collaborative for vehicle pursuits and submitting compliance documents for the President's executive order on banning choke holds. We expect to be in full compliance on that.

I am very happy the levy passed and it has been certified. I thank everyone for their support.

In the next few weeks supervisors will be meeting to review policies per the collaborative.

Annual reviews for all the staff members will be done by January. We are hoping that things go back to semi normal after the winter here.

### **Communications**

Mayor Mathews said HB 404 passed and was signed today by Governor DeWine. This allows for virtual meetings to July 1, 2021.

He said I did follow up with Rob Platte on the progress of the Berlin JEDD. They are in the process of wrapping up some zoning in November and then potentially create a JEDD in December.

### **Committee Reports**

Council Member Gates said the BZA met on November 10. There were two variance requests and the first one was granted. There had been no discussion or changes apart from how they asked for the variance which was a fifteen foot setback for parking on the north side of their building off of E. Seminole Dr. Brian addressed what the second variance discussion was about and how they are going to have to resubmit that part of the application.

### **Legislative Actions**

Third Reading- Resolution 22-2020 – A Resolution authorizing and directing the Village Administrator and Fiscal Officer to execute a first amendment to the Master Agreement with Dynege Energy Services, LLC.

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

Third Reading- Resolution 23-2020 – A Resolution authorizing the Administrator and Fiscal Officer to enter into a contract with the Delaware Soil and Water Conservation District for certain public information and participation programs/services required under the Village Storm Water Management Plan.

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

Second Reading- Resolution 24-2020 – A Resolution authorizing and directing the Village Administrator and Fiscal Officer to execute a professional services agreement with the City of Delaware to provide municipal court prosecution services and declaring an emergency.

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

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

First Reading- Resolution 25-2020 – A Resolution authorizing and directing the Village Administrator to execute an Economic Development (TRES) Transfer form for Cedarbrook Nurseries, Inc.

Mayor Mathews said it seems so odd to me that this transfer is going to Cedarbrook Nurseries. That has to be some sort of process.

Brian said it probably is some part of another plan that Larry has. I don't know.

Kathy said is Larry using the Cedarbrook name with the Wine Snob at all.

Chief Baron said a while back we received some transfer paperwork that came in and I think he is still using Cedarbrook LLC as the company.

Council member Stacy said the sign says Cedarbrook - The Wine Snob.

### **Bills**

It was moved by Stacy, seconded by Thatcher to approve the bills in the amount of \$17,367.82. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

### **Treasurer's Report**

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

General	256,584.80	Mayor's Court Computer	0.00
Street	253,821.06	Fire	124,421.77
State Highway	24,060.58	Weed	3,582.29
Parks & Recreation	0.00	TIF	23,956.00
PD Body Armor	1,073.83	TIF 2	63,796.14
Cont. Prof. Training	0.00	Veteran's Memorial	248.97
Drug Law Enfct.	534.41	Sewer Operating	63,973.20
Indigent Driver	385.84	Sewer Replacement	66,005.09
Law Enfct. Trust	5,379.72	Storm Sewer	15,041.74
Enfct. and Education	1,220.85	Debt Service	74,945.55
Coronavirus Relief	22,241.94		

For a total of \$1,001,273.78

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

**Adjournment**

There being no further business, it was moved by Stacy, seconded by Isern to adjourn until December 14, 2020. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Meeting adjourned at 7:28 p.m.

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Fiscal Officer

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Mayor