

## Village of Shawnee Hills Council Meeting Minutes

April 27, 2020

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

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

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

Mayor Monahan asked for a moment of silence for the passing of Office Craig Comstock who is the brother of our resident Michelle Comstock Grooms.

### Minutes

It was moved by Matney, seconded by Hanna to approve the minutes of April 13, 2020 with the following amendments: on page 3 correct the spelling of Battelle, on page 6 correct the date of the P&Z meeting, on page seven change the word *he* to *the* and change council member Monahan to Mayor Monahan.

Following vote on the motion is recorded: yea, 6; Gates, Hanna, Mathews, Matney, Stacy and Thatcher. Nay, none. Motion passed by a 6-0 vote.

### Agenda

It was moved by Hanna, seconded by Thatcher to approve the agenda. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Mathews, Matney, Stacy and Thatcher. Nay, none. Motion passed by a 6-0 vote.

### Solicitor

Brian said I worked with Craig and the Chief about putting together the Zoom meeting. I also worked with Mark in regards to Ohio Groundskeeping property and their zoning compliance. Hopefully Mark can work with them to get them to comply and clean that up a bit.

Also started to work with Craig and Chris in regards to the O'Shaughnessy Crossing and the storm sewer. We started to work on the beginning of the agreement on upsizing the sewer. I will be bringing back a contract to council once all the details are finalized.

I worked on the JEDD legislation and what is going on with it tonight. Tonight I want to walk you down the JEDD memory lane so you can sort of remember where you were and how you got to where you are today. On October 12, 2019, Council had a first reading of Ordinance 28-2019. This was the first reading to approve the JEDD contract. At the August 26, 2019 meeting, Council tabled Ordinance 28-2019. In September, Council read an adopted Resolution 20-2019 and that was a resolution that approved the JEDD contract at it's then current form and started you down the road of public hearings. In September you set a public hearing for October. You had public hearings that were opened and closed on October 14, December 9, February 10, March 23 and April 13. The first thing on the agenda tonight related to this is the public hearing.

After the public hearing, what you want to do is remove Ordinance 28-2019 from the table. That will bring it back on from October. Then you will have to have an amendment. Someone will have to move to amend Ordinance 28-2019 by substitution. That is the easiest way. Shirley has and you have the most current version of that ordinance and the easiest way is just to amend it by substitution. Then you will want to actually declare it an emergency and then move to vote it up or down.

### **Village Administrator**

Craig Thompson gave the following report:

- Glick Road Storm Water Improvements: At this point, the plan is to advertise for bids the week of April 27 and to open bids toward the end of May. We would like the construction to be completed prior to the Memorial which has been rescheduled for mid-July.
- Plat Map in County Auditor's Office: No additional Information.
- Dublin Road Drainage Issue South of Tattoo Shop:  
This structure drains directly down (into a void in the ground). It appears that every time we experience a larger rain event the structure becomes surcharged and floods out the underside of the metal casting, causing it to wash out the gravel underneath the sidewalk. Short term, the plan is to pour concrete below the sidewalk where fill/gravel has been washed out. Long term, tie into the storm water drain to be constructed on the south side of Logan as part of the O'Shaughnessy Crossing Project.
- Reviewed MOU/Contract for storm water line upsizing as part of O'Shaughnessy Crossing Project.
- Village Repaving Program: Chris continues to evaluate which streets should be included into this year's repaving program.
- 2020 Budget: We continue to monitor any revenue impacts on the 2020 Budget as a result of Coronavirus. We will also be looking at the impact on the expenditure side.

I want to thank the admin employees for the work they have done the past few weeks providing necessary services for Shawnee Hills and I am sure Russ feels the same way about his officers.

### **Police Chief**

Chief Baron said I echo Craig and the Village municipal side and the police department, everyone has been working together great.

We did have an officer that was out for a test and that come back negative so he will be returning to work. We had a professional company come in today to fog the office and the cruisers. We are going to continue to check businesses. As the Governor rolls back the restrictions, we are going to roll back our coverage.

I ask that everyone please follow the Governor's orders. What we have agreed to here in Delaware County is soft enforcement. The first call of any complaint is going to go into the General Health District. That number is 740-203-2040. When they receive a complaint, they filter it, they have staff that will be out and about and they can curb some of the social distancing complaints that we get. If the Board of Health cannot resolve it we will then step in.

Since COVID-19 is going to be around for a while we are looking into grant funding. It was released today from the Ohio Department of Criminal Justice Services for the future needs related to COVID-19 as well as continuing the documentation for the FEMA mitigation. Tomorrow morning, starting at 8 a.m., due to the recent orders that anyone working, or entering places of business need to wear masks. Our officers will start wearing masks when they are out in the public.

### **Communications**

Mayor Monahan gave the following report:

The Delaware Health Dept. hotline is our regular number, 740.368.1700 and there is a selection for Covid –Press #1.

On 4-23 - I sent the below email to Kent Scarrett, the Executive Director of the Ohio Municipal League

Hi Kent, I appreciate all your and your team's effort during these unusual times.

On yesterday's call the subject of where income taxes are paid, understandably received a lot of attention. I fully recognize the concerns of the normal work location cities.

I believe this "work at home" time will show many more people and companies that working at home is in many cases more productive and less expensive for companies. 4 years ago I closed my office and moved home. At that time, I was paying 2.5 % to Columbus and .25% income tax to our Village. Kent this saved me 3/4% in taxes and with then and now paying 2% to the Village, I became worth 8 times as much to Shawnee Hills.

I do understand the economic dilemma, but don't know how where you pay is even a question.

Kent, be safe and thanks for your help!

Pat Monahan Mayor  
Shawnee Hills, OH

### **Mayor's Report**

Mayor Monahan gave the following report:

Thanks to help from Mahesh Dalvi, I sent this letter to Spectrum

In light of unprecedented circumstances, we are facing with COViD-19, many residents and businesses in Village of Shawnee Hills increasingly depend on broadband connectivity to perform their day to day functions. We appreciate the work done by all broadband providers to keep connectivity reliable and efficient.

As we get ready to reopen, and in the new normal world we will be stepping into, higher broadband speed will be critical. Is Spectrum working on increasing availability of higher bandwidth in our area? Is there a plan to make 500MB and above speed available to folks

requiring it? Is there anything that my administration can assist if any local approvals are needed?

We appreciate you providing valuable services to our village.

Looking forward to hearing back from you.

P&Z members received from Mark a notice in conjunction with the E Osage follow up proposal:

All,

The next Planning & Zoning meeting is the 26th of May at 6:30 p.m.

Format is dependent on the situation at that time.

Please make sure you respond to the Census. It has a lasting impact on us as a community.

I put together a letter and sent it to Senator Sherrod Brown, Senator Rob Portman and Congressman Troy Balderson:

Dear Sirs,

Ohio cities and villages are in trouble. Business shutdowns and layoffs will result in revenue losses from reduced city and Village income tax collections that could exceed 20% of General Fund budgets. Few cities and villages have a rainy-day fund that would provide a cushion for such crises. The majority of city and village income tax revenue is typically allocated to support police and fire services. In Shawnee Hills, almost 70% of the General Fund budget goes to fund police services. To avoid drastic service cuts, cities and villages need a rescue package in the way of direct fiscal payments to offset revenue losses caused by government imposed restrictions on economic activity.

Congress has gone to great lengths to rescue families, the unemployed and small businesses with stimulus checks (\$1,200 per adult and \$500 per child), unemployment bonuses (\$600 per week add on to state unemployment payments) and forgivable loans (Payroll Protection Program).

One method to achieve assistance for cities and villages would be to allow funds allocated to states/cities/villages in the Coronavirus Relief Fund of the CARES Act to be utilized for revenue replacement. As written, Shawnee Hills and most cities and villages would qualify for very little, if any, reimbursement for direct Covid-19 related expenses. By repurposing the allowable use of those funds, revenue shortfalls could be mitigated with funds already appropriated in the CARES Act.

We appreciate your support of local government through this crisis. We need your advocacy more than ever at this critical time.

Sincerely,

Pat Monahan

Mayor, Shawnee Hills, OH

### **Pro Tem Report**

Pro Tem Mathews said he reappoints Geoff Hanna to the Board of Zoning Appeals.

## **Public Hearing on Evans Farms Joint Economic Development District**

It was moved by Mathews, seconded by Hanna to open the public hearing. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Mathews, Matney, Stacy and Thatcher. Nay, none. Motion passed by a 6-0 vote.

Shirley said she received some questions from Judy Stephenson in case she was not able to connect to the public hearing.

1. On page 7, first paragraph, who is the “City”?  
Brian said this is the “Village” and it is just a scrivener’s error.
2. On page 7, #4, since the board has the task of initially adopting “a resolution to levy an income tax within the district”, and can change the rate, does this mean they can increase or reduce the rate within the district?  
Brian said it is going to be set at 1%. Council member Mathews said the 1% is effective for ten years. It can be increased after that by the discretion of the JEDD board.

Under the Evans Farm Joint economic Development District Agreement for Income Tax Administration, Collection and Enforcement.

1. On page 2,1,1.1 Will we be paying RITA additional money for the additional taxpayers and will we be reimbursed for the additional cost?  
Brian said the village will not pay any additional cost. The money we receive from the net income of the JEDD is it’s own separate pot of money, if you will. Out of gross expenses the village will be paid whatever the money RITA will charge us, we will get paid that money as it’s own separate fund, if you will.
2. On page 2,1,1.3, “Such administrator and their staff”. Does this mean we anticipate the need to hire more staff to handle any extra work load?  
Shirley said I do not know what the work load is going to be. Brian said I agree with you. We don’t know.

Under Evans Farm Joint Economic Development District Economic Development plan  
Legislative Actions

1. Second Paragraph, line 4, “The JEDD Contract anticipates that the JEDD board will enact the tax at the initial meeting of the JEDD Board and the tax will be effective immediately after the JEDD Board’s enactment thereof at the rate of one percent (1%). Our tax rate is 2%, what is correct here?  
Brain said the JEDD rate will be 1% and Shawnee Hills’ will remain at 2%.

Comments from Judy: It seems to me that after more than a year, for this to now be declared an emergency is ridiculous. We have waited for the townships and waiting another two weeks so this doesn’t have to be an emergency is not unreasonable. Respect works both ways.

It was moved by Mathews, seconded by Hanna to close the public hearing. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Mathews, Matney, Stacy and Thatcher. Nay, none. Motion passed by a 6-0 vote.

**Legislative Actions**

It was moved by Mathews, seconded by Gates to remove Ordinance 28-2019 from the table. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Mathews, Matney, Stacy and Thatcher. Nay, none. Motion passed by a 6-0 vote.

It was moved by Mathews, seconded by Gates to amend by substitution Ordinance 28-2019. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Mathews, Matney, Stacy and Thatcher. Nay, none. Motion passed by a 6-0 vote.

Second Reading- Amended Ordinance 28-2019 – An amended Ordinance approving a Joint Economic Development District with Orange and Concord Townships, authorizing and directing the Village Administrator and Fiscal Officer to execute the same, and declaring an emergency.

It was moved by Mathews, seconded by Thacher to suspend with the third reading and declare Ordinance 28-2019 an emergency. Following vote on the motion is recorded: yea, 5; Gates, Hanna, Mathews, Matney, and Thatcher. Nay, one; Stacy. Motion passed by a 5-1 vote.

It was moved by Thatcher, seconded by Mathews to adopt Ordinance 28-2019 as an emergency. Following vote on the motion is recorded: yea, 5; Gates, Hanna, Mathews, Matney, and Thatcher. Nay, one; Stacy. Motion passed by a 5-1 vote.

**Bills**

It was moved by Gates, seconded by Thatcher to approve the bills in the amount of \$14,842.27. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Mathews, Matney, Stacy and Thatcher. Nay, none. Motion passed by a 6-0 vote.

**Treasurer’s Report**

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

General	170,305.05	Mayor’s Court Computer	1,030.14
Street	199,474.86	Fire	114,450.68
State Highway	21,925.22	Weed	4,019.36
Parks & Recreation	0.00	TIF	32,386.96
PD Body Armor	1,073.83	TIF 2	55,787.91
Cont. Prof. Training	223.61	Veteran’s Memorial	248.97
Drug Law Enfct.	534.41	Sewer Operating	70,712.33
Indigent Driver	385.84	Sewer Replacement	92,795.09
Law Enfct. Trust	8,224.59	Storm Sewer	11,503.80
Enfct. and Education	1,220.85	Debt Service	92,950.87

For a total of \$879,257.37

Following vote on the motion is recorded: yea, 6; Gates, Hanna, Mathews, Matney, Stacy and Thatcher. Nay, none. Motion passed by a 6-0 vote.

**Miscellaneous**

Shirley said that our municipal insurance renewal is less than it was last year and we did get a refund check from the Bureau of Workers Comp for about \$6,400.00.

Mayor Monahan said I also ask that we continue to support our businesses.

Council member Hanna asked what is with the new Wine Bistro in Shawnee Square.

Mayor Monahan said that the Cedarbrook property has been sold. Larry is moving his wine business to one store front and the other store front is a deli that he bought from a business over in Powell.

Council member Hanna said it looks nice. He asked who did Larry sell his property to.

Council member Mathews said he sold to Aaron Heath who was involved in the development of the Costco area.

Council member Hanna asked what his plans for the property were.

Mayor Monahan said what he has said so far is a high end restaurant and also he would like to have a drive through coffee. He talked about a layer of things so it will have a pleasant view to it.

**Adjournment**

There being no further business, it was moved by Stacy, seconded by Hanna to adjourn until May 11, 2020. Following vote on the motion is recorded: yea, 6; Gates, Hanna, Mathews, Matney, Stacy and Thatcher. Nay, none. Meeting adjourned at 7:52 p.m.

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Fiscal Officer

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Mayor