

Village of Shawnee Hills Council Meeting Minutes

November 14, 2016

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

Council in Attendance: Mahesh Dalvi, James Gauldin, Dan Mathews, Mike McVan and Josh Vidor

Absent: Douglas Gil

Also Present: Fiscal Officer Shirley Roskoski, Administrator Steve DeBolt and Solicitor Brian Zets

Minutes

It was moved by Dalvi, seconded by Vidor to approve the minutes from October 24, 2016 with the following amendment: remove the second \$ on page 9. Following vote on the motion is recorded: yea, 5; Gauldin, Mathews, McVan and Vidor. Nay, none. Abstain, one: Dalvi. Chair declared the motion passed by a 5-0 vote.

Agenda

It was moved by Dalvi, seconded by Vidor to approve the agenda. Following vote on the motion is recorded: yea, 5; Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Solicitor

Brian said it was pretty routine the last couple of weeks, just some general questions, routine Mayor's Court, routine Delaware County Municipal Court matters. We are working on some potential legislation and regulations for food trucks in the village.

Something else to think about and there is no real rush on the medical marijuana issue but I am sort of talking about it. It is on people's agendas with respect to two things, the zoning issues and the employee handbook issues. While it is not immediately upon us and probably won't be soon it will be before you know it so those are some things to think about to have the village regulate the process and the employee manual should address it in some form or fashion.

Village Administrator

Steve gave the following report:

- Chief Baron, Shirley and I met with representatives from Hadrout Design on Oct. 25 for the kick-off meeting for the website design. We had a productive meeting and they provided the first draft revision for review of our website last week. We will be having a follow-up conference call with them Tuesday afternoon.
- Chief Baron and I met with Jim Danes who has assisted the Village in the past with Grant applications. We discussed potential grant Assistance for the Police Department remodel,

bathroom at the Park and Bike Trail on Glick Rd. One grant we considered for the bike path will not work due to a land ownership eligibility issue. However, we are looking into grants through ODNR and ODOT for the bike path and bathroom respectively that have application deadlines in May, 2017.

- We continue to work on Economic Incentive proposals for new business and hope to have proposals for this month's finance committee in the areas of: the formulation of a Special Improvement District along with income, property and sales tax abatements proposals. Also, working on a letter to send out to prospective businesses in the medical/dental fields.
- Our Engineer, Chris Tebbe informs me that the Engineer representing property owners on Reindeer Dr. across from the PD has developed an acceptable drainage plan that he can approve that will address the drainage issues affecting the four properties in question. He anticipates the applications to be submitted this week to the Village.
- I have updated the summary of the Trash Service proposal of Republic Waste Haulers and provided a copy to Council members and have copies available for the audience to review for the related agenda item tonight.
- Some Maintenance/Code Enforcement items of note include: Mark/Richard completing the Annual sanitary sewer inspections and flushing, scheduling of annual cleaning of pump station collection tank, final mowing and maintenance of equipment, preparation of snow removal equipment, filling of sink hole on Huron St., dead tree limbs removed on tree on Muskingum, contractor coming out to remove tree on Village property off of Shawnee Trail and cut back branches for line of site at Glick/Shawnee Trail. Mark reports application submissions for two garages, two patios' and a shed. Construction will also start on third house adjacent to Village Hall this week.
- Would like to ask Council about closing Village Hall day after Thanksgiving and allow staff to use leave since I have leave request already submitted, will be shorthanded and it is a traditionally a slow day. It was moved by Vidor, seconded by Dalvi that the village office will be closed the day after Thanksgiving. Following vote on the motion is recorded: yea, 5; Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Carol Kender asked Steve about the trash collection issue. I saw in your report in the newsletter that the cost will be \$16.95 per household. Do seniors get a discount? Steve said yes they get a ten percent discount.

Carol said she thinks this is wonderful and she does not have a problem with it and she said the bill goes directly from Republic to the homeowners' right. Steve said yes. Carol said what if the homeowner doesn't pay. Steve said then they probably won't get their trash picked up. Carol asked if a homeowner can opt out if they don't want to use Republic. Steve said that is part of the deal because this is a piggy back with a contract that is already in place in Concord Township. In order for us to get it we would have to make it mandatory that everybody in the village use Republic.

Mayor Monahan said they can choose not to use the service. They may take their trash to a bin where they work.

Council member Dalvi said I don't believe another provider will come and just pick up one individuals trash in this village.

Police Chief Report

Mayor Monahan said we swore in a new police Officer. Chief Baron said he is Kyle Douglass and he comes from the Attorney Generals' office. He is a special investigator with the Medicaid fraud unit. I think we are going to have him for a while.

Visitors

Scott Vasko, 9255 Shawnee Trail, said in the month of October 2016, Code Enforcement Officer Mark Katzenbach was witnessed taking pictures of my porch and vehicles in my driveway. This actually occurred on multiple days and at intervals of less than seven days apart. My question is to you Mayor Monahan. In regards to these occurrences what is it that you asked Mark to do.

Mayor Monahan said what we want to do, first of all, you have what six, cars, five cars, the cars have to be moved, have to be driven. We are looking to see if it's in compliance. Scott, I will tell you that when you were in court up in Delaware and the Judge asked you to work with Mark, that's all we want. Just clean it up.

Scott said I have been doing my best to communicate with him.

Mayor Monahan said if you look at the porch it seems to be excessive but I will let the code enforcement do that and you have what five, six cars out there? It's trying to make it look right and if you work with us it will make it a lot easier.

Scott said okay. Have you actually received any complaints regarding any of this matter? Is this a follow up to a complaint?

Mayor Monahan said many verbal complaints. People say what's he doing there, what's the story with that.

Scott said if he could he would like to bring up some items from the September 27, 2016 zoning and planning meeting. If I could I would like to give some quotes. This first quote was from you (Mayor Monahan)" We have a situation, we have more than one, that effectively and Scott's here. I think Scott you have way too much stuff stored in front of your house, on your property and effectively I'm getting a lot of complaints about it." Scott said you went on further to say "I wonder how many cars should somebody store outside. We don't want to be a cookie cutter but the answer is I get a lot of complaints about what happens on your lot." Scott said to be clear that Scott that you reference in here is actually me, correct. Mayor Monahan said it is you.

Scott said Brian Zets then went on to discuss storing of operable vehicles 1121.11 regarding this he says " We are not allowed to store an operable vehicle for more than fourteen days ." He then went on further to say " What we have covers exactly what you want to do." My question here is what is it you want to do?

Mayor Monahan said what code enforcement has done and yours wasn't the only case where we have inoperable vehicles that have been sitting around. Scott said operable or inoperable. Mayor

Monahan said inoperable vehicles that have been sitting around. Have to be licensed, have to be registered and effectively those have been moved out, a number of them have been moved out. The question is are they just sitting there, is it a storage, is it a car sales lot, what is it? So trying to make sure we keep the village looking good.

Scott asked when you say it, you were referencing my property? Mayor Monahan said we have had it on other properties too Scott but you have five or six cars is that correct. Scott said I don't know.

Scott said after Brian spoke at the same meeting you went on to say "I'm tired of the calls, I'm tired of hearing about it." Then also further you said "I want to see what we can do to tighten down on porches, whether back or front and I think we will be implementing 1121.11."

Scott said after I witnessed Mark taking these pictures I actually wanted to see if there was some kind of complaint and I submitted a Village of Shawnee Hills Public Records Request form and if I could I would like to read that. The information that I requested: Request was submitted October 31, 2016. Please provide the complaints that was/were sent through emails or otherwise to Mayor Monahan and forwarded to Administrator Steve DeBolt in regards to parking and storage of vehicles on residential property on 9255 Shawnee Trail. Please provide any additional complaints concerning any actual or perceived code ordinance violations in calendar year 2016 and any ensuing code enforcement written exchanges pertaining to such and follow up. Make available for pickup at Shawnee Hills Municipal Building. Following this request I came up to the municipal building and I didn't receive anything so I haven't really heard in regards to anything. Is there something available here?

Mayor Monahan said verbal complaints, somebody says what's the guy doing down there. People who walk the village will say to me I don't understand why all that's down there. Those are the kind of things we hear. I'm not the only one who hears them. People will come by and say that. We have dealt with other properties and some of the other properties have cleaned up.

Scott said my thing is there doesn't seem to be any sort of, even if it's a verbal complaint, there doesn't seem to be any record of these complaints, nothing that I can refer to. What would be helpful for me in order to meet these, the means of any sort of complaints is if I were able to read the actual complaint or a transcript of the verbal complaint.

Mayor Monahan said there is no transcript of a verbal complaint.

Scott said what I am saying is it would be very helpful if such a thing actually did exist. I actually asked Steve for the code compliance system record on the thirty first. Steve if you could, could I actually request that now. Steve said your file. Scott said yes. Steve said you looked at it that day, do you want to look at it again. Scott said I would like to see it now. Steve said I don't think I can get it right now because it is Mark's file. I don't know where it's at.

Mayor Monahan said you can come in tomorrow and look at it.

Scott said Steve you are the one that actually provided it last time. Steve said I got it from Mark. Shirley said yes, Mark had it and handed it to Steve.

Council member McVan said it was also business hours too. Council member Dalvi said this is a council meeting.

Scott said as far as the file. I haven't been able to view any sort of complaints that were allegedly against me and I am having a really hard time doing something about an alleged complaint if I can't actually see the complaint.

Mayor Monahan said so verbally people say why does he have all that stuff stored on his porch. Scott said yes but I am not hearing those complaints. Mayor Monahan said I'm sure you're not hearing those complaints I wish you were. I tell you what if anybody says anything to me in the future I will tell them to go talk to Scott.

Scott said I also asked Mark to review the pictures that he was taking and I was not permitted to do so.

Steve said technically if it is an ongoing investigation they are not available but we determined at the time that you were looking for them that there had been movement so we ended that so at this point you can look at them.

Scott said to be clear there is no issue currently outstanding. Steve said not for the time frame in question. Scott said I hope not because I am here to say that I want to be helpful in any way I can and I am trying to reach out to people and that's why.

Mayor Monahan said clean up your porch, clean up the area. Do you need the five cars out there, just work with us.

Scott said if I can get specifics the best that I can that's a lot more helpful.

Mayor Monahan asked Steve to review the pictures with Scott tomorrow.

Steve said Scott I did give you a suggestion that I thought would help in regards to the screening. That seemed pretty practical and you seemed to think it was pretty reasonable.

Taylor Greely from Rumpke Waste and Recycling said what she would like to address is the opportunity that you have to join Concord Townships contract. It's been an opportunity for us as well. What it has allowed Rumpke to do is review the customers that we do have in the area. It turns out that we have about 265 customers that are Rumpke in this area. Seventy five percent of those customers are recycling. We also reviewed the rates that we are currently offering customers and for the density of customers that we have we think that we can work with you to bring those down. We are a family owned and operated company founded in 1932. Our regional operations are in Columbus and Circleville. We employ nearly three hundred people out of the Columbus operation and some of those employees are Shawnee Hills. We have been in

communication with some of your officials and we are working to reduce those rates as well as expand your service offering, offering you recycling in addition to a 65 gallon recycling cart if you would like one. That is done on an individual basis. Several of the advantages that I can see coming of this is not only your reduced rate but also an opportunity to choose your service provider. You don't have to go with Rumpke. You can choose your service provider, as well as an opportunity to choose your service. Whether you want recycling or not, that's your choice, whether you want a 65 gallon container for recycling, that's your choice. It would allow you the flexibility to do that. In addition to increasing recycling and decreasing your rate, in the future Rumpke is looking towards automated collection as well as CNG (compressed natural gas) trucks. As trucks age in our fleet we replace it with a CNG truck. That is the direction we are moving in the future. We want to continue to work with you. No specific rate has been determined at this point. I just wanted to reach out and say that we would love to maintain your business, we value you as customers and we thank you for your loyalty.

Taylor said CNG is a cleaner and greener alternative to diesel fuel.

Council member Dalvi asked Taylor how many trucks do they have today on CNG. Taylor said they have thirty five and by the end of 2017 they should have upwards of sixty. She said they have about three hundred trucks in their Columbus fleet. She said a truck will last around fourteen years so as a truck needs to be taken out of service it is replaced with a CNG.

Mayor's Report

Mayor Monahan gave the following report:

OCTOBER 2016 MAYOR'S COURT REPORT

RECEIPTS

\$1,717.00 Total receipts

Disbursements

\$ 412.50 Treasurer, State of Ohio

\$16.50 HB 562 IDAT Fund

\$1,178.00 General Fund

\$110.00 Computer Fund

Erik Spaulding

Mayor's Court Clerk

The Veterans Celebration this past Saturday honored Jack Frambes and the supporting families of our deployed Service men and women. It was a great event and over 100 people participated. I do want to thank Mark and Richard for their great work getting the Veterans Memorial in top shape.

This is a great and fitting event. I also want to thank Robin, Virginia and Warren for always being a real Community partner in this event.

Thanks also to the Boy Scouts Troop 117 and their leaders Kurt Hebner, Doug Gil and Jason Sherman for conducting the Flag Retirement ceremony.

Chief Baron and Jack Guyton of Concord Township played the drum and Bagpipes.

The Columbus Chorus of Sweet Adelines honored us with the singing of the National Anthem.

American Legion Post 800 and VFW Post 10691 posted the colors.

It was 10 years ago last Friday that we dedicated our Veterans Memorial.

I do want to remind everyone that the Village Holiday Tree lighting will be on Sunday Dec 4th at 6PM at our Memorial park. We still need a group to help lead us in Caroling. Please let me know if you know of such a group.

As we assess our engagements for next year I am requesting the Chamber's help in the branding of our Village. This was something that both Larry Burchfield and Carol Kender suggested a number of years ago and I concur. I ask that ALL business and the Gazette use Shawnee Hills not Powell in the addressing. It is very important that we all show pride in the Village and distinguish ourselves from Powell.

I recognize this is challenging at times but it does impact the tax money we receive also Income Taxes wrongfully distributed and other things such as licensing fees collected.

In the past the leadership of the Chamber has worked as a partner with the Village;

8 years ago, the Chamber made 5 payments on a police cruiser.

4 or 5 years ago the Chamber purchased a street bench with their name on it which sits in front of the shops of Shawnee. I know how expensive they are since Julia and I have purchased 1 and a third benches.

The Chamber 3 to 4 years ago purchased 3 of our street lamps which has been beneficial to the businesses and the residents in defining and making our main street safer.

What I am asking now is something that will take a combined effort. The Civic is already helping with the effort.

Bill VanCura and Lisa have been working on obtaining a business sign sponsored by the Chamber to eventually be located near Walgreens. As Mayor, I have to give my approval for the sign. My approval is based on only businesses utilizing Shawnee Hills in their address both listing and published and businesses without other municipality name in the business title will be on the sign.

Both Bill VanCura and Adrian Delligatti do this and may be able to help other businesses understand how it is accomplished.

We do want to work together as a proud community and much like the Shawnee Hills Civic welcome the Chamber help in this joint effort with the Village. Thanks!

I want to wish you and yours a great and safe Thanksgiving Holiday

Pro Tem Report

Pro Tem Mathews said as Steve mentioned we had an additional economic development meeting and we are kind of canvassing for medical businesses to come. For me I want to publicly thank the people that are involved in that. Bob Lamb who continues to come down from Delaware County and Steve Smith to name just a few, Adrienne Deligatti. They have taken time out of their schedule and met over the last few months and I think it's a pretty exciting time looking for businesses to come in here.

Committee Reports

Council member Gauldin said UST met tonight and we spoke a bit about the website which Steve already covered very well. Most of the meeting was with Miss Greely who was representing Rumpke and we discussed some of the things they had to offer. Most but not quite of all you heard tonight with her. What I do want to bring forward is we are council so we are

here to try to go into the correct direction and to do that one of the things we want to do is put these things out there and I think Steve did a good job of typing up a summary of the proposed services for Republic and he asked Steve to pass that around to the visitors. He said he wanted to make sure that you see what we are looking at and what Republic has put forward. Understand that we are riding on the coattails of Concord Township's agreement to get the pricing and the structure of this so we don't have all the freedoms to make adjustments whenever we feel like it. It doesn't work like that. He asked Miss Greely if she had any extra copies of the handout she provided. Chief Baron ran some copies for her.

Council member Gauldin said this is the point of which the reading is public and we value the opinion of the public so we would like to hear what you have to say. That does not mean that you can't digest this a little further and we can talk about it next time but the third reading is when we have to take a vote so sometimes the last minute things makes it hard to answer a question at the last minute so with that in mind if you have any questions this reading is when we would like to hear most of them if not all of them.

Council member Vidor said Safety met on the 24th of October. We discussed the vendor trucks, mobile vending, the 2017 police training with new equipment requirements. We discussed the police drug and alcohol simulation goggles that we have purchased and we talked about safety capital grant and discussed maintaining the license plate reader that we are required to maintain.

Legislative Actions

Third Reading- Ordinance 23-2016- Sponsored by Planning and Zoning- An Ordinance to amend Section 1113.04(d)(2)(B)(1) (Accessory Structures in the Single Family District) of the Codified Ordinances of the Village of Shawnee Hills. It was moved by Gauldin, seconded by Mathews to adopt Ordinance 23-2016. Following vote on the motion is recorded: yea, 5: Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 23-2016 adopted by a 5-0 vote.

Second Reading- Resolution 21-2016- Sponsored by the UST Committee- A Resolution authorizing and directing the Village Administrator and Fiscal Officer to execute an agreement with Republic Services for residential garbage, trash, refuse, yard waste and recyclable materials hauling.

Council member Vidor said I am only seeing the Republic one is it apples to apples, is it similar, in a summary what's the major differences?

Mayor Monahan said there is a four dollar difference. Rumpke appears to be four dollars higher. I think either way we have a chance to up our amount of recycling. We can get a container both from Rumpke as well as from Republic. There are senior discounts associated with both of them.

Dan Boggess said I wonder if there is a larger price difference between Republic and Rumpke because I feel like the base price for Rumpke maybe it's similar to what Republic is offering but I get charged more for recycling. I have a roller bin plus I have two of the red bins and then they also have a gas surcharge that seems to change so I think the price is more different than what you think they are.

Mayor Monahan said I think the base price was going to drop down to \$20.00.

Taylor Greely said I can clarify that. The option we are discussing and nothing has been set in stone yet is to drop that base price down to \$20.99. We want to continue to work with you on that. What that will include is recycling service, trash service as you see on the provided sheet for Republic it would also include any yard waste material with recycling, the bulk item collection and the senior discount.

Council member Dalvi asked if the gas surcharge was an addition to the cost.

Taylor said it was.

Council member Dalvi asked how much is the gas surcharge. He said it doesn't seem to have changed significantly since the price of gas has dropped so much.

Taylor said online there is a complete explanation of that. Something to be considered is that the gas that you pay at the pump isn't the only thing that a fuel surcharge that Rumpke has includes. You have to consider that our trucks use diesel fuel. You have to consider that throughout the production process for the materials that Rumpke purchases for some of the operations that we perform. The gas prices will impact our business so a fuel surcharge is not just for the fuel that we place in the truck or the fuel that we place in the car. It is to allot for the impact of fuel on our operation and our business.

Council member Dalvi said but it is directly proportional. The gas surcharge went up incrementally almost directly proportionally as the gas prices went up. Which is fine so obviously there was some kind of a calculation because if everything was constant and you had the stuff you wouldn't be proportionally increasing it as the gas prices went up. Even if you did that means there was an impact because of gas prices. When the gas prices went down you would have seen some shift similar to what happened when the gas prices went up and that never happened. For this conversation what is the gas surcharge so that everyone is aware of it. Is there a range to it or what is it because what we don't want to do is to an apple to apple comparison and say its \$20.00 and you guys come back and apply a \$4.00 surcharge to us which we don't want to deal with.

Mayor Monahan asked Taylor to address that in an email to Steve and we can read it out next time.

Dan Boggess said he would caution council as well, when you lock in this number with Republic there needs to be verbiage in that contract that says you are locked in at a base price for so much time and they can't put in things like fuel surcharge or environmental fees or whatever you can call it.

Council member Dalvi said even if there are surcharges we just need a full disclosure of what it is. Say the surcharge is based on x,y,z variables so it is a full disclosure.

Brian Zets said it is on the Rumpke website and it says: Fuel surcharge is related directly to national diesel fuel price as reported by the energy information administration of the US

Department of Energy It has an equation of .064% for every penny of the price of diesel fuel increases each month.

Taylor said if you do go to our website there is a historical chart of what the fuel surcharge has been for the past couple of years.

Council member Vidor asked if Rumpke would be providing the 96 gallon roll out containers at no cost.

Taylor said no the cost would be \$3.50 rental fee per month. Rumpke will provide the 65 gallon rolling recycling cart for free.

Second Reading- Ordinance 24-2016- 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, 2017

Second Reading- Ordinance 26-2016- Sponsored by the UST Committee- An Ordinance to amend Section 921.03 (Rates and Charges), repeal Section 921.031 (Sewage Deduct Meters), amend Sections 921.04(A), (H) and (K) (Billing) and repeal Sections 921.04(J) and (L) (Billing) of the Codified Ordinances of the Village of Shawnee Hills

First Reading- Ordinance 27-2016- An Ordinance designating the Delaware County Bank & Trust Co. as the Village Depository and declaring an emergency. Council member Mathews said that Delaware County Bank was just sold does that change the fee structure or anything. Shirley said nothing has changed and she received this after the sale. It was moved by Dalvi, seconded by Mathews to suspend with the second and third reading and declare Ordinance 27-2016 an emergency. Following vote on the motion is recorded: yea, 5: Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote. It was moved by Dalvi, seconded by Mathews to adopt Ordinance 27-2016 as an emergency. Following vote on the motion is recorded: yea, 5: Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 27-2016 adopted by a 5-0 vote.

First Reading- Ordinance 28-2016- 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, 2016 and declaring an emergency. It was moved by Dalvi, seconded by Mathews to suspend with the second and third readings and declare Ordinance 28-2016 an emergency. Following vote on the motion is recorded: yea, 5: Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote. It was moved by McVan, seconded by Gauldin to adopt Ordinance 28-2016 as an emergency. Following vote on the motion is recorded: yea, 5: Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared Ordinance 28-2016 adopted by a 5-0 vote.

Bills

It was moved by Mathews, seconded by Vidor to approve the bills in the amount of \$37,256.17. Following vote on the motion is recorded: yea, 5: Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Treasurer’s Report

It was moved by McVan, seconded by Gauldin to approve the following treasurer’s report:

General	266,766.03	Fire	94,032.50
Street	270,586.01	Weed	7,262.42
State Highway	13,507.05	TIF	9,337.00
Parks and Recreation	2,888.87	TIF 2	12,578.54
PD Body Armor	94.43	Veteran’s Mem.	98.97
Cont. Prof. Training	1,855.00	Sewer Oper.	75,586.80
Drug Law Enf.	224.56	Sewer Repl.	181,000.00
Indigent Drivers	385.84	Storm Sewer	5,531.73
Enfct. and Education	1,125.85	Debt Service	104,958.66
Court Computer	6,005.54	Debt Reserve	0.00

For a total of \$1,053,825.80

Following vote on the motion is recorded: yea, 5: Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 5-0 vote.

Adjournment

There being no further business, it was moved by Gauldin, seconded by McVan to adjourn until November 28, 2016. Following vote on the motion is recorded: yea, 5: Dalvi, Gauldin, Mathews, McVan and Vidor. Nay, none. Chair declared the meeting adjourned at 7:55 p.m.

Fiscal Officer

Mayor