

## Village of Shawnee Hills Council Meeting

February 22, 2010

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

Council in Attendance: Charlie Callender, Yvonne Clippinger, Mahesh Dalvi, Kris Garren and James Gauldin

Absent: Rich Vedell

Also Present: Fiscal Officer Shirley Roskoski, Administrator Ed Swanson and Solicitor Jennifer Casto filling in for Brian Zets

It was moved by Garren, seconded by Clippinger to approve the minutes of February 8, 2010 with the following amendments: on page one change the word *if* to *it* and add the word *to* after compared, on page 3 remove the word *a* after available, on page 6 change the word *day* to *evening*. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote.

It was moved by Clippinger, seconded by Callender to approve the agenda with the following amendment: add litigation update to the executive session. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote.

There was no report from the solicitor as Brian Zets was absent.

### **Village Administrator**

Ed Swanson said he was asked to come up with a job description for the proposed new full time position that the Mayor is sponsoring and there is a first reading tonight in which he is requesting that Mark Katzenbach who currently works 37.5 hours per week be increased to 40 hours and hired full time with benefits. A little history for folks who weren't here or don't know, Mark assumed the Code Enforcement responsibilities in July when the part time Code Enforcement Officer resigned and moved to Florida. In addition to that responsibility, Mark was also certified to do sanitary sewer inspections about the same time. He said that Mark was hired about 5 ½ years ago to do street and building maintenance and later became the snow plow operator. Mark has proven he can do all these things in a 40 hour work week with the exception of weather related duties which are mostly in the winter, snow plowing, and occasionally in the summer when we have had really bad storms. Other than that he does not work overtime. Even with those weather related activities we only paid Mark about \$1,200.00 in overtime last year and it was about \$900.00 the year before. Ed said that the combined part time salaries for Mark and Jennifer Tinsky, who was our previous Code Enforcement Officer, for 2008 was about \$39,700.00 with no benefits for either one of them. The cost to incorporate the full time job with medical and dental benefits for Mark is about \$40,400.00 a difference of about \$700.00. Ed said as he has

mentioned before Mark is now doing sewer inspection work that wasn't done previously and he is about 75% done with them. We pay Mark \$15.00 per hour and it takes about an hour to do one sewer inspection. There are 130 manholes and if you multiply that by \$15.00 it comes to \$1,950.00 annually. Prior to that we received a cost estimate from Mark Cameron to do the inspections and his cost annually would have been \$7,000.00 more than what we pay Mark Katzenbach to do them. Ed said he has been asked if there was enough work for Mark to do in the winter if we have a mild winter and the answer to that is absolutely yes. Ed said he was asked to make a list of job responsibilities that Mark does in the summer versus what he does in the winter months and Ed said he started on that and to be honest with you the only thing he does not do in the winter is cut grass. He said he grouped Mark's job description and responsibilities in five main areas which he was also asked to do. The first one is Code Enforcement, the second one is Street Department Maintenance and Snow Plowing, the third is Sewer Inspections and Operations, the fourth is General Maintenance and Grass Cutting and the fifth is Miscellaneous. Shirley has provided Council with a copy of these. Ed said he is not going to read all of these to Council, they all know what Code Enforcement is, blight control, collecting fees, issue zoning compliance certificates, inspect places, issue citations, go to court, whatever it takes, Mark will be attending court next week over a blight issue. Ed said the street department/snow plowing is year round, it is installing new street signs and poles, patching the road which Mark had to do today, assist Village Administrator with road construction inspections which he has done when I have not been able to make it. He uses Village equipment to maintain road ditches and installation of new ditches which he has done all over the Village including down by Mahesh's house and Yvonne's house. There are several places in the Village he has worked on and more to do. He trims brush and trees to give proper visibility to motorists. He plows and salts the streets as we all know, maintains the snow plow and truck, regular and seasonal maintenance and that is kind of a job in itself. He works with Concord and Dublin to insure we have adequate salt supplies. Ed said the third one is sewer inspections and operations which I have already said he inspects the sewer manholes, he also inspects the commercial grease traps on a quarterly basis, sometimes more if we have problems, which we have had. There are nine businesses that he inspects. He also does pump house inspections and routine maintenance including assisting the pump station operator, John Kincaid. John has trained him on certain aspects down there. There have been times when we have had problems with the sewers and Mark can operate some of the equipment down there to help John. The fourth one is general maintenance, maintain all Village grounds, grass cutting, weeds pulled, and maintain the playground, which could use a little work. He inspects that and fills a form out of each inspection. He also cuts delinquent properties and does routine and seasonal maintenance of the tractor and attachments as well as chainsaws and weed whackers. There is quite a list of what he does; it is not just one thing. Under miscellaneous, he sets up for Mayor's Court, he sets up for Council meetings, he sets up for special events, Veteran's Day Celebration, Dam Jam, Christmas in The Village and he assists the police with those events, signage for traffic and pedestrian control. He does weekly testing of the generator at the Municipal Building and general maintenance and cleaning of the Municipal Building and garage bays. Mark installed the generator himself so we did not have to pay extra for that. He also removes road kill. He answers the phone when Shirley is not in the office, he also does minor maintenance of police cars and accessories. He takes numerous calls from the Mayor and himself after hours, weekends, whatever. Ed said a final comment is that Mark is, in his opinion, deserving of this advancement. We can afford this, it is necessary and it is a fair thing to do for Mark for his dedication to the Village.

Mayor Monahan said if you see problems with the roads right now, this is a very tough time on roads, this thaw and refreeze. He received an email this weekend from a resident about a sinkhole on Shawnee Trail near Wyandotte. Mark was able to get concrete slurry to put in this hole for now. The end of Buckeye is also bad due to the busses and construction equipment.

Council member Gauldin said he wanted to read a letter that he received from one of the residents that was dropped off to him at his house: She wanted to voice some of her thoughts about this last snowfall and everything. She says: Dear Council Members, I wanted to take a moment to provide a letter of appreciation to Mark for all his hard work this past winter. His efforts are commendable as our roads have been passable when most other areas around and in Columbus have not been successfully cleared or maintained. I have many friends and relatives who live throughout Columbus and its suburbs and none of them have had street support like we have received here in Shawnee Hills. Mark has done an outstanding job. She continues on, this is from Dove, she is a resident on 30 E. Wyandotte Drive and James asked Ed to make sure the Mark gets a copy of this letter. Ed said that he cannot take any credit for this. This is Mark's baby and he takes control of this and does a great job. When he became the Code Enforcement Officer he took to that the same way. He is just as interested in the code enforcement as he is in keeping the roads cleared. Council member Callender asked if Mark was a certified electrician. Ed said he did not think so. Mayor Monahan said if the work is complicated call in the professionals, but Mark has enough experience to do most of the work.

### **Acting Police Chief Report**

Captain Erin Cullen said first he wanted to jump on the bandwagon and thank Mark for keeping the roads clear for us these past few weeks. We had no serious crashes whatsoever in the Village, while the County and Highway patrol were running nonstop on theirs. We only had one car off the side of the road that we helped pull out. He said they were busy these past two weeks helping the County and State Patrol on numerous crashes, some severe. Our officers did a good job helping out. Captain Cullen said they had a few run ins here lately with people with fake ID's and Sergeant Lefever did acquire books for us that list every single Drivers license in the Unites States, all State ID's Canada, Mexico, US Territories, even federal documents. We purchased one for each cruiser. Erin said they have confiscated a few fake ID's on traffic stops and they have been called to Largo's a couple of times because they have taken some as well. He said that they have gotten the state bid for a new cruiser. Caldwell on Morse Road has won the bid this year and the going rate for the state bid is \$20,082.00 for a Dodge Charger and they are still waiting to hear the price for the Tahoe but they are supposed to be at least \$10,000.00 higher. Mayor Monahan asked if we had any indication on what somebody would give us for the Chevy cruiser. Captain Cullen said we received \$2,800.00 for the last one that was traded in. He had received some interest from the hospitals but they called me back the other day and they did not want to pay that much, but they are still kind of wheeling and dealing. Council member Clippinger asked how many cruisers do we have. Captain Cullen said we have three but only two that work. Council member Clippinger asked if we are looking at buying a new cruiser. Mayor Monahan said he asked them to look into it as the second cruiser has a lot of miles on it. Mayor Monahan said this is just preliminary and they have also thought about the possibility of having an all wheel drive vehicle. They are just starting to look. Council member Dalvi asked what fund would this purchase come from. Shirley told him the General Fund. Council member Dalvi asked

if we could lease these vehicles. Shirley said it is a lease purchase. Council member Dalvi asked what is the life span of a cruiser based on how the officers drive. Captain Cullen said the Charger is an 08, the Crown Vic is a 2002 and the Impala is a 2005. The Crown Vic has about 75,000 miles, the Impala over 100,000 miles. Council member Dalvi said the reason he is asking is do we have some kind of guidelines, that we keep it for five years, 100,000 miles and then maybe start looking for a new vehicle, so that we know that in our experience the shelf life for a cruiser is 100,000 miles and then we make the decision to buy or replace a cruiser, he does not know what the history is. Mayor Monahan said the last cruiser we purchased, before the Charger, was used and it had been flooded. Mayor Monahan said this is preliminary work to see what we can do because of the condition of the Impala. Council member Gauldin asked when you say ready to go is that striping, light bars, etc.? Captain Cullen said it is everything but the striping. Everything else in the Impala will be transferred to the new cruiser. Mayor Monahan asked how many miles do we run each year on the cruisers. Captain Cullen said anywhere from 15,000 to 20,000 miles per cruiser.

**Communications**

Mayor Monahan gave the following report:

I did receive an email from Joe See who is investigating our requirements for a new website to host or website. We will be meeting in the near future and bringing a recommendation to Council to meet our legal and technical requirements.

**MAYOR'S COURT REPORT**  
***JANUARY, 2010***

|                              |   |
|------------------------------|---|
| <b>\$1,921.00</b>            | <b>BALANCE BROUGHT FORWARD</b>  |
| <b><u>DEPOSITS:</u></b>      |   |
| 1,819.00                     | TRAFFIC RECEIPTS  |
| <b>1,819.00</b>              | <b>TOTAL RECEIPTS</b>   |
| <b><u>DISBURSEMENTS:</u></b> |   |
| 105.50                       | TREASURER OF STATE  |
| 90.00                        | COMPUTER FUND   |
| 1,623.50                     | GENERAL FUND  |
| 65.00                        | OUTSTANDING CHECKS: COPY REFUND: CHECK #1410<br>SULLIVAN-CASE #2009CRA00024 |
| <b>1,884.00</b>              | <b>TOTAL DISBURSEMENTS</b>  |
| 1,921.00                     | <i>BALANCE BROUGHT FORWARD</i>  |
| 1,884.00                     | DISBURSEMENTS   |
| 37.00                        | BALANCE MAINTAINED IN CHECKING  |

RESPECTFULLY SUBMITTED,  
JOYCE A. ARMSTRONG  
MAYOR'S COURT CLERK

I was informed by Bill Owen (Delaware County Assistant Prosecutor) Mr. Pearson was scheduled for a hearing on a criminal complaint on March 16 at 2:30. The complaint was public record last Tuesday.

I emailed Bill yesterday and am waiting for a response on progress.

I received an email from Bill VanCura asking me to “pass along our appreciation to the snowplowing crew (Mark K.). That is a difficult job with very challenging hours, but it seems somehow Mark manages to do a superior job, no matter what the circumstances.”

“I had the occasion to be on residential side streets in both Dublin and Arlington on Monday and our streets were better hands down!

Thanks to Mark and anyone else involved in making it happen.”

Bill Van Cura

We have 2 candidates for the Police Chief, a third removed himself from the candidacy due to getting a new job. We will be interviewing the two candidates this Friday evening.

We will be utilizing an outside resource to perform the background checks.

This Saturday the 27<sup>th</sup> is the Fundraiser for Tim Fellure here at the Civic. I would ask that you join in and help recognize the many services Tim has done for our Village!

Council member Garren asked how is the interview process handled. Mayor Monahan said he, Ed Swanson and Council member Clippinger will be doing the interviewing. They will run through a series of questions that they want to ask. He said we do not do this very often. Council member Clippinger said that if there is anything that Council would like her to ask as their representative please email her the questions they would like her to ask.

### **Pro Tem Report**

Council member Clippinger said she just wanted to update everyone. She said she sent some information to all of them in regards to the anti-idling work. There were examples on the no idling policy from Parma Heights, Gahanna, City of Columbus and the Ohio Environmental Council is urging municipalities to adopt a city wide field conservation ordinance similar to the one in Cleveland and several other northeast municipalities. She said after she read all the information it kind of made sense to her to maybe have Council sponsor this and the Mayor also if they would like to go this route rather than taking it to a specific committee. She said she would be happy to research this some more. She has been in contact with David Celebrezze, Director of Air and Water for the Ohio Environmental Council. She thinks his email is pretty self explanatory at what they are trying to get at here but she would be happy to contact him to see if he could come up to a Council meeting or send a representative from his department to come up and talk to us and answer any questions we may have. She thinks this is a good thing for us to do as part of the Green Pact with MORPC and it gets us out in the front. Council member Dalvi said this is a good thing to do. Mayor Monahan said just to clarify, what you are talking about with our vehicles is the truck, police cars are exempt. Council member Clippinger said if you pull up the power point presentation that she sent there is a section that deals with that. Mayor Monahan said are we also dealing with people who start their vehicles and let them warm up before leaving for work. Council member Clippinger said yes, she said this stemmed from an article that she read in the Dispatch and this has been going on for a couple of years, trying to get the

municipalities to do something with their own fleet, but they were talking about making it possible for the Police to ticket people. Council member Gauldin said one of the reasons they are starting to push that is as they start to do more and more monitoring around, no idle policy is a hope to control the pollutants to a point that you do not have to do E-check on the cars.

## **Legislative Actions**

It was moved by Clippinger, seconded by Garren to remove Ordinance 02-2010 from the table. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote

Second Reading- Ordinance 02-2010- Amended – An Ordinance to amend Section 1121.02(d)(7) of the Codified Ordinances of the Village of Shawnee Hills, General Development Standards. Shirley said that she talked to Brian about this wording and they decided to use the same wording that is in the Blight Ordinance.

Third Reading – Resolution 03-2010 – A Resolution to adopt the updated agreement that establishes Emergency Management in Delaware County. Council member Garren said this agreement talks about communities need to maintain a fund and she was just wondering what the fund was. Shirley said the annual fee that we pay is paid into this fund that is maintained by Delaware County Office of Homeland Security. It was moved by Callender, seconded by Dalvi to pass Resolution 03-2010. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared Resolution 03-2010 passed by a 5-0 vote

Second Reading- Public Hearing – Ordinance 08-2010 – Sponsored by Planning and Zoning – An Ordinance to amend the Zoning District Map of the Village of Shawnee Hills, Delaware County, Ohio, pursuant to the Codified Ordinances of the Village of Shawnee Hills. Jeff Porter, attorney representing Mr. and Mrs. Priestino said he was here regarding this rezoning request and he has been here before regarding a similar application, in this instance a change has been made at the request of some previous Council members. The Ordinance does have a provision calling for the removal of the structures on the site as part of the development of the property should it be developed under the Neighborhood Commercial designation. He is here to answer any questions Council may have. Council member Dalvi said so the issue was that the existing buildings will be removed upon development and the check will come when the development plan comes before the Village. Mayor Monahan said that is correct. Jeff Porter said if any questions do come up please call or email him and he will be happy to answer any questions.

First Reading – Resolution 04-2010- Sponsored by Mayor Monahan – A Resolution to establish Mark Katzenbach as a full time employee of the Village of Shawnee Hills, Ohio. Mayor Monahan said he took this to Finance and in taking this to Finance he wanted to separate whether you agree with this or you do not agree with this. His question to Finance was do we have the finances to do this and the answer was yes. Council member Clippinger said this was not talked about at the Finance meeting, maybe you and Shirley talked but it was not talked about as a committee, we were going to talk about it at the next meeting. Council member Dalvi said what they said was they wanted to know what will the overall cost would be including overtime,

benefits and that stuff. We did discuss it, but there were questions about overtime and other expenses and they also wanted job descriptions and responsibilities and a resume of the person which I believe is not here but should be shared with the rest of Council. Mayor Monahan said we have the resume and we will provide that. Council member Clippinger said they were not presented a budget at the Finance meeting. Council member Dalvi said he did see the numbers but there were still some questions on the cost. Shirley said she still does not have the number for the health insurance so she guessed on that, but she has already budgeted \$36,000.00 for Mark this year and his pay will only be \$31,000.00 mainly due to not knowing what fund his pay will come out of so she budgets a little higher so his pay has already been budgeted for the year. The only thing we have to add is health care and dental. Council member Gauldin asked if within those numbers was any kind of training budgeted. Shirley said he can go to training any time and he has. Council member Callender said he would do that whether he was full time or part time so that is a moot point. Mayor Monahan said in reality it costs less to have Mark do all these duties and he said there is no way to predict overtime.

### **Committee Reports**

Finance met and they elected a Chair and Co-Chair. Council member Clippinger is the Chair and Council member Dalvi is the Co-Chair. They did an internal audit of the Solicitor and Engineer bills for 2009. Just to put it in a nutshell, both of those were within budget for the year and they will continue to monitor both of those, especially the solicitor bills since we have budgeted less this year. They did talk about employee health care that expires in April so Finance will be looking at options for full time employee health care starting in March and they will try to get our representative to that meeting to talk with us. Council member Clippinger informed Council that right now the Village pays 100% of the major medical and dental for the full time employee. They discussed the TIF update and hopefully they will be introducing language for a second TIF District soon. They discussed the MORPC membership and they are going to invite MORPC to a meeting at the Village office to discuss our membership. In talking with some Council members here this evening we may want to ask them to come to a Council meeting. She does not know how many people can come to a meeting during the day, but she will leave that up to Council. Shirley asked if they wanted it scheduled for a Council meeting then. Council member Clippinger said she would like to talk to them kind of privately. Mayor Monahan said he thinks they air it all out. One of the things with MORPC as he has said before, he doesn't know if we know how to use them, you and I are not far off on our thinking on MORPC, but I don't think we know how to use them and a lot of it is if you come up with this much money and match it then you can do these things. I think to have an individual meeting and make it towards the evening, end of day, would that help anybody. Council member Dalvi said 4:00 or 5:00. Council member Clippinger said maybe 3:00. Council member Garren said 3:00 would be fine but if not all Council members should be here then.... Mayor Monahan said we will do the best we can. Council member Clippinger said the meetings will be held on the second Thursday of each month. She said the miscellaneous business she had was that the Mayor and the Administrator asked the Finance Committee to look at the budget to accommodate a full time position and we did not have a budget present at the Finance meeting so we will be looking at that proposal at the March meeting. We were also asked to look at the budget for a possible land purchase, that will also be discussed at the March meeting and it will also be discussed in executive session tonight.

Council member Gauldin said he had a discussion with Ed about the fire hydrants around the Village. With all the snow we have had maybe possibly being buried deep enough that it would take an inordinate amount of time to dig those out and Ed had said that is written into a contract with Concord right now. Ed said he does not know if it is in the contract but it is their responsibility and that is something they do. He did contact Concord and they did come and dig out some of the hydrants. Council member Gauldin said do we need to write something into the contract, do we need to maybe pull what Dublin does as a minimum and say that is what we want in our contract. He said when he drives up by Lowe's they are dug out really well, from the curb back to the hydrant and a foot on each side. It seems as though while he can see the hose hookup on the hydrants, he doesn't know, where should we be, if I can see the hose hookups he feels a little better, He said he sees some on Buckeye that are buried, some it looks like the neighbors have dug out which is great, the 4 inch lines on the other side by the Yacht Club are buried. Mayor Monahan asked Ed to contact Todd Cooper, Fire Chief at Concord, to see about this.

### **Bills**

It was moved by Gauldin, seconded by Clippinger to pay the bills in the amount of \$15,072.06. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote

### **Treasurer's Report**

It was moved by Clippinger, seconded by Gauldin to approve the following treasurer's report: General Fund 163,337.90, Street Fund 18,946.39, State Highway Fund 2,914.30, Enforcement and Education Fund 1,560.00, Computer Fund 7,731.25, Fire Fund 31,623.31, Weed Fund 5,309.85, TIF Fund 73,196.01, Veteran's Memorial Fund 1,260.00, Building Expansion Fund 700.00, Other Capital Projects Fund 1,223.84, Sewer Operating Fund 39,857.69, Sewer Replacement Fund 10,000.00, Storm Sewer Fund 5,761.06, Enterprise Debt Service Fund 18,818.76, Enterprise Debt Reserve Fund 79,757.83 for a total of \$461,998.19. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote

It was moved by Clippinger, seconded by Gauldin to break for ten minutes. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote

It was moved by Clippinger, seconded by Gauldin to reconvene. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote

It was moved by Clippinger, seconded by Dalvi to adjourn from regular session and move into executive session to discuss purchase of property, litigation update and personnel issue. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote

It was moved by Clippinger, seconded by Dalvi to adjourn from executive session. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote

It was moved by Clippinger, seconded by Gauldin to reconvene regular session. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 5-0 vote

There being no further business, it was moved by Clippinger, seconded by Gauldin to adjourn until March 8, 2010. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Dalvi, Garren and Gauldin. Nay, none. Chair declared the meeting adjourned at 8:45 p.m.

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Fiscal Officer

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Mayor