

Village of Shawnee Hills Council

May 25, 2010

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

Council in attendance: Charlie Callender, Yvonne Clippinger, Kris Garren and James Gauldin

Absent: Mahesh Dalvi and Richard Vedell

Also Present: Fiscal Officer Shirley Roskoski, Administrator Ed Swanson and Solicitor Brian Zets

It was moved by Garren, seconded by Callender to approve the minutes of May 10, 2010 with the following amendment: Change the word attribute to tribute on the last page. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

It was moved by Gauldin, seconded by Garren to approve the agenda with the following amendments: Resolutions 24-2010 and 25-2010 will not be emergency measures tonight. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

Solicitor

Brian Zets said he is happy to report that we did receive all the payments from Shawnee Associates and they are current to date with their sewer bills. He said he had to threaten them into court Monday morning if they had not made that final payment. He said he worked a little bit with Yvonne on the call in policy and he sees that it is on tonight's agenda and they are still working on the tree ordinance. The TIF Ordinance has been drafted and he made some changes to it yesterday and he wants to talk to Gene about it and he will get it to Shirley in time for the next Council meeting. The biggest other issue is the Dublin Road water tank and he has drafted a public records request letter to the City of Dublin asking for various correspondences to and from the Mayor, the City Manager, the engineer's office and Council and also he will be requesting information related to Dublin's proposed purchase or lease or use of the land where that water tower is going to be built. Mayor Monahan said the intent is to see what went on, they did not involve us, we were involved when those silly signs about floating the balloon were put out on the street and that is effectively when we made the calls. So it was probably about the 5th of May when we invited ourselves to the dance. Council member Callender asked if this was a resolution or ordinance, did they have three readings on this. Mayor Monahan said it was a motion. Council member Garren said it was not a resolution or ordinance according to the agenda, it was listed as other.

Administrator

Ed Swanson said that the pump station is up and running, we are still waiting on some parts for the second alarm system. Mayor Monahan informed Council that the alarm system was hit by lightning. Ed said the lightning took out two circuit boards and that is why the alarm system malfunctioned. Insurance will cover the cost and also the cost for Mark having to keep going to the pump station to make sure it was working. Ed said we will have surge protection on the lines now and we will also have a system where if something happens to the phone line it will revert to a cellular call. The two alarm systems are completely separate from each other. The sidewalk advertising and awarding of the bid is on schedule for next month. Ed said he had a conversation with Dublin's engineer Tina W. and she

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said that Dublin had a meeting last week with ODOT concerning the Glick Road Project and since that meeting they are not anticipating starting that project for at least a year or longer. She said there are some environmental issues that ODOT brought up that they have to investigate. Council member Clippinger asked how long after the bids go out does the construction start for the sidewalks. Shirley said the bid opening is scheduled for June 18th and it has to come back to Council for approval and Council meets on the 28th so sometime after that.

Police Chief Report

Chief Lefever said that he along with Captain Cullen and Sergeant Venrick attended National Police Week in Washington D.C. and represented the Village of Shawnee Hills and Shawnee Hills Police Department. He said it was a great experience and it was a very eye opening experience. He said he has been to the memorial service that has been held in London, Ohio and it just doesn't hold a candle to Washington DC. This was an experience that I will never forget. Chief LeFever said this was an eye opening experience as far as some areas that they need to focus on. He obtained some information from COPS (Concerns of Police Survivors) it's a national organization designed to not only help the families of fallen law enforcement officers but to help the departments and the communities of fallen law enforcement officers. He obtained a copy of In the Line of Duty Death Policy from Washington DC Metro Police Department and another one from the state of Oklahoma. This is something that they do not have at this time, we do not have a policy for in the line of duty death. He said again this was a real eye opening experience as to how many resources are out there for not just us but for the Village and for the community as a whole. This is something he is going to start working on immediately. He went to finance recently and discussed body armor for the officers and that is something that all plays into this and he is glad we are going in the direction we are headed with officer safety being first and foremost right now. He said they got their patches out to several agencies. He said our patch will be going up in the brand new, ground breaking starts this year, United States National Law Enforcement Museum in Washington DC and our patch will be one of the first ones on the wall. He said he also got a patch to the National Crimes and Punishment Museum. He said they got to network a little bit and got to meet a lot of interesting people. It was a very productive trip. He would like to just recognize all those officers that fell and he said it was surprising when he saw the numbers that Ohio was fifth in the nation for law enforcement related deaths. He said he provided the department stats for April to Council and if anyone has any questions please ask. Chief Lefever said that the Memorial Tournament planning is going very well. Everything is lined up and they are looking forward to it. He said he is getting great support from the A units for hours and working additional shifts. He said they will be stepping up the recruiting efforts after the Tournament. He will be talking to a couple of colleges that have law enforcement programs. Mayor Monahan gave him a way in with the Chief over at Powell who has had a lot of applicants applying there due to recent layoffs in other departments. He informed Council that Tom Callison has taken a full time job with the city of Wheeling, WV Police Department and this is something that he has been trying to get for a couple of years so he has our blessing. He will do a great job for them. He said one of the other big things going on right now is the Click it or Ticket Program. He did sign the department up agreeing to participate according to the rules of the click it or ticket program and they will be in a raffle for some great equipment, a new cruiser, several things, but bear in mind there are 900 law enforcement agencies in Ohio participating in this. We agree to advertise the event the best we can, we put magnets and signs in our cruisers and on our cruisers during this week. What it entails is we take the discretionary factor out of seat belt violations, if we pull someone over, it is not a primary offense, so the Ohio Revised Code says we can't stop them for seatbelt

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violation however upon any traffic stop the discretionary measure goes out the window, if you don't have a seatbelt on you get a ticket, it doesn't matter who you are, there's no exceptions. At the end of the program which will be June 6th we send in a release and that release is evaluated and if it meets the requirements, which it will, we will be put in the drawing for some nice stuff. It's a good program, it helps save lives and there is a lot of statistical data compiled not only by the State of Ohio but by the National Transportation Board that shows the program is highly effective. He said this is another way of networking with the other departments, he got to meet a lot of Chiefs of Police from our area and it was a good opportunity to meet those agencies and see what their plans are for the year. He said they did work on a few grants and one of the things that we talked about was the body armor. He applied for a body armor grant and he is waiting to see if we are approved for it. Once the Village purchases body armor for the officers the grant would reimburse 50% of the cost back to the Village. He has applied for an AED grant for defibrillators and they are waiting to hear back on that. He also applied for a COPS grant which allows for a paid position for a three year commitment at no commitment from the Village.

Communications

Mayor Monahan gave the following report:

I received a request from a resident who is in Florida in the winter. He has asked that we provide online sewer bill payment capability. In addition to bringing us up to current times this and an automatic payment could help lessen late payments. I would ask that Utilities take a look at this possibility.

I received a couple of thanks on the Chipper and Dumpster Day. The Gordon's and the Sharon's also wanted to pass along a thank you to Mark K. for carrying out the 8 heavy bags for them.

I would like to commend Chief Lefever, Captain Cullen and Sergeant Venrick on attending National Police Week, they did it on their own time and we were fully covered by our A units who did an excellent job. The Chief is putting a letter in their files on that.

Mayor's Report

Mayor Monahan gave the following report:

MAYOR'S COURT REPORT

APRIL, 2010

\$2,130.00	BALANCE BROUGHT FORWARD
<u>DEPOSITS:</u>	
4,119.00	TRAFFIC RECEIPTS (\$2,286.00 POSTED IN MAY)
250.00	DELAWARE COURT
4,369.00	TOTAL RECEIPTS
<u>DISBURSEMENTS:</u>	
740.00	TREASURER OF STATE
190.00	COMPUTER FUND
3,439.00	VILLAGE: GENERAL FUND
4,369.00	TOTAL DISBURSEMENTS
2,130.00	<i>BALANCE BROUGHT FORWARD</i>
2,286.00	<i>ADDT'L APRIL RECEIPTS POSTED IN MAY</i>
4,416.00	<i>SUBTOTAL</i>
4,369.00	<i>DISBURSEMENTS</i>
10.00	<i>OUTSTANDING CHECK, #17523-MARINO</i>

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37.00 BALANCE MAINTAINED IN CHECKING
RESPECTFULLY SUBMITTED,
JOYCE A. ARMSTRONG
MAYOR'S COURT CLERK

Dublin Water Tower:

Obviously there has been a flurry of activity since we discovered that Dublin intended to build a water tower:

5-10 you passed the motion asking Dublin not to place the water tower on our border

5-14 Ed and I met with Paul Hammersmith and the location was worse than we thought. It was 100 ft off the side off the side of The Oxford School.

5-14 Our motion was hand delivered to Dublin

5-18 Dublin added a site D to their positioning in the Memorial Parking Lot approx 500 ft south of their choice.

5-20 Ed and I met with Dublin City Manager Terry Foegler.

5-20 I directed Brian Zets to send a letter to the Mayor and City Manager stating our not being informed and desire to have the water tower moved. Brian had the letter faxed to Dublin and sent on 5-21

5-24 We went to Dublin City Council mtg. and requested that they work with us and resolve this issue by moving the water tower 500 ft south.

The Planning and Zoning mtg. was cancelled and had been for tonight.

I would expect all the NO Parking temporary signs will be placed out for next week's tournament.

Council Member Gauldin and I met last Monday 5-17 and summarized what we had heard as input on Signage.

On 5-18 The Business Advisory Committee met. (all Chamber Members were invited for input). We discussed and took their input for the basis for proposed signage legislation.

On 5-20 ABR didn't meet. I was hoping that ABR would review what we had received.

Next Steps: I will summarize what we have and run it by Jim and we will have the basis to start the writing of Proposed Signage Legislation.

I want to thank Larry Burchfield for hosting the Emerald Ash Borer meeting. The residents now have an option to save their trees and we need to propose legislation to deal with those who choose not to take the action in order to save our trees.

There is kind of a scary piece of legislation going through tomorrow; it's supposed to be voted on. I sent out 4 letters and effectively what this is is State Bill 110 which will allow for, without annexation, that they can force us to take on and provide sewer service to people who are on septic systems. This would be devastating to us. It is like someone saying to us you have to pick up Logan and Mohican even though there is only one house on Mohican that is in the Village that had to annex in to get sewer serve so effectively there is more to come on this one and I sent letters to our state representatives and state senators and said we do not want any part of this, you need to help us. Jack Frambes also made some calls to people that he knows. This is very dangerous. Our system was built to handle the expansion but the biggest enticement you have to annexation is really the sewer system.

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Legislative Actions

Third Reading- Resolution 13-2010 – Sponsored by Mayor Monahan and the Finance Committee – A Resolution to increase the annual salary for Shirley Roskoski, Fiscal Officer for the Village of Shawnee Hills, Ohio. It was moved by Garren, seconded by Clippinger to pass Resolution 13-2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

Third Reading- Resolution 14-2010 – Sponsored by Mayor Monahan and the Finance Committee – A Resolution to increase the rate of pay for Chris Venrick, Police Officer for the Village of Shawnee Hills, Ohio. It was moved by Gauldin, seconded by Callender to pass Resolution 14-2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared Resolution 14-2010 passed by a 4-0 vote.

Third Reading- Resolution 15-2010 – Sponsored by Mayor Monahan and President Pro Tem Clippinger – A Resolution that the Village of Shawnee Hills host a Village wide summer picnic at the Ohio Wildlife Center. It was moved by Garren, seconded by Gauldin to pass Resolution 15-2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared Resolution 15-2010 passed by a 4-0 vote.

Third Reading – Resolution 17-2010 – Amended - A Resolution to grant a variance to the provisions of the Shawnee Hills Code Section 1121.06(h)(1) to allow applicant, Shawnee Hills Chamber to deviate from the size of a special sign for the Dam Jam. It was moved by Clippinger, seconded by Callender to pass Resolution 17-2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared Resolution 17-2010 passed by a 4-0 vote.

Third Reading –Resolution 18-2010 – Amended - A Resolution to grant variances to the provisions of the Shawnee Hills Code Section 509.09 to allow applicant, Shawnee Hills Chamber to deviate from time and volume standards for the Dam Jam. It was moved by Gauldin, seconded by Garren to pass Resolution 18-2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared Resolution 18-2010 passed by a 4-0 vote.

Third Reading – Resolution 19-2010 – Sponsored by the Finance Committee – A Resolution to establish a No-Idling and Fuel Conservation Policy for the Village of Shawnee Hills, Ohio. It was moved by Clippinger, seconded by Gauldin to pass Resolution 19-2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared Resolution 19-2010 passed by a 4-0 vote.

First Reading- Resolution 20-2010 – Sponsored by the Finance Committee – A Resolution to authorize the Mayor to enter into a contract with Eric J. Burden for Prosecutorial Duties for the Village of Shawnee Hills, Ohio. Mayor Monahan said this is a renewal of Eric's contract and there are no changes to it.

First Reading- Resolution 21-2010 – Sponsored by the Finance Committee – A Resolution to authorize the Administrator to enter into a contract with Kincaid Wastewater Services Inc. as Operator of the Sanitary Sewer Pumps station for the Village of Shawnee Hills, Ohio. Mayor Monahan said this is a renewal of John Kincaid's contract with an increase of \$6.00 per month.

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First Reading- Resolution 22-2010 – Sponsored by the Finance Committee – A Resolution to amend the Employee Handbook for the Village of Shawnee Hills, Ohio. Mayor Monahan said this is to establish the call in pay. Three hours of call in pay or pay for the hours actually worked when called in, whichever is greater, at the time of one and one half times his or her regular hourly rate. An employee who is entitled to call in pay under this policy may choose to receive comp time in lieu of compensation monetarily. Council member Clippinger said this is the first time the Village is going to offer a choice of either comp time or pay and this did a couple of a things we actually put numbers on part time employees and that is 37 hours. A part time employee cannot work more than 37 hours.

First Reading- Resolution 23-1010- Sponsored by the Finance Committee – A Resolution authorizing the Mayor to enter into a contract with Caldwell Dodge for a lease purchase agreement for a 2010/2011 Dodge Charger Police Cruiser. It was moved by Clippinger, seconded by Callender to add the Mayor as a cosponsor of this Resolution. Following vote on the motion was recorded; yea: 4, Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote. Brian said we need to make sure who we are actually leasing this vehicle from, is it Caldwell Dodge or Dollar Leasing. Mayor Monahan said villages of this size typically have 2 to 4 cruisers. A cruiser will sometimes last about 130,000 miles. We are tougher on a cruiser because we are forever making turns. What you don't realize is that you can put the best set of tires on cruiser and in 15,000 miles in one year it's done because of all the turning. We just put \$2,000.00 worth of suspension work in the Ford and it will become our third cruiser. He has asked the Chief to track how much we use the third cruiser.

First Reading- Resolution 24-2010 – Sponsored by the Service Committee – A Resolution to authorize the Mayor, the Village Administrator and CPS Consulting Group LLC, to issue a competitive bid package related to the paving improvement project for the Village of Shawnee Hills, Ohio and Declaring an Emergency

First Reading – Resolution 25-2010 – Sponsored by the Finance Committee – A Resolution authorizing the Mayor to sign the Intergovernmental Contract for the Administration of the Public Entities Pool of Ohio and Declaring an Emergency.

First Reading – Ordinance 11-2010 – Sponsored by the Finance Committee – An Ordinance to reappropriate funds for current expenses of the Village of Shawnee Hills, State of Ohio, during the Fiscal year ending December 31, 2010

Committee Reports

Council member Clippinger said that Finance met and some of the things they went over were the police cruiser, the money was approved for that. The other things they actually approved money for was body armor for the paid staff in the Police Department. She said this is part of their uniform; they have to wear it so we feel that if the Village is going to have police officers we need to commit to them. This will be part of a policy that the Village is going to do this but if they leave in less than 5 years we want to try to recoup some of that cost. Chief Lefever said once the 5 years is up they can put them into a tactical carrier and can be worn over their uniform if necessary thus giving them two layers of coverage. The committee also approved new IDs for the department, letterhead , consultant fee, shotgun instructor training for the Chief and 2 GPS units for the cruisers. The next thing they talked about was the full time call in language which was on the agenda tonight and the contracts, Eric Burden and John Kincaid, and the part time hire which now Tom is gone. After researching the past hires of police officers we found out we did approve the 60 hours in part time pay. We went over the RITA top 25 and there was a question concerning the Time Warner

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line item and we requested that Shirley do a follow up on that. Council member Clippinger said they talked about possibly having a uniform policy for our new code enforcement position and what we would like to see happen is that the Administrator come back to finance with a cost estimate and under miscellaneous we approved money to purchase a backup system for the pump station in the amount of \$1,000.00 and we went over the Public Entities Pool of Ohio annual contract and the reappropriations budget.

Council member Callender asked why do we need GPS. Chief Lefever said that a lot of our A units are not out here very much, just two days a month and we have a lot of mutual aid agreements with various agencies such as Delaware County and we do not know where all the roads are outside of the Village. He said that he sat down with the officers at their last meeting and asked what are some of the tools that you don't have that you would like to see, what would make your job easier when you are out here and one of the common things was either a mapping software they can put on the laptop or a GPS system. He said some of the guys have purchased their own GPS units and bring them into work every day but this is a lot of wear and tear on the units and the plugs in the cruiser. He would like something to permanently mount in the vehicles. Chief Lefever said he purchased a GPS unit just for work and he will donate it to the Village for it to be installed in the new cruiser when we get it.

Council member Gauldin said that the Rules Committee met this evening and they elected a chair which is himself and they quickly reviewed the scope of the committee and moved on to order of agenda topics and they would like to recommend that the committee reports come before the legislative action. Through our discussions we agreed that many times the legislative actions, the things that happen there, happen because of information that comes from committees so their recommendation is to reorder the agenda and allow the committee reports come before legislation understanding that sometimes we don't have these reports so we don't think it will hold things up.

He said they also covered efficiency of the meetings and they really kind of kicked it around, also they talked with Brian who goes to a lot of other council meetings in different areas and we came to the determination that what we are doing here works well, we seem to, within reason, follow our rules fine and we decided to go ahead and leave that alone but we always encourage a quick method of going through the meetings because we do pay people to be here at those times. The last thing they did, we covered in new business, executive sessions, and we talked about, after witnessing Dublin's executive session, we talked a little about having that before the meeting but I think we decided with our schedules and with our meeting arrangements and such, we can't do what they did efficiently so we decided to leave that be.

Bills

It was moved by Callender, seconded by Gauldin to pay the bills in the amount of \$58,437.80. Following vote on the motion was recorded: yea, 5; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by 4-0 vote.

Treasurer's Report

It was moved by Garren, seconded by Clippinger to approve the following treasurer's report: General Fund 218,623.71, Street Fund 49,757.31, State Highway Fund 3,609.33, Enforcement and Education Fund 1,560.00, Computer Fund 8,350.17, Fire Fund 103,838.20, Weed Fund 6,583.18, TIF Fund 81,744.95, Veteran's Memorial Fund 1,043.18, Building Expansion Fund 700.00, Capital

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Projects Fund 1,223.84, Sewer Operating Fund 53,773.46, Sewer Replacement Fund 10,000.00, Storm Sewer Fund 7,684.77, Debt Service Fund 47,389.01 and Debt Service Reserve Fund 92,346.27 for a total of \$688,227.38. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

Executive Session

It was moved by Clippinger, seconded by Garren to adjourn from regular session and move into executive session to discuss the purchase of property. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

It was moved by Clippinger, seconded by Garren to adjourn from executive session and move back into regular session. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

It was moved by Clippinger, seconded by Callender to appropriate up to \$1,500.00 for a building inspection on 9321 Hillcrest Drive. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

Miscellaneous Business

Council member Clippinger said it is already in our code about the sidewalk snow removal. It is in Section 901.13

Council member Callender said that we appropriated \$50,000.00 for the Glick Road interchange and based on what happened last night is that something we can rescind. Mayor Monahan said he would rethink that, basically we have a good rapport with Tina at Dublin regarding the intersection and if we can get by for \$50,000.00 to work with them on that, the intent to do that, it was a letter of intent, he thinks its ok.

Shirley informed Council that we have gotten an offer of \$500.00 for the Chevy cruiser that we are no longer using and we will get to keep the tires as they are brand new and they can be used on the Ford and she asked Council for approval to sell this. Brian said he thinks we may have to do legislation for this and he will check and get an answer for us tomorrow. It was moved by Clippinger, seconded by Garren to sell the Chevy cruiser for \$500.00 and we will get the tires back as long as there is no legislation required for this. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the motion passed by a 4-0 vote.

Council member Gauldin said we just had chipper and dumpster day and it worked out pretty good, things seem to go fairly good. He said he was out there throwing things in the dumpsters that people left on the ground and he said maybe next time around we can have some signage saying things need to be entirely in the dumpster. He said one of the other things that he discussed with Council member Clippinger is maybe having a list of the senior citizens in the Village and a group could volunteer some time and go around with their trucks to get the trash from the residents that cannot make it down to the dumpster site. Shirley said they have also been talking about moving the chipper day to a Monday so that the residents have the weekend to get their brush out instead of having to bring it out to the road the week before.

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Mayor Monahan said he has received complaints about dogs that are barking all day long. Council member Clippinger said that is covered in our code.

There being no further business, it was moved by Clippinger, seconded by Gauldin to adjourn until June 14, 2010. Following vote on the motion was recorded: yea, 4; Callender, Clippinger, Garren and Gauldin. Nay, none. Chair declared the meeting adjourned at 8:50 p.m.

Fiscal Officer

Mayor