

Village of Shawnee Hills Council

July 12, 2010

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

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

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

It was moved by Garren, seconded by Gauldin to approve the minutes of June 28, 2010 with the following amendments: change the word come to come on page 1, on page 15 change the words data line to data mine and data lining to data mining and change the word computer to computers and the discussion and the vote was not recorded for Resolution 22-2010. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Garren, seconded by Clippinger to approve the agenda with the following amendments: add the ordinance number 14-2010 to the second reading of this ordinance and add the discussion on alert tracking system for the police department under number 8 of the agenda. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

Solicitor

Brian Zets said that the public records request has been made available and Shirley and Ed have gone up there and looked at the documents that were made available. Mayor Monahan said he has the copies and he needs to look at them and digest them. Brian said he worked on a few issues related to the Legacy Design easement agreement. As a follow up from the last council meeting there was that acknowledgement of liability for our work in the right of way in Concord Township, their attorney sent over that big long agreement and Brian said he worked with them and took out some language and he got it back to Shirley so that has been taken care of. It is now very concise and it says what we wanted it to say, we don't give up liability if we don't have to and as another follow up, at the last meeting he talked to Council about the conversation he had with attorney Dan Connor with respect to the Daryl Sanders property. When he spoke with the attorney he said he was going to get us a letter and Brian has not received that letter yet.

Council member Vedell asked if we had received the money from the lawsuit over the sewers. Brian said we received the money a long time ago.

Village Administrator

Ed Swanson said he will be meeting with the Chief in Concord Township on Thursday. The Chief was on vacation last week. Mayor Monahan said he would like to take that to finance once the cost is established and he said that on June 30 at Cal and Dottie's house fire, the fire department pulls up on GPS showing where the hydrants are and he thinks we should look at the area around the Boat shop, having another hydrant around that side because the closest hydrant was a couple of streets back.

Ed said he did sign the notice of award which was sent to Chemcote for the paving project. They had the lowest bid which was \$59,002.60. We have scheduled a pre construction meeting for July 22, 2010 at 9:30 p.m. The contractor is planning on starting around the end of July or the first of August. Mayor Monahan asked if everyone understood the fire fund money. He said we contract with Concord for so much a year and we keep ten percent of the money we collect for fire suppression improvements. Ed said hydrants are about \$2,200.00 a piece. Council member Gauldin said let me make sure I understand, we are meeting with the Fire Chief to

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talk about hydrant locations and we have said we want some near the Boat shop and we want some on Dublin Road. Can we get his overall opinion of that side of Dublin Road? Ed said that is what they are going to do. Ed said what is happening is, there are only 8" water lines in certain areas that can hold the full fire hydrants. Mayor Monahan said he has asked Jim Danes to start looking for grant monies to ring the Village in 8" pipe. He said if we could have 8" around the Village and down the center it would be a tremendous thing and would make a world of difference. Ed said the sidewalk has been approved and we are waiting on some paperwork through the County. Edgil thought construction would start in about three weeks. Ed said both projects will be starting about the same time. Council member Dalvi asked if our engineers had predicted how far the sidewalks will go. Ed said probably to Mohawk. Mayor Monahan said that was a good discussion last week and just so you know we expected lower bids and we got higher bids we were looking for alternatives. He said the one thing that is going to be rough is that people think we can come back the next year and finish it, I don't know. He asked what would your estimate be Shirley, a few years? He said he thinks there is a misconception that we can come back next year and complete this. Council member Dalvi said we can do it in phases. Council member Callender said it will be interesting to see how much the sidewalks are actually used. Council member Gauldin said the next issue is crosswalks, as the sidewalks go in people are going to start crossing on a 35 mph road and we need to make sure we are on that path. Council member Clippinger asked if ODOT determined where the crosswalks should be. Ed said he did not know but he said that Mark and Edgil worked on this and they did not mention ODOT to him. Council member Vedell said that in their last discussion he thought they were going to suspend the work between Walgreen's and El Vaquero. Ed said he wanted to talk about that. He said the difference is only about \$5,000.00, it's not as much as he said to piece in that area. He said it will cost about \$7,000.00 or 8,000.00 for a typical area and it's about \$12,000.00 to 13,000.00 to do the area between Walgreen's and El Vaquero. Ed said as much as he would like to go farther with the sidewalks, he hates to leave that section undone. People will be walking to Walgreen's or the shopping center and they will get to the section and the sidewalk won't be there. Mayor Monahan said at least it will be contiguous. Council member Vedell said he thought one of the main reasons we decided not to do that section is that we could use TIF money next year to complete that and if we spend it and do it out of this money we can't use TIF money to extend this side, that is his understanding. Shirley said we can use TIF money for benches, street lighting, and drainage improvements, etc. for that area. Council member Dalvi said part of the reason we said we didn't want to do that is because we thought there were some other plans for that area near Osage. Council member Clippinger said for the intersection. Council member Vedell said that is at least 5 years away. Ed asked Council to give him some guidance on that, to let him know what they want to do. Council member Dalvi said the concern was they thought there was a huge difference and now we know there is not so we might as well finish one thing up and then focus on the next. Council member Clippinger said she likes the idea of starting at Osage and making it continuous as far as it can go and then next year taking the TIF money to put in benches and trash receptacles. Council member Callender said he would be in favor of that too. Council member Clippinger said she wanted to go on record in saying that it would be nice if Dublin would give us a definitive answer as to when we are going to work on that intersection but since they can't, she hates to put a sidewalk in and then tear it up a year later but she just wants people to know that we are kind of between a rock and a hard place here because we don't know when that work is going to start. Council member Dalvi said as far as the lighting we should go back to Ohio Edison to see if they could subsidize some of the lighting like we talked about before. Ed said he will be contacting them soon. Council member Dalvi said benches are good but lighting is definitely needed. He also asked

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Ed if based on the new timing of three weeks has the schedule now shifted. Ed said it is close; we are within a couple of weeks.

Ed said Jim Gauldin, John Kincaid and he met with Dublin in regards to the force main that dumps into their manhole at the Morgan House where they have been having an odor. He said Council should have a written summary from John Kincaid that explains everything that he has done for the last year in trying to control this odor. He explained this whole process to three engineers from Dublin and they said, at the end of this meeting, they pretty much agree at this point that we are not creating the problem and they will look to do something themselves. Mayor Monahan said we have worked on this for a long time and we had to work to clear ourselves. What's happening is the gasses at the Morgan House are pretty strong and effectively the contention all along was that we were causing it and we thought we could be so we took a lot of steps to try to eliminate these odors. John had a very scientific approach to these steps and essentially this was very significant today, Dublin saying this was not caused by Shawnee Hills. Council member Gauldin said the issue of complaints came up and he thought it was kind of strange that they asked us how many complaints had we received and we said we are getting our complaints from you, when was your last complaint and they said sometime last year.

Ed said he along with Jim Danes, Jim Gauldin and Shirley met with Mary Oakley today. Mary helps with grants and we had her look at the Municipal Building and the Montessori School and discussed several other issues and potential for grant monies. It was a long complicated discussion over 2 hours and there was a bunch of stuff she brought to our attention. She is supposed to get back to us with some more information. Council member Gauldin said Mary talked to us about the HUD loans and the ADA loans, these seemed to be the big loans, grants to get right now and how this works, a lot of money was given to Delaware County and it was loaned out to businesses to do other things and then that money plus interest came back in and the state is pushing Delaware to loan this back out again and they are having to become more creative with their lending process because they are sitting on more and more and more money and he thinks this is a real good opportunity if we can tap into these individual things. Delaware is pressured to get this money back out there. Mary brought up many things and one very good thing that she and Jim Danes both brought up were some of the senior programs and how much of this money can go to the senior programs as well as some infrastructure items and he thinks we need to spend more time on this and really work on that and when they get it to us through the right means it makes them look good and we benefit. It's kind of a win win for everybody so as that comes across he would like to see a lot more activity and see what we can do to grab this if we can. Council member Dalvi asked what do we have to do. Council member Gauldin said we are waiting for those pieces of information to come to us. For example, one of the items was called an upper respiratory care for the elderly and that would be during very hot days when the ozone levels and everything are high that the elderly would have a place that they could go and congregate with things to do and basically be inside the air conditioning where it is easier for them to breathe and less harmful to them than maybe in their house where they don't have any kind of air conditioning. He said that was one the many items that were discussed. What we would have to do from that is put together a senior citizen type of plan for the Village and how we would outreach to them and help provide services to them.

Police Chief

Chief Lefever said at the last Council meeting he brought up the possibility of getting on Delaware County's communications system and it's a communication system on top of the current radio system we have. It's computer communication, its tracking, its leads, it basically does everything computer related that we do as a police department including all the way down to generating reports. He said he has been working on this for several months now and they hit a brick wall last week,

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since the last council meeting until now, in the cost department. When he contacted the agency, the software vendor that handles everything, we were basically told that they only sell this stuff in ten packs; all the licenses came in minimum packs of ten. A lot of the other pieces of equipment came in five. End result not financially feasible for us. The Chief said, for a little history on the system itself, or a breakdown in kind of laymen's terms on the system, picture your home computer, maybe it's used to run Macintosh or maybe it's used to run windows and one of the other operating systems you are going to need to operate your computer. You decide you want Microsoft office or you decide you want some other products on top of the operating systems and you have to go out and buy these individual programs with a license agreement and certificate and you utilize that software. Then you have the hardware cost, a printer, an external hardwire, any peripherals etc. Council member Garren asked so the licenses are per computer. Chief Lefever said some of it is, it is extremely confusing. He said in laymen's terms we are operating on a Macintosh and we want to upgrade to windows. This is what the County is on, we have to purchase individual licenses for each of our computers that we are going to run license plates and LEADS and secure data through. He said we need three for the cruisers and one in the office. We not only have to upgrade our computers so to speak, not hardware wise but software wise so that we can use these licenses. We get the licenses, that allows us to operate, once we have all the things in place we contract or its not really a contract, we go under Delaware County's service. The County provides us with services based off of being encompassed in those license agreements; we've met those requirements so now we can use their system. Chief LeFever said some of those licenses, the larger of the licenses are upwards to \$300.00 or \$400.00 and some of the other components needed are upwards of \$1,000.00 a piece. When he did his preliminary numbers originally we were way off because we were misinformed exactly how many of what we needed and how that had to be purchased. When he contacted the company, which is the third party vendor, who is the only vendor of these products, they said you need to purchase ten of these, you need to purchase five of these, five of these, and this and that, definitely not financially feasible for a village our size. Council member Dalvi asked if our computer systems were compatibly for this software. Chief Lefever said yes they are, we use the exact computers that Delaware County uses. He said here's the situation we are in, he said he wrote a not so nice letter to the vendor and said Look I think it is extremely sad that a company that handles these licenses are going to deny smaller departments that have one or two computers, for example, Ostrander right now is in front of their council tonight doing the same thing he is doing for the same reason. He said they were told that your business is important however we sell thousand of these at a time, selling you 2 or 3 isn't going to make or break us. He said that got under his skin a little bit and he did not think that was a very good attitude to have. He said this isn't coming from Delaware County, it is coming from the third party vendor but unfortunately the only vendor on the market that carries this product. He said there was a breakthrough today, end result of all of this he pretty much decided there's just no way this is going to be possible. Today he comes in the office and he receives a phone call from the Ostrander Chief of Police and was told that apparently your complaining and my complaining made some headway, here's what was proposed to me today, call this guy and talk to him. The Chief said he called the vendor and what was proposed is Delaware City has purchased another ten licenses, they decided that they needed to get more licenses for the growth of their department. We spoke with Delaware City and Delaware is willing to allow us to piggyback on them. What that is going to basically do is allow us now, once you reach that ten mark, you can buy in increments of five. We can buy the four that we need and Ostrander can get the one that they need and we pull together on the cost. We are still totally independent, licenses are to each of us, it's not like we are combining departments, but what it does it allows us to get these licenses at a lower cost and into an area that is affordable. He said we have a very time sensitive matter if we want to purchase these

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licenses. Delaware City already has a purchase out for these and the vendor is ready to ship all the licenses to Delaware County for their install. Where does that leave us, that leaves us in a position where we have to decide something rather quickly if we want to jump on the bandwagon. Does this mean we can never get on it if we don't do it now, absolutely not, does it mean we probably won't ever be able to afford to get on if we don't do it now, that's a good possibility. What we are looking at in cost, by piggybacking on Delaware City, our cost going out to the vendor will be \$1,962.50. That's all the licenses that we need to operate. The next fee that we have is to Delaware County, this will be for a com system licensing set up. This is a onetime fee per agency so it doesn't matter if we have 1 computer or 12. That is \$1,500.00. The last fee would be to install the GPS, now just for clarity sake, not the GPS devices we talked about originally in which we would just be able to see where we were at and directions, this would be the GPS monitoring software so we know where our cars are, how fast they are driving, all the technical tracking data that we can use in an investigation or trying to locate an injured officer, etc. That is an additional \$108.00 because we have to purchase hardware, the software is already included. So total cost, rounding, \$3,600.00. We already have the air cards, they are compatible, we already have the computers, and they are compatible. What this does is it gets three cars up and running on the system and an office computer up and running on the system. This allows us to run LEADS, it allows us to check records, backgrounds, all state, federal, NCIC records and information. Chief Lefever said this was going to be something where we were going to take our time, the research has been done, the system is good and there are two departments that are currently not on the system and that would be us and Ostrander. Everyone else is on the system. This opportunity came up and it's a fast move and we have to give them a commitment soon in order to get those licenses secured to us. Council member Clippinger asked what is the yearly cost for this. Chief Lefever said we currently pay \$1,150.00 for TAC and he has been told that we would have a yearly fee of \$28.45 for each computer used and that is a maintenance fee through DPS. That will cover any IT, technical problems that we might have, any additional training that we might need due to updates, etc. the only other yearly overhead is approximately \$250.00 per year com system licensing fee and what that is is maintenance for the com system, which is the Delaware end. Every three years we have to buy new key fobs and that is what generates a unique number and identifier for each computer terminal and these come in five packs so we would be looking at an additional \$263.50 price subject to change every three years. Chief Lefever said that all the software, licenses and everything from the DPS end directly to the Delaware County Sheriff's department IT, there's actually three departments that handle this, the IT department, the alerts department and the LEADS department. They will get all of our data and they will distribute that to each person who needs it. We will take the cars up, or they will come out in the case of the office computer, they will install everything, they will set it up and they will provide us with 8 hours of in service training all included in the price to make sure that we have trained trainers. They will certify three of us so that we can train the rest of the officers. Everything else from an operational level will be done just like we do it now, it's just going through a much more efficient, cleaner system with a lot more bells and whistles and the bells and whistles it provides are definitely not fur lining as far as pleasure, its good stuff that we need for safety and accountability. It was moved by Gauldin, seconded by Vedell to approve up to \$3,600.00 for the tracking system software. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

Communications

No report

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Mayor's Report

Mayor Monahan gave the following report: Mayor Monahan said he has sent the following email to Chester Jourdan, director of MORPC

To: Chester Jourdan

Cc: Amy Lowe; clippinger@shawneehillsoh.com; swanson@shawneehillsoh.com

Subject: Question Sir

Chester if possible I would like to file a formal complaint against Dublin and have a MORPC hearing concerning the total disregard the City of Dublin showed the Village of Shawnee Hills in the placement of their proposed water tower.

Dublin without including us in the conversation putting a water tower on our boarder = I want to know if there is a hearing process within MORPC when one member organization does that to another?

Please let me know if this process exists or if you would allow a member hearing.

Chester thanks for your help and have a safe and happy 4th weekend!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

614-761-0158 (H)

513-608-6725 (c)

Response 7-2-10 email:

Mayor Monahan

Thank you for your e-mail. I'd like to get more details about this issue. Could you give me a call on Tuesday at 233-4102.

Have a great 4th.

Thanks.

Chester

Director Jourdan and I spoke. He was researching the issue and came up with basically what I had told him.

MORPC is considering facilitating a discussion between Dublin and Shawnee Hills on the Water tower.

Email I sent to you and didn't hear back:

Hi I have been giving allot of thought to the other night and was embarrassed by the number of pieces of Emergency Legislation we dealt with. I have spoken with Yvonne, Ed, Shirley, Mahesh and Jim and believe as a collective effort we can fix this.

I know we need the Outlook Calendar implemented and it is rolling = not as fast as we would all like but rolling.

Government is slow so I want Ed and Shirley to take some time to lay out what we know is coming before us throughout the year. These need to be placed in the Come up file years in advance (when known).

- Contracts = Eric, Brian, John Kincaid, etc.
- Known signoffs = watershed, Delaware County Disaster recovery, MORPC, etc.
- Budgetary issues = new cruiser, known re-allocations, etc
- Schedule Audits
- Start of Paving Project = Jan. to get paving going by July.
- Other?

Government is slow at best and probably a 4 month lead time isn't an exaggeration.

In speaking with Yvonne she is going to appoint a third member to all Committees to assure there are enough committee members to meet.

I was using the Police cruiser as an example and one of the contributing was Committee mtgs. that didn't happen added to the delay.

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In speaking with Shirley we realize sometimes emergencies are necessary but I would suggest 2 things:

- Objectively to not have more than 1 piece of emergency legislation at any Council mtg.
- I ask Shirley or the sponsor involved to provide an explanation of why the Emergency is needed.

Folks thanks and I commit to helping reduce the emergencies and ask your help. I am sure like so many things we have accomplished together we can fix this.

Thanks and have a great and safe 4th weekend!

Pat

On July 2nd Yvonne, Jim and I met with John Meyer and Bryane Roberts from the Ohio Wildlife Center to start the planning for our Sept. 26th Village Appreciation Picnic.

Things decided this AM:

- We will give OWC \$300. For the event = thank you!
- The date we picked is Sunday Sep 26th from 1-5 PM
- I will ask the Chamber to invite Council, Shirley, Ed and mark to the August After hours at OWC
- This group + a few key volunteers will get together at Hellas at 7:30 AM on Friday Aug 6th.
- We need to furnish Bryane with a map of Shawnee Hills = Yvonne?
- We want the experience to be wildlife nature educational for the residents + kids
- OWC will solicit membership / volunteerism that day
- SH will need to do a clean up before and after
- Residents will bring any alcoholic beverages they want themselves
- Fire pit will be available for hot dog roast / marshmallows / etc.
- SH will furnish the sound system and music for the day.
- John will not get a free Eric Clapton concert!!!
- Other?

Sally Heximer and either Stacy or Mike McVan have volunteered to work on the Committee.

We will be engaging with the Chamber after the Dam Jam!

More to come on this!

R.I.T.A. (Regional Income Tax Authority) Report for 2009 was issued. The figures for our portion of the taxes were:

Collections	\$337,780.99
Cost	\$9,986.00

% Cost of Collections 2.96%

At the Mayor's conference I discussed an idea with Lori G. from RITA = She agreed to do a write up that we can use in our next Newsletter.

As an example I work from home on Monday and Friday. I am sure there are a number of residents that do. My local income tax goes to Columbus = now at 2.5%. Like the rest of us I pay the RITA tax to the Village.

Lori said I could go back to Columbus and file for the return of the "Local Taxes" not earned in Columbus (Mondays + Fridays) and in turn pay more income taxes to the Village (2% vs. 2.5%) and achieving a net payment of less local taxes (Columbus 2.5% and RITA .25%).

More to come on this! If it works out and there would be a win – win for our taxpayers and more income for the Village.

Council member Dalvi raised the issue of the safety of the playground.

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Mark K. has been working on it and was doing well removing some of the potential hazards until we ruptured a hydraulic hose on the tractor. He will be continuing the work soon.

I was asked at the Riverfront Association mtg. to see if The Delaware County Health department would be willing to move the mosquito trap that they have in Jack and Connie Frambes yard over to Gary Dillon's along Shawnee Trail.

I did check on it and they won't move it because Connie brings in the trapped mosquitoes each work day for testing for west Nile virus.

I received a call back from John Carter Columbus Division of Water and he and Rick Westerfield will be meeting us on Daryl Sander's property on July 30th to further explore the Rain Garden Trial. I sent a notice to Daryl who is encouraged by the effort and to Rob Miller SHRFA. Rob is objecting even though it was thoroughly discussed and there will be no impact on the residents Stewardship Agreements. I will inform both Daryl and Rob when I get a fixed time for the mtg. Daryl has said he doesn't want anyone else there.

The weeds, mosquitoes and rodents are a Health and Safety issue that affects the entire Village!

I spoke with Steve Osborn, President of the Dublin School Board and effectively for the nine houses that got reduces more than \$50,000.00 in value on Shawnee Trail, Dublin School Board was going to go back after them and take it through legal and say that shouldn't have happened. I have invited Steve to come out and walk it with us so he can understand why it went down that much because of the growth and the gnarly weeds and such. Steve will get back to me.

As you are most likely aware there was a house fire at Cal and Dottie Richeson's home on June 30th. Cal and Dottie got out safely and were grateful for the help! I was very proud of the response of our Police, Mark K., the many fire Departments that responded and the Red Cross.

I haven't heard anymore about what Cal and Dottie are doing as next steps.

I want to thank Council member Jim Gauldin for his work on Signage he started last year. Jim and I met last Thursday and have finalized the basis of the proposal.

Jim will finish getting this written up and input it for proposed legislation to come before you.

I want to thank Judd Foster of Foster flooring and Bill Hopkins of the Veteran's Committee. This past Tuesday July the 6th Judd updated the top of Our Veteran's memorial with 18 black granite tiles.

Please remind as many people as possible that the Dam Jam is this coming Friday the 16th from 5PM to Midnight. Last year's event was great and hopefully will be even better and larger this year!

President Pro Tem Report

President Pro Tem Clippinger said she is working on getting two maps for the Village, one is going to be for the picnic that we are going to have and what we are going to try to do is highlight the business district and hopefully we will be able to put some little markers on it to show where the restaurants are and she was also working on getting a map for Council to use at their meetings when they are talking about streets, etc. These maps will be coming from MORPC.

She said also tonight she would like to go ahead and appoint a third person to two different committees. The service committee needs to have a third person and she would like to make a motion to appoint Jim Gauldin to that committee with Council's approval, seconded by Garren. Following vote on the motion was

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recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

President pro Tem Clippinger said the second committee that needs a third person is safety and she would like to appoint herself to that committee with Council's approval so she made a motion to appoint Clippinger to the safety committee, seconded by Garren. Following vote on the motion was recorded: yea; 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Clippinger, seconded by Garren to break for ten minutes. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

It was moved by Clippinger, seconded by Gauldin to reconvene. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

Legislative Actions

Third Reading- Ordinance 12-2010 – Sponsored by the Rules Committee – An Ordinance to amend Section 121.02(d)(4) of the Codified Ordinances of the Village of Shawnee Hills, Order of Business. Mayor Monahan said this is where we are moving the committee reports to come before legislative actions in the order of business. It was moved by Gauldin, seconded by Dalvi to pass Ordinance 12-2010. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared Ordinance 12-2010 passed by a 6-0 vote.

Third Reading- Resolution 27-2010 – A Resolution to repeal Resolution 08-2010 and to authorize the Mayor and Fiscal Officer to contract with 1 & 1 Internet for email service for the Village of Shawnee Hills, Ohio. Mayor Monahan said this is a better service, it has what we need and it is less costly. It was moved by Garren, seconded by Gauldin to pass Resolution 27-2010. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared Resolution 27-2010 passed by a 6-0 vote.

Second Reading- Public Hearing- Resolution 28-2010 – Sponsored by Mayor Monahan – A Resolution to increase the rate of pay for Erin Cullen, Police Officer for the Village of Shawnee Hills, Ohio

Second Reading – Public Hearing – Resolution 29-2010 – Sponsored by Mayor Monahan – A Resolution to increase the rate of pay for Ed Swanson, Village Administrator for the Village of Shawnee Hills, Ohio.

Second Reading – Public Hearing – Ordinance 14-2010 – An Ordinance to create a TIF area pursuant to Section 5709.40 (B) of the Ohio Revised Code, declare improvements to certain parcels of real property located in the TIF area to be a public purpose, exempt from real property taxation 100% of those improvements, require the owners of those parcels to make service payments in lieu of taxes, provide for the distribution of the applicable portion of those service payments to the Dublin City School District, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of those service payments, specify the public infrastructure improvements to be made within the TIF area that directly benefit those parcels, to approve and authorize the execution of a tax increment financing agreement with respect to the TIF area.

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Committee Reports

Council member Clippinger said that finance met and they did a midyear budget assessment and they had made the following recommendations: they were very concerned about the engineer's services line item coming in on the year to date spent at 82%. Since our meeting Shirley went back through the Sands Decker invoices and moved \$2,296.75 from the General Fund expense to the TIF Fund expense to reflect the cost associated with the sidewalk project. Most of the expenses in the General fund account were for the storm water project of which the Village agreed to contribute \$17,749.00 of our own funds for this project. The remainder of the cost for engineering has been transferred to the capital improvements account so right now the engineer's budget in the General fund account is at 59%. Finance is requesting that when we are using the engineer for any major projects for the Village such as sidewalks and roads that if there are any deviations to the original project specifications the request for change needs to come before the finance committee and council before proceeding. Mayor Monahan said first of all he would say that the appropriation need to be the way it is now the 59% versus the 82% and he would also contend that most of the time on the engineering projects, your front load will be heavier than the back load because in order to get the engineering ready to do the work he is actually surprised that it isn't even more than 59% he expects it to more two thirds. He said the only thing he asks is if we have to bring it back to finance and council is that we can get a quick response. Council member Clippinger said they are concerned that things are being changed without Council's approval and a prime example of this is the six foot sidewalk being changed to 4 foot. Council did not approve that so they are asking that we get our ducks in a row before we go to the engineer and spend more money. Ed said that did not cost any more money. Council member Clippinger said the second thing they looked at were the three cell phones assigned to the police department that have not been used so finance is cancelling two of those phones and will keep one and we are going to look at the possibility of a combo package between the air cards and the cell phones to make it more cost efficient. Mayor Monahan said he and the Chief have talked and there's this thing that is going on that the police want to use their own phones and he does not like it. He said he calls Sean and it is answered Sean. Mayor Monahan said it would be very worthwhile to have a cell phone per cruiser and then you know if he calls he knows he is going to get someone and it should say Shawnee Hills police department as opposed to an individual. The other day he received a call because they were stringing a banner across Glick Road and so he called the 94 number and essentially got Bill Bartram. Council member Dalvi said they can have a rotating cell phone. The issue here is that they have three cell phones that are not used at all and we are paying for it. Mayor Monahan said as long as the on duty car has the one cell phone he is good. Council member Dalvi said that is what they are saying. She then said they talked about the Shawnee Hills web page and they will be moving forward with that but they would like to get Council and the administration's ideas on what they want the web page to look like so if you can get your ideas to Finance it would be good.

Under miscellaneous Chief Lefever was present to present a quote from the GenMar Company for the radar equipment request and they wanted to get some references from the company before proceeding and Finance also recommended that this go to Safety for a discussion and for Council to receive an update on the previous request from Council to monitor the residential streets of Shawnee Hills for the traffic violations before making a recommendation and she believes that was a tabled Ordinance 39-2009. Mayor Monahan said this whole discussion kind of erupted out of a thing where he received a petition signed by 17 people on the trail that basically said they wanted something to rectify that and he introduced something back in 2009 basically to do that and it went into our normal 25 mph, 15mph discussion and essentially the idea was to initially do Shawnee Trail and then we discussed should it be Buckeye also and then it became the whole Village so whatever it is I think Safety

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needs to deal with it and then come forward with a recommendation. Council member Garren said she thought we had. Council member Clippinger said because we are being asked to look at this \$4,000.00 device for the radar we need to talk about this again. Council member Vedell said you are mixing issues. The issue for the sign change was to change the speed limit signs from 15 to 25 but the radar was to do a report of when was the speeding hours and so on and so forth and we had to do a traffic study and we would have that, that's not related to the 25 mph speed. Council member Clippinger said originally it was related to that. Council member Vedell said we decided that we wanted to keep the speed limit at 15 mph and that the police force was going to put up radars and they were going to ticket anybody that went 28 mph or more and they would write on the ticket that the speed limit was 25 and we weren't going to change the signs until someone sued us and then we would say OK we will change the signs. That's the signage issue, to him it's a dead issue. Council member Dalvi said no it's not and he stated that and he said that to tell the police officers to lie saying that the speed limit is 25. Council member Vedell said that is not a lie, I told you this before. He said what is the speed limit on the streets. Council member Dalvi said 15. Council member Vedell said no it is not, if it is 15 than why are we even talking about changing them. Council member Dalvi said that is what the signs say. Council member Vedell said that is not the legal speed limit. Council member Dalvi said then let's put the legal speed limit on the signs. Council member Garren said that Brian did some research and found that the legal speed limit for our community was in fact 25 mph and that we could put that on the tickets that the speed limit was 25 regardless of the signs being 15 and because that's a legal action there is nothing wrong with proceeding in the way that we recommended, leaving the signs at 15 but when you have to ticket someone, on the ticket it says 25. Brian said that is correct. Council member Vedell said he would like to ask the Chief of Police is how many tickets have been written in the Village for people going over 25 mph. Chief Lefever said three to the best of his knowledge. Council member Vedell asked what is the status of those three. Chief Lefever said he does not know. Council member Vedell said it would be interesting to know if they paid those tickets or did they go to court and the Judge says I'm sorry young man you are guilty and you are paying. Mayor Monahan asked the Chief to bring that back next time and he also said that he had a follow up conversation with Eric Burden about the 28 just the other day and basically he and I had kind of a clear the air type of thing because a comment was made that he had never heard that will they prosecute that. The recommendation from Eric is that if it is 30 it will probably stick well and the reason he said that is at 28 somebody tries to contest that and goes to Delaware and we pay him to go up to defend this at some point in time it doesn't make a lot of sense so his recommendation is that at 30 its defensible and write on the ticket that the speed limit is 25. Council member Gauldin said to Brian that our previous case law if he recalls what Safety had said was to write at 28, was your study, did it specify at 28. Brian said anything over 25 is illegal, it's against the law. Brian said he did not talk to Eric but you get into this situation that at 3 mph over you are at a no point speed so then the cost and benefit of writing a no point speed ticket versus giving a 30 in a 25. Council member Gauldin said if you were to look at case law and give us an average, of the tickets that go to court how many miles per hour over does it start to become, do we start to fit inside the parable of probability that we can actually make a ticket stick. Brian said you can make a 26 mph ticket stick . Brian said it comes down to a cost/benefit analysis. On the freeway you rarely get tickets under 70, you rarely get tickets under 75 because it becomes a cost factor because the fines are lower and points are not assessed. Council member Gauldin said the reason he asked that is he thinks for the village this is not about monetary funds, this is not about trying to put more points on a license, what we are concerned about is a safety issue and the speed and the rate of travel of the vehicles along these areas so he does not think to him that it holds value to say, I can get a better ticket at 30 than at 28. If we say 28 then let's do 28 and move from there. Let's not say I can get

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points on somebody's license if we just wait to 30. That would be his opinion. Council member Garren said she agrees. Council member Clippinger said that we beat this horse to death and it lies in the Police Officers hands because of what our conversation was at the finance committee about your officers not feeling comfortable writing the tickets and the Chief should go back to them and tell them that Council supports them writing those tickets, but also we support the fact that having them in the area and making a presence, to her it's not about writing the tickets, it's about police presence. How do we get from point A to point B, she is tired of talking about this. She said she does not want to go to the expense as a Council member to put up 25 mph signs if we don't have to. She said how do we get the officers to understand that we support them and if they go to court and we have to do something else, we will do it but right now just go do it, just go down there and sit. Mayor Monahan said he will go back to Eric and tell him we expect 28 to prosecute. He will tell him that and if they go to Delaware County that is just part of it. Council member Clippinger said she does not want the officers to think that we are asking them to do something unethical because we are not and if they think that then I think we need to have a larger discussion about that. Council member Dalvi said we need to make sure it's written for the record and share with them and that was the main concern. Chief Lefever said clear for the record, officer discretion out, write at 28, is that correct. Council member Gauldin said you can't do that, the officer should always have discretion. Chief Lefever said he agrees. Council member Clippinger said like she said, as long as they are sitting down there, it is not about writing the ticket, it is about the presence. She said it's at the officers discretion, if the officers are there they are going to slow down. Chief Lefever said no offense, but the last two times this topic has come up in Council he has been asked by Council member Vedell, specifically, how many tickets are written and that's beside the point, it really is, what matters is that the officers are down there and he has at least 150 documented times, dates and speeds of vehicles on that road that he can bring forward and he can also bring forward the 30, 40 whatever tickets his officers write every month for speeding so it's not that we don't want to do the job, absolutely we do and our primary concern absolutely is safety. He does not want a little child or an adult for that matter getting hit on any of our streets, but it's a lot easier to enforce the bigger streets than the smaller streets, now that being said, we are trying and there's clear documentation on that. Council member Vedell said the reason he asks how many tickets you wrote is not because he does not believe the police officers aren't doing their job, he is trying to ascertain that there is a perception out there that we have a lot of speeders going down the streets and they are speeding at 30 and 35, 40 mph down the streets and is saying OK we have you out there and we have only written three tickets so obviously the problem isn't as big as the perception. Chief Lefever said that is a good possibility and he will say something he said in Finance and he sticks to this as well, if indeed he saw someone doing 30 mph on Shawnee Trail he will write them a ticket. It is way too fast, he does not have problem with that. He said at 28 he would probably do it too but he has not seen that personally. Council member Clippinger said the last thing they talked about at Finance is that Council member Gauldin researched and received three quotes for the Kubota tractor accessories and there was a request from the Mayor to look into a hard top and blade for the tractor for snow removal for the new sidewalks. Those quotes have come back fairly high and finance is recommending we table this until we can have further discussion on the need for the equipment and since the request has come in we have researched our code and the business owner/property owner will be responsible for the snow removal. If you want to add language to that code with regards to snow removal we will need to do so. Council member Dalvi said it was discussed to let the sidewalks go this year to see what happens and we may have to hire someone to do it instead of buying the equipment.

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Council member Gauldin said utilities did meet and they are still kicking around the best possible method on how we are going to do the payment for those that are out of town and one of the things that came up was that there are people that go away for extended periods of time and they pay their bills ahead so that there is a credit on them so that they are not late. He said when he goes on vacation he turns off the water, he has a well, but none the less if he turned his water off and he was on Del Co Water I know that the debt payback is 28.56 and the clean river is 1.67 per month I know what my bill will be when I am not there so we have options for people to use but we are still going to research this. Mayor Monahan said it would be good to have something on the website regarding this. Council member Dalvi said they are still working on the lightning stuff.

Bills

It was moved by Clippinger, seconded by Gauldin to pay the bills in the amount of \$24,366.30. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

Treasurer's Report

It was moved by Clippinger, seconded by Callender to approve the following treasurer's report: General Fund 224,982.02, Street Fund 51,389.80, State Highway Fund 3,533.03, Enforcement and Education Fund 1,560.00, Computer Fund 7,908.97, Fire Fund 104,430.24, Weed Fund 6,194.80, TIF Fund 73,485.95, Veteran's Memorial Fund 1,093.18, Building Expansion Fund 700.00, Capital Projects Fund 12,275.84, Sewer Operating Fund 66,106.74, Sewer Replacement Fund 10,000.00, Storm Sewer Fund 8,811.63, Enterprise Debt Service Fund 58,750.04, Enterprise Debt Reserve Fund 92,423.65 for a total of \$723,645.89. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

Executive Session

It was moved by Clippinger, seconded by Gauldin to adjourn from regular session and move into executive session to discuss the purchase of property. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 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, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the motion passed by a 6-0 vote.

Miscellaneous

Council member Clippinger said she wanted to tell all of you that she received compliments on the Children at Play signs that were installed on E. Old Powell Road. She received thank you very much and the comment was I think that they had slowed down.

Ed said he wanted to be clear on the sidewalks and is it to install sidewalks between Osage and Water View or not. Mayor Monahan asked if there was anybody that did not want to do that section. He did not receive a response. He said does that mean everyone wants to do that section. He heard yes from Council.

Council member Gauldin said back on March 8 and even before we had talked about the country look and how we were going to work on our corridor plan and on March 8 the Mayor had suggested that we ask ABR to recommend some definitions,

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pictures and such for the country look and we have seen nothing from that. He said he is kind of curious as to what is going on and he knows one of the things that Mayor Monahan has pushed forward was if we don't have any pending business it's good to work on all the other little stuff so he is curious as to where that is. Mayor Monahan said there was something proposed by Bart at the time, he did bring something forward, I guess the question is if we ask ABR to go ahead and work on that next time.

There being no further business, it was moved by Clippinger, seconded by Gauldin to adjourn until July 26, 2010. Following vote on the motion was recorded: yea, 6; Callender, Clippinger, Dalvi, Garren, Gauldin and Vedell. Nay, none. Chair declared the meeting adjourned at 9:23 p.m.

Fiscal Officer

Mayor