

Village of Shawnee Hills Council

December 12, 2016

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

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

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

Minutes

It was moved by Gauldin, seconded by McVan to approve the minutes from November 28, 2016. Following vote on the motion is recorded: yea, 5; Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Abstain, one; Dalvi. Chair declared the motion passed by a 6-0 vote.

Agenda

It was moved by Vidor, seconded by Mathews to approve the agenda. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

Mayor Monahan asked for a moment of silence for the passing of John Glenn.

Solicitor

Brian said the Mayor's Court and Delaware County Municipal Court are going very well. I had a few pretrials that worked well. The officers are doing a great job getting us all the paperwork and the things that we need. Most of my time since the last meeting has been taken up with trash and food trucks. Any questions I can answer during the readings. We are also working on legislation regarding medical marijuana so I hope to have that before you at the beginning of next month.

Mayor Monahan asked when does that go into effect. Brian said the law went into effect September 2016. Nothing is going to happen until maybe September of 2017 more than likely nothing until 2018. There was an open public question and answer period or suggestion period for the cultivators' regulations and that happened in November. Not too many people knew about it unless you wanted to be a cultivator so that's the only rules that are thought about being implemented. The rest of it is a long ways off.

Village Administrator

- We had the first snow of the season on Sunday morning and Mark and Richard used 2 loads of salt for the event.
- The website upgrade is in the programming stage with the contractor and we should be seeing a test site up and running by next week.
- I want to thank Taylor Greely from Rumpke for her work in providing Council with a competitive proposal for trash service in the Village and Brian Zets for his timely work in getting legislation and a contract prepared for consideration.
- I provided a memo in your packet regarding an Economic Incentive program we have been working on with Bob Lamb, Economic Development Director with Delaware County. There are four areas identified that we have the option to pursue in this regard. We learned that two, Special Improvement District and Property Tax Incentives, through a Community Reinvestment Area(CRA) would require approval from others, including a State Dept. and voter approval. Therefore, we felt they would need further review to pursue. The other two can be approved/implemented by the Council and the County and we have outlined a proposal with variables that can be adjusted regarding income tax incentives.

- Our engineer is still working on the update to the storm water plan
- At least one employee for the Village is required to have a pesticide license and Richard Ey who works part time for us has had one that has expired. He has been scheduled for the training and testing for February.
- Mark K. reports that 3 of the 4 homes on Reindeer are under construction and a 5th is starting soon. We had a report of some congestion and speeding near another construction site on West View and the PD is monitoring. He is working with Iacono's on the process for a major interior and exterior remodeling and a developer looking at building a large addition on Dublin Rd. He also stabilized a bank with concrete near one of the roads by Frambes Park.

Police Chief Report

Chief Baron said he wanted to start off with the uniform thing. The uniform that Officer Antalocy is wearing is the normal uniform that everyone has seen us in. For a while now we have batted different polo shirts back and forth and we finally decided on the one that I am wearing. If you see our officers out this is another option that they are going to be in.

We had some issues with a full time officer that worked the midnight shift that we recently hired. He resigned Monday and we were able to quickly, with zero impact, pick another full time officer of which you have legislation before you tonight. Officer Antalocy worked for our agency from 2011 to 2014. She left us for a brief period of time and came back. She graduated from Youngstown State University Police Academy and Youngstown State University with a bachelor's degree in Criminal Justice and Law Enforcement with a minor in Sociology. In 2014 she graduated from the Police Executive Leadership College. She has about twelve years combined experience in law enforcement, corrections and law enforcement in a hospital. She looks forward to serving the residents if you guys decide to move forward with that legislation. She would also be the first full time female officer we have ever had here in the village.

Chief Baron passed out an annual report to Council and the visitors. He said he hopes to get this up on the website soon. He said he is just going to highlight some of the pages. Part of this report is something we have to do bits and pieces of to maintain our certification through the Ohio Community Police Cooperation Committee. Page five hits our statistics. The top portion is based off of reports and log sheets. There is a margin of error there for an officer who did not classify a report properly or did not log something on a log sheet so these are low end numbers. Below are the crime statistics again based off of reports and log sheets that happened inside our jurisdiction. We are happy to report that we had zero sex offenses this year. Page six, financial responsibility, we started the year with a budget of \$320,325.00. We ended with a total budget of \$367,685.00 due to a couple of reappropriations. Two of the reappropriations were anticipated for 2016. One was the purchase of the body cameras and one was the new patrol vehicle. Both of those purchases took well over a year to research and to put everything in place before we even pulled the trigger and purchased those items.

Grants and other funds, if you add that up it totals about \$10,900.00 of equipment and things we received this year on grants.

Page seven talks about the equipment changes that we made. Down in the major purchases, item one through five were all on that camera project. Item six was completely purchased and three quarters equipped with drug funds and then the police vehicle and the pistols and purchasing four additional so all of our paid officers have an issued firearm. That way we can maintain them and we are responsible for them.

Items that we obtained at no cost to the village. If you add the rate up for all that it is about \$14,595.00 for equipment that we obtained through grants and other resources. Some administrative changes on page eight, Lexipol, I think I've beaten that to death in front of everyone, it's been a fantastic product for us and we are going to continue to use Lexipol. The Ohio Collaborative Community Police Relations certificate is going to give us some grant power in 2017 and it has helped us with our standing among our law enforcement peers.

Page nine, staffing, again, we contract with the National Testing Network. We had a supervisors meeting as we agreed to do annually and I reviewed some of these things, some of these purchases, some of these contracts that we have. We all agreed

to keep National Testing Network. It breaks down the amount of applicants that we've had for all the positions and how many we hired.

Current staffing – given Officer Antalocy gets the fulltime position today those numbers are correct. It breaks down the civilian volunteers, male to female, college degree versus high school diploma.

Page ten – Use of Force Review – This again is something we have to do for the Governor's Collaboration. It lists use of force; no officer took action that resulted in the death or injury of another person. No officer had to fire their weapon. We did have two occasions where officers were involved in a felony arrest situation and one where we had to wrestle somebody. In 2016 we implemented a policy that all uses of forces will be reviewed by the Shawnee Hills Safety Committee upon a completion of an investigation into the use. Furthermore, all deadly force incidents will be investigated by an outside agency to ensure integrity and maintain the trust of the community.

Page eleven highlights our community involvement. We were able to minimize our cost of Safety Day this year with the help of our community partners which a lot of things that we do we are very grateful for the help from the community partners and the Civic has been fantastic for working for us and we are really grateful for that.

We just rounded over two hundred pounds of prescription pills to destroy this year. We are the second busiest drug drop box in the County.

Page twelve talks about the multi-jurisdictional involvement, we have always been involved in a couple of things here and there. This year we really committed to do a lot of things within the County. Some of it came with some of the hires we have had, our detective and his experience base and some of these Boards and spreading it out amongst the full timers.

I am happy to report the Lt. Cullen finished the final phases for the Crisis Negotiation team today successfully so he is a member of that team now.

Page thirteen is Awards and Recognition and I would like to thank Council and Safety for allowing us to have our awards banquet at the cost of the village. We had that last night. Officer Chris Hevezi was our Officer of the Year. He has done an outstanding job for us and he has kind of emerged as an officer/leader, a non-supervisor leader in our department. We are grateful to have people like him. Mayor Monahan received a recommendation to give Detective Waldenmyer the Shawnee Hills Mayor's Award. He really went above and beyond with a lot of personal sacrifice for our events for the community this year and we are very grateful for that.

The Achievement Award we gave to Sergeant Bartram and Officer James Marcinko. We couldn't find something to fit for Officer Marcinko. He works full time at the VA Police Department and we shared this on Facebook, he was involved in an incident with a suicidal veteran that he chased into an electric substation and he jumped over the fence with the veteran, cut himself all up in barbed wire, got shocked from the power substation and broke both ankles. He saved the guys life and he was recognized by Congress and the VA for his life savings efforts there and being a member of our department we want to recognize that as well. It looks like he will be coming back to work soon, also.

Page fourteen 2017 Goals. – We are in line with our commitment to the community to provide a secure level of policing while at the same time remain fiscally responsible. We put several items into place in 2016 that will allow us to reach our goals more efficiently. The Lexipol, the National Testing Network, some of the equipment that we purchased is going to help us lay the foundation for what we are planning on doing next year. Our police facility is going to be the focus of our grant search next year.

Council member Dalvi said great report. The only other section I would add is I know you guys spent a whole lot of time on training and you do not have the stats on training in here. Chief Baron said I ran out of time. I worked on this for four months and ran out of time.

Visitors

Mark Skaggs said he is from Volunteer Energy Services and we are a natural gas supplier located in Pickerington. We have entered into a contract with the Village of Shawnee Hills after they voted to go forward with a government aggregation program for natural gas. They are seeking to lower the cost of natural gas for the residents of the village and we settled on a rate of seven percent off of the standard

choice offer. It amounts to about ten cents less for every mcf you burn. It's seven percent off the adder which basically Columbia Gas' adder Imex is \$1.43 and ours is Imex plus 1.3299 or \$1.33 so its ten cents less every mcf you burn. It's a guaranteed savings program. No one will ever have to worry that we will be above the standard choice offer going forward. A lot of questions that people ask if you do actually go forward with this if we are on a budget program will it affect that. No, the cost of your gas will be lower and you will still be on the budget program. All we can affect on your gas bill is just the cost of the gas. Everything still remains the same. You still get a bill from Columbia Gas of Ohio. If you smell natural gas, it's leaking, you still call Columbia Gas of Ohio. If you have questions about the cost give us a call and we will go through that. Letters should have been mailed out on the 9th. They should be in the households today or the latest tomorrow. It has the terms and conditions along with an explanation of cost and an opt out form at the bottom. Now folks can fill out that form and send it to us over on 790 Windmill Drive in Pickerington Ohio or they can simply call us. This only went out to 190 households because that was the amount of people that were open for natural gas aggregation. We do not solicit customers and we are not allowed to supersede someone's decision if they made a decision to go with someone else. If someone wants to join our program that is with someone else my advice would be to call your current supplier and make sure there is no cancellation fee because I don't want you getting blindsided and if you want to join us all it takes is a call and we can accept you that way. We are just fulfilling the letter of the law for the public utilities commission in making sure that you are aware of what is going on. The gas cost is going to be less, there are no additional charges that are going to be charged. You are with someone else already even if you are with the standard choice offer. You are auctioned off every February and the term runs April through the end of March. Every utility in the state is doing that. There are about five different suppliers that supply gas for the utility at this point. Please let me know if you have any questions.

Carol Kender said she is the Vice President of the Shawnee Hills Chamber of Commerce and I have gone on record here and at the Chamber stating that I am going to focus a lot of my energy with the Chamber and try to bring business into the village. I agree with the Mayor and other council members that it is necessary for the Village of Shawnee Hills to grow and prosper. Now we come to this proposed legislation on the food trucks in the village. I looked at the proposed legislation and as your attorney just said he spent a lot of time with it because I think it's like fourteen pages long and I read it. I recognize that it does not appear that the committee who drafted this nor the attorney who looked at it for the existence of food trucks in the village seem to have addressed the entity in this village that will be most affected by food trucks and those are the businesses in the village that sell food. They have all come, some of them have come here, a lot of them have come to our Chamber and said that they don't like the fact that a food truck can just park in front of somebody's else's business and do business. I understand that's a problem. The things that I have, that I feel that should be brought to your attention- these businesses, the restaurants that are in this village, are the ones who employ the people, that they pay income tax to the village. They collect the sales tax that goes into the village and they pay the property tax that your village shares parts of so they have a very big stake in the village even though they are not represented on this council except through the Chamber. I took a look at the legislation and I asked why you took clues from the City of Columbus but ignored the fact that both Powell and Dublin do not allow food trucks except for special events. Now the City of Dublin has a population of approximately 44,000 and the City of Powell has a population of about 14,000 and Shawnee Hills has about 720 people.

Council member Dalvi said that's not true, Dublin allows food trucks. In my offices parking lot, we have no special event but a food truck comes every week.

Council member Gil said not anymore. Just recently they stopped doing that because they are violating the code of the landlord.

Shirley said she sees signs that say food trucks at the Dublin complex.

Carol said it should be under some sort of special permit but I can bet you they are not parking in front of somebody else's restaurant. In this case we had a food truck

all summer long that's been parked in front of somebody else's restaurant and he is not happy with it.

Council member Mathews said so is the Chamber picking which restaurants this works good for and what doesn't.

Carol said no the Chamber is taking a position that, I saw you reading the letter from the Chamber. The Chamber is basically taking the position that we don't want to be interfering with free enterprise but it should be on a fair playing ground and it should probably be just allocated for special events. Not to have a restaurant, not to have an ice cream store bring in a barbecue truck, not to have the lady across the street bring whatever in. Those are really in competition if you guys want to take a look at it and what I am trying to say here is its taking money out of the village because these people don't pay any property tax, they very rarely are going to pay payroll tax because usually they are a two person operation so that's not a lot of payroll. Iacono's itself is employing about twenty six people. Shanghai Lily I don't know exactly because he did not answer my phone call. El Vaquero employs about thirty people. That's payroll tax that is going into this village that if you really put the competition of a food truck out there they are going to cut back on payroll.

Mayor Monahan said we have asked the Chamber multiple times to address how they want to regulate an agreement between the businesses. Ours was really to do with the permits and the safety aspect.

Carol said we don't think we are in the regulation business, we think we are in the recommendation business.

Mayor Monahan said are these your members, are you recommending to your members to not be in competition with other members of yours.

Carol said it's not the same thing.

Council member McVan said they are both Chamber members.

Carol said okay. She has been to the Chamber meetings and she doesn't like what we have said. She is opposed to the idea that we are opposed to a food truck sitting in front of her store all the time. Personally I have no stake in this unless you have a cake vendor that comes down and parks in front of my house then I will be a little bit upset with you. I don't have to have that to survive. I think you need to take a look at what you are doing to the rest of your businesses. For example, if you put this into perspective and you extrapolate it down the line. Some guy wants to come in and sell vegetables from a vegetable cart and he parks in front of the Village Market, is that fair? Some guy wants to sell tacos and he parks down the street in front of El Vaquero, there has to be some sort of a balance and the balance that the Chamber is recommending is that it be special events only because the way I read this legislation and Brian can dispute me but I see if a guy pays \$250.00 a year he can have a food truck here seven days a week, 365 days.

Council member McVan said he has to have permission from the property owner though.

Carol said he can still be here 365 days a year, is that a correct statement.

Brian said yes as long as he meets all the requirements of the statute. How much payroll tax is he going to take away from the other businesses?

Council member Dalvi said this is a free market. If I have a business, let's say I go and buy Jimmy V's tomorrow and I want to place a food truck outside on that property, as the owner of Jimmy V's I can do that.

Carol said what if he comes into sell potted plants during the spring season when you have three garden centers her selling plants.

Council member McVan said business is a competition and a food truck, I don't care where it sits, it brings people to the village so therefore some of those people could

branch off and go to these businesses. It could bring more business to the existing businesses.

Council member Dalvi said if someone came in tomorrow and bought a building and put one more garden store in are we going to say no. That's not how this works.

Carol said no but that person who bought a store would be paying property tax, would be paying payroll tax on the people that they are employing, would be paying his own taxes to the village.

Council member Mathews said that Dells is paying property taxes and is paying income tax.

Carol said but their food truck isn't.

Council member Dalvi said it is not their food truck and that property is paying their taxes.

Mayor Monahan said this is the reason that we have three readings so that people can comment on it.

Chief Baron said I brought this to the Chamber and asked for the Chamber's input and I got yelled at and that was the end of that conversation. I tried to work with the Chamber on this, I brought it forward, I asked them to be part of the regulations before we gave the information to Brian and this is the first input we received.

Robin Fellure said that Dells is a Chamber member but the Ribman is not a Chamber member and Dell's does not own the Ribman food truck. She allows the Ribman to park in her parking lot so we need to make that specifically clear, he is not a Chamber member.

Council member Mathews said but she invited him.

Robin said she did invite him right but it's not like that's her business sitting there selling food, it's not.

Council member McVan said but we can't turn around and say Iacono's can't bring an ice cream truck in to their parking lot. It's competition.

Robin asked what do you want the Chamber to do. We are not going to write a regulation or you.

Mayor Monahan said we asked you to work with the business to come up with an agreement of what you do and don't do. This is good input and that's why we have readings. It might be good to take a look at should it be regulated on how many times that license applies.

Carol said Powell only allows food trucks for special events and they charge \$500.00 for the permit. They charge everyone and their food vendors individually for their events. I know that the Chamber is not going to put on any events because it's been an issue with the volunteer thing but I think if you are going to do some sort of regulation on this it should not be carte blanche that they can bring them in seven days a week, 365 days a year.

Robin Fellure said she was just here tonight to let everyone know that a couple of weeks ago her father, Warren Miller, was honored at a ceremony for his fifty years of service for masonic work for Capital City Lodge. We invited our Mayor, Pat to come to that ceremony and we presented him with a watch from the family and I just wanted the village to know about this recognition that he received and how happy we are for everything that he does and he's a great man and I am very honored that he is my father. It was a wonderful ceremony.

Dan Boggess, 9349 Westview Drive said I would like to share with you a letter that I will be sending to the editors of the Village Gazette and I hope they will publish in their next edition.

He read:

To the publishers and sponsors of the Village Gazette, I have concerns about the intent behind your newsletter. At first glance it appears to be a homespun folksy newsletter freely delivered to residents of the village but I worry that it is actually a vehicle for a personal agenda that is attempting to brew conflict and dissent within the village. The Gazette started arriving in my mailbox sometime last year, a year in which we had a contentious mayoral election. After the election I started receiving emails from a group called The Citizens of Shawnee Hills. The emails from this group seemed to address a perceived lack of transparency from the village council and administration in terms of legislation and meeting times. I have not received the emails from this group in a while I may have gotten kicked off the list but I believe it's because this group morphed into publishers of the Village Gazette newsletter. In the last newsletter, the November 2016 edition, an article under the heading of legislative summary called out the village council and specifically the finance committee for not being aware of potentially decreasing revenues while approving increased spending all while the author praised her own efforts to draw in new businesses to boost the tax revenue.

So first let's address the financial questions because while the article was very good in raising concerns it lacked some detailed facts including that the village enjoys a large financial carryover from year to year. The carryover comes from funds not spent in the previous year, hence the name carryover. This carryover has grown significantly over the years under the guidance of the village council and administration and I think it is important to know and notice that heading into 2016 we have a carryover over a quarter million dollars, projected to be at \$260,562.33. So I described the carryover to demonstrate that I believe the village council is being a good steward of the village finances. But more importantly to say to the people behind the Village Gazette that I don't believe the intent of your article was to provide clarity to the village budget process. If the article had been well researched and neutral in opinion as it should have been then I believe the article would have reflected a highly capable council that is making responsible financial spending choices while still providing a carryover of funds to the next year. Again, I don't think that's what the Village Gazette wants to promote. Please understand that I have no problem with government oversight. Whether it comes from a single individual or a published newspaper but again I don't believe the intent of the folks behind the Citizens of Shawnee Hills email group and the Village Gazette is innocent. This feels to me like a smear campaign with the intention of sowing seeds of doubt and mistrust within the village for an individual or groups of individuals gain. I could be wrong and I hope that I am wrong but either way I would ask that the publishers of the Village Gazette to be forthcoming about their agenda. So to the Village Gazette and the senders of the emails from the Citizens of Shawnee Hills I ask what are your intentions behind the newsletter and the emails and I hope that a response is published to this in their next newsletter.

Sue Badgley, 227 Ridge Drive said it had been mentioned a little earlier that there had been some issues with construction traffic on Westview Drive. It was a real concern the one day because they had quite a few concrete trucks blocking roads up there. There were five homes where we could not get in and out for several hours due to them sitting there. That creates a real concern for emergency and fire vehicles, not to mention busses trying to get in and out. With this Drake property development hanging over our heads that is just one house which is an example of what we could be looking at if they develop twenty five houses back there or God help us seventy. I ask that the Safety Committee maybe try to come up with ideas that when that property gets developed back there that they know they cannot block roads like that and if they do that maybe there's a fine incurred or something along those lines because I'm not sure the builders really are sensitive to any of that. I just ask that you think about that going forward.

Council member Gil said that his wife could not get into our home for ten minutes so she called me and I called Russ and he looked into it. Steve I was going to mention to you, can we do something to coordinate this because it happens all the time. Every time they build a new home they block the street.

Steve said notification from the general contractor especially on a street that you know that there might be a concern due to the narrowness of the street and they know when the trucks are going to come in because they schedule them, potentially that can be done.

He said to Sue you mentioned about not being to get out, did you need to get out and couldn't or just if you wanted to.

Sue said it's the idea that there were five homes that no one could get out. My main concern, quite honestly, is emergency vehicles getting in. My husband is very ill. He could need to have the emergency squad at any time and that's my main concern with it. I didn't particularly have to get out at that point in time but there were five concrete trucks that had Westview and Mohawk blocked and none of us could go anywhere if we wanted to.

Steve said it is my understanding that the drivers are in the truck and if someone was to pull towards their driveway I would hope that they would make room for you to get in.

Mayor Monahan said let's see what we can come up with and propose something.

Chief Baron said just to answer the emergency vehicle issue. They will pull out of the way if there is an issue, I have seen it happen and they will do it for a normal car. The four houses they are building across the street from us, they have had concrete trucks there every single day and even with our officers pulling in, they move and if we have to get out they move. If there is an issue we already have laws on the books that we can cite them with.

Communications

Mayor Monahan gave the following report:

I appreciate the addresses on the sponsoring businesses in your paper using Shawnee Hills in their addresses. I also ask your help in getting them to make sure they replace Powell with Shawnee Hills in the advertisements, pizza boxes and any published addresses. With that they will help us all "Brand our Village" and hopefully be on a business sign if it comes to volition.

After seeing a statement "We are Shawnee Hills – But Sometimes we are not"

In that Carol stated that she uses the PDF file from the Board of Elections and it lists us as Powell.

I spoke with the BOE on this past Friday and pulled down the non-PDF file altered the column L that listed Powell changing it to Shawnee Hills and sent it to Carol.

This should assure "That we are Shawnee Hills" hope that helps!

I have reached out to Jimmy of Jimmy Vs to see what the progress is and when on the restaurant. I haven't heard back from him yet.

I want to welcome the new Wine Bistro that just opened in the location formerly occupied by Harricks. I would encourage everyone to stop and welcome our new small business!

I want to commend Tom Bassett, the owner of Shoppes of Shawnee with the expansion of the building and it looks like Iacono's is going to be doing some significant remodeling. That will be great also.

Mayor's Report

Mayor Monahan gave the following report:

NOVEMBER 2016 MAYOR'S COURT REPORT

RECEIPTS

\$1,957.00 Total receipts

Disbursements

\$ 450.00 Treasurer, State of Ohio

\$18.00 HB 562 IDAT Fund

\$1,369.00 General Fund

\$120.00 Computer Fund

Erik Spaulding

Mayor's Court Clerk

If any of you didn't attend Breakfast with Santa at the Civic it is truly a great Community Event.

Even though our Tree Lighting event was a bit plagued by rough weather it was a great event. I want to thank The Shawnee Hills Civic for their participation as always furnishing the cookies and hot chocolate + charm!!

Sound like the Chamber had a good event with the hay rides and I want to thank our Police for working with the Chamber to assure safety of all involved.

I do ask if you do this again you place the inflated Santa in another location than the Veterans memorial. Thanks!

Since the Chamber has not been involved in the Economic Development that Steve has been leading for most of 2016 I ask that any potential new business contact Steve DeBolt. We have had great participation by Steve Smith, Delaware County Economic Develop, Dan Mathews, myself and a number of other business concerns and we have this effort moving forward. We welcome help on this effort and continue to progress with this effort.

There will not be a Planning and Zoning mtg. on December 27th.

This has been a strong year and working together we have accomplished very much for the betterment of our Village and proudly in representing our residents, businesses and visitors and I thank all who worked together! I think you have to look at the other spends we have done. We've never done a \$154,000.00 pay down on the sewer bills in order to lower the rate. We're ahead of the game on body cameras and I think that's a tribute to the decision of Council and our police. We also were able to do \$165,000.00 worth of work on our streets. I think it's been a great year and I want to thank everybody. Since Finance strongly monitors burn rate I think it's a very good thing that works for us.

I want to wish all the good people of Shawnee Hills the best and safest of Holidays to you and yours.

Pro Tem Report

Pro Tem Mathews said the tree lighting was a good event other than the rain.

Committee Reports

Council member Gauldin said that UST met before Council and we reviewed some questions on the paving and we believe Strawser at this time is finished and we've been billed and everything seems to be equal on that. That's the paving for this year. We heard that the development of the web site is under way and it sounds like there may be a test that is coming out shortly.

We also went into a great detail on the trash pickup and I am going to let Steve review that.

Steve said bottom line is we were privy to a contract that Concord Township put together that would allow us to piggy back on their trash contract with Republic. They just entered into that contract about a year ago. Council's charge is to try to do everything it can to provide a good service at a good price to the residents. That contract would have allowed the residents to get a much better price for trash than what they are currently paying so we looked into that and explored it and you may or may not know that a majority of you individually contract with Rumpke. You can contract with anybody you want but Rumpke has the majority of the service, I think it's 265 households here. We have not heard any negative comments about Rumpke; it has been more positive comments that they have provided good service over the years. However price is an issue because it is higher with Rumpke. To their credit they did approach us about wanting to maintain the service. You've been here, you know that they have come to Council and they have offered a number of prices, still some of them frankly were higher than Republic but recently they came forward and provided a price that is basically almost the same if not just a little lower than what Republic was offering with all the other same services. One thing that was a concern would they still charge a surcharge for fuel. They have eliminated that. Rumpke will

provide the two carts the same as Republic would and they would be able to start service a little sooner and you would maintain your Thursday trash pickup. Bottom line is it's a pretty good deal for the residents. If you went with Republic each resident would have to call Republic to sign up with Republic and then you would have to call Rumpke to cancel with them. Some people would have to send their trash cans back to Rumpke and they would get new trash cans. From a logistics standpoint all things being equal it would be a better deal probably to go with Rumpke. Rumpke came forth just today and said the original contract with Republic would have only been for two years since it has been in effect for one year already and Rumpke is going to offer a three year contract at a base rate of \$16.94 all other things being equal it makes a very appealing option for the village so we have legislation on the agenda tonight to consider that. My recommendation is to go with Rumpke all things considered.

Council member Gauldin said given that one of the questions I asked in the meeting was if we were to move forward with Rumpke what would have to happen from a legislative standpoint and what has happened as you have heard from Brian and Steve so far is the legislation has been written up and it is here tonight in front of us. There is legislation that is tabled that would have to be just left tabled indefinitely and then the legislation for Rumpke would have to be voted in so if that was a choice that is what would have to happen. Given that and given the fact that I haven't heard anything horrible about Rumpke either in fact a lot of people say that they do like them, it almost makes more sense to minimize the abrasiveness of the change and people are always worried about change and this would be one less worry that we could take out for them so that is something that I am taking into consideration tonight myself.

Council member Vidor said that Safety met on the 28th. We discussed a use of force for the police department on November 24th. We discussed the upcoming Police Awards dinner which was last night. We discussed the LEADS audit and we are in full compliance. The yearly supervisors meeting decided to keep the National Testing platform and the police goals for next year were discussed and the focus is on training throughout the department. We also discussed the emergency operation plan for the village. That was all for the Safety.

Council member Vidor said I am also on the Finance Committee and I wanted to take a minute to talk about the article that was in the Gazette, the same article that Dan had referenced. I see it kind of as two possibilities, it was either trash talk or it was out of ignorance; it was one or the other. Since Steve has already eloquently addressed all the trash that we are going to talk about tonight I am going to assume it is on the ignorance side. So I am going to give the best explanation I can as to how we are working with finance. The village has never, doesn't, and will never try to amass a huge savings account. That is not our goal. When we bring in tax revenue it is our duty to use it for the benefit of everyone in the village. We have a duty to use it in the best manner, the most efficient manner and for the most benefit to everyone. Kind of like home finances of anybody's household. To be fiscally responsible you need to bring in more than you spend and you need to have a savings buffer. But after that the difference between having your own home finances and a village are very different and that's where I think maybe there was misunderstanding or ignorance on the part of that article. Our duty is not to save as much as possible, we are not doing our job if all we are doing is amassing a savings account that does nothing with the funds. We have to have enough of a safety net to where if something goes wrong we can cover it. In my own personal life I can save as much as possible and that is better and better as I save for retirement but for a village we are not saving for retirement. We are bringing in tax revenue and trying to utilize it and still maintain a buffer. I hope that clarified any misunderstanding or ignorance on the part of whoever was inspired to write that article.

Council member Dalvi said also I think it is finance 101 and I was on the committee for four or five years so I have been through this stuff. I think we had certain tenets that we follow in how we manage the funds and those tenets are what we have done, especially understanding that there are certain upper thresholds that we have decided that we do not want to exceed in terms of our costs. There was a lot of activity that happened over the past five or six years where every year we have taken

steps to create that financial due diligence in terms of figuring out what to spend and what not to spend on. We also looked at increasing our revenue and the Mayor had audits done to correct the tax that wasn't coming to us and the other things we put in place was cost reduction in terms of what we did with the refinancing. There are various different things that as the finance committee over the years has done. I do want folks to know that about eight years back we were in a big hole and now we are not. The state of the finances of this village is much better than what it was eight years back.

Mayor Monahan said to define that and it was nine years ago, on January 1, 2008. There was a statement made in the article that you can't operate in the red and I agree with that you cannot. We had less than \$14,000.00 in the general fund and we owed Crabbe, Brown, James, a legal fee of \$32,000.00 so we were in fact in the red and since that time I want to commend people working together. Had we not spent anything this year on refinancing sewer, the work on the streets, and the other things like the generators and the body cameras we would have carried over a half million dollars. That's not what we are doing. Our carry over is going to be about \$150,000.00.

Judy Stephenson said okay, I have just been called ignorant and I deeply resent that. I am not ignorant. I think that everyone here is being overly sensitive to an article that I thought was pretty fair and valid. It pointed out the situation as it is today, we commended the council and I resent being called ignorant. Don't call me ignorant.

Council member Mathews said here is what I actually resent. I resent the fact, and this seems to be the trend in the articles, any legislative articles that you write, you leave out important facts.

Judy Stephenson said no. Bella Awad said then you need to give us some donations to give us more room. We write what we have room for. We are not about making that whole article or that whole newspaper about legislation. That's boring to most people.

Council member Mathews said if I were you I would keep it in public interest stories then.

Bella Awad said but you are not me and you are not part of the Village Gazette.

Council member Vidor said including the facts are inconvenient is that what you are saying.

Bella Awad said it's not inconvenient. Look how boring this is. You guys are falling asleep, you're frowning over there, you don't even say hi to each other and you're saying that this is divisive.

Dan Boggess said I believe you are, yes.

Bella Awad asked what is the council's agenda.

Mayor Monahan said to best serve the residents of this village.

Bella said by picking and choosing?

Council member Dalvi said we don't pick and choose. We are doing what we are elected to do. To take care of the finances, to take care of the residents and make decisions based on that.

Steve said I am kind of the new kid on the block and I just wanted to share something that is kind of germane. Two communities that I was Administrator in, we had significant carry over as well. Twice that came in handy. One time we had major storm down in North Carolina, a hurricane, we about a \$75,000.00 to \$100,000.00 dam repair that needed to be done. Without that carry over we would not have been able to do the repair. When I was in Reynoldsburg we had the option to put more money into street paving when the gas prices were down, up to \$75,000.00 and I

recommended to council to use that carry over money for the roads. By doing that when the prices spiked right after that we would have had to pay a lot more. Communities that do have that carryover are being responsible to address those problems by being proactive. In my experience I think that council is doing the right thing by keeping a significant carryover.

Council member Dalvi said we also did something, about two years back we set up a rainy day fund and whenever we have a surplus of revenue we put a certain percentage of those funds into it.

Legislative Actions

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

First Reading- Ordinance 29-2016- An Ordinance confirming the Mayor's appointment of Kathleen Antalocy as a full time Police Officer for the Village of Shawnee Hills and declaring an emergency. It was moved by Dalvi, seconded by Mathews to suspend with the second and third reading and declare Ordinance 29-2016 an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Vidor, seconded by Dalvi to adopt Ordinance 29-2016 as an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

Mayor Monahan swore in Kathleen Antalocy.

First Reading- Ordinance 30-2016- An Ordinance creating, establishing and adopting Chapter 769 of the Codified Ordinances of the Village of Shawnee Hills (Mobile Food Vending).

First Reading- Ordinance 31-2016- An Ordinance authorizing the payment of the invoice received from Columbus Asphalt and declaring an emergency. Shirley said this was the retainer money from the paving project from two years ago and an email was sent to Ed about it but it was not followed up on and Chris has inspected the work that needed to be completed and it has been done so he recommended paying this invoice. It was moved by Dalvi, seconded by Gauldin to suspend with the second and third readings and declare Ordinance 31-2016 an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Dalvi, seconded by Gauldin to adopt Ordinance 31-2016 as an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

First Reading- Resolution 22-2016- A Resolution to increase the rate of pay for Jeremy Amick, Police Officer for the Village of Shawnee Hills

First Reading- Resolution 23-2016- A Resolution to increase the rate of pay for Corey Black, Police Officer for the Village of Shawnee Hills

First Reading- Resolution 24-2016 – A Resolution to amend Section 1 of Resolution 29-2000 (Bond Schedule) and declaring an emergency. Shirley said Resolution 29-2000 adopted Delaware County's Bond and Fee schedule but it failed to add the language that any amendments that Delaware County makes to their bond and fee schedule are also adopted and this resolution will do that. It was moved by Mathews, seconded by Dalvi to suspend with the second and third readings and declare Resolution 24-2016 an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Gauldin, seconded by McVan to adopt Resolution 24-2016 as an emergency. Following vote on the motion is recorded: yea,

6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

First Reading- Resolution 25-2016- A Resolution authorizing and directing the Village Administrator and the Fiscal Officer to execute an agreement with Rumpke of Ohio, Inc. for the collection and delivery for processing or disposal of residential garbage, trash, yard waste, and recyclable materials and declaring an emergency. It was moved by Dalvi, seconded by Mathews to suspend with the second and third readings and declare Resolution 25-2016 an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote. It was moved by Dalvi, seconded by Mathews to adopt Resolution 25-2016 as an emergency. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

First Reading- Resolution 26-2016 – A Resolution to increase the rate of pay for Rexford Waldenmyer, Police Officer for the Village of Shawnee Hills

Bills

It was moved by McVan, seconded by Mathews to pay the bills in the amount of \$201,745.07. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

Treasurer’s Report

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

General	256,503.92	Fire	94,032.50
Street	109,265.19	Weed	7,262.42
State Highway	13,734.01	TIF	9,337.00
Parks and Recreation	2,888.87	TIF 2	12,578.54
PD Body Armor	94.43	Veteran’s Mem.	98.97
Cont. Prof. Training	1,530.00	Sewer Oper.	66,808.18
Drug Law Enf.	24.56	Sewer Repl.	181,000.00
Indigent Drivers	385.84	Storm Sewer	2,767.66
Enfct. and Education	1,125.85	Debt Service	115,089.81
Court Computer	5,133.37		

For a total of \$879,661.12

Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the motion passed by a 6-0 vote.

Adjournment

There being no further business, it was moved by McVan, seconded by Gauldin to adjourn. Following vote on the motion is recorded: yea, 6; Dalvi, Gauldin, Gil, Mathews, McVan and Vidor. Nay, none. Chair declared the meeting adjourned at 8:26 p.m.

Fiscal Officer

Mayor