

Village of Shawnee Hills Council Meeting Minutes

January 28, 2013

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

Council in Attendance: Charlie Callender, Mahesh Dalvi, Kris Garren, James Gauldin, Dan Mathews and Mike McVan

Also Present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

Absent: Administrator Ed Swanson

Mayor Monahan said the minutes from January 14, 2013 will be available at the next Council meeting.

It was moved by Garren, seconded by Gauldin to approve the agenda with the following amendments: change the date of the minutes from January 7th to January 14th, change Resolution 02-2012 to Resolution 01-2013, change Resolution 02-2013 to Ordinance 03-2013, change Resolution 03-2013 to Ordinance 04-2013 and it is a first reading for Resolution 04-2013, and correct the numbering. Following vote on the motion is recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

Solicitor

Brian Zets said that he worked on the Ordinance amending section 1307.99 and he worked with Mark and Ed on the Vet Clinic variance application and some miscellaneous issues with the Police Department.

Village Administrator

Mayor Monahan said that Ed is not here tonight because he had surgery. He gave Ed's report: We are waiting on the railing for the handicap ramp to be installed. The Mayor has ordered a dedication plaque that will be hung in the lobby.

Police Chief

Chief LeFever said that as the Mayor mentioned at the last council meeting we had two new officers and one new cadet start at the Police Department. Officer Peter Marlin, Officer Steven Luoma and Cadet Jessica Redd. He said also since then, actually just last week, he received the following letter. This letter is from Officer James Mitchell who has been our court liaison officer and has been with us for a while now. It says. Chief LeFever, I am writing this in order to inform you of my resignation as a Police Officer with the Shawnee Hills Police Department. With this letter I am giving my two weeks' notice and my intention of my last day being February 5, 2013. I would like to thank you and all of my other supervisors and the people of Shawnee Hills for making my employment here a positive experience. I would like to also thank you as well as my other supervisors for the opportunity to grow and expand my knowledge while working under your supervision. I have enjoyed all my time working here and will be able to use this knowledge

that I have acquired for the rest of my career. I wish you and everyone in Shawnee Hills and within the Police Department nothing but the best. Sincerely, Officer James Mitchell.

Chief LeFever said that James took a full time position with the Reynoldsburg Police Department. He has kept us in the loop on his progress there and we are very happy for him, as much as we hate to see him, go but again, another good success story. James has been here a couple of years and he has done a great job while he was here and he knows he always has a place to come back to if anything ever changes in the future. Mayor Monahan said this was his first commission and it is kind of neat when you are interviewing somebody and Jim has just been an excellent officer. Council member Dalvi said didn't he just get an award from the department. Chief LeFever said yes, Officer of the Year. He said he stepped into a part time position by taking the court liaison position which has been a great thing, it has really changed the course of Mayor's Court and our relationship with the Prosecutor and making sure that everybody is on the same page with our cases and we are going to work to fill that. In the mean time I or Sergeant Baron will be covering court. Chief LeFever said when we hired James we picked him up from Columbus State. What Columbus State does, for those of you who may not be aware of this, but it is actually a really neat program, they do a two year program and their two year program when you are finished you will have your associate's degree and towards the end of that program they start working you straight into the academy. So for the next six months you go through the Police Academy and you are also required to do 140 to 200 hours of internship with a police department and that is how we got James. So when these people come in the door even with no experience they are coming in with an associate's degree in a related field and they are coming in with a good amount of experience from an internship and they are coming in with their academy credentials. It is a really neat program and because of the success we have had with James, we actually started recruiting through Columbus State and we are also working on a mentor program here which he hopes will be in place by the end of February, at the latest, in which we will be on that internship program, so their students will be able to come to Shawnee Hills and do hours and hopefully we will pick up some of these people. He said that the newest hires we have come from that same program so we have had success with that and we are looking forward to it.

Chief LeFever informed Council that they did get the JAG/ LE grant again this year. It's the first time in Delaware County that any agency has received it twice. Last year our taser grant was done through the JAG law enforcement, this year was the new computer upgrades for the computer. Upside and downside to it, upside is we know we are doing the grants right and we are getting the funding, downside is this year there were major cuts at state level and because of that almost all of the people who were awarded the funds did not get fully funded. We requested just under \$20,000.00 for the project and they gave us \$6,100.00 but he is looking for ways that they can still make that money work on that program and what other alternatives we might have to still complete the program by other means but at least that award is there for us. Mayor Monahan asked if these were upgrades to the tough books or replacements. Chief LeFever said replacements. Mayor Monahan asked if any other department in Delaware County got this. Chief LeFever said no, we are the only department in Delaware County this year and last year to receive JAG funding.

Chief Lefever said just a quick update on last year's drug cases. I know there was a lot of attention and a lot of different things going on from controlled narcotic buys all the way to search warrants. With the exception of the most recent search warrant which is still pending, all of last year's cases, out of the 11 cases we had that were large drug trafficking related cases,

effective this week nine had plead guilty or were found guilty, one had the charges dropped which was at our recommendation, for multiple reasons, the other cases are currently pending but the prosecutor says we are expecting a plea on that also. These are really great numbers and with that comes a fair amount of seized property, possibly vehicles, definitely cash, and there are other things in there excluding the largest one we have still out there. That will probably go another year.

Chief Lefever said everything is up and running on the phones, they are actually very nice, they have a lot of nice convenient features on them. He said they ordered their furniture as well and they did put their delivery off a little bit longer since they are waiting for the room to be vacated. They are also working on what is the best material to use for the evidence room and other things like that but definitely moving ahead. We have a meeting this week with the carpet and tile people.

Mayor Monahan said since the new building lacks storage space we did purchase shelving for the garage and we will be storing some of our old files out there.

Visitors

Tim Suter, First Energy. said they have plans going on this year for tree trimming. He provided a map to Council showing the locations for the tree trimming under the distribution lines. This includes both the main lines and the secondary lines. He said this is a four year cycle. He said you will probably have people call you and ask what are my rights and everything else. He said basically what we are looking at is a fifteen foot swath underneath the line in the easement area to make sure that trees aren't growing into them, shorting them out, so that the power can flow to everybody's residences and businesses. He said when the tree trimmers start coming into town they should notify the village office that they will be heading in here and then they are going to address every resident or business that they come across, they will knock on the door and if no one is home they will leave a tag for the property owner to call in. Nothing will get cut until it is talked about. They will either spray paint or wrap a ribbon around the tree that they are going to take all the way down. Mayor Monahan said when you say take it all the way down, there will be plans to remove some trees. Tim said yes. If just a branch is hanging out they will take it back to the main trunk, if it is a silver maple or something like that they will talk to the customer and will be happy to make one cut on in, bring it to the ground and chip it up. It is up to the individual property owner to make that choice. Council member Gauldin said he has had those discussions in the past with the tree trimmers and they wanted to remove a lot and he told them every time you guys come in you've topped it, and he had just had kind of a toe to toe, like well you know I will just go call somebody else because we have an issue, so what can a customer clearly say to the person to indicate that it is okay to trim away as you need to but you are not going to remove the vegetation to ground level. Tim said if it is within the fifteen feet and that tree is going to fall into the line, if a straight line wind takes it down these guys will entertain talking to him about taking it down. Typically in those situations they will take the tree to the ground if it isn't in the easement but the customer will have to clean it up. Any time you have a storm come through it's up to the property owner to remove it. This is the four year cycle, anything they cut, they chip, they take it away unless it's a tree that's outside of the easement and they decided to take it down for the customers sake. Mayor Monahan said we certainly have had enough loss of power due to the trees. It's our plus and our minus. Brian Zets said so is it their idea to clear cut inside the easement then. Tim said yes, Brian said just so you guys are clear.

Council member Gauldin said that is why he was asking the question. Council member Dalvi said you cannot prune it. Tim said typically what they do, if the branch is hanging out, they are taking the whole branch off. Brian said that is if the tree is in your yard and just the branch is in the easement. But if the tree is in the easement then the entire tree will be cut down. Council member Gauldin said and that is where he has an issue because in the past he has talked to the guys and they say yes it is in the easement but we will top it and that is kind of what he was hearing from Tim and then he is kind of not so he just wants to be clear. Tim said if the tree is within that fifteen foot easement then the tree will be taken down. Council member Gauldin said then you are taking half of my back yard out and that is where his argument has been every time, if you can go along and clear cut across the top, they can top them, and they do, but if it becomes a discussion with these guys and in four years they have not grown up enough to interfere in the lines so if they are here every four years top them every four and be done and then I still have my vegetation. Tim said as long as you can guarantee that they won't grow into the lines and it sounds like you have some history so they can just take it back to the original cut. Mayor Monahan said this will be an issue and the request is not to take it down if the property owner is willing to do what Jim is talking about. We run into so much because of the narrowness of our roads and we want to keep as much forestation as we can. Tim said if you have a resident and if you talk to the supervisor of that tree trimming program and you are not getting a satisfactory answer get a hold of him.

Tim said that they did have the evidentiary hearing last week with the Ohio Power Siting Board on the transmission line and they should have a decision here by the end of March or mid April.

Communications

Mayor Monahan gave the following report:

If you have an article for the Winter Newsletter please have it to me by close of business this Wed the 30th.

I received an email today and it was commending Officer Laura Diamond

From: Judy Stephenson [mailto:judys2325@sbcglobal.net]

Sent: Monday, January 28, 2013 12:53 PM

To: pat.monahan@shawneehillsoh.org

Cc: sean.lefever@shawneehillsoh.org

Subject: Thank you

Hi Pat and Chief Lefever,

Last Saturday I brought home a dog that I got from a rescue group. We had only had her for a couple of hours when my husband, who is getting around on a walker, decided to take her out on a leash. She got away from him. I searched for her for about an hour when, in desperation, I decided to see if we had an officer on duty. I was hoping the officer may have seen her.

The officer had and even took me to where she had seen her. She even got out to help me look her. She did indeed find the dog for me. I may have never seen the dog because of where she was huddled in fear.

I thanked her profusely and asked her name, but I have forgotten it. I was just so relieved to have my dog back. It is wonderful to know we have police who are not only here to protect but are willing to help. She needs to know that I will be forever grateful to her for her assistance last Saturday.

Judy Stephenson

Mayor's Report

Mayor Monahan gave the following report:

DECEMBER 2012
MAYOR'S COURT REPORT

| | |
|-----------------------|---|
| 5,252.00 | BAL. BROUGHT FORWARD |
| <u>DEPOSITS:</u> | |
| 5,222.00 | TRAFFIC RECEIPT |
| 5,222.00 | TOTAL RECEIPTS |
| <u>DISBURSEMENTS:</u> | |
| 1,217.50 | STATE TREASURER |
| 395.00 | COMPUTER FUND |
| 3,560.00 | GENERAL REVENUE FUND |
| 49.50 | DELAWARE COURT : HB 562 INDIGENT DRIVER |
| 5,222.00 | TOTAL DISBURSEMENTS |
| 5,252.00 | BAL. BROUGHT FORWARD |
| 5,222.00 | DISBURSEMENTS |
| 30.00 | MAINTAINED BALANCE |

RESPECTFULLY SUBMITTED,
JOYCE A ARMSTRONG
MAYOR'S COURT CLERK

Last Thursday evening I attended the Delaware County Local Government Association meeting and was elected Vice-President of the Delaware County Local Government Association. Glad I was there or other things may have happened! It is a good networking opportunity and opportunity to talk with the Delaware County Judges, Sheriff and other elected officials.

From: Carfagna, Rick [<mailto:rcarfagna@genoatwp.com>]
Sent: Friday, January 25, 2013 3:44 PM
To: Carfagna, Rick
Subject: Ethics and Public Records Training
All

The Delaware County Prosecuting Attorney's Office will be conducting an Ethics & Public Records Training seminar on Tuesday, February 26, 2013 for elected officials in Delaware County. Please review the below message and attached invitation, and feel free to pass this important information along to anyone who might be interested in attending.

Thanks,

Rick Carfagna

Genoa Township Trustee

From: Betts, Christopher [<mailto:CBetts@co.delaware.oh.us>]

Sent: Fri 1/25/2013 9:05 AM

To: Carfagna, Rick

Cc: O'Brien, Carol; Whittaker, Traci; Morrison, Shelley; Elliott, Jennifer

Subject: Ethics and Public Records Training

Trustee Carfagna:

As discussed last night at the DCLGA and as requested, attached please find a copy of the notice for the Ethics and Public Records Training scheduled for February 26, 2013 at the Willis Building. As mentioned, the public records portion of the training is a certified public records training that will satisfy the requirement contained in R.C. 149.43(E)(1). This requirement requires that each "elected official or their appropriate designees" attend three (3) hours of public records training, approved by the attorney general, for every term of office for which the elected official was appointed or elected. The State Auditor will audit for compliance with this requirement.

Please feel free to pass along the attached notice to anyone that may have an interest in attending. We look forward to see you and/or any other Delaware County elected officials at the training.

Should you have any questions or concerns or if I can be of further assistance, please feel free to contact me. Thanks.

Sincerely,

Christopher D. Betts

Assistant Prosecuting Attorney

Delaware County Prosecuting Attorney's Office

140 North Sandusky Street, 3rd Floor

Delaware, Ohio 43015

Telephone: (740) 833-2690

Facsimile: (740) 833-2689

Email: cbetts@co.delaware.oh.us

I wanted to extend thanks to Officer Jim Mitchell. He has been with us as his 1st commission for over a year and a half and Jim has done an outstanding job. Officer Mitchell has as one of his many duties served as our officer in court. He is a credit to our Police department and will be missed. I want to wish Jim the best in his new Police department where he will be full time for Reynoldsburg OH.

Planning and Zoning will not meet tomorrow evening 1-29-13 we will meet 2-5-13 at 7PM at the Reindeer mtg. I hope this doesn't conflict with Safety.

Agenda:

Elect chair and vice chair of P&Z.

- Dave Probst has done some research on eco friendly Park playground equipment. It looks like we have the ADA sidewalk grant for the Memorial park around the Reindeer bldg. We must put in a parking lot. I would like to propose that we submit a recommended design including trees, benches and a gazebo, etc.
- Update on the lot splitting = Brian I don't think we will need you to attend = thanks!
- Possible Annexation = requested.
- Go over and look at the Timothy L. Fellure Municipal bldg.
- Other.

Thanks please let us know if you can make the following Tuesday 2-5-13 at the 40 W, Reindeer bldg. at 7 PM.

The Business Advisory Committee will meet this Thursday evening at 7PM at the Reindeer bldg.

Agenda:

- Overview of the Village activities.
- How can we work together to encourage Bill Trembly to move forward with getting businesses in the empty shops. I have heard the same things now for 9 and half years. How can we help?
- Keeping businesses in good shape. As an example how the shops at Shawnee use to look and how it looks now.
 - We have recently been sued by a business and the basically held against us the fact that we haven't strictly enforced our code. I had 2 attorneys state I / administration need to implement the code.
- Discuss the idea of getting uniform tree plantings. Is this something the businesses are interested in? This will have a great future impact on Main Street.
- Ask Jim Gauldin to give us an idea of where the sign legislation is and a proposed timeline to get this accomplished.
- Take a look at the New Timothy L. Fellure bldg.

Pro Tem Report

Pro Tem Gauldin said first thing we will do is a little housekeeping. He said he has committee approval here. He changed just himself and Mahesh around so the rest should be the same as we had last year.

Safety – Kris Garren, Mahesh Dalvi and Dan Mathews

Service – Dan Mathews, Charlie Callender and Mike McVan

Finance – Kris Garren, Mahesh Dalvi and James Gauldin

Utilities – James Gauldin, Charlie Callender and Mike McVan

Rules – Kris Garren and Charlie Callender

It was moved by Gauldin, seconded by Garren to approve the appointments for committees this year. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

Pro Tem Gauldin also said that there are a couple of items in Planning and Zoning and Architectural Board of Review. We have some spots coming up and we need to see if the people that are on there want to continue or not.

The reps for Delaware County Regional Planning Commission will still be Charlie Callender and James Gauldin and Dan Mathews will still be the rep for Planning and Zoning.

Pro Tem Gauldin said we still need to find a rep for the Upper Scioto Watershed Planning Partnership and Mid Ohio Regional Planning Committee. Mayor Monahan said he does not mind being one of the people for the Upper Scioto Watershed and he said Dan worked with him before on this.

Legislative Actions

Second Reading- Resolution 01-2013 – A Resolution authorizing the Administrator and the Fiscal Officer to enter into a contract with the Delaware Soil and Water Conservation District for certain public information and participation programs/services required under the Village Storm Water Management Plan

First Reading- Ordinance 02-2013 – Sponsored by Mayor Monahan – An Ordinance to amend Section 1307.99(b) of the Codified Ordinances of the Village of Shawnee Hills

First Reading- Ordinance 03-2013 – An Ordinance to authorize the Administrator and Pomeroy & Associates Ltd. to issue a competitive bid package related to the sidewalk project for the Village of Shawnee Hills, Ohio

First Reading- Ordinance 04-2013 – An Ordinance to authorize the Administrator and Pomeroy & Associates Ltd. to issue a competitive bid package related to the waterline improvement project for the Village of Shawnee Hills, Ohio

First Reading- Resolution 04-2013 – A Resolution authorizing the Administrator and the Fiscal Officer to enter into a contract with Pomeroy & Associates, Ltd. for engineering services for the Village of Shawnee Hills, Ohio and declaring an emergency. It was moved by Dalvi, seconded by McVan to suspend with the second and third readings and declare Resolution 04-2013 an emergency. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chari declared the motion passed by a 6-0 vote. It was moved by Dalvi, seconded by McVan to pass Resolution 04-2013. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared Resolution 04-2013 passed by a 6-0 vote.

Bills

Council member Callender asked what the Eger Trenching bill was for. Mayor Monahan said it was for the parking lot at 9484 Dublin Road so you can get out to Mohawk and they had to install a catch basin also. He said that it will be paved this spring when we do the roads. This will give us additional parking. Council member Garren asked what are the Copquest test kits. Chief LeFever said it is narcotics test kits. It was moved by Gauldin, seconded by Callender to pay the bills in the amount of \$50,054.51. Following vote on the motion was recorded: Yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

Treasurer's Report

It was moved by Garren, seconded by Gauldin to approve the following treasurer's report: General Fund 254,117.78, Street Fund 68,907.20, State Highway Fund 3,221.70, Drug Law Enforcement Fund 120.00, Enforcement and Education Fund 1,985.00, Mayor's Court Computer Fund 5,962.89, Fire Fund 51,698.35, Weed Fund 9,398.84, TIF Fund 1,279.04, TIF 2 Fund 4.86, Veteran's Memorial Fund 98.97, Capital Projects Fund – Building 90,065.76, Capital Projects Fund – Intersection 50,000.00, Capital Projects Fund – 9484 Dublin 27,336.23, Capital Projects Fund – Sidewalk 150,000.00 Sewer Operating Fund 54,752.17, Storm Sewer Fund 10,744.58,

Enterprise Debt Service Fund 39,514.67 and Enterprise Debt Service Reserve Fund 98, 659.56 for a total of \$1,013,867.60. Following vote on the motion was recorded: yea, 6; Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 6-0 vote.

Miscellaneous Business

Pro Tem Gauldin said he mentioned at the last council meeting he kind of teased about finding some old photos of the village if you have them in your house and what he would like to do is to make a proposal here that in celebration of the new village administration office, he would like to invite all the people who live or work in the village to participate in a photography contest. A panel of judges will review and select five photos that will be enlarged, framed and placed in the new office to greet and welcome visitors and from those five winners a single photo will be granted a grand prize of \$50.00. All of the photos need to be related to the village whether it is scenery, events, people or wildlife and he would ask, only because he couldn't finish the details for tonight that you watch for the details and instructions on entering the contest which will be in the next village newsletter.

Mayor Monahan informed Council that there will be a new flagpole put up at the new municipal building.

There being no further business, it was moved by Callender, seconded by Garren to adjourn until February 11, 2013. Following vote on the motion was recorded: yea, 6: Callender, Dalvi, Garren, Gauldin, Mathews and McVan. Nay, none. Chair declared the meeting adjourned at 7:50 p.m.

Fiscal Officer

Mayor