

Village of Shawnee Hills Council Meeting Minutes

June 25, 2012

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

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

Absent: Kris Garren and Administrator Ed Swanson

Also Present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

It was moved by Callender, seconded by Gauldin to approve the minutes of June 11, 2012. Following vote on the motion was recorded: yea, 5; Callender, Dalvi, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

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

Solicitor

Brian Zets said he talked to the folks at the title company regarding the Bowers purchase and apparently they are going to be receiving a new title commitment and apparently the liens have worked themselves out or they have been taken care of and they are off but he has not seen them yet.

He said they finished up the criminal matters that were held in Delaware County Common Pleas Court. All three of those guys plead guilty to a minor misdemeanor for disorderly conduct and were fined. They paid court costs so that is now behind us.

Village Administrator

Ed was absent so Mayor Monahan read the following report from Ed:

- 1.) Survey work for waterline extension will be starting middle of next week. That will likely take two days...maybe three. Engineering firm will then begin drawing plans which will take two weeks or so. When they are complete we will then put it out to bid for three weeks. Work should commence about 30 days later.
- 2.) I spoke with Sue Spiker. Authority to proceed with road grant will likely be given first or second week in July. I am currently measuring and marking streets to be repaired. Same process as water line, advertise for three weeks and hopefully work to begin within another 30 days or so. I look for a September date to start which weather wise will be good.
- 3.) Concrete pads for benches probably first week of July. (hopefully by the 4th).
- 4.) Building plans should be back from county first week of July.

5.) I have worked with John on finalizing park estimates which you have. I met with Mat. He is cutting up tree on Park View park area that is dead, leaning and hazardous. I also spoke with him about grubbing out and preparing for the path at the Powell Road Park. He has the appropriate equipment to do job. It is more than I want Mark taking on.

6.) We have signed off on occupancy permits for two new houses completed just this week in the village.

7.) I asked Sean to talk to responsible party at Shawnee Square to see about moving both the police and administration and maintenance to the shopping center (bank mostly) while we remodel our building. Sean can report on that if you want.

8.) I have instructed the title company and attorney Scott Miller to proceed with a closing on the Bowers property the first week of July. Scott tells me all liens have been satisfied and we will have no problem obtaining clear title. At Scott's advice, Bower's attorney Joe Frasch and I agreed to modify some of the requirements originally in the contract that are really not needed which will save about \$1500 to \$2000. All remaining fee responsibility will be split equally and are reasonable and customary. I think we made a great bargain with this transaction. Brian said just so you know the parts that Ed and Joe decided to waive, those were requirements that surveys be done for certain properties and he talked to Ed and Ed said he was OK with not having a survey done for these lots.

Police Chief

Chief LeFever said that there was a fire at Shanghai Lily Saturday night. He said he received a call about midnight from Officer Litzinger who is our newest part time officer and she apparently was running radar and doing a business check at Cedarbrook and saw a glow up in the sky. Went over to check it out, apparently everybody was outside at Largo's and outside at Shanghai Lily's and nobody was aware that the back of the building and the roof was on fire. So there was about 20 foot flames coming out of the building at that point in time, she evacuated Shanghai Lily, got everybody out of there, called for additional units and the fire department. Got everybody evacuated out of the rest of the buildings, called the property managers for the other units and had them do a walkthrough to see what was going on in their buildings. He said she did have to rescue someone who was trapped in the kitchen, one of the owners, he sustained some grease burns, and he was in there trying to fight the fire with a hand held fire extinguisher. She did manage to get him out of there and got him treated. Chief LeFever said he was approached by Captain Kindell from Concord Township Fire and he said literally between four and seven more minutes and the entire Square would have been up because the fire had already penetrated through the fire barriers and went up into the attic and there are no fire walls up in the attic which is common in a lot of buildings like that. Chief LeFever said they are really happy with how the situation turned out and it is his understanding that the owner that was transported to the hospital with burns is doing just fine. He was released early the next morning. Officer Litzinger was treated on the scene for smoke inhalation and we are very happy with the police departments response in this situation.

Chief LeFever said the department was approached about six months ago by the U. S. Marshall

Task Force. Sergeant Baron does quite a bit of work with the U. S. Marshalls, he is a contract Marshall, basically did prisoner transport, things like that with the Marshalls part-time on the side and they really like the image, reputation of the Shawnee Hills Police Department, they saw some of the things that we are doing with our narcotics warrants and things like that, that we have been getting pretty aggressive on since the middle of last year. They have extended an offer to Sergeant Baron to become a fully sworn Deputy U. S. Marshall. He was sworn in a couple of weeks ago as a Deputy Marshall and he is working on the (SOFAST Task Force) Southern Ohio Fugitive Apprehension Strike Team and how that benefits Shawnee Hills, you have to be a commissioned peace officer and you have to be recommended and he has gone through all the criteria and the background and the vetting to do so and to give a good example of how that benefits us and our community is: we don't pay Sergeant Baron to be there, he is there on their dime basically, and the neat thing about this is we had some indictments returned on some of our major drug cases that we were working last year and instead of having to involve other swat teams we made one phone call to the US Marshalls and within 24 hours he was apprehended and sitting in jail without any risk to us and our officers, so it is a really good relationship. There is also some stat sharing opportunities there. Sergeant Baron and the team arrested someone the other day that was wanted on three murder warrants for shooting at police officers and doing some other crazy stuff. Because Sergeant Baron participated, we get to use some of those statistics, so when we do our grants we get to utilize those numbers because we assisted in those law enforcement operations. It is a really neat opportunity, it's a good opportunity for him and we are really happy that he got accepted on the team.

He said that we had a couple of officers leave here recently, Officer Sean Greenlee, he has only been with us for a short time and he got accepted to full time to the Columbus Police. He starts next month and we are very happy for Sean and he did a great job for us and we knew when we hired him that he was actively putting his application in at other places and looking for a full time, longer time employment and we are very happy for him.

Brandon Hogue, who has been with us for a year, has accepted a paid position at Sunbury and he is the second officer that we have had leave and go to Sunbury. He said that can look bad but he thinks it looks really good because what is happening is, a lot of these other agencies, even within our own county are seeing the caliber of officers that we have and the type of training that we are giving these guys and putting out and they are more marketable in the law enforcement field so as much as he would like to keep these guys a lot longer we are real happy for Brandon as well.

Chief LeFever said they did hire Christopher Costas, he is a Federal Police Officer, he works on some of the military properties here in Central Ohio and being a military officer he does not get a lot of traffic and a lot of community experience, he is pretty much confined to a base so we picked him up here recently. He is in his second month here and he brings a lot of experience to the table and we are glad to have Christopher on board with us too.

He said they have been working for several months now on their annual evidence audit and purge and their first purge request went to the Delaware County Court system last week and that is where we take evidence where the case has been adjudicated, the appeals process has expired, and there is no reason for us to have to maintain that evidence any longer and the court gives us the right to either destroy it, convert to law enforcement use or to sell it , however we feel the most proper way to dispose of that evidence would be.

Chief LeFever said that he has been talking to someone about renting the space up at Shawnee Square during our remodel and he was told he would have an answer back today but due to the fire this weekend it has probably got them a little tied up and he will check with them tomorrow.

Communications

Mayor Monahan gave the following report:

FOR IMMEDIATE RELEASE:

June 20, 2012 MEDIA CONTACTS:

Dan Tierney: 614-466-3840

Lisa Hackley: 614-466-3840

Attorney General DeWine Announces
Public Records Mediation Program

(COLUMBUS, Ohio)-Ohio Attorney General Mike DeWine has announced the start of a mediation program to resolve disputes between local governments and persons requesting public records. The Ohio Attorney General's Public Records Mediation Program will be available to governments and requesters starting today.

"The Ohio Public Records Act is one of the most comprehensive open government laws in the nation," said Attorney General DeWine. "The Ohio Attorney General's Public Records Mediation Program will protect the rights and interests of both Ohioans and their local officials by helping resolve disputes before parties turn to time consuming and costly litigation."

The Ohio Attorney General's Public Records Mediation Program will be open to any party in a dispute over local government public records. The mediation may be requested by the records requestor or the local government. Both parties must consent to the mediation.

The Ohio Attorney General's Public Records Mediation Program will seek to resolve disputes over public records requests that have been alleged to be improperly denied or not responded to in a reasonable period of time. The mediation will be conducted by a member of the Ohio Attorney General's Public Records Unit. The cost of the program will be free to both parties.

To be eligible for the Ohio Attorney General's Public Records Mediation Program, the party involved must be a local government entity, such as county and city governments, township boards of trustees, school boards, and village councils, among others.

"The attorneys in my office spend a considerable amount of time and energy ensuring that State entities fully comply with their public records obligations and resolve public records disputes without the need for litigation," said Attorney General DeWine. "My hope is that this Mediation Program will provide local government entities and records requesters a similar opportunity to resolve public records disputes quickly and easily and without the need for litigation."

To request mediation, parties should complete and submit an intake form online at www.OhioAttorneyGeneral.gov/PublicRecordsMediation, or contact the Ohio Attorney General's Public Records Unit at 1-888-958-5088.

To learn more about Ohio's public records laws, please review the Ohio Sunshine Laws Manual at www.OhioAttorneyGeneral.gov/YellowBook.

Ohio Attorney General | www.OhioAttorneyGeneral.gov | 30 E. Broad St. | Columbus | OH | 43215

I have materials from the Ohio Municipal League that explains the mtgs. and functions throughout the year and things that are available to us as members.

I will be attending the Ohio Mayor's Conference Wed. thru Fri. of this week and I am convinced that our participation in the Municipal League and these functions have helped us get some of the grants we have received over the last 4 years.

Mayor's Report

Mayor Monahan gave the following report:

MAYOR'S COURT REPORT

May, 2012

11,965.00 Balance brought forward

Deposits

7,607.00 Traffic Receipts

Disbursements:

1,420.00 State Treasurer

590.00 Computer Fund

5,543.00 General Revenue Fund

54.00 Delaware Municipal Court-Indigent Drivers -Alcohol Treatment

7,607.00 Total Disbursements

11,965.00 Balance Brought Forward

7,607.00 Disbursed

4,358.00 Outstanding Checks: #1501, 1502, 1503, 1504-VOID, 1505

0.00 Balance

Respectfully submitted,

JOYCE A ARMSTRONG

From: Pat Monahan [mailto:pmonahan@columbus.rr.com]

Sent: Wednesday, June 13, 2012

To: 'dstapelton@co.delaware.oh.us'; 'O'Brien, Ken'; 'TThompson@co.delaware.oh.us'

Subject: Request for help Ticks and 2 other issues

Commissioners I hope you are all doing well! There are three things I would like to ask for your help:

- The below email gives an answer but not one that helps us about ticks and other creatures. As you are aware Columbus in Delaware County imposes no cut rules along the river between our Shawnee Trails residents and the river (sometimes altered by stewardship agreements). If Columbus were a land owner / resident in Shawnee Hills we would cite them for the weeds they promote. If they didn't cut them in x days we would cut them and send them the bill at \$100.00 a lot. If they didn't pay the bill it would be assessed on their taxes.
- Because Columbus isn't a resident of Shawnee Hills but are property owners in Delaware County I would like your help.
 - Will Delaware County spray for the same pests we work to prevent for our residents?
 - Will you request Columbus to maintain their land as we would expect our property owners to do so and as they do the Leather Lips Yacht Club and the Zoo?

- I met with MORPC last week and have requested their help. I believe this is something we should partner with Delaware County and provide services we don't provide now. There are a number of safety issues with kids today going to Zoombezi Bay.
 - Create a bike path on the North side of Glick Rd. that would connect over the O'Shaughnessy Dam connecting the Dublin bike paths with Delaware County Zoo bike paths.
 - Second a shuttle in the future (Zoo hotel time frame) that would run between Shawnee Hills, the Zoo and Powell. I believe that these two items (bike path and shuttle) would be a big boost for Delaware County as a whole.

Please mark your calendars for our Village picnic at The Ohio Wildlife Center on Sept. 30th (1PM to 6PM tentatively).

Thanks for your help and have a great and safe Summer! Please let me know if you have a chance for us to meet here for lunch!

Pat

Pat Monahan

Mayor Shawnee Hills, OH.

I have forwarded the 2 Park Engineering / cost estimates to Jim and Mahesh for Finance's consideration. I hope we can take the steps to move forward with this.

I ask Service to deal with the necessary legislative considerations for adding 2 Right of Way parking spots next to Aspen Energy. Two on E Cuyoga and 2 on E Onida. John Peel of Aspen Energy has offered to pay for their construction and allow us to use them as public parking after work hours.

I also ask Service to again consider what Right of Way parking can be approved for eventual adding to the Village's Public Parking and recommend and bring forward legislation. One example I believe will be significant are on W Reindeer across and East of our Municipal bldg. This doesn't mean we have to do this immediately but if the legislation is passed we can add them as needed.

As an example if you look at the parking required by our Police / staff along with Mayor's court we could require 20 spots when court is in session. We have not planned for that much parking.

The first 2 street benches are in and in and they look great. We are working on the pads and when completed they will be a big plus to our mainstreet and maybe encourage more people to purchase benches.

I know the Chief will have covered this but again I want to commend our Police and especially Officer Cristy Litzinger. On Saturday night near midnight while on patrol she noticed an amber glow from the back of the shopping center. Officer Litzinger responded to find flames shooting out of the exhaust fan in the back of Shanghai Lily's. Officer Litzinger rushed to the front of Shanghai where she saw the one owner Johnny and about 5 patrons out in front in the parking lot. Officer Litzinger called Sgt. Ekleberry who was patrolling in another car and he came over and evacuated Largo's.

Officer Litzinger risking her own life went through the restaurant to the kitchen where Ricky the other owner was on a second fire extinguisher attempting futilely to put out the fire. Officer Litzinger evacuated Ricky and saved his life.

The Concord Township Fire department said if it hadn't been for her quick action the entire shopping center probably would have been lost in 6 minutes.

One more tribute to the great work our Police and especially Officer Litzinger in this case have done.

I know we have received the RITA top 25 report and appreciate the attention Finance gives to this report. I will be at the Ohio Mayor's Conference Wed – Friday of this week and will be talking with RITA.

Pro Tem Report

Pro Tem Gauldin said we need to make sure that we have Finance on July 12th. We have some things that we have to work around. It looks as though we have some work to be done. Council member Dalvi said we may have to have that meeting earlier.

He said he wants to thank Officer Litzinger for the work she did the other night. It's one of those times that you can stand back and say: We take a lot of heat sometimes for decision we make on Council but I think in supporting our officers, this is what you get in return, when you have good police officers, you get a good coverage and it worked out for everybody's benefit and on that same note, he for one will more than welcome any kind of support from Council if needed by Shanghai Lily to get them running again. If they just let the Mayor know and you let us know we will help. He said we also need to thank Officer Ekleberry who was on duty that night also.

Committee Report

Council member Callender said that utilities would have met but the gentleman from Columbia Gas was supposed to come out to this meeting and he had to reschedule so we did not have a meeting.

Legislative Actions

Third Reading- Ordinance 07-2012 – An Ordinance designating the Delaware County Bank & Trust Co. as the Village Depository. It was moved by Gauldin, seconded by Callender to pass Ordinance 07-2012. Following vote on the motion was recorded: yea, 5; Callender, Dalvi, Gauldin, Mathews and McVan. Nay, none. Chair declared Ordinance 07-2012 passed by a 5-0 vote.

Third Reading- Resolution 21-2012 - A Resolution authorizing the Administrator and Fiscal Officer to enter into an ACH Agreement with the Delaware County Bank & Trust Co. It was moved by Gauldin, seconded by Dalvi to pass Resolution 21-2012. Following vote on the motion was recorded: yea, 5; Callender, Dalvi, Gauldin, Mathews and McVan. Nay, none. Chair declared Resolution 21-2012 passed by a 5-0 vote.

Second Reading- Resolution 22-2012 – A Resolution of support for the Upper Scioto Watershed Balanced Growth Plan

First Reading- Resolution 24-2012- A Resolution to increase the rate of pay for Erin Cullen, Police Officer, for the Village of Shawnee Hills, Ohio

First Reading- Resolution 25-2012 – A Resolution to increase the rate of pay for Ed Swanson, Village Administrator, for the Village of Shawnee Hills, Ohio

Bills

It was moved by Callender, seconded by McVan to pay the bills in the amount of \$22,575.91. Following vote on the motion was recorded: yea, 5; Callender, Dalvi, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

Treasurer’s Report

It was moved by Gauldin, seconded by Dalvi to approve the following treasurer’s report: General Fund \$290,828.68, Street Fund 73,217.25, State Highway Fund 1,573.93, Enforcement and Education Fund 1,985.00, Mayor’s Court Computer Fund 4,310.34, Fire Fund 127,283.66, Weed Fund 7,610.90, TIF Fund 8,384.08, TIF 2 Fund 2.42, Veteran’s Memorial Fund 580.94, Capital Projects Fund 103,092.50, Sewer Operating Fund 34,595.35, Sewer Replacement Fund 96,000.00, Storm Sewer Fund 9,108.49, Debt Service Fund 69,748.27, Debt Service Reserve Fund 98,287.24 for a total of \$926,609.06. Following vote on the motion was recorded: yea, 5; Callender, Dalvi, Gauldin, Mathews and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

There being no further business, it was moved by Callender, seconded by McVan to adjourn until July 9, 2012. Following vote on the motion was recorded: yea, 5; Callender, Dalvi, Gauldin, Mathews and McVan. Nay, none. Chair declared the meeting adjourned at 7:40 p.m.

Fiscal Officer

Mayor