

Village of Shawnee Hills Council Meeting

October 24, 2011

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

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

Absent: Yvonne Clippinger

Also Present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

It was moved by Garren, seconded by McVan to approve the minutes of October 10, 2011. Following vote on the motion was recorded: yea, 5; Callender, Garren, Dalvi, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

It was moved by Gauldin, seconded by Dalvi to approve the agenda with the following amendment: add visitors right after the Police Chief Report. Following vote on the motion was recorded: yea, 5; Callender, Garren, Dalvi, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

Solicitor

Brian Zets said he took a few questions including some on the Bond Counsel legislation and also worked on the Comprehensive Storm Water Management Plan which will probably be ready for the next Council meeting. This is what was required by the Ohio EPA. Shirley said this is what Samira Zoofan worked on while she was doing her intern work with the Village.

Police Chief Report

Chief LeFever said they did some taser training recently and partnered up with Concord Township and offered a taser instruction school for other agencies as well. By hosting that training, which cost us nothing, we received \$2,000.00 worth of free taser training equipment. He said they also participated in the Concord Township Safety Day that was held a couple of weeks ago. They had a really good turnout and the feedback from the residents was really positive and the kids really enjoyed it. We were very happy that Concord Township invited us to be there. Chief LeFever said that he and Sergeant Baron were in Nevada last week for a couple of days and they were at the Nevada test site of the Federal facility. They had been on a waiting list for about a year and this was at no cost to the Village. He said the benefit to this training is that it is part of the training that they worked on down at FEMA which will give us our Hazmat certification, recognized nationally, but the benefit to it is it will also certify us as instructors in several of these topics so instead of sending each of our guys to this training constantly and having an expense, we can go out one, two or three times every so many years and we obtain our instructor credentials and we bring that back not only to our officers but to the community awareness level as well. Chief LeFever said he received a letter last week from the State of Ohio for our participation and our results, our final numbers, in our participation in the Drive Sober or Get Pulled Over and the Click It or Ticket campaigns that we jumped in on this year. He said we

are going to be awarded a free piece of public safety equipment; it will probably be a radar or lidar which is good because we are about due for another one. He will let Council know what they receive. We had really good participation in this. Chief LeFever said here recently due to the animal issues that we had from the situation down in Muskingum County, we took the time to coordinate with the Columbus Zoo, and there was some intelligence that we received from the Ohio Department of Homeland Security through working with them that there may be some threats to the Zoo and to members of the Zoo and also law enforcement so we were on a heightened state of alert there and we coordinated with the Zoo, with Jim Blubaugh, the head of security and they were very appreciative to having us work with them and having us ready on standby if there are ever any major problems. Chief LeFever said he hired a new officer earlier in the month, Brandon Hogue, and he works at Vance's Shooter Supplies in the law enforcement sales division, that is how we met Brandon. He is new to law enforcement, but he has been around the law enforcement industry for a number of years and we are happy to have him aboard. He will be an A unit. That puts our numbers for the entire department size now at 20 which we think is a very good, comfortable number. He said they completed their annual firearms training and qualification which they do each year. He said we do training about twice a year but this was our actual department qualification. Everyone passed successfully, everything went well there. Chief LeFever said they are setting up a Quarter Master Program with a uniform shop here in Central Ohio. This will make sure that everyone's uniforms are exactly the same, same name brand, the same collar brass, etc. The officers can get online at any time and the officers will get a discounted rate by buying in bulk even though each officer may be paying for their own uniform. This ensures uniformity throughout the department. We should be online with this within the next 30 days. Council member Dalvi said this is good and asked if there was something for purchase of supplies. Chief LeFever said there are certain things as far as equipment, everything from flashlights to whistle chains, to traffic safety vests; it is predominantly uniform and equipment. He said as we grow we may bring more vendors in.

Chief LeFever said they received a letter from the Columbus Zoo in regards to a fatal accident that occurred a couple of weeks ago and the Mayor will be reading that letter later and the Chief said they are very proud and humbled to have someone say such nice things about the Village and the organization. He said three officers were actually involved in that, they were coordinating on their own time at the Concord Township Safety Day and as they were coming back they heard the call go out about a potentially fatal accident and Delaware County and some of the other agencies were not readily available to get there as quickly as they would like so they dispatched us on that and we sent three officers, Sergeant Todd Ekleberry, Sergeant Russell Baron and one of our newer officers, Officer Litzinger. The three of them went over and handled the scene and the Zoo was very happy with the result, traffic flow, guiding Life Flight in, a bad situation that was made a little bit more manageable.

Chief LeFever said they did receive for the second year a body armor grant. We started writing this grant last year and we were awarded 50% of all of our expenditures on body armor last year and this year we were also awarded just under \$1,000.00. Council member Gauldin asked if we provide all of our officers with what they need to be safe. Chief LeFever said that we do provide certain things, but most of the A units are required to provide their own equipment. We do have some stipulations on that equipment, such as body armor, body armor has to be worn at all times in uniform, all times on duty unless excused for a medical reason or something like that, and

that's our policy. We do try to find specials on body armor and we will try to return a portion of the body armor grant back to the officer that purchase their own body armor if possible. The only thing in our budget is that the part time and the full time employees get a uniform allowance, the A units do not. Everything else we buy is pretty much out of our own pockets. We do make sure they have the proper name tags, proper whistle chains, basic equipment, their patches and badges are provided for them, also their ID's. Shotguns and tasers are also provided.

Visitors

Jason Mather, 9510 Shawnee Trail, was present to talk about Ordinance 23-2011, the pit bull issue and from where he stands the concern he has is one, he does not like to hear the word pit bull in Shawnee Hills, any more than he likes to hear the word speed trap in Shawnee Hills. He always corrects people that that is a misguided opinion of our Village and he feels that by having this ordinance on the books we are drawing attention in the negative fashion. He also worries that this is some sort of knee jerk reaction and he does not understand why the County is not doing their responsibility. We have a county prosecutor, we have a county commissioner and a county dog warden, why aren't they taking care of this issue because it really is statutorily their issue to deal with. He said if a coyote eats his chicken, which he does not have, then the county reimburses him for his loss. So we have these laws on the books which have been there for years and the Mayor had mentioned this incident that happened in August 26th, today is October 24, it has not even been 60 days and he knows justice does not move quickly so he does not know if we have given enough time to let the system work. This is his concern with this ordinance. He does not understand why the Village would get involved to this level. He said he has not experienced any problems on the Trail with vicious dogs, he sees plenty of dogs not following the leash law and he has not heard of any citations being issued for this. He said he was concerned about how the Village would be viewed by having this on the books and is it really too much. He also asked if it was possible to get the agenda on the website. Mayor Monahan said we are working on a new website and we will have it on the new one. Council member Dalvi said he had the same question about what is the County not doing in this situation, we pay for it. He said it is not as much as our legislation. Mayor Monahan said we worked with Brian in amending our legislation to make sure that we are not losing the Dog Warden in the process and we are good with what we got. He said when this incident occurred and this is the third incident with pit bulls in the Village. When this incident occurred, first of all he will tell you that does he think this is a slow reaction, no because he does not want to be the guy on TV that says gee, they never said it would eat a kid or an adult. There are a lot of Villages and Municipalities throughout the state that have the laws. This does not prohibit the current pit bull owners from keeping their dogs. It means that you must adhere strictly to our ordinance; you must have \$100,000.00 in insurance. We did call in the Dog Warden on this issue. The Chief said that the Dog Warden is going to follow the Ohio Revised Code. In this specific situation the Dog Warden has his hands tied because the state law and also our own Village ordinance looks differently upon a canine attacking a person versus a canine attacking another canine or other animal. What it did was it brought up a concern, what if. The Dog Warden said that they would be dealing with this all day and they try to let the local authorities handle it, if we needed to remove the dogs and we need their assistance, they would be more than happy to help us do that. Our intention is to make sure that the owners adhere strictly to our laws. Brian said that the legislation is the same as it has always been except for the prohibition on the vicious dog. Brian said that our code is exactly the same as the Ohio Revised Code, it is exactly the same as every other municipality,

everyone has at least a dangerous or vicious dog statute that all mirrors the Revised Code, some have a prohibition, some don't but with respect as to how they are kept, the insurance, all those things, that's the same any where you go. Jason asked how do you know who has a vicious dog or not and are you going to start having the resident register with the village if they have a vicious dog. Chief LeFever said right now everyone must register with the County and the only way we know if a dog is registered is if we call them. In this case the dog was registered with the County but it does not prevent things from happening. Jason said how do you find out if the dog is registered if they attack someone on a Friday night. Mayor Monahan said he understands that and at some point in time he gets criticized from the standpoint that we are running a business, but hopefully with a bit of heart involved and he thinks what it comes down to there is also a price in somebody getting torn up, even the dog that was attacked, he lived and had 300 stitches. He said safety to him is the number one job of elected officials and if there is a price tag associated with it and he thinks there is, he does not think there is much of a price tag, in fact I think it is just the opposite, if we don't enforce it there is a position we are putting the public in.

Communications

Mayor Monahan gave the following report:

I believe we all get a copy of The Delaware General Health News.

Do we keep a copy in the office? Shirley said yes.

We received an offer from Dublin to sell us salt this season for \$62.67 a ton.

Mayor's Report

Mayor Monahan gave the following report:

Received the following email from Mark Cameron:

From: Mark Cameron <MCameron@sandsdeckercps.com>

To: Ed Swanson <ed.swanson@shawneehillsoh.org>

Date: October 13, 2011 at 12:48 PM

Subject: RE: Agreement

Ed,

As I mentioned to you when we met, I am willing to go along with this, the assessment that we absorb \$4,000 of the construction costs related to the Village's sidewalk project. We thank the Village for allowing this amount to be deducted from (or credited to) our monthly billings to the Village over the months of October 2011 through February 2012.

Mark Cameron

Sands Decker CPS, LLC.

Received the following email in regards to a bulletproof vest grant.

From: owner-bvp-list@ojp.usdoj.gov [mailto:owner-bvp-list@ojp.usdoj.gov] On Behalf Of BVP

Sent: Thursday, October 13, 2011 7:18 PM

To: BVP

Subject: Bulletproof Vest Partnership FY 2011 Award Announcement

The Bureau of Justice Assistance (BJA) is pleased to inform you that your agency will receive an award under the Fiscal Year (FY) 2011 Bulletproof Vest Partnership (BVP) solicitation. These funds have been posted to your account in the BVP system. For questions regarding the BVP Program or your award, please do not hesitate to contact the BVP Help Desk at vests@usdoj.gov or 1-877-758-3787.

A complete list of FY 2011 BVP awards is available at: <http://www.ojp.usdoj.gov/bvpbasi/>
The FY 2011 award funds may be used for National Institute of Justice (NIJ) compliant armored vests which were ordered on or after April 1, 2011. The deadline to request payments from the FY 2011 award funds is August 31, 2013, or until all available 2011 awards funds have been requested. Please see the following websites for a list of NIJ compliant vests:

Chief LeFever received the following letter from the Zoo:

October 10, 2011

Chief LeFever

Shawnee Hills Police Department

Shawnee Hills, OH 43065

Dear Chief LeFever,

On behalf of all employees and guests of the Columbus Zoo and Aquarium, please convey our sincere appreciation to the Shawnee Hills Police Department Officers who responded to the scene of a traffic accident on Powell Road at the Zoo on Sunday afternoon. The coordination of care for the victims and traffic control during a particularly busy day reflected a very high level of training and preparation and speaks highly of the Shawnee Hills Police Department. Your officer's efforts undoubtedly kept the situation from worsening.

Thank you for your continuing support of the Columbus Zoo and Aquarium. Knowing we have such a valuable community resource ready and available to assist us is a great comfort to all.

Respectfully,

Tom Stalf

Senior Vice President

Columbus Zoo and Aquarium

There is no P+Z mtg. tomorrow evening

There is a Safety mtg. on Tuesday at 6PM

Depending on the outcome of that mtg. we may need to get together with Finance before the next Council mtg.

Halloween in the Village is actually Halloween Oct 31st we will have heavy Police presence to ensure maximum safety.

I have been getting lots of comments on street lights and banners. They look great!
I would like to ask Services and Finance to take a look at the possibility of the Village purchasing two sidewalk benches.

I would ask that Ed get the Engineering Screening Committee started this week. Looking at the calendar we have to get started and advertise to get applicants.

Ask Chief to explain the training he and Sgt. Baron just completed at no cost to the Village. Chief LeFever said what they are doing, and there are actually three of us in the program, Sergeant Ekleberry, Sergeant Baron and myself. We try to stagger the training so that we are all not going at the same time. This is a universal hazmat certification, above and beyond that, the training, the whole entire encompassed training deals with everything from severe weather, pandemics, mass casualty incidents, like if anything happened to the dam, anything at all contingency plan based. Community health, community awareness, and then we get into the little bit of the deeper end of law enforcement which is dealing with radiological materials, hazardous container spill, a rail car, or a semi truck. In Delaware County we probably get 4 to 6 chemical spills in a quarter. We haven't been out on any of those spills at this point but the probability as things change, standards are getting lower for securing these types of things, budgets are getting more crunched. We just want to make sure we are prepared for any public type of mass event. The predominant reason for this, it gives us a reason to work with Concord Township Fire Department. They are very, very good, well respected in the field emergency response group, decontamination group, but more importantly even weather emergencies in Shawnee Hills. Last winter there were at least two or three days that he was personally out for 12-13 hours straight removing trees out of the road, dealing with electrical lines down, potential fire hazards, so this training deals with all of that. He said this is all free training.

Pro Tem Report

Pro Tem Gauldin said he has been stopped two or three times in passing comment and all good about the lights along our sidewalk corridor and especially our flags and banners. This has been really good and positive. He said two people have stopped him and asked if we had areas where Life flight can land. Chief LeFever said they are developing a new portion of our Police and Procedure Manual which deals with unusual occurrences. Things that may have not happened or may have happened once, such as the airplane crash in Delaware not so long ago. We have several areas in the Village that you would be able to get a helicopter into but ideally we would like to give them as much space as possible. He said usually the fire department deals with the landing site for the helicopter.

Pro Tem Gauldin said the last thing on his list and he knows that members of Council and the Mayor have talked about this before and that is the intersection at Dublin and Glick road. He said he uses that intersection more now because of his job change and he is seeing kids crossing there constantly and he is seeing people kind of having trouble and he does not know what we are going to do in the future to move forward to getting something in and this isn't really the platform to do that in but he would like to see us progress forward at least communications between ODOT and the County and if we can continue on with this. We need to have the availability to have people progress through without incident. Mayor Monahan said we talked a little bit about this in our planning meeting last Monday. He said he approached this a few years back, in 2004, you have to have ADA compliance to put in crosswalks and we are not compliant right now. What he would like to do, probably after the first of the year, we kept trying to partner with Dublin and ODOT and he wants to go to Delaware County. We spend a lot of money in Delaware County, our taxes and other things go to Delaware County. He said he wants to get Chris Bauserman down here and the gentleman that left Dublin to go up there as their

Administrator and he wants to sit down with them and start working on this. If Delaware County can install two circles, one on Section Line, which makes no sense to him whatsoever, he thinks there is money to be spent there.

Committee Reports

Council member Callender said that utilities met but they had nothing to discuss.

Council member Dalvi said that Finance met and there is legislation on the agenda tonight.

Council member Dalvi said the website committee met and we did get the first draft of the site and he and the Mayor met and they gave him some feedback and the next draft is probably going to come this Wednesday.

Legislative Actions

Third Reading- Amended - Ordinance 20-2011 – Sponsored by Mayor Monahan and the Safety Committee – An Ordinance to amend Chapter 351.14(b) of the Codified Ordinances of the Village of Shawnee Hills, Ohio (Parking of Motor Vehicles). Moved by Garren, seconded by Dalvi to pass Ordinance 20-2011. Following vote on the motion was recorded: Yea, 5, Callender, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared Ordinance 20-2011 passed by a 5-0 vote.

Third Reading- Amended -Ordinance 23-2011 – Sponsored by Mayor Monahan and the Safety Committee – An Ordinance to amend Section 505.14 of the Codified Ordinances of the Village of Shawnee Hills and Prohibit Pit Bull Terriers. It was moved by Garren, seconded by Dalvi to pass Ordinance 23-2011. Following vote on the motion was recorded: Yea, 5, Callender, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared Ordinance 23-2011 passed by a 5-0 vote.

Third Reading- Resolution 22-2011 – A Resolution that the Village of Shawnee Hills host an employee appreciation dinner. It was moved by Callender, seconded by Gauldin to pass Resolution 22-2011. Following vote on the motion was recorded: Yea, 5, Callender, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared Resolution 22-2011 passed by a 5-0 vote.

Third Reading – Resolution 23-2011 – A Resolution accepting a petition for annexation of +/- 0.0303 acres from Concord Township (Delaware County) to the Village of Shawnee Hills. It was moved by Gauldin, seconded by McVan to pass Resolution 23-2011. Following vote on the motion was recorded: Yea, 5; Callender, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared Resolution 23-2011 passed by a 5-0 vote.

First Reading- Ordinance 24-2011 – Sponsored by the Finance Committee – An Ordinance to appropriate funds for current expenses and other expenditures of the Village of Shawnee Hills, State of Ohio, during the fiscal year ending December 31, 2012.

First Reading- Ordinance 25-2011 – Sponsored by the Finance Committee – An Ordinance to reappropriate funds for current expenses and other expenditures of the Village of Shawnee Hills,

State of Ohio, during the fiscal year ending December 31, 2011 and declaring an emergency. It was moved by Gauldin, seconded by Callender that the rule requiring readings on three separate days be suspended and this ordinance shall pass on its first reading. Following vote on the motion was recorded: Yea, 5, Callender, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote. It was moved by Dalvi, seconded by Gauldin to pass Ordinance 25-2011. Following vote on the motion was recorded: Yea, 5, Callender, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared Ordinance 25-2011 passed by a 5-0 vote.

First Reading – Resolution 24-2011 – Sponsored by the Comprehensive Plan Review Committee – A Resolution to adopt the Revised Shawnee Hills Comprehensive Land Use Plan. Council member Callender said he reviewed it and he was impressed with it, it looked good. He said he was kind of curious of what is the difference between the first one and this one. Mayor Monahan said our emphasis was really on the sewers for the first one and the pictures were really outdated and old. When you look at the map it shows 102 new homes built between the first plan and the new one. Shirley said the census numbers have been updated and all the demographic numbers have been updated.

Bills

It was moved by Garren, seconded by McVan to pay the bills in the amount of \$26,625.38. Following vote on the motion was recorded: Yea, 5, Callender, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

Treasurer's Report:

It was moved by Gauldin, seconded by Callender to approve the following treasurer's report: General Fund 205,039.80, Street Fund 96,583.10, State Highway Fund 2,524.61, Enforcement and Education Fund 1,985.00, Mayor's Court Computer Fund 10,614.65, Fire Fund 177,212.99, Weed Fund 10,501.73, TIF Fund 5,926.67, Veteran's Memorial Fund 530.94, Building Expansion Fund 700.00, Capital Projects Fund 107,902.50, Sewer Operating Fund 69,043.78, Sewer Replacement Fund 54,000.00, Storm Sewer Fund 16,251.53, Debt Service Fund 97,368.16 and Debt Service Reserve Fund 97,929.44 for a total of \$954,114.90. Following vote on the motion was recorded: yea, 5; Callender, Dalvi, Garren, Gauldin, and McVan. Nay, none. Chair declared the motion passed by a 5-0 vote.

Miscellaneous

Mayor Monahan said the Veteran's Day celebration will be held November 12th at 11:00 at the Veteran's Memorial with emphasis on Women in the Military this year. We will have lunch at the Bogue afterwards.

Council member Gauldin said that there was one thing brought up to him recently and actually it is a carryon, we have been working on the stormwater for some time now and he thinks Ed has been reviewing our past plan to see how we go further with it or two, at least try to accomplish what we have set out to do, but then had to cut back for other reasons. As he does that if we can take another look at the area in the vicinity of the Cuttin'Up building up here. The storm water that is running down there is impressive at least. Can we see where that fits, even if it needs to go before a committee or something and double check to make sure we are not missing the boat on

that. He has seen that parking lot flooded quite a bit and he wondered if maybe if it isn't on this round then he wondered if it should not be on the next round. Mayor Monahan said we actually had some of that in the plan and we had to cut back at the time. There is a little more to the story as he has been involved in this and most of the water comes from Concord and that is part of the problem. The other problem is and I do not mean to sell this short, people build houses in holes and they wonder why they get water. You know in 1901 when that was built it probably had a cistern underneath it and it was a great thing. We need to consider how we can get the water moving. He said he always used to say to Nick Teteris when he would say why am I getting this water and he would reply because you built in a hole. Mayor Monahan said he agrees we need to look at this. Council member Dalvi said we need to review the top ten list again.

There being no further business, it was moved by Gauldin, seconded by Dalvi to adjourn until November 14, 2011. Following vote on the motion was recorded: yea, 5; Callender, Dalvi, Garren, Gauldin and McVan. Nay, none. Chair declared the meeting adjourned at 7:55 p.m.

Fiscal Officer

Mayor