

Village of Shawnee Hills Council Meeting Minutes

March 28, 2022

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

Council in Attendance: Mary Gates, Kathy Isern, Justin LaRosa, Robert Thatcher and Todd Zimmerman

Absent: Renee Matney

Also Present: Fiscal Officer Shirley Roskoski, Administrator Russell Baron and Solicitor Brian Zets

Minutes

It was moved by Gates, seconded by Zimmerman to approve the minutes of March 14, 2022 with the following amendments: on page two, one paragraph up from the bottom, change *are* to *our* and on page three, change *letter* to *letters*.

Following vote on the motion is recorded: yea, 5; Gates, Isern, LaRosa, Thatcher and Zimmerman. Nay, none.

Agenda

It was moved by Thatcher, seconded by Gates to add Resolution 03-2022 to the agenda.

Following vote on the motion is recorded: yea, 5; Gates, Isern, LaRosa, Thatcher and Zimmerman. Nay, none.

It was moved by Isern, seconded by Zimmerman to approve the agenda as amended.

Following vote on the motion is recorded: yea, 5; Gates, Isern, LaRosa, Thatcher and Zimmerman. Nay, none.

Solicitor

Brian said the majority of my time was spent on zoning. I attended both the Town Hall meeting and the Planning and Zoning Commission meeting. I worked on that Ordinance 10-2022 which is the ordinance establishing the part-time seasonal position and lastly with respect to Ordinance 08-2022, an ordinance vacating the unimproved E. Eileen Drive right-of-way. I don't know if anyone has any updates on that. I had heard that maybe the petitioners were going to withdraw it because they wanted to submit a new petition.

Shawn Swaagman said I received emails from a majority of Council as well as the Mayor and I would just like to say thank you for those responses. They were well thought out and I appreciate them and I do not think that we will, at this time, be moving and amending and submitting a new ordinance at this time. We plan to let this one be voted on and that will be the decision that we will accept.

Village Administrator

Russ said Maronda Homes took up ninety percent of my time. Between residents and meetings with the Town Hall and the Planning and Zoning meeting. I have not heard from them since that meeting.

I met with Chris about paving. We drove just about every street in the village. Found a bunch that needs repaired. I hope to have a package for UST in April. We decided we are not going to

pave Osage, Westview or W. Mohawk at this time because of the looming projects. There are some areas of Osage and Shawnee Trail where the road is failing because of drainage issues. We will probably address those.

Moving forward with the fire hydrants. I met with the Fire Department. We found six locations so the five that were approved and an alternate location. A few of the locations that we have picked should come in significantly less than what we were anticipating at \$7,000.00 each. We might be able to install all six fire hydrants with the money we were allotted.

Dealt with a sinkhole on Wyandotte. Richard patched several roads. There were a couple of potholes where the cold patch will probably not stay in long. Some of them are not deep enough to keep the cold patch in. There were a couple of commercial drives that the property owner needs to repair. They are not making asphalt right now so we have to wait until it warms up before we can fix the roads.

We did serve the owner of the property at Shawnee Square with a list of existing code violations hoping to avoid court. Being he is a new owner, we sat down with him and listed out what was wrong, what he needed to do. We put it in a document and sent it off. He thanked us for it so we will see what happens in the next couple of months.

Met with Ohio Groundskeeping. They are out there working now just about every single day. They do have approved plans from the County and they gave me a completion date of Memorial Day with seed on the ground.

Meeting with Equity tomorrow. We still need to address the traffic light and crosswalk agreements.

We will be looking at banners and village landscape over the next few weeks.

I did meet with Craig Baldrige, who is on planning and zoning, he brought up a program that we are going to explore, America in Bloom. This puts residents at the helm of some village landscaping and provides them with expert advice and things for our main street areas and green spaces.

Arbor Day, because we are now Tree City USA. One of the requirements is that we have an Arbor Day Celebration. This will be held April 16 at noon, in the park, right after the Civic Easter Egg hunt.

Police Chief

Russ said I met with the Civic and we will be reviving Safety Day this summer. Dates and times will be forthcoming. I have an officer that will handle the planning for this event.

We received a grant for body armor from the Attorney General's office. The total reimbursement was \$2,753.48. Our cost was approximately \$970.00 for three sets of body armor for full time guys.

Worked with an equipment purchase in Finance regarding changing over to E Citations. The State of Ohio is nudging municipal courts and police departments away from hand written citations. Years ago, there was grant money available. We had Mayor's Court and Delaware City Municipal Court was not set to handle that. Now there is no grant for this. This cost is not to

exceed \$2,500.00 for four printers and two brackets to mount them in the car. The software is free. It comes from the State.

We did receive our certification for compliance with the latest Ohio Collaborative Law Enforcement Certification Standards. Our department continues to be in full compliance with the Collaborative.

Our agency received gold standard recognition from Lexipol for the fourth quarter of 2021 and the entire year of 2021 which is the highest level of compliance with Lexipol.

We submitted compliance documentation to the National Center for Missing and Exploited Children, Missing Kids Readiness Program. I expect our documentation to be in line with their standards. There are only two other departments in the State of Ohio that have this certification. I took an excerpt from their website: Missing kids readiness program promotes policies and best practices for responding to calls of missing and sexually exploited children. Member agencies are publicly recognized by the National Center for Missing and Exploited Children for meeting essential training and policy elements, demonstrating preparedness for responding to a missing or sexually exploited child incident. We will be the third agency in the State to have that.

I apologize for springing the resolution that we added to the agenda today. Our 2016 police cruiser is sitting at a little over 100,000 miles on it. It needs a transmission and the places we have called quoted us anywhere between six and eight thousand dollars. I don't want to go down the same route we did with the Charger and wind up what we did with our other cruisers when the Charger went down and that was the 2017 racked up miles because it just constantly ran shift after shift. We had a good rotation on cars there for a while, we got out of that. This is the first car we purchased in five years, the 2021 we just got.

Speaking with Finance on replacing that cruiser instead of fixing it I think is the smartest option and I believe Finance agreed. We went back and forth trying to find a cruiser. If we ordered one from Ford today it would take 58 weeks to arrive. They are only producing 12,500 cars for the entire country this year. We searched for a car within the two or three states around us. We found one and it is sitting at Parr Public Safety that they had purchased to upfit for their demo car and it is a black Ford Explorer just like the cars we have. It is about ninety percent finished. They don't want to wait for us to go back and forth on it. They would like to, at this point, get rid of it so hence adding legislation tonight and hopefully voting on it tonight. Again, I apologize, everyone hates emergencies and we hate adding things to the agenda as it is but this is something we need to make a decision on quickly as Parr wants an answer tomorrow.

Because the K9 is the primary user of that car and we were fund raising to purchase a car or half a car with the village I do want to add the caveat that this puts us at four cars. We have had four cars. We are not adding a car. We didn't add a car for the dog. This is a cruiser that was in our fleet even if the dog is not here. Because the K9 primarily uses it I offered to Finance that we could pay the first 12 months of payments out of the K9 fund because that is what we have been fundraising for. With that I have a donation that we received from Third Base Pint House from our event in the amount of \$6,200.00. I am asking council for a vote to approve this donation.

It was moved by Gates, seconded by Thatcher to accept the donation of \$6,200.0 from Brum & Wheeler LLC. Following vote on the motion is recorded: yea, 5; Gates, Isern, LaRosa, Thatcher and Zimmerman. Nay, none.

Russ said so with that donation and what we already have in the K9 fund that pays for the first twelve months of payments and we were planning on replacing the cruiser next year anyways.

Council member Zimmerman said we always talk about mileage and I know when we took the brand-new cruiser, I was over there one day with Zach and he looked at it and it had 240 miles on it but it had 30 hours on the motor already. So, if people are out there thinking it only has 100,000 miles on it, they need to look at the whole picture of the running of the vehicle.

Russ said I think the guideline is for every hour it idles it is equal to 24 road miles.

Council member LaRosa asked Russ if he looked at any other brand.

Russ said I looked at Chevy. They are not taking orders right now and there is nothing close. There is a silver Chevy in Kentucky. I found a black Durango but it was a V8 Hemi and we don't need that. The Durango was also about ten thousand dollars more.

This one matches our current fleet and it was a godsend that we found the car. Hats off to Parr Public Safety for working with us on it and offering the car to us.

Russ said we kind of have an uptick of some criminal incidents between us and some neighboring agencies. We are planning a handful of criminal enforcement shifts targeting Glick Road, Riverside Drive, Dublin Road, that area in cooperation with the Highway Patrol. Obviously, it will be in our jurisdiction. The Highway Patrol will assist.

Visitors

Shawn Swaagman said I think I covered most of what I wanted to say already. I just want to thank everyone that there is a process that I am allowed to go ahead and go through with it and that everybody who reached out to me in response to my questions I appreciate that very much.

Tony Hall, 30 E. Wilma, said I am just here to support everything that Shawn has already said. I do not like the idea of that road ever being built. I don't think it is ever going to be built because, if you look at the engineer's report, he said he doesn't see any problem vacating behind a certain portion because of the sinkhole that is back there. The worst is behind my house. Just to build a road back there would be a big challenge. That is my big argument right there, it would be too expensive, so lets just get rid of it. The fact that he weighed in means something and I hope you will consider vacating maybe just the left side of it. I know the whole thing might be problematic. I want to thank everyone who got back to me by email. I appreciate that.

Communications

Mayor Mathews said he attended the Delaware County Health District meeting Thursday evening. It was nice and I did get a chance to talk to Joe Garret, Concord Township Trustee and I talked to Gary Merrill, Delaware County Commissioner, mostly about Oklahoma Sooner softball.

As Russ mentioned I did receive a letter granting us Tree City USA recognition for 2021 and our award and prizes are soon to follow. Arbor Day is April 16 at noon at the pavilion.

Pro Tem Report

Pro Tem Thatcher said I just received a few more emails and stuff this week. I'm sorry if you did send me an email and I didn't get back to you. I had a bunch of things going on this week that precluded that. We have received multiple things about zoning as we always hear about and other building related issues.

Committee Reports

Council member Gates said Finance met tonight and Russ covered most of the large issues that we discussed. Shirley covered the Orange township JEDD. They are estimating that in the third quarter of this year or the first quarter of next year that we will probably see some money coming our way. She also said the RITA funds are \$40,000.00 ahead of 2021 through March. They have also been looking at some Anthem quotes for more options with the health insurance for the employees.

Council member Isern said Planning and Zoning met on March 22. It was well attended; a lot of participation from the community. That was the proposal for Maronda Homes. They presented their initial proposal of thirty-five homes on a nearly ten-acre parcel in the north west corner of the village. The end result was this was tabled for more information.

Legislative Actions

Third Reading – Ordinance 08-2022 – A Ordinance vacating the unimproved E. Eileen Drive right-of-way.

Council member Isern said just discussion wise, I think it is important to indicate that while we certainly understand the request and the reason why, I think it is kind of important to note that the village has had issues with vacating rights-of-ways in the past where the village has found out later that they need the right-of-way that it had given up and sometimes had to buy that back. I can see where it might seem logical to vacate part of a street, not all of it. Looking at where Eileen is, which is at the very north end of the village, there's development all around us. We don't know what is going to happen in the future. It is very likely that the right-of-way could be needed for water or sewer and that obviously would take the entire length of Eileen as it stands right now. At least, in my opinion, those are the negatives against vacating Eileen.

Council member Zimmerman said our most recent project that we did that with was Oneida. We had the right-of-way for the whole length and we used the whole length. I had a neighbor that had to take a fence down, another had to remove fencing and another shed had to be relocated. People have kind of eased into it but it was an easement so they had to move their stuff. I am grateful that we did have the option to use it because it made everything that much easier. Everything is put back together. Everyone is mowing it and using it.

Council member LaRosa said I did receive emails from both of you and I was unable to reply to them. For some reason when I sent my emails they went straight to draft. It is a technical difficulty so I do apologize you did not get a response from me.

It was moved by Thatcher, seconded by Zimmerman to adopt Ordinance 08-2022. Following vote on the motion is recorded: yea, 1; LaRosa. Nay, 4; Gates, Isern, Thatcher and Zimmerman.

Third Reading – Ordinance 09-2022 – An Ordinance to grant variances to the provisions of the Shawnee Hills Code Section 509.09 to allow applicant, Shawnee Hills Chamber of Commerce to deviate from time and volume standards for the Music in the Village Summer Concerts.

It was moved by Zimmerman, seconded by Gates to adopt Ordinance 09-2022. Following vote on the motion is recorded: yea, 5; Gates, Isern, LaRosa, Thatcher and Zimmerman. Nay, none.

First Reading – Resolution 03-2022 – A Resolution authorizing the Mayor and Fiscal Officer to enter into a contract with Tax Exempt Leasing Corp. for a lease purchase agreement for a 2022 Ford Explorer Police Interceptor and declaring an emergency.

It was moved by Thatcher, seconded by Gates to suspend with the second and third readings and declare Resolution 03-2022 an emergency. Following vote on the motion is recorded: yea, 5; Gates, Isern, LaRosa, Thatcher and Zimmerman. Nay, none.

It was moved by Gates, seconded by Isern to adopt Resolution 03-2022 as an emergency. Following vote on the motion is recorded: yea, 5; Gates, Isern, LaRosa, Thatcher and Zimmerman. Nay, none.

Bills

It was moved by Zimmerman, seconded by Isern to pay the bills in the amount of \$21,637.44. Following vote on the motion is recorded: yea, 5; Gates, Isern, LaRosa, Thatcher and Zimmerman. Nay, none.

Treasurer's Report

It was moved by Zimmerman, seconded by LaRosa to approve the following treasurer's report

General Fund	200,965.74	TIF Fund	58,580.57
Street Fund	369,733.92	TIF 2 Fund	17,366.65
State Hwy. Fund	25,106.27	Police District	98,993.65
Drug Law Enfct.	534.41	Veteran's Mem	248.97
Indigent Drivers	384.84	Sewer Oper.	43,528.16
Law Enfct. Trust	6,068.88	Sewer Replct.	13,211.08
American Rescue	20,298.75	Storm Sewer	12,067.03
Enfct. & Education	1,245.85	Debt Service	105,705.39
Fire Fund	74,992.20		

For a total of \$1,049,033.36

Following vote on the motion is recorded: yea, 5; Gates, Isern, LaRosa, Thatcher and Zimmerman. Nay, none.

Miscellaneous

Mayor Mathews commended Richard for straightening out the arborvitae and putting the gravel down around the trees.

Russ said chipper day will be back this year. Just waiting to confirm the date.

Adjournment

There being no further business, it was moved by LaRosa, seconded by Zimmerman to adjourn. Following vote on the motion is recorded: yea, 5; Gates, Isern, LaRosa, Thatcher and Zimmerman. Nay, none. Meeting adjourned at 7:34 p.m.

Fiscal Officer

Mayor