

Village of Shawnee Hills Council Meeting Minutes

April 26, 2021

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

Council in Attendance: Mary Gates, Kathy Isern, Renee Matney, Jeff Stacy, Robert Thatcher and Todd Zimmerman

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

Minutes

It as moved by Zimmerman, seconded by Isern to approve the minutes of April 12, 2021. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Agenda

It was moved by Gates, seconded by Isern to add an executive session to the agenda pursuant to Ohio Revised Code 121.22 (G)(1) regarding the consideration of the appointment of a public employee. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

It was moved by Isern, seconded by Zimmerman to approve the agenda as amended. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Solicitor

Brian said I worked with Mark on a couple of zoning questions and got those all taken care of. Since the last meeting we have had two public records requests.

Police Chief

Chief Baron said we have been talking about body cameras for at least a year now. This was discussed with Finance tonight and we should have new body cameras here soon. We are down to two working cameras and one works spotty, at best.

K9 Havoc is currently off the road. He will be off the road for two to three weeks due to a training related injury. We have a partnership with the Animal Hospital of Shawnee Hills and Med Vet who took great care of him.

It sounds like the Memorial Tournament will be back to normal with some social distancing and masks required. They said they are going to limit the number of participants but they haven't released the number on that.

As restrictions are being released and we can get semi back to normal we are going to bring back trick-or-treat tailgate this year and hosting a women's self-defense course.

We are talking about hosting a citizen police academy if we have at least ten residents interested in that. It does take a lot of planning so it would be in the fall.

Visitors

Heidi Baldwin said she has been a resident of the village since 2012. I don't want to get into the minutia and the day to day business of the village. I work for the Village of Plain City so I understand what it is like when residents butt in. I would like to bring to you my concerns about the firing of Craig. Again, I don't know anything about Craig's work ethic or anything there in the village, but, it would seem by the comments made in the last council meeting that there had been some behind the scenes conversations about the dismissal of Craig as everyone seemed to be aware of the firing without any documentation of an executive session to discuss personnel matters. In my limited understanding, I would think that would be against the Ohio Open Meetings Act, ORC 121.22 (B)(2), regarding the discussion of public business and I only saw one executive session this year and it regarded the sale of property.

I do want transparency and I expect transparency from my local government. I do have a couple of questions if someone could answer them for me. The first is I haven't seen the position posted for the Administrator. I have checked OML, I have checked ICMA and I checked LinkedIn. I would expect that we hire somebody that has a Master's degree in Public Administration so they can run the village properly. I also would like to know what the ninety-day plan is to hire a new Administrator. Are you using a hiring firm or are you just posting the position? Also, can you tell me what the salary range will be. In regards to Craig's firing, it was listed by the Mayor that it was due to performance and economic reasons. I have done a records request and there were not any records in regards to performance issues with Craig. It just, things seem vague, and I would just like some clarification.

Mayor Mathews asked Brian if everything was done in accordance with Ohio Revised Code.

Brian said everything was done in accordance with the Ohio Revised Code. You can answer any questions you want. This is just a time for the public to comment. This isn't open debate time.

Council member Gates said I just want to say that there was discussion in meetings last year in regards to possibly combining the positions of the Village Administrator and another public employee. That was out in the open and Craig was not happy with that but he is an at will employee, and part-time. We had the solicitor guide us and everything in regards to Craig's performance or lack thereof and he wasn't a permanent full-time employee so, and again he was an at will employee. That was reviewed at the last council meeting.

Heidi said I have reviewed all of the minutes for this year and there was no discussion about dismissing Craig until the last meeting and that is what concerns me. You have four months up to the firing of an employee and it has not been a discussion item for four months.

Mayor Mathews said the first introduction of this idea was back in May of 2020. There was an executive session held December 18 on personnel issues.

Heidi said why would you discuss it in December and wait until April for firing?

Mayor Mathews aid quite honestly, from that point on, then it became a performance issue after that.

Heidi said there is no documentation of performance. I have done a records request, there was no documentation of performance issues.

Mayor Mathews said no, there was not, because there was not any report, or any review or anything. His body of work spoke for itself.

Heidi said you are stating that there were performance issues but there is no documentation of it so that is not very transparent.

Mayor Mathews said there is no documentation of it because he was not rowing in the same direction. He was not working for the betterment of the village, in my opinion, and apparently the other six people in this room.

Heidi said I would disagree with the way it was held. I would think if there was a performance issue according to some type of HR law you would have to have some type of documentation to state that it was a performance issue for why he was being fired. I may be wrong, I am not an attorney but by my limited experience I would think there should have to be some kind of documentation to that.

Mayor Mathews said he was an at will employee and there was no contract.

Heidi said I know enough about at will to know that even if you fire somebody, especially in public service, that they could come back and sue if you don't have documentation and that could cost us a lot more money than this. I would disagree with you on that.

Council member Gates said that is the reason why we have a village solicitor. When we encounter things that are outside our purview and our knowledge, we contact our solicitor. The solicitor was aware of our discussions in executive session and it was discussed at Finance last May. We abided by his recommendations.

Heidi asked who is being considered to be covering this role.

Mayor Mathews said we were considering combiningg the Police Chief and the Village Administrator positions.

Heidi said so you are going to have a Police Chief who doesn't have a Public Administration degree or an economic degree to run our village.

Council member Stacy said that decision hasn't been made.

Mayor Mathews said we haven't made that decision but that was the intention, yes.

Heidi said is that going to be openly discussed so village residents could have say in that.

Mayor Mathews said sure.

Heidi said I would appreciate that. I have nothing against Russ. I hold Russ in high regard. I think he is a phenomenal Chief of Police. I just don't think having our Chief of Police handle our economic side of everything and the engineering side of everything of running a village. Like I said, I work for a village and I know how much work goes into my Administrator's job and I know how much work goes into a Chief of Police job and combining the two doesn't sound like a sound decision.

Council member Gates said one thing I would like to address with that is the fact that pursuant to how Craig did or did not do his job we do have a village engineer and a solicitor and a majority of the decisions that were made by Craig were heavily influenced, and he asked for help, from the village engineer and the solicitor. So, really, even if he himself had all those degrees which I don't remember, he still relied on people to make those decisions for him. On top of that there have been many villages and communities that have combined that position. This is not a first time. One of the things that have been discussed is that the Chief is here every day during the week so therefore we have eyes on a lot of different things that a part-time employee does not. That is some of the thinking that has been going on in combining those two positions.

Heidi said would we possibly consider making the engineer the administrator.

Mayor Mathews said we are not his only account. I assume he has plenty of things to do. Quick question, I would like to know, when you describe the base resume of somebody that needs to be hired for this position; one, how do you arrive at that and two, somebody with that resume, would they be interested in a part-time job without benefits.

Heidi said let me counter that question, you are putting the Chief of Police, in theory, you are putting the Chief of Police in that position, how much of a raise is he going to get.

Mayor Mathews said it hasn't been discussed yet.

Heidi said I would assume you would have to, bare minimum, meet what you were paying Craig as part-time. This will be a whole lot of work added to his plate.

Mayor Mathews said there is work added, yes. We haven't had the discussion on the income.

Heidi said I would be interested in hearing that. I will pay attention to the meetings in the future. To answer your question why I feel a public administration degree is important because, again, in my ignorance, I don't know everything, I don't pretend to know everything, there is a lot that goes into running a village. You guys are council and clerk. You don't work in the village on a day to day basis. There is a lot of behind the scene stuff that you do not see everyday and someone with that knowledge, in my opinion, is very important. They have the whole broad spectrum. Do I know of anybody that wants a part-time job, no, would I want it, no, but I think it's a valid point of looking for somebody. I understand you get what you pay for but I don't think putting that all on our Chief's shoulders is a smart move.

Communications

Mayor Mathews said I have my first declaration. In order to become a Tree City USA you have to have a declaration for Arbor Day. Friday April 30 is Arbor Day.

This past Tuesday some residents met here and we had a zoom meeting with the City of Columbus in regards to the riverfront. It lasted 33 minutes and I think it could have lasted all of six. It did not appear that they were anxious to speak with us whatsoever so I am going back to Mike Shaddock, our contact with the Mayor's officer, tomorrow with information that we have never provided to Columbus in the past because they didn't want to hear any redundancy. The amount of information we haven't given them is a proposal for them to deed the property to us up to say a 35-foot buffer. I will propose that to Mike tomorrow and see where that goes.

Equity was interested in the village taking any sort of joint investment in any public works projects that they would do. The sidewalk, the traffic light or the stormwater are those projects. They asked if we could help them with the cost by using our TIF funds. That is still a work in progress. There still needs to be some conversation on that. That property is closing this Thursday and Cedarbrook has thirty days after closing to be off the property.

Last Thursday Russ set up a zoom call with Lexipol regarding policies on the municipal side. We wanted to see if we could get something that was not too expensive, for our policies. That might be a work in progress as far as time to get it up and running. It could potentially be a good service to use their work.

Mark has sent me this report:

Ohio Groundskeeping – it looks like they are going to miss their May 1 deadline. They will have a court date on May 3. They could ask for an extension. If continued progress is not made we would have to file charges and start all over again. I encourage them to please finish the project. It would benefit us both greatly.

The Ninja Gym was given temporary occupancy permit last Friday. They had light fixtures that were not properly installed. They changed out the light fixtures in the rear and they have until the end of May to install landscaping and screening in the rear.

The preschool on Glick Road - the architect, from Texas, contacted Mark and they will be doing some renovations there. They will try to get their application in so they can meet with the ABR on May 7.

This Thursday, Chris Tebbe, Mark and I will meet with Equity via zoom.

Potholes were filled on Osage.

The Wine Snob has partly complied with the removal of their patio.

Summer banners will be switched out this week.

There are lots of permits filed. Potentially a PUD on the north side of the village. This is property off of the unimproved Eileen.

Pro Tem Report

Pro Tem Thatcher said he met last week with the Delaware Convention/Tourism Board (Discover Delaware). They are working on a few things. They have beer tours and it would be great when the Brewery opens so we can get on their beer trail and we want to be on things like that. They are also pushing a lot of safety in Delaware County and they are going to start some public awareness safety campaigns about Polaris because it is safe to shop there. They say that the overall outlook of the County is good. The bed tax is how they are funded and those are increasing. There are some other things that are coming to Berlin Township. It looks like things are good for us in our part of the County.

Council member Isern said last Tuesday, Mary Gates and I attended the State of the County meeting over at the Zoo. It was very informative. The County Commissioners were there, Jerry Borin was there and introduced himself and the commissioners. They each had power point presentations which were sent back to us via email. They talked about recovering from COVID. Over two million dollars has been granted or loaned to social services agencies and businesses within Delaware County. They showed a video with some humorous comments about the remodeling and the reusage of the historic courthouse and there were a couple of other videos and there was information on the new public defender's office which didn't exist in Delaware County. This is for indigent defense. I would say that it was very interesting and what other meeting can you walk out the conference room and pet a giraffe. It was very informative and very well done.

Committee Reports

Council member Matney said Finance met tonight. Shirley gave us a review of the finance's year to date. RITA revenues are a little down which they traditionally are at this time of year but everything else in the budget so far is moving along as expected. We are being audited for 2019 and 2020. That started on March 16 and should be completed by September 30. Municipal insurance increased by a small amount but that was expected because additional police equipment was added. Health care cost are up a little bit but we are still with the lowest cost provider. Russ already talked about the police body cameras. We agreed to move forward with that. We also supported pursuing the police vehicle as one of ours is going to be paid off this fall. The Charger is on its last lap. We already discussed the Equity project.

Council member Stacy asked if we were going to get any of the stimulus money?

Shirley said we are getting around \$160,000.00 but we are still waiting on treasury guidance for how this money can be used. She said she has two webinars this week regarding that. Shirley said we will receive half the money this year and the other half will come a year later.

Legislative Actions

Second Reading – Resolution 07-2021 – A Resolution authorizing and directing the Village Administrator (and Police Chief) to execute a Mutual Aid Agreement with the Cities of

Delaware, Dublin, Powell, and Westerville as well as the Village's of Ashley, Ostrander, and Sunbury as well as Genoa Township, and the Delaware County Preservation Parks Authority.

Second Reading – Resolution 08-2021 – A Resolution concurring with the Mayor's appointments to the Tax Inc Incentive Review Committee.

Bills

It was moved by Thatcher, seconded by Matney to approve the bills in the amount of \$135,651.79. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Treasurer's Report

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

General	231,216.26	Fire	58,248.66
Street	314,153.91	Weed	3,569.30
State Highway	21,142.06	TIF	41,367.62
PD Body Armor	810.52	TIF 2	12,615.80
Drug Law Enfct.	534.41	Veteran's Memorial	248.97
Indigent Driver	385.84	Sewer Operating	48,111.23
Law Enfct. Trust	6,198.05	Sewer Replacement	51,333.93
Enfct. and Education	1,220.85	Storm Sewer	9,177.34
Police District	68,373.34	Debt Service	110,038.61

For a total of \$978,746.70

Executive Session

It was moved by Gates, seconded by Thatcher to enter into executive session pursuant to Ohio Revised Code 121.22 (G) (1) regarding the consideration of the appointment of a public employee. Council and the Solicitor. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

It was moved by Thatcher, seconded by Stacy to resume the regular meeting. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Adjournment

There being no further business, it was moved by Stacy, seconded by Zimmerman to adjourn. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Meeting adjourned at 8:42 p.m.

Fiscal Officer

Mayor

