

## **Village of Shawnee Hills Council Meeting Minutes**

**February 22, 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, Administrator Craig Thompson and Solicitor Brian Zets

### **Minutes**

It was moved by Isern, seconded by Gates to approve the minutes of February 8, 2021. Following vote on the motion is recorded: yea, 5; Gates, Isern, Matney, Stacy and Zimmerman. Nay, none. Abstain, one; Thatcher. Motion passed.

### **Agenda**

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

### **Solicitor**

Brian said I worked on the legislation that is in front of you tonight with respect to the police department. I can answer any questions now. They are pretty self-explanatory but I can answer any questions you might have with respect to those.

The other big ticket item was the ABR meeting on February 18. If you remember the ABR meeting that was the month before had to do with the Wine Snob's application with respect to the patio. That was tabled at the January meeting and ABR had a meeting again this month where they had invited Larry Burchfield to come in so he was there and his representative was there. A lot was said during that hour but at the end of the day that application remained tabled. I did attend that meeting and tried to keep things in somewhat of an order which was difficult at times.

### **Village Administrator**

Craig Thompson gave the following report:

Ninja Gym – We did check with Frank Albanese and he said they should be finished within the next thirty days.

Osage Woods PUD – Nothing there in terms of their final PUD.

O'Shaughnessy Crossing – Nothing new.

Schirmer Brew Pub – Nothing new.

Pump Station – We expect the screening fence to be completed within the next couple of weeks.

Wine Snob – Brian just talked about that.

Glick Road Annexation – Nothing new.

Glick Road Redevelopment – I did receive a call from Andy Johanni and they are ready to be put on the agenda for the March ABR meeting.

E. Cuyuga Drainage – Nothing new. We will probably see more on this in regards to Strader's detention pond, in the spring.

Road Salt – To date we have used 120 tons of salt as compared to last year a use of 20 tons during the same time period.

MORPC – Shirley and I met with Eileen Leuby and William Murdock via Zoom for their annual member visit.

Council member Matney asked what is the cost comparison between 120 tons of salt versus 20 tons of salt.

Craig said the salt is around \$47.00 a ton, 120 tons equals \$5,640.00 and 20 tons equals \$940.00. We get our salt from Dublin and sometimes from Concord. The price is about the same.

### **Police Chief**

Chief Baron said I continue working with Delaware County 911 to continue setting up our new dispatching software. About every three weeks we are having sessions with Delaware County tailoring that to our needs. I sent you guys all emails about the Lexipol commendation. We did receive a plaque for the gold standard from Lexipol which is the highest level an agency can get. It has to do with our level of polices issued, policies acknowledged and getting current with updates and the daily training bulletins.

I worked with the Finance Committee to finalize the budget which includes the levy. The proposed budget meets the terms that were presented to the community when we asked for them to vote for the levy. Fulltime police coverage is secured. Retention should be much better.

Things like community events should pick back up when it is safe to do so.

Worked with Shirley and our web hosting company to finalize the suggested changes to the police website. It sounds like our annual reports should be available on line by the middle of this week.

The radios that were purchased last year have finally been installed. The radios were deeper in the console so the cheapest option was to remote mount the radios so there was a little bit more charge there. This was still the most economical option we had.

All of our officers attended an in-service last week for crisis de-escalation. It was taught by one of our in house instructors through Force Science Institute, which is a leading indicator of research institute regarding police use of force. We are doing our policies in real world situations. This class brought many things to the forefront. Our officers were engaged and very receptive with the information and we also had an in service table top exercise in response to a missing child. This was simulated patrol response to a missing child and we morphed it into a sped up today incident with a simulated investigation and search. The entire course was based off of an actual missing child investigation that our CART team handled recently. It was a hands on real life scenario that our officers got to work through with little guidance. They did very well. The feedback we received from our officers was good and all of them feel more confident should we have a similar incident in our community which we have dealt with in the last couple of months, a few of them.

Continue to communicate with the vendors in regards to our ammunition. Nationally, ammunition is scarce. What we do find is extremely overpriced. We are adjusting our training to conserve what we have and hope for better prices in the future.

Last thing we did was complete a survey prioritizing municipal employees regarding COVID vaccinations. Wherever public service and law enforcement fits into the schedule. At the request of the Board of Health and the EMA when it becomes available we will work with the EMA and probably the fire department to make sure our employees here are covered.

### **Communications**

Mayor Mathews said two things. Terry Ellington sent him an email regarding the Ninja Gym and I guess they are subletting the Pursuit of Fitness. Pursuit of Fitness is advertising 24 hour service.

Craig said I was not copied on the email but I know what you are talking about because Mark keeps me informed. He actually printed it out for me. Terry had a number of questions and Mark responded to her and Brian was involved with that. Brian actually provided input on the answers that Mark put together. Brian do you want to add anything to that.

Brian said I haven't heard anything since Mark had asked those questions. It sort of had to do with the operation of the business and the idea that a business can operate there if it is a permitted use, but then there will be some questions, I think, that Mark had rightfully so, that if they are going to expand or do something different than what Ninja Gym had originally said with respect to do they need more parking spaces so they have to expand the parking area, things like that, then they may have to come back to the village to get the proper permits for those. The general idea of operating a business that is permitted, is permitted. We can't say who they can or can't sublease to but there may be some other things that are implicated, like parking.

Mayor Mathews asked are business hours part of what they initially submitted as a business plan or not.

Brian said it is not. We will have to figure out what they are really going to do. There could be an issue if, all of a sudden, they are going to be out there after dark in the summer or something so maybe there will some outdoor lighting. Some things that maybe ABR would have had to consider had that been part of the original plan, than yes they would be, just generally the use if it is permitted, then it is permitted. We have to wait and see. Would an additional parking lot need additional screening or if they were going to use some outdoor space for exercise, where is that and what is that really going to be. Would that maybe require some landscaping? None of those can really be answered until we have a better understanding of what they are going to do and where they are going to do it.

Mayor Mathews said I do not want them to take advantage of a resident who did their due diligence by coming to the meetings, expressing their concern with it, and then just to have it changed because they decided it as part of their business.

The second item is if you watched the ABR meeting it was entertaining. I have to say I am happy; I commend the ABR because it was contentious. There was some yelling. The fact of the matter is I think Shawnee Hills would like nothing better than for Larry to open tomorrow but

the problem is it is not in our hands. I think the ABR did the best thing by leaving that tabled and not put us in any sort of liability. We are not inserting ourselves into the middle of that argument. It is not ours to make. I know he thinks it is; he wants to work together, but it's not our lease. So I commend them for that. I commend Finance for last week. They did an incredible job on the budget. It was a two hour meeting and I think we got to where we got to by crunching numbers and making some hard decisions and I think it worked out. I think they did a great job.

I did send an email to Rob Platte. I have not heard back about any of the JEDD's.

If anyone from Powell is listening, we have never been contacted by Liberty Township for any JEDD.

### **Pro Tem Report**

Pro Tem Thatcher said I worked with the Dublin American Legion Post 800 and we did the Color Guard for Pat's funeral on Friday. Everyone went to Third Base and had a toast to Pat. He would have liked that so it was kind of a nice thing to do. It was a nice turnout. It was one of the biggest Color Guards they have done in a while too.

### **Committee Reports**

Council member Matney said Finance met last week and as you mentioned we spent quite a bit of time going through the budget making sure the police levy funds and salaries were allocated appropriately and you will see that on the legislation tonight. I think we did a good job making some difficult decisions.

Craig said I want to comment on that. In the Finance Committee, the proposed raise for the municipal employees, a 3% raise, was put on hold and I just want to let you know how disappointed I am that the employees over here, who plow the snow, mow the grass, keep the books, pay the bills, process all the development applications, can't even get a measly three percent increase which amounts to less than four thousand dollars. Frankly, I think it is a slap in their face.

Shirley said I would like to add something to the Finance Committee too because I don't think Renee explained everything that was going on. Because we have a police levy we have to set up a police district fund so the \$88,911.00 will automatically be receipted into that and then the State Auditor's suggested that we transfer the remaining police budget funds from the general fund to the police district fund. As I said, the levy amount that was approved by the residents was \$88,911.00. The revenues estimated for this year is \$690,963.58. The general fund total in the reappropriation budget before you tonight is \$722,393.73. This total budget is \$31,430.15 higher than the estimated revenues for this year.

Budgeting 101 is you don't spend more money than you are bringing in for the year.

The Finance Committee said that they wanted the entire amount of the levy to be put into PD wages and benefits. Russ asked for a larger amount than that and that is what Finance is recommending for you to adopt tonight. This annual increase is \$120,472.53 which is \$31,561.52 higher than the \$88,911.00.

This means that we will have to use carry over funds of \$31,430.15 this year to pay the bills and it will be \$33,343.43 next year since the pay increases do not go into effect until March of this year.

In 2017 RITA tax collections were \$579,603.00.  
In 2018 the collections were \$14,396.00 less than 2017.  
In 2019 the collections were \$30,800.00 less than 2017.  
In 2020 the collections were \$16,344.00 less than 2017.  
We haven't even got back to the 2017 tax collections.

My concern is that we are spending a lot of money over and above our estimated revenues.  
Thank you.

Council Member Matney asked Shirley what the carry over balance was for this year.

Shirley said the carryover was \$224,000.00 because we received COVID funds and dividends from the Bureau of Workers Comp.

Craig said I would like to ask a couple more questions on the tax levy. I just want to get my arms around this. My understanding, based on conversations that I heard last year, the projected \$88,911.00 was to be used for salaries and to solidify and stabilize the police department. Is that right?

Russ said yes.

Craig said stabilizing the police department meant hiring a full time police officer, is that right?

Russ said no, retention was an issue, pay was an issue, and those were some of the things that were discussed.

Craig said so the fifth full time police officer was not part of stabilizing the police department.

Russ said it was all part of that. The fifth full time police officer was part of stabilizing the police department.

Craig said would it not mean then that the levy funds would be used to pay for that fifth full time officer.

Russ said yes.

Craig said the fifth full time police officer is roughly \$48,000.00 and you subtract 48 from 88 and you get 40. That is \$40,000 that would be left for salaries. What I don't understand here is when you look at the legislation tonight and the discussion we had last week the amount of the raises that are proposed are actually around \$67,000.00, not forty. How did we get from 88 and adding on the 27?

Council member Gates said what are instructions were from Finance was that Shirley was to pretend as though there was no levy. Do a budget with additional funds in the salaries, then the levy was supposed to be added in as one lump sum in for the salaries. There was going to be an increase in their pay, obviously.

Council member Gates said I would like to address your questions Craig. You asked a lot of questions and moved on very quickly with a whole bunch of numbers. When you were talking about some of the things that you have concerns about, you did not say one thing at our special finance committee meeting the other night and nothing was said on the 25<sup>th</sup>.

Craig said I didn't have to, Shirley said it all.

Council member Gates said I believe these questions are serving a purpose to kind of stonewall the whole situation. You had all kinds of opportunities, all of us, to talk about the numbers, to talk about the issues, and everything and now that we are about ready to vote, two months into this year and the police have still not gotten the money that people voted on. Now all of a sudden we have all these questions.

Craig said this is a public meeting and this is how I feel.

Mayor Mathews said for getting to these income numbers; nobody said the income numbers had to be divided out by \$88,000.00. We redid the budget. We had \$88,000.00 as a result of the levy. No one said that the stabilization of the police department had to be only the \$88,000.00.

Craig said so you are saying that it is the 88 plus an additional amount to get to the raises that are proposed and in the legislation tonight.

Mayor Mathews said we have been trying to get to a pay scale for years.

Craig said so it was 88 plus. It was the tax levy plus the additional 27 to get to the increases, the pay raises that are in the legislation tonight, that's basically it.

Mayor Mathews said yes.

### **Legislative Actions**

Second Reading- Ordinance 04-2021 – An Ordinance amending Section 147.02 (Purpose of the Architectural Board of Review) of the Village of Shawnee Hills Codified Ordinances

First Reading- Ordinance 05-2021 – 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, 2021 and declaring an emergency.

It was moved by Gates, seconded by Stacy to suspend with the second and third readings and declare Ordinance 05-2021 an emergency. 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 Zimmerman to adopt Ordinance 05-2021 as an emergency. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

Brian said Ordinance 06-2021 will have to be amended by substitution by Council. Shirley sent me an email asking for the legislation and I drafted it up and there was a little misunderstanding on my part as to exactly how it had to be but once I straightened it out with Russ I changed it around so now it is correct but it has to be the amended version. I will also say the amended version is not an emergency. The other pieces of legislation are an emergency because those are the individual pay raises for those individuals.

It was moved by Isern, seconded by Matney to amend by substitution Ordinance 06-2021. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

First Reading- Ordinance 06-2021 – An Ordinance amending Section 4 of Ordinance 34-2019, thereby amending the Village of Shawnee Hills Police Department Staffing Matrix and increasing the rate of pay for part-time police officers.

First Reading – Resolution 02-2021 A Resolution to increase the rate of pay for Village of Shawnee Hills Police Officer Joshua Hoar and declaring an emergency.

It was moved by Thatcher, seconded by Zimmerman to suspend with the second and third readings and declare Resolution 02-2021 an emergency. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

It was moved by Matney, seconded by Zimmerman to adopt Resolution 02-2021 as an emergency. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

First Reading- Resolution 03-2021 – A Resolution to increase the rate of pay for Village of Shawnee Hills Police Chief Russell Baron and declaring an emergency.

It was moved by Gates, seconded by Zimmerman to suspend with the second and third readings and declare Resolution 03-2021 an emergency. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

It was moved by Matney, seconded by Zimmerman to adopt Resolution 03-2021 as an emergency. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

First Reading – Resolution 04-2021 – A Resolution to increase the rate of pay for Village of Shawnee Hills Police Lieutenant Erin Cullen and declaring an emergency.

It was moved by Isern, seconded by Zimmerman to suspend with the second and third readings and declare Resolution 04-2021 an emergency. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

It was moved by Matney, seconded by Thatcher to adopt Resolution 04-2021 as an emergency. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

First Reading- Resolution 05-2021 – A Resolution to increase the rate of pay for Village of Shawnee Hills Police Sergeant Anthony Larosa and declaring an emergency.  
 It was moved by Gates, seconded by Isern to suspend with the second and third readings and declare Resolution 05-2021 an emergency. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.  
 It was moved by Matney, seconded by Zimmerman to adopt Resolution 05-2021 as an emergency. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

First Reading- Resolution 06-2021 – A Resolution to increase the rate of pay for Village of Shawnee Hills Police Officer Dorian Martin and declaring an emergency.  
 It was moved by Gates, seconded by Isern to suspend with the second and third readings and declare Resolution 06-2021 an emergency. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.  
 It was moved by Matney, seconded by Zimmerman to adopt Resolution 06-2021 as an emergency. Following vote on the motion is recorded, yea: 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Motion passed.

**Bills**

It was moved by Gates, seconded by Matney to pay the bills in the amount of \$34,371.53. 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 Zimmerman, seconded by Isern to approve the following treasurer’s report:

General	237,331.02	Fire	58,370.24
Street	258,912.01	Weed	3,569.30
State Highway	20,090.80	TIF	23,627.12
PD Body Armor	810.52	TIF 2	3,114.39
Drug Law Enfct.	534.41	Veteran’s Memorial	248.97
Indigent Driver	385.84	Sewer Operating	61,139.27
Law Enfct. Trust	5,698.05	Sewer Replacement	51,333.93
Enfct. and Education	1,220.85	Storm Sewer	14,689.15
		Debt Service	96,404.89

For a total of \$837,480.76

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 Isern, seconded by Zimmerman to adjourn until March 8, 2021. Following vote on the motion is recorded: yea, 6; Gates, Isern, Matney, Stacy, Thatcher and Zimmerman. Nay, none. Meeting adjourned at 7:37 p.m.

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Fiscal Officer

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Mayor