

SPECIAL TELECONFERENCE COUNCIL MEETING MINUTE

Circleville City Council teleconference on Tuesday March 26, 2020 at 7:00 pm. The following members called in: David Crawford; President of Council; Michelle Blanton, At Large; Katie Logan Hedges, At Large; Tom Klitzka, At Large; Jeff Hallinin, First Ward; Barry Keller, Second Ward; Sheri Theis, Fourth Ward; and Linda Chancey, Clerk. ABSENT Todd Brady, Third Ward. Guests in that teleconference meeting were Mayor Don McIlroy; City Auditor Gayle Spangler; Safety Director Tony Chamberlain Police Chief Shawn Baer and Law Director Gary Kenworthy.

President David Crawford called the meeting to order at 7:00 PM.

President Crawford stated that Tom Klitzka, Barry Keller, Michelle Blanton and Sheri Theis called the Special Council meeting. The media was given notice of the Special Council meeting on March 25, 2020.

Crawford continue since this is a Special Council Meeting the agenda is dispense with.

Roll Call- Absent Todd Brady

Hedges read a statement "Since we last met, two important things have happened. The first being that council received what was referred to as an "authorized offer". Between receiving that offer and today, we have been told from a representative speaking on behalf of the Morningstar's that the offer was given with no authority from them. So, I'm disregarding the details of that entire offer.

We have also since found out from the training facility, that the City could now retain a new dog in 6-8 weeks and train an authorized handler we have on-staff currently. While 6-8 weeks is certainly not next week, which is when we could have "Harry", it is far more reasonable than a fall or winter date. We have also received the Sheriff's word that in that time period the Pickaway County Sheriff's Office (PCSO) can provide assistance with one of their K 9s, should the City need it, both proactively and reactively.

The training facility also provided to us a quote for \$13,000 for a new dog, which includes the training for the handler. The city would have incurred that \$1,000 no matter what so given these new details, that have fulfilled the two major concerns - the timeframe and out of pockets expenses that would otherwise not have to be incurred, especially in light of having to ask the citizens for a tax levy, I think it seems reasonable, that we can transfer the dog for \$12,000. This covers a large portion of the out of pocket expenses we would have to purchase a new dog and enables the dog to be reunited with Deputy Morningstar while also fulfilling the obligation that Deputy Morningstar has for the remainder of his contract."

Crawford stated that Council received a copy of the legislation tonight to review.

"An Ordinance Authorizing the Department of Public Safety Division of Police to Enter into An Agreement for The Sale of The Drug Canine "Harry" To The Board Of Commissioners of Pickaway County to be used by The Pickaway County Sheriff's Department and Declaring An Emergency.

Blanton questioned the language in the title of the ordinance, ...to change to purchase a new dog and draft an agreement that has requirements.

Kenworthy stated it's my understanding the transaction is to sale the canine "Harry" to the Sheriff's Department and use those funds to purchase a new dog.

Hallinin stated the ordinance does not detail the price or timing. Kenworthy stated I don't know the specific or detail for an agreement, but an agreement with those detail can be drafted.

Klitzka asked on availability of a new canine on site for the City and the Community will it be spelled out in agreement with the allowance of a timeframe such as hours per week or on call? The City cannot be without a dog in the community, not at this time.

Crawford stated in Hedges opening statement she explained this. Hedges stated that was a large concern of hers, but Sheriff Radcliff will make sure a dog is available to the City or an active situation, Sheriff Radcliff will make sure a K 9 dog is on City's street.

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Keller stated when I spoke with Sheriff Radcliff, he reassured me that the services are available to the City until a new dog is ready to go. Hedges stated just for clarification it is unclear if Morningstar current certification will transfer to the County or he may need new certification through the County, it might not be Morningstar, but another handler.

Crawford asked Sheriff Dept would not pay \$12,000 through the Pickaway County Commissioners the conduit... this is the price we are setting for the Morningstar family, is that correct. Hallinin stated after reviewing the ordinance that price is in the ordinance with details that meets the critical Council is looking for no lapses in coverage for a new dog. Crawford continue again "Council is asking the Morningstar family to pay this price for the dog."

Hedges explained I disagree with the statement Crawford, it sounds like Council is trying to appease the issue with costs, this is for the value to replace a dog.

Klitzka asked what the expectation of the funds are if we have to pay the County to use the dog. Crawford stated, the City will not have to pay the County. Hedges stated according to the Sheriff Radcliff no additional charges are for this service.

Mayor Don McIlroy asked if we put this agreement together, we need to identify who own the dog. In the ordinance it has be clarified and, in the agreement, too. Blanton stated is it going to be used by Sheriff Dept. or a family pet? Kenworthy explained the City cannot sale "Harry" to the Morningstar family this is an intercounty agreement between the City and County permissible by statue.

This is stated in the ordinance title it specifically says, "to be used by the Pickaway County Sheriff Dept."

Crawford asked in the title is Council placing the burden on the Sheriff Dept to collect the fund from Morningstar? Kenworthy explained the fund comes through the Sheriff Dept. to Pickaway County Commissioners. Hedges stated its the intent to make sure the dog "Harry" is available to the Morningstar family and be a handler too.

Police Chief Shawn Baer stated after tonight's vote I would like to recall back the handler and stop the training with "Harry". Hedges asked if the motioned is passed tonight and then taking "Harry" to the Sheriff's Dept. and Shallow Creek is working with another dog are there more cost incurred? Chief Baer stated I would have to call Shallow Creek Kennels, another dog would be available in six weeks to prevent the delay, I don't know. The Mayor stated if this passes tonight this will give us direction as to bringing the officer back from training.

Auditor Spangler explained that according to the agreement \$12,000 will be added to a housekeeping ordinance for the training for new canine. Chief Baer stated the police dept will have to pay Shallow Creek immediately for the training. Spangler stated the funds are in your budget, for training.

Keller stated I met with City Auditor today and on how to make those funds available. Chief Baer stated that he would speak with Sheriff Radcliff and explain that the City needs a canine unit for twenty (20) to (28) hours a week during this time.

Crawford asked if the City purchase a new green dog what is the formula of value for prorated cost? Chief Baer explained that if Shallow Creek Kennels would sale "Harry" the value is \$13,000 because he is almost a new dog.

Spangler explained according to the contract sign by Morningstar (bargaining agreement/contract) the \$14,000 for a dog is payed back on a prorated bases, the value is calculated roughly \$7,800.00. Hedges stated it's the value of new dog for the city.

Kenworthy stated I did not draft current agreement or collective bargaining contract that refunds has been around from prior handlers based on when they leave sixty (60) months or five years, if they leave the cost is prorated for the animal and training, but if they left early they are require to pay the fund to city.

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Spangler stated this is the same contract the City has used since 1996. Hedges asked just to be clear the \$12,000 included total allowed for the remaining of contract \$4,500 to replace the dog, no one want them to pay something that is not reasonable and fair that is where that number came from.

Keller asked the City Auditor in the past did the canine unit ended up with their handlers. Spangler explained, “to my knowledge, Yes, but some have left early or retired from service or with handler. Chief Bear stated the Police Dept. most of the dogs have been in good health and retire with handlers.

Hedges motioned for City Council to authorizes the City Law Director to enter into an agreement with Pickaway County Sheriff’s office to finalize the details of transfer of canine for the purchase price not less than 12,000. Blanton seconded. Roll call (6 Yeas – 0 Nays). Motion passes.

Hedges motioned for adjournment. Blanton seconded. Motion carried.

Respectfully submitted by

Linda Chancey council clerk