



**VILLAGE OF COMMERCIAL POINT  
COUNCIL MEETING MINUTES  
April 5, 2010**

Margie Weaver called the meeting to order followed by the Pledge of Allegiance.

Roll call was taken with the following members present: Margie Weaver, Jim Kuzelka, Don Benedik, Janet Hutchins, Kim Gooden-Kinney and Vidal Cruz. Mike Crites and John Grosse were also in attendance. Mayor Goldhardt was absent.

Mrs. Hutchins made a motion, seconded by Mr. Benedik to approve the March 1, 2010 Regular Council Meeting Minutes. All members were in favor with the exception of Mrs. Gooden-Kinney who abstained. The motion passed.

Mr. Kuzelka made a motion, seconded by Mr. Cruz to approve the March 15, 2010 Special Council Meeting Minutes. All members were in favor. The motion passed.

**Administrative Reports:**

A. Mayor's Report - Absent

B. Village Engineer's Report – Mr. Grosse reported to Council the cost of the speed tubes to track the traffic throughout the Village had been sent to Mayor Goldhardt. Mr. Grosse suggested setting up a meeting with ODOT to discuss the traffic situation and possibly only putting the speed tubes at the entrance to West Scioto Green due to the cost. He informed Council of a possible bar screen being placed at the Sewer Treatment Plant to cut down on the blockages they are reporting. He will set up a few meetings with other treatment plants that use bar screens to see what our options are. Mr. Grosse reported the streets will be swept the 3<sup>rd</sup> week of April. He will be meeting with Mr. Hutchins at 7:30 a.m. on Tuesday, April 6, 2010 to discuss the drainage issues at the Township Building. At this time, Mr. Kuzelka asked for an update with Dru Lehman's property. Mr. Grosse said he would contact her and let her know of the Village's intentions.

C. Village Solicitor's Report – Mr. Crites reported the draft letter to Mr. Talbott is finished. He will send it via email to the Council members by the end of the week.

D. Fiscal Officer's Report – Mrs. Hastings reported the following information: General Fund \$ 678,580.52; Street Construction \$ 67,657.49; State Highway \$ 23,574.27; Parks and Recreation \$ 3,875.00; Permissive Motor Vehicle \$ 9,355.35; Housing Developments \$ 10,543.68; FEMA Money \$ 12,857.00; Fireflow \$ 88.24; Water Operating \$ 609,926.26; Sewer Operating \$ 942,860.95; Garbage Operating \$ 13,193.30.

**Legislative Reports:**

A. Legislative Authority Reports

1. Don Benedik – Nothing to report

2. Vidal Cruz – Nothing to report

3. Janet Hutchins – Nothing to report

4. Kimberly Gooden-Kinney – Nothing to report

5. Jim Kuzelka – Nothing to report

6. Margie Weaver – Nothing to report

Citizens Comments – A few residents from Players Club Court were present to question the 1% income tax. They asked why the Village is not issuing a credit if you pay income tax to other cities or municipalities where you work. They feel the public was not notified of the tax or able to vote on the income tax. They don't feel this was done correctly. A question was asked about how to go about cancelling the income tax.

**Business Items:**

A. 2010 Go-Kart Races – Rob Adams – Did not show

B. Municipal Building – Mr. Benedik handed Council recommendations from Ben Lindsay, Project Manager, for the lowest and best bidders for the project. Once the OK is given, they will break ground within 30 days. Mr. Benedik asked if Council wanted to host a ground breaking ceremony. He will ask Mayor Goldhardt if he is interested in hosting this ceremony.

C. Police Department Committee – Meeting has been rescheduled for April 21, 2010 at 7:00 p.m. at the Municipal Building. The public is welcome. Mrs. Hastings is to post a flier.

D. 11030 Berror Road – After very little discussion, this is a resident that resides within the corporation limits that is not hooked up to the sewer system. Mayor Goldhardt and Mrs. Hastings are to get background information to Mr. Crites for him to research.



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E. Land-Use Plan Revisions – Mr. Kuzelka complimented Mr. Crites on a job well done with the revisions of the Land Use Plan. The revisions will be given to the trustees for review. Mr. Crites will meet with the Trustee's attorney if further discussion is needed.

Legislation:

A. Resolutions for First Reading:

**Resolution 06-2010** A RESOLUTION AUTHORIZING AND DIRECTING THE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT ON BEHALF OF THE VILLAGE OF COMMERCIAL POINT FOR CONSTRUCTION OF A MUNICIPAL BUILDING AND DECLARING AN EMERGENCY. A motion was made by Mr. Benedik, seconded by Mrs. Gooden-Kinney to suspend the three readings. A roll call vote was taken: Kuzelka – Yes; Hutchins – Yes; Weaver – Yes, Gooden-Kinney – Yes; Benedik – Yes, Cruz – Abstained. The motion passed. Mr. Kuzelka made a motion, seconded by Mrs. Gooden-Kinney to adopt Resolution 06-2010 and declare an emergency. A roll call vote was taken: Kuzelka – Yes; Hutchins – Yes; Weaver – Yes, Gooden-Kinney – Yes; Benedik – Yes, Cruz – Abstained. The motion passed.

At this time, Mrs. Weaver addressed the citizen's concerns on the 1% income tax. She stated the discussion and voting of the tax was done in the open at public meetings. The Council had three readings that are required by the ORC. Per the ORC the Council is allowed to enact up to a 1% tax without being voted on by the residents of the community. This tax had been discussed for 2 years with no action. She also informed the citizens of the operating budget for last year was \$ 135,000 and this year was \$ 165,000. There are also exemptions from the tax. 1099-R, Social Security benefits, disability and unemployment are just a few. Street repairs, building, police department are just a few things this money is needed to help fund.

Mrs. Gooden-Kinney made a motion to adjourn, seconded by Mrs. Hutchins. All members were in favor. The motion passed and the meeting was adjourned.

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Allan D. Goldhardt, Mayor

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Wendy L. Hastings, Fiscal Officer