



**VILLAGE OF COMMERCIAL POINT
COUNCIL MEETING MINUTES
December 6, 2010**

Mayor Goldhardt started the meeting by welcoming everyone to our new office. He thanked everyone involved for a job well done.

Mayor Goldhardt called the first meeting in our new Council Chambers to order followed by the Pledge of Allegiance. Ms. Hastings took roll call with the following members present: Ms. Weaver, Ms. Hutchins, Ms. Gooden-Kinney, Mr. Kuzelka, Mr. Cruz and Mr. Benedik. Solicitor Crites was also in attendance.

Ms. Weaver made a motion, seconded by Mr. Kuzelka to approve the November 1, 2010 Regular Council Meeting Minutes. Mr. Cruz abstained. The remaining members present were in favor and the motion passed.

Administrative Reports:

- A. Mayor's Report – Nothing to report
- B. Village Engineer's Report - Absent
- C. Village Solicitor's Report – Nothing to report
- D. Fiscal Officer's Report – Ms. Hastings gave the following report: General Fund - \$ 662,970.81; Street Construction - \$ 54,503.60; State Highway - \$ 4,734.55; Parks and Rec. - \$ 3,875.00; Permissive Motor Vehicle - \$ 9,362.50; Housing Developments - \$ 21,680.44; FEMA Money - \$ 12,857.00; Fireflow - \$ 88.24; Water Operating - \$ 679,396.45; Sewer Operating - \$ 679,288.87; Garbage Operating - \$ 12,394.00.

Legislative Reports:

- A. Legislative Authority Reports
 1. Don Benedik – Mr. Benedik made a motion, seconded by Ms. Weaver to remove Ordinance 2010-04 from the table. A roll call vote was taken: Ms. Weaver – Yes; Mr. Cruz – Yes; Mr. Kuzelka – Yes; Ms. Gooden-Kinney – No; Ms. Hutchins – Yes; Mr. Benedik – Yes. The motion passed and the ordinance was removed from the table.
Mr. Benedik made a motion, seconded by Ms. Weaver to adopt Ordinance 2010-04. A roll call vote was taken: Ms. Weaver – Yes; Mr. Cruz – Yes; Mr. Kuzelka – No; Ms. Gooden-Kinney – No; Ms. Hutchins – No; Mr. Benedik – Yes. Since there was a tie, Mayor Goldhardt had the deciding vote. Mayor Goldhardt voted yes to adopt the ordinance. The motion passed and the ordinance was adopted.
 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

Business Items:

- A. Municipal Building Committee Report – Mr. Benedik reported this would be his last report on the building. Mr. Benedik reported the Open House went well. He will prepare a written summary for Council once all invoices have been paid and all items have been taken care of. Mr. Benedik asked Mayor Goldhardt and Ms. Hastings how things were going in the new office. Mayor Goldhardt reported there is a water leak in the entrance area. He has put in a phone call to Ben Lindsay. We are still having some issues with the phone lines. Mayor Goldhardt will be working with ATT to get these items corrected. Everything else is great!
- B. Website Information & Updates – Ms. Gooden-Kinney reported she had spoken to someone in the Grove City Municipal Office. Their website was done by someone internal. She placed a phone call to that individual, however she has not heard back from them. At this time, Ms. Weaver introduced John O'Connor from Celerity Networks. Mr. O'Connor handed out a pamphlet to Council regarding wireless internet services he wants to provide for Village residents. Mr. O'Connor asked for permission to place an antenna on our water tower. He is willing to pay \$ 150 per month to the Village to help cover the cost of the electric the antenna would need. The Village would also receive 2 free internet connections. Council members will hold more discussion on this at the next COW meeting on December 13, 2010.



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- C. Police Committee Report – Mr. Cruz reported he had received 174 surveys. This is approximately 12% of the total surveys sent out. Mr. Cruz emailed Council members his findings. The Police Committee will be meeting in the next few weeks to make a recommendation for Council.
- D. Speed Study Report – Mr. Cruz reported he received the information from Chief Jordan. He does not feel this is a good number to be submitting to ODOT. He spoke with a representative from ODOT who informed him they do not care how we come up with the 48 hours. We could do it in shifts for a few hours a day if we prefer. They did say that if our numbers do not compare to what they did a few years ago, ODOT will come out and do their own study. The last study ODOT completed showed 3,040 vehicles in a 24 hour period. Mr. Cruz will be meeting with Chief Jordan to discuss further.
- E. Tornado Siren – Mayor Goldhardt reported that Lumbee Electric will be removing the siren from the current location and repairing it. Once it is repaired, it will be placed on the Men's Club property located by their pole barn. They have agreed to let us put the siren there and not charge us for any electric the siren may use. Mayor Goldhardt has updated Chief Welch of the Scioto Township Fire Department.
- F. Liquor Permit Renewal Objections – There were no objections to the liquor permit renewals. Mayor Goldhardt will submit the proper paperwork.

Legislation:

- A. Ordinance for 1st Reading:
Ordinance 2010-05 AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF COMMERCIAL POINT, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2011 AND DECLARING IT AN EMERGENCY.
Ms. Gooden-Kinney made a motion, seconded by Ms. Weaver to suspend the three readings. A roll call vote was taken. All members present were in favor and the motion passed.
Mr. Kuzelka made a motion, seconded by Ms. Hutchins to adopt Ordinance 2010-05 and declare an emergency. A roll call vote was taken. All members present were in favor and the motion passed.
- B. Resolutions for 1st Reading:
Resolution 14-2010 A RESOLUTION TO RATIFY THE REALIGNMENT OF MONIES WITHIN THE GENERAL FUND FROM THE TRANSFERS - OUT FUND 1000-910-910 AND TRANSFER IT TO THE OTHER - CAPITAL OUTLAY FUND 1000-110-590 AND DECLARE IT AN EMERGENCY.
Ms. Weaver made a motion, seconded by Mr. Benedik to suspend the three readings. A roll call vote was taken. All members present were in favor and the motion passed.
Mr. Cruz made a motion, seconded by Ms. Weaver to adopt Resolution 14-2010 and declare an emergency. A roll call vote was taken. All members present were in favor and the motion passed.
- Resolution 15-2010** A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO AN ANNUAL CONTRACT FOR 2011 WITH D. MICHAEL CRITES AND HIS LAW FIRM FOR SERVICES AS VILLAGE SOLICITOR AND MAYOR'S COURT PROSECUTING ATTORNEY AND DECLARING AN EMERGENCY.
Ms. Hutchins made a motion, seconded by Ms. Gooden-Kinney to suspend the three readings. A roll call vote was taken. Mr. Benedik – Yes; Ms. Weaver – Yes; Mr. Cruz – No; Ms. Gooden-Kinney – Yes; Mr. Kuzelka – Yes; Ms. Hutchins – Yes. The motion passed.
Ms. Weaver made a motion, seconded by Ms. Gooden-Kinney to adopt Resolution 15-2010 and declare an emergency. A roll call vote was taken. All members present were in favor and the motion passed.



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At this time, Ms. Weaver presented Council with the proposed meeting dates for 2011. After some discussion the dates were set. These dates will be posted at our five local posting spots.

A motion was made by Ms. Gooden-Kinney, seconded by Mr. Cruz to have a Community Garage Sale on the weekend after the Village of Commercial Point Homecoming and the Commercial Point Grand Prix of Karting. All members were in favor and the motion passed.

At this time, Mr. Benedik opened up discussion on an email that he had sent to Council members regarding respect for others, attire for Council meetings, punctuality, attendance, etc. He feels that council members should portray a more professional image when representing the village. Some of the council members disagreed with Mr. Benedik. Mr. Cruz asked who was going to determine what is acceptable attire and what isn't. Ms. Hutchins made a motion, seconded by Mr. Cruz to move this discussion to the next COW meeting. All members were in favor and the motion passed.

Mr. Kuzelka then suggested that council try not to waive the three readings and pass ordinances and resolutions as emergencies if at all possible. The rest of the council members agreed and will try to do so if at all possible when dealing with future legislation.

Ms. Gooden-Kinney made a motion, seconded by Mr. Benedik to adjourn the meeting. All members were in favor and the meeting was adjourned.

Allan D. Goldhardt, Mayor

Wendy L. Hastings, Fiscal Officer