



**VILLAGE OF COMMERCIAL POINT  
COUNCIL MEETING MINUTES  
September 10, 2012**

Mayor Hammond called the meeting followed by the Pledge of Allegiance. Mayor Hammond asked for a Moment of Silence to honor our Men and Women; Past and Present; for their Military Service to our Country. Mr. Kuzelka took roll call with the following members present: Mr. Kuzelka, Ms. Gooden-Kinney, Mr. Wissinger, Mr. Cruz and Mr. Thompson. Engineer Grosse, Solicitor Crites and Chief Jordan were in attendance. Mr. Shelton and Fiscal Officer Hastings were absent.

Mr. Thompson made a motion, seconded by Mr. Kuzelka to approve the August 6, 2012 Regular Council Meeting Minutes. All members were in favor. The motion passed.

Mr. Thompson made a motion, seconded by Mr. Wissinger to approve the August 20, 2012 Special Council Meeting Minutes. All members were in favor. Mr. Cruz abstained. The motion passed.

**Administrative Reports:**

A. Mayor's Report – See attached. At this time Mr. Cruz asked for a cost on the repairs to the Scioto Street sink hole. Mayor Hammond said purchase order was issued for \$ 1,700. Mr. Thompson asked what caused the sink hole. Mayor Hammond said the way the gas line was drilled in that area years ago, caused our lines to deteriorate. Mayor Hammond will be filing a claim with the Gas Company for reimbursement for the repairs. At this time Mr. Cruz asked what "MUCH BETTER" meant in the Mayor's report and if our Utility Plant was meeting the EPA standards. Mayor Hammond said that "MUCH BETTER" had to do with equipment that had been broken is repaired and working again. Our results from tests being taken from the plant are improving and that we are meeting the EPA standards at this time. Mr. Cruz asked Mayor Hammond why he was working on the deduct meters when this is something the Utility Committee should be handling. Mayor Hammond said at the last COW meeting, it was discussed that the cost of meters, cost of installing the meters, and other various items were to be determined before any decisions could be made. He said that was the information he was gathering on the deduct meters.

B. Village Engineer's Report – Engineer Grosse said he was in receipt of the EPA approval letter for the new well site. The next step is to set up a meeting with the property owners for a test site. Solicitor Crites asked if there was an update on the survey that needs to be completed on the Walker Point walk path. Engineer Grosse said he was in contact with the surveying company and is still waiting for the survey to be completed.

C. Village Solicitor's Report – No report

D. Police Department Report - Chief Jordan was unable to print the Police Report for this meeting. He will have it printed and in Council's mailboxes in the next few days. Mr. Cruz asked for clarification on ride-alongs with the police department. Chief Jordan informed Council as of right now, there are no ride-alongs being offered. He is looking into putting a policy into place where 3 ride-alongs per year will be offered to Council members, public safety employees and other officers from other agencies. This is something that will need to be approved by Chief Jordan and the Commercial Point officer on duty. Mr. Cruz asked Solicitor Crites if this was a typical procedure that is common among other departments. Solicitor Crites will look into it and get back with Council. Mr. Kuzelka asked what the speed limit was on Walker Road and why we have officers writing tickets on Walker Road. Chief Jordan reported the speed limit on Walker Road is 55 mph, assuming 35mph if there is a Corporation Limit sign. He also said our police officers can write tickets on Walker Road since part of it is in the Village limits. He also said that our officers can write a ticket under Municipal code if someone is caught speeding on the part of Walker Road that is owned by the Township.

E. Fiscal Officer's Report – No report

F. Plant Superintendent's Report – Engineer Grosse reported there were issues with the wells over the weekend. Two motors went out and stopped working. One of them was replaced today. The orbital aerator is working. Engineer Grosse said there were some complaints about colored water at Walker Point last weekend. He went out a flushed the hydrants which seemed to take care of the problems. He did ask that if this should happen again, he would like a sample of the discolored water so that he can run tests on the water to help in figuring out why the issue occurred. Ms. Gooden-Kinney asked for clarification on the wells. We have 4 wells and 3 of them were not working properly. She also asked for an update on the flush hydrant at Walker Point. Engineer Grosse said he wasn't sure that the hydrant was set up on any schedule. He will check with John Thompson, Superintendent.



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Legislative Reports

A. Legislative Authority Reports

1. Vidal Cruz – Mr. Cruz informed Council that a date and time for Beggar's Night needed to be scheduled. Ms. Gooden-Kinney made a motion, seconded by Mr. Cruz for Beggar's Night to be on October 31, 2012 from 6:00 p.m. – 8:00 p.m. All members were in favor. The motion passed.

2. Jim Kuzelka – No report

3. Kimberly Gooden-Kinney – Ms. Gooden-Kinney said in 2012 with our new Mayor and new Council members it was decided to have committees. Why in the Mayor's Report did it say that John Thompson, Engineer Grosse and Mayor Hammond were working on deduct meters? Ms. Gooden-Kinney feels that anything to do with deduct meters needs to be going through the Utility Committee. She said the committee is working on the possibility of restructuring our rates and other items right now. Mayor Hammond said at the last COW meeting more information needed to be gathered before anything could be decided on deduct meters and that is what he was working on. Conversations between John Thompson, Engineer Grosse and Mayor Hammond are the only thing that has been done at this point. Mr. Cruz asked why deduct meters became an issue with other things on the table taking priority. He also feels that a majority of Council is not for deduct meters. The Utility Committee will be responsible for future progress on the deduct meters as they feel necessary. Mayor Hammond responded to Ms. Gooden-Kinney's comment about deciding to have committees in 2012. He said Council had committees before he became Mayor. Ms. Gooden-Kinney corrected herself and said minimal committees had been used in years past. Mayor Hammond said committees are to make recommendations to Council at the COW meeting and then bring to the regular meetings to be acted upon. Mr. Thompson feels the committees are being stepped on. He said signs are being ordered without the committee's knowledge. Mr. Kuzelka said no one is bringing anything to him for the COW agenda so that must mean the Village is running smoothly. Committees are responsible for gathering information and presenting it to the rest of Council. The Roads Committee is responsible for storm drain issues; however had nothing to do with the repairs at the intersection of E. Scioto St. and Bellshazzer. This project should have been initiated by the committee and not done by the Mayor. Mayor Hammond said this issue, along with the repairs to the sink hole were brought up at the COW meeting as emergency items that needed to be done. He said he is all in for team work; however feels he doesn't understand what he is allowed to do and what he isn't allowed to do. He feels that if he initiates a project, Council says he shouldn't have and if he doesn't start a project, Council is asking why not. Mayor Hammond said the sink hole on Scioto St. was an emergency repair and while the equipment was here doing this repair, he had them do the other project on E. Scioto and Bellshazzer. Solicitor Crites said there is some overlapping happening among the committees and Mayor Hammond. He reiterated that communication is the key factor in making this work. He said that if something comes up and the Administration knows about it, the chairperson of the responsible committee should be notified so that they can act upon the issue. He said Communication can go a long way. Mr. Thompson brought up the street signs that Mayor Hammond ordered. He feels this should have been brought to Council by the Safety Committee. Mayor Hammond responded by saying the signs have been missing or broken for the last several months and the committee hasn't done anything about fixing/replacing them. Mayor Hammond said Mr. Cruz told him to take care of fixing/replacing the signs. Mr. Kuzelka said the maintenance of the signs is the Mayor's responsibility, however the research and proposal of any repairs needs to be done by the committee. Ms. Gooden-Kinney was concerned about problems we might be having with Country Connections as Mayor Hammond had in his report. Mayor Hammond said there were no problems. The office is wired and Ms. Hastings was able to confirm with AT & T that she would not lose any of the email addresses that are in use today. Ms. Gooden-Kinney was concerned about a comment Mayor Hammond made about projects that were to be completed in 2012 haven't been done. She asked for a list in writing. Engineer Grosse will have the list at the COW meeting. Finally, Ms. Gooden-Kinney asked Mayor Hammond to speak with Gary Griesenbrock, Zoning Inspector, about coming to the Zoning Committee meetings. The committee would appreciate Gary's input on what he would like to see changed in the Zoning Ordinance. Mayor Hammond said Gary's position is an appointed position and approved by Council. He can't force Gary, but he will speak to him.



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4. Jason Thompson – No report
5. Randy Shelton - Absent
6. Clarence Wissinger – No report

Committee Updates

- A. Utility Committee – Utility meeting scheduled for September 17, 2012 is cancelled.
- B. Street Committee – No report
- C. Safety Committee – Mr. Thompson reported he had received the approved permit from ODOT in regards to the LED signs that the committee would like to install. Total cost for the signs is \$ 6,740 and includes (2) 30" LED stop signs, (1) 36" LED stop sign and (2) 30" pedestrian crossing signs. Dynahoe gave a price of \$ 725 to install the signs. Mr. Cruz made a motion, seconded by Ms. Gooden-Kinney to move forward and have Mayor Hammond issue purchase orders and then order the signs. Ms. Gooden-Kinney asked if the Village was responsible for the maintenance of the signs. Yes. She also asked why the permit talked about "easements". Mr. Thompson said the permit document was used for many projects and the "easements" section did not pertain to this project. The permit is just for ODOT to have documentation on the signs. All members were in favor of the motion. The motion passed. Mayor Hammond asked who was responsible once the signs were received at the Village office. Mr. Thompson said he had no problem giving that responsibility to the Administration. Mayor Hammond wanted clarification since he did not have anything to do with the previous crosswalk sign project. Mr. Thompson brought up an issue pertaining to stop bars at all stop signs throughout the Village. The committee will research and present findings to Council.
- D. Finance Committee – No report
- E. Zoning Committee – Next meeting is scheduled for September 13, 2012 at 7:00 p.m.

At this time, Ms. Ginny Goldhardt, 5 Front Street asked for a date of when the drainage issue in front of her house would be repaired. Mayor Hammond said once they receive the list of projects from Engineer Grosse, the projects will be prioritized. Ms. Goldhardt asked Mayor Hammond about a statement he made while campaigning in regards to the 1% tax. Mayor Hammond asked Ms. Goldhardt to read the document she was referring to. He stated he was opposed to any additional tax. Ms. Goldhardt said the 1% tax was put into place by the previous Council with the required readings along with public meetings. Ms. Gooden-Kinney asked Mayor Hammond to call Ms. Goldhardt once the projects were put into a priority list. Ms. Gooden-Kinney asked Ms. Goldhardt if she was retired. Ms. Goldhardt said she was. Ms. Gooden-Kinney was concerned why Ms. Goldhardt was asking about the income tax when she isn't even paying it. Ms. Goldhardt said she was inquiring on behalf of another resident. Ms. Gooden-Kinney said the money collected is paying for roads, safety, police protection etc.

Mr. Scott O'Neil of 121 Yukon Dr. asked why the stop sign at Alberta Dr. has not been repaired when Council has known about it for a while. Mayor Hammond said he checked the sign right after Mr. O'Neil reported it and it was standing and seemed to be fine. Mr. O'Neil said he and Chief Jordan temporarily set the sign back up, however it needs to be properly repaired.

Legislative:

**Resolution 07-2012 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.** Mr. Thompson made a motion, seconded by Mr. Kuzelka to suspend the three readings. A roll call vote was taken: Mr. Kuzelka – Yes, Mr. Thompson – Yes, Mr. Wissinger – Yes, Mr. Cruz – Yes, Ms. Gooden-Kinney – Yes. The motion passed. Mr. Thompson made a motion, seconded by Mr. Kuzelka to adopt Resolution 07-2012. A roll call vote was taken: Mr. Kuzelka – Yes, Mr. Thompson – Yes, Mr. Wissinger – Yes, Mr. Cruz – Yes, Ms. Gooden-Kinney – Yes. The motion passed.

**Resolution 08-2012 A RESOLUTION TO REALIGN MONIES WITHIN THE GENERAL FUND FROM THE MACHINERY, EQUIPMENT AND FURNITURE FUND 1000-710-540 AND TRANSFER SAID MONIES TO THE CLEANING, MAINTENANCE AND REPAIR OF BUILDING FUND 1000-710-431.** Mr. Wissinger made a motion, seconded by Mr. Thompson to suspend the three readings. Mr. Cruz asked why we need to move money. Mayor Hammond said he had received a written proposal to have the Municipal Building cleaned at a rate of \$ 75.00 per cleaning. The Utility employees do not have time to take on this task. Mr. Cruz asked if the person was insured and bonded. Mayor Hammond said No. Solicitor Crites said this person would not be covered under the general liability insurance since she isn't an employee. Standard policy would be for her to be licensed and bonded. A roll call vote was taken on the motion to waive the three readings: Ms. Gooden-



**VILLAGE OF COMMERCIAL POINT  
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Kinney – No, Mr. Wissinger – Yes, Mr. Kuzelka – No, Mr. Cruz – No, Mr. Thompson – Yes. The motion did not pass. Mr. Thompson and Ms. Gooden-Kinney feel whoever the Village contracts with for the cleaning of the building, needs to be licensed and bonded.

At this time, Mr. Cruz made a motion, seconded by Ms. Gooden-Kinney to adjourn the meeting. All members were in favor. The meeting adjourned.

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Joe Hammond, Mayor

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Wendy L. Hastings, Fiscal Officer