

**VILLAGE OF COMMERCIAL POINT
COUNCIL MEETING MINUTES
November 5, 2012**

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

Mr. Shelton made a motion, seconded by Ms. Gooden-Kinney to approve the October 1, 2012 Regular Council Meeting Minutes. All members were in favor. The motion passed.

Mr. Cruz made a motion, seconded by Mr. Thompson to approve the October 15, 2012 Special Council Meeting Minutes. All members were in favor. The motion passed.

Administrative Reports:

A. Mayor's Report – in the absence of Mayor Hammond, Ms. Gooden-Kinney read the Mayor's report which is attached hereto.

B. Village Engineer's Report – Engineer Grosse reported he had received 2 bids for the fence work on the walk path at Walker Point. Paul Peterson was \$ 25,515.00 and Lanis Fence was \$ 13,735.00. Mr. Cruz asked for the scope of the fence work. Engineer Grosse reported there would be 370' – 380' total feet of fence. It would be 6' high with a curved top. There would be pipe placed along the bottom, middle, top and top of the curved pieces. The old fence along the Township Property would be removed and tied into the new fence. Breck's Paving will be starting the asphalt work the week of November 12, 2012 weather permitting. The last piece will be to have the lighting installed. Engineer Grosse said there is paperwork that has not been completed. Mr. Struckman has the lot split application and the deed to be approved at the Township meeting on November 7, 2012. Once this is completed, Council will need to have a Resolution prepared to accept the property and also approve the lot split application as presented. These items will take place at a Special Meeting to be held on November 19, 2012 at 7:00 p.m. Engineer Grosse reported he and Mayor Hammond had a meeting with Mrs. Lehman on the proposed well site. There are documents being drafted regarding the value of this piece of property. The ultimate goal is to have a contract prepared allowing us to drill a test well. If the test results come out in a positive result, the next step would be to drill a production well and finally purchase the property. Approximate cost of the test well is \$ 30,000.00 and the production well is \$ 60,000.00. Paul Peterson Company will be installing the guardrail on Front and Congress next week per Engineer Grosse. An eleven month walk thru will be conducted tomorrow, November 6, 2012 at Chestnut Estates. Engineer Grosse along with Superintendent Thompson, Mr. Muskera and representatives from Westport Homes will be discussing items that need action. A complete punch list will be documented and signed off on before the Village will release the bond we are holding. At this time, Engineer Grosse handed out the most current JEDD contract. There was no action required tonight, however Engineer Grosse asked Council to take some time and review the contract. Engineer Grosse informed Council of a waterline break at the intersection of Harsh Alley and Third Street that happened on Sunday morning, November 4, 2012. A contractor was called and the necessary repairs were completed. About midnight, Superintendent Thompson received an alarm from the water towers and knew something had happened at the waterline site. Upon arriving he noticed the valve that was just installed had blown and dropped roughly 50,000 gallons of water from the tower. He called Engineer Grosse and they decided to shut off the water supply again and make the repair in the morning. A new hydrant and valve were installed Monday morning. Mr. Cruz asked who was responsible for the valve mishap at midnight. Engineer Grosse said he will go after the contractor for the cost of those repairs. Mr. Cruz asked that Council be kept up to date with the costs associated with this project. Finally, Engineer Grosse reported that he had received only 1 bid for the sidewalk project from Front Street to West Alley along the north side of Congress Street. The total cost was \$ 25,378.00. He recommended to Council to wait until Spring when more contractors will bid on the project. Mr. Cruz asked if we would need to acquire any property from the residents to put this sidewalk in. Engineer Grosse said no resident's property would be affected due to a large easement on the north side of Congress Street. Mr. Thompson, Mr. Cruz and Mr. Shelton all agreed with Engineer Grosse to wait until Spring when we would hopefully receive more bids.

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C. Village Solicitor's Report –Ms. Gooden-Kinney informed the public that Mike Crites had resigned his position as our Village Solicitor and Acting Village Administrator as of midnight on October 31, 2012. We are presently looking for a new Solicitor.

D. Police Department Report – on file. Chief Jordan informed Council that he had put together a ride-a-long policy which they received a copy of. He said he would like to speak to our insurance carrier to confirm our coverage should he have anyone ride along with an officer. Ms. Gooden-Kinney asked for more discussion at the COW meeting. She would like to see legal counsel review this document.

E. Fiscal Officer's Report – Fiscal Officer Hastings gave the following report: General Fund \$ 724,628.55; Street Construction - \$ 130,092.39; State Highway - \$ 13,155.70; Parks and Rec \$ 3,875.00; Permissive Motor - \$ 9,374.23; Housing Development - \$ 15,676.53; Water Operating – \$ 1,142,139.32; Sewer Operating - \$ 901,740.36; Garbage Operating - \$ 12,931.82. Mr. Cruz asked since the new LED signs were on the State Highway, could the money come from the State Highway Fund. Fiscal Officer Hastings will check and report back to Council.

F. Plant Superintendent's Report – No report

Legislative Reports

A. Legislative Authority Reports

1. Vidal Cruz – No report
2. Nicole Evans – No report
3. Kimberly Gooden-Kinney – No report
4. Jason Thompson – No report
5. Randy Shelton – No report
6. Clarence Wissinger – No report

Committee Action:

- A. Utility Committee –Next meeting will be November 20, 2012 at 7:00 p.m.
- B. Street Committee – No report
- C. Safety Committee – No report
- D. Finance Committee – No report
- E. Zoning Committee – No report

Legislative:

Ordinance 2012-14 AN ORDINANCE PROVIDING FOR ADJUSTMENTS OF THE ANNUAL BUDGET FOR THE FISCAL YEAR 2012 AND RATIFYING THE TRANSFER OF MONIES WITHIN THE SEWER FUND FROM ACCOUNT 5201-549-590 (CAPITAL OUTLAY) TO ACCOUNT 5201-549-190-1008 (SALARY- PLANT OPERATOR 50%)

Mr. Shelton made a motion, seconded by Mr. Wissinger to suspend the three readings. A roll call vote was taken: Mr. Cruz – Yes, Mr. Thompson – Yes; Mr. Wissinger – Yes; Mr. Shelton – Yes; Ms. Gooden-Kinney – Yes. Motion passed. Mr. Wissinger made a motion, seconded by Ms. Gooden-Kinney to adopt Ordinance 2012-14. A roll call vote was taken: Mr. Cruz – Yes, Mr. Thompson – Yes; Mr. Wissinger – Yes; Mr. Shelton – Yes; Ms. Gooden-Kinney – Yes. Motion passed.

Ordinance 2012-15 AN ORDINANCE PROVIDING FOR ADJUSTMENTS OF THE ANNUAL BUDGET FOR THE FISCAL YEAR 2012 AND RATIFYING THE TRANSFER OF MONIES WITHIN THE WATER FUND FROM ACCOUNT 5101-539-590 (CAPITAL OUTLAY) TO ACCOUNT 5101-539-190-1008 (SALARY- PLANT OPERATOR 50%)

Mr. Cruz made a motion, seconded by Mr. Wissinger to suspend the three readings. A roll call vote was taken: Mr. Cruz – Yes, Mr. Thompson – Yes; Mr. Wissinger – Yes; Mr. Shelton – Yes; Ms. Gooden-Kinney – Yes. Motion passed. Mr. Shelton made a motion, seconded by Mr. Thompson to adopt Ordinance 2012-15. A roll call vote was taken: Mr. Cruz – Yes, Mr. Thompson – Yes; Mr. Wissinger – Yes; Mr. Shelton – Yes; Ms. Gooden-Kinney – Yes. Motion passed.

Ordinance 2012-16 AN ORDINANCE TO AMEND SECTIONS 220.14 AND 228.14 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT OHIO, REGARDING MAYOR AND COUNCIL PAY

– Ms. Gooden-Kinney read Ordinance 2012-16 for the first reading. Title Only.

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Resolution 09-2012 **A RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF COMMERCIAL POINT, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2013.** Mr. Wissinger made a motion, seconded by Mr. Shelton to suspend the three readings. A roll call vote was taken: Mr. Cruz – Yes, Mr. Thompson – Yes; Mr. Wissinger – Yes; Mr. Shelton – Yes; Ms. Gooden-Kinney – Yes. Motion passed. Mr. Shelton made a motion, seconded by Mr. Thompson to adopt Resolution 09-2012. A roll call vote was taken: Mr. Cruz – Yes, Mr. Thompson – Yes; Mr. Wissinger – Yes; Mr. Shelton – Yes; Ms. Gooden-Kinney – Yes. Motion passed.

Legislative: Third Reading

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. Shelton made a motion to adopt Resolution 08-2012. The motion died due to lack of a second.

At this time, Mr. Thompson made a motion, seconded by Mr. Cruz to waive the water/sewer charges for the month of November's usage billed December 1, 2012 for Village of Commercial Point residents. Mr. Cruz asked Mr. Thompson if he had a total amount of dollars that would impact this motion. Mr. Thompson said he had calculations of total amounts billed for the last month. Water was \$ 19,511.26 and Sewer was \$ 21,428.26. After a brief discussion on timeframes and total impact, Mr. Cruz made a motion seconded by Mr. Shelton to table this discussion until further legislation was in order. A roll call vote was taken: Mr. Shelton – Yes; Mr. Wissinger – Yes; Ms. Gooden-Kinney – Yes; Mr. Cruz – Yes; Mr. Thompson – Yes. The motion passed and the issue was tabled. Mr. Cruz will be working with Mr. Thompson on preparing a Resolution for the Special Meeting that will take place on November 19, 2012.

Mr. Cruz asked Fiscal Officer Hastings if she had documentation from Solicitor Crites on Council's pay for all committee meetings. Fiscal Officer Hastings said she had nothing in writing but would check on the matter and report back to Council.

Mr. Thompson reminded Council that they would be starting to work on the permanent budget for 2013 in the next few months. He would like to see the Police Department's budget increase to allow for more coverage.

At this time, Mr. Jim Kuzelka, 74 Front Street asked if the water/sewer credit is only for people who go over the minimum or is it across the board. Mr. Thompson said he is proposing it for across the board to all Village residents.

Mr. Thompson made a motion, seconded by Mr. Shelton to adjourn the meeting. All members were in favor. The meeting adjourned.

Joe Hammond, Mayor

Wendy Hastings, Fiscal Officer