

**VILLAGE OF COMMERCIAL POINT
COUNCIL MEETING MINUTES
July 1, 2013**

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

Mr. Thompson made a motion, seconded by Ms. Gooden-Kinney to approve the June 3, 2013 Regular Council Meeting Minutes. All members were in favor with the exception of Ms. Evans who abstained. The motion passed.

Ms. Gooden-Kinney made a motion, seconded by Mr. Thompson to approve the June 3, 2013 Public Hearing Minutes. All members were in favor with the exception of Ms. Evans who abstained. The motion passed.

Ms. Evans made a motion, seconded by Mr. Thompson to approve the June 17, 2013 Special Council Meeting Minutes. All members were in favor with the exception of Mr. Cruz who abstained. The motion passed.

Administrative Reports:

A. Mayor's Report – Attached to hard copy of minutes. Mr. Cruz asked what stripping he was referring to in his report. Mayor Hammond said the crosswalk stripping would be moved to the other side of the road. Mr. Cruz asked if there was money left with this contractor to stripe the roads. Mayor Hammond said no. Mr. Cruz just wanted clarification that the paving contracts were closed. Engineer Grosse said he would be getting some quotes on putting in stop bars and other miscellaneous stripping. He will bring this information to Council for approval when it becomes available. Mr. Thompson asked where the locations were for the new blinking crosswalk signs. Engineer Grosse said they would be at the intersections of St. Rt. 762 and W. Scioto St. All three would be in this location. Mayor Hammond asked if anyone on Council had an issue with the placement of the signs.

B. Village Engineer's Report – No report. Mr. Cruz asked for an update on the quote for the fence along the walk path. Engineer Grosse said the last he quoted as \$ 25.00 per foot and hasn't gone any farther than that. He apologized for missing the last few meetings but wasn't sure if anything had been decided. Mr. Thompson said he would like to move forward with the project. Engineer Grosse will get a price in writing for Council to review.

C. Village Solicitor's Report – Solicitor Hess reported there were two resolutions for tonight. One was for a third reading and the other was for a first read on holding another public hearing for the JEDD due to the contract confusion. He explained that this resolution for tonight was solely to set the date and time for the public hearing and not voting for or against the JEDD. Solicitor Hess said he emailed Fiscal Officer Hastings a copy of the "correct" contract and Council should receive it by tomorrow morning via email. The document will be available for public review as of tomorrow. Solicitor Hess said he has spoken to the legal counsel for the DRC, Mr. Gray, and informed him of our delay. He also spoke with Don Brosius, legal counsel for Scioto Township regarding Council's concerns on the legal protection. Mr. Brosius said at that time, he hadn't spoken to the Township Trustees, but would be willing to address the issue and relieve any fears the Council may have with regards to the legal protection of the Village. Solicitor Hess said this is an ongoing item for discussion. Solicitor Hess said there was a question at the last meeting regarding a home on Walker Road and how it was zoned and possibly advertising for borders, etc. He said he did speak with the Zoning Inspector and the home is classified as an R-1, single family district. It does have an accessory use where it is allowed to keep not more than one roomer or boarder within the residence. As long as there is no commercial business being done at this home, ex, Bed and Breakfast, it is okay. Finally, Solicitor Hess said he and Mayor Hammond took a tour of various places in the Village, one being the walk path in Walker Point. If anyone had any questions for him, he would be glad to answer them.

D. Police Department Report – Chief Jordan said he would have the report ready for the COW meeting later this month.

E. Village Administrator's Report – Nothing to report.

F. Fiscal Officer's Report – Bank statement was not received by today's meeting. No financial report at this time.

Legislative Reports

A. Legislative Authority Reports

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1. Vidal Cruz – As a follow up to the sign placement. He asked Mayor Hammond if he had contacted OUPS yet. He said this has been talked about for 3-4 months now and wanted to know if anything had been done. He wants to make sure we have a solid plan on getting these signs put up. Mayor Hammond said he has a map of all of the locations for the sign placements for OUPS to come out and mark the utilities. Mr. Cruz said this is something that could have been done months ago. Prior planning should have been done so that when the signs arrived, they could have been installed within a few days. He feels it is taking a very long time to do what seems to be routine business. Mr. Cruz asked where the Village stands with the compliance on signs with FMVMS. Solicitor Hess said he spoke with Mayor Hammond about our current plan and has done some research online regarding both Federal and State regulations. He has also reached out to the County Engineer, however has not had a chance to actually speak with him. He is continuing researching our plan and will be working with Engineer Grosse as well.

2. Nicole Evans – Nothing to report

3. Kimberly Gooden-Kinney – Ms. Gooden-Kinney asked for an update on where we stand with closing sections of Oak Alley. She feels if the culvert is not strong enough to hold traffic, which is what she had been told, she feels we could close half of the road and leave the other half open so that residents living on Main Street could get to their property behind their homes. Engineer Grosse said there is more to it than just the culvert. Maintaining the alley and having an alley that dead ends could create problems. If Council wants to do the repair, it is a very expensive project and piece of liability for the Village. Engineer Grosse said that the alley had never been used that he was aware of as a formal alley. He said the intent was to abandon all unused alleys in the Village because of the expense it would take to maintain these alleys. He said the majority of the residents in this area gain access to their property off of the main roads. He said the alley was closed because of safety issues. He strongly suggests that Council considers all of their options. If they so choose to repair the culvert, it could be a \$ 40,000 + project to get it up to standards. Solicitor Hess added that Mayor Hammond asked that Solicitor Hess and Engineer Grosse set up a meeting to discuss all alleys in the Village and come back to Council with a map and suggestions. Mr. Cruz said one of the repercussions of abandoning the property is if one of the adjacent neighbors doesn't want to take responsibility of the property, the Village can't just force them to. Solicitor Hess said once the property is abandoned, the property is split amongst the adjacent land owners and becomes part of their land. Mr. Cruz asked what if the resident doesn't want it. He doesn't feel the Village can force a private land owner to assume property that they don't want. He says as a member of Council, why would he want to take a piece of property that the Village is abandoning and push it on to our residents. Engineer Grosse said Mr. Cruz had some valid points, but wanted to clarify the culvert area would always be the responsibility of the Village. We have easements in that area and have to maintain that area no matter what. Solicitor Hess said he hasn't looked into a resident refusing to take on additional property that was abandoned by a Village. He said he would have to research further. The statute clearly says in the property is abandoned, it would be split amongst the adjacent property owners. He didn't know what would happen if the land owner wouldn't want it. Solicitor Hess said even if the property was abandoned, the Village would continue to maintain an easement. He said more information along with a map will be forthcoming.

4. Jason Thompson – Mr. Thompson asked Council if they had thought any more about dedicating the walk path in Mr. Parmenter's name. Ms. Gooden-Kinney suggested naming it "Parmenter Path". Ms. Evans asked what Mr. Thompson would like to see put into place, ex, monument, plaque etc. Mr. Thompson said he was looking at placing a plaque and a small dedication ceremony. Mr. Shelton said he would be fine with that. Mr. Thompson asked if anything had been done with the grass that was growing along the walk path. Discussion has been had about who is responsible for the last few meetings. Mr. Thompson said he had asked Village Administrator Shelton or Mayor Hammond to call the HOA and see what their thoughts were. Village Administrator Shelton said the HOA said they would come and mow it, but as of today it has not been done. She said none of the open areas in Walker Point have been mowed as of today. She said it is the HOA's responsibility. Mr. Shelton said the area at the end of Yukon Drive where a pond was intended to be, was full of cat tails as tall as him. Solicitor Hess said the Village has no legal responsibility to mow the grass next to the walk path. Mr. Thompson asked if this was something we could have the Zoning Inspector, Gary,

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get involved with. Mayor Hammond said the grass is being cut up to the walk path on one side. Mr. Thompson said the home owner is mowing it now, however wants to know who is responsible since he doesn't want to continue to mow this area. He feels Gary needs to start pressuring the HOA to take care of this issue. Mr. Cruz agrees that Gary needs to get after the HOA and find out whether that is the HOA or Maronda's responsibility to cut the grass. Mayor Hammond asked Engineer Grosse at what point does the area in and around the ditches become a manicured area or a wildlife area. Engineer Grosse said there was never an intent for this area to become a wildlife preserve and should meet any standards that we impose on any other village property. He said the actual ditch is the only area where there might be some deviation due to the impact of serving other properties and the upstream flow of water being impeded if it is not properly maintained. This is when the village would step in. If that ditch only served Walker Point, it would be strictly on the HOA. However, this ditch serves other parts of the Village as well. Mr. Thompson asked if we should be maintaining the ditch area. Engineer Grosse said that was correct. Mayor Hammond said he remembered suggesting last year a complete clean out of the ditches around Walker Point and Mr. Thompson had told him that the residents did not want that done. Mr. Thompson said he never indicated that. Mr. Cruz clarified and said they were talking about two different locations. Mr. Thompson requested that our Zoning Inspector make the proper calls and get that piece of property up to Village code. Ms. Gooden-Kinney asked that the drainage ditch across from her house on Grove Run Road be cleaned out. She asked if a schedule could be made up to keep the ditches clean up. Engineer Grosse said there are several ditches in the Village that are in need of being cleaned up. He suggests putting together a cycle, which would include all of the ditches in the Village, to continue the upkeep of all the ditches. Mr. Shelton asked what needs to be done to get this schedule put together. Engineer Grosse said he would share his ideas with Mayor Hammond and Village Administrator Shelton and then will pass the recommendations on to Council. Mayor Hammond said he would talk with Gary, Zoning Inspector tomorrow. Mr. Thompson asked if Mayor Hammond would keep him in the loop on the progress.

5. Randy Shelton – Mr. Shelton commented on the two committees he thought were in place. Streets and Zoning. Mr. Cruz said the Zoning Committee did not pass since there were only two members on the committee. Ms. Gooden-Kinney asked Mr. Shelton if he knew of another person interested in joining the committee. He said no, but feels the need for the committee. Ms. Gooden-Kinney agrees. She feels the subdivision regulations all need to be updated. Mr. Shelton feels this is something that should have been handled a long time ago. Mayor Hammond asked if Council if it was brought up to change the number of members on a committee. Mr. Cruz said it was, however Council did not want to change the Council Rules to allow only 2 members of Council on a committee. Mr. Thompson asked who the 2 people were who were interested in joining this committee. Mr. Shelton said himself and Ms. Gooden-Kinney. Mayor Hammond said that Council could reconsider this rule at any time and amended how they see fit by way of motion, second and a vote.

6. Clarence Wissinger – Nothing to report

At this time, Mayor Hammond opened the meeting for Citizens comments. Mr. Brian Liff asked when the new JEDD contract would be available for the public viewing. Solicitor Hess said by the end of the week. Mr. Liff asked if the public hearing would be posted in the Herald later this week. Solicitor Hess said it would if Council approved the Resolution this evening. Village Administrator Shelton said Fiscal Officer Hastings would be off on Friday, July 5, 2013. Solicitor Hess said the JEDD contract would be available this Wednesday, July 3, 2013.

Mr. Keith McDaniel from Walker Point said the ditch that Council was talking about before runs through the back of his property. He said he has cleaned it out several times himself. He said the only thing that is good about it, is the other side is not cleared and therefore he doesn't have a bunch of kids running back and forth through his yard. He suggested having "points of crossing" where the kids will not be going into resident's yards once the ditches are cleaned out. The other item he brought up was why doesn't the Village just cut the grass along the walk path and bill the HOA for their services. Mr. Thompson said that is part of the process the Village will be taking. They will first contact the HOA and allow them time to mow the grass.

Mr. Jim Kuzelka had questions about the sidewalks that were installed throughout the Village. He asked if it was common practice to put a sidewalk across a driveway or parking area that is at different elevations and probably won't settle in. He asked whose responsibility it is to repair the driveway if it should become damaged due to the different elevations. The area he is speaking of is on Congress Street at the home of Eric Nungester. He feels the sidewalk is

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not tapered or level with the parking area. The contractor backfilled it with stone and tried to compact it leaving a hump for Mr. Nungester to drive across. He said it is not a hard surface such as blacktop or concrete, but is his parking space and should be respected as such. Mr. Kuzelka feels that was poor engineering. He said this is not the only area in the Village where this has happened. He wants to know whose responsibility it is to maintain and why it wasn't taken to the elevation of the driveway. Mayor Hammond said the sidewalk in this particular area was going to be considerably closer to the house. He said it was pulled back closer to the street to accommodate not only the parking of the residents at this home but also another resident's stairway. He said the Village owns the right away. He said the area that the resident is using to park on is actually owned by the Village. Engineer Grosse said the Village owns a 60' right away through this area. Mr. Kuzelka asked if this was recorded with the County. Engineer Grosse said it was. Engineer Grosse said it is appropriate to put a sidewalk across a non-solid driveway. Our goal was to have it handicap accessibility and to bring a concrete sidewalk onto a gravel driveway was not the correct way to do it. The sidewalk is beefed up to 6" at the driveway section to allow heavy vehicles. If the sidewalk does get torn up by the driveway, Engineer Grosse said it would be the responsibility of the home owner to repair it. Mr. Kuzelka asked Engineer Grosse when he said 60' of right away, does the Village own that or is it considered an easement. Engineer Grosse said the Village owns it. Engineer Grosse said if you go by the power poles on the north side of the street and head south 60', which will give you the area the Village owns. Mayor Hammond said there was conversation about this particular piece of sidewalk. They looked at the parking area and didn't want to disturb it. If the sidewalk would have been placed on the property line, the residents would have been parking on the sidewalk and no one would have been able to walk on it. Mr. Keith McDaniels asked why the Village would choose to put new sidewalk up against old messed up sidewalk. Why didn't the Village choose to replace the old and join it with the new concrete? Mayor Hammond said the current sidewalks that are in place throughout the "old village" are the responsibility of the homeowner. Legally the Village Council cannot repair these sidewalks. Mr. McDaniels feels that if we weren't going to replace sections of the old torn up sidewalk, we shouldn't have put new sidewalk in. He feels it was a waste of money. Mayor Hammond said the Village can't legally do that unless Council were to pass a resolution allowing this type of repair. Mr. McDaniel said Council should make a resolution. Mayor Hammond said the issue has already been brought up.

Mr. Scott O'Neil said since we are calling on the Zoning Inspector to look at mowing issues at Walker Point, he should also look at the pond at 124 Yukon Dr. Mr. O'Neil said the HOA cuts only half of this property. Mayor Hammond said he would add it to the list. Another question he had was if the sidewalk was placed in the right away like it is at Mr. Nungester's house, whose responsibility is it then? He said it is the property owners' responsibility, however in this case the property owner is the Village. Engineer Grosse said in all of the subdivisions, the sidewalk is in the public right away. This does not mean the Village is responsible for it. It becomes part of the homeowner's responsibility to maintain it. Mr. O'Neil said he noticed the property pins on his property stop about 1 foot short of the sidewalk and was wondering if the Village is responsible for the sidewalk in front of his house. Engineer Grosse said there is a lot of case law that states the sidewalk in front of your home is your responsibility. One more thing Mr. O'Neil brought up was the sinking culvert on Front Street. Engineer Grosse said this project will be out for bids next week. Hoping to have something for Council by August 5, 2013 meeting.

Ms. Laura Wolfe had a couple of questions for Council. She wanted to know who determined where the crosswalks were going to be placed. She said she contacted the school to get one placed at the intersection of West Alley and West Scioto Street and they told her it was the Village's responsibility. She would rather see one here than at the intersection on St. Rt. 762 and Main Street. She said there are several children that cross the street right here in front of the building and feels this would be a much safer spot than at the intersection by the Hawk. Engineer Grosse said we were trying to connect the sidewalks throughout the Village and that is why they were suggested at this specific intersection. He said it doesn't mean that an additional crosswalk can't be put into place at the intersection of West Alley, West Scioto Street and Third Street. Mr. Thompson said he was part of the Safety Committee along with Mr. Shelton and Mr. Cruz. They are the ones who decided where the existing crosswalks should be placed. They had to work with a limited budget. At the time when the first crosswalks were put in, the new sidewalks were not in place so the thought of additional crosswalks wasn't there. Mr. Shelton said we are looking at painting the streets to identify the school zone on West Scioto Street. Perhaps we could paint crosswalk markings at the proposed intersection. Mr. Thompson said it was an oversight on the Safety Committee's part and not intentionally left out. Mr. Shelton asked since we are painting a school zone and stop bars in the Village, can we add an additional crosswalk to the plan as well. Engineer Grosse said he would take a look and add it to the list. Another question Ms. Wolfe had was where she can find the Village of Commercial Point's laws. Ms. Wolfe was told the Codified Ordinances of the Village can be found on the commercialpointohio.gov website. Another concern she had was the recent car thefts in the area. She asked if the new officer was going to be working nights. Chief Jordan said he is the one who does the scheduling and as of now, we have 60 hours of paid coverage per week. He schedules the time throughout the week so the same hours are not covered week to week. He said he is having more night time coverage right now. Bringing on the new officer will give us an additional 30 hours of coverage a week. Chief Jordan said they are in communication with the

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Sheriff's office about what is going on around Commercial Point as well. Mr. Shelton asked Chief Jordan to clarify that we are going from 60 hours up to 90 hours a week plus reserves. Chief Jordan said that was correct. Ms. Wolfe said her main concern was skateboarding and the complaints about damage being done to property. She is looking for suggestions on something that can be done for these kids that could benefit everyone. Mayor Hammond said he and Chief Jordan had a conversation about skateboarders today. Chief Jordan said the ordinance states you cannot ride a skateboard on the street, sidewalks or entrances to businesses. Chief Jordan said as it stands now, "No Blood, No Foul". He said that a warning had been given. He said he has gotten complaints from the elementary school regarding kids skateboarding on their property. He said he understands it is a small town with nothing for the kids to do. He mentioned that he has looked for grants to build a skate park in the Village. He said all he could say is what the ordinance states is that the kids are not to be in the road way on a skateboard.

Mr. Mike Struckman addressed Council regarding the JEDD. He said the Scioto Township has looked at taking on another project if it gets approved. It is a Public Safety Answering Point, 911 call center. Right now this service is out of the Sheriff's office. Mr. Struckman said they are in the process of updating all of the equipment and possibly looking at putting in a private building that is ran by a private board instead of the Sheriff or the Police Chief of Circleville. He said they have spoken with the Commissioners and the Mayor of Circleville, if this JEDD does go through, the Township would be interested in talking with them about housing the new building. Mr. Struckman feels this would help every resident in Pickaway County. All of the 911 calls would be received in this new location and dispatched from there. The only step that would have to happen once the JEDD was approved is it would have to be presented to an attorney to make sure it is legal. It was presented to one attorney who felt it was ok for the Township to spend that kind of money on safety purposes for the entire county. This would be a form of economic development in the JEDD territory. It would employ 15-20 people full time in Scioto Township. Mr. Brian Liff asked if this building was going to be funded by the JEDD earnings, would it then become part of the JEDD district. Mr. Struckman said no. Mr. Struckman said several pieces of land in Scioto Township have been discussed for the placement of this building. Mr. Liff just wanted to clarify that this building would not generate any revenues toward the JEDD. Mr. Struckman said he doesn't know at this time where this building would be placed or even happen. Mr. Liff asked if the proposed property in the current JEDD contract was subject to change. Mr. Struckman said it is what it is as of now. Village Administrator Shelton tried to help clarify in stating the proceeds from the JEDD would pay for the 911 call center no matter where it was placed, inside or outside the JEDD territory. Solicitor Hess said we were going to have a public hearing and these questions could be addressed then.

Mr. Steve Young, legal counsel for the Department of Rehabilitation and Corrections, otherwise known as the DRC's voice in opposition to the JEDD. He just wanted to respond to Mr. Struckman in regards to the comments he had at the last COW meeting. He said Mr. Struckman indicated that the JEDD contract had been examined by eight lawyers. Mr. Young finds it surprising that the local officials would retain eight attorneys. At this point, Mr. Thompson interrupted Mr. Young and asked if this is why he was on our agenda. Mr. Young said regardless of being on the agenda, this was his time to speak to Council. Mr. Cruz asked Mr. Young to wait until it was his turn to speak since he was on the agenda and this time was for citizen's comments.

Mr. Scott O'Neil said at the last meeting he had asked Mayor Hammond about the school signs and the possibility of needing to move them. Mayor Hammond referred Mr. O'Neil to Engineer Grosse. Engineer Grosse said he would speak with Mr. O'Neil about his thoughts after the meeting. Mr. O'Neil then asked Mr. Struckman what the benefit would be in having the Public Safety Answering Point separate from the Sheriff's office. Mr. O'Neil feels the Sheriff's office already has the staffing, equipment and room, why change it. Mr. Struckman said the Sheriff's office doesn't have the room, the people or the funding. Mr. Struckman feels it is redundant to have the service at the Police Station and the Sheriff's Office. He said there is a "turf war" between the two entities. He said if it were to move to Scioto County, it would be an independent board that would operate independently. There would be no politics involved. Mr. Myles Brown said it sounds like jobs and responsibility is being taken away from the County. He asked Mr. Struckman how they decided that they wanted to take the power away from County. Mr. Struckman said the Sheriff will still be able to dispatch his own officers if they so choose. At this time, Solicitor Hess said this is more of a Township issue that needs to be discussed at the next Township Trustee meeting. The meetings are held the first and third Wednesday of the month. Again, Mr. Struckman said this is not a done deal, but in the discussion stages.

Business Items:

- A.) Mr. Steve Young –JEDD. He said he would spare everyone the lengthy legal analysis until August 5, 2013 during the public hearing. However, he would like to respond to Mr. Struckman who spoke at the last COW meeting and indicated he had eight lawyers look at the proposed JEDD contract. Apparently they have approved it. He finds it incredible that eight lawyers would agree on anything. He said in regards to himself being the ninth lawyer to look at it, Mr. Struckman said that his analysis was flawed. He said the JEDD contract reads, "The JEDD parties desire to create a Joint Economic Development District pursuant to ORC section 715.72 -718.81 to facilitate economic development, create jobs and employment

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opportunities and to approve economic welfare for the people of the township, Village of Commercial Point and the State of Ohio". He said obviously we have a statutory scheme here. Lawyers can read statutes and can render opinions on those. He said he stands by his opinion that he gave to the COW last time, with one exception, he stands corrected on one item. That is the reason he is here tonight. He said the Village, if they approve the JEDD contract, will need to send it to referendum. That is inaccurate and he withdraws that comment. However they do believe that the rest of his analysis stands correct and said eventually they will find out if the opinion of eight lawyers prevail or his opinion prevails. Nevertheless, the Reader's Digest version that he gave is accurate. He thanked Council for allowing him to make his one correction in his previous analysis.

Legislation for Third Reading:

Resolution 07-2013 – A RESOLUTION APPROVING THE FINAL PLAT AND AUTHORIZING AND DIRECTING THE MAYOR OR VILLAGE ADMINISTRATOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH SADDLEBROOK DEVELOPMENT, LLC FOR SECTION 4, PHASE 1 OF THE CHESTNUT ESTATES SUBDIVISION. Ms. Gooden-Kinney asked if lot pins could be placed on all of these lots. Engineer Grosse said he would like to create a checklist to be done at every subdivision. This could be part of the checklist moving forward. This is something that would need to be done administratively and not on the plat. Mr. Cruz said he thought a checklist had already been approved. Engineer Grosse said we did not have one. It would need to be coordinated with the building department in Circleville. Mr. Cruz thought Council had already approved a checklist. Engineer Grosse said if they had, it would need to be submitted to Circleville for their approval. Engineer Grosse said he would check and if there was one, it would be submitted to Circleville. Mr. Cruz made a motion, seconded by Mr. Thompson to approve and adopt Resolution 07-2013. A roll call vote was taken: Mr. Cruz – Yes, Mr. Thompson – Yes, Ms. Evans – Yes, Mr. Shelton – Yes, Ms. Gooden-Kinney – Yes. The motion passed.

Resolution 11-2013 - A RESOLUTION ESTABLISHING A PUBLIC HEARING AON THE PROPOSED JOINT ECONOMIC DEVELOPMENT DISTRICT AND CONTRACT BETWEEN SCIOTO TOWNSHIP, PICKAWAY COUNTY, OHIO, THE CITY OF GROVE CITY, FRANKLIN COUNTY, OHIO AND THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, OHIO. Ms. Gooden-Kinney made a motion, seconded by Ms. Evans to suspend the three readings. A roll call vote was taken: Mr. Cruz – No, Mr. Thompson – Yes, Mr. Shelton – Yes, Ms. Evans – Yes, Ms. Gooden-Kinney – Yes. Motion does not pass. Mayor Hammond asked Solicitor Hess if a Special Meeting will have to be held before the COW. Solicitor Hess said he would have to amend the hearing date since it has to be posted in the newspaper for 30 days before the hearing. He said he knows the previous administrations have asked for a resolution to set the public hearing date. He doesn't know that it is required, however knows this is how it has been done before. Mayor Hammond clarified that this resolution was just to allow Council to hold a public hearing on the JEDD. It was not a vote for or against the JEDD. Mayor Hammond asked if Mr. Cruz would reconsider his vote since this was just to allow the public hearing to be held. Mr. Cruz said the reason he voted the way he did was because there are still some concerns about the legal responsibility for the Village that have not been finalized yet. Solicitor Hess said there is still discussion about the legal responsibility for the Village that could be done outside of the contract. The contract that the Township has already voted on and is in front of Council, will be the contract that Council does vote on. He said there could be discussion once the contract is approved regarding the legal responsibility for the Village. Mayor Hammond again asked for reconsideration due to the timeframes we are working with. He said the current contract isn't going to change and he doesn't understand why we can't move forward. Solicitor Hess said based on the additional information that was given and the fact that no one would object to another vote, he didn't see a problem with a re-vote. At this time, Ms. Gooden-Kinney made a motion, seconded by Ms. Evans to waive the three readings. A roll call vote was taken: Mr. Cruz – Yes, Mr. Thompson – Yes, Mr. Shelton – Yes, Ms. Evans – Yes, Ms. Gooden-Kinney – Yes. The motion passed. Mr. Shelton made a motion, seconded by Ms. Evans to approve and adopt Resolution 11-2013. A roll call vote was taken: Mr. Cruz – Yes, Mr. Thompson – Yes, Mr. Shelton – Yes, Ms. Evans – Yes, Ms. Gooden-Kinney – Yes. The motion passed. Solicitor Hess said there will be a public hearing on August 5, 2013 at 7:00 p.m.

At this time, Mr. Thompson asked how he proceeds with the dedication of the walk path. Ms. Evans suggested bringing recommendations back to Council for everyone to look at. Mr. Shelton said Mr. Parmenter was outspoken and dedicated to get the walk path completed. He has no problem with dedicating to Mr. Parmenter. Mayor Hammond asked that recognition also be given to Scioto Township for their part in giving us the land to put in the walk path. Mr. Thompson said he would try to have something put together for the COW meeting later this month.

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

Joe Hammond, Mayor

Wendy L Hastings, Fiscal Officer