

**VILLAGE OF COMMERCIAL POINT
COUNCIL MEETING MINUTES
August 3, 2015**

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. Fiscal Officer Hastings took roll call with the following members present: Mr. Shelton, Mr. Geiger, Mr. Wissinger, Mr. Laxton, and Ms. Evans. Solicitor Hess, Engineer Grosse and Chief Jordan were also in attendance. Mr. Sadler was absent.

Mr. Laxton made a motion, seconded by Mr. Shelton to approve the July 6, 2015 Regular Council Meeting Minutes. All members were in favor. The motion passed.

Administrative Reports:

A. Mayor's Report – Mayor Hammond said he was looking forward to the go-kart races coming up this weekend.

B. Village Engineer's Report – Engineer Grosse updated Council on a few items. He said there was a bid opening coming up on August 18, 2015 at 3:00 p.m. for the sidewalk project. He said he had a meeting with Ohio EPA last Friday regarding the new digester. He said they have done testing to try and figure out where the high numbers were coming from. He said the meeting with EPA was to see if they would give the Village any consolation on a better base number for the Village. Engineer Grosse said our numbers were coming in around the 600-700 range and we were able to get the EPA to agree to a 500 number for the Village. He said this will help determine what size tank we have to build and the cost of the project. He said the next step is to start the design and cost projects. He said the goal is to have this project out for bid in February 2016 with constructing taking place throughout the year. He said we should be online and using the new equipment by early 2017. Ms. Evans asked if a reason for the high numbers was ever resolved. Engineer Grosse said the only thing he knows is that since residents have seen the guys out testing and the word is out, the numbers have come down. Mr. Wissinger asked if it was determined where the high numbers were coming from. Engineer Grosse said the high numbers were coming from Southern Point. Engineer Grosse said he feels that word got out and whatever was going on has stopped because our numbers are coming down. Ms. Evans asked if our numbers are still over where they are supposed to be. Engineer Grosse said yes. He said he would like to be in the 300 range. Mr. Shelton asked what actually we were measuring. Engineer Grosse said it was the biochemical oxygen demand. (B.O.D.) He said it was the amount of oxygen and bacteria the sewer consumes. He said dairy processing, meat processing and chemical processing have very high B.O.D. numbers however; they were unable to determine exactly where our high numbers were coming from. Ms. Evans asked if this would be a 2016 budget item. Engineer Grosse said the design piece will come out of this year's budget and are around the \$ 100,000.00 range. He said the construction of the digester will come out of 2016's budget and be in the \$1,000,000.00 range. At this time, Mr. Wissinger asked about the road projects for this year. Engineer Grosse said during the last few Council meetings, the road project has been scaled down from the original project. He said he is going to be getting a few quotes for maintenance on the roads for this year and not a big project. He said there is some work to be done on Walker Road as well as crack sealing other roads in the Village. He said there is a major crack in one of the roads in Walker Point that will also need to be fixed this year. Mr. Wissinger asked Engineer Grosse for a cost estimate. Engineer Grosse said he didn't have an exact figure, but somewhere in the \$ 50,000-\$60,000 range. Engineer Grosse said that we have some existing sidewalks that are in need of repair. He said he may be bringing these items to Council by ways of a change order. He said there are some major trip hazards and he wants to get them repaired. Mr. Geiger asked about Genoa Crossing. Engineer Grosse said Genoa Crossing is one of the streets that is on the list.

C. Village Solicitor's Report – Solicitor Hess said there are three pieces of legislation for tonight's meeting. He said Ordinance 2015-07 is with regards to making Third Street a one-way street traveling north to south. He said there is currently a sign in place saying that it is a one-way street, however we need legislation stating this. Solicitor Hess said Ordinance 2015-08 is due to the Zoning Committee had asked him to add additional language to our legislation stating what the definition of a swimming pool is. They also asked for a provision that if there is no fence around the pool, then a removal ladder has to be in place. He said he chose not to add this provision at this time since we require a fence to be put in place around the pool in our current legislation. He said discussion can be had if Council disagrees with his decision. Solicitor Hess said Ordinance 2015-09 is due to House Bill 5 and changes to the RITA income tax. He said if we want to continue to collect the municipal income tax, we are required to adopt a new ordinance to go into effect January 1, 2016. Solicitor Hess said the

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main changes are how credits to other municipalities are handled and age requirements. Solicitor Hess asked Council to not vote on this item tonight and just have a first reading so that Council can take the time to review the documents. Ms. Evans asked if this ordinance just had the changes in it or if it would be replacing our current ordinance. Solicitor Hess said it would be replacing our current ordinance.

D. Police Department Report – Chief Jordan said they completed an investigation on a burglary in July. He said he and Officer Owen made an apprehension and recovered \$ 2,000 worth of items stolen. He said the case will be heard in municipal court in Circleville. He said the kart races are coming up this weekend. He had discussions with the Sheriff on coverage for the weekend. Chief Jordan, Sheriff Deputies and our reserve officers will be covering the races. Chief Jordan said Officers Owen and Waas have put in a significant amount of hours in the month of July. He said they have been training with Chief Jordan as well as Officer Kelly. He said Officer Waas was working with Officer Kelly today and doing most of the stuff herself: reports, driving and communicating via radio. Chief Jordan said Officer Owen has been working quite a bit as well and is picking up quickly on the procedures of the department. Mr. Shelton asked how many hours equaled “quite a bit”. Chief Jordan said they are required to work 16 hours a month, however in a course of 2 weeks, Officer Owen worked about 40 hours and Officer Waas worked closer to 32 hours. Mr. Wissinger asked if Chief Jordan’s report reflected the Sheriff activity. Chief Jordan said no. He said his report is only what the Village officers have done for the month. Chief Jordan said the Sheriff does his own set of reports and the information can be found online. Mayor Hammond said we do get a report from the Sheriff on all the monthly activity in the Village and it is kept in a file here at the office. Mr. Laxton asked when the new officers will be able to work on their own. Chief Jordan said with them only being reserves now, it is hard to tell since they are working around their paid job schedules. He said probably in a month, he sees them being able to be on their own. Council had a few report specific questions that Chief Jordan answered for them.

E. Village Administrator – No report

F. Fiscal Officer Report – Fiscal Officer Hastings reported that the bank statement wasn’t ready yet so she had no report for tonight.

Legislative Reports:

1. Randy Shelton – Mr. Shelton reported that he had participated with Mr. Sadler in helping the race committee set up for the races this coming weekend. He said they were a very organized group and great committee to work with.
2. Nicole Evans – Nothing to report
3. Clarence Wissinger – Nothing to report
4. David Sadler – Nothing to report
5. Mark Geiger – Nothing to report
6. Brad Laxton – Nothing to report

At this time, Mayor Hammond said a concessionaire that has been coming to the races for several years has asked to hook on to the water service here at the municipal building. Mayor Hammond said he had no problem with it but wanted to get the approval from Council. Mr. O’Neil said it was Rolling L Concessions. He said they have a small trailer that they have brought in the past that has its own water tank on it. He said this year, they are bringing a bigger trailer that does not have a water tank on board and that is why they are asking to hook up to the building. Mayor Hammond asked Council if they had any issues with this concessionaire hooking up. Mr. Capretta asked if this concessionaire is affiliated with the Village in any way and would he be paying for the water that he uses. Fiscal Officer Hastings said he was affiliated with the races and has been coming to Commercial Point for several years. There was discussion about the minimum amount of electric that is used from our Police garage during this weekend as well. Mayor Hammond said there is a minimum bill that we get charged for every month and we have not exceeded the minimum usage amount to date. Solicitor Hess asked if there were other concessionaires in the area that would want to hook up to our water as well. He didn’t want to set precedence. Mayor Hammond said to his knowledge, we have never been asked this question from anyone before. Mayor Hammond said this is a minimum amount of water for a once a year event. Solicitor Hess said a one-time fix is not the issue, however if this is something that continues year after year, we might face the issue of other vendors wanting the same service. Mr. O’Neil asked if there was a way to put a meter on our hose and meter the water used. He said he would then pay for the water used. Mayor Hammond said it would cost more to have the Utility employees come and hook something up. He said this is a yes or no vote. He said he isn’t going to spend \$ 100 of the Village’s money for \$ 5 worth of water. He said he would even pay the bill. Mrs. Goldhardt said other vendors will be set up around the track. She said they have always used the resident’s water to run their booths. She said they offer money to the residents for the use of their service, however

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most of them will not take it. Fiscal Officer Hastings said they do this with electric as well. Ms. Evans made a motion, seconded by Mr. Laxton to allow Rolling L Concessions to use the water hook up at the Village Building with no cost for the weekend of go kart races 2015. All members were in favor. The motion passed.

Ordinance 2015-07 – AN ORDINANCE DESIGNATING THIRD STREET FOR ONE-WAY NORTH TO SOUTH TRAFFIC AND AUTHORIZING THE POSTING OF APPROPRIATE SIGNAGE GIVING NOTICE TO THE PUBLIC OF SUCH ONE-WAY TRAFFIC. Mayor Hammond did a first reading. Title only.

Ordinance 2015-08 – AN ORDINANCE APPROVING AMENDMENT TO THE ZOINGIN CODE OF THE VILLAGE OF COMMERCIAL POINT, OHIO Mayor Hammond did a first reading. Title only. There were several questions regarding this ordinance. Solicitor Hess said we can address those issues since this is just the first reading.

Ordinance 2015-09 – AN ORDINANCE AMENDING ORDINANCE 2008-12 AND CHAPTER 171 OF THE CODIFIED ORDINANCE OF THE VILLAGE OF COMMERCIAL POINT, OHIO. Mayor Hammond did a first reading. Title only. Ms. Evans asked if the original documents could be emailed so that Council can do their own comparison. Solicitor Hess said he had all that documentation and would email it out.

At this time, Mr. Shelton asked if we needed to extend the Sheriff contract. Mayor Hammond said he was going to ask to continue this contract to the end of the year. He said he is seeing positive results and hearing positive comments. He said we have not provided 90 hours of coverage except for when the Sheriff has been here. He said for the safety of the children and residents during the school year, he would like to remain status quo with the way things are with the Sheriff. He said in his honest and professional opinion, we are getting better, more qualified, consistent coverage at a cheaper price than we would if we had our own employees. He said he would like to see this contract continue through the end of 2015. Mr. Shelton said Council has heard from citizens that they want their own police department. He said he has also heard that a hybrid department would work as well, which is what we have now with Chief Jordan and 60 hours from the Sheriff. Mr. Shelton asked what Council needs to do at this point. Mayor Hammond said he would like to come to Council at a Special Council meeting before the Committee of the Whole meeting with an extended contract with the Sheriff. Mayor Hammond asked Solicitor Hess to get with the Sheriff to extend our contract. Mayor Hammond asked Chief Jordan for his thoughts. Chief Jordan said it has been working well. He said the deputies do a pretty good job while working in the Village. Mayor Hammond asked if Chief Jordan has heard any complaints regarding the deputies. Chief Jordan said none that he could think of. Chief Jordan asked to put language in the contract that if Council chooses to do away with the contract before the end of 2015, they can do so. Mayor Hammond said it is written in the contract that with a 30 day written notice, the contract can be canceled.

Chief Jordan said he spoke with Fire Chief Welch regarding if he wanted the Dodge Durango for cut up training. Chief Jordan said the vehicle will run, however it is unsafe for a police vehicle. He said he feels it would be beneficial to all departments because it is not every day that they have the opportunity to practice on a police vehicle. He said if one of his officers or even himself were in an accident and needed to be cut out of the vehicle, this “practice” will come in handy. Solicitor Hess asked Chief Jordan if the fire department wanted the vehicle. Chief Jordan said yes. Solicitor Hess said he will proceed with legislation for Council.

Mayor Hammond said there is an old crane truck at the Utility Plant that is no longer being used. He said he gave a direct order to not use this vehicle due to age and safety. He would like to get rid of this vehicle as well. Solicitor Hess will look into how Council goes about getting rid of this vehicle.

Mr. Geiger made a motion, seconded by Ms. Evans to adjourn the meeting. All members were in favor. The meeting adjourned.

Joe Hammond, Mayor

Wendy L Hastings, Fiscal Officer