

**Village of Commercial Point
Council Meeting Minutes
December 5, 2016**

Mayor Joiner called the meeting to order, followed by the Pledge of Allegiance. Fiscal Officer Hastings took roll call with the following members present: Mr. Geiger, Mr. Sadler, Mr. Townsend, Mr. Laxton and Mr. O'Neil. Solicitor Hess, Engineer Grosse, Utility Superintendent Thompson and Village Administrator Crego were also in attendance.

Mr. Sadler made a motion, seconded by Mr. Townsend to approve the November 7, 2016 Regular Council Meeting Minutes. All in favor, motion passed.

Administrative Reports:

- A. Mayor's Report-Mayor Joiner reported current Mayors Court report. Beginning balance of \$18,027.04. Ending balance \$3543.20 as of 11/30/2016. Report will be attached to approved meeting minutes. He commended the community for coming out to the Christmas tree lighting. He thanked the Water department employees in addition to Fiscal Office Hastings for setting that up. He also thanked Dan Hooley of the Commercial Point Men's Club for the use of the chair for Santa.
- B. Village Engineer Report- Engineer Grosse said Chestnut Commons has a lot of activity. He said they have a meeting with the developer on how the streets will be left over the winter. He said he has not received any negative comments regarding the development. He said the well project is ongoing and we received the report back from the test well. He said they are now preparing the plans for the EPA showing how they will be developed. He said it will need to go out for bid because it exceeds \$50,000. He said there will be a lag time and they are anticipating to drill late January or early February. He said there is a first reading tonight on Chestnut Commons which he has not received any comments from council. He said he has a few comments but nothing major. He said the largest item to discuss is the HOA, when it will be turned over to the residents and it has provisions to meet the needs. Mr. O'Neil asked if they will have the same HOA or a separate one. Engineer Grosse said it will be separate. Mayor Joiner said given the option to stay with the old or going on it alone, the residents decided to go it alone. Engineer Grosse said we are trying to learn from the other issues we are currently working on with other HOA's.
- C. Village Solicitor's Report- Solicitor Hess said we have a number of items to discuss tonight. He said one to draw attention to is the Employee Insurance. He knows council is in favor of it but have a various number of plans and contributions to think about. He said if we start this at the beginning of the year he and Fiscal Officer Hastings need a resolution to those outstanding issues so they can put a contract together. He said we anticipate having a Special Meeting on 12/19/2016 and they would want to have legislation for council on that night. He said we have Ordinance 2016-16 for first reading for Chestnut Commons. He said there is not emergency language in it but upon passing it would go into effect 30 days from the Mayors signature. He said the second one is Resolution 49-2016 which is entering another contract for legal service, his contract ends December 31, 2016. He said the third one for first reading is Resolution 50-2016 for the proposed annexed property of Lehman Farms and Foxfire. It contains emergency language because the Ohio Revised code gives us 20 days to pass from the date that the annexation was filed. He said he would encourage council to vote tonight. He said this is not approving the annexation but saying in the future if it passes, we will provide services. Solicitor Hess said for second reading we have Resolution 46-2016 for PRS. He said the last second reading is for Resolution 48-2016 which is allowing the village to go into contract and purchase land from the Teays Valley Board of Education. He said this will be the location for our Booster station that will supply needed resources to the upcoming water tower. He said it has emergency language associated with it. He said the third reading we have Ordinance 2016-14

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which is repealing the Video Service Fee. He said it is a fee associated with cable providers and passed onto the village residents. He said the last third reading is Resolution 45-2015 for Temporary Appropriations budget.

- D. Police Department Report- Chief Jordan covered the police department report for the month of November 2016. He said there have been questions about the number of hours worked. He said sometimes we run into having additional work days in a month, which will account for additional hours. He said he and Village Administrator Crego have discussed signs in the right of way. He said local business have signs on easels that have been told they need to be removed. He said he would like to see a discussion at the next Zoning Meeting allowing removable signs. He said there should be size and weight restrictions for safety reasons. He said may also want to look at the rules for placement. He would recommend making a modification to allow the signs. He said they also discussed road marking and painting fog lines where there are no curves. He said Village Administrator Crego is looking into it. He also mentioned the food and toy drive information that went out in the utility bills. He wanted to acknowledge Officer Waas for organizing that. He said they have received items in the office and received items at last night's tree lighting. He said the items will be distributed by the local church. He said with the holiday calls have increased but everything has been handled well. Mayor Joiner said there were 3 officers at the tree lighting which helped with blocking traffic and crossing the street. He also said he had a citizen asked about police coverage for the school and possibly having a police officer on duty about 6:30am. He asked Chief Jordan to look into it and they can discuss it.
- E. Village Administrator- Village Administrator Crego said Utility Superintendent Thompson set a goal to have the GIS markings completed for the village by December 1, 2016. He said it was completed November 30, 2016. Mayor Joiner asked what GIS is. Village Administrator Crego said it is related to GPS, it uses global positioning satellites to identify within 4 inches the equipment at individual locations. He said this puts us ahead of the curve and in a good position. He said we could have paid someone \$100,000 to have this completed but we purchased the equipment from a distributor and saved the money. He said he and Ryan Sark drove around the village to identify problem areas such as drain lines, ditches, catch basins, etc. He said Mr. Sark is working on some timely projects but once completed he will begin our projects one by one. Village Administrator Crego said we have the contract for the sidewalk in Walker Point. He said it is located on Edmonds drive near the walkway coming into town. He said it is a trip hazard. He said at Mr. O'Neil's request they have started looking at replacements of our sidewalk ramps. He said what we currently have, most do not meet code. He is estimating they will cost \$1400-\$1500 for each ramp to have them replaced. He said the pothole repair has been contracted out. He said it should happen in the next 2-3 weeks. He said they are picking up a couple safety coats that will be appropriately marked. He said the Water Resource Reclamation Facility expansion is in the planning phase. He said on December 1, 2016 they received 30% of the engineering plan. Mr. Sadler asked if we will still contract with Scioto Township with snow removal. Village Administrator Crego said yes. Mr. Geiger asked if it was common to fill potholes in December. Village Administrator Crego said he also asked this question. He said the hot mix has to stay heated. Mr. Geiger said he would like to see the ones filled in December, how they hold up in the month of March.
- F. Fiscal Officers Report-Fiscal Hastings has been working extensively with Nathan from RCAP. She reported the Fund Status: General \$1,531,239.90, Street Construction Maint. & Repair \$245,215.00, State Highway \$26,583.54, Parks and Recreation \$3,033.57, Permissive Motor License Tax \$7,532.97, Enforcement and Education \$1,523.00, Housing Developments \$90,162.77, Water Operating \$2,787,260.83, Sewer Operating \$2,470,018.48, Garbage Operating \$15,674.89. Mr. O'Neil asked if she like the Ohio Checkbook and when will it come

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out. Fiscal Officer Hastings said yes and it is close to going live. She said the person she has worked with will come to her office. She said the Circleville Herald will be writing a piece about the Ohio Checkbook, which will include Commercial Point and South Bloomfield. She said both will all live on the same day. Mayor Joiner asked what she liked about the Ohio Checkbook. Fiscal Officer Hastings said it is very transparent. She said everyone will be able to see what we pay out on a monthly basis.

Legislative Reports:

1. Mark Geiger-Nothing to report
2. Brad Laxton- Nothing to report
3. David Sadler- Mr. Sadler said he would like to discuss the employee insurance. He said he reached out to the county and the Scioto Firefighters to see what they pay. Employees pay 10% of the premium. Solicitor Hess asked to clarify if it was employee only. Mr. Sadler said he asked about employee only from Scioto. Mr. O'Neil said if he is not mistaken Scioto does offer family as needed and they pay 10% of the premium.
4. Ben Townsend- Nothing to report
5. Scott O'Neil- Nothing to report

Citizen Comments:

No Comments

Business Items:

- A. Council Seat Applications: Mayor Joiner introduced the applicants and called them up for interview. He introduced Becky Blevins. Mr. Sadler asked Ms. Blevins to give a 2-3-minute overview of herself. Ms. Blevins said she is retired and is prepared to devote herself to the village. She said she has lived in Commercial Point for 3 years. Ms. Blevins said she is involved in the community and feels it is important to be involved in the community. She said she makes every attempt to attend each council meeting. She said her background includes experience in management and handling people and knowing how to treat people. She said she was on the board for 6 years for a condo association. She said she is very interested in being a part of the community and bringing all of the community together. Mr. O'Neil asked if she had to prioritize things in the village, what would be number 1 on the list. Ms. Blevins said it depends on the situation, if the roads were bad, it would be priority, if we had high crime it would be the police. She said zoning is very important but doesn't see that it would be an emergency situation if we had people at the top managing correctly. She said enforcing it equally to everyone is important. Mayor Joiner introduced Dan Kopec. Mr. Kopec gave a brief background. He grew up in Pickaway County, attended Circleville High school, went to college, came back to Grove City and worked for 10.5 years with the Ohio EPA dealing with waste water related issues, etc. He said he has moved on to AEP as an Environmental Engineer. He said he wanted to be on council because in the previous summer he met and talked with Mayor Joiner at their community party. He said they discussed his passion and experience and the need for infrastructure and proper planning. He said he has a daughter at Scioto Elementary so he has a vested interest in the community and want to see it continue to grow. Mr. Sadler asked what of his Ohio EPA experience could apply to the village council. Mr. Kopec has dealt with a lot of infrastructure and planning. He has worked with consultants and engineers to see how the changes would affect those living in the area. Mr. O'Neil asked him to prioritize the items in the village. Mr. Kopec said his number one would be infrastructure. He said a good example is Pickerington in the 80's. The city grew and the water treatment plant was overused before they realized it. He said as Commercial Point grows we

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have a long term plan in place. He said anything else after that is not major problems. Mr. O'Neil asked adding this to his already busy plate, how much time can be fully devoted to the village. Mr. Kopec said yes, it is all about prioritizing and scheduling.

- B. Go Kart Event Plan: Mayor Joiner invited Allan Goldhardt to address council. Mr. Goldhardt said the plan is pretty much the same as it has been in the past. He said the biggest change is it is the 50th anniversary for go kart racing. He said they have a concert Saturday night, McGuffey Lane. Mr. Geiger asked where they would hold it. Mr. Goldhardt said in the center of town. He said in the past they have had a trailer and put the band on it. They are considering bringing in a semi-trailer and parking it by the police garage. He said the angle will point directly in the center of town. Mr. O'Neil said they discussed police coverage. In the plan it said one police officer is on duty during the racing. Mr. Goldhardt said in the past they have only had one officer on duty during the races. He said they keep an officer in the pit area. He said in the past the concerts have been on Friday night and they didn't have an officer, but the village did. Mr. O'Neil said his concern is the size of the band and the amount of people, the chance for alcohol and fighting. He asked if the association is open to adding one. Mr. Goldhardt said yes. Mr. Sadler asked about the previous turn out and parking. Mr. Goldhardt said it was a good turn out and they will park at the school. He said they use 2 shuttles from the Commercial Point Men's Club to bring them back and forth. He said they will run shuttles before and after the concert. Mr. O'Neil had a suggestion, he drove the tractor and there are no lights on one of them. He said normally it isn't a huge issue because the school is well lit. Mr. Sadler asked what time the concert starts. Mr. Goldhardt said approx. 7:00pm and it is a 2-hour concert. Mr. O'Neil asked if the Racing Association discussed roping off a beer garden. Mr. Goldhardt said no, the carting association wants nothing to do with alcohol sales. Mr. Townsend asked Chief Jordan if he recommended asking for extra security. Chief Jordan asked for a rough estimated how many came to the previous McGuffey Lane concert. Mr. Goldhardt said no, but it was packed. Chief Jordan said it is something they can sit down and discuss because there will be traffic issues. Mayor Joiner said he believes at least 500 people attended. He said we have ordinances regarding concerts and he would make the suggestion of at least 2 officers. Mr. Goldhardt said once the concert starts they will not need an officer in the pit area. Chief Jordan asked if they had events for Friday. Mr. Goldhardt said no, except for a possible car show. Mr. O'Neil motioned to approve the Go Kart Racing plan, seconded by Mr. Geiger. Mr. Sadler asked if this included the additional officer. Mr. O'Neil said yes. All in favor, motion passed.
- C. Liquor Permit Renewals: Fiscal Officer Hastings said every year all the local business with liquor permits must renew them. She said it is routine and usually go off the Chief's suggestions. Chief Jordan had no objections. Mr. Geiger made a motion to approve, seconded by Mr. Townsend. All in favor, motion passed.
- D. Employee Insurance: Mayor Joiner said there are two options, employees paying 10% of their premium coverage and another plan where employees pay 0%. Mayor Joiner asked for thoughts. Mr. Geiger said he has thought about it and gone back and forth. He thinks this is a good starting point since we have never been able to offer insurance. He said the more he hears he favors 10% because they seem to be what other government agencies in the area do. He said although they offer family coverage and we do not, unless it is the expense of the employee. He said he is open to see how it goes and look at expansion in the following years. Mayor Joiner said from his perspective he does not see what \$44 a month per individual coverage will hurt the village. He said he would advocate to not have the employees pay 10% of the premium amount. Mr. O'Neil said for the first year it would only save \$3000. He said his suggestion is pay for the employee 100% for the first year and re-evaluate the following year to see if we will offer family coverage or charge 10% then. Mr. Sadler said rates will go up next year. He said this is the same health plan out fire department has and it seems like in the public sector the employee contribution is 10%. Mr. O'Neil said yes they are

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paying 10% but the family premium is \$1700 a month and the township is only charging \$170 a month for family coverage. He said if we were offering the employees all of that and charge 10% then yes. Mr. Sadler said it is so the employee has to be vested in it to. Mr. O'Neil said they are, they are getting healthy. Mr. Sadler said every other person that works has to pay a part of their insurance too. Mr. O'Neil said just because other companies charge, doesn't mean we have to. Utility Superintendent Thompson said he would take family coverage for \$170 a month. Mr. O'Neil said we have to give them a reason to stay with the village. Mayor Joiner said our utility group puts a lot of work in, more than needed to meet the requirements for us to cover that \$44. Utility Superintendent Thompson asked the difference in full pay and payroll deduction. Fiscal Officer Hastings said she didn't know, she hasn't looked into it. Mayor Joiner asked Mr. Townsend his thoughts. Mr. Townsend said he is in favor of paying 100% because we do not offer family coverage. Fiscal Officer asked if he is in favor of paying the employee only with the option of the employee paying for the family. Mr. Townsend said yes. Mayor Joiner asked Mr. Laxton his thoughts. Mr. Laxton said he is in favor of paying 100% employee. He said he has thought about this a lot. He said he thinks anyone who puts their life in jeopardy to save his, the village should pay for their insurance. Solicitor Hess said he will contact the insurance company. He said reading the room he is seeing them leaning towards the village paying 100% for the employee. He is going to ask them to draft two contracts, one for paying the employee coverage at 100% and one the employee paying 10%. He said we will bring in potentially a new council person which could possibly be a tie, although he believes he knows where that tie would go. Mayor Joiner asked as we sit tonight with 5 council members vs the 6 council members, does that go with a 3-2 vote or a motion with a second tonight. Solicitor Hess said we do not have a contract tonight. Mayor Joiner said he understood but they can advocate which direction for Solicitor Hess to go to write up that contract. Solicitor Hess said correct. Mr. Sadler said he thought we were voting on this on December 19th. Mr. O'Neil said that is to vote on the contract. He said this would be a motion to advise Solicitor Hess on which direction to have the contract written. Mr. Sadler said he thought the packet distributed was the contract. Solicitor Hess said no, that is just the rates. Mr. O'Neil motioned to move forward with the insurance coverage with the village paying 100% employee only for the first year with the option of family coverage being added and paid for by the employee. Mayor Joiner asked for a second. Mr. Geiger said he thinks we should have the two contracts and vote on it when the new seat is filled. Solicitor Hess said his suggestion is to have both proposals to review and vote on during the December 19th meeting. Mayor Joiner asked for a second, no second. The motion has failed.

Legislation:

A. For First reading:

Ordinance 2016-16 AN ORDINANCE ACCEPTING THE FINAL PLAT OF CHESTNUT COMMONS SUBDIVISION, PHASE 1. Mayor Joiner asked if emergency language needed to be added. Solicitor Hess said no. Mr. Geiger motioned to suspend the readings, seconded by Mr. O'Neil. Roll call taken: Mr. Townsend Yes, Mr. Sadler Yes, Mr. Geiger Yes, Mr. O'Neil Yes, Mr. Laxton Yes. All in favor, motion passed. Mr. Geiger motioned to approve, seconded by Mr. Laxton. Engineer Grosse said he understand the urgency and the project isn't done. He said we still need to have a bond before the plat is signed. Mayor Joiner will not sign the Ordinance until the bond is in hand. Fiscal Officer Hastings said it does not have emergency language in it so it will not take effect until 30 days after Mayor Joiners

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signature. Roll Call taken: Mr. Townsend Yes, Mr. Sadler Yes, Mr. Geiger Yes, Mr. O'Neil yes, Mr. Laxton Yes. All in favor, motion passed.

Resolution 49-2016 A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT EFFECTIVE IMMEDIATELY AND CONTINUE THROUGH DECEMBER 31, 2018 WITH MICHAEL HESS AND HIS LAW FIRM FOR SERVICES AS VILLAGE SOLICITOR AND DECLARING AN EMERGENCY. Mr. Townsend motioned, seconded by Mr. Sadler to waive the readings. Roll call taken: Mr. Townsend Yes, Mr. Sadler Yes, Mr. Geiger Yes, Mr. O'Neil Yes, Mr. Laxton Yes. All in favor, motion passed. Mr. Townsend motioned to approve resolution and declare it an emergency, seconded by Mr. Geiger. Mr. O'Neil asked for discussion. He asked Solicitor Hess if it was ok to discuss a previous conversation they had. Solicitor Hess said yes. Mr. O'Neil said he and Solicitor Hess spoke after the last meeting. He asked Solicitor Hess if there are things he can do to improve on his job as village solicitor such as taking classes or training to better his knowledge. He said Solicitor Hess said he is willing to do it. Mayor Joiner said Solicitor Hess has been priceless and has shown the willingness to look outside of his own skill set. He told Solicitor Hess he appreciates him. Solicitor Hess said as a small town attorney you can't be an expert in all areas and he has no issues bringing on experts for situations as needed or seeking to better himself. He has looked into the Ohio Municipal League for courses. Roll Call taken: Mr. Townsend Yes, Mr. Sadler Yes, Mr. Geiger Yes, Mr. O'Neil yes, Mr. Laxton Yes. All in favor, motion passed.

Resolution 50-2016 A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF ±157.626 ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND DECLARING AN EMERGENCY. Mr. O'Neil motioned, seconded by Mr. Townsend to waive the readings. Roll call taken: Mr. Townsend Yes, Mr. Sadler Yes, Mr. Geiger Yes, Mr. O'Neil Yes, Mr. Laxton Yes. All in favor, motion passed. Mr. O'Neil motioned to approve resolution, seconded by Mr. Geiger. Mr. Sadler said he noticed there was no mention of water. Solicitor Hess said yes he is aware of that and is the one who removed it. He said he was concerned that we do not have in hand the specifics on how much water we can provide to an annexed area. He said for caution he removed it, but it can be added later. He said Mr. Plank was comfortable with it. Roll Call taken: Mr. Townsend Yes, Mr. Sadler Yes, Mr. Geiger Yes, Mr. O'Neil yes, Mr. Laxton Yes. All in favor, motion passed.

B. For Second Reading:

Resolution 46-2016 A RESOLUTION TO ADOPT A PLAN UNDER THE OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION PROGRAM ADMINISTERED BY THE OHIO PUBLIC EMPLOYEES DEFERRED COMPENSATION BOARD FOR

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PARTICIPATION BY "ELIGIBLE EMPLOYEES" OF THE VILLAGE OF COMMERCIAL POINT.

Resolution 48-2016 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND/OR VILLAGE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO EXECUTE THE NECESSARY CONTRACTS AND DOCUMENTS TO PURCHASE LAND ALONG STATE ROUTE 762 FROM THE TEAYS VALLEY BOARD OF EDUCATION FOR THE CONSTRUCTION OF A WATER BOOSTER STATION AND DECLARING AN EMERGENCY. Mr. Sadler asked if we received a price. Solicitor Hess said he and Engineer Grosse still need to have a meeting on it. He said he would suggest to only have for a second reading tonight. Mr. Geiger asked how much acreage. Fiscal Officer Hastings said it was .184 acres. Mr. Geiger asked if it should be in the resolution. Solicitor Hess said yes or in the contract.

C. For Third Reading:

Ordinance 2016-14 AN ORDINANCE REPEALING SECTION 810.01 OF THE CODIFIED ORDINANCE OF THE VILLAGE OF COMMERCIAL POINT, OHIO PERTAINING TO VIDEO SERVICE FEES. Mr. O'Neil motioned to approved, seconded by Mr. Sadler. Roll Call was taken: Mr. Geiger Yes, Mr. Sadler Yes, Mr. Townsend Yes, Mr. Laxton Yes, Mr. O'Neil Yes. All in favor, motion approved.

Resolution 45-2016 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, 2017. Mr. O'Neil motioned to approved, seconded by Mr. Geiger. Roll Call was taken: Mr. Geiger Yes, Mr. Sadler Yes, Mr. Townsend Yes, Mr. Laxton Yes, Mr. O'Neil Yes. All in favor, motion approved.

Executive Session to discuss Council Seat Applicants:

Mr. Sadler motioned to break for Executive Session, seconded by Mr. Laxton. All in favor, motion approved.

Mr. O'Neil motioned to return from Executive Session at 8:20pm, seconded by Mr. Geiger. All in favor, motion approved.

Solicitor Hess said someone will nominate a formal candidate and then vote. Mr. Geiger nominated Becky Blevins for Council seat. It was seconded by Mr. O'Neil. Roll Call was taken: Mr. Geiger Yes, Mr. Sadler Yes, Mr. Townsend Yes, Mr. Laxton Yes, Mr. O'Neil Yes. All in favor, motion approved.

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Additional Items:

Mr. O'Neil asked for internet status for the Village Office. Solicitor Hess said he spoke with Chris Cooper of Intelliwave today. They purchased Country Connections and the village already has a contract with them. He said they will work on a new contract to trade services. Mr. O'Neil asked if we know when it will happen. Solicitor Hess said it set for a couple of weeks.

Adjournment:

Mr. O'Neil motioned, seconded by Mr. Sadler to adjourn. All in favor. Meeting adjourned.

Gary Joiner, Mayor

Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant