



**VILLAGE OF COMMERCIAL POINT
SPECIAL COUNCIL MEETING MINUTES
June 18, 2012**

Mayor Hammond called the meeting to order 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

Fiscal Officer Hastings took roll call with the following members present: Mr. Shelton, Ms. Gooden-Kinney, Mr. Kuzelka, Mr. Cruz and Mr. Thompson. Solicitor Crites was also in attendance. Engineer Grosse and Mr. Wissinger were absent.

Mr. Thompson made a motion, seconded by Mr. Cruz to Suspend the Procedure Rules. All members of Council were in favor. The motion passed.

Business Items:

A. Country Connections Agreement – Solicitor Crites informed Council of the few minor changes he made to the agreement including adding “emergency” wording to expedite service to our residents. He pointed out Section 3 states there is no cost to the Village for high speed internet service to the municipal offices, the Utility Plant or for WI-FI services for the police department.

B. Appointment and Approval of a Village Administrator – Mayor Hammond asked for a motion to accept his appointment of Mr. Mike Crites for our Acting Village Administrator. Ms. Gooden-Kinney made a motion, seconded by Mr. Shelton to approve the appointment of Mr. Crites as Acting Village Administrator. A roll call vote was taken: Mr. Thompson – yes; Mr. Cruz – yes; Mr. Kuzelka – yes; Ms. Gooden-Kinney – yes; Mr. Shelton – yes. The motion passed.

C. RITA Subpoena Program – Solicitor Crites informed Council that the \$ 8.00 subpoena cost is standard. Mr. Kuzelka made a motion, seconded by Mr. Thompson to move forward and participate in the RITA subpoena program. A roll call vote was taken; Mr. Shelton – yes; Mr. Kuzelka – yes; Mr. Cruz – yes; Mr. Thompson – yes, Ms. Gooden-Kinney – abstained. The motion passed.

D. Liquor Permit – Solicitor Crites explained there was a transfer taking place of the C1 liquor permit for the owners of The Hawk station. He also explained they were applying for a new C2 liquor permit which allows sale of wine and mixed drinks in sealed containers for carryout only. Solicitor Crites said what was asked of Council was if they desired a hearing or not regarding these actions on these 2 liquor licenses. He explained that Council would have to have a good basis to object to the transfer for it to stand up in a hearing. Mr. Shelton asked Sgt. Murphy if the Police Department would have any information that would cause the Council to feel there was a chronic problem at this establishment. Sgt. Murphy feels there are no main concerns at this time. At this time, Mayor Hammond asked if Council wanted a hearing and everyone said no. Therefore, no hearing is needed.

E. Ross, Pickaway, Highland, Fayette Joint Solid Waste Management District Final Draft – Solicitor Crites explained that he added emergency wording to the ordinance since this is a time sensitive document. Mr. Cruz asked how this would affect the Village. Solicitor Crites asked Fiscal Officer Hastings to explain. Fiscal Officer Hastings explained the landfills that work with the trash collecting companies such as Waste Management, Rumpke and Local Services, are going to be charging these companies \$ 1.00 per ton more to use the landfills. How this will affect the residents of Commercial Point is when the negotiations take place with the trash collecting companies, they may raise their rates to help cover their costs for the increase in dumping in the landfills. Fiscal Officer Hastings said this document was sent to all townships, municipalities and cities within the four counties involved. She said a majority of all of these places where the document was sent is needed, which they already have. This price increase is going to happen whether the Village of Commercial Point agrees or not. Mr. Cruz asked if we could look into dropping out of the Joint Solid Waste Management District to avoid possible future monies being owed that we cannot control. Solicitor Crites said he would look into it.

At this time, Mr. Kuzelka removed himself from the Council Table due to conflict of interest.

Legislation:

Ordinances for the second reading:

A. Ordinance 2012-03 – **AN ORDINANCE TO REALIGN MONIES WITHIN THE WATER FUND FROM THE CAPITAL OUTLAY FUND 5101-539-590 AND TRANSFER SAID MONIES TO THE OTHER DEPOSITS REFUNDED FUND 5101-539-610.** Mayor Hammond read title only.



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B. Ordinance 2012-04 - AN ORDINANCE TO REALIGN MONES WITHIN THE SEWER FUND FROM THE CAPITAL OUTLAY FUND 5201-549-590 AND TRANSFER SAID MONIES TO THE OTHER DEPOSITS REFUNDED FUND 5201-549-610. Mayor Hammond read title only.

Mr. Kuzelka rejoined the Council Table.

Ordinance for the first reading:

A. Ordinance 2012-05 – AN ORDINANCE APPROVING THE FINAL DRAFT AMENDED SOLID WASTE MANAGEMENT PLAN OF THE ROSS, PICKAWAY, HIGHLAND, FAYETTE JOINT SOLID WASTE MANAGEMENT DISTRICT. Mr. Cruz made a motion, seconded by Mr. Shelton to disapprove the Final Draft of the Solid Waste Management Plan of the Ross, Pickaway, Highland, Fayette Joint Solid Waste Management District. A roll call vote was taken: Mr. Thompson – yes; Mr. Cruz – yes; Mr. Kuzelka – no; Ms. Gooden-Kinney – no; Mr. Shelton – yes. The motion passed to disapprove of this agreement.

B. Ordinance 2012-06 – AN ORDINANCE TO AUTHORIZE THE ACTING VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH COUNTRY CONNECTIONS AND TO DELCARE AND EMERGENCY. Mr. Cruz made a motion, seconded by Ms. Gooden-Kinney to suspend the three readings. A roll call vote was taken: Mr. Kuzelka – yes; Mr. Cruz – yes; Mr. Shelton – yes; Ms. Gooden-Kinney – yes; Mr. Thompson – yes. The motion passed. Mr. Thompson made a motion, seconded by Mr. Shelton to adopt Ordinance 2012-06 and declare an emergency. A roll call vote was taken: : Mr. Kuzelka – yes; Mr. Cruz – yes; Mr. Shelton – yes; Ms. Gooden-Kinney – yes; Mr. Thompson – yes. The motion passed.

At 6:32 p.m. Mr. Wissinger arrived to the Council Table. Mr. Kuzelka removed himself from the Council Table. Mr. Cruz said since we now have 5 Council Members present, he would like to revisit Ordinance 2012-03 and 2012-04. Mr. Cruz made a motion, seconded by Mr. Thompson to reconsider Ordinance 2012-03 and 2012-04 and to suspend the three readings. All members were in favor. The motion passed.

Ordinance 2012-03 – AN ORDINANCE TO REALIGN MONIES WITHIN THE WATER FUND FROM THE CAPITAL OUTLAY FUND 5101-539-590 AND TRANSFER SAID MONIES TO THE OTHER DEPOSITS REFUNDED FUND 5101-539-610. Mr. Cruz made a motion, seconded by Mr. Thompson to adopt Ordinance 2012-03. All members of Council were in favor. The motion passed.

Ordinance 2012-04 - AN ORDINANCE TO REALIGN MONES WITHIN THE SEWER FUND FROM THE CAPITAL OUTLAY FUND 5201-549-590 AND TRANSFER SAID MONIES TO THE OTHER DEPOSITS REFUNDED FUND 5201-549-610. Mr. Cruz made a motion, seconded by Mr. Shelton to adopt Ordinance 2012-04. All members of Council were in favor. The motion passed.

At this time, Mr. Kuzelka rejoined the Council Table.

Mr. Shelton 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