



**VILLAGE OF COMMERCIAL POINT  
COUNCIL MEETING MINUTES  
September 13, 2010**

Mayor Goldhardt called the meeting to order, followed by the Pledge of Allegiance. Ms. Hastings took roll call with the following members present: Ms. Weaver, Ms. Hutchins, Ms. Gooden-Kinney, Mr. Benedik, Mr. Kuzelka and Mr. Cruz. Mr. Grosse, Village Engineer, and Mr. King of the Village Solicitor's office, were present.

Ms. Gooden-Kinney made a motion, seconded by Ms. Hutchins to approve the minutes of the August 2, 2010 Regular Council Meeting. All members were in favor. The motion passed.

**Administrative Reports:**

- A. Mayor's Report – Nothing to report
- B. Village Engineer's Report – Nothing to report
- C. Village Solicitor's Report – Nothing to report
- D. Fiscal Officer's Report – Ms. Hastings gave the following report: General Fund \$ 742,187.23; Street Construction \$ 70,599.60; State Highway \$ 3,465.68; Parks and Rec \$ 3,875.00; Permissive Motor Vehicle \$ 9,359.31; Housing Development \$ 10,543.68; FEMA \$ 12,857.00; Fireflow \$ 88.24; Water Operating \$ 660,455.34; Sewer Operating \$ 939,860.02; Garbage Operating \$ 13,101.87.

**Legislative Reports:**

- A. Legislative Authority Reports
  - 1. Don Benedik – Nothing to report
  - 2. Vidal Cruz – Nothing to report
  - 3. Janet Hutchins – Nothing to report
  - 4. Kimberly Gooden-Kinney – Nothing to report
  - 5. Jim Kuzelka – Nothing to report
  - 6. Margie Weaver – Nothing to report

**Citizen's Comments:**

Mr. Mark Perrill introduced himself and stated that he was running for Pickaway County Commissioner. He gave a brief history of his background and his work with the County. He offered a document with his accomplishments to anyone interested and said if elected he would become more involved with the Village.

Mr. Charles Griffith spoke to Council on how he feels about items being sold in resident's yards. Mr. Griffith feels the proposed ordinance regarding yard sales is not needed. He feels that being able to sell items in your yard should be allowed no matter what. He said it is no different than having a car, boat or lawn mower for sale.

**Business Items:**

- A. Municipal Building – Mr. Benedik said everything was going well, on schedule and under the projected budget.
- B. Police Department Committee & Survey – Council reviewed the proposed survey. After some discussion, a few of the questions on the survey were removed and updated. Once a new survey is put together, it will be mailed out with the water/sewer invoices. The next scheduled meeting of the Committee is Wednesday, September 15, 2010 at 7:00 p.m. at the Municipal Office.
- C. Water & Sewer Reduction Request – Nick from Dynahoe had questions regarding why Ms. Eskew couldn't tap onto the existing waterline that is on Walker Road. He feels there is no need for her to have to put in 911 ft of new waterline across Walker Road in order to tap in. Mr. Grosse informed Nick and Ms. Eskew the Village regulations stated she needs to extend the line in order to tap in. The ordinance doesn't differentiate due to what side of the street she will be living on.
- D. Transportation Fund Report – Mayor Goldhardt informed Council that money needed to be moved within the Transportation Fund to pay for the ditch cleaning between the Men's Club property and the Scioto Elementary School property.

**Legislation:**

- A. Ordinance for 1<sup>st</sup> Reading:

**Ordinance 2010-04** AN ORDINANCE TO ENACT NEW SECTIONS 806.01, 806.02, 806.03, AND 806.99 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT.

This ordinance was read, title only. Discussion on this proposed ordinance will be held at the COW meeting scheduled for September 20, 2010.

- A. Resolutions for 1<sup>st</sup> Reading:

**Resolution 07-2010** A RESOLUTION APPROVING A SETTLEMENT AGREEMENT AND GENERAL RELEASE WITH RICHARD TALBOTT AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE THE SETTLEMENT AGREEMENT AND GENERAL RELEASE IN THE NAME OF THE VILLAGE AND ON ITS BEHALF AND DECLARING AN EMERGENCY.

At this time, Mr. Kuzelka left the Council Table due to conflict of interest. A motion was made by Ms. Weaver, seconded by Mr. Benedik, to suspend the three readings. A roll call vote was taken: Mr. Cruz – Yes, Ms. Hutchins – Yes, Ms. Gooden-Kinney – Yes, Ms. Weaver – Yes, Mr. Benedik – Yes. The motion passed.



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A motion was made by Mr. Benedik, seconded by Ms. Weaver to adopt Resolution 07-2010 and declare an emergency. A roll call vote was taken: Mr. Cruz – Yes, Ms. Hutchins – Yes, Ms. Gooden-Kinney – Yes, Ms. Weaver – Yes, Mr. Benedik – Yes. The motion passed. At this time, Mr. Kuzelka rejoined the Council Table.

**Resolution 08-2010** A RESOLUTION TO APPROVE A WATER LINE CONSTRUCTION REIMBURSEMENT AGREEMENT WITH HEATHER AND TYLER ESKEW FOR THEIR PROPERTY LOCATED ALONG WALKER ROAD AND TO AUTHORIZE THE COLLECTION OF THE CONSTRUCTION REIMBURSEMENT CHARGES SET FORTH IN THE AGREEMENT AND DECLARE AN EMERGENCY.

A motion was made by Ms. Hutchins, seconded by Mr. Benedik to table the resolution. A roll call vote was taken: Mr. Cruz – No, Ms. Hutchins – Yes, Ms. Gooden-Kinney – No, Ms. Weaver – Yes, Mr. Benedik – Yes, Mr. Kuzelka – No. The motion failed.

A motion was made by Mr. Kuzelka, seconded by Ms. Gooden-Kinney to suspend the three readings. A roll call vote was taken: Mr. Cruz – Yes, Ms. Hutchins – Yes, Ms. Gooden-Kinney – Yes, Ms. Weaver – Yes, Mr. Benedik – No, Mr. Kuzelka – Yes. The motion passed.

A motion was made by Ms. Gooden-Kinney, seconded by Mr. Cruz to adopt Resolution 08-2010 and declare an emergency. A roll call vote was taken: Mr. Cruz – Yes, Ms. Hutchins – Yes, Ms. Gooden-Kinney – Yes, Ms. Weaver – Yes, Mr. Benedik – No, Mr. Kuzelka – Yes. The motion passed.

**Resolution 09-2010** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

A motion was made by Ms. Gooden-Kinney, seconded by Mr. Kuzelka to suspend the three readings. A roll call vote was taken: Mr. Cruz – Yes, Ms. Hutchins – Yes, Ms. Gooden-Kinney – Yes, Ms. Weaver – Yes, Mr. Benedik – Yes, Mr. Kuzelka – Yes. The motion passed.

A motion was made by Ms. Gooden-Kinney, seconded by Mr. Kuzelka to adopt Resolution 09-2010 and declare an emergency. A roll call vote was taken: Mr. Cruz – Yes, Ms. Hutchins – Yes, Ms. Gooden-Kinney – Yes, Ms. Weaver – Yes, Mr. Benedik – Yes, Mr. Kuzelka – Yes. The motion passed.

**Resolution 10-2010** A RESOLUTION TO REALIGN MONIES WITHIN THE STREET CONSTRUCTION, MAINTENANCE AND REPAIR FUND FROM THE OTHER – OTHER CONTRACTUAL SERVICES FUND 2011-620-399 AND TRANSFER IT TO THE OTHER – OTHER CONTRACTUAL SERVICES FUND 2011-640-399 AND DECLARE IT AN EMERGENCY.

A motion was made by Mr. Kuzelka, seconded by Mr. Cruz to suspend the three readings. A roll call vote was taken: Mr. Cruz – Yes, Ms. Hutchins – Yes, Ms. Gooden-Kinney – Yes, Ms. Weaver – Yes, Mr. Benedik – Yes, Mr. Kuzelka – Yes. The motion passed.

A motion was made by Ms. Hutchins, seconded by Ms. Weaver to approve Resolution 10-2010 and declare an emergency. A roll call vote was taken: Mr. Cruz – Yes, Ms. Hutchins – Yes, Ms. Gooden-Kinney – Yes, Ms. Weaver – Yes, Mr. Benedik – Yes, Mr. Kuzelka – Yes. The motion passed.

**Additional Business:**

At this time, Ms. Gooden-Kinney introduced Mr. Ibel of Ibel Agency. Mr. Ibel told Council a little bit about his website business. He will need additional information from Council as to what they are looking for in a website before he could offer a price. Mr. Ibel left some documents for Council to review. Council decided to discuss the website information at the next COW meeting and report back to Mr. Ibel.

A discussion was held on stationing out of service Police cruisers in resident's driveways to help reduce speeding. No decisions were made.

Ms. Gooden-Kinney asked about installing reflective strips on the village "Stop" signs. She is to check into pricing and report back to Council.

A motion was made by Ms. Gooden-Kinney, seconded by Ms. Weaver to establish October 31, 2010 from 6:00 p.m. – 8:00 p.m. for beggars night for Commercial Point. All members were in favor. The motion passed.

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