



**VILLAGE OF COMMERCIAL POINT
COUNCIL MEETING MINUTES
April 11, 2011**

Mayor Goldhardt called the meeting to order followed by the Pledge of Allegiance. Fiscal Officer Hastings took roll call with the following members present: Dr. Weaver, Ms. Hutchins, Mr. Cruz, Mr. Kuzelka, Mr. Benedik and Ms. Gooden-Kinney. Solicitor Crites, Engineer Grosse and Chief Jordan were also in attendance.

Dr. Weaver made a motion, seconded by Ms. Hutchins to approve the March 7, 2011 Regular Council Meeting Minutes. All members were in favor and the motion passed.

Administrative Reports:

- A. Mayor's Report – see attachment.
- B. Village Engineer's Report – Nothing to report.
- C. Village Solicitor's Report – Nothing to report.
- D. Fiscal Officer's Report – Fiscal Officer Hastings gave the following report: General Fund - \$ 666,850.60; Street Construction - \$ 72,738.52; State Highway - \$ 6,375.02; Parks and Rec - \$ 3,875.00; Permissive Motor - \$ 9,366.09; Housing Developments - \$ 53,034.08; Fireflow - \$ 88.24; Water Operating - \$ 691,459.99; Sewer Operating - \$ 642,139.88; Garbage Operating - \$ 12,634.27.

Legislative Reports:

- A. Legislative Authority Reports
 1. Mr. Benedik - Nothing to report.
 2. Mr. Cruz – Nothing to report.
 3. Ms. Hutchins – Nothing to report.
 4. Mr. Kuzelka - Mr. Kuzelka distributed the minutes from the March 21st and April 9th Street Committee Meetings. The Street Committee presented Council with their recommendations. They recommended spending approximately \$ 145,000 for paving, \$ 95,000 for crack sealing and using the remaining money for emergency situations that may arise.
 5. Dr. Weaver – Nothing to report.
 6. Ms. Gooden-Kinney – Nothing to report.

Citizen's Comments:

At this time, Allen Payne of 157 Walnut Creek Dr. addressed Council regarding items left in his back yard by the contractor who is working on the ditch behind his home. Mr. Lawrence Ramsey of 159 Walnut Creek Dr. voiced the same concerns.

John Parmenter of Harsh Alley requested that Council extend the fence behind his house an additional 22 feet so that it joins his neighbor's fence. Mr. Parmenter said the residents who live in Walker Point are using his yard as a walk way to gain access into downtown Commercial Point. He has had personnel property damaged as well as trash and cigarettes left in his yard. He would like to see the fence extended to stop unwanted pedestrian traffic on his property.

Business Items:

- A. Building Committee – Mr. Benedik reported we are just about finished with the project. There will be a meeting scheduled for next week to finalize all the payments.
- B. Police Committee – Nothing to report.
- C. Street Committee – Already discussed by Mr. Kuzelka.
- D. Website Committee – Contract with Infolink has been signed. Work has started. Amanda will be our contact.
- E. Speed Study – Mr. Cruz handed out the ODOT Warrant for Speed Zone form. The next step will be for Mayor Goldhardt to contact ODOT and submit our findings and request.
- F. Lot Split Request – 44 & 46 Main Street. Mr. Kuzelka made a motion, seconded by Ms. Gooden-Kinney to accept the Lot Split application from Mr. Myers as requested. A roll call vote was taken: Dr. Weaver – Yes, Ms. Hutchins – Yes, Mr. Benedik – Yes, Mr. Kuzelka – Yes, Ms. Gooden-Kinney – Yes, Mr. Cruz – Yes. The motion passed. Fiscal Officer Hastings will contact Mr. Myers.



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G. Chestnut Estates – At this time, Mr. Kuzelka excused himself from the Council Table due to conflict of interest. Mayor Goldhardt summarized what Mr. Mautino from Westport Homes was requesting. A motion was made by Dr. Weaver, seconded by Ms. Gooden-Kinney to offer a credit in the amount of \$ 2,500 per combined water/sewer taps for the first 74 taps purchased for Chestnut Estates. Mr. Benedik made a motion to amend Dr. Weaver's motion to issue a credit of \$ 1,250 per sewer tap only and not to charge Westport Homes until the taps are being put to use. Mr. Benedik's motion died on the floor due to a lack of a second to his motion.

A roll call vote was taken on the original motion. Dr. Weaver – Yes, Mr. Benedik – No, Ms. Hutchins – Yes, Mr. Cruz – No, Ms. Gooden-Kinney – Yes. The motion passed. Mayor Goldhardt will contact Solicitor Crites to have an agreement drawn up outlining the council's wishes. Mr. Kuzelka rejoined the Council Table at this time.

H. Village Corporation Limit Signs – A discussion was held on purchasing signs for the Village. Mr. Kuzelka voiced a concern about spending money on signs when Council has been conservative on wages and other items. He asked if there were any options other than what was suggested by Mr. Benedik. Mr. Benedik stated that \$25,000 had been appropriated in the permanent budget for signs. Mr. Cruz felt that \$16,000 would be too much to spend on signs at this time. Mr. Benedik asked whether the Council members wanted him to proceed in obtaining additional sign information. The majority of the Council requested that he proceed. Mr. Benedik asked Council for ideas on what wording they would like to see on the signs. More discussion about the signs will be held during the next COW meeting.

I. Administrative Employee Guidelines Amendments – Mayor Goldhardt presented Council with the actual dollar amounts for each pay position if a 1½ % pay increase was instituted. He also provided answers to the Council's questions from the previous meeting about the Village of Ashville's utility plant size, number of employees, pay rates, benefits, etc. After some discussion, Council decided to discuss the matter at the COW meeting.

Legislation:

A. Ordinance for Second Reading:

Ordinance 2011-01 AN ORDINANCE TO ENACT AND ADOPT THE COMPREHENSIVE PLAN.
Mayor Goldhardt did a second reading of Ordinance 2011, title only.

B. Resolutions for Second Reading:

Resolution 06-2011 A RESOLUTION STATING THE COUNCIL'S INTENT TO ALLOCATE \$ 3,000.00 TO THE COMMUNITY MEN'S CLUB AS COMPENSATION FOR ALLOWING THE VILLAGE COUNCIL TO USE ITS FACILITIES FOR MUNICIPAL MEETINGS OVER THE PAST THREE YEARS.
Mayor Goldhardt did a second reading of Resolution 06-2011, title only.

C. Resolution for First Reading:

Resolution 09-2011 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OR VILLAGE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO ADVERTISE, ACCEPT THE LOWEST AND BEST BID, AND TO ENTER INTO A CONTRACT ON BEHALF OF THE VILLAGE OF COMMERCIAL POINT FOR STREET REPAIRS AND DECLARE AN EMERGENCY.

A motion was made by Mr. Kuzelka and seconded by Mr. Benedik to suspend the three readings. All members were in favor and the motion passed.

A motion was made by Mr. Cruz and seconded by Mr. Kuzelka to amend Resolution 09-2011 to include the words "as recommended by the Street Committee". All members were in favor and the motion passed.

A motion was made by Mr. Cruz and seconded by Ms. Hutchins to adopt Resolution 09-2011 and declare an emergency. All members were in favor and the motion passed.

Resolution 10-2011 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 3, PHASE 1 OF THE CHESTNUT ESTATES SUBDIVISION.

Mayor Goldhardt did a first reading of Resolution 10-2011, title only.



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Additional Business:

At this time, Mayor Goldhardt addressed the fence issue on Mr. Parmenter's property. He stated approximately 22 feet of chain link fence is needed to close in the property. Mayor Goldhardt feels that if this fence is in place, it will stop a lot of the traffic coming through the resident's property on Harsh Alley. Mr. Cruz apologized to Mr. Parmenter for the damage this has caused to his property. He feels the Village has an obligation to supply an access into the Village from Walker Point. Dr. Weaver feels we need to look at access for all of the subdivisions, not just Walker Point. Council agreed that the fence needs to be extended behind Mr. Parmenter's property. They will also be looking into other areas for pathways into the Village.

Mayor Goldhardt asked Council to follow the correct chain of command if they have issues with any Police Officer or a Utility Employee. He requested that they speak with Chief Jordan regarding any police officer issues and Superintendent Sherrick regarding any Utility Plant employee issues. They may also follow up any issues with him as well.

Mayor Goldhardt briefly discussed an issue that is going on with the Pickaway County Health Department. The Health Department received grant money that was not tracked properly. The Ohio Health Department is asking that all of the grant money be refunded. Mayor Goldhardt encouraged all of Council to attend the next Health Department meeting which is scheduled for Thursday, April 14, 2011 at 7:00 p.m. at the Pickaway County Health Department.

As a response to the citizens from Walnut Creek Dr, Mayor Goldhardt said the weather was a large part of why the projected ended. The contractor is scheduled to come back and finish the job when the weather breaks. Mayor Goldhardt reiterated to the residents that we have access to a 30 foot easement on their property. We are to maintain the ditch area and clean it up as needed. Mayor Goldhardt will contact Village Administrator Hutchins and have him look at the job site. The property owners also requested a 24 hour notice when accessing their property.

A motion was made by Mr. Cruz and seconded by Ms. Gooden-Kinney to close the roads for approximately 2 hours, in the center of town for the Easter Egg Hunt scheduled for April 24, 2011 at 2:00 p.m. All members were in favor and the motion passed.

A motion was made by Mr. Kuzelka and seconded by Mr. Cruz to close the roads for approximately 2 hours for the Homecoming Parade scheduled for June 11, 2011 starting at 11:00 a.m. All members were in favor and the motion passed.

Mr. Cruz asked what the policy was to ride along with the police officers while on duty. Mayor Goldhardt said citizens are no longer allowed to ride with the officers. Members of Council and officers from other departments are permitted to ride along with our officers if approved in advance by the Chief. Mr. Cruz asked for records of time worked for all officers for the past 12 months. He mentioned he would like to see more coverage during the day time and less time focused on the weekends. Chief Jordan informed Mr. Cruz that he is not allowed to schedule part-time, non-paid employees. The officers are required to put in 16 hours a month. He can not specify what hours they have to work. Chief Jordan will get the records for Mr. Cruz.

Mr. Kuzelka made a motion, seconded by Dr. Weaver to adjourn the meeting. All members present were in favor and the meeting was adjourned.

Allan D. Goldhardt, Mayor

Wendy L. Hastings, Fiscal Officer



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**Mayor's Report
April 11, 2011**

1. I followed up with Lisa Queen about installing a street light at the southern entrance to Walker Point. It will be located on the southwest corner of the entrance. The cost will be \$1,388.38. She is to send us an invoice. The light will be installed after they receive our payment.
2. Lumbee Electric will be relocating the tornado siren at the end of next week if the weather permits. They wanted to do it this week but they are calling for rain.
3. I attended a preconstruction meeting held by John Grosse on 03/15/11 here at our Municipal Building with representatives and contractors from Westport Homes to discuss the upcoming construction of Chestnut Estates, section 3, phase 1. I refunded the unused balance of their plan review monies at that time. Since then, they have paid the Village approximately \$42,000.00 for their upcoming Inspection Fees. The next step is for them to supply the Village a 100% Construction Bond before the plat is approved. We are doing a first read of a resolution to approve their plat tonight.
4. Mr. Benedik, Mr. Kuzelka, and I met with Ben Lindsay, Matt Canterna, Buck Wince and representatives from Stockmeister on 03/16/11 to discuss the roof problem on the municipal building. After a couple hours of testing, we decided to meet again on a dry day and remove a few roof panels and windows for a closer inspection of the problem area.
Ben Lindsay, two Stockmeister representatives, and one window company representative came out once again on 03/29/11. They removed the arched windows and located the problem. They installed a pan and added weep holes to the window structure, replaced the windows and repaired the drywall. They returned the next day and finished repairing and painting the drywall. We have had no leaking problems since that time.
5. The Village was granted the permit-to-install from the EPA for the bar screen filter on 03/15/11. Engineer Grosse finished the bid book and delivered an ad for Fiscal Officer Hastings to place in the newspaper. The ad ran on 04/04/11 & 04/11/11. The bid opening will be at 11:00 on 04/27/11 at the Municipal Building. Engineer Grosse will make a contract award recommendation to council at the May 2nd Regular council meeting.
6. I attended a MORPC Utility district meeting on 03/28/11 in Ashville. I met with area mayors and administrators to discuss and review utility service areas and maps drawn up by MORPC.
7. I met with Mel Harrison from Agrosapes on 03/29/11 to discuss landscape design and maintenance for the municipal building. I have a follow-up meeting set for 04/14/11 at 10:00 with him.
8. I met with a representative from Legg & Davis, Concrete & Asphalt Company on 03/29/11. They are going to blacktop the Methodist Church parking lot and wanted permission to overlay the alley that crosses through their lot. I said that would be fine and I also requested a quote to overlay the remaining portion of the alley.
9. Fiscal Officer Hastings attended the State Auditors Conference on 04/06/11 & 04/07/11 at the Hyatt Regency in Columbus. I attended the first day of class with her as well.
10. We received our grand master keys for the Municipal Building on 04/08/11. I met with Chief Welch today and we placed one of them in our Knox Box on the front of the Municipal Building.
11. I received the official results of the 2010 Census today. The population of the Village is now listed as 1,582.
12. We are planning on flushing the hydrants next month. No date has been set at this time. More details to follow.
13. I am planning on attending an informational meeting concerning the Health Department in Circleville on 04/14/11 at 7:00. We will discuss this later in tonight's meeting.