

**Village of Commercial Point
Council Meeting Minutes
May 2, 2016**

Mayor Joiner called the meeting to order, followed by the Pledge of Allegiance. Administrative Assistant Baldwin took roll call with the following members present: Mr. Geiger, Mr. Sadler, Mr. Townsend, and Mr. O'Neil. Mr. Laxton and Ms. Evans were absent. Engineer Grosse, Utility Superintendent John Thompson and Chief Jordan were also in attendance.

Mr. O'Neil made a motion, seconded by Mr. Sadler to approve the April 4, 2016 Regular Council Meeting Minutes. All members approved with the exception of Mr. Geiger who abstained. Motion passed. Mr. O'Neil made a motion, seconded by Mr. Sadler to approve the April 18, 2016 Special Council Meeting Minutes. All members approved with the exception of Mr. Townsend who abstained. Motion passed.

Administrative Reports:

- A. Mayor's Report-Mayor Joiner reported we did receive our portable radar sign. He said it has the ability to be move from pole to pole in the village and it is solar powered. Mayor Joiner said he appreciates council for allowing the purchase of the sign.
- B. Village Engineer Report- Engineer Grosse said he had a good meeting regarding the wellfield with the land owners. He said the attorney is preparing the land agreement. He said they have agreed to terms which should be presented to Council at the next Council meeting. He said once approved they should be able to drill test wells within the next 6-7 weeks. Engineer Grosse spoke about Chestnut Commons. He said they have submitted the sanitary plans, which he is in the process of reviewing. He said he spoke with their Engineer and the detail plans for the water, street and storm should be submitted within the next couple of weeks. He said they would like to be able to break ground this fall. He said they had a good meeting with the school regarding the location of the booster station which will be across from the township building. He said they are in the process of getting a legal description drawn up and have the property appraised. He said they were very favorable in allowing us to work something out and acquiring that property. He said this is a big part of Chestnut Commons. He said Intellwave has submitted four set of plans to us for Right of Way permits to serve the center part of town. Engineer Grosse said he and Utility Superintendent Thompson are in the process of reviewing them and assuming everything is in place those could be approved over the next couple of weeks. He said it looks like everything is going well, and there is some indication they may want to go up to Genoa Crossing. He said it has been a good month with a lot of things going on. Engineer Grosse told Mr. O'Neil he did receive his phone call. Mr. O'Neil said the call was regarding grass cutting at Edmonds and Walker. He said it is cut now. He said he is trying to figure out how much is Right of Way. Engineer Grosse said he did not pull the plat yet. He said as he recalls from the line of Walker Road to 35 feet over is Right of Way but he wants to review the plat first to confirm. Mr. O'Neil said that is 35 feet not necessarily from the center of the pavement. Engineer Grosse said excellent point, the pavement can vary. He said we try to acquire additional Right of Way anytime a subdivision comes in to allow for expansion of utilities, street widening, etc. Mr. O'Neil said he was looking at it and it looks like from the Pine trees at the house on the corner to the blacktop would be appear to be the Right of Way. Engineer Grosse said it is close. Mr. O'Neil asked if that is determined to be the Right of Way, will that relieve that homeowner from mowing it and have the village take over? Engineer Grosse said technically anything in the right of Way and on the sides would be the responsibility of the homeowner to maintain. Mr. O'Neil said in a neighborhood that is a given but out in the country you see some people mow the ditches and some don't. Engineer Grosse said this being in a subdivision it falls under the same criteria. He said if council wants to make another

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- determination that is certainly an option. He said it falls under the same criteria as an area in front of your home or beside the sidewalk. Mayor Joiner said it is similar to the precedence that are set by Chestnut and Chestnut Commons. The subdivision is maintained by the HOA's. Mr. O'Neil said these unfortunately are not owned by the HOA. He said there is no land behind that where HOA owns. Mr. O'Neil said in his neighborhood they only cut HOA property and will cut the village property between the sidewalk and the street if the HOA land is behind it. He said their company uses Rich's Landscape. Mayor Joiner said it might be something the HOA can look at. Mr. O'Neil said they would but that is extra money which is why he is trying to determine whose land it is. Mr. O'Neil talked to Dan from Intellwave to warn him they may have issues with underground drains and hidden drains within the center of town. He told him he may run into drains that we do not know about. Engineer Grosse said has tried to get a copy of some of the original plans for sanitary and water. He told them he would make that available to them. Mr. O'Neil asked if we have anything in the works or the budget for the intersection upgrades at Grove Run and Walnut Creek? Engineer Grosse said it is something they are looking at but haven't put plans together on it yet, but it is coming. Mr. Sadler asked the size of the booster. Engineer Grosse said 12'x15'. Mr. Sadler asked if it was going to be fenced in. Engineer Grosse said no, building and putting landscape around it. Mr. Geiger asked if it was similar to the one on Carmel Court? Engineer Grosse said smaller than that.
- C. Village Solicitor's Report-Absent
- D. Police Department Report- Chief Jordan reviewed the April 2016 activity report. He said Mayor Joiner sent an email to Council regarding the Nixel contact system. He said he feels from a safety aspect it would be a very important system and worth the investment. He thinks it would be a great system in agreeance with the township to split the cost. Chief Jordan feels it would be beneficial to the water department to have contact with the community in the event of a water emergency. He said on our end it would be beneficial for snow emergencies or if there is a missing child they can send out a description and other worthwhile information. He said this week Officer Wass is attending Crisis Intervention Training. He said the training covers different groups of individuals such as suicides, PTSD, mental disabilities, etc. He said it has received good ratings and looks positive by the Attorney General's office. He said the training is provided free through the Paint Valley Health Services and they reimburse the village for the officers pay. Mr. Townsend asked if Officer Baldwin is still a part of the department. Chief Jordan said yes, he does not have the uniform at this time but he is working with him to obtain a uniform. He said he was primarily working with Officer Kelly, however, Officer Kelly is on military duty. Chief Jordan said he made contact with Officer Baldwin and they are going to make arrangements for Officer Baldwin to ride with him. Mr. Sadler asked when the portable radar sign was going out. Mayor Joiner advised he is asking the Utility department to put it together. Mr. O'Neil asked if we have tried with the City of Columbus to finish the information on Officer Baldwin? Chief Jordan said that is a personnel matter and will defer to the Mayor. Mayor Joiner said that is an issue that can be discussed in Executive Session. Mr. O'Neil said he does not need to know the details but he hopes we are trying further to obtain information. Mayor Joiner said he is taking care of that.
- E. Village Administrator-Nothing to report. At this time Mayor Joiner said he wanted to Thank Ms. Geiger and Mr. Wilson. He said they headed up a child safety day at the Scioto Fire Department. He also thanked Mr. Struckman for their participation. He said even though it was raining it was a good turn out and well received. Mr. O'Neil asked if they had an idea of how many kids were taken care of that day. Ms. Geiger said maybe 30. She thinks the rain hindered it. Ms. Geiger said the Firemen did a great job. They put up a large tent and let the kids in the trucks and passed out hats. Mr. O'Neil said he thinks if it was planned later, a message could be placed on a

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water bill for a couple of months. Mayor Joiner agreed. He said they will also have a booth at the Commercial Point Homecoming.

- F. Fiscal Officer's Report-Nothing to report.

Legislative Reports:

1. Mark Geiger-Nothing to report
2. Nicole Evans-Absent
3. Brad Laxton-Absent
4. David Sadler- Nothing to report
5. Ben Townsend-Mr. Townsend said he was approached by a neighbor with questions or suggestions. He said one suggestions was to have a community garden in the small property the village owns. He also said he was asked why we are not doing a reciprocity agreement like the City of Columbus. Mr. Sadler said it is council's decision but we do not give credit. Mr. O'Neil said we would not receive any money. Mr. O'Neil said if we did the only income tax we would receive is from self-employed businesses, the school and a few local establishments. Mayor Joiner said this is a good time to understand what RITA is. He said RITA is an overall tax on what you make. Mr. Sadler said it is an income tax that RITA collects for us. Mayor Joiner said it is on your gross wages. He said several years ago there was a property tax on the ballot which is really subsidized a lot with what goes on in this village. He said it was not properly identified as a renewal tax and with the citizens being adversed to having additional taxes placed on them, it was voted down. He said that voted down a majority of the income coming into the village to support the things that we do. He said it prompted the Income tax to be established. Mayor Joiner said the last administration lowered it to ¼% but with no industrial or economic support we have in this area there is nothing outside of what we make to be able to fund things in the General Fund such as general road maintenance, any type of things that go on from an administrative standpoint, salaries, law enforcement, etc. He said even though that ¼% seems like a lot we are still so far under Grove City and places like that. He confirmed with the council that if you are retired and living in the community you are not subject to the tax. Mr. Sadler confirmed and said it is based on earned income.
6. Scott O'Neil-Nothing to report

Citizens Comments:

Township Trustee Struckman asked a question regarding the fencing required around the dumpster. He asked if a permit is required. Mayor Joiner said no. Trustee Struckman asked what type of fence and what height it needs to be? Mayor Joiner said he needs to speak with Zoning Inspector Greisenbrock. Trustee Struckman asked how long do they have to complete it. Mayor Joiner said what is reasonable. He said there is nothing mandated in the information. He said he is just letting business owners know this is something going on within the community. He said no business owners have given any pushback, they think it is a great idea. He said it is meant to hide some of the large containers and for safety issues. Mr. O'Neil asked if the no permit part is because it is the township. Mayor Joiner said no it is for everyone. Mr. O'Neil confirmed that even businesses do not have to get a permit to put a fence around the dumpster. Mayor Joiner said correct. Mayor Joiner asked why would you need to get a permit to follow the law. Mr. O'Neil said he is just confirming because he had to get a permit for a fence and Intelliwave had to get a permit for a fence so he is just clarifying. Mayor Joiner said he was talking about a fence for his yard and Intelliwave had to get a permit to put a fence around a cabinet. He said he is just trying to clarify by what is meant by a

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permit/no permit. Mayor Joiner said he is not going to penalize the business for following and doing what they are supposed to do with the zoning permits. He said that is all in there.

Business Items:

1. Paul Rings Variance Request-Mr. Sadler said he would like to research it further rather than vote tonight. Mr. Geiger said he would like to see at least one additional councilman present. Mr. O'Neil asked if it had to be voted on tonight. Mayor Joiner said no. Mr. Sadler said we just had the Public Hearing.
2. RITA Subpoena Program- Mr. Sadler said he thinks it is a good way to be in contact with them. Mr. Geiger made a motion, seconded by Mr. Sadler to approve moving forward with the program. Roll Call Vote: Mr. O'Neil-Yes, Mr. Townsend-Yes, Mr. Sadler-Yes, Mr. Geiger-Yes. All approve, motion passed.

Legislation:

Ordinance 2016-04 AN ORDINANCE REQUIRING OWNERS AND OCCUPANTS OF ABUTTING LOTS AND LAND TO REPAIR AND MAINTAIN SIDEWALKS WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO. Mr. Sadler made a motion, seconded by Mr. Geiger to approve. Roll Call Vote: Mr. O'Neil-No, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Geiger-Yes. Motion failed.

Executive Session:

Mayor Joiner said Council will now go into Executive Session to discuss employment issues. Mr. Sadler told the audience there will not be additional items after Executive Session and they were welcome to stay. Mr. Rings asked what he needs to do. Mr. Geiger said they will probably have to vote on it at the next meeting. Mr. Sadler said unless they hold a special meeting. Mr. Rings asked if he needed to attend. Mr. Sadler said it would not hurt to be here but he would not have to present.

Mr. Sadler made a motion, seconded by Mr. Geiger to move into Executive Session. All in favor. Meeting Broke at 7:33pm.

Mr. Townsend made a motion, seconded by Mr. Geiger to return from Executive Session. All in favor. Meeting resumed at 8:04pm.

Additional Items:

Adjournment:

Mr. Geiger motioned, seconded by Mr. Townsend to adjourn. All in favor.

Gary Joiner, Mayor

Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant