

**Village of Commercial Point
Council Meeting Minutes
April 3, 2017**

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. Sadler, Ms. Blevins, Mr. Townsend, Mr. O'Neil, Mr. Laxton and Mr. Geiger. Village Administrator Crego, Solicitor Hess and Engineer Grosse were also present. Fiscal Officer Hastings was absent.

Mr. Sadler made a motion, seconded by Mr. Geiger to approve the March 6, 2017 Regular Council Meeting minutes. All in favor, motion approved.

Administrative Reports:

- A. Mayor's Report- Mayor Joiner said it has been an interesting couple of weeks. He said he and Solicitor Hess met with Ryan Scribner from P3. He said they discussed future growth and development with the Lehman properties and other upcoming items. He said on April 15, Mash Pantry will hold an Easter Dinner for all of our veterans. He invited the police officers, council and any citizens who would like to attend.
- B. Village Engineer Report-Engineer Grosse said Chestnut Commons is moving very quickly. He said they just provided him with plans for phase 3. He said he did talk to the developer, he is hoping to have information for council regarding the water tower during the May meeting. He said he is getting information for the Booster station. He said we are moving ahead to obtain bids. He said he and Village Administrator Crego spoke regarding the wells. He said they feel they have a positive well. He said they have not completed a pump test which will prove what we have. He said he is hoping to have more information for the COW Meeting.
- C. Village Solicitor's Report- Solicitor Hess said regarding Resolution 48, we have not received information as needed from Teays Valley. He said his last conversation with Superintendent Halley, they are in favor of giving it to us, but it is with their legal team currently. He said we have a number of items for first reading: Resolution 10-2017: transferring money from the general fund, Resolution 12-2017: realigning money, Resolution 13-2017: realignment of money for contractual services. He said these do not require a third reading because it deals with money. It would be councils decision. Resolution 14-2017: Entering into a contract for the water conditioning salt, Ordinance 2017-02 is the annexation for the first leg of the Lehman Farms/Foxfire. He said they have emergency language in it and ask for the three readings to be waived. Ordinance 2017-03: entering into contract with Watcon Consulting Engineers and declaring it an emergency. He said basically we are trying to connect State Route 762 and Welch Road. He said it has been a missing piece for our water service. He said Mayor Joiner and he had a meeting with P3. Solicitor Hess said they asked if we would consider a piece of legislation to make our village look more attractive to commercial development. He said Ryan Scribner will be at our meeting on April 18, 2017 to discuss further. He said it is called a CRA. He said it is a tax incentive. He said if we are looking to have commercial development, this is something we must have. Solicitor Hess said Ryan Scribner can explain it much better but basically if we would place properties in the CRA, it still gives council control. If a project would come in and want tax relief from us, they still have to come to council. If council decides it is right, they can approve it. If they feel it is not right for the village, council can deny it. Ms. Blevins asked regarding Ordinance 2017-03, she said in the conditions it says they are not liable for any damage they would cause. Solicitor Hess said that is Watcon's standard contract. Ms. Blevins asked if they cause damage to someone's property they are not responsible, the homeowner is. She asked if she read that correctly. Mayor Joiner said he believes a lot of confusion comes into Watcon. Engineer Grosse said Watcon is an engineering firm and has done work for most of our larger developments. He said they only do survey work, no physical work. He said what they will put out for contract will have a bond. Solicitor Hess said she is correct, during the surveying project

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they would not be responsible for any damage. Engineer Grosse said if they damage something, they will take care of it. Mr. O'Neil said worst case, they could leave ruts. Engineer Grosse said one thing as a village we will do is make sure if there is an issue, it will be corrected. Scioto Trustee Mike Struckman asked to verify the meeting date. Solicitor Hess said the correct date of the COW meeting is April 17th.

- D. Police Department Report- Chief Jordan covered the police report for the month of March. He said for the month of March he and another officer attended a vehicle operation course outside of Mansfield Ohio. He said he is planning on sending all officers. He said it covered high speed and low speed maneuvers. He said with all the paid officers with the exception of Officer Maynard because he just started, he completed reviews and submitted to Mayor Joiner. He thanked David Sadler for coming out on a ride along with him. Chief Jordan said Officer Maynard went from a reserve to a paid officer this month. He said Officer Maynard is currently working 16 hours a week and is doing a good job. He said he has interviewed four applicants for reserve officer positions. He is going to move forward with three to meet with Mayor Joiner and himself to see if they want to move forward with them as reserves. Mr. O'Neil asked if the cameras are working as expected. Chief Jordan said yes. He said they are very simple to operate. Mr. O'Neil asked if the internet connectivity is working out good for him in regards to the officers uploading the video. Chief Jordan said yes at the end of the shift the officers set them in a dock station and they download automatically. He said it is set up for 180 days unless there is an incident the video can be removed. Chief Jordan said he probably will not remove them until it becomes a storage problem. Solicitor Hess asked if the 180 days is in the policy written for the cameras or the record retention. Chief Jordan said it is both. Solicitor Hess said he just wanted to confirm it is in the record retention. Chief Jordan said it may just be in the policy but he will confirm. Mayor Joiner said we would like to make sure we mirror that policy with record retention. He said he applauded council and Chief Jordan for financing the body cameras.
- E. Village Administrator- Village Administrator Crego distributed a google map of Welch and State Route 762 area. Prior to discussing this, Village Administrator Crego said Nathan Davis from RCAP has completed the water rate study. He said he would like to have Nathan attend the COW meeting to discuss the findings. He said Mr. Davis reported we are in good shape and have done things well. He does have a couple recommendations. He said the INI, the infiltration and inflow situation that is going on. He said they have started to identify problems. He said they are moving meters this week to different locations. He said they have some manhole issues to take care of over the next couple of weeks. He discussed the diagram he distributed. He said the Watcon contract is preparing to install a water line between A and B. He said last year we had two mainline failure and last week they were able to operate on a mainline valve. He said since they have worked on it the daily average of water loss is down 20,000 gallons a day. He said in the next 10 days they will have the ditch line cleaned out. He said between A and B, that is 820 feet of water line that they want to put in in order to loop the service in Chestnut Estates. He said right now if they could have any 1 of the 5 water valves fail, Chestnut Estates will lose water service. He said once the 820 feet of water line is run, they can connect the loop and they can isolate any section and possibly only affect 5 homes. He said Watcon deals with the surveying and obtaining the easements. He said the two properties are the Pettit and the Compton property. He said the work they have to do should not require anything invasive. Mr. O'Neil asked if we can use the GIS software if Watcon places pins in the ground. Village Administrator Crego said yes, we have the capability to do it. Mr. O'Neil asked when the main line on State Route 762 is completed, will they have a fire hydrant. He asked if a car hits them will they spray. Village Administrator Crego said it is not something that generally happens. Mayor Joiner said John Thompson is already a step ahead of the layered mapping with county.

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Mr. O'Neil said perhaps we can share back with the county. Village Administrator Crego said we do that it now. Mr. Sadler asked if from A to Cottonwood is there currently a line. Village Administrator Crego said yes. Mr. Geiger asked if we have the right of way. Village Administrator Crego said we have some right of way. Engineer Grosse said the right away is already full which is why they are trying to get the easement. Mr. O'Neil asked if this line will tie the Compton's in if they want to purchase a water tap. Village Administrator Crego said yes. Mr. O'Neil asked if the village is requiring them to tap in if the water line goes in, or should we. Village Administrator Crego said in the situation the land owner is going to make changes with the land and asked if he has to do it now. Village Administrator Crego said they have not answered him yet. Mayor Joiner said in conversation, he advised he will not have to hook in at this time. He asked Solicitor Hess to confirm that the village is not a utility company any longer. He said if a person wants our service it is part of a mandate that they must become a part of the village. Mr. O'Neil said if you are annexed in you don't have to tap in but if you want to tap in you must annex in. He said the easement that goes along with the part being surveyed, the plan is to have a walking path come from Cottonwood and head east. Mayor Joiner said yes.

- F. Zoning Inspector-Zoning Inspector McCoskey said he has signed off on 3 new houses today in Chestnut Commons and 1 in Walker Point. He said he has reviewed the zoning book and has identified four areas for review. He said one area also to discuss are fees. He said we need to re-evaluate our current fees. He would like to request a meeting with the zoning committee. He said per Fiscal Officer Hastings they need to provide 1-2 days advance notice. Solicitor Hess said Zoning Inspector has updated him on the items he has worked on and he feels he has gone above and beyond updating letters as needed.
- G. Fiscal Officer- Not present

Legislative Reports:

- 1. Mark Geiger-Nothing to report
- 2. Brad Laxton- He asked if they could set the zoning meeting prior to the COW. Ms. Blevins said she will be on vacation and may not be back in time. Mr. Sadler said they will discuss a meeting date after the council meeting and let Fiscal Officer Hastings know the date.
- 3. David Sadler- Mr. Sadler said he was able to go on a ride along with Chief Jordan. He said there is a lot of technology they use and he was able to see some of the new items purchased. He also was able to see some of the non-police functions they do.
- 4. Ben Townsend- Nothing to report
- 5. Scott O'Neil- Mr. O'Neil thinks it is time to evaluate our options and look towards becoming a Charter village. Solicitor Hess said it is what the progressive villages have done but it is a monumental task. Mr. Sadler said the ORC has the difference between a village and a city already laid out. Solicitor Hess said right now we are a statutory village, whatever the statute allows us to do we follow. He said a charter is basically we write our own rules. Mayor Joiner asked if that sets us up to the right path if we become a city. Solicitor Hess said no, it does not affect the transition. Mr. O'Neil said he is looking at it in the aspect that we keep growing and things happen, we don't have any wards or a voting district set up, so one specific area in the village could hold all 7 seats on council. He said a charter village could have wards set up so that you have representation from all areas in the village. Mayor Joiner asked if a charter stipulates wards. Solicitor Hess said he was not sure. Don Plank said it is a two-step process. He said Charters can have wards, but it is not required. He said the City of Columbus is a chartered municipality, but does not have wards. Grove City has a chartered municipality, but does have wards. Mayor Joiner asked if there are benefits to being a charter. Mr. Plank said most feel more independent. Solicitor Hess said Obetz, Grove City and Dublin are charters. Mr. Sadler

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asked if Circleville was. Solicitor Hess said it did not pass. Mr. Sadler confirmed you do not have to have a charter to have wards. Solicitor Hess and Mr. Plank said yes. Mr. O'Neil asked if that only applied if they are a city. Mr. Plank said you have to have the charter to get the wards, but if you are a charter you are not required to have the wards. Solicitor Hess said Circleville is not a charter, but they have wards. Mayor Joiner said it is something to discuss. Mr. O'Neil said if we get to a city status, we need to be prepared to take wards so one area does not control everything. Mr. Sadler said in the ORC 731.01, they have wards and it goes by population.

6. Becky Blevins-Nothing to report

Citizen Comments:

Leslie Hix, Foxfire. She came to discuss the police department. She said she is not here to bash our police department, but she has heard we are supposed to have 24x7 police department. She said she has lived here 3 years and has had 4-5 incidents of break ins, stolen items or vandalism. She said she is not trying to say the Sheriff was better but, when the Sheriff was here she felt a stronger presence in their neighborhood then she does with the city police. She said most definitely she has had positive experiences with the police officers but feels there are a few that are very unprofessional and just out to write tickets. She said she feels they are not really here for the citizens. She said when people complain, they do not have a right unless they step up and do something about it. She said she knows other people that feel that way and hopes they speak up. She said she is in all support of a 24x7 police department as long as they are here to do the right thing and protect the residents. Mr. O'Neil asked if she has had a chance to sit down and discuss with the chief her concerns with the officers. Ms. Hix said she came to court and really did not get to accomplish much because the magistrate cut her off. She said she was told this meeting was her next best step. Mr. O'Neil said that was fine, it is her right but he would recommend having a meeting with the Chief and discuss her concerns. He said if on the off chance he is the one she is having concerns about, she should schedule a meeting with the mayor. She said Chief Jordan actually knows her concerns because he was there when she stopped in the office. Mr. O'Neil said they will have a Safety Committee possibly this month and she is welcomed to come discuss the issues with the Safety Committee. Mr. O'Neil said she felt safer with the Sheriff, are there any options she has for them now that would make this department better. Ms. Hix said she is outside a lot and when the sheriff was here, she saw them a lot more. She said they don't really have that with the city police. Mayor Joiner said he appreciated her coming in. He said he is always open if anyone would like to discuss any issue.

Business Items:

- A. Pickaway County Health Department- Mayor Joiner said he understands that they have decided 60/40. Solicitor Hess said yes, one solution is Circleville chose to leave and open their own health department but they decided to stay. Mayor Joiner said 60% of funds would come from the villages and 40% come from the city. Solicitor Hess said right now it is 50/50. Trustee Struckman said he was at that meeting. He said one of the commissioners that night said approx. 2/3 of the money goes towards administrative fees. He said the remainder 33% is what villages and the city pays. He said that pays for the shots and patients coming in. He said he asked the commissioner of that 33% what goes to the villages and city. He said the commissioner said its 50/50. He said right now we are the highest paying township and village. He said between our village and the township we pay together \$26,000 a year. He said if we go with the 60/40 it will increase us together for \$31,000. He said the Pickaway County Health Department wants a 5-year contract, 4 representatives from the villages and townships, 60/40 for a \$1.1 million budget to go to year 2022. He said he is not sure how the village feels but the

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township voted no. Mr. O'Neil asked if a no vote would keep it at 50/50. Trustee Struckman said yes. Mr. Sadler said he is in favor of it. Mr. O'Neil asked what he was in favor of? He said changing the funding. Mr. Sadler said yes, it is \$1350. He said if we understand what the Pickaway County Health department does would help. He said they inspect schools, the health services, the wells, etc. He said they provide a lot of services. He said are we agreeing we are not getting 50% of services for us. Mayor Joiner said talking to Warren Spangler last week he brought up the 60/40. He asked Mr. Spangler why would the citizens of this village or the township have to pay 60% of what is being utilized in Circleville. He said his personal opinion it's not good for us. Mr. O'Neil asked Solicitor Hess if he can attend the meeting. Solicitor Hess said he can and he believes Village Administrator Crego has also. Village Administrator Crego said he has not received any information on it. Mr. O'Neil asked Village Administrator Crego if he knew the date could he attend. Village Administrator Crego said yes. Mr. O'Neil made a motion to have Village Administrator Crego attend the meeting and cast a No vote. Mr. Geiger seconded. Roll call was taken: Mr. O'Neil-Yes, Mr. Townsend-Yes, Ms. Blevins-Yes, Mr. Sadler-No, Mr. Geiger-Yes, and Mr. Laxton-Yes. Motion approved.

Legislation:

A. For third reading:

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. **Solicitor Hess said no further information has been received.**

B. For first reading:

Resolution 10-2017 A RESOLUTION TO TRANSFER FUNDS FROM THE GENERAL FUND FROM THE TRANSFERS OUT ACCOUNT 1000-910-910 AND TRANSFER SAID MONIES TO THE OHIO PEACE OFFICER EDUCATION AND TRAINING FUND 2275-931 TRANSFERS IN ACCOUNT. **Mr. O'Neil motioned, seconded by Mr. Laxton. Roll call taken: Mr. Sadler-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Ms. Blevins-Yes, Mr. O'Neil-Yes. All in favor, motion approved.**

Resolution 12-2017 A RESOLUTION TO RATIFY THE REALIGNMENT OF MONIES WITHIN THE SEWER FUND FROM THE CAPITAL OUTLAY ACCOUNT 5201-549-590 AND TRANSFER SAID MONIES TO THE OTHER PERSONNEL SERVICES VILLAGE ADMINISTRATOR ACCOUNT 5201-549-130-1030 **Mr. O'Neil motioned, seconded by Ms. Blevins. Roll call taken: Mr. Sadler-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Ms. Blevins-Yes, Mr. O'Neil-Yes. All in favor, motion approved.**

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Resolution 13-2017 A RESOLUTION TO RATIFY THE REALIGNMENT OF MONIES WITHIN THE GENERAL FUND FROM THE TRANSFERS OUT ACCOUNT 1000-910-910 AND TRANSFER SAID MONIES TO THE OTHER CONTRACTUAL SERVICES ACCOUNT 1000-710-399. **Mr. O'Neil motioned, seconded by Mr. Townsend. Roll call taken: Mr. Sadler-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Ms. Blevins-Yes, Mr. O'Neil-Yes. All in favor, motion approved.**

Resolution 14-2017 A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT FOR BULK WATER CONDITIONING SOFTENING SALT, AND DECLARE AN EMERGENCY. **Mr. O'Neil motioned to suspend the readings, seconded by Mr. Laxton. Roll call taken: Mr. Sadler-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Ms. Blevins-Yes, Mr. O'Neil-Yes. All in favor, motion approved. Mr. O'Neil motioned to approve , seconded by Mr. Townsend. Roll call taken: Mr. Sadler-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Ms. Blevins-Yes, Mr. O'Neil-Yes. All in favor, motion approved.**

Ordinance 2017-02 – AN ORDINANCE APPROVING THE ANNEXATION OF THE 156.0± ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND AMENDING THE ZONING MAP AND DECLARING AN EMERGENCY. **Mr. O'Neil motioned to suspend the readings, seconded by Mr. Laxton. Roll call taken: Mr. Sadler-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Ms. Blevins-Yes, Mr. O'Neil-Yes. All in favor, motion approved. Mr. O'Neil motioned to approve, seconded by Mr. Townsend. Roll call taken: Mr. Sadler-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Ms. Blevins-Yes, Mr. O'Neil-Yes. All in favor, motion approved**

Ordinance 2017-03 - AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO CONTRACTS WITH WATCON

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CONSULTING ENGINEERS & SURVEYORS, AND DECLARING IT AN EMERGENCY. Mr. O'Neil motioned to suspend the readings, seconded by Mr. Townsend. Roll call taken: Mr. Sadler-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Ms. Blevins-Yes, Mr. O'Neil-Yes. All in favor, motion approved. Mr. O'Neil motioned to approve, seconded by Mr. Townsend. Roll call taken: Mr. Sadler-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Ms. Blevins-Yes, Mr. O'Neil-Yes. All in favor, motion approved.

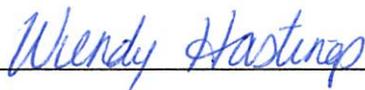
10. Additional Items:

Mr. O'Neil asked when it comes to Lehman's for the next phase, will the annexation be to the center of the road. Mr. Plank said they rely on what the county engineer wants but because they knew the village wanted this, their legal description includes that. He said there will be three separate petitions filed at the same time. He said they are working with the county engineers to pin those.

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



Gary Joiner, Mayor



Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant