

**Village of Commercial Point  
Council Meeting Minutes  
August 7, 2017**

Mayor Joiner called the meeting to order, followed by the Pledge of Allegiance. Fiscal Officer Hastings 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 and Solicitor Hess were also in attendance. Engineer Grosse was absent.

Ms. Blevins made a motion, seconded by Mr. Geiger to approve the July 10, 2017 Regular Council Meeting minutes. All in favor, motion approved. Mr. Townsend made a motion, seconded by Mr. Laxton to approve the July 10, 2017 Public Hearing minutes. All in favor, motion approved.

**Administrative Reports:**

- A. Mayor's Report- Mayor Joiner said it was a great weekend at the Go Karts. He said some people may have noticed the garage doors were on in addition to the concrete support. He covered the Mayor's Court report for July.
- B. Village Engineer -Not Present
- C. Village Solicitor's Report- Solicitor Hess said there are three pieces of legislation up for a first reading. He said the first one is Ordinance 2017-05, deals with the request for increase in water and sewer tap fees. He said the second is Ordinance 2017-06 amending section 1256.01 (b). He said it is adding more specific duties to the Zoning Inspector. He said Resolution 23-2017 which is approving the rezoning of 58 acres of Lehmann Farms. He said we have representative from Lehmann Farms if there are questions. He said he is going to add an item to the Business section regarding Ball Farms. He said this is coming up for a proposed annexation which will come up in the September meeting. He felt it would be good to have representatives from Ball Farm attend to help answer any questions council may have. He said lastly, he is asking to go into Executive Session to discuss some employee issues. Mayor Joiner asked if Lehmann Farms would be asking for anything special. Solicitor Hess said it does not have emergency language but he is sure they would like to ask for a waiving of the three readings, but that is up to council.
- D. Police Department Report- Chief Jordan covered the month of July report. He said Go Kart weekend went well and there were no major issues. He said this weekend was one of the best regarding them cleaning up. He said the officers present did a good job of maintaining control and traffic flow. He said this was the first time they could use their bikes since the training. He said he provided council a report on the bike patrol. He also thanked the officers for their interest on the program, it was a difficult training. He also thanked Mayor Joiner for supporting the program. He also thanked Grove City Police who donated 2 bikes for the program. He thanked Commercial Point Men's Club and the Teays Valley School District for putting on the 5 K to support the program. He said the money raised was used to purchase lights for the bikes, new helmets for the officers, bike uniforms and the training. He said there was no expense on the village, it was all paid for by donations. He said he feels it is going to be a good program. Mayor Joiner said he wanted to commend the officers and Chief Jordan. He said the officers were professional and handled themselves very well. Mr. Geiger asked if we need to place signs out stating bike patrol. Chief Jordan said they are looking at adding additional policies. He said the bicycles will not be permitted on a road with a speed limit greater than 35 mph. He said the bicycles will be transported on the cruiser. He said they will primarily target the subdivisions with lower speed limits and limited traffic. He said he has already told the officers they are not to ride State Route 762 or Welch Road.
- E. Village Administrator- Village Administrator Crego said there are two items to mention. He said they have identified a lot of the INI issues. He said they have been concerned with the heavy rainfall they are taking infiltration in and every gallon they take in there is a cost of processing. He said they have identified several of those areas and working now to control those and

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working with property owners. He said they have a couple line failures in the old village. He said they have a few things to dig up. He said they continue to work on the rate adjustments. He said during the COW meeting on 8/21/2017 they will present information on the rate adjustment and hope to come to a consensus on the direction to move in. He said he is hoping to have a first vote on the ordinance at the September 11<sup>th</sup> meeting.

- F. Zoning Inspector's Report- Zoning Inspector McCoskey said he appreciates that council is going to consider the changes to the Zoning Inspectors duties. He said he feels it is overdue. He said for the Zoning Committee he expects to have the book completed within 60 days. He said there are still some minor issues that need considered. He said the swimming pool issue is still active and he needs to spend more time on it. He said with the issues it will take more time and investigations. He said he understood council will consider the change in fees this evening. He said there has been a loss to the village. He said it does bring up an issue that Solicitor Hess may have to address. He said there has been a significant change in the housing fee. He said he spoke with Fiscal Officer Hastings and she advised him per an agreement with Westport and possibly Maronda there is nothing in the agreement that we can not apply new changes to the existing contracts. He said he will not make the decision on if we want to raise the fees for them in the middle of them building. He thinks council should discuss with Solicitor Hess. He said one last issue, it has not been an issue since he has been here. He learned through an issue he had with a trailer park in Orient. He said Trailer Parks are regulated by the State of Ohio. Local Government, other than police as needed has no control as of 2014.
- G. Fiscal Officers Report- The Fund Balance as of 7/31/2017: General \$1,727,044.10, Street Construction \$240,322.37, State Highway \$30,983.32, Parks and Recreation \$3033.57, Permissive Motor Vehicle License Tax \$7584.85, Enforcement and Education \$1523.00, Ohio Peace Off Education & Training \$2480.00, Housing Developments \$55,329.09, Water Operating \$2,679,613.93, Sewer Operating \$2,440,839.73, Garbage Operating \$26,388.07

Legislative Reports:

1. Mark Geiger-Nothing to report
2. Brad Laxton- Nothing to report
3. David Sadler- Nothing to report
4. Ben Townsend- Nothing to report
5. Scott O'Neil- Nothing to report
6. Becky Blevins-Nothing to report

Citizen Comments:

Joe Hammond discussed the water and sewer proposal. He said he will be gone at the time the proposal is presented to council. He asked to please be corrected if he has incorrect information. Mr. Hammond said he understood one of the proposal's we would reduce the surcharge to Southern Point. He said he spoke with Mr. Grosse while he was in office and was advised the reason there is a surcharge to non-residence is if there is a catastrophe in the plant, the village residents would have to burden the cost. He said there are more customers in Southern Point than the village. He said he would like council to consider that. He said there is still a considerable debt to the Talbott group. He asked council to not have any consideration to reducing the surcharge to non-residential customers. He said regarding Ordinance 2017-05 is written as emergency. He asked about the reason for the emergency language. He said there was always a lot of criticism regarding prior emergency language documents.

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**Business Items:**

- A. **Proposed Zoning Fees:** Mr. Townsend motioned, seconded by Ms. Blevins. Mayor Joiner asked for a roll call. Mr. O'Neil asked for discussion first. Mr. O'Neil asked what the previous fees were. Mr. Sadler advised they are listed on our webpage if he would like to look them up. Mr. Sadler said the Zoning Committee met with Zoning Inspector McCoskey three different times. He said they did reference other municipalities. He said the two they felt was most common, they combined and did not change the fee. Fiscal Officer Hastings said regarding the contracts with the existing developments, she said Engineer Grosse went through the contracts and they do not mention anything about zoning. She said council needs to decide what they want to do regarding the zoning. Do they want to keep them as is until the developments are built or increase the fee? She said we need to know what direction they want and what effective date. Mr. McCoskey said nothing has been done since 2004 for fees. He said he found we were low compared to any area close to us. Mr. Geiger asked if this will affect Chestnut Commons at all. Mayor Joiner said council can allow them to continue as is or they have ability to increase. Mayor Joiner said we can amend it to say Chestnut Commons 2, 3 and 4 the rates will effectively go up. Fiscal Officer Hastings confirmed that from this day forward, everything goes up. Mayor Joiner said yes. Fiscal Officer Hastings will ask Solicitor Hess to verify the contracts to make sure. She said she will then send notifications to the housing developments. Mayor Joiner asked for a roll call: Mr. O'Neil-Yes, Mr. Townsend-Yes, Ms. Blevins-Yes, Mr. Sadler-Yes, Mr. Geiger-Yes, Mr. Laxton-Yes. All in favor, motion passed.
- B. **Ball Farm:** Molly Gwinn, agent for the petitioner. She said the petition for annexation was filed on May 19<sup>th</sup>. It is an expedited type 2 annexation. She said she understood the village has some questions about how the property is being marketed. She said Linda Reible and Dale Evans are also present for any questions. Solicitor Hess said he would like to provide a little background on this situation. He said through the zoning inspector we received a map of the Ball Farm, parceled out into smaller acreage. He said there are 11 parcels. He said originally being proposed were 6. He said they had questions as to why they are being proposed this way. He said in a meeting they explained it to him. He said if individuals would buy it in that configuration, they would have to come to the village and do lot splits and have field descriptions before it could even close on the properties. He said when he first looked at it he had concerns as to how it was going to be purchased by the land user and what position that would put the village in. He said after his meeting those fears were alleviated. He said he thought it was best for them to come and help answer and questions or rumors. Ms. Gwinn said it is going to stay agriculture now; there is no zoning change contemplated. Mr. Evans distributed a map to council of the proposed property. Council had discussion amongst themselves while reviewing the map. Mr. O'Neil asked how many point of contacts does it have with the village. Ms. Gwinn said the Pickaway County Commissioners have voted, it does meet the minimum requirements for annexation. Solicitor Hess said this annexation and Lehman farms 2<sup>nd</sup> application for annexation will come up for a first reading in September. He said he has not received any request but he is anticipating both parties will ask for a waiving of the readings. He said the Ball family has a projected date of November to see this go to auction.

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**Legislation:**

**A. For first reading:**

**Ordinance 2017-05** AN ORDINANCE INCREASING THE WATER AND SEWER TAP FEES FOR THE VILLAGE OF COMMERCIAL POINT, OHIO AND DECLARING AN EMERGENCY – Mayor Joiner did a first reading – Title Only.

**Ordinance 2017-06** AN ORDINANCE TO AMEND SECTION 1256.01 (b) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT, OHIO – Mayor Joiner did a first reading – Title Only.

**Resolution 23-2017** A RESOLUTION APPROVING THE REZONING OF ±58.91 ACRES WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO. Mr. Don Plank introduced himself. He said he is there to answer any questions. He asked for a waving of the readings. Mr. Laxton motioned to suspend the readings, seconded by Mr. Geiger. Roll Call: Mr. Geiger-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes, Ms. Blevins-Yes. Mr. Sadler motioned to approve, seconded by Mr. Laxton. Roll Call: Mr. Geiger-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes, Ms. Blevins-Yes. Motion approved.

**Additional Items:**

Mr. O'Neil asked how much is owed on the debt to Dick Talbott. Fiscal Officer Hastings said \$300,000. She said the way we pay it back isn't a normal payback. She said if we collect taps fees off someone who taps into the line he put in, we pay 1/3 of the tap fees collected back to Talbott Enterprise. It is not something we budget for. Mr. Sadler asked when it expires. Fiscal Officer Hastings said 2021. Mr. O'Neil said if it is not paid by then, we are done. Fiscal Officer Hastings said yes, that is the way the contract reads. Mr. O'Neil asked if Mayor Joiner would open the floor for questions from the audience. Lynn Johnson asked when we will know about the increase in the water/sewer fees. Solicitor Hess said if legislation is passed as emergency, it will be the next month's billing cycle. He said if it follows normal, it would be 30 days after it has been passed. Village Administrator Crego said the council meeting in September will be the first time it is voted on and it will be effective the first month of 2018. Fiscal Officer Hastings said it is January usage billed out in February. Village Administrator Crego said nothing has been decided as this point. He asked council to help come up with answers to this issue and has not received any input. He said we have not had a rate adjustment since 2006 and the cost of operating has increased. He said the three things he is trying to accomplish is to come up with a sustainable plan to keep operations flowing, 2<sup>nd</sup> he is looking to find some relief to people who are 1 or 2 people in a household, 3<sup>rd</sup> is to reduce the surcharge the amount that people outside of the village are paying. He said it cost us \$28.30 based on 5000 gallons. He said our current charge is \$27.00 and the only place now to make that up is residents outside of the village. He said the EPA said our wellfields are in danger and they do not want them placed where they are. He said in high water the bottom of the wellfield could be impacted and could have contamination. He said where the new well is, it's a good place to have one. He said it will cost \$800,000 to run the new well to the plant. He said it will cost \$200,000 more to get tied in. He said we have been fortunate that we have had good management over the years

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and blessed with great operators but we have a lot of things coming up. He said the company we hired to help us review records and make a recommendation is spot on in their information. He said he would encourage anyone who would like to discuss it further to please see him. Mr. Joe Hammond said he has much respect for Village Administrator Crego, but in this case he slightly disagrees with one of his proposals. He said the surcharge is to help in the event there is a major catastrophe so the village residents will not have to burden the additional cost. He said the 5000-gallon issue has worked great. He said he is a resident who only uses 2000 gallons or less but has no problem paying it. Mrs. Susan Breech asked why suddenly are we declaring it an emergency. She has lived in the old part of the village almost 50 years and does not mind paying the bill. She said if anyplace needs the new base structure, it is the old section of town. Mayor Joiner thanked everyone for their questions and comments and said he would like to see this participation in every meeting. There were additional conversations regarding the surcharge. Mayor Joiner said as a reminder this issue will not be resolved tonight. He said we still must sit down and look at everything then make a suggestion. Village Administrator Crego advised the emergency language is only on the tap fees.

Executive Session: Mr. Laxton motioned to enter Executive Session, seconded by Ms. Blevins. All in favor, except for Mr. O'Neil who voted no. Motion approved.

Mr. O'Neil motioned to end Executive Session and enter back into the Council Meeting, seconded by Ms. Blevins. All in favor, motion approved.

Mr. O'Neil motioned to adjourn, seconded by Ms. Blevins. All in favor. Meeting adjourned.



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Gary Joiner, Mayor



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Wendy Hastings, Fiscal Officer

\*Minutes provided by Paula Baldwin, Administrative Assistant