

**Village of Commercial Point  
Council Meeting Minutes  
December 4, 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. Geiger and Mr. Laxton. Village Administrator Crego was also in attendance.

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

Administrative Reports:

- A. Mayor's Report- Mayor Joiner said the water tower is almost together. He said it has not been set up on the legs. He said the Christmas Tree lighting was a success last night and had a great turn out. He gave Teays Valley West Choir kudos for their performance. He thanked the administration and Lighthouse Community Church for their help with the evening festivities.
- B. Village Engineer - Not present.
- C. Village Solicitor's Report- Not present
- D. Police Department Report- Chief Jordan covered the monthly police report.
- E. Village Administrator- Village Administrator Crego said the water and sewer rate ordinance has been resent because the rate with the upsized taps and rates were not included in the original. He said we are just correcting it by the ordinance tonight by including the information was left out of the original. He said everything in water and sewer operation daily operation is normal. He said the WWTP improvements are on schedule and he would invite anyone to come see them between 6.45am-3:30pm. He said they have requested the first draw. He said the Booster station is moving. He said they have received the pumping unit. He said this piece of equipment is basically "plug and play". He said they hook up two water lines and the electric to the pump and its that complete. He said it has to be put in on the floor before the roof can be completed. He said they are scheduled to do that next week. He said they are expecting it to be in operation before Christmas. He said the water tower construction is moving along. He said it should be in service in April. He said last month they discussed sewer line repairs in the old part of town in bowling alley. He said they have three failures with service connections. He said they are supposed to have contractors in next Wednesday morning. He said regarding Petits Market, three weeks ago the plans were sent to their Engineers and we have not received any feedback. He said at this point the ball is in their court. He said the State Route 762 waterline that will connect at Cottonwood to the corner of Welch and St. Rt. 762, the contractor is waiting until Petits is on site to move forward. He said as Mr. O'Neil mentioned earlier, the road repairs are not going to happen this year. He said they will be the first projects for our contractor, same pricing. He said we are finding more and more a daily process of discovery. He said due to questions or phone calls they are having to do a lot of research and locating documents. He said the two big things that will happened to get in process quickly with the new council will be the new zoning code. He said we will look at adopting a new zoning code off of a new model. He said the other thing is look into a charter village. He said it takes a year to form a charter village. Mr. O'Neil asked if we should look at bonus and penalty for our road contracts. He wanted to know if we should add something in the contract that says if it is done by a certain time there will be extra money or if it passes the time set it will cost them money. Village Administrator Crego said the only thing he knows for sure this year the problem they had fell on him. He said he did not realize he needed to push the engineer. He said the way our process works it takes 6 weeks in order to get something signed and in motion. He said we need a new process for next year. Mr. O'Neil asked if we have the option to get out of the contract if we choose. Village Administrator Crego said he had 7 contractors that bid and this company was by far the

**Village of Commercial Point  
Council Meeting Minutes  
December 4, 2017**

best bidder and a company we have used in the past with great success. He said he would not see a reason to re-do this.

- F. Zoning Inspector's Report-Not present.
- G. Fiscal Officers Report- Fiscal Officer Hastings covered the Fund Status report as of 11/30/2017: General \$1,846,776.53, Street Construction Maint & Repair \$253,401.52, State Highway \$33,205.76, Parks & Recreation \$3,033.57, Permissive Motor Vehicle License Tax \$7,620.77, Enforcement & Education \$1,957.00, Oh. Peace Off Education & Training \$2,480.00, Housing Developments \$87,197.76, Water Operating \$2,826,275.94, Sewer Operating \$2,646,433.13, Garbage Operating \$28,304.27 for a total of \$7,736,686.25.

Legislative Reports:

1. Mark Geiger- Mr. Geiger thanked the village and all members of council previous and currently serving. He thanked the mayor. He said he feels that a lot has been accomplished in the last 4 years and he is proud of it all. He said it hasn't always been easy and they have had a couple minor conflicts here and there but for the most part they figured out how to get things done. He congratulated Jason Thompson and Laura Wolfe and wished them success.
2. Brad Laxton- Nothing to report
3. David Sadler- Mr. Sadler said they say you get the government you deserve when we don't pay attention. He said tonight is the last meeting for a few of the council members. He said he would like to thank the citizens of the Village of Commercial Point for allowing him to serve.. He said he has taken this role seriously and considered it an honor to serve the village. He said during this time working with the mayor, administration, water plant, zoning etc., we have made steps forward. He said to the new council members coming in, congratulations, best of success and continue to make this a great place. He said he does however need to call out some recent activities. He said we had an elected council member who leveraged his position to promote his business. He said while not illegal, it was in poor judgement and should be condemned. He said he used his position of influence to influence the Commercial Point Police Department to advertise for his company. He said while he believes his generosity was true and sincere, there are other ways he could have gone about it. He said we have worked very hard to expand our police department and they are very critical to the safety and success to our village. He said he should not have used them to promote his business. He said you are an elected council member, you are a legislator. He said your job is to make legislation and help to control the finances of the village. He said you are in no way the administrative function to interact with the day to day operations of this village. He said in the future his suggestion would be to contact the mayor or the village administrator is he is wanting to interact with any department to make sure it is appropriate.
4. Ben Townsend- Nothing to report
5. Scott O'Neil- Nothing to report
6. Becky Blevins- Ms. Blevins thanked the community for the year she was able to serve. She said she hopes she did not let them down too much. She said she will still be here, but on that side of the room.

Citizen Comments: No comments

Business Items:

- A. Liquor Permit Renewal- Fiscal Officer Hastings explained every February all of the local establishments need to renew their liquor license. She said she has spoken to Chief

**Village of Commercial Point  
Council Meeting Minutes  
December 4, 2017**

Jordan who had no objections. She said she just needs a motion and a vote from council to say we have no objections. She said she has a deadline of January 2, 2018 to return it. Mr. Geiger motioned, seconded by Ms. Blevins to approve. All in favor, motion passed.

Legislation:

A. For first reading:

**Ordinance 2017-16** AN ORDINANCE TO AMEND SECTION 1044.12 AND TO ESTABLISH WATER RATES IN THE VILLAGE OF COMMERCIAL POINT AND TO ADOPT A WATER RATE SCHEDULE AND DECLARE AN EMERGENCY. Mr. Sadler motioned, seconded by Mr. Geiger to suspend the readings. Roll Call: Mr. Sadler-Yes, Ms. Blevins-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes. Motion approved. Mr. Sadler motioned, seconded by Mr. Laxton to approve the ordinance. Roll Call: Mr. Sadler-Yes, Ms. Blevins-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes. Motion approved.

**Resolution 33-2017** A RESOLUTION APPROVING THE REZONING OF ±1,102.08 ACRES WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO.

**Resolution 34-2017** 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 DUES AND FEES ACCOUNT 1000-755-391. Mr. Sadler motioned, seconded by Mr. Laxton to approve the ordinance. Roll Call: Mr. Sadler-Yes, Ms. Blevins-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes. Motion approved.

**Resolution 35-2017** 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 MOTOR VEHICLE REPAIRS ACCOUNT 1000-110-433. Mr. Sadler motioned, seconded by Mr. Geiger to approve the ordinance. Roll Call: Mr. Sadler-Yes, Ms. Blevins-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes. Motion approved.

**Resolution 36-2017** 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 ACCOUNTING AND LEGAL FEES ACCOUNT 1000-715-341. Mr. O'Neil asked if this is what we are going to pay Mr. Duckett with? Fiscal Officer Hastings said she is not paying Mr. Duckett, she is paying Mike Hess. Mr. O'Neil said it will get paid to Mr. Duckett.

**Village of Commercial Point  
Council Meeting Minutes  
December 4, 2017**

Fiscal Officer Hastings said She does not know. She said it is special council hired. Mr. O'Neil said he feels this is too much money to pay legal fees this late. Mayor Joiner said we are well within what we need to. Mr. O'Neil said we will also be paying out more money next year. He said he feels this is too much. Mayor Joiner asked why he thought that? Mr. O'Neil said in June he and the mayor discussed hiring an investigator. He said he suggested going to Columbus, State, Franklin County or Grove City and numerous agencies. He said he does not know how much if any the other agencies would have charged. He said we are not even half way through. He said rough math we will possibly be \$25,000 into this before its over. He \$25,000 just to try and fire two people is too much. Mayor Joiner said first and foremost, this is not the place to discuss anything like this. He said he had discussed this with Solicitor Hess and he is sure if there are questions he is welcomed to call Solicitor Hess. He said the citizens of the community are first and foremost to him, especially with the services of law enforcement. He said if he has to spend \$200,000 to make sure the citizens are getting the type of quality they deserve and know they are safe, he will spend it. He said he thinks part of what they discussed in June, some of it was stated if he sees fit to go out and form a committee as he encourages council to do. He said to go out and do your research then so be it. He said at the time and what he was finding out, time is of the essence. He said as far as only being half way through, he does not believe that is correct. He said he does not know where we are in the investigation because he does not report to him, he reports to the Village Solicitor. He said he can ensure that we are greater than half way through. Mr. Sadler asked if we have already incurred these cost. Mayor Joiner said correct, and this has already been discussed previously in Executive Session. Mr. Geiger motioned, seconded by Mr. Sadler to approve the ordinance. Roll Call: Mr. Sadler-Yes, Ms. Blevins-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-No. Motion approved.

**Resolution 37-2017** 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 PRINCIPAL – OWDA SEWER LOAN ACCOUNT 5201-850-710. Ms. Blevins motioned, seconded by Mr. Sadler to approve the ordinance. Roll Call: Mr. Sadler-Yes, Ms. Blevins-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes. Motion approved.

B. For third reading and vote:

**Ordinance 2017-15** AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND/OR VILLAGE ADMINISTRATOR TO EXECUTE A USE AGREEMENT WITH THE COMMERCIAL POINT RACING COMMITTEE. Mr. Townsend motioned, seconded by Ms. Blevins to approve the ordinance. Roll Call: Mr.

**Village of Commercial Point  
Council Meeting Minutes  
December 4, 2017**

Sadler-Yes, Ms. Blevins-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes. Motion approved.

**Resolution 25-2017** A RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF COMMERCIAL POINT, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018. Mr. Townsend motioned, seconded by Ms. Blevins to approve the ordinance. Roll Call: Mr. Sadler-Yes, Ms. Blevins-Yes, Mr. Geiger-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes. Motion approved.

**Additional Items:**

Mr. O'Neil said he had comments. He said for him to sit in a public meeting and chastise him without knowing the facts is totaling disrespectful and terrible. He said it sounds like he was listening to Mr. Spearman on Facebook who gave incorrect facts. He said he did not use his business to do anything for or with the police department. He said he even specifically told the police department they did not have to use his name. He said he gave it to them as a goodwill gesture of something they have seen online. He said if you go online there are dozens and hundreds of police departments that recognize the person who does do it, so it is actually not wrong that his business was named. He said if he would have come to him and said something to him or gone to the chief, he would have known the facts. He said he finds it rude and disheartening and 100% out of line that he would even consider sitting there and chastising him for personal things they could have discussed outside. Mr. Sadler said he stand by his position. Mr. O'Neil said he is sure he does but he does not know the facts. Mayor Joiner asked what were the facts. Mr. O'Neil said he saw a video from another police department and sent it to the Chief and asked if he wanted to do this. He said Chief Jordan thought about it for a week or so and the chief said sure. He said he went and purchased the turkeys and gave them to the Chief. He said before the Chief put it on Facebook he asked Mr. O'Neil if he wanted him and his wife named. He said he told chief no he does not have to and what he writes is his decision. He said the chief chose the wording, not that it is wrong. He said if someone does something good for you, you can acknowledge them which is acceptable. He said it was never a condition of him giving the turkeys. Mr. Sadler confirmed with Mr. O'Neil that he did go to the police department. Mr. O'Neil said he did and there is nothing wrong with that. Mr. Sadler told Mr. O'Neil he has influence and is on council which is his position. Mr. O'Neil said there was no influence given or asked for and the chief will confirm that. Mayor Joiner said from his standpoint, Mr. Sadler pointed out two things. He said council is for legislation and not administration. He said anytime he is working outside of the scope of a committee without the mayor or village administrator knowing about it, that is him asserting his authority. He said it makes it hard for an elected position to receive a reprimand and it cannot be by anyone except by council members. He said it is out of line to do anything as far as contacting any administrative personnel of the village without going through the mayor or the village administrator. He said the "Turkeys for tickets" although a good idea, the liability associated with something like that out weighs the benefit that could be gained from a PR standpoint. He said in the future if someone in the community have an idea along those lines,

**Village of Commercial Point  
Council Meeting Minutes  
December 4, 2017**

he would fully support it. He said however it should be done in a different venue in a different way. He said the Circleville Herald recently showed their police department loading turkeys in their cruisers and taking them to homes. He said they worked with a local faith based ministry. He said to stop people on the roadway that are actual violators and for the mayor to know nothing about it until he sees an actual posting on Facebook, is highly inappropriate.

He said as the Mayor it has been a privilege working with Brad, David, Mark and Becky.

Ms. Blevins motioned to adjourn, seconded by Mr. Townsend. 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