

**VILLAGE OF COMMERCIAL POINT
COUNCIL MEETING MINUTES
August 4, 2014**

Mayor Hammond called the meeting to order, followed by the Pledge of Allegiance. Mayor Hammond then asked for a Moment of Silence to honor our Men and Women; Past and Present; for their Military Service to our Country. Fiscal Officer Hastings took roll call with the following members present: Mr. Shelton, Mr. Wissinger, Mr. Sadler, Mr. Geiger, Mr. Laxton and Ms. Evans. Solicitor Hess was also in attendance. Engineer Grosse was absent.

Mr. Sadler made a motion, seconded by Mr. Laxton to approve the July 7, 2014 Regular Council Meeting Minutes. All members were in favor. The motion passed.

Mr. Shelton made a motion, seconded by Mr. Geiger to approve the July 7, 2014 Public Hearing Minutes. All members were in favor. The motion passed.

Ms. Evans made a motion, seconded by Mr. Wissinger to approve the July 21, 2014 Special Council Meeting Minutes. All members were in favor. The motion passed.

Administrative Reports:

A. Mayor's Report – Mayor Hammond gave his compliments to the people in charge of running the races this past weekend. Said they were great and he had a good time. He felt it brought a lot of people to our community. Very well put together. Mayor Hammond said he had been through the Village with an arborist already. There were 4 trees that need to be cut down and 47 that need to be trimmed. He also said there were bushes at the intersection of West Alley and South Alley that needed to be cut down. He will be getting a quote and would like to have the work done before school starts.

B. Village Engineer's Report – No report

C. Village Solicitor's Report – Solicitor Hess said he and Mr. Grosse met this morning to discuss the alley issues. He will hopefully have something to Council by the September meeting. Solicitor Hess said there were three pieces of legislation on the agenda for this evening. Resolution 13-2014 is an extension of the Sheriff's contract from August 13, 2014 – September 8, 2014. Solicitor Hess said this could be necessary no matter what happens with the other pieces of legislation. He said if Council would vote tonight on the police issue and decide to abolish the department, it would take 30 days to go into effect since there is no emergency language included. He said if they decide not to vote or decline the legislation, we still have some issues in the police department, military and an illness, which makes us short staffed. This resolution would cover us for that period of time to allow us to get things taken care of. Solicitor Hess said the second piece of legislation was for the abolishment of the police department and set for its third reading and possible vote. Solicitor Hess said the final piece of legislation is a one year contract with the Sheriff, should Council decide to go forward with approving the Ordinance to abolish the department. Ms. Evans said they are all related. Solicitor Hess said she was correct and Council could pass any or none of the legislation. He said the first one would get us through some staffing issues that we are having now, as well as through the 30 day period if Council chooses to abolish department. He said the second and third one are more tied together. If Council is going to abolish the department, they are required to have a Village Marshall or a Chief of Police, so we would need to have some type of law enforcement.

D. Police Department Report – No report

E. Village Administrator – No report

F. Fiscal Officer Report – No report

Legislative Reports:

1. Randy Shelton – Mr. Shelton said Council has some very important pieces of business to discuss tonight. He said there had been discussion from the citizens at the July Regular Meeting, the July COW meeting and the July Special meeting, however Council has not really discussed anything. He said there were a lot of citizens that spoke and he appreciated hearing from them. He said before this moves forward for a vote tonight, Council needs to talk about it.
2. Nicole Evans – Nothing to report
3. Clarence Wissinger – Nothing to report
4. David Sadler – Mr. Sadler said the go kart races were great. He reminded Council there is a monthly Utility meeting held the first Monday of the month. He said he attend the meeting earlier today and would encourage the rest of Council to attend. He said there is a lot going on. Mr.

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Sadler said he had talked to his neighbors and listened to the citizens comments during the meetings regarding the police department. He sent Council a breakdown comparing apples to apples of what it would cost to keep the current police department vs. the two options provided by the Sheriff. He said he spoke with Mayor Hammond, Debby and Wendy this morning and still has some uncertainty of what the Village would be paying if we go with the Sheriff.

5. Mark Geiger – Nothing to report
6. Brad Laxton – Nothing to report

At this time, Mayor Hammond opened the floor for citizen's comments. The first person was Ms. Rhonda Shappert. Ms. Shappert introduced herself, and I quote, "Good evening. My name is Rhonda Shappert and I have been a resident here in Commercial Point for 18 years. In that time, I have raised 3 daughters and also had the privilege of serving as a council member and Mayor at one time of this Village. There are 3 things that I learned when I was serving this government in this Village. First, unlike in private business, it takes a long time to get things done in government; and this can be good because you are dealing with the health, welfare and safety of thousands of the citizens in our Village, not just your own life. If we make a bad judgment call in our own personal like, minimal people are damaged because of it. But when we are an elected official, every decision you make affects thousands of people that are depending on you to do the right thing to keep them safe. Second of all, decisions that are made or actions that are taken that are supposed to be temporary, end up staying in place for years and sometimes take decades to work out. And if you think that contracting with the County Sheriff is going to be a 6 month to a 1 year contract, then you really haven't followed the years of history and certain issues that we have faced in this Village. Even in my 18 years, there were things that were supposed to be done in a couple of years that took 10 years to accomplish. It is going to cost the Village more money to go with the Sheriff's department. But more importantly, if we contract with the County, we are going to give up the most important thing we have, which is our right to govern and take care of things ourselves for the people here in our Village. Third, (looking at Solicitor Hess) I don't mean anything personally against you, but the third thing that I learned is that when dealing in government, there is a lot of legalities; and in municipal law, if I learned nothing more, especially when I was Mayor, is the importance of having a village solicitor whose specialty is in municipal law, because it is very detailed and it is very specific. If Council wants to create legislation that is lawful, enforceable and defendable in court, you need to have somebody who is very well versed in municipal law. I do not support disbanding the Commercial Point Police Department. In reading the minutes that are posted online from regular and special meetings of Council from January until now, I don't see enough justification for Council to dissolve the police department and I feel it would threaten the safety of our Village. The minutes instead are filled with an alarming number of executive sessions and emergency measures. So instead of focusing on that, I think it would do Council better to invest their time in studying the Ohio Open Meetings Laws, the Ohio Sunshine Laws, Code of Ethics and understanding the boundaries and responsibility of the executive and legislative bodies of this local government. Reading it, I look at this as an internal issue that needs to be dealt with locally and not be passed on to somebody else, or pass it on to another administration. Please focus your problem on focusing on the cancer and not just putting a band aid on it and going on the easy way and abandoning our police department. I know how difficult it is to serve in your positions. I thank you for your time and for your energy."

At this time, Ms. Leetha Mazurek spoke to Council. She introduced herself and said she was a past Mayor and councilmember as well. She said she wanted to speak about the police department and not disbanding it. She said a lot of what she had to say had to deal with the police chief himself, but with him not being here, she didn't know if it was appropriate to speak about him or not. She said she agreed with Rhonda and the best thing to do for this Village is to keep the police department. Ms. Mazurek said she feels there needs to be some changes in the office of Chief of Police. She said since he is not here she will not speak against him since he isn't here to defend himself or agree.

At this time, Mr. Jason Thompson spoke to Council. Mr. Thompson thanked Council for listening to the citizens. He said he does not want to see our police department dissolved. He said whatever issues there are with the police department need to be dealt with in house. Mr. Thompson thanked Mr. Laxton for going above and beyond and putting the police survey online and let the people speak. He said that was another step. He told Ms. Evans that she had said in the past that she would vote how the people wanted. He said he knew that was Mr. Laxton's intentions as well. Mr. Thompson feels it was loud and clear with 50% of the votes. He said he knew it wasn't an official vote, but it kind of shows that the people of this Village want our police department. He said these meetings should show that the people of our community want our own police department. He said the majority of the people are speaking and he hopes that Council will stop and listen. He told them they are not here to vote for themselves but to vote for the citizens. He thinks they have made it perfectly clear. He said he appreciates the time that Council puts in. He said he knows because he has been on Council and he knows that he has butted heads with some of them, but he feels they

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are all here for the Village. He hopes that personnel issues can be overlooked and do what is best. He thanked Council for their time.

At this time, Mr. Scott O'Neil spoke to Council. He said Mr. Thompson said everything that he was going to say about the survey. He said Council needs to look at the people that come to the Council meetings. He said when there is nothing going on, there are 3 or 4 people here. He said the room is full as well as the lobby; this should tell Council something; that these people want to keep the police department. He said survey or not, comments about it not being official, it is better than nothing. He said out of all these people that have come out, he doesn't remember anyone who stood up and said to close the department. He said everyone who is putting time aside to come to these meetings are telling Council, they want to keep the department. He said they are not worried about \$ 5,000, \$ 6,000 or \$ 10,000. They pay an income tax and they want that money used for the police department. He asked Council to vote to keep the police department. Do as the people wish and keep it here. He thanked Council for their time.

At this time, Mr. Joe DuBoe spoke to Council. He said about ten years ago when Tracy Andrews was Chief of Police, he and his wife noticed a couple of guys in a pickup truck acting strange. He noticed items in the back of the truck. These guys stole a motorcycle, pickup truck and a van from West Scioto Green. Mr. DuBoe said a call was put in and Chief Andrews showed up within 60-70 seconds. He said he received a quick response. The guys ended up getting 5 years a piece jail time. He said that was 5 thieves off the streets. He is in favor of keeping our police department because we really need them.

At this time, Mr. Gary Joiner spoke to Council. He thanked Council for allowing the citizens to speak. He said safety and security are foremost in everybody's mind. Mr. Joiner said he had the opportunity to work in uniform this past Saturday during the races. He said there was a sense of pride to wear the uniform and was proud to be a part of this community and wearing the name "Commercial Point" on his sleeve. He said it signaled him out from the County Sheriff. He said the County was there for the County. He said our individual identity, with the patch saying Commercial Point, we are who we are. Mr. Joiner said it takes a lot to come and work in a small area when you have a desire to be a police officer. He said 1.5 square miles is not very much, but it takes a certain something to work in a small community. He said we as a community pay contribute to the past and present officers by continuing to have a department that represents this community. He feels we are going to continue to grow. He doesn't feel it is out of reason to think we could be up to 5,000 people in a couple of years. Mr. Joiner thinks it is very important for the stability of this community to maintain the police department. He said he is for extending the contract with the Sheriff for a short time, until we can supplement what we currently have. He said as it was stated before, he doesn't think from a cost standpoint, it is a good decision for the community. He thinks with mutual aid with Scioto Township, there are many possibilities that haven't been visited in the past. He said he has a lot of pride living in this village. He said he will continue to serve this village in the capacity that Council wants him to and hopes that he is allowed to continue to wear the uniform that says Commercial Point. He thanked Council.

Mr. Steve Kaiser spoke to Council regarding the go kart races this past weekend. He said the races have been a pride of this community for a lot of years. He said there were very few people who put the races on. He said in his own personnel opinion, the races have moved from the fire department to Community of Commercial Point Grand Prix, first word being "Community". He said if the people want to see the races next year, as part of the Council and community, we need to spread the word. He said there are 3-4 very tired and wore out guys that are not able to keep putting on the races for the whole community. He said they take a lot of help and work. Mr. Kaiser asked everyone to spread the word. He said the race committee is a sub-committee under the Men's Club 501(c)3. He said Allan Goldhardt and Jim Albright are in charge of the committee. He encouraged everyone to find out when the meetings are and get involved. He said in his personal opinion, if they don't get help, there will be no more grand prix. He thanked Council.

Mr. Jim Kuzelka spoke to Council. He said he has been a resident for 26-27 years and on Council for 12 years. He said it is very strange that about 3-4 months ago we weren't talking about getting rid of the police department. He said all of the sudden, an ordinance is dropped in front of Council from the Mayor, to get rid of the police department. He feels this is very strange that it hasn't been discussed amongst the Council members beforehand. He also thinks it is very strange that this is an administrative issue that should have been taken care of. He said there is a leadership issue with the police department and the Mayor that needs to be taken care of. Mr. Kuzelka said now that the Mayor has determined he can't take care of the police department, his next result is to get rid of the police department. He believes it should not be in the legislative hands and doesn't feel Council should be put in this position to make this kind of a decision. He hopes and thinks that this Council will make a wise decision, especially after seeing and hearing from the people that have come forward and people in attendance at the meetings. He said we cannot tolerate this anymore. He said we cannot tolerate the loss of our police department; what's next? Mr. Kuzelka feels there are some

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alternatives. He thinks Council members have some great ideas. He said getting totally rid of the police department is absurd. He said it is what we strive for as a community. It's what he sells to the people that come to his business and rent or buy a home. He tells them we have our own police department, city water, city sewer, wonderful churches and a family oriented Village. Mr. Kuzelka said they want that protection. He said our officers do their jobs. Mr. Kuzelka said if what Mayor Hammond has said publicly, that Chief Jordan has not done his job, then it was up to the Mayor to take responsibility and monitor that. He said if the Mayor could not have done that, it was up to him to bring on a sub-committee to help him. Mr. Kuzelka said we need to keep our police department. He thanked Council.

Legislation:

Resolution 13-2014 - A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT REGARDING LAW ENFORCEMENT SERVICES ON BEHALF OF THE VILLAGE OF COMMERCIAL POINT WITH THE PICKAWAY COUNTY SHERIFF'S DEPARTMENT AND DECLARING AN EMERGENCY. Mr. Sadler asked if this was for the temporary contract. Solicitor Hess said yes. Mr. Sadler made a motion, seconded by Mr. Geiger to suspend the three readings. A roll call vote was taken: Mr. Shelton – Yes, Mr. Sadler – Yes, Mr. Wissinger – Yes, Mr. Geiger – Yes, Mr. Laxton – Yes, Ms. Evans – Yes. The motion passed. Mr. Shelton made a motion, seconded by Ms. Evans to approve Resolution 13-2014 and declare an emergency. Ms. Evans wanted clarification on the contract that is in place now. She asked if it ended on August 12, 2014. Solicitor Hess said that was correct. Ms. Evans asked if the extension included any changes or would the terms stay the same as previously agreed upon. Solicitor Hess said there were no changes, 60 hours per week at the same rate for a total cost of \$ 5,600 for this extension. Mayor Hammond said Chief Jordan, once he is able, and Officer Kelly, except for when he needs off for military duty, would also be working during this extension period. Ms. Evans asked when Officer Kelly would be out. Officer Kelly said he was an Air Force Reserve Officer that had the annual 2 week training he needed to attend. Mr. Geiger asked if the Sheriff was willing to extend the contract past September 8, 2014. Solicitor Hess said he has been talking to the Sheriff's department and they are willing to accommodate us and he feels they would be able to extend if needed. Mr. Shelton said he feels the fear is, Chief Jordan is in the hospital with a serious condition. We hope he gets well soon and is able to return, however we just don't know. Mr. Shelton said in his opinion, we need to protect the Village the best way that we can. A roll call vote was taken: Mr. Shelton – Yes, Mr. Sadler – Yes, Mr. Wissinger – Yes, Mr. Geiger – Yes, Mr. Laxton – Yes, Ms. Evans – Yes. The motion passed.

Ordinance 2014-01 – AN ORDINANCE ABOLISHING THE VILLAGE OF COMMERCIAL POINT'S POLICE DEPARTMENT PURSUANT TO OHIO REVISED CODE § 731.10. Mayor Hammond asked for a motion and a second. Ms. Evans asked if it was open for discussion. Mayor Hammond said a motion and seconded was needed first. Solicitor Hess said they could allow discussion first. Mayor Hammond said it was open for discussion for the Council only. Ms. Evans said her concern is this is a very sensitive and serious topic. She said she agrees with Mr. Shelton that Council hasn't had enough time to do their due diligence on this topic. She said they are still working on the financial side and thanked Mr. Sadler for the information he put together. She said her personnel thought is we need to give this some more time and discussion and a lot more due diligence before they make this decision. She said they have the option of extending the contract with the Sheriff to allow more time to work through the timing issues we are having. Mr. Sadler agrees with Ms. Evans. He said they have heard the citizens overwhelming comments. He said Council did not ask for this but that is was thrown at them on a Friday to be voted on the following Monday. He said Council found out things weren't documented properly and the relationship between the Mayor and the Police Chief is very strained. Mr. Sadler said he feels it could be fixed. He feels dissolving our police department and going with the Sheriff is our last option. Ms. Evans said in the last meeting she asked Chief Jordan for a proposal to fight for keeping the department. Solicitor Hess said he did speak with Chief Jordan after the last meeting. Chief Jordan was preparing a plan for Council and if he wouldn't have become ill, Solicitor Hess feels he would have had it here tonight. Officer Kelly said he knows that Chief Jordan and Officer Thatcher have interviewed candidates for the open positions and reserve positions. Ms. Evans wants to see a plan. Officer Kelly said to his knowledge, Chief Jordan was planning on filling the two positions as soon as he knew what the plan was for the department. Ms. Evans asked Mr. Joiner if he was still a reserve. Mr. Joiner said he was and would work the part time hours if needed. Ms. Evans clarified that we have Mr. Joiner and Mr. Jackson as reserve officers now. Officer Kelly said yes and informed Council that Chief Jordan has interviewed 5 more candidates. Ms. Evans said that was the plan she would like to see before a decision is made. Mr. Laxton said he agreed with Ms. Evans. He said he called the Ohio Chief's Association and does understand the relationship between the Mayor and Chief is strained. Mr. Laxton said the Chief's Association will send a mediator out for free to help figure out what the issues really are. Mr. Laxton said he would like to see the police department's handbook. He said if it doesn't cover what we need it to cover, then some changes will need to be made to make sure this type of thing doesn't happen again. He said if Chief Jordan needs help, let's get him trained to be a better Chief. He said if Chief Jordan is not willing to do that, then Council has other options. He said he didn't know

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about the Chief's Association until he read it in the newspaper. He said using their assistance is a step in the right direction. This would be someone who has no ties to the Village and a big help.

Mr. Shelton said we have had three discussion in three meetings, however Council has not had a chance to talk amongst themselves. He said they have listened to the residents and appreciate their concerns. He said Council is entrusted with making a decision. He doesn't think Council has given it enough discussion or talked about the pros and cons or the plan. He said he thinks Council needs to look at putting together a Public Safety Committee. He said he has heard several times that we are growing. He feels maybe it's time to build partnerships and have a joint police district. He said that way you would have more than just the Village of Commercial Point. He said our budget is strapped and we have to look at every dollar that is spent. Mr. Shelton said joining with another district or two, would share in the burden of the cost of running a police department. He said if we put together a committee with the right people on the committee, maybe we can come to a resolution that Council and the citizens can support.

Mr. Sadler feels Council is mixing two different concepts. One we are talking financial/business issues. He feels the Sheriff's numbers are going to be higher than the Village's but that can be debated. He said some are talking about expanding the police department but they have been given an ordinance from the Mayor asking them to disband the department. He said we are mixing the two concepts, eliminating the department where we are having all the issues vs. a financial issue. He feels these are separate issues. Mr. Shelton said he disagreed and feels they are interconnected. Mr. Shelton thinks it is a business decision and a personnel decision and feels they are connected. Mr. Sadler reminded Council of what they voted for back in March; 106 paid hours with 4 positions, Chief, Sergeant, 2 part time officer and reserve officers. He said the amount of \$ 158,000 was approved to cover these positions back in March. Ms. Evans doesn't understand why the financials are debatable. She feels the numbers are pretty cut and dry. Mr. Sadler said we had a lean forecast, however we were still able to afford 106 hours of coverage. Ms. Evans asked Mayor Hammond if he has final approval of the candidates that Chief Jordan interviewed. Mayor Hammond publicly stated that he and Chief Jordan do not have any personality problems between them. He said Chief Jordan has his short comings as well as Mayor Hammond has his own short comings. He said the issues that he has, as stated before, we were put into a position where we had no police coverage to handle a major event and no plan. Mayor Hammond said he went to Council during an executive session and asked what they wanted to do. He said at that point is when the Sheriff entered into this agreement. He said we were down to just Chief Jordan working. Until this happened, Mayor Hammond said he never looked at using the Sheriff's department. He said it was not his goal to ever disband the police department. He said the position he found himself in with only having one officer due to illness and being down an officer, he checked with Solicitor Hess who is a good and qualified solicitor. Mayor Hammond wanted it known that he loves Chief Adam Jordan. Mayor Hammond said the chief's position in the State of Ohio, has armor around him. He said if he comes to Council recommending that they remove Chief Adam, and they would vote, on what basis can he be removed? The fact that he didn't do something timely or maybe not at all? Mayor Hammond said Chief Jordan didn't do anything illegal or immoral. He said the two of them have never had a cross word. He said they have discussed issues that were hot but they do not have a personality problem. Mayor Hammond said they have a problem with trying to administer and getting results. Mayor Hammond said he has nothing to bring to this Council recommending Chief Adam to be removed. He said we have to have a Chief. Mayor Hammond said with the position we were in, that is why the ordinance came before Council. He said it wasn't something that popped out of the sky. He said it was well thought out. He said if Council chooses to rebuild the police department, he has nothing to bring to Council for the removal of Chief Jordan or to demote him. He said it is Council's decisions. He said people must understand, the Mayor has no authority in these matters. He said he has been accused of not managing correctly and accepts some amount of responsibility. Again, Mayor Hammond reiterated that he like Chief Jordan and he has no basis to bring to Council to demote or remove him. He asked what option is left. Mayor Hammond said if the department is removed, then we do not have an issue with the Chief. He said the law is very clear. He said he and Solicitor Hess have discussed it. Solicitor Hess has discussed it with Chief Jordan as well. Mayor Hammond said anyone who came with the idea that he wanted to dissolve the department is wrong and that he doesn't have a problem with Chief Adam. No personality issues. Problems with asking for things to be done and things not being done. Mayor Hammond said it is a management problem and he has no basis for demoting or removing Chief Jordan. He asked Council to tell him what the solution is.

Mr. Geiger said he doesn't think the solution is getting rid of the police department because the Mayor wants to reprimand one officer. He said the fact that the Mayor hasn't written Chief Jordan up because he is a nice guy, is not a very good excuse. Mr. Geiger said abolishing the police department is not the solution. He said he agrees with everyone in attendance tonight and that he has spoken with lately, that having our own department gives us a sense of community. He said since the Mayor can't control Chief Adam, although he doesn't think he is uncontrollable, it's just a fact the Mayor refuses to write him up. It doesn't make sense to him to abolish the police department. Mayor

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Hammond asked Mr. Geiger, what his next step should be. Mayor Hammond said he has put letters in a file documenting things he has requested from Chief Jordan that he hasn't received. Mayor Hammond said his next step would be to come to Council and recommend a removal. He said that is his only choice he has. Mr. Geiger said there could be another solution besides removal. He said nothing was even discussed. They just had this ordinance in front of them for the abolishing of the police department with no discussion.

Mr. Sadler said the Mayor said he has no authority. Mayor Hammond said he does have the authority to write up the Chief. Mr. Sadler said Mayor has no authority to remove the Chief, however that is what he is doing by way of this ordinance. Mayor Hammond said that was correct. Mr. Sadler asked Mayor Hammond if he was doing this because he wanted to get rid of the Chief. Mayor Hammond said not the Chief because that position comes with a very long list of responsibilities. He said it is a very important position. Mayor Hammond said he has done some reading and the removal of the Chief is not quite that simple. He said once you obtain the title of Chief, you are at the very top. Mr. Dick Garren, former Police Chief of Commercial Point, said it is very easy to remove a police chief. He told Mayor Hammond that he is the only one who can remove the police chief and he doesn't need to help of the Council but he doesn't want the department disbanded. Mayor Hammond referred the comments to Solicitor Hess. Solicitor Hess read Section 737.171 of the Ohio Revised Code that is the removal procedure of the Village Marshall.

Except as provided in section 737.162 of the Revised Code, if the mayor of a village has reason to believe that a duly appointed marshal of the village has been guilty of incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, or any other acts of misfeasance, malfeasance, or nonfeasance in the performance of the marshal's official duty, the mayor shall file with the legislative authority of the village written charges against that person setting forth in detail the reason for the charges, and immediately shall serve a true copy of the charges upon the person against whom they are made.

Charges filed under this section shall be heard at the next regular meeting of the legislative authority occurring not less than five days after the date those charges have been served on the person against whom they are made. The person against whom those charges are filed may appear in person and by counsel at the hearing, examine all witnesses, and answer all charges against that person.

At the conclusion of the hearing, the legislative authority may dismiss the charges, suspend the accused from office for not more than sixty days, or remove the accused from office.

Action of the legislative authority removing or suspending the accused from office requires the affirmative vote of two-thirds of all members elected to it.

Ms. Shappert said she was hearing that Mayor Hammond asked for things from Chief Jordan and was not getting them. She said this is insubordination. She said it is incompetency of the job. She said there are two or three things listed that when hearing Mayor Hammond talk, Chief Jordan was in judgment against. Therefore he needed to bring it before Council to vote him out. She said there were two prior Mayor's in the audience tonight. Ms. Shappert said Ms. Mazurek removed a Chief while she was Mayor and she, herself dealt with Mr. Garren when she was Mayor. She told Mayor Hammond that he had the hammer in this situation. She told him he needed the support of Council for the insubordination in not doing what is asked. She said if Mayor Hammond has things documented and Chief Jordan isn't doing what is asked, then he isn't doing his job and he needs removed. Mr. Kaiser said Mayor Hammond is asking the Council to do something because Mayor Hammond hasn't done his job.

Solicitor Hess said we have an ordinance that needs some action. He said Council needs to either table it, vote for it or against it, whatever they choose. Mr. Sadler asked if it is tabled, while the ordinance expire. Solicitor Hess said he would have to do a little more research, however if it is tabled, it cannot be discussed until the topic is removed from the table and open for discussion again. He said he wasn't sure how long that could go on, but would do research if needed. Ms. Evans confirmed with Solicitor Hess that he did discuss a plan with Chief Jordan. Solicitor Hess said yes.

Ms. Evans made a motion, seconded by Mr. Shelton to table the discussion of Ordinance 2014-01 until a plan was received by Chief Jordan and further discussion could be had on the finances. Mr. Laxton said he agrees and would like to have more discussion as well. He said he spoke with the retired Chief of Bexley who told him, with proper documentation from the Mayor, no one will argue. Mr. Laxton said if it is properly documented, whatever the issue is, whether it be the Chief or other officers, no one will argue with proper documentation. Mr. Shelton said you lay out a

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plan with your expectations and when those things aren't met, you have started to establish your paper trail. He said if you don't do that, you get what you get. Ms. Evans said we still have issues that we need to resolve. That is why she made the motion to table. She said she doesn't think the end result is abolishing the police department. She feels Council needs more time to hear what the plan is. Mr. Sadler said he would rather not table the discussion. He feels Council would be just kicking the can down the road. Mr. Shelton said he disagrees with kicking it down the road. He said the Chief hasn't presented his plan yet due to being in the hospital. Mr. Sadler said we haven't seen a plan from the Mayor yet either. Mayor Hammond said his plan would be, the Chief Jordan would remain the Chief of Police, Officer Kelly would be confirmed and a third officer would be hired. He said he would start writing every little thing down. He said playing nice must not be the right way to go. He said maybe he let his heart get in the way of business. He said he has no problem thinking with his heart, but if it is going to cause this much grief, then he will stop. He said the Chief has been here for a long time, worked for practically no wages. He said he has issues that fortunately most of us don't have. Mayor Hammond said he looks at all of that. He said talking with someone one on one and thinking with his heart is how he runs his life. Mayor Hammond said if stacks of paper with him documenting everything is required, then that is what he will do. He said there have been members of this Council that have not been pleased with some things that have happened, but no one has come forward with any plans. Mayor Hammond said he pleads guilty to not filling a file full. He said he did think with his heart and had many conversations on how we can get things done and we have come to this point. Mayor Hammond said the Sheriff was never in the equation until we came into the critical point of having 2 large events with no police coverage. Mayor Hammond reiterated what his plan was. Chief Jordan will remain Chief, Officer Kelly will be confirmed and another officer will be hired.

Mr. Sadler said if things are as bad as Mayor Hammond says they are, then he needs to follow the steps in section 737.171 of the ORC. Someone from the audience said to bring in a mediator. Mayor Hammond said he has no problem working with Chief Adam. Someone from the audience said to Mayor Hammond that he is unhappy with Chief's performance and they have given him a way to put it on paper and bring it to Council for discussion. Another member of the audience said it sounded like the Mayor wanted to "cut off the whole arm because he had a sore thumb." She asked why Council is talking about disbanding the whole police department because the Chief didn't do what he was asked to do. She said that should have been handled on a one on one basis. She asked why he would want to disband the entire department because of one issue. Ms. Evans said she would fault the Chief for being in the situation we were in with a large event coming up and no coverage and no discussion with any of the reserve officers. The lady in the audience said if that was the big concern, why are we sitting here talking about disbanding our department. She said this is down to two people, and doesn't feel this is part of the big issue. Mr. Kaiser told Ms. Evans that he disagreed with her 100%. He said Mayor Hammond runs a business and knows what a business is like. He said the Mayor is a supervisor and if he isn't doing his job, then it is his fault. If he didn't report and make sure Adam was doing his job, it's the Mayor's fault and not Adam's. Mr. Kaiser asked Mayor Hammond if he paid people at his business for not doing their jobs. Solicitor Hess said things were getting a little out of hand and we had a motion and a second regarding putting the ordinance on the table and Council needed to vote. Mr. Kaiser said he was very uncomfortable putting something on the table when Council could remove it at any time and vote when no one was in attendance. He feels this needs to die on the floor because Council was given a lot of different options to go to. He said if Council runs out of options, they could start the procedure again.

Mayor Hammond said we have a motion and a second to table Ordinance 2014-01 and asked for a roll call vote. Mr. Laxton – No; Mr. Geiger – No; Mr. Sadler – No; Mr. Wissinger – No; Ms. Evans – Yes; Mr. Shelton – No. The motion failed.

Mayor Hammond read Ordinance 2014-01 **AN ORDINANCE ABOLISHING THE VILLAGE OF COMMERCIAL POINT'S POLICE DEPARTMENT PURSUANT TO OHIO REVISED CODE § 731.10** – for the third reading. He then asked for a motion and a second. Ms. Evans said if they choose to vote, they would be making a decision on the information they have right now. Mr. Sadler said if there is no motion, the ordinance dies for lack of motion and we would still have a police department tomorrow. Mayor Hammond clarified how a reserve officer is brought on. He said they are recommended to him by the Chief. Solicitor Hess said the reserve officers work solely under the discretion of the Mayor. If they are part-time officers, they are appointed by the Mayor and after their six month probation period, they would have to come before Council to be confirmed. The reporter from the Dispatch asked if there is no motion or this ordinance gets voted down, there has been discussion about a Safety Committee or plan from the Chief, but none of these things are official, correct? Mayor Hammond said that was correct. She wanted to clarify that we had coverage with the Sheriff until September 8, 2014 and one paid Commercial Point officer working as of now. She asked if the reserve officers were working. Mayor Hammond said Officer Thatcher, Officer Joiner and one other officer make up the reserve officers. He said we have a contract with the Sheriff to work through September 8, 2014 along with Officer Kelly and Chief Jordan, when he returns. He said we could possibly have 4 officers working 120 hours.

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Mayor Hammond said the reserve officers are under the control of the Chief, however we could not schedule their hours. Mayor Hammond read the ordinance again and asked for a motion. There was no motion, therefore the ordinance dies for lack of a motion.

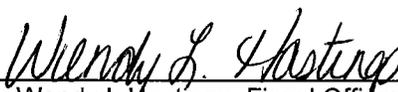
Mayor Hammond read Resolution 14-2014 **A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT REGARDING LAW ENFORCEMENT SERVICES ON BEHALF OF THE VILLAGE OF COMMERCIAL PONT WITH THE PICKAWAY COUNTY SHERIFF'S DEPARTMENT AND DECLARING AN EMERGENCY.** Solicitor Hess informed Council that this was for a one year contract with the Sheriff's department. Mayor Hammond asked for a motion. There was no motion, therefore the resolution dies for lack of a motion.

At this time, Mayor Hammond said he spoke to Chief Jordan regarding the confirmation of Officer Kelly. Mayor Hammond said Officer Kelly has been released from his doctor since having back surgery. He recommended to Council to confirm Officer Kelly as our paid part time officer. Mr. Sadler made a motion, seconded by Mr. Geiger to approve the confirmation of Officer Kelly. A roll call vote was taken. Mr. Shelton – Yes; Ms. Evans – Yes; Mr. Wissinger – Yes; Mr. Sadler – Yes; Mr. Geiger – Yes; Mr. Laxton – Yes. The motion passed.

Ms. Evans made a motion, seconded by Mr. Wissinger to adjourn the meeting. All members were in favor. The meeting adjourned.



Joe Hammond, Mayor



Wendy L. Hastings, Fiscal Officer