

**VILLAGE OF COMMERCIAL POINT
COUNCIL MEETING MINUTES
February 3, 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. Engineer Grosse, Solicitor Hess and Chief Jordan were also in attendance.

Mr. Shelton made a motion, seconded by Mr. Wissinger to approve the January 6, 2014 Regular Council Meeting Minutes. All members were in favor. The motion passed.

Administrative Reports:

- A. Mayor's Report – Mayor Hammond thanked Mr. Struckman and the rest of the Township employees for their help and cooperation with the snow removal.
- B. Village Engineer's Report – Nothing to report.
- C. Village Solicitor's Report – Solicitor Hess informed Council that Mr. Shelton had asked him to present a small training class on ordinances and resolutions for our new members of Council. He asked if anyone had specific questions, to please email him before the COW so that he would have answers readily available. This will be added to the agenda of the COW meeting.
- D. Police Department Report – On file at the Municipal Office.
- E. Village Administrator's Report – Nothing to report
- F. Fiscal Officer's Report – Fiscal Officer Hastings gave the following report. Fund Balances as of January 31, 2014 are as follows: General Fund \$ 790,787.96; Street Construction \$ 163,514.70; State Highway - \$ 13,160.60; Parks and Rec - \$ 2,873.57; Permissive Motor Vehicle - \$ 7,483.07; Housing Developments - \$ 10,176.07; Water Operating - \$ 1,625,935.77; Sewer Operating – \$ 1,436,750.85; Garbage Operating - \$ 16,834.51.

Legislative Reports

A. Legislative Authority Reports

- 1. Randy Shelton – Mr. Shelton said he appreciated the work of Scioto Township employees did removing the snow. He asked Mr. Struckman if they were ready for the storm that was coming in tomorrow. Mr. Struckman suggested if it was going to be icy to let the snow attach to the ice for better driving. He said he will have to just wait and see what the road conditions are.
- 2. Nicole Evans – Nothing to report
- 3. Clarence Wissinger – Nothing to report
- 4. David Sadler – Mr. Sadler reported that he had attended the Utility Meeting today. He said these meetings are open to the public and encouraged the rest of Council to attend. He said it was very informational.
- 5. Mark Geiger – Nothing to report
- 6. Brad Laxton – Nothing to report

At this time, Mayor Hammond asked if there were any citizens who wanted to address Council. Mr. Scott O'Neil provided Council with a few photos of signs that he feels need to be repaired, changed, etc. Plum Run Court and Walnut Creek Dr., Mr. O'Neil said the posts look in good condition as well as the height of the stop sign, however the sign itself is faded. At West Alley and Carmel Court, there is a "Do Not Enter" sign and a "One Way" sign. He doesn't know if the Do Not Enter sign meets the current traffic sign regulations and it has been spray painted. The One Way sign is legible, however it has lost its reflectivity and he doesn't know if it meets regulations either. He said the Stop sign at the intersection of Hickory and West can't be seen 30 yards away due to a large tree on the property. He said the sign is crooked and too low. He feels if the trees were trimmed you might be able to see the sign better. He also is afraid if it raised to the right height, it might block the street name sign. He suggested using one pole to display both signs. Another sign Mr. O'Neil spoke of was the Stop sign at the intersection of Welch and St. Rt. 762. He said the sign moves a lot in the wind with the type of pole that it is on. He suggested straightening the sign or possibly a different type of pole. He gave Council the pictures that he had. At this time, Mr. O'Neil told Mr. Struckman he appreciated the snow removal that had been done, however he would like to see salt put on the streets.

At this time, Mr. Struckman said he wasn't the only one plowing the streets and wanted to let Council know there were others helping too and wanted to recognize them as well. Mr. Struckman said the temperature controls whether salt is

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used on the streets. Mr. Struckman said if Mayor Hammond wants them to use more salt, they can. It just takes a phone call.

At this time, Mayor Hammond commented on the proposed changes that he would like to see changed in the Council Rules. He pointed out section 6.06 on page 8 of the rules. He would like to add this to the "Citizens Comments" section: They must fill out a "Request to Speak" form including name, address and the topic for discussion. These requests will be called at random by the Chair. They will have a maximum of three (3) minutes to speak. Mayor Hammond proposed removing the following: At the request from any member of the Legislative Authority, an audience member shall be recognized by the Chair to speak during the meeting.

The next proposed change was noted as being on page 11, section 9.07 is proposed to be added to the rules. It reads: Changes of Scheduled Events: The Mayor and or Village Administrator shall have the authority to change scheduled events as they deem necessary due to extreme weather conditions or safety concerns.

Mr. Wissinger made a motion, seconded by Mr. Sadler to adopt the Council Rules for 2014 with the proposed changes. At this time, Mr. Shelton said there was discussion at the COW regarding the time allotted for the citizens to speak. He felt the consensus of the Council during the COW was that it should stay at 5 minutes rather than 3 minutes. He said he was asked after the meeting who would be responsible for keeping track of the time and if there were questions that were brought up by the citizens, how would that be accounted for. Mayor Hammond said his thoughts would be that the questions would be held until the end of the 5 minutes. He said the rules were changed in 2013 to allow questions to be answered right away and not make the citizens wait until the end of the meeting like it had been done before. He feels the questions from Council to the citizen should not fall in the 5 minute time frame. He feels the 5 minutes that are allotted are for the citizen to make their presentation to Council. He said he borrowed this idea from Grove City where he felt it worked very well. Mayor Hammond said he would like to see these changes put into place, to better accommodate the citizens and Council who are attending the meetings. He said this was a legislative decision and these were a few changes he had thought about after some of the lengthy meetings in 2013 and also attending other entities meetings. Mr. Laxton said he liked the way the changes were presented, however he would like to keep the time allotted to 5 minutes. Mr. Geiger asked who would be in charge of keeping the time. Mayor Hammond said he would be purchasing a timer to keep the time. Mr. Shelton made a motion, seconded by Ms. Evans to amend the proposed language in section 6.06 and leave the time allotted to five (5) minutes per citizen. A roll call vote was taken: Mr. Geiger – Yes, Mr. Laxton – Yes, Mr. Sadler – Yes, Mr. Wissinger – Yes, Ms. Evans – Yes, Mr. Shelton – Yes. The motion passed.

The next item for discussion was the Proposed Employee Guidelines. Mayor Hammond pointed out the only change was under section 19 on page 9. He said he had a request from Chief Jordan to increase the clothing allowance for the Police Officers to \$ 500.00 per year instead of the \$ 250.00 due to the cost of the uniforms. This would be for the officers that work part time 30 hours a week. This would result in a \$ 750 increase over last year. Mr. Shelton asked if and when we hire a 16 hour a week officer, would they be eligible for a clothing allowance. Mayor Hammond said that position was not brought up to him by Chief Jordan at all. Mr. Shelton said the position was on our pay scale and wanted to know if we do hire someone, will they receive compensation for uniforms as well. Mayor Hammond said the titles of Chief of Police, Police Sergeant and Police Officer. Fiscal Officer Hastings said the 30 hour and less than 30 hour positions are listed as the same title in the Administrative Employee Pay Schedule. If Council chooses to not allow the less than 30 hour position to receive uniform allowance, then it needs to be spelled out in the Employee Guidelines. Mayor Hammond said whether we fill the position or not is irrelevant, we need to make a revision if Council chooses and make it right. Mr. Wissinger said we should add the wording "with the job title of Chief of Police, Police Sergeant and Police Officer working 30 hours or more per week and with over ninety days of service..." Mr. Sadler asked if this money was going to be used to purchase body armor and uniforms. Mayor Hammond said just uniforms. Solicitor Hess suggested someone making a motion to approve this change in the proposed guidelines. Mr. Shelton asked Mayor Hammond if he was ok with this decision or did he want some time to speak with Chief Jordan. Mayor Hammond said it was a Council decision but he was comfortable with the additional language. Ms. Evans said with the budget discussion that was had, the decision to add this language was fine. At this time, Ms. Evans made a motion, seconded by Mr. Geiger to amend section 19 of the Employee Guidelines to read: "On January 1st of each calendar year, employees working 30 or more hours per week with the job title of Chief of Police, Police Sergeant, and Police Officer with over ninety days of service with the Village will be credited with an annual clothing allowance credit in the amount of \$ 500.00 for the purpose of purchasing required clothing. Employees with the job title of Plant Superintendent, Plant Operator and Plant Assistant with over ninety days of service with the Village will be credited with an annual clothing allowance credit in the amount of \$ 250.00 for the purpose of purchasing required clothing. Receipts are required for payment. All receipts must be turned into the Fiscal Officer by December 1st of each calendar year. Any unused portion of the clothing allowance will not be carried over into the next year." A roll call vote

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was taken: Mr. Shelton – Yes, Ms. Evans – Yes, Mr. Wissinger – Yes, Mr. Sadler – Yes, Mr. Geiger – Yes, Mr. Laxton – Yes. The motion passed.

The next item for discussion was the Proposed Administrative Employee Pay Schedule. Mayor Hammond said there were only two items that he had proposed changes for. First one being the Fiscal Officer with a 5% increase with no increase for 2013. The next was for the Zoning Inspector with a 5% increase with no increase for 2013. Mayor Hammond said this would amount to a \$ 2,140 increase in the budget for these two positions. Mayor Hammond said he based these recommendations on the hours of time worked by the Fiscal Officer, working more than 40 hours a week and the fact that the Zoning Inspector position didn't receive a raise in 2013. He said the rest of the employees are in within their pay ranges and there is room for growth. Ms. Evans asked Fiscal Officer Hastings if the proposed budget reflected these increases. Fiscal Officer Hastings said it did. Mayor Hammond pointed out that 25% of the Fiscal Officer's pay comes from the General Fund while the other 75% comes from Water and Sewer Funds. Mr. Wissinger made a motion to approve the changes presented by Mayor Hammond, seconded by Ms. Evans. Mr. Shelton clarified that Council was voting on the pay raise for the positions, not necessarily giving the pay raise. Mayor Hammond said that was correct. The approval of the budget would grant these raises. Mr. Sadler said not all of the positions are on a pay range. Mayor Hammond said he would like to have all of the positions on a pay range, however these are the last two positions that are not on a range. Ms. Evans feels we need to approve the budget before we can approve the Pay Schedule to be sure that we have the monies to fund the changes. A roll call vote was taken: Mr. Shelton – No, Ms. Evans – No, Mr. Wissinger – Yes, Mr. Sadler – No, Mr. Laxton – No, Mr. Geiger – Yes. The motion failed.

Legislation: For first reading

Resolution 04-2014 – A RESOLUTION TO MAKE PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF COMMERCIAL POINT, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2014 AND DECLARING IT AN EMERGENCY. Mayor Hammond did a first reading – title only.

At this time, Ms. Evans said we had a budget meeting and needed to figure out what the next step was for the budget. Do we need to schedule a Saturday meeting for all of Council? Fiscal Officer Hastings said she thought we were designating the COW meeting to discuss the budget. Fiscal Officer Hastings said we would have the second reading at the Special Meeting before the COW for the second reading and then we would discuss the budget during the COW. Third reading and final approval of the budget will be had at the March 3, 2014 Regular Council Meeting. Mr. Shelton said he sort of agreed with Ms. Evans that a Saturday meeting might work out better and February 8, 2014 was the only Saturday before our next meeting. Fiscal Officer Hastings informed Council that would be fine, however there is a Street Committee meeting and a Zoning Committee meeting scheduled for February 8, 2014 already and we want to make sure we space these meetings out to allow for everyone to attend. Mayor Hammond said he would like to attend the budget meeting and this Saturday, February 8, 2014 will not work for him. It was decided that the COW meeting will be fine for discussing the budget.

At this time, Fiscal Officer Hastings asked for clarification on the times set for the Zoning and Street Committee meetings. It was decided that 9:00 a.m. for the Street Committee meeting and 10:00 a.m. for the Zoning Committee meeting. Fiscal Officer Hastings said she would get the meetings posted.

Mr. Shelton asked about the pictures of the obstructed stop sign that were presented by Mr. O'Neil. Mr. Shelton asked if that was the homeowner's responsibility to trim the tree back or if it was the Village's. Mr. Wissinger said it is in the property line. Mr. Geiger knows the area well and feels the issue is with a bush that is planted on the corner of West and Hickory. He said he lives right across the street from this property and will speak with the homeowner and see if they will trim the bush back. Mayor Hammond said as you drive up to the stop sign, the tree is what is causing the blockage. He said if we raise the sign, we will be behind another bush in the same area. Mr. Geiger asked if we had a "Stop Ahead" sign on the pole before the actual stop sign. Mayor Hammond said he had spoken with Chief Jordan and it hasn't been a problem before. Mr. O'Neil said he wants to make sure it is up to the traffic regulations because if it is not, the Village is liable. It was decided to leave it up to the Street Committee to make a recommendation.

At this time, Fiscal Officer Hastings said per the ORC, one time during each Council Members term, each member needs to attend a Public Records training class. A designee is allowed to be sent. She said she is planning on going on to the training on March 4, 2014 and could represent all Council Members however she needed a motion, stating that she was the designee. Ms. Evans made a motion, seconded by Mr. Geiger to allow Fiscal Officer Hastings serve as the designee to attend the Public Records training seminar. All members were in favor. The motion passed.

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At 8: 01 p.m. Mr. Shelton made a motion, seconded by Mr. Laxton to move into Executive Session to discuss real estate property issues. All members were in favor. The motion passed.

At 8:20 p.m. Mr. Shelton made a motion, seconded by Mr. Laxton to exit the Executive Session and return to the Council table. All members were in favor. The motion passed.

Mr. Shelton made a motion, seconded by Mr. Laxton to adjourn the meeting. All members were in favor. The meeting adjourned.

Joe Hammond, Mayor

Wendy L Hastings, Fiscal Officer