

VILLAGE OF COMMERCIAL POINT

COMMITTEE OF THE WHOLE MINUTES

October 19, 2015

Mr. Shelton called the meeting to order. Council Member David Sadler took roll call with the following members present: Mr. Shelton, Mr. Wissinger, Mr. Geiger and Mr. Sadler. Mayor Hammond was in attendance. Mr. Laxton, Ms. Evans and Engineer Grosse were absent.

Mr. Sadler made a motion, seconded by Mr. Geiger to approve the September 21, 2015 Committee of the Whole Minutes. All members in attendance were in favor. The motion passed.

Solicitor Hess was absent so no report.

Mayor Hammond had nothing to report at this time.

Engineer Grosse was absent so no report.

Additional Items:

David Sadler - Asked if there was a lawsuit regarding agriculture/farming citations issued and judges decision? Additionally, David Sadler asked if Mike Hess was actively trying to appeal the judge's decision. Mayor Hammond was not aware if the village was aware of an appeal. General COW discussion and nobody present has given Solicitor Hess consent to negotiate a settlement with impacted parties (from citations/judge's decision). Mayor advised that Solicitor works in the best interest of the village. Randy Shelton explained that he requested the Ordinance based on a conversation with a Walker Point resident about farming equipment on Edmonds Dr. Randy Shelton expressed his concern for the safety of the children. Mark Geiger agreed with David that council should be part of any negotiations (not just the solicitor). Randy Shelton advised that he would contact Solicitor Hess for an update to council regarding

the situation. David advised that he has asked Solicitor Hess to prepare a resolution to eliminate the ordinance but has not heard back yet.

Mark Geiger advised that he talked with a citizen who wants the village to pay their defense legal fees related to the agriculture/farming ordinance and the judge's decision. David Sadler advised that this might be a legal question we should defer to Solicitor Hess. Randy Shelton advised that the law was broken until the judge decided it wasn't.

Mark Geiger advised that he has consulted with Mr. Cooper at Intellwave. They are currently seeking permits for right away. They will need an assessment for (2) cabinets. They would like to start before winter and Walker Point would be first development to get it. Randy Shelton suggested holding any special meeting as necessary once everything is submitted. It was clarified that Frontier was charged for their easement and Intellwave should be charged also. There has been strong citizen support for the project. David Sadler stated that Google Fiber was offering free fiber connectivity in certain markets. David Sadler asked who owns the actual fiber lines once installed and are we closing out chances for competition. It was suggested to defer this to Village Engineer.

Mark Geiger advised that a fire hydrant on Harsh/Third is blocked by a fence and he advised Scioto Fire Chief. May be a possible zoning issue.

Mark Geiger advised that John Capretta asked if citizens were made aware of recent sidewalk/paving activity prior to starting? Mayor advised that village was not aware of exact time/date of activity until they arrived. David Sadler suggested putting in future contracts to contact impacted residents (1) week prior to scheduled construction.

Mark Geiger asked Police Chief Jordan for a status on reserve officer. Adam advised she was doing very well and could be doing light patrol on her own very shortly.

Randy Shelton asked Police Chief Jordan how much advance notice he receives from the Sheriff for the hours they work. Adam advised this was the first week he has received their schedule. Mayor Hammond advised stipulations in the contract and Adam should only be doubling hours when he felt it was necessary. Adam stated he was trying to cover school hours but only available sheriff is 9:00-5:00pm. Sheriff Contract does not permit them to hire resources designated for Commercial Point. Adam advised that (1) deputy was leaving in November and the other is working around other jobs. He advised they did have (1) deputy returning from military duty that will be working in the village.

David Sadler advised Mayor Hammond that Parking Light is out in the back parking lot.

David Sadler asked if there was any information on the Sgt. Murphy lawsuit that was on the recent news. Mayor advised as of Friday, the village has not received anything. Mayor Hammond advised that Solicitor Hess is open to defend but the insurance company may dictate who will defend.

Mark Geiger made a motion, second by Clarence Wissinger to adjourn. All present voted in favor to adjourn.

Randy Shelton, President of Council

Wendy Hastings, Fiscal Officer

****Minutes submitted by David Sadler****