

**Village of Commercial Point  
Council Meeting Minutes  
August 20, 2018**

Council President Townsend called the meeting to order, followed by the Pledge of Allegiance. Fiscal Officer Hastings took roll call with the following members present: Ms. Wolfe, Mr. Grassel, Mr. O'Neil, Mr. Thompson, Mr. Townsend and Mr. Moore. Village Administrator Crego, Village Engineer Grosse and Solicitor Hess were in attendance. Mayor Joiner was not present.

Mr. O'Neil motioned, seconded by Mr. Grassel to approve the August 6, 2018 Council Meeting Minutes. All in favor, motion approved.

Solicitor Hess addressed all in attendance. He said Mayor Joiner is not attending this evening. He said the mayor will return at a later date, however he has been appearing at administrative meetings and dealing with issues related to the village.

Administrative Reports:

- A. Mayor- Not present. Mr. Townsend covered the Mayor's Court report.
- B. Village Engineer -Engineer Grosse said Walker Point 3C is on the agenda for a third reading. He said he reviewed the subdivision and spoke with Utility Superintendent John Thompson and his recommendation is to table it. He said things are not done on the project. He said they have two choices, 1. Have the project completely done to the villages satisfaction or 2. Post a bond. He said they have not done either.
- C. Village Solicitor- Solicitor Hess said there is a number of legislation to cover tonight. He discussed the items up for first reading. He said the first one is Ordinance 2018-08 which is requesting approval of a pre-annexation agreement. He said it is similar to the prior pre-annexation agreements with Westport, just a few changes. He said Westport representatives are here to answer any questions. He said it is not a binding contract and does not obligate us to do anything. It just sets us up for preliminary discussions on how we would like to see the annexation go. He discussed Ordinance 2018-09 dealing with zoning code fees. He said we have passed the zoning code book but noticed there were a few fees not included. He discussed items up for second reading. He said at the last council meeting it was requested to add emergency language in the IBI Ordinance. He gave a quick overview of the remaining ordinances and resolution.
- D. Police Department- Chief Jordan covered the July report. He said he has spoken to Village Administrator Crego about the increase in parking complaints, predominantly in Walker Point. He said the issue relates to blocking mailboxes. He said we currently do not have an ordinance to prevent it. He said recently he found out that the mailman does have the authority to stop service at the person who is parking in front of the mailbox. He discussed how narrow Victorian is when people park on both sides and see concerns with when the fire department, bus or garbage truck drives through it. He said we need to look at establishing guidelines on parking. He asked for thoughts and suggestions. He said if you ask his suggestion he thinks we should look at parking on one side of the street in that area. Mr. O'Neil asked if we have a law that says you can't park within a certain distance of a driveway? Chief Jordan said no. Mr. Grassel said in Grove City it is 5 feet from a driveway. Chief Joran said being Grove City they probably use the same guidelines as other communities. He said at bare minimum he feels we should do that. He said he will discuss with he Fire Department to see if there are other streets of concern. Mr. O'Neil said he knows parking is getting more, but Victorian has been there for 15 years and all this time there has never been an issue until now. He said if the mailbox issue is solved, the other ones will be too. Chief Jordan said it has been there 15 years and by now, kids are grown and more cars. He said people don't utilize their driveway or garages. Mr. O'Neil said where do you draw the line? He said you want it one street but yet on another street, he said cars line both sides of the street and there are no issues. He said he agrees with the mailbox issue though. Chief Jordan said this

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is just a recommendation from him. Mr. Grassel said he thinks the fire department's is important and he appreciates Chief Jordan speaking to them.

- E. Village Administrator- Nothing to report
- F. Zoning Inspector's- Nothing to report
- G. Fiscal Officers- Fund status as of 7/31/2018: General \$1,733,866.12, Street Construction Maint & Repair \$271,551.81, State Highway \$37,571.46, Parks & Recreation \$3,033.57, Permissive Motor Vehicle License Tax \$7,718.74, Enforcement & Education \$1,957.00, Ohio Peace Off Education & Training \$4,380.00, Housing Developments \$103,473.40, Other Capital Projects \$400,000.00, Water Operating \$2,252,779.51, Sewer Operating \$2,834,473.98, Garbage Operating \$19,977.36.

Legislative Reports:

- 1. Ben Townsend- Nothing to report
- 2. Scott O'Neil- Mr. O'Neil asked VA Crego if we received an estimate for paving on Bellshazzar. VA Crego said no, that is a big enough project that it will have to be done before budget time.
- 3. Jason Thompson- Nothing to report
- 4. Laura Wolfe-Nothing to report
- 5. Bruce Moore- Nothing to report
- 6. Aaron Grassel-Nothing to report

Citizen Comments:

Rebecca Wright addressed council. She proposed they discuss a rumor she heard. She said she heard the police garage was rented out and curious to know when it's done, where do the funds go? She asked in the event it is able to be utilized and rented out, is that open to the citizens and is there a schedule.

Katie Rossi was unaware of a poll conducted at the last meeting. She quoted a response printed in the Columbus Dispatch on August 12<sup>th</sup> by the Village Administrator. She said we do not need the Village Administrator speaking on behalf of residents like herself and she cares what happens in the community. She said the comment in the dispatch was an unnecessary opinion not based on fact. She explained she was not happy with how they were characterized along with their interest.

Nancy Geiger addressed council regarding crosswalks. She said they have not been painted and 3 meetings ago VA Crego mentioned they were going to be done the same time as the street painting. She said she is curious when they will be done because school is back in session and kids are walking. She said there has been no additional discussion since the safety committee about crosswalk signage. She said she saw some of the sidewalks were repaired, which is great but would like to have discussion on lighting in the village. She said she thinks Mr. Hess has informed everyone not to make comments, which is what she thinks should be done going forward.

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**Business Items:**

- A. Proposed Zoning Fee Schedule: FO Hastings explained we did this last year when the fees were changed. She said there were some fees not included on the list and these fees can be changed anytime and take a motion to approve. Mr. O'Neil asked the difference between this one and Ordinance 2018-09. FO Hastings said these fees are more administrative where the other has to do with bigger projects. Mr. Moore asked ZI McCoskey how often the fees are changed. ZI McCoskey said in his tenure he changed them last year but it was by committee. He said prior to last year the fees had not been changed since 2004. Mr. Moore motioned, seconded by Mr. Thompson to approve the Proposed Zoning Fee Schedule. Roll Call: Mr. O'Neil-Yes, Mr. Moore-Yes, Mr. Thompson-Yes, Ms. Wolfe-Yes. Mr. Grassel-Yes, Mr. Townsend-Yes. All in favor, motion approved.
- B. Council meeting postponement: Mr. Moore motioned, seconded by Mr. Thompson to postpone the September 3, 2018 Council meeting to September 10<sup>th</sup>, 2018. All in favor, motion approved.

**Legislation:**

For First Reading:

**Ordinance 2018-08** AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH WESTPORT HOMES OF OHIO, INC. Mr. O'Neil asked Mr. Townsend to read the ordinance in its entirety. Molly Gwin, from Westport homes addressed council. She gave a brief description of the agreements. Mr. Moore asked how many units. Ms. Gwin said 190 proposed units. Mr. Moore said one of the concerns is traffic. He asked if Westport would be willing to discuss them helping the village add a traffic light as needed. Ms. Gwin said the pre annexation agreement does address that. Mr. O'Neil asked if this PUD attaches to Southern Point. Mr. Andrews said they would tie those dead end streets to the community. Mr. O'Neil asked when the pre annexation agreement will be ready. FO Hastings said they are working on the final touches and should have by the next meeting. ZI McCoskey asked Mr. Hess about the tying on the streets, will it require some agreement with the township to connect those roads. Solicitor Hess said he and Ms. Gwin will need to discuss the issue. ZI McCoskey said he raises it because of the increased traffic coming into Southern Point. Mr. O'Neil asked Utility Superintendent Thompson if this effect water tower usage at Southern Point. Utility Superintendent Thompson said it will be spelled out in the pre-annexation agreement. Mr. O'Neil said in the past, council has not been forthcoming about green space, he asked if this is something we can visit with this area. Ms. Gwin said it does provide for green space. She said it is about 15.7%.

**Ordinance 2018-09** AN ORDINANCE TO AMEND CHAPTER 1117 SECTION 1117.04 OF THE CURRENT ZONING CODE FOR THE VILLAGE OF COMMERCIAL POINT, OHIO TO INCLUDE THE FOLLOWING FEES. Solicitor Hess

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said as indicated the code does go into effect and it would be nice to have these in effect also. He said it is not necessary but it would be nice. Mr. O'Neil motioned, seconded by Ms. Wolfe to suspend the readings. Roll Call: Mr. Townsend-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Thompson-Yes. All in favor, motion approved. Mr. O'Neil motioned, seconded by Mr. Moore to approve the Ordinance. Roll Call: Mr. Townsend-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Thompson-Yes. All in favor, motion approved.

For Second Reading:

**Ordinance 2018-05** AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO CONTRACTS WITH M-E COMPANIES, DBA IBI GROUP. Mr. Moore motioned, seconded by Ms. Wolfe to suspend the readings. Roll Call: Mr. Townsend-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Thompson-Yes. All in favor, motion approved. Mr. Moore motioned, seconded by Ms. Wolfe to approve the Ordinance. Roll Call: Mr. Townsend-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Thompson-Yes. All in favor, motion approved.

**Ordinance 2018-06** AN ORDINANCE ACCEPTING THE BID OF RUMPKE OF OHIO, INC. FOR THE VILLAGE OF COMMERCIAL POINT REFUSE COLLECTION AND "OPT-IN" CURBSIDE RECYCLING PROGRAM EFFECTIVE JANUARY 1, 2019, AND AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT WITH SAME, AND DECLARING IT AN EMERGENCY. Mr. Moore motioned, seconded by Mr. Grassel to suspend the readings. Roll Call: Mr. Townsend-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Thompson-Yes. All in favor, motion approved. Mr. Moore motioned, seconded by Mr. Townsend to approve the Ordinance. Roll Call: Mr. Townsend-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Thompson-Yes. All in favor, motion approved.

**Ordinance 2018-07** AN ORDINANCE ACCEPTING THE BID OF RUMPKE OF OHIO, INC. FOR THE VILLAGE OF COMMERCIAL POINT REFUSE COLLECTION AND CURBSIDE RECYCLING PROGRAM STARTING JANUARY 1, 2019, AND AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT WITH SAME, AND DECLARING IT AN EMERGENCY. Mr. Thompson motioned, seconded by Mr. Moore to suspend the readings. Roll Call: Mr. Townsend-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Thompson-Yes. All in favor, motion approved. Mr. O'Neil motioned, seconded by Mr. Thompson to approve the Ordinance. Roll Call: Mr. Townsend-No, Mr.

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Grassel-No, Mr. O'Neil-No, Ms. Wolfe-No, Mr. Moore-No, Mr. Thompson-No. Motion Failed.

For Third Reading:

**Ordinance 2018-03** AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS OF REAL PROPERTY LOCATED WITHIN THE VILLAGE OF COMMERCIAL POINT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT DIRECTLY BENEFIT SUCH REAL PROPERTY; AUTHORIZING THE DISTRIBUTION OF THE APPLICABLE PORTION OF THOSE SERVICE PAYMENTS TO THE TEAYS VALLEY LOCAL SCHOOL DISTRICT AND EASTLAND-FAIRFIELD CAREER AND TECHNICAL SCHOOL DISTRICT; APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT; AND DECLARING AN EMERGENCY. Mr. O'Neil motioned, seconded by Mr. Moore to approve the Ordinance. Roll Call: Mr. Townsend-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Thompson-Yes. All in favor, motion approved.

**Ordinance 2018-04** AN ORDINANCE ACCEPTING THE PLAT OF WALKER POINTE SUBDIVISION, SECTION III, PHASE C. Mr. O'Neil motioned to table, seconded by Mr. Moore. All in favor, motion approved.

**Resolution 20-2018** A RESOLUTION PURSUANT TO OHIO REVISED CODE SECTION 721.15D DETERMINING THAT CERTAIN MUNICIPAL PROPERTY, IE, (1) 2012 CHEVROLET IMPALA, IS NOT NEEDED FOR PUBLIC USE AND HAS A VALUE OVER ONE THOUSAND DOLLARS (\$1,000.00) AND DIRECTING THE MAYOR TO DISCARD BELOW SAID MOTOR VEHICLE. Mr. O'Neil motioned, seconded by Mr. Thompson to approve the Resolution. Roll Call: Mr. Townsend-No, Mr. Grassel-Yes, Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Thompson-Yes. Motion approved.

**Additional Items:**

Solicitor Hess said Ms. Wright brought up an issue regarding a building owned by the village that was used by a private organization. He said this came to this attention the end of last week. He said it is his understanding there was no compensation given to the village or the individual who entered into the agreement. He said nor should there be. He said the village should not be renting out or allowing private citizens to use public spaces, which will be addressed so it does not occur in the future. He said there are multiple reasons. He said we can't say yes to one, no to another and

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liability. Mr. O'Neil asked if this is something we will need legislation on? Solicitor Hess said no. Mr. O'Neil asked how it works with the Go Karts? Solicitor Hess said other communities allow others to use parks, he is talking about structured buildings. Mr. O'Neil said he understand our electric panel was partially taken apart, should we now need to call an electrician to come and make sure the building is safe again. Solicitor Hess said he and Chief Jordan will meet after the meet to discuss fully what happened. He said they will decide what needs what needs to be done. Mr. Struckman asked if the next meeting we shut off the AC or buy batteries for the speakers so everyone can hear.

Ms. Wolfe asked if we are getting a crosswalk painted across from the office. VA Crego said the contractor has already been notified and he has not received the help yet to do it along with the other crosswalks and stop bars. Mr. Thompson asked if there is a time frame? VA Crego said no.

Mr. O'Neil said the Safety Committee will meet soon and will notify the public of the date.

Mr. Thompson said he would like to revisit the Foxfire repaving project. He said he spoke with VA Crego today and he feels the roads need to be done and now would be the time to do it, and he agrees. He said we have projects next year and in the future they will be big. He said he would like to see about getting Foxfire done this year. Ms. Wolfe asked what makes it different now then when they voted earlier to wait. Mr. Thompson said the Walker Road is going to be a big expense and if we wait, Foxfire will be in the middle of that. He said he went to VA Crego after meeting with some of the residence in Foxfire and it needs to be done. He said it will be needed in conjunction with other projects and we will need to look for that much more money. He said we have the money now, get it done and look towards the bigger project. Mr. Grassel said earlier in the year during the Safety Committee they discussed this with VA Crego in depth. He asked VA Crego if it is his opinion at this time if this needs to be completed before Walker Road. VA Crego said they all should be done at the same time. He said Walker Road project, he does not know how aggressively we want to go at it. He said Foxfire is the oldest pavement we have in town that hasn't had anything done with it. He said even if we put the money in with it now, we are running a fine line on whether it can be done this year because companies are busy. He said yes, lets get it done and plan at budget time our next project. Mr. Grassel said part of the concern with Foxfire is if we delay it any longer, it could progressively get worse and become more expensive. VA Crego said it will get worse. He said we will either have to spend money this year in crack seal or patching and he would rather not spend that money. Mr. Moore said he would ask in his experience would their be a significant savings in bunding projects. VA Crego said in his experience when you talk about a \$200,000 contract that is in the contractor comfort zone. Mr. Moore wanted to know if this is something we can ask the contractor if we do Foxfire and another project, would they cut us a deal on both of them? VA Crego said his experience is contractors come in 12-15% less. He said we have to put a notice in the paper for 30 days. He said the best we have is end of Sept which is tough because by the time you award the contract you are looking at best case scenario third week of October and plants close down in November. He said if they have the availability to take of the project. Ms. Wolfe asked if we have a list of areas that need to be done immediately? VA Crego said the next one to look at is Bellshazzar and Walker Road. He said we need crack sealing work at Chestnut Estates before winter time. Mr. Thompson said he has a resolution for this topic. Engineer Grosse said time wise, this is extremely

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busy time of year. He said if we get one it will be a premium cost. He said it could be bid two ways, now or in the Spring. He could hold and have it bid in the Spring when the cost could be less. Mr. Thompson said this is the first he heard about a premium which is different than what he heard from his conversation today. Mr. Moore said he would like to bid it and see the difference and see combined. Engineer Grosse said the other projects are not ready to bid out. Mr. O'Neil has asked Engineer Grosse and VA Crego to get a preliminary plan of what needs to be done for the upcoming projects then they can decide what needs to be engineered. Engineer Grosse said he and VA Crego will discuss it.

Mr. O'Neil motioned to adjourn, seconded by Mr. Moore. 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