

**Village of Commercial Point
Council Meeting Minutes
August 6, 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.

Mr. Moore motioned, seconded by Mr. O'Neil to approve the July 16, 2018 Council Meeting Minutes. All in favor, motion approved. Mr. Moore motioned, seconded by Mr. O'Neil to approve the July 16, 2018 Public Hearing Minutes on the Tax budget. All in favor, motion approved.

Solicitor Hess addressed all in attendance. He said most are aware of the events that have occurred over the past few weeks. He said we are dealing with those issues and most are being handled by the Circleville Municipal Court. He said the Mayor is not here tonight, he has not been suspended or removed, it was his choice not to appear for tonight's meeting. He said at this point he is still the Mayor of Commercial Point and when the Mayor is not present the President Pro-temp, which is Ben Townsend acts in his place. He said Mr. Townsend will conduct tonight's meeting. He said in discussions with the mayor, who has statutory duties over the Police Department, because of the current situation, he has agreed for Mr. Townsend to act on his behalf when it comes to any issues related to the Police Department. He said he has advised council that it is not currently proper to speak on the situation. He said no member of council was involved or witness to the allegations. He said because it will be debated in a court of law he would ask that it remain there. He said there is an ongoing investigation and it would be improper for them to comment. He said he would ask members of public to address those to him and if he can answer the questions, he would.

Administrative Reports:

- A. Mayor-
- B. Village Engineer -Engineer Grosse said later in the meeting council will be asked to review and pass legislation. He said one of them is to authorize the hiring of Sands Decker which is the consulting firm who will be doing the construction observation and contract administration on the wellfield project that has been approved. He is asking them to consider this approval. He said the second one is for IBI Consulting Firm for the new water treatment plant. He said their contract will come in multiple phases. He said this is phase 1 which is a report phase where they will present options and discuss cost. He said the second reading of the Walker Point plat. He said the approval of the second reading does not authorize anything. He said in the next meeting before the third reading he will be looking for a few things. He said if not completed he will recommend tabling it. Mr. Townsend asked for the timeframe of the IBI group. Engineer Grosse said he knows councils position on the three readings but he would ask that council consider approving this tonight. He said he will make sure the next phase is in for enough time to do all three readings. Ms. Wolfe asked if he knew how many phases it would be? Engineer Grosse said not yet, it could be 6 different phases. Mr. O'Neil said he is not comfortable doing anything with it tonight because it is a 16 page contract that they just received 5 min before the meeting. Engineer Grosse said he respects the comments but they have his request in front of them. Mr. Grassel said his understanding is the initial consultation so they can move forward. Engineer Grosse said that is correct. Mr. Moore asked Solicitor Hess if he has had a chance to review the contract and if he approves it in this form. Solicitor Hess said yes he has and he has had opportunities to speak to VA Crego about it and is satisfied with it.
- C. Village Solicitor- Solicitor Hess said there are a number of legislative pieces before them. He said Engineer Grosse has already addressed a couple of them. He said if council is going to move on Ordinance 2018-05, he said it does not contain emergency language but in the body it does indicate if you are declaring it an emergency. He said it does not

**Village of Commercial Point
Council Meeting Minutes
August 6, 2018**

- meet the approval for emergency so if they pass the vote, it has a 30 day period to go into effect. He said the next two pieces deal with trash and recycling, which he will let Fiscal Officer Hastings discuss it. He said we are getting close to having our contract expire and asked that council keep that in mind when they vote. He said the TIFF is up for second reading. He said we have the resolution to discuss the police car and the third reading on the zoning code. Mr. Moore asked if 2018-05, if they voted today it will not go into effect for 30 days. Solicitor Hess said correct. Mr. Moore asked if it is possible since our next meeting is before the 30 days, is it possible to have it redrafted to include emergency language. Solicitor Hess said yes.
- D. Police Department- Chief Jordan said the monthly activity report will be presented at the next scheduled council meeting. He said with all of the activities he has not had a chance to put it together. He said kart races went well with no incidents. He said there were a few minor issues but they took care of them. He said the main thing to discuss tonight is the cruiser situation. He said last Friday night, there was a fatality car crash on State Route 104 which is in the village limits. He said the Highway Patrol is handling the investigation. He said someone attempted to drive thru the scene which resulted in a lengthy car pursuit. He said out of that the Crown Vic received damages. He said there was under carriage damage, light body damage and tire damage. He said during the weekend the Impala began having electrical, cooling and AC issues. He said at this point he is parking the car. He said in regards to the Crown Vic he is asking council's feelings about it. He said he sent everyone an email to ask their thoughts. He said one good thing is the individual who ran had car insurance. He said OSP Insurance company has reached out to them and filed a claim number. He said he has made contacted with them to try and have the damages to our car taken care of. He said with this, we are looking at \$1200-1300 worth of damage to car with 160,000 miles. He asked council for ideas on what they think we should do with the cars. Mr. Townsend asked where we are on the new cruiser. Chief Jordan said the new cruiser is 2-3 weeks out for install. He called PARR and explained our situation but they are busy and we are just waiting our turn. He said we are going to get everything else we can completed before it goes to PARR. Chief Jordan is waiting to hear from his insurance because 3-4 Highway patrol cars was banged up, South Bloomfield had a cruiser torn up, a civilian vehicle and their vehicle also. Mr. Moore asked for the timeframe on repair for the Crown Vic. Chief Jordan said he has a quote already. He said he did not want to move on it until council decided. Ms. Wolfe confirmed the Impala is parked. Chief Jordan said yes, it could be minor repairs but he is not sure. He said in all honesty he is spending more time on that car when it could be spent on other issues. Mr. Grassel confirmed that we are down to three vehicles. Chief Jordan said we have 2 that are in operation now, the Chief's car and the newer SUV. He said the new one is not marked so we can't use it. Ms. Wolfe asked if they gave a timeframe on how quick the Crown Vic could be repaired. Chief Jordan said they didn't but they are quick and he would probably have the car back in 2 weeks.
- E. Village Administrator- Nothing to report
- F. Zoning Inspector's- Nothing to report
- G. Fiscal Officers- Fiscal Officer Hastings said the big blue packs in front of Council are replacement pages for their big blue books. She said that brings us up to date with our ordinances through 2017.

Legislative Reports:

1. Ben Townsend- Nothing to report
2. Scott O'Neil- Nothing to report
3. Jason Thompson- Nothing to report

**Village of Commercial Point
Council Meeting Minutes
August 6, 2018**

4. Laura Wolfe-Nothing to report
5. Bruce Moore-Mr. Moore asked Solicitor Hess if he has had an opportunity to look into the RUMA situation. Solicitor Hess said no he has not.
6. Aaron Grassel-Nothing to report

Citizen Comments:

Cody Vance addressed council. He thanked Chief Jordan for everything he has been doing in the community. He asked about the new cruiser and why it will take 2-3 weeks. Chief Jordan said it is due to their workload. Mr. Vance asked about the fatality on State Route 104. Mr. Thompson advised during citizen comments they do not respond. Mr. Townsend confirmed that during citizen comments they will listen to comments. Mr. Vance said legally they cannot close it to just comments. Solicitor Hess said he will have to research it. He confirmed with Mr. Vance that he would like to ask questions and have conversation with Council. Mr. Vance said yes. Solicitor Hess said he can ask questions, but council is not required to answer them. Mr. Vance asked what the point is in asking. Solicitor Hess said he is indicating that he may ask a question, but council is not required to answer. Solicitor Hess asked him what question he has. Mr. Vance was asking the direction of State Route 104. Solicitor Hess said North and South.

Mr. Joe Hammond said he respectfully ask that Ms. Hastings could explain Ordinance 2018 the two options. Mr. Townsend asked what he would like to know. Mr. Hammond wanted to know if we are going to do recycling or not. He said there has been a lot of discussion since last fall. He said he would encourage council to listen to all of the comments and give a better understanding of the two ordinances. He asked if the ordinance will contain an absolute you will recycle? Mr. Townsend said there are two up for reading and which ever one council chooses. He said there is an opt in and all in. He asked if either ordinance has no recycling at all. Council said no. Solicitor Hess said opt in is you have to choose to have recycling if you want. He confirmed the second one is all in where citizens would not have a choice. He said he would ask that they leave the choice for the citizens to make.

Business Items:

Nothing to report

Legislation: For First Reading:

Resolution 21-2018 A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR AND/OR MAYOR TO AWARD A CONTRACT TO SANDS DECKER NOT TO EXCEED THE AMOUNT OF \$ 40,000.00 FOR THE ENGINEERING COSTS OF THE RAW WATERLINE AND WELL FIELD PROJECT AND DECLARING AN EMERGENCY. Mr. Moore motioned, seconded by Mr. Grassel to suspend the readings. Roll Call: Mr. Townsend-Yes, Ms. Wolfe-

**Village of Commercial Point
Council Meeting Minutes
August 6, 2018**

Yes, Mr. Grassel-Yes, Mr. Moore-Yes, Mr. Thompson-Yes, Mr. O'Neil-No. Motion passed. Mr. Moore motioned, seconded by Ms. Wolfe to approve the resolution. Roll Call: Mr. Townsend-Yes, Ms. Wolfe-Yes, Mr. Grassel-Yes, Mr. Moore-Yes, Mr. Thompson-Yes, Mr. O'Neil-Yes. Motion passed.

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 asked Solicitor Hess to redraft to include Emergency language for the next meeting so council can consider passing it asap if necessary. Solicitor Hess agreed.

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. Fiscal Officer Hastings said she spoke with the Pickaway County organization and they are still offering, with OPT-IN to pay \$3.01 for the 1st year and \$1.56 2nd year and the third year customers will be on their own. She said in the previous meeting it was asked if they will do anything for the 3rd year. She said they came back with another option and will pay 50% of all 3 years, for everyone included. It would be \$1.51 for the 1st year, \$1.56 2nd year and \$1.62 for the 3rd year. She said for all in the cost would be \$14.75 1st yr., \$15.27 2nd yr., \$15.80 3rd yr. and for OPT-IN \$15.99 1st yr., \$18.11 2nd yr. and \$20.35 3rd year. She said the bins are out of the question, they just removed 3 bins from Circleville. She said if we go with OPT-IN and we do not reach the 250 customers, we would be at trash only cost of \$13.25 1st yr., \$13.71 2nd yr. and \$14.19 for the 3rd yr. She said they said it is only good for the households annexed in as of January 1, 2019. She said anything after January 1, 2019 the resident will pay the full price. She said she would like to ask that this be done by their next meeting on August 20th because the bid opening was done June 21st and they only have 60 days to let the contractor know which direction we are going. Mr. Moore said given the new information he is not in favor of waiving the readings so the next meeting citizens will be able to make comments. Solicitor Hess suggested the Ordinance numbers be different. Fiscal Officer Hastings said OPT-IN will be 2018-06 and All in will be 2018-07. Ms. Wolfe motioned to suspend the readings, seconded by Mr. Grassel. Roll Call: Mr. O'Neil-no, Ms. Wolfe-Yes, Mr. Moore-No, Mr. Grassel-Yes, Mr. Thompson-no, Mr. Townsend-Yes. Due to the tie, the readings cannot be waived.

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

**Village of Commercial Point
Council Meeting Minutes
August 6, 2018**

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.

For Second 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

Ordinance 2018-04 AN ORDINANCE ACCEPTING THE PLAT OF WALKER POINTE SUBDIVISION, SECTION III, PHASE C

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.

For Third Reading:

Ordinance 2018-02 AN ORDINANCE TO REPLACE THE CURRENT ZONING CODE FOR THE VILLAGE OF COMMERCIAL POINT, OHIO. Mr. Moore motioned to approve, seconded by Mr. O'Neil. 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.

Village of Commercial Point
Council Meeting Minutes
August 6, 2018

Additional Items:

Chief Jordan wanted to know what their feelings are about moving forward on the repairs on the car. Mr. Moore said tires were needed anyways and there is a likely chance we will be refunded by insurance. He said then we will have 3 vehicles functioning and if we sell it in the future it will make it more valuable. Chief Jordan said PARR will do decommissioning of vehicles for approx. \$300. He said we can recycle the equipment into another vehicle. Mr. Moore said if we see it will cost more to decommission than the car is worth, can we donate it to the fire department for training. Chief Jordan said you can but he thinks the vehicle would have more value to it.

Mr. Thompson asked if we ended up leasing the new cruiser. Fiscal Officer Hastings said we are leasing the cruiser, but we purchased all the equipment outright. He asked if we will still come in under \$40,000. Fiscal Officer Hastings said yes there is approx.. \$13,000 remaining.

Mr. Thompson motioned to adjourn, seconded by Mr. Moore. All in favor. Meeting adjourned.



Gary Joiner, Mayor



Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant