

**Village of Commercial Point  
Council Meeting Minutes  
November 5, 2018**

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

Mr. O'Neil motioned, seconded by Mr. Thompson to approve the October 1, 2018 Council minutes. Mr. Townsend abstained. All in favor, motion approved. Mr. O'Neil motioned, seconded by Mr. Townsend to approve the October 15, 2018 minutes. Ms. Wolfe abstained and asked for correction to the attendance of the minutes. All in favor, motion approved.

Administrative Reports:

- A. Mayor- Mayor Joiner introduced the Planning and Zoning Committee members for 2018 effective December 6, 2018. The members Dan Kopec, Allan Goldhardt, Melinda Mowery, Don England, Stacey Plybon and Jack Legg.
- B. Village Engineer – Engineer Grosse said two items on the agenda are important for consideration for tonight. He said council will be asked to approve a change order tonight for the water plant for a substantial amount of money which takes us into the next phase of design which also leads to bidding and up to the point where we will award a contract for construction. He said the next large item to consider is approving going after a OWDA Planning loan. He said it will provide the funds for the change order that hopefully council will approve this evening. He said it is 0-5 year term and will be rolled in when we do the final project design and will be paid off. He said it is normal way to do this so we do not use all of our cash. Mr. Moore asked if the \$40,000 fee is a normal fee, it seemed high. Engineer Grosse said he thought that seemed high so he has asked them to make this an hourly rate. He said he does not want to sign it with this lump sum, so the engineer has agreed to make this an hourly rate.
- C. Village Solicitor- Solicitor Hess discussed legislation before the members this evening. He advised Mr. Goldhardt is here this evening to discuss the Go Kart Event Plan. He asked council to review the Planning and Zoning Committee members submitted by the mayor. He also advised Mr. Connolly is here to answer additional question on the CRA.
- D. Police Department- Chief Jordan covered the October report. He said the officers are doing a great job covering the shortage in hours. He asked for a Safety Committee meeting to be scheduled this month to discuss staffing levels for the future. He said Trick or Treat night went well. Mayor Joiner said the Police department did very well. Mr. Grassel asked for an update on where we are on hiring for the vacant position. Chief Jordan said he interviewed three candidates and all three did well. He said he will discuss with Solicitor Hess and Mr. Townsend and then make a decision on who to move forward with. He said one item he forgot to mention, there is a piece of legislation up tonight for transfer of funds. He said it is for a computer for one of the cruiser. He said the computer they are replacing had no cost, it is a 11 year old computer at end of life.
- E. Village Administrator- Nothing to report
- F. Zoning Inspector's- Nothing to report
- G. Fiscal Officers- Not present

Legislative Reports:

- 1. Ben Townsend- Nothing to report
- 2. Scott O'Neil- Mr. O'Neil asked if the resolution for the transfer of money for sidewalks is for West Scioto Green? VA Crego said it is a large part of it. Mr. O'Neil asked if in the zoning code can we look into mandating that sidewalks or walk paths be added to any

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newly developed property in the future? VA Crego said it is part of the subdivision regulations but other than that, no it is not stipulated for individual properties. Mr. O'Neil asked if this is something we should look into? VA Crego said he would entertain input or suggestions that the Planning and Zoning Board would look at. He said the PZB meets the 4<sup>th</sup> Monday night and Mr. O'Neil can prepare some information for them to look at. Mr. O'Neil asked if the cruiser has been placed on Govdeals.com. Chief Jordan said to his knowledge no. He said it has been stripped. He said he is unsure how it works. Mr. O'Neil asked if it could be listed before the end of the month. Chief Jordan said yes.

3. Jason Thompson- Nothing report
4. Laura Wolfe-Nothing to report
5. Bruce Moore-Nothing to report
6. Aaron Grassel-Mr. Grassel asked Chief Jordan if he is responsible for Special Events planning. Chief Jordan said yes, it depends on what the event is. Mr. Grassel said he would like to put it out there, considering what happened with Trick or Treat, maybe we have a rain date included in the special events plan and that alleviate some of the problems they ran into this past week. Chief Jordan said he does not think he is permitted to set an alternate date because it was set by an Ordinance, but something that could be planned out but it is not a call he can make. Mr. Grassel said his thought is at least in the event plan he has the most responsibility in scheduling, he can make the recommendation he should be included.

Citizen Comments:

Ms. Nancy Geiger addressed council. She wanted to discuss some of the action of council regarding the changing of Trick or Treat. She asked Mr., Hess to please explain what the job of Council and Administration is because it is evident one council member does not understand his place. She feels it would not have been changed if it not be for residents emailing the Mayor and feels he did what he felt what was best for the kids at that time. She said Mr. O'Neil decided to post on his forum an emergency meeting needed to happen to cost the taxpayers money. She discussed another article posted about Commercial Point which quoted Mr. O'Neil multiple times. She said she emailed Mr. O'Neil and Mr. Thompson. Mr. O'Neil took upon himself to take her private emails to him, tag her and post with a nasty message on Facebook which started a lynching. She said it upset her and she called him and asked him to take it down to which he replied he would think about it. She said she spoke with Mr. Thompson and he talked to her and he would talk to Mr. O'Neil about removing it. She said she feels he did it for retaliation. She stated about two months ago he asked he into the conference room along with Mr. Grassel and told her he found out the mayor allowed a resident who does filmmaking to shoot a documentary in the police garage, which she believes is wrong, because it is not a public building. She said he wanted her to bring it up, but she told him no, she would not be his mouth piece and he should bring it up in his legislative reports. She said he then asked another resident to do it. She said she would like to see this council think and speak for themselves. She would like to for them to not continue to participate in meetings in the parking lot before and after meetings, which she is guilty of herself, but no more. Government should be transparent, so say what you have to up there, not outside. She addressed Mr. Grassel, she said

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she feels his post was not needed, but he probably was not aware of the other situation. She said she feels most of the time he is a very gracious and kind person, but it was a sad day for Ohio.

Ms. Katie Rossi said she emailed questions that did not get answered except from Ms. Wolfe and Mr. Grassel, which she thanked them for that. She said Pettit's Market has been a great addition to Commercial Point, but feels it is dangerous because kids want to walk there. She said last January we spoke about putting a fence around a pond and we have known about Pettit's coming for a while, and it is a safety concern. Mayor Joiner said VA Crego has put out feelers for information on sidewalks for that. VA Crego said he has contacted two major companies we normally deal with and is waiting for information back. He said if Council approves funds, he has asked for sidewalks for Chestnut Estates to the driveways at Petti's at the South end. She said to Mr. O'Neil's point, in the future we need to put something in zoning to make sure sidewalks and pathways are included. Mr. Moore asked if we have looked at a path that might run along an easement that that would connect directly back into Chestnut Estates? VA Crego said it is all private property.

**Business Items:**

- A. Go Kart Event Plan-Mr. Moore Asked if there were any changes from last year. Mr. Goldhardt said the only change is the kart return lane. He said in the past they brought the go karts down South Alley and this year they want to exit on Hickory Alley because there was such a huge cluster last year due to an increase in the amount of karts. Mr. O'Neil asked if this will interfere with the gentleman in the wheelchair. Mr. Goldhardt said no, Chuck is aware of everything and they have a gate in front of his house. Mr. O'Neil motioned, seconded by Mr. Thompson to approve the Go Kart Plan. Roll Call: Mr. O'Neil-Yes, Mr. Grassel-Yes, Mr. Townsend-Yes, Mr. Thompson-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes. All in favor, motion approved.
- B. Mayor Joiner asked if council had any thoughts on the appointees. Mr. O'Neil asked about Mr. Kopec. Mayor Joiner said he is a resident in Chestnut Estates and is an Engineer with Ohio EPA, he was a candidate for council when filling in for the temporary spot.

**Legislation:**

For First Reading:

**Ordinance 2018-13** AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF COMMERCIAL POINT, OHIO, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL AND A TAX INCENTIVE REVIEW COUNCIL.

**Resolution 30-2018** A RESOLUTION AUTHORIZING THE MAYOR AND/OR VILLAGE ADMINISTRATOR TO APPLY FOR, ACCEPT, AND ENTER INTO A COOPERATIVE AGREEMENT FOR ENGINEERING AND PLANNING FOR THE

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NEW COMMERCIAL POINT WATER TREATMENT PLANT PROJECT BETWEEN THE VILLAGE OF COMMERCIAL POINT AND THE OHIO WATER DEVELOPMENT AUTHORITY AND DECLARING AN EMERGENCY. Mr. Moore motioned, seconded by Mr. Thompson to suspend the reading. Roll Call: Mr. Townsend-yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. O'Neil-Yes. All in favor, motion approved. Mr. Thompson motioned, seconded by Mr. Moore to approve. Roll Call: Mr. Townsend-yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. O'Neil-Yes. All in favor, motion approved.

**Resolution 31-2018** A RESOLUTION TO TRANSFER MONIES WITHIN THE GENERAL FUND FROM THE MOTOR VEHICLES ACCOUNT 1000-110-393 AND TRANSFER SAID MONIES TO THE CAPITAL OUTLAY ACCOUNT 1000-110-590

**Resolution 32-2018** A RESOLUTION TO RATIFY THE REALIGNMENT OF MONIES WITHIN THE GENERAL FUND FROM THE TRANSFERS OUT ACCOUNT 1000-910-910 AND TRANSFER SAID MONIES TO THE SIDEWALKS FUND ACCOUNT 1000-670-396. Mr. Townsend motioned, seconded by Mr. Grassel to approve. Roll Call: Mr. Townsend-yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. O'Neil-Yes. All in favor, motion approved.

**Resolution 33-2018** A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CHANGE ORDER WITH M-E COMPANIES, DBA IBI GROUP, AND DECLARING IT AN EMERGENCY. Mr. Moore motioned, seconded by Mr. Thompson to suspend the reading. Roll Call: Mr. Townsend-yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. O'Neil-Yes. All in favor, motion approved. Mr. Thompson motioned, seconded by Ms. Wolfe to approve. Roll Call: Mr. Townsend-yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. O'Neil-Yes. All in favor, motion approved.

For Second Reading:

**Resolution 28-2018** A RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF COMMERCIAL POINT, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019

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**Resolution 29-2018** A RESOLUTION APPROVING THE SALVAGE OF A MOTOR VEHICLE THAT IS UNFIT FOR PUBLIC USE

For Third Reading:

**Ordinance 2018-11** AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT WITH THE ROSS PICKAWAY HIGHLAND FAYETTE SOLID WASTE MANAGEMENT DISTRICT ("DISTRICT") FOR THE 2019 AND 2020 CURBSIDE RECYCLING PROGRAM. Mr. O'Neil motioned, seconded by Mr. Moore to approve. Roll Call: Mr. Townsend-yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. O'Neil-Yes. All in favor, motion approved.

**Ordinance 2018-12** AN ORDINANCE TO AMEND SECTION 452.03 (a) (2) OF THE CODIFIED ORDINANCES AND TO ENACT SUBPARAGRAPH (17) TO REGULATE THE PARKING OF VEHICLES WITHIN 10 FEET OF A RESIDENTIAL MAILBOX. Mr. Grassel motioned, no seconded. Motion dies.

**Additional Items:**

Mr. Moore asked if council has maps attached to the CRA. He verified with Mr. Connolly that the areas they select for the CRA's must be contiguous but they can delegate areas to have different areas to have residential vs commercial. Mr. Connolly said he reads the statutes that way correct. Mr. Moore asked Solicitor Hess if he agrees. Solicitor Hess said he has not had a chance to read the statute to have an opinion. Mr. Moore said the way the commercial and industrial portion works, the committee can approve on a case by case basis how the CRA works, correct? Mr. Connolly said that is close. He said council itself. He said commercial/industrial it is required to have a written agreement in place prior to construction starting. He said council would decided on a case by case basis based on the application filed by the property owner/developer on what they are going to invest, how many jobs they will create and why they are asking what they are asking for. Mr. Moore said his initial is no residential exclusion but after seeing addition information there are some areas that can benefit from the CRA. He said if we can cherry pick area and apply, maybe we can look at the map and see what works best. He said he also likes the idea of extending the commercial and industrial portion of the CRA to State Route 762 and maybe it would help bring commercial into the vacant buildings on State Route 762. Mr. Grassel asked if he can give an example of a remodel only. Mr. Connolly said he does not see a lot of remodeling projects but it would have to be something that would increase the value of the home. Mr. Grassel verified the exemption only applied to the remodeled area. Mr. Connolly said yes. Mr. O'Neil asked how much of the village can you do. Mr. Connolly said there are no limits.

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Solicitor Hess said Ms. Geiger did pose a question to him. He praised council and administration for the work they have done over the past couple of weeks. He said we are a statutory village and our rules are set by the Ohio Revised Code. Council makes the legislative decisions and sometimes it is often forgot the mayor is part of council, he is not a voting member unless there is a tie. He said council sets the rules and the mayor does the day to day work to implement the rules. He said it sound clear cut but sometimes it sound clear cut. He said we are not the only village that struggles with this position. He said the CRA is a good example on how it gets divided. Council sets the rules on how it gets divided but the mayor will be the housing person. He said council has a role in it because they will review application with industrial/commercial. He said this issue comes up because of the Halloween issue. He said from past experience, there have been rules set forth that decision is to be made by the mayor and or Village administrator. He said if council wants to change that, this council can change that. He said as a rule these dispute come from a desire to want to make our village better.

Mr. Moore asked if the sidewalks built by Westport are concrete or blacktop. VA Crego said asphalt. Mr. O'Neil asked if we received an easement from the other property owner. Mayor Joiner said yes.

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