

**Village of Commercial Point
Council Meeting Minutes
October 1, 2018**

Mayor Joiner 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, and Mr. Moore. Mr. Townsend and Mr. Thompson were not present. Village Administrator Crego and Engineer Grosse were also in attendance.

Mr. O'Neil motioned, seconded by Mr. Grassel to approve the September 10, 2018 Council Meeting Minutes. All in favor, motion approved. Mr. O'Neil motioned, seconded by Ms. Wolfe to approve the September 17, 2018 Council Meeting Minutes. All in favor, motion approved.

Administrative Reports:

- A. Mayor- Mayor Joiner provided an update on the fence in Chestnut Commons. He said our partnership with Westport has allowed them to move the fence back.
- B. Village Engineer – Nothing to report
- C. Village Solicitor- Solicitor Hess said there are a number of pieces of legislation up for consideration. He have an overview of each legislation up for each reading. He said regarding Ordinance 2018-11, it goes back to legislation previously passed or curbside recycling. He said this is the legislation that allows Rumpke to pay a portion of those fees for members of the village. Ordinance 2018-12 is to amend the codified ordinances that puts a restriction of parking within 10 feet of a residential mailbox. He said up for third reading, Ordinance 2018-10 is the ordinance accepting the final plat for Chestnut Commons, they have asked to have this placed on hold. He said we do not have enough council present to table it, but he is asking for council not to act on this piece of legislation tonight. Mayor Joiner asked if it requires anything from them. Solicitor Hess said no, because it is at their request and they do not have enough council to vote for tabling. He said Ordinance 2018-04 will need to remain on the table because we do not have enough members to remove it. He said one issue brought to his attention and he would like councils thoughts. He said the Utilities department has a GMC crane that has become obsolete and the revised code 721.15 has a number of options that council can use to get rid of property of the village.
- D. Police Department- Chief Jordan was not present, however, Mayor Joiner reviewed a report left by Chief Jordan.
- E. Village Administrator- VA Crego distributed a third bid for snow and ice removal. He said the striping for the stop bars and cross walks is scheduled to happen a week from today. He said we do not have a date from Roesse brothers on when the pavement issues will be handled due to the weather conditions. Mayor Joiner said the covered the cost of the third bid VA Crego supplied. He said because of contracts with other places, we would not be handled first by this recent bid. Mr. O'Neil asked if it was inline with the other bids. Mayor Joiner said no, more. Mayor Joiner said \$150 per hour is an increase but compared to the others, we are getting a good deal. He asked Trustee Maynard about the brine they are going to and updated equipment. Trustee Maynard said they purchased a 2017 Kenworth and also have a 2004 International which is now equipped with a new spreader and bring system. He said the 91 International now has a wetting system tank and they have a 1200 gallon tank onsite for brine or beet juice for pretreat. He said they also have a vehicle for smaller roads. He said last year salt was \$58 a ton a year this year it is \$75.95 per ton but with the brine they will have less usage in salt and they will be able to pre-treat the roads. He said in doing this there will be less hours in man hours. Trustee Jann said they are advertising for an additional road employee. Mr. O'Neil said his complaint over the years with the township has always been the amount of time it takes to get to the village streets. He said in the past they have put minimal salt which isn't doing what it needs to on the ice. He asked if the liquid brine will help even after it has been packed, Trustee Wolfe said every vehicle has been equipped with it

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and the brine is cheaper than salt. Trustee Maynard said if you go to any jurisdiction they will tell you it is not unusual for a subdivision to go a week without treatment. He said He does not think there has been a 4-5 hour delay in the past. He said it sometimes takes 7 hours to handle Southern Point, but now they have additional trucks that can pre-treat. Trustee Wolfe said a study in Columbus shows the brine is much better.

- F. Zoning Inspector's- Not present.
- G. Fiscal Officers- FO Hastings said she does not have the financials ready because it is October 1st. She advised council that they have a white card in front of them that will be their security card to access the building. She is working to get the police officers their cards to their door. She asked them to watch their email and once the system is activated, the keys will no longer work. Mr. O'Neil asked if the number will work. FO Hasting said no, just the card. Mr. O'Neil asked if we can get the numbers also. He said the numbers are free, but the key cards cost money. Mr. O'Neil said in the event of someone losing theirs, the numbers are free. Mayor Joiner said they can discuss it later.

Legislative Reports:

- 1. Ben Townsend- Not present
- 2. Scott O'Neil- Mr. O'Neil said he was discussing with FO Hastings about the Highway fund. He said 92.5 goes into the street and 7.5 goes into State Highway. Mr. said this can be used on the state highway for signage, marking paving etc. He said if we wanted to buy the signs for the Congress and Main street crosswalk, we can use it. He said the signs are button activated and don't blink until you hit the button. He said there are two different signs, one on each side of the street facing each direction. He said they are interconnected by radio signals. He said signs, solar panel and installation is \$11,000 and change. He asked the Mayor or VA to take the quote he sent to FO Hastings and use the highway money. FO Hastings said she will need to create an operating expense or capital outlay. She said she will have a resolution for the next meeting to move the money. Mr. O'Neil said the blinking signs will catch the drivers attention. Mr. Moore asked if we are going to spend the money we should look at putting and ordinance in place that allows our officers to issue a hefty fine when they see a car blow through the crosswalk when a person is crossing or the lights are blinking. Mr. O'Neil said he thinks we should have an ordinance regarding yielding to pedestrians. Solicitor Hess said we would need to look into that. Mayor Joiner asked if we have the money to cover it. FO Hasting said we either have \$34,800 or \$38,800. Mr. O'Neil said we can do one intersection now and see how it works out. Mayor Joiner said he has seen a lot more traffic at Harsh Alley crossing at First and Scioto.
- 3. Jason Thompson- Not present
- 4. Laura Wolfe-Nothing to report
- 5. Bruce Moore-Not present
- 6. Aaron Grassel-Nothing to report

Citizen Comments:

Ms. Geiger said they have answered all of her questions and she is glad the striping is done. She said she is glad they are getting a smaller plow because West Alley does not get plowed. She asked for clarification on they getting to the village quicker. Trustee Maynard said with two smaller plows they will get out at the same time. He said ultimately they can have 5 trucks out at the same time.

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Tracey Joiner said Sunday October 14th they will have the community reduced vaccine at the Commercial Point Men's Club and this year so it will be in-doors. She said it is dogs and cats this year. She said last year they did over 150 pets. She also asked council to consider flags to put up in the center of town to honor our local heroes. She said she is active with the military veterans and would like to see some of the park funds to be put towards this. She said we just lost one of our WW2 veterans and would like to see our village honor them. Mr. O'Neil asked if we can make a more permanent type fixture at the park. He said the flags may be torn up and more permanents. Ms. Joiner said she is thinking of a specific time frame to have them up. She said she has looked at prices and if they do a memorial or monument it is extremely expensive. Ms. Joiner said her only other suggestion regarding the crosswalk is a sign in the middle of the road that states crosswalks. Trustee Jahn said it would make it difficult to plow and we need to consider the farm equipment that comes thru town. Mr. O'Neil said it would also impact the busses.

Business Items:

Mr. Christopher Connolly, Taft Firm, returned to see if Council had additional questions regarding the CRA. Mr. Moore asked who employed him. Mr. Connolly said Kenmore. He said its not unusual to have council come in and work with municipalities to help draft legislation. Mr. Moore asked for a background on Kenmore. Mr. Moore said he understands it is Lehmann Farms, but he asked what Kenmore is thinking of developing. A representative from Kenmore said right now they have not settled on anything and once they do they will touch base with VA Crego and the Mayor and present it to council. Mr. Moore said it is important information before he would consider a tax abatement. Mr. Connolly said the last time he was there he made a point that the establishment of the CRA itself does not obligate the village to do anything. He said it is just providing the toll that is there. He said if Kenmore were to develop and industrial/commercial type area, they would come back to council and negotiate an d actual agreement. Mr. Moore said he would still like an idea of what is being considered. Mr. O'Neil said he would be interested in moving forward with it because it does not obligate us to anything, but it is good to have on our books. Mayor Joiner said it is the tool that will make us competitive in the business. Trustee Jahn asked if during this meeting, what are the chances the township trustees would be able to sit in on negotiations. He said with these developments, the township will still be responsible for the emergency services. Mayor Joiner said he is open to the township being involved, Mr. Connolly said we view this as a partnership with the township and village. Mr. O'Neil said we need to get the tools in the box and when they decide to use it, then get the township involved. Mr. O'Neil asked if they need a motion to get started. Mr. Connolly said they do not have any legislation on the agenda for a little while but he is happy to start working with the solicitor. Solicitor Hess said since there is interest among council, he will bring legislation with Mr. Connolly carrying the ball on it and then they would vote on it.

Legislation:

For First 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

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PICKAWAY HIGHLAND FAYETTE SOLID WASTE MANAGEMENT DISTRICT ("DISTRICT") FOR THE 2019 AND 2020 CURBSIDE RECYCLING PROGRAM.

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. O'Neil said after the Chief brought it up a few meetings ago, he spoke with the mailman and was told they really don't have many issues and when they do, they fix it internally and it is usually resolved quickly. He said one meeting said they can stop mail services and that is what the mail carrier did, and the issue resolved itself. He said looking at this ordinance, it is very bland. He said to him that is a lot of ground to give up and there are no exceptions. FO Hastings said the exceptions are listed in the Ordinance. She said looked at Grove City's ordinance and theirs is no parking within 5 ft of a residential mailbox. Chief Jordan asked for it to be 10 ft. She said he also asked her to include the 6ft from the driveways due to other issues. She said this is just to amend to add these two items. Mr. O'Neil said that is still a lot of ground, and kills a lot of their parking. Mayor Joiner said he is against government restricting the parking. Mr. Grassel said he would like the ordinance in place to give us the avenue to solve the problem if we have to and if the post office isn't able to solve the issue then the police department can step in. He said he thinks 10ft is too much and would recommend the 5ft. Mr. O'Neil said he is concerned that there will be someone who does not care about discretion and will go around and ticket everyone for it. Mayor Joiner said that is his point, it will take someone to manage it. He said it will need to be detailed in writing. Mr. Grassel said he thinks that is something internally the police department to handle. Mr. O'Neil said if it is on the books, how can you tell a police officer not to enforce it. He said in 13 years this is the only time he had heard it is an issue. Mr. Moore asked if the 8:00-4:30 was taken from Grove City? FO Hasting said she believes so. Mr. Moore said he does not like the driveway language at all. He said it is 24 hours a days, 7 days a week. He said not for any ordinance that includes driveway language. He said mailboxes on a restricted bases at 5 ft, during a specific time frame he would not be opposed to it. Mr. O'Neil said it only enforces the mailbox law on certain streets, certain neighborhoods of the entire village. He said it will not apply to West Street because they do not have mailboxes. He said not it is not equally across town. Mr. Grassel said it being applied where there could be problems. Mayor Joiner said it is up for first read so we have time to discuss. Mr. Moore asked VA Crego how it may impact snow plowing. VA Crego said the street are narrow now that providing all service is a concern. He said as far as the postal service goes, they are not the ones complaining,

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it is the residents. He said until the residents tell them, they do not know. He said he does not know if we as a legislative body has the responsibility to protect the postal service. Ms. Wolfe asked is someone's neighbor is parking in front of the mailbox and they are not getting anything, how do we deal with it. VA Crego said there is no end to the number of laws that can be passed to resolve the situation. He said this is only his opinion. He said do we have a position we should take to ensure mail delivery? Ms. Wolfe said she is just concerned because now you have an issue between two neighbors. Mr. Grassel said if we have an ordinance in place, can alleviate most problems. VA Crego said when you pass a law how often do you have to enforce it. Mr. Grassel said very little, he said in his personal experience, he is not sure if he has ever issued a citation for that.

For Third Reading:

Ordinance 2018-10 AN ORDINANCE ACCEPTING THE FINAL PLAT OF CHESTNUT COMMONS SUBDIVISION, PHASE 4. Mayor Joiner said at their request we will not move on this. Mr. O'Neil asked if this needs to be tabled. Solicitor Hess said Mr. O'Neil looked at council rules and it does permit present members to do so. He said it takes 2/3 to pass. Mr. O'Neil motioned to table, seconded by Mr. Moore. Roll call: Mr. Moore-Yes, Ms. Wolfe-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes. All in favor, motion approved.

Resolution 24-2018 A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO AN ANNUAL CONTRACT BEGINNING DECEMBER 1, 2018 to DECEMBER 31, 2019 WITH THE SCIOTO TOWNSHIP TRUSTEES FOR SNOW REMOVAL ON THE VILLAGE STREETS. Mr. Moore motioned to remove from tabled, seconded by Ms. Wolfe. Roll call: Mr. O'Neil-Yes, Mr. Grassel-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes. All in favor, motion approved. Mr. Grassel motioned to approve ordinance, seconded by Mr. Moore. Roll Call-Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes. All in favor motion approved.

Resolution 25-2018 A RESOLUTION TO APPROVE AND SUPPORT THE DEVELOPMENT OF STATE AND U.S. BIKE ROUTES BY DESIGNATING A ROUTE TO INCLUDE SECTIONS OF BORROR ROAD, FRONT STREET, E. SCIOTO STREET AND WALKER ROAD. Mr. O'Neil motioned to approve, seconded by Mr. Moore. Roll Call-Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes. All in favor motion approved.

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On the Table:

Ordinance 2018-04 AN ORDINANCE ACCEPTING THE PLAT OF WALKER POINTE SUBDIVISION, SECTION III, PHASE C. Mayor Joiner said he has gone over and taken photographs and walked the area. He said the first pond there was never anything stating there should be a concrete basin. He said the water is channeling fine through there, the HOA does take care of it. He said he sees no reason to hold them up. Mr. O'Neil asked if he is looking at the right pond. Mayor Joiner said he walked the one by his house. Mr. O'Neil said that was the one that lays wet. Mayor Joiner said that is what it is designed to. He said its no different than the grass retaining pond behind the school. He said putting in a concrete basin was never in the plans, but it is something the HOA can do. Mr. O'Neil said there were no plans for the one at Yukon and Walker either but from his understanding from the prior meeting, VA Crego spoke with them and negotiated to have them restore them. VA Crego said he negotiated with them to restore the ponds, not upgrade. He said Mr. Conie volunteered and went above and beyond on the one in the front. Mayor Joiner said it is not our place as a legislative body to hold up a private company and force them to make improvements on something they are not required. He said it is his request to council to remove this off the table. He said he does not want to hold up construction for the pond situation. Mr. O'Neil said they way it was presented and the way VE Grosse understood is all the ponds were going to be touched and corrected. He said they all still not have been completed. VE Grosse said he did a walk thru and a few things came up after the last discussion. He said the contract says all ponds in all phases will be reconstructed, cleaned up so they can function as originally designed. He said he looked at the pond behind his house and his concern is the cure could be worse than the pain. He is concerned if they send a bunch of machinery down, it will get stuck. He said it seems to be draining. He said because of some of the flat parts, some areas will stay wet, but it does flow. He said he would recommend, we have a bond. He would like to put this off and deal with it in the Spring. He said the seeding has taken well to the ponds. He said other than the last bond, they have done everything they have been asked to do. He would recommend setting this part aside. He said they did give us another bond for the platy. He would recommend the plat be taken off the table and voted on and deal with the other in the Spring. He said it will eventually have to

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become an HOA issue. He said once we accept the plat and the subdivision improvements are accepted, then we go into a 1 year maintenance bond where he has to maintain that subdivision at least a year. He said we have a lot of things protecting us. Utility Superintendent Thompson said they had a few maintenance items to do and they have taken care of everything with the exception of two small items, which they are waiting on parts for. Ms. Wolfe said at the last meeting they had only worked on one pond. Mr. O'Neil said one does not need anything, they did a second one and a third one they left. Mr. Moore asked VE Grosse if he believed something in the contract that has not been done. VE Grosse said the pond they are discussing, they have not done anything on that because the machinery will create havoc right now. He said it is functioning properly and does not have cat tails growing and is being maintained by HOA as far as mowing. He said that pond is in good shape. He thinks because we have the bond for another year we can watch and make sure it continues to function. Mr. Moore said that is why he is asking if under the original terms of the agreement they were responsible for anything to do with that pond. VE Grosse said when the agreement was drafted they put all phases so we were covered. He said they made sure it specially said ponds in all phases. He said they were not saying each pond had issues, just looked at. He said in his opinion they were all looked and have taken care of the two ponds that really had issues. He said he feels they have fulfilled what we wanted them to do, but as a cushion we have the bond to go back on before they hand the keys over to the HOA. Ms. Wolfe asked if the front pond was the one the were concerned with. Mayor Joiner said he would like to see this removed from the table. Mr. Moore motioned, seconded by Mr. Grassel. Roll Call: Mr. O'Neil-No, Mr. Grassel-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes. Motion passed. Ms. Wolfe verified that we have the bond in the event we have issues, VE Grosse said yes we have a \$50,000 bond. Mr. Grassel motioned to approve, seconded by Ms. Wolfe. Roll Call Ms. Wolfe-Yes, Mr. Grassel-Yes, Mr. Moore-Yes, Mr. O'Neil-No. Solicitor Hess said we have a tie, so the Mayor has to vote. He said it has to go to all members at this point. Mayor Joiner voted yes. Motion passed.

Additional Items:

Utility Superintendent Thompson asked for discussion on the crane truck. He said the utility department previously had purchased a 1984 GMC. He said it has not had insurance on it since 2012 and is not road worthy. He said the crane had never been inspected. He said he would like to do away with it. He said in his opinion it is scrap value. He would like to dispose of it. Mayor Joiner asked if it could be sold. US Thompson said anything could be sold but its more for tinkering.

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Solicitor Hess said he would like it to be brought before council to vote on what to do with it. He said we need to know from council should it be sold for scrap or community auction. Mr. O'Neil said to draw an ordinance up for scrap. Mr. Moore agreed. US Thompson said his concern is, if we scrap it, we will have to pay to have it towed. Mr. O'Neil thinks they could get a couple thousand in scrap.

Ms. Blevins asked for the status of the signs for the Jake Brake? VA Crego contacted ODOT because they have to put the signs up for the state route about a month ago and he has not received a callback yet. Ms. Blevins asked if we have followed up with them. VA Crego said he has not.

Mr. O'Neil asked VA Crego about a street on one side that has hydrants on one side and mailboxes on another, and asked for a location. VA Crego said Chestnut, Chestnut Estates and Walker Pointe is like that on three streets. Mr. O'Neil asked about the no parking signs on Chestnut Commons and to have them removed. He said it is big enough to have parking on both sides. Mayor Joiner said the major concerns are on the curves and you can not get emergency equipment through there if there is parking. He said he would like to see council consider yellow curbing in all developments to prevent people from parking there because it is a safety hazard. Mr. O'Neil asked if the township has ever torn up any cars on the curb? Trustee Maynard said it is practical sense, but he would always error on the side of caution when you bring a vehicle the size of the firetrucks. He said there are curbs that he absolutely would not take the international through. He feels this issue is more prevalent than parking in front of a mailbox. Mr. O'Neil said he would be open if someone can show him in certain areas where we need to do yellow curbing. He said maybe we should consider changing our zoning book to make the streets larger. Mr. Grassel asked if the fire department has any input into this issue as far as which street are problems. Trustee Maynard said he does not think anyone has ever come and raised the question to the Fire Department. Mayor Joiner said he believes Chief Jordan did speak to Chief Welch about. He believes that is why the signs were placed on Rosewood. He said the signs on the main street was never requested by us.

Ms. Wolfe 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