

**Village of Commercial Point
Council Meeting Minutes
September 10, 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, Mr. Thompson, Mr. Townsend and Mr. Moore. Village Administrator Crego and Solicitor Hess were in attendance. Engineer Grosse was not present.

Mr. Moore motioned, seconded by Mr. Thompson to approve the August 20th, 2018 Council Meeting Minutes. All in favor, motion approved.

Administrative Reports:

- A. Mayor-.Mayor Joiner covered the Mayor's Court report.
- B. Village Engineer – Not present however, Fiscal Officer Hastings said he asked her to pass along information. She said with regards to Walker Pointe, with the bond in hand, he would recommend the plat be approved. He said they have prepared a punch list and the items on it are far less than the \$50,000 bond. She said we would have to remove it from the table and do the vote. She said he told her they are still working on phase 4 of Chestnut Commons but would recommend having the first reading of the plat and then based on staff input he recommends having the second reading for the pre-annexation agreement for Scioto Crossing.
- C. Village Solicitor- Solicitor Hess said there are a number of items up for first read. He said we have an ordinance up to accept the final plat for a subdivision of Chestnut Commons Phase 4 and we have representatives here if there are questions. He discussed Resolution 22-2018 moving money for dues and fees in reference to the Health Department. He said Resolution 23-2018 is one that has been requested that we join other communities in recognizing October as National Breast Cancer Month. He discussed Resolution 24-2018 and 25-2018 which is designating a bike route as well as 26-2018. He discussed second reading for Ordinance 2018-08 which is the Pre-Annexation Agreement with Westport Homes. He again confirmed that Pre-Annexation does not bind us to anything in the agreement, we will work towards and agreement. He said for third reading Ordinance 2018-04 which is tabled, the accepting of the Plat of Walker Pointe. He said if they want to address it, it will require a motion and a vote to remove it from the table.
- D. Police Department- Not Present
- E. Village Administrator- VA Crego said he was asked to look at two street projects, Walker Road and Bellshazzar. He said Engineer Grosse said they are asking for due diligence reports from one of our Engineering Firms, Sands Decker. He said they will do a preliminary run to give us an idea for those streets. He said council each has a copy of the information he was provided for the snow and ice removal program from the township. He said it is more than before but in the years past we have been the beneficiaries of some great deals. He said the township has 49 miles of roadway to take care of and have purchased a new piece of equipment to take care of that. He said after the figure he has contacted one independent contractor and he will contact others for bids and estimates. He said he has one back so far, but he has a few questions before he will present it. He said the resolution regarding the bike path, the Ohio Department of Transportation has designated State bike route 47 that goes from Delaware to West Portsmouth, which comes through town. He said it cost us nothing. He said there is nothing we have to do, they are just required to have a resolution. He said the Planning and Zoning Board Commission will begin its monthly meetings beginning the 4th Monday of each month at 7:00pm in the current meeting room. He said this board was created as a result of the passing of the new zoning code and they are still working on odds and ends. He said the first meeting will be more organizational and election of officers. He said the required meeting will begin in January. He said he continues to attend ODOT

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- meetings and other meetings as they come up. He said the sidewalk expansion will begin next week at West Scioto Green and they will look at 2019 Sidewalk projects. Ms. Wolfe asked how many street miles we have to take care of. VA Crego said 12.5 miles in the village. Ms. Wolfe asked for an updated on the crosswalk painting. VA Crego said he has had to contact another contractor because the other contractor keeps pushing it later. Mr. Grassel asked regarding the bike route, if the level of special events will impact the police department of traffic flows. VA Crego said no, nothing in the paperwork indicated this, but for many years they have used it which is why he feels they have asked for this to be done this way. Mr. O'Neil asked if they are paying for the signs or are their signs associated with it. VA Crego said there are no cost involved.
- F. Zoning Inspector's- ZI McCoskey said the new Zoning code is in effect and know there will be a few glitches but we will handle as we go along.
- G. Fiscal Officers- FO Hastings said RITA has sent out 270 subpoenas for village residents who have failed to file. She said they will be here on September 28th from 8:00-5:00pm. In the subpoena it advised residents to bring their W-2's and come meet with them to discuss. She said she had a meeting last week with Rumpke and the \$3.01 per customer is paid annually, which she was not aware of. She said she will need to do a transfer from the General fund to the Garbage Fund. She said the Audit is complete and the Auditors would like to know if Council would like a post audit meeting. This is not open to the public, and would be held before the council meeting. She needs a yes or no. Council will receive all of the information via email. Mr. Grassel asked if they can get the report prior to them making a decision. FO Hastings said yes, she can forward that to them. Fund Status as of 8/31/2018: General \$1,759,201.40, Street Construction Maint. & Repair \$278,621.46, State Highway \$38,146.44, Parks & Recreation \$3,033.57, Permissive Motor Vehicle License Tax \$7,735.16, Enforcement & Education \$1,957.00, Ohio Peace Off Education & Training \$4,380.00, Housing Developments \$102,662.76, Other Capital Projects \$400,000.00, Water Operating \$2,289,676.57, Sewer Operating \$2,871,622.47, Garbage Operating \$30,174.23. Major Joiner asked for an update on the OPT Out report. FO Hastings said about 90 people, but we are just starting to receive them and they have until November 1st to return them. Mr. O'Neil asked if some of the state highway money can be asked to fix the intersections where the crosswalks are located. FO Hastings said on State Route 762. Mr. O'Neil asked if we can replaced the signs in the state route and Congress. FO Hastings said she thought they had to be done by ODOT, but they would have to check. Major Joiner said when he contacted the Pickaway County Garage regarding speed limits they were adamant about them taking tare of all signage on all state routes. Mr. O'Neil said they did that when they placed the red flashing stop signs and they didn't care, but we had to cover the cost. Mr. O'Neil said the reason he asked is he called Paul Peterson for some different style crosswalk signs and for each intersection it is \$11,000 for both so he was wondering if we can use state highway money towards that. Mr. Thompson asked how we accumulate it. FO Hastings said gasoline excise tax.

Legislative Reports:

1. Ben Townsend- Nothing to report
2. Scott O'Neil- Nothing to report
3. Jason Thompson- Nothing to report
4. Laura Wolfe-Nothing to report
5. Bruce Moore-Nothing to report
6. Aaron Grassel-Nothing to report

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Citizen Comments:

No comments

Business Items:

- A. Snow and Ice Removal Contract: Mr. Grassel said he would personally like to see it tabled until they can see the other options. Mr. O'Neil made a motion, seconded by Mr. Thompson to send it out for bid. Solicitor Hess said there is nothing indicating that legally we need to send it out for bid if it is under \$50,000. Mr. O'Neil said we don't know what it will cost. FO Hastings said this is only for the end of this year. She said anything for next year will be done separate. Mr. O'Neil said it doesn't change the fact the cost has doubled. He would feel safer sending out for bid. Mayor Joiner said he would like to suggest letting VA Crego complete his due diligence and getting some contract information to get some baseline comparisons. Mr. O'Neil asked if that is possible to do in a week. Solicitor Hess said he feels a week is a good time frame. Mr. Thompson asked if there was any indication as to why the price had doubled. Mayor Joiner said no. Mr. Thompson said if it was a private company he couple understand but he feels \$150 is too much, but when talking the township they should not be a for profit entity. He said he does not expect them to do anything for free but this is money making venture for them. Mayor Joiner said he knows they have expensed new equipment and moving to a brine mixture. Mr. O'Neil said we are still last on the list but maybe if we were first on the list paying that kind of money, maybe it would be worth that kind of money. Mr. Thompson said it bothers him because they did at such a late date. He feels the timing was bad and you would think with this being on the agenda there would have been a trustee or two here. Mr. Moore asked if there was a timeframe that we have to accept the township contract then it expires. Solicitor Hess said he does not see a date. Mr. Moore said if we do a less formal bidding process would we still have the option to go back to the township vs the more formal process would we lose the township? Solicitor Hess said they could withdrawal the agreement when they choose. She said we are in an active contract with them right now until December 1st at \$65 per hour. Mr. O'Neil asked if another municipality would be interested in doing ours. Mr. Thompson said they would do theirs first. He said the township would be the best option but it seems like a money grab. Mayor Joiner asked if we could ask for an itemized list. Solicitor Hess said he and VA Crego need to discuss it. Mr. Thompson said he prefers the township but it is not smart to not look at other options with a 100% increase. Mr. O'Neil said he would like to rescind his motion.

Legislation:

For First Reading:

Ordinance 2018-10 AN ORDINANCE ACCEPTING THE FINAL PLAT OF CHESTNUT COMMONS SUBDIVISION, PHASE 4.

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Resolution 22-2018 A RESOLUTION TO RATIFY THE REALIGNMENT OF MONIES WITHIN THE GENERAL FUND FROM THE TRANSFERS OUT FUND 1000-910-910 AND TRANSFER IT TO THE DUES AND FEES FUND 1000-210-391. Mr. Townsend motioned, seconded by Mr. O'Neil to approve. Roll Call: Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. Townsend-Yes. All in favor, motion approved.

Resolution 23-2018 A RESOLUTION JOINING COMMUNITIES THROUGHOUT THE NATION IN PROCLAIMING OCTOBER AS NATIONAL BREAST CANCER AWARENESS MONTH. Mr. O'Neil motioned, seconded by Mr. Moore to suspend the readings. Roll Call: Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. Townsend-Yes. All in favor, motion approved. Mr. O'Neil motioned, seconded by Mr. Moore to approve. Roll Call: Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. Townsend-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, seconded by Mr. Thompson to table: Roll Call: Mr. O'Neil-No, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. Townsend-Yes. Motion approved.

Resolution 25-2018 A RESOLUTION TO APPROVE AND SUPPORT THE DEVELOPMENT OF STATE AND US BIKE ROUTES BY DESIGNATING A ROUTE TO INCLUDE SECTIONS OF BORROR ROAD, FRONT STREET, E. SCIOTO STREET AND WALKER ROAD

Resolution 26-2018 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. Mr. O'Neil motioned, seconded by Mr. Townsend to approve. Roll Call: Mr. O'Neil-Yes, Ms. Wolfe-Yes, Mr. Moore-Yes, Mr. Grassel-Yes, Mr. Thompson-Yes, Mr. Townsend-Yes. All in favor, motion approved.

For Second 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

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WESTPORT HOMES OF OHIO, INC. Mr. O'Neil said his question is regarding the wording of sharing the cost. He does not know what that means. Solicitor Hess said he and VA Crego has emails going back and forth on that language. VA Crego said the lawyers response interest that is we will not do anything to hold up their process. FO Hastings said she has the email from Molly and it states "There are no cost that the village is being obligated to at this time, we just include that language to show that the parties will cooperate on determining that lots can be served with sanitary and sewer". Mr. O'Neil said it sounds like we will work cooperatively with improvement and cost. Solicitor Hess said he can contact Molly regarding wording. He confirmed that the pre-annexation does not bind us to anything but he does understand his concern. Mr. O'Neil asked if we are good space wise for improvements. Utility Superintendent Thompson said yes.


For Third Reading:

Ordinance 2018-04 AN ORDINANCE ACCEPTING THE PLAT OF WALKER POINTE SUBDIVISION, SECTION III, PHASE C. Solicitor Hess said this has been previously tabled so in order to move on it they would need to motion and second with a roll call to remove from the table and then move forward. Mr. Thompson motioned, seconded by Ms. Wolfe to remove from the table. Mr. O'Neil asked for discussion before removing from the table. He asked if the Engineers are ready move forward. He said they have secured the bonds but they have not touched the ponds. Mayor Joiner said it has been too wet. Mr. O'Neil said he agrees but when it was dry they had not done anything to it. Mayor Joiner said the one upfront they poured the concrete. Mr. O'Neil said the others look terrible. He thinks we should wait a week. Mr. Thompson asked when all the ponds will be done. VA Crego said the other ponds were not included in the agreement. VA Crego said this property belongs to the HOA and the HOA has done nothing to maintain it since day 1. He said at what point are we obligated to it. Mr. Thompson asked if with the new zoning code can't we force them to take care of it. VA Crego said yes, we can sue the HOA. He said then they can sue their members that don't pay. He said it is not the villages fault. Mr. Thompson asked if they said they would take care of the one in the front. VA Crego said he negotiated to have that pond out front taken care of because the drainage from this part in C3 those homes go directly into those ponds. Mayor Joiner said they have a motion and a second to remove it from the table. Roll Call: Mr. Moore-No, Mr. Thompson-No, Ms. Wolfe-No, Mr. Townsend-Yes, Mr. Grassel-Yes, Mr. O'Neil-No. Remains tabled.

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Additional Items:

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



Gary Joiner, Mayor



Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant