

**Village of Commercial Point
Council Meeting Minutes
August 19, 2019**

Mayor Joiner called the meeting to order, followed by the Pledge of Allegiance. FO Hastings took roll call with the following members present: Mr. Townsend, Ms. Wolfe, Mr. O'Neil, Mr. Thompson, Mr. Grassel and Mr. Moore.

Mr. Thompson motioned, seconded by Mr. O'Neil to approve the August 5, 2019 Regular Meeting Minutes. All in favor, motion approved.

Administrative Reports:

- A. Mayor- Nothing to report
- B. Village Engineer- VE Grosse said the Chestnut Commons phase 3 & 4 punch list is being finalized. He said the developers are addressing those comments. He said once completed they are asking for a pre-construction meeting for Scioto Crossing for phase 1 to start the sanitary sewer. He said staff has the RFQ's down to three and is currently reviewing those. He said once they decide to interview them they will ask for a council member to be involved for the interviews. He said the WTP plan continues to move along at 90%, they are just waiting for the EPA. He said they are still on track for a bid in October. Utility Superintendent Thompson addressed the new wellfield project. He said they are using the new wells. He said the water tower at Southern Point is being filled. He also thanked everyone for helping to conserve water. Mayor Joiner thanked US Thompson and his team for doing an excellent job.
- C. Village Solicitor- VS Shamp discussed the proposed ordinance on raising the fees on the housing and building codes. He had a revised copy distributed to council. He said they included single/multi-family and commercial structures and changed it from a flat fee to \$.35 per square foot, minimum \$500 and maximum of \$7500. He said he found out Circleville handles the building permits so we would not have been aware when one happened so we would not have know to collect the fee in the past. He said he is assuming we may need to place this in the zoning code. Mayor Joiner asked if this is pretty standard operating procedure as far as municipalities going to charging per square foot. VS Shamp said he hasn't worked with a lot or seen many that have the parks fees on it, but it seems reasonable to him. He said the village just has to assess to see if it will scare away any developers. Mr. O'Neil said if we are going to have it, he agrees it should be added to the zoning side. VS Shamp suggested we repeal the existing 142204 and get it out of our code and add a new code to zoning.
- D. Police Department- Chief Jordan advised he will email the report to everyone. He covered the July report. He said last week he and officer Kelly completed a less lethal launcher training. He said the equipment in regards to the duty holsters and pistols are in. He said with OFC Kelly returning from military, they can schedule in September and October where each officer will go through 2 days of training with the new weapon and equipment. Mayor Joiner asked if there are standards for backup weapons. Chief Jordan said we do not issue them but they are in the policy.
- E. Village Administrator- VA Crego discussed the Charter Gov't again and how we would like to start the process next year. He said we need 15 people to serve on the board but look for 20-25 people to run. He said he has distributed his business cards to council and if they identify people who may be interested to send a note to him and he will contact them and explain the process. He said the water usage is better but then at the booster station and Chestnut over the weekend usage went up again. He said he is asking to please do what you can to conserve water. He said he has been talking to an engineer about getting a concept plan put together for the Belshazzar project, but does not have anything ready yet.
- F. Zoning Inspector- Nothing to report
- G. Fiscal Officer-Nothing to report

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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

Citizen Comments:

Ms. Becky Blevins addressed council, the audience and those watching online. She discussed various concerns regarding the agenda item regarding Golf Carts and council actions regarding that. She also addressed concerns of an Officer and council member specifically ticketing her if she is on the golf cart. She also addressed council coming to meetings not prepared as well as specific council behavior towards her while addressing the solicitor. She discussed concerns that she is being targeted and harassed. She said we have some unethical police and unethical council members, but we also have ethical police and ethical council members. She reminded that there are 2 open council seats coming up and citizens should do their homework and vote for ethical members as well as members that will represent all of the village.

Ms. Nancy Geiger addressed council. She advised it was unfortunate she could not run for council since there was an error but in 2 years she will run, but in the meantime she will remain a part of the community. She discussed things that have been done throughout the 4 years that some have been a council member. She said she believes it is time for council to start doing things for the better of the village or community. She said she felt in the previous meeting the way Mr. O'Neil spoke to Ms. Blevins was unacceptable and a resident should not be spoken to like that. She said she feels we should slow the growth. She said she knows growth is inevitable but it is too fast.

Mr. O'Neil said people want to talk about the pond in Walker Point. He said as it stands, if the village does not own it, only people in Walker Point will be able to utilize the green space. He said they have been pushing for the village to own it so anyone in the village could use it.

Legislation:

For First Reading:

Resolution 35-2019 A RESOLUTION TO TRANSFER MONIES WITHIN THE GENERAL FUND FROM THE TRANSFERS OUT ACCOUNT 1000-910-910 AND TRANSFER SAID MONIES TO THE STREETS, HIGHWAYS, CURBS AND SIDEWALKS ACCOUNT 1000-670-396. FO Hastings explained this was something Mayor Joiner asked her to put on the agenda for tonight. She said it is for a walk path that goes along Welch Road to connect Chestnut Estates to Pettit's. Mr. Townsend motioned seconded by Mr. Thompson. Mr. O'Neil asked for discussion. He understands where it will be placed and where it connects, how far North and how far South. Mayor Joiner said it

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will mimic the path on State Route 762. He said it will run from Pettit's and connect to the Chestnut Estates Drive sidewalk. Mr. O'Neil verified that it will connect onto Pettit's property to the driveway. Mayor Joiner confirmed. Mr. O'Neil asked if he felt this is money well spent or should we put in a walk path going East from Pettit's towards the township building to try and connect the village to Pettit's. He said we are providing a second path to Pettit's for Chestnut Estates. Mayor Joiner said you need to look at all of Chestnut Estates. He said the current path that services the back section and they need one for the front section. He said they do not have the funds to go across to the new Chestnut Commons area. Mayor Joiner said they need to first complete the project and then move towards the village next year. Mr. Moore said there has already been walk path put in for safe passage. He said it may not be convenient but it is a safe passage. He asked VA Crego if the submittal to ODOT for grant funding included this? VA Crego said no, not specifically. Mr. Moore said they have a safe path to get to Pettit's but there are a lot of people from the village who do not have a safe path to get to Pettit's. He said although we do not have the funds today, perhaps we should keep the funds in reserve for next year. Roll Call: Ms. Wolfe-No, Mr. Grassel-No, Mr. O'Neil-No, Mr. Townsend-Yes, Mr. Thompson-No, Mr. Moore-No. Motion failed.

For Second Reading:

Ordinance 2019-11 AN ORDINANCE APPROVING THE ANNEXATION OF 57.16+/- ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND AMENDING THE ZONING MAP

For Third Reading:

Tabled Items:

Ordinance 2019-09 AN ORDINANCE SPECIFYING THE REQUIREMENTS FOR THE OPERATION OF AN UNDER-SPEED/ UTILITY VEHICLE IN THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, OHIO. Mr. Grassel motioned to remove from the table, seconded by Mr. Thompson. Roll Call: Ms. Wolfe-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Mr. Townsend-Yes, Mr. Thompson-Yes, Mr. Moore-Yes. All in favor, motion approved. Mr. Moore asked VS Shamp for point of verification if this specifically allows all golf carts to be on the road or only one's with a certain speed. VS Shamp said it mimics the code. He

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said his statement on June 17th was wrong about golf carts. He said it remains his opinion that the Ohio Revised Code is focused on the speed of the vehicle. He said also wanted to clarify that his opinion in the last meeting was not that a golf cart could be driven on the road but a vehicle that can travel more than 20 MPH and happens to look like a golf cart, it can be driven on the road. He said this mimics the code and permits under speed vehicles. He said it means vehicles that can travel up to 20 MPH, including golf carts. Mr. Moore confirmed as the code is written, if they do nothing it only affects those vehicles under 20 MPH that the code does not automatically grant the privilege to be on the road. VS Shamp said yes, that remains his opinion. He said low speed vehicles defined as from over 20-25 MPH remain able to drive on the road without a local ordinance, but it still has to be licensed. Mr. O'Neil confirmed that 25 MPH and above is a regular vehicle and 20-25 MPH is low speed, with a license can be driven, golf carts and anything under cannot unless they pass the ordinance. VS Shamp said vehicles under 20 MPH cannot unless the ordinance is passed. Mr. O'Neil said that includes, according to the state reading, golf carts. VS Shamp said as the attorney for the village he is focused on the objective standards in the statute and those are not, if it travels over 20 MPH to him that is a low speed vehicle. Mr. Thompson motioned, seconded by Ms. Wolfe to approve. Ms. Wolfe-Yes, Mr. Grassel-No, Mr. O'Neil-No, Mr. Townsend-Yes, Mr. Thompson-No, Mr. Moore-No. Motion failed. VS Shamp said this failed but it remains his opinion that any vehicle that can't exceed 20 MPH can not be driven on the road legally. If it exceeds 20 MPH, it remains his legal opinion it is a low speed. Mr. O'Neil said unless it is designated by the state as a golf cart. Mr. O'Neil said they had a citizen that was adamant it was registered by the state as a golf cart. VS Shamp said if it is cited he is happy to take it through the court process.

Ordinance 2019-10 AN ORDINANCE ADOPTING THE EXISTING ZONING FOR PARCEL NUMBER L2700010054400 COMPRISED OF 34.026 ACRES ON DURRETT RD ("THE PROPERTY") AND DECLARING AN EMERGENCY. Mr. Moore motioned, seconded by Mr. Thompson to remove from the table. Roll Call: Ms. Wolfe-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Mr. Townsend-Yes, Mr. Thompson-Yes, Mr. Moore-Yes. All in favor, motion passed Mr. Thompson motioned to approve, seconded by Mr. O'Neil. Roll Call: Ms. Wolfe-Yes, Mr. Grassel-Yes, Mr. O'Neil-Yes, Mr. Townsend-Yes, Mr. Thompson-Yes, Mr. Moore-Yes. All in favor, motion passed.

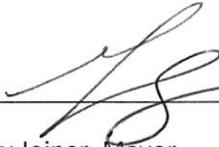
Additional Items

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Ms. Geiger asked if she could clarify something she said. She stated she did not mean to say he wanted the pond just for them. She asked if they have thought about traffic, parking, increased trash, who will maintain it? She just wants to make sure those things are thought of because nothing like this has been discussed to put something like this in other developments.

Ms. Blevins asked how they are going to get the word out to those who currently drive a golf cart in the village that they no longer can. She said it is not fair if they get a ticket when they don't know. VS Shamp said he would encourage a 2-3 week grace period to warn them. Ms. Blevins asked who will check the speed.

Mr. O'Neil 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