

**Village of Commercial Point
Council Meeting Minutes
March 18, 2019**

Mayor Joiner called the meeting to order, followed by the Pledge of Allegiance. Fiscal Officer Hastings took roll call with the following members present: Mr. Thompson, Mr. Townsend, Ms. Wolfe and Mr. O'Neil. Mr. Moore and Mr. Grassel were not present.

Mr. O'Neil motioned seconded by Mr. Thompson to approve the February 25, 2019 Meeting Minutes. All in favor, motion passed. Mr. Thompson motioned, seconded by Mr. O'Neil to approve the March 4, 2019 Meeting Minutes. All in favor, motion passed.

Administrative Reports:

- A. Mayor- Mayor Joiner covered the Mayor's court report. He thanked everyone for their continued support.
- B. Village Engineer-Not present
- C. Village Solicitor- Mr. Davisson said he addresses the committee tomorrow on House bill 27, which is when municipal employees drive municipal vehicles they are held to a standard of negligence. He said with police, firefighters and EMS there is a different standard called Willful and Wanton. It means if they are responding to a village call, they have to do something willful in order for the village to be responsible. He said House bill 27 changes it to negligence for Police. He said as an example, if the police are on their way to a call and they do anything negligent, the village is responsible for it.
- D. Police Department- Chief Jordan covered the February report. He said he is not in support of House bill 27. He said if it turns into law, he would have to evaluate if they should respond to emergency calls. Mr. Davisson said if you are in pursuit of someone who breaks the law, they are covered by the old law. Mr. O'Neil said if the council does not support the change in law should they consider a resolution to send to the local parties. Mr. Davisson said yes, it doesn't have to happen tomorrow but they should reach out to their state representatives. He said tomorrow will not be the end of it, it is just a committee hearing.
- E. Village Administrator-Nothing to report
- F. Zoning Inspector- Nothing to report
- G. Fiscal Officer- FO Hastings said each council person has in front of them a map that goes along with Resolution 16-2019 and Ordinance 2019-04, the Struckman property. She said they also received a letter from the Board of Elections stating this office will no longer a voting place. Everyone will now vote at the Baptist Church on Welch Road. She said they have a letter from P3 inviting them to one of their get togethers to cover everything that happened in 2018. She said Molly Gwin would not be able to attend, however, Terry Andrews is here if there are questions. She said there is a piece of legislation coming up for April 1st. She said Chris Connolly is here regarding Resolution 17-2019, the confirming of the CRA resolution. She said she has no answers said Mr. Connolly brought this to her. She covered the Fund Status as of 2/28/2019. General \$1,791,428.66, Street Construction, Maint & Repair \$272,976.65, State Hwy \$19,438.81, Parks & Recreation \$3033.57, Permissive Motor Vehicle License Tax \$7841.88, Enforcement & Education \$1789.39, Oh Peace Off Educ & Training \$4380.00, Housing Developments \$38,572.39, Other Capital Projects \$382,462.13, Water Operating \$2,415,436.26, Sewer Operating \$3,055,651.42 and Garbage Operating \$1,717.28. Mr. O'Neil said the BOE talks about two precincts. FO Hastings said yes it is divided into two precincts, but everyone will go to the church to vote.

Legislative Reports:

- 1. Ben Townsend- Nothing to report

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2. Scott O'Neil- Mr. O'Neil asked if the card reader is operational. FO Hastings said yes. She said everyone will keep their keys because we do not know how it will react in a power outage, however Chief Jordan said he believes if there is an outage we have about a 7 hour window. Mr. O'Neil asked about the inventory of Corporation Limit signs. FO Hastings said they have not looked. Chief Jordan said he has not been to the garage lately but he can go look. Utility Superintendent Thompson said he does not know how many we need. Mr. O'Neil said he can think of at least 6. He also asked if the administration has discussed water capacity, future usage with some of the growth. Mayor Joiner said it is something they discuss at length. He said they are finishing the plans on the water plant expansion. Utility Superintendent Thompson said they should be ready to bid in October. Mayor Joiner said they will take a proactive approach to have developers pay prior to building. He said we will not build something in hopes that they will come. Mr. O'Neil said he feels we are in a catch 22, he said he knows we have to start on the engineering and need to move forward. However he hears we do not have enough money to pay the loan payments. Mayor Joiner said as we stand now, correct. Mr. O'Neil is concerned about putting the cart before the horse. Mayor Joiner said we know the growth is coming. Mr. Davisson said we can't enter into something we do not have the money for. He said as example, we bid and receive the bids back. He said if we get to the point where we do not have the sufficient money, the law will not allow us to go forward. He said the prepayment of tap fees is pretty common. He said the real challenge for us is how fast it goes. Mr. O'Neil said he is worried that if we have a lot of capacity and we were doing the annexations and someone prepays, then go ahead. His worry is we give out a lot of pre-annexation agreements, but even if we collect the money upfront, we can make the plant bigger overnight. He said he does not want to be overextended. Mayor Joiner said it is their job to make sure those things do not happen. He said some communities around them have over extended and now those residents are stuck paying a \$160 water bill and that will not happen on his watch. Mayor Joiner said he worries that those who already live here should never have to feel the burden of those wanting to live here. Utility Superintendent Thompson said it is built into the pre-annexation agreement that they have to wait if it ever comes a times for shortage on capacity. Mayor Joiner said the office is open and anyone can come in to ask questions or clarification on questions.
3. Jason Thompson- Nothing report
4. Laura Wolfe-Nothing to report
5. Bruce Moore- Not present
6. Aaron Grassel-Not present

Citizen Comments

Ms. Geiger asked if Lexipol has been updated and distributed. Chief Jordan said it has been transitioned back and there are a couple small things needs corrected and it is being issued out to the officers. He said there are a couple more things that go along with it that they are still working on. Ms. Geiger asked about the GPS system and a timeline. Chief Jordan said they received quotes and he has been working with FO Hastings because neither on could figure them out. He said he knows they reached out to one provider. She said in the last meeting, phase 4 WP, Mr. Thompson wanted a fishing pond. She said he called it a village fishing hole but really it will be Walker Point fishing hole. She asked if the HOA would allow this because of liability. Mr. Thompson said it would not be HOA property, he said they would aim for it to be village property. Ms. Geiger said as a citizen she does not like to have the liability and it would increase the traffic in Walker Point. She said there will be increased trash and maintenance. She said she knows half of council lives in Walker Point and they only mentioned wanting a fishing hole in Walker Point. Mr. Thompson said that is the only pond going in and the other developers aren't to that point yet. Mr. Thompson said he has spoken extensively with Mr. Davisson about it. She said she would like to see is more care to the old village. She said

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the current lights we have are dim. Mayor Joiner said for the budget they have to do plans ahead of time. He said they do have plans for the center of town. She said that is good, but not just the center of town, the whole town. She said a lot of people like to take walks at night and lighting is not good. She said she appreciates VA Crego looking in to the grant for the walking path. She said Mr. Moore is not present tonight, but about 6 months ago he said he wanted to work on grants but she has not heard any updates on that. Mr. Davisson said the village has immunity of operation of a pond. He said in respect to the light poles, they are expensive but he should make sure they are consistent and look at LED.

Mr. Chad Morrison addressed council. He stated that he lives on Durrett Road. He said he is there on behalf of a lot of people who live on Durrett with concern of the fast growth. He said his concern is the traffic patterns. He said with the increase of traffic you will need more police. He said the Fire Dept is falling apart. He said when it rains, their roof leaks and their beds are wet when it rains. He said you will need additional fire fighters. He said taxes will be an issue and the school capacity. He knows the growth will not happen overnight but it is still a concern. Mayor Joiner said he understands, but you can't stop people from selling their land. He said you have to work in partnership and have solid people around you to make good informed decisions. Mayor Joiner discussed the growth in Columbus. He said they do not want to be a part of Columbus. Mr. O'Neil said we cannot control a lot of the growth, if we do, Columbus will take it in. Mayor Joiner said they do not have control over the fire department. Trustee Wolfe said the leak was fixed the next day.

Business Items:

Mr. Terry Andrews of Westport Homes addressed council. He said they have been working on Scioto Crossings property for about a year or better. He said he wanted to discuss the plan. He said the original zoning was in the township and was zoned for 205 lots. He said on their current plan they have a lot more open spaces and have reduced the lots to approx.. 190. He said the lots are about the same size of the lots in Chestnut Commons. He said they will annex in two pieces. He said they are annexing property on the East side first. He said they have discussed utilities with administration. He said they will be paying for improvements to the water system as well as the lift station. He said the original plan had no walking paths but they have introduced several paths plus the sidewalks. Mr. O'Neil asked if the streets are big enough to allow parking on both sides and travel. Mr. Andrews said most communities restrict parking on one side. Mr. O'Neil said that is one thing they have been trying to stay clear of. He asked if there will be an HOA and are the ponds owned by landowner or HOA. Mr. Andrews said yes there will be an HOA and the ponds are owned by HOA. Trustee Wolfe asked if the park is community or HOA. Mr. Andrews said HOA.

Legislation:

For First Reading:

Resolution 16-2019 A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF 57.16± ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND DECLARING AN EMERGENCY. FO Hastings said she is on a timeframe and she said her timeframe is up on the 24th. Mr. O'Neil said they do not have 5 people there to waive the readings. FO Hastings said they will need to have a Special Meeting.

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Ordinance 2019-04 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 S & G COMMERCIAL POINT, LTD AND MICHAEL EDWARD STRUCKMAN, TRUSTEE OF THE MICHAEL EDWARD STRUCKMAN TRUST.

Resolution 17-2019 A RESOLUTION AFFIRMING THE PASSAGE OF ORDINANCE NO. 2018-13 AND MAKE RELATED AUTHORIZATIONS. Chris Connolly said in December council passed an ordinance to pass a CRA. He said because of the timeframe the state is requesting council pass this to re-confirm what they did. FO Hastings said she will include in the Special Meeting.

For Second Reading:

Resolution 15-2019 A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO CONTINUE OUR CONTRACT FOR BULK WATER CONDITIONING SOFTENING SALT, WITH CARGILL SALT.

For Third Reading:

Ordinance 2019-03 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 KEAVIN R. HILL, TRUSTEE OF THE KEAVIN R. HILL REVOCABLE TRUST AND MARONDA HOMES, INC. OF OHIO. FO Hastings said this needs to be tabled per Don Plank's office. Mr. O'Neil motioned to table, seconded by Mr. Thompson. Roll Call: Mr. O'Neil-Yes, Mr. Townsend-Yes, Ms. Wolfe-Yes, Mr. Thompson-Yes. All in favor, motion approved.

Tabled Item:

Resolution 14-2019 A RESOLUTION TO MAKE PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF COMMERCIAL POINT, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2019. Mr. O'Neil motioned, seconded by Mr. Thompson to remove from the table. Roll Call: Mr. O'Neil-Yes, Mr. Townsend-Yes, Ms. Wolfe-Yes, Mr. Thompson-Yes. All in favor, motion approved. Mr. Davison said he looked into where to store money when you don't want to appropriate it. He said the "other other" option is the best place. He said the way FO Hastings has it set up is the best way for council. Mr.

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Townsend said we have a very trust worthy staff and he is in favor of keeping it as is. Mr. Thompson said this is what they asked for. He said he is not in favor of having the money lumped in Capital Outlay. Mr. Townsend motioned to approve, seconded by Mr. O'Neil. Roll Call: Mr. O'Neil-Yes, Mr. Townsend-Yes, Ms. Wolfe-Yes, Mr. Thompson-Yes. All in favor, motion approved.

Mr. Thompson motioned to adjourn, seconded by Mr. O'Neil . All in favor, meeting adjourned.



Gary Joiner, Mayor



Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant