



**Village of Commercial Point
Committee of the Whole Meeting Minutes
October 17, 2022**

Ms. Geiger called the meeting to order at 6:00 pm. Administrative Assistant Baldwin took roll call with the following members present: Ms. Geiger, Mr. Mitchem, Mr. Crego and Ms. Ratliff. Ms. Wolfe was not present.

Upcoming Legislation:

Solicitor Cartee introduced Helen Fite. She is a soon-to-be attorney working for Dinsmore & Shohl and is shadowing for tonight's meeting. Solicitor Cartee discussed Ordinance 2022-29 and said this is the CRA assignment for Lot 3, however, there is no need to waive the readings. He said the noise ordinance has not been completed so tonight will be a first read, title only. He asked for feedback on the times listed in the reference ordinance from Grove City. The Council was ok with the time stated. It was confirmed the ordinance would include the wording "within 100 feet of the establishment". Solicitor Cartee said Resolution 43-2022 is an updated agreement with Fusion Alliance for IT support. He said Resolution 46-2022 will allow the Police Department to donate seven obsolete tasers. Ordinance 2022-28 is for the Lane Property annexation and can go for all three readings. He said the Pending Administration items will allow movement of the TIF money. He recommended keeping the noise ordinance postponed. Solicitor Cartee informed Council that there will be upcoming legislation for new water/sewer rates and a CRA assignment for lot 5. Mayor Goldhardt said that Jim Frey contacted him after the previous meeting. He was informed that DR Horton may not be the builder on the project. He has asked Mr. Frey to attend the regular council meeting for questions.

Food Trucks:

Zoning Administrator Kuzelka informed the Council that Section 1135.09, Temporary Use Special Events, involves food trucks. He said he has talked to several communities and only one community charges a fee for food trucks. He said they can pay for a permit for 1 year or 6 months. One community had very stringent rules stating the food truck cannot be on the streets or in a subdivision without special requirements. He said Council needs to handle this before it gets out of control. Ms. Geiger said she emailed Chief Jordan to see if there were any complaints filed on the food trucks. She stated he told her no. Ms. Geiger said she feels we do not need this rule. Mayor Goldhardt said the zoning code states that food trucks are to be at Special Events only. He said if Council wishes to allow food trucks throughout the Village, we will need to amend the zoning code. Administrator Kuzelka discussed some of the requirements food trucks must have. He said if we do not monitor them, how will we know if they carry insurance? He asked that this topic be tabled until the next Committee of the Whole meeting so he can do additional research. Ms. Ratliff asked if this would apply to the ice cream trucks. Mayor Goldhardt said yes.

Parking Bureau:

Solicitor Cartee said this would be a simple process to set up. He explained that currently parking citations are seen in Mayor's Court. Fines for a parking citation are \$81 because it includes the court cost. If a Parking Bureau is established, citations can be handled administratively at a lower rate. The defendant still has the right to appeal. He said Chief Jordan strongly supports this initiative. Mr. Crego asked who would oversee it, a new employee, or an officer? Solicitor Cartee said the officers would issue the ticket and the Parking Bureau could be the clerks in the front office or an appointed person. He said he would work with the Chief on the appointment. Ms. Plybon asked where are tickets being written? Ms. Geiger explained legislation was passed for subdivisions within the village designating parking on one side of the street only. Solicitor Cartee asked if there is an interest in creating an ordinance. Council said yes.



**Village of Commercial Point
Committee of the Whole Meeting Minutes
October 17, 2022**

Water & Sewer Rates:

The Village initially had legislation in place for five years on the water/sewer rates. Each year the water rate increased \$1.00 and the sewer rate increased \$1.00. This legislation expires on December 31, 2022. Mayor Goldhardt suggested we continue with the same increases for 2023, then it can be reviewed for the following year. The Council members agreed.

Number of Meetings per Month:

Mayor Goldhardt recommended having one regular Council meeting a month and one Committee of the Whole meeting a month. He said this way Council has time to work on issues and legislation. Ms. Geiger asked when he would like to start this. Mayor Goldhardt proposed the beginning of next year. Mr. Crego feels this is the wrong way to go. He feels they should meet more often. Ms. Ratliff asked if it would be easier to have information shared in emails ahead of the Committee of the Whole meetings. Ms. Geiger explained they cannot handle it in that fashion because of the Sunshine law. The issue is open for Council to consider how they wish to move forward.

Rockford Homes:

Mr. Ricketts, the attorney for Mr. Struckman, called the mayor and asked if Council would be open to putting warehouses on the West side of State Route 104. If there were one or two warehouses, it would help with the expenses from ODOT, the lift station, and the trunk line. Mayor Goldhardt asked how it would be for the homes against the warehouses and he said they have ways to separate them. He also asked if Council is open to rezoning the entire property at one time. He said to rezone it in phases would not work for them. Ms. Wolfe and Mr. Mitchem are not open to warehouses being built west of State Route 104. Ms. Plybon would like to see an overhead look at the entire parcel. Mr. Crego said he doesn't want to see the nice entrance off of State Route 104 disappear. Ms. Geiger she is not in favor of warehouses on that property as well. Mr. Mitchem said he prefers to keep warehouses on the East side of State Route 104. The Council is willing to consider rezoning the entire property at the same time. Mayor Goldhardt will update Mr. Ricketts.

Jahn Property:

The developer asked that this topic not be discussed at this time. No discussion was held.

Additional Business:

Solicitor Cartee asked about the noise ordinance. He said his main question is the curfew. Mr. Mitchem verified the distance rule is in the ordinance. Ms. Plybon said she would like to see the hours changed to 10:30 pm. The remainder of council is ok with the current times listed in the ordinance. Solicitor Cartee pointed out the domestic power tool section. The Council asked to add an emergency clause to this section. Solicitor Cartee asked how they felt about the current penalties listed. Ms. Ratliff asked if a citation is given, will it be given to the business owner or specific person. Solicitor Cartee said the business owner. Fiscal Officer Hastings asked that the fees be aligned with the current fine schedule. The Council agreed with that suggestion.

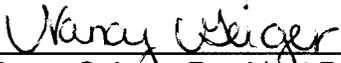
Mr. Crego asked about Resolution 43-2022. He said if he is reading it correctly, there are no timeframes listed and either party can quit. Solicitor Cartee said Exhibit A is at will. Mayor Goldhardt said Fusion Alliance proposed 10 hours per month for a flat fee. He does not feel the Village needs that many prepaid hours. Fiscal Officer Hastings said it is written to expire in December of this year. She asked if it should be extended. Ms. Geiger asked if this is for website updates. Mayor Goldhardt explained the website update would be in



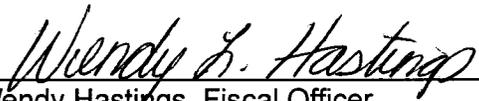
Village of Commercial Point
Committee of the Whole Meeting Minutes
October 17, 2022

the third phase. In this phase, we would be setting up cloud storage. Ms. Ratliff asked if she could be a part of this because this is what she does for a job. Mayor Goldhardt said absolutely.

A motion was made to adjourn the meeting by Ms. Wolfe and seconded by Ms. Ratliff. All were in favor, the motion passed, and the meeting was adjourned.



Nancy Geiger, President Pro Tempore



Wendy Hastings, Fiscal Officer