



**Village of Commercial Point
Committee of the Whole Meeting Minutes
January 23, 2023**

Ms. Geiger called the meeting to order at 7:00. Administrative Assistant Baldwin took roll call with the following members present: Ms. Geiger, Ms. Plybon, Mr. Mitchem, Ms. Ratliff and Mr. Crego. Ms. Wolfe was not present.

Upcoming Legislation

Solicitor Cartee informed the Council that he is working on a Service Resolution for the Struckman Property. He said the Council has twenty days to approve the resolution from the date it was filed and that it will be on the February 6th agenda. He asked all the council members to be present for this meeting due to the voting requirements for the emergency language. Solicitor Cartee said that he and Mike Dean are working on legislation for the CRA exemption for the Lane Property and hopes to have it before the Council in the near future. He then informed the Council that there currently are a couple agreements circulating between the administration and the developers for Rickenbacker Exchange. They are discussing the sanitary sewer maintenance responsibility. This will require a few pieces of legislation once decided. Solicitor Cartee stated that he is doing some final checks on the parking violations bureau legislation. He expects it to be ready for the February 6th council meeting. He then discussed a farmer's market and food truck festival resolution that he is preparing. He said it should also be ready for the February 6th meeting. He then discussed the Administrative Employee Guidelines. He said based on this evening's comments from the Council, it should be ready by the next council meeting for approval. Mr. Crego asked if the Lane CRA is the same language as the K-Nova CRA. Solicitor Cartee said there are some constraints with a CRA. He said the CRA is limited to fifteen years and up to a one hundred percent abatement. He said the Council is free to negotiate those terms. He needs to review the pre-annexation agreement to see if we committed ourselves, although he does not believe we did.

Trees in Village Right-Of-Way

The Council reviewed zoning guidelines provided by Mayor Goldhardt as well as an email distributed by Ms. Geiger with the HOA rules regarding trees in the Walker Point subdivision. Mr. Crego discussed the zoning ordinance. Mr. Crego feels we should approach the homeowner and ask them to cut them back or the Village would handle it. Ms. Ratliff discussed the number of trees. Ms. Geiger asked if these are trees that the homeowners planted. Ms. Ratliff said yes. In her opinion, this should be up to the homeowner because they made the update on their property. She feels they should either follow the guidelines or the Village will have it done and bill the homeowner. Ms. Geiger agreed and said there is a concern about the cost to the Village if the homeowner does not take care of them. There was discussion about the roots and the effects it could have on the sidewalks and utilities. Ms. Ratliff said she would like to have a letter sent to the homeowners outlining the issue and give them their options and a completion date to resolve the matter. She would like for the HOA to also receive a copy of the letter. Ms. Geiger asked what would happen if we took care of it and the homeowner did not pay. She asked if this can be resolved in Mayor's Court as a zoning infraction. Solicitor Cartee will review the matter. Mr. Crego has a concern with them being grandfathered in. Ms. Ratliff stated even if they are, they still need to abide by the rules and cut them back. Solicitor Cartee said the Village does have authority to remove any tree that overhangs into the street. He said Mr. Crego raised a good point about when the tree was planted verses when the zoning code was adopted. He asked if the Council wanted him to review having the village remove a tree and billing the resident. The Council said yes. Mr. Crego said it would be fair to inform the homeowners that this was initiated by service vehicle complaints. Mayor Goldhardt feels the major cost would come in when they remove the stumps, not cutting down the actual trees. Mr. Crego will make some calls to discuss the cost. Ms. Ratliff asked who would draft the letter. Solicitor Cartee said that he will draft a letter that provides for the zoning administrator's signature. Ms. Hastings asked if anyone has a list of the homeowner's addresses involved in this matter. Ms. Ratliff will provide the list.

Employee Guidelines

The Council reviewed the proposed 2023 Administrative Employee Guidelines and made suggestions as to changes or additions needed.



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2023 Permanent Budget

The Council had an extensive discussion regarding the 2023 permanent budget. The Council's request will be incorporated into the budget, and it will be ready for a first reading at the February 6th council meeting.


Additional Business

Mr. Crego would like to attend a Wednesday meeting with the Engineer and leadership group to discuss a few items related to utilities. He said by June, he would like to have a draft copy of an ordinance setting up a new utility rate structure. Since the Council wants a new rate structure, Mayor Goldhardt asked if they would like to put together a committee to decide exactly what it is they are asking for. Mr. Crego said this is under the Village Administrator's authority to figure out the rates. He said the last time we looked into the rates; the Village paid to have a study done. Ms. Geiger asked if he wants a different rate structure because everyone does not use the 5,000-gallon minimum. Mr. Crego said he would like to look at a rate structure that starts at a 2,000 gallon minimum. He said Village Administrator Grosse needs to decide where we need to go with this. Ms. Geiger asked if he wanted the mayor to discuss it with Administrator Grosse. Mr. Crego said he would like to have a meeting to discuss this issue. He said the original ordinance was drawn up with respect to the debt service.

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



Nancy Geiger, President Pro Tempore



Wendy Hastings, Fiscal Officer