

**Village of Commercial Point  
Council Meeting Minutes  
September 9, 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. O'Neil motioned, seconded by Mr. Moore to approve the August 19, 2019 Regular Meeting Minutes. All in favor, motion approved. Ms. Wolfe motioned, seconded by Mr. Moore to approve the August 19, 2019 Public Hearing Minutes. All in favor, motion approved.

Administrative Reports:

- A. Mayor- Mayor Joiner presented Officer Griffith and Officer Writsel with a Certificate of Appreciation for their work on the Cops and Kids Day.
- B. Village Engineer- Engineer Grosse said Scioto Crossing is still getting documents put together before the pre-con meeting. He said the WTP is still at 90% and they are still waiting on final comments from the EPA. He said the engineers still feel we are still on schedule, but we are getting close. He said Chestnut Commons is working on their final punch list for Commons 3 & 4. He said there are a few items they were given to work on and one set it completed. They are going into their one year maintenance period.
- C. Village Solicitor- VS Shamp said the ordinance for adding fees for new builds is up for first reading.
- D. Police Department- Chief Jordan commended Officer Griffith and Officer Writsel's family for their assistance on the Cops and Kids day. He said he understand there will be discussion on the golf cart ordinance and if that comes up, he is ok if questions would be asked of the opinions of the Police Chief. He also requested an Executive Session. Mr. Thompson asked what the Executive Session is regarding. Chief Jordan said personnel matters.
- E. Village Administrator- VA Crego said next month is when they are proposing to bring the ordinance toward forming a charter commission and once they get through it and it is accepted, they will begin soliciting members of the community to serve on the board. He said they need a minimum of 15. He said so far he has 2 firm members interested. He said as of today he no longer has his Juno account, please communicate on his village email address. He said the Ohio Department of Transportation notified us our application for walk path has not been selected for this year but encouraged us to apply for next year. He said we will have a nature walk path way in the system and will be apply for safe routes to school and bike path. He said one of the items talked about is the TIFF funds. He said none of those funds are available to spend yet because it has not been placed in the correct application fund. He said he wants to remind everyone the time they entered into the TIFF agreement they knew two major things needed to take place, widening of Welch Road and traffic pattern at State Route 762. He said also the village spent \$1.3 million to furnish water services to the new community which is one of the reasons the TIFF money is there, which is to reimburse the water department. He said these funds are needed for these improvements. VA Crego said he is going to speak very strongly against the ordinance for imposing fees against developers for park improvements. He said we do not have a plan yet, we have no thought as to where we want to place a park yet and no concept, just a thought. He said it seems we are asking the developers to build something for the people who are already here. He said if we want a park system in the village it should be a responsibility of the people in the village. He said he is not aware of anyone who has spoken to anyone in the village who has asked for one. He said it not about what we think we want, it's the residents. He said tonight there is an introduction to the CRA, he said he needs for council to please take this document serious and not take it lightly.
- F. Zoning Inspector- Not present

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- G. Fiscal Officer-Fund status as of 8/30/2019: General \$1,928,758.98, Street Construction, Maint & Repair \$296,961.55, State Highway \$23,038.36, Parks & Recreation \$ 3,033.57, Permissive Motor Vehicle License Tax \$7,962.66, Enforcement & Education \$1,824.39, Oh Peace Off Educ & Training \$3,980.00, Housing Developments \$77,844.68, Other Capital Projects \$5,180.00, Water Operating \$2,555,673.98, Sewer Operating \$3,432,896.27, Garbage Operating \$31,357.51.

Legislative Reports:

1. Ben Townsend- Nothing to report
2. Scott O'Neil- Nothing to report
3. Jason Thompson-Mr. Thompson asked for Executive Session to discuss a contract issue.
4. Laura Wolfe- Nothing to report
5. Bruce Moore- Mr. Moore asked administration about lowering the speed limit on the west side of Welch road to 35 mph. He said he believed Chief Jordan said that speed is already 35 mph because it is incorporated into the village. He asked if those signs have been posted or ordered. Mayor Joiner asked VA Crego if they have been ordered. VA Crego said he has not been told to do anything. He said it has to be OUPS before he can do anything.
6. Aaron Grassel-Nothing to report

Citizen Comments:

Mr. Jim Kuzelka addressed council regarding the golf cart issue. He distributed material he researched on the golf cart to all council members. He discussed his concerns with the way the meetings and discussions he has read in meeting minutes and heard in meetings and expressed his personal feelings in support of them.

Mrs. Paula Kuzelka addressed council regarding the golf cart issue. She discussed how she was advised by Officer Murphy what needed to be done to be on the streets and they complied. She expressed they are not as dangerous as bicycles and is in support of golf carts.

Mr. Jim Welsh addressed council. He expressed concern on the pond they are discussing placing in Walker Point and why the village would like to take on that responsibility. Mayor Joiner said he is not in support of it. Mr. O'Neil responded by saying he approached Maronda Homes and asked them if they would consider giving the village the green space land. He said other members spoke to them and asked them about a playground. He said the pond would be stocked and available for fishing. He said his reason for wanting to own it is if they join his HOA, he could use it. He said if they joined a separate HOA, he could not, no one in the village could. He said if the village owned it, anyone can use it. Mr. Welsh said for the record has 5 ponds and the village does not own any of them because of the liability. Mr. Welsh said if the village takes that on then they should take on the street lights in Genoa because they have to pay for those each year and honestly the pond in Walker Point will only benefit those in Walker Point. Mr. Thompson said Grove City owns ponds and said there is not liability but there is a cost to it, but this is not just a pond it is also a park. Mr. Moore said he does live in Walker Point but he is not in support of bringing it into the village, but he does think there is an alternative solution. He thinks making parks and playgrounds in all subdivisions should be open to all residents. Mayor Joiner said he does not think it is a good idea, he said the liability is

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too strong. He said the other subdivisions in the area that have ponds are governed by their HOA's. He said everyone likes their ¾% tax and would not like to see it increased.

Mrs. Angi Welsh addressed council and said she agrees with everything her husband stated about the pond but said if any members of the council who pay HOA fees at Walker Point, it is a conflict of interest because they stand financial gain by unloading their pond on the village and should abstain from this issue. She also addressed the condition that Wade Journey Homes has left their neighborhood in. She said there is row of homes that should have been built. They have been started but never completed. Mayor Joiner asked VA Crego if he has additional information on this situation. VA Crego said the next step is legal action against them. He said the staff has completely changed and no action has been taken. He said it is a disaster.

Ms. Cecilia Festa addressed council. She addressed the concerns of Genoa Crossing from Genoa Crossing. She said there is a partially built home and she is concerned for safety because kids are playing in it as well as in the dumpster. She said it was a nice community until Wade Journey Homes came in. She expressed her displeasure with the fishing pond and all the maintenance required and she does not want her taxes to go up to maintain it since she is retired. She said she would like sidewalks and bike paths in their area for them to use.

Mr. Tom Kitter addressed council. He said he was representing Foxfire. He said their golf carts do not have lights or license and no one under the age of 16 drive them. He said his biggest concern is they need them to cross the subdivision road from #7 to #8 and should something happen where they cannot do that, he will be out of business on the golf course.

Mr. Joe Hammond addressed council. He expressed his opinion on the golf cart and opposition on the pond. He discussed we have the playground at the school for the kids to play on. He said our kids do need safe passage and walkways.

Mr. Jim Albright addressed council. He expressed his concern with golf cart issue. He thanked Chief Jordan for putting together and escort of the Ohio Flags of Honor this year. He said he did an excellent job and really appreciated it. Mr. Albright said Ohio Flags of Honor will probably never return to Commercial Point again due to retirement. He said he did come and ask council to come to the Ohio Flags of Honor and was disappointed that not one council member attended, especially since there was a State Representative there. He shared a note from Roxanne Davis from the Pickaway County Community Advisory Foundation regarding a roundtable session she promoted. She was disappointed no one from Commercial Point attended. She advised there are grants available that local people give but there needs to be representatives.

Ms. Rebecca Wright addressed council. She asked council to reconsider the sidewalk for Chestnut Estates to Pettit's for the safety of the children on the Welch Road side. She said the lowering of the speed limit is a great idea, but it won't happen. She said it is starting to look like decision behind the wall are starting to look like personal agendas and decisions. She asked when the ordinance is read to also give an explanation.

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Ms. Katie Rossi addressed council. She spoke in support of the sidewalk from Chestnut Estates to Pettit's for the safety of the community. She expressed it is a need, not a want. She said there is no such thing as no liability, you can sue anyone for anything. She said the speed change will not change anything.

Ms. Becky Blevins addressed council. She said she wanted to add to Ms. Wright's comments about the safety of the children. She said every school day she watches kids get off the bus on Main Street and they have no place to walk except on Main Street. She said we need to also need to look at sidewalks in old town village. She said in subdivisions, they have nice lighting, the village does not and our kids deserve to have nice lighting also and it is time we start looking at some of the needs of the old village. She spoke against the pond and in support of the golf cart.

Ms. Wolfe asked Chief Jordan his thoughts on the golf cart. Chief Jordan said his opinion is there is confusion. He said he and Mr. Shamp have identified the differences. He said there are two options, ban them all or allow them all. He said that way there is no confusion between the two. He said people of advanced age are the ones normally on a golf cart. He said he is more comfortable with this than say someone whose could have diminished capacity in a large car driving in a village. He said his personal opinion, if you see golf carts out doing things, it makes a village look a little more upscale. He said the only negative he has is when one is on a 35 mph road during busy times and it may cause a backup. He said he does not think we would have that many out to make it a large hindrance but if he could, he would put them on 25 mph roads and if they had to cross a 35 mph road put them on short distance then ok. Chief Jordan said he agrees with VS Shamp advised either approve them all as long as they follow state code or ban all of them.

**Business Items:**

- A. Golf Cart Ordinance: VS Shamp said as the legal depart it is their job to keep the village out of litigation. He said they had a proposal to permit under speed vehicle and it failed. He said they had an officer enforced it on under speed vehicles. He said he had a discussion with the prosecutor who also disagreed with the ambiguity of the statute. He said the speed limit makes it too difficult to test radars and it isn't enforceable. He said knowing that, he drafted an ordinance to ban them all entirely. He said he is not for against it but as it stands now, it is untenable for the village to tray and enforce it. He said it is out there for discussion. VS Shamp verified no one on council asked him to draft this. He was asked for his experience. VS Shamp said he works for Frost Brown and Todd, has been an attorney for 9 months, he works for 12-15 municipalities in Central Ohio, he has worked on a couple other golf cart ordinances. He said every decision he has made and been run through Gene Hollins. Mr. Moore said he believes we can find middle ground. He said they should not be banned. Mr. Thompson said his no vote was based on the fact they didn't change anything. It was based on the ORC, it wasn't a strike on golf carts, it was a strike on the confusion. He said he is not against golf carts but it has to be done right. He said he didn't feel comfortable and was not educated. He said Circleville is the one he likes.

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Legislation:

For First Reading:

**Resolution 36-2019** 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.

**Resolution 37-2019** A RESOLUTON 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. Townsend motioned, seconded by Mr. Thompson to approve. Roll Call: Mr. O'Neil-Yes, Mr. Grassel-Yes, Mr. Townsend-Yes, Ms. Wolfe-Yes, Mr. Thompson-Yes, Mr. Moore-Yes. All in favor, motion approved.

**Ordinance 2019-12** AN ORDINANCE REPEALING § 1422.04 OF THE BUILDING AND HOUSING CODE OF THE VILLAGE OF COMMERCIAL POINT, OHIO AND IMPOSING A PARKS AND RECREATION FEE ON NEW BUILD CONSTRUCTION IN THE VILLAGE OF COMMERCIAL POINT, OHIO

**Ordinance 2019-13** AN ORDINANCE TO AMEND APPENDIX A OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT, OHIO

**Ordinance 2019-14** AN ORDINANCE AMMENDING THE 2018 ZONING CODE OF THE VILLAGE OF COMMERCIAL POINT, OHIO

**Ordinance 2019-15** AN ORDINANCE APPROVING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE VILLAGE OF COMMERCIAL POINT AND K-NOVA LLC

For Third 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. Mr. O'Neil motioned, seconded by Mr. Grassel to approve. Roll Call: Mr. O'Neil-Yes, Mr. Grassel-Yes, Mr. Townsend-Yes, Ms. Wolfe-Yes, Mr. Thompson-Yes, Mr. Moore-Yes. All in favor, motion approved.

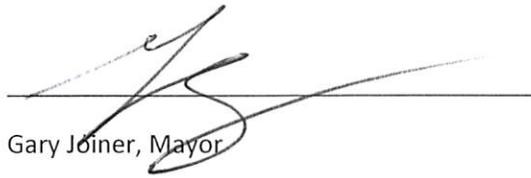
Mr. Thompson motioned to go into Executive Session at 8:31 pm for contract discussion. Seconded by Ms. Wolfe, All in favor, motion approved. Mr. O'Neil motioned to exit Executive Session at 8:45pm, seconded by Mr. Moore. All in favor, motion approved.

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Mr. Thompson motioned to enter into Executive Session at 8:46 for personnel, seconded by Mr. Moore. All in favor, motion approved. Mr. O'Neil motioned to exit Executive Session at 9:13pm, seconded by Mr. Moore. All in favor, motion approved.

Additional Items

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