



Village of Commercial Point  
COUNCIL MEETING MINUTES  
June 1, 2020

Mayor Goldhardt called the meeting to order. AA Baldwin took roll call with the following members present: Ms. Wolfe, Mr. Mitchem, Ms. Joiner, Mr. Thompson and Mr. Moore. Mr. Grassel was not present.

Ms. Joiner asked to amend the May 18<sup>th</sup>, 2020 minutes. A motion was made to approve the minutes as amended by Mr. Moore and seconded by Ms. Joiner. All were in favor and the motion passed.

A motion was made to approve the May 26<sup>th</sup> Public Hearing Minutes by Mr. Moore and seconded by Mr. Thompson. All were in favor and the motion passed.

Administrative Reports:

- A. Mayor's Report - Nothing to report at this time.
- B. Village Solicitor's Report - VS Josh Cartee advised council that the Utility Plant annexation will be filed and completed by the end of this week. He also informed council that Ordinance 2020-08 is on the agenda for a first reading. He stated that it is a paid part-time Captain position within the Police Department and does not have to be posted.
- C. Police Department Report - Mayor Goldhardt advised council that Chief Jordan will have the May Police Report ready for their next meeting.
- D. Village Administrator's Report – Was not present and had nothing to report.
- E. Village Engineer's Report:
  1. Half of the infrastructure is completed in Scioto Crossing phases 1 & 2 and they have submitted a final plat application for that portion of the project. He is currently reviewing the construction plans for phases 3, 4 & 5 of Scioto Crossing.
  2. The Durrett Road water line project is progressing nicely.
  3. A pre-construction meeting is scheduled on June 9<sup>th</sup> for the Walker Point phase 4, part 1 development project.
  4. Development Plans for phases 1 & 2 have been submitted for the Foxfire project.
  5. We are currently working with ODOT for access to State Route 762 for a temporary road for the Water Treatment Plant Project. Mr. Moore asked if we have received any traffic studies from ODOT as it relates to the K-NOVA project. Engineer Grosse said the village has not received anything from ODOT or been included in any meeting between them and K-NOVA. ODOT advised him that the road is in our jurisdiction and is covered under our ordinances. Mr. Moore asked if council is able to make changes as long as it follows the ordinances. Engineer Grosse said that is correct. Mr. Moore asked about the AEP upgrade and if it is something the village is paying for or requested.
  6. A meeting is scheduled with AEP on June 2<sup>nd</sup> to discuss the details of their electrical upgrade project and the placement of their poles along our water and sewer lines on State Route 104. This is strictly an AEP project.
- F. Zoning Inspector's Report - Nothing to report at this time. Ms. Joiner asked if Genoa Crossing has been cleaned up. ZI Kuzelka advised her of the letter sent to them regarding the situation. He said they signed for the certified letter today and have five days to comply. Ms. Joiner said the speed limit sign on Front Street going north is covered by bushes and leaning. She also stated that the speed limit sign on Front Street heading south is in poor shape.



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Mr. Moore asked if the garage at the corner of State Route 762 and Congress Street requested a permit. His concern is that it seems close to the road. ZI Kuzelka advised him that they did get a permit and it does fall within the zoning guidelines.

G. Fiscal Officer's Report - Nothing to report at this time.

Legislative Reports:

- A. Bruce Moore - Mr. Moore asked that Zoning Text be added for discussion on the Additional Items portion of the agenda.
- B. Tracy Joiner - Ms. Joiner said per VS Cartee's advice, she would like to request legislation and quotes from the Mayor on installing cameras around the Police Garage.
- C. Jason Thompson - Mr. Thompson asked about police officer confirmations and if they could be added to tonight's agenda. Mayor Goldhardt advised him that it could not be added because the mayor is required to provide a written recommendation to council. He said that he will provide written recommendations and that confirmations will be added to the next council meeting's agenda.
- D. Laura Wolfe – Nothing to report at this time.
- E. Ryan Mitchem – Nothing to report at this time.

Business Items:

- A. Planned District Procedures & Timelines: Mayor Goldhardt discussed the Planned District procedure as outlined in the zoning code ordinances. He provided council a guideline to help them understand the process. He also informed council of spreadsheets that he created to help keep everyone aware of where we are in the process for each development. He presented the same information to the Planning & Zoning Commission at their last meeting as well. Mr. Moore discussed the process of the Development Plan and how it goes before the Planning & Zoning Commission for approval. Mayor Goldhardt noted that if the Development Plan is approved by the Planning & Zoning Commission, it does not come back before council. He advised them that only the Final Plat comes back to council for their approval after the Planning & Zoning Commission has made their recommendation. When the Final Plat comes to council, all of the streets and infrastructure have been completed and the developer is typically ready to begin constructing houses. VS Cartee informed council that it requires a three-fourths vote of the council to override a Planning & Zoning Commission recommendation.
- B. Police Discussion: Ms. Joiner stated that she is aware of funds in the budget for the new part-time Captain position. She said she would like to see a different solution. She stated that Officer McCrabb has been a part-time officer with the village for the past year. She said she would like to use the funds set aside for the new Captain position to allow for an increase in Officer McCrabb's hours and leave the Captain position unpaid. Mr. Thompson said he is all for increasing Officer McCrabb's hours, however, he thinks we need the Captain position created as well. Ms. Joiner said she would challenge to do both of these within the current budget. Mr. Thompson said his first concern is creating the Captain's position because, although improvements have been made, there are still more needed. Chief Jordan said Officer McCrabb is a good officer and he would be willing to give up the money paid for his personal health insurance as well as any planned raise he would be receiving this year to help increase Officer McCrabb's hours. Mr. Moore estimated that the budget allows each part-time officer to work approximately 28 hours per week. Chief Jordan advised the Attorney General's office has laid-off numerous people, which will cut out some of the training he has planned for this year. He said there would be unused funds in the training budget that could be used towards increasing Officer McCrabb's hours as well. Mayor Goldhardt asked VS Cartee to check the current ordinance pertaining to the part-time officer positions to see if hours are attached to the description. FO Hastings stated that any ordinances changing their hours should include a maximum number of hours that they can work to help with any future budgeting. Mayor Goldhardt



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suggested that if council wants to increase Officer McCrabb's hours to thirty-two and keep Officer Kelley's hours at sixteen, why not draft an ordinance allotting 48 hours a week to be used between the part-time officers. VS Cartee will draft an ordinance increasing the part-time officer hours for the next meeting. Mr. Thompson stated that he would like to leave the ordinance creating the Captain position as is.

Legislation:

First Reading

Ordinance 2020-08 AN ORDINANCE ESTABLISHING THE POSITION OF PART-TIME CAPTAIN WITHIN THE VILLAGE OF COMMERCIAL POINT POLICE DEPARTMENT.

A motion was made to suspend the three readings by Mr. Thompson and seconded by Mr. Moore.

Roll Call Vote: Mr. Moore-Yes, Ms. Joiner-No, Mr. Mitchem-Yes, Mr. Thompson-Yes and Ms. Wolfe-Yes. The motion failed.

Resolution 14-2020 A RESOLUTION TO REZONE 40.861 +/- ACRES WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO FROM GENERAL COMMERCIAL TO LIMITED MANUFACTURING.

A motion was made to suspend the three readings by Ms. Joiner and seconded by Mr. Moore.

Roll Call Vote: Mr. Moore-Yes, Ms. Joiner-Yes, Mr. Mitchem-Yes, Mr. Thompson-Yes, and Ms. Wolfe-Yes. The motion passed.

A motion to adopt Resolution 14-2020 was made by Mr. Moore and seconded by Ms. Joiner.

Roll Call Vote: Mr. Moore-Yes, Ms. Joiner-Yes, Mr. Mitchem-Yes, Mr. Thompson-Yes and Ms. Wolfe-Yes. The motion passed.

Additional Items:

- A. Mr. Moore asked at what point the Parks and Recreation fee is collected. FO Hastings advised him that it is paid when the Zoning application is submitted. Mr. Moore asked how much has been collected. FO Hastings advised him that she did not have that information in front of her but estimates it to be \$3,000.
- B. Mr. Moore wanted to discuss the zoning text as it relates to council's place in the zoning process. He feels that it needs to be changed and that all final decisions need to come back to council with recommendations from the Planning & Zoning Commission. He said they need to change them from a Planning & Zoning Commission to a Planning & Zoning Advisory Committee. He asked VS Cartee to re-write the zoning text. VS Cartee advised council that the Planning & Zoning Commission is a statutory body. He stated that in a lot of municipalities, when the Planning & Zoning Commission makes a recommendation, the Council cannot overturn it. Mr. Moore stated that he does not want to take anything away from the Planning & Zoning Commission, but he feels that the council should have the final say as the elected body. VS Cartee said it will take quite a bit of time to make these changes because he will have to review the entire zoning code. Mayor Goldhardt asked if council wants to make all of the final decisions, is there any reason to retain the Planning & Zoning Commission. Ms. Joiner said they still provide feedback. Mayor Goldhardt asked if they are transitioned into an advisory board, could the Village eliminate the Public Hearings currently held in front of the Planning & Zoning Commission and only hold them before the Council? Mr. Moore asked if interim legislation could be prepared until the changes have been made. Mayor Goldhardt advised council that the Planning & Zoning Commission will be meeting twice this month. At their first meeting, they will be making a recommendation to council on the Scioto Crossing Phases 1 & 2 Final Plat. The council discussed the possibility of making changes or denying the Final Plat if items they've requested have not been completed by the developer. Engineer Grosse advised Council that by the time that the Final Plat comes before the council, it is way past the point of changes and could become a legal issue. FO Hastings informed council that their second meeting of the month is to vote on the Scioto Crossing Phases 3, 4 & 5 Development Plan. Council asked VS Cartee which is quicker, making all final decisions for developers come before the council, or to just eliminate the Planning & Zoning Commission. VS Cartee said eliminating the commission would take less time. Mr. Moore said he feels council should meet with the Planning & Zoning Commission and explain how council feels. He said he would like to invite them to a round table discussion.



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- C. Council stated that they are interested in getting quotes for placing security cameras around village properties. Mr. Thompson feels all village property should have a camera. Mr. Moore said that he would like to see video footage kept sixty to ninety days. Mr. Thompson feels that the police garage definitely should have a security camera. The administration will secure an estimate for the next council meeting.

A motion to adjourn was made by Mr. Thompson and seconded by Mr. Moore. All were in favor, the motion passed and the meeting was adjourned.

Allan D. Goldhardt, Mayor

Wendy Hastings, Fiscal Officer

\*Minutes provided by Paula Baldwin, Administrative Assistant