



Village of Commercial Point  
Council Meeting Minutes  
October 18, 2021

Mayor Goldhardt called the meeting to order at 7:00 pm. Administrative Assistant Baldwin took roll call with the following members present: Mr. Mitchem, Ms. Geiger, Ms. Joiner and Ms. Wolfe. Mr. Grassel and Mr. Thompson were not present.

A motion was made to approve the September 23<sup>rd</sup>, 2021 Special Council Meeting Minutes by Ms. Geiger and seconded by Ms. Wolfe. All members present were in favor. The motion passed.

A motion was made to approve the October 4<sup>th</sup>, 2021 Public Hearing Minutes by Ms. Geiger and seconded by Ms. Wolfe. Ms. Wolfe abstained. The remaining members present were in favor. The motion passed.

A motion was made to approve the October 4<sup>th</sup>, 2021 Council Meeting Minutes by Ms. Geiger and seconded by Mr. Mitchem. Ms. Wolfe abstained. The remaining members present were in favor. The motion passed.

Administrative Reports:

- A. Mayor's Report – He has nothing to report at this time.
- B. Village Solicitor's Report – Solicitor Cartee discussed the legislation on tonight's agenda. He discussed Ordinance 2021-34 and advised there is a timing issue with this and the Conditional Use request. He explained the rezoning request must be voted on first. He said this evening we do not have enough members present to waive the three reading rule; therefore, it cannot be passed tonight. Ms. Joiner asked if we need to hold a Special Meeting. Solicitor Cartee said that would be his suggestion. He advised he is under the impression there is interest from council to reconsider their decision on the Skaggs Variance from the October 4<sup>th</sup> meeting. He said to do this, someone would need to motion to reconsider the decision and it would need to be a person who voted no. He said then there needs to be a motion to approve the variance request. Ms. Joiner thinks we need to take into consideration a TIF on the Lane property. Solicitor Cartee asked council if they would like him to approach their attorney. Council agreed yes. Ms. Joiner said she would like to see the water tower in the TIF agreement.
- C. Police Chief's Report – The police report had been sent electronically with the council packet. Ms. Joiner asked for an update on the GPS. Chief Jordan said the manufacturer shipped the equipment needed to the office. Fiscal Officer Hastings will need to move funds to have them installed. He said they will send one car in at a time for installation. Chief Jordan said he thinks Council needs to look into establishing a Parking Bureau. He explained to Council that a parking citation currently goes on a State of Ohio citation and state fees of \$60.00 must be paid first. The total ticket is \$81.00 minimum. It could be lower if we had a Parking Bureau.  
Mayor Goldhardt advised Council that he swore in Ben Tosca to the Police Department today.
- D. Village Administrator's Report – Administrator Crego was not present but submitted a recommendation on the ordinance for the trash pickup.
- E. Village Engineer's Report – Engineer Cameron advised Council that the lowest bid for the Walker Road Project was submitted by Columbus Asphalt. He said their recommendation is to award the bid to Columbus Asphalt. He said they were planning on holding a pre-con meeting tomorrow and give them a notice to proceed. Ms. Joiner asked if they can vote. Solicitor Cartee said they cannot vote on this tonight because the readings would need to be waived and there are not enough council members present. Engineer Cameron said he will call Columbus Asphalt tomorrow because they have a concern about completing this by 12/2/21. He said without approval tonight, it may get pushed back. Ms. Joiner asked about the Fire Suppression system at K-Nova, specifically the tank and its durability. Engineer Cameron said he cannot answer that and suggested that she ask the manufacturer. He said in his experience, its metal and could rust.
- F. Zoning Inspector's Report – He has nothing to report at this time.



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G. Fiscal Officer's Report – She had nothing to report at this time.

Legislative Reports:

- A. Tracy Joiner – She had nothing to report at this time.
- B. Laura Wolfe – She had nothing to report at this time.
- C. Ryan Mitchem – He had nothing to report at this time.
- D. Nancy Geiger - She informed Council that Mike France would not be able to attend tonight's meeting. Mayor Goldhardt asked if she would rather him attend the next Committee of the Whole meeting. She said yes.

Citizen Comments:

Ms. Becky Blevins asked council to consider in their budget to include updates to the original part of the Village.

Business Items:

A. Skaggs Variance Request

A motion was made to reconsider the Skaggs Variance Request by Ms. Wolfe and seconded by Ms. Geiger.

Roll call vote: Mr. Mitchem - No, Ms. Joiner - Yes, Ms. Wolfe - Yes and Ms. Geiger - Yes. The motion passed.

Ms. Joiner asked Zoning Administrator Kuzelka if he is ok with this. Administrator Kuzelka said since there is a liability letter, he is fine with it.

A motion was made to approve the Skaggs Variance Request by Ms. Geiger and seconded by Ms. Joiner.

Roll call vote: Ms. Joiner - Yes, Ms. Geiger - Yes, Ms. Wolfe -Yes and Mr. Mitchem - Yes. The motion passed.

Legislation:

First Reading:

Ordinance 2021-38 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND VILLAGE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A PREANNEXATION AGREEMENT WITH SB LANE CRABTREE LLC AND WILLIAM LANE, TRUSTEE OF THE W.M. LANE TRUST DATED JUNE 14, 1994 FOR THE ANNEXATION OF 152.469 +/- ACRES INTO THE VILLAGE OF COMMERCIAL POINT.

Mayor Goldhardt did a first reading, title only.

Ms. Joiner said she would like to consider the TIFF and thinks that Mr. Lane should handle the expense of the new water tower.

Ordinance 2021-39 AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH RUMPKE OF OHIO, INC. FOR THE VILLAGE REFUSE COLLECTION AND CURBSIDE RECYCLING PROGRAM FOR CALENDAR YEARS 2022-2024, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

Ordinance 2021-40 AN ORDINANCE AMENDING THE ZONING CODE OF THE VILLAGE OF COMMERCIAL POINT TO REPEAL AND REPLACE SECTION 1117.04, SECTION 1141.03, AND SECTION 1195.05 OF THE ZONING CODE, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

Ms. Geiger asked for discussion. She said she has a difficult time with some council members wanting to raise taxes our residents but not place additional fees on new developers coming into the Village. She



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said a new water tower would not be needed if not for the new developers coming into the Village. Mayor Goldhardt discussed the letter sent to them from Utility Superintendent Bert Cline. Ms. Joiner feels it was wrong getting the letter after they voted and thinks they should have gotten it before. She said there are alternatives to getting the funds for the tower including the TIF and new developers. She said she does not agree with a reduction in tap fees for developers and the remaining council members agreed with that point. There was further discussion. Mayor Goldhardt said he wanted to make sure that all of the council members realize that the Village will need an additional water tower, additional raw water, and a water plant expansion within the next three to five years and this will cost around ten million dollars. Since they turned down his proposal on how to pay for a new water tower, it is up to the six of them to come up with an alternative plan within the next month. They will also need to come up with a plan to pay for the sewer plant expansion that is taking place. The estimated cost of this could be as high as seventeen million dollars. Ms. Geiger asked if Ms. Joiner's concern was the square footage price. Ms. Geiger said she does not want to put the burden on our existing residents. Ms. Joiner feels we can use the TIF funds, Mr. Lane and DHL to pay for a new tower. Engineer Cameron said the Village will have to have a new tower and do a water plant expansion in the very near future. He said the numbers they have put together after looking at the existing developers and new potential developers are at 1.2 million gallons of water a day based on EPA guidelines. He said there needs to be a discussion on how Council is going to pay for all of this, sooner than later. He said these figures are not taking into consideration fire suppression or irrigation needs. Engineer Cameron said he believes the private fire suppression system for a warehouse in Obetz failed and they came to the city asking for immediate access to their water system. Council held further discussion. Ms. Joiner asked about the current application fees. Solicitor Cartee said fees are collected after approved by the Zoning Administrator.

Resolution 33-2021 A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR AND/OR MAYOR TO AWARD A BID TO COLUMBUS ASPHALT PAVING IN THE AMOUNT OF \$199,603.40 FOR THE 2021 WALKER ROAD STREET IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

Second Reading:

Ordinance 2021-34 AN ORDINANCE TO REZONE 5.1329 +/- ACRES WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO FROM NEIGHBORHOOD COMMERCIAL (NC) TO GENERAL COMMERCIAL (GC).

Mayor Goldhardt did a second reading, title only.

Ordinance 2021-35 AN ORDINANCE AMENDING THE ZONING CODE OF THE VILLAGE OF COMMERCIAL POINT TO REPEAL AND REPLACE SECTION 1117.04 OF THE ZONING CODE AS TO SITE DEVELOPMENT PLAN FEES, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a second reading, title only.

Ordinance 2021-36 AN ORDINANCE REPEALING AND REPLACING CHAPTER 820 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT TO INCREASE THE MUNICIPAL INCOME TAX RATE FROM 0.75% TO 1.00% AND TO PROVIDE FOR A CREDIT OF 0.25% TO RESIDENTS WHO PAY INCOME TAX TO ANOTHER OHIO MUNICIPAL CORPORATION AS OF JANUARY 1, 2022, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a second reading, title only.

Ms. Geiger asked who determines if the people are working from home? Ms. Joiner states RITA. She said the employers report to the state who is in this situation. There was discussion on how taxes are paid on hybrid schedules. Ms. Joiner said the number of residents that her proposed tax ordinance effects is minimal, but it will generate income tax from the commercial properties. Ms. Geiger asked if she has looked at the figures. Ms. Joiner said they do not have full staff yet. She said with the new officers and possible new cruiser, we are not bringing in enough from the warehouse to pay for one officer and cruiser. Mayor Goldhardt asked if she has any figures on how much revenue this tax increase would



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generate. Ms. Joiner said there is no way to do that because we do not know how many active residents it will involve, but she thinks it would be minimal. There was further discussion.

Ordinance 2021-37 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND VILLAGE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A PREANNEXATION AGREEMENT WITH S & G COMMERCIAL POINT LTD., MICHAEL EDWARD STRUCKMAN, TRUSTEE OF THE MICHAEL EDWARD STRUCKMAN TRUST U/T/D MARCH 31, 2003, WENDY SIZEMORE, TRUSTEE OF THE WENDY SIZEMORE TRUST U/T/D DECEMBER 12, 2019, AND ROCKFORD HOMES, INC. FOR THE ANNEXATION OF 340.33 +/- ACRES INTO THE VILLAGE OF COMMERCIAL POINT.

Mayor Goldhardt did a second reading, title only.

Pending Administrative Actions:

Resolution 32-2021 A RESOLUTION APPROVING A CONDITIONAL USE FOR AN AUTOMOBILE CAR WASH IN A GENERAL COMMERCIAL DISTRICT WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO.

Additional Items:

Council decided to hold a special meeting on Monday, October 25<sup>th</sup>, 2021 at 6:30 p.m. to consider legislation that they were unable to vote on tonight due to a lack of attendance.

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

  
Allan D. Goldhardt, Mayor

  
Wendy Hastings, Fiscal Officer