



**Village of Commercial Point
Council Meeting Minutes
November 15, 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, Mr. Grassel, Ms. Wolfe and Mr. Thompson.

A motion was made to approve the November 1st, 2021 Council Meeting Minutes by Mr. Thompson and seconded by Ms. Geiger. Ms. Wolfe abstained. All of the remaining members were in favor. The motion passed.

Ms. Joiner asked to amend the minutes under the Port Authority paragraph from "it would tarnish the Village's financial reputation" to "it could tarnish the Village's financial reputation". A motion was made to approve the November 8th, 2021 Committee of the Whole Meeting Minutes as amended by Mr. Thompson and seconded by Ms. Wolfe. All members were in favor. The motion passed.

Administrative Reports:

- A. Mayor's Report – He had nothing to report at this time.
- B. Village Solicitor's Report – Solicitor Cartee stated that he and Mike Dean are approaching the Port Authority legal counsel to discuss their process. He also discussed legislation on the agenda. He noted that Resolution 39-2021 is a housekeeping item per our TIF agreement with K-Nova. For Ordinance 2021-44, Mayor Goldhardt had distributed a revised ordinance per Councilman Thompson's request. Solicitor Cartee said we would need a motion to amend that ordinance. He also stated that the acreage would need to be amended on Ordinance 2021-37.
- C. Police Chief's Report – Council received his report in their council packet. He was not present at the meeting.
- D. Village Administrator's Report – He had nothing to report at this time.
- E. Village Engineer's Report - Mark Cameron informed Council that detour signs have been placed for the Walker Road project and the contractor would start this Wednesday. He discussed the detour. He said the completion date is scheduled for December 19th. He also provided an update on the subdivision projects.
- F. Zoning Administrator's Report – He discussed his letter of concerns regarding a few projects that he had sent to council and asked if there were any questions.
- 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. Ryan Mitchem – He had nothing to report at this time.
- C. Aaron Grassel – He had nothing to report at this time.
- D. Jason Thompson – He had nothing to report at this time.
- E. Nancy Geiger - Ms. Geiger said she is still working with South Central Power. She presented an estimate on what the Park & Recreation Committee is looking at as follows:

Lights	13	\$5500
Banners	10	\$1060
Decorative Light Poles		\$10,488 (will apply for a SCP grant)

She also discussed having goodie bags for the Tree Lighting Ceremony. Fiscal Officer Hastings said is checking with Santa to see if he wants to do interaction with the children or a parade this year.



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Citizen Comments:

There were no citizen comments

Business Items:

Ms. Joiner said the Park & Recreation Committee has been looking into the park fee currently being charged to developers. It states single/multi-family buildings is a maximum of \$500 and commercial buildings are a maximum of \$7500.00. She would like to consider revising the language to change it to "per door" as it relates to residential apartments so each unit inside of the building would be captured instead of just one building.

Legislation:

First Reading:

Ordinance 2021-45 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND VILLAGE ADMINISTRATOR TO ENTER INTO AN ELECTRICAL EASEMENT AGREEMENT WITH COI RICKENBACKER INDUSTRIAL LAND, LLC, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

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

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

A motion was made to adopt Ordinance 2021-45 by Ms. Joiner and seconded by Mr. Thompson.

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

Ordinance 2021-46 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND VILLAGE ADMINISTRATOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A PREANNEXATION AGREEMENT WITH DEVIN B. WELLER AND ANDREA L. WELLER, AND AMH DEVELOPMENT, LLC FOR THE ANNEXATION OF 89.278 +/- ACRES INTO THE VILLAGE OF COMMERCIAL POINT.

Mayor Goldhardt did a first reading, title only.

Ordinance 2021-47 AN ORDINANCE AUTHORIZING AND DIRECTING THE ACCEPTANCE OF A DEED OF EASEMENT FROM WJHOH LLC (WJH LLC) REGARDING ACCESS TO SANITARY SEWER LINES, CLEANOUTS, AND TAPS ON TWENTY-SEVEN LOTS WITHIN THE GENOA CROSSING SUBDIVISION, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

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

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

A motion was made to adopt Ordinance 2021-47 by Ms. Joiner and seconded by Mr. Mitchem.

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

Resolution 39-2021 A RESOLUTION DECLARING THE AGREEMENT BETWEEN THE SCIOTO TOWNSHIP BOARD OF TRUSTEES AND K-NOVA LLC TO BE ACCEPTABLE TO THE VILLAGE OF COMMERCIAL POINT PER SECTION 24 OF THE TAX INCREMENT FINANCING AGREEMENT BETWEEN THE VILLAGE OF COMMERCIAL POINT AND K-NOVA LLC.

Mayor Goldhardt did a first reading, title only.

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

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

A motion was made to adopt Resolution 39-2021 by Ms. Joiner and seconded by Mr. Grassel.

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



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Resolution 40-2021 A RESOLUTION TO INCREASE THE WATER FUND APPROPRIATIONS WITHIN THE 2021 PERMANENT BUDGET, AND DECLARING AN EMERGENCY

Mayor Goldhardt did a first reading, title only.

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

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

A motion was made to adopt Resolution 40-2021 by Mr. Grassel and seconded by Ms. Joiner.

Mr. Thompson asked for discussion and the reason for the resolution. Fiscal Officer Hastings explained that the Village received more income than we anticipated, so it will be used towards other loans.

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

Second Reading:

Ordinance 2021-42 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT AS TO PARCEL B (LOT 1) IN THE RICKENBACKER EXCHANGE DEVELOPMENT WITH COI RICKENBACKER INDUSTRIAL LAND, LLC AND SCIOTO EXCHANGE LLC, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a second reading, title only.

A motion was made to suspend the readings by Ms. Geiger and seconded by Ms. Joiner.

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

Ms. Geiger A motion was made to adopt Ordinance 2021-42 by Ms. Geiger and seconded by Mr. Grassel.

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

Ordinance 2021-43 AN ORDINANCE ACCEPTING THE FINAL PLAT OF SCIOTO CROSSING SUBDIVISION SECTION 5.

Mayor Goldhardt did a second reading, title only.

Ordinance 2021-44 AN ORDINANCE AMENDING THE ZONING CODE OF THE VILLAGE OF COMMERCIAL POINT TO REPEAL AND REPLACE SECTION 1185.02 OF THE ZONING CODE, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a second reading, title only.

Ms. Joiner asked why warehousing became its own line item. Mr. Thompson said it was placed on its own line because he feels there are less employees in a warehouse than in a manufacturing environment.

Ms. Joiner discussed the change in parking spaces and asked how he came up with that number. Mr. Thompson said that is approximately what the Council has been approving. Ms. Joiner said that is incorrect.

On previous variance requests, the average number that Council has approved has been 2000-2500 per sq. ft. She suggested to amend it to 2500 per sq. ft. Mr. Thompson said he is ok with that. There was discussion with moving warehouses back to the original line that it was on. Mr. Thompson asked to leave it as its own category. There was further discussion about the ordinance and how it would impact the potential buyer.

Zoning Administrator Kuzelka discussed how the buildings appear in the current zoning book. He feels 2500 is a fair amount. Mayor Goldhardt noted that developer can still request a variance if needed.

A motion was made to substitute the language to include the ordinance distributed by the mayor but amending exhibit A at section 1185.02b to reflect manufacturing/warehouse having 1 parking spot per 2500 sq. ft of gross building area and eliminating the warehousing category as reflected in the exhibit by Ms. Joiner and seconded by Ms. Geiger.

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



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Resolution 35-2021 A RESOLUTION APPROVING THE MAJOR SITE PLAN APPLICATION FOR SCANNELL PROPERTIES #556, LLC ON BEHALF OF K-NOVA.
Mayor Goldhardt did a second reading, title only.

Resolution 36-2021 A RESOLUTION APPROVING THE MAJOR SITE PLAN APPLICATION FOR SCANNELL PROPERTIES #556, LLC.
Mayor Goldhardt did a second reading, title only.

Resolution 37-2021 A RESOLUTION APPROVING THE MAJOR SITE PLAN APPLICATION FOR SCANNELL PROPERTIES #556, LLC.
Mayor Goldhardt did a second reading, title only.

Resolution 38-2021 A RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF COMMERCIAL POINT, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022.
Mayor Goldhardt did a second reading, title only.

Third 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 third reading, title only.

Ms. Joiner asked for discussion. She wanted verification that this agreement contains a CRA only and no TIF. Solicitor Cartee said yes, however, his understanding is that Mr. Lane is open to a TIF discussion with the Village. There was further discussion.

A motion was made to adopt Ordinance 2021-38 by Mr. Thompson and seconded by Mr. Grassel.

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

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 third reading, title only.

Ms. Joiner asked for discussion. She asked that the ordinance be amended from water system to utilities throughout the ordinance and the income generated be split 50/50 between the water fund and the sewer fund. She would also like to change the amount to \$.15 or \$.20 a sq. ft. Solicitor Cartee provided the specific wording for the motion.

A motion was made to substitute the language per Solicitor Cartee's specific wording by Ms. Joiner and seconded by Mr. Mitchem.

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

Further discussion regarding the impact fee was held between council.

A motion was made to postpone the ordinance by Mr. Grassel and seconded by Ms. Wolfe.

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

Postponed Legislation:

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



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HOMES, INC. FOR THE ANNEXATION OF 340.33 +/- ACRES INTO THE VILLAGE OF COMMERCIAL POINT.

A motion was made to amend the agenda to add Ordinance 2021-37 by Mr. Thompson. There was no second to the motion. The motion failed.

Additional Items:

There were no additional items at this time.

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



Allan D. Goldhardt, Mayor



Wendy Hastings, Fiscal Officer