



**Village of Commercial Point  
Council Meeting Minutes  
December 20, 2021**

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

A motion was made to approve the December 6<sup>th</sup>, 2021 Public Hearing Minutes by Ms. Wolfe and seconded by Ms. Joiner. All members present were in favor. The motion passed.

A motion was made to approve the December 6<sup>th</sup>, 2021 Council Meeting Minutes by Ms. Wolfe and seconded by Ms. Geiger. All members present 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 – He had nothing to report at this time.
- C. Police Chief's Report – He was not present, but the monthly police report was in the council packets for their review.
- D. Village Administrator's Report – Administrator Crego said after having a discussion with Fire Chief Cline regarding an issue with street clearance on Alberta Drive, the Village will need to eliminate parking on the south side of a portion of Edmonds Drive. He is completing a letter to deliver to the impacted residents upon Mayor Goldhardt and Chief Cline's approval.
- E. Village Engineer's Report - The Engineer was not present.
- F. Zoning Administrator's Report – He had nothing to report at this time.
- G. Fiscal Officer's Report – She had nothing to report at this time.

**Legislative Reports:**

- A. Tracy Joiner - Ms. Joiner discussed her tour of the Bath & Body Works building as well as other industrial properties and how impressed she was with the park.
- B. Laura Wolfe – Ms. Wolfe advised a part of the playground equipment in the new Walker Point Park was broken and asked who is responsible for fixing it. VA Crego advised he will handle it.
- 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 informed Council that in their previous Parks & Recreation meeting they discussed the possibility of charging developers a fee in lieu of greenspace. They discussed charging commercial/industrial up to 15% and residential 5%. She asked for input from council. She also said they discussed upcoming events they would like to considering holding.

**Citizen Comments:**

There were comments from the citizens.

**Business Items:**

Mr. Moore discussed the legislation before council and the uniqueness of some of the request. Ms. Joiner asked about the greenspace and trees. Mr. Moore said this is not the time for those items to be addressed. They will be brought before Council and addressed at a later date.



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Legislation:

First Reading:

Resolution 44-2021 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A PROFESSIONAL SERVICES ENGAGEMENT AGREEMENT WITH DINSMORE & SHOHL LLP FOR THE PROVISION OF LEGAL SERVICES FROM JANUARY 1, 2022 TO DECEMBER 31, 2023.

Mayor Goldhardt did a first reading, title only.

A motion was made to substitute the language to include email addresses in Section 7 of the Term Agreement by Ms. Joiner and seconded by Ms. Geiger.

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

A motion was made to adopt Resolution 44-2021 by Ms. Joiner and seconded by Ms. Wolfe.

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

Resolution 45-2021 A RESOLUTION APPROVING THE PRELIMINARY PLAN APPLICATION FOR RICKENBACKER EXCHANGE LOT 11.

Mayor Goldhardt did a first reading, title only.

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

Roll call vote: Ms. Joiner - Yes, Mr. Thompson - Yes, Ms. Geiger - No, Mr. Grassel - Yes and Ms. Wolfe - Yes. The motion failed.

Resolution 46-2021 A RESOLUTION TO TRANSFER MONIES WITHIN THE GENERAL FUND FROM THE OTHER PERSONAL SERVICES ACCOUNT 1000-620-190 AND TRANSFER SAID MONIES TO THE STREET DEPARTMENT CAPITAL OUTLAY ACCOUNT 1000-620-590.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 46-2021 by Ms. Wolfe and seconded by Ms. Joiner.

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

Ordinance 2021-51 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A COMMUNITY REINVESTMENT AREA PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN K-NOVA LLC AND PIZZUTI/TMD LLC, AN OHIO LIMITED LIABILITY COMPANY, FOR THE ASSIGNMENT OF THE KNOVA CRA AGREEMENT AS TO LOT 11 IN RICKENBACKER EXCHANGE PART 3, 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 Ms. Geiger.

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

A motion was made to adopt Ordinance 2021-51 by Ms. Joiner and seconded by Ms. Wolfe.

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

Ordinance 2021-52 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A COMMUNITY REINVESTMENT AREA PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN K-NOVA LLC AND EXEL INC., A MASSACHUSETTS CORPORATION, D/B/A DHL SUPPLY CHAIN (USA) FOR THE ASSIGNMENT OF THE K-NOVA CRA AGREEMENT AS TO THAT CERTAIN 234.028 ACRE TRACT OF LAND ON THE SOUTHWEST CORNER OF THE INTERSECTION OF DURRETT ROAD AND STATE ROUTE 104, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

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



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

A motion was made to adopt Ordinance 2021-53 by Ms. Wolfe and seconded by Mr. Grassel.

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

Ordinance 2021-53 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A PRELIMINARY DEVELOPMENT AGREEMENT WITH PIZZUTI/TMD LLC, AN OHIO LIMITED LIABILITY COMPANY, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

Mr. Thompson asked for discussion. He wanted to clarify that if anything does not meet the requirements in our Zoning Code, the developer will have to come back before Council and request a variance. Solicitor Cartee said that was correct. The only thing that the Council is agreeing to is the square footage of the buildings.

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

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

A motion was made to adopt Ordinance 2021-53 by Mr. Thompson and seconded by Mr. Grassel.

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

Ordinance 2021-54 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ACCEPT DONATED LAND FROM K-NOVA LLC, AN OHIO LIMITED LIABILITY COMPANY, KNOWN AS LOT NUMBERS 4A AND 4B, AND RESERVE "A" IN RICKENBACKER EXCHANGE PART 3, UPON COMPLETION OF DUE DILIGENCE BY THE VILLAGE SOLICITOR, AND UPON THE VILLAGE SOLICITOR'S SATISFACTION OF THE RESULTS OF SAID DUE DILIGENCE, 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 Ms. Geiger.

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

A motion was made to adopt Ordinance 2021-54 by Ms. Wolfe and seconded by Mr. Grassel.

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

Third Reading:

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.

Ms. Geiger asked for discussion. She discussed concerns from some of the residents living in AMH houses and their experience with trying to have maintenance issues resolved. Ms. Joiner discussed complaints that have been filed with the Better Business Bureau against AMH as well as multiple class action lawsuits.

A motion was made to adopt Ordinance 2021-46 by Mr. Thompson and seconded by Ms. Wolfe.

Roll call vote: Ms. Joiner - No, Mr. Thompson - Yes, Ms. Geiger - No, Mr. Grassel - No and Ms. Wolfe - No. The motion failed.

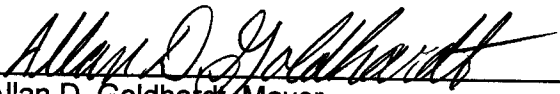


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Additional Items:

Mayor Goldhardt thanked Mr. Thompson and Mr. Grassel for their service as councilman over the past four years for the Village of Commercial Point.

A motion was made to adjourn the meeting by Mr. Thompson 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