



**Village of Commercial Point  
Council Meeting Minutes  
December 6, 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 15<sup>th</sup>, 2021 Public Hearing Meeting Minutes by Ms. Joiner and seconded by Ms. Wolfe. All were in favor. The motion passed.

A motion was made to approve the November 15<sup>th</sup>, 2021 Committee of the Whole Minutes by Mr. Thompson and seconded by Ms. Geiger. All were in favor. The motion passed.

A motion was made to approve the November 15<sup>th</sup>, 2021 Council Meeting Minutes by Ms. Geiger and seconded by Mr. Thompson. All were in favor. The motion passed.

A motion was made to approve the November 29<sup>th</sup>, 2021 Special Council Meeting Minutes by Ms. Joiner and seconded by Ms. Wolfe. All 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 discussed the legislation on the evening's agenda.
- C. Police Chief's Report – The monthly report will be sent by the next meeting. Ms. Joiner asked for an update on the GPS installation. Chief Jordan said it was scheduled for December 2<sup>nd</sup>, however due to COVID issues with the installation employees, it has been delayed. Ms. Joiner asked for an update on the new officers. Chief Jordan advised they are doing well and patrolling on their own, but still working with other officers as well.
- D. Village Administrator's Report – Administrator Crego said they have picked up the new truck for the Street Department and it is currently being fitted for equipment. He advised Council that the old water plant is currently being rehabbed for the Street Department. He said they will be purchasing equipment needed for the upcoming year.
- E. Village Engineer's Report - Mark Cameron provided an update on the Walker Road project.
- F. Zoning Administrator's Report – He had nothing to report at this time. Ms. Geiger asked about the variety of signs in our easements and said they are starting to look bad. He would take care of them.
- G. Fiscal Officer's Report – Fiscal Officer Hastings thanked the Men's Club, Police Department, Methodist Church and Fire Department for their participation in the Christmas parade.

Legislative Reports:

- A. Tracy Joiner – Ms. Joiner asked about the cameras for the Police Garage and said she would like to see them installed as soon as possible.
- B. Laura Wolfe – She has nothing to report at this time.
- C. Ryan Mitchem – He had nothing to report at this time.
- D. Aaron Grassel – He had nothing to report at this time.
- E. Jason Thompson – He had nothing to report at this time.
- F. Nancy Geiger- She had nothing to report at this time.



**Village of Commercial Point  
Council Meeting Minutes  
December 6, 2021**

Citizen Comments:

Bruce Moore addressed council regarding two ordinances before them. He asked council to consider a ratio of 1:3,000 on Ordinance 2021-44, or even a tiered ratio. He also discussed 2021-48. He said they took consideration from the previous council comments and have made adjustments. He said with the support of the public, and to meet the timelines needed, he is asking council to amend the current ordinance to include emergency language and also waive the third reading. He said this would allow the zoning to be passed tonight and allow them to have an ordinance to assign the CRA from K-NOVA to DHL by the end of year.

Don Plank addressed council to discuss the changes in the zoning text. He asked Solicitor Cartee to make updates to Section 3.

Glen Stepp said he has a concern with the lights on the top of the building. He is concerned whether they will point down on his house. He also discussed the mound, trees, fence, access to the corner lot at St. Rt. 104 and Durrett Road. He said if there is a light, that lot will probably sell and he does not want to see any fast food or gas station there. He said he has concerns about the noise. He also asked what the multipurpose path will allow because he does not want to see anything electric or motorized on it. He asked about the possibility of the rental home development. He said does support the DHL development.

Business Items:

There were no business items to discuss at this time.

Legislation:

First Reading:

Resolution 42-2021 A RESOLUTION TO INCREASE THE HOUSING FUND APPROPRIATIONS WITHIN THE 2021 PERMANENT BUDGET.

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: Mr. Thompson - Yes, Mrs. Geiger - Yes, Mr. Grassel - Yes, Ms. Joiner - Yes, Mr. Mitchem - Yes and Ms. Wolfe - Yes. All were in favor. The motion passed.

A motion was made to adopt Resolution 42-2021 by Ms. Joiner and seconded by Ms. Geiger.

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

Resolution 43-2021 A RESOLUTION REPEALING AND REPLACING THE ZONING CERTIFICATE FEE SCHEDULE OF THE VILLAGE OF COMMERCIAL POINT.

Mayor Goldhardt did a first reading, title only.

Solicitor Cartee said this is an administrative action and Council does not have to suspend the three readings.

A motion was made to adopt Resolution 43-2021 by Ms. Wolfe and seconded by Ms. Geiger.

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

Second 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 second reading, title only.

Ms. Joiner said that she has a concern with the access road and believes we need to look into the developer and asked everyone to do their due diligence.



**Village of Commercial Point  
Council Meeting Minutes  
December 6, 2021**

Ordinance 2021-48 AN ORDINANCE TO REZONE 224.720 +/- ACRES WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO FROM LOW DENSITY RESIDENTIAL (R-3) AND GENERAL COMMERCIAL (GC) TO PLANNED INDUSTRIAL DISTRICT (PID) AND ADOPTING THE PRELIMINARY PLAN AND DEVELOPMENT STANDARDS TEXT FOR THE PLANNED DISTRICT.

Mayor Goldhardt did a second reading, title only.

A motion was made to amend the ordinance to include emergency language as stated by Solicitor Cartee by Mr. Thompson and seconded by Ms. Joiner.

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

A motion was made to substitute the Development Standard Text as stated by Solicitor Cartee by Mr. Thompson and seconded by Ms. Joiner.

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

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

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

Mark Cameron then addressed the Council with engineering concerns. He said ODOT recommends 495 feet between intersections. He said there is 400 feet between the North entrance and the Durrett Road intersection. He said he has not seen any road widening plans or deceleration / acceleration lane plans. He said that no impact studies or light requirements have been provided. Ms. Geiger asked what happens if Council vote approves this and they do not meet the criteria? Mr. Cameron said they are considered approved by the Village. She asked if there has been any discussion with the developer. Mr. Cameron said they have brought it up but has not seen anything from them yet. Mr. Thompson said that is not a concern because ODOT can make the changes. Mr. Cameron said it is not ODOT's requirements, it's the village requirements. Mr. Plank said zoning is a police power and traffic is a higher police power. He said when the traffic study is done, which it is in the process, they will follow it.

A motion was made to adopt Ordinance 2021-48 by Mr. Thompson and seconded by Ms. Joiner.

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

**Third Reading:**

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

Mayor Goldhardt did a third reading, title only.

A motion was made to adopt Ordinance 2021-43 by Ms. Joiner and seconded by Ms. Wolfe.

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

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 third reading, title only.

Mr. Thompson asked for discussion. Council discussed a variety of options including a tiered option. Zoning Administrator Kuzelka said he would prefer 1:2500 ratio per building across the board.

A motion was made to substitute the language to 1 million square feet or less to a 1:2500 ratio and 1,000,001 square feet or more to a 1:3000 ratio as stated by Solicitor Cartee by Mr. Grassel and seconded by Mr. Thompson.

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

A motion was made to adopt Ordinance 2021-44 by Mr. Thompson and seconded by Ms. Joiner.

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



**Village of Commercial Point  
Council Meeting Minutes  
December 6, 2021**

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 third reading, title only.

Mr. Cameron read concerns from Engineer Derwacter regarding future right of ways on State Route 104. She feels we will eventually need two lanes with a center turn lane. If this is passed as is, there will be no room for additional road widening.

A motion was made to adopt Resolution 35-2021 by Mr. Thompson and seconded by Mr. Grassel.

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

Resolution 36-2021 A RESOLUTION APPROVING THE MAJOR SITE PLAN APPLICATION FOR SCANNELL PROPERTIES #556, LLC.

Mayor Goldhardt did a third reading, title only.

Ms. Joiner said she would like to see more mounding. The developer said it is challenging because the right of way has limited space and there is an AEP easement. He said with the limited space there is not enough room to do sufficient mounding so they are proposing a row of Evergreen trees. Ms. Joiner asked if the lighting is facing the building and the developer said yes. Mayor Goldhardt confirmed they are discussing lot 8 right now, not lot 10. Ms. Joiner would like this for lot 10.

A motion was made to adopt Resolution 36-2021 by Ms. Joiner and seconded by Mr. Thompson.

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

Resolution 37-2021 A RESOLUTION APPROVING THE MAJOR SITE PLAN APPLICATION FOR SCANNELL PROPERTIES #556, LLC.

Mayor Goldhardt did a third reading, title only.

A motion was made to adopt Resolution 35-2021 by Mr. Thompson and seconded by Mr. Grassel.

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

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 third reading, title only.

A motion was made to adopt Resolution 38-2021 by Ms. Wolfe and seconded by Ms. Geiger.

Roll call vote: Mr. Thompson - Yes, Mrs. Geiger - Yes, Mr. Grassel - Yes, Ms. Joiner - Yes, Mr. Mitchem - Yes and Ms. Wolfe - 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 HOMES, INC. FOR THE ANNEXATION OF 339.371 +/- ACRES INTO THE VILLAGE OF COMMERCIAL POINT.

A motion was made to add the ordinance to the agenda by Ms. Geiger and seconded by Mr. Grassel. Roll call vote: Mr. Thompson - Yes, Mrs. Geiger - Yes, Mr. Grassel - Yes, Ms. Joiner - Yes, Mr. Mitchem - Yes and Ms. Wolfe - Yes. The motion passed.

A motion was made to substitute the language in the agreement that was distributed by Ms. Geiger and seconded by Ms. Joiner.

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

Ms. Joiner said that they have only presented their residential portion of the development, not their commercial portion, and we do not know what may be coming.



Village of Commercial Point  
Council Meeting Minutes  
December 6, 2021

A motion was made to adopt Ordinance 2021-37 by Ms. Geiger and seconded by Mr. Thompson.  
Roll call vote: Mr. Thompson - Yes, Mrs. Geiger - Yes, Mr. Grassel - Yes, Ms. Joiner - No, Mr. Mitchem - No and Ms. Wolfe - Yes. The motion passed.

Pending Administrative Actions:

Resolution 41-2021 A RESOLUTION TO RATIFY THE REALIGNMENT OF MONIES WITHIN THE GENERAL FUND FROM THE TRANSFERS OUT ACCOUNT 1000-910-910 AND TRANSFER SAID MONIES TO THE OTHER PERSONAL SERVICES (SERGEANT) ACCOUNT 1000-110-190-1002.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 41-2021 by Ms. Geiger and seconded by Ms. Wolfe.

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

Additional Items:

Ms. Geiger said at the last meeting, Council approved funds for a new Santa Mailbox. She looked into the mailbox they wanted and it was very poorly made. She asked Council to purchase Christmas decorations instead of the mailbox.

A motion was made to spend up to \$250.00 from the Ye Old Gathering Place Fund for Christmas decorations as stated by Solicitor Cartee by Ms. Geiger and seconded by Ms. Wolfe.

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

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

  
Allan D. Goldhardt, Mayor

  
Wendy Hastings, Fiscal Officer