



**Village of Commercial Point
Council Meeting Minutes
November 7, 2022**

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

A motion was made to approve the October 17th, 2022 Committee of the Whole Meeting Minutes by Ms. Geiger and seconded by Mr. Crego. All members present were in favor. The motion passed.

A motion was made to approve the October 17th, 2022 Council Meeting Minutes by Ms. Wolfe and seconded by Ms. Plybon. 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 – Solicitor Cartee discussed a few pieces of legislation. He encouraged Council to waive the readings and adopt Resolution 48-2022. He informed Council that an updated Exhibit A for Resolution 43-2022 was distributed and asked them to make a motion to substitute the exhibit at the appropriate time. He asked Council to postpone the third reading of Ordinance 2022-27. There are some concerns about the plat they presented. He also asked that they postpone the third reading of Ordinance 2022-28 due to possible recording issues.
- C. Police Chief's Report – The October police report will be sent out with the next council packet. Chief Jordan reported that "Trick or Treat" went very well. He said the confirmation for Officer Fannin is in front of Council tonight. He asked Council to accept the mayor's recommendation to confirm Officer Fannin as a full-time Officer. He discussed the legislation up for a second read tonight to disburse old police equipment. He asked the Council to consider waiving the third reading and adopt the legislation tonight. Mr. Mitchem asked how many officers we have in the department. Chief Jordan said that we have six officers. He said we have two people completing their refresher course. He plans to fill the two open positions with those two people. He said we have two officers on some shifts. Chief Jordan has been discussing a long-term plan with Mayor Goldhardt.
- D. Village Administrator's Report – Administrator Grosse was not present. Mayor Goldhardt read the following report:
 1. WWTP Flows: Average Daily Flow 0.287 MGD, Plant Capacity 0.43MGD
 2. WTP Flows: Average Daily Production:0.43 MGD
 3. Plant Capacity 1.0 MGD
 4. Salt Barn is waiting for delivery and erection
 5. Christmas lights and banners to be installed week of November 21,2022
 6. Reviewing the 95 % plans for the WWTP Improvement
 7. Plant tours: If any council members would like to tour the WWTP and WTP, let him know
 8. Uniforms are scheduled to be delivered next week
- E. Village Engineer's Report - Engineer Derwacter updated the Council on the various development projects. She said they did a walk-through at the Industrial Park, looking at the roadways and storm sewers. She reported that the water line is active but the sanitary sewer is still being worked on. She said they have provided the contractor with a punch list of outstanding items. Within the Industrial Park itself, there are several lots in different stages of development. She said there are still four items on the punch list for the lift station that need to be addressed. There was one piece of property that needed to be acquired for the offsite improvements, which includes turn lanes and a proposed traffic signal. She understands the developer has acquired that piece of property.
- 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.



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Legislative Reports:

- A. Laura Wolfe – She had nothing to report at this time.
- B. Ryan Mitchem – He had nothing to report at this time.
- C. Ross Crego – Mr. Crego asked when the administration looks into the water/sewer rates for the next year, to please consider a schedule that provides relief to a lower volume household.
- D. Nancy Geiger - She had nothing to report at this time.
- E. Stacey Plybon – She had nothing to report at this time.

Citizen Comments:

There were no citizen comments.

Business Items:

- A. Jim Frey Project – Mr. Frey said they are not currently in contract with DR Horton, however, DR Horton would like to know if the village would allow townhomes. Ms. Geiger said she does not feel they can answer that question at this time without discussion and presentation of the product. Mr. Mitchem said he would need to know the number of townhomes they are considering. Mr. Frey asked if rezoning and annexation can be done within a year? Solicitor Cartee said he believes it could if the pre-annexation agreement was worked out. Mr. Frey will submit some material for the Council to look at.
- B. Officer Fannin Confirmation - Mayor Goldhardt explained the confirmation process. He said he received a recommendation from Chief Jordan to confirm Officer Fannin. Mayor Goldhardt presented a letter to Council recommending that Officer Fannin be confirmed. Ms. Geiger said Officer Fannin comes to Village events and becomes a part of the event. She said he interacts with the kids, and they love the badge stickers he passes out.
A motion was made to confirm Officer Fannin by Ms. Geiger and seconded by Ms. Wolfe. All members present were in favor. The motion passed.

Legislation:

First Reading:

Ordinance 2022-31 AN ORDINANCE TO REZONE 152.469 +/- ACRES WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO FROM EXCEPTIONAL USE (EU) TO LIMITED MANUFACTURING DISTRICT (LM) CONTINGENT UPON THE ANNEXATION OF SAID PROPERTY INTO THE VILLAGE.
Mayor Goldhardt did a first reading, title only.

Ordinance 2022-32 AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO SEEK BIDS FOR THE EXPANSION OF THE WASTEWATER TREATMENT FACILITY, AND FOR THE VILLAGE ADMINISTRATOR TO PRESENT THE LOWEST AND BEST BID TO VILLAGE COUNCIL FOR COUNCIL'S CONSIDERATION.
Mayor Goldhardt did a first reading, title only.

Ordinance 2022-33 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT (CRA AGREEMENT) WITH K-NOVA, LLC, AND COI RICKENBACKER LOT 5, LLC AS TO LOT 5 IN RICKENBACKER EXCHANGE – PART 3, AND DECLARING AN EMERGENCY.
Mayor Goldhardt did a first reading, title only.

Ordinance 2022-34 AN ORDINANCE AMENDING SECTION 1044.12 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT RELATED TO WATER RATES, AND DECLARING AN EMERGENCY.
Mayor Goldhardt did a first reading, title only.



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Ordinance 2022-35 AN ORDINANCE AMENDING SECTION 1042.12 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT RELATED TO SEWER RATES, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

Resolution 47-2022 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, 2023.

Mayor Goldhardt did a first reading, title only.

Resolution 48-2022 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A SETTLEMENT AGREEMENT AND RELEASE WITH FOXFIRE GOLF CLUB, INC. TO RESOLVE A TAX ABATEMENT DISPUTE.

Mayor Goldhardt did a first reading, title only.

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

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

A motion was made to adopt Resolution 48-2022 by Ms. Wolfe and seconded by Mr. Mitchem.

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

Second Reading:

Ordinance 2022-29 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT (CRA AGREEMENT) WITH K-NOVA, LLC, AND RBE PARTNERS, LLC AS TO LOT 3 IN RICKENBACKER EXCHANGE – PART 3, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a second reading, title only.

Ordinance 2022-30 AN ORDINANCE ADOPTING SECTION 648.10 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT RELATED TO NOISE AND REPEALING SECTION 5 OF APPENDIX A: LOCAL REGULATIONS OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT.

Mayor Goldhardt did a second reading, title only.

Resolution 43-2022 A RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AGREEMENT WITH FUSION ALLIANCE, LLC FOR THE PROVISION OF INFORMATION TECHNOLOGY SERVICES AT STATE-CONTRACTED PRICING, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a second reading, title only.

A motion was made to substitute Exhibit A by Mr. Crego and seconded by Mr. Mitchem.

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

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

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

A motion was made to adopt Resolution 43-2022 by Ms. Wolfe and seconded by Mr. Mitchem.

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

Resolution 46-2022 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND CHIEF OF POLICE TO DONATE SEVEN (7) OBSOLETE TASERS TO ANOTHER GOVERNMENTAL AGENCY, LAW ENFORCEMENT TRAINING FACILITY, OR EDUCATIONAL INSTITUTION WITH A LAW ENFORCEMENT TRAINING PROGRAM.

Mayor Goldhardt did a second reading, title only.



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A motion was made to suspend the readings by Ms. Geiger and seconded by Mr. Crego.
Roll call vote: Ms. Geiger - Yes, Mr. Mitchem - Yes, Mr. Crego - Yes, Ms. Plybon - Yes and Ms. Wolfe - Yes. The motion passed.

A motion was made to adopt Resolution 46-2022 by Ms. Wolfe and seconded by Ms. Geiger.
Roll call vote: Ms. Geiger - Yes, Mr. Mitchem - Yes, Mr. Crego - Yes, Ms. Plybon - Yes and Ms. Wolfe - Yes. The motion passed.

Third Reading:

Ordinance 2022-27 AN ORDINANCE ACCEPTING THE FINAL PLAT OF FOXFIRE SUBDIVISION PHASE 3, PART 1.

A motion was made to postpone the third reading Ordinance 2022-27 indefinitely by Ms. Wolfe and seconded by Ms. Geiger.

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

Ordinance 2022-28 AN ORDINANCE APPROVING THE ANNEXATION OF 152.469 +/- ACRES FROM SCIOTO TOWNSHIP, PICKAWAY COUNTY, AND JACKSON TOWNSHIP, FRANKLIN COUNTY, TO THE VILLAGE OF COMMERCIAL POINT AND AMENDING THE ZONING MAP.

A motion was made to postpone the third reading Ordinance 2022-28 indefinitely by Mr. Crego and seconded by Ms. Geiger.

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

Pending Administrative Action:

Resolution 49-2022 A RESOLUTION TO TRANSFER MONIES WITHIN THE GENERAL FUND FROM THE TRANSFERS OUT ACCOUNT 1000-910-910 AND TRANSFER SAID MONIES TO THE ACCOUNTING AND LEGAL FEES ACCOUNT 1000-715-341.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 49-2022 by Ms. Wolfe and seconded by Mr. Crego.

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

Postponed Legislation:

Ordinance 2022-21 AN ORDINANCE AMENDING SECTION 5(a)(3)(E) OF THE APPENDIX OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT RELATED TO NOISE.

A motion was made to remove Ordinance 2022-21 from the agenda by Mr. Crego and seconded by Ms. Wolfe.

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

Resolution 38-2022 A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN EASEMENT AGREEMENT WITH K-NOVA, LLC, SCANNELL PROPERTIES #556 LLC, AND HART COMMERCIAL POINT INDUSTRIAL LLC, FOR THE ACCEPTANCE OF A STORM WATER EASEMENT BENEFITING THE VILLAGE OF COMMERCIAL POINT.

No action was taken.

Additional Items:

Ms. Geiger said in the past the village provided cookies and water for the Christmas Tree lighting and asked for the village to consider doing this again out of the Other Print and Advertisement account. Solicitor Cartee said they just need a motion with a dollar amount.

A motion was made to spend up to \$500.00 from the Other Print and Advertisement account for cookies and drinks at the Christmas Tree Lighting by Ms. Geiger and seconded by Ms. Wolfe.

All members present were in favor. The motion passed.



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A motion was made under Ohio Revised Code Section 121.22(G)(3) to enter into Executive Session with the Council, Mayor, and Village Solicitor to discuss imminent court action by Ms. Geiger and seconded by Ms. Wolfe. Roll call vote: Ms. Geiger - Yes, Mr. Mitchem - Yes, Mr. Crego - Yes, Ms. Plybon - Yes and Ms. Wolfe - Yes. The motion passed. Council entered into Executive Session at 7:34 p.m.

A motion was made to return from Executive Session at 8:13 pm by Ms. Wolfe and seconded by Mr. Mitchem. All members present were in favor. The motion passed.

Mayor Goldhardt informed Council they have located a used bucket truck. He said the truck could be used to benefit the Street Department, Utility Department and Parks and Recreation. He asked Council if anyone had any objections to purchasing the truck. The Council had no objections to purchasing the truck.

Mayor Goldhardt reminded everyone tomorrow is election day and to be sure to get out and vote.

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



Allan D. Goldhardt, Mayor



Wendy Hastings, Fiscal Officer