



**Village of Commercial Point
Council Meeting Minutes
February 28, 2022**

Mayor Goldhardt called the meeting to order at 6:00 pm. Administrative Assistant Baldwin took roll call with the following members present: Ms. Geiger, Ms. Joiner, Mr. West, Ms. Wolfe, Mr. Crego and Mr. Mitchem.

A motion was made to approve the February 7th, 2022 Council Meeting Minutes by Ms. Geiger 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 legislation on the agenda.
- C. Police Chief's Report – Chief Jordan advised the monthly report will be sent next week. He said he has been contacted by a police academy in Franklin County regarding several cadets who will be putting in applications with the village. He said he hopes the officer on workman's comp will return in April. Mr. West asked if we have lost officers. Chief advised no, just one on Workman's Comp and one on military orders, but can assist if needed.
- D. Village Administrator's Report – He was not present.
- E. Village Engineer's Report- He 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 said she attended the Rockford Homes meeting at the Commercial Point Men's Club. She said there were concerns with the growth, widening of the roads and schools. She said their plan has changed some since they were before council. She read two emails sent to Mr. West from Deputy Griffith and Captain Thatcher regarding statements made by Sergeant. Murphy. She said as a council member, she reviewed Sergeant Murphy's file and the mayor's recommendation. A public record on January 3rd meeting video reflects a different file than she was provided. She said in the mayor's recommendation, he did not include disciplinary records in the file. She said a record from a public citizen reflected differently with a complaint received by a citizen on October 4th, which is not in his file or to council. She said the mayor did not include in his report between the time span of 10/30-11/26 reflects no complaint, which was by the mayor himself to which a rebuttal was provided. She said he also did not provide for the time span of 11/27-12/31/2021 which would have reflected another infraction. She said Sergeant Murphy's behavior and remarks in their February 7th meeting are unbecoming of an officer and seen as an embarrassment to this village and some members of this council. She said Sergeant Murphy's statement is one that was made publicly and unsupported and considered as a form of retaliation for them not confirming him in the January 3rd meeting and is a form of intimidation.
- B. Laura Wolfe – She had nothing to report at this time.
- C. Ryan Mitchem – He had nothing to report at this time.
- D. Jason West – He had nothing to report at this time.
- E. Ross Crego – He had nothing to report at this time.
- F. Nancy Geiger- She had nothing to report at this time.



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Citizen Comments:

Mr. Scott O'Neil addressed council with concerns about Ms. Joiner contacting the Sheriff again for a possible contract. He said obviously some people on council would like to do away with the police department. He said a few months ago council was concerned with retaining officers and did a pay raise. He asked how we can expect anyone to come in here and want to work for the village? He said we are wasting time doing studies and figuring how much to pay employees to be getting information on contracting with the Sheriff. He said it's a waste of time to read letters from former employees. He said he cannot believe the developers are sitting in here or even come back after watching some of these meetings. He said if the statement given by the mayor was true about what was said on the hot microphone by a council member, he has yet to see that person apologize or take responsibility and everyone just sits up there quiet.

Adam Jordan addressed council. He said he has been with Commercial Point for 22 years and this evening he will speak as a taxpayer. He said he has seen several times an attempt to bring the Sheriff's Department in. He said there are concerns that it will cause problems between the village and the Sheriff's Department. He said we have members of the department, new, veteran members and potential applicants who are concerned with the rumors of doing away with the department. He said his recommendation to council is if they expect him to get people recruited into the department, they need to stop having conversations about doing away with the police department. He said we have a police department to handle local issues. He said there are many positives to having your own department.

Business Items:

- A. DHL - Mr. West made A motion was made to move into Executive Session involving council, the mayor village solicitor and representatives of K-NOVA under Ohio Revised Code 121.22G8 to consider confidential information related to the marketing plans specific business strategies, business techniques, trade secrets and personal financial statements of an applicant for economic development under Ohio Revised Code section 3735.67, 3735.70 and or 5709.50 to 5709.43 and extension of utility services directed related to a development project that the Executive Session is necessary to protect the interest of the applicant and possible investments for expenditure of public funds to be made in connection with the economic development project by Mr. West and seconded by Mr. Ryan.
Roll call vote: Mr. Crego - No, Ms. Joiner - No, Mr. Mitchem - Yes, Ms. Geiger - No, Ms. Wolfe - No, Mr. West - Yes. The motion failed.
- B. Council Decorum - Mr. West read a statement to council dated 2-7-2022. He discussed his reason for running for office. He also discussed interactions between council members with residents, businesses and constituents.
- C. Pizzuti Major Site Plan - Mr. Moore addressed council and asked council to consider waiving the third reading and pass the resolution before them tonight. He informed them that the engineers and arborist were present for any questions. Ms. Joiner asked if there will be any fencing to separate each building. The Pizzuti team said there is no fencing proposed, but instead they will be broken up with landscaping. They said currently there are no plans to place fences, however, some customers have security concerns so there could possibly be some fences in the future.
- D. Sheriff - Mr. Mitchem said he asked the Sheriff to attend this evening to talk to council and the residents about services he could provide. He said we are looking at a \$904,000 budget for the police department. If we contracted with the Sheriff's office, we could possibly receive a better rate, 24/7 coverage and no worries about manpower. He said he thinks it would reduce liability in the village, have appropriate



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supervision and the person in charge would be able to supervise its employees to make sure they are doing right. He said another reason he is looking into the Sheriff is their professional standards in training. He invited the Sheriff to address council. Sheriff Hafey read a letter he wrote informing Council that at this time he is declining to provide quote until such time council officially decides to dissolve the current police department. He said if this happens, they will provide services to keep citizens safe. Ms. Joiner asked if council moved towards defunding the local police department, would they be willing to do a substation based out of Commercial Point. Sheriff Hafey said there are so many working parts. He said they came up with the idea that there would need to be at least five deputies assigned to Commercial Point to provide 24/7 coverage. He said they would need to purchase additional cruisers, hire five deputies and get all of them up to speed. This would require quite a bit of time. He said hiring is difficult for any industry, especially law enforcement. He said we are competing with other agencies just north of us that pay more. He said it would have to be a minimum of five plus years on a contract due to training requirements. Ms. Joiner asked if they are still in agreements with the township. Sheriff Hafey said they are not. He said they provide services for the entire county. Ms. Joiner asked how many officers he has patrol the northern Pickaway County area? Sheriff Hafey said all officers serve all of the county. Ms. Geiger discussed the additional cost of repainting our cars to the Sheriff office scheme and if the village decided to have our own police department again, we would have cost in repainting them again. She asked if our officers would apply for a job with the Sheriff's Department, is it possible they would be hired? Sheriff Hafey said they would go through the same screening process as any deputy applying. Ms. Geiger asked if he could give an estimate, what would it be? She said she was given \$800,000 plus from their chief which she believes includes uniforms and repainting the vehicles. Sheriff Hafey said the reason he is declining is because this is the fourth time the Commercial Point Village Council has approached this office. He will wait until Council comes together and makes a decision. If that time comes, they will take care of Commercial Point residents, but they also have to be fair to other residents in other municipalities. He said he would suggest they talk to their constituents. He said they provide a great service but there is something to be said about having your own police department that is based here. He said sometimes they are at three people on patrol and if they are spread out or on a call, it may take a while to respond. He said they will come but it may not be immediately. Mr. West asked in terms of liability, if the village enters into contract, would that take the liability off of the village and put it back on their department. Sheriff Hafey said they have liability coverage but that would be a question for the solicitor. Mr. West asked about the screening process and training. Sheriff Hafey discussed the process. Mr. West asked if he would ever employ someone who does not have a psychological evaluation. Sheriff Hafey said he would not. Mr. West asked if they have to qualify for weapons training. Sheriff Hafey said they are required by the state to qualify once a year. Mr. West asked about diversification in their department. Sheriff Hafey discussed their staffing. Mr. Mitchem asked if they were to come here, what kind of set up would he have. The Sheriff's office advised they would probably look at one Sergeant and four road deputies with 10-12 hour shifts. Ms. Joiner talked about the cost estimates of the RITA income and cost of the Sheriff verses current department cost. Ms. Geiger stated that RITA was not put in place just to fund a police department. Ms. Joiner said yes it was, it was put in as an emergency order for law enforcement. Mayor Goldhardt informed her that she was incorrect. He stated that he was in office when RITA was enacted. The reason the income tax was enacted was because Commercial Point had no stable source of income at that time. He said the only source of income for the Village was a tax levy, which was periodically voted down and left the Village without any income. The income tax was enacted so that the Village had a foundation of steady income for the future. Mr. West asked Sheriff Hafey if he would absorb the current officers. Sheriff Hafey said they would have to go through the same hiring



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process as everyone else, but they would have the opportunity as anyone else would. Ms. Geiger asked Chief Jordan if we do polygraphs and psychological exams. Chief Jordan said yes we do. He explained the process. Mr. West asked if everyone currently employed completed the physical as well as the psychological evaluation. Chief Jordan said everyone has had a physical. He said the only one who does not have the Ohio Police and Fire physical is Kevin Kelly because he is a part-time employee and he is in the retirement system, which does not require the physical. Mr. West asked if they all have taken the psychological evaluation. Chief Jordan said he probably does not have the psychological evaluation through this department because when he was hired, it was not required. He explained the current process of hiring to the Council.

Legislation:

First Reading:

Resolution 10-2022 A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE FISCAL OFFICER TO DONATE \$6,500.00 TO THE COMMERCIAL POINT COMMUNITY MEN'S CLUB FOR A PUBLIC FIREWORKS DISPLAY AT THE 2022 COMMERCIAL POINT HOMECOMING

Mayor Goldhardt did a first reading, title only.

Ms. Joiner asked for discussion. Ms. Geiger said she reached out to the Ashville Men's Club to see if their Village helps them out financially. She was advised the village does not assist financially. She said the Village pays for the police coverage and allows the organization to hang signs. She said the Men's Club has sponsors and fundraisers. She is concerned we are opening ourselves for other outside organizations to come and ask for donations. Mr. Crego asked about the restrictions on the American Recovery Act money. Fiscal Officer Hastings said the only one she focused on was for infrastructure expenses. He said he sees this as a part of an economic recovery. There was further discussion between council members.

Ordinance 2022-09 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 SCANNELL PROPERTIES #627, LLC AS TO LOT 7 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. Geiger and seconded by Mr. Crego.

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

A motion was made to adopt Ordinance 2022-09 by Mr. Crego and seconded by Mr. Mitchem.

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

Second Reading:

Resolution 05-2022 A RESOLUTION TO MAKE PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF COMMERCIAL POINT, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a second reading, title only.



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Resolution 06-2022 A RESOLUTION APPROVING THE MAJOR SITE PLAN APPLICATION FOR THE PIZZUTI COMPANIES ON BEHALF OF K-NOVA AS TO A PROPOSED BUILDING ON LOT 11A IN THE RICKENBACKER EXCHANGE DEVELOPMENT.

Mayor Goldhardt did a second reading, title only.

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

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

A motion was made to adopt Resolution 06-2022 by Ms. Joiner and seconded by Mr. Mitchem.

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

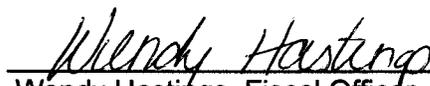
Additional Items:

There were no additional items.

A motion was made to adjourn the meeting by Ms. Wolfe 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