



Village of Commercial Point
Council Meeting Minutes
August 15th, 2022

Mayor Goldhardt called the meeting to order at 7:26 pm. Administrative Assistant Baldwin took roll call with the following members present: Ms. Geiger, Ms. Wolfe, Mr. Crego, Ms. Joiner, and Mr. Mitchem.

A motion was made to approve the August 1st, 2022, Public Hearing Minutes by Mr. Crego and seconded by Ms. Joiner. All were in favor. The motion passed.

Mr. Crego asked to amend the regular meeting minutes to include the concerns voiced by Mr. Nungester regarding the edge of some sidewalks dropping off and not safe for wheelchair access.

A motion was made to approve the August 1st, 2022, Council Meeting Minutes as amended by Ms. Joiner and seconded by Ms. Geiger. 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 – He had nothing to report at this time.
- C. Police Chief's Report – He had nothing to report at this time.
- D. Village Administrator's Report – He had nothing to report at this time. Ms. Geiger asked if he had the figures for the walk path. Administrator Grosse asked if she received his email. She did not. He will resend the email. Ms. Joiner asked if he could send Council a list of recommended pavement repairs for the year.
- E. Village Engineer's Report - She was not present.
- F. Zoning Administrator's Report – He informed Council that most of the zoning violations within the Village have been cleared up.
- G. Fiscal Officer's Report – She had nothing to report at this time.

Legislative Reports:

- A. Tracy Joiner – Ms. Joiner thanked everyone who attended the Food Truck festival. She thanked K-NOVA and Dough Boyz for their donation and for providing the band. She informed everyone that this Friday is the next movie night and that it will begin about 8:30p.m. Ms. Wolfe thanked Ms. Geiger for all her work behind the scenes in setting up the Food Truck festival.
- B. Laura Wolfe – She had nothing to report at this time.
- C. Ryan Mitchem – Mr. Mitchem said he was very impressed with the new officers and their interaction with the community. Ms. Joiner asked Chief Jordan for an update in the hiring process. Chief Jordan said he has a conditional offer out to one person and is currently looking at three potential applicants.
- D. Ross Crego – He had nothing to report at this time.
- E. Nancy Geiger - Ms. Geiger thanked the Commercial Point Men's Club for the use of their picnic tables during the food truck festival. She also thanked Mike Struckman of the Street Department and Gary Joiner for their help in setting them up. Mr. Mitchem said he was asked how someone can be a member the Parks and Recreation Committee. Ms. Geiger said the committee consist of three council members as outlined in the Council Rules. All meetings are open to the public and the committee welcomes any feedback and ideas for improvements.

Citizen Comments:

Mr. Moore, attorney for K-NOVA, addressed Council. He said a lot of information was provided during the Committee of the Whole meeting. In his opinion, he felt most of it was not correct. He said from a policy



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perspective, it was great to hear that the Village recognized the TIF could possibly generate \$160 million in revenue for the village and the developer. He said that figure does not include the TIF revenue that would be generated for the school district. He said the reason the monetization issue came up is because they stood before council twelve months ago when the impact fee legislation was being discussed. K-Nova was against any impact fees placed on developers and said there were other ways to fund the water and sewer infrastructure needs. He said after DHL pulled out, a few council members asked what they could do to prevent this from happening again. He thinks the Village needs to pay a higher interest rate to the developers who are funding the infrastructure being constructed. He feels the higher interest rate would help push them to the goal of getting a good buyer on the property. Without the buyer, the land may not get developed.

Gavin Jones introduced himself to Council. He is a representative of Tenby Partners and is available if there are questions on Resolution 29-2022. He asked if Council would consider waiving the third reading of that resolution this evening.

Tim and Karen Moore addressed council. They are the owners of Mo's Place, within the Village. He said that the Liquor Board is aware of the daycare located next door. He clarified that they are not a bar, they are a restaurant that would be adding wine and beer to their menu. He said they applied for this permit four years ago, prior to the daycare being there.

Business Items:

- A. Council Vacancy - A motion was made to appoint Audrea Ratliff to fulfill the term of the vacant council seat starting on September 12th by Ms. Joiner and seconded by Ms. Geiger.
Roll call vote: Mr. Crego - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes, Mr. Mitchem - Yes, Ms. Geiger - Yes.
The motion passed.

Legislation:

First Reading:

Ordinance 2022-22 AN ORDINANCE AMENDING SECTION 452.03 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT RELATIVE TO PROHIBITED STANDING OR PARKING PLACES.

Mayor Goldhardt did a first reading, title only.

Ordinance 2022-23 AN ORDINANCE AUTHORIZING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A COOPERATIVE AGREEMENT FOR THE PURPOSE OF PLEDGING CERTAIN TAX INCREMENT FINANCING REVENUES TO THE REPAYMENT OF DEVELOPMENT REVENUE BONDS TO BE ISSUED BY THE PICKAWAY COUNTY PORT AUTHORITY AND DECLARING AN EMERGENCY.

Mayor Goldhardt did a first reading, title only.

Second Reading:

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.

Mayor Goldhardt did a second reading, title only.

Resolution 29-2022 A RESOLUTION APPROVING THE MAJOR SITE PLAN APPLICATION FOR TENBY PARTNERS ON BEHALF OF K-NOVA, AS TO LOT 3 IN THE RICKENBACKER EXCHANGE - PART 3 DEVELOPMENT.

Mayor Goldhardt did a second reading, title only.

A motion was made to suspend the third reading by Ms. Geiger and seconded by Mr. Mitchem.

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

A motion was made to adopt Resolution 29-2022 by Ms. Wolfe and seconded by Ms. Joiner.

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



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Third Reading:

Ordinance 2022-20 AN ORDINANCE AMENDING ORDINANCE NO. 2019-19 TO PROVIDE FOR AMENDED TAX INCREMENT FINANCING FOR THE K-NOVA LLC DEVELOPMENT IN THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, OHIO AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO TAX INCREMENT FINANCING AGREEMENT; AND PROVIDING RELATED AUTHORIZATIONS; AND DECLARING AN EMERGENCY.

Ms. Joiner asked for discussion prior to the third reading. She addressed Mr. Scala. She understood that the Mayor and Council came to him with a figure for the monetization and was turned down. Mr. Scala said that he had discussed the original agreement with the previous administration two and a half years ago and the village's share prior to the market change. He said the \$7 million request came out of nowhere. Ms. Joiner asked how the council's vote would affect the future development. He said this will have big ramifications on the developers. He said if the buildings do not get built, no TIF money would be generated. He said over the last year, he is upset with how the Village has been treating him. Ms. Geiger said the issue is that he wants the Village to increase the interest rate that we pay, but there is no guarantee the Village will receive anything in return for the extra cost. She said Council's duty is to do what's best for the Village and if there is no guarantee the Village would get anything in return for the extra expense, why would we do it. Mr. Scala said deals could fall through and the development could be negatively affected. Ms. Joiner asked how they came up with the interest rate? He said Huntington came up with the rate. He said the 7.25% is necessary if you want to keep developers paying out of their own pocket for infrastructure improvements. He said the developers are continually taking all the risks. He feels the Village will benefit from this.

A motion was made to indefinitely postpone the ordinance by Ms. Geiger and seconded by Mr. Crego. Roll call vote: Mr. Crego - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes, Mr. Mitchem - Yes, Ms. Geiger - Yes. The motion passed.

Pending Administrative Action:

Resolution 30-2022 A RESOLUTION OBJECTING TO THE LIQUOR PERMIT APPLICATION OF 3505 PARSONS AVE. LTD DBA MO'S PLACE (PERMIT NUMBER 89150180005), REQUESTING A HEARING WITH THE OHIO DIVISION OF LIQUOR CONTROL, AND AUTHORIZING AND DIRECTING THE VILLAGE SOLICITOR TO TAKE ALL NECESSARY ACTIONS TO CARRY OUT SUCH OBJECTION AND REQUEST.

Mayor Goldhardt did a first reading, title only.

Mr. Crego asked for discussion. He said it was simply brought up that there is a daycare within the proximity and does this cause the permit not to be issued or how is the situation handled. He said it was nothing for or against issuing the permit. Ms. Wolfe said she does not see this being any different than going to the zoo or Kings Island where alcohol is served. She said in this case, the building is attached, but it is two separate areas. Ms. Geiger asked the daycare owner to come forward. Tina, owner of the daycare addressed council. She said she has concerns for the kids. They have a play area behind the building and their parents pick them up in the front. She said the parking space is very small and they are open until 6:00 p.m. She said the more cars that are there, the longer they will have to wait to pick up their children. Ms. Joiner asked if it is not so much the clientele it would attract as much as it is a parking issue? Tina said no, they are concerned that maybe someone pulling out who has had a few drinks may not see them. Ms. Joiner asked Mr. Moore about their hours. He said their hours are 11:00 a.m. to 9:00 p.m. He said they would monitor anyone drinking on premise. He said there is plenty of parking, including parking on the side of the daycare. Tina said she spoke with their licensing specialist, who is ODJFS. She said as of right now, there are no daycare centers around any bars. She said they have no guidelines on that, but it does not mean it wouldn't be ruled on in the future. She said if that would happen, she would have 90 days to leave the building.

A motion was made to adopt Resolution 30-2022 by Ms. Geiger and seconded by Mr. Crego.

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



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Resolution 31-2022 A RESOLUTION TO TRANSFER MONIES WITHIN THE GENERAL FUND FROM THE TRANSFERS OUT ACCOUNT 1000-910-910 AND TRANSFER SAID MONIES TO THE CONTRACTUAL SERVICES (MAYOR'S COURT PROSECUTOR) ACCOUNT 1000-720-300-1055.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 31-2022 by Ms. Joiner and seconded by Mr. Mitchem.

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

Resolution 32-2022 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO AN AMENDED AND RESTATED PROFESSIONAL SERVICES ENGAGEMENT AGREEMENT WITH DINSMORE & SHOHL LLP FROM JANUARY 1, 2022 TO DECEMBER 31, 2023.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 32-2022 by Ms. Joiner and seconded by Ms. Geiger.

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

Additional Items:

Ms. Geiger said the Parks and Recreation Committee would like to recognize Cohen Carpenter. She said he is always there to help with all the activities, even in the rain and he never complains. She said he is the kindest young man.

A motion was made to enter into executive session under Ohio Revised Code Section 121.22(G)(3) to discuss imminent court action with the Council, Mayor, Audrea Ratliff and the Village Solicitor by Ms. Geiger and seconded by Mr. Crego.

Roll call vote: Mr. Crego - Yes, Ms. Joiner - Yes, Ms. Wolfe - Yes, Mr. Mitchem - Yes, Ms. Geiger - Yes. The motion passed and Council entered into executive session at 8:08 p.m.

A motion was made to return from executive session by Ms. Wolfe and seconded by Mr. Mitchem. All were in favor. The motion passed and Council returned from executive session at 8:25 p.m.

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


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer