



**Village of Commercial Point
Council Meeting Minutes
January 3, 2022**

Mayor Goldhart swore in new council members Ms. Nancy Geiger, Ms. Laura Wolfe, Mr. Jason West and Mr. Ross Crego.

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. West, Ms. Wolfe, Mr. Crego and Mr. Mitchem.

A motion was made to approve the December 20th, 2021 Committee of the Whole Minutes by Ms. Joiner and seconded by Ms. Wolfe. Mr. West, Mr. Crego and Mr. Mitchem abstained. The remaining members voted in favor. The motion passed.

A motion was made to approve the December 20th, 2021 Council Meeting Minutes by Ms. Joiner and seconded by Ms. Wolfe. Mr. West, Mr. Crego and Mr. Mitchem abstained. The remaining members voted 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 discussed the legislation on the evening's agenda.
- C. Police Chief's Report – Chief Jordan thanked Ms. Hastings, Officer Murphy, Officer McCrabb and the Commercial Point Men's Club Foundation for their donation and assistance with the Shop with a Cop Program in Pickaway County. He discussed activities involving the Police Department within the past week. Ms. Joiner asked for an update on the GPS installation. He informed her that one cruiser is currently in the shop for installation now and once that it is returned, the other cruiser will go in. Ms. Joiner asked who wrote the current recommendations presented to them for confirmation. Mr. Mitchem thanked Officer Kelly for his assistance with their Santa Parade.
- D. Village Administrator's Report – Mr. Crego said they were able to purchase a pick-up truck, tractor, and pay for the salt boxes prior to the end of the year for the Street Department. He updated council on the playground repair as well as his discussion with residents on Alberta Drive. He said he feels that the "No Parking" signs should be on the opposite side of the street than originally discussed.
- E. Village Engineer's Report - The Engineer was not present.
- F. Zoning Inspector'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 -She had nothing to report at this time.
- 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. Ralph Holdren addressed council with concerns on the Officer Confirmations. He said he has concerns for the safety of the citizens after reading a specific officers employee file. He wants Council to take it into consideration before voting this evening.

Ms. Terri Wehrlein addressed council and said over the last few years she has had issues with Officer Murphy. She discussed her upcoming court case in Circleville and the possible litigation she will file against the village after her charges are dismissed. She discussed her concern with the Police Department and leadership in the administration. She asked council to vote with integrity.

Mr. Bruce Moore discussed Resolution 45-2021 that is up for a second reading and they are asking Council to waive the third reading. He said their team is present in the event anyone has any questions.

Business Items:

President Pro Tempore – Ms. Geiger was nominated for President Pro Tempore by Ms. Wolfe and seconded by Mr. Crego. Ms. Joiner was nominated for President Pro Tempore by Mr. Mitchem and seconded by Mr. West. Mayor Goldhardt stated that a roll call vote will be taken and each member should state the name for their vote.

Ms. Geiger - Nancy, Ms. Wolfe - Nancy, Mr. West - Tracy, Mr. Crego - Nancy, Mr. Mitchem - Tracy and Ms. Joiner - Tracy. Solicitor Cartee explained to Council that the mayor would break the tie. Mayor Goldhardt voted Nancy. Ms. Geiger was elected to the position of President Pro Tempore of Council for 2022.

Council Dates – Mayor Goldhardt had distributed a list of meeting dates in the Council Packet prior to the meeting for Council's consideration. He based the list on last year's dates and times. The only dates in question are January 17th and February 21st, as these are holidays. Ms. Joiner said she would like to suggest the first Monday of the month be a Council meeting and the third Monday be a Committee of the Whole meeting only. Ms. Geiger and Ms. Wolfe agreed. Ms. Geiger said she likes having the Committee of the Whole meetings in the Conference Room where they can discuss the issues and concerns around the table. Ms. Geiger asked if the meeting on the holidays can be moved to the following Monday. They asked for the Committee of the Whole to begin at 7:00 pm. Mr. Crego said he is concerned about the amount of legislation and items that need action due to time commitments.

A motion was made to hold only one Council Meeting a month and one Committee of the Whole meeting a month by Ms. Geiger and seconded by Ms. Joiner.

Roll call vote: Ms. Joiner - Yes, Mr. Crego - No, Ms. Wolfe - Yes, Mr. Mitchem - Yes, Mr. West - No and Ms. Geiger - Yes. The motion passed.

Council Rules – Mayor Goldhardt advised there were a few minor changes to the rules this year.

A motion was made to adopt the Council Rules as distributed by Mr. Crego and seconded by Ms. Joiner. Roll call vote: Ms. Joiner - Yes, Mr. Crego - Yes, Ms. Wolfe - Yes, Mr. Mitchem - Yes, Mr. West - Yes and Ms. Geiger - Yes. The motion passed.

Officer Confirmations – Mayor Goldhardt said that we have two officers that have been on probationary status for six months and are up for confirmation. Solicitor Cartee said that he circulated his views on the process and how it should proceed. He said section 737.17 of the Revised Code requires the mayor to submit a recommendation to the Village Council. Solicitor Cartee said it is his legal opinion that section 737.17 of the Revised Code requires the mayor and Council to agree on a final appointment or removal decision. He said if there is a disagreement, it is his legal opinion that the officer remains on a probationary status until there is an agreement between the mayor and council. He advised Council that the mayor has the authority to break a tie vote.

A motion was made for Council and Officer McCrabb to go into Executive Session per revised code section 121.22G1 to consider an appointment of an employee by Ms. Joiner and seconded by Mr. Mitchem. Mayor Goldhardt asked if she would like Solicitor Cartee to join them. Ms. Joiner said no, just Officer McCrabb and Council members only.



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Roll call vote: Ms. Joiner - Yes, Mr. Crego - Yes, Ms. Wolfe - Yes, Mr. Mitchem - Yes, Mr. West - Yes and Ms. Geiger - Yes. The motion passed. Council entered Executive Session at 7:37 p.m.

A motion was made to return from Executive Session by Ms. Joiner and seconded by Mr. Mitchem.
Roll call vote: Ms. Joiner - Yes, Mr. Crego - Yes, Ms. Wolfe - Yes, Mr. Mitchem - Yes, Mr. West - Yes and Ms. Geiger - Yes. The motion passed and Council returned from Executive Session at 8:05 p.m.

A motion was made to approved the mayor's recommendation to confirm Officer McCrabb by Ms. Joiner and seconded by Mr. Mitchem.

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

A motion was made for Council and Sergeant Murphy to go into Executive Session per revised code section 121.22G1 to consider an appointment of an employee by Ms. Joiner and seconded by Mr. West.

Roll call vote: Ms. Joiner - Yes, Mr. Crego - Yes, Ms. Wolfe - Yes, Mr. Mitchem - Yes, Mr. West - Yes and Ms. Geiger - Yes. The motion passed. Ms. Joiner told Sergeant Murphy that the Council would call him into their executive session at the appropriate time. Council entered Executive Session at 8:06 p.m.

A motion was made to return from Executive Session by Ms. Joiner and seconded by Mr. Mitchem.

Roll call vote: Ms. Joiner - Yes, Mr. Crego - Yes, Ms. Wolfe - Yes, Mr. Mitchem - Yes, Mr. West - Yes and Ms. Geiger - Yes. The motion passed and Council returned from Executive Session at 9:25 p.m.

A motion was made to approved the mayor's recommendation to confirm Sergeant Murphy by Ms. Joiner and seconded by Mr. Mitchem.

Roll call vote: Ms. Joiner - No, Mr. Crego - No, Ms. Wolfe - No, Mr. Mitchem - No, Mr. West - No and Ms. Geiger - No. The motion failed.

Legislation:

First Reading:

Ordinance 2022-01 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 IDI RICKENBACKER G1, LLC, AS TO LOT 9 IN THE RICKENBACKER EXCHANGE – PART 3 DEVELOPMENT, 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 Mr. Crego.

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

A motion was made to adopt Ordinance 2022-01 by Ms. Joiner and seconded by Mr. West.

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

Second Reading:

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

Mayor Goldhardt did a second reading, title only.

Ms. Joiner asked for discussion. She wanted to know if any of the other Council members were interested in suspending the third reading. Ms. Geiger said Council has required other developer's preliminary plans to go through all three readings and does not see why Council should treat this developer's preliminary plan any different.



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Pending Administrative Action:

Resolution 01-2022 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 (CHIEF) ACCOUNT 1000-110-190-1001.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 01-2022 by Ms. Wolfe and seconded by Ms. Geiger.

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

Resolution 02-2022 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 (FISCAL OFFICER) ACCOUNT 1000-725-121-000.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 02-2022 by Ms. Geiger and seconded by Ms. Wolfe.

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

Resolution 03-2022 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 (PART-TIME OFFICER) ACCOUNT 1000-110-190-1013.

Mayor Goldhardt did a first reading, title only.

A motion was made to adopt Resolution 03-2022 by Mr. Mitchem and seconded by Ms. Wolfe.

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

Resolution 04-2022 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 04-2022 by Ms. Joiner and seconded by Mr. Mitchem.

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

Additional Items:

There were no additional items to be discussed.

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


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer