



Village of Commercial Point
Council Meeting Minutes
June 6th, 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, Ms. Wolfe, Mr. West, Mr. Crego, Ms. Joiner and Mr. Mitchem.

Ms. Joiner asked for a correction to the date on the minutes to reflect May 16th, 2022.

A motion was made to approve the May 16th, 2022 Committee of the Whole minutes as amended by Ms. Geiger and seconded by Mr. Mitchem. Ms. Joiner abstained and the remainder of the council members were in favor. The motion passed.

A motion was made to approve the May 16th, 2022 Council Meeting Minutes as distributed by Ms. Geiger and seconded by Ms. Wolfe. Ms. Joiner abstained and the remainder of the council members were in favor. The motion passed.

Administrative Reports:

- A. Mayor's Report – He had nothing to report at that time.
- B. Village Solicitor's Report – Solicitor Cartee discussed the legislation on the evening's agenda.
- C. Police Chief's Report – He was not present.
- D. Village Administrator's Report – Administrator Grosse informed council that the guard rail at Walker Road has been repaired. He also informed them that the NPDES draft for the new waste water treatment plant was received this past Friday. He said there have been some questions regarding retention ponds and the use of fountains. He said it is a requirement of the village for developments to have both. In a previous meeting he was asked to obtain a cost estimate for repairs to the irrigation system at Chestnut Estates. The estimate he received was \$3280. Mr. West asked if the contractor who put in the walking path should pay for the repairs. Administrator Grosse said he is not aware of the agreement with the contractor because he was not the Village Administrator at that time. Ms. Joiner said she feels we should be able to use the Street Department for the repair work. Ms. Geiger said she has some other questions about this project and feels it should be discussed at the next Committee of the Whole meeting. Mr. West has asked if a copy of the contract could be made available. Ms. Geiger asked if the drain on Hickory Alley has been checked out? Administrator Grosse said the Street Department will contact a contractor to come in and clean out the drains. Mr. West asked what the village can do to enforce the issue with the fountains. Solicitor Cartee said it can be anywhere from a lawsuit, zoning enforcement or ordering into Mayor's Court.
- E. Village Engineer's Report- He was not present.
- F. Zoning Administrator's Report – He was not present.
- 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 asked about the noise ordinance and enforcement. He said he has received complaints about the music at Dough Boyz playing past the cut off. He said that he drove into town after 9:00 p.m. and has heard the music. He also said that he has received complaints about motorcycles revving their engines and squealing their tires at the Hawk. Mayor Goldhardt advised Chief Jordan has spoken to Mike Havens regarding the issue with the motorcycles. Mr. Mitchem reported that the street light is still out at the entrance to Chestnut Estates.



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- D. Jason West – Mr. West discussed the sound issue and possible sound barriers. He also discussed the break in's Chestnut recently experienced.
- E. Ross Crego – Mr. Crego said that he received very good feedback on the Farmers Market. He discussed the 5K Run and said one issue we did not think about is advising the Post Office.
- F. Nancy Geiger- Mr. Geiger informed council that the 1st Farmers Market went well and thanked all of the volunteers. The next Farmers Market is scheduled for June 25th.

Citizen Comments:

Luke Preston addressed council regarding the fountains in the ponds at Chestnut Estates. He said the fountains have not worked for at least a year. He distributed pictures to the council members which shows the condition of the water. He said it also is an issue with mosquitos. He informed council that the HOA wants to replace the fountains with a bubbler system. Ms. Joiner asked which pond. He said all three ponds are having similar issues.

Cindy Howell addressed council regarding the fountains in the pond at Chestnut Estates. She said other fountains also have not worked for at least 6-8 months. She said that she chose her lot due to the fountain.

Joel Perry informed council that he is there to represent the engineering firm for Lot 6 in case there are any questions.

Mayor Goldhardt said that he will discuss the fountain issues with the Zoning Administrator. Ms. Joiner asked if we have requirements for the fountains based on the pond size. Administrator Grosse said we do not. Ms. Joiner said council should consider adding language to the zoning code.

Business Items:

There were no business items on the agenda for the meeting.

Legislation:

First Reading:

Ordinance 2022-16 AN ORDINANCE APPROVING THE ANNEXATION OF 60.962 +/- ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND AMENDING THE ZONING MAP.

Mayor Goldhardt did a first reading, title only.

Ordinance 2022-17 AN ORDINANCE TO REZONE 60.962 +/- ACRES WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO FROM EXCEPTIONAL USE (EU) TO PLANNED RESIDENTIAL DISTRICT (PRD) AND ADOPTING THE PRELIMINARY PLAN AND DEVELOPMENT STANDARDS TEXT FOR THE PLANNED DISTRICT CONTINGENT UPON THE ANNEXATION OF SAID PROPERTY INTO THE VILLAGE.

Mayor Goldhardt did a first reading, title only.

Ms. Joiner asked for discussion. Ms. Joiner had questions for Mr. Barkin on the plans provided regarding parking and open space. She also asked about a multi-use path. Mr. Barkin said he is open to hearing their suggestions on the multi-use path. Ms. Geiger asked if the new Foxfire subdivision will connect to the old Foxfire subdivision. Mr. Barkin said yes. Mr. Barkin said M/I greatly appreciates Commercial Point, however when his subdivision first started, there were not going to be any warehouses on the west side of State Route 104. He said since the Village Council is now allowing warehouses on the west side, it is giving M/I pause on the rezoning of Foxfire Phase 5. He said they question if people will want to come home from work and have to drive through a warehouse district. He also would like council to think of buffers and what the State Route 104 corridor will look like in the future. Ms. Joiner said the meadow land on his plans back up to that property and maybe they can consider different landscaping. Mr. Barkin



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said if the warehouses stay up at the Durrett Road Parcel only, it is ok. His concern is warehouses being placed on the parcel adjoining his Foxfire Phase 5 parcel.

Ordinance 2022-18 AN ORDINANCE APPROVING THE ANNEXATION OF 344.391 +/- ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND AMENDING THE ZONING MAP.

Mayor Goldhardt did a first reading, title only.

Ms. Geiger asked for discussion. She asked how far we will annex into the road? She said the roads need repaired and whose responsibility is it? A representative from Rockford said initially, this would be the responsibility of their project. Ms. Geiger said she would like to look into sharing the cost of repairs with the township. Mr. Yokum said the village and the township would have to work together in the future on the upkeep of Gibson Road. Ms. Joiner said that is not a guarantee, it depends on who is in office at the time.

Ordinance 2022-19 AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR AND VILLAGE ADMINISTRATOR TO ENTER INTO A FIRST AMENDMENT TO AN AGREEMENT REGARDING ROAD CONSTRUCTION AND ACCESS TO STATE ROUTE 762 WITH K-NOVA, LLC, 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. Geiger - No, Mr. Crego - Yes, Ms. Joiner - Yes, Mr. Mitchem - Yes, Mr. West - No and Ms. Wolfe - Yes. The motion failed.

Resolution 26-2022 A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN EASEMENT AGREEMENT WITH SALLY L. GREENE, TRUSTEE, FOR THE ACCEPTANCE OF A UTILITY EASEMENT BENEFITING THE VILLAGE OF COMMERCIAL POINT. VILLAGE OF COMMERCIAL POINT.

Mayor Goldhardt did a first reading, title only.

Second Reading:

Ordinance 2022-14 AN ORDINANCE AMENDING SECTION 228.14 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT RELATED TO MAYORAL SALARY AND BENEFITS BEGINNING JANUARY 1, 2024.

Mayor Goldhardt did a second reading, title only.

Ordinance 2022-15 AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO SEEK BIDS FOR THE CONSTRUCTION OF A WATER TOWER, AND FOR THE VILLAGE ADMINISTRATOR TO PRESENT THE LOWEST AND BEST BID TO VILLAGE COUNCIL FOR COUNCIL'S CONSIDERATION. Mayor Goldhardt did a second reading, title only.

Mr. Crego asked if we have a package for this. Mayor Goldhardt said not at this time.

Third Reading:

Ordinance 2022-13 AN ORDINANCE WAIVING THE RESIDENCY REQUIREMENT FOR JOHN R. GROSSE, VILLAGE ADMINISTRATOR, PURSUANT TO OHIO REVISED CODE SECTION 735.271.

Mayor Goldhardt did a third reading, title only.

A motion was made to adopt Ordinance 2022-13 by Mr. Crego and seconded by Ms. Geiger.

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

Resolution 17-2022 A RESOLUTION APPROVING THE MAJOR SITE PLAN APPLICATION FOR COI RICKENBACKER PARCEL E, LLC, AS TO LOT 6 IN THE RICKENBACKER EXCHANGE – PART 3 DEVELOPMENT.

Mayor Goldhardt did a third reading, title only.



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A motion was made to adopt Resolution 17-2022 by Mr. Crego and seconded by Ms. Joiner.
Roll call vote: Ms. Geiger - Yes, Mr. Crego - Yes, Ms. Joiner - Yes, Mr. Mitchem - Yes, Mr. West - No and Ms. Wolfe - Yes. The motion passed.

Resolution 20-2022 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND CHIEF OF POLICE TO DONATE THE 2009 FORD EXPLORER CURRENTLY OWNED BY THE VILLAGE OF COMMERCIAL POINT TO ANOTHER GOVERNMENTAL AGENCY OR EDUCATIONAL INSTITUTION WITH A LAW ENFORCEMENT TRAINING PROGRAM.

Mayor Goldhardt did a third reading, title only.

Mr. West asked for discussion. Mr. West asked if we are sure we do not have another department who could use this vehicle? Ms. Geiger feels it would cost too much to strip it down and make the multiple repairs that are needed. Mayor Goldhardt said if it is donated to the Sheriff's department, they will strip it down themselves. Mr. West feels if it is good enough for them, then we should be able to use it in the village. Ms. Geiger pointed out that we would have to carry insurance on every employee in administration office, therefore it would cost more than the vehicle is worth. Fiscal Officer Hastings said the vehicle needs serious repairs. Ms. Joiner does not feel it is fiscally responsible to keep it with the cost of the repairs needed. Mr. Crego asked if there is another department that needs a vehicle. Mayor Goldhardt said the Zoning Department would be the only department that could actually use a vehicle. For now, the Zoning Administrator is paid mileage, so having a village vehicle is not really an issue. Ms. Geiger said they doubled the Zoning Administrator's salary, raised the fees he receives and pay him mileage. She doesn't feel he should be furnished a vehicle at this time.

A motion was made to substitute the language as written by Mr. Crego and seconded by Ms. Geiger.

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 20-2022 by Ms. Geiger and seconded by Mr. Crego.

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

Mayor Goldhardt broke the tie vote with a "Yes" vote. The motion passed.

Pending Administrative Actions:

Resolution 25-2022 A RESOLUTION AUTHORIZING AND DIRECTING THE FISCAL OFFICER TO EXPEND UP TO \$200.00 FROM ACCOUNT NUMBER 2041-320-590 (PARKS AND REC – CAPITAL OUTLAY) TO BE USED IN CONNECTION WITH THE PURCHASE OF AN OUTDOOR MOVIE SCREEN FOR OUTDOOR MOVIE SHOWINGS.

Mayor Goldhardt did a first reading, title only.


A motion was made to adopt Resolution 25-2022 by Ms. Geiger and seconded by Ms. Joiner.

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 at this time.

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