

ORDINANCE NO. 2016-02

AN ORDINANCE APPROVING THE ANNEXATION OF ±51.0 ACRES FROM SCIOTO TOWNSHIP TO THE VILLAGE OF COMMERCIAL POINT AND AMENDING THE ZONING MAP AND DECLARING AN EMERGENCY.

WHEREAS, Dwight A. Imler, Trustee, James L. Jenkins and Sharon R. Jenkins, SI Ohio Properties, LLC and Westport Homes, Inc. (the "Petitioner") filed a petition for the annexation of 51.0+/- acres (the "Petition") to the Village of Commercial Point with Pickaway County Board of County Commissioners (the "County Commissioners") on September 14, 2015.

WHEREAS, the Village of Commercial Point on September 14, 2015 passed Resolution No. 18-2015 setting forth the services to be provided to the 51.0 ± acres;

WHEREAS, on October 13, 2015 a hearing was held by the County Commissioners at which time evidence was presented by the Petitioner in favor of the proposed annexation and the legal description of the territory to be annexed;

WHEREAS, the County Commissioners have approved the Petition for Annexation;

WHEREAS, pursuant to the requirements of Ohio Revised Code Section 709.033, the County Commissioners caused to be filed with the Clerk of the village of Commercial Point a certified transcript of the orders of the County Commissioners showing approval of same and all other papers, including an accurate map of the territory to be annexed;

WHEREAS, The Village Planning Commission held a meeting on November 2, 2015 and has recommended that Council of the Village of Commercial Point accept the requested zoning change;

WHEREAS, The Council of the Village of Commercial Point held a public hearing December 14, 2015 to hear comments on this proposed zoning request;

WHEREAS, sixty (60) days from the date of receipt of the County Resolution granting the petition for annexation, has now lapsed in accordance with Section 709.04 of the Ohio Revised Code;

WHEREAS, the Council of the Village of Commercial Point has determined it to be in the best interest of the Village of Commercial Point, contingent of the final approval of the Petition for Annexation, that the zoning classification of the proposed Annexed Territory in the Village of Commercial Point be established;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, OHIO THAT:

SECTION I: The petition for annexation of 51.0+/- acres (see attached legal description, Exhibit "A"), to the village of Commercial Point is hereby accepted.

SECTION II: The Zoning Map is hereby amended to reflect the previously approved zoning for the annexed properties.

SECTION III: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that result in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION VI: That this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. This emergency measure is necessary for the health, safety and welfare of the residents of Commercial Point, such emergency arises out of the need to comply with the terms of the Pre-Annexation Agreement, Ohio Revised Code and Village Ordinances. This annexation must be approved by February 23, 2016 to be valid.

Vote on Suspension of Readings:

Motion by: Mr. O'Neil 2nd Mr. Sadler

Roll Call:

Yes Mark Geiger
Yes David Sadler

Yes Ben Townsend
Yes Brad Laxton

Yes Scott O'Neil
 Nicole Evans

Vote on Passage of the Ordinance and declaring it an emergency:

Motion by: Mr. O'Neil 2nd Mr. Laxton

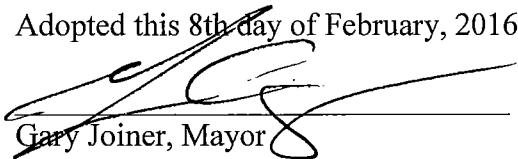
Roll Call:

Yes Mark Geiger
Yes David Sadler

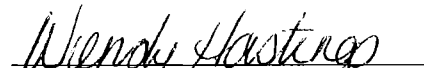
Yes Ben Townsend
Yes Brad Laxton

Yes Scott O'Neil
 Nicole Evans

Adopted this 8th day of February, 2016.




Gary Joiner, Mayor



Wendy Hastings, Fiscal Officer

Approved as to Form:



Michael D. Hess, Law Director