

**Village of Commercial Point
Committee of the Whole Minutes
March 21, 2016**

Mr. Sadler called the meeting to order. Administrative Assistant Baldwin took roll call with the following members present; Mr. Laxton, Mr. Sadler, Mr. Geiger, Ms. Evans, Mr. Townsend, and Mr. O'Neil. Solicitor Hess, Engineer Grosse and Chief Jordan were also in attendance.

Mr. Laxton made a motion, seconded by Mr. Geiger to approve the February 15, 2016 Committee of the Whole Minutes. All members were in favor, motion passed.

Solicitors Report: Solicitor Hess said Gene Hollins will attend tonight's meeting to discuss the TIF. He anticipates him arriving at approximately 7:30. There was confusion between he and Mr. Hollins, he said we were sent an engagement letter which is basically a contract or agreement for services. He did not feel it was appropriate to agree to that yet. He said he wanted Council to hear what a TIF is and what the possible cost will be before we engage in the agreement. He said Mr. Hollins had not blocked off the time to attend tonight because he did not receive the signed engagement letter. He said Mr. Hollins has agreed to come after a meeting in Canal Winchester. He said it is his anticipation that Council will hire him for those services but felt it best they know what a TIF is before we engage. He said it will be an expensive endeavor. He said there has been communication between himself, Mr. Hollins and Tom Hart. He said Mr. Hart is the lead council for Westport. He said there was some discussion and agreement that Westport would front the money for the TIF process then be reimbursed out of the TIF money once it comes in. He said this is something that still needs to be firmed up and is something we can talk to Mr. Hollins about in their conversations. Mr. Sadler said the expectations of Mr. Hollins coming is to give a presentation and will they be allowed to ask questions and not get into specifics on Westport. Solicitor Hess asked what specifics. Mr. Sadler said questions as it applies to Westport Homes and the TIF. Solicitor Hess said everything is on the table tonight. Mr. O'Neil asked for an update of when we can hear from the Toledo law firm. Solicitor Hess corrected and said it is the Akron law firm. He said, he and Fiscal Officer Hastings have spent the last week getting documents together for discovery and have sent those to the law firm. He said the attorney is preparing a response to that. Solicitor Hess said he would give the attorney time to get those documents out and then would come up with a time for response. He will then give Council an update. Mr. O'Neil asked if they indicated if it would be a phone call, skype, etc. Solicitor Hess said no. Mr. O'Neil asked if they seem open to that. Solicitor Hess said we are their clients and he thinks they are open to discuss, but he thinks there is some concern about them wanting to lay out their complete case, weakness and strengths, what possible plea bargains are on the table. He said because of the nature of the circumstances where we believe the plaintiff will be made aware of all the issues after the meeting. Mr. Geiger said he personally feels it is a bad idea. Mr. O'Neil asked if we are just letting them blindly run the situation. Mr. Geiger said he thinks there are people on council who represent the other side and that bothers him. Solicitor Hess said if there is ever a settlement contemplated it would have to come to council so it wouldn't be run blindly. He will reach out to them and should have a definitive answer at the next council meeting. Mr. Sadler asked Solicitor Hess if he attended the Pickaway Health meeting. Solicitor Hess said yes and nothing occurred. He said it has been rescheduled to April 12, 2016 at 7:00pm because they did not publicize it as required by the Sunshine Laws and therefore they could not vote or do anything in regards to the issue. He said he would attend on April 12.

**Village of Commercial Point
Committee of the Whole Minutes
March 21, 2016**

He said there was quite a bit of controversy prior to the vote or lack of vote. He said the Mayor of Circleville wanted to address all issues as it relates to the Health Department. He said it was clear the DAC, which is made up of the village and townships, wanted to just vote on the funding issue. The decision had been made previously in an open discussion. He said there was a back-and-forth discussion and he anticipates it will be the same at the April meeting. He said reading the room, he does not think it will pass, but that is just his opinion based on statements made.

Mayors Report: Nothing to report

Engineer's Report: Engineer Grosse said he received an email from a council member with concerns regarding cracks in the village office parking lot. He said those were sealed but not filled. He has talked to a couple different contractors about using a different product to seal those. He said he would like to work that in to the street budget. It is not a lot of money, maybe a couple thousand dollars. He said he will just make that a part of a project when he gets ready to do that. He said the sealant has pretty much taking care of it. He said the cracks are not sucking water in them but do need to be filled. He said regarding a conversation he had about the intersection of Grove Run Road and Walnut Creek Drive. He said there is a concern about a stop sign, perhaps putting in an additional stop sign, crosswalks and maybe a pedestrian sign. He said he is going to investigate the cost but his concern is sign pollution. Engineer Grosse said sometimes you can inundate the public with signs to the point they do not look at them anymore. He said anytime he receives a request for signs he looks around the area and if there are many signs already, it is not the right place. He said the cost itself is not large but he will investigate. Mr. Sadler verified the location was by the school. Mr. O'Neil said it is the south end. Mr. O'Neil said the safety committee discussed it and with people running stop signs, there was discussion on removing the stop signs. He said the Committee felt it was best to talk to Engineer Grosse on upgrading the intersection possibly adding something to the stop sign like a lime green crosswalk. He said maybe adding the crosswalk painting would attract more attention. He said it is something to make it safer. Engineer Grosse will look into it and get something back to Council for consideration. He also said we need our crosswalks in town repainted and in the center of town all of those parking spots will be repainted this summer. He discussed the elevated water tanks with Chestnut commons. He said at some point he will need guidance from Council on how to proceed. He said the developer is proposing to put a 150,000-gallon leg tank up which will match our other tanks. He showed a picture of another option of tank layout. Mr. O'Neil asked if they were the same price. Engineer Grosse said no. He said basically if we want to stay with the 150,000-gallon tank size of option 2 it would cost an additional \$150,000. He said it is purely aesthetics for the additional money. He said he thinks it is more important to have capacity vs aesthetics. He said what they would like to have is a 250,000-gallon tank with the legs, which will probably cost an additional \$250,000-\$300,000 on what they developers are putting in now. He said Option 2 in a 250,000 gallon, we are closer to the 500,000-gallon range. He said what he would like to do, with council's approval, is have it bided two ways, a 250,000-gallon leg tank and a 250,000-gallon ascetic tank, then we are dealing with real numbers. He said it will help with the decision. He feels the 250,000-gallon tank is money well spent and feels a 150,000 gallon is short sided. Mr. Sadler asked what size the tanks are now. Utility Supervisor John Thompson said 200,000 gallons and a 50,000-gallon tank. Mr. Sadler asked what the life expectancy of the tanks are. Engineer Grosse said 100 years if maintained. Mr. O'Neil asked if one is stronger than the other.

**Village of Commercial Point
Committee of the Whole Minutes
March 21, 2016**

Engineer Grosse said no, the ascetic one is more secure with no outside ladder, the leg tank has an outside ladder and will be fenced in. He said the first section of the ladder will be removed so kids can't climb it. Utility Supervisor John Thompson said it will also have a ladder gate. Mr. O'Neil asked if either one can be painted to blend in. Engineer Grosse said typically you can paint the tank more of a blue color, darker colors fade faster so you want to stay lighter but you will not be able to hide the tank. He said he would not recommend spending a lot of money trying to camouflage it. Solicitor Hess asked if Westport Homes will lower their lot fee for homes for ones closer to the tanks. He asked if it would affect the home value. Utility Superintendent John Thompson said they have the same thing in Southern Point, and asked if it affected the value there. Engineer Grosse said these will not be the prime lots but they tried to place the tanks further back. Mr. Sadler asked the height of the tanks. Engineer Grosse said from the bottom of the legs to the bottom of the tank it will be 130 feet and with the tank it will make it 150 feet plus. Mr. O'Neil asked if it needs a light on top. Engineer Grosse said it goes through the FAA approval process and they will let you know if it is on a flight process. He said we do get some storage on the bottom. Mr. Sadler asked if the ascetic one has a fence around it. Engineer Grosse said some do and some don't. He said he prefers to have a fence around any of them. He said the ascetic one has the ladder inside the building and goes up through the inside tube to the top. Mr. O'Neil asked in regards to the maintenance agreement is one cheaper to maintain than the other. Engineer Grosse said some can be but not enough to sway a decision one way or the other. Engineer Grosse said his recommendation is to bid both ways so they have actual numbers to work with. He said he would like a direction from them as to some consensus or a hint if they want to go to a 250,000 gallons as opposed to 150,000 gallons. Mr. Sadler asked what approximate number of homes can the 150,000 gallons serve. Engineer Grosse said a couple hundred homes, it is not an exact science, perhaps 250 homes. Mr. Sadler asked if we always keep them full. Utility Superintendent John Thompson said we hope to. He said they are not just considering homes they are serving but also fire suppression, and elevated storage in the event of a disaster. He said the more we have in storage the more time they have to fix issues that could occur at the water plant in the event of a disaster. Engineer Grosse said the tank will feed back to the village. Mr. Sadler asked if we added a tank, if we have to service our existing towers, we would be able to use this as temporary storage. Engineer Grosse said yes, we could take one down and keep the other operating. He said we have the ability to run the small one in town if the other one had issues. The problem is with Southern Point, because there is only one tank there and if we had to take offline, we have to have temporary storage. Mr. O'Neil asked if there was any difference or negativity to change out the one we have versus adding additional tanks. Engineer Grosse said it is not only size but getting it up in the air. He said it is pretty expensive when you try and jack one of the tanks up. Mr. O'Neil said he was not talking about raising the tanks but replacing the small one with a larger taller one there. Utility Superintendent John Thompson said one of the problems now is the north side of Chestnut Estates is higher than we are in town. He said that elevation is pressure so if we put a big tall tower in town it increases water pressure, which will cause additional problems. This is why towers are placed throughout the area. Mr. O'Neil asked if you can do the same size tank but not so high. Engineer Grosse said he needs that to get the pressure to serve the pressure grid. Mr. O'Neil asked if we can achieve the same results with a 150-foot tank at Chestnut. Engineer Grosse said if not there, then he will have a 160-170-foot tank at Carmel Court. Engineer Grosse said he is meeting with Westport Engineer on Tuesday afternoon to discuss the preliminary plat. He said he had quite a few

**Village of Commercial Point
Committee of the Whole Minutes
March 21, 2016**

comments and he will go through the comments with the Engineer. He said on the April 4th, 2016 meeting he can assure council all of his comments will be addressed and if council has any comments he is happy to entertain those, if not at the April 4th 2016 he will review his comments and how they were addressed before the council is asked to vote. Engineer Grosse said he has a meeting March 22, 2016 at 7:00 with Frontier at Walker Road. He said Frontier is having issues as far as putting in the conduit and electric to the pole in the new box. He said he should have a better idea of what direction they want to go. He said as of yet they have not submitted any right of way permits so he has no plans to look at and they will not go far without that. He provided an update on Intelliwave. Engineer Grosse has had several meetings with them in person and on the computer. He said he has given them comments back from Chestnut Estates and has not received any information back. He said he is trying to work with them when they come through town going underground to get to Chestnut Estates. He said he wants to make sure they get service to the residents in town, it is very attractive to service the bulk group between Walker Point and Chestnut Estates. He said doesn't want to end up with those two communities served and not the middle, otherwise he may not issue a right of way permit for the rest of it. Mr. Sadler asked if our contract specified one way or the other. Engineer Grosse said we actually do not have a formal contract; we have a right of way permit. Mr. Sadler confirmed they are allowed to put wherever they want in the village. Engineer Grosse said as long as they have the right of way permit. Mr. O'Neil asked if we can hold the permit if they do not agree? Engineer Grosse said he would defer to Solicitor Hess. Solicitor Hess said it is our right of way so we have the argument unless they service all of the community we do not have to let them in there. He said he is sure they would have an argument but he does not feel we would get to that point. He said he has no doubt they will want to service every part and Engineer Grosse is correct, making them service the older village prior to going to Chestnut Estates is probably the way to ensure it will happen more timely. Engineer Grosse said they will work with us, they want it. Engineer Grosse said Mr. O'Neil called him last weekend regarding a major drainage issue at West Scioto Green. He drove to the location and took video and the water is running off of Mr. Timmons farm field, coming across the school property and through the homes at West Scioto Green. He said at one point where it crosses in the field into the ditch, there is decent erosion. He is looking at options to put in there, maybe a concrete spillway or a ditch with pipes to pick it up off the area but it is on private property so it would be a substantial cost. He will try and have more information for council to look at. He said it did not just happen it has been going on for a while. He said he does not want to put it on the back burner but he wants to make sure he gets all the information to council so they can make an informed decision. Engineer Grosse has a meeting scheduled on March 28, 2016 with the EPA for well site approval. Once EPA approves the site, they will negotiate price on the land with the land owners. He said then they will do a test well. If the test well comes in good, they will do a production well. He said if it produces what they hope the deal will be consummated and we will purchase the 10 acres. He said everything indicates we should have water. Mr. Sadler asked if we would be impeding the Columbus well flow? Engineer Grosse said they are not using it and wants to get there first so they do not impede ours. Mr. O'Neil asked if Engineer Grosse was going to get us any quotes for the next meeting to spray for bugs. Engineer Grosse said he has some quotes and he thinks the whole village should be sprayed and should be done multiple times. Mr. O'Neil asked if once a month is efficient. Engineer Grosse said it depends if it is dry or wet. He said if it is very wet, probably once a month. If it is dry maybe once every 6 weeks. He said it depends on who we hire to give expert information to us.

**Village of Commercial Point
Committee of the Whole Minutes
March 21, 2016**

He said he will put together some numbers for the next council meeting. Mr. O'Neil said he would like to see it done. Mayor Joiner said he feels it is a necessity this year. Engineer Grosse said he has come up with a checklist for occupancy permits. He said Pickaway County handles checklist for the county. He said however, Utility Supervisor John Thompson will go out and find issues that the county is not looking for. He said he would like to have our own Village Occupancy checklist. He said it is not extensive, must be completed prior to moving in. (A copy of the checklist is attached to the official approved minutes). Mr. Sadler asked if this will require an onsite visit. Engineer Grosse said yes. Mr. Sadler asked Utility Superintendent John Thompson, when we do a new build at what point do we send someone out to put the water bids and meter in. Utility Superintendent Thompson said it is done in multiple steps. He said on a new house, the foundation is dug a sewer inspection will be completed. Once the house is built, at some point they put the water line in and then have a water inspection. When the house is almost ready to be occupied they will ask for a water meter. He said as soon as they get a water meter, they will receive a water bill, and they will go out and turn the water on. He said the builder will grade the yard and 9 times out of 10, the dozer will hit the curb box or the manhole gets covered with dirt. He said later down the road if that person moves they can't shut the water off because they can't find the curb box. He said John has put a plan in place for the new developments. Once all the houses are built and before the village takes it over they will walk and pull every curb box lid, man hole lid, etc. and they will have to be fixed. Mr. O'Neil asked if this has to go through three readings or is it administrative. Engineer Grosse said it is administrative, he said nothing can happen tonight but he wanted to make council aware. He said the next meeting have something formal and have council approve if they choose. Mr. O'Neil asked if that is enough? Mr. Sadler asked if Fiscal Officer Hastings needed information and who else in the village needed the information. Engineer Grosse said he is glad it is sparking thought and wants council to think and ask questions. He said the county will do their things and not matter what the county does, until they have the village permit they are not allowed to move into the house. Utility Superintendent Thompson said without elaborating too much, what happens if these things are not in place, we will end up with a mess and the village incurs cost that should be back on the builder. Engineer Grosse said he will talk to Solicitor Hess to see what kind of documents need to be in place and will have ready for Council during the April 4, 2016 meeting. Utility Superintendent Thompson said Stantec came out and installed the manhole meters last week. They put four meters in three different manholes, which should cover the entire village. He said we were at the end of a major rain event, we had not quite doubled our capacity coming in so we should receive some information from that. Mr. O'Neil mentioned to Engineer Grosse about Chestnut Estates on 762 West of Cottonwood where the hills are. He said the water is running down and creating mud on the path. Engineer Grosse said he has spoken with Chestnut Estates regarding the issue and they said they are waiting for it to dry. He told them at a minimum they can put up a silt fence. He told them we have to get it picked up so that water doesn't drain across the walkway. Mr. O'Neil said it is even doing it where the house is completed so he is not sure the silt fence will help. Engineer Grosse said the silt fence is a stop gap right now, but not the ultimate solution. He said they may have to put in a catch basin or run it under the sidewalk. Mr. Sadler mentioned to Utility Superintendent Thompson that we are not a part of OUPS and is that something we should do? Utility Superintendent Thompson said there are two options that he has presented to council a few times. He said it is an Executive decision. He said you can be a member of OUPS, which we would have to have them mark our lines and that has a cost associated with it.

**Village of Commercial Point
Committee of the Whole Minutes
March 21, 2016**

You can be member of OUPS that when you call they will tell you if an area of Commercial Point has utilities and just refer you to a number, this has no cost. He said he does not know the cost; it comes at the end of the year. He said they cannot quote you a cost, they take the total amount of locates they do throughout Ohio and split it evenly between all their users. He said he has a packet and will share with anyone who would like to view it. Mr. Sadler asked if Ashville or South Bloomfield are a members. Utility Superintendent Thompson said no, when he worked at Canal Winchester they were a member and the only problem with being a member is you will have anywhere from 1 to 40 locates a day and you need the manpower to mark those. Engineer Grosse said you have so many hours after the call to locate them. Utility Superintendent said there are three options, you can get on there for free and people will be notified Commercial Point has utilities, all they ask for is a map of the areas. He said we can be a member and they will mark all of our locates or third be a member and pay someone to mark all of your locates. Mr. Sadler asked Utility Superintendent Thompson if as a Water Superintendent is this something we should think about. Engineer Gross said he and Utility Superintendent Thompson will discuss it and get back to council. Mr. Laxton asked what would be marked. Utility Superintendent Thompson said water and sewer. Mr. Sadler asked even though we do not own Intellwave lines would we mark those. Utility Superintendent Thompson said no, they should be OUPS. Mr. O'Neil said we probably do not want the company to come out and mark it because that is why Intellwave hit the gas line on Yukon. Utility Superintendent Thompson said things happen and can happen with them too. He said it's not as easy as it is made out to be. Mr. Sadler asked if they are marking by a map or by equipment. Utility Superintendent Thompson said a map and a good eye. Mr. O'Neil asked if we should put tracer wires on the pipes when we put them in. He said that is what Intellwave is doing by using GPS (Global positioning satellite). Engineer Grosse said that is an option. Utility Superintendent Thompson said that is on his list. He said it is a long process and would love to have GIS (Geographical Information System). He said currently every new development is GIS and gives you the location of every manhole and water boxes. GIS is layered in so once you have the information then you can scan your maps in and lay it in over Google Earth. He said there are free things he is trying to get from the county and working on prices. Mr. Sadler asked how deep our water lines are. Engineer Grosse said 4 foot.

Additional Items:

Mr. O'Neil asked about adding a trash can, possible multiple, for the center of town. He asked if we need to approve money for that at the next meeting or if there is money allotted for them. He said he had another resident complain again about the trash and cigarette butts blowing from the bar into the park area. He is not sure how much the trash can will help with the cigarette but they may be the bar owner and work with them to get something. He said maybe we can have our police department check into the leash laws and enforce that. He said he had a resident complain about the feces from the dogs. Mr. Sadler said as far as the trash can, his concern is we need a process, who is going to empty it? Mr. O'Neil asked Utility Superintendent Thompson if they can do it? Utility Superintendent Thompson said it can go either way. He said there are some money issues when there is street department work with the guys from Utility. He said you can have a \$20 an hour water person emptying trash cans. Mr. O'Neil said that is a good point and there has been discussion of a part-time street person with the Mayor and it's not happened. Mr. Sadler advised Mr. O'Neil that he could present an idea to council with the cans and a process that would be good. Mr.

**Village of Commercial Point
Committee of the Whole Minutes
March 21, 2016**

O'Neil said it is probably above his paygrade since it deals with money and funding. He said he has been hollard at before wanting to know where the money is coming from and how much money is available so as far as when it comes down to money if we are going to do it, then that's fine we just need to know what account is going to be paid from. Mayor Joiner said he does not feel it is appropriate to use water and sewer to empty trash cans. He said we can look at 4H groups, Boy Scouts or Girl Scouts. He said he thinks this would be a good solution, possibly find a group to adopt the park. He said he is not above emptying the trash himself if he drives by and it is full. He said as leaders in the community we should all do that. He said we have worked towards the on call maintenance person but we are not there yet. Utility Superintendent Thompson said unfortunately every problem presents another, one of the things to think about is the weekends. He said if trash is there blowing do they clean it up or wait until Monday. Mr. O'Neil said he understands but it is his job to bring forth citizen's issues. Mr. Laxton said he thinks Mayor Joiners idea is a good idea to have a group adopt the park. He said not to even worry about trash cans. He said he likes the idea of trash cans but they can fill up fast and who will you call to empty them. He said he remembers when he worked for a park they had to wear rubber gloves because of diseased items. Utility Superintendent Thompson said maybe another option is to encourage the business owners there since most of the trash they pick up is beer cans and beer bottles. Mr. O'Neil asked if we have any volunteers to talk to the business owners? Mayor Joiner said he feels it is his responsibility and will take on the whole park issue. He said he thinks we have enough talent between everyone who knows contacts in the youth groups. Mr. Laxton discussed the large dog at Boggs Body Shop, he said he knows the dog warden personally. He said the Dog Warden said he was told the land belonged to Boggs Body Shop. Mr. Laxton said he told him no, the Village owns the land. He said the Dog Warden said if the dog is seen there to call him and they would pick the dog up if he is in the area. Mr. Laxton said the dog is a menace. Mr. O'Neil said he thinks we have leash laws that we can start citing the owners with. Mr. Sadler asked Mr. O'Neil to put together a proposal for some nice heavy outdoor cans. Mr. O'Neil said the cans are the easy part, the hard part is the financing, funding and maintenance. Utility Superintendent Thompson said there are things he does not know. His question is can you have a truck bought with utility money doing street work. Solicitor Hess said the truck is supposed to be used just for water so off the top of his head his answer would be no. Utility Superintendent Thompson said if you bought a truck 50/50 it may be different. Solicitor Hess said with the Mayors permission, Fiscal Officer Hastings may be able to call Rumpke. He said maybe they would be willing to make that a stop. Mr. O'Neil said even if they added the money to the house and the cost is \$10 a month it is still cheaper than paying someone. Mr. Laxton said it is still only once a week. Mr. O'Neil said it is a start and he likes that idea.

Solicitor Hess said he received a message from Fiscal Officer Hastings that Gene Hollins is stuck in Executive Session and will not make it this evening. He said he can reschedule him for the next council meeting with everyone's permission. He thinks it would be beneficial to hear what a TIF is before we go into a contract. He said if people disagree we can start the process with getting the TIF started. He said from an administrative side he thinks we are in favor of doing the TIF. Mr. O'Neil thinks a TIF is a good idea. Mr. Townsend would like to hear the presentation. Solicitor Hess said he has not done a good job with telling all the pros and cons of a TIF. Mr. Laxton said he does not know what a TIF is. Engineer Grosse said a TIF is basically redistributing tax monies. He said it is not an additional tax; the tax would have only gone to the county to use for whatever. He said it is now taking a portion to use for wherever the TIF area is established. He said in this

**Village of Commercial Point
Committee of the Whole Minutes
March 21, 2016**

case Chestnut Estates and can be used for things like water line extension, sewer line extension, water tower, etc. He said it has a lot of benefits but it is not an additional tax. He said the developer front ends it and gets reimbursed as we collect the taxes. Solicitor Hess said he also serves on the county park board. He said sometime next year that board will be coming to the village because they want to put on a levy in 2017 for county parks. He said what they are researching now, they believe they can put on a half million levy county wide and that would generate just under a million dollars for parks in the county. He said they then would like to share that money with other entities, villages, Circleville, Ashville, etc. He said it would be distributed based on population. He said they were throwing around Commercial Point has 1700 people. He said if this is true and the levy passes then they would be giving back about \$3000 a year back to the village and then you do with it as you wish as long as it is used for parks. He said that sounds great but the downside is to run a levy on an off year cost about \$30,000. He said they would be looking for partners to offset some of that cost to put on the ballot. \$30,000 is the maximum cost if there were no other ballot issues. He said every time something gets added to the ballot that money is split. Solicitor Hess said the thought generated is they would look to a portion of what each group received, so if Commercial Point received \$3000, they would contribute \$3000. He said this is just something coming down the road and might be some way of improving our parks here if it would pass.

Mr. O'Neil motioned to adjourn, Mr. Laxton seconded. All in favor. Meeting adjourned.

David Sadler, President of Council

Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant