

**Village of Commercial Point
Committee of the Whole Minutes
April 18, 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, and Mr. O'Neil. Mr. Townsend was absent. Mayor Joiner, Solicitor Hess and Engineer Grosse were also in attendance.

Mr. Laxton made a motion, seconded by Mr. Geiger to approve the March 21, 2016 Committee of the Whole Minutes. All members were in favor, motion passed.

Solicitors Report: Solicitor Hess attended the Pickaway County Health Department, DAC meeting on April 12, 2016. He said they did pass the requested funding increase and the increase will take place in 2017. He said he and Fiscal Officer Hastings are working to determine what the increase will be. He is estimating roughly \$1000 additional. He said he does not know why it passed, based on previous meetings it seemed to be received negatively. He said the meeting lasted 15 minutes and there was no discussion. He said he is not sure what happened between the previous meeting and this meeting to change individual's minds, but it did pass. Solicitor Hess said he will provide additional information once he receives it. Solicitor Hess said he had contact with the Insurance company's attorneys indicating that council would like to have an update or meeting on the status of the lawsuit. He said they are willing to meet and discuss. He said they would prefer to do a phone conference, maybe in Executive Session but if Council prefers they will come in person. He provided them with a list of their upcoming meetings for the next couple of months. Mr. Sadler asked if anyone on council was asking for a meeting because it is in the insurance company's hands. Mr. Geiger said he is not comfortable with the meeting and he has expressed how he feels. Solicitor Hess said if there are differing views then maybe it should be brought up at the May meeting for a vote. He asked council to let him know how they want him to proceed. Solicitor Hess said the Ohio Legislature has recently passed Senate Bill 11, which establishes a fund to help with expenses should a voluntary police officer get injured. He said everyone is struggling on how to implement it. He said this body has to elect two members of the community to be on this board. Once that board is established then it has its own functions. If you are a voluntary or reserve officer and you are injured, then you can go to this board and seek compensation. He said financially the cost depends on property value. He said the lowest it will be is \$300 and that is if our evaluation is between 7 million and 14 million dollars in property values. If our value is over 28 million dollars, then it would be \$500. Chief Jordan sent him information based on a conversation at the last police chief association. He enjoyed the email from the gentleman that presented it saying please not to call him for information because he does not have additional information and everyone seems to be scrambling to implement it. Solicitor Hess said as he can see it now, council's responsibilities are to elect two members to sit on the board. He said he would ask between now and the next meeting to send nominations to himself or Fiscal Officer Hastings. He said he will prepare a motion, a slate, maybe we only have two maybe have more and council will vote to have them on the board. He said our reserve officers also have to pick two individuals to sit on the board and the four of them will pick the last. He said it is a five-person board. He said two elected by council, two elected by the reserves and one elected by the four. He said he would love to be able to answer questions and will try to answer. He said one question that has been asked amongst municipal law attorneys is could you elect a member of the administrative body. He said the consensus is no

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because you are electing them also. He said right now there is no oversight over that fund. He said he feels what is best at least for this first term, it should be people independent of this body. Mr. Sadler asked about deadlines and when should it be in? Solicitor Hess said right now. He said he has talked to the Sherriff and Circleville Police department to see how they are handling it. He said they were not aware of it so he passed on information to them. He said he cannot find anyone that has completed it, everyone seems to be caught off-guard. Mr. Sadler asked if this board represents the reserve officers, in what capacity? Solicitor Hess said it is a board where police officers can go if they are injured. He said it looks like it has been in the works for a number of years. He said reserve officer does not pay much and when they are injured they are left with no compensation. He said his question is how much is really going to be put in this fund. If someone was killed in the line of duty, it doesn't sound like \$300-\$500 per community will be much. Mr. O'Neil asked if it sounds like the money is going to be pulled from the whole state. Solicitor Hess said yes. Mr. O'Neil said \$500 from each community can be substantial. Mr. O'Neil asked if every year we put the money in? Solicitor Hess said yes, that is his reading of it. Solicitor Hess said it is every community that has a reserve police unit. Solicitor Hess said he is looking for individuals to be on this board and will look to have something at the next meeting. Mr. Geiger asked if the money accumulates each year. Solicitor Hess said yes. Mr. O'Neil asked Solicitor Hess is he can have something ready for the next meeting and have an opinion from the Attorney General's office? Solicitor Hess asked for what? Mr. O'Neil said like how to administer it, just some of the technicalities and to get his opinion on it. Solicitor Hess said the representative of that board is the County Prosecutors office. He said he can certainly ask because we are electing people to it, but it appears the county prosecutor's office represents each board. Mr. O'Neil said that is on the political level but as to how to interpret the Senate Bill and to determine how it will be implemented, that is up to the Attorney General's office. Solicitor Hess said he can do that but he doesn't want to say we are overstepping our bounds, because it is an independent body. He said once we elect, then how they implement or do it is governed by the county prosecutor's office. He said he can ask the Attorney General for an opinion. Mr. Laxton asked how to nominate volunteers. Solicitor Hess said to please talk to the person first. Mr. Sadler said if you have someone in mind then talk to the council about it. Mr. Laxton asked if we know how much time they will have to invest? Solicitor Hess said no. He said if he has someone in mind, by all means give them his phone number and he can direct them. He said he will do the best he can at telling them about the time investment they will have. Mr. Laxton asked about compensation for the elected. Solicitor Hess said he can almost guarantee there is no compensation.

Mayors Report: Mayor Joiner said he has looked at the numbers for the first quarter and everything is in line for what we have anticipated. He said we have a lot of good things in progress which Engineer Grosse will discuss. He said he is excited and things are going well. Mr. Geiger said he noticed the trees were down in the center of town. He asked if he was planning on replacing them with other trees? Mayor Joiner said yes he thinks that is a great idea. He thinks it is an idea of sitting down and getting together a plan of what you want to see. He said he would like by homecoming to see two additional benches there in addition to Mr. O'Neil's suggestion of adding trash cans. He said he is tired of picking up trash. Mr. Geiger said the only thing with the trash cans is getting volunteers to empty them. Mayor Joiner said he can go over and empty trash bins. He said the Ladies Auxiliary has volunteered to put a flag pole up. He said he would like to see three flag poles, with the American Flag, POW Flag and the State flag. Mr. Geiger asked if it was possible one of the

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local greenhouses would look at it and give an opinion on how it would look best. Mayor Joiner said that is great idea, he has spoken with Scioto Blooms. He said they told him if we put a gazebo up they would take care of the landscaping. He said he also spoke with Straders and they would donate a bench. Mr. Laxton said he spoke with the local 4-H group about adopting and cleaning the park. He said if we get a local group to adopt it, we would not have to worry about it. Mayor Joiner said he said one of the Firefighter daughter's local 4-H group is also considering adopting it.

Engineer's Report: Engineer Grosse said we did receive our EPA letter of well sight approval. He said they have a meeting scheduled April 28, 2016 at 2:00 at the Village Office to meet with the land owner. He said Solicitor Hess has prepared the agreement. They will sit down and consummate the price of the land. He is hoping to have it completed to bring the information back to Council for the May meeting. He said once that is signed they are ready to go out and do their test wells. Mr. Sadler asked if the EPA had any feedback? Engineer Grosse said no. He said they thought it was a great site. He said Chestnut Commons is moving forward, they have submitted their sanitary plans for phase 1 and 2. He said that gets us back to the tower sight. He said he has met with their engineer a couple of times for the booster station, which he has returned back to them because it is not what we are looking for. He said it was too small. He said Intelliwave should be in Chestnut, they did get their permit approved. He said if there any issues with the property owners they can get ahold of him or Utility Superintendent Thompson. Mr. Geiger asked if they mentioned going through town? Engineer Grosse said they asked where they can find the information on right of ways. He said they have to go to the County and there is an old plat and that is the only right of way plat that we have. He said the original sanitary plans are now here at the village. He said once they get the right of way they will know which way to run. Engineer Grosse said they have not submitted a permit yet. Utility Superintendent Thompson said they did tell him they need to eventually get to the tower in Carmel Court. He said they will need to replace the antennas on the tower. Mr. O'Neil asked if Engineer Grosse is working with them to move the common trench along for Chestnut Commons? Engineer Grosse said we are cramming our right of ways with different lines. He said there just isn't enough room. He said he is going to asked them in Chestnut Commons to run a 10-foot easement outside the right of way and that is where the utilities will go. Mr. O'Neil asked if they are going to put the utilities in the back of the new area? Engineer Grosse said there is going to be electric and telephone in the new area. Mr. O'Neil said Intelliwave buries their lines. He said when he looks at Chestnut Estates on Honey Locust it looks like they have the big box in the front. He said he thought it was someone with the phone. He said to him that sounds like a terrible thing to have in the neighborhood. He said he thinks it would be better if some of those utilities were in the back out of the way then you wouldn't have to worry about the water lines. Engineer Grosse said there are interesting challenges in the back, not saying if its good or bad. He said there are multiple issues that come up when you put it in the back. He said he has not seen any plans so he can't verify that. He said if the water department has to work on any lines, it is going to be a mess. Mr. O'Neil said if they are in the back then the water department wouldn't have anything to worry about. Engineer Grosse said he is not disagreeing with Mr. O'Neil but he has not seen any plans. Mr. O'Neil asked if it is something they can encourage, maybe not require. Engineer Grosse said he can certainly push them in that direction. He said he has not received any comments from anyone in Walker Pointe regarding Intelliwave. Mayor Joiner asked if Engineer Grosse has any further information on the water strike in Genoa Crossing. He asked if we had been paid for our time

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out. Engineer Grosse has not seen the final bill yet. He said they know it is coming. Once he receives the final bill he will send it to them. He spoke with Jim Kuzelka about the repair on one line. He said Time Warner has been in there to do a lot of clean up. He told Mr. Kuzelka that until he receives sign off from the residents he is holding the bond. Mr. O'Neil said Intellwave hit his gas line and had it fixed that day. He said Frontier hit it and did not tell him and they fixed a piece of copper and covered it. He said Intellwave found it and fixed it also. Engineer Grosse said if he can provide that information to him, the next time Frontier comes in for a permit he can have a discussion with them. Mr. O'Neil said it happened about two years ago. Engineer Grosse said Frontier at their sight has it secured with cable. He said there are no plackets and he told them they needed them. He said he is going to require them to put gravel in the site. He said he still getting a few quotes on the mosquito spraying. Mayor Joiner asked if we are going to do all streets. Engineer Grosse said that is his plan. Mr. Sadler asked if the Street Committee has received the 2016 paving roadwork estimates? Engineer Grosse said no, not yet. He said he will finalize it and have something for council at the next COW Meeting. Mr. Geiger said he received a call from a citizen in Carmel Court. He said there is a big pot hole. He said he also had a couple people ask him about the drainage caps and who is responsible for them on Main Street. He said he was told the Village put them in about 5 years ago and over the weekend an elderly woman tripped on one. Engineer Grosse said if it is something the village put in we will take a look at them. Mr. Geiger said they are in the 20 block of Hickory and Congress on Main Street. Engineer Grosse said they will look into that. Mr. O'Neil said between the Hawk driveway and Scioto Street on Main Street across from the bank, the metal bars that covers the storm drain, it is broke off. Mr. Sadler asked Village Administrator Crego who is taking care of signs? Village Administrator Crego said he is. Mr. Sadler said going into Chestnut Estates there is still an agriculture sign that needs removed. Mr. O'Neil said Genoa still has one. Utility Superintendent Thompson thanked Mr. Bowling for coming into do the presentation on maintenance and cleaning of water towers. Mr. Sadler asked for an update on the issue where a lot of storm water was moving into our waste water. Utility Superintendent Thompson said he pulled meters and moved them on Friday and set 8 more. He does not have an update on that yet. Mr. O'Neil said he has information for Engineer Grosse. Walker Point has a new HOA. He said they are trying to get the pond issue resolved. He said they are wanting a meeting with either council or Engineer Grosse to try and come up with a solution. He said no one is sure who is going to pay for it or what needs done. Engineer Grosse said yes and maybe get ahold of Maronda homes. Mayor Joiner asked if we have agreed to the new plats in regards to the homes they want to build. Engineer Grosse said yes, but they want to add a new section. Engineer Grosse told Mr. O'Neil he would like to meet with them and to get ahold of him to set up a meeting. Mr. O'Neil asked if he wanted a separate meeting? Engineer Grosse thinks the first step is to have an informal meeting and go out to the site. Mr. O'Neil asked if we ever found out when the pond went in. Engineer Grosse said Fiscal Officer Hastings has the plat and we need to look on the plat. He said the plat will give you the date.

Additional Items:

Mr. Sadler introduce Darryl Bowling with Utility Service Group. He said Utility Service Group is a water tower tank asset management company all over the United States. Mr. Bowling used a power point presentation to show the findings of the water towers. The presentation will be attached to the approved meeting minutes.

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Mr. O'Neil asked if all the tanks should have mixers in them? Mr. Bowling said yes. Mr. O'Neil asked if that will make the water more consistent throughout the year. Mr. Bowling said yes. Solicitor Hess asked how the new water tower factors into the cost sheet. Mr. Bowling said you would get the same 1-year warranty on the front end, most people do 1 year and 1 day and you skip over the rehab prices and go to the maintenance fees. He said they still come in and qualify it. Solicitor Hess asked from his experience have communities been able to use TIF money. Mr. Bowling did not know. Engineer Grosse asked if we could use the TIF money to take care of the old tanks? Mr. Bowling said no, not that he is aware of. Ms. Evans asked Engineer Grosse if we are taking tank 1 out of service eventually, why would we spend the money. Engineer Grosse said that is one topic they need to discuss. Mr. Sadler said he would be inclined to put that money to the new tank. Engineer Grosse said they will discuss and bring it back to council. Village Administrative Crego said if you look at the expenses for tank 1, you are not looking at a lot of money. Ms. Evans said \$40,000. Village Administrator Crego said he does not even know the cost of taking that tank down. Engineer Grosse said approximately \$10,000. Village Administrator Crego is an opponent of having as much water in the air. He said the tank is already there and we should maintain it. Mr. Geiger asked with the new tank, is it more cost effective to make the new tank 50,000 gallons larger and get rid of the small tank? Village Administrator Crego said he is fighting to do this. Utility Superintendent Thompson said when we take a tank out of service they are required to bring in a semi-trailer with approx. 8000 gallons of storage. He said we will have just enough to get by. He said the fire department and everyone will have to be on high alert while this process is going on. He said for a few months Southern Point will need to be on a strict water usage. He said they are not in dis-agreement but he does not know how the hydraulics will work on the new tank. He said his concern with removing the 50,000-gallon water tower is in town, will that put us under strict water conservation. He said the school is his main concern. He said the new Chestnut Commons tower is so much higher in elevation. Engineer Grosse would like for council to put aside this conversation and look at the concept Mr. Bowling is presenting and see if that is what we are interested in. He said whatever we do with tank 1 will not change the concept, but the numbers. Ms. Evans asked what have we been doing. Engineer Grosse said we have taken it on ourselves and we have only painted one tank. Mayor Joiner said council and leadership needs to understand since that first tank was put in, how many administrations has gone through. He said without having a single point of contact, such as a management firm there is no way to document where you are in the way of a maintenance schedule. Village Administrator Crego said the other 2 tanks need to be done and the 50,000-gallon tank gives us a cushion. Ms. Evans asked if he has looked at the balance in the water fund. Village Administrator Crego said yes. He said we have not raised our water rates in 30 years. Utility Superintendent Thompson asked why we are sitting on so much money. Village Administrator Crego said we haven't raised the rates in 20 years, is that because of good management or good luck? He said he has some things to talk about with the finance committee. He said we need growth, as soon as we become stagnant, we die. He said because of new users we can afford to maintain what we have. Utility Superintendent Thompson said we do have an abundance of money and if we've had no asset management plan for 10 years, how much would we have spent on these towers in the past. Engineer Grosse said that money in the account is for capital improvements, this is not capital improvement. He said that should be paid out of the water rates and if we do not have enough money then the water rates should be adjusted. He said that money is set aside for capital improvements. He said when they build the

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expansion at the plant they will need \$4 million. He said this is maintenance and maintenance should always be paid out of your utility bills, user fees. He said if we are concerned about that, we should not be looking at the big block of money. He said maybe we need to re-evaluate. Village Administrator Crego said if you break this down it is going to cost each customer \$100 per year to fund this. Mr. Sadler asked how many customers. Utility Superintendent Thompson said we have approx. 1420 taps. Village Administrator Crego said we mail approx. 1500 bills out. Mr. O'Neil asked how big the Southern Point tank is? Utility Superintendent Thompson said 250,000 gallons. Mr. O'Neil asked how much does it cost to build one of those? Village Administrator Crego and Engineer Grosse said \$700,000. Mr. O'Neil said in 10 years we pay \$700,000 for upkeep. He said he is looking but is it worth the \$700,000 in maintenance or just to build a new one. Mayor Joiner said but that is this year cost. He said in 10 years it could be over a million. Mr. O'Neil asked if he thinks their cost will not go up also? Mr. Sadler asked if those prices were correct on the Southern Point tank. Mr. Bowling said yes because of the condition and what needs to be done. Utility Superintendent Thompson said you will also have additional money in a new tank. Utility Superintendent Thompson asked Mr. O'Neil what is the difference between a new tank or fixing this one? Mr. O'Neil said that is what he is asking them. Utility Superintendent Thompson said in his opinion it will be more of an inconvenience, you will still end up with a tank in the air. He said he isn't following what Mr. O'Neil is saying. Mr. O'Neil said if he has a car that needs \$40,000 to fix it or \$40,000 to buy a new one, he is buying a new one. Utility Superintendent Thompson said that is different. Mr. O'Neil said that is what principle he is driving at, why spend the money to maintain an old one, or should we spend the money to put up a new one. Ms. Sadler said this is something they can discuss as a council and let Engineer Grosse and Utility Superintendent Thompson come back with their verdict on the 50,000-gallon tank.

Mr. Geiger motioned to adjourned, Mr. Laxton seconded. All in favor. Meeting adjourned.

David Sadler, President of Council

Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant