

**Village of Commercial Point
Committee of the Whole Minutes
September 19, 2016**

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

Mr. O'Neil made a motion, to approve the August 15, 2016 Committee of the Whole Minutes. Mr. Laxton abstained, motion failed to pass due to not enough votes. The minutes will be presented at the October Committee of the Whole meeting.

Solicitors Report: Nothing to report

Mayors Report: Mayor Joiner said the Carmel Court paving project is in place and should be completed by the end of the month. He said Foxfire is getting ready to break ground. He said we are waiting for the corn harvested off of the property on St. Rt. 762 to start the test well process. Mr. Sadler asked if Chestnut Commons is going in. Mayor Joiner said yes.

Engineer's Report: Nothing to report

Additional Items:

- a. TIF Discussion: Mr. Sadler distributed a report he created regarding the TIF and the amounts we should claim. It compared what Gene Hollins prepared as a suggestion to the proposal from Mr. Sadler. A copy of the report will be attached to the approved minutes. Mr. Sadler said his position is we are diverting money from the county and the township. He said the sheriff still has to provide protection on the county and the fire department still has to provide fire protection whether they are getting the money or not. He said his proposal is to not divert money from Paint Valley Mental Health and rather than take 100% from the county and township we take 25%. Mr. O'Neil said in looking at his report if they take \$41, 156.00 for the county tax and the township tax at \$82,225.00 is roughly \$123,381.00 total. He said in his proposal Mr. Sadler wants to give \$90,000.00 which is not half. Mr. Sadler said it also includes the Commercial Point tax. Mr. O'Neil said the numbers still do not add up. Mr. Sadler apologized and will make corrections and email an updated report out. He said his point is we are taking money from them when they still need to provide services. He said we do not have a plan in place to use the TIF. Mr. Laxton said he is a little confused by Mr. Sadler's comment that we are taking funds from the township. He confirmed the township will still continue to receive the land value money as it stands today. Mr. Sadler said yes they will received the value as it is today but once homes are built they will not receive additional funds. Mr. O'Neil said they are just diverting money. They will continue to receive the money they currently get but they will not receive additional funds once the homes are built. Mr. Sadler said yes they will not receive anymore than they do today but they will have to provide more services. Mayor Joiner said we already contract with the township for snow removal, we pay for our salt, we have to take care of anything associated with electric regarding street lights and paving. He said the burden falls back on the village. He said when we look at a TIF we have to look into the future. He said as an example we

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have to put in a water tower that will be around \$600,000. He said what this money will do is help alleviate increasing taxes for the citizens. He said he understands and respects what Mr. Sadler is saying but the money that is diverted to the county is not guaranteed to be used in our village. Mr. O'Neil asked about a fire levy. Trustee Struckman said it has failed. Mr. O'Neil asked about it because it hasn't been discussed. Trustee Struckman said it is a tax and either you tax the people moving here or you tax the village. Mr. Townsend said it's not a problem; its development. He said nothing says some of this money cannot go towards the fire department. Mr. Sadler asked Mr. Townsend if he is willing to pass that money back to them. Mr. Townsend said if they absolutely need it but he feels we should have control of it. Mr. O'Neil said as the population increases and homes are built the current fire levy will grow. Trustee Struckman said until a renewal is passed the funds from new homes built will go to the county. Mayor Joiner asked if the fire department squads are billing the insurance. Trustee Struckman said yes but they are not forcing people to pay it. He said most of the money comes from the insurance company which isn't much money. He said it cost about \$4000 a day to open the doors at the fire department. Mayor Joiner asked what the money from the JEDD goes too and how much. Trustee Struckman said right now about \$800,000-\$900,000 comes in, 70% goes to the fire department. He said 15% to the roads and 15% to the general fund. He said insurance is probably \$130,000 per year. Mr. O'Neil asked if that is for the firemen only or trustees. Trustee Struckman said trustees receive insurance also. Mr. Sadler said the way the TIFF is worded it has to be used for infrastructure. Mayor Joiner said yes but he thinks when you look at the TIFF the money we would normally pay out of the general fund to take care of the infrastructure would be a loss whereas this money would enable us to put money towards the infrastructure and leave the general fund alone. Mr. Sadler asked to exclude Paint Valley Mental Health, PCDD and senior citizen tax. He said he agrees we will have expenses to cover. Mayor Joiner said if you look at this money, what will this village look like in six years. Mr. Sadler said we will add Lehman Farms and will add a TIFF to that. Mayor Joiner said eventually this will be something to discuss as council; that will be a commercial district. Mr. Sadler is asking to lower the percent from 100 to 25 percent. Mr. O'Neil said he is comfortable with the original proposal from Gene Hollins. He asked Mr. Laxton his thoughts. Mr. Laxton said he is still processing this but when it comes to the TIFF he is looking at it as a way for water. He said we need water, we have wells coming in, plant upgrades, etc. He said he does not want it to become a township vs village. He said yes there is more man power with the fire department but what do we already provide to the fire department that this money will help to ensure that we are able to help provide to the fire department. He said we are going to need that water tower. Mr. Sadler said we already know how much we need for the water tower, how much beyond that do we need exclusively for Chestnut Commons. Mayor Joiner said they have discussed street widening, parks, bike paths, additional law enforcement and eventually adding insurance for water and sewer department. Mr. O'Neil said even if we put the original proposal to the side and use Mr. Sadler's proposal, we are losing anywhere from \$100,000 to \$80,000, are we going to need it. He doesn't know, but he imagines we will. He said widening roads, parks and bike paths that everyone will benefit from; we will. Mr. Sadler said he has made his proposal and the voting meeting

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is scheduled for October 24, 2016. Mayor Joiner asked Mr. Sadler to figure it taking 75%. Mr. Sadler said yes he will send out a spreadsheet.

- b. Video Service Fees: Mr. O'Neil said if you receive TV service through the wire the resident has to pay a 3% tax back to provider then the provider sends it back to the village. Solicitor Hess said he looked at our Ordinance and was concerned if we could do away with it. He called the Department of Commerce and they said it is a tax we passed and we can repeal it. He said they asked him why we wanted to do this. Solicitor Hess told them because there is a feeling of discrepancy between cable and satellite. He said they told him the satellite is subjected to more sales tax. Mr. Sadler looked up the ordinance to see if there was an expiration. He asked Mr. O'Neil if he was suggesting an ordinance to abolish it. Mr. O'Neil said yes. Solicitor Hess said there is a procedure to repeal an ordinance. He said he can prepare it if this is what council wants. Mr. O'Neil said if this was across the board for everyone it would ok. Mr. Sadler said he struggles with a tax that we collect without reason. Mr. Laxton agrees it is unfair. Mr. Sadler and Mr. O'Neil asked Solicitor Hess to create the ordinance to repeal it.
- c. Chief Jordan said he understood during the regular council meeting someone mentioned overtime was paid out to the Police Officers while reviewing the report. He said they mentioned pay should only be 160 hours per month. He said there is not just 160 hours a month because there are usually more than 4 weeks in the month including additional work days. It's with those additional work days is how they came out with that amount. Solicitor Hess said they are looking at the Employee Guidelines. In there it mentions an 8-hour work day and Officer Waas is working a 10-hour work day. Chief Jordan said the way the work rules are; he strongly suggests ASAP to amend it. In the initial rollout of the guidelines it was more oriented towards the water department. He said Officers don't typically take weekends off. He said it needs to take away anything more than 10 hours is overtime and focus on a 40-hour week. Mr. O'Neil asked if it will line up with the federal law. Solicitor Hess said yes. Mr. O'Neil is ok with discussing it at the next meeting. Solicitor Hess said Fiscal Officer Hastings brought it to his attention and there are a couple of things in the handbook that do not correspond with the law enforcement. He said they will make some general overview changes by motion or an ordinance. Chief Jordan said it is just too unpredictable for them to go with some of the things in there.
- d. Mr. O'Neil asked Trustee Struckman if the township joins with another group for health insurance. Trustee Struckman said they work with Frank Carmen in Dublin. Mr. O'Neil asked if it was a better discount. Trustee Struckman said they did and it worked well the first year, flopped the second year but seems to be coming back. He said in 2017 if they stay with them their insurance will increase by 20%. Mr. O'Neil asked how many people are covered in the township. Trustee Struckman said the fulltime fire department, fire chief, three trustees, Steve and Vicki. He said 20 people at the most.

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

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David Sadler, President of Council

Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant