

**Village of Commercial Point
Council Meeting Minutes
April 4, 2016**

Mayor Joiner called the meeting to order, followed by the Pledge of Allegiance. Administrative Assistant Baldwin took roll call with the following members present: Mr. Laxton, Mr. Sadler, Mr. Townsend and Mr. O'Neil. Mr. Geiger and Ms. Evans were absent. Engineer Grosse, Solicitor Hess, Utility Superintendent John Thompson and Village Administrator Ross Crego were also in attendance.

Mr. Laxton made a motion, seconded by Mr. Sadler to approve the March 7, 2016 Regular Council Meeting Minutes. All members approved, motion passed. Mr. Laxton made a motion, seconded by Mr. Sadler to approve the March 21, 2016 Special Council Meeting Minutes. All members approved, motion passed. Mr. Townsend made a motion, seconded by Mr. Sadler to approve the March 21, 2016 Public Hearing Meeting Minutes. All members approved, motion passed.

Administrative Reports:

- A. Mayor's Report-Mayor Joiner said he has ordered the digital speed limit sign which is mobile and solar powered so it can be moved as needed. Mr. O'Neil asked about buying the solar one, he thought we were purchasing the battery powered sign. Mayor Joiner said the solar powered sign was cheaper and would last longer than the batter powered sign. Mr. O'Neil asked how easy it will be to move. Mayor Joiner said he wasn't sure. Mr. O'Neil said he didn't know how big the panel and box are. Mayor Joiner said it is not that big and he has purchased three extra brackets. Mr. Sadler asked about the Village Website. He asked who owned the website and maintains it? Mayor Joiner said Fiscal Officer Hastings does. He said it was in the past administrator's name and we had to purchase that and Fiscal Officer Hastings has used a third party to update it. Mr. Sadler said it has not been updated in a while.
- B. Village Engineer's Report- Engineer Grosse said his first item is Chestnut Commons. He gave council a copy of the preliminary plan and did not receive any comments back from council. He passed out copies of comments he provided to the developer and their responses. (A copy of the comments and responses will be attached to the approved notes) Engineer Grosse said they agreed on most of the comments and Westport has been great to work with. He said the Fire department has signed off on the plan. He said they asked for initial walkways, which Westport agreed to put in. He said comment #6 was a point they went back and forth on quite a bit. He said our regulations require having a pass through walkway. After talking to Westport they are providing sidewalks on both sides of the street. He said instead of having a pass through which always creates issues, he feels this addressed the concerns. Engineer Grosse had 6 copies of the updated map for council to review. He said the map had revisions of adding No Parking signs, which is not the developer's responsibility. It is something the Village would do and the developer agreed. He said they did extend the 12-inch water line to the North. He said the sanitary sewer is extended to the North for future development. He said with those items on the list, he feels comfortable saying the plan is ready for approval if Council should choose. Mr. O'Neil asked about the walkway between specific locations, and asked what the point of it was. Engineer Grosse said in our regulations they make reference if its more than 900 feet that you are forcing someone to walk around, it does specifically speak to parks and schools you need to have a walkway coming through. Mr. O'Neil confirmed its strictly just a path to connect drive A and run it through the houses. Engineer Grosse said yes that is all it is for. Mr. O'Neil asked if they are ok with having walk paths between homes to get to the ponds? Engineer Grosse said yes. Mr. O'Neil asked how will people get to the pond from the Southeast. Engineer Grosse said there is a walkway in the front. Mr. O'Neil asked if people will be permitted to use the easements between specific lots. Westport Homes said that is for maintenance. Engineer

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Grosse said the only pond that has access for the general public is the Southeast corner. He said the other pond's functions are for storm water management, not for recreational. Mr. O'Neil asked about the path on #1 of his list, the path will go from the South entrance to the North along the new commons area? Engineer Grosse said correct. Mr. O'Neil asked if there would be anything going from the South end to Chestnut Estates drive? Engineer said no, not as a part of this. Mr. O'Neil asked if that was open for discussion? Engineer Grosse said he supposed right now would be the time to bring it up. He said it is difficult to require the developer to do it. Mayor Joiner said he believes this is where the TIF will come in to develop that piece. He said we will be able to take that money and reuse it to build up the infrastructure in that area. Mr. O'Neil said his understanding is the sanitary and water main will go where the path will be if it was to be extended along the church. He said he does not want to see money wasted when it comes to digging it up, put grass back and then turn around and dig up again in a few years. Engineer Grosse said point well taken but the cost of the seed is not a big investment. He said it could be a year or two before this is completed with a more comprehensive walking path. He said he believes if we can do it under the TIF it would make more sense to wait and do it. He said they wanted to make sure it was in the development section and the developer agreed to work with them. Mr. O'Neil asked if it would be a solid mound? He asked if we would be putting any drains underneath? Westport Homes said yes. Mr. O'Neil asked if now is the time to worry about "No Parking" signs? He said he is not in favor of no parking signs on one side of the street. He said we had them on Grove Run Road and residents wanted them removed. He said it is a nuisance and the rest of Chestnut Estates is fine with parking on both sides and does not see why we need to limit parking. Engineer Grosse said that is a council decision, not the developer. He said they acknowledge they would be willing to do that, if council approves. Mayor Joiner asked Engineer Grosse to expand why they initially were discussing putting "no parking" signs up. Engineer Grosse said the initial thought was because when you come around some of the tight radius you wanted to have no parking because trucks need that extra room for turning. He said the developer has accommodated that by widening the road. Westport Homes said it is also a requirement from the Fire Department. They wanted "no parking" signs there. Engineer Grosse said this information is in the letter from the Fire Department which he will provide. He said ultimately it is up to Council on what traffic signs should be placed. Mr. O'Neil said he saw the letter from the Fire Chief but he doesn't think it is necessary because no street in the other developments have them and now all of a sudden it is an issue in one neighborhood. He said now the streets are wider so it shouldn't be an issue. Engineer Grosse confirmed again it is a decision for the council. He said no one is saying we have to have them, there is a letter from the Fire Department saying it would be nice, but ultimately it is up to council. Mayor Joiner advised Mr. O'Neil that it would be a great discussion for the Safety Committee to have with the Fire Chief to find out what his thoughts are on it. He said from a liability standpoint and courtesy if the Fire Department is asking for it they would like to have it. Mr. O'Neil said he understands why they are asking for it but he will have a hard time mandating no parking in one area. Mr. Sadler said we are only talking about the curves for the snow removal, school busses, etc. for safety. Mr. O'Neil said the way he understood the letter from the Fire Department is they want all of Chestnut Commons no parking on one side. Westport Homes said on the hydrant side. Mr. O'Neil said that is his understanding, not Chestnut Estates, not Walker Point, just this one and he does not feel that is right to do to those people. Mr. Sadler asked if Engineer Grosse knows the size of the postal boxes. Engineer Grosse said no. Engineer Grosse said again the placement of the control signs is up to council and this plan will not have any "no parking" signs on it. Mr. O'Neil said even if we pass this plan today, we will need a separate meeting for the "no parking" signs. Engineer Grosse said that is correct. Trustee Struckman asked if the roads

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are 28 feet wide? Engineer Grosse said yes. Trustee Struckman said on Butternut Pass they have a difficult time getting the snow trucks through because of the way they park. Mr. O'Neil said instead of "no parking" he thinks they should have a "no parking this side during snow removal". Mr. Sadler said it is not just snow, it is also school busses. Mr. O'Neil asked if the curve on Butternut is smaller than what is in Chestnut Commons. Engineer Grosse said he cannot answer that but it will probably be in the 75-foot to 100-foot range. Engineer Grosse said he feels this issue can be visited as we go along if council decides, but it is not a developer issue. Mr. O'Neil asked if the new street signs will be up to the current standards. Engineer Grosse said yes. Engineer Grosse said he had a meeting with the EPA regarding the well field on March 28, 2016. He said they have not received their written approval, but the verbal said it looks great. He said with that information he is having Solicitor Hess draft an agreement with the landowner. He is scheduling a meeting with the property owner to negotiate and if the timing is right he will bring it before council in May. He is hoping to drill for wells in June. He will have more information at the COW Meeting. Engineer Grosse discussed Intelliwave. He said he received a new set of maps dated March 31, 2016 for Chestnut Estates. He said he has a couple comments back from Utility Supervisor John Thompson and will pass those along to Intelliwave. He said he does not anticipate any issues. He said Intelliwave is also getting more information on Main Street so we can go from town out to Chestnut Estates. Engineer Grosse said one thing he is trying to be aware of is they don't "cherry pick" and miss the middle part. Mayor Joiner said he spoke with Chris from Intelliwave on Friday regarding his plans with the water tower. He said Chris would like to put a resource on the water tower to accommodate 10 MB for West Scioto Green until they get installation of the fiber. He will offer then, free installation once the fiber is laid out there. Engineer Grosse was not aware of this plan. Mayor Joiner said Intelliwave wants to make sure the town is taken care of while they are implementing the infrastructure which makes them a good Corporate partner. Engineer Grosse said if you have been on Walker Road you will see Intelliwave has their site up. It has a propane powered generator and smart panels. He said it is all enclosed in a fence for security purposes. He said he has met with Frontier and they want to get their equipment moved in and have provided him with their plans. He said they are going up Walker Road and moving East and going out to Gibson. He said on the North side of State Route 762 and Gibson there is a platform, looks like a deck, that is where their equipment is located. He did make them aware that it is all state route and once you get past Foxfire that is outside of the village corporation limit and they should make sure they do whatever ODOT wants done. Engineer Grosse said they completed a repair on a catch basin at the Men's Club. He said he received a phone call there was some settling there and he called Ryan Sark who jumped on it. He said the catch basin was in bad shape but appears to now be well taken care of. Mr. O'Neil asked for an update on the intersection upgrades between Grove Run Road and Walnut Creek. Engineer Grosse said it is on the books but cannot be done yet. He said it is going to be a part of a larger project. He estimates it will not happen until late summer. Mr. O'Neil asked if we are going to put the road paint for the school crossing. Engineer Grosse said yes. He said he will have a sketch to bring to the Safety Committee or the COW meeting for everyone to review before he sends it out for bids. Utility Supervisor Thompson said they moved forward with the INI metering. Stantec came and took the information last Thursday and he has not received any information as of today. He said it does take a while to put together the information. Mayor Joiner asked if this is for the large flow of water. Utility Supervisor Thompson said yes it is the excess water coming into the waste water plant. He said he and Village Administrator Crego have been working on a few items over the past couple of weeks. He said one project is becoming a member of OUPS. He said they received their 6-inch bypass

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- pump for their lift stations. He said it is in the possession and he is waiting on other pipes to make it safe for two people to hook up.
- C. Village Solicitor's Report-Solicitor Hess said we have a number of Legislation items tonight for review. He said we have one Ordinance up for a second reading which is the Ordinance requiring owners to repair and maintain sidewalks associated with their property. He said we have four pieces up for a first reading, he said a number of them have emergency language in them and he would ask council to amend and remove the emergency language because we are missing two council members and do not have enough to pass under emergency. He said **Ordinance 2016-05** An ordinance approving the preliminary development plan as Engineer Grosse discussed for Chestnut Commons. He said he would ask council to consider waiving the three readings. He said the reason they are asking for them to waive the three readings is because Chestnut Commons is moving forward with their plans. He said they need to bring us the final development plan, which they are currently working on. He said we want to make sure the timelines continue to move forward for their projected ground breaking and moving so the village can begin having new residents. He said he spoke to them and if we pass it tonight the 30-day time frame works in their schedule. **Resolution 03-2016** transferring money into social security accounts. He said he did not have further information on this but if Fiscal Officer Hastings indicates money needs to be transferred into the social security account he would rely on her information. **Resolution 04-2016** Solicitor Hess said Mayor Joiner asked him to prepare a resolution to review as well as a Proclamation. He said May 6, 2016 is Motorcycle Awareness Month and we would like to recognize motorcycle riders and the things they do for the community. He said they had emergency language on it because this is the last voting meeting prior to May. He asked Council to remove the emergency language and pass it waiving the three readings so it would be in effect for May. He said the last resolution is in regards to the TIF. He introduced Emmitt Kelly from Frost Brown. He said Gene Hollins is unable to attend but Mr. Kelly is well versed in the area of TIF law. He said in anticipation of the council hiring Frost Brown he has prepared a resolution asking the Mayor to enter into a contract with Frost Brown to develop a TIF in the Chestnut Commons area. He asked to remove the emergency language because of missing council. Solicitor Hess said he will be attending the DAC on April 12, 2016 and will report back. He said the Council has already given direction as to how he should vote at that meeting. He said there has been some desire to speak with the Insurance company attorneys regarding the current litigation. He said he reached out to them last week and reached out again today but has not heard back from them. He said they have always been very good at communicating with him and he anticipates he is on vacation. Solicitor Hess said he will continue to work on getting some communication from the Insurance company. He said he along with Engineer Grosse and Mayor Joiner have been working on some issues with some annexation things and will continue to work on those. He hopes to have more definitive plans for council to review in the near future to talk about additional annexation that is being discussed with the village.

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- D. Police Report- Mayor Joiner covered the Police department report. (Report will be attached to approved minutes.) Mr. Sadler asked if this report was for February or March. Mayor Joiner believes it was a typo and the report is for March. Mayor Joiner said Officer Wass is going to Fast Training at the State Highway Patrol. He also noted that we have hosted a Taser training class last week and it was attended by roughly 40 police officers local and out of state.
- E. Village Administrator- Village Administrator Crego said Solicitor Hess already spoke about the annexation project. He said he and Utility Supervisor Thompson have met with a representative from the Ferguson Company about updating the meters. He said some of our equipment is 35 years plus old and will be in need of service sooner than later. He said they are trying to develop a plan working with a new meter company to have radio read outs which eliminates one step of the reading process and make it possible for readings to be taken at any time, any day. He said he has a meeting April 5, 2016 with a company he has previously discussed. He said it is typically an insurance policy with our water towers. He said water towers need service, painting, cleaning inside and out etc. and there are changes in regulation that come from the EPA and if we enter into an agreement with them, they assume full liability on the tank. He said he should have a proposal next month. Village Administrator Crego said Thursday he and Fiscal Officer Hastings have a meeting with a representative to discuss a new billing system. The current billing system is 25 years old and still labor intensive. He said an issue has come up, and rain has been a blessing because it points out all the places where we have problems with drainage. He said it is time to investigate into the old village drains and look at replacing them. He said the locations he has seen and talked to is North, Congress and Main street. He said Utility Superintendent Thompson has talked about the sewer back up. He said the Village website looked different today than last week. He said the Mayor, Engineer and Utility Superintendent and himself will meet the last Monday of the month to go over situations that have occurred during the month and to come up with temporary solutions or resolutions and develop plans for the upcoming month. He said he is meeting monthly with the utility crew and covering issues and getting to know them better. He said he is also meeting monthly with Fiscal Officer Hastings. Village Administrator Crego has submitted the membership application to OUPS so they will send us information back to tell us what kind of mapping that needs to be done. Mayor Joiner wanted to add we are in the process of the Nixel program and he will send the invitation out. He said the Chief sent the invitation where we can meet with the Nixel representative. He also said he has been working with Zoning Inspector Griesenbock that by June 1, 2016, all of the dumpsters in the village will be enclosed in accordance with our zoning codes. Mr. O'Neil asked about the dumpsters at the township building or the schools because they have the recycle bins. He said he is not sure who pays for those and will we go that far with them. Mayor Joiner said right now the plan is to focus on refuge and the other parts are something that are not specifically talked about in our zoning code.
- F. Fiscal Officer's Report- Absent

Legislative Reports:

1. Mr. Geiger -Absent
2. Ms. Evans-Absent
3. Mr. Laxton-Nothing to Report
4. Mr. Sadler- Nothing to Report
5. Mr. Townsend-Nothing to Report
6. Mr. O'Neil- Nothing to Report

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Citizen Comments:

Joe Hammond thanked everyone for doing a good job. He said if he did his math correctly we had 132 hours of coverage last month in the police department based on the report, which is short of the 260 hours minimum we were hoping to get. He asked why there are so few hours being worked? He said the Police Department was a major issue previously of having hours on the street. He said as a citizen he does not feel 132 hours is sufficient to take care of the residents and the children. Mayor Joiner agreed that is a good point but wanted to bring up Officer Waas has been working 36-40 hours per week and that is not on the report for some reason. He said in addition Chief Jordan has also patrolled 36 and that is not on the report either. Mr. Hammond said that is still quite a bit short. He said 90 hours a week is the minimum requested from the village. Mayor Joiner said beginning in August we will have two fulltime officers working a total of 80 hours per week, and two 16 hours' officers. Mr. Hammond said he has no issue and feels perfectly safe but it was a talking point for Mr. O'Neil repeatedly and looking at the report now we have less coverage. Mayor Joiner said he has a good point. He said when Council met over this they discussed implementing with the new budget the two fulltime officers and the two 16 hour officers they felt for the benefit of the community that we would gradually work our way into this. Mr. Hammond said he deeply respected this. Mayor Joiner said he feels he answered the question. Mr. O'Neil said he wanted to see the hours happen sooner but he is only 1 out of 6, but that is ok as long as we have a good plan. He said he did not realize the Chief and Officer Waas hours were not included. Mr. Hammond said in regard to the dumpsters, that is an item he did not touch intentionally because for some reason there is a stigma that you aren't supposed to tell someone what to do, he is glad to see this being done. He said it is the responsibility of the owner to enclose it and endure the cost. He asked what plan they have to enforce when they don't? He had a last item to discuss, he said we have a nonfunctional cupola which should have never been put on the building. He said he encourages council to turn the lights out and save the money, and please go dark.

Trustee Struckman said his first question is personal. He said he has been buying water from the village for years and asked Utility Supervisor Thompson if it is still ok to buy the water this year. Utility Supervisor Thompson said yes, so far so good. Mr. Struckman said Utility Supervisor Thompson does a very good Job. Trustee Struckman asked if Council has discussed the fuel. Mayor Joiner said they have not discussed it any further. He said this year he thinks we are going to move into the Nixel program and it is up to council to vote on. He said in regards to the fuel it may be something to look at next year.

Laurie Steigerwald said she is glad to hear we are getting the digital speed sign, she has complained for years about the speed and just had to replace her fence again because someone hit it. She asked if there are any laws about trash around people's houses, construction materials and junk. Mayor Joiner asked her to contact him and provide him with additional information and he would get with the Village Administrator and Zoning Inspector.

Business items:

- A. Gene Hollins-TIF Presentation. Solicitor Hess introduced Emmitt Kelly from Frost Brown. Mr. Brown will discuss the TIF with the council. Solicitor Hess said this would be a good time for the council to ask questions about the TIF. Mr. Brown said he is happy to get as detailed as they like. He said Tax Increment Financing is a provision under Ohio law that allows municipalities to implement TIF. Municipalities have a couple of provisions. He said it can help fund our capital infrastructure needs. There are even some special provisions in regards to private improvements although that really gets into more concentrated areas. He said basically it allows government

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to direct the real property taxes that will be paid on the property to pay for the public infrastructure improvements, either a portion or all of it depending on the numbers. He said this is decided by the legislative authority. There are provisions set up for the public infrastructure improvements like the council discussed earlier, a path. He said you take the current value of the property and say you pass an ordinance in 2016 take the base value of that property from January 1, 2016 and make an improvement, it increases the value of the property. He said the increment is difference between the base value and the current value after improvement. He said it is a creative tool but there are different rules with respect to commercial type of development vs residential development. He said 570940 is the provision that would apply to the village and there is a B and a C. He said B is the commercial project and C is incentive district TIF which would apply to residential. He said the infrastructure improvements that can be financed are Capital projects, not operating, not maintenance. Mr. Kelly said such as sidewalks, lights, sewer water, roads, landscaping, etc. He said if there are school districts they should be involved in the discussion if it is longer than 10 years or 75%. He said the county should also be involved. He said it could be fun, it can be complicated but can be very beneficial. Mayor Joiner asked what hurdles are associated with it. Mr. Kelly said for the village he really does not see any downsides for doing it. He said it is more of a policy question for the council on whether they want to implement that type of economic development tool. He said with regard to the hurdles, he does not want to put a negative feel on it because each part, the schools, county etc. can benefit from it. He said it all depends on what policy we are looking to incentivize only a certain type of development, or are we looking at a development where we have public infrastructure needs and that development may not be able to meet what we as a village want to meet. Mayor Joiner asked if there is a define radius around the targeted area. Mr. Kelly gave the example, if he has property 3 miles away and he wants to use the TIF dollars for support, it's a nexus; a time and distance. He said is that road going to directly benefit the project. It's a direct benefit, if we determine the infrastructure will benefit the private improvement. Mr. Laxton asked if we do the TIF with Chestnut Commons, whatever improvements we use the money towards have to effect Chestnut Commons. Mr. Kelly said there are two different tests, a commercial test project or a direct benefit test. In this specific instance you have to use the incentive; it would be more flexible. Mr. Sadler asked if you have to declare upfront what the economic developments will be. Mr. Kelly said yes, if you are going to TIF an area you must TIF it on certain projects. He said you have to define an infrastructure improvement that you will use the TIF dollars to support. He said the biggest issue is the need, and ultimately the TIF dollars are estimated by the increase of the property. He said your projections have an increased value and what you can finance. He said he has to be care to not cross the line between Financial Advisor, which he is not. He said you have contracts etc., deadlines etc. He said these are things that go into the package to those who may buy that debt. He said they like to see minimal increase over the course of the TIF. Mr. Sadler asked what the current value is of the unfinished lot? Mr. Kelly said if you pass the ordinance, the current value would be what that value is as of January 1, what the auditor assess it. Mr. Sadler confirmed it is a piece of land. Mr. Sadler confirmed that we would like to put a TIF on the property before they build a house and the value increase. Mr. Kelly said it is the difference between the current value now plus the improved value. Mr. Sadler confirmed we have up to 10 years now before we need to bring in the State or the schools. Mr. Kelly said the schools are going to be involved regardless. Engineer Gross asked how difficult it is to add different areas to it. He said as an example if we create a TIF and we annex another 100 acres can we bring that into the TIF? Mr. Kelly said an incentive TIF can be up to 300 acres, you can create incentive district TIFs all around it. He said it is just when the clock triggers. Once you have an improvement on the property, in an incentive district

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TIF the clock will start today. Engineer Grosse asked if we can stagger the 10-year trigger. Mr. Kelly said yes but it is a question with respect to the phasing of the development. He asked Chestnut Commons what their phases were. Chestnut Commons said 4 phases. Mr. Kelly asked what the schedule is. Mr. Kelly said he would stagger the incentive district throughout the phases. Mr. O'Neil asked if this was going to be a loan through the developer. Mr. Kelly said no this is the Villages money; this is the real property taxes on that property. Mr. O'Neil asked what is the difference versus having this and collecting the tax? He asked if we are getting more, is the property tax higher? Mr. Kelly said these are all real property taxes so it's not all ours. He said we would be diverting the property taxes from that property to the benefit of paying. Mr. O'Neil said so basically taking from the schools, the library and whatever we have on the property tax bill now and we would collect that for 10 years. Mr. Kelly said correct. Mr. O'Neil asked after 10 years it goes back to all the entities that were collecting it, but the property owner does not see an actual line item increase? Mr. Kelly said property owners will see real property taxes and a line item for TIF. Mr. O'Neil asked if after the 10 years is up, if we choose 10 years, does the property tax go down? Mr. Kelly said no. Mr. O'Neil confirmed it is not an increase in taxes but it is change in diversion where the money goes. Mr. Kelly said the property owners will not have any impact on them at all. Mayor Joiner said the flip side of this benefit is this TIF, we are increasing our amount of money to build an infrastructure for growth without having to legislate a tax to the tax payers. Mr. O'Neil asked what agencies are we potentially impacting? Mr. Sadler asked the same question, are we taking from the schools? Mr. O'Neil asked if there will be a list provided of what agencies are affected. He said technically they are not losing money. Mr. Sadler asked if it has to be a full diversion of money or can we just ask for 50%. Mr. Kelly said it can be what we want it to be, the % has to work for the improvements. Mr. Sadler asked what happens if Teays Valley does not like it, is it tough? Mr. Kelly said it will impact the schools and we have to weigh that. Mr. O'Neil told Mr. Sadler another way of looking at it is our schools are not fully funded by property tax. Mr. Kelly said typically the school district receives about 60% of the tax bill. Mr. Sadler asked if we are trying to do a TIF for the water tower? Engineer Grosse said there are some capital improvements needed, road improvements and sewer improvements needed for planning of the future of that area. He asked if there are any timeframes on when the dollars have to be used. Mr. Kelly said if you are going to have a project it is thought of as now, not to accumulate. Village Administrator Crego confirmed that it also can be used for reimbursement, spend it now and pay it back. Mr. Kelly said yes. Engineer Grosse said being a phase development we will not receive all of our income until all of the phases are in there so it may help the cash flow. Mr. Kelly said you can stagger the cash flow and if you authorize a TIF your authorizing it for a project in mind. Mr. O'Neil asked what type of money the village can make. Mr. Kelly said he can put that in a spread sheet when he has the number of houses but cannot give an answer right now. Mayor Joiner said a good follow up question, in Mr. Kelly's experience as far as the Mid-Ohio Region, is the TIF something that is used? Mr. Kelly said yes, excessively. He said it is a tool used throughout the state and all of the questions asked tonight are the normal questions all of the time. He said it is all on your needs of development. Mr. O'Neil said the biggest question of the night for him, is council is being asked to enter into a contract with the firm but it does not say how much we have to pay the firm? Mr. Kelly said he did not know. Mr. O'Neil said it was a question for someone. Mr. Kelly said this type of project it would be an hourly rate but he did not know what it is. Solicitor Hess said he believed it was \$250 per hour. Mr. O'Neil asked what's the financing option? Mr. Kelly said you are going to use the TIF dollars to leverage the financing of the project, if you don't have all of the cash today you can borrow from that from the TIF revenues. Mr. O'Neil confirmed we can get all of our money up front and over 10 years it will be paid back. Mr. Kelly

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said yes. Engineer Grosse asked if it is considered revenue bonds? Mr. Kelly said it depends on how you do it, it could be general obligation and whether we have the debt capacity to do that or the desire to put out the GO for that. He said we have a development and the development has to grow to produce the revenue. He said there is a risk factor there. Mr. O'Neil asked how many hours they can estimate it would take to set this up on their firm's end? Mr. Kelly said it depends on the percentage you are looking if it is 75% or greater then negotiations with the county and the school district will have to be made. It also depends on if council does all the leg work or the firm does the leg work or a combination. He said just to draft the legislation depending on the compensation agreement you are looking at 10-20 hours of work. He said once he is given more details he can give a more solid answer. Mr. Laxton confirmed he said they have to decide what kind of TIF they want. Mr. Kelly said in this instance it is all residential so there is only one choice of TIF, the one with 300 acres. Mr. Sadler asked what is the 75%? Mr. Kelly said the exemption on the real property taxes. Do you want 5%-75%? The law provides if you go longer than a term of 10 years or 75% on the taxes then you have to work out an arrangement with the school for this type of debt. He said there is also a provision on that if we are going to compensate the school district for what they would have received from the TIF, that is a notice provision, then we are set. Mr. Hammond asked permission to ask Mr. Kelly a question. Mayor Joiner said ok. Mr. Hammond said he is not familiar with TIF's but the question that comes to his mind, there are going to be monies extracted from someone to do something in Chestnut. He asked if we created the TIF and it came up to \$3 million, it is his understanding that everyone's value of their home on the community will rise, not just in the community where the TIF was utilized. Other community homes will also see an increase in their taxes. Mayor Joiner told Mr. Hammond he was sure that was not correct. Mr. Kelly said no, that is not correct. Mr. Hammond asked how are we going to be able to segregate the TIF tax because we have problems segregating the RITA tax. Mr. Kelly said it has nothing to do with RITA, it is specified by the parcel numbers in the TIF. Mr. O'Neil told Mr. Hammond that the value of your home may go up, which could increase your taxes but your tax is not going up because of the TIF, it is because the town is getting better. Mr. Hammond said technically right but in actuality as we all have experienced they really do not do a good appraisal to start with when they decide to raise taxes. He said usually the properties are not even inspected, they do a multiplier and you have little say. He said you can go in and file an objection to raising your taxes. Mayor Joiner said what he is talking about is something that is established by the county and not something they are discussing in the room tonight. Mr. Hammond said in due respect if the county did that, file a protest, the needle has been moved by the increased evaluation of any improvement, there is a re-evaluation by the county every 3-5 years. Village Administrator Crego said it is every 6 years. Mr. Hammond said his core question to council is at the present time there are a lot of things that need to be done in the village, but he is trying to see the benefit of borrowing funds to do them if we have funds already in house to do them. Mr. O'Neil confirmed that we do not have to necessarily borrow them, we can just wait every year for them to come in from the property tax bills. Mr. Hammond said someone is having to pay interest. Mr. O'Neil said not if we don't borrow. Mayor Joiner said we are not borrowing from anyone. He said it is no different than how the JEDD was set up. He said we get the money as it comes in because it's part of the tax base. He said it has nothing to do with borrowing but what it allows us to do as an example, the infrastructure we are going to do to expand for the sewer plant, we are going to have to go into a bond to expand. He said a TIF will allow us to use the tax money currently coming to pay for the expansion rather than increase taxes. Mr. Hammond said that money is going to come out of someone else's pocket. Mayor Joiner said no, the money comes out of your taxes just like we pay today. Mr. Hammond said if a \$1 tax is coming in, we give the school

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\$.50, and we have a TIF then we are going to divert that other \$.50 to pay a TIF correct? Village Administrator Crego said right now we do not receive anything because the project has not developed. He said the money we will be collecting is all new revenue. Mr. Hammond said he understands but we are also adding new students and new buildings required. Mayor Joiner said he understands that and it is something they will discuss as we develop this but right now the TIF will allow us to build an infrastructure without raising taxes and placing the burden on the community. Solicitor Hess said if the school gets 50% right now, they will still get 50% when the TIF is in place. He said we will receive what the improvement have been on the property. He said the schools % will not go down. Mr. Hammond said he was circling the wrong direction, he said the school will not receive any money at all for the additional students that will be generated. Solicitor Hess said they will receive the income taxes being generated. Mr. Kelly said this is the type of issue to look at, you look at the numbers and it all gets weighed into the decision. Mr. Sadler said they can probably call Melissa Betz to see how the property taxes are currently distributed. Mr. Hammond said the thing this community has that is unique and makes us attractive is our schools, a local fire department and our utility department. He thinks anything we can do to improve our community without impacting these assets is a good thing to do. He said the number one question asked from people is if they live in a community because of a school. Mayor Joiner said he understands but sitting there as Mayor in an executive administrative roll, he has to look at the growth of the village, not just today but 5 years down the line. He said if you're not growing you are dying. He said he has to protect the current land value that each citizen benefit from living here and the school district. He said he has to look at the infrastructure. He said without money, you cannot grow. He said if other communities are doing this and you don't hear anything adversely affecting the community because of the TIF then we need to discuss it. Mr. Kelly said this is all a part of the TIF analysis. Mayor Joiner said this resolution tonight we are going to vote on is to enter into an agreement with Frost Brown so that we can come together with the real numbers. Mr. Sadler asked Engineer Grosse if he has an idea of the cost of the infrastructure. Engineer Grosse said he needs to sit down and brainstorm with council to get a grasp on what their vision is of what they need there. He said there are things they absolutely need to have in order to make the development happen. He said he would like to sit down and have that meeting and maybe set a COW meeting dedicated to this. Mayor Joiner said not just talking about Chestnut Commons but also future development. He said this will be set in place then we can have it in place for additional commercial or housing developments. Mr. Sadler asked if we have to declare what land it is? Mr. Kelly said yes, there will be a new TIF for each type of development. Utility Superintendent John Thompson asked, if we have all this additional development and we do not have the infrastructure or capacity at the water and sewer plant, is this direction its going in. Mayor Joiner said any kind of growth will be calculated. He said we are currently talking about Chestnut Commons and we have the capacity. Mr. Sadler said no, Engineer Grosse said we do not have the capacity. Engineer Grosse said the hydraulic for phase one, this is the reason we are putting in a tower. Village Administrator Crego said it is not gallon related issue, but water pressure to operate the system. Trustee Struckman asked if the property tax money that is paid now, will continue to go where it is after the TIF is added. Mr. Kelly said yes. Trustee Struckman said there is no need to consider Chestnut Estates because they are already developed out. Mr. Kelly said you can TIF a lot of different things if the infrastructure benefits it but the increment would be small. Mr. Kelly said he is happy to answer any questions and help with information. He said each TIF is different and each community has different needs. Solicitor Hess said Gene Hollins did provide him with an engagement letter and he should have brought it with him tonight. He said it includes the cost of services. He said there was some discussion about the TIF between Gene Hollins and Tom Hart.

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Legislation: Second Reading

Ordinance 2016-04 AN ORDINANCE REQUIRING OWNERS AND OCCUPANTS OF ABUTTING LOTS AND LAND TO REPAIR AND MAINTAIN SIDEWALKS WITHIN THE VILLAGE OF COMMERCIAL POINT, OHIO.

First Reading

Ordinance 2016-05 AN ORDINANCE APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR CHESTNUT COMMONS AND DECLARING AN EMERGENCY. Mayor Joiner said Solicitor Hess has asked for a motion to waive the three readings. Solicitor Hess said he would make a motion first to amend it by removing the emergency language. Mr. Townsend made a motion to amend the emergency language. Seconded by Mr. Sadler. Roll Call vote: Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes. All approved motion passed. Mayor Joiner asked for a motion to waive the three reading. Mr. Townsend mad a motion, seconded by Mr. Laxton. Roll call vote: Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes. All approved, motion passed. Mayor Joiner asked for a motion to approve. Mr. Laxton made a motion to approve, seconded by Mr. Townsend. Roll Call vote: Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes. All in favor, motion passed.

Resolution 03-2016 A RESOLUTION TO RATIFY THE REALIGNMENT OF MONIES WITHIN THE GENERAL FUND FROM THE TRANSFERS OUT ACCOUNT 1000-910-910 AND TRANSFER SAID MONIES TO THE SOCIAL SECURITY ACCOUNT 1000-710-212

Mayor Joiner said this has something to do with a past employee. He said it does not require a motion to waive the readings. Mr. Sadler made a motion to approve, seconded by Mr. Laxton. Roll Call vote: Mr. Sadler-Yes, Mr. O'Neil-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes. All in favor motion passed. Mr. Sadler made a motion to approve, seconded by Mr. Townsend. Roll Call vote: Mr. Sadler-Yes, Mr. O'Neil-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes. All in favor motion passed.

Resolution 04-2016 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO PROCLAIM MAY 2016 "MOTORCYCLE AWARENESS MONTH"AND DECLARING AN EMERGENCY.

Mr. Laxton made a motion to remove the emergency language, Mr. Sadler seconded the motion. Roll Call vote: Mr. Laxton-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. O'Neil-Yes. All approved motion passed. Mr. Sadler made a motion to waive the three readings, seconded by Mr. Laxton. Roll Call vote: Mr. Sadler-Yes, Mr. O'Neil-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes. All in favor motion passed. Mr. Sadler made a motion to approve, seconded by Mr. Townsend to approve. Roll Call vote: Mr. Sadler-Yes, Mr. O'Neil-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes. All in favor motion passed.

Resolution 05-2016 A RESOLUTION AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT EFFECTIVE

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IMMEDIATELY AND CONTINUE THROUGH DECEMBER 31, 2017 WITH GENE HOLLINS AND HIS LAW FIRM FOR SERVICES AS THEY RELATE TO TIF DISTRICTS (TAX INCREMENT FINANCING) AND DECLARING AN EMERGENCY. Mr. Sadler asked Solicitor Hess if he received a proposal. Solicitor Hess said he received an engagement letter which is basically an indication of services. They would charge us an hourly rate of \$250. If Council would like they can table this until the COW meeting and he can provide them with the letter to review. Mr. Sadler asked if that just listed the rate and we do not know depending on what council decides how big or small this will be. Solicitor Hess said correct, and as the Mayor has indicated we are buying their time, if we decide after going through it and council decides to not move forward with the TIF this does not require council to do the TIF. This just requires us to pay them for their time that they have guided them through the decision process. Mayor Joiner asked for a motion to amend and remove the emergency language. Mr. Townsend made a motion, seconded by Mr. Laxton. Roll Call vote: Mr. Sadler-Yes, Mr. O'Neil-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes. All in favor motion passed. Mr. Townsend made a motion to waive the three readings seconded by Mr. Laxton. Roll Call vote: Mr. Sadler-Yes, Mr. O'Neil-No, Mr. Townsend-Yes, Mr. Laxton-Yes. All in favor with the exception of Mr. O'Neil, motion failed. Solicitor Hess said it does not pass and will be set for a first reading only. He said it has been amended and will be set for a second reading. He said they can hold a special prior to the COW meeting.

Additional Items:

Solicitor Hess said he and Chief Jordan spoke and they are in the process of looking at policies for the Police Department. He has found a program called Lexie Poll. It's a company that provides policies for Police department. He said it appears our insurance company will pay half of the cost because it ensures you are up to date on all of your policy and procedures. He said Chief Jordan will bring it to council. He said they have a website, seminar and videos to review.

Mr. Laxton motioned to adjourned. Mr. Sadler seconded. All in favor. Meeting adjourned.

Gary Joiner, Mayor

Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant