

**Village of Commercial Point
Council Meeting Minutes
September 12, 2016**

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

Mr. O'Neil made a motion, seconded by Mr. Sadler to approve the July 25, 2016 Special Council Meeting Minutes. All in favor, motion passed. Mr. Laxton made a motion, seconded by Mr. Geiger to approve the August 1, 2016 Regular Council Meeting Minutes. All in favor with the exception of Ms. Evans who abstained, motion passed. Mr. Geiger made a motion, seconded by Mr. Townsend to approve the August 15, 2016 Special Council Meeting Minutes. All in favor with the exception of Ms. Evans and Mr. Laxton who abstained, motion passed.

Administrative Reports:

- A. Mayor's Report- No report
- B. Village Engineer Report-Not present
- C. Village Solicitor's Report- Solicitor Hess said there is a number of legislation up for a first reading. He said the first is entering into a contract with RCAP, the next resolution is authorizing the Mayor to partner with the Ohio Treasurer's Office to place the villages expenses online with Ohiocheckbook.com. He said the next three are Fiscal Officer Hastings resolutions. The first is accepting the amounts the county auditor has approved. He said the second is transferring within from the General fund to the fulltime Chief account and the third is transferring money from within the general fund to the fulltime officer account. He said the last resolution is a service resolution for the proposed annexation for the DeMatteo property. He said this is a resolution indicating what services we can provide if it can be approved. He said this does not approve the annexation. He said we are required to pass this resolution after the petitioner has filed with the Commissioners which has been done. He said they are asking to waive the readings and pass an emergency. He said the reason for this is the Ohio revised code sets forth time frames in which this has to be done and those timeframes are more aggressive than our requirements for three readings. He introduced Molly from the petitioner's law firm. He said Molly works with Tom Hart. He said there is one correction to the resolution. He said where it states to the south of the territory, it should read north of the territory. He said Mr. Townsend asked a question earlier today about what zoning it will come in under. Solicitor Hess said it will come in under agriculture as it is currently zoned in the township until we would attempt to have it changed to residential. He said he had discussed it with Tom Hart and Molly has also addressed that they are willing to have this vote prior to the annexation. Fiscal Officer Hastings said on the auditor's website it is marked residential. Solicitor Hess said we have a second reading on the TIFF. He said notices have been sent to the varies entities.
- D. Police Department Report- Major Joiner covered the Police report for the month of August 2016. Report has been filed. Mr. Townsend said he noticed Officer Baldwin had 0 hours and asked if he was still employed with the village. Mayor Joiner said he has asked Chief Jordan to look into the situation.
- E. Village Administrator- Village Administrator Crego said the plant usage is running at 44% of capacity of water production and the high day was 56%. He said for waste water they are running at 60% of capacity and 74% on the high day. He said these are good numbers. He said they received a 4th design from Stantec for the wastewater expansion. He said they have been working with Engineer Grosse to modify it to exactly what they want. He said he feels they are in a position to go ahead. He said they have been working with a bond council about a revenue bond that is necessary for the 2.75-million-dollar loan. He said in house he is introducing Nathan

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Davis from RCAPP. He said in the last 8-9 weeks we have been pulling records to obtain good water usage, rates, etc. Village Administrator Crego said he has been looking at outside information also. He said there is no design for the way rates are structured at other villages. He said no other village comes close to our low numbers. He said his concern is we are overlooking something in the way of expenses. He said his concern is not that we need to be where everyone else is but he believes it is important to bring in a professional to look at our rate structure and the needs that we have for the next 5 years. He said he is waiting for bids on tree removal on the West Scioto Green entrance. He said we have a signed contract with Roes Brothers for paving in Carmel Court. He said they will let him know a day or two before they begin so he can go door to door to let the residents know. He said Cordell Wallace handled a situation at Station House 81. He said one day had water and the next day they did not. He resolved the situation on his own and deserves the attaboy recognition. He said they had a pre-construction meeting with Chestnut Commons last Thursday afternoon. He said they covered a checklist of expectations and the site developer is expecting to have two pieces of equipment on site today to begin the process. He said once it starts it will develop quickly. He said he needs to obtain information from people for street sealing. He is not sure who we used in the past and said Engineer Grosse will send him that information. He said he is starting on next year's projects and asked that people send him their wish list. Village Administrator Crego said the health board meets tomorrow. He said the information is the same as before and they will decide to go back to the old rules. He said they are looking at a different way of funding the health board. He said they are thinking about passing a .4 mill levy to fund their needs. He said it would raise the taxpayers amount and take it off of the village but his concern the township residents are going to pay an undo amount of this. He said if anyone is interested in attending the RCAP classes in October to let him know. Ms. Evans said she heard on the water rates everything was based on 5000 gallons. Village administrator Crego said correct. He said one thing we would like to go to is a tier structure. Ms. Evans said a few years back we tried to impact rates but it was regulated. Fiscal Officer Hastings said we were trying to give away free water but with our loans we cannot do that. Village Administrator Crego said right now we have what looks to be a nice surplus in our water and sewer funds but over 2 million dollars is a result of the surcharge for residents outside the village. He said those are collected for a special reason and if and when Southern Point becomes a part of the village we will lose several thousand of dollars a month in charges. He also said he is aggressively pursuing getting healthcare coverage for the water and sewer employees. He said the people in Ashville have been there many years and have not left because they have good coverage. He said last Friday they met with a GIS Coordinator. He said right now we have a good idea where the utility service lines and manholes are but what happens when we can't find anything by visual. He said many places are going with GIS markers that are identification markers that within 4 inches will locate the utility connections. He said they have discussed for many months on getting a large copy machine to come and put plots, maps etc in the system. He said if we take GIS services we can overlay it on google maps. He said it is where we need to go for the future. Mr. O'Neil asked if the rain has caused our numbers to be higher. Village Administrator Crego said no. Utility Superintendent Thompson said our problem is the flooding of the creeks and river. Mr. O'Neil asked if we have a schedule for when the tank maintenance is going to begin. Village Administrator Crego said it is not scheduled until next year. Mr. O'Neil asked if we missed the August date. Utility Superintendent Thompson said that was for the small tank. Mr. O'Neil asked when. Village Administrator Crego said April or May. Mr. O'Neil said he believes there is a third hole from Columbia Gas at Welch and Chestnut. Utility Superintendent said that is from Time Warner. Mr. Sadler asked if we are on the OUPS service. Village Administrator Crego said

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yes. Mr. Sadler asked who is marking those. Utility Superintendent Thompson said we are. Mr. O'Neil asked if there were any updates on the ponds in Walker Point. Village Administrator Crego said he had a face to face with Mark Shields and they talked for an hour. He said at the end of the meeting they agreed to have a difference of opinion. He said his interpretation of the plans at the point of construction is done, they are to clean out the ponds. He said Mr. Shield's interpretation is these are for site preparation and not the builder. Village Administrator Crego said he cannot find anyone else to provide an opinion. He said he asked him to be a good neighbor and fix the problems and he said he would check to see if they can do it. Village Administrator Crego said you will find in other places they have a \$2-\$3 per home storm sewer charge which would cover something like this. Mr. O'Neil asked if we have any legal ramifications to withhold future permits. Village Administrator Crego said sure. Solicitor Hess said this is something they would need to look into. Mr. O'Neil thinks this is something we need to look into.

- F. Fiscal Officer's Report- Fiscal Officer Hastings reviewed the Fund Balance as of 8/31/2016: General \$1,434,079,.83, Street Construction & Repair \$287,700.07, State Highway \$24,939.19, Parks and Recreation \$3,033.57, Permissive Motor Vehicle License Tax \$7,519.64, Enforcement and Education \$1,560.00, Housing Developments \$43,389.92, Water Operating \$2,714,584.15, Sewer Operating \$2,365,364.12, Garbage Operating \$14,039.32. All funds total \$6,896,209.81.
- G. Legislative Reports:
1. Mark Geiger-Nothing to report
 2. Nicole Evans-Nothing to report
 3. Brad Laxton- Nothing to report
 4. David Sadler- Mr. Sadler distributed a spreadsheet regarding the TIFF. Errors were found and he will correct and redistribute at the September 19, 2016 COW Meeting. Mr. Sadler asked when we would be voting on this. Fiscal Officer Hastings said October 24th we will meet and vote because notices needed to be sent out 45 days before the vote to the county commissioners and 15 days prior to the schools. Mayor Joiner asked if Frost Brown has sent anything in for the Pickaway County Commissioners to waive the 45 days. Solicitor Hess said they were provided notice but does not know if a specific request to waive the 45 days was asked. He said from what he is hearing from the county level he is not sure they are willing to waive the 45 days. Mr. Sadler said they will have a Zoning meeting on September 27th at 6:00pm and asked Fiscal Officer Hastings to post it.
 5. Ben Townsend- Nothing to report
 6. Scott O'Neil-Mr. O'Neil said they are considering a Safety meeting Thursday September 15 at 6:00pm. He said Fiscal Officer Hastings asked him to wait and bring up the video tax at the COW meeting be he wants to check into that to see if anything can be done to have it removed. Fiscal Officer Hastings said we just need to repeal the ordinance. Mr. O'Neil said it just seems unfair tax to certain consumers in the town. Fiscal Officer said when they bill the consumers they bill an extra 3% and that money is sent back to the village. Ms. Evans asked if it was video conference. Mr. O'Neil said cable TV, satellite is exempt. He said he does not think it is right because some residents are not getting the charge where others are. Mr. O'Neil asked if Fiscal Officer Hastings keep a separate line. Fiscal Officer Hastings said if she had to guess maybe \$1500 per year.

Citizen Comments:

Mr. Hammond congratulated the village on picking a good Village Administrator. He said Mr. Crego is a great man. He said the Health Department issue was an item when he was there. It needs to be considered carefully how to participate because in the past it has gotten ugly. He said he is proud

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that the water and sewer is as well funded as it is. He said a large amount of that money came from tap fees and those fees bring in a lot of money. He said in regards for Health insurance you cannot discriminate and it can't be for a single department. He said all fulltime employees are eligible. He said it is out of control and lousy insurance and they did not lose any employees for not having it. He said he understands it is important but are financially set up long term for this. He said the locator is a great idea but cost is huge. He said the Walker Point Pond remains the same; it is not a village issue. He said he has done research on the TIFF and it has pros and cons. He said a development he was involved in did a TIFF and said it was the worst thing they ever did. They are not looking to do it again on another project. He said they all need health insurance but the cost is unbelievable and right now health insurance for this village for fulltime, he would caution to check the cost.

Trustee Struckman asked Solicitor Hess if he is going to put together a contract regarding NIXLE for them. Solicitor Hess said yes. Trustee Struckman said trees need trimmed before they run the snow plows or they go around them. He said basketball rims need removed from the streets also. He thanked Mr. Sadler for looking out for the township and county regarding the TIFF. He said he does not believe the village annexed the road by the development and that is a county road and they may want to work with the county. Mayor Joiner asked Trustee Struckman to get with Village Administrator Crego on any tree that needs trimmed.

Mr. Hammond said they did tree trimming in the village a few years ago and it was very economical and Fiscal Officer Hastings will have the contact. He said they were in and out of here in 1 day. Ms. Evans asked what they do when they cut the tree down with the limbs. Mr. Hammond said they should clean them up.

Business Items:

- A. RCAP-Nathan Davis from the Rural Communities Assistance Program introduced himself. He said they are a nonprofit organization and there is one of them in every state. He said they work with communities 10,000 or less. He said they are funded in Ohio from the EPA, Department of Agriculture and Ohio Water and Development. He said a lot of their services they provide can be provided to communities for free. He said however when it comes to rate studies they have to charge to cover their work. He said the contract proposal is not to exceed \$5000. He said if we chose to do a rate study they like to take the historical data and look at revenue and expensed and utility for the last 5 years then work towards a typical year. He said they would then work with the staff and Village Administrator and try to determine the future capital improvement plans, preventative and predictive maintenance items we are not doing now, etc. He said then they would forecast out 5 years and what our rates need to be to cover that cost. He said he would caution against comparing our rates to others because other communities have different needs. He said he does not know if we need to raise rates but this is what he would look at. He said once they get to that point of the study he would come meet with the Water department and bring the finding to council. He said once he receives the information it would take him about 60 days to complete. Mr. Geiger said he thinks it is a good idea. Utility Superintendent Thompson asked when he goes into a town what on average is the last time rates were raised. Mr. Davis said most communities that have not raised rates in 8-9 years their systems are not updated and needed to raise rates by 15%. He said they will look at our water loss which is an issue with other communities. Mr. Sadler asked if he will factor in our water maintenance. Mr. Davis said yes.

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Legislation:

For First reading:

Ordinance 2016-13 AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND/OR MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT WITH WSOS COMMUNITY ACTION COMMISSION INC. (RCAP)

Resolution 39-2016 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE VILLAGE OF COMMERCIAL POINT TO PARTNER WITH THE OHIO TREASURER'S OFFICE TO PLACE THE VILLAGE OF COMMERCIAL POINT'S CHECKBOOK EXPENDITURES ON OHIOCHECKBOOK.COM. Mr. O'Neil motioned to suspend the readings, seconded by Mr. Laxton. Roll call taken: Mr. Geiger-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes and Ms. Evans-Yes. Motion passed. Mr. Sadler made a motion to approve the resolution, seconded by Mr. Geiger. Roll taken: Mr. Geiger-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes and Ms. Evans Yes. Motion passed.

Resolution 40-2016 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. Mr. O'Neil motioned to suspend the readings, seconded by Mr. Sadler. Roll call taken: Mr. Geiger-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes and Ms. Evans-Yes. Motion passed. Mr. O'Neil motioned to approve the resolution, seconded by Ms. Evans. Roll call taken: Mr. Geiger-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes and Ms. Evans-Yes. Motion passed.

Resolution 41-2016 A RESOLUTION TO TRANSFER MONIES WITHIN THE GENERAL FUND FROM THE PERSONNEL SERVICES PART TIME CHIEF ACCOUNT 1000-110-190 AND TRANSFER SAID MONIES TO THE PERSONNEL SERVICES FULL TIME CHIEF ACCOUNT 1000-110-190-1001. Mr. O'Neil made a motion, seconded by Mr. Sadler to approve the resolution. Roll call taken: Mr. Geiger-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes and Ms. Evans-Yes. Motion passed.

Resolution 42-2016 A RESOLUTION TO TRANSFER MONIES WITHIN THE GENERAL FUND FROM THE PERSONNEL SERVICES PART TIME OFFICER ACCOUNT 1000-110-190-1013 AND TRANSFER SAID MONIES TO THE PERSONNEL SERVICES FULL TIME OFFICER ACCOUNT 1000-110-190-1015. Mr. O'Neil made a motion, seconded by Mr. Townsend to approve the resolution. Roll call taken: Mr. Geiger-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes and Ms. Evans-Yes. Motion passed.

Resolution 43-2016 A RESOLUTION ADOPTING A STATEMENT OF SERVICES FOR A PROPOSED ANNEXATION OF +2.50 ACRES FROM SCIOTO TOWNSHIP

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TO THE VILLAGE OF COMMERCIAL POINT AND DECLARING AN EMERGENCY. Mr. O'Neil made a motion to suspend the readings, seconded by Mr. Geiger. Roll call taken: Mr. Geiger-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes and Ms. Evans-Yes. Motion passed. Mr. Sadler motioned to approve the resolution, seconded by Mr. O'Neil. Roll call taken: Mr. Geiger-Yes, Mr. Sadler-Yes, Mr. Townsend-Yes, Mr. Laxton-Yes, Mr. O'Neil-Yes and Ms. Evans-Yes. Motion passed.

B. For Second Reading:

Ordinance 2016-12 CREATING A RESIDENTIAL TAX INCREMENT FINANCING INCENTIVE DISTRICT ENCOMPASSING CERTAIN PARCELS OF REAL PROPERTY; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN THE INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT; AUTHORIZING MAKE-WHOLE COMPENSATION PAYMENTS TO THE TEAYS VALLEY LOCAL SCHOOL DISTRICT AND EASTLAND JOINT VOCATIONAL SCHOOL DISTRICT; APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT; AND DECLARING AN EMERGENCY

Additional Items: Nothing to report

Adjournment:

Mr. Geiger motioned, seconded by Ms. Evans to adjourn. All in favor. Meeting adjourned.

Gary Joiner, Mayor

Wendy Hastings, Fiscal Officer

*Minutes provided by Paula Baldwin, Administrative Assistant