

MINUTES

September 9, 2019

COMMITTEE OF THE WHOLE

7:00 P.M.

Council Members in Attendance: Kent Butler
Sam Crowl
Chris Fahl
Peter Kotses
Patrick McGee
Jeff Risner

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson
Auditor Hecht

Item Discussed:

- **Bailey's Trail System**
 - President – proposed partnership for an 88-mile premier mountain bike trail system through the Wayne National Forest – City Council approved an Ordinance (0-42-19) on May 6, authorizing the Mayor to enter into an agreement for the establishment of the Outdoor Recreation Council of Appalachia (ORCA) Council of Governments (COG) – the ORCA has been formed and the COG has been meeting – representatives serving on the ORCA are from the City, County, Nelsonville, Chauncey, York and York Township – in addition, there is an advisory committee appointed that reports to the COG
 - Seth Brown, Washington D.C., serves as Director of Forestry and Land Use at Quantified Ventures (QV), an outcomes-based capital firm that drives transformational health, social, and environmental impact – strive to collaborate public, private and non-profit sectors – deliver consulting services, transaction structuring, project development, and fund management – QV has received funding from four different sources for this project (see attached Funding Sources & Uses): the U.S. Forest Service, National Forest Foundation (non-profit partner), U.S. Endowment for Forestry and Communities, and the Great Lakes St. Lawrence Governors & Premiers – this trail system will improve and diversify SE Ohio's economy – this is a \$12.3 million dollar project, of which \$800,000 has already been spent for planning, surveys, and a feasibility analysis financed through community partners – expect \$4.8 million through grants/philanthropy – balance through New Market Tax Credits and Impact Bond Financing – support requested from City is \$1.2 million, less than 10% of the total project cost – this

would not show as debt on the City's balance sheets – City would commit to \$90,000 annually for a period of 20 years – as to performance fees with this outcome-based project, any attributable increase in the transient guest tax due to visitors on the trail would increase the City's contribution – this evaluation period would end in year 7 and the City will be committed to pay that increased amount for the remaining 13 years – by year 7 the trail is expected to generate \$40,000 additional dollars in Transient Guest Tax – if the trail underperforms the City will receive a payment in year 7 that lowers the cost of the trail system to the City – believes this will be a valuable asset to the City of Athens

-Mayor – this project has been discussed for several years – views this trail project as a way to diversify our economy – if the City can draw 180,000 to 300,000 tourists, that would have a positive impact on our local economy – other outdoor recreation, non-motorized, can be added to the trail, i.e. zip line area

-McGee – is suspicious of venture capitalism projects, especially where the City ends up paying \$1.8 million over a 20-year period – investors are expecting a return on that income and he asked what they're expecting

-Brown – pointed out that they are not venture capitalists – they work with impact investors, community development financial institutions, and they're hoping to get from them a concessionary rate (lower than market) for the first 7 years of which they would be repaid for the time they gave up by not charging the market rate, but if the project doesn't do well the City of Athens would be paying a lower rate

-McGee – asked if the City is borrowing the money, or whether it is a loan

-Brown – the City is not being asked to incur any debt, but to enter into a long-term contract with the Outdoor Recreation Council of Appalachia, and those revenues will be what it is financed from

-Fahl – there is differential risk – the risk is quite high for the City and may draw dollars from other needed projects in Athens – asked about the risk to the City compared to the impact investors

-Brown – both are taking a risk – the impact investors want to know that the City is actually going to repay the commitment and that the City believes it is going to receive benefits – he doesn't believe there is any way in which this project will not be beneficial to City residents and the County at large – if the City should have even 1/3 of the visitors that are expected, the City will break even – below that 1/3 the City will be losing a little bit of money – this is being done in a way that allows the City to be in the best position possible

-Fahl – it is still at a base cost to the City of \$90,000 per year for 20 years

-Brown – that is correct

-Fahl – asked if ORCA will own the infrastructure

-Brown – there will be a non-profit that the Board of COG sits on that will be part of the New Market tax credit transactions

-Fahl – where does that Board sit

-Brown – that is the OCRA Board, a five-member Board of the COG

-Fahl – asked about the metrics that will be used to identify an increase in the Transient Guest Tax due to the trail – those would need to be very specific because there are a lot of other programs and ideas being considered at the same time – her concern is that Bailey's may be credited with the increase and it may not even be associated with Bailey's, but with another program

-Brown – the evaluation process will be continuously monitored through trail counters and parking receipts that can be measured in real time, along with intermittent intercept surveys (every two years) on the actual trail, interviewing trail visitors, and then corroborating that with the real time measures – will never be able to say with 100% certainty the actual dollar amount, but can say it is being closely monitored – by interviewing at the source, you get closer to that attribution – also being measured will be the number of businesses and real estate values in Chauncey

-President – asked if the Voinovich School is involved

-Brown – plan to have the Voinovich School involved with the evaluation

-Fahl – having Rural Action on Board gives a huge amount of credibility to this process

-Crowl – is curious about the environmental impact assessments that have been done on the property and whether the dollar amount for the project could increase if impacts are discovered

-Brown – no major environmental impacts have been found

-Jason Reed, Wayne National Forest – the completed environmental analysis for the entirety of the 88 miles and within a 100-foot corridor has all been cleared – not expecting any changes

-Crowl – asked if there is any plan for a catastrophic environmental event, natural disaster, such as a forest fire, what happens – where does the funding come to bring it back

-Reed – a current overall management plan is in place

-Crowl – the Mayor talked about additional uses in this area

-Reed – all other activities would need to be non-motorized

-Mayor – asked if these trails might be a benefit should a forest fire occur

-Reed – any time you have a fire break is helpful in reducing risk

-McGee – asked if there are other similar projects that the City can use as a model

-Brown – for outdoor recreation specifically, no, this would be the first of its kind

-McGee – are there any other governmental entities contributing

-Brown – the same contract in terms of contributions for the County – there are also federal and state funds that have been deployed as well

-McGee – no ATV's are anticipated – asked if that can change

-Reed – no, it is a prohibited activity written in Wayne Forest documents

-Dan Vorisek, Mansfield Road, Canaan Township, Rural Action – assets need to be in place before economic development can take place – trail systems have been invested in in many other states and economic development grew in these areas consistently, with some being in place for 25-30 years – the affected communities in the area have been discussing the Bailey's for some time -- is really excited about this opportunity

-Kari Boyle, Health Educator at the Athens City-County Health Department – the Health Department supports the Bailey's Trail System – it is crucial that we create environments where the healthy choice is the easy choice – this trail system will help shape the environment and create a huge access point for physical activity in our community – creating a major trailhead in the Village of Chauncey Park, typically isolated from many resources, will provide the opportunity to redesign this park so that it can be accessed and used by all – will serve this small community through improved community health, development, and inclusion – this connectivity will better the quality of life and health of these residents, and open the door to endless possibilities

-Scott Kreps, Hocking College faculty in Eco-Tourism and Adventure Leadership Program – his students, as part of a sustainable trail development course, will be working on the Bailey's with a representative from the Appalachian Conservation Corps – future possibilities in diversifying our economy through eco-tourism is very exciting

-Debbie Phillips, CEO of Rural Action – appreciates Council's thoughtful consideration – our region has tremendous assets, and this has the opportunity to bring more people into our community – this project has a lot of partners; and has an incredibly complicated structure and financing – Rural Action will work with residents of these trail towns to support entrepreneurial development and the local economy, and make sure the potential for money coming into the region will really benefit the folks who live in the region – has potential to build skill in our region and help people get a good job and be able to stay here – hopes Council will support this project as it has great potential for the region

-Paige Alost, Director of the Athens County Convention & Visitors Bureau, and serves as Chair of the Advisory Committee to the ORCA Board – this is the best opportunity that has come to Athens County since coal mining – that's what makes it so viable and so important for us to consider – questioned what other options we have for economic development – really need to think about the future and what can be done with this asset – tourism is a by-product of good community development – the Bureau will help support this project any way that it can

-Dawn McCarthy, Wayne National Forest – is a team leader for this project – the mission of the forest service is caring for land and serving the people – this project will provide a direct benefit to our local economy – the COG is bigger than

the Bailey's, and this is an opportunity to start building additional outdoor recreational opportunities within Athens County and the region

-Seth Brown – clarified that the City's \$90,000 commitment includes funds for operation (supportive services), not just the infrastructure

-Danny Twilly, Ohio University Assistant Professor in the Parks, Recreation and Leisure Program, Graham Drive – addressed the impact of outdoor recreation in communities, not just locally, but across the country – the potential for economic impact has been tested and proven by similar trails in other states – people are looking for quality of life experiences – this is not trying to create a new model; again, it's already been proven in other areas and other communities – we're trying to bring that to Athens County – we know millions of tourists annually come to the Hocking Hills area; we need to entice them to continue south to our county

-Auditor Hecht – understands that the City is pledging the City's share of the Transient Guest Tax (TGT) funds to make the annual payment – emphasized that the City would not be in a position to exceed the TGT amount without going into funds used for other City expenses – she questions spending City revenue outside the City limits, but believes the impact on the City does have potential

-Risner – asked about legislation needed to move forward on Monday

-Mayor – authorization for him to enter into contract to engage with the COG using moneys from the TGT – may need other accompanying legislation as well

- Uptown Special Improvement District (SID)

-Mayor – Ohio Revised Code, Chapter 17.10, speaks to Special Improvement Districts (SID) – this is a property owner self-imposed fee that would be set by a 501c3 non-profit of which the board members are the property owners within the defined area – the footprint for the uptown area SID would be Carpenter to President and capture everything between College and Congress – over the last 3 ½ years he has engaged with and educated all property owners within this defined district – the incoming funds will be set by front linear footage and will be used for beautification within the said boundaries – 60% of the property owners within the area is required to enact a SID – that goal has now been reached – requested Council approve a 3-reading Resolution to accept the property owners' petition in order to create the SID – some of the beautification projects could include decorative benches, planters, sidewalk improvements – the board can set-aside yearly funding to apply for larger infrastructure grants for community improvements within the district – most notably, one of the things he heard a lot from the uptown property owners is an opportunity with the SID to have continuous and contiguous snow removal during snow events – the SID could also be used to hire someone on a regular basis to remove gum residue from the sidewalks – the sky is the limit – the SID does require two government officials to be on the Board, a member of City Council and Mayor or his designee, with the remainder being all property owners

-Crowl – asked if the west and or east side of Congress Street are included
-Mayor – no part of Congress and no part of College – the area is: Carpenter from Congress to Grosvenor, State to College and Mill to Congress, Washington between College and Congress, Union between College and Congress, and as far south to President
-Crowl – so, the north side of Carpenter would not be included
-Mayor – the north side of Carpenter is a part of the SID

-Mayor – there are 3 entities that are exempt from the footprint of SID's, municipal buildings, state university buildings, and churches – municipal buildings would include the Armory, Parking Garage, and the City Building – a municipality can opt to include municipal buildings and he chooses to do that – the university has also chosen to take off their exemption and to be a paying partner of the SID to include buildings on Court – he did not approach the churches – that can be done later if they are interested in being a part of the SID services

-McGee – this is a really good idea – questioned whether there is an off-set from the City for these property owners, and asked about the cost of the City's contribution

-Mayor – emphasized that this is a property owner initiative – the cost to the City depends upon what the linear footage cost would be -- \$15.00-\$30.00 has been mentioned -- \$15.00 would cost the City about \$14,000 annually from the Athens Enhancement Fund, designed for beautification projects – SID must be renewed every 5 years – uptown Lancaster has a SID in place that has renewed twice – it is quite impressive what Lancaster has been able to do within its SID – City of Columbus has 5 SIDS

-Kotses – asked what percentage of the property owners that have signed the petition

-Mayor – about 62%

ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:

1. Bailey's
2. SID

MINUTES: FINANCE & PERSONNEL COMMITTEE

September 9, 2019

7:00 p.m.

Members in Attendance: Jeff Risner, Chair
Kent Butler, Vice-Chair
Sam Crowl, Member
Peter Kotses, Member

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson
Auditor Hecht

ITEMS DISCUSSED:

- Appropriations/Transfers
 - Risner – Police Chief Pyle is requesting \$41,000 be appropriated as follows: \$26,000 to Law Enforcement Fund, 293, and \$15,000 to Drug Enforcement Fund, 294, in order to purchase two new Mobile Data Terminals (computers operating in cruisers), and to transition the department to 9mm weapons – will trade in current system – presently the department handgun weapon's platform is a Glock .40 caliber Smith & Wesson – the 9mm is universally more controllable and an all-around easier platform for shooters to use – there have been technological advances in sighting platforms (holographic red dot sights as an example) that also increase accuracy – trading in the current .40 caliber weapons and transitioning to the new Gen 5 Glock platform in 9mm would realize an annual savings in ammo expense, and allow for 21st century technology such as advanced sights to be deployed should the department so choose
 - Mayor – currently the trade-in allowance is high – City will realize a significant savings in the cost of ammunition for the Police Department
 - Auditor – Community Center memberships are down and tax revenue is flat – requested a transfer of \$20,000-\$30,000 from APR Income Tax Fund, 273, to Community Center Fund, 271, for operations
 - Mayor – noted that there is also \$440,496 in Community Center Phase II Fund, 272 (formerly the Community Center Debt Fund) – however, this fund is use-restricted to maintenance of the Center – added, there is a lot of effort going into turning things around with additional programming
 - Auditor – clarified that funds from Fund 273 can be used for operating costs

ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:

1. Appropriations/Transfers

MINUTES
TRANSPORTATION COMMITTEE
SEPTEMBER 9, 2019
7:00 p.m.

Members in Attendance: Peter Kotses, Chair
Patrick McGee, Vice-Chair
Sam Crowl, Member

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson
Auditor Hecht

ITEMS DISCUSSED:

- Hocking-Athens-Perry Community Action Programs (HAPCAP)
 - Kotses – two agreements need to be approved to re-designate HAPCAP as the administrator for the City's Public Transit and GoBus systems – asked about the amount of the (4) quarterly payments that will be billed to the City under the Scope of Services
 - Mayor – will provide that information
 - Kotses – asked if any City funding is required to support the GoBus service
 - Mayor – will provide that information
 - McGee – along with the question of funding, asked if any City contribution will be increased as part of these new agreements
 - President – noted that a portion of the income tax revenue supports these services
- Residential Pilot Parking Permit Program
 - Kotses – this 72-hour parking permit program was approved for certain streets by (0-83-17) and extended by (0-116-18) that will be expiring in December – he will be meeting with Police Captain Harvey to talk about the future of this program
 - Mayor – believes this program has been very successful – there are not a lot of permit holders on the designated streets – he would like Council to consider the pilot program model, and continuing it as a modified program moving forward

- 24-Hour Parking (amend ACC)
 - Kotses – this law addresses city-wide parking to discourage the storage of vehicles parked in the same location – Police Captain Harvey is suggesting the following language be added to this section of the ACC – “Said vehicle must be moved every 24 hours from its existing parking location to a new location not less than 20 feet away, or a different space if spaces are delineated by pavement markings.”
 - Crawl – understands the reason for the 24-hour law, however, he hears from upset residents who are required to “walk” their car from one location to another every 24-hours – he doesn’t have a solution for those residents, but would like consideration on the best way to satisfy both issues
 - Kotses – storage parking is a problem, but agrees this law produces other problems – need to address what works best for the City as a whole
 - McGee – moving the vehicle to a new location not less than 20 feet away seems like an impractical burden for the residents – would like some evidence that this is a real problem before imposing an even stricter law
 - Rob Delach, Morris Avenue – has heard many complaints from residents about this 24-hour parking law – doesn’t think this additional limitation will be well received
- Holiday Parking
 - Kotses – the fee for parking in the Parking Garage will be suspended on all metered spaces, excluding 2-hour meters on (1 upper), after 5:00 p.m. on Thursday, December 5, 17, and 19, and all day Saturday, November 30, and December 7, 14, and 21 for uptown holiday events – the 24-hour continuous parking in the same location will be suspended from Sunday, December 15, through midnight on Wednesday, January 1 – these are both annual suspensions

ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:

1. Public Transit
2. GoBus
3. Holiday Parking