

VILLAGE OF BOLIVAR COUNCIL MEETING April 4, 2016

The Bolivar Village Council met in regular session on **Monday, April 4, 2016**. Mayor Hubble called the meeting to order at 7:00 p.m. The Pledge of Allegiance was said. Lloyd opened the meeting with a moment of prayer. Cochran, Lang, Lapp, Lebold, Lloyd & Vincent answered roll call.

Lapp moved-seconded by Lloyd to accept the minutes from the previous meeting, bills paid, and financials. In a roll call vote, all members present voted yes.

The Fiscal Officer read the bills for the month of March, totaling \$65,550.57. Lloyd motioned, seconded by Vincent to approve the bills. In a roll call vote, all members present voted yes. There were no corrections or additions to the agenda.

PUBLIC SPEAKS: - Nathan Quicksall and Erin Begue with Quicksall attended to discuss the ODOT TAP application for the canal street (downtown) project. Nathan stated Erin is their funding administrator. He brought her along since she set the agenda and she will be discussing the application procedures.

Erin stated they previously submitted an ODOT TAP pre-app in February. They received an acceptance letter stating the village was approved to start the next phase in submitting an application which is due May 15. In order for that to be completed, a few things would need to happen first: a resolution would need signed by Mayor Hubble; a public meeting would need held to invite residents and businesses in the area to ask questions about the project; letters of support from the businesses and residents. ODOT also asked for a list of businesses within a 1-2 mile radius of the project. Quicksall stated they could work with the village to obtain that list; a lot can probably be done from Google map or someone driving up and down around the area. Erin stated she understands there are some of us who are worried about the local share of the project that ODOT will not pay. She provided a funding summary that has two options. There are several different ways this project can go with different funding scenarios. She stated she provided the two best scenarios. The total project cost is \$826,500.00. ODOT, as of right now, is willing to pay a total of \$539,600.00 (based on approval). The first option is OPWC, a grant loan where we would receive the most points by splitting it up 50% grant, 50% loan at a 0% interest rate. The village would split the \$136,900.00 split 50/50 and apply to ARC for the remaining \$150,000.00.

The second alternative would be applying for an OPWC grant loan again in the amount of \$176,500.00 which would be split 50/50. If ODOT TAP does not award the project, there is a program through CDBG which is a neighborhood revitalization grant that is \$500,000.00. The Village currently has the minimum amount of components that we could have in order to score high with the state. Components meaning, water, sewer, storm sewer, sidewalk & roads. Erin said the village could possibly install a few fire hydrants that would add as a component; then apply for ARC for \$150,000.00. The local share between the loan in both scenarios would end up being \$300,400 or 4,400.00 depending on which scenario we could get.. These amounts would be due annually for the duration of the loan.

Funding source 2 would not include ODOT TAP funds. ODOT has approximately 70 applicants, and those applicants exceeded the total dollar amounts available for funding. ODOT will rank the applications once they are all submitted which is why public participation and letters of support would be beneficial to the project.

Lebold asked if the village would have to put up any money. Erin stated in the past six years of working with Quicksall, of all the TAP applications they have done, there hasn't been one project that hasn't been funded. However, as previously stated, this year the amount requested exceeded the total money available for funding. She is not saying that all 60-70 applicants will move forward with their projects. As of right now, based on funding, all the village would owe is paying that loan back.

Lang reiterated the loan is for the 68,000 if the village is approved for TAP. Erin stated if we don't get TAP, we could pursue the CDGB neighborhood revitalization grant and would have a loan of approximately \$88,000.00 for the downtown portion.

Lang asked why is the ARC portion 150,000.00 and not 250,000.00. It was explained 250,000 is the maximum amount granted. Erin said 150,000 is a realistic amount to get approved and was staying conservative in her projection. When putting numbers together, she said she likes to use numbers that are attainable versus the maximum amount.

The Fiscal Officer asked if the total project is based on \$826,500.00. Erin stated ARC will pay a portion of the 826,500. Lang asked the outlook of the OPWC grant? Erin asked if the Village has used OPWC lately and council responded, "no". She stated we would have a good shot. Lang asked if OPWC would cut back funding us for other grants if we use them for this project. Joe Bachman from what she has seen usually likes to fund projects around the 150-200,000 range.

App questioned the language in the ARC grant. The grant guidelines are a little confusing based on the criteria produced from ARCs information sheet. Erin stated ARC has three pots of money: ARC State, ARC Federal and ARC Rapid Response. If Dana with OMEGA scores us as ARC Federal and we are already at 80% ODOT, she would automatically know it would have to go through ARC State funding. When submitting the ARC application, it would have to be stated whether it's ARC State or ARC Federal. ODOT will not participate in more than 80% because you could not have more than 80% federal dollars. Since we are already at 95/5 with ODOT, we could not apply for ARC federal; it would have to be ARC state. App said, that's what was confusing, based on the total percentages and the application limits. Erin said ODOT was always at 80/20 and now it's 95/5. She does not know if that's going to be a continuous offer or limited; it will depend on the amount of funds available. Lebold asked about the other loans. Erin clarified the \$68,000-88,000 Maria was asking about is through the OPWC loan.

App is concerned about whether applying for loan monies with OPWC to help fund the project will hurt the villages future requests for loans when it comes time for water lines, a water tower and other infrastructure needs of the village. Erin said, usually no. They have communities that have five to six loan applications through OPWC; as long as you are paying your payments.

App questioned, "what if ARC only funds us for \$50,000.00 instead of \$150,000.00"? Erin stated it would be up to the village as to whether they accept

the 50,000 or state we don't want it. App questioned time line to rescind anything; further asking what happens if things don't go in the direction as originally proposed and the Village doesn't get the funding they thought they would get. Erin said with ODOT, if we receive ODOT money there really isn't a time line we have to use the money. ODOT would table the schedule, but the community would still have the money available. If the Village doesn't receive the OPWC money in the fall and if the village wants to pursue the 250,000 ARC money in the spring, we can always see if Dana will fund us. Erin recommends we could always ask for 250,000 or 200,000 if not, 150,000 is what we could count on. If we get upwards to 250,000 that would be a bonus. Erin further stated, "If both, OPWC and ARC are not fundable, we could come back to the table to figure out our next best solutions to apply for."

Lang verified the money could sit there. Erin said we are two or three years out to begin the project which would allow time to get funding in place.

App further questioned the ARC guidelines, specifically the criteria that specifies job creations through ARC funding. Erin stated, they want to know if businesses are coming and going. They want to make sure businesses are going to stay in the area. Lang asked, how will we show that. Erin said, that's why they want to know how many businesses are in the area; within the 1-2 mile radius as previously discussed. Erin stated we are also creating jobs with the construction process alone.

Lang asked, "what if we don't get 0% interest, how much would that inflate our payments"? Erin said, when we apply for OPWC this fall, we would know in December how much they would fund. We would also know prior to applying with ARC so we could roll that into the ARC application. She said, OPWC only offers 0%. Lapp asked if the TAP funds don't come through, how probable is it to have the county engineer get on board. Erin said she already spoke with Scott Reynolds and he is willing to be the applicant for this project.

The Mayor confirmed, if we were approved for the OPWC loan, our payment would be \$1711.25, paid two times per year (totaling \$3,422.50 per year or 285.00 per month). Lang stated the villages concern is what we would be on the hook for moving forward. Erin stated she could give us several pages of funding options but she gave us the two best options.

The Fiscal Officer stated, "I am more interested in funding the infrastructure needs, than I am projects; the wish lists, but I don't have a vote". Nathan Quicksall said the more comfortable the village is with the process, the better it is for everyone moving forward. Lang stated ideally this would be a good economic development to encourage more businesses to come into our downtown by adding the streetscape making it more appealing for businesses to come to. However, we also don't want to saddle the village down with debt.

Lang asked about the timeline for a public hearing. Erin said the application deadline is May 15. Council discussed whether they should have a special meeting or have it combined with a council meeting. Erin's goal is to fund this solely through grants, however, we have to conservatively look at the potential funds.

Erin recapped what would be needed of council to move forward; to include a public hearing, a resolution and letters of support. Armstrong questioned the percentages on the resolution for the ODOT application. Armstrong said the resolution says 80/20; which needs updated to reflect 95/5. Erin agreed that needs to state 95/5.

Lang said council needs to have a public hearing prior to deciding to approve the resolution. He also asked if public comments would be submitted with the application. Erin stated people can also email her with comments to be submitted. Council further discussed a timeline to have a public meeting. Lang reiterated he does not want to make a decision without first giving the public an opportunity to weigh in on the project. Lebold wants to establish a meeting date tonight. It was suggested to have a special meeting on April 18 prior to the committee meetings. App expressed her frustration with having another special meeting of council. Vincent said Monday, April 18 works well prior to the regular committee meetings. Additional discussion took place on setting a time. It was recommended to begin the public meeting at 5:30 which is the regular committee meeting start time, and the committees would follow the special session.

App questioned, when would the village owe the \$7,500.00 application fee for ODOT? Nathan stated, the application fee would not be due until we are accepted. App asked if the village is responsible for the fee if they are not awarded the funds. Nathan said the village wouldn't owe the 7500.00 if we were rejected, however, we would owe it if approved. We would also owe it if the village was approved and declined to move forward with the project due to a lack of funding.

Council concluded, the special meeting will be set for Monday, April 18 at 5:30. App will send notice to the paper to advertise for the meeting. The Mayor will get a letter out to the businesses downtown and encourage them to come to the meeting.

Quicksall will put a map together and provide a description of the project for the public to view and Erin will be at the meeting to discuss financing questions.

Nathan asked Lebold if he had a larger rendering of what the streetscape would be. Lebold said he had the detailed drawings but not a larger rendering. Lebold said it could probably be blown up and asked Quicksall if they had the capability of doing so.

MAYOR HUBBLE – Reported she went to the annual Tuscarawas County Health meeting in Ragersville. They didn't have a quorum so basically they were able to approve the \$125,000.00 that was assessed to them. There were several items to vote on but they assigned a special committee to meet at some point in the future. On the 26th of April the Mayor, Franks and Lang will be attending Tree City USA in Wooster; Bolivar is a Tree City USA recipient.

FINANCE: - Vincent reported they had discussion on the Towpath Trail and the next phase of excavating and the walking path. The Street Super brought a few items to finance; the first of which is the pump house at the ball diamonds that is currently falling in. Vincent moved, seconded by Lloyd to approve Bridges Excavating to tear down and remove the old pump house in the amount of \$1,880.00. In a roll call vote, all members present voted yes.

The Finance committee has continued to discuss the doors and garage doors for the village buildings. Franks had a few prices for the project that varied in price. Wayne Dalton was the lowest price for all doors. Vincent moved, seconded by Lang to approve Wayne Dalton to replace three (3) garage doors and five (5) man doors on Village building and police department. The total cost is \$4,541.00 for the garage doors and \$8,056.00 for the man doors. In a roll call vote, all members present voted yes.

Vincent also wanted to note, "in finance the clerk doing a beautiful job cautioned us all to be constantly diligent with our expenditures in relationship to our revenues".

The Mayor added, since we are discussing finance, there is a proposal for Phase III of the Towpath Trail Project, which would come out of that fund, a price to excavate and prep in the amount of \$38,116.00. Vincent moved, seconded by Lebold to approve Phase III of the Towpath Trail walking path. They are seeking additional quotes for the chip and seal portion which would be Phase IV. Discussion followed amongst council. In a roll call vote all members present voted yes.

PLANNING – The next zoning meeting will be on Thursday, April 7, 2016. Lebold reported there were some omissions and other areas in the zoning book that need discussed. At next month's meeting these items will be discussed and a public announcement for public viewing ahead of approval.

SAFETY – Lloyd reported the police cleared 85 calls in the month of March. Per the recommendation of the safety committee, Lloyd moved, seconded by Lang to suspend the rules to add additional auxiliary officers, Shawn Brady and Michael Fink. In a roll call vote, all members present voted yes. Lloyd moved, seconded by Lang to approve **AN ORDINANCE O-13-2016 TO ADD SHAWN BRADY AND MICHAEL FINK AS AUXILLARY POLICE OFFICERS FOR THE VILLAGE OF BOLIVAR; ESTABLISHING AN EMERGENCY.** In a roll call vote, all members present voted yes.

Chief – none

STREET & ALLEY: Lang reported he was approached by Hennis Care requesting permission to use the village back lot for their car wash for charity purposes on Saturday May 14 with a rain date of Saturday May 21, 2016. As discussed at Street & Alley, the volunteers would also sign waivers since they are using our back lot. Lang moved, seconded by Lloyd to approve Hennis Care to utilize the village lot and sign waivers. In a roll call vote, all members present voted yes.

STREET SUPERINTENDANT / ADMINISTRATOR - Franks reported they will be flushing hydrants on Friday, April 15. They will be starting at the North end of town at 7:00a.m. Composting will begin on Monday, April 11. As a reminder, no branches longer than 4' or they will not be picked up. The Township has the same rules. The township also has a sign posted at their bin.

Franks reported Sam & Karen Lloyd submitted a sidewalk request for their area on Cherry Street. Vincent moved, seconded by Lang to approve the request. In a roll call vote, Cochran, Lang, Lapp, Lebold and Vincent voted yes; Lloyd abstained.

SHADE TREE – none

RECREATION – Lebold made a blanket request to place a banner at the three-way stop for their upcoming special events: The Strawberry Festival, queens ball on June 11, car show and Christmas on the Canal. Lebold moved,

seconded by Lloyd to approve the banners. In a roll call vote, all members present voted yes.

Lebold reported the final phases of the Towpath Trail and how to make the Trail more manageable and understandable of how it's coming together. He broke it down by phase; the first phase was for the design, surveying and staking which utilized a matching grant for totaling approximately 8700.00. Our share (from the Towpath Trail Fund) is \$4338.73. The matching grant is now closed out.

The second phase was for the removal of trees at the West end past the ball diamonds. The removal began last Saturday (April 2). Lebold provided an update on the work progress. The volunteer group, which consisted of approximately 20 volunteers, is coming back on Saturday, April 9 with ropes and pulleys to take the trees out. Lebold will provide the signed waivers to the Fiscal Officer. Lebold would like to utilize Dave and Nathan to chip trees on Saturday. The Towpath Trail fund will pay for the wages (to include the time and a half for Franks) for both Dave and Nathan from 7a-noon. The third phase is to excavate the top and subsoil and getting the ground ready for black top. The fourth phase is to complete the black top portion. Phase V will consist of landscaping; however the finances are very limited once Phase IV is completed. Lebold is working with another couple companies to secure grant funding to cover the cost of top soil, grass to be planted, landscaping and fencing.

FISCAL OFFICER – none

LAW DIRECTOR – Armstrong provided a response to council regarding the installation of the high speed bandwidth pole within the village. Armstrong reported she sent information to council to review prior to the meeting so they could ask questions tonight. Due to the nature of what it is, the Village doesn't really have a choice but to approve it. If council doesn't have any additional discussion or questions, they would need to vote. Armstrong verified it's equivalent to a telephone pole; that carries data instead. Lebold motioned, seconded by Cochran to approve the installation of the pole. In a roll call vote, all members present voted yes.

Armstrong brought forth two renewal levies, provided by the fiscal officer, that will need to go on the ballot in November. One is for 2.9 mils for the street construction levy and the other is for 1.8 mils for the general fund levy. Council would need to pass both as a resolution. Armstrong reiterated these resolutions aren't changing anything; they are renewals only.

The first resolution is **A RESOLUTION REQUESTING THAT THE TUSCARAWAS COUNTY AUDITOR CERTIFY TO COUNCIL CERTAIN INFORMATION PURSUANT TO R.C. 5705.03(B) FOR TAX LEVY PURPOSES.** Lebold questioned if we are on a negative income to the village, the renewal wouldn't bring in any additional money. Armstrong said the amount we received is based on the valuation, but the millage would be the same. Lebold asked, why wouldn't we want to increase the mils to bring in more money. Lang and others on council strongly opposed raising any mils. Cochran also strongly opposed

raising the levy. Lang moved, seconded by Lapp to approve **RESOLUTION R-6-2016**. In a roll call vote, all members voted yes.

The second resolution is a RESOLUTION REQUESTING THAT THE TUSCARAWAS COUNTY AUDITOR CERTIFY TO COUNCIL CERTAIN INFORMATION PURSUANT TO R.C. 5705.03(B) FOR TAX LEVY PURPOSES. Lang moved, seconded by Lapp to approve **RESOLUTION R-7-2016** a renewal ,with no changes or increase to the mills. In a roll call vote, all members present voted yes.

Two other resolutions that need passed are in conjunction with the two being sent to the auditor for certification. These resolutions are to declare the necessity of the levy to be placed on the ballot for each of the renewals. The first is for the Street Construction Levy; **A RESOLUTION DECLARING THE NECESSITY TO LEVY A TAX IN EXCESS OF THE TEN-MILL LIMITATION ORC 5705.19, ORC 5705.191, ORC 5705.25, ORC 5705**. Lapp moved, seconded by Lang to approve **Resolution R-8-2016**. In a roll call vote, all members present voted yes.

The second resolution is for the general fund; **A RESOLUTION DECLARING THE NECESSITY TO LEVY A TAX IN EXCESS OF THE TEN-MILL LIMITATION ORC 5705.19, ORC 5705.191, ORC 5705.25, ORC 5705.26**. Lapp motioned, seconded by Lang to approve **Resolution R-9-2016**. In a roll call vote, all members present voted yes.

On a different note, the Mayor added, she signed a proclamation acknowledging May as Motor Cycle Awareness month. She went on to read the proclamation.

Lloyd moved, seconded by Lapp to go into executive session pending legal. In a roll call vote, all members present voted yes. The Mayor stated all of council would need to stay as well as legal counsel and the fiscal officer. Franks and Haugh were free to leave. Council went into executive session at 8:16p.m.

Council came out of executive session at 8:37; no action was taken.

There being no further business, Cochran moved, seconded by Lang to adjourn until the next regularly scheduled council meeting on Monday, May,2 2016. In a roll call vote, all members present voted yes

Mayor Rebecca S. Hubble

ATTEST:

Maria A. App, Fiscal Officer

Approved: May 9, 2016 (as advertised in the special meeting)