

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, MARCH 18, 2019, 7:00 P.M.

Athens City Council met in Regular Session at the above hour with the following members present: Butler, Crowl, Fahl, Grace, Kotses, McGee, and Risner.

Also present: President Knisely, Mayor Patterson, and Law Director Eliason.

APPOINT AN ACTING CLERK FOR THIS SESSION OF COUNCIL:

Risner moved to appoint Council Member Butler as Acting Clerk for this Session of Council; Fahl seconded. Motion was approved unanimously.

DISPOSITION OF MINUTES:

Fahl moved approval of the minutes of the Regular Session held March 4, 2019; Crowl seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely is in receipt of the following:

- Notice from the Ohio Auditor of State that they will be examining City of Athens Census Data and Pensionable Wages reported to the Ohio Police and Fire Pension Fund for the period from January 1, 2017 through December 31, 2017.
- Notice from the Ohio Division of Liquor Control for the transfer of TREX D1, D2, and D3 permits **FROM** Shin Yu, Inc., dba Haiku, 800 North High Street, Columbus, Ohio **TO** HOE Athens, LLC, 18 North Court Street, dba Hangover Easy (formerly Court Street Diner) in Athens. A TREX transfer is an economic development transfer and granted only in the case where there are no licenses or permits available. The City believes there is a D3 permit available in Athens and will be clarifying that with the Department of Commerce. Responses regarding this transfer must be postmarked no later than April 5, 2019.
- Ohio Municipal League encouraged member municipalities to consider a Resolution, or a "Call to Action" in response to HB 62, the Governor's proposed increase in the Ohio motor fuel tax of \$0.18 per gallon. A Resolution has been drafted and made available to City Council, however, the Agenda will need to be amended to add it.

Kotses moved to amend the Agenda to add R-04-19; Risner seconded. Amendment was approved unanimously.

- Receipt of the 2018 Interest Income Report from City Treasurer Mary Ann McClure (see attached). Year-end interest income was \$329,073, over the projection of \$208,548. This increase was due to the withdrawal of three CD's from the Hocking Valley Bank in order to reinvest them at higher rates.

Council Member Kotses announced the next Athens City School Board meeting is scheduled on Thursday, March 28, 2019, at 6:30 p.m. in the High School Auditorium.

Carol Patterson, Chair, Athens Municipal Arts Commission (AMAC), presented AMAC's mural selection for the City's Wastewater Treatment Plant. The artist would like to begin this project on April 1st, weather permitting. AMAC would like City Council's approval of the design.

Patterson announced Placemaking Week in Athens, March 25-31. This weeklong program focuses on creating an interactive and inspiring public space between the Armory and The Dollar Store on Carpenter Street. Students and the local community are welcome to participate in the design and implementation processes.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Pothole repairs (cold mix) will be taking place this week on Richland Avenue, State Street, Stimson Avenue, Union Street, Elliottsville Road, Mulligan Road, North and South Blackburn Road, Westfield Place, Coventry Lane, and Highland Avenue.
- The City has received recognition, once again, from the Arbor Day Foundation that Athens has earned the 2018 Tree City USA.
- A letter will be submitted tomorrow stating the City's support and willingness to participate in the Drive Ohio, U.S. Department of Transportation's Autonomous Driving System Demonstration grant program.
- Letters will be sent to our State Legislators and Officials by both he and the Service-Safety Director expressing concerns with HB 27.
- Met with the new Governor's Office of Appalachia Executive Director John Cary from Wellston.

ORDINANCES FOR THIRD READING:

0-15-19

AN ORDINANCE EXTENDING THE PILOT RESIDENTIAL CURBSIDE COMPOST PROJECT THROUGH JUNE 30, 2019. Butler moved for Adoption;

Fahl seconded. Discussion: McGee asked if it is the City's intention to extend this program on July 1st.

Butler understands that upon reviewing pilot data collected through June 30th, the City will decide on the future of this program.

Mayor reminded Council that this composting program has diverted 22 tons of bio-mass from the landfill.

Adoption was approved unanimously.

0-16-19

AN ORDINANCE CLOSING A PORTION OF COURT STREET BETWEEN UNION AND WASHINGTON ON SATURDAY, AUGUST 3, 2019, FROM 8:00 A.M. TO MIDNIGHT FOR THE "BOUNTY ON THE BRICKS" FUNDRAISER. Kotses moved for Adoption; Crowl seconded. Adoption was approved unanimously.

0-17-19

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON AUGUST 3, 2019, DURING THE "BOUNTY ON THE BRICKS" FUNDRAISER. Kotses moved for Adoption; Crowl seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-19-19

AN ORDINANCE GRANTING AN ENHANCED ACCESS EASEMENT TO ALLOW UTILITIES TO PROPERTY CONTIGUOUS TO HOPE DRIVE.

0-20-19

AN ORDINANCE AUTHORIZING A CONTRACT WITH THE WASHINGTON COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY.

0-21-19

AN ORDINANCE AMENDING THE 2019 APPROPRIATION ORDINANCE.

0-22-19

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$460,000 OF NOTES BY THE CITY OF ATHENS, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING PART OF THE COSTS OF ACQUIRING NEW PARKING METERS; AND DECLARING AN EMERGENCY.

0-23-19

AN ORDINANCE AMENDING ORDINANCE 102-18; AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO PURCHASE SMART PARKING METERS.

ORDINANCES FOR FIRST READING:

0-24-19

AN ORDINANCE CLOSING CERTAIN STREETS IN UPTOWN ATHENS ON FRIDAY, JUNE 21, AND SATURDAY, JUNE 22, 2019, FOR THE BRICK CRITERIUM. Discussion: Fahl requested a map of the streets that are being closed.

Mayor offered to fulfill the map request.

McGee asked if this race course is the same as prior race events.

Kotses responded that the two blocks for the Saturday race are the same.

McGee suggested at an earlier meeting that an attempt be made to direct the race course away from a full Court Street closure, possibly nearer the College green, and expressed his continued concerns about closing Court Street all day on Saturday.

Daniel Brown, Criterium promoter, emphasized that it is this historic course that attracts racers to this event; bricks and hills are challenging.

The Mayor commented that this is a nice family event that may get children interested in cycling.

0-25-19

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 17, TAXES, CHAPTER 17.01, MUNICIPAL INCOME TAX, TO INCLUDE SECTIONS 718.80 THROUGH 718.95 OF THE OHIO REVISED CODE.

ONE-READING RESOLUTION:

R-04-19

A RESOLUTION SUPPORTING OHIO HOUSE BILL 62, THE PROPOSED INCREASE IN THE OHIO MOTOR FUEL TAX OF \$0.18 PER GALLON, AND URGING SENATOR FRANK HOAGLAND AND REPRESENTATIVE JAY EDWARDS TO SUPPORT OHIO HOUSE BILL 62. Discussion: An amendment was approved to remove Ohio House Bill 62 and to replace it with Governor DeWine's proposal.

Fahl noted the importance of this motor fuel tax increase for the safety of Ohio's infrastructure

As a user fee, McGee is concerned about this large increase in the tax. Fahl clarified that this large increase is partly due to the fact that this tax has not been increased since 2005.

The Mayor pointed out that our only neighboring state that is lower is Kentucky, others are significantly higher.

Grace emphasized that the State Transportation Fund is drastically underfunded and Ohio cannot adequately maintain its bridges and road safety

without increasing these revenues. She also encouraged citizens to car pool, use public transportation, bike, and walk to their destination, which all have long-term environmental benefits.

Fahl added that this increased revenue will also benefit public transportation.

Upon review, it appears the original language was correct, and the motion to amend was withdrawn.

While Butler understands the need to support this increase, he is concerned with the low-income citizens he represents who may struggle to pay this higher user fee.

Risner moved for Adoption; Grace seconded. Adoption was approved by a 5/2 vote; with Butler and McGee voting in opposition.

ANNOUNCEMENTS & OTHER BUSINESS:

Fahl moved to Accept the Auditor's February, 2019, Financial Reports; Risner seconded. Motion was approved unanimously.

McGee moved to reappoint David McNelly to an additional 3-year term, expiring 4/3/22, and to appoint Cheryl Prusinski to serve a 3-year term from 3/18/19 – 3/17/22 on the Disabilities Commission; Crowl seconded. Motion was approved unanimously.

Butler moved to approve AMAC's recommendation of the mural design at the Wastewater Treatment Plant and the artwork at the site of the Armory; McGee seconded. Motion was approved unanimously.

OPPORTUNITY FOR CITIZENS TO SPEAK ON LEGISLATIVE ITEMS AND CITY SERVICES NOT COVERED ON THE AGENDA:

Jack Stauffer, 69 Elmwood Place, expressed concern of the lack of response from the City regarding his requested inspection of a backflow valve installed in 2015 by the City near his residence, and would like an update on steps taken by the City since 2015 to correct inflow in the near east side that could be impacting the sanitary system.

Todd Swearingen, Guysville, addressed Council on the economic and environmental benefits of net-zero schools (see attached).

At approximately 8:20 p.m. Fahl moved to Adjourn the meeting; Butler seconded, and the meeting was adjourned.

President of Council

ATTEST:

Acting Clerk of Council