

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, MAY 6, 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, Auditor Hecht, and Law Director Eliason.

DISPOSITION OF MINUTES:

Fahl moved approval of the minutes of the Regular Session held April 15, and the Special Session held April 22, 2019; Risner seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

Council Member Butler reminded all to vote in the Primary Election tomorrow, noting the contested race in the 1st Ward.

Council Member Kotses announced that the Athens City School Board will be meeting on Thursday, May 30, at 6:00 p.m. in the high school auditorium.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported that EPW Director Heady alerted him that HB 159, if passed, would limit a public authority's right to require identification and certain insurance policies for public improvement contracts. Director Heady will be in Columbus later this week to speak with Ohio Senate President Pro Tem Bob Peterson about the City's concerns with this legislation.

Notification from PeopleForBikes has released its second annual ratings of bicycling in U.S. cities. Athens ranks 20th overall out of over 500 cities, and is the only city in Ohio to rank in the top 100 nationally.

Construction is underway on the Richland Avenue Bridge over Coates Run. Traffic has been reduced to a single lane with signalization.

North College Street will be closed tomorrow from 8:00am until completion for street repair from the recent sewer main break.

East State Street milling will occur on May 9, fiber matting will be laid on May 13, with paving from May 14 through the 17, and striping on May 23.

A letter of resignation was received from Tania Basta serving on the City-County Health Board, who is relocating to Western Kentucky University.

ORDINANCES FOR THIRD READING:

0-41-19

AN ORDINANCE ESTABLISHING A “COMPLETE STREETS” POLICY FOR THE CITY OF ATHENS. Kotses moved to Table in order to return it to committee for additional discussion; Fahl seconded. Tabling was approved unanimously.

0-42-19

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ATHENS, TO ENTER INTO AN AGREEMENT FOR THE ESTABLISHMENT OF THE OUTDOOR RECREATION COUNCIL OF APPALACHIA COUNCIL OF GOVERNMENTS. McGee moved for Adoption; Crowl seconded. Discussion: President Knisely noted that the Appalachia Council of Governments (COG) is being formed particularly for the Bailey’s Trail, adding that it also has a wider arena of other recreational projects within the Appalachian area. This legislation does not obligate the City financially

Fahl asked if the Council has levying authority, similar to a Park District, and asked for clarification about the legal framework, contractual agreements and any memorandums of understanding.

McGee asked if Fahl is suggesting a need to Table this legislation.

Fahl is not asking to Table it, only that moving forward these issues need to be considered.

Dawn McCarthy, Wayne National Forest, assured Fahl that once the members have been secured on the Council of Governments that bylaws will be established that will address her questions.

Mayor Patterson asked about future disposition and authority of Federal lands.

Jason Reed, Athens District Ranger, responded that such authority to either purchase or dispose of Federal property is held entirely by the United States Congress.

McGee believes this area includes land other than Federal land.

Mayor Patterson commented that the land abutting the Federal lands are either municipality or township trailheads.

Adoption was approved by a 6/0/1 vote, with Kotses abstaining.

0-43-19

AN ORDINANCE AMENDING THE 2019 APPROPRIATION ORDINANCE. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-44-19

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 11, BUSINESS REGULATIONS, TO INCLUDE CHAPTER 11.12, SHARED ACTIVE TRANSPORTATION. Risner moved for Adoption; Fahl seconded. Discussion: McGee emphasized the prohibition of these e-scooters/e-bikes on sidewalks in the uptown business district, and expressed his concern that signage in the uptown area is inadequate.

Crowl explained that these electronic vehicles can be geo-fenced so that their speed will be reduced to 2-3 mph, or simply will shut down in certain areas.

Adoption was approved unanimously.

0-45-19

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED, TO INCLUDE FEES ASSOCIATED WITH SHARED ACTIVE TRANSPORTATION. Risner moved for Adoption; Crowl seconded. Discussion: Mayor Patterson does not believe that the permit fees are excessive.

Crowl noted that these e-scooter/e-bike vendors will want to capture the student population, thus the need for cooperation between the City and University to make it a successful venture.

Adoption was approved unanimously.

ORDINANCES FOR FIRST READING:

0-46-19

AN ORDINANCE AUTHORIZING UNNEEDED OR OBSOLETE MUNICIPAL PERSONAL PROPERTY TO BE SOLD BY INTERNET AUCTION.

0-47-19

AN ORDINANCE DECLARING VEHICLES NO LONGER NEEDED FOR A MUNICIPAL PURPOSE. Discussion: President Knisely questioned whether, with adoption of the preceding ordinance, a description of equipment and vehicles will continue to be brought before Council. She requested clarification at the next reading.

0-48-19

AN ORDINANCE CLOSING A PORTION OF UNION STREET ON SUNDAY, AUGUST 25, 2019, FOR OHIO UNIVERSITY'S INVOLVEMENT FAIR.

ANNOUNCEMENTS & OTHER BUSINESS:

Kotses moved to Remove Ordinance 32-19 from the Table; Fahl seconded. **0-32-19 AN ORDINANCE AUTHORIZING 2019 STREET PAVING AND REPAIRS.** Discussion: Kotses explained that Tabling was approved until such time as a list of the streets to be paved was presented to Council and the list was received during the recent infrastructure tour. Motion to Remove from the Table was approved unanimously. Kotses moved for Adoption; Fahl seconded. Adoption was approved unanimously.

Mayor Patterson indicated that he will be absent at the next Regular Session of Council on May 20th, as he will be attending the International Town Gown Association.

EXECUTIVE SESSION:

At approximately 7:55 p.m. Fahl moved to go into Executive Session to discuss (3) Matters of Pending Litigation, and invited the Mayor, Auditor, and Law Director to attend; Crowl seconded. A roll call vote was taken as follows: Butler, aye; Risner, aye; Crowl, aye; Fahl, aye; Kotses, aye; McGee, aye; and Grace, aye.

At approximately 8:10 p.m., Fahl moved to come out of Executive Session; Crowl seconded. Motion was approved unanimously. Fahl then moved to adjourn the meeting; Crowl seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council