

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, MAY 20, 2019,
7:00 P.M.**

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

Also present: President Pro Tem Butler, Acting Mayor Knisely, and Law Director Eliason.

DISPOSITION OF MINUTES:

McGee moved approval of the minutes of the Regular Session held May 6, 2019; Fahl seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

Council Member Fahl encouraged residents to check and eliminate any open water sources near their houses that could breed mosquitoes. Reducing mosquito infestation is critical to good public health.

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:

Acting Mayor Knisely reported that Deputy Service-Safety Director Ron Lucas has indicated that most of the new parking meters have been installed in the uptown area, with completion scheduled for later this week or next. Upon completion, the meter rates will change and enforcement hours will be extended to 8:00 p.m., two hours longer in the evening. Park Mobile will continue to be used as a parking app downloadable on your iPhone, along with a new app, Park Smarter, noting that Park Smarter does not charge a transaction fee.

ORDINANCES FOR SECOND 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.

0-48-19

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

ORDINANCES FOR FIRST READING:

0-49-19

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT WITH THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) IN ORDER TO ACCEPT NOPEC ENERGIZED COMMUNITY (NEC) GRANT(S). Discussion: Acting Mayor Knisely commented that this is a grant of up to \$25,000. Last year these grant funds added solar features to our bus stop shelters, and this year the intent is to place table/bench solar charging areas at the municipal pool area, with an added mobility advantage so that they may be used at other community events around the City.

Fahl supports this idea to have charging stations available off the grid.

0-50-19

AN ORDINANCE AMENDING THE 2019 APPROPRIATION ORDINANCE.

Discussion: Grace asked if an itemized list was made available from the Administration of the expenditures being appropriated to the Athens Enhancement Fund, as well as the public art activity and location.

Risner is not in receipt of this information.

Acting Mayor Knisely agrees that it would be important for Council to have that information prior to the next reading. She will convey that to the Administration.

0-51-19

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 9, GENERAL REGULATIONS, CHAPTER 9.04, OUTDOOR FIRES, SECTION 9.04.01, OUTDOOR FIRES WITHOUT PERMIT, UNLAWFUL; AND CHAPTER 9.05, FIRE CONTROL; PETROLEUM LIQUIDS, SECTION 9.05.01, DEFINITIONS.

Discussion: Fahl clarified that the 20' distance for outdoor fireplaces is slightly more than the state law that requires a 15' distance. The increase is due to the density of the neighborhoods and terrains in our city.

Fire Chief Rymer pointed out that these changes are simply to make outdoor fires safer.

Crowl asked if an outdoor fireplace or grill is considered an open fire.

Rymer responded that it is not considered an open fire as long as it is enclosed within a mesh screen or grating.

McGee asked if a tiki torch, an open fire grill, or ceramic fire pits on decks are considered an open fire and questioned whether this ordinance prohibits these.

Rymer pointed to the definition of "open burning" that does not include the items McGee has referred to, so they would be considered acceptable. These requested changes are intended to lessen fire hazards.

McGee questioned the difference between “open burning” and an open fire.

Rymer clarified that the State refers to “open burning” that encompasses bonfires, recreational fires, and the burning of large refuse, trees, leaves. Using the “open fire” term in this ordinance refers to those types of fires.

McGee suggested changing the term “open fire” to outdoor “open burning” to be consistent with the definition.

Rymer suggested adding in bonfires and recreational fires to be included as an open fire as well, not just “open burning” as defined in the State Code.

McGee is concerned that the term “open fire” is very broad; it could technically include a candle. A more detailed definition would be helpful.

Fahl asked if fire pits that you purchase in local stores are legal.

Rymer said they are specifically designed for the purpose of burning.

Fahl agrees with McGee that a more detailed definition of allowable open fire would be helpful.

Rymer suggested adding the City’s definition of an open fire.

Fahl will consider such an amendment at second reading.

Acting Mayor asked about the removal of “and required” in Section (C), and under what circumstances a resident would be required to apply for such a permit.

Rymer responded that a permit would be required for any open fire beyond the 90’ distance.

0-52-19

AN ORDINANCE AMENDING ORDINANCE 19-19 TO CORRECT THE PARCEL ID NUMBERS, GRANTING AN ENHANCED ACCESS EASEMENT TO ALLOW UTILITIES TO PROPERTY CONTIGUOUS TO HOPE DRIVE.

0-53-19

AN ORDINANCE AMENDING TITLE 17, MUNICIPAL INCOME TAX, CHAPTER 17.01, IN GENERAL, SECTION 17.01.18, LOCAL BOARD OF REVIEW; APPEAL TO LOCAL BOARD OF TAX REVIEW. Discussion: Risner commented that at no time has the City been out of compliance with these regulations.

ANNOUNCEMENTS & OTHER BUSINESS:

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

Fahl moved to Accept the April, 2019, Credit Card Transactions; Crowl seconded. Motion was approved unanimously.

McGee moved to Reappoint Carolyn Lewis to the Commission on Disabilities, her current term expires June 30, 2019; Fahl seconded. The Reappointment was approved unanimously.

Fahl moved the Appointment of Shauna Switzer to serve a two-year term on the Recreation Advisory Board; Butler seconded. The Appointment was approved unanimously.

McGee moved to Adjourn; Fahl seconded. Motion was approved unanimously.

President Pro Tem of Council

ATTEST:

Clerk of Council