

**ATHENS CITY COUNCIL: SPECIAL SESSION, MONDAY, MAY 24, 2021,
8:30 P.M.**

Athens City Council met in Special Session at the above hour. Due to concerns with COVID-19 the following members met via videoconference: Crowl, Grace, Risner, Smedley, and Ziff.

Also present via videoconference: President Pro Tem Fahl, Mayor Patterson, and Auditor Hecht.

ORDINANCES FOR SECOND READING:

0-62-21

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A 10-YEAR LEASE AGREEMENT WITH THE UNITED SENIORS OF ATHENS COUNTY FOR SPACE UTILIZATION IN THE COMMUNITY CENTER.

0-63-21

AN ORDINANCE AMENDING THE GENERAL FUND ADMINISTRATIVE COST ALLOCATION POLICY ESTABLISHED BY ORDINANCE 67-15.

0-64-21

AN ORDINANCE AMENDING THE INTERNAL SERVICE FUND COST ALLOCATION POLICY ESTABLISHED BY ORDINANCE 124-15.

0-65-21

AN ORDINANCE AMENDING THE 2021 APPROPRIATION ORDINANCE; AND AUTHORIZING THE AUDITOR TO MAKE AN INTERFUND TRANSFER. Crowl moved to Amend to add a new Section III to include a \$200,000 appropriation in the Water Debt Fund to make the loan payment due July 1st, and renumbering the subsequent sections accordingly; Grace seconded. Amendment was approved unanimously.

0-66-21

AN ORDINANCE AUTHORIZING A CONTRACT FOR RIGHT-OF-WAY ACQUISITION SERVICES FOR THE WEST UNION STREET IMPROVEMENTS PROJECT (#322).

0-67-21

AN ORDINANCE CLOSING A PORTION OF UNION STREET BETWEEN COURT AND COLLEGE ON TUESDAY, JUNE 15, 2021, FROM 5:00 P.M. TO 9:00 P.M., WELCOMING THE NATIONAL VULCAN RIDERS ASSOCIATION (NVRA); AND DECLARING AN EMERGENCY.

0-68-21

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SUB-RECIPIENT CONTRACT WITH OHIO UNIVERSITY, AUTHORIZING THE EXPENDITURE TO IMPLEMENT A WASTEWATER-BASED COVID-19 SURVEILLANCE PROGRAM; AND DECLARING AN EMERGENCY

0-69-21

AN ORDINANCE AUTHORIZING DESIGN ENGINEERING SERVICES FOR THE WATER TREATMENT PLANT SOFTENER REHABILITATION PROJECT (#338).

0-70-21

AN ORDINANCE AUTHORIZING THE DISPOSAL OF CERTAIN FIRE DEPARTMENT EQUIPMENT NO LONGER NEEDED FOR A MUNICIPAL PURPOSE.

0-71-21

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, TO ADD TITLE 45, FEES, TO INCLUDE A FEE FOR AN HISTORIC PRESERVATION DESIGN REVIEW APPLICATION.

0-72-21

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 3, ADMINISTRATIVE PROVISIONS, UNLAWFUL DISCRIMINATORY PRACTICES.

ORDINANCE FOR FIRST READING:

0-73-21

AN ORDINANCE AMENDING ORDINANCE 84-20, ATHENS CITY CODE SECTION 9.11.10, FACE COVERINGS IN PUBLIC SPACES; AND DECLARING THIS ORDINANCE AN EMERGENCY MEASURE. Grace moved for Suspension of the Rules for this emergency measure; Smedley seconded. Suspension of the Rules was approved unanimously. Grace moved for Adoption; Smedley seconded. Adoption was approved unanimously.

ORDINANCE FOR FIRST READING:

At approximately 8:40 p.m. Smedley moved to adjourn the meeting; Grace seconded. Motion was approved unanimously.

President Pro Tem of Council

ATTEST:

Clerk of Council

**MINUTES
MAY 24, 2021
COMMITTEE OF THE WHOLE
7:00 P.M.**

Council Members in Attendance via Videoconference: Beth Clodfelter
Sam Crowl
Sarah Grace
Jeff Risner
Arian Smedley
Ben Ziff

Administrators and/or
Other Elected Officials via Videoconference: President Pro Tem Fahl
Mayor Patterson
Auditor Hecht

Items Discussed:

- CDC Guidelines (amending 0-84-20, face coverings)
-Grace – on May 13th the Centers for Disease Control (CDC) modified the guideline recommendations regarding mask wearing – it is appropriate to amend our local mask order – the proposed changes are as follows:

Add: Whereas, on May 13th the Centers for Disease Control stated that, “Fully vaccinated people can resume activities without wearing a mask or physically distancing, except where required by Federal, State, Local, Tribal, or Territorial laws, rules and regulations, including local businesses and workplace guidance.

Add to the list of exceptions to wearing a face covering:

(14) An individual who has been fully vaccinated against COVID-19 as per current Centers for Disease Control Guidelines issued May 13, 2021.

Add: This Ordinance shall remain in effect until December 31, 2021 or by Council action rescinding the Ordinance.

-Risner – asked if the City-County Health Department has been notified of these changes

-Mayor – has spoken to both Health Administrator Jack Pepper and Health Commissioner Dr. Dick Gaskell, both approving the exemption language

-Grace – it is important to note that businesses have the option to continue to require wearing a face covering should they choose to do so – our local ordinance is simply adding an exemption for those individuals who are fully vaccinated

-Crowl – asked if local establishments can require a patron to show their vaccination card – understanding it might cause confrontation

-Grace – this does not really change the earlier Ordinance with regard to confrontation, in that a patron could simply cite one of the other medical exemptions for not wearing a mask – a business should state the requirement that all patrons are to wear a face covering – that should preclude any confrontation from asking for proof that they are vaccinated – on the other hand, businesses can ask to see vaccination cards – individuals can share that by choice; it is not a HIPAA violation

-Crowl – has been vaccinated, and recommends getting the vaccination – hopes our community understands that there is still COVID-19 risk, and they should continue to be careful as we ease into life again without masks

-Grace – fully concurs and, too, fully encourages those who don't have a medical reason, to get vaccinated – she will continue to wear her mask as a preventive measure in certain situations

-Fahl – by continuing to mask, you are protecting others who may be more vulnerable, as well as young children who cannot yet receive the vaccination – she, too, has been vaccinated and encourages others to do the same

-Mayor – noted that the Athens County population is at approximately 36% fully vaccinated and 39% with first dose vaccination – the State of Ohio is at approximately 39% fully vaccinated and 44% with one dose – cautioned that there could still be a COVID-19 surge, the pandemic is not yet fully behind us

-Scott Dunfee, The Plains resident – understands that our current Ordinance will be rescinded on June 2nd in accordance with the State of Ohio Executive Order 2020-01D

-Grace – the proposed amendment includes that the amended order will remain in effect until December 31, 2021, or by Council action rescinding the order

-Dunfee – since there is no longer a pandemic the State emergency orders have been removed, and questioned continuing the local mask Ordinance

-Grace – the City is following CDC guidelines recommending that unvaccinated individuals should continue to mask, and that there is still a global pandemic

MINUTES: MAY 24, 2021
FINANCE & PERSONNEL COMMITTEE
7:00 p.m.

Members in Attendance via Videoconference: Sam Crowl, Chair
Jeff Risner, Vice-Chair
Arian Smedley, Member

Administrators and/or
Other Elected Officials via Videoconference: President Pro Tem Fahl
Mayor Patterson
Auditor Hecht

ITEMS DISCUSSED:

- Hiring Freeze
 - Crowl – during the early days of the pandemic Council adopted a Resolution requesting to review hiring into all open positions – at this time the Administration would like to move forward in a more efficient manner of filling positions that are currently approved in the 2021 Staffing Ordinance – Council can, by motion, cancel the hiring freeze at it relates to R-08-20
 - Risner – agrees, it is time to return to normal staffing
 - Smedley – also agrees it is time to cancel the hiring freeze – appreciates the collaboration during this time of need
 - Fahl – is pleased that during this time of financial constraints, through careful management and good stewardship of our money, the City did not have to lay-off employees
 - Crowl – agrees – our biggest fear going into the pandemic, besides the health of our citizens, was the economic health of the City – it is time to go back to business as usual at it relates to hiring – a motion will be forthcoming at the June 7th meeting
- Auditor's Office (reorganization)
 - Crowl – explained that, traditionally, the Auditor's Office has had a Tax Administrator and an Assistant – the Tax Administrator position is currently vacant and the Auditor believes her office would be better served by having two Tax Administrators and no Assistant – the current Tax Administrator position is in Pay Grade 8, and she is proposing that the two Tax Administrators be placed in Pay Grade 6 or 7 – the HR Director will be reviewing the Auditor's request if City Council is agreeable to the reorganization
 - Risner – asked if the second Tax Administrator will be a current staff person to be reclassified with the added duties of a second Tax Administrator
 - Auditor – yes, the idea is to have the current Assistant be reclassified to a Tax Administrator at a higher pay grade, and then to hire into the vacant position of

Tax Administrator at a lower pay grade – she really believes it will be helpful having two people sharing the same duties – she believes this would be a wash financially

-Grace – asked the current pay grade of the Assistant

-Auditor – Pay Grade 5

-Grace – you're proposing that both staff members know all aspects of the Tax Administrator position, correct

-Auditor – yes, both would need to know all Tax Administrator job functions

-Graces – understands that both staff members need to understand the entire process, but believes there needs to be a division of labor

-Auditor – agrees, and that will happen, i.e. one could handle business and the other could handle residential tax processes

- Outdoor Recreation Council of Appalachia (ORCA)

-Crowl – the Baileys Trail System now consists of 13 trails and is close to 30 miles in length – serves both hikers and bicyclists – no longer a pay for success model – ORCA is moving into a membership structure with a fee of \$90,000 – Mayor needs Council authorization to pay this membership fee for one year

-Jessie Powers, Executive Director of ORCA – provided an overview of the Baileys Trail System in the Wayne National Forest – there are 26 miles on the ground, 5 currently under construction, and hope to have 31 miles completed by late summer – hope is that the trail will stimulate community growth – Baileys Trail System will be the longest contiguous trail system East of the Mississippi River and the largest in the State – the trail is specifically designed for mountain biking, but is open to all forms of human powered use, with adaptive trails, and will be used as well to provide a wide variety of educational and social opportunities – in the State of Ohio both beginner and advanced trails are lacking and this will fill a niche – ORCA was created to advance this trail to become a reality – the Council of Governments (COG) has six members; County of Athens, City of Athens, City of Nelsonville, Village of Chauncey, Village of Buchtel and York Township – the COG's mission is more than just the Baileys, it is to expand recreation opportunities throughout the Appalachian region – the COG along with the non-profit arm (Athens-Wayne Outdoor Asset Development Corporation) will allow operation of the Baileys as a social enterprise, to be self-sustaining in the long-term – end goal is to improve economic opportunities for local residents – have secured \$6 million in Federal and State grants, as well as philanthropic donations to help create the Doanville Trailhead, the Phase II extension of the Chauncey Bikeway, new sidewalks and extending a sewer line – this is all about enabling the private sector to build local wealth (are seeing Airbnb's take off, new job opportunities, the opening of cafes, and increased activity in real estate in the area) – it's an exciting prospect – while these trails are not adjacent to the City of Athens, they will be connected in the future by the bikeway -- \$2 million to go directly to trail construction of the Baileys is pending in the State Operating Budget, has passed the House and looks good to get through the Senate –

-Fahl – would like to ensure annual reporting updates

-Smedley – clarified that this proposal is just for one year (\$90,000) – asked what happens after this one year – will the City be asked to renew membership at the same amount

-Powers – yes – would like to move to a 3-year membership at some point in the future, but for right now it is just the one year

-Smedley – questioned the health and impact of this on the General Fund coming out of the pandemic

-Mayor – clarified that this is not taxpayer dollars, but through the Transient Guest Tax – anticipates seeing growth in this fund

-Smedley – is in support of financing the Baileys as long as it is within the City's budget

-Risner – would be cautious entering into a 3-year commitment without having a separate fund set aside to ensure the availability of payment in the third year

-Auditor – explained that in 2019, half of the Transient Guest Tax, or approximately \$215,000 went into the City's General Fund, of which \$60,000 was used to pay the Economic Development Council, leaving approximately \$150,000 that can be used for other tourism ventures – believes the Baileys will benefit the City of Athens

-Grace – appreciates adjusting the model – is much more comfortable with this one-year financial obligation

-Fahl – agrees, moving forward with the one-year membership model is a good idea – the tourism aspect of the Baileys is huge

-Grace – questioned whether our membership fee would continue to be contingent upon the County doing the same

-Mayor – feels strongly that if we're paying, other members are paying as well

-Powers – pursuant to the bylaws, entities not paying would no longer be a member of ORCA

-Crowl – noted that the Baileys Trail System was just featured three days ago in the New York Times – it's getting good marketing – also believes it will bring people to Athens

- Appropriations/Transfers

-Crowl – transfer totaling (\$7,383.38) to the General Fund, Street, Water and Sewer Funds for CDBG Administrative fees; along with the following appropriations: (\$2000.00) to help replace used Council Member Chromebooks purchased in 2015 with new laptops; and (\$1500) to the Police Department to purchase a malfunctioning and out of date mobile computer router

ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:

1. Auditor Staffing
2. ORCA
3. Appropriations/Transfers