

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, JUNE 17, 2019, 7:00 P.M.

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

DISPOSTION OF MINUTES:

Fahl moved approval of the minutes of the Regular Sessions held May 20 and June 3, 2019; Crowl seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely is in receipt of a letter from Senator Hoagland, thanking Council for its Resolution requesting support for restoration of the Local Government Funds (see attached).

Council Member Kotses announced that the Athens City School Board will be meeting on Thursday, June 27, at 6:30 p.m. in the high school auditorium.

Fahl requested follow up on a schedule of meetings to be held in the neighborhoods.

Kotses will request that information.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- West Washington Street closure, June 19-21, for AEP utility pole replacement;
- University Estates Boulevard slip repair, June 18-25;
- Factory Street and Station Street closure, June 17 through July 17, for street reconstruction;
- North College Street sanitary sewer scope for needed repair, starting June 17;
- Engineering & Public Works efficiency upgrades – savings to date: \$4,159.50;
- On June 27, the City is being recognized with other municipalities at the U.S. Mayor's National Conference for efforts in expanding our electric vehicle fleet;
- A number of tulip trees in Hawk Woods have been identified as older than 250 years – these local historic monuments will be archived with markers; and

- Attended the Ohio Mayor's Alliance (30 most populated cities) meeting and reported that the Ohio National Guard Adjutant General has created the Ohio Cyber Reserve Force of volunteers to respond and assist municipalities whose critical communication networks have been compromised.

ORDINANCES FOR THIRD 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). Fahl moved for Adoption; Risner seconded. Adoption was approved unanimously.

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. Fahl moved to amend to substitute the changes submitted by Fire Chief Rymer that City Council requested for purposes of clarification; Butler seconded. Amendments were approved unanimously. Fahl moved for Suspension of the Rules; Butler seconded. Suspension of the Rules was approved unanimously. Fahl moved for Adoption; Butler seconded. Adoption was approved unanimously.

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. Fahl moved for Adoption; Risner seconded. Adoption was approved unanimously.

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. Fahl moved for Adoption; Risner seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-54-19

AN ORDINANCE AUTHORIZING FIBER OPTIC NETWORK CONSTRUCTION TO TRAFFIC SIGNALS ON EAST STATE STREET (PROJECT #328); AND AUTHORIZING AN INTERFUND TRANSFER.

0-55-19

AN ORDINANCE AUTHORIZING DESIGN ENGINEERING SERVICES FOR THE WEST UNION STREET IMPROVEMENTS PROJECT (#322).

0-56-19

AN ORDINANCE AUTHORIZING A SLIP REPAIR ON UNIVERSITY ESTATES BOULEVARD; AND DECLARING AN EMERGENCY. Kotses moved for Suspension of the Rules in order for immediate repair; Butler seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-57-19

AN ORDINANCE DECLARING A REAL AND PRESENT EMERGENCY, THUS OBTAINING THE FORMAL BIDDING PROCEDURE, FOR RESIDENTIAL AND FRANCHISE AREA REFUSE AND RECYCLING COLLECTION SERVICES. Discussion: Bruce Underwood, Executive Director of the Athens Hocking Recycling Center (AHRC), pointed out that refuse and recycling rates in the City have not been adjusted since 2010.

0-58-19

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) FOR ISSUE I FUNDS; TO EXECUTE CONTRACTS AS REQUIRED.

0-59-19

AN ORDINANCE AMENDING THE 2019 APPROPRIATION ORDINANCE.

0-60-19

AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO A MERCHANT AGREEMENT WITH GOVERNMENT PAYMENT SERVICE (GPS), INC., TO ALLOW THE INCOME TAX DEPARTMENT TO ACCEPT CREDIT CARD PAYMENTS.

0-61-19

AN ORDINANCE AUTHORIZING THE PROMOTION OF A FIRE LIEUTENANT TO A FIRE CAPTAIN IN ACCORDANCE WITH THE NON-UNION PERSONNEL FRINGE BENEFITS PACKAGE, ORDINANCE 143-18; AND DECLARING AN EMERGENCY. Risner moved for Suspension of the Rules for reasons of public safety; Butler seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-62-19

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 43, WIRELESS TELECOMMUNICATIONS FACILITIES, CHAPTER 43.07(A), SPECIAL USE PERMIT APPLICATION AND OTHER REQUIREMENTS. Fahl moved for Suspension of the Rules; Crowl seconded. Suspension of the Rules was approved unanimously. Fahl moved for Adoption; Crowl seconded. Adoption was approved unanimously.

0-63-19

AN ORDINANCE CLOSING A PORTION OF WEST STATE STREET BETWEEN COURT AND CONGRESS ON SATURDAY, JULY 13, 2019, FROM 8:00 A.M. TO 9:00 P.M.; AND CLOSING A PORTION OF COURT STREET BETWEEN WASHINGTON AND CARPENTER, AND STATE STREET BETWEEN CONGRESS AND COLLEGE ON SATURDAY, JULY 20, 2019, FROM 6:00 A.M. TO MIDNIGHT FOR OHIO BREW WEEK.

0-64-19

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 13.04.10, UNNECESSARY NOISE, IN THE UPTOWN AREA, ON SATURDAY, JULY 13, 2019; AND SATURDAY JULY 20, 2019, FOR OHIO BREW WEEK.

0-65-19

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON SATURDAY, JULY 13, 2019; AND SATURDAY, JULY 20, 2019, DURING THE OHIO BREW WEEK EVENT.

0-66-19

AN ORDINANCE CLOSING A PORTION OF COURT STREET BETWEEN STATE AND CARPENTER, ON SATURDAY, AUGUST 10, FROM 6:00 A.M. TO 1:00 A.M. ON SUNDAY, AUGUST 11, 2019, FOR "BOOGIE ON THE BRICKS" A FAMILY MUSIC AND ARTS FESTIVAL. Kotses moved to amend to extend the Court Street closure to include the block from Washington; Butler seconded. Amendment was approved unanimously. Kotses moved for Suspension of the Rules; Butler seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-67-19

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 13.04.10, UNNECESSARY NOISE, IN THE UPTOWN AREA, ON SATURDAY, AUGUST 10, AND UNTIL 1:00 A.M. ON SUNDAY, AUGUST 11, 2019, FOR "BOOGIE ON THE BRICKS", A FAMILY MUSIC AND ARTS FESTIVAL.

0-68-19

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON SATURDAY, AUGUST 10, AND UNTIL 1:00 A.M. ON SUNDAY, AUGUST 11, 2019, DURING THE “BOOGIE ON THE BRICKS” FAMILY MUSIC AND ARTS FESTIVAL. Kotses moved to amend to extend the Court Street vending area to include the block from Washington; Butler seconded. Amendment was approved unanimously. Kotses moved for Suspension of the Rules; Butler seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

ORDINANCES FOR FIRST READING:

0-69-19

AN ORDINANCE AMENDING ORDINANCE 60-18; CREATING DOWNTOWN REDEVELOPMENT DISTRICTS (DRDs) IN THE CITY OF ATHENS. Fahl moved for Suspension of the Rules; Butler seconded. Suspension of the Rules was approved unanimously. Fahl moved for Adoption; Butler seconded. Discussion: Mayor Patterson noted that the address being removed from the 234 Washington Street Downtown Redevelopment District is 203 Washington Street. Adoption was approved unanimously.

0-70-19

AN ORDINANCE AMENDING THE 2019 APPROPRIATION ORDINANCE. Risner moved for Suspension of the Rules; Butler seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-71-19

AN ORDINANCE AUTHORIZING DISPOSAL OF AN ATHENS TRANSIT BUS NO LONGER NEEDED FOR A MUNICIPAL PURPOSE. Butler moved for Suspension of the Rules; Fahl seconded. Suspension of the Rules was approved unanimously. Butler moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-72-19

AN ORDINANCE AUTHORIZING THE PURCHASE OF A TRACTOR AND BOOM MOWER FOR THE DEPARTMENT OF ENGINEERING AND PUBLIC WORKS. Butler moved for Suspension of the Rules; Crowl seconded. Suspension of the Rules was approved unanimously. Butler moved for Adoption; Crowl seconded. Adoption was approved unanimously.

ANNOUNCEMENTS & OTHER BUSINESS:

Risner moved to Remove Ordinance 50-19 from the Table; Crowl seconded.

0-50-19

AN ORDINANCE AMENDING THE 2019 APPROPRIATION ORDINANCE.

Risner moved for Adoption; Crowl seconded. Discussion: Risner has received the following itemization for the \$18,000 being appropriated to the Athens Enhancement as follows: \$6,000, Fourth of July fireworks; \$6,000, the Community Food Initiatives; \$3,000, America in Bloom; \$2,000, for improvements to the Armory Park; and \$1,000 for neighborhood micro-grants. Adoption was approved unanimously.

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

Fahl moved approval of the May, 2019, Credit Card Transactions; Risner seconded. Motion was approved unanimously.

Mayor Patterson introduced two interns, David Giddons and Connor Kochanski, Ohio University students, who will be working in the Mayor's office this summer as part of the Mayor's Partnership of Progress.

President Knisely announced a Special Session next Monday, June 24, at 7:00 p.m.

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

Andrea Reany, representing Rural Action's Zero Waste Program, shared information on the success and importance of the City's Curbside Compost pilot that has been operational since August, 2018. Rural Action has administered the pilot project in partnership with AHRC. The pilot has been met overwhelmingly with a high level of satisfaction from its participants, and has created a very direct environmental impact in waste diversion from the landfill. Last week a survey was taken from the participants, achieving a 34% response rate. Seventy-nine (79%) of the respondents gave the project a 7 out of 7, the highest satisfaction rating available, and 15% of the respondents gave a rating of 6. During the approximately 10 ½ months, curbside recycling has diverted over 40 tons of organic material from the landfill. Communities like Athens are seeing the social, environment and economic benefits of offering these programs to their residents, and based on the preliminary waste diversion numbers, this is clearly one of the most effective strategies the City has seen in helping to accomplish the Athens Sustainability Action Plan goal of composting 50% of organic waste by 2020. In

light of the very positive response to the pilot, and also considering the urgency of action for a future livable climate, Rural Waste requests the City find a way to continue this service to its residents. The program should become a standardized municipal service that is not subsidized financially by the City. The results of their informal survey show that most respondents are willing to pay for curbside composting, and Rural Waste encourages the City to undertake a more comprehensive survey process to gain specific data from a wider demographic on preference and possible fee structures. Rural Action looks forward to a conversation about ways to stabilize the City's refuse and recycling fund, while at the same time providing innovative services that promote zero waste.

Bruce Underwood, Executive Director of AHRC, believes this program can be viable only if its operation is similar to recycling, as a citywide service with all City customers paying a support fee. This larger scale would bring the cost per household down significantly to at or below \$5.00 per month.

At approximately 8:00 p.m., McGee moved to Adjourn; Kotses seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council