

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, AUGUST 19, 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.

DISPOSTION OF MINUTES:

Fahl moved approval of the minutes of the Regular Session of City Council held August 5, 2019; Kotses seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

Council Member Fahl has received concern from several citizens about the traffic congestion and parking on Central Avenue when school opens and East students attend West Elementary.

Council Member McGee asked about the status of the vendor parking spaces on East Union Street. There continue to be few vendors and many empty parking spaces that are unavailable to the public. He questioned whether vendors are paying for all of the empty spaces.

Council Member Kotses announced that the Athens City School Board will be meeting on Thursday, September 19, at 6:30 p.m. in the high school auditorium. The architect will be present at this meeting and looking for public participation on the overall look of the proposed new buildings.

Fahl asked if this will be the only opportunity for public participation on this topic.

Kotses responded that it will also be presented to the employees of the school district.

Fahl asked if any public meetings are planned for the different neighborhoods.

Kotses was informed that this September 19th meeting is the only meeting for that public discussion.

Fahl suggested that there be a communication to the School Board that their needs to be some neighborhood meetings, as promised earlier.

Kotses will handle that.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Treasurer McClure reported that the current interest income as of June 30, is \$102,033.84, noting that the projections are a little higher than they probably should be, and she will be working with the Auditor's office over the next few weeks to talk about making revisions. In general, the City's investments are doing well. (see attached Interest Income and Reconciliation reports)

Mayor Patterson reported the following:

- Provided an update on annual street paving.
- Court and Washington sidewalk improvements are underway to level out irregularities.
- Fire hydrant testing and flushing is ongoing on East State Street.
- Administration has been successful in hiring Ronald Cross to fill the position of Assistant Director of Engineering & Public Works, and David Riggs will be assuming the position of Director of Code Enforcement, both with hire dates next Monday, August 26.

ORDINANCES FOR FIRST READING:

0-83-19

AN ORDINANCE AMENDING ORDINANCE 32-19, AUTHORIZING 2019 STREET PAVING AND REPAIRS. Discussion: Kotses reported that the lower amended amount (\$48,000) is because Ohio University will be paving less. Also, EPW Director Heady indicated that the City streets to be paved would remain the same, however, it has been pointed out that Banbury is no longer included on the final list for this year's paving.

Risner questioned that Carroll Road is no longer listed in its entirety, only the section of roadway between Roxbury and Dove.

Kotses will seek clarification.

0-84-19

AN ORDINANCE CLOSING PARK PLACE, WEST MULBERRY STREET, AND A PORTION OF COURT STREET ON WEDNESDAY, SEPTEMBER 18, 2019, WITH A RAIN DATE SET FOR THURSDAY, SEPTEMBER 19, 2019, FROM 4:00 P.M. TO 8:00 P.M. FOR A BARBEQUE SPONSORED BY THE JOINT POLICE ADVISORY COUNCIL (JPAC).

0-85-19

AN ORDINANCE AMENDING THE 2019 APPROPRIATION ORDINANCE. Discussion: Fahl pointed out that there is a very long process in establishing the need to demolish a house, and this appropriation for expenditure of money for the demolition of houses will only happen after the full process has been completed.

Grace clarified that the City will not have ownership of the land after removal of these unsafe houses; it remains with the current owner. She expressed concern about using Community Development Block Grant (CDBG) funds for demolition, and asked if approval has been received from the granting authority to use the funds in this manner. She would prefer this funding be available to improve properties for occupancy, and requested a review of other payment options for the removal of housing that is unsafe to be occupied.

Mayor Patterson pointed out that this fund is healthy, and to demolish a house that is hazardous and has been condemned is a permissible use in order to make the neighborhood safer and to enhance the blighted appearance. He added, that if not this fund, the money would come straight from the City's General Fund.

Grace asked about the possibility of recovering these funds from the property owners.

The Mayor responded that two of these properties do not have any bank liens on them, and are not in arrears on their property taxes. If the funds are not available, the City can assess the property owner over a 10-year period through the property taxes.

Crowl is being asked by residents in Ward 3 about the need to remove an abandoned house on Briarwood.

Mayor Patterson indicated that there are five properties being tracked for demolition and this property is one of them. He also noted that doors that have been placarded with a red "X" is to alert the Fire and Police Departments that the structure is not safe to enter.

0-86-19

AN ORDINANCE AUTHORIZING A DELINQUENT DEBT COLLECTION AGREEMENT BETWEEN THE OHIO ATTORNEY GENERAL AND THE CITY OF ATHENS INCOME TAX DEPARTMENT.

0-87-19

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 29, HOUSING REGULATIONS, SECTION 29.09.02, PENALTIES. Discussion: Mayor Patterson reported the following steps that are in place to repair violations: 1) Inspection of the property; 2) Notice of violation and owner given 30 days to correct; 3) Order to Comply if violations are not corrected and given an additional 15 days to correct; 4) Charges can then be filed, with up to 30 days to file; 5) Court date is set, and 6) Sentencing.

Fahl would like to be sure that tenants are notified of the violation(s).

Law Director Eliason explained that after conviction of the first offense, a minor misdemeanor, if there is another violation within a two-year period the offense then becomes a misdemeanor of the fourth degree, that can impose jail time.

Grace noted that renters, or anyone wanting to rent, can go to the Office of Code Enforcement and ask to view a property's record of inspections and violations.

Fahl would like to see these records accessible on-line.

Risner noted the cost that would go along with such digitalization; it would take time.

President Knisely believes the increased penalties will help remedy violations that occur.

The Mayor will alert the new Code Enforcement Director of the need to get this change in penalties out to all landlords.

ORDINANCES FOR SECOND READING:

0-75-19

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE CITY OF ATHENS AND THE CITY OF DAYTON.

0-76-19

AN ORDINANCE AMENDING ORDINANCE 91-18, AUTHORIZING DESIGN ENGINEERING SERVICES ASSOCIATED WITH THE CITY/COUNTY SEWER EXPANSION PROJECT (#317).

0-77-19

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO RENEW A LEASE AGREEMENT WITH OHIO UNIVERSITY.

0-79-19

AN ORDINANCE ACCEPTING THE PETITION FOR ANNEXATION OF APPROXIMATELY 0.74 ACRES LOCATED ON HILLCREST DRIVE.

Fahl moved for Suspension of the Rules in order to meet the annexation timeline; Risner seconded. Suspension of the Rules was approved unanimously. Fahl moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-80-19

AN ORDINANCE AMENDING THE 2019 APPROPRIATION ORDINANCE.

0-82-19

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 RENEWING NOTES PREVIOUSLY ISSUED TO PAY PART OF THE COSTS OF IMPROVEMENTS TO THIS MUNICIPALITY'S SANITARY SEWER SYSTEM; AND DECLARING AN EMERGENCY. Risner moved for Suspension of the Rules in that the note is due on August 30th; Fahl seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

RESOLUTION FOR FIRST READING:

R-07-19

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES, AND CERTIFYING THEM TO THE COUNTY AUDITOR.

ANNOUNCEMENTS & OTHER BUSINESS:

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

Crowl moved to appoint Sarah Conley-Ballew to complete the unexpired term of Richard Linscott, and Austin Babrow to fill the expired term of Kristen Rice; Fahl seconded. Appointments were approved unanimously.

Crowl thanked the outgoing members, Richard Linscott, Kristen Rice, and Student Representative Jessica Dalzell.

At approximately 8:00 p.m. Risner moved to adjourn; Fahl seconded, and the meeting was adjourned.

President of Council

ATTEST:

Clerk of Council