

**MINUTES
SEPTEMBER 12, 2022
COMMITTEE OF THE WHOLE
7:00 P.M.**

Council Members in Attendance:

Sam Crowl
Sarah Grace
Micah McCarey
Jeff Risner
Solveig Spjeldnes
Alan Swank
Ben Ziff

Administrators and/or
Other Elected Officials:

President Knisely
Mayor Patterson
Service-Safety Director Stone

Items Discussed:

- Community Relations Commission (annual report)
 - President – discussion postponed – this item will be rescheduled

- 2023 Fees/Rates Review
 - President – a major change will be a 3% increase in the sewer rates, effective 1/1/23 – the Shade Tree Commission has requested an increase in the Celebration Tree Program from \$100 to \$400 to cover the cost of the tree and associated maintenance and expenses for one year

 - S-S Director – (see proposed attached fee changes)

 - Swank – asked if the Alarm Activation fees are for false alarms
 - S-S Director – yes, these are false alarm fees
 - Swank – noted that the City has quite a few false fire alarms in a given week, and asked how these fees are collected
 - S-S Director – the property owner is billed through the Police Department
 - Swank – questioned if Ohio University is billed in the same manner
 - S-S Director – no, Ohio University does not pay false alarm fees
 - Swank – asked why the University false alarm fees are not paid

-S-S Director – the University is a State agency and believes they do not have to follow this ordinance

-Swank – asked if the Law Director concurs with that opinion

-S-S Director – has not recently spoken with her about this

-Swank – asked what would happen if a landlord refused to pay this fee

-S-S Director – other than the University, he is not aware of anyone refusing to pay

-Spjeldnes – Vendor License Fee – asked for the definition of a vendor

-Ziff – reading from the Athens City Code, “Vendor” is a person who sells legal goods or wares from approved vehicles, stands, carts, machines or wagons

-Spjeldnes – asked about the fee for rental inspections, and if there are fines for violations

-S-S Director – the fee is not being changed in 2023, but he will provide her the current fee for failing to meet Housing Code Regulations, and associated fines for failure to remedy the violation

-Crowl – expressed concern that our vending ordinance is not quite right – he continues to review this to make it better – during the month of August there was only one (1) licensed vendor – the vendor fee is based on the cost of using metered parking spaces – (10) spaces are currently reserved for vendors, these parking spaces are being reserved as empty vendor spaces, and the City is collecting no revenue for parking and no revenue from vendor licenses – feels it can be improved

-Mayor – agrees, there are too many spaces allotted to vendors on East Union, Congress/Richland, and Armory – added, many vendors are vending from private property – would also like to explore equity for those vendors not serving food – in 2013 the City was trying to find a more sustainable pathway for someone who had lower overhead as opposed to bricks and mortar in the uptown area, but also respecting those who are under the burden of leases

-Spjeldnes – asked whether current permit fees cover the cost of the number of Code Enforcement Officers that are needed to do the job on an annual basis – there is a lot of concern about whether they are adequately covering the rental properties needing inspection, as per City Code, to be sure all rentals are safe

-S-S Director – these fees were increased a couple of years ago to cover the cost of operating that portion of Code – a significant problem for the City over the last year has been the inability to hire into the position of the fourth inspector position which is necessary in order to meet, on an annual basis, all of the properties currently permitted as rental units – explained the primary duty of Code Enforcement Officers is rental inspections – the number of annual inspections is contingent upon being fully staffed (4 inspectors), as well as accounting for other activities performed by the office – believes current funding is adequate to cover the cost

-Swank – questioned whether it would be prudent to leave the fee for a Vendors License at \$125 until the issue of Vending Licenses can be discussed in more detail in a future Council Committee meeting

-Crowl – noted that the Vendor fee is already \$200 in Title 11

-McCarey – asked about justification to increase sewer rates by 3%

-S-S Director – City projects out 20 years for both operations cost and debt service – this is a proprietary fund, and not subsidized by income tax – try to keep increases at a modest amount to keep the fund in balance

-Swank – asked if 3% would be an annual increase

-S-S Director – try to project out from 2% to 4% annually

ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:

1. 2023 Fee/Rates

MINUTES: SEPTEMBER 12, 2022

FINANCE & PERSONNEL COMMITTEE

Members in Attendance:

Sam Crowl, Chair
Jeff Risner, Member
Solveig Spjeldnes, Member
Ben Ziff, Member

Administrators and/or
Other Elected Officials:

President Knisely
Mayor Patterson
Service-Safety Director Stone

ITEMS DISCUSSED:

- Appropriations
 - (\$30,000) to Water Fund to purchase supplies/parts for maintenance
 - (\$20,000) to Sewer Fund to purchase supplies/parts for maintenance
 - S-S Director – the City would typically put these funds into next year's budget, but due to continuing supply chain issues would like to stock ahead for emergency situations
 - (\$130,000) to Recreation Fund to cover year-end personnel costs
 - (\$100,000) to Community Center Fund to cover year-end personnel costs
 - S-S Director – will do a deep dive into finances for 2023 — no crisis here, just under budgeted at the beginning of the year
 - Mayor – there will be a thorough review of rates and fees for these departments
 - Swank – asked why the money is being appropriated from the APR Fund instead of the General Fund
 - S-S Director – levy money is specifically for APR
 - Swank – concerned that this will be taking away from capital projects – asked about the impact this will have
 - S-S Director – part of this transfer will be replaced by the second tranche of ARPA funding – should not impact current capital projects

ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:

1. Appropriations

MINUTES

PLANNING & DEVELOPMENT COMMITTEE

SEPTEMBER 12, 2022

Members in Attendance:

Sarah Grace, Chair
Sam Crowl, Member
Micah McCarey, Member
Solveig Spjeldnes, Member

Administrators and/or Other Elected Officials:

President Knisely
Mayor Patterson
Service-Safety Director Stone

Items Discussed:

- Madison Heights (request for zoning change)
 - Grace – developer is requesting a change in zoning for (2) lots from R-1 to R-2 – City Planning Commission has recommended this change – there is adequate space, and is a good fit for the area – she supports this change to duplex-style housing
 - Crowl – is a good redevelopment of this area – understands there may be a fire protection issue with getting a truck to the location, but there are similar issues in other areas in the City – he supports the Planning Commission’s recommendation
 - McCarey – asked about the concern of the dissenting voter
 - Mayor – concern with fire safety – distance to fire hydrant is not excessive, but the truck cannot drive to the front of the dwelling
 - Swank – this developer builds quality housing – it is a good project
- Title 49 Special Use Permit (replace an existing directional sign for the Dairy Barn)
 - Grace – this is a way-finding sign to the Dairy Barn at Richland Avenue – will be a break-away sign – Director Riggs has recommended that the size of the sign be reduced to 50 sq. ft.
 - Crowl – questioned need for the break-away sign
 - S-S Director – a break-away base is appropriate for the safety of the motoring public – is a unique benefit to have an off-site sign in the City’s right of way – is a

this is regional facility that many out-of-town folks come to, and this directional sign is very helpful

-Grace – agrees, it is an appropriate use of the right-of-way for the benefit of promoting tourism and art

-President – asked if the Dairy Barn is willing to reduce the size of the sign

-S-S Director – Council should make the permit contingent upon the recommended sign size

-Risner – asked about the size of the current sign – proposed keeping it the same size

-Swank – questioned why City Council's approval is needed for this sign

-S-S Director – public rights-of-way are governed by the legislative authority

-Grace – clarified that this is the purview of City Council – City Council provides an opportunity for public awareness and public input – should be decided through a public process

- Designated Outdoor Refreshment Area (DORA)

-Grace – amend 0-74-21 to include Monday, Tuesday, and Wednesday from 5:00 p.m. to 10:00 p.m. – this would be in effect during the next DORA summer period

-Mayor – the DORA has been very successful – there are summer activities mid-week

-Risner – any interest in extending the DORA into September

-Mayor – currently, no

- Rental Permit Required (amend ACC 29.03.01)

-Grace – question was raised about those wanting to rent while on a University sabbatical – proposed new language: Properties that are renting for less than six months in any single calendar year, and not being publically advertised or promoted, are exempt from rental permit requirements.

-Risner – would like to stay with the original proposal to simply remove: for a period of more than six months during any single calendar year – sees no reason to change for a select group of citizens – seems unfair

-Swank – agrees – licenses are designed for the safety and protection of the general public – just because someone has the means or the flexibility to leave for 3-6 months, they should not get special rights

-Mary Abel, Strathmore – consideration of health & safety is an important issue – inspections are necessary – proposed new language would be giving preferential treatment – should require a rental permit for any length of time

ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:

1. Madison Heights
2. Title 49 Sign
3. DORA
4. Rental Permit (amend ACC)

MINUTES TRANSPORTATION COMMITTEE SEPTEMBER 12, 2022

Members in Attendance: Jeff Risner, Chair
Sarah Grace, Member
Alan Swank, Member
Ben Ziff, Member

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson
Service-Safety Director Stone

- Municipal Bridge Inspection Program (2023 renewal)
 - Risner – asked about the number of bridges
 - S-S Director – five (5) significant bridges and three (3) smaller – must be inspected annually
- Municipal Parking Garage (suspend fee for select metered spaces for specified dates in December)
 - Risner – to encourage local shopping during the holiday season
- Continuous Parking (suspend parking in the same location for specified dates in December and January)
 - Risner – suspend continuous parking in the same location regulations from December 18, 2022 to midnight on January 2, 2023
 - Grace – questioned extending until January 17 since Ohio University students do not return to classes until then
 - Swank – suggested extending on both ends
 - Rob Delach, Morris Avenue – makes sense to coincide with Ohio University's winter break

ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:

1. Bridge Program
2. Suspend Fee in Parking Garage
3. Suspend Continuous Parking in Same Location