

ATHENS CITY COUNCIL: REGULAR SESSION, TUESDAY, JANUARY 19, 2016, 7:00 P.M.

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

Also present: President Knisely, Mayor Patterson, Law Director Eliason, and Auditor Hecht.

DISPOSITION OF MINUTES:

Cochran moved approval of the minutes of the regular session of Council held on January 4, 2016; Fahl seconded. The minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely requested responses from Council Members on the proposed dates for scheduling a luncheon with Ohio University President McDavis. Please notify the Clerk of your availability and preference to attend one of the three suggested dates.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Has received a couple of letters from citizens expressing their concerns about Airbnb's and Bed & Breakfasts. President Knisely noted that Council Members have also been copied on those letters.
- City has switched to compostable paper bags for yard refuse. The cost is \$1.50 per bag, the same charge as for stickers.

ORDINANCES FOR FIRST READING:

0-02-16

AN ORDINANCE AUTHORIZING ENGINEERING SERVICES FOR AN OUTDOOR MUNICIPAL SWIMMING POOL (PROJECT #292); AND AUTHORIZING THE AUDITOR TO BORROW UP TO (\$500,000.00) FOR SAID SERVICES. Discussion: Butler noted that this legislation is following the Arts, Parks & Recreation Advisory Board's recommendation to spend approximately \$7.3 million, or about 58% of the Levy revenue for an outdoor pool.

Papai has concerns about the language as it relates to only an outdoor pool. She thinks there are still a lot of questions in the community regarding this issue.

For purposes of clarification, President Knisely reported that she has reviewed the original levy ordinance, ballot issue language, and discussion as the ordinance was given readings by City Council, and on June 16, 2014, it was presented as replacement of the outdoor pool. She is aware that there has been subsequent discussion in public with the consultants and community members about the possibility of an indoor as well as an outdoor pool. Both Auditor Hecht and former Mayor and Chair of the Advisory Board Ric Abel has indicated that the money available would be designated and is adequate for an outdoor pool.

Fahl believes the whole planning process has been confusing. There have been many different scenarios presented, including a natatorium, even if it was an afterthought.

President Knisely knows that there has been some confusion with so many options from the consultant, but our movement toward the levy for this pool was based in part on a long-term planning process put together by the Arts, Parks & Recreation Advisory Board and Director.

Cochran echoes the concerns shared by Members Papai and Fahl. The public has been lead to believe that all options were on the table, and now we are essentially saying that it is only for an outdoor pool. She would like the ordinance language to remain open for bidders who may offer more creative options. She questioned limiting ourselves with this wording.

Mayor Patterson reiterated that the initial conversations prior to the levy were for replacement of the outdoor pool. It has since morphed its way into indoor pool, outdoor pool, and multiple pools. The fact of the matter is, within the levy itself, and everything the City has to take care of, we haven't even heard from the citizens who want improvements to soccer fields, trails, and accessibility and features to our parks. This levy is just not about a pool. He is firm with moving this legislation forward. The City has an aging, failing outdoor pool that he hopes can be open this summer. However, he is very sensitive as well to our senior citizens and those living with disabilities and injuries who are trying to rehab. He is also sensitive to children needing to learn how to swim during the winter months as well, and he is reviewing costs for a therapeutic pool, about the size of the Council Chambers, as an add-on to the Community Center. He

pointed out that staffing of an indoor pool changes the dynamics of hiring seasonal employees, to needing to hire full-time employees that must include benefits at a much higher cost to the City.

Moving forward, Fahl would like to see specific, definable drawings.

Butler is hesitant to negate or slow down this part of the process because City Council does have a responsibility to move forward with the pool.

Auditor Hecht clarified that although the \$7.3 million dollars is being requested for constructing a pool, if the pool should come in under that amount the leftover monies will remain in the budget for other specific items designated by the tax levy. She believes the initial intent was to replace our aging outdoor pool and would like the process to continue to move forward, noting that the City is currently collecting tax money from this levy. The Auditor relayed to the Council that this is not a short process; it is time consuming. She thinks it would be a sad thing for this community to have to close our outdoor pool for even one season.

Todd Swearingen, Guysville, presented Council with a design and construction budget for a natatorium from ARCO Construction. He suggested slowing down the outdoor pool process for a few weeks to give consideration and clarification of funding for this project.

0-03-16

AN ORDINANCE AUTHORIZING THE PURCHASE OF SOFTENING SALT FOR THE WATER TREATMENT PLANT.

0-04-16

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE STATE OF OHIO, DEVELOPMENT SERVICES AGENCY; AND DECLARING AN EMERGENCY. Discussion: It was noted that prior year funds allocated to the City have been used for rehab of the house next to the fire station on Richland Avenue for low/moderate income housing, and for accessible playgrounds.

0-05-16

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO A WATER AGREEMENT WITH THE LE-AX REGIONAL WATER DISTRICT TO RELEASE UPON ANNEXATION CERTAIN PROPERTY WITHIN THEIR SERVICE AREA TO THE CITY OF ATHENS.

0-06-16

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 23, ZONING CODE, TO CHANGE THE ZONING OF RESIDENTIAL HEALTH CARE FACILITIES.

0-07-16

AN ORDINANCE DETERMINING TO PROCEED WITH THE ASSESSMENT PROCEDURE AND SIDEWALK IMPROVEMENTS ON CENTRAL AVENUE, NORTH CONGRESS STREET, AND SOUTH MAY AVENUE, PROJECT #294, AS DESCRIBED IN RESOLUTION R-07-15; AND DECLARING AN EMERGENCY. Discussion: Papai indicated that subsequent sidewalk assessment projects will build in lead time for notifying property owners of the need to repair their sidewalk, so they are not caught off guard upon receiving a letter of the estimated assessment cost.

Butler appreciates this earlier communication, as residents have expressed frustration about the abbreviated timeline. Property owners would like ample time to review their cost options of repairing the sidewalk on their own or having the City's contractor make the repairs.

0-08-16

AN ORDINANCE AUTHORIZING ENGINEERING SERVICES FOR THE EAST STATE STREET/US 33 PROJECT #288.

0-09-16

AN ORDINANCE AUTHORIZING IMPROVEMENTS ON FRANKLIN AVENUE, PROJECT, #301.

0-10-16

AN ORDINANCE AMENDING THE 2016 APPROPRIATION ORDINANCE; AND AUTHORIZING SALARY INCREASES FOR CERTAIN POSITIONS IN ATHENS COUNTY MUNICIPAL COURT TO BE PAID RETROACTIVELY. Discussion: Papai asked about the Municipal Court's 2015 budget. There is some concern that the Court's expenditures exceeded its revenue.

Auditor Hecht explained that the General Fund has always subsidized the Court processes. The Judge is requesting an even higher subsidy for the 2016 budget year. She is not saying this additional support should not be funded, only providing City Council with the information to make their decision. It is clear that certain positions in the Court have been underpaid for several years.

0-11-16

AN ORDINANCE AMENDING THE 2016 APPROPRIATION ORDINANCE.

0-12-16

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$35,000 OF NOTES BY THE CITY OF ATHENS, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF RENEWING NOTES ISSUED FOR THE PURPOSE OF PAYING PART OF THE COSTS OF ACQUIRING AND INSTALLING ENERGY CONSERVATION IMPROVEMENTS AT THE CITY'S RECREATION CENTER; AND DECLARING AN EMERGENCY.

RESOLUTIONS FOR FIRST READING:

R-01-16

A RESOLUTION ESTIMATING THE AMOUNT OF INTERIM MONIES FOR DEPOSIT IN PUBLIC DEPOSITORIES; DIRECTING THE TREASURER TO TAKE PERIODIC APPLICATIONS AND TO AWARD INTERIM DEPOSITS AS MONIES BECOME AVAILABLE. Risner moved for Suspension of the Rules; Papai seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

R-02-16

A RESOLUTION DECLARING THE INTENT OF THE CITY COUNCIL TO DESIGNATE THE PUBLIC DEPOSITORIES FOR THE ACTIVE FUNDS OF THE CITY OF ATHENS; THE TERM FOR RECEIVING APPLICATIONS; AND THE TIME FOR DESIGNATION. Risner moved for Suspension of the Rules; Papai seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

ONE-READING RESOLUTION:

R-03-16

A RESOLUTION REQUESTING THE POSTPONEMENT OF A VOTE BY THE OHIO UNIVERSITY BOARD OF TRUSTEES ON THE DEMOLITION OF THE PRESIDENT STREET ACADEMIC CENTER. Fahl moved for Adoption; Papai seconded. Discussion: Butler expressed his support, indicating that Ohio University has a model for renovating old buildings; it is something they have been doing and successfully completing.

Papai noted that the Athens community has a very strong commitment to preserving our history. Our interesting historic buildings are the essence of Athens.

Adoption was approved unanimously.

Tomorrow afternoon, Mayor Patterson will be presenting a personal letter in support of the preservation of this stately, historic building to President McDavis and the Ohio University Board of Trustees.

ANNOUNCEMENTS & OTHER BUSINESS:

Risner moved to accept the Auditor's December, 2015, Financial Reports; Cochran seconded. Motion was approved unanimously.

Butler moved to appoint Scott Winland to the Athens Municipal Arts Commission; Fahl seconded. Appointment was approved unanimously.

Butler moved to appoint Lara Edge to the Athens Disabilities Commission; Papai seconded. Appointment was approved unanimously.

The following committees will meet next Monday, January 25th:

- Planning & Development
- Finance & Personnel
- Transportation

Cochran passed along a reminder that we are in the final month of the Community Savers Program, a partnership between the City and County of Athens, and AEP Ohio and Columbia Gas. We are very close to reaching our goal to earn approximately \$80,000 for energy efficiency upgrades in our County Libraries. For more program information you can log onto www.communityenergysavers.com, and there is a link on the City's website.

Next Thursday, February 28th at 6:30 p.m., the League of Women Voters is sponsoring a public "Meet the Mayor" evening at the Community Center.

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

Abe Alesaff, Westfield Place, hopes City Council will consider legalizing Airbnb's. He was ordered by the City's Code Enforcement office to cease and desist operation of his business. This is a 21st century business model.

At approximately 8:25 p.m., Fahl moved to adjourn the meeting; Cochran seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council