

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, AUGUST 1, 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, Service-Safety Director Horan Mosely, Auditor Hecht, and Law Director Eliason.

**APPOINT ACTING CLERK FOR THIS SESSION OF COUNCIL:**

Fahl moved to appoint Council Member Cochran to serve as Acting Clerk; Risner seconded. Appointment was approved unanimously.

**DISPOSITION OF MINUTES:**

Fahl moved approval of the minutes of the Regular Sessions held May 23, 2016; June 6, 2016; and June 20, 2016, and the Special Session held May 31, 2016; Papai seconded. The minutes were unanimously approved as presented.

**COMMUNICATIONS:**

**President Knisely** noted that in late June a notice was received from the Ohio Division of Liquor Control for a C1, C2, and D6 permit transfer from Eva M & Ioannis Pantakis, dba Atheneon Carryout, 1<sup>st</sup> Floor and Basement, 74 North Court Street, to KSRR, LLC, at same business and same address, pointing out that City Council was not in session during July to act on the response deadline of July 22, 2016.

**Council Member McGee** reported his concern about bicyclists and skateboarders on Court Street sidewalks, and urged the need for education, better signage, and enforcement.

President commented that it is an on-going process each fall to educate new and returning students that these modes of transportation are prohibited on sidewalks in the uptown area, and suggested alerting Ohio University officials to include this as part of their social media outreach.

**REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:**

**Mayor Patterson** reported the following:

- Waterline break and boil order has been issued in the Coventry and York area.
- Wednesday, August 3, is Safety Day for City employees at the Community Center, and the City Building will be closed.
- Reminder that the City's recreational areas are smoke-free zones; signage is in place.
- City of Athens received the 2016 Keep Ohio Beautiful award for cities with a population of less than 25,000.

#### **ORDINANCES FOR SECOND READING:**

##### **0-87-16**

AN ORDINANCE VACATING THE OVERVIEW DRIVE CITY RIGHT-OF-WAY IN THE UNIVERSITY ESTATES PLANNED UNIT DEVELOPMENT.

##### **0-88-16**

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 21, SUBDIVISION REGULATIONS, CHAPTER 21.08, REQUIREMENTS FOR CONSTRUCTION OF IMPROVEMENTS, SECTION 21.08.02, PERFORMANCE GUARANTEE FOR INSTALLATION AND MAINTENANCE OF IMPROVEMENTS.

#### **ORDINANCE FOR FIRST READING:**

##### **0-96-16**

AN ORDINANCE AMENDING THE 2016 APPROPRIATION ORDINANCE; AND AUTHORIZING THE AUDITOR TO MAKE AN INTERFUND TRANSFER.

#### **ANNOUNCEMENTS & OTHER BUSINESS:**

Risner moved to accept the Auditor's June, 2016, Financial Reports; Butler seconded. Motion was approved unanimously.

The following committees plan to meet next Monday, August 8, 2016: Transportation, Finance & Personnel, City & Safety Services, Planning & Development, as well as a Committee of the Whole to possibly discuss preliminary information from Ohio University about Park Place.

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

Scott Wolfe, S & J Plumbing, 9009 Elliotsville Road, expressed at an earlier meeting his concerns with unlicensed contractors working within the City. He has been advised by the Mayor that the Code language is currently under review to correct any language that is unclear. He urged Council to move forward with amendments that will safeguard the citizens.

**EXECUTIVE SESSION:**

At approximately 7:30 p.m. Fahl moved to go into Executive Session to discuss pending litigation, and invited the Mayor, Service-Safety Director, Law Director and Auditor to attend. Papai seconded. A roll call vote was taken as follows: Butler, aye; Cochran, aye; Fahl, aye; Kotses, aye; McGee; Papai, aye; and Risner, aye. At approximately 7:40 p.m. Fahl moved to come out of Executive Session; Papai seconded, and the meeting was adjourned.

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President of Council

ATTEST:

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Clerk of Council

**ATHENS CITY COUNCIL: PUBLIC HEARING, MONDAY, AUGUST 1, 2016,  
7:00 P.M. – UNIVERSITY ESTATES (VACATING OVERVIEW DRIVE CITY RIGHT-  
OF-WAY).**

Council Members in Attendance: Butler, Cochran, Fahl, Kotses, McGee, Papai, and Risner.

Also Present: President Knisely, Mayor Patterson, and Service-Safety Director Horan Moseley.

Attendance by the Public: (see attached list)

Council Member Fahl reported that on June 16, 2016, the Athens City Planning Commission voted unanimously to recommend vacating the Overview Drive City right-of-way, explaining that the vacation will allow the existing road, Altamonte, to continue on uninterrupted as originally platted.

Service-Safety Director Horan Moseley noted that the topography of the area is not suitable for development.

Attorney Rusty Rittenhouse, representing the owner of Lot 7A, Citizens Independent Bank, explained that Overview Drive is about a 60 degree slope that is not a serviceable area for housing, and the goal is to eliminate the platted right-of-way area so that the lot can then be sold to Echoing Meadows for development of a residential facility for individuals with disabilities, emphasizing access from the unchanged Altamonte Road.

Council Member Papai asked if Mr. Rittenhouse has heard from any of the residents in the area regarding this change.

Attorney Rittenhouse responded that he has not been contacted.

Council Member McGee questioned whether the City has expended any money in this right-of-way area.

Mayor Patterson responded that no City monies have been spent on this.

Council Member Fahl asked for any questions or comments from the public. Hearing none, the public hearing adjourned at approximately 7:05 p.m.

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Chris Knisely  
President of Council

ATTEST:

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Clerk of Council