

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, NOVEMBER 7, 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:

Fahl moved approval of the minutes from the Regular Session held on October 3 and October 17, 2016; Papai seconded. The minutes were unanimously approved as presented.

Fahl indicated that there has been some question about where the minutes can be found on the City's Website.

President Knisely informed all that City Council minutes, including committees, can be found on the City Homepage under Documents and Forms.

COMMUNICATIONS:

President Knisely noted that Council Members have received notice from the Ohio Division of Liquor Control of a new D1 permit (beer only for on premises consumption or in sealed containers for carry out) from Kenny's Panda Restaurant, LL, dba, China Panda Restaurant, 965-C East State Street, with a response deadline of December 1, 2016.

Papai questioned whether this puts the City over the limit for this particular type of permit.

President Knisely indicated that she did not believe the Department of Commerce would issue the license if it exceeds the number allowed. The City can check this on the Ohio Division of Liquor Control's Website.

Council Member Cochran acknowledged communication she received regarding the City's new recycling carts. The citizen expressed concern about the legal liability for having possession of City property. Cochran has also fielded a number of complaints about the challenges of where to store the carts, but by and large, most of the comments have been positive.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Has received a number of communications about the recycling carts. He believes the cart rollout was successful, and stressed that allowances can be made for citizens with special needs to retain their smaller red bins.
- Veterans Day Parade will be held at 10:00 a.m. on Friday.

ORDINANCE FOR THIRD READING:

0-122-16

AN ORDINANCE AMENDING ORDINANCE 18-16 TO INCREASE THE APPROPRIATION AND AUTHORIZED EXPENDITURE FOR THE DEPOT LIFT STATION (PROJECT #286); AND DECLARING AN EMERGENCY. Butler moved for Adoption; Papai seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-123-16

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE AND ACCEPT BIDS, WHERE NECESSARY, AND ENTER INTO CONTRACT FOR DESIGN ENGINEERING OF THE WATER TREATMENT PLANT FACILITIES IMPROVEMENTS, PROJECT #307; AND REQUESTING THE AUDITOR TO BORROW FUNDS.

0-124-16

AN ORDINANCE AUTHORIZING A ONE-YEAR EXTENSION OF THE CURRENT FRANCHISE AGREEMENT WITH THE OHIO POWER COMPANY FOR USE OF THE CITY RIGHT-OF-WAY AS AUTHORIZED BY ORDINANCE 143-13 AND EXTENDED BY ORDINANCES 126-14 and 113-15.

0-125-16

AN ORDINANCE AMENDING THE 2106 APPROPRIATION ORDINANCE. Risner moved for Suspension of the Rules, noting that Municipal Court has installed software for a new computer system and would like to purchase the hardware components in order to launch the new system; Fahl seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-126-16

AN ORDINANCE AUTHORIZING IMPROVEMENTS TO HIGHLAND PARK, PROJECT #308.

ORDINANCES FOR FIRST READING:

0-127-16

AN ORDINANCE AMENDING THE 2016 APPROPRIATION ORDINANCE. Risner moved for Suspension of the Rules in order to pay a bill that is currently due; Cochran seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-128-16

AN ORDINANCE AMENDING THE 2016 STAFFING LEVELS, AUTHORIZED BY ORDINANCE 71-16; AND DECLARING AN EMERGENCY.

Risner moved to Amend to add a second position to be changed from .73 to 1 FTE for the General Secretary in the Code office, through December 31, 2016; Butler seconded. Amendment was approved unanimously.

Risner moved for Suspension of the Rules, explaining that due to vacancies in both the HR and Code offices, the employees in these positions have been working more than part-time, adding that this is a temporary staffing increase just through the end of the year; Butler seconded. Discussion: The Auditor noted that this Ordinance also adds the position of Intern in both the Water Treatment Plant and the Sewer Treatment Plant; Suspension of the Rules was approved unanimously.

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

0-129-16

AN ORDINANCE AUTHORIZING THE AUDITOR TO REDUCE 2016 YEAR-END APPROPRIATIONS. Risner moved for Suspension of the Rules to allow the Auditor's office the time needed to review the fund lines and decreasing as needed; Fahl seconded. Suspension of the Rules was approved unanimously.

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

0-130-16

AN ORDINANCE AUTHORIZING DESIGN ENGINEERING OF THE 2017 WATERLINE REPLACEMENT (PROJECT #310).

0-131-16

AN ORDINANCE AUTHORIZING DISPOSAL OF (2) ATHENS TRANSIT BUSES NO LONGER NEEDED FOR A MUNICIPAL PURPOSE.

0-132-16

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO A LEASE AGREEMENT WITH THE ATHENS COUNTY AGRICULTURAL SOCIETY; AND DECLARING AN EMERGENCY.

0-133-16

AN ORDINANCE AMENDING ORDINANCE 17-16, BED AND BREAKFAST REGULATIONS; AND DECLARING AN EMERGENCY. Fahl moved for Suspension of the Rules to enable the amendments to go into effect at the same time as the authorizing Ordinance 17-16; Cochran seconded. Suspension of the Rules was approved unanimously.

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

0-134-16

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$625,000 OF NOTES BY THE CITY OF ATHENS, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING PART OF THE COSTS OF DESIGN ENGINEERING OF THE WATER TREATMENT PLANT FACILITIES IMPROVEMENTS, PROJECT #207; AND DECLARING AN EMERGENCY.

0-135-16

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$450,000 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 IMPROVEMENT TO THIS MUNICIPALITY'S WASTEWATER TREATMENT PLANT; AND DECLARING AN EMERGENCY.

0-136-16

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$50,000 OF NOTES BY THE CITY OF ATHENS, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF RENEWING NOTES ISSUED TO PAY PART OF THE COSTS OF ACQUIRING A NEW FIRE TRUCK AND RELATED EQUIPMENT; AND DECLARING AN EMERGENCY.

ANNOUNCEMENTS & OTHER BUSINESS:

McGee moved the reappointment of Robert M. Woodworth to the City-County Health Board; Fahl seconded. Reappointment was approved unanimously.

McGee moved the reappointments of Keith Chapman and Cyrus Moore, and the appointment of Pamela Callahan to the Historic Preservation Commission; Fahl seconded. Motion was approved unanimously.

Kotses moved the reappointments of Donivan Noble, Carol Patterson, Elizabeth Braun, and Andrea Lewis to the Municipal Arts Commission; Fahl seconded. Reappointments were approved unanimously.

Kotses moved the reappointment of Marilyn Zwyer to the Recreation Advisory Board; Fahl seconded. Reappointment was approved unanimously.

Cochran moved the reappointments of David Sincoff, Lee Gregg, Emilie Wood, and John Kotowski to the Shade Tree Commission; Fahl seconded. Reappointments were approved unanimously.

President Knisely announced that the “Take the Town Gown Survey” is now on the City’s Website. This survey will be available for the next few weeks.

Council Member Cochran reminded everyone that scheduled leaf pickup information is on the City’s Website. Also, pickup of the old red recycling bins will begin November 14.

Mayor Patterson announced the following:

- Encouraged the community to take note of the Veterans banners hung in the uptown area.
- Franklin Avenue repaving will be underway this week.
- City Offices will be closed on Friday in observance of Veterans Day.
- For those whose trash pickup day is on Friday, pickup will be delayed and picked up on Saturday this week.

EXECUTIVE SESSION:

At approximately 8:05 p.m. Cochran moved to go into Executive Session to discuss pending litigation, and invited the Mayor, Law Director, and Auditor to attend. Fahl 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 8:40 p.m. Fahl moved to come out of Executive Session; McGee

seconded. Motion was approved unanimously. Fahl then moved to adjourn the meeting; Butler seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council