

**MINUTES**  
**JANUARY 8, 2018**  
**COMMITTEE OF THE WHOLE**  
**7:00 P.M.**

Council Members in Attendance: Samuel Crowl  
Chris Fahl  
Sarah Grace  
Peter Kotses  
Patrick McGee  
Jeff Risner

Administrators and/or  
Other Elected Officials: President Knisely  
Mayor Patterson  
Law Director Eliason

**Items Discussed:**

- Columbus Road Storm Sewer Easement (resolution to appropriate property)
  - President – this is a single-reading resolution in accordance with ORC 719.04 and 719.05 – for property located on Columbus Road – a survey will be attached
  - City will obtain an appraisal so the value of the right-of-way can be determined
  - this is the first step in filing an appropriation case for the easement
  
- Bill of Rights Initiative Petition (codification – Dick McGinn)
  - Risner – this Initiative was passed in 2014 – on 11/27/17 it was codified – clerical error has been corrected to remove the word “banning” from the Whereas
  - a new section of Code, possibly Title 49, will be established to hold initiative petitions
  
  - Dick McGinn, Graham Drive – is a signatory on the petition, The Athens Community Bill of Rights and Water Supply Protection Ordinance – he has an issue with enforcement – laws should apply to the Ohio University campus and government property – questioned if frack waste brine is approved by the State for use as de-icing whether the University would do so
  - Mayor – clarified that the City partners with Ohio University in the purchase of salt used for street snow/ice removal – brine process is not used
  
  - McGee – suggested McGinn address Ohio University
  
- Marijuana Initiative Petition (codification – Caleb Brown)
  - Caleb Brown, resident – treasurer for TACO Committee and signatory of Bill of Rights petition – both petitions received a higher percentage of votes than did any of those elected to political office – community should honor the will of the citizens – expressed concern with enforcement of both petitions – Ohio University Police Officers are allowed to cite individuals under City laws; they are not required to cite under State Law
  
  - Business Owner in Athens and Community Member – worked on both Initiative

Petition campaigns – is an advocate for local democracy and Home Rule – these are enforceable laws by the City – not defending laws passed by 78% of our voters would be shameful – there is a fine line between discretionary and discriminatory behavior – we assert our rights to Home Rule equally to protect the liberty of our citizens and the health of our environment

-John Howell, lives outside the City, is on Ohio University faculty – member of Bill of Rights Committee – uniform enforcement is important – State pre-emption of local prerogatives is of concern – initiative petitions are a vital tool for citizens  
-Fahl – the voice of the people is democracy at work – appreciates the hard work of the citizens

-Risner – amendments will need to be made to additional sections of the ACC for purposes of codification of TACO

- Community Solar Program (Eddie Smith)

-Eddie Smith, Executive Director of SOPEC – SOPEC administers the opt-out Electric Aggregation Program (EAP), and is requesting the City of Athens place an advisory ballot measure on the primary ballot held on May 8, to approve a carbon tax for funding of a Community Solar Program (CSP) – over the next three years the Energy Action Plan which is a component of the City's Sustainability Plan calls for several major energy goals that include: a 20% reduction in residential energy consumed; a 20% increase in the share of residential and municipal energy consumed from renewable sources; and a 20% increase in installed solar capacity within the City – by 2030 this same Energy Action Plan calls for this percentage to decrease-increase to 50% -- these are phenomenal goals for improving sustainability and for addressing some of our local contributions toward larger issues like Climate Change – these goals first require decreasing the amount of energy consumption within Athens City, for the energy that is actually consumed, and increasing the share of local renewable energy that is being used – this potential ballot issue is the first institutionalized step in addressing these issues and accomplishing these goals – the CSP includes three components: a local carbon tax, charged through the opt-out electric aggregation program to incentivize electric consumers in the City to conserve electricity; a local solar development fund which would be the sole carbon tax depository for revenues, and used exclusively to fund behind the meter solar projects on public buildings in Athens; and the renewable energy certificates, that are assigned to the EAP, which currently come from wind farms in Texas, but would begin to be replaced over time with local solar renewable energy certificates as a portfolio of local projects in this program grows – City of Athens has been a leader in this region on energy issues – this is a chance for the City of Athens to be the leader statewide as the first municipally instituted carbon tax, as well as an innovative use of those tax revenues for a community solar program

-Risner – percentage of carbon tax?

-Smith – 2 mills, or 2/10 of a penny per kilowatt hour, or \$2.00 per megawatt hour – average home in Athens consumes about 800-900 kilowatt hours per month – about \$1.60-\$1.80 per month, unless this tax accomplishes its goal and incentivizes conservation, then consumers would pay less

-Kotses – if goal is a 20% increase in solar capacity over the next three years – asked the number of kilowatts currently being produced by solar

-Smith – there is a list on the PUCO website of all of the installed grid-tied solar systems within the City of Athens – he can provide that to the Council

-McGee – are all goals to be grid-tied? Will this carbon tax be imposed on Ohio

-WCGEE – are all goals to be grid-tied? Will this carbon tax be imposed on Ohio University?

-Smith – yes, goal is to be grid-tied – University is a mercantile customer, and not eligible to be enrolled in the opt-out EAP – this tax is being instituted through the existing EAP, so they would have no tax obligation through it

-Mayor – program will reduce carbon emissions in community – City has taken on SolSmart challenge to streamline residential solar – hopes City Council approves this initiative as a ballot measure

-Fahl – great step forward in providing a model

-Resident – questioned if a solar installation on a building might then become part of the property tax assessment for that building – the issue of a property tax assessment needs to be addressed so that it does not become an impediment

-Smith – this issue has not been considered because a property tax does not apply to public buildings locally, however, that would be a great problem to have to solve in the future

-President – education materials on this ballot measure would be helpful

-Smith – will prepare a fact sheet

**ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:**

1. Storm Sewer Easement
2. Establish ACC Title 49
3. Amend Title 9 of ACC
4. Community Solar Ballot Measure

**MINUTES**  
**CITY & SAFETY SERVICES COMMITTEE**  
**JANUARY 8, 2018**  
**7:00 p.m.**

Members in Attendance: Peter Kotses, Vice-Chair  
Chris Fahl

Other Council Members: Samuel Crowl  
Sarah Grace  
Patrick McGee  
Jeff Risner

Administrators and/or  
Other Elected Officials: President Knisely  
Mayor Patterson  
Auditor Hecht

**ITEMS DISCUSSED:**

- City/County Sewer Expansion Project (design)
  - Mayor – would like to remove from discussion for further review with County
- Backhoe (purchase for use by water and sewer)
  - Mayor – need authorization to expend up to \$123,000 to purchase a backhoe through the State of Ohio Cooperative Purchasing Program, State bid – backhoe will be utilized by water, sewer, and street departments, and the purchase will come from the Water Fund, Sewer Fund, and Storm Water Fund with each fund paying \$41,000
- Disposal of Sewer Backhoe (as trade-in)
  - Mayor – will apply to purchase
- Water Softening Salt (WTP)
  - Mayor – need to authorize \$200,000 expenditure
  - Fahl – questioned whether this salt is certified
  - Mayor – yes, will provide certification of the salt

**ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:**

1. Backhoe Purchase & Disposal
2. Water Softening Salt



**MINUTES  
FINANCE & PERSONNEL COMMITTEE  
JANUARY 8, 2018  
7:00 p.m.**

Members in Attendance:           Jeff Risner, Chair  
  Samuel Crowl, Member

Other Council Members: Chris Fahl  
  Sarah Grace  
  Peter Kotses  
  Patrick McGee

Administrators and/or  
Other Elected Officials:        President Knisely  
  Mayor Patterson  
  Auditor Hecht

**ITEMS DISCUSSED:**

- Revolving Loan Fund (administration agreement)
  - Mayor – renewing agreement with a 3-year extension
  - Auditor – clarified this is with the Economic Development Council
  
- Appropriations/Transfers
  - Risner – need additional \$20,000 appropriation to Tourism, 212, T.C. 300, for payment to ACCVB; remove Community Center, 271, T.C. 400, as the loan was paid off last year; appropriate \$150,000 to Community Center Fund, 272, T.C. 500, decrease \$150,000 appropriation in APR Income Tax Fund, 273, T.C. 500; decrease \$35,540 appropriation in Community Center, 271, T.C. 400; appropriate \$400,000 to State Issue II, 590, T.C. 500; appropriate \$7000 to Garbage 760, T.C. 100, for Medical Fund transfers; and correct 865 Internal Service Fund line for IT to 865.647
  
- Staffing – Payroll Split (mechanics/IT)
  - Risner – need to modify employee numbers split between 865.647 and 865.645 mechanics

**ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:**

1. Appropriations



**MINUTES**  
**TRANSPORTATION COMMITTEE**  
**JANUARY 8, 2018**  
**7:00 p.m.**

Members in Attendance: Peter Kotses, Chair  
Patrick McGee, Vice-Chair  
Samuel Crowl, Member  
Sarah Grace, Member

Other Council Members: Chris Fahl  
Jeff Risner

Administrators and/or  
Other Elected Officials: President Knisely  
Mayor Patterson

**ITEMS DISCUSSED:**

- International Street Fair (street closures)
  - Kotses – 2018 event date is April 7
  
  - Diane Cahill, Interim Director for International Student Faculty Services at Ohio University – requested legislation be the same as last year’s event
  
  - McGee – asked if there are other Ohio University events that weekend
  - Cahill – it is Mom’s Weekend
  
- Athens Public Transit (vehicle ownership)
  - Jessica Stroh – January 1<sup>st</sup> HAPCAP took over operation of public transit system in-house – transition has gone smoothly – all employees have been retained – there are pros and cons for City ownership vs HAPCAP ownership – PROS for City: vehicles can obtain non-expiring State plates; is exempt from commercial vehicle registration process; vehicles are exempt from annual State Highway Patrol inspections; and are not required to be stickered with an ODOT number, and the CONS for City: time and energy in acquiring and disposing of the vehicles – PROS for HAPCAP: can move very quickly when acquiring vehicles, and the CONS for HAPCAP: as a non-profit, will be required to annually order new plates, do inspections, etc. that add to their costs (about \$6,000), and their budget is very tight – currently the City owns the majority of the fleet, but McDonald Transit owns (3) vehicles that assist in operating the system – on a month to month lease – McDonald Transit is willing to sell these vehicles to the City, or HAPCAP – decision on purchasing the McDonald vehicles should be initiated soon, but ownership of entire fleet can be a longer-term decision
  
  - McGee – asked about the cost of the (3) vehicles, and whether decisions about routes and timing of the transit system would change with ownership
  - Stroh – to answer the second question first, by designating HAPCAP as the grantee, since 2012 HAPCAP has been in charge of planning and monitoring the



routes, and will continue to do that in partnership with the City – any major changes require public hearings for citizen feedback – no matter who owns the vehicles, the City still has a voice in what's happening with the system – the McDonald Transit Summit vehicles can be purchased for \$30,000 total – a truck is also available for sale for \$250

-Fahl – questioned how ownership might impact maintenance of the vehicles  
-Stroh – HAPCAP employs a full time mechanic and currently maintains the vehicles, and they pay for the vehicle insurance

-President – greater administrative control has been given to HAPCAP over the past years – benefits of HAPCAP owning the vehicles will likely outweigh City ownership

-Grace – does ownership of the entire fleet need to be totally held by one entity?  
-Stroh – can be both – would likely make more sense to have one owner

-Mayor – clarified that HAPCAP can act more quickly on bus replacement than the City

-Stroh – the State will also be on the Title with HAPCAP, so in the future there would be no problem if the City wanted to change the service provider

- 2019 Mobility Management Grant (local match)

-Stroh – ODOT grant funded program – local match is \$7500 – funds a full time position – deadline is March 1<sup>st</sup>

-President – mobility manager has really made a difference in public transit

- Vendor Parking Spaces

-McGee – expressed citizen concern that prime parking spaces on Union Street bordering the University Green often times are not available to the public, however, the vending spaces remain empty between 4:00 a.m. and 4:00 p.m. – modification of these spaces is being reviewed – vendors could possibly pay meter fee instead of an annual permit fee – he will submit a proposed ordinance to the Council to make some modifications in the Vendor Code – adding, that we do enjoy the benefits of having vendors in Athens

-Mayor – agrees that amendment can be made – noted that vendors holding these spaces have spawned into restaurants, promoting economic development

-Risner – why are the vendor parking spaces being underutilized?

-McGee – weather and low consumer turnout

-Crowl – are motorist towed from vendor parking space by City or vendor?

-Mayor – vendor would likely contact Parking Enforcement if a motorist is parked in a vending space – there is no monitoring of the spaces – currently there are (8) vendors and (10) parking spaces

- Bridge Painting (ATH US 50, Kimes curve)

-Kotses – this is an ODOT project – no cost to City

-Mayor – 2019 project that could be done this year

- Landslide Repair (ATH US 50, .02 miles in City limits)

-Kotses – this is an ODOT 2018 project – again, no cost to City – runs parallel with Harmony Road

- Clean Ohio Trail Fund (COTF application)
  - Mayor – 83 Columbus Road project for a Bikepath Spur Trailhead – February 1<sup>st</sup> grant application deadline
  - Fahl – 25% local match – can be an in-kind match
  - Mayor – will be an approximately \$200,000-\$250,000 project total – this would be a small park-like area, with multi-modal access for pickup, drop-off, parking
  
  - Kotses – asked about a bus stop
  - Mayor – could be a bump-in for buses to pull in

**ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:**

1. International Street Fair
2. Bus Purchases
3. Vendors
4. Bridge Painting
5. Landslide Repair
6. Clean Ohio Grant