

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, MARCH 19, 2018,
7:00 P.M.**

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

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

DISPOSITION OF MINUTES:

Risner moved approval of the minutes of the Regular Session held March 5, 2018; McGee seconded. Minutes were unanimously approved as presented.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Auditor Hecht provided a brief update on the joint Municipality Income Tax lawsuit over centralized collection of business taxes. The lawsuit is now in the appeals process, and the City will know in about three weeks whether a requested injunction is approved. If the injunction is denied the City will be required to immediately amend the City's Income Tax Code.

Mayor Patterson reported the following:

- Street closure tomorrow from 8:00am to 4:00pm on the west side of Tulane for installation of a sanitary tap.
- Open House on Tuesday, April 3, from 3:30-6:00pm at the Ohio University Inn to review plans for the Richland Avenue Bridge in front of the Stop-N-Cop Drive Thru Carryout.
- Patching repair of waterline break areas and continued pothole filling is underway. Residents can use the City App, City Source, to report potholes to the Engineering and Public Works Department.
- Premiere Screening of Our Town, Athens, Ohio documentary film will be presented on Sunday, March 25, 3:00pm, in the Ohio University Templeton-Blackburn Alumni Memorial Auditorium, and is free to the public.

ORDINANCES FOR THIRD READING:

0-20-18

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN LPA/STATE PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR A BRIDGE DECK OVERLAY PROJECT ON US 33; AND DECLARING AN EMERGENCY. Kotses moved for Adoption; Crowl seconded. Adoption was approved unanimously.

0-21-18

AN ORDINANCE CLOSING A PORTION OF COURT STREET BETWEEN UNION AND WASHINGTON ON SATURDAY, AUGUST 4, 2018, FROM 8:00 A.M. TO MIDNIGHT FOR THE “BOUNTY ON THE BRICKS” FUNDRAISER. Kotses moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-22-18

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON AUGUST 4, 2018, DURING THE “BOUNTY ON THE BRICKS” FUNDRAISER. Kotses moved for Adoption; Crowl seconded. Adoption was approved unanimously.

0-23-18

AN ORDINANCE AUTHORIZING DESIGN ENGINEERING OF THE STIMSON AVENUE IMPROVEMENTS PROJECT (#315). McGee moved for Adoption; Risner seconded. Adoption was approved by a 5/0/1 vote; with Kotses abstaining.

0-24-18

AN ORDINANCE AMENDING THE 2018 APPROPRIATION ORDINANCE; AMENDING ORDINANCE 153-17, AUTHORIZING ARTS/WEST RENOVATIONS PROJECT (#314); AND DECLARING AN EMERGENCY. Butler moved for Adoption; Kotses seconded. Adoption was approved unanimously.

0-25-18

AN ORDINANCE AMENDING THE 2018 APPROPRIATION ORDINANCE. Butler moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-26-18

AN ORDINANCE AUTHORIZING THE MAYOR TO HIRE A NEW DIRECTOR OF ENGINEERING AND PUBLIC WORKS AT A PAY RATE OF 35% THROUGH THE ASSIGNED PAY GRADE. Risner moved for Adoption; Butler seconded. Discussion: Kotses has struggled with this change, not because of the candidate or this particular change, but because too often he feels the non-union compensation and benefits are not fully discussed by the Council, and tend to be approved quickly and generally at the end of each year without time for input from those affected. In the future, he would like to see more discussion of any changes made to the non-union benefits.

McGee added his concern with recent deviations from the established pay grades within the Non-Union Compensation Plan that was just recently approved by the Council. However, he does feel in this instance it is justified.

Adoption was approved unanimously.

0-27-18

AN ORDINANCE GRANTING USE OF THE PUBLIC RIGHT-OF-WAY; AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE AN ELECTRIC LINE EASEMENT WITH THE OHIO POWER COMPANY (AEP) TO BE LOCATED NEAR EAST PARK DRIVE AT THE MUNICIPAL POOL SITE; AND DECLARING AN EMERGENCY. Butler moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-28-18

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT WITH THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) IN ORDER TO ACCEPT NOPEC ENERGIZED COMMUNITY (NEC) GRANT(S); AND DECLARING AN EMERGENCY. Risner moved for Adoption; McGee seconded. Adoption was approved unanimously.

0-29-18

AN ORDINANCE AUTHORIZING A CONTRACT WITH THE WASHINGTON COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY. Butler moved for Adoption; Crowl seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-30-18

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PARTNERSHIP AGREEMENT WITH THE ATHENS COUNTY COMMISSIONERS AS APPLICANT AND GRANTEE, IF FUNDED, FOR SUBMISSION OF AN APPLICATION TO THE OFFICE OF COMMUNITY DEVELOPMENT, OHIO DEVELOPMENT SERVICES AGENCY (ODSA) FOR THE PROGRAM YEAR (PY) 2018 COMMUNITY HOUSING IMPACT AND PRESERVATION PROGRAM (CHIP).

0-31-18

AN ORDINANCE TO ACCEPT AND AUTHORIZE THE RECEIPT OF DONATIONS TO THE NEW MUNICIPAL POOL. Butler moved for Suspension of the Rules in that the Auditor's office is already receiving donations; Risner seconded. Suspension of the Rules was approved unanimously.

Butler moved for Adoption; Risner seconded.

Discussion: Mayor Patterson noted that his office will maintain a donation spread sheet and list of any "feature specific" donations.

Adoption was approved unanimously.

0-32-18

AN ORDINANCE AMENDING THE 2018 APPROPRIATION ORDINANCE.

0-33-18

AN ORDINANCE AMENDING ORDINANCE 151-17 TO INCLUDE THE CURRENT PAY GRADES AND WAGE SCALE.

0-34-18

AN ORDINANCE AMENDING ORDINANCE 152-17; SECTIONS 20 AND 21, OF THE FRINGE BENEFITS PACKAGE FOR NON-UNION PERSONNEL.

0-35-18

AN ORDINANCE AMENDING THE 2018 PART-TIME AND SEASONAL STAFFING LEVELS AUTHORIZED BY ORDINANCE 0-151-17.

ORDINANCES FOR FIRST READING:

0-36-18

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION PROGRAM FUNDS FOR PROGRAM YEAR 2018.

0-37-18

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), CRITICAL INFRASTRUCTURE GRANT PROGRAM, FOR PROGRAM YEAR 2018.

0-38-18

AN ORDINANCE AMENDING THE 2018 APPROPRIATION ORDINANCE.

0-39-18

AN ORDINANCE WAIVING THE RESIDENCY REQUIREMENT FOR THE APPOINTMENT OF A NEW SERVICE-SAFETY DIRECTOR.

0-40-18

AN ORDINANCE AFFIRMING THE MAYOR'S CONSENT OF THE RURAL ENTERPRISE ZONE AGREEMENT APPROVED BY THE COUNTY OF ATHENS AND ATHENS MOLD AND MACHINE; AND DECLARING AN EMERGENCY. Risner moved for Suspension of the Rules in order to comply with ORC requirements; Crowl seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Crowl seconded. Adoption was approved unanimously.

ONE-READING RESOLUTION:

R-04-18

A RESOLUTION OPPOSING THE OHIO DIVISION OF WILDLIFE PROPOSED RULE 1501:31-15-17 WHICH WOULD ALLOW FOR THE TRAPPING AND KILLING OF THE OHIO NATIVE BOBCAT SPECIES LYNX RUFUS, AND CALLING FOR ITS PERMANENT PROTECTION FOR THE COMMON GOOD OF ALL OHIOIANS. Risner moved for Adoption; McGee seconded. Discussion: As a person who enjoys nature and photography, McGee strongly supports this Resolution.

Rachael Martin, Environmental Studies student at Ohio University, is attending this evening to represent the Ohio Bobcats for bobcats group in strong support of this Resolution. A petition has been circulating and already signed by 2000 citizens against ODNR's proposal. Having less than one year of data in the ODNR Management Plan, solely on bobcat sightings from trail cameras, is premature in determining bobcat population and not scientific based.

Adoption was approved unanimously.

ANNOUNCEMENTS & OTHER BUSINESS:

President Knisely announced a change in format for upcoming Council Committee meetings. No longer will the Council of the whole be seated at the dais during committees, but only those Council Members serving on a specific committee.

Crowl moved to accept the Auditor's February, 2018, Financial Reports; Kotses seconded. Motion was approved unanimously.

At approximately 7:50 p.m., McGee moved to adjourn the meeting; Kotses seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council