

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, APRIL 2, 2018, 7:00 P.M.

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

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

DISPOSITION OF MINUTES:

Fahl moved approval of the minutes of the Regular Session held March 19, 2018; Risner seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely announced the following:

- Council Members will be participating in the City's annual Infrastructure Tour that will take place on Saturday, April 14, from 8:00 to 11:00 am. Members of the public interested in attending should contact the Clerk of Council to ensure adequate transportation will be available.
- Comprehensive Plan Public Workshops scheduled this month will be held at 6:30 pm on April 19 at ARTS/West and will center on arts, culture, and history, and a second meeting will be held at 6:30 pm on April 26 at the Athens Community Center Room A, and will focus on sustainability issues.

Council Member Kotses announced the next Athens City School District Board meeting will take place on Thursday, April 19, at 6:30 pm in the Athens High School Auditorium.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Open House, Tuesday, April 10, from 3:30 pm to 6:00 pm in the Ohio University Inn and Conference Center, 331 Richland Avenue, to provide an opportunity for the public to review and comment on the proposed rehabilitation of the Richland Avenue bridge near 362 Richland Avenue. The existing bridge was constructed over Coates Run in 1935. The proposed project is slated for construction in 2019.
- Take Back the Night March will be held Thursday, April 5, at 8:00 pm.

- Events being held on Saturday, April 7: International Street Fair; Kidfest (10-1 at the Walter Fieldhouse), Sandlot Baseball Parade and Opening Day.
- Beautification Day will be held Sunday, April 22, with Spring Cleanup Week to follow from April 23 to April 27.

The Mayor then welcomed Scout Troop 357 in attendance this evening.

ORDINANCES FOR THIRD 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). Butler moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-32-18

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

0-33-18

AN ORDINANCE AMENDING ORDINANCE 151-17 TO INCLUDE THE CURRENT PAY GRADES AND WAGE SCALE. Risner moved for Adoption; Crowl seconded. Adoption was approved unanimously.

0-34-18

AN ORDINANCE AMENDING ORDINANCE 152-17; SECTIONS 20 AND 21, OF THE FRINGE BENEFITS PACKAGE FOR NON-UNION PERSONNEL. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-35-18

AN ORDINANCE AMENDING THE 2018 PART-TIME AND SEASONAL STAFFING LEVELS AUTHORIZED BY ORDINANCE 0-151-17. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND 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.

ORDINANCES FOR FIRST READING:

0-41-18

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION AND ENTER INTO AN AGREEMENT WITH ODOT FOR A TRANSPORTATION ALTERNATIVES PROGRAM GRANT FOR THE UPTOWN CROSS STREET PEDESTRIAN/BICYCLE IMPROVEMENTS PROJECT; AND DECLARING AN EMERGENCY. Discussion: Kotses noted that the improvements would include bump-outs at intersections to provide shorter crossing distances for pedestrians, rehabbing existing infrastructure, and looking at the streets from a “complete” streets standpoint. Grant funds will cover 95% of the project cost.

Butler pointed out that shorter pedestrian crosswalks is both a safety effort as well as a beautification effort.

Risner asked for clarification on a “complete” street project.

Kotses responded, it is a planning approach that reviews multi-modal transportation to improve and enhance the street in a holistic fashion.

0-42-18

AN ORDINANCE CLOSING A PORTION OF COURT STREET BETWEEN WASHINGTON AND CARPENTER ON SATURDAY, JUNE 30, FROM 6:00 A.M. TO 1:00 A.M. ON SUNDAY, JULY 1, 2018, FOR "BOOGIE ON THE BRICKS" A FAMILY MUSIC AND ARTS FESTIVAL.

0-43-18

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 13.04.10, UNNECESSARY NOISE, IN THE DOWNTOWN AREA, ON SATURDAY, JUNE 30, AND UNTIL 1:00 A.M. ON SUNDAY, JULY 1, 2018, FOR "BOOGIE ON THE BRICKS" A FAMILY MUSIC AND ARTS FESTIVAL.

0-44-18

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON SATURDAY, JUNE 30, AND UNTIL 1:00 A.M. ON SUNDAY, JULY 1, 2018, DURING THE "BOOGIE ON THE BRICKS" FAMILY MUSIC AND ARTS FESTIVAL.

0-45-18

AN ORDINANCE CLOSING A PORTION OF COURT STREET BETWEEN WASHINGTON AND CARPENTER ON SATURDAY, JULY 21, 2018, FROM 6:00 A.M. TO MIDNIGHT FOR OHIO BREW WEEK.

0-46-18

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 13.04.10, UNNECESSARY NOISE, IN THE DOWNTOWN AREA, ON JULY 21, 2018, FOR OHIO BREW WEEK.

0-47-18

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON SATURDAY, JULY 21, 2018, DURING THE OHIO BREW WEEK EVENT.

0-48-18

AN ORDINANCE AMENDING TITLE 11, BUSINESS REGULATIONS, CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING. Discussion: McGee explained that this ordinance will reduce the number of vendor parking spaces from 10 to 8; lower the vending fee from an annual fee of \$1500 to a \$125 monthly fee; and no fee for Sunday vending. In an effort to accommodate some of the vendors, consideration has been given to opening up vending on

off-street City-owned property, possibly by the Community Center and at the West State Park, with permission by the Mayor with a \$25 fee per day.

Fahl suggested Council also consider, under separate legislation, reviewing and updating the vending equipment section of the Athens City Code to look at the size of the vehicles; she has been told that it is out of date with newer vehicle dimensions, and that newer, larger equipment demands larger parking spaces.

Butler likes empowering the Mayor with the opportunity to offer off-street vending on City-owned land; adding, there is a lot of activity at the West State Park, with a short supply of food options.

Kotses asked whether the monthly fee would be burdensome for the Code Enforcement Office.

Mayor Patterson responded that the monthly processing of payments and monthly permit oversight will impact the Code Enforcement Office.

President Knisely noted an email from Patrick Daugherty, Hudson Avenue (unable to attend the meeting), voicing his support for mobile vendors, citing that the proposed legislation does not appear to be in the best interests of the vendors and the community, and if regulations need changed, a committee with representation from the mobile vending community should be formed to provide suggestions.

Damon Krane, Hudson Avenue, owner of Hot Potato food truck, does not believe the monthly fee for only eight (8) vendors would add significantly to the administrative work handled by the Code Enforcement Office. He agrees with Council Member Fahl that there are obstacles with vending trailers with hitches that could benefit from larger vending spaces; current spaces do not accommodate the size, and it is a problem.

Will Drury, Athens County resident and owner of a vending food truck, has a significant investment in his business and is concerned that changes are being proposed without vendors being notified of the action, changes that could impact his livelihood with no opportunity for input.

Brittany Yancey, Joneswood Drive, mobile vending operator, expressed concern with the logistics of parking a trailer to vend. Often times there are cars parked in the vending spaces. Also, she would like the City to consider opening other on-street vending areas, possibly more toward the north end of Court Street for weekend only, late night vending.

0-49-18

AN ORDINANCE GRANTING A REVOCABLE LICENSE TO NICHOLAS KUHN, OWNER, 406 ELMWOOD PLACE, TO ALLOW A FENCE ON THE CITY RIGHT-OF-WAY.

0-50-18

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MUTUAL AID AGREEMENT WITH THE OHIO WATER/WASTEWATER AGENCY RESPONSE NETWORK.

0-51-18

AN ORDINANCE DECLARING CERTAIN ITEMS NO LONGER NEEDED FOR A MUNICIPAL PURPOSE.

0-52-18

AN ORDINANCE AMENDING ORDINANCE 152-17, FRINGE BENEFITS PACKAGE FOR NON-UNION PERSONNEL, SECTION 19(C), PAID HOLIDAYS.

At approximately 8:00 p.m., Fahl moved to adjourn the meeting; Risner seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council