

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, APRIL 16, 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, Auditor Hecht, and Law Director Eliason.

DISPOSITION OF MINUTES:

Risner moved approval of the minutes of the Regular Session held April 2, 2018; Fahl seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely announced the following:

- Beautification Day is Sunday, April 22, with activities already underway. She thanked all of those volunteering their time to assist with the different projects.
- Spring Cleanup is next week, April 23-27.
- Police Department is sponsoring a National Take-Back Initiative of expired, unused, and unwanted prescription drugs on Saturday, April 28, from 10:00 a.m. to 2:00 p.m. at the Elks Lodge parking lot located at 600 West Union Street.

Council Member Butler shared an email he received from Brittany Yancey regarding mobile food vendors (see attached).

Council Member McGee noted there are different viewpoints on mobile food vendors. He has received comments from citizens that don't understand why mobile vending spaces are reserved until 4:00 p.m. Vendors tend to leave shortly after lunch, but the parking spaces are not available until much later.

Council Member Crowl is in receipt of an email from Christine Hughes and Bob O'Neil, owners of the Village Bakery, voicing support for City policies that promote local independent businesses and equitable access to markets (see attached).

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Joint Police Advisory Council (JPAC), as part of the beautification efforts, will begin working with The Area Graffiti (TAG) Task Force tomorrow at 7:00 p.m., with a rain date on Thursday, April 19. Volunteers are welcome.
- 2018 Athens Uptown Business Association (AUBA) Sidewalk Sales will occur on Thursday, April 19-21, Thursday, May 17-19, Thursday, June 21-23, and July 19-21.
- Athens Comprehensive Plan meeting to discuss the arts culture and history will be held Thursday at 6:30 p.m. at ARTS-West, 132 West State Street. All are welcome to attend.
- Athens Comprehensive Plan meeting on environment and sustainability will be held Thursday, April 26, at 6:30 p.m., Room A, in the Community Center. All are welcome to attend.
- Meet Athens new Poet Laureate Kari Gunter-Seymour for a poetry reading to include food and wine, Thursday, April 26, 7:00 p.m. at ARTS-West.

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

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

0-38-18

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

0-39-18

AN ORDINANCE WAIVING THE RESIDENCY REQUIREMENT FOR THE APPOINTMENT OF A NEW SERVICE-SAFETY DIRECTOR. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND 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.

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.

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.

ORDINANCES FOR FIRST READING:

0-53-18

AN ORDINANCE AUTHORIZING 2018 STREET PAVING AND REPAIRS (PROJECT #319). Discussion: Kotses indicated that \$400,000 in Issue I Funds will be used this year to pave part of West Union Street.

Mayor Patterson added, these funds will also pave a portion of Richland Avenue between Canterbury Drive and Pomeroy Road.

0-54-18

AN ORDINANCE AUTHORIZING A PILOT RESIDENTIAL CURBSIDE COMPOST PROJECT. Discussion: Butler noted that this will be a 6-month pilot and it has the support of the Mayor. A \$46,000 appropriation to the Garbage Fund will be needed to institute this pilot.

McGee believes if a permanent curbside compost project would be enacted from this pilot the cost would be substantially more, possibly exceeding \$200,000 annually. He expressed concern with this added cost to the City and would like the City to encourage citizens to compost in their own yards instead of instituting a curbside pickup. He would also like the current residential garbage rates to be re-examined.

0-55-18

AN ORDINANCE GRANTING A REVOCABLE LICENSE TO THOMAS W. PARFITT, OWNER, 134 COLUMBUS ROAD, TO ALLOW PARKING ON THE CITY RIGHT-OF-WAY.

0-56-18

AN ORDINANCE AMENDING THE 2018 APPROPRIATION ORDINANCE.

0-57-18

AN ORDINANCE AUTHORIZING THE MAYOR TO PROMOTE THE DIRECTOR OF ENGINEERING AND PUBLIC WORKS TO THE POSITION OF SERVICE-SAFETY DIRECTOR AT A PAY RATE IN ACCORDANCE WITH ORDINANCE 34-18. Risner moved for Suspension of the Rules due to time constraints; Fahl seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-58-18

AN ORDINANCE AUTHORIZING THE PROMOTION OF A FIRE LIEUTENANT TO A FIRE CAPTAIN IN ACCORDANCE WITH THE NON-UNION PERSONNEL FRINGE BENEFITS PACKAGE, ORDINANCE 152-17; AND DECLARING AN EMERGENCY. Risner moved to Amend Section I to add: "The promotion to captain will not decrease the employee's current rate of vacation accumulation." Fahl seconded. Amendment was approved unanimously. Risner moved for Suspension of the Rules due to the short timeline required by the ORC to make such appointments; Butler seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Crowl seconded. Discussion: Auditor Hecht clarified that her office requested adding the sentence referring to the Captain's vacation since the bargaining unit of the Fire Department has a different accrual schedule than that of a non-union position which he has already met under the bargaining contract.

Adoption was approved unanimously.

ONE-READING RESOLUTION:

R-05-18

A RESOLUTION EXPRESSING THE NEED TO ENACT STRICTER GUN SAFETY LEGISLATION. Fahl moved for Adoption; Crowl seconded.

Discussion: McGee applauds the Resolution in general, however, he is opposed to the provision that recommends raising the age for gun purchases to 21 rather than 18.

Butler understands this is a very contentious issue in our community and our nation, however, he concurs with McGee on the age of 21 rather than 18.

Grace acknowledged what an emotional topic this is, and through this Resolution Council is merely expressing its support for the young people who have become activists for this cause and awareness that this is a problem in our society.

Kotses echoed his concern with the age of 21.

Adoption was approved by a 5/2 vote; with Kotses and McGee voting in opposition.

ANNOUNCEMENTS & OTHER BUSINESS:

Risner moved to accept the Auditor's March, 2018, Financial Reports; Fahl seconded. Motion was approved unanimously.

Kotses moved to appoint Amy Delach to serve as a member on the Environment & Sustainability Commission; Fahl seconded. Appointment was approved unanimously.

Butler moved to appoint Alan Swank to serve as a member on the Arts, Parks & Recreation Advisory Board; Risner seconded. Appointment was approved unanimously.

Mayor Patterson announced the swearing-in of Fire Captain Mark Hull to be held Wednesday at 2:00 p.m. in the Council Chambers.

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

Damon Krane, Hudson Avenue, is President of the newly formed Athens Mobile Vending Association. The Association recognizes that mobile vending is a very complicated issue. However, all members are in unanimous agreement that they would like to have the opportunity to have viable businesses that positively contribute, not only to our nationally renowned local food and beverage scene, but also to broader access of our local culture that makes Athens, Athens. The Association feels the current Ordinance on the books substantially and unnecessarily restricts their ability to do that, and are opposed to the current amending Ordinance. What they see as a viable alternative is not represented in Councilman McGee's proposed changes. They feel something very different needs to occur, and urged Council to vote against 0-48-18, giving time for mobile vendors to work with City officials on this issue.

At approximately 8:10 p.m., McGee moved to adjourn the meeting; Fahl seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council