

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, MAY 7, 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:

Risner moved approval of the minutes of the Regular Session held April 16, 2018; Fahl seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely reminded residents about grass and gutter maintenance (see attached).

Council Member Risner shared a comment from a resident complimenting the new sidewalk construction on East State Street.

Council Member Kotses announced that the next Athens City School District Board meeting will be held on May 17, at 6:30 p.m. in the high school auditorium.

Council Member McGee has received comments from residents remarking on the lovely mural along Stimson Avenue. He also mentioned citizen concern about the future of the Chimney Swift habitat at East Elementary School.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Hiring of Interns John Schlosser and Mitch Holland in his office.
- May 19, Saturday, at 11:00 a.m. there will be a historic placard unveiling in front of the Armory built in 1916.
- Swimming Pool Update: opening date will be June 12th, due to weather related construction delays.

ORDINANCES FOR THIRD 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. Kotses moved for Adoption; Crowl seconded. Adoption was approved unanimously.

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

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

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

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

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

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

0-48-18

AN ORDINANCE AMENDING TITLE 11, BUSINESS REGULATIONS, CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING. McGee moved to Table; Fahl seconded. Discussion: Upon further review, McGee doesn't believe the language satisfies his original goal to open up additional times for public parking and, through discussion, has opened up other issues that need to be addressed. He intends to propose an amended version in Committee next week that will deal solely with reserved parking/vending times.

Fahl agrees that other issues have come forward that are not addressed by this Ordinance, and believes with the newly formed Mobile Vendors Association the City should review this entire Code section.

Crowl echoes Fahl's comments, appreciates McGee's efforts in working to solve the public parking issue on Union Street, and noted that there is a lot of information yet to consider to make this Code section workable for both the vendors and the community.

Damon Krane, Hudson Avenue, owner of the Hot Potato Food Truck and serving as President of the Mobile Vendors Association representing 12 mobile businesses, encouraged the Council to vote in favor of tabling this Ordinance in order to provide additional time to discuss vendor needs with City officials. He also expressed concern with McGee's proposed amendment to further reduce vending times on Union Street.

Tabling was approved unanimously.

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

0-50-18

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MUTUAL AID AGREEMENT WITH THE OHIO WATER/WASTEWATER AGENCY RESPONSE NETWORK. Butler moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-51-18

AN ORDINANCE DECLARING CERTAIN ITEMS NO LONGER NEEDED FOR A MUNICIPAL PURPOSE. Butler moved to Amend to add an emergency clause in order to process vehicle titles in a timely manner; Fahl seconded. Amendment was approved unanimously. Butler moved for Suspension of the Rules; Fahl seconded. Suspension of the Rules was approved unanimously. Butler moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-52-18

AN ORDINANCE AMENDING ORDINANCE 152-17, FRINGE BENEFITS PACKAGE FOR NON-UNION PERSONNEL, SECTION 19(C), PAID HOLIDAYS. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-53-18

AN ORDINANCE AUTHORIZING 2018 STREET PAVING AND REPAIRS (PROJECT #319). Discussion: Mayor Patterson received information this afternoon that Ohio University would like to partner with the City in order to mill and repave three streets owned by the University, West Green Drive, Race Street, and South Green Drive at Ping (see attached). He added, having the University as a partner will lower the cost of asphalt. He will be requesting an amendment to this Ordinance at the next session of Council.

Risner asked whether lowering the cost of the asphalt might allow additional streets to be paved this summer.

Mayor responded that it is a possibility; it depends on the bids that come in, but is hopeful some of the streets on the alternate list can be resurfaced.

0-54-18

AN ORDINANCE AUTHORIZING A PILOT RESIDENTIAL CURBSIDE COMPOST PROJECT.

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.

ORDINANCES FOR FIRST READING:

0-59-18

AN ORDINANCE ACCEPTING THE DONATIONS BY TS TECH AMERICAS, INC. OF 13.285 ACRES, AND SCOTT AND GWENETTE BROOKS OF 0.284 ACRES, TOTALING 13.569 ACRES, MORE OR LESS, OFF KENNY DRIVE TO THE CITY OF ATHENS. Discussion: The Mayor indicated that a large portion of this land will be used for specialized fire training, and once this transaction has taken place there will be discussion with the County about locating an EMS station at this location.

0-60-18

AN ORDINANCE CREATING DOWNTOWN REDEVELOPMENT DISTRICTS (DRDs) IN THE CITY OF ATHENS; DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; REQUIRING THE OWNER OF THE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; SPECIFYING THE PLAN FOR USING SERVICE PAYMENTS TO PROMOTE ECONOMIC DEVELOPMENT AND JOB CREATION; AUTHORIZING THE EXECUTION OF AN ECONOMIC DEVELOPMENT PLAN; ESTABLISHING FUNDS FOR THE 234 WASHINGTON (DRD), THE SHELTERING ARMS (DRD), AND THE ATHENS DEPOT (DRD) FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS. Discussion: Fahl explained that this is a new economic development tool approved by the State in 2016 for capital investment in historic landmark areas.

0-61-18

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 3, ADMINISTRATIVE PROVISIONS, CHAPTER 3.07, ADMINISTRATIVE DEPARTMENTS, BOARDS AND COMMISSIONS, SECTION 3.07.74(A), ESTABLISHMENT OF ENVIRONMENT AND SUSTAINABILITY COMMISSION. Discussion: Fahl noted that this Commission has been very productive. Adding to its membership will be beneficial as it relates to best practice in moving forward with the City's Comprehensive Plan.

Mayor indicated that this Board is vitally important the City.

0-62-18

AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE APPLICATION AND ENTER INTO A PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES; AND DECLARING AN EMERGENCY.

0-63-18

AN ORDINANCE AMENDING THE 2018 APPROPRIATION ORDINANCE.

ANNOUNCEMENTS & OTHER BUSINESS:

Grace moved to reappoint Kay Tousley to serve an additional 3-year term on the Board of Zoning Appeals; Fahl seconded. Reappointment was approved unanimously.

Kotses moved to appoint Lacy Rogers to a current vacancy on the Community Relations Commission; Fahl seconded. Appointment was approved unanimously.

Mayor announced that Interim Service-Safety Director Andy Stone was sworn-in last Friday. Also, his weekly press conference will be held remotely this Wednesday at the Water Treatment Plant at 3:00 p.m.

EXECUTIVE SESSION:

At approximately 8:00 p.m. Fahl moved to go into Executive Session to discuss Pending Litigation, and invited the Mayor and Law Director to attend. McGee seconded. A roll call vote was taken as follows: Butler, aye; Risner, aye; Crowl, aye; Fahl, aye; Kotses, aye; McGee, aye; and Grace, aye.

At approximately 8:15 p.m., Fahl moved to come out of Executive Session; Risner seconded. Motion was approved unanimously. Fahl then moved to adjourn the meeting; Risner seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council