

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, MAY 21, 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 May 7, and the Special Session held May 14, 2018; Risner seconded. Minutes were unanimously approved as presented.

**COMMUNICATIONS:**

**Council Member Risner** reported that the Ohio Wildlife Council has decided to table indefinitely the vote on a Bobcat trapping season.

**REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:**

**Mayor Patterson** shared the following:

- Saturday, May 19<sup>th</sup>, was the historic marker unveiling at the National Guard Armory. A commendation was received from The Ohio History Connection, and recognition from Governor Kasich's office.
- Report from January 1 through May 21, 2018, indicates the Big Belly System is diverting 39% single-stream recycling from the landfill.
- The following 2040 Comprehensive Plan Neighborhood Open Houses/Workshops have been scheduled: the Far East Side on Thursday, June 7, 11:00am to 1:00pm in Room "B" and 6:00pm to 8:00pm in Room "C" at the Community Center; and all others will be held from 11:00am to 1:00pm and 5:00pm to 7:00pm: with the Near East Side on Tuesday, June 12, at the Athens County Public Library; North Side on Thursday, June 14, at the Highland Park Pavilion; West Side on Tuesday, June 26, at ARTS/West; and the South Side is scheduled, Thursday, June 28, at the Ohio University Inn.

## **ORDINANCES FOR THIRD 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. Fahl moved for Adoption; Risner seconded. Adoption was approved unanimously.

### **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. Fahl moved for Adoption; Crowl seconded. Adoption was approved unanimously.

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

### **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. Butler moved for Adoption; Fahl seconded. Adoption was approved unanimously.

### **0-63-18**

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

## **ORDINANCE FOR SECOND READING:**

### **0-53-18**

AN ORDINANCE AUTHORIZING 2018 STREET PAVING AND REPAIRS (PROJECT #319). Kotses moved for Suspension of the Rules in order to allow the City's paving schedule to commence at its earliest date; Risner seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

## **ORDINANCES FOR FIRST READING:**

### **0-66-18**

AN ORDINANCE AMENDING TITLE 11, BUSINESS REGULATIONS, CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING. Discussion: McGee explained that this amendment is to open public parking spaces after 12:00pm daily that are often times underutilized by vendors. Vendors who are unable to reserve a space by 12:00pm can receive a meter bag from the Division of Parking Enforcement to hold the parking space until 3:00pm. All other vending issues, size of on-street vending spaces, fees charged, location, etc. can be examined through the creation of an Ad Hoc Committee. The purpose of this amendment, again, is to open public parking spaces, within a reasonable time, currently reserved but not all being used by vendors.

Fahl suggested a review of the City's Parking Inventory before making the proposed changes. She would like to look at the Vending Code in a more holistic way, it is not just about parking spaces; this proposal seems haphazard and piecemeal. She believes an Ad Hoc Committee should be created before any changes to the Vending Code are made.

Crowl echoes Fahl's comments about taking a holistic approach.

Butler acknowledged that McGee is listening and advocating for his constituents in their need for parking. Parking in uptown Athens has been a concern for a long time. However, the Municipal Parking Garage almost always has parking available throughout the day, and suggested that the City should market it to the general public.

McGee countered that the reality is that parking spaces reserved for vendors are not being used for vending and could be made available for public parking.

Judy Roman, Northwood Drive, questioned whether the City has police patrolling in the Municipal Parking Garage and on the street.

Fahl responded there are security cameras in the Parking Garage.

Mayor Patterson added that Parking Enforcement Officers monitor the Parking Garage and on-street parking.

**0-67-18**

AN ORDINANCE APPROVING THE ATHENS-HOCKING SOLID WASTE MANAGEMENT PLAN. Discussion: Butler noted that the Plan highlights the following programming: curbside recycling, drop-off recycling, yard waste management, household hazardous waste management, scrap tire collection, electronics recycling, recycle day events, commercial cardboard collection, school recycling collection, residential education and awareness, commercial/industrial education and technical assistance, litter collection, "buy recycled" promotion, disaster debris management assistance, and financial assistance for communities and entities, among many other aspects of the Plan.

Risner understands that the market for recyclables is in a slump. His concern is, that if the market is depressed, what happens to the material until such time as the market recovers.

Roger Bail, Coordinator for the Athens-Hocking Solid Waste District, responded that the commodities markets are quite suppressed at this time. Whether profitable or not, EPA mandates access-based recycling. The markets are always in flux and after the recent drop appear to have now stabilized. Recycling will continue; it is good for the environment, good for the next generation, and preserves our natural resources.

Risner understands that recycling is EPA mandated, however, if there is no market for the material that is being collected, what happens to it.

Bail responded that the materials will continue to be processed. It is not that there is no market for it, just that, economically, it is not profitable. Processing recyclables is at a cost and needs to be subsidized to survive. Fees for recycling are collected for trash that goes into the landfill, \$1.00 per ton in-district along with a \$3.00 per ton generation fee. The materials are being processed; they are not going to the landfill.

McGee asked whether, in this Plan, residents will be asked not to recycle certain materials.

Bail indicated that the Plan addresses four (4) recyclables, regardless of markets, that will be recycled. These are old corrugated cardboard (OCC), Universal Beverage Cans (UBC, or aluminum), steel or tin cans, and paper fiber (newspaper/office paper). All others will continue as long as there is money to cover the operation.

McGee asked if Bail is aware of any program for the return of beverage bottles through deposits.

Bail responded that there is a lot of pressure against it from the bottle manufacturers, breweries and distilleries due to contaminants. Any change would have to come through a Bill at the State level, and there is nothing moving forward at this time.

Fahl believes it is important to look at recycling long-term; it's the right thing to do for our future. Waste, whether it is going into the landfill or being processed for recycling, costs money.

Mayor Patterson asked Bail to highlight for Council any financial assistance changes within this Plan.

Bail noted a grant incentive that is being offered by the Solid Waste District to any public entity to start some type of sustained recycling program. The grant funding would be earmarked for equipment or processing to improve the recycling system.

The Mayor asked if composting was added as a granting mechanism in this Plan.

Bail stated that composting is an eligible grant program.

#### **0-68-18**

AN ORDINANCE CLOSING A PORTION OF UNION STREET BETWEEN COURT AND CONGRESS ON SATURDAY, AUGUST 18, 2018, FROM 8:00 A.M. TO 10:00 P.M. FOR AN UPTOWN ART EVENT. Discussion: McGee questioned the appropriateness of the location. He supports this event, and suggested closing Union between Court and College Streets as a better location.

Grace questioned whether the area between Court and Congress will be large enough for a food/beverage area, a performance stage, and art vendors.

Fahl suggested checking with the event sponsor.

Kotses understands that the sponsor, Athens Municipal Arts Commission (AMAC), has been promoting this event for some time, and has carefully vetted this location during that process.

Mayor Patterson agrees that this event and location has been carefully thought-through by AMAC. This is an inaugural art event that could grow in the future and would likely outgrow this area moving forward.

#### **0-69-18**

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 13.04.10, UNNECESSARY NOISE, ON UNION STREET AND CONTIGUOUS PROPERTY TO UNION STREET, ON AUGUST 18, 2018, FOR AN UPTOWN ART EVENT.

#### **0-70-18**

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, AUGUST 18, 2018, DURING AN UPTOWN ART EVENT.

**0-71-18**

AN ORDINANCE AMENDING THE 2018 APPROPRIATION ORDINANCE. Risner moved for Suspension of the Rules in order that the refund check from BWC can be used toward the payment due to BWC on June 1<sup>st</sup>; Fahl seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

**ANNOUNCEMENTS & OTHER BUSINESS:**

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

President Knisely announced that Athens City and County leaders have been invited to a reception being hosted by Ohio University Present Nellis on the evening of Thursday, May 24<sup>th</sup>.

Also, due to the Memorial Holiday next Monday, City Council will be meeting in Committee on Tuesday, May 29<sup>th</sup>.

At approximately 8:15 p.m. Fahl moved to adjourn the meeting; Risner seconded. Motion was approved unanimously.

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President of Council

ATTEST:

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Clerk of Council