

**ATHENS CITY COUNCIL: REGULAR SESSION, TUESDAY, SEPTEMBER 3, 2019, 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, Law Director Eliason, and Auditor Hecht.

**DISPOSTION OF MINUTES:**

Fahl moved approval of the minutes of the Regular Session of City Council held August 19, 2019; Kotses seconded. Minutes were unanimously approved as presented.

**COMMUNICATIONS:**

**Council Member Kotses** reminded everyone that the Athens City School Board will be meeting on Thursday, September 19, at 6:30 p.m. in the high school auditorium. The architect will be present and would like public participation on the overall look of the proposed new buildings.

**Council Member McGee** has had several citizens asking about the elevators not operating in the Municipal Parking Garage. He understands there was damage due to a lightning strike, and requested the City's full attention on this as it is a hardship for those with disabilities and other challenges.

**Council Member Crowl** announced a meeting of the Environment & Sustainability Commission tomorrow evening at 6:15 p.m. in the City Building in the first floor conference room. Speaking at the meeting will be Shawn Beasley of the Athens Water Treatment Plant.

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

**Auditor Hecht** announced receipt of the Auditor of State Award.

**Mayor Patterson** reported the following:

- 10% of the Nation will receive the annual American Community survey. This survey helps inform the distribution of \$675 million. He strongly encouraged those who receive it to complete and return it, as it is an important survey.
- Deputy Service-Safety Director has put together a map of the different metered zones, low, medium, and high intensity. It can be found on the City's Website.

- New 10-hour meters (\$.50 cents an hour) are being installed at Southside Park near the shelter house on Dairy Lane.
- Confirmed that two CPU units in the elevators were damaged by lightning. The parts have been ordered with expected delivery this week. He agrees, nonoperational elevators are having a severe impact, and he hopes they will be fixed later in the week.

#### **ORDINANCES FOR THIRD READING:**

##### **0-75-19**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE CITY OF ATHENS AND THE CITY OF DAYTON. Butler moved for Adoption; Risner seconded. Adoption was approved unanimously.

##### **0-76-19**

AN ORDINANCE AMENDING ORDINANCE 91-18, AUTHORIZING DESIGN ENGINEERING SERVICES ASSOCIATED WITH THE CITY/COUNTY SEWER EXPANSION PROJECT (#317). Butler moved for Adoption; Fahl seconded. Adoption was approved unanimously.

##### **0-77-19**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO RENEW A LEASE AGREEMENT WITH OHIO UNIVERSITY. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

##### **0-80-19**

AN ORDINANCE AMENDING THE 2019 APPROPRIATION ORDINANCE. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

#### **ORDINANCES FOR SECOND READING:**

##### **0-83-19**

AN ORDINANCE AMENDING ORDINANCE 32-19, AUTHORIZING 2019 STREET PAVING AND REPAIRS.

##### **0-84-19**

AN ORDINANCE CLOSING PARK PLACE, WEST MULBERRY STREET, AND A PORTION OF COURT STREET ON WEDNESDAY, SEPTEMBER 18, 2019, WITH A RAIN DATE SET FOR THURSDAY, SEPTEMBER 19, 2019, FROM 4:00 P.M. TO 8:00 P.M. FOR A BARBEQUE SPONSORED BY THE JOINT POLICE ADVISORY COUNCIL (JPAC).

**0-85-19**

AN ORDINANCE AMENDING THE 2019 APPROPRIATION ORDINANCE. Risner moved to Amend Section I to add \$13,300 to General Fund, Parking Enforcement, 101.718, T.C. 500, so an outstanding payment can be made on the new parking meters; Butler seconded. Amendment was approved unanimously. Risner moved for Suspension of the Rules; Butler seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

**0-86-19**

AN ORDINANCE AUTHORIZING A DELINQUENT DEBT COLLECTION AGREEMENT BETWEEN THE OHIO ATTORNEY GENERAL AND THE CITY OF ATHENS INCOME TAX DEPARTMENT.

**0-87-19**

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 29, HOUSING REGULATIONS, SECTION 29.09.02, PENALTIES. Discussion: Damon Krane, Hudson Avenue, agrees with this change in penalties, stressing that enforcement must be a part of the increased penalties. Unfortunately, the Code Enforcement Office is severely understaffed with only four rental housing inspectors, as such they are a complaint-driven agency. He also advised that a single offense that is not corrected needs to have follow through as stated in the Athens City Code that each calendar day such violation continues shall constitute a separate and complete offense. Again, enforcement of current laws is key.

Ellie Hamrick, south side resident, is also pleased that this legislation is moving forward. However, she is concerned that it does not go nearly far enough to protect the vast majority of renters in the City. Tougher penalties need to be in place for landlords with multiple violations, but there is also a need to strengthen the Housing Code regulations and adequately staff the Code Enforcement Office so that they can be proactive and not rely on complaints. Letting landlords off the hook by treating multiple violations as one remains standard operating procedure. She questioned raising penalties when there is no adequate system in place for inspecting properties, identifying violations, or enforcing them.

**ORDINANCES FOR FIRST READING:**

**0-88-19**

AN ORDINANCE TO ADOPT THE CITY OF ATHENS AFFORDABLE HOUSING PLAN TO SUPPORT ACCESSIBILITY, SUSTAINABILITY, AND ECONOMIC DEVELOPMENT. Discussion: Kotses asked if this would be referenced as part of the City's Comprehensive Plan.

Grace believes that it will be a reference in the Comprehensive Plan. It is a guiding document for the Council, with specific actions that she will be moving forward on upon adoption.

Risner asked about the section referring to property tax exemptions/reductions as recommendations since the City does not have a property tax. The City has no power.

Grace noted that partnerships are encouraged between agencies.

Risner questioned having language in the plan that we cannot enforce.

Fahl disagrees, circumstances change and it can possibly be used as a tool in the future.

Grace believes this language to be beneficial even though we don't have the power of control.

Mayor Patterson appreciates this plan in that there is developable land in the City, but developers cannot pay for the expense of the infrastructure and still keep down the cost of the housing. Neighborhood redevelopment tax incremental financing is a way the City can assist developers by lifting the burden of the cost of the infrastructure, and in return the developer can build more affordable housing.

**0-89-19**

AN ORDINANCE CLOSING A PORTION OF COURT, WASHINGTON, AND STATE STREETS ON MONDAY, OCTOBER 28, 2019, FROM 5:30 P.M. TO 8:00 P.M. FOR TRICK-OR-TREAT HOSTED BY THE ATHENS UPTOWN BUSINESS ASSOCIATION; AND DECLARING AN EMERGENCY.

**0-90-19**

AN ORDINANCE BANNING PARKING AND CLOSING THAT PORTION OF COURT STREET FROM MULBERRY TO CARPENTER ON OCTOBER 26, and 27, 2019, IN ANTICIPATION OF A LARGE NUMBER OF PEOPLE CONVERGING ON DOWNTOWN ATHENS (HALLOWEEN WEEKEND); AND DECLARING AN EMERGENCY.

**0-91-19**

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 13.04.10, UNNECESSARY NOISE, FOR SCHEDULED BANDSTAND PERFORMANCES, HOSTED BY THE CLEAN AND SAFE HALLOWEEN COMMITTEE ON OCTOBER 26 AND 27, 2019 (HALLOWEEN WEEKEND); AND DECLARING AN EMERGENCY.

**0-92-19**

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON OCTOBER 26 AND 27, 2019 (HALLOWEEN WEEKEND); AND DECLARING AN EMERGENCY.

**0-93-19**

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 7.05.26(C), REGULATION OF CITY PARKING GARAGE RATES, ON OCTOBER 25, 26 AND 27, 2019 (HALLOWEEN WEEKEND); AND DECLARING AN EMERGENCY.

**0-94-19**

AN ORDINANCE AMENDING ORDINANCE 99-17; THE REVISED AGREEMENT WITH THE BOARD OF ATHENS COUNTY COMMISSIONERS TO EXTEND SANITARY SEWER COLLECTION SERVICES TO UNINCORPORATED PORTIONS OF THE COUNTY.

**0-95-19**

AN ORDINANCE DESIGNATING THE ZONE FOR THE ANNEXATION AREA ON HILLCREST DRIVE.

**RESOLUTION FOR SECOND READING:**

**R-07-19**

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES, AND CERTIFYING THEM TO THE COUNTY AUDITOR.

**ONE-READING RESOLUTION:**

**R-08-19**

A RESOLUTION REQUESTING THE ATHENS CITY PLANNING COMMISSION CONSIDER AMENDING THE ZONING CODE TO INCLUDE SHORT-TERM RENTALS IN RESIDENTIAL ZONES WITHIN THE CITY OF ATHENS. Fahl moved for Adoption; Butler seconded. Discussion: Fahl explained that this is the first step in the process to change regulations to provide for short-term rentals. The Planning Commission is being asked to make a recommendation to City Council on the needed changes to the Zoning Code. While that process is underway she will bring forward through committee a fuller discussion of amending Athens City Code Title 11, Business Regulations, to include short-term rental requirements and licensing.

McGee asked if hostels would be included.

Fahl responded that this does not include hostels, as they are regulated differently under the Ohio Revised Code.

Kotses understands that the market may be changing because tourists are less likely to stay in an owner-occupied house; that particular model is evolving.

Grace has spoken with citizens who would like this opportunity as it offers added income that may be necessary to keep them in their home, or even to obtain a mortgage for a home.

Crowl asked if a public hearing is required by the Planning Commission.

Fahl responded that it is not required, however, the Planning Commission can decide to hold one if it deems it is appropriate.

Crowl believes the public would like to be involved and would encourage the Planning Commission to schedule a public hearing.

Fahl noted that the change in Title 11, Business Regulations, will also allow time for public input at upcoming Council discussion.

Mayor Patterson asked if a renter would be permitted to have a license for a short-term rental.

Fahl responded that a renter does not qualify.

#### **ANNOUNCEMENTS & OTHER BUSINESS:**

- Fahl moved approval of the July, 2019, Credit Card Transactions; Risner seconded. Motion was approved unanimously.

At approximately 8:00 p.m. Fahl moved to adjourn; Grace seconded, and the meeting was adjourned.

---

President of Council

ATTEST:

---

Clerk of Council