

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, SEPTEMBER 21, 2020, 7:00 P.M.

Athens City Council met in Regular Session at the above hour. Due to concerns with COVID-19 the following members met via videoconference: Clodfelter, Crowl, Fahl, Kotses, Grace, Risner and Smedley.

Also present via videoconference: President Knisely, Mayor Patterson, Auditor Hecht, and Law Director Eliason.

DISPOSITION OF MINUTES:

Risner moved approval of the minutes of the Regular Session of City Council held September 8, 2020; Kotses seconded.

COMMUNICATIONS:

President Knisely has been informed that, effective today, the City's 24-hour parking regulation will be enforced.

Council Member Risner is in receipt of a communication from a resident regarding the status of the City's Trick-or-Treat plan for this year. He informed the constituent that this is an administrative decision, and he has requested the Mayor inform the public of the City's plans.

Council Member Crowl reminded everyone that this is Pollution Prevention Week. The City of Athens and Ohio University along with the Athens Soil & Water Conservation District have teamed together to recognize this week. The focus is on storm water with Ohio University students marking storm drains as a reminder that these do flow to the Hocking River. Also, there is a Jellyfish Garden Art installation, presented by Campus Recycling and Zero Waste at Ohio University, bringing attention to plastic bag reduction and pollution. The Sustainability Film Series will begin Wednesday evening.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Status of 2020 Street Improvements – This week there will be milling and paving on Pomeroy Road between Longview Hts. and Richland Avenue; and on Playground Drive between Mill and Kurtz. Two-way traffic will be maintained.
- Notification from Glen Crippen, Director of Housing and Development at HAPCAP, indicating that the 2020 Community Housing Impact and Preservation Program (CHIP) has been funded for 2021.
- Ohio University has been working with CVS Pharmacy to get 10,000 COVID-19 tests. Next week they will start testing 200 asymptomatic

individuals per week. The City will likely see an increase in cases as this testing gets underway.

- Neighborhood Trick-or-Treating – The Ohio Department of Health has come out with guidelines for trick-or-treat. It is strongly recommended that hayrides and haunted houses are canceled or avoided. It is strongly recommended that Ohioans recognize caution when deciding to participate in trick-or-treating events that will put them in close contact with people outside their own households.

There will not be a Halloween Block Party this year in which there are entertainment stages and other events happening. Also, the Athens Uptown Business Association (AUBA) has decided they will not be having trick-or-treating on Court Street this year.

Residents trick-or-treating in residential neighborhoods need to be cognizant of being responsible and safe through social-distancing and no gatherings in groups of 10 or more.

Clodfelter agrees in principle, but she is worried about the near east side where hundreds of children trick-or-treat. She is concerned about the possibility of the coronavirus spreading if trick-or-treating is allowed.

The Mayor understands and would encourage people not to distribute candy on Halloween.

ORDINANCES FOR THIRD READING:

0-94-20

AN ORDINANCE REZONING 42 ELLIOT STREET, 20, 21 AND 25 CAMPBELL STREET, AND THE ABANDONED RAILROAD RIGHT-OF-WAY FROM A B3 ZONE (BUSINESS) TO AN M-INDUSTRIAL ZONE. Fahl moved for Adoption; Grace seconded. Discussion: This rezoning will help to expand our manufacturing zone in order to diversify the economy.

Clodfelter strongly supports this rezoning and its importance to the economy.

Kotses encouraged looking at other areas of the City as well.

Fahl acknowledged that other areas are being explored as part of the 2040 Comprehensive Plan.

Adoption was approved unanimously.

0-95-20

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 29, HOUSING REGULATIONS, CHAPTER 29.02, DIVISION OF HOUSING INSPECTION.

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

0-96-20

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY PERMIT TO ROBERT AND LOIS WHEALEY, OWNERS, 100-102 MILL STREET, TO ALLOW A FENCE. Fahl moved for Adoption; Grace seconded. Adoption was approved unanimously.

0-98-20

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE A TEMPORARY EASEMENT AND RIGHT-OF-WAY AGREEMENT WITH THE OHIO POWER COMPANY (AEP) FOR INSTALLATION OF ELECTRICAL EQUIPMENT AT THE WATER TREATMENT PLANT. Fahl moved for Adoption; Clodfelter seconded. Discussion: Fahl explained that this will allow AEP to install an experimental micro-grid at the Water Treatment Plant.

Mayor Patterson said Athens is one of only two sites in the State of Ohio. Adoption was approved unanimously.

ORDINANCES FOR FIRST READING:

0-103-20

AN ORDINANCE AUTHORIZING THE CREATION OF THE UNIVERSITY ESTATES INCENTIVE DISTRICT WITHIN THE CITY OF ATHENS; DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN SUCH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT OR SERVE THE REAL PROPERTY WITHIN SUCH INCENTIVE DISTRICT; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; CREATING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS; AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT WITH THE PROPERTY OWNERS IN SUCH INCENTIVE DISTRICT.

Discussion: Fahl explained that by using tax incremental financing (TIF) as a way to lower the developer's costs for infrastructure improvements affords an opportunity for reduced housing costs. This development will consist of 50 townhome units, with universal design, and will be deed-restricted to owner-occupied for the first five years.

Grace indicated that the Affordable Housing Commission discussed this development in their meeting today. It is the Commission's hope that these new units will serve the population that needs access to affordable, energy efficient, and accessible housing.

Clodfelter asked for further clarification on the tax structure.

Fahl explained that 75% of the taxes received from the improvements to this property, increased property valuation, will go into a special (TIF) fund to be used to pay the debt acquired for the needed

infrastructure. After a 10-year period the tax distribution will return to 100%.

Auditor Hecht clarified that these are City tax dollars being used to subsidize the infrastructure.

Mayor Patterson noted that the remaining 25% will be distributed to those who typically receive that property tax.

0-104-20

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 23, ZONING CODE, TO INCLUDE SOLAR ENERGY SYSTEMS.

0-105-20

AN ORDINANCE DESIGNATING SEAMAN'S GROCERY, LOCATED AT 305 WEST UNION STREET, AS A LOCAL HISTORIC DESIGNATION.

0-106-20

AN ORDINANCE DESIGNATING THE ATHENS DOWNTOWN HISTORIC DISTRICT AS A LOCAL HISTORIC DESIGNATION. Discussion: Smedley asked if the Athens Uptown Business Association was involved in this process and whether they offered any feedback.

Fahl responded that they have been a partner throughout the process with positive feedback.

0-107-20

AN ORDINANCE AMENDING THE 2020 APPROPRIATION ORDINANCE; AND AUTHORIZING THE AUDITOR TO MAKE INTERFUND TRANSFERS. Crawl moved for Suspension of the Rules in order to meet expenses of the Community Center; Kotses seconded. Suspension of the Rules was approved unanimously. Crawl moved for Adoption; Clodfelter seconded. Adoption was approved unanimously.

0-108-20

AN ORDINANCE AMENDING ORDINANCE 101-20; APPROVING THE CITY OF ATHENS COVID-19 CITY UTILITY ASSISTANCE RELIEF GRANT PROGRAM AND AUTHORIZING AN AGREEMENT WITH HOCKING ATHENS PERRY COMMUNITY ACTION (HAPCAP) TO ADMINISTER SAID PROGRAM. Crawl moved for Suspension of the Rules in order to meet CARES Act funding guidelines; Clodfelter seconded. Suspension of the Rules was approved unanimously. Crawl moved for Adoption; Risner seconded. Discussion: Grace commented that this is a very important measure for our residents struggling to meet their utility bills, and asked how soon applications will be available.

Mayor responded that the process should be underway within a week. Adoption was approved unanimously.

0-109-20

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO, OR TO EXTEND THE AGREEMENT WITH THE BOARD OF ATHENS COUNTY COMMISSIONERS FOR THE PURPOSE OF OBTAINING THE SERVICES OF THE PUBLIC DEFENDER'S OFFICE THROUGH DECEMBER 31, 2021.

Discussion: Crowl noted that in looking at past history expenses, the \$100,000 amount appears to be in line.

0-110-20

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$123,411 OF NOTES BY THE CITY OF ATHENS, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF RENEWING NOTES PREVIOUSLY ISSUED FOR THE PURPOSE OF PAYING PART OF THE COSTS OF ACQUIRING A NEW PUMPER TRUCK AND RELATED EQUIPMENT; AND DECLARING AN EMERGENCY. Discussion: Crowl commented that the City and Ohio University partner in paying for this pumper truck.

Risner asked whether this is the final payment

Mayor Patterson responded that there will still be a balance.

Auditor Hecht said there will be an approximately \$123,000 balance remaining.

RESOLUTION FOR SECOND READING:

R-12-20

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.

Crowl moved for Suspension of the Rules in order to meet the October 1, deadline for submission to the County; Grace seconded. Suspension of the Rules was approved unanimously. Crowl moved for Adoption; Smedley seconded. Discussion: Auditor Hecht explained that this is annual legislation required to collect the inside millage for property within the incorporated area, approximately \$900,000.

Risner clarified that these property taxes are needed for roadway and bridge maintenance within the City.

Adoption was approved unanimously.

ANNOUNCEMENTS & OTHER BUSINESS:

Smedley moved to confirm the Mayor's Reappointment of Lisa Carson to an additional 3-year term expiring 8/2023 on the Board of Zoning Appeals; Crowl seconded. Reappointment was approved unanimously.

Risner moved to confirm the Mayor's Reappointments of Carol Patterson, Elizabeth Braun, and Josh Birnbaum to an additional 2-year term expiring on

11/2022, and Chelsa Morahan to an additional 2-year term expiring on 10/2022 on the Municipal Arts Commission; Clodfelter seconded. Reappointments were approved unanimously.

Risner moved to Accept the Auditor's August, 2020, Financial Reports; Fahl seconded. Motion was approved unanimously.

Fahl moved to Accept the Auditor's August, 2020, Credit Card Transactions; Grace seconded. Motion was approved unanimously.

At approximately 8:00 p.m. Smedley moved to Adjourn; Fahl seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council