

MINUTES
CITY & SAFETY SERVICES COMMITTEE
September 23, 2019
7:00 p.m.

Members in Attendance: Kent Butler, Chair
Chris Fahl, Vice-Chair
Sarah Grace, Member

Administrators and/o
Other Elected Officials: President Knisely
Mayor Patterson

ITEMS DISCUSSED:

- Columbia Avenue Sewer/Slip Repair (design)
 - Butler – Public Works Director Heady is requesting authorization to advertise sewer repairs for a Columbia Avenue sanitary sewer due to a slip – east of 108 Columbia Avenue there is a failing sewer line, approximately 300 feet in length that is threatened further by land slippage – additionally, this is an aging clay pipeline – this line serves approximately 50 houses – a field survey and geotechnical analysis have been performed, and a retaining wall to stabilize the line as well as the hillside is in the final design stages – the City has applied for FEMA funding – FEMA reimbursement would be about 87.5% with 75% Federal dollars and 12.5% from the State EMA – FEMA granted the City a timeline extension for completion to December 20, 2019
 - Fahl – how probable is it that FEMA will reimburse construction costs
 - Mayor – City has been successful in other slip applications to FEMA – this is roughly a \$300,000 project -- \$35,000 has been expended on engineering which is also eligible for reimbursement
 - Fahl – questioned if FEMA declines funding whether the State automatically follows suit
 - Mayor – believes that's the way it works
 - Peter Hoffman-Pinther, 108 Columbia Avenue – this sanitary sewer line affects homes on Briarwood, Northwood and Columbia – this line is under a lot of pressure from the hillside – without immediate attention it will continue to decline and the project will expand

ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:

1. Sewer/Slip Design

MINUTES: FINANCE & PERSONNEL COMMITTEE
September 23, 2019
7:00 p.m.

Members in Attendance: Jeff Risner, Chair
Kent Butler, Vice-Chair
Peter Kotses, Member

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson

ITEMS DISCUSSED:

- 2020 Public Defender Contract (authorization)
 - Risner – the 2019 contract to obtain Public Defender services authorized the Mayor to expend up to \$160,000 – request is to authorize the amount for the 2020 contract services

 - Mayor – the rates typically change annually

 - Kotses – asked if the 2020 rate will increase
 - Risner – recalls that the rates increased significantly in 2018, however, the 2020 contract appears to indicate a decrease at this time

 - McGee – questioned whether the City has a process in place to recoup any of this cost – possibly through Court costs
 - Mayor – will research and report to Council

- Appropriations/Transfers
 - Risner – request appropriation of \$36,000 to Parking Enforcement for IPS backend service fees
 - Mayor – an invoice has been received and there is parking revenue available to appropriate for payment

ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:

1. Public Defender Contract
2. Appropriations/Transfers

MINUTES
PLANNING & DEVELOPMENT COMMITTEE
SEPTEMBER 23, 2019
7:00 p.m.

Members in Attendance: Chris Fahl, Chair
Jeff Risner, Vice-Chair
Patrick McGee, Member
Sarah Grace, Member

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson

Items Discussed:

- Nonconforming Uses, amend ACC 23.05.02
 - Fahl – this is a recommendation by the Athens City Planning Commission (PC) – the PC would like to make the following change to ACC 23.05.02(A) to read as follows: (A) Substitution: When authorized by the **BZA SERVICE-SAFETY DIRECTOR OR HIS/HER DESIGNEE**, the substitution for a nonconforming use of another not more objectionable nonconforming use may be made. However, in an R-Zone, no change shall be authorized to any use that is not a permitted or conditionally permitted use in any B-Zone. – the PC’s recommendation is to reduce the number of variances that are nonconforming, yet are not considered a more objectionable nonconforming use
 - McGee – asked about notice requirements to neighbors
 - Mayor – the normal process stays in place – this will simply streamline a process that now consistently comes before the BZA and is approved unanimously time and again – this does not apply to major modifications
 - Grace – questioned whether the Service-Safety Director would authorize the Code Director to approve such changes
 - Mayor – ultimately, it will be the Service-Safety Director until such time as he would authorize a designee
 - President – asked who makes the decision on whether the change is more or less nonconforming
 - Mayor – Code Enforcement
 - Joan Kraynanski, Mound Street – served on the Board of Zoning Appeals (BZA) for 6 years – she experienced many of these situations under this substitution category – she recalls times when the BZA’s vote was not unanimous and the change of the non-conforming use was denied –

parking variances comprised many of the changes – separation of powers is important – should be kept before the BZA for transparency so that it is examined by four citizen members that are appointed and approved to make these decisions – the public has an opportunity to view how these actions are reviewed by City government – without public notice how will adjoining property owners be given the opportunity to appear or make comments – recommended Council view the PC's discussion and listen to the comments made by Member Bain, the dissenting vote – Bain has experience as a former member of the BZA, City Council, and now serves on the PC

-Fahl – agrees, transparency and separation of powers are vitally important and would like this discussion to continue