

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, OCTOBER 15, 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, Service-Safety Director Stone, Law Director Eliason, and Auditor Hecht.

DISPOSITION OF MINUTES:

Risner moved approval of the minutes of the Regular Session held October 1, 2018; Fahl seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

Council Member Fahl thanked those serving on the Affordable Housing Commission for the effort they have put forward so soon after being established.

Council Member Kotses announced that the Athens City School Board will be meeting on Thursday, October 18, at 6:30 p.m. in the high school auditorium.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Auditor Hecht updated City Council on the 2017 audit. No management letter was issued, however, there were two findings, both bookkeeping issues.

Mayor Patterson announced the following:

- East State Street/Rt. 33 Project – contractor's current goal is to begin milling and paving on East State Street beginning October 22, and expect (weather dependent) the on-ramp to Rt. 33/50 will open on Thursday.
- Highland Park – removing old playground equipment and working on ADA accessibility in the parking lot area, as well as a ramp going up to the playground.
- ARTS-West lower level renovations have been completed. It is anticipated that the railing on the ADA ramp on the parking lot side to be completed by the 29th.

Risner asked if the 2018 street paving and repairs are complete.

Mayor responded that there is still work being done on Columbia and North Lancaster, along with some curb replacement on Spring, but by and large the project is completed.

ORDINANCES FOR THIRD READING:

0-102-18

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO A CONTRACT TO LEASE/PURCHASE SMART PARKING METERS. Kotses moved to Amend Section I to remove “~~with the lowest ad best bidder advertised~~” and to change the Ohio Revised Code section from “~~735.05~~” to 9.48, Joint Purchasing Programs; Fahl seconded. Motion to Amend was approved unanimously.

0-103-18

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE TITLE 7, TRAFFIC CODE, CHAPTER 7.05, PARKING REGULATIONS. Fahl moved for Adoption; Risner seconded. Discussion: Crawl questioned approving these changes prior to adopting the previous ordinance to contract for the lease/purchase of the smart parking meters.

Fahl responded that enforcement of the regulations can still go into effect without the new meters.

Mayor Patterson indicated that the smart parking meters would simply enhance payment options.

Fahl noted that if Ordinance 102-18 does not pass, the legislation can remain on the books until such time as smart meters are approved for purchase.

Butler expressed some concern with extending the hours of enforcement to 8:00 p.m., however, supports the use of “zone” parking.

McGee shares Butler’s concern with the extended time for enforcement. He doesn’t see any real need to change the rates or extend the hours of enforcement. He supports, fully, all other aspects of the ordinance.

Kotses supports the Administration’s efforts through the various parking studies, and in challenging the status quo to improve parking in the uptown business area.

Grace also supports the City Planner’s thoroughness in studying the parking situation and working on a plan that best supports both the businesses and users of uptown parking spaces. She noted the opportunities to park in the Parking Garage for extended periods of time, and encouraged users to consider that option in conjunction with this change.

Butler has been approached by citizens that don’t feel safe parking in the Parking Garage in the evenings. He hopes the City can be creative in addressing this on some level.

Mayor Patterson is looking at ways to improve the Parking Garage aesthetically through enhanced lighting and/or painting for brightness, and color-

coding the levels along with the numbers. He also clarified that the rates in the Parking Garage will be less than those on the street with these changes, and that there are generally a large number of parking spaces at any given time in the Parking Garage. The Mayor pointed out that the intent of metered parking in any municipality is to cycle people in and out of the spaces to improve economic development in the uptown business area. He is hopeful that the extended hours will do the same for uptown commerce.

Judith Roman, Northwood Drive, disagrees with extending meter enforcement until 8:00 p.m. She, as well as many other women she has spoken with, will not park in the Parking Garage after dark; it doesn't feel safe. Many residents are thinking that the City is greedy in enforcing meters an additional two hours.

Adoption was approved by a vote of 6-1, with McGee voting in opposition.

0-105-18

AN ORDINANCE AMENDING THE 2018 STAFFING LEVELS AUTHORIZED BY ORDINANCE 151-17; AND DECLARING AN EMERGENCY. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-106-18

AN ORDINANCE GRANTING A REVOCABLE LICENSE TO CAMERON FULLER, OWNER, 97 COLUMBUS ROAD, TO ALLOW AN EXISTING CONCRETE PAD TO ENCROACH ON THE CITY RIGHT-OF-WAY.

0-107-18

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$323,411 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. Risner moved for Suspension of the Rules in that the note is due on October 19th; Crowl seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Crowl seconded. Adoption was approved unanimously.

0-108-18

AN ORDINANCE AMENDING THE 2018 APPROPRIATION ORDINANCE.

0-109-18

AN ORDINANCE BANNING PARKING AND CLOSING THAT PORTION OF COURT STREET FROM MULBERRY TO CARPENTER ON OCTOBER 26, 27, and 28, 2018, IN ANTICIPATION OF A LARGE NUMBER OF PEOPLE CONVERGING ON DOWNTOWN ATHENS (HALLOWEEN WEEKEND); AND DECLARING AN EMERGENCY. Kotses moved for Suspension of the Rules in order that the legislation is in place prior to the event; Butler seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-110-18

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 27 AND 28, 2018 (HALLOWEEN WEEKEND); AND DECLARING AN EMERGENCY. Kotses moved for Suspension of the Rules in order that the legislation is in place prior to the event; Butler seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-111-18

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON OCTOBER 27 AND 28, 2018 (HALLOWEEN WEEKEND); AND DECLARING AN EMERGENCY. Kotses moved for Suspension of the Rules in order that the legislation is in place prior to the event; Fahl seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Crowl seconded. Discussion: Crowl asked if it is common for the vendors to pay the \$50.00 fee for electric.

Service-Safety Director Stone believes that it is about half. Others have their own generators.

Adoption was approved unanimously.

0-112-18

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 7.05.26(C), REGULATION OF CITY PARKING GARAGE RATES, ON OCTOBER 26, 27 AND 28, 2018 (HALLOWEEN WEEKEND); AND DECLARING AN EMERGENCY. Kotses moved for Suspension of the Rules in order that the legislation is in place prior to the event; Crowl seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Fahl seconded. Adoption was approved unanimously.

ORDINANCES FOR FIRST READING:

0-113-18

AN ORDINANCE ESTABLISHING EAST PARK DRIVE AS A NEW PUBLIC RIGHT-OF-WAY. Discussion: Service-Safety Director Stone explained that there is a new building that has been constructed at the end of this new right-of-way. Currently, access to this building is via an easement granted in the early 1950's that goes through the middle of the new municipal swimming pool. This legislation will correct the situation and provide building frontage onto the public right-of-way of East Park Drive. A revised easement will come back before City Council.

Crowl asked if this will impact the bike path in any way, and about signage to protect users of the bike path.

Stone responded that it will not impact the bike path, as the right-of-way does not cross the bike path. However, the driveway of the new business, noted earlier, does cross the bike path. Owners, through ACC Title 41, have been advised of needed changes to signage. Specifically, they were advised to implement "stop" control. The bike path is considered the major route, so it is appropriate for the driveway to be stop controlled.

Crowl asked if there had been discussion about placing signage on the bike path to warn bikers and pedestrians that there is a road crossing the bike path.

Stone noted that there currently are yield signs in place.

Butler asked about ideal signage.

Stone would like to see a full size stop sign.

0-114-18

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 29, HOUSING REGULATIONS, CHAPTER 29.22, WATER SYSTEM, SECTION 29.22.04, WATER HEATING FACILITIES. Discussion: This will update our City Code to be in line with the Ohio Revised Code.

Risner opposes this legislation; he doesn't think this is a good idea. As a matter of public safety, the installer should continue to be a licensed plumber. He doesn't see a need for this change.

Mayor Patterson explained that the City used to license plumbers and electricians for home building. The City no longer does that and the City Code was changed to reflect that. This one piece stayed in through an oversight. This is cleaning up antiquated Code.

Risner understands that, but there are other forms of certification to verify a qualified installer. He questioned whether there is any other recourse.

0-115-18

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF A PEDESTRIAN CROSSING ON RICHLAND AVENUE PROJECT (#311); AND DECLARING AN EMERGENCY. Kotses moved for Suspension of the Rules as the plans are due by the end of October; Butler seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Butler seconded. Discussion: McGee recalled an earlier discussion about possible additional federal funding.

Mayor Patterson had mentioned earlier that other funding mechanisms were still being explored, notably the Transportation Improvement District (TID) funding, which will fund up to 25% or \$250,000 for a project. The City will likely seek TID funding during the next cycle in February or March.

McGee questioned the City's current share of the project.

President Knisely clarified that the total project cost is \$3,098,046 and that through the National Transportation Act, ODOT will provide 95% of the eligible costs up to a maximum of \$1,812,195 in federal funds.

Adoption was approved unanimously.

0-116-18

AN ORDINANCE EXTENDING THE PILOT RESIDENTIAL PARKING PERMIT PROGRAM FOR ONE YEAR.

0-117-18

AN ORDINANCE CLOSING A PORTION OF COURT, WASHINGTON, AND STATE STREETS ON MONDAY, OCTOBER 29, 2018, 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. Kotses moved for Suspension of the Rules in order that the legislation is in place prior to the event; Grace seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Grace seconded. Discussion: McGee requested that on-street parking not be removed too early.

Mayor Patterson agrees, and this year plans to bag the meters about 3:00 p.m. in order to provide relief to both businesses and patrons, and still be mindful that no orphan vehicles are left within the event area.

Adoption was approved unanimously.

0-118-18

AN ORDINANCE AMENDING THE 2018 APPROPRIATION ORDINANCE.

0-119-18

AN ORDINANCE AUTHORIZING THE AUDITOR TO REDUCE 2018 YEAR-END APPROPRIATIONS.

ANNOUNCEMENTS & OTHER BUSINESS:

Risner moved to Accept the Auditor's September 2018 Financial Reports; Fahl seconded. Motion was approved unanimously.

EXECUTIVE SESSION:

At approximately 8:25 p.m. Fahl moved to go into Executive Session to discuss Pending Litigation and two items of Collective Bargaining, and invited the Mayor, Service-Safety Director, Auditor, and Law Director to attend. Crowl 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 8:45 p.m., Fahl moved to come out of Executive Session; McGee seconded. Motion was approved unanimously. Fahl then moved to adjourn the meeting; Fahl seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council