

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, NOVEMBER 2 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, and Law Director Eliason.

**COMMUNICATIONS:**

**President Knisely** received notice from Jessie Schmitzer, Athens-Hocking County Mobility Manager, that free Athens Transit rides will be offered on Election Day.

**Council Member Crowl** added that the Spin e-scooter company is also offering a free ride on Election Day to provide rides to the polls in a sustainable manner.

**Council Member Clodfelter** reminded all that today was the final day to put absentee ballots in the mail, but that you can still drop it off in the ballot drop box in front of the Board of Elections Office or vote in-person at your regular polling place.

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

Mayor Patterson reported the following:

- Athena Award Ceremony will be virtual on Wednesday, November 4<sup>th</sup>, at 5:00 p.m.
- HAPCAP and the Ohio University Credit Union announced an Athens County micro-loan program. Eligible expenses for up to \$1500 are: car repairs, pay down of a pay day or car title loan, home repair, medical expenses, one-time educational or certificate expenses, and deposit for home or apartment. If interested, please contact: HAPCAP Community Resource Navigator at 740-767-4500 for more detail.
- Looking for volunteers to serve on Boards & Commissions. There are currently two vacancies on the Disabilities Commission, three vacancies on the Joint Police Advisory Commission, and a vacancy on the Shade Tree Commission.
- He and Interim Service-Safety Director Pyle have been engaged in the Ohio Mayors Alliance task force police reform support network.
- He, President Knisely, and Interim Service-Safety Director Pyle are working on a new commission, the Athens City Commission on Diversity, Equity, and Inclusion.

## **ORDINANCES FOR THIRD READING:**

### **0-111-20**

AN ORDINANCE ACCEPTING THE PLAT OF THE HERROLD AVENUE COMMERCIAL SUBDIVISION. Fahl moved for Adoption; Clodfelter seconded. Adoption was approved unanimously.

### **0-115-20**

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 7, TRAFFIC CODE, CHAPTER 7.05, PARKING REGULATIONS, SECTION 7.05.13, IMPOUNDING OF VEHICLES. Kotses moved for Adoption; Risner seconded. Discussion: Fahl expressed concern about available public transportation outside the corporate limits.

Clodfelter agrees. She understands that Athens On Demand is available only until 7:30 p.m. She continues to have concerns with this proposal.

Kotses doesn't believe that impound lots are open 24 hours.

President Knisely added that public transit would not be available after 10:00 p.m. for late night vehicle retrieval.

Smedley noted that taxi and Lyft services are both available.

Grace reported that only one of the City's towing services is open 24 hours.

Adoption was approved by a 5/2 vote, with Clodfelter and Fahl voting in opposition.

### **0-117-20**

AN ORDINANCE ESTABLISHING A "COMPLETE STREETS" POLICY FOR THE CITY OF ATHENS. Kotses moved to Amend to include an additional bullet point under Performance Measures to add the following: Enumerate each project exempted from this policy. Document each exemption by project name and number, date, and cite reason for each exemption. Crowl seconded. Discussion: Crowl noted that the lack of a reporting mechanism is what he objected to during an earlier discussion, and this amendment satisfied his concern.

Rob Delach, Morris Avenue, agrees with adding the proposed amendment; it is a good modification.

Amendment was approved unanimously.

### **0-119-20**

AN ORDINANCE ESTABLISHING GUIDELINES FOR APPROVAL AND INSTALLATION OF TEMPORARY SIDEWALK EXTENSIONS (PARKLETS) FOR USE BY THE GENERAL PUBLIC AT APPROPRIATE LOCATIONS WITHIN THE PUBLIC RIGHTS-OF-WAY; AND AMENDING ATHENS CITY CODE TITLE 11, BUSINESS REGULATIONS, CHAPTER 11.06, MISCELLANEOUS BUSINESS REGULATIONS; SECTION 11.06.02, EXCEPTIONS. Kotses moved for Adoption; Fahl seconded. Adoption was approved unanimously.

**ORDINANCES FOR SECOND READING:**

**0-122-20**

AN ORDINANCE AUTHORIZING CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE DEWATERING FACILITIES AT THE WASTEWATER TREATMENT PLANT (PROJECT (#320).

**0-125-20**

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY PERMIT TO JOHN HANSEN, OWNER, 110 MORRIS AVENUE, TO ALLOW A FENCE.

**ORDINANCES FOR FIRST READING:**

**0-127-20**

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY PERMIT TO HOCKING RIVER DEVELOPMENT, OWNER, 26 EAST PARK DRIVE, TO ALLOW DIRECTIONAL SIGNAGE FOR MARIETTA MEMORIAL HOSPITAL, ATHENS DEPARTMENT OF PRIMARY CARE.

**0-128-20**

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY PERMIT TO HOCKING RIVER DEVELOPMENT, OWNER, 26 EAST PARK DRIVE, TO ALLOW DIRECTIONAL SIGNAGE FOR MARIETTA MEMORIAL HOSPITAL, ATHENS DEPARTMENT OF PRIMARY CARE, AT THE INTERSECTION OF EAST STATE STREET AND EAST PARK DRIVE.

**0-129-20**

AN ORDINANCE IMPLEMENTING A PLAN FOR INTERIM CITY ENGINEER AND DIRECTOR OF ENGINEERING AND PUBLIC WORKS; AND DECLARING AN EMERGENCY. Crowl moved for Suspension of the Rules in that the Interim Director has been working in this position since the end of September; Smedley seconded. Suspension of the Rules was approved unanimously. Crowl moved for Adoption; Smedley seconded. Adoption was approved unanimously.

**0-130-20**

AN ORDINANCE AMENDING THE 2020 APPROPRIATION ORDINANCE; AND AUTHORIZING THE AUDITOR TO MAKE INTERFUND TRANSFERS.

**0-131-20**

AN ORDINANCE AUTHORIZING THE PURCHASE OF A NEW BASE RADIO SYSTEM FOR THE ATHENS POLICE DEPARTMENT; AMENDING THE 2020 APPROPRIATION ORDINANCE; AND DECLARING AN EMERGENCY. Grace moved for Suspension of the Rules because the current base radio is failing and cannot be repaired; Clodfelter seconded. Suspension of the Rules was approved unanimously. Grace moved for Adoption; Fahl seconded. Adoption was approved unanimously.

**0-132-20**

AN ORDINANCE SUSPENDING ATHENS CITY CODE SECTION 7.05.03, CONTINUOUS PARKING IN THE SAME LOCATION, FROM, TUESDAY, DECEMBER 15, 2020, THROUGH MIDNIGHT ON SATURDAY, JANUARY 2, 2021. Kotses moved for Suspension of the Rules in order to have the legislation in effect within thirty days; Clodfelter seconded. Kotses moved for Adoption; Grace seconded. Discussion: Kotses requested to withdraw his motion to Adopt in order to amend the Ordinance and Grace withdrew her second. Kotses then moved to Amend to change the date from Sunday, December 13, 2020 through Tuesday, January 5, 2020; Crowl seconded. Amendment was approved unanimously. Kotses moved for Adoption; Fahl seconded. Adoption was approved unanimously.

**0-133-20**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO SUSPEND, TEMPORARILY, THE FEE FOR PARKING AT METERED SPACES IN THE MUNICIPAL PARKING GARAGE AND ON-STREET METERED PARKING. Kotses moved to Amend to add an emergency clause in order to meet the effective date of November 28, 2020; Grace seconded. Amendment was approved unanimously.

**0-134-20**

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) FOR ISSUE I FUNDS; TO EXECUTE CONTRACTS AS REQUIRED; AND DECLARING AN EMERGENCY. Kotses moved for Suspension of the Rules in order to meet the application deadline of November 6<sup>th</sup>; Smedley seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Clodfelter seconded. Adoption was approved unanimously.

**ONE-READING RESOLUTION:**

**R-13-20**

A RESOLUTION EXPRESSING ATHENS CITY COUNCIL'S SUPPORT FOR H.R. 763, THE ENERGY INNOVATION AND CARBON DIVIDEND ACT OF 2019; WHICH IF ENACTED, WOULD IMPOSE A CARBON FEE ON THE PRODUCERS OR IMPORTERS OF FUELS THAT EMIT GREENHOUSE GASES INTO THE ATMOSPHERE; AND URGING REPRESENTATIVES IN THE UNITED STATES CONGRESS TO ENACT IT INTO LAW. Fahl moved for Adoption; Clodfelter seconded. Discussion: Mayor Patterson noted the City has EV charging stations at both the Community Center and the Municipal Parking Facility, is one of only two sites in the State to have a micro-grid system for resilience at our Water Treatment Plant, and most recently with Council's adoption of the creation of the University Estates Incentive District and the residential Tax Incremental Financing (TIF) to provide for the development of

affordable housing with energy efficient homes. This is the City's commitment to our future environmental sustainability.

Adoption was approved unanimously.

**ANNOUNCEMENTS & OTHER BUSINESS:**

Risner moved to Accept the September, 2020, Financial Reports; Fahl seconded. Motion was approved unanimously.

Crowl moved to Accept the September, 2020, Credit Card Transactions; Fahl seconded. Motion was approved unanimously.

Grace moved to appoint Molly Fitzgerald to complete the unexpired term of Sara Marrs-Maxfield, and Hannah Gilkey to complete the unexpired term of Danita Sharp on the Affordable Housing Commission, both terms to expire on 6/30/21; Clodfelter seconded. Appointments were approved unanimously.

**EXECUTIVE SESSION:**

At approximately 8:30 p.m. Grace moved to go into Executive Session to discuss Collective Bargaining, and invited the Mayor, Interim Service-Safety Director, Deputy Auditor, and Law Director to attend; Fahl seconded. A roll call vote was taken as follows: Smedley, aye; Risner, aye; Crowl, aye; Fahl, aye; Kotses, aye; Grace, aye; and Clodfelter, aye.

At approximately 8:55 p.m., Crowl moved to come out of Executive Session; Fahl seconded. Motion was approved unanimously. The Regular Session was reconvened and Crowl moved to adjourn the meeting; Fahl seconded. Motion was approved unanimously.

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President of Council

ATTEST:

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Clerk of Council