

RECORD OF PROCEEDINGS

Minutes of ATHENS CITY COUNCIL (REG. SESS.)

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held MARCH 20, 2023

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, MARCH 20, 2023, 7:00 P.M.

Athens City Council met in Regular Session at the above hour with the following members present: Crawl, Grace, McCarey, Risner, Swank, Spjeldnes, and Ziff.

Also present: President Knisely, Mayor Patterson, and Law Director Eliason.

DISPOSITION OF MINUTES:

Swank moved approval of the minutes from the Regular Session of Council held March 6, 2023; Ziff seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely reported that City Council has received the February monthly report from Treasurer Thomas. She is also in receipt of a notice from the Ohio Department of Liquor Control regarding two liquor permit requests from the Kroger Company. Kroger is moving its liquor agency contract from its store located at 919 East State Street to the former Game Stop location at 917 East State Street, and is requesting new C1, beer in a sealed container for carryout and C2, wine and mixed beverages in sealed containers for carryout, permits. Remaining in operation at the Kroger store location will be their current C1 and C2 permits. Comments are due by mid-April.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- The State of Ohio Controlling Board has approved the Ohio Appalachian Communities grants, Round 1, \$50 million, available for shovel-ready projects, and technical assistance grants.
 - The Mayors' Partnership for Progress (MPP) was awarded a technical assistance grant of \$474,450 (MPP represents 19 Appalachian counties, among which the City of Athens, Marietta, Chillicothe and Portsmouth are the largest).
 - Buckeye Hills Regional Council serves the City of Athens, received technical assistance grant of \$1,625,000

The Mayor explained that these technical assistance grants are to help communities throughout the region as they are planning downtown revitalization educational, workforce, or health projects.

- There were 40 proposals for the \$50,000 shovel-ready projects, and four projects funded, three of which were fully

RECORD OF PROCEEDINGS

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held MARCH 20, 2023 (PAGE 2 OF 6)

funded. The Appalachian Works proposal included the Athens Armory, the Coshocton Collaborative, the Somerset Builders' Club in Perry County, and the Logan Theater and Chamber of Commerce Building for \$17.6 million. The City of Athens will serve as the fiscal agent for these five, fully funded, projects. He is pleased that this funding will allow the Armory to be completely renovated and opened again as a functioning building.

Of the \$50,000 allocated in Round 1, shovel-ready projects, \$45 million is coming into the Athens County region.

- Has signed a letter of support for Mt. Zion Church to submit a congressionally directed spending project on to Senator Brown for consideration.
- Serves on the Advisory Board for the United States Agency for International Development. He has been approached by an organization to work with U.S. aid to continue to strengthen relationships between Ukraine and cities in the United States. He would like City Council and his Office to partner with the City of Ostroh, Ukraine, a City with a university that was established in the 1500's. He provided Council with the documents, and has reached out to the Mayor of Ostroh about engaging with their local government as a partner to exchange ideas and relationships. He would like City Council to consider a one-reading Resolution to support partnering with Ostroh, Ukraine.

ORDINANCE FOR THIRD READING:

0-20-23

AN ORDINANCE AMENDING THE 2023 APPROPRIATION ORDINANCE 155-22. Crawl moved for Adoption; Grace seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-25-23

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 11, BUSINESS REGULATIONS, TO ADD CHAPTER 11.13, REDUCTION OF SINGLE-USE PLASTIC BAGS. Discussion: Swank would like to amend to add the words "food truck" in Section 11.13.02 (A), (B), and (C).

Mayor questioned whether Section 11.13.01 (B) and (C) may also need to be amended to add "food truck."

Grace suggested replacing the term "food truck" with "vendor" as a catchall since the City already has that definition within its Code in Section 11.04.02.

RECORD OF PROCEEDINGS

Minutes of ATHENS CITY COUNCIL (REG. SESS.)

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held MARCH 20, 2023 (PAGE 3 OF 6)

Mayor agrees, as the change to add vendor would resolve the issue of those vending on private property as opposed to those only vending on our public streets.

Ziff believes the amendment will also need to include Section 11.13.03 (A) and (B).

Swank moved to amend Sections 11.13.01 (A) and (B), 11.13.02 (A), (B), and (C), 11.13.03 (A) and (B), to add the term "vendor" after the words "store or;" McCarey seconded. Amendment was approved unanimously.

Saraquoia Bryant, Euclid Drive, Ohio Community Rights Network, referenced Athens City Code (ACC) Section 97.01, Athens Community Bill of Rights and Water Supply Protection Ordinance, that already protects our environment and community, which includes the right to unpolluted air, water, soil, flora, and fauna. Single-use plastic bags are polluting our ecosystem and environment.

Barbara Stout, East State, owner of Athens Underground on Court Street, has researched bags on the internet and has found that it is not as simple as plastic, bad; and paper, good. In fact, single-use plastic bags have a lower environmental impact than a paper bag when you consider the entire life cycle of the item. When talking about the sustainability of small businesses in Athens, you can buy 1000 single-use plastic bags for \$20.00 or \$.02 per bag. The cheapest paper bag, buying in bulk, averages \$.32-\$.40 cents. The cost to some small business owners could increase \$800-\$1000 dollars per year, while other small business would need to multiply that number by 10. She understands, plastic is a problem, but suggested considering: 1) if a store continues to use single-use plastic bags they be required to have an on-site collection point; 2) if going to paper bags the City could offer to sell "Athens" bags to lower the cost; and 3) allow businesses a little bit longer time to use the plastic bags they already have in stock. She urged the Council to consider the economic impact on small businesses.

Reed Singer, East Green, reiterated the language in ACC Title 97, to protect our community's rights of nature, and moving forward and taking the steps to a sustainable future. "This is not the time to be complacent."

Lee Gregg, Northwood Drive, member of Athens Rethink Plastics, noted that Seaman's Market provides paper bags with a purchase, and will also sell them for \$.25 cents each, so the merchant does not have to bear additional expense. Speaking on behalf of her neighbor Shelly Lieberman, her business has been using predominately paper bags for about four years and has received positive feedback from customers. Generally speaking the cost has not been detrimental as many customers either bring their own bag, or do not need a bag. She supports using paper and encourages the public to bring their own bags. Ms. Gregg added that plastic bags being used to make benches and sleeping mats

RECORD OF PROCEEDINGS

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held MARCH 20, 2023 (PAGE 4 OF 6)

for the homeless are worthy ways of dealing with the plastic bag problem, however, they are not considering that these benches leak toxic chemicals into the soil, and sleeping mats that are releasing toxic chemicals.

Nancy Pierce, Guysville, member of Athens Rethink Plastics, noted that the group will really be focusing on helping businesses and customers transition, and that businesses can sell paper bags. Aldi's sells its paper bag for \$.12 each. This encourages the public to bring their own bags, and is an incentive to move away from paper as well as plastic. She added that more than 90% of plastic is dumped or incinerated. When plastic is incinerated, toxins go into our environment.

Milena Miller, Graham Drive, member of Athens Rethink Plastics, has been steadily working for two years with mostly small businesses on this issue. It has never been the group's intention of hurting small businesses in our community, or with replacing single-use bags with paper bags. She noted that Little Professor Book Store does not offer bags. The group is trying to identify what is best for businesses, and how Rethink Plastics can help them. She stressed that plastic bags are not biodegradable.

0-26-23

AN ORDINANCE AUTHORIZING A CONTRACT WITH THE WASHINGTON COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY.

0-29-23

AN ORDINANCE REJECTING ALL BIDS RECEIVED FOR MUNICIPAL REFUSE, RECYCLING AND OPTIONAL COMPOSTING.

ORDINANCES FOR FIRST READING:

0-30-23

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2023 ENERGIZED COMMUNITY GRANT(S) FUNDS.

0-31-23

AN ORDINANCE AMENDING THE 2023 APPROPRIATION ORDINANCE 155-22.

0-32-23

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO A CONTRACT WITH GO2IT GROUP FOR INFORMATION TECHNOLOGY NETWORK MANAGEMENT SERVICES; AND DECLARING AN EMERGENCY. McCarey moved for Suspension of the Rules in order to meet the contract effective date of April 1, 2023; Ziff seconded. Suspension of the

RECORD OF PROCEEDINGS

Minutes of ATHENS CITY COUNCIL (REG. SESS.)

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held MARCH 20, 2023 (PAGE 5 OF 6)

Rules was approved unanimously. McCarey moved for Adoption; Ziff seconded. Adoption was approved unanimously.

0-33-23

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY USE PERMIT AT 758 WEST UNION STREET TO SEVEN GENERATIONS LLC, OWNER, TO PLACE A NEW SIGN FACE ON AN EXISTING SIGN POLE.

0-34-23

AN ORDINANCE AMENDING ORDINANCE 106-21 GRANTING A SPECIAL RIGHT-OF-WAY USE PERMIT TO NATHAN RATH, OWNER, 333 EAST STATE STREET, TO ADD THE INSTALLATION OF THREE (3) PAVED PARKING SPACES TO THE EXISTING SPECIAL USE OF THE RIGHT-OF-WAY ALLOWING A PYLON SIGN. Swank moved for Suspension of the Rules to provide permitting that will allow the business to open; Ziff seconded. Suspension of the Rules was approved unanimously. Grace moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-35-23

AN ORDINANCE AUTHORIZING MUNICIPAL PARKING FACILITY IMPROVEMENTS, PHASE III. Discussion: Risner has spoken with the administration about installing bicycle racks in the garage.

Mayor responded that the bicycle racks will be incorporated into the design.

0-36-23

AN ORDINANCE AUTHORIZING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING PROGRAM.

ONE-READING RESOLUTION:

R-02-23

A RESOLUTION URGING THE LEGISLATIVE BRANCHES OF THE FEDERAL GOVERNMENT, AS WELL AS THE STATE OF OHIO, TO ENACT LEGISLATION TO FURTHER PROTECT THE CITIZENS OF THE CITY OF ATHENS, OHIO FROM THE INHERENT DANGERS OF A TRAIN DERAILMENT ON THE TRACKS LOCATED NEAR AND WITHIN OUR CITY LIMITS. Risner moved for Adoption; McCarey seconded. Adoption was approved unanimously.

ANNOUNCEMENTS & OTHER BUSINESS:

Grace moved to Accept the February 2023, Financial Reports; Ziff seconded. Motion was approved unanimously.

RECORD OF PROCEEDINGS

Minutes of

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held MARCH 20, 2023 (PAGE 6 OF 6)

McCarey moved to confirm the Mayor's Appointment of Deb Burleigh to the Commission on Disabilities; Ziff seconded. Appointment was approved unanimously.

At approximately 8:25 p.m. Ziff moved to Adjourn the meeting; Grace seconded, and the meeting was adjourned.

Christine Komisely
President of Council

ATTEST:

Debra G. Walker
Clerk of Council