

**MINUTES**  
**AUGUST 9, 2021**  
**COMMITTEE OF THE WHOLE**  
**7:00 P.M.**

Council Members in Attendance:

Sam Crowl  
Chris Fahl  
Sarah Grace  
Micah McCarey  
Jeff Risner  
Arian Smedley  
Ben Ziff

Administrators and/or  
Other Elected Officials:

President Knisely  
Mayor Patterson  
Auditor Hecht  
Code Enforcement Director Riggs

**Items Discussed:**

- Face Coverings (CDC Guidelines)
  - Grace – presented the current Centers for Disease Control (CDC) Mask Guidance as follows:
    - Guiding Principles for Fully Vaccinated People
    - Outdoor activities pose minimal risk to fully vaccinated people.
    - Most indoor activities pose low risk to fully vaccinated people, especially in areas with low or moderate transmission.
    - Infections happen in only a small proportion of people who are fully vaccinated, even with the Delta variant.
    - Fully vaccinated people who become infected with the Delta variant can transmit it to others.
    - To reduce their risk of becoming infected with the Delta variant and potentially spreading it to others, CDC recommends that fully vaccinated people: wear a mask in public indoor settings if they are in an area of substantial or high transmission

As of today, Athens County has reached the level of “Substantial Transmission.” She noted that cases are exponentially increasing, and the U.S. is now averaging more than 100,000 new cases per day. Also, children under the age of 12 are not yet eligible to be vaccinated, and are vulnerable. Child hospitalizations are at the highest they have been during the whole pandemic, and increasing fast. Pediatric admissions continue to be lower than other age groups, but the sharp

uptick of 500% in July is notable. She emphasized that vaccines do work. There is an 8-fold reduction in incidents of COVID in fully vaccinated people as compared to unvaccinated. Hospitalizations show a 25-fold reduction for those that are vaccinated as compared to the unvaccinated population, and is the same 25-fold in death incidence. Nearly all those hospitalized and suffering from serious symptoms of COVID are the unvaccinated. Again, the vaccination works. With the current Delta variant, vaccinated individuals can carry the same viral load as unvaccinated individuals, and can absolutely spread the disease. She recommends returning to a mask requirement in indoor public settings for both unvaccinated and vaccinated.

-President Knisely – presented a letter from LeeAnn Lucas-Helber, President of OhioHealth O’Bleness Hospital (see attached) – OhioHealth has adopted the masking requirement at all of their facilities. She appreciates City Council’s continued efforts to promote thoughtful and safe public health measures in the fight against the transmission of COVID-19.

-Crowl – believes the State of Ohio has preempted our ability to return to a requirement in the City

-Grace – understands that the State preemption only applies to Health Departments – she will clarify with the Law Director, but doesn’t believe it limits the City’s ability to put a mask order in place

-Ziff – works in a coffee shop and interacts with a lot of people – some are reluctant to return to wearing a mask – he believes masking is important with increasing cases of the Delta variant

-Smedley – is supportive of moving forward with updating our mask requirement

-Mayor – number one is to get vaccinated – in the meantime wear a mask – on the 19<sup>th</sup> of August our population is about to triple in size

- Opioid Settlement

-President – it is necessary that City Council adopt legislation if the City is to take advantage of settlement monies provided to the State – this legislation must be provided no later than Friday, August 13<sup>th</sup> -- \$804,865,429 paid by the distributors will be provided to the State of Ohio as part of this settlement – the Athens County region includes Athens, Hocking, Vinton, Meigs, Jackson, Gallia, and Lawrence counties that will group together and make decisions on programs and activities – there is a pre-approved list of uses that includes: a wide range of intervention, treatment, education, and recovery services so that the State and its subdivisions can decide what will best serve their communities

-Grace – this is much needed in our region – overdose death rates, to date in 2021, in our surrounding counties are in the top 10 overdose rates in the State

- Solid Waste (rate increase)
  - Riggs – explained that in 2020 the contract with our solid waste provider, Athens Hocking Recycling Centers (AHRC), increased significantly and a rate increase was put in place – at that time the City was trying for an increase that would create a net zero balance in the Solid Waste Fund – there is now a slight but persistent deficit in our rates (see attached graphs) – in 2020 the City expected an anticipated Special Haul Revenue of \$102,000, but were well below that, likely due to COVID and the lack of Ohio University students in the City – this followed through with revenue from Trash Ticket Revenue, again likely due to COVID – the Solid Waste Fund Net Gain/Loss, actual data through June, 2021, shows us about \$35,000 in the negative, and we expect to see that negative rate continue – a small adjustment to the fees; a 5% increase in the rates, and a \$2.00 increase in recycling for accounts that do not participate in the City’s solid waste collection – these steps should put us back on track – will continue to monitor – would like to get back to a net zero in our Solid Waste Fund
  - President – reminded Council that this is a proprietary fund that generates revenue to pay for the services provided
  - Smedley – asked if any of the CARES Act money was used to offset some of this deficit
  - Mayor – the CARES Act funding could not be used for any level of revenue replacement – there is, however, an opportunity to discuss using the American Rescue Plan Act (ARPA) dollars that can be used for demonstrated deficits created by the pandemic – there might be several ways to approach this shortfall
  - Smedley – supports ways to shore up this fund without passing it along to the residents
  - Crowl – questioned, if COVID caused the deficit and we get beyond COVID are we worried then about having rates that are too high and will then create a surplus of money in the fund
  - Riggs – his recommendation would be to look at fees annually in order to make any needed adjustment in either direction
  - Fahl – reviewing fees annually makes a lot of sense
  - McCarey – asked about those that don’t participate in the City’s solid waste collection
  - Riggs – explained that commercial solid waste is independent of the City’s contracted residential solid waste
  - Auditor – noted that Council is in the process of transferring \$150,000 from the General Fund into the Garbage Fund to shore it up – the rate increase being requested seems very reasonable

-Risner – recalls a time when the City discussed decreasing the rates due to a surplus in the Garbage Fund – that surplus has diminished – if the surplus is extreme the rates can be adjusted, but a cushion is advisable – also advised being cautious when adjusting rates

-Crowl – clarified that a 5% increase in the rate, for owner-occupied units, for one-container would be a \$.73 increase per month and \$1.05 increase for those who have two containers – keeping in mind that the recycling rate for residential customers will not be increased

-Grace – pointed out that rental unit rates are based on the number of occupants, and the rate for 1-3 occupants will increase by \$1.05 per month, 4-6 occupants by \$1.20, and 7-9 occupants by \$1.28 – these are very minor increases

### **ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:**

1. Face Coverings

**MINUTES: AUGUST 9, 2021**  
**FINANCE & PERSONNEL COMMITTEE**  
**7:00 p.m.**

Members in Attendance:

Sam Crowl, Chair  
Jeff Risner, Vice-Chair  
Arian Smedley, Member

Administrators and/or  
Other Elected Officials:

President Knisley  
Mayor Patterson  
Auditor Hecht

**ITEMS DISCUSSED:**

- Appropriations
  - 2021 Staffing (position modifications)
    - Crowl – administration is looking at ways to fill some positions through reorganizing duties, see attached suggestions for IT, Engineering and Public Works (EPW), and Arts, Parks, and Recreation (APR)
    - Mayor – considering a 3<sup>rd</sup> party manager for our IT system – that doesn't necessarily mean that everything will move to the Cloud – certain things will be maintained here physically and others may migrate to the Cloud – a number of these companies will be vetted by our Service-Safety Director and Police Chief to enter into a 6-month trial period, and subsequently a long-term contract should we want to continue in that direction – City will maintain an IT Tech position, and requests increasing one pay grade due to increased responsibilities – the Systems Administrator position will be kept in the Staffing Ordinance, but remain unfilled while waiting for guidance from a 3<sup>rd</sup> party as to recommendation for the number of technicians needed on City staff
    - Crowl – understands that the CIO's salary should be adequate to cover the 3<sup>rd</sup> party contract
    - Mayor – yes, it should
    - President – would like the Mayor to solicit input from City department heads who have had past experience with outsourcing our IT as to any concerns they may have that could then be used when interviewing outside companies
    - Mayor – the Mayor will follow up, and reach out with the Mayor's Partnership for Progress and Ohio Mayor's Alliance as to other cities that are outsourcing IT, or have outsourced and returned to on-site IT staff
    - President – would like to keep our options open
    - Smedley – agrees with remaining flexible – keep in mind IT safety – need to know what would go into the Cloud and what would stay

-Risner – very reluctant to have sensitive data physically leaving – once in the Cloud the data could be anywhere – the City is small and has had data breached, but he is concerned that Cloud storage facilities are prime for hackers and being targeted with ransomware – the problem is not being solved with better IT solutions, but actually done by paying the ransom – he has been in IT for 35 years and would like strong consideration given to keeping the City's IT in-house – also fears that outsourcing will lead to longer downtime in getting answers and/or correcting problems

-Rob Delach, Morris Avenue – asked if this would include IT infrastructure for broadcasting City Council meetings

-Mayor – yes, it would

-Crowl – Engineering & Public Works – a possible reorganization is being considered – it is challenging finding an individual who is a professional engineer and an administrative departmental manager at our pay rate

-Mayor – alternative would be to hire a licensed engineer and create a second position with a management background to serve as the EPW departmental administrator, and abolish the Project Assistant position – it is difficult to find a person with both qualities – would also like to restructure the position of Assistant City Engineer

-Smedley – supports creative ways to fill these positions, and also restructuring Jessica Adine's position as Assistant City Engineer

-Auditor – noted that the position of EPW Administrative Assistant position has been vacant for some time, and asked about the position of Deputy Director that is unfilled

-Mayor – still working on a final plan

-Smedley – once the final plan is in place, requested the Mayor provide the Committee with a clearer picture of the financial implications

-Crowl – the APR Facilities Operations Manager position is vacant, and that position will be assessed upon hire of the new APR Director

- Accepting the Amounts and Rates Determined by the Budget Commission

-Crowl – this is to accept the general property tax rates of 2.6 mills for Athens Township and 2.4 mills for Canaan Township

-Risner – further explained that the City does not levy a property tax, but does maintain the roads, bridges, etc. of both Athens and Canaan Townships within the City limits – so, the funds that would normally go to these Townships are basically being reimbursing the City for cost of the maintenance

-Smedley – asked how the rate is calculated

-Auditor – it is based on inside millage

- SOPEC Community Grant

-Crowl – the City would like to accept this grant in the amount of (\$40,000), and then transfer it to Hocking-Athens-Perry Community Action Programs (HAPCAP) to offset the cost to purchase an electric bus for our public transportation system

- Appropriation

- Crowl – need to appropriate (\$35,000) for road salt to fill the storage bin

- Risner – asked how many tons the City will receive for this amount

- Crowl – will check on that and report back

- McCarey – asked if this is budgeted for annually, and whether there are a lot of shifts in how much is ordered

- Crowl – it is budgeted for annually, however the cost fluctuates with the weather conditions

- Auditor – (\$90,000) was budgeted this year – there is about (\$17,000) left

### **ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:**

1. Accepting Amounts & Rates
2. SOPEC Community Grant
3. Appropriation

**MINUTES**  
**PLANNING & DEVELOPMENT COMMITTEE**  
**AUGUST 9, 2021**  
**7:00 p.m.**

Members in Attendance:

Chris Fahl, Chair  
Jeff Risner, Vice-Chair  
Sarah Grace, Member  
Arian Smedley, Member

Administrators and/or Other Elected Officials:

President Knisely  
Mayor Patterson  
Auditor Hecht

**Items Discussed:**

- Special Improvement District (SID)
  - Fahl – the SID will be used to improve our uptown area – this will happen through an assessment to the property owners being served by the SID – the role of City Council is to review the service plan and, if needed, offer recommendations – upon receipt of the required number of signatures of the property owners, City Council will then need to approve or reject the petition within 60 days
  
  - Mayor – the initial SID service plan includes snow removal, gum removal, graffiti removal, as well as removal of trash/litter from the sidewalks – revenue for these services will come from a \$10.00 per linear foot charge to be paid by the property owners – a minimum of 60% of the property owners within the SID must agree to the assessment – if that percentage is reached, the assessment process through City Council will begin
  
  - Ziff – questioned whether the City would then take care of the sidewalks
  - Fahl – no, the SID will help professionalize cleanup through central contracting; similar to a cooperative, as opposed to each owner separately maintaining their individual business area
  
  - Risner – asked about the geographical area
  - Mayor – the boundaries are Carpenter Street from Grosvenor to Congress, and State, Washington, and Union Streets between College and Congress
  - Risner – asked if it includes City Hall



-Mayor – it does – places of worship, municipal buildings, and the university are exempt, however, the City has elected to participate and will be assessed for the Armory, City Hall, and Parking Garage

-Grace – it would be nice to have a uniform snow removal plan – she asked if the County decided to participate

-Mayor – has not heard

-Grace – perhaps we could encourage them to participate, as the Union/Court sidewalk area around the Courthouse is highly trafficked

# RECORD OF PROCEEDINGS

Minutes of *ATHENS CITY COUNCIL (SPEC. SESS.)*

Meeting

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held *AUGUST 9, 2021*

## **ATHENS CITY COUNCIL: SPECIAL SESSION, MONDAY, AUGUST 9, 2021, 8:00 P.M.**

Athens City Council met in Regular Session at the above hour with the following members present: Crowl, Fahl, Grace, McCarey, Risner, Smedley, and Ziff.

Also present: President Knisely, Mayor Patterson, and Auditor Hecht.

### **ORDINANCE FOR THIRD READING:**

#### **0-86-21**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PROVIDE INITIAL FUNDING FOR CREATING A REMOTE WORK SYSTEM FOR THE CITY OF ATHENS WITH SUNDAY CREEK HORIZONS, A CONSULTING FIRM. Fahl moved for Adoption; Grace seconded. Discussion: Crowl pointed out that this will be funded through American Recovery Plan Act (ARPA) monies in the amount of (\$35,000) to push this initiative forward. Adoption was approved unanimously.

### **ORDINANCES FOR SECOND READING:**

#### **0-87-21**

AN ORDINANCE CLOSING A PORTION OF UNION STREET ON SUNDAY, AUGUST 22, 2021, FOR OHIO UNIVERSITY'S INVOLVEMENT FAIR; AND DECLARING AN EMERGENCY.

#### **0-88-21**

AN ORDINANCE AMENDING ORDINANCE 37-21; AUTHORIZING THE 2021 STREET PAVING AND REPAIRS PROJECT (#337).

#### **0-89-21**

AN ORDINANCE ACCEPTING A FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION CRITICAL GRANT AWARD TO THE ATHENS CITY FIRE DEPARTMENT.

#### **0-91-21**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO CONTRACT FOR THE CONSTRUCTION OF DUGOUTS FOR FIELDS #1 AND #2 AT THE WEST STATE PARK, PROJECT #341.

#### **0-92-21**

AN ORDINANCE AUTHORIZING THE PURCHASE OF A DUMP TRUCK FOR THE ENGINEERING & PUBLIC WORKS DEPARTMENT.

#### **0-93-21**

AN ORDINANCE AMENDING THE 2021 APPROPRIATION ORDINANCE; AND AUTHORIZING THE AUDITOR TO MAKE AN INTERFUND TRANSFER. Crowl moved to Amend Section I to remove the (\$8,000) appropriation to Community Center Fund,

# RECORD OF PROCEEDINGS

Minutes of \_\_\_\_\_

Meeting \_\_\_\_\_

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6101

Held August 9, 2021 (PAGE 2)

271, T.C. 300, balance for APR inflatable movie screen; Fahl seconded. Amendment was approved unanimously.

## ORDINANCE FOR FIRST READING:

### 0-95-21

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING, AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AND TO SIGN THE ONE OHIO SUBDIVISION PARTICIPATION FORM; AND DECLARING AN EMERGENCY. Fahl moved for Suspension of the Rules in order to meet an August 13<sup>th</sup> deadline imposed by the State; Grace seconded. Suspension of the Rules was approved unanimously. Fahl moved for Adoption; Smedley seconded. Adoption was approved unanimously.

At approximately 8:20 p.m. Fahl moved to adjourn; Smedley seconded. Motion to Adjourn was approved unanimously.

  
President of Council

ATTEST:

  
Clerk of Council

# MINUTES

## TRANSPORTATION COMMITTEE

### AUGUST 9, 2021 – 7:00 p.m.

Members in Attendance: Jeff Risner, Chair  
Sam Crowl, Vice-Chair  
Ben Ziff, Member

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

#### ITEMS DISCUSSED:

- Parking Regulations

-Risner – request to add an appeal process (see highlighted language below) to Athens City Code Title 7, Traffic Code, Chapter 7.05, Parking Regulations, Section 7.09.99(L), Penalties to read as follows:

Whoever parks in violation of any regulation in Chapter 7.05, not otherwise covered by another Section of 7.09.99, shall be deemed guilty of a minor misdemeanor. In lieu of a court appearance, an administrative fine of \$30.00 may be paid within the first five days following the time of the citation and an administrative fine of \$40.00 paid after the first five days following the time of citation. Every consecutive hour of violation shall be deemed a complete and separate offense. **ANY PERSON WHO WISHES TO APPEAL THE VIOLATION SHALL VISIT THE ATHENS POLICE DEPARTMENT WITHIN 120 HOURS OF ISSUANCE OF THE INITIAL CITATION AND RECEIVE A MINOR MISDEMEANOR CITATION INTO COURT, PROVIDING NOTICE AND AN OPPORTUNITY TO BE HEARD, WHICH SHALL SERVE AS AN APPEALS PROCESS.**

-McCary – understands that each hour is a separate incident and questioned if that means the \$30.00 fine would be multiplied by each hour above the initial violation.

-Risner – yes, that's the way he reads it

-Grace – clarified that the “separate offense” language is currently in the Code and not being amended – the amendment is simply to add a formal appeal process