

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, APRIL 3, 2017,
7:00 P.M.**

Athens City Council met in Regular Session at the above hour with the following members present: Butler, Cochran, Fahl, McGee, Papai, and Risner.

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

DISPOSITION OF MINUTES:

Cochran moved approval of the minutes of the Regular Session of Council held March 20, 2017; Fahl seconded. The minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely announced that events will be held this week for Athens Beautification Day, one of which is graffiti removal on Thursday from 5:00 to 7:00 p.m. beginning at City Hall, and about 40 volunteers are needed. Also, on Sunday, April 9th, from 9:00 to 11:30 a.m. or 1:00 to 3:30 p.m., teams will be organized to work on various projects, and members from the community/university are needed to serve as leaders for these projects. Those interested can contact the Clerk of Council.

The Clerk is in receipt of a letter from the Ohio Department of Developmental Disabilities, Office of Provider Standards & Review, issuing a notice to the Council that Echoing Hills Village has applied for the issuance of a license for 6 persons with developmental disabilities in a residential setting at 1106 Altamonte Drive. Written comments regarding the issuance of this license must be received no later than April 5, 2017.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Sandlot parade will be held on Saturday at 10:00 a.m.
- Palmer Fest is this weekend
- Athens Marathon will be held Sunday morning

ORDINANCES FOR THIRD READING:

0-25-17

AN ORDINANCE GRANTING A VARIANCE FROM THE ATHENS CITY SUBDIVISION REGULATIONS, FOR PROPERTY LOCATED AT 2131 EAST STATE STREET, HOLZER HEALTH SYSTEM, TO ALLOW A MINOR LOT SPLIT. Fahl moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-26-17

AN ORDINANCE AUTHORIZING THE DONATION OF LAW ENFORCEMENT TRUST FUNDS TO ASSIST WITH THE PURCHASE OF FORENSIC EQUIPMENT FOR THE EMERGENCY ROOM AT OHIO HEALTH O'BLENESS HOSPITAL. Risner moved for Adoption; Papai seconded. Adoption was approved unanimously.

0-29-17

AN ORDINANCE DETERMINING TO PROCEED WITH THE ASSESSMENT PROCEDURE FOR SIDEWALK IMPROVEMENTS ON FRANKLIN AVENUE, PROJECT #301, AS DESCRIBED IN RESOLUTION R-08-16; AND DECLARING AN EMERGENCY. Papai moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-30-17

AN ORDINANCE CLOSING A PORTION OF COURT STREET BETWEEN WASHINGTON AND CARPENTER ON SATURDAY, JULY 22, 2017, FROM 6:00 A.M. TO MIDNIGHT FOR OHIO BREW WEEK. Papai moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-32-17

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON SATURDAY, JULY 22, 2017, DURING THE OHIO BREW WEEK EVENT. Papai moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-34-17

AN ORDINANCE AUTHORIZING A CONTRACT WITH THE WASHINGTON COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY. Butler moved for Adoption; Papai seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-18-17

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 13.04.10, UNNECESSARY NOISE, IN THE DOWNTOWN AREA, ON SATURDAY, JUNE 17, AND UNTIL 1:00 A.M. ON SUNDAY, JUNE 18, 2017, FOR "BOOGIE ON THE BRICKS" A FAMILY MUSIC AND ARTS FESTIVAL.

0-31-17

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 13.04.10, UNNECESSARY NOISE, IN THE DOWNTOWN AREA, ON JULY 22, 2017, FOR OHIO BREW WEEK.

0-35-17

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION AND ENTER INTO AN AGREEMENT WITH ODOT FOR A TRANSPORTATION ALTERNATIVES PROGRAM GRANT FOR THE NW ATHENS BIKEWAY SPUR PHASE III (PROJECT #296); AND DECLARING AN EMERGENCY.

0-36-17

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR SIDEWALK IMPROVEMENTS ON FRANKLIN AVENUE, ASSOCIATED WITH PROJECT #301; AND DECLARING AN EMERGENCY.

0-37-17

AN ORDINANCE AFFIRMING THE MAYOR'S EXECUTION OF AN AGREEMENT WITH THE BOARD OF ATHENS COUNTY COMMISSIONERS FOR THE PURPOSE OF OBTAINING THE SERVICES OF THE PUBLIC DEFENDER'S OFFICE FOR THE PERIOD FROM JANUARY, 2016 THROUGH DECEMBER 31, 2016.

0-38-17

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO, OR TO EXTEND THE AGREEMENT WITH THE BOARD OF ATHENS COUNTY COMMISSIONERS FOR THE PURPOSE OF OBTAINING THE SERVICES OF THE PUBLIC DEFENDER'S OFFICE THROUGH DECEMBER 31, 2017.

0-39-17

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 9, GENERAL REGULATIONS, CHAPTER 9.12, STREETS AND SIDEWALKS, SECTION 9.12.17, STREET AND SIDEWALK OBSTRUCTION. McGee moved to amend to remove any reference to port-a-johns, and to remove approval of Athens City Council for an extension exceeding 180 days. Such approval will now be granted by the Service-Safety Director. Fahl seconded. Discussion: Butler continues to have concern with the \$300 fee applied during a 60-day closure period.

McGee explained that the cost is merely to recover revenue lost at the parking meter. If parking meters are being taken out of use for a construction project, the City should be compensated.

Guy Philips, North Congress resident, and co-owner of 16 West Union Street, that was rebuilt after fire damage, informed the Council that extra time was required to keep the original building façade, and the lengthy sidewalk closure time period was necessary. He apologized that the sidewalk was blocked for so long.

Papai asked if any parking fees were collected on West Union Street during construction after the fire.

Mayor Patterson is not sure whether any fees were levied with the contractors, but he will find out and report about any costs incurred.

McGee noted that the purpose of this ordinance is to provide the Service-Safety Director some direction when sidewalks are to be inaccessible for long periods of time, and to ensure that the project is moving forward with the least obstruction to the public. The legislation has built-in checks and balances and added control for sidewalk closure.

Amendment was approved unanimously.

0-41-17

AN ORDINANCE ESTABLISHING THE ATHENS SUSTAINABILITY ACTION PLAN.

0-42-17

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE AN ELECTRIC LINE EASEMENT WITH THE OHIO POWER COMPANY (AEP) TO BE LOCATED ALONG THE REAR OF THE MUNICIPAL PARKING FACILITY; AND DECLARING AN EMERGENCY.

ORDINANCES FOR FIRST READING:

0-43-17

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE ATHENS COUNTY SHERIFF'S OFFICE FOR PARTICIPATION OF ATHENS CITY POLICE OFFICERS IN THE ATHENS SHERIFF'S OFFICE SPECIAL RESPONSE AND TACTICS UNIT. Butler moved for Suspension of the Rules in order to allow officers to begin training at the earliest moment permitted; Papai seconded. Suspension of the Rules was approved unanimously. Butler moved for Adoption; Papai seconded. Adoption was approved unanimously.

0-44-17

AN ORDINANCE AMENDING THE 2017 APPROPRIATION ORDINANCE.

0-45-17

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 29, HOUSING REGULATIONS, CHAPTER 29.34, SANITARY CONDITION, SECTIONS 29.33.06(C), MULTI-FAMILY DWELLINGS, 29.33.07(C), SINGLE DWELLING UNITS, AND 29.33.08, EXCEPTIONS.

0-46-17

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 5, PUBLIC UTILITIES, CHAPTER 5.02, GARBAGE AND RUBBISH, SECTION 5.02.03(D), PREPARATION AND STORAGE; AND TITLE 29, HOUSING REGULATIONS, CHAPTER 29.12, PREMISES CONDITIONS, SECTION 29.12.02, CITATION.

0-47-17

AN ORDINANCE AMENDING THE 2017 APPROPRIATION ORDINANCE, 150-16, AND ORDINANCE 46-16, AUTHORIZING CONSTRUCTION OF A BIKE PATH FROM ARMITAGE TO COLUMBUS ROAD, PROJECT (#270); AND DECLARING AN EMERGENCY. Papai moved for Suspension of the Rules so that repairs caused by flooding can be made promptly for the safety of those using the bike path; Fahl seconded. Suspension of the Rules was approved unanimously. Papai moved for Adoption; Fahl seconded. Discussion: The Mayor reported that where the asphalt was washed out there will be about 200' of erosion control material "flexamat" placed from the edge of the bike path and continuing 6' down the slope to be used as a permanent control measure. Adoption was approved unanimously.

0-48-17

AN ORDINANCE AMENDING ORDINANCE 89-16; AUTHORIZING REPLACEMENT OF THE TRAFFIC SIGNAL AT THE INTERSECTION OF WEST STATE AND LANCASTER STREETS (PROJECT #306); AND AMENDING THE 2017 APPROPRIATION ORDINANCE.

0-49-17

AN ORDINANCE DECLARING CERTAIN VEHICLES NO LONGER NEEDED FOR A MUNICIPAL PURPOSE.

0-50-17

AN ORDINANCE CLOSING A PORTION OF COURT STREET BETWEEN UNION AND WASHINGTON ON SATURDAY, AUGUST 12, 2017, FROM 8:00 A.M. TO MIDNIGHT FOR THE "BOUNTY ON THE BRICKS" FUNDRAISER.

0-51-17

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON AUGUST 12, 2017, DURING THE "BOUNTY ON THE BRICKS" FUNDRAISER.

ANNOUNCEMENTS & OTHER BUSINESS:

President Knisely indicated that committee meetings will be held next Monday at 7:00 p.m.

Mayor Patterson alerted the Council to a 9:00 a.m. bid opening on Friday for the North Congress Street sewer project that may require a Special Session on Monday.

OPPORTUNITY FOR CITIZENS TO SPEAK ON LEGISLATIVE ITEMS AND CITY SERVICES NOT COVERED ON THE AGENDA:

A North Lancaster Street resident and junior at Ohio University studying Music, addressed the Council about a concern she has with off-campus living. Next year she and her friends will be residing on West Washington Street. They are concerned about the lack of street lighting, an abundance of overgrown shrubbery, a hidden and dangerously unevenly laid brick sidewalk and rickety stairs up to the main street that appear ready to collapse. The sidewalk area that

is visible is not wide enough to accommodate two people partially due to, again, overgrown shrubbery and many ill-parked cars. She proposed better lighting be provided, and cutting down trees and maintaining the bushes to help with increased safety of the area. She asked that her Council Ward Representative and the Service-Safety Director help her champion this cause for the safety of the community and future students attending Ohio University.

President Knisely assured her that the City will work to address this problem.

Butler will consider adding this as a topic on Monday's City & Safety Services Committee.

Fahl moved to adjourn the meeting at approximately 7:50 p.m.; Butler seconded. Adjournment was approved unanimously.

President of Council

ATTEST:

Clerk of Council