

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, APRIL 17, 2017,
7:00 P.M.**

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

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

DISPOSITION OF MINUTES:

Fahl moved approval of the minutes of the Regular Session of Council held April 3, 2017; Cochran seconded. The minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely announced that on May 19th at 9:00 a.m. the annual City Infrastructure Tour will be conducted by Public Works Director Andy Stone. This tour is open to the public, anyone wishing to attend should contact Clerk of Council Debbie Walker prior to that date.

The City's annual spring cleanup week is next week, April 24th through April 28th. Residents can put unlimited bags of refuse curbside for pickup at no additional cost. Larger items placed at curbside such as mattresses or furniture will be picked up as well, but there will be an additional charge, and citizens will need to contact the City if interested in those fees.

The President is also in receipt of a communication from the Ohio Department of Transportation noting the closure dates for the entrance and exit ramps onto East State Street. Information updates will be available on the City's Website.

Council Member Fahl has received feedback from citizens about the professionalism and courtesy extended by the Athens Police Department and the Ohio University Police Department during the recent weekend fests.

Council Member Butler acknowledged receipt of an email from a citizen willing to donate bike racks for the Union Street enhancement project.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Granville Avenue will be closed Wednesday, April 19, at 8:00 a.m. until completion of the installation of a water tap. There will be no emergency or thru traffic.
- Madison Avenue will be closed between East State Street and Franklin Avenue on Thursday, April 20, from 8:00 a.m. until completion of a water main repair. Again, there will be no emergency or thru traffic.
- West Union Improvement project continues to move forward.
- Surveying activities associated with the North Congress Area Sanitary Sewer Replacement project are expected to begin on April 18th. This project will replace the existing sanitary sewer line between North Congress Street and Mound Street, the length of the project extends from near 93 North Congress to Ring Street.
- The OhioHealth O'Bleness Race for a Reason is taking place on April 22nd.
- The Ohio University March for Science, is planned to begin at 1:00 p.m. on April 22nd at Dairy Lane Park and the march will continue to the West Green, up to the Courthouse, and will end at Howard Square.

ORDINANCES FOR THIRD 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. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

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. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

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. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-36-17

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR SIDEWALK IMPROVEMENTS ON FRANKLIN AVENUE, ASSOCIATED WITH PROJECT #301; AND DECLARING AN EMERGENCY. Kotses moved for Adoption; Butler seconded. Adoption was approved unanimously.

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. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

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. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-41-17

AN ORDINANCE ESTABLISHING THE ATHENS SUSTAINABILITY ACTION PLAN. Fahl moved for Adoption Butler seconded. Adoption was approved unanimously.

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. Fahl moved for Adoption; Butler seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

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.

0-44-17

AN ORDINANCE AMENDING THE 2017 APPROPRIATION ORDINANCE. Risner moved for Suspension of the Rules so that the parking kiosks can be ordered and received in time to meet the Union Street project completion deadline of mid to late June; Butler seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

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.

0-48-17

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.

ORDINANCES FOR FIRST READING:

0-52-17

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$648,178.58 OF NOTES BY THE CITY OF ATHENS, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING PART OF THE COSTS OF ACQUIRING, CONSTRUCTING AND INSTALLING IMPROVEMENTS AT THE CITY'S RECREATION CENTER INCLUDING SIDEWALKS AND RAMPS, PAINTING, CARPETING, FURNITURE AND AUDIO/VISUAL EQUIPMENT; AND DECLARING AN EMERGENCY. Risner moved for Suspension of the Rules in order to move forward with needed accessibility repairs to the Community Center entrance; Butler seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-53-17

AN ORDINANCE ESTABLISHING THE ALLOCATION OF THE ARTS, PARKS, AND RECREATION (APR) LEVY TO THE APR DEBT FUND, 450, AND THE APR INCOME TAX FUND, 273, AMENDING THE 2017 APPROPRIATION ORDINANCE RETROACTIVELY TO APRIL 1, 2017; AND DECLARING AN EMERGENCY. Risner moved for Suspension of the Rules to have the finances in place by the end of April; Butler seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-54-17

AN ORDINANCE AMENDING THE 2017 APPROPRIATION ORDINANCE. Risner, again, moved for Suspension of the Rules, so that funds are available for the accessibility repairs at the Community Center entrance; Butler seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-55-17

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT), AND EXECUTE A CONTRACT FOR FUNDING THROUGH THE 2015 TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) VII COMPETITIVE GRANT PROGRAM; AND DECLARING AN EMERGENCY. Kotses moved for Suspension of the Rules in order to meet the grant application deadline; Risner seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Fahl seconded. Discussion: Fahl has been informed that this grant line item has been zeroed out in the proposed Federal Budget.

President Knisely noted that these funds provide some very real assistance to our community and transit system.

Adoption was approved unanimously.

0-56-17

AN ORDINANCE TO ENSURE LOCAL MATCH FUNDS FOR THE MOBILITY MANAGER GRANT.

ONE-READING RESOLUTION:

R-04-17

A RESOLUTION EXPRESSING SUPPORT FOR THE APPALACHIAN REGIONAL COMMISSION (ARC), AND RECOGNIZING ITS IMPORTANT ROLE IN STRENGTHENING ECONOMIC GROWTH IN ATHENS AND OTHER COUNTIES IN SOUTHEAST OHIO. Fahl moved for Adoption; Cochran seconded. Adoption was approved unanimously.

ANNOUNCEMENTS & OTHER BUSINESS:

Fahl moved to accept the Auditor's March, 2017, Financial Reports; Risner seconded. Motion was approved unanimously.

Cochran moved to appoint Kristin Rice to the Environment & Sustainability Commission; Fahl seconded. Appointment was approved unanimously.

President Knisely reported an opening on the City's Community Relations Commission. Those interested should contact the Clerk of Council.

Mayor Patterson reported three vacancies on the Joint Police Advisory Council. One opening is an at-large position, the other two are specific to a real

estate professional, and a representative from one of the Neighborhood Associations. Interested persons should contact his office

Cochran added, there is also a vacancy on the Environment & Sustainability Commission. Anyone interested in this vacancy should contact the Clerk of Council.

Risner suggested these vacancies be posted on the City's Website.

Cochran moved to adjourn the meeting at approximately 7:40 p.m.; Fahl; seconded. Adjournment was approved unanimously.

President of Council

ATTEST:

Clerk of Council