

**ATHENS CITY COUNCIL: SPECIAL SESSION, MONDAY, JUNE 12, 2017,
7:00 P.M.**

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

Also present: President Knisely, Mayor Patterson, Service-Safety Director Horan Moseley, Law Director Eliason, and Auditor Hecht.

ORDINANCE FOR THIRD READING:

0-69-17

AN ORDINANCE AUTHORIZING THE PAYMENT OF A PRIOR YEAR EXPENSE; AND DECLARING AN EMERGENCY. Risner moved for Adoption; Papai seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-71-17

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FOR FUNDING FROM THE OHIO DEPARTMENT OF TRANSPORTATION JOBS AND COMMERCE THROUGH THE ATHENS COUNTY TRANSPORTATION IMPROVEMENT DISTRICT, FOR THE CENTRAL ATHENS FIBER OPTIC NETWORK PROJECT; TO EXECUTE CONTRACTS AS REQUIRED; AND DECLARING AN EMERGENCY.

0-72-17

AN ORDINANCE AMENDING THE 2017 APPROPRIATION ORDINANCE. Fahl moved to Table as requested by the Mayor to allow review of the APD budget after the first 6 months of the year before making the requested transfer of funds; Risner seconded. Motion to Table was approved unanimously.

0-73-17

AN ORDINANCE AMENDING ORDINANCE 151-16, THE 2017 STAFFING LEVELS IN THE POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.

0-74-17

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE AND ACCEPT BIDS, WHERE NECESSARY, AND ENTER INTO CONTRACT(S) FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING SERVICES FOR THE MUNICIPAL POOL, PROJECT (#292). Discussion: Butler asked about earlier inquiries regarding pool depths.

Mayor Patterson had a conversation with Keith Hall of MSA Sport today, addressing City Council questions. The following items will increase the cost of the pool: additional lighting to meet the needs of the pool area and the salt chlorination system. The pool depths have been given careful consideration. In order to program effectively for all users, the lap pool was designed to be 4'6" at the north end and gradually get deeper to 7' at the south end. However, there currently are pool users who walk the lap lanes for exercise. Consideration is being given to the possibility of having the two west side lanes be a consistent 4'6" depth.

Service-Safety Director Horan Moseley informed the Council that MSA Sport would like to put this project out to bid by June 23rd with a possible July 21st bid opening.

Papai questioned the depth of the tot pool and the leisure pool. It seems like a lot of shallow water, basically two bodies of water for children under 6 years of age.

Service-Safety Director Horan Moseley believes the 3'6" pool depth serves a greater population than age 5.

Papai questioned whether MSA Sport has experience in designing a pool with varying depth configurations as proposed for the lap lanes.

Service-Safety Director responded they are checking with their water tech subcontractor.

Kotses believes a majority of pool patrons want a passive interaction with the pool. They want to be able to stand in the water, so we have increased that type of area. He thinks 20-25 yards of 7' depth will fill the needs of the community.

Risner requested the additional lighting proposal prior to final reading.

Mayor Patterson will provide that, adding that the level of lighting will almost quadruple; there will also be in-pool lighting that may offset the number of pole lighting fixtures.

Papai questioned why we're just now discussing lighting, with additional cost, when we're at final engineering.

Service-Safety Director doesn't believe MSA Sport was tracking that the City has night swim hours.

ORDINANCE FOR FIRST READING:

0-75-17

AN ORDINANCE APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE NOPEC GAS AGGREGATION PROGRAM FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING A GAS AGGREGATION PROGRAM; AND DECLARING AN EMERGENCY.

Papai moved to adjourn at approximately 7:30 p.m.; Fahl seconded. Motion to adjourn was approved unanimously.

President of Council

ATTEST:

Clerk of Council

(as transcribed from an audio recording of the meeting)

MINUTES
JUNE 12, 2017
PLANNING & DEVELOPMENT COMMITTEE

Members in Attendance: Chris Fahl, Chair
Jeff Risner, Vice-Chair
Patrick McGee, Member

Other Council Members: Kent Butler
Jennifer Cochran
Peter Kotses
Michele Papai

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson
Service-Safety Director Horan Moseley
Auditor Hecht
Law Director Eliason

Items Discussed:

- Lot Split (Wanda Cash)
 - Fahl – this lot split is a recommendation from the Planning Commission, with two variances and certain conditions – this is not a re-plat of a subdivision
 - Papai – asked if property owners in the neighborhood were notified and/or expressed any concerns
 - Mayor – there is no notification requirement, and no property owners attended the Planning Commission meeting

ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:

1. Lot Split

MINUTES
JUNE 12, 2017
CITY & SAFETY SERVICES COMMITTEE

Members in Attendance: Kent Butler, Chair
Jennifer Cochran, Vice-Chair
Peter Kotses, Member

Other Council Members: Chris Fahl
Patrick McGee
Michele Papai
Jeff Risner

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson
Service-Safety Director Horan Moseley
Auditor Hecht
Law Director Eliason

ITEMS DISCUSSED:

- Storm Water Plan (presentation)
 - Butler – this is a collaborative effort comprised of the City of Athens, Ohio University, and the Athens Soil & Water Conservation District
 - Abbott Stevenson, Athens Soil & Water Conservation District – presented the 2017 Storm Water Management Program – last December the City was informed by Ohio EPA that a Municipal Separate Storm Sewer System Permit (MS4) Application must be submitted within 180 days – this permit regulates storm water discharge from the City – in 2011 City Council adopted Storm Water regulations, and in 2012 the City contracted with Athens SWCD as Storm Water Coordinator, and in 2013 the program was implemented – this year it was decided the most cost effective and efficient approach was to develop a joint program between the City and Ohio University – the MS4 permit requires an annual report be submitted to Ohio EPA – the MS4 permit and the Storm Water Management Program cover a 5-year period, and will need to be renewed accordingly – commended the City for being proactive on storm water and pollution prevention, and having many of the program elements already in place
 - Fahl – asked about getting information to property managers and lawn maintenance businesses
 - Stevenson – indicated that compliance is a struggle because it is voluntary
 - Fahl – this practice needs to be identified and educational tools applied
 - Stevenson – agrees, it is a problem in that it clogs the City storm sewers, and costs the City money

- Water Treatment Plant (construction)
 - Mayor – requested authorization to accept bids for construction

- Smoke Trailer (upgrade)
 - Butler – this is an educational outreach tool used by the Fire Department, primarily with elementary age children – new trailer will be accessible for those with disabilities

 - Mayor – replacement cost is about \$68,000, and has been budgeted for 2017

 - Cochran – this is a very important and useful tool in adequately preparing young people so they don't panic in a smoke-filled environment and to act accordingly

- ARTS/West (facility improvements)
 - Butler – these improvements will include roofing, improved accessibility, along with new basement flooring, restroom facilities, and kitchen upgrade

 - Mayor – \$180,000 has been budgeted for this project

 - Risner – asked about using part of the \$62,000 currently available in levy funding to offset the capital improvements funds so they can be used for other types of improvements

 - Mayor – will explore alternative mix

ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:

1. WTP Bidding
2. Smoke Trailer
3. ARTS/West

MINUTES
JUNE 12, 2017
COMMITTEE OF THE WHOLE
7:00 p.m.

Council Members in Attendance: Kent Butler
Jennifer Cochran
Chris Fahl
Peter Kotses
Patrick McGee
Michele Papai
Jeff Risner

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson
Service-Safety Director Horan Moseley
Auditor Hecht
Law Director Eliason

Items Discussed:

- Banning Conversion Therapy for Minors
 - Fahl – explained that local government is tasked with providing for the health, safety and welfare of its citizens – citizens have come forward identifying this ban as a need – other cities in Ohio have passed such legislation
 - Debbie Phillips – explained that conversion therapy is considered to be any practice or treatment that seeks to change an individual's sexual orientation or gender identity – it is not evidence-based, nor is it considered to be therapeutic – rather, conversion therapy is a harmful practice that is detrimental to our families and children – conversion therapy endangers children by portraying their feelings as wrong, and making them feel as though their feelings are not valid – health and mental health professionals have determined that homosexuality is not a mental disorder and, therefore, is not in need of a cure – professionals believe that attempting to change an individual's sexual orientation or gender identity does not work and is harmful – this type of therapy is not constructive or effective, and can be damaging – we all need to be proud of who we are
 - Delfin Bautista, Director of the LGBTQ Center at Ohio University – he is a survivor of conversion therapy – he is proof that it does not work and does harm – the City has a unique opportunity to be both reactive and proactive

in our solidarity with LGBTQ and young people, youth seeking support, safety and sanctuary in their home community, youth seeking to understand, live and express who they are without fear – passing this ban demonstrates to queer youth that they matter, and we take pride in their sexual and gender diversities – it also sends a message to the individuals and their loved ones hurt by conversion therapy – we send a message that we honor their pain, we apologize for their suffering in silence, and honor them with the action that they are not alone – the City of Athens has actively embodied solidarity with LGBTQ youth and queer people of all ages through inclusive non-discrimination policies and domestic partner registry, the City of Athens was one of the first cities in Ohio to pass a resolution supporting marriage equality in 2015, and thanked Mayor Patterson's participation in this year's Pride graduation on campus – let us continue to honor with action LGBTQ plus youth, not just as a hashtag, but as an on-going commitment to the just, dignified, and celebratory support of our young people, as they are not only the future of Athens, they are also the now of Athens

-Colleen Dempsey, representing the National Association of Social Workers, Ohio Chapter – NASW has supported an end to conversion therapy practice since 1992 – this is an important message to send

-Cochran – the City of Athens takes great pride in our inclusive and protective community

-Papai – as a licensed mental health professional – conversion therapy is not evidenced-based – evidence-based practice models are used in determining treatment interventions – applauds being proactive in our community, and to encourage a safe and inclusive environment through legislation

-Mayor – supports legislation banning conversion therapy for minors – shared a letter from the Executive Director of Equality Ohio, noting that the medical community is in agreement that being lesbian, gay, bisexual, transgender or queer isn't a medical diagnosis, it is part of being the spectrum of human diversity

- Athens Commitment to Environment & Sustainability

-Fahl – climate change is an important challenge – at a time when our federal leadership appears to be stepping away, it is time for our local communities to step up their climate change efforts – this Council can express its support through the following: the Mayor joining the Mayor's National Climate Action Agenda (MNCAA); advocating and lobbying our elected officials at the State level (Governor Kasich has come forward and stated that he disagrees with President Trump's withdrawing the U.S. from the Paris Accord); need to

strengthen the State's energy renewable portfolio standards; and empowering our local and regional partners in establishing proactive programs

-Mayor Patterson – noted that 70% of carbon emissions start at the municipal level – who better to take on this role than the cities themselves – a better environment for our future is paramount

-Fahl – encouraged Governor Kasich to join the U.S. Climate Alliance to fulfill our State's obligation under the Paris Accord – the citizens of the U.S. care about the climate, and believe in the Paris Accord – added, personal lobbying is important

ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:

1. Conversion Therapy
2. Climate Change

MINUTES JUNE 12, 2017

FINANCE & PERSONNEL COMMITTEE

Members in Attendance: Jeff Risner, Chair
Chris Fahl, Vice-Chair
Kent Butler, Member

Other Council Members: Jennifer Cochran
Peter Kotses
Patrick McGee

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson
Service-Safety Director Horan Moseley
Auditor Hecht
Law Director Eliason

Items Discussed:

- Emergency Generator
 - Auditor – funds are not currently available, and consideration is being given to borrow from City bank account – will need a payback plan in place – she will be reaching out to Bond Counsel to provide legislation
 - Mayor – this is a much needed undertaking – he suggested each department housed in the City & Law Administration buildings be assessed as part of a payback plan
 - President – do we have sufficient funds from our interest revenue to borrow the entire amount?
 - Auditor – this is not based on our interest income, but actual bank balances
 - President – noted that the City has safeguards in place – percentage of money allowable for borrowing, established by ORC; and our own cash reserve policy
 - McGee – questioned whether the Administration is considering renewable energy options – requested clarification of “essential” services
 - Mayor – has yet to identify a solar array, in times of crisis that will kick in immediately and can provide the same level of kilowatts – reviewing all options

- Cochran – is this in keeping with our sustainability plan? -- diesel fuel is one major culprit in contributing to global warming – could consider outsourcing our IT
- Butler – would be worthwhile looking into renewable energy options
- Kotses – could maintain servers off-site – questioned aside from IT service capability, what other essential services is the City trying to operate in an emergency power outage?
- Risner – opposes farming out IT – concerned about storing data in the Cloud – this is the most important information we have, it is never a good idea to lose control of your data – if a generator is necessary to keep our IT running, he is all for that
- Mayor – again, all feasible options will be reviewed
- Appropriations
 - Auditor – Unclaimed Funds, \$2,224.20, to make refunds
 - Mayor – AMAC has approved a design for the Athens Photographic Project to be displayed on the Parking Garage – total project cost is \$40,000 – would like to appropriate \$30,000 to the Parking Garage Fund to get this project underway – other outside funding sources are being sought – this project has been identified in the Essence of Athens

ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:

1. Generator
2. Appropriations

**ATHENS CITY COUNCIL: PUBLIC HEARING, MONDAY, JUNE 12, 2017,
7:00 P.M. – (NOPEC) PLAN OF OPERATION AND GOVERNANCE FOR THE
AGGREGATION OF COMPETITIVE RETAIL NATURAL GAS (2nd hearing).**

Council Members in Attendance: Butler, Cochran, Fahl, Kotses, McGee, Papai, and Risner.

Also Present: President Knisely, Mayor Patterson, Service-Safety Director Horan Mosely, Auditor Hecht, and Law Director Eliason.

Attendance by the Public: (see attached list)

President Knisely opened the Public Hearing to discuss the (NOPEC) Plan of Operation and Governance for the Aggregation of Competitive Retail Natural Gas for the City of Athens. She explained that this is the second of two public hearings to allow an opportunity for City Council and citizens to ask questions regarding this natural gas aggregation program that is being offered by the City of Athens. Following this public hearing, City Council will be authorizing final approval of the (NOPEC) Plan of Operation and Governance for the purpose of jointly establishing and implementing a natural gas aggregation program. If approved by the Council, citizens will be notified, in writing, with an opt-out notice later this summer. The program designed to offer lower natural gas prices to City residents should be in place in October.

President Knisely then opened the Public Hearing for citizen comment, noting that information is available on the City's website, and if citizens have any questions to please contact the City Council. Receiving no comments or questions from the public, the public hearing adjourned at approximately 7:05 p.m.

Chris Knisely
President of Council

ATTEST:

Clerk of Council
(as transcribed from an audio recording of the public hearing)

MINUTES
TRANSPORTATION COMMITTEE
JUNE 12, 2017
7:00 p.m.

Members in Attendance: Michele Papai, Chair
Jennifer Cochran, Vice-Chair
Peter Kotses, Member

Other Council Members: Kent Butler
Chris Fahl
Patrick McGee
Jeff Risner

Administrators and/or
Other Elected Officials: President Knisely
Mayor Patterson
Service-Safety Director Horan Moseley
Auditor Hecht
Law Director Eliason

ITEMS DISCUSSED:

- Neighborhood Parking Passes (pilot program)
 - Papai – a meeting was held several months ago with members of the Administration and the Law Director to discuss various issues with regard to moving forward with this program
 - Joan Kraynanski – presented Council with an updated proposal (see attached) – Mayor is willing to move forward with legislation for a pilot program to relieve residents on certain streets from moving their car every 24 hours, as per current City law that was established to eliminate storage parking
 - Papai – clarified that this is for residents in R-1 zones that have limited parking, one space or no parking available for their property – these are older neighborhoods, close-in, walkable residential areas developed at a time when parking was not considered essential – this concept is addressed in our Comprehensive Plan, Community Vision Goals & Objectives, Section 13.11, and is supported by the Environment & Sustainability Commission – this program will not be in every R-1 zone

-Brenda Barth, Maple Street – property has no off-street parking – 24-hour regulation is difficult to adhere to – believes this would be an excellent program

-Karen Dahn, N. Congress Street – has no driveway, as is the case for the 3 houses above her – there are not nearly enough parking spaces for the number of vehicles on the street, and if you need to move your vehicle every 24-hours, there will likely be no space available to move into another parking space – over the last few years she has been issued approximately (6) tickets in violation of the 24-hour parking regulation – she's retired and does not drive daily – she is hopeful City Council will approve this as a pilot project – 72 hours will provide some respite, especially on the weekends when there are events being held in the City

-Christine Hughes, Grosvenor Street – has no parking for her residence – definitely supports this program; it would be a great benefit and much appreciated – thanked Council for its consideration

-Fahl – has several concerns – believes the whole City should be changed to 72 hours – is the owner or resident provided the permit? – urged a short pilot project, 6 months, or possibly longer if the program area can be expanded to include other streets during the pilot, possibly through a petition by residents

-Kraynanski – clarified that a resident can apply for the permit – the person who lives in the house

-Fahl – stressed fair and equal application of the permit system – questioned citing “geographically and/or topographically” challenged areas

-Kraynanski – means steep terrain, and line-of-sight issues

-Butler – appreciates that Ms. Kraynanski continues to advocate for this parking permit program – he supports it

-Kotses – seems the City is penalizing some residents that cannot conform to our current parking regulations

-Papai – to be successful this pilot program must be an operational and manageable permit system – there are residents who need some assistance

-Kraynanski – there are so many other communities with parking permits – can utilize their experiences

-Mayor – asked the Law Director to weigh-in on fair access across the City

-Law Director – there are neighborhoods that have similar problems and are not in an R-1 zone – however, understands that this is a pilot program

- Kraynanski – the Athens City Code currently differentiates regulations according to zone – zones already have different requirements – singling out R-1 does not go against our Code, and should not offend those residents living in R-2 and R-3 zones
- Amendments to Ordinances 59-17 and 66-17 (funding mechanism)
 - Papai – 0-59-17, authorizing paving and street repairs – amend to reduce the amount being appropriated in the Street Fund by (\$150,000), and adding (\$50,000) to the State Highway Fund and (\$100,000) to the Permissive Wheel Tax Fund – 0-66-17, West Union Street Sidewalk Extension, is amended to remove the appropriation of (\$40,000) to the Permissive Wheel Tax, as these funds cannot be used for sidewalks
 - ODOT LPA Agreement
 - Papai – the State will be resurfacing 0.96 miles on State Rt. 56 from approximately Morrison-Gordon Elementary to State Route 682 – State pays 80% and the City pays 20%
 - Mayor – the City's portion would be (\$37,500) – this is a significant savings – this work is scheduled for 2018

ITEMS NEEDED ON THE NEXT CITY COUNCIL AGENDA:

1. Parking Permit Program
2. Amend 0-59-17
3. Amend 0-66-17
4. LPA Agreement

**ATHENS CITY COUNCIL: PUBLIC HEARING, MONDAY, JUNE 12, 2017,
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Chris Knisely
President of Council

ATTEST:

Clerk of Council
(as transcribed from an audio recording of the public hearing)