ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, AUGUST 21, 2017, 7:00 P.M.

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

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

EXECUTIVE SESSION:

At approximately 7:02 p.m. Fahl moved to go into Executive Session to discuss appointment, employment, and compensation of a public employee and pending litigation, and invited the Mayor, Auditor, and Law Director to attend. Papai seconded. A roll call vote was taken as follows: Fahl, aye; McGee; Papai, aye; and Risner, aye.

At approximately 7:29 p.m. Fahl moved to come out of Executive Session; Papai seconded. Motion was approved unanimously.

Risner moved to amend the Agenda to include as first reading:

0-104-17
AN ORDINANCE AUTHORIZING THE MAYOR TO HIRE A DIRECTOR OF ARTS, PARKS, AND RECREATION AT A PAY RATE OF 50% THROUGH THE ASSIGNED PAY GRADE. Introduced by the Finance & Personnel Committee

Fahl seconded. Amendment was approved by a 4/1 vote; with Papai voting in opposition.

DISPOSITION OF MINUTES:

Fahl moved approval of the minutes of the Regular Session of Council held August 7, 2017; McGee seconded. The minutes were unanimously approved as presented.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Lamar planned water outage tomorrow, 8:00 a.m. until work is completed.
- East Union Street will be open to two-way traffic between University Terrace and Stewart Street on Wednesday.
- McKinley Avenue will be open to traffic Wednesday afternoon at 3:00 p.m.

- City has received $311,000 for the NW Bike Path Spur, Phase III, from Armitage to University Estates (95% match).
- Letter received from Steven Noftz, Protective Services Manager, Ohio Health O'Bleness Hospital, recognizing APD Officers Andy Foster and Justin Boggs for their assistance with an Alzheimer's patient.
- Fire Chief Rymer has completed the National Fire Academy's Executive Fire Officer Program.
- Read his statement regarding the hatred and bigotry seen in Charlottesville, VA (see attached).

ORDINANCES FOR THIRD READING:

0-76-17
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE AND ACCEPT BIDS, WHERE NECESSARY, FOR CONSTRUCTION OF THE WATER TREATMENT PLANT FACILITIES IMPROVEMENTS PROJECT (#307). Butler moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-78-17
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE AND ACCEPT BIDS, WHERE NECESSARY, FOR THE PURCHASE OF AN EDUCATIONAL SMOKE TRAILER FOR THE FIRE DEPARTMENT. Butler moved for Adoption; Fahl seconded. Adoption was approved unanimously

0-80-17
AN ORDINANCE VACATING A PORTION OF MOORE AVENUE, AKA MOORE STREET, BETWEEN FACTORY STREET AND ROBERTS ALLEY UPON PETITION OF THE ADJOINING PROPERTY OWNER, OHIO UNIVERSITY. Fahl moved for Adoption; Risner seconded. Adoption was approved unanimously.

0-81-17
AN ORDINANCE GRANTING VARIANCES FROM THE ATHENS CITY SUBDIVISION REGULATIONS TO WANDA CASH, 46 CANTERBURY DRIVE, TO ALLOW A MINOR LOT SPLIT. Fahl moved for Adoption; Papai seconded. Adoption was approved unanimously.

0-82-17

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 3, ADMINISTRATIVE PROVISIONS, TO ADD CHAPTER 3.12, EFFORTS TO CHANGE SEXUAL ORIENTATION OR GENDER IDENTITY WITH A MINOR. Fahl moved for Adoption; Papai seconded. Adoption was approved unanimously.

0-83-17

AN ORDINANCE AUTHORIZING A PILOT RESIDENTIAL PARKING PERMIT PROGRAM. Papai moved for Adoption; Butler seconded. Discussion: Papai strongly believes that the 24-hour parking regulation has been a tremendous effort in reducing storage parking on the street, however, parking can be a burden to those living in residential areas that were not built to meet 2017 parking standards. A petition was presented to the Council from residents who either do not currently have off-street parking, or have only one space, requesting a residential parking permit that will allow them to park continuously on the street for up to 72-hours.

Butler has been approached over a number of years from west side residents with concerns regarding this issue, and they are excited about this change. This Pilot Program will allow the City to collect data over a year to gauge any need for legislative change, and the success of this pilot.

Fahl noted that parking is a major component of the City's current review and update of the Comprehensive Plan. She hopes to work with the Neighborhood Associations on a parking plan that can work for all residents. She is pleased to see legislation that started from a citizen petition to address their concerns.

McGee understands the need for this program, however, he would prefer to see a change from 24-hour to 48-hour enforcement. Absent that, he is eager to see if this permit program works so that it can then be extended to other areas of the City.

Megan Buskirk, Central Avenue, likes to walk or bike to work, but drives simply because she has to move her car every 24 hours. She feels the 24-hour regulation has greatly impacted her life. This pilot program will allow residents to make a healthy, active change in their lives.

Adoption was approved unanimously.

0-86-17
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN LPA/STATE PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE RESURFACING ON STATE ROUTE 56; AND DECLARING AN EMERGENCY. Papai moved for Adoption; Butler seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-87-17
AN ORDINANCE AUTHORIZING THE ADOPTION OF AN AGREEMENT WITH THE ATHENS CITY FIREFIGHTERS LOCAL 3351, AND OHIO COUNCIL 8, AFSCME, AFL-CIO, CONCERNING WAGES AND WORKING CONDITIONS.

0-89-17
AN ORDINANCE AMENDING ORDINANCE 69-17; AUTHORIZING THE PAYMENT OF A PRIOR YEAR EXPENSE; AND DECLARING AN EMERGENCY.

ORDINANCES FOR FIRST READING:

0-90-17
AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO PARTICIPATE IN THE 2017 STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) FOR ISSUE I FUNDS; TO EXECUTE CONTRACTS AS REQUIRED; AND DECLARING AN EMERGENCY.

0-91-17
AN ORDINANCE AMENDING ORDINANCE 76-16; AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO US 33 AND EAST STATE STREET (PROJECT #288); AND DECLARING AN EMERGENCY. Discussion: Mayor commented that the use of the cameras will be to collect data for monitoring traffic flow and weather, and are not license plate readers.

0-92-17
AN ORDINANCE AMENDING ORDINANCE 67-17; AUTHORIZING CONSTRUCTION AND ENGINEERING SERVICES FOR THE EAST STATE STREET/US 33 PROJECT (#288).

0-93-17
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN LPA/STATE PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR GUARDRAIL REPLACEMENT/UPGRADE ON STATE ROUTE 50; AND DECLARING AN EMERGENCY.

0-94-17
AN ORDINANCE AUTHORIZING DISPOSAL OF AN ATHENS TRANSIT BUS NO LONGER NEEDED FOR A MUNICIPAL PURPOSE.

0-95-17
AN ORDINANCE BANNING PARKING AND CLOSING THAT PORTION OF COURT STREET FROM MULBERRY TO CARPENTER ON OCTOBER 28 AND OCTOBER 29, 2017, IN ANTICIPATION OF A LARGE NUMBER OF PEOPLE CONVERGING ON DOWNTOWN ATHENS (HALLOWEEN WEEKEND).

0-96-17
AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 13.04.10, UNNECESSARY NOISE, FOR SCHEDULED BANDSTAND PERFORMANCES, HOSTED BY THE CLEAN AND SAFE HALLOWEEN COMMITTEE ON OCTOBER 28 AND OCTOBER 29, 2017 (HALLOWEEN WEEKEND).

0-97-17
AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON OCTOBER 28 AND OCTOBER 29, 2017 (HALLOWEEN WEEKEND).

0-98-17
AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 7.05.26(C), REGULATION OF CITY PARKING GARAGE RATES, ON OCTOBER 28 AND OCTOBER 29, 2017 (HALLOWEEN WEEKEND).

0-99-17
AN ORDINANCE AMENDING ORDINANCE 86-14; AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF ATHENS COUNTY COMMISSIONERS TO EXTEND SANITARY SEWER COLLECTION SERVICES TO UNINCORPORATED PORTIONS OF THE COUNTY; AND DECLARING AN EMERGENCY. Discussion: Law Director Eliason stated that she has a conflict of interest, and has completely removed herself from any aspect of this project and legislation.

Fahl explained this is to correct failing septic systems in the County.

President Knisely recalls Athens City-County Health Department Director Chuck Hammer saying that this is the single most important health improvement that can be made for the County.

0-100-17
AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 7, TRAFFIC CODE, CHAPTER 7.01, GENERAL PROVISIONS, CHAPTER 7.05, PARKING REGULATIONS AND CHAPTER 7.09, PENALTIES.

0-101-17
AN ORDINANCE AMENDING TITLE 3, ADMINSTRATIVE PROVISIONS, OF THE ATHENS CITY CODE, CHAPTER 3.07, ADMINISTRATIVE DEPARTMENTS; BOARDS AND COMMISSIONS, SECTION 3.07.70, THE ATHENS CITY COMMISSION ON DISABILITIES.

0-102-17
AN ORDINANCE AUTHORIZING THE EXTENSION OF CITY WATER SERVICE AND INSTALLATION OF A WATER TAP, BEYOND THE CORPORATE LIMITS, ON PEACH RIDGE ROAD.

0-103-17
AN ORDINANCE AMENDING THE 2017 APPROPRIATION ORDINANCE.

RESOLUTION FOR FIRST READING:

R-08-17
A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

ANNOUNCEMENTS & OTHER BUSINESS:

McGee has mentioned several times about his concern with the dangerous situation to student citizens walking along Rock Riffle Road from the Stimson Bridge. He believes that something has to be done, walkways or warning lights installed, or somebody is going to be injured.

Fahl is willing to work with Councilman McGee on a Resolution to submit to the County and Township for their review of this area.

Mayor has already passed along Councilman McGee's concern to the County Commissioners. He noted that the property these student citizens are traveling to is private property, and cautioned that they could be cited for trespassing.

McGee emphasized the danger of traveling along the roadway.

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

Fahl moved to approve the recommendation of the Athens Municipal Arts Commission to install an art bench on City property along the bike path; Butler seconded. Motion was approved unanimously.

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

Noah Trembly, North Blackburn Road, would like to make Council aware that some of the curbs in accessible City parking spaces are too high for van doors to allow ramps to deploy.

President Knisely and City Council will work with the Administration on corrective action.

McGee moved to adjourn at approximately 8:30 p.m.; Fahl seconded. Adjournment was approved unanimously.

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President of Council

ATTEST:

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Clerk of Council