ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, OCTOBER 16, 2017, 7:00 P.M.

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

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

DISPOSITION OF MINUTES:

Fahl moved approval of the minutes of the Regular Session held October 2, 2017; Papai seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

Council Member Fahl announced a Public Hearing that will be held on Monday, November 13, 2017, a 7:00 p.m., to discuss the Planning Commission's recommendation for rezoning property located on the corner of East State Street and Madison Avenue as part of the Madison Heights Minor Subdivision, owned by Diversified Properties.

Council Member Papai acknowledged Council's receipt of an email from a concerned constituent regarding a need for legislation prohibiting handheld wireless communication devices while driving.

Council Member Butler has been discussing concerns with a few residents at University Estates.

Council Member McGee has been approached by a couple of citizens distraught about bicycles on Court Street sidewalks. He urged the Administration to erect proper signage that bicycles are not permitted on sidewalks in the uptown area.

Former Council Member Carol Patterson and Chair of the Municipal Arts Commission (AMAC), introduced Athens' first poet laureate, Dr. Alison Stine (see attached 2017 Progress Report).

Dr. Alison Stine read an original poem (see attached).

ORDINANCES FOR THIRD READING:

0-107-17

AN ORDINANCE AUTHORIZING DESIGN ENGINEERING OF THE RICHLAND PEDESTRIAN IMPROVEMENTS (PROJECT #311). Papai moved for Adoption; Butler seconded. Discussion: Papai pointed out that this is a $2.3 million project. Discussion: Kotses indicated that he has been told that pedestrians do not stop at this crosswalk for vehicles. According to the ORC pedestrians have the right-of-way while in the crosswalk, the problem is that there are always pedestrians in the crosswalk. It is a pack mentality; pedestrians continue crossing with little regard for vehicular traffic. He noted that a pedestrian signal is not a solution for this very reason; the large volume of pedestrians. Also mentioned was having an officer stationed at the crosswalk. He doesn't feel comfortable stationing an officer at this crosswalk for a long period of time. He understands the final design will channel pedestrian traffic to this underground crosswalk, to improve its success rate. This is a collaborative effort between the City and Ohio University. He supports this project.

Risner is concerned about the public safety hazard of this crosswalk with the number of pedestrians and volume of traffic. He asked Police Chief Pyle who would be qualified to be a crossing guard. The Chief responded that only a fully qualified, sworn police officer may legally direct traffic and enforce the laws pertaining to this crossing. Staffing the crossing 24/7, like the grade crossing would accomplish, it would require four officers at approximately $365,000 annually. Risner, too, supports this project.

Butler also acknowledged his support, safety is paramount.

McGee stated that his main opposition has been centered on the fact that the Administration has not pursued any alternative plan, or even tried an officer at this location for just one week. This crosswalk is congested at very regulated times, about 20 minutes each hour. It doesn't appear to be congested in the evenings or on the weekends. He is fully aware how difficult this area can be and, again, he is disappointed there was not even the slightest attempt to try to resolve this in a different manner.

Papai commented that this has been an issue for many years, and pedestrians have been injured in this crosswalk. She does not believe the State would have authorized the funding, without first questioning if other measures had been tried. Clearly, ODOT sees the safety issues and the need for the underground walkway.

Adoption was approved by a 6-1 vote, with McGee voting in opposition.

0-108-17
AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 3, ADMINISTRATIVE PROVISIONS, CHAPTER 3.07, ADMINISTRATIVE DEPARTMENTS; BOARDS AND COMMISSIONS, TO ADD SECTION 3.07.76 TO ESTABLISH THE ATHENS CITY AFFORDABLE HOUSING COMMISSION. Fahl moved to amend to add Whereas's; the membership to include two at-large members appointed by City Council; and to add Safe Routes to Schools and the Economic Development Council under Powers and Duties; Papai seconded. Amendment was approved unanimously.

0-109-17
AN ORDINANCE AUTHORIZING THE AUDITOR TO REDUCE 2017 YEAR-END APPROPRIATIONS. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-110-17
AN ORDINANCE AMENDING THE 2017 APPROPRIATION ORDINANCE. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-112-17
AN ORDINANCE DECLARING CERTAIN ITEMS NO LONGER NEEDED FOR A MUNICIPAL PURPOSE.

0-114-17
AN ORDINANCE PROVIDING FOR THE ISSUANCE OF $423,411 OF NOTES BY THE CITY OF ATHENS, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF RENEWING NOTES PREVIOUSLY ISSUED FOR THE PURPOSE OF PAYING PART OF THE COSTS OF ACQUIRING A NEW PUMPER TRUCK AND RELATED EQUIPMENT; AND DECLARING AN EMERGENCY. Risner moved for Suspension of the Rules in order to meet the closing date scheduled on October 20; Butler seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Butler seconded. Adoption was approved unanimously.

0-115-17
AN ORDINANCE AMENDING THE 2017 APPROPRIATION ORDINANCE.

0-116-17
AN ORDINANCE AUTHORIZING THE MAYOR TO JOIN A COALITION OF MUNICIPALITIES RETAINING SPECIAL COUNSEL FOR PURPOSES OF INITIATING LITIGATION TO CHALLENGE THE CONSTITUTIONALITY OF AMENDMENTS TO CHAPTER 718 OF THE OHIO REVISED CODE RELATING TO MUNICIPAL INCOME TAX; AND DECLARING AN EMERGENCY. Fahl moved for Suspension of the Rules as the lawsuit is being filed on November 1; Risner seconded. Suspension of the Rules was approved unanimously. Fahl moved for Adoption; Papai seconded. Adoption was approved unanimously.

0-117-17
AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 5, PUBLIC UTILITIES, CHAPTER 5.04, SEWER REGULATIONS, SECTION 5.04.05 WASTEWATER DISCHARGES.

0-118-17
AN ORDINANCE AMENDING ORDINANCE 99-14; ESTABLISHING FEES AS REQUIRED BY THE ATHENS CITY CODE.

ORDINANCES FOR FIRST READING:

0-120-17
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN LPA/STATE PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR LIGHTING UPGRADE AND REPLACEMENT ON EAST STATE STREET; AND DECLARING AN EMERGENCY.

0-121-17
AN ORDINANCE AMENDING THE 2017 APPROPRIATION ORDINANCE.

ANNOUNCEMENTS & OTHER BUSINESS:

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

At approximately 7:40 p.m. Fahl moved to Adjourn; Papai seconded. Motion was approved unanimously.

_____
President of Council

ATTEST:

_____
Clerk of Council