

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, DECEMBER 17, 2018, 7:00 P.M.

Athens City Council met in Regular Session at the above hour with the following members present: Butler, Crowl, Fahl, Grace, 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 held December 3, 2018, and the Special Session held December 10, 2018; McGee seconded. Minutes were unanimously approved as presented.

ORDINANCE FOR THIRD READING:

0-143-18

AN ORDINANCE ADOPTING A FRINGE BENEFITS PACKAGE FOR NON-UNION PERSONNEL WITHIN THE CITY OF ATHENS AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH; AND DECLARING AN EMERGENCY. Butler moved to amend Section 2C, Overtime, to read as follows: Effective with the first pay period of ~~2017~~ **2019**, the Fire Captains shall be paid for all hours worked in excess of their normal work schedule on a one to one and one half ratio, but not less than three (3) hours per callout, at a ~~2496~~ **2080** hourly overtime rate. Risner seconded. Discussion: Butler explained that this change in overtime for the Fire Captains, will be calculated at the same overtime rate as fire personnel covered under the union contract.

Knisely understands this change will keep the language consistent in the two agreements.

Risner asked about the annual cost for the City.

Butler responded that it would be approximately \$5,640.

McGee questioned whether the Non-Union Captains enjoy any other benefits that the Union Members do not.

Law Director Eliason is unaware of any other benefit the Captains are receiving that the Union is not.

Amendment was approved unanimously.

Risner moved for Suspension of the Rules in that the effective date of this agreement is January 1, 2019; McGee seconded. Suspension of the Rules was approved unanimously.

Risner moved for Adoption; Butler seconded. Discussion: McGee asked whether this additional \$5,000 would affect the City's fiscal integrity in 2019.

Auditor Hecht responded that in the big picture of the City's General Fund, the \$5,000 is not a concern, however, in general, the City needs to be mindful of its General Fund budget. Of this \$14 million fund, only \$6000 is unappropriated; it will be tight.

Butler acknowledged that there are some challenges in the Non-Union benefits agreement, as there is no extensive negotiating process as is experienced with the Union contracts.

Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-151-18

AN ORDINANCE AMENDING THE 2018 APPROPRIATION ORDINANCE. Risner moved for Suspension of the Rules as these funds need to be in place this calendar year; Fahl seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-152-18

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN LPA/STATE PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR FLATSHEET SIGN REPLACEMENT ON U.S. STATE ROUTES 33 AND 50, AND STATE ROUTE 682; AND DECLARING AN EMERGENCY.

0-153-18

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT EXTENSION TO PROVIDE FINANCIAL SUPPORT FOR THE OPERATION OF THE ATHENS COUNTY ECONOMIC DEVELOPMENT COUNCIL; AND DECLARING AN EMERGENCY.

0-154-18

AN ORDINANCE DECLARING VEHICLES NO LONGER NEEDED FOR A MUNICIPAL PURPOSE. Butler moved for Suspension of the Rules in that there is limited space at the impound lot; Fahl seconded. Suspension of the Rules was approved unanimously. Butler moved for Adoption; Fahl seconded. Discussion: Law Director Eliason explained that these are forfeited vehicles that require a

court order, ordering the vehicles to be in the name of the City, and once the City receives the titles these vehicles are ready for disposal.

Adoption was approved unanimously.

0-155-18

AN ORDINANCE AMENDING ORDINANCE 15-08; TUITION REIMBURSEMENT POLICY FOR CITY EMPLOYEES.

0-156-18

AN ORDINANCE AUTHORIZING AFFIRMING THE MAYOR'S EXECUTION OF AN AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL 2403 (2) CONCERNING WAGES AND WORKING CONDITIONS. Risner moved for Suspension of the Rules in that this is a 2018 contract; Crawl seconded. Suspension of the Rules was approved unanimously. Risner moved for Adoption; Crawl seconded. Adoption was approved unanimously.

ORDINANCES FOR FIRST READING:

0-157-18

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE STATE OF OHIO, DEVELOPMENT SERVICES AGENCY; AND DECLARING AN EMERGENCY.

0-158-18

AN ORDINANCE AUTHORIZING THE CITY OF ATHENS TO PARTICIPATE IN THE U.S. COMMUNITIES NATIONAL GOVERNMENT COOPERATIVE PURCHASING PROGRAM. Discussion: Judith Roman, Northwood Drive, asked how the City knows it is getting the best price when using these types of programs if nothing is being bid.

Mayor Patterson explained that it is not always an issue of the best price, because there may be only one vendor for certain materials or services. A program like this can help streamline the process.

Roman asked if going through a program like this is always cheaper.

Mayor Patterson clarified that it isn't always a matter of something being cheaper, especially if the item has only one available vendor. Software is a good example. So, it's not necessarily a best price mechanism as it is a streamlined mechanism.

Roman questioned whether these types of programs would always be used.

Mayor Patterson responded, "no" that sometimes it may be more competitive to put it out to bid.

ONE-READING RESOLUTION:

R-11-18

A RESOLUTION IN OPPOSITION TO STATE SUBSTITUTE SENATE BILL 250, A BILL TO MODIFY THE OFFENSES OF CRIMINAL MISCHIEF, CRIMINAL TRESPASS, AGGRAVATED TRESPASS, TELECOMMUNICATIONS HARASSMENT, AND MAKING FALSE ALARMS WITH RESPECT TO CRITICAL INFRASTRUCTURE FACILITIES. Fahl moved for Adoption; Risner seconded. Adoption was approved unanimously.

ANNOUNCEMENTS & OTHER BUSINESS:

Risner moved to Accept the Auditor's November, 2018, Financial Reports; Fahl seconded. Motion was approved unanimously.

President Knisely requested a motion to approve reappointments to the following Boards and Commissions:

Chelsea Morahan, Josh Birnbaum, Carol Patterson, and Liz Braun to an additional 2-year term on the Athens Municipal Arts Commission;

Nick Palmer to serve an additional 2-year term on the Arts, Parks, and Recreation Board; and

Ed Baum to serve an additional 3-year term on the Board of Zoning Appeals.

Fahl moved to approve this slate of reappointments; McGee seconded. Reappointments were approved unanimously.

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

Parker Smith, West State Street, and Off-Campus Life Commissioner for Ohio University Student Senate, expressed general concerns for safety in off-campus rental neighborhoods and, specifically with the state of the sidewalks and lighting in the area. Beyond safety issues, he is also concerned with housing problems regarding lack of maintenance and response to maintenance requests.

President Knisely thanked Parker for informing Council of his concerns. City Council and the Administration are responsible for the health and safety of our community. She suggested following up with the Mayor, Police Chief, and Code Enforcement Office.

Mayor Patterson also expressed appreciation in learning of off-campus living and neighborhood concerns, noting that he operates with an open door policy and encouraged Parker to meet with him.

At approximately 7:40 p.m. Fahl moved to Adjourn the meeting; Butler seconded, and the meeting was adjourned.

President of Council

ATTEST:

Clerk of Council