

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, MARCH 16, 2020,  
7:00 P.M.**

Athens City Council met in Regular Session at the above hour with the following members present: Clodfelter, Crawl, Fahl and Kotses. Due to concerns with the coronavirus pandemic (COVID -19) the following members joined the meeting via video teleconference: Grace, Risner and Smedley.

Also present: President Knisely and Mayor Patterson, and Law Director Eliason joining via video teleconference.

**DISPOSITION OF MINUTES:**

Fahl moved approval of the minutes of the Regular Session held March 2, 2020; Clodfelter seconded. The minutes were unanimously approved as presented.

**COMMUNICATIONS:**

**President Knisely** encouraged everyone to respond to the 2020 Census count, "be counted." The form is available and can now be completed online at [my2020census.gov](https://my2020census.gov). She urged all Ohio University students currently enrolled on the Athens campus to declare Athens as their legal residence, and to not use their parents' address. The City needs an accurate count to continue to receive program funds for our community.

City Council Members are in receipt of the 2019 annual report from the Fire Department. The firefighters responded to over 1000 runs during the year, with half of those being false alarms. The Fire Chief would like to improve the educational programming, particularly for students living off-campus. A copy of this report is available for viewing in the City Council Office.

**Council Member Fahl** reported that constituents are concerned about evictions during this COVID-19 emergency.

**Council Member Clodfelter** mentioned the postponing of the primary election until June 2nd, polling places will be closed tomorrow.

**Council Member Kotses** announced cancellation of the upcoming March 19 meeting of the Athens City School Board.

He received a suggestion to suspend enforcement of the uptown parking meters to encourage frequenting businesses.

**Council Member Grace**, via video teleconferencing, has heard from members of the community concerning utility shutoffs, and she requested confirmation on the City's official position regarding water shutoffs and on

suspending the 24-hour parking enforcement at this time when residents are encouraged to stay home.

## **REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:**

Mayor Patterson reported the following:

- On Thursday, March 12, the City placed a moratorium on water shutoffs during this crisis period.
- The Community Center, effective 9:00 p.m. tonight, will be closed. Last week the pre-school and after-school programs were closed to provide separation from the Senior Center.
- The Senior Center, effective today, has closed due to the pandemic.
- Census 2020 has delayed their Mobile Questionnaire Assistance Program from March 30 to April 13, Early Non-Response Follow-up Operation from April 9 to April 23. He, too, encouraged using the on-line enumeration. Ohio University students qualify to be counted as Athens residents; this is vitally important for funds coming into our area for different services.
- Over the weekend Governor DeWine ordered the closure of all restaurants and bars, except for takeout, and today that order included movie theaters and bowling alleys. Also, the number of people gathering in a space has been reduced from 100 to 50. The CDC is recommending no gatherings of more than 10.
- An advisory joint message was sent today to prevent an effort to organize a “fest” event (see attached)

## **ORDINANCES FOR THIRD READING:**

### **0-28-20**

AN ORDINANCE CLOSING CERTAIN STREETS IN UPTOWN ATHENS ON FRIDAY, JUNE 19, AND SATURDAY, JUNE 20, 2020, FOR THE BRICK CYCLING EVENT. Kotses moved for Adoption; Clodfelter seconded.

Discussion: Fahl clarified that while these events are being planned, they may need to be cancelled.

Adoption was approved by a 4-0 vote.

### **0-29-20**

AN ORDINANCE AMENDING ORDINANCE 18-19 TO INCREASE THE AUTHORIZED APPROPRIATION AND EXPENDITURE FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING SERVICES FOR THE RICHLAND AVENUE PEDESTRIAN PASSAGEWAY PROJECT (#311). Kotses moved for

Adoption; Crowl seconded. Discussion: Kotses noted that Ohio University has increased its cost share from \$400,000 to \$646,783.

Adoption was approved by a 4-0 vote.

**0-30-20**

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH IPS GROUP, INC. (IPS) TO PROVIDE PARKING TECHNOLOGY AND RELATED SERVICES FOR THE DIVISION OF PARKING SERVICES; AND DECLARING AN EMERGENCY. Kotses moved for Adoption; Crowl seconded. Adoption was approved by a 4-0 vote. (An emergency clause requires five votes to go into effect, so it will be removed.)

**0-31-20**

AN ORDINANCE AMENDING THE 2020 APPROPRIATION ORDINANCE, AND AMENDING ORDINANCE 104-18; AUTHORIZING DESIGN SERVICES FOR THE WASTEWATER TREATMENT PLANT DEWATERING PROJECT (#320). Fahl moved for Adoption; Clodfelter seconded. Adoption was approved by a 4-0 vote.

This Ordinance will be given third reading at the next session of City Council.

**0-32-20**

AN ORDINANCE AMENDING ORDINANCE 28-19; AUTHORIZING DESIGN ENGINEERING OF THE STIMSON AVENUE IMPROVEMENTS PROJECT (#315).

**ORDINANCES FOR SECOND READING:**

**0-34-20**

AN ORDINANCE AUTHORIZING THE PURCHASE OF A REPLACEMENT BOILER HEATING SYSTEM FOR THE ATHENS COMMUNITY CENTER.

**0-35-20**

AN ORDINANCE AUTHORIZING A CONTRACT WITH THE WASHINGTON COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY.

**0-36-20**

AN ORDINANCE ACCEPTING A CERTIFICATE OF REGISTRATION FROM HORIZON TELCOM, INC. FOR USE OF THE CITY'S RIGHT-OF-WAY.

**0-37-20**

AN ORDINANCE CLOSING A PORTION OF UNION STREET BETWEEN COURT AND CONGRESS ON SATURDAY, AUGUST 15, 2020, FROM 8:00 A.M. TO 11:00 P.M. FOR THE ATHENS COMMUNITY ARTS & MUSIC FESTIVAL.

**0-38-20**

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE SECTION 13.04.10, UNNECESSARY NOISE, ON UNION STREET AND CONTIGUOUS PROPERTY TO UNION STREET, ON AUGUST 15, 2020, FOR ATHENS COMMUNITY ARTS & MUSIC FESTIVAL.

**0-39-20**

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA ON SATURDAY, AUGUST 15, 2020, DURING THE ATHENS ARTS AND MUSIC FESTIVAL.

**0-40-20**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF STIMSON AVENUE BETWEEN STATE AND GRANT STREETS, PROJECT (#315).

**0-41-20**

AN ORDINANCE AMENDING THE 2020 APPROPRIATION ORDINANCE.

**0-42-20**

AN ORDINANCE AMENDING ORDINANCE 27-20; AUTHORIZING THE AUDITOR TO ENTER INTO A CONTRACT WITH CREATIVE MICROSYSTEMS, INC. (CMI) TO UPGRADE SOFTWARE USED BY CITY DEPARTMENTS.

**0-43-20**

AN ORDINANCE IMPLEMENTING A PLAN FOR INTERIM SERVICE-SAFETY DIRECTOR DUE TO MILITARY DEPLOYMENT OF THE CURRENT SERVICE-SAFETY DIRECTOR.

**0-44-20**

AN ORDINANCE AMENDING ORDINANCE 131-19, STAFFING LEVELS.

**ORDINANCES FOR FIRST READING:****0-45-20**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ANNEXATION AGREEMENT WITH THE ATHENS TOWNSHIP TRUSTEES FOR PROPERTY LOCATED NORTH OF LUHRIG ROAD (TOWNSHIP ROAD 242). Discussion: Fahl explained that this is the first step in an expedited annexation process for land that is planned for an affordable housing development.

Keith Wasserman, Currier Street, requested detailed information about the proposed development.

Fahl responded that this development is planned by Woda Cooper Companies. Woda is a multi-state company that specializes in affordable housing projects, senior and general occupancy.

Wasserman asked about the number of units.

Clodfelter responded that there will be 107 units total, with one building housing 51 and the other 56, each having a community room.

President Knisely indicated that this development will provide universal access. There will be a combination of 1, 2, and 3-bedroom units with the rental rate based on 30% to 80% of the Athens County median income. The buildings' environmental standards will have leads silver certification.

Wasserman questioned whether this development would be built at the intersection of Luhrig and State Route 682.

Fahl responded that it will be on either side of the pond, noting that the pond will not be affected because it is storm water drainage for University Estates.

**0-46-20**

AN ORDINANCE ACCEPTING A CERTIFICATE OF REGISTRATION FROM LE-AX REGIONAL WATER DISTRICT FOR USE OF THE CITY'S RIGHT-OF-WAY.

**0-47-20**

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY PERMIT TO NEW CARPENTER HALL, LLC, 19 EAST CARPENTER STREET.

**0-48-20**

AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION PROGRAM FUNDS FOR PROGRAM YEAR 2020.

**0-49-20**

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF \$390,000 OF NOTES BY THE CITY OF ATHENS, OHIO, IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF RENEWING NOTES PREVIOUSLY ISSUED TO PAY PART OF THE COSTS OF ACQUIRING NEW PARKING METERS; AND DECLARING AN EMERGENCY.

**0-50-20**

AN ORDINANCE AMENDING THE 2020 APPROPRIATION ORDINANCE.

## **ONE-READING RESOLUTION:**

### **R-04-20**

A RESOLUTION TO SEEK MEMBERSHIP IN THE AARP NETWORK OF AGE-FRIENDLY COMMUNITIES. Fahl moved for Adoption; Clodfelter seconded.

Discussion: President Knisely reported that this was brought forward by a group of citizens affiliated with both the University and the City who have decided to pursue this membership. The decision to move forward with an application was made after receiving a presentation from the Columbus community. Both the smaller group and the larger planning group have met several times and believe this is an important opportunity for Athens. There is a very defined application process for planning, assessment, and implementation and this is basically a 5-year plan. Also, this membership is affiliated with the World Health Organization (WHO) and she believes it will afford some great opportunities for the City. There are eight (8) domain areas: transportation; housing; safety and employment preparedness; outdoor spaces and buildings; community and information; employment and civic engagement; respect, inclusion and social participation; and community support and health services.

Clodfelter asked if there is a fee to receive this designation.

President Knisely is not aware of a membership fee. However, there will be a cost eventually for implementing the plan, but it does not obligate the City or the University to any funds at this point.

Fahl noted that these types of networks provide valuable resources to the City.

## **ANNOUNCEMENTS & OTHER BUSINESS:**

Fahl moved to Accept the Auditor's February, 2020, Financial Reports; Crowl seconded. Motion was approved by a 4-0 vote.

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

Damon Krane, Hudson Avenue, spoke in favor of halting evictions and utility shutoffs. He questioned the time period for halting water shutoffs.

Mayor Patterson responded that it will be in place until further notice.

Krane asked about evictions.

President Knisely doesn't believe the City governs the eviction process.

Mayor Patterson indicated that it is a decision of the Municipal Court Judge to manage or place a moratorium on evictions.

Krane reported that a petition that began circulating on Saturday has already garnered 800 signatures in favor of halting evictions. He urged City

Council and the Mayor, given the level of concern, to please do whatever is in their power to provide immediate relief to this really important public health measure to try to limit the spread of the coronavirus.

Brooke Staats, West Washington Street, echoed Krane's comments on halting evictions and utility shutoffs. He appreciates the City's efforts to address stopping water shutoffs. He, too, would like City Council and the Administration to use their power in voicing a moratorium on evictions. He would also like the City to review suspending enforcement of the 24-hour parking regulation. Those under quarantine should not be required to move their vehicles.

Ryan Powers, Marietta Avenue, a food service worker in Athens, a renter, and a member of the Athens Revolutionary Socialists, would like a system in place that will support every day, average working-class people. He requests the people who do have the power, City Council, Mayor, and Judges to halt evictions and utility shutoffs in the Athens community.

At approximately 8:15 p.m. Fahl moved to Adjourn the meeting; Crawl seconded, and the meeting was adjourned.

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President of Council

ATTEST:

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Clerk of Council

Council Members in attendance: Clodfelter, Crawl, Fahl and Kotses, and the following members joining via video teleconference: Grace, Risner and Smedley.

Also present: President Knisely and Mayor Patterson, and Law Director Eliason joining via video teleconference.

Attendance by the Public: (see attached list)

President Knisely read a message from Law Director Eliason summarizing Ohio Attorney General Dave Yost's letter to local officials regarding the applicability of the Ohio Open Meetings Act during this time of a COVID-19 declared emergency (see attached).

President Knisely then opened the Public Hearing to discuss the Community Development Block Grant (CDBG). She explained the different funding sources and recommended projects for consideration:

Allocation Funds:

- 1) College Street Accessibility Improvements
- 2) West Side Accessibility Improvements;

Other suggestions: Sanitary Lining, Water System Improvements in Elliottsville, and sidewalk installation on Madison.

Mayor Patterson clarified that the City would like to move forward with the West Side Accessibility Improvements. There is a need for improvements in this area.

Residential Public Infrastructure Program:

- 1) Armitage Well Field Improvements – is on hold until 2022 as there are several requirements that need to be met: an Ohio EPA permit in which the project would need to be defined, designation of a design firm, a survey of the site, inspection of the well towers and the salt storage area, as well as the riverbank area, so is not practical at this time.

Critical Infrastructure Program:

- 1) WWTP Dewatering Equipment – resubmission

Mayor – This grant is very competitive and likely not cost effective for the City to apply for when looking at the personnel hours associated with this application. The City has applied twice before and not been successful, so it may not even be a qualifying project. Glen Crippen at HAPCAP has advised the City not to pursue it again.

President Knisely asked for feedback from the Council Members.

For safety reasons, Council Member Clodfelter is pleased that West Washington Street is being considered.

Council Member Smedley, via video teleconference, is familiar with the details of the West Washington Street project and encouraged the Mayor to share those with the Council. She is very much in support of funding this project.

Mayor Patterson indicated that if the City is successful in receiving this grant that decorative lighting will be installed between Maple and Shafer, crosswalk improvements at Shafer, and sidewalk improvements. The City is currently working with Asplundh to do shrub and tree trimming along West Washington.

Council Member Grace, via video teleconference, voiced her support for the West Washington Street improvements.

President Knisely announced to the viewing audience that City Council will be accepting written comments sent to the Clerk of Council via email available on the City Website, or mailed comments to 8 East Washington Street, Athens, Ohio, 45701. Also, a second public hearing will be held on April 20<sup>th</sup>.

Mayor Patterson mentioned the following past projects funded through the CDBG Allocation Program:

2018 – Kimes Reservoir Rehabilitation, \$150,000  
2016 – West Union Street Sidewalk Extension, \$75,000  
2015 – Franklin Avenue Improvements, \$75,000  
2013 – Richland House Rehabilitation, \$75,000  
2012 – Columbus Road/Lancaster Street, \$85,000  
2011 – Grosvenor Street Slip Repair, \$97,000

Hearing no further questions or comments from the public, the hearing was adjourned at approximately 7:15 p.m.

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President of Council

ATTEST:

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Clerk of Council