

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, DECEMBER 5, 2022, 7:00 P.M.

Athens City Council met in Regular Session at the above hour with the following members present: Crawl, Grace, McCarey, Swank, and Ziff.

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

DISPOSITION OF MINUTES:

Swank moved approval of the minutes of the Regular Session held October 17, 2022; Ziff seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely shared that Stephanie Kendrick has been nominated to serve as the City's 2023 Poet Laureate.

Current Poet Laureate Wendy McVicker spoke about Stephanie's experience and background, and she highly recommends her appointment.

Along with other poetry activities, Stephanie spoke about wanting to highlight and uplift our social services through poetry. She would like to honor Athens' based organizations with a poem that can be distributed throughout the community, and she will provide supplemental information about the organizations' mission statements and ways citizens can volunteer. She then read a poem entitled, the "A" in Athens stands for art.

Clerk of Council Walker was recognized for 40 years of service to the City of Athens.

COMMUNICATIONS:

Council Member McCarey shared highlights from attending the National League of Cities Institute on the history of racism and its impacts, acknowledging November as Indigenous Peoples Heritage month. A strong takeaway from the institute is thinking about equity practices while budgeting.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Ohio Magazine's cover recognizing the City of Athens as one of Ohio's best hometown communities.

- City is nearing completion of its application for the Appalachian Communities grant funding (due December 9th), partnering with Coshocton collaborative, Logan, and Somerset.
- Reported that the Madison Avenue project did not score high enough to receive Round 18 funding of the Ohio Public Works Commission (OPWC).
- City will be recognized on Friday, in Columbus, by the Power Clean Future Ohio, Clean Energy Champions, as a leader in reducing carbon emissions and promoting renewable energy sources.

ORDINANCES FOR THIRD READING:

0-129-22

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 29, HOUSING REGULATIONS, CHAPTER 29.03, RENTAL DWELLING, SHORT TERM RENTAL, AND HOUSING PERMIT, SECTION 29.03.01, RENTAL PERMIT REQUIRED. Grace moved for Adoption; Ziff seconded. Adoption was approved unanimously.

0-135-22

AN ORDINANCE RETAINING EXISTING WARD BOUNDARIES IN THE CITY OF ATHENS IN ACCORDANCE WITH THE 2020 FEDERAL CENSUS. Ziff moved for Adoption; Grace seconded. Discussion: Swank asked if an appeal were to be filed and our census would reach the 25,000-population figure what part this ordinance would play in that.

Mayor Patterson responded that such an appeal would require the Census Bureau enumerators to return to Athens for a second complete count of the City. It would take time, possibly years, and at that time the City would then make whatever corrections are needed. The City is considering a look at the smaller census blocks, where the City has identified undercounts in the larger apartment complexes.

Adoption was approved unanimously.

0-136-22

AN ORDINANCE AUTHORIZING THE MAYOR AND SERVICE-SAFETY DIRECTOR TO ENTER INTO A MUTUAL AID AGREEMENT WITH THE ATHENS COUNTY SHERIFF'S OFFICE FOR PARTICIPATION OF ATHENS POLICE OFFICERS IN A SPECIAL RESPONSE AND TACTICS UNIT. McCarey moved for Adoption; Ziff seconded. Adoption was approved unanimously.

0-137-22

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO MICHELLE WILSON, OWNER, 264 EAST STATE STREET, FOR USE OF AN UNNAMED ALLEY TO ALLOW PARKING FOR ATHENS IMPACT. Grace moved for Adoption; Ziff seconded. Adoption was approved unanimously.

0-138-22

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ATHENS CITY CODE, TITLE 7, TRAFFIC; AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. Grace moved for Adoption; Crowl seconded. Adoption was approved unanimously.

0-139-22

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ATHENS CITY CODE, TITLE 13, GENERAL OFFENSES; AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. Grace moved for Adoption; Ziff seconded. Adoption was approved unanimously.

0-140-22

AN ORDINANCE AUTHORIZING DISPOSAL OF VEHICLES NO LONGER NEEDED FOR A MUNICIPAL PURPOSE. Grace moved for Adoption; Ziff seconded. Adoption was approved unanimously.

0-141-22

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 IMPROVEMENT OF WEST UNION STREET, PROJECT (#322); AND DECLARING AN EMERGENCY. Grace moved for Adoption; Ziff seconded. Adoption was approved unanimously.

0-142-22

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO CONTRACT FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE WEST UNION STREET IMPROVEMENTS PROJECT (#322). Discussion: Grace questioned whether this Ordinance needs an amendment due to additional grant funding announced by Service-Safety Director Stone at the last meeting.

Patterson responded, not at this time, as it will be a while before the Ohio Department of Transportation allots that money to the City.

Grace moved for Adoption; Ziff seconded. Adoption was approved unanimously.

0-143-22

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO SUBMIT AN APPLICATION AND ENTER INTO AN AGREEMENT FOR A STATE INFRASTRUCTURE BANK (SIB) LOAN FOR THE WEST UNION STREET IMPROVEMENTS PROJECT (#322); AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN. Crowl moved for Adoption; Ziff seconded. Adoption was approved unanimously.

0-145-22

AN ORDINANCE AUTHORIZING THE AUDITOR TO REDUCE 2022 YEAR-END APPROPRIATIONS. Crawl moved for Adoption; Graced seconded. Adoption was approved unanimously.

0-147-22

AN ORDINANCE AUTHORIZING 2023 STAFFING LEVELS AND NON-UNION COMPENSATION; REPEALING ALL ORDINANCES INCONSISTENT THEREWITH; AND DECLARING AN EMERGENCY. Crawl moved for Adoption; Grace seconded. Discussion: Swank noted that staffing includes 19 patrol officers and 6 lieutenants, and 15 firefighters and 6 lieutenants, and asked about the process to determine the appropriate level of staffing of these two very important safety departments.

Patterson indicated that staffing is typically set by the expertise of our Police and Fire Chiefs as to the number needed to achieve best practices, and taking into account population size.

Adoption was approved unanimously.

0-148-22

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. Crawl moved for Adoption; Grace seconded. Adoption was approved unanimously.

0-149-22

AN ORDINANCE ACCEPTING RECEIPT OF THE CITY'S CARBON FEE FOR THE CITY OF ATHENS SEWER SOLAR PROJECT. Crawl moved for Adoption; Ziff seconded. Adoption was approved unanimously.

0-150-22

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SOLAR POWER PURCHASE AGREEMENT (SPPA) WHICH INCLUDES A SOLAR LICENSE AGREEMENT (SLA) FOR PHOTOVOLTAIC SOLAR ENERGY INSTALLATIONS TO BE SITED IN THE CITY OF ATHENS. Crawl moved for Adoption; Ziff seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:**0-151-22**

AN ORDINANCE GRANTING A VARIANCE FROM THE ATHENS CITY SUBDIVISION REGULATIONS TO DAVID AND ERIN CARTER FOR PROPERTY LOCATED ON PLEASANT HILL ROAD, OUTSIDE THE CORPORATE LIMITS BUT WITHIN THE 3-MILE JURISDICTION, TO ALLOW A LOT SPLIT.

0-152-22

AN ORDINANCE CONVEYING THE CITY OF ATHENS ARMORY, LOCATED AT 2 WEST CARPENTER STREET, TO THE ATHENS COMMUNITY IMPROVEMENT CORPORATION (ACIC), AN OHIO NON-PROFIT CORPORATION.

0-153-22

AN ORDINANCE AUTHORIZING THE CITY TO ACT AS THE LEAD APPLICANT AND FISCAL AGENT FOR AN APPALACHIAN DEVELOPMENT GRANT THROUGH THE APPALACHIAN COMMUNITY GRANT PROGRAM; TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ORGANIZE, MANAGE, AND SUBMIT AN APPLICATION FOR A REGIONAL INITIATIVE THAT WOULD FUND MULTIPLE REMOTE/CO-WORKING SPACES SUCH AS THE ATHENS ARMORY PROJECT, TO EXECUTE SUBRECIPIENT AGREEMENTS; AND DECLARING AN EMERGENCY.

0-154-22

AN ORDINANCE AMENDING THE 2022 APPROPRIATION ORDINANCE.

0-155-22

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ATHENS, OHIO DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023. Discussion: Swank asked about the process of amending the proposed budget to accommodate other already conceived project expenditures.

Patterson responded that he would feel more comfortable getting this budget in place as it is currently, and next year to consider additional add-ins after further discussion.

0-156-22

AN ORDINANCE AMENDING ORDINANCE 21-21; REALLOCATING REVENUES FROM THE CITY INCOME TAX; AND DECLARING AN EMERGENCY.

0-157-22

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 17, MUNICIPAL INCOME TAX, CHAPTER 17.01, IN GENERAL, SECTION 17.01.013, ALLOCATION OF FUNDS.

0-158-22

AN ORDINANCE AMENDING ORDINANCE 150-18 AND THE ATHENS CITY CODE, ESTABLISHING SALARIES FOR CERTAIN ELECTED OFFICIALS.

ORDINANCES FOR FIRST READING:

0-159-22

AN ORDINANCE ACCEPTING AND AFFIRMING EASEMENTS REQUIRED FOR THE WEST UNION STREET IMPROVEMENTS PROJECT (#322); AND DECLARING AN EMERGENCY.

0-160-22

AN ORDINANCE AMENDING THE 2022 APPROPRIATION ORDINANCE.

0-161-22

AN ORDINANCE AUTHORIZING THE MAYOR'S EXECUTION OF AN AGREEMENT WITH THE ATHENS CITY FIREFIGHTERS LOCAL 3351, AND OHIO COUNCIL 8, AFSCME, AFL-CIO, CONCERNING WAGES AND WORKING CONDITIONS.

0-162-22

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO A CONTRACT WITH THE EMPLOYEE BENEFIT SERVICE CENTER TO SERVE AS THE CITY'S THIRD PARTY HEALTH INSURANCE ADMINISTRATOR (TPA); AND DECLARING AN EMERGENCY.

0-163-22

AN ORDINANCE AUTHORIZING A STOP-LOSS/GROUP EXCESS LOSS MEDICAL INSURANCE CONTRACT; AND DECLARING AN EMERGENCY.

Announcements & Other Business:

Ziff moved to appoint Stephanie Kendrick to serve as the City's 2023 Poet Laureate; Swank seconded. Appointment was approved unanimously.

Crowl moved to appointment Beth Clodfelter to serve on the Environment & Sustainability Commission; Ziff seconded. Appointment was approved unanimously.

Ziff moved to confirm the Mayor's appointment of William Walker to the Historic Preservation Board; Swank seconded. Appointment was approved unanimously.

At approximately 8:00 p.m. Ziff moved to Adjourn; Grace seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council