



AGENDA
ATHENS CITY COUNCIL
MONDAY, NOVEMBER 6, 2023 AT 7:00 PM

e-mail: dwalker@ci.athens.oh.us

Streaming is available at www.ci.athens.oh.us/video

- 1. Establish Quorum**
- 2. Disposition of Minutes:**
 - Regular Session held October 16, 2023
- 3. Communications**
- 4. Reports and Communications from Other Elected Officials**
- 5. Ordinances for Third Reading:**

0-96-23

AN ORDINANCE AMENDING ORDINANCE 11-23 AUTHORIZING CONSTRUCTION OF THE NEW FIRE HEADQUARTERS, PROJECT #346.

Introduced by Council Member McCarey

0-97-23

AN ORDINANCE AMENDING ATHENS CITY ZONING CODE, TITLE 23, CHAPTER 23.03, GENERAL REGULATIONS AND PERMITTED MODIFICATIONS, SECTION 23.03.13 (L) (1) (a), SIGN REGULATIONS.

Introduced by Council Member Grace

0-98-23

AN ORDINANCE AUTHORIZING THE SALE OF PROPERTY NO LONGER NEEDED FOR A MUNICIPAL PURPOSE.

Introduced by Council Member Grace

0-100-23

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED, SECTION 5.04.08, SEWER RATES.

Introduced by All Members of Council

0-101-23

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 7, TRAFFIC CODE, CHAPTER 7.05, PARKING REGULATIONS, SECTIONS 7.05.22 AND 7.05.26.

Introduced by Council Member Risner

0-102-23

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED, TO INCLUDE SECTIONS 7.05.22 AND 7.05.26, PARKING RATES.

Introduced by Council Member Risner

0-103-23

AN ORDINANCE AMENDING THE 2023 APPROPRIATION ORDINANCE 155-22.

Introduced by Council Member Crawl

0-104-23

AN ORDINANCE FINALIZING COSTS FOR THE ARMORY, PROJECT #313, AND AUTHORIZING EXPENDITURES FROM THE CITY OF ATHENS TO THE ATHENS COMMUNITY IMPROVEMENT CORPORATION (ACIC) FUND.

Introduced by Council Member Crawl

0-105-23

AN ORDINANCE AUTHORIZING FUNDS TO THE ATHENS COMMUNITY IMPROVEMENT CORPORATION FOR PAYMENT OF 2023 ARMORY ELECTRIC BILLS; AUTHORIZING AN INTERFUND TRANSFER; AND REQUESTING REIMBURSEMENT FOR PAYMENTS MADE BY THE CITY OF ATHENS.

Introduced by Council Member Crawl

0-108-23

AN ORDINANCE ESTABLISHING A "SPECIAL REVENUE FUND" POLICY FOR THE CITY OF ATHENS.

Introduced by Council Member Crawl

6. Ordinances for Second Reading:

0-99-23

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED.

Introduced by All Members of Council

0-109-23

AN ORDINANCE ACCEPTING A PERMANENT SANITARY UTILITY EASEMENT FROM

ERIE LAND CO., LLC, FOR THE TYLER PARK LIFT STATION.
Introduced by Council Member McCarey

0-110-23

AN ORDINANCE AUTHORIZING DISPOSAL OF EQUIPMENT AND VEHICLES NO LONGER NEEDED FOR A MUNICIPAL PURPOSE.
Introduced by Council Member Risner

0-111-23

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 17, MUNICIPAL INCOME TAX, CHAPTER 17.01, IN GENERAL.
Introduced by Council Member Crowl

0-112-23

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 3, ADMINISTRATIVE PROVISIONS, CHAPTER 3.03, EXECUTIVE; OTHER OFFICIALS, SECTION 3.03.07, DEPUTY AUDITOR.
Introduced by Council Member Crowl

0-113-23

AN ORDINANCE AMENDING THE 2023 APPROPRIATION ORDINANCE 155-22.
Introduced by Council Member Crowl

0-114-23

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 29, HOUSING REGULATIONS, CHAPTER 29.03, RENTAL DWELLING, SHORT TERM RENTAL, AND HOUSING PERMIT, SECTION 29.03.08, FEES.
Introduced by Council Member Crowl

7. Ordinances for First Reading:

0-115-23

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF ATHENS, OHIO, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL.
Introduced by All City Council Members

0-116-23

AN ORDINANCE DECLARING THE IMPROVEMENTS TO CERTAIN REAL PROPERTY LOCATED IN THE CITY OF ATHENS, ATHENS COUNTY, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION PURSUANT TO OHIO REVISED CODE SECTION 5709.40(B); REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; AND ESTABLISHING A PUBLIC

IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, TOGETHER WITH RELATED AUTHORIZATIONS.

Introduced by All City Council Members

0-117-23

AN ORDINANCE AUTHORIZING DISPOSAL OF THE CITY'S LEAF COLLECTOR TRUCK AND APPURTENANCE, NO LONGER NEEDED FOR A MUNICIPAL PURPOSE, AS TRADE-IN ON THE PURCHASE OF A NEW LEAF COLLECTOR TRUCK FOR THE STREET DEPARTMENT; AND DECLARING AN EMERGENCY.

Introduced by Council Member Risner

0-118-23

AN ORDINANCE APPROVING THE FINAL PLAT OF THE HOMESTEAD COURT AND BROADMOOR, UNIVERSITY ESTATES, PLANNED UNIT DEVELOPMENT.

Introduced by Council Member Grace

0-119-23

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 3, ADMINISTRATIVE PROVISIONS, CHAPTER 3.07, ADMINISTRATIVE DEPARTMENTS; BOARDS AND COMMISSIONS, SECTION 3.07.74, ESTABLISHMENT OF COMMISSION.

Introduced by Council Member Crowl

0-120-23

AN ORDINANCE AUTHORIZING THE AUDITOR TO REDUCE 2023 YEAR-END APPROPRIATIONS.

Introduced by Council Member Crowl

0-121-23

AN ORDINANCE AMENDING THE 2023 APPROPRIATION ORDINANCE 155-22, AND AUTHORIZING AN INTERFUND TRANSFER.

Introduced by Council Member Crowl

0-122-23

AN ORDINANCE AMENDING THE 2023 STAFFING LEVELS AUTHORIZED BY ORDINANCE 147-22; AND DECLARING AN EMERGENCY.

Introduced by the Finance & Personnel Committee

0-123-23

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE AN EASEMENT AND RIGHT-OF-WAY AGREEMENT WITH THE OHIO POWER COMPANY (AEP) FOR INSTALLATION OF ELECTRICAL SERVICE TO THE NEW FIRE STATION ON STIMSON AVENUE.

Introduced by Council Member McCarey

0-124-23

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE AN EASEMENT AND RIGHT-OF-WAY AGREEMENT WITH COLUMBIA GAS OF OHIO, INC.,

FOR SERVICE TO THE NEW FIRE STATION ON STIMSON AVENUE.
Introduced by Council Member McCarey

8. Announcements & Other Business:

9. Opportunity for Citizens to Speak on Legislative Items and City Services Not Covered on the Agenda

10. Executive Session:

- Threatened Litigation

11. Adjournment

Chris Knisely
President of Council

The City of Athens supports the Americans with Disabilities Act. Requests for reasonable accommodation may be made with the ADA Coordinator in the City Building or by calling 592-3367.

0-96-23

Introduced by Micah McCarey, Chair
City & Safety Services Committee

AN ORDINANCE AMENDING ORDINANCE 11-23 AUTHORIZING CONSTRUCTION OF THE NEW FIRE HEADQUARTERS, PROJECT #346.

WHEREAS, Ordinance 49-23 provided for the issuance of bonds for the purpose of financing the costs associated with construction of a new fire station in the amount of \$4 million; and

WHEREAS, it is necessary to amend Ordinance 11-23 to replace the General Fund and ARPA Fund authorizations with those provided through the bond proceeds;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Sections II and III of Ordinance 11-23 are hereby amended to read as follows:

Section II: The 2023 Appropriation Ordinance, 0-155-22, is hereby amended by appropriating from the unappropriated balance the following sums:

~~Three Million Dollars (\$3,000,000.00) to General Fund, Fire, 101.208, T.C. 500;~~

Eight Million Four Hundred Thousand Dollars (\$8,400,000.00) to Safety Services Fund, Fire, 206.208, T.C. 500; and

~~One Million Dollars (\$1,000,000.00) to ARPA Fund, 286, T.C. 500,~~ **Four Million Dollars (\$4,000,000.00) to Safety Services Fund, Fire, 206.208, T.C. 500,** and increasing the total appropriations by said amounts.

Section III: The Service-Safety Director is hereby authorized to expend up to Thirteen Million Six Hundred Seventy Thousand Dollars (\$13,670,000.00) as follows:

~~Three Million Six Hundred Seventy Thousand Dollars (\$3,670,000.00) from General Fund, Fire, 101.208, T.C. 500, that includes (\$70,000.00) authorized by Ordinance 18-22, for planning/preliminary engineering; and (\$600,000.00), authorized by Ordinance 84-22, for design and construction management services;~~

~~Nine Million Dollars (\$9,000,000.00)~~ **Thirteen Million Dollars (\$13,000,000.00)** from Safety Services Fund, Fire, 206.208, T.C. 500, that includes (\$600,000.00) for land purchase and site preparation, authorized by Ordinance 121-22; ~~and One Million Dollars (\$1,000,000.00) from ARPA Fund, 286, T.C. 500, for said Project #346.~~

SECTION II: This Ordinance shall be in effect and full force upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-97-23

Introduced by Sarah Grace, Chair
Planning & Development Committee

AN ORDINANCE AMENDING ATHENS CITY ZONING CODE, TITLE 23, CHAPTER 23.03, GENERAL REGULATIONS AND PERMITTED MODIFICATIONS, SECTION 23.03.13 (L) (1) (a), SIGN REGULATIONS.

WHEREAS, on July 6, 2023 the Athens City Planning Commission voted to recommend said changes to the Zoning Code; and

WHEREAS, Athens City Council held a public hearing on September 18, 2023;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The Athens City Zoning Code, Title 23, Chapter 23.03, General Regulations and Permitted modifications, Section 23.03.13 (L) (1) (a), Sign Regulations, is hereby amended to read as follows:

23.03.13 (L) (1) (a) – Sign Regulations

(L) Temporary signs. All temporary signs shall be maintained in a safe condition and in good repair or be removed immediately.

(1) Advertising signs. Except in the Downtown Business District (B-2D), in zones where advertising signs are permitted, temporary advertising signs announcing sales, new products or special business events may be permitted in addition to the maximum sign face area of a permanent business sign.

(a) Special sales and special events. Advertising banner, posters, **feather flags**, pennants, ribbons, streamers, strings of lights, or other similar devices, with or without letters, words, numbers, logos or graphics, for the purpose of advertising or attracting attention to a special sale or to a special event upon the premises may be permitted for a period not to exceed 30 consecutive days, if approved by the zoning inspector. No more than four permits shall be issued for the erection of a temporary sign by any person on any one building or premises in any year. ~~The maximum total signage of temporary signs shall be the same as the maximum size of a permanent free-standing sign allowed in the zone.~~ **The maximum number of temporary signs shall not exceed two (2) per property. For multiple businesses operating on one property the maximum number of temporary signs shall be one (1) per business. The maximum total signage area for all temporary signs shall not exceed 50 sq. ft.**

SECTION II: This Ordinance shall be in effect and full force upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-98-23

Introduced by Sarah Grace, Chair
Planning & Development Committee

**AN ORDINANCE AUTHORIZING THE SALE OF PROPERTY NO LONGER
NEEDED FOR A MUNICIPAL PURPOSE.**

WHEREAS, land owned by the City and located in Canaanville, is no longer
useful or beneficial for sludge management;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: In accordance with Ohio Revised Code Section 721.01, Athens
City Council does hereby declare a 21.75-acre parcel owned by the City of Athens in
Canaanville Township, being part of Athens County Parcel #E010010013200, and as
shown on the legal description and map attached hereto and incorporated herein by
reference, not currently needed for a municipal purpose. This property is subject to a
lease on 14.401 acres and any other existing encumbrances.

SECTION II: The Service-Safety Director is hereby authorized to advertise for
sealed bids, and accept the highest bid, not less than the appraised value, or reject
any bids in accordance with ORC 721.03, and shall make a report to the City Council
as to the disposition of said property.

SECTION III: The Auditor is hereby requested to receipt proceeds from the
sale into Sewer Fund, 750.

SECTION IV: This Ordinance shall be in effect and full force upon passage
and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor



499 Richland Avenue Athens, Ohio 45701
Phone: 740-589-5001 Fax: 740-589-5004
rbuckley@buckleygroupllc.com

DESCRIPTION OF A 21.75 ACRE PARCEL

Situated in Canaan Township, Athens County, State of Ohio

Being a **21.75** acre parcel of land located in part of Fraction 2, Section 9, Canaan Township, City of Athens, Township 05 North, Range 13 West, Ohio Company Purchase, Athens County, State of Ohio and being part of a 75.320 acre parcel as conveyed to the City of Athens by a deed recorded in Deed Book 112 at Page 733 of said county deed records and being more fully bounded and described as follows:

Beginning at an iron pin (set), being a point on the southerly right of way line of U. S. Route 50, a variable width right of way per Ohio Department of Transportation Project ATH-50-18.54, being the southwesterly corner of Lot 18 of Frank J. Hills Addition as platted in Plat Book 5 at Page 82 of said county plat book records;

With the southerly right of way line of said U.S. 50 the following five courses:

- Course No. 1:** Thence, S 43° 39' 43" E, 21.06 feet to an iron pin (set);
- Course No. 2:** Thence, N 70° 19' 19" E, 100.10 feet to an iron pin (set);
- Course No. 3:** Thence, S 35° 27' 27" E, 341.58 feet to an iron pin found (R/W Marker);
- Course No. 4:** Thence, S 43° 25' 12" E, 442.15 feet to an iron pin found (R/W Marker);
- Course No. 5:** Thence, S 47° 57' 25" E, 466.36 feet to an iron pin found (R/W Marker), being a point on the easterly line of Fraction 2 and a point on the westerly line of a 3.217 acre parcel as conveyed to JJ Jacobs Developing, LLC by a deed recorded in Official Record Book 284 at Page 722 of said county deed records;
- Course No. 6:** Thence, S 03° 10' 20" W, with the easterly line of said 75.320 acre parcel, the easterly line of said Fraction 2 and the westerly line of said 3.217 acre parcel, 688.06 feet to an iron pin (found 1" bolt), being a corner of said 75.320 acre parcel and a point on the northerly line of a 27.080 acre parcel as conveyed to JBH Investments, LLC by a deed recorded in Official Records Book 512 at Page 597 of said county deed records;
- Course No. 7:** Thence, N 86° 49' 40" W, with a line of said 75.320 acre parcel and a line of said 27.080 acre parcel, 262.58 feet to an iron pin (set);
- Course No. 8:** Thence, N 37° 22' 23" W, with a new division line through said 75.320 acre parcel, passing Point 'A' at 941.82 for reference, a total distance of 1776.90 feet to an iron pin (set), referenced as Point 'B', being a point on the southeasterly line of a 13.043 acre parcel as conveyed to David Leatherwood by a deed recorded in Official Records Book 482 at Page 1354 of said county deed records;
- Course No. 9:** Thence, N 69° 59' 00" E, 448.75 feet to the **Point of Beginning**, containing **21.75** acres, more or less, leaving a residual of 53.57 acres, and being subject to all legal rights of way and easements of record.

Said **21.75 acre** parcel being subject to the following:

Being a 30 foot in width Ingress/Egress easement more fully described as follows:

Being 30 feet parallel and southeasterly and southwesterly of the following described line:

Beginning at Point 'B', as referenced in the description of said 21.75 acre parcel;

Thence, N 69° 59' 00" E, 448.75 feet to an iron pin (set);

Thence, S 43° 39' 43" E, 21.06 feet to an iron pin (set);

Thence, N 70° 19' 19" E, 100.10 feet to an iron pin (set) and the point of terminus with the
southwesterly right of way of said U.S. Route 50;

Also being a 20 foot in width temporary easement, being 10 feet either side and parallel with the
following described centerline:

Beginning at Point 'A', as referenced in the description of said 21.75 acre parcel;

Thence, N 52° 08' 29" E, 546.78 feet to the point of terminus with the southwesterly right of way
line of said U.S. Route 50;

Being part of parcel number E010010013200.

Bearings, coordinates and distances are based on Ohio State Plane (South Zone) Grid,
NAD83 (CORS 96) datum.

Plat of survey is attached hereto and made a part thereof.

All iron pins set being 3/4" x 30" rebar with plastic cap stamped "Buckley Group -04153".

This description was prepared under the direct supervision of Ryan D. Buckley, Registered
Surveyor No. 8676 and is based on a field survey performed by The Buckley Group, LLC
completed in June 2023.

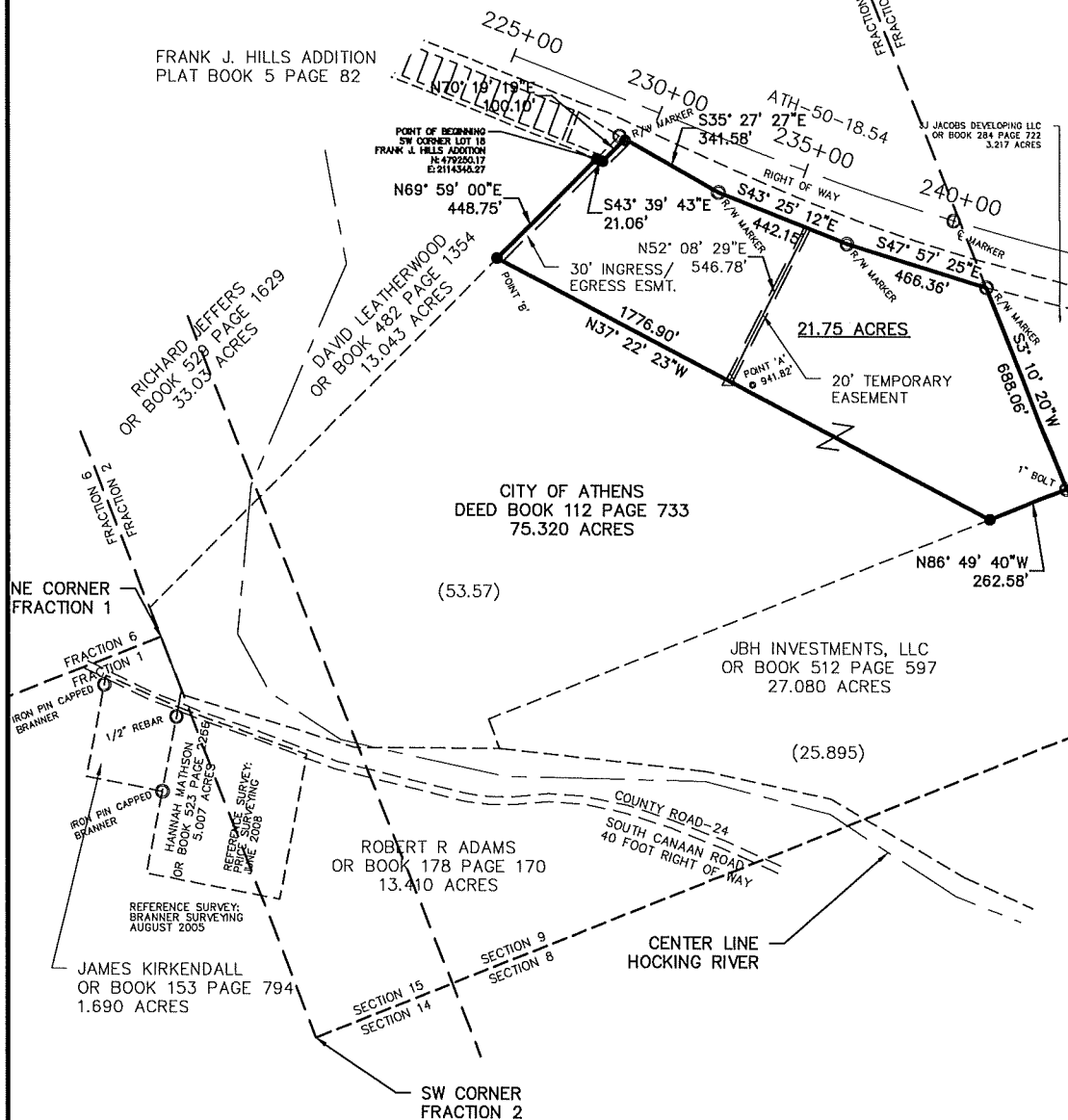
June 19, 2023
Date

Ryan D. Buckley, Professional Surveyor No. 8676

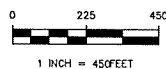
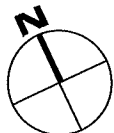
ATHENS COUNTY
CANAAN TOWNSHIP
SECTIONS 8 & 9
TOWN 5, RANGE 13
OHIO COMPANY PURCHASE
STATE of OHIO

PERTINENT DOCUMENTS AND
SOURCES OF DATA USED:
DEED REFERENCES (AS NOTED)
SPECIFIED COUNTY ROADWAY MAP
SPECIFIED COUNTY TAX PARCEL MAP
PREVIOUS SURVEY PLATS

FRANK J. HILLS ADDITION
PLAT BOOK 5 PAGE 82



LEGEND	
○	MONUMENT FOUND
●	MONUMENT SET 3/4"x30" REBAR/CAP 04153
△	POINT



NOTE: DRAWING SCALE MAY BE
ADJUSTED DUE TO REPRODUCTION

ATTENTION:
THIS PLAT OF SURVEY REPRESENTS
THE MINIMUM STANDARDS FOR BOUNDARY
SURVEYS IN THE STATE OF OHIO AS
ADOPTED 5-1-80 OF THE ADMINISTRATIVE
CODE CHAPTER 4733-37. LOCAL
GOVERNING REQUIREMENTS IF MORE
STRINGENT, SHALL BE ADHERED TO.

BASIS OF BEARINGS:
STATE PLANE COORDINATE SYSTEM
OHIO SOUTH ZONE, NAD 83

DATE 6/19/23
DRWN. JDC | CHCK. RDB
JOB NO. 232176

PLAT OF SURVEY

SURVEYED FOR:
CITY OF ATHENS
30 CURRAN DRIVE
ATHENS, OHIO 45701



buckleygroup
engineering+surveying

6801 STATE ROUTE 56,
ATHENS, OH 45701
PH: (740) 589-5001
WEB: buckley.group

RYAN D. BUCKLEY
PROFESSIONAL SURVEYOR No. 8676
STATE OF OHIO
DATE: 6/19/23

0-100-23

Introduced by All Members of Council

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED, SECTION 5.04.08, SEWER RATES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Effective January 1, 2024, Athens City Code Title 1, General Provisions, Chapter 1.03, Code Fees Established, Section 5.04.08, Sewer Rates, are hereby amended to read as follows:

Section 5.04.08, Sewer Rates

Residential	\$5.89	\$6.00
Commercial	\$6.66	\$6.79
Industrial	\$7.34	\$7.49

The monthly base rate charge is as follows:

Base Rate per 1000 gallons (metered amounts as noted above)		Monthly Base Rate Charge	
0	- 15	\$ 30.13	\$ 31.34
16	- 50	\$ 52.10	\$ 54.18
51	- 100	\$ 133.87	\$ 139.22
101	- 200	\$ 219.63	\$ 224.42
201	- 500	\$ 414.85	\$ 431.44
501	- 1000	\$ 853.60	\$ 887.74
1001	- 2500	\$1,506.78	\$1,567.05
2501	- 5000	\$1,859.54	\$1,933.92
5000+		\$2,385.19	\$2,480.60

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-101-23

Introduced by Jeff Risner, Chair
Transportation Committee

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 7, TRAFFIC CODE, CHAPTER 7.05, PARKING REGULATIONS, SECTIONS 7.05.22 AND 7.05.26.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Athens City Code Title 7, Traffic Code, Chapter 7.05, Parking Regulations, Section 7.05.22(A), Pay Parking Rates, Regulations, and Penalties, is hereby amended to read as follows:

7.05.22. - Pay parking rates, regulations, and penalties.

(A) The city pay parking rates shall be **established by separate ordinance.** as follows:

- ~~(1) High intensity zones shall cost \$1.00 per hour (\$0.25 per 15 minutes);~~
- ~~(2) Moderate intensity zones shall cost \$0.75 per hour (\$0.25 per 20 minutes);~~
- ~~(3) Low intensity zones and all accessible parking spaces shall cost \$0.50 per hour (\$0.25 per 30 minutes);~~
- ~~(4) Single space short term parking meters shall be no more than a 20-minute time limit and shall cost \$0.50 per 20 minutes (\$0.25 per 10 minutes);~~
- ~~(5) Contractor bags shall cost \$8.00 Per day.~~

SECTION II: Athens City Code Title 7, Traffic Code, Chapter 7.05, Parking Regulations, Section 7.05.26(B)(1 through 5), Regulation of City Parking Garage, is hereby amended to read as follows:

7.05.26. - Regulation of city parking garage.

(B) The city parking garage rates **are established by separate ordinance.** and **r**Regulations are established as follows:

- ~~(1) 75 cents per hour and 25 cents per 20 minutes.~~
- ~~(2) Card system charges will be 75 cents per hour and refunds will be in 20-minute increments.~~

~~(3) \$150.00 per month to reserve a space on levels Lower B, Upper B, and Lower 1.~~

~~(4) \$125.00 plus any transactional fees per space per month for up to 150 non-reserved spaces above Level 3.~~

~~(5) The service safety director is hereby authorized to enter into written agreements to lease multiple non-reserved parking spaces, and offer an appropriate discount. However, the minimum cost per space may not be less than \$100.00 plus any transactional fees.~~

~~(6~~ **1**) Reserved space parking is restricted to Levels Lower B, Upper B, and Lower 1 only.

~~(7~~ **2**) Except for elected officials, employees of the city whose primary duty-work site is in City Hall, City Hall Annex, the city parking garage or a downtown office leased by the city may park on Level 3 or above without charge in the city parking garage during official work time only. This privilege applies only to permanent employees and does not apply to vehicles operated by other than city employees.

~~(8~~ **3**) It shall be unlawful to park a motor vehicle in a metered space for more than two consecutive hours on Level 1 upper or any metered pay parking space, signed or bagged as two-hour limit within the parking garage. Said vehicle must be moved from its present parking space to a parking space that is not marked, signed or bagged as a two-hour limit.

SECTION III: Athens City Code Title 7, Traffic Code, Chapter 7.05, Parking Regulations, Section 7.05.26(D), Regulation of City Parking Garage, is hereby removed.

~~(D) City parking rates for the College Street lots [shall] be established as follows:~~

~~(1) \$100.00 per month per space for monthly permit in the College Street lots except for the space reserved for the Presbyterian Church.~~

~~(2) Hourly pay spaces will cost \$1.00 per hour.~~

SECTION IV: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-102-23

Introduced by Jeff Risner, Chair
Transportation Committee

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED, TO INCLUDE SECTIONS 7.05.22 AND 7.05.26, PARKING RATES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Effective January 1, 2024, Athens City Code Title 1, General Provisions, Chapter 1.03, Code Fees Established, Section 7.05.22, is hereby amended to read as follows:

7.05.22. Pay parking rates, regulations and penalties.

(A)

The city pay parking rates shall be as follows:

- (1) High intensity zones shall cost ~~\$1.00~~ **\$1.25** per hour (\$0.25 per ~~15~~ **10** minutes);
- (2) Moderate intensity zones shall cost ~~\$0.75~~ **\$1.00** per hour (\$0.25 per ~~20~~ **15** minutes);
- (3) Low intensity zones and all accessible parking spaces shall cost ~~\$0.50~~ **\$0.75** per hour (\$0.25 per ~~30~~ **20** minutes);
- (4) Single space short term parking meters shall be no more than a 20-minute time limit and shall cost ~~\$0.50~~ **\$0.75** per 20 minutes (~~\$0.25~~ **\$0.40** per 10 minutes);
- (5) Contractor bags shall cost \$8.00 Per day.

SECTION II: Effective January 1, 2024, Athens City Code Title 1, General Provisions, Chapter 1.03, Code Fees Established, Section 7.05.26(B) (1 through 5), is hereby amended to read as follows:

7.05.26. - Regulation of city parking garage.

(B) The city parking garage rates and regulations are established as follows:

- (1) ~~75-cents~~ **\$1.00** per hour and **\$0.25** cents per ~~20~~ **15** minutes.

(2) Card system charges will be ~~75-cents~~ **\$1.00** per hour and refunds will be in 20-minute increments.

(3) \$150.00 per month to reserve a space on levels Lower B, Upper B, and Lower 1.

(4) \$125.00 plus any transactional fees per space per month for up to 150 non-reserved spaces above Level 3.

(5) The service-safety director is hereby authorized to enter into written agreements to lease multiple non-reserved parking spaces, and offer an appropriate discount. However, the minimum cost per space may not be less than \$100.00 plus any transactional fees.

SECTION III: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-103-23

Introduced by Sam Crawl, Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING THE 2023 APPROPRIATION ORDINANCE 155-22.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The 2023 Appropriation Ordinance 155-22 is hereby amended by appropriating from the unappropriated balance the following sum:

Two Hundred Fifty Thousand Dollars (\$250,000.00) to Medical Insurance Fund, 866, T. C. 300, for a medical payment, and increasing the total appropriations by the same amount.

SECTION II: This Ordinance shall be in effect and full force upon passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-104-23

Introduced by Sam Crawl, Chair
Finance & Personnel Committee

AN ORDINANCE FINALIZING COSTS FOR THE ARMORY, PROJECT #313, AND AUTHORIZING EXPENDITURES FROM THE CITY OF ATHENS TO THE ATHENS COMMUNITY IMPROVEMENT CORPORATION (ACIC) FUND.

WHEREAS, Ordinance 152-22 conveyed the City of Athens Armory, located at 2 West Carpenter Street, to the ACIC, an Ohio non-profit corporation; and

WHEREAS, expenditures will be processed through the City of Athens P.O. MV099058;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The Service-Safety Director is hereby authorized to expend up to One Million Two Hundred Fourteen Thousand Five Hundred Dollars (\$1,214,500.00) for said Armory Project #313.

SECTION II: Having finalized the project costs for the Armory, and in accordance with Ordinance 152-22, Nine Hundred Fourteen Thousand Eighty-Six Dollars (\$914,086.00) is hereby authorized for expenditure from the City of Athens to the ACIC Fund, 906, as per purchase order #MV099058, for Armory Project #313.

SECTION III: This Ordinance shall be in effect and full force upon passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-105-23

Introduced by Sam Crawl, Chair
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING FUNDS TO THE ATHENS COMMUNITY IMPROVEMENT CORPORATION FOR PAYMENT OF 2023 ARMORY ELECTRIC BILLS; AUTHORIZING AN INTERFUND TRANSFER; AND REQUESTING REIMBURSEMENT FOR PAYMENTS MADE BY THE CITY OF ATHENS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The 2023 Appropriation Ordinance 155-22 is hereby amended by appropriating from the unappropriated balance the sum of Four Thousand Five Hundred Dollars (\$4,500.00) to General Fund, Other Administrative, 101.120, T.C. 600, for transfer, and increasing the total appropriations by said amount.

SECTION II: The Auditor is hereby authorized to make the following interfund transfer:

FROM	TO	AMOUNT
General Fund, 101.120	ACIC Fund, 906	\$4,500.00

SECTION III: The City Auditor is hereby directed to request reimbursement and to receipt any reimbursed funds from the Athens Community Improvement Corporation, for 2023 Armory electric bills paid by the City of Athens, into General Fund, Other Administrative.

SECTION IV: This Ordinance shall be in effect and full force upon passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-108-23

Introduced by Sam Crawl, Chair
Finance & Personnel Committee

AN ORDINANCE ESTABLISHING A "SPECIAL REVENUE FUND" POLICY FOR THE CITY OF ATHENS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: In accordance with Ohio Revised Code Section 5705.13, Athens City Council hereby approves a "Special Revenue Fund" policy for the City of Athens, more fully described as attached hereto and incorporated herein by reference.

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

City of Athens
Special Revenue Fund Policy

PURPOSE

To finance unanticipated revenue losses or unanticipated expenditures in the General Fund when revenue collections do not match expenditures.

DEFINITIONS

UNANTICIPATED EXPENDITURES

An expenditure for a specific purpose for which there is no or insufficient appropriation or which will cause an appropriation to be insufficient that is necessitated by a change in federal or state laws, rules or regulations, a court order, judgement or decree, a public emergency, or an industry -wide price, rate or premium increase, which takes effect or occurs after final adoption of the annual budget and which could not have been reasonably anticipated prior to final adoption of the annual budget.

UNANTICIPATED REVENUE LOSS

Estimated revenue which is rendered uncollectible because of a change in federal or state laws, rules or regulations, a court order, judgement or decree, or other circumstance, which takes effect or occurs after final adoption of the annual budget and which could not have been reasonably anticipated prior to final adoption of the annual budget.

POLICY

- A Special Revenue Fund, Fund 288, will be established (ORC 5705.13).
- The amount of money reserved in this account in any fiscal year shall not exceed 5% (five percent) of the revenue credited to the General Fund in the preceding fiscal year.

- Money in the Special Revenue Fund may be invested as provided by law, with the earnings to be returned to the Special Revenue Fund.
- Money in the Special Revenue Fund may be appropriated by ordinance for the following purposes:
 - To prevent a reduction of available services at any time in a fiscal year when the City's budgeted revenue in the General Fund is not being collected in an amount sufficient to cover budget expenses of the fund.
 - Special Revenue Funds will not be appropriated until the administration reduces the year's expense budget.
 - Funds cannot be used for budgeted capital purchases.
 - To fund expenses arising because of a natural disaster, including a flood, fire, or tornado. However, if federal or state funds are received to offset the appropriations from the Special Revenue Fund, that money shall be returned to the Special Revenue Fund.
- The Special Revenue Fund can be rescinded by ordinance. Money that has accumulated in the fund will be transferred to the General Fund.
- Money in the Special Revenue Fund shall not be appropriated for the acquisition, construction, or alteration of a public facility as part of a general capital improvement project.
- Money deposited into the Special Revenue Fund will come from interest earned on investments from the Appalachian Community Grant.

0-99-23

Introduced by All Members of Council

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Effective January 1, 2024, certain sections of Athens City Code Title 1, General Provisions, Chapter 1.03, Code Fees Established, are hereby amended to read as follows:

Section 5.03.04, Water rates.

\$35.00 Transfer/turn on charge.

An additional ten percent shall be added to water bills not paid on or before the due date. Additional fees shall be charged for the following:

\$15.00 Red tag fee

\$40.00 Delinquency turn-on penalty

\$33.00 Non-sufficient funds charge

~~\$50.00~~ **\$100.00** After hours turn off

Customers served outside the corporation limits of the City of Athens, Ohio, shall be charged the above rates, plus an additional 20 percent.

Section 5.04.05, Wastewater dischargers.

~~\$0.065~~ **\$0.075** per gallon of hauled septage

Section 9.12.03, Opening permit required.

~~\$75.00~~ **\$100.00** Opening permit **into ROW**

[Section 9.02.06](#), Inspection and fees.

New Construction Fire Inspections Fees:

\$100.00 Final

\$50.00 Reinspection

\$50.00 Sprinkler hydrostatic

\$50.00 UG hydro

\$50.00 Fire alarm

Fire Safety Inspection Fees:

\$50.00	Initial annual visit for building with occupied space under 10,000 square feet
\$150.00	Initial annual visit for building with occupied space over 10,000 square feet
\$0.00	1st reinspection after initial visit
\$25.00 \$50.00	2nd reinspection after initial visit
\$50.00 \$100.00	3rd reinspection after initial visit, and increasing by \$25.00 for each subsequent visit thereafter

[Section 11.04.06](#), **Vendors**

\$200.00 Vending per month

~~\$100.00~~ Specialty vendor's license per month – personally manufactured or produced art products for sale to the public

Section 23.06.02(H), Fees.

\$80.00 Application fee

\$100.00 Use permit

\$150.00 New construction permit, plus ~~\$-.03~~ **\$.10** per square foot of gross floor area

~~\$75.00~~ **\$100.00** Alteration permit, plus \$1.50 per thousand dollars of improvement or portion thereof

~~\$75.00~~ **\$100.00** Accessory structure permit

Section 23.07.08(D)(4), Application and standards for variances.

~~\$75.00~~ **\$100.00** Zoning board variance request, plus advertising costs

Section 25.03.04(F), Floodplain land permit

~~\$70.00~~ **\$100.00** Application

Section 27.03.04(B5), (C4), and (D4) Plan content.

\$30.00 **\$50.00** Less than one acre

~~\$60.00~~ **\$150.00** 1—5 acres

~~\$105.00~~ **\$200.00** Greater than five acres

Section 29.03.08, Rental permit fee.

~~\$150.00 per unit for up to 10 units in one building.~~

\$150.00 for 3 bedrooms or less

\$175.00 for 4 bedrooms or more

\$100.00 per housekeeping unit or owner-occupied unit keeping renters.

\$75.00 per unit for over 10 units in one building.

\$100.00 per unit for over 10 units in more than one building at one location.

\$40.00 per bedroom for rooming houses, or short term rentals.

[Section 29.03.10](#)(B), Inspection fee for additional inspections

~~\$40.00~~ **\$50.00**

[Section 29.06.04](#), Demolition fee

~~\$75.00~~ **\$100.00** if equal to or greater than 576 sq. ft.

~~\$35.00~~ **\$50.00** if less than 576 sq. ft.

[Section 41.04](#)(B), Procedure for approval.

~~\$100.00~~ **\$125.00** Application fee

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-99-23

Introduced by All Members of Council

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\$33.00 Non-sufficient funds charge

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[Section 11.04.06](#), **Vendors**

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~~\$100.00~~ Specialty vendor's license per month – personally manufactured or
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\$150.00 New construction permit, plus ~~\$0.03~~ **\$0.10** per square foot of gross floor area

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[Section 41.04](#)(B), Procedure for approval.

~~\$100.00~~ **\$125.00** Application fee

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-109-23

Introduced by Micah McCarey, Chair
City & Safety Services Committee

**AN ORDINANCE ACCEPTING A PERMANENT SANITARY UTILITY EASEMENT
FROM ERIE LAND CO., LLC, FOR THE TYLER PARK LIFT STATION.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Athens City Council does hereby accept a permanent sanitary utility easement from Erie Land Co., LLC, for the purpose of building, accessing, and maintaining the Tyler Park Lift Station and related equipment, and the right to maintain, repair, and/or replace, as needed, the lift station, utility lines, and related equipment in the easement area, for the total consideration of One Dollar (\$1.00), more fully described in the agreement and Exhibits "A" and "B" attached hereto and incorporated herein by reference.

SECTION II: This Ordinance shall be in effect and full force upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

UTILITY EASEMENT

THIS EASEMENT is made and entered into on the date of the signature below, by Erie Land Co., LLC, an Ohio Limited Liability Company (**Grantor**), whose mailing address is 500 S. Front St., 10th Fl. Columbus, Ohio 43215 and The City of Athens, Ohio, a municipal corporation (**Grantee**), whose address is 8 E. Washington Street, Athens, Ohio 45701.

WITNESSETH:

For and in consideration of the sum of One Dollar (\$1.00), cash in hand paid, the receipt of which is hereby acknowledged by the Grantor, the Grantor grants and conveys to the Grantee, its successors and assigns a Sanitary Utility Easement for the Tyler Park lift station and related equipment, and the right to maintain, repair, and/or replace, as needed, the lift station, utility lines, and related equipment (the "Easement") in the easement area.

The Easement area includes, to wit:

Being a **0.1568 acre Sanitary Utility Easement** located in the City of Athens, Athens Township, Athens County, State of Ohio, Section 22, Township 9 North, Range 14 West, Farm Lot #101 and being part of a 4.06 acre parcel conveyed to Erie Land Co LLC by a deed as recorded in Official Record 585 at Page 1324 of the Athens County Recorder's office, part of a 21.00 acre parcel as conveyed to Erie Land Co LLC by a deed recorded in Official Record 585 at Page 1329 of said county deed records, and being more particularly described in the attached **Exhibit A**.

The plat of this Easement is found on the attached **Exhibit B**.

Grantor, for itself and its successors and assigns, covenants with the Grantee, its successors and assigns, that it is the true and lawful owner in fee simple, and has the right and power to convey the Easement and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor will warrant and defend the property against all claims of all persons.

The property conveyed by this Easement is being acquired by Grantee for the purpose of building, accessing, and maintaining the Tyler Park Lift Station and related equipment, and the right to maintain, repair, and replace, as needed, the Tyler Park Lift Station and related equipment in the easement area.

The Easement granted by this Agreement shall run with the land of the Grantor, and shall be binding upon the heirs, executors, administrators, successors, and assigns of the Grantor and of the Grantee.

IN WITNESS WHEREOF, Erie Land Co., LLC has caused its name to be subscribed by _____, its duly authorized _____
(office held in LLC), and its duly authorized agent on the _____ day of _____, 2023.

Erie Land Co., LLC

By _____
Print Name

Office held within Erie Land Co., LLC

STATE OF OHIO
COUNTY OF _____, SS:

On _____, 2023, before me, a Notary Public in and for said state and county, personally came _____ who acknowledged being the duly authorized agent of Erie Land Co., LLC, and acknowledged the foregoing instrument to be their voluntary act and deed. This is an acknowledgement clause. No oath or affirmation was administered to the signer with regard to this notarial act.

Printed name: _____
Notary Public
My commission expires: _____

This instrument is two pages in length, plus two exhibits. It was prepared by Jessica Branner Hittle (Reg. No. 0090497), Asst. Athens City Law Director 8 E. Washington Street Athens, Ohio 45701



buckleygroup
engineering + surveying

6801 State Route 56 Athens, Ohio 45701
Phone: 740-589-5001 Fax: 740-589-5004
www.buckley.group

DESCRIPTION OF A UTILITY EASEMENT

Situated in City of Athens, Athens County, State of Ohio

Being a **0.1568 acre Sanitary Utility Easement** located in the City of Athens, Athens Township, Athens County, State of Ohio, Section 22, Township 9 North, Range 14 West, Farm Lot #101 and being part of a 4.06 acre parcel conveyed to Erie Land Co LLC by a deed as recorded in Official Record 585 at Page 1324 of the Athens County Recorder's office, part of a 21.00 acre parcel as conveyed to Erie Land Co LLC by a deed recorded in Official Record 585 at Page 1329 of said county deed records, and being more particularly described as follows:

Beginning a point at a northwesterly corner of said 0.1568 acre easement, being a point on the easterly line of said 21.00 acre parcel and the southerly right of way line of State Route 682, a variable width right of way, from which the northeast corner of Farm Lot 101, bears N 2° 45' 40" W, 1285.65 feet for reference;

Course No. 1: Thence, S 28° 30' 47" E, with the southerly right of way line of said State Route 682, 123.10 feet to a point;

Through said 4.06 acre parcel the following seven courses:

Course No. 2: Thence, S 59° 17' 30" W, 35.95 feet to a point;

Course No. 3: Thence, N 76° 31' 25" W, 11.27 feet to a point;

Course No. 4: Thence, N 38° 35' 18" W, 16.87 feet to a point;

Course No. 5: Thence, N 32° 09' 05" W, 24.10 feet to a point;

Course No. 6: Thence, N 64° 17' 38" W, 25.66 feet to a point;

Course No. 7: Thence, S 32° 30' 36" W, 28.48 feet to a point;

Course No. 8: Thence, N 54° 13' 38" W, 23.94 feet to a point, being a point on the easterly line of said 21.00 acre parcel;

Course No. 9: Thence, N 35° 46' 41" E, with easterly line of said 21.00 acre parcel, 41.24 feet;

EXHIBIT A

Through said 21.00 acre parcel the following three courses:

Course No. 10: Thence, N 57° 57' 38" W, 7.65 feet to a point;

Course No. 11: Thence, N 32° 10' 08" E, 15.93 feet to a point;

Course No. 12: Thence, S 57° 37' 50" E, 8.66 feet to a point, being a point on the easterly line of said 21.00 acre parcel;

Course No. 13: Thence, N 35° 46' 41" E, with easterly line of said 21.00 acre parcel, 52.81 feet to the **Point of Beginning**, containing **0.1568 acres**, more or less.

Easements are contained within a 4.06 acre parcel conveyed to Erie Land Co LLC as recorded in Official Record 585 at Page 1324 and 21.00 acre parcel as conveyed to Erie Land Co LLC by a deed recorded in Official Record 585 at Page 1329 of said county Deed Records.

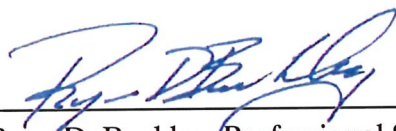
Bearings, coordinates and distances are based on Ohio State Plane (North Zone) Grid, NAD83 (CORS 96) datum.

Plat of Easement is attached hereto and made a part thereof.

This description was prepared under the direct supervision of Ryan D. Buckley, Registered Surveyor No. 8676 and is based on a field survey made by Buckley Group, LLC completed in September 2023.

September 6, 2023

Date



Ryan D. Buckley, Professional Surveyor No. 8676

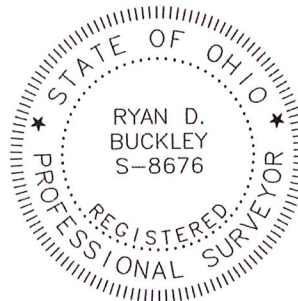


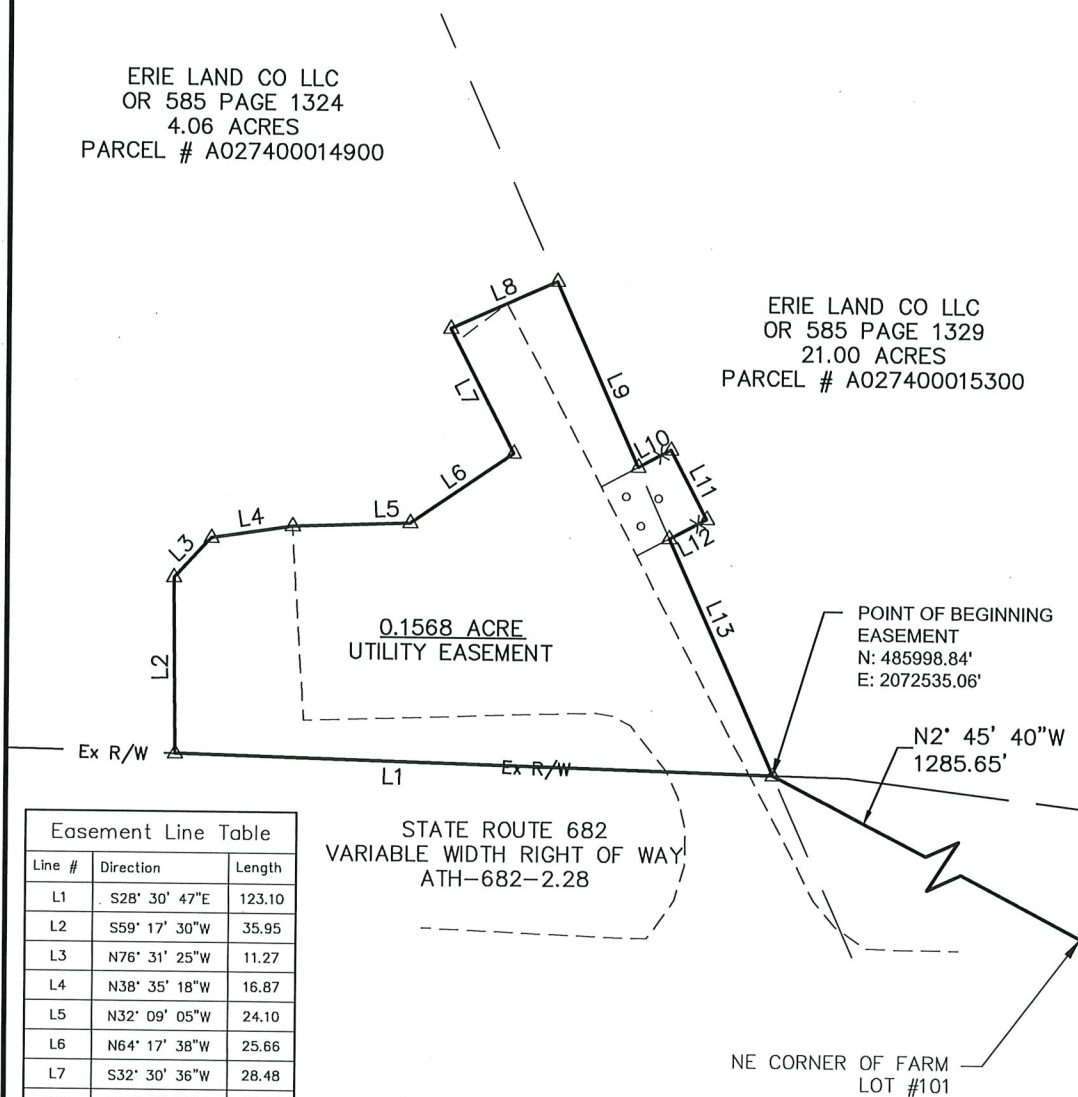
EXHIBIT B

PERTINENT DOCUMENTS AND
SOURCES OF DATA USED:
DEED REFERENCES (AS NOTED)
SPECIFIED COUNTY ROADWAY MAP
SPECIFIED COUNTY TAX PARCEL MAP
PREVIOUS SURVEY PLATS

ATHENS COUNTY
ATHENS TOWNSHIP
SECTION 22
TOWN 9N, RANGE 14W
OHIO COMPANY PURCHASE
STATE of OHIO

ERIE LAND CO LLC
OR 585 PAGE 1324
4.06 ACRES
PARCEL # A027400014900

ERIE LAND CO LLC
OR 585 PAGE 1329
21.00 ACRES
PARCEL # A027400015300



Line #	Direction	Length
L1	S28° 30' 47"E	123.10
L2	S59° 17' 30"W	35.95
L3	N76° 31' 25"W	11.27
L4	N38° 35' 18"W	16.87
L5	N32° 09' 05"W	24.10
L6	N64° 17' 38"W	25.66
L7	S32° 30' 36"W	28.48
L8	N54° 13' 38"W	23.94
L9	N35° 46' 41"E	41.24
L10	N57° 57' 38"W	7.65
L11	N32° 10' 08"E	15.93
L12	S57° 37' 50"E	8.66
L13	N35° 46' 41"E	52.81

○	MONUMENT FOUND
●	MONUMENT SET 5/8"x30" REBAR/CAP 04153
△	POINT



0 15 30
1 INCH = 30 FEET
NOTE: DRAWING SCALE MAY BE
ADJUSTED DUE TO REPRODUCTION

ATTENTION:
THIS PLAT OF SURVEY REPRESENTS
THE MINIMUM STANDARDS FOR BOUNDARY
SURVEYS IN THE STATE OF OHIO AS
ADOPTED 5-1-80 OF THE ADMINISTRATIVE
CODE CHAPTER 4733-37. LOCAL
GOVERNING REQUIREMENTS IF MORE
STRINGENT, SHALL BE ADHERED TO.

BASIS OF BEARINGS:
STATE PLANE COORDINATE SYSTEM
OHIO SOUTH ZONE, NAD 83

DATE 9/6/2023
DRWN. RDB I/CHECK. RDB
JOB NO. 201530

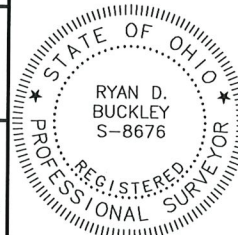
PLAT OF EASEMENT

SURVEYED FOR:
ERIE LAND CO LLC



6801 STATE ROUTE 56,
ATHENS, OH 45701
PH: (740)589-5001
WEB: buckleygroup

RYAN D. BUCKLEY
PROFESSIONAL SURVEYOR No. 8676
STATE OF OHIO
DATE: 9/6/2023



0-110-23

Introduced by Jeff Risner, Chair
Transportation Committee

AN ORDINANCE AUTHORIZING DISPOSAL OF EQUIPMENT AND VEHICLES NO LONGER NEEDED FOR A MUNICIPAL PURPOSE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Athens City Council hereby declares the following equipment and vehicles no longer needed for a municipal purpose:

<u>EQUIPMENT</u>	<u>SERIAL/VIN #</u>	<u>FIXED ASSET#</u>
(Fire) Smoke Trailer	1WC200K23N1056259	850353
 <u>VEHICLES</u>	 <u>SERIAL/VIN #</u>	 <u>FIXED ASSET#</u>
(Code) 2011 Ford Ranger	1FTKR1ED6BPB06933	850333
City Bus #1601	1FD FE4FS7GDC25851	850324

SECTION II: The above-listed equipment and vehicles are hereby authorized for disposal by donation to other governmental agencies, auction, sealed bids, trade-in, sell for scrap, or by Enterprise wholesale auctions or other Enterprise outlets.

SECTION III: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-111-23

Introduced by Sam Crawl, Chair
Finance & Personnel Committee

**AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 17, MUNICIPAL
INCOME TAX, CHAPTER 17.01, IN GENERAL.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO;

SECTION I: Athens City Council hereby amends Athens City Code, Title 17, Municipal Income Tax, Chapter 17.01, In General, a copy of which is attached hereto and incorporated herein by reference.

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

ATTEST:

Clerk of Council

President of Council

APPROVED:

Mayor

17.01.014 Statement of procedural history; state mandated changes to municipal income tax.

(C) Important amendments to Section 718 of the Ohio Revised Code were enacted by Am. Sub. H.B. 33, passed by the 135th General Assembly, and signed by Governor DeWine on July 3, 2023, and H.B. 33 required municipal corporations to conform to and adopt the amended provisions of Section 718 of the Ohio Revised Code in order to have the authority to impose, enforce, administer and collect a municipal income tax.

(D) As mandated by H.B. 33, municipal income tax Ordinance 111-23, effective January 1, 2024, comprehensively establishes Title 17 in accordance with the provisions of Section 718 of the Ohio Revised Code to allow the City of Athens to continue the income tax and withholding tax administration and collection efforts on behalf of the City of Athens.

17.01.02 Effective Date

(C) Ordinance 111-23, effective January 1, 2024, contains corresponding changes to Section 718 of the Ohio Revised Code. All provisions of this Chapter 17.01 apply to taxable years beginning 2016 and succeeding taxable years.

17.01.062 Net profit; income subject to net profit tax; alternative apportionment.

(D) For the purposes of Division (A)(3) of this section, **and except as provided in division (G) of this section**, receipts from sales and rentals made and services performed shall be situated to the City of Athens as follows:

(F)(1) Except as provided in Divisions (F)(2) **and (G)** of this section, commissions received by a real estate agent or broker relating to the sale, purchase, or lease of real estate shall be situated to the City of Athens if that is where the real estate is located. Net profit reported by the real estate agent or broker shall be allocated to the City of Athens based upon the ratio of the commissions the agent or broker received from the sale, purchase, or lease of real estate located in the City of Athens to the commissions received from the sale, purchase, or lease of real estate everywhere in the taxable year.

(G)(1) As used in this division:

(a) "Qualifying remote employee or owner" means an individual who is an employee of a taxpayer or who is a partner or member holding an ownership interest in a taxpayer

that is treated as a partnership for federal income tax purposes, provided that the individual meets both of the following criteria:

- (i) The taxpayer has assigned the individual to a qualifying reporting location.
- (ii) The individual is permitted or required to perform services for the taxpayer at a qualifying remote work location.

(b) "Qualifying remote work location" means a permanent or temporary location at which an employee or owner chooses or is required to perform services for the taxpayer, other than a reporting location of the taxpayer or any other location owned or controlled by a customer or client of the taxpayer. "Qualifying remote work location" may include the residence of an employee or owner and may be located outside of a municipal corporation that imposes an income tax in accordance with this chapter. An employee or owner may have more than one qualifying remote work location during a taxable year.

(c) "Reporting location" means either of the following:

- (i) A permanent or temporary place of doing business, such as an office, warehouse, storefront, construction site, or similar location, that is owned or controlled directly or indirectly by the taxpayer;
- (ii) Any location in this state owned or controlled by a customer or client of the taxpayer, provided that the taxpayer is required to withhold taxes under Section 17.01.051 of this chapter, on qualifying wages paid to an employee for the performance of personal services at that location.

(d) "Qualifying reporting location" means one of the following:

- (i) The reporting location in this state at which an employee or owner performs services for the taxpayer on a regular or periodic basis during the taxable year;
- (ii) If no reporting location exists in this state for an employee or owner under division (G)(1)(d)(i) of this section, the reporting location in this state at which the employee's or owner's supervisor regularly or periodically reports during the taxable year;
- (iii) If no reporting location exists in this state for an employee or owner under division (G)(1)(d)(i) or (ii) of this section, the location that the taxpayer otherwise assigns as the employee's or owner's qualifying reporting location, provided the assignment is made in good faith and is recorded and maintained in the taxpayer's business records. A taxpayer may change the qualifying reporting location designated for an employee or owner under this division at any time.

(2) For tax years ending on or after December 31, 2023, a taxpayer may elect to apply the provisions of this division to the apportionment of its net profit from a business or profession. For taxpayers that make this election, the provisions of division (F) of this section apply to such apportionment except as otherwise provided in this division.

A taxpayer shall make the election allowed under this division in writing on or with the taxpayer's net profit return or, if applicable, a timely filed amended net profit return or a timely filed appeal of an assessment. The election applies to the taxable year for which that return or appeal is filed and for all subsequent taxable years, until the taxpayer revokes the election.

The taxpayer shall make the initial election with the tax administrator of each municipal corporation with which, after applying the apportionment provisions authorized in this division, the taxpayer is required to file a net profit tax return for that taxable year. A taxpayer shall not be required to notify the tax administrator of a municipal corporation in which a qualifying remote employee's or owner's qualifying remote work location is located, unless the taxpayer is otherwise required to file a net profit return with that municipal corporation due to business operations that are unrelated to the employee's or owner's activity at the qualifying remote work location.

After the taxpayer makes the initial election, the election applies to every municipal corporation in which the taxpayer conducts business. The taxpayer shall not be required to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in such municipal corporation.

Nothing in this division prohibits a taxpayer from making a new election under this division after properly revoking a prior election.

(3) For the purpose of calculating the ratios described in division (F)(1) of this section, all of the following apply to a taxpayer that has made the election described in division (G)(2):

(a) For the purpose of division (F)(1)(a) of this section, the average original cost of any tangible personal property used by a qualifying remote employee or owner at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(b) For the purpose of division (F)(1)(b) of this section, any wages, salaries, and other compensation paid during the taxable period to a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(c) For the purpose of division (F)(1)(c) of this section, and notwithstanding division (F)(4) of this section, any gross receipts of the business or profession from services performed during the taxable period by a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(4) Nothing in this division prevents a taxpayer from requesting, or a tax administrator from requiring, that the taxpayer use, with respect to all or a portion of the income of the taxpayer, an alternative apportionment method as described in division (F)(2) of this

section. However, a tax administrator shall not require an alternative apportionment method in such a manner that it would require a taxpayer to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in that municipal corporation.

(5) Except as otherwise provided in this division, nothing in this division is intended to affect the withholding of taxes on qualifying wages pursuant to Section 17.01.051 of this chapter.

17.01.094. Extension of time to file.

(A) Any taxpayer that has duly requested an automatic six-month extension for filing the taxpayer's federal income tax return shall automatically receive an extension for the filing of a municipal income tax return. The extended due date of the municipal income tax return **for a taxpayer that is an individual** shall be the fifteenth day of the tenth month after the last day of the taxable year to which the return relates. **For tax years ending on or after January 1, 2023, the extended due date of the City of Athens income tax return for a taxpayer that is not an individual shall be the fifteenth day of the eleventh month after the last day of the taxable year to which the return relates.**

(F) If the tax administrator considers it necessary in order to ensure the payment of the tax imposed by the municipal corporation in accordance with this chapter, the tax administrator may require taxpayers to file returns and make payments otherwise than as provided in this section, including taxpayers not otherwise required to file annual returns.

(G) If a taxpayer receives an extension for the filing of a municipal income tax return under division (A)(B), (C), or (E) of this section, the tax administrator shall not make any inquiry or send any notice to the taxpayer with regard to the return on or before the date the taxpayer files the return or on or before the extended due date to file the return, whichever occurs first.

If a tax administrator violates division (G) of this section, the municipal corporation shall reimburse the taxpayer for any reasonable costs incurred to respond to such inquiry or notice, up to \$150.

Division (G) of this section does not apply to an extension received under division (A) of this section if the tax administrator has actual knowledge that the taxpayer failed to file for a federal extension as required to receive the extension under division (A) of this section or failed to file for an extension under division (C) of this section.

17.01.10. Penalty, interest, fees, and charges.

(4)(a) For tax years ending on or before December 31, 2022, ~~with~~ With respect to returns other than estimated income tax returns, the City of Athens ~~shall~~ may impose a monthly penalty of \$25.00 for each failure to timely file each return, regardless of the liability shown thereon for each month, or any fraction thereof, during which the return remains unfiled regardless of the liability shown thereon. The penalty shall not exceed a total of \$150.00 in assessed penalty for each failure to timely file a return.

(b) For tax years ending on or after January 1, 2023, with respect to returns other than estimated income tax returns, the City of Athens may impose a penalty not exceeding \$25 for each failure to timely file each return, regardless of the liability shown thereon, except that The City of Athens shall abate or refund the penalty assessed on a taxpayer's first failure to timely file a return after the taxpayer files that return.

0-112-23

Introduced by Sam Crowl, Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 3, ADMINISTRATIVE PROVISIONS, CHAPTER 3.03, EXECUTIVE; OTHER OFFICIALS, SECTION 3.03.07, DEPUTY AUDITOR.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: In accordance with Ohio Revised Code 733.19, Athens City Code, Title 3, Administrative Provisions, Chapter 3.03, Executive; Other Officials, Section 3.03.07, is hereby amended to add the following:

3.03.07. - Deputy Auditor.

(A) There is established one position of deputy auditor. The deputy auditor shall assist the auditor in the performance of their duties.

(B) There are established two income tax administrator position(s). The income tax administrator(s) shall be appointed by the auditor and shall work under the direction of the auditor.

(C) Compensation for these positions shall be that sum as set by council.

(D) In the absence or disability of the Auditor, the Deputy Auditor shall perform the duties of the Auditor.

SECTION II: This Ordinance shall be in effect and full force upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-113-23

Introduced by Sam Crawl, Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING THE 2023 APPROPRIATION ORDINANCE 155-22.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The 2023 Appropriation Ordinance 155-22 is hereby amended by appropriating from the unappropriated balance the following sums:

Fourteen Thousand Eight Hundred Forty-Three and 33/100 Dollars (\$14,843.33) to General Fund, Fire, 101.208, T.C. 500, for BWC Grant; and

Forty-Five Thousand Dollars (\$45,000.00) to General Fund, Parking Enforcement, 101.718, T.C. 300, (\$25,000.00) for credit card fees and (\$20,000.00) for maintenance contract, and increasing the total appropriations by the same amounts.

SECTION II: This Ordinance shall be in effect and full force upon passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-114-23

Introduced by Sam Crawl, Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 29, HOUSING REGULATIONS, CHAPTER 29.03, RENTAL DWELLING, SHORT TERM RENTAL, AND HOUSING PERMIT, SECTION 29.03.08, FEES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Athens City Code Title 29, Housing Regulations, Chapter 29.03, Rental Dwelling, Short Term Rental, and Housing Permit, Section 29.03.08, Fees, is hereby amended to read as follows:

29.03.08. - Fees.

(A) The annual fee for a rental dwelling, short term rental, or rooming house permit shall be established by ordinance. Nothing herein contained shall prohibit the owner of a dwelling used for rental purposes from treating all the required inspection fees as a normal business expense incidental to the renting of property and, therefore, an appropriate consideration in the determination of debt. A permit issued after July 1 shall pay half of the annual fee for that year.

(B) Failure to pay a rental permit fee within one year after the date of its mailing, shall result in the cancellation of the rental permit.

(C) Said rental permit shall be reinstated upon payment of all past due amounts, plus interest, along with a reinstatement fee of ~~\$100.00 per unit~~ **established by separate ordinance**.

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-115-23

Introduced by All City Council Members

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF A COMMUNITY REINVESTMENT AREA IN THE CITY OF ATHENS, OHIO, DESIGNATING A HOUSING OFFICER TO ADMINISTER THE PROGRAM, AND CREATING A COMMUNITY REINVESTMENT HOUSING COUNCIL.

WHEREAS, the City Council of the of the City of Athens, Ohio (the "City"), desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the City that have not enjoyed reinvestment from remodeling or new construction; and

WHEREAS, the City, with the assistance of Community Building Partners, LLC, has conducted a housing survey of the area to be included in the proposed community reinvestment area, as required by Ohio Revised Code Section ("R.C.") 3735.66, a copy of such housing survey is on file, as part of Ordinance 77-23, in the office of the Clerk of Council (the "Clerk") and is incorporated herein by reference; and

WHEREAS, the construction of new structures for commercial, industrial, or residential uses in the proposed community reinvestment area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities within the proposed community reinvestment area; and

WHEREAS, the construction of new commercial, industrial, or residential structures in the proposed community reinvestment area constitutes a public purpose for which real property tax exemptions may be granted; and

WHEREAS, it is necessary to adopt this Ordinance as soon as practicable to provide economic stability, maintain real property values, and to generate new employment opportunities, thereby preserving the public peace, health, and safety of the City and its citizens.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The proposed community reinvestment area hereby designated as the "Ridges Community Reinvestment Area" (the "Community Reinvestment Area") constitutes an area in which housing facilities or structures of historical significance are

located, and in which new housing construction and repair of existing facilities or structures are discouraged.

SECTION II: Pursuant to R.C. 3735.66, the Community Reinvestment Area is hereby established in the area described in Exhibit A, attached hereto and incorporated herein by reference.

The community reinvestment area exemptions granted for real property within the Community Reinvestment Area shall be consistent with the applicable zoning regulations and Section III of this Ordinance.

SECTION III: Within the Community Reinvestment Area, exemptions from real property taxes on the assessed valuation of new structures or the increase in the assessed valuation of existing structures after remodeling as described herein and in R.C. 3735.67 may be granted for each parcel of real property on which a structure is remodeled or constructed to be used for commercial, industrial, or residential purposes. Exemptions granted for commercial and industrial purposes shall be negotiated on a case-by-case basis in advance of the effectiveness of any such tax exemption pursuant to R.C. 3735.671. The results of such negotiation as approved by this Council will be memorialized in writing in a community reinvestment area agreement and in approval legislation in accordance with R.C. 3735.671.

Pursuant to R.C. 3735.67, exemptions granted for the remodeling of a residential structure and upon which the cost of remodeling (i) is at least Two Thousand Five-Hundred Dollars (\$2,500.00) if the residential structure is comprised of up to two family units or (ii) is at least Five Thousand Dollars (\$5,000.00) if the residential structure is comprised of three family units or more, will be a fifteen (15) year tax exemption for one hundred percent (100%) of the amount by which the remodeling increased the assessed value of the property. Exemptions granted for the construction of a residential structure will be a fifteen (15) year tax exemption for one hundred percent (100%) of the amount by which the construction increased the assessed value of the property.

For the purposes of the Ridges Community Reinvestment Area and pursuant to R.C. 3735.66, the construction or remodeling of any structure composed of a single-family unit, duplexes, triplexes, or multi-family units will be classified as a "residential structure," as long as it complies with all applicable zoning regulations.

SECTION IV: To administer and implement the provisions of this Ordinance, the Service-Safety Director for the City of Athens, or any such person designated by the Service-Safety Director, is designated as the Housing Officer as described in R.C. 3735.65 through 3735.70.

SECTION V: Pursuant to R.C. Section 3735.69, the Athens Community Reinvestment Area Housing Council (the "Housing Council") is hereby created, which Housing Council shall consist of two members appointed by the Mayor of the City, two members appointed by this Council, and one member appointed by the Planning Commission of the City. Terms of the members of the Housing Council shall be for three (3) years. An unexpired term resulting from a vacancy in the Housing Council shall be filled in the same manner as the initial appointment was made. The Housing Council shall make an annual inspection of the properties within the Community Reinvestment Area for which an exemption has been granted under R.C. 3735.67. The council shall also hear appeals under R.C. 3735.70.

SECTION VI: A Community Reinvestment Area monitoring fund is hereby created to be used exclusively for the purpose of complying with R.C. 3735.672 and for the purposes of performing duties prescribed by R.C. Section 5709.85 by the applicable Tax Incentive Review Council.

SECTION VII: Pursuant to R.C. 5709.85, a Tax Incentive Review Council of Athens, Ohio (the "TIRC") has already been formed. The TIRC shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements within the Community Reinvestment Area under R.C. 3735.671 and make written recommendations to this Council as to continuing, modifying or terminating said agreement based upon the performance of such agreements.

SECTION VIII: The recitals to this Ordinance are hereby incorporated into and shall constitute a part of this Ordinance.

SECTION IX: Upon the adoption of this Ordinance, this Council shall send, by certified mail, one copy of the Ordinance and a map of the Community Reinvestment Area in sufficient detail to denote the specific boundaries of the area, to the Director of the Ohio Department of Development.

The Ordinance shall be published in a newspaper of general circulation in the City of Athens once a week for two consecutive weeks, or as provided in R.C. 7.16, immediately following its adoption.

SECTION X: The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which

resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including R.C. 121.22.

SECTION XI: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

Christine Knisely
President of Council

ATTEST:

APPROVED:

Debra Walker
Clerk of Council

Steve Patterson
Mayor

EXHIBIT A

DESCRIPTION OF THE RIDGES COMMUNITY REINVESTMENT AREA

The Ridges Community Reinvestment Area is comprised of the three areas depicted in this Exhibit A, “Property to be Conveyed by University”, “Property to be Conveyed by City”, and the “Historical Ridges Campus”. The Ridges Community Reinvestment Area appears as outlined below in this Exhibit A on real property comprising approximately 87+/- acres located within the City of Athens. The area outlined in orange consists of the “Property to be Conveyed by University”. The area outlined in blue consists of the “Historical Ridges Campus”. The area outlined in hash-marked yellow consists of the “Property to be Conveyed by City”. The Ridges Community Reinvestment Area is comprised of all or portions of the ten (10) parcels depicted on pages A-2 and A-5 and currently listed as Athens County Tax Parcels: A029050100100, A029050100200, A029050100400, A029050100800, A029050100900, A029050101200, A029050101300, A029050101400, A029050101500, and A029050103000.





Key:
Property to be Conveyed by
University is shown as: 



The three regions in yellow designated by the hash marks denote the portions of the legal parcels that consist of the area “Property to be Conveyed by City.”

0-116-23

Introduced by All City Council Members

AN ORDINANCE DECLARING THE IMPROVEMENTS TO CERTAIN REAL PROPERTY LOCATED IN THE CITY OF ATHENS, ATHENS COUNTY, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH IMPROVEMENTS TO BE EXEMPT FROM REAL PROPERTY TAXATION PURSUANT TO OHIO REVISED CODE SECTION 5709.40(B); REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT THE REAL PROPERTY; AND ESTABLISHING A PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS, TOGETHER WITH RELATED AUTHORIZATIONS.

WHEREAS, the City of Athens, Ohio (the "City") in coordination with Community Building Partners LLC, and its affiliates and assigns (the "Developer"), has prepared a strategy to foster the development and redevelopment of certain real property located within the City and the Ridges New Community Authority new community district for various residential and commercial uses (the "Ridges Property"), all in an effort to contribute to the positive economic development of the Ridges Property, to enlarge and create a taxable property tax base underlying the Ridges Property, and to stimulate collateral development within the Ridges Property and the City; and,

WHEREAS, the Developer plans to contribute to the economic development of the City by developing and redeveloping a mixed-use development on the Ridges Property which plans include senior housing, artisan live-work units, commercial properties, owner-occupied business properties, and renewable energy resources, together with site improvements and appurtenances related thereto (the "Development"), all as described in the Petition to form the Ridges New Community Authority that was submitted by the Developer and approved by this Council via Ordinance No. 77-23, adopted on June 15, 2023, and as may be further described and defined pursuant to one or more development agreements that may be executed between the City and the Developer, along with such other agreements as may be required from time to time; and,

WHEREAS, the Ridges Property, the real property upon which the Development will be constructed, shall constitute the real property comprising the TIF Site (the "TIF Site" with each parcel comprising the TIF Site, whether as presently appearing on the Athens County tax duplicates or as appearing on future tax duplicates due to subsequent subdivisions, combinations, re-combinations, or re-numberings, being referred to individually as a "Parcel"), as is more fully depicted and described in **EXHIBIT A**, attached hereto and incorporated herein by reference; and,

WHEREAS, this Council has determined that it is necessary, appropriate and in the best interests of the City to utilize Division (B) of Ohio Revised Code Section ("R.C.") 5709.40, along with R.C. 5709.42, 5709.43, and any other related provisions (collectively, the "TIF Act") in order to: (i) authorize municipal tax increment financing to declare the Improvement (as defined herein) of any Parcel comprising the TIF Site to be a public purpose exempt from real property taxation, (ii) require annual service payments in lieu of real property taxes with respect to the Parcels comprising the TIF Site, pursuant to R.C. 5709.42, (iii) establish a public improvement tax increment equivalent fund into which such service payments shall be deposited, and (iv) provide a mechanism to facilitate and finance the construction of the public infrastructure improvements that will directly benefit the Parcels comprising the TIF Site, as described on **EXHIBIT B** attached hereto and incorporated herein by reference (the "Public Infrastructure Improvements"); and,

WHEREAS, the TIF Act provides for the use of municipal tax increment financing to pay the costs of Public Infrastructure Improvements, which costs may include, without limitation: (i) the payment for or reimbursement of costs of the Public Infrastructure Improvements incurred by the Developer, the City, the Ridges New Community Authority, or any other public or private party in cooperation with the City, and (ii) payment of debt service, required reserves, and administrative expenses on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements (collectively, the "Debt Service"); and,

WHEREAS, it is the intention of this Council to pay to the Athens City School District (the "Athens City Schools") and the Tri-County Career Center (the "Tri-County" and together with the Athens City Schools, the "School Districts") certain compensation payments to compensate the School Districts in the amount of the taxes that would have been payable (as defined herein) to the School Districts but for this Council's authorization of this Ordinance and the TIF Exemption (as defined herein); accordingly, certain compensation payments shall be paid to the School Districts as provided in this Ordinance, which provides that Tri-County shall receive compensation at the same rate and under the same terms received by the Athens City Schools; and,

WHEREAS, because this Ordinance provides that the School Districts shall receive compensation in the amount of the taxes that would have been payable to the School Districts but for this Council's authorization of this Ordinance and the TIF Exemption, notice of this proposed Ordinance was delivered to each of the School Districts at least fourteen (14) days prior to the day on which this Council intended to adopt this Ordinance, pursuant to R.C. 5709.40(D)(5) and 5709.83; and,

WHEREAS, pursuant to the compensation provided to the School Districts by the terms of this Ordinance, the percentage of the Improvement (as defined herein)

that may be exempted from taxation may exceed seventy-five percent (75%) and the TIF Exemption may be authorized for up to thirty (30) years without the approval of the Board of Education of the Athens City Schools, all pursuant to R.C. 5709.40(D)(1); and,

WHEREAS, the City desires to grant a one hundred percent (100%) exemption from real property taxation for a period of thirty (30) years (the "TIF Exemption") for each Improvement to the TIF Site; and,

WHEREAS, by separate Ordinance (the "CRA Creation Ordinance") and pursuant to R.C. 3735.65 and 3735.66, this Council intends to designate a Community Reinvestment Area that is coterminous with the boundaries of the TIF Site to further encourage the positive economic development and redevelopment of the Ridges Property;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, STATE OF OHIO:

SECTION I: Authorization of TIF Exemption. Pursuant to and in accordance with the provisions of R.C. 5709.40(B), this Council hereby finds and determines that one hundred percent (100%) of the increase in the assessed value of each Parcel comprising the TIF Site that first appears on the tax list and duplicate of real and public utility property subsequent to the effective date of this Ordinance (which increase in assessed value is hereinafter referred to as the "Improvement" or "Improvements," as defined in R.C. 5709.40(A)(4)) is declared to be a public purpose. Pursuant to and in accordance with the TIF Act, the Improvement with respect to each Parcel shall be exempt from real property taxation (the "TIF Exemption") for a period commencing for each Parcel in the tax year in which the Athens County Auditor determines that there is an Improvement caused by any "Project" as such term is defined in R.C. 5709.40(A)(7) on that Parcel within the TIF Site (the "Commencement Date"); and ending, for each Parcel included within the TIF Site, on the date that is the earlier of (a) thirty (30) years after the Commencement Date, or (b) the date on which the City can no longer require service payments in lieu of taxes, either by law, or because the costs of all Public Infrastructure Improvements are paid for, in accordance with the requirements of R.C. 5709.40, 5709.42, and 5709.43. The TIF Exemption with respect to each Parcel shall be subordinate to any real property tax abatement provided under R.C. Chapter 3735, the CRA Creation Ordinance, and any future CRA Agreements entered into between the City and the Developer or any other property owner pursuant to R.C. 3735.65 through R.C. 3735.70, irrespective of who files the exemption application under R.C. 5709.911.

SECTION II: Payment of Service Payments. As provided in R.C. 5709.42, but only while the TIF Exemption for each Parcel is effective, this Council hereby directs and requires the Developer (to the extent that the Developer is the owner of such Parcel) and any other current or future owner, or owners, of each of the Parcels comprising the TIF Site (the "Owner" or "Owners") to make annual service payments in lieu of taxes with respect to the Improvement allocable to each Owner's Parcel to the County Treasurer of Athens County, Ohio (the "County Treasurer") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then-current rate established under R.C. 323.121 and 5703.47, will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if this Council had not authorized the TIF Exemption pursuant to this Ordinance. Such service payments in lieu of taxes, penalties and interest, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by R.C. 319.302, 321.24, 323.152, and 323.156, as the same may be amended from time to time, or any successor provisions thereto, as the same may be amended from time to time (the "Property Tax Rollback Payments," and together with the annual service payments in lieu of taxes and penalties and interest described above, the "Service Payments"). Such Service Payments will be allocated and distributed in accordance with Sections III and IV of this Ordinance.

SECTION III: Creation of TIF Fund; Application of Service Payments. This Council hereby establishes, pursuant to and in accordance with the provisions of R.C. 5709.43, a Public Improvement Tax Increment Equivalent Fund (the "TIF Fund"). The City Treasurer may create one or more accounts or sub-accounts within such fund as appropriate to distinguish the Service Payments received with respect to the TIF Exemption established pursuant to this Ordinance from any other tax increment financing programs that may be established by the City in the future and as are necessary to account for payment of the costs of the Public Infrastructure Improvements, including any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, Debt Service on, and other expenses relating to the issuance of any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. As used in this Ordinance, TIF Fund shall refer to the specific fund or account that receives the Service Payments provided for in this Ordinance.

The TIF Fund shall be maintained in the custody of the City and shall receive all distributions of Service Payments required to be made to the City. Those Service Payments received by the City with respect to the TIF Exemption, shall be used solely for the purposes authorized in the TIF Act, its related rules and laws, and this Ordinance, including, but not limited to, paying any costs of the Public Infrastructure

Improvements. For purposes of this Ordinance, "costs" of the Public Infrastructure Improvements payable from the TIF Fund shall specifically include, but are not limited to, the items of "costs of permanent improvements" set forth in R.C. Section 133.15(B) and incurred with respect to the Public Infrastructure Improvements, which "costs" specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements, Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements. The TIF Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any surplus funds remaining therein shall be transferred to the City's General Fund, all in accordance with the TIF Act.

SECTION IV: Payments to the School Districts. Pursuant to the TIF Act, the County Treasurer shall make semi-annual payments to Athens City Schools, solely from the Service Payments, collectively in the amount equal to the property tax payments that the Athens City Schools would otherwise have received from the Improvements had the Improvements not been exempted pursuant to the TIF Exemption authorized by this Ordinance. Pursuant to R.C. 5709.40(D)(1), the City is required to compensate Tri-County at the same rate and under the same terms received by the Athens City Schools. Therefore, the County Treasurer shall also make semi-annual payments to Tri-County, solely from the Service Payments, collectively in the amount equal to the property tax payments the Tri-County would otherwise have received from the Improvements had the Improvements not been exempted pursuant to the TIF Exemption authorized by this Ordinance. No such payments to the School Districts shall be made with respect to the Improvements exempted from real property taxation under R.C. Chapter 3735, the CRA Creation Ordinance, and any future CRA Agreements for the period, and to the extent that, the Improvements are exempt pursuant to R.C. Chapter 3735, the CRA Creation Ordinance, and any such CRA Agreements.

The County Treasurer shall remit all remaining Service Payments to the City for deposit in the TIF Fund established in Section III of this Ordinance. The City shall then distribute the Service Payments on deposit in the TIF Fund to pay, or reimburse, the City, the Developer, the Ridges New Community Authority, or any other designee identified by the City for the costs of Public Infrastructure Improvements constructed by the City, the Developer, or the Ridges New Community Authority, respectively, according to the terms and conditions of one or more separately negotiated agreements between the City, Developer, the Ridges New Community Authority, or any other designee identified by the City, as the case may require, provided that one hundred percent (100%) of the Service Payments on deposit in the TIF Fund are to be used to finance the Public Infrastructure Improvements designated in this Ordinance and for the purposes described in the TIF Act and its related laws and rules.

SECTION V: Public Infrastructure Improvements. This Council hereby designates the Public Infrastructure Improvements described in **EXHIBIT B** attached hereto as “public infrastructure improvements” (as such term is defined in R.C. 5709.40(A)(8)) made, to be made, or in the process of being made, and that, once made, will directly benefit the Parcels comprising the TIF Site.

SECTION VI: Application for Real Property Tax Exemption and Remission. This Council hereby authorizes and directs the City Planner, the City Treasurer, and other appropriate officers of the City, to prepare and sign any applications for real property tax exemption pursuant to R.C. 5709.911, the provisions of which govern the priority status of the exemptions provided under this Ordinance.

SECTION VII: Further Authorizations. This Council further hereby authorizes and directs the City Planner, the City Treasurer, and other appropriate officers of the City, to prepare and sign all agreements, and any amendments thereto such that the character of those changes is not substantially adverse to the City, which shall be established conclusively by their signatures thereon, and to prepare and sign all instruments and to take all other actions as may be necessary and appropriate to implement this Ordinance.

SECTION VIII: Notices. This Council hereby finds and determines that notice of this proposed Ordinance has been delivered to all affected school districts, including Athens City Schools and Tri-County, in accordance with R.C. 5709.40 and 5709.83, and hereby ratifies the giving of that notice.

SECTION IX: Tax Incentive Review Council. This Council hereby designates the Tax Incentive Review Council of Athens, Ohio (the “TIRC”) as the tax incentive review council that shall annually review the TIF Exemption resulting from this Ordinance and any other matters as may properly come before the TIRC, in accordance with R.C. 5709.85.

SECTION X: Ohio Department of Development. Pursuant to R.C. 5709.40(I), the City Planner, the City Treasurer, or another appropriate officer of the City is hereby directed to deliver a copy of this Ordinance to the Director of the Department of Development of the State of Ohio within fifteen (15) days after its adoption. On or before March 31 of each year that the TIF Exemption set forth in Section I hereof remains in effect, the City Treasurer or another authorized officer of this City shall prepare and submit to the Director of the Department of Development of the State of Ohio the status report required under R.C. 5709.40(I).

SECTION XI: Nondiscriminatory Hiring Practices. In accordance with R.C. 5709.832, this Council hereby determines that no employer located upon the Parcels

comprising the TIF Site is to deny any individual employment based on considerations of race, religion, sex, disability, color, national origin, or ancestry.

SECTION XII: Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with Ohio's Sunshine Laws, including R.C. 121.22.

SECTION XIII: This Ordinance shall be in effect and full force upon passage and approval by the Mayor.

ATTEST:

Debra Walker
Clerk of Council

Christine Knisely
President of Council

APPROVED:

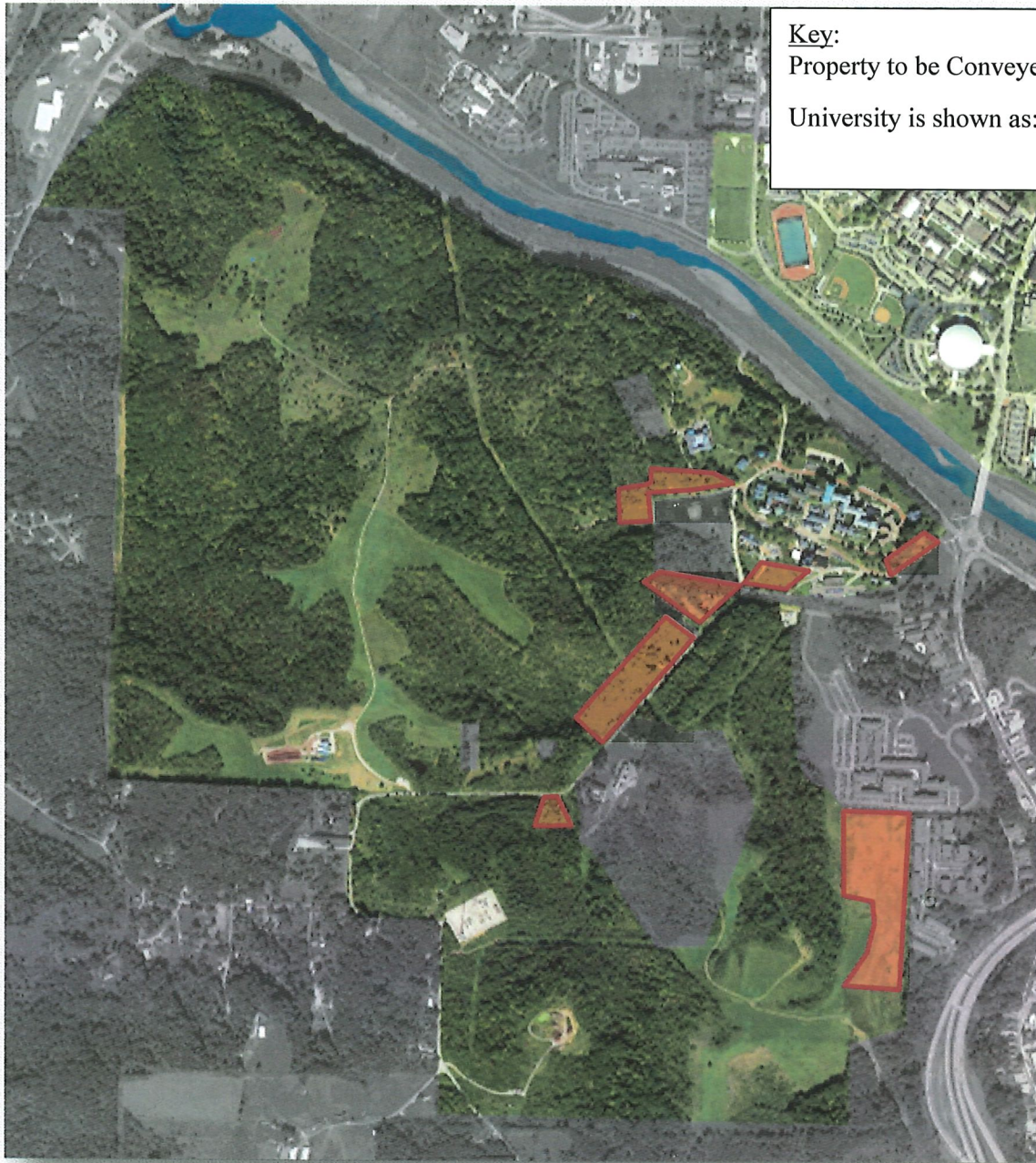
Steve Patterson
Mayor

EXHIBIT A

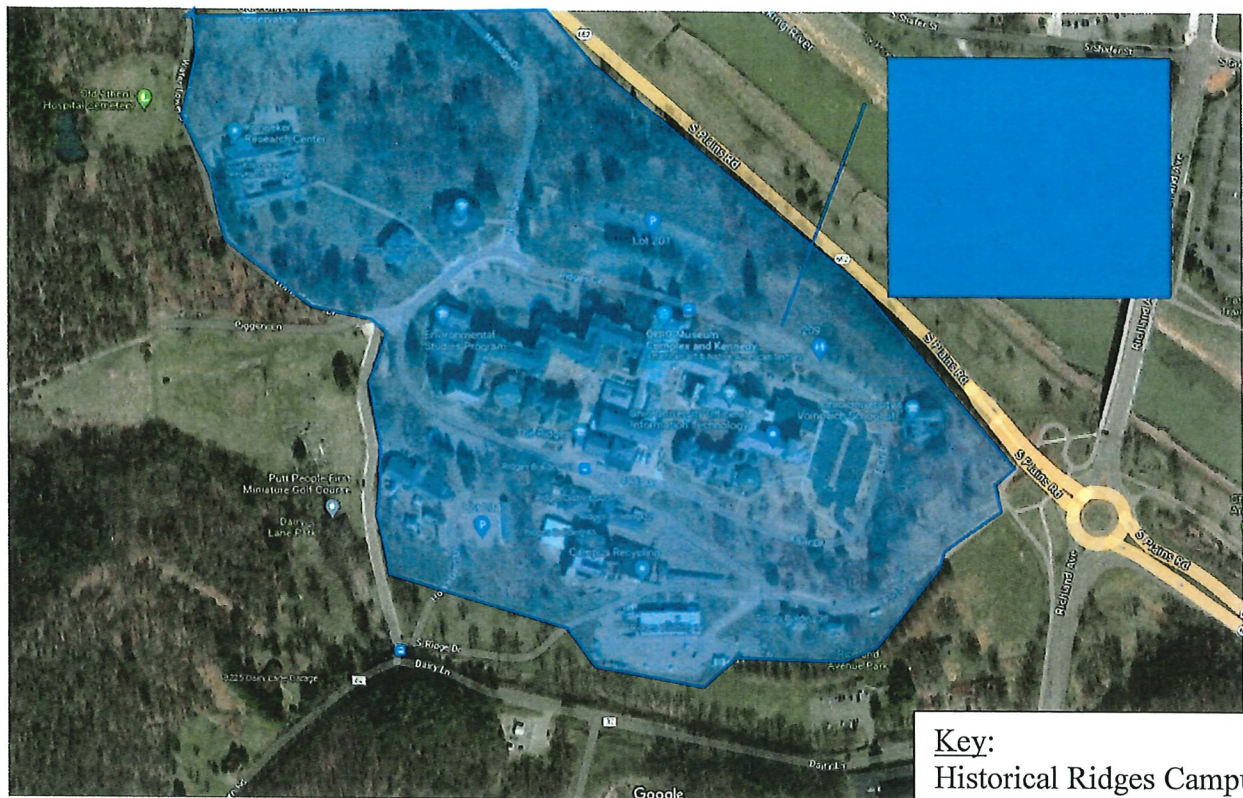
Maps of the TIF Site

The TIF Site is comprised of the three areas depicted in this Exhibit A, “Property to be Conveyed by University”, “Property to be Conveyed by City”, and the “Historical Ridges Campus”. The TIF Site appears as outlined below in this Exhibit A on real property comprising approximately 87+/- acres located within the City of Athens. The area outlined in orange consists of the “Property to be Conveyed by University”. The area outlined in blue consists of the “Historical Ridges Campus”. The area outlined in hash-marked yellow consists of the “Property to be Conveyed by City”. The TIF Site is comprised of all or portions of the ten (10) parcels depicted on pages A-2 and A-5 and currently listed as Athens County Tax Parcels: A029050100100, A029050100200, A029050100400, A029050100800, A029050100900, A029050101200, A029050101300, A029050101400, A029050101500, and A029050103000.





Key:
Property to be Conveyed by
University is shown as: 



Key:
 Historical Ridges Campus area
 is shown as:





The three regions in yellow designated by the hash marks denote the portions of the legal parcels that consist of the area "Property to be Conveyed by City."

EXHIBIT B

Public Infrastructure Improvements

The Public Infrastructure Improvements consist generally of acquiring and constructing the infrastructure described below:

- Construction, reconstruction, extension, opening, improving, widening, grading, draining, curbing or changing of the lines and traffic patterns of roads, highways, streets, bridges (both roadway and pedestrian), traffic calming devices, sidewalks, bikeways, medians and viaducts accessible to and serving the public, and providing lighting systems, signalization, and traffic controls, the continued maintenance of public roads and highways, and all other appurtenances thereto;
- Construction, reconstruction or installation of improvements (including any underground utilities), storm and sanitary sewers (including necessary site grading therefore), police equipment and police station buildings and improvements, fire equipment and fire buildings and improvements, water and fire protection systems, the continued maintenance of water and sewer lines, and all other appurtenances thereto;
- Construction, reconstruction or installation of gas, electric, and communication service facilities, and all other appurtenances thereto;
- Construction or reconstruction of one or more public parks, including grading, trees and other park plantings, park accessories and related improvements, and all other appurtenances thereto;
- Construction or installation of streetscape and landscape improvements including trees and shrubs, landscaping mounds and fencing, tree grates, planting beds, signage, curbs, sidewalks, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, and all other appurtenances thereto;
- Construction of one or more public parking facilities, including public surface parking, public parking structures and related improvements, off-street parking facilities, including those in which all or a portion of the parking spaces are reserved for specific uses when determined to be necessary for economic development purposes, and all other appurtenances thereto;
- Demolition and excavation, including demolition and excavation on private property when determined to be necessary for economic development purposes;
- Acquisition of real estate or interests in real estate (including easements) necessary to accomplish the foregoing improvements;
- Any on-going administrative expenses relating to the Public Infrastructure Improvements and maintaining the TIF revenues, including but not limited to engineering, architectural, legal, TIF administration, and other consulting and professional services; and,
- All inspection fees and other governmental fees related to the foregoing.

The Public Infrastructure Improvements specifically include the costs of financing the Public Infrastructure Improvements, including the items of “costs of permanent improvements” set forth in R.C. 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which “costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public

Infrastructure Improvements and the Debt Service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements.

All of the Public Infrastructure Improvements described above are hereby determined to be “public infrastructure improvements” (as defined in R.C. 5709.40(A)(8)) and are intended to benefit the real property described in Exhibit A.

0-117-23

Introduced by Jeff Risner, Chair
Transportation Committee

AN ORDINANCE AUTHORIZING DISPOSAL OF THE CITY'S LEAF COLLECTOR TRUCK AND APPURTENANCE, NO LONGER NEEDED FOR A MUNICIPAL PURPOSE, AS TRADE-IN ON THE PURCHASE OF A NEW LEAF COLLECTOR TRUCK FOR THE STREET DEPARTMENT; AND DECLARING AN EMERGENCY.

WHEREAS, this vehicle is being purchased through Sourcewell, a cooperative purchasing program, competitive bidding is not required;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Athens City Council hereby declares the following vehicle and appurtenance no longer needed for a municipal purpose:

<u>VEHICLE</u>	<u>SERIAL/VIN #</u>	<u>FIXED ASSET#</u>
1977 Leaf Collector V-8 Diesel Truck	D1035GCA27349	850166
1989 Leafer Rear Engine	WD800493467367	800086

SECTION II: The above-listed Leaf Collector Truck and Leafer Rear Engine is hereby authorized for disposal as trade-in on a new Leaf Collector Truck.

SECTION III: The Service-Safety Director is hereby authorized to purchase a new leaf collector truck for the Street Department.

SECTION IV: The 2023 Appropriation Ordinance 155-22 is hereby amended by appropriating from the unappropriated balance the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) to Street Fund, 220, T.C. 500, for purchase of a leaf collector truck, and increasing the total appropriations by said amount.

SECTION V: The Service-Safety Director is hereby authorized to expend up to Two Hundred Fifty-Thousand Dollars (\$250,000.00) for said truck from Street Fund, 220, T.C. 500.

SECTION VI: This Ordinance shall be an emergency measure necessary for the preservation of the health, welfare and safety of the residents of the City of Athens, Ohio, in order to continue to provide efficient delivery of services, and it shall be in full force and effect upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-118-23

Introduced by Sarah Grace, Chair
Planning & Development Committee

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE HOMESTEAD COURT
AND BROADMOOR, UNIVERSITY ESTATES, PLANNED UNIT DEVELOPMENT.**

WHEREAS, on September 7, 2023 the Athens City Planning Commission held a public hearing and unanimously recommended that the final plat of the Homestead Court and Broadmoor, University Estates, Planned Unit Development be approved; and

WHEREAS, on October 16, 2023 the Athens City Council held a public hearing on said project;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The final plat of the Homestead Court and Broadmoor, University Estates, Planned Unit Development, attached hereto and incorporated herein by reference, is hereby approved.

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

Curve #	Length	Radius	Chord Direction	Chord Length
C1	19.35	21.00'	N48°31'12"W	18.66'
C2	61.13	55.00'	S48°28'06"W	63.02'
C3	46.72	55.00'	S34°08'58"W	45.33'
C4	46.73	55.00'	S28°45'52"E	42.24'
C5	45.73	55.00'	S08°09'55"E	44.43'
C6	61.13	55.00'	N55°10'15"E	58.03'
C7	9.87	55.00'	N18°17'24"E	9.66'
C8	19.35	21.00'	N39°31'40"E	18.66'

Distance Table	
Line #	Length
D15	52.75
D16	77.77
D17	132.32
D18	71.48
D19	54.54
D20	44.26
D21	71.47
D22	71.47
D23	66.09
D24	112.80
D25	73.50
D26	102.44
D27	124.72
D28	7.26
D29	72.20
D30	72.20
D31	112.72
D32	46.04
D33	116.45
D34	51.83
D35	49.46
D36	47.54
D37	41.47
D38	51.58
D39	66.02
D40	19.72
D41	25.11
D42	7.47
D43	7.47
D44	146.82
D45	76.83

VIRGINIA C. GAMERTSFELDER
#A0400250027200
OR 507, PG 1787
29.35 AC

CITY OFFICIALS

DATE STEVE PATTERSON, MAYOR

APPROVED _____
DATE _____ ANDREW B. STONE, P.E.,
SEAL NO. 0000000000

LISA ELIASON.....LAW DIRECTOR
KATHY HECHT.....AUDITOR
JOSH THOMAS.....TREASURER

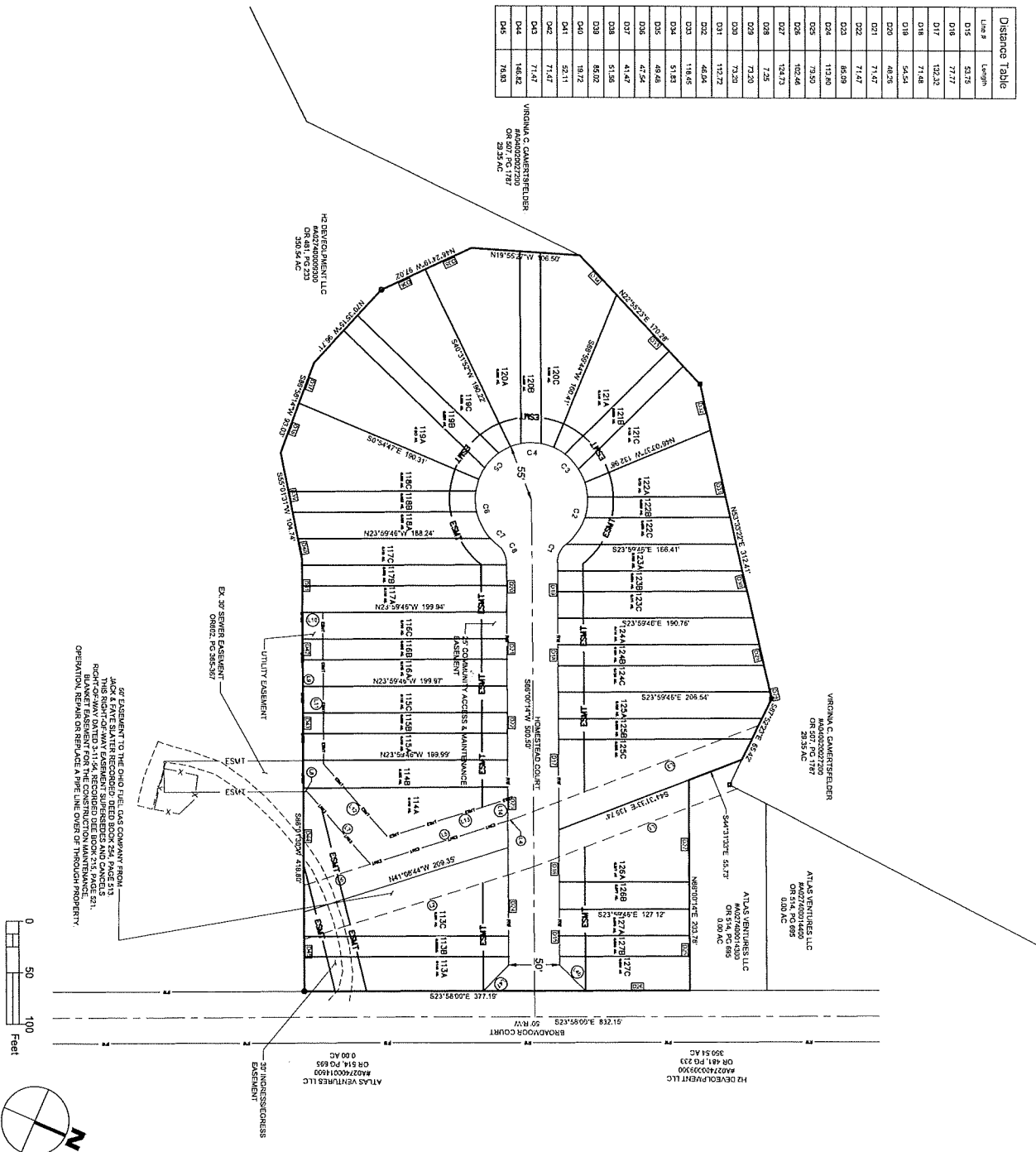
PLANNING COMMISSION
STEVE PATTERSON
ANDREW B. STONE, P.E.

JOHN KOTOWSKI
AUSTIN PHILLIPS
APPROVED
DATE _____

COUNCIL MEMBERS
CHRISTINE KNISELY, PRESIDENT
CAROL DODD, ACT.

JEFFREY RISNER
MICAH MCCAREY
DEBBIE WALKER, CLERK
SOLVEIG SPJELDNES
ALAN SWANK

SAM CROW
BEN ZIFF
APPROVED
DATE _____



HOWARD AND LAWSON, LTD. UNIVERSITY ESTATES - PHASE II BROADMOOR CT AND HOMESTEAD CT ATHENS, OH

OWNER

HOWARD & LAWSON LTD
 39403 STATE ROUTE 689
 ALBANY, OH 45710
 CONTACT: PATRICK LAWSON
 PHONE: 740-591-8547

FUTURE OWNER

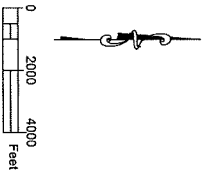
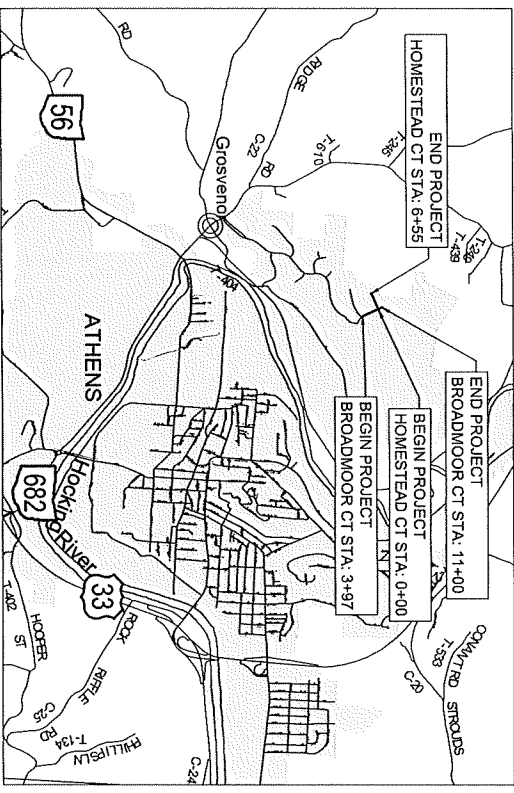
CITY OF ATHENS
 ENGINEERING & PUBLIC WORKS
 30 CURRAN DR.
 ATHENS, OHIO, 45701
 PHONE: (740) 593-7636
 CONTACT: SALEH ELDABAJA, P.E.

CITY OFFICIALS
 STEVE PATTERSON..... MAYOR
 ANDREW B. STONE, P.E..... SERVICE-SAFETY DIRECTOR
 LISA ELIASON..... LAW DIRECTOR
 KATHY HECHT..... AUDITOR
 JOSH THOMAS..... TREASURER

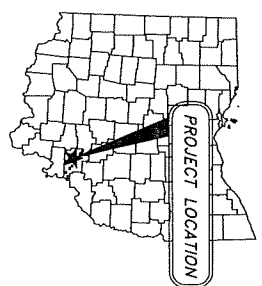
COUNCIL MEMBERS
 CHRISTINE KINSELY, PRESIDENT
 SARAH GRACE
 JEFFREY RISNER
 MICAH MCCAREY
 DEBBIE WALKER, CLERK
 SOLVEIG SPELDONES
 ALAN SWANK
 SAM CROWL
 BEN ZIPF

ENGINEER / SURVEYOR

BUCKLEY GROUP, LLC
 6801 STATE ROUTE 56
 ATHENS, OH 45701
 PHONE: (740) 589-5001
 FAX: (740) 592-5817
 CONTACT: CLINTON KUENZLI, P.E.



SHEET NO.	SHEET INDEX DESCRIPTION
C-1	TITLE SHEET
C-2	TYPICAL SECTION
C-4 TO C-7	GENERAL NOTES
C-8	SITE OVERVIEW
C-9	GRADING PLAN
C-10	EROSION CONTROL PLAN
C-11 & C-12	BROADMOOR CT PLAN AND PROFILE & ESTIMATED QUANTITIES
C-13 & C-14	HOMESTEAD CT PLAN AND PROFILE & ESTIMATED QUANTITIES
C-15 & C-16	SANITARY SEWER PLAN AND PROFILE & ESTIMATED QUANTITIES
C-17 & C-18	STORM SEWER PLAN AND PROFILE & ESTIMATED QUANTITIES
C-19	STORM SEWER DETAILS
C-20	INTERSECTION DETAILS



LOCATION MAP
 NOT TO SCALE

PROJECT DESCRIPTION

THIS PROJECT CONSISTS OF CONSTRUCTION OF THE EXTENSION OF BROADMOOR CT, AND HOMESTEAD CT, IN THE UNIVERSITY ESTATES SUBDIVISION IN THE CITY OF ATHENS, OHIO.

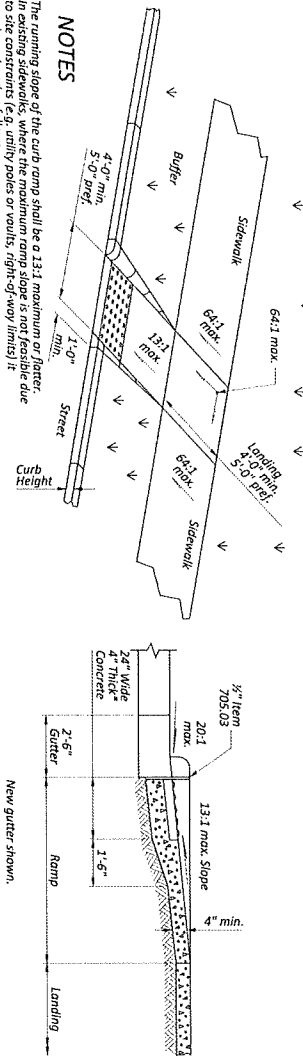
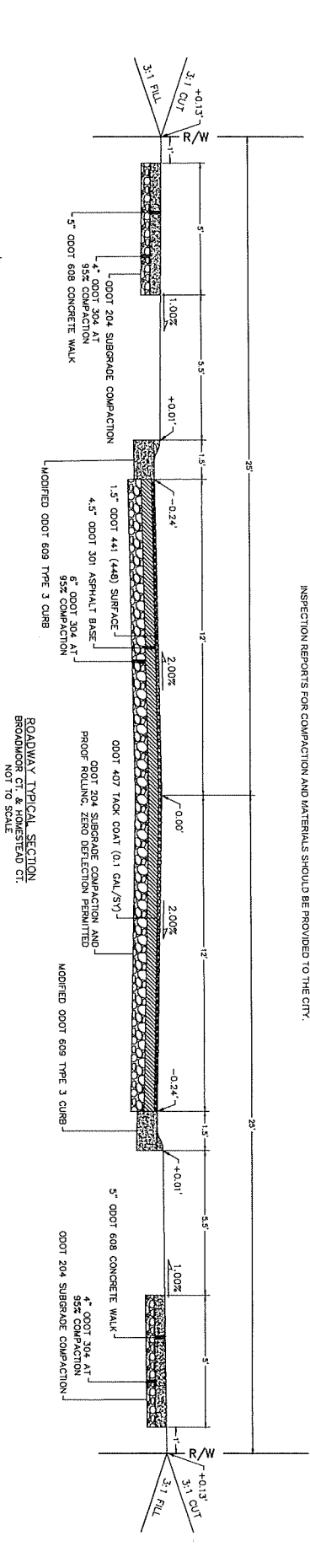
SPECIFICATIONS

THE CITY OF ATHENS DIVISION OF SEWER CONSTRUCTION SPECIFICATIONS FOR SEWER LINE INSTALLATION, CITY OF ATHENS WATER CONSTRUCTION SPECIFICATIONS, AND OHIO DEPARTMENT OF TRANSPORTATION 2019 CONSTRUCTION AND MATERIAL SPECIFICATIONS AND ASSOCIATED STANDARD DRAWINGS AND SUPPLEMENTAL SPECIFICATIONS SHALL GOVERN THIS IMPROVEMENT.

OHIO
 Utilities Protection
 SERVICE
Call or Write Before You Dig

UNDERGROUND UTILITIES
 TWO WORKING DAYS
 BEFORE YOU DIG
 CALL 811
 OR
 TOLL FREE 1-800-482-2764
 NON-MEMBERS MUST BE
 CALLED DIRECTLY

NOTE: CONTRACTOR SHALL PROVIDE 48 HOURS OF ADVANCE NOTICE TO THE CITY ENGINEERING AND PUBLIC WORKS DEPARTMENT TO WITNESS PROOF-ROLLS, AGGREGATE INSTALLATION AND PAVING. INSPECTION REPORTS FOR COMPACTION AND MATERIALS SHOULD BE PROVIDED TO THE CITY.



CURB RAMP DETAILS NOT TO SCALE

NOTES

The running slope of the curb ramp shall be a 1:1 maximum or flatter, in existing sidewalks, where the maximum ramp slope is not feasible due to site constraints (e.g. utility poles or vaults, right-of-way limits), it may be reduced as follows:

- A) 1:0.1 for a max. rise of 6\"/>

To prevent chasing the grade indefinitely, the transition from existing curb to the shaded curb ramp area is not required to exceed 15 feet in length.

While ramps may be skewed to the crosswalk, the entire lower landing area must fall within the cross walk that the ramp serves and cannot be located in the traveled lane of opposing traffic.

The counter slope of the gutter or street at the foot of a curb ramp, landing, or blended transitions shall be 20:1 at flatter.

The bottom edge of the ramp shall change planes perpendicular to the landing.

The edge of the curb shall be flush with the edge of the adjacent pavement and gutter and surface slopes that meet grade breaks shall also be flush.

Ramp landings shall be 4' min. x 4' min. with a 64:1 or flatter cross slope and running slopes.

DETECTABLE WARNINGS: Install Detectable Warnings on each curb ramp with approved materials, as shown on Sheet 3. Install these proprietary products as per manufacturer's written instructions.

DRAINAGE: Contractor is to ensure the base of each constructed curb ramp allows for proper drainage, without exceeding allowable cross slope or ramp slopes. Vertical change in level exceeding 1/8\"/>

SURFACE TEXTURE: Texture concrete surfaces by coarse brooming transverse to the ramp slopes to be rougher than the adjacent walk.

JOINTS: Provide expansion joints in the curb ramp as extensions of walk joints and consistent with Item 608.03 requirements. The edge of ramps built in existing concrete walks. Lines shown on this drawing indicate the ramp edges and slope changes, and do not necessarily indicate joint lines.

DETECTABLE WARNINGS NOTES

GENERAL: Detectable Warnings are a distinctive surface pattern of truncated domes which are detectable by cane or underfoot to alert people with vision impairments of their approach to streets and hazardous drop-offs.

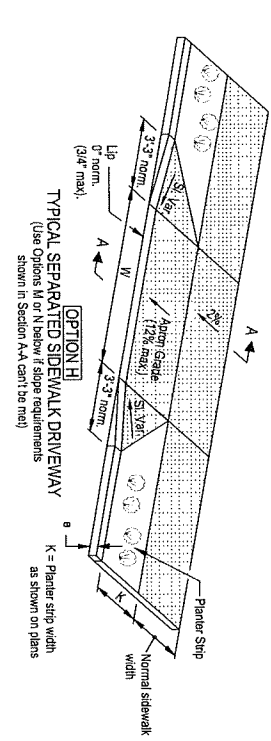
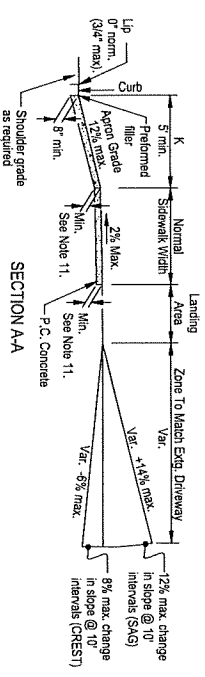
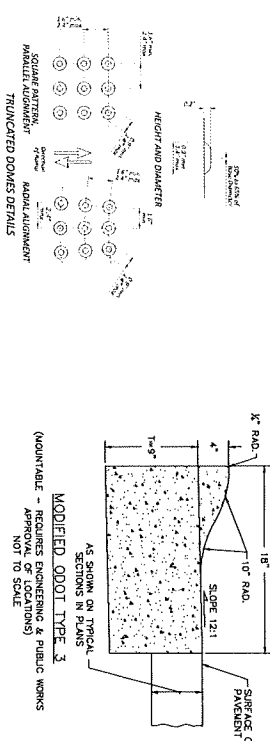
PLACEMENT: Detectable warnings are to be installed at any location where pedestrians might cross paths with vehicular traffic lines, such as the base of curb ramps or at blended curbs. A 24\"/>

Some detectable warning products require a concrete border for proper installation. The concrete border should not exceed 2\"/>

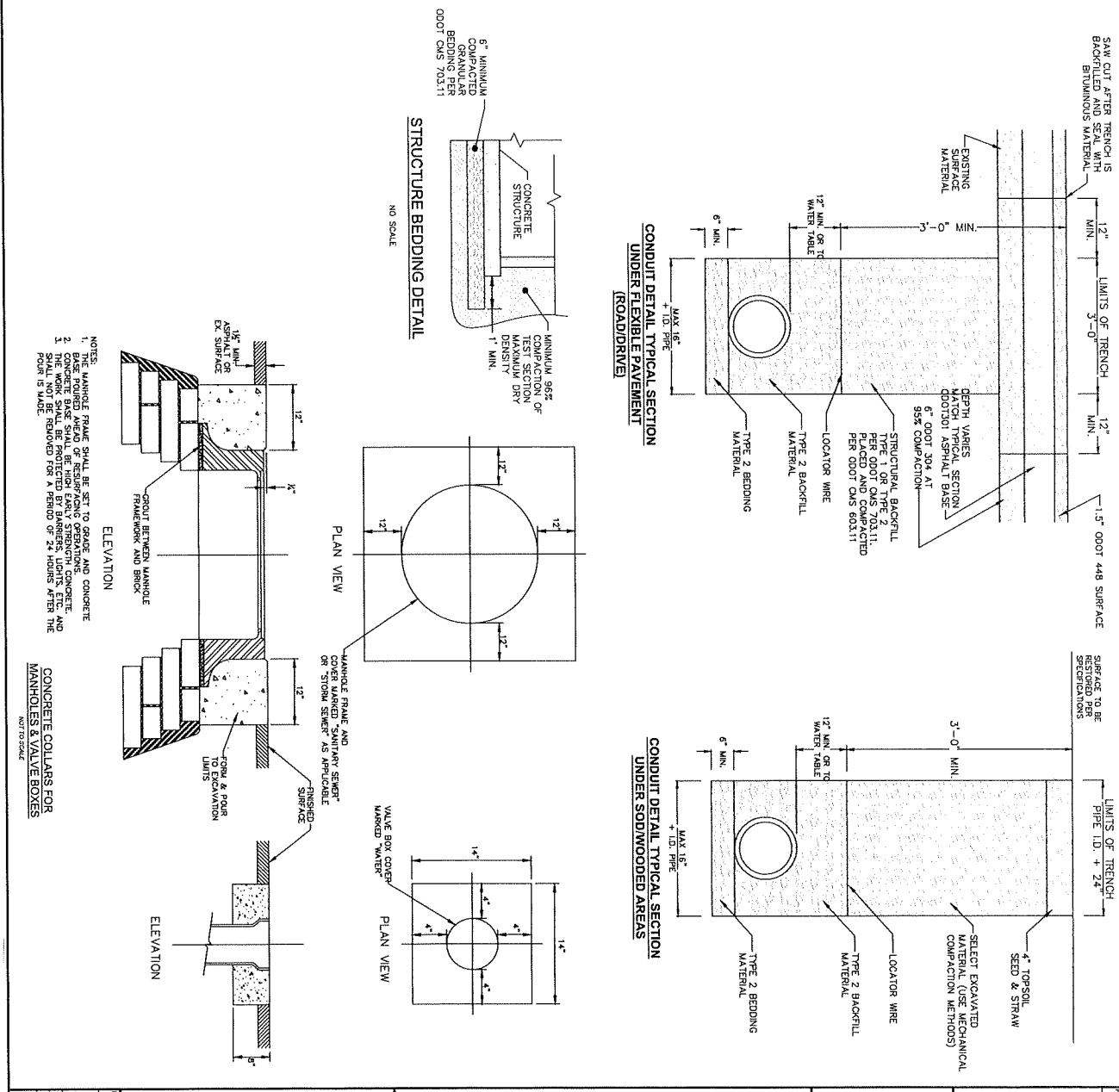
The depth of concrete underneath detectable warning products shall be a minimum of 4\"/>

ALIGNMENT: Truncated domes should be aligned with the primary direction of the ramp as shown on the DETECTABLE WARNING ALIGNMENT Detail. Normally the detectable warnings should be flush with the back of the curb, but for skewed conditions see DETECTABLE WARNING ALIGNMENT Detail. For non-standard layouts, detectable warning materials may have to be mitered and placed segmentally.

PRODUCTS & COLORS: Color of the detectable warnings should contrast with surrounding concrete walk and ramp. Black is not an acceptable color. Approved products and guidelines on color may be found in the City of Athens Engineering Department's approved list. Install products as per manufacturer's printed instructions.



- GENERAL NOTES:**
- CONTRACT SPECIFICATIONS:**
THE CITY OF ATHENS DIVISION OF SEWER CONSTRUCTION SPECIFICATIONS FOR SEWER LINE INSTALLATION, CITY OF ATHENS WATER CONSTRUCTION SPECIFICATIONS, AND THE JANUARY 1, 2019 VERSION OF THE CONSTRUCTION AND MATERIAL SPECIFICATIONS AS PUBLISHED BY THE OHIO DEPARTMENT OF TRANSPORTATION AND STATE HIGHWAY COMMISSION, SHALL BE USED FOR THE DESIGN AND CONSTRUCTION OF THIS PROJECT. THE CONTRACTOR SHALL BE FAMILIAR WITH THESE SPECIFICATIONS AND THEIR PROCEDURAL REQUIREMENTS.
 - SAFETY:**
THE CONTRACTOR AND SUB-CONTRACTOR(S) SHALL BE SOLELY RESPONSIBLE FOR ALL FEDERAL, STATE, AND LOCAL SAFETY REQUIREMENTS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS FOR THE PROTECTION OF UTILITIES AND THE PROTECTION OF THE PUBLIC. IT IS ALSO THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND SUB-CONTRACTOR(S) TO INITIATE, MAINTAIN AND SUPERVISE ALL SAFETY REQUIREMENTS, PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THIS WORK. COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 IS REQUIRED OF ALL CONTRACTORS ON THE PROJECT.
 - UTILITIES:**
THE CONTRACTOR IS RESPONSIBLE FOR CALLING THE OHIO UTILITIES PROTECTION SERVICE AT LEAST TWO DAYS BEFORE DIGGING. THE TOLL-FREE NUMBER IS (800) 362-2764.
 - UTILITIES:**
THE FOLLOWING UTILITIES ARE LOCATED IN THE VICINITY OF THE PROJECT WHERE CONSTRUCTION IS TO TAKE PLACE:
1) AEP OHIO
9135 SR 602
ATTN: SAUL LESTER
PHONE: 740-885-3054
2) CITY OF ATHENS (SEWER)
30 CUMBERLAND
ATTN: SAUL LESTER
PHONE: 740-593-7638
3) CITY OF ATHENS (WATER)
30 CUMBERLAND
ATTN: SAUL LESTER
PHONE: 740-593-7638
4) COLUMBIA GAS TRANSMISSION
HOLISTON, TX 77002
US: CROSSING@TRANSCANADA.COM
800-562-8931
ATTN: JOSHUA WILLIAMS
740-688-4668
 - ENGINEERS' LIABILITY:**
HEREIN CALLED THE ENGINEERS' SHALL NOT BE RESPONSIBLE FOR THE MEANS, METHODS, PROCEDURES, TECHNIQUES, OR SEQUENCES OF CONSTRUCTION NOT SPECIFIED HEREIN, NOR FOR SAFETY ON THE JOB SITE, NOR SHALL THE ENGINEERS BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
 - DAMAGE TO PUBLIC OR PRIVATE PROPERTY:**
CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE THAT IS INCURRED ON PUBLIC OR PRIVATE PROPERTY DUE TO CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL REPAIR OR REPLACE THE DAMAGED PROPERTY AT THE CONTRACTOR'S EXPENSE.
 - WORK HOURS AND NOISE CONTROL:**
NOISE MEASUREMENTS SHALL BE TAKEN DURING CONSTRUCTION NOISE IMPACTS. NO POWER OPERATED CONSTRUCTION TYPE DEVICE SHALL BE OPERATED BETWEEN THE HOURS OF 8:00 P.M. TO 7:00 A.M. MONDAY THROUGH SATURDAY, UNLESS COORDINATION OCCURS AND PERMISSION IS GRANTED BY THE SERVICE SAFETY DIRECTOR. IN ADDITION, NO POWER OPERATED CONSTRUCTION TYPE DEVICE SHALL BE OPERATED IN SUCH A MANNER THAT THE NOISE CREATED EXCEEDS THE ESTIMATED NOISE LEVELS AND NOISE MEASUREMENTS SHALL BE TAKEN TO THE REASONABLE AND EFFICIENT PERFORMANCE OF SUCH EQUIPMENT.
 - NO STEEL TRACK EQUIPMENT ON ROADS:**
STEEL TRACK EQUIPMENT SHALL BE USED WHERE FINISH AREAS OF OVERLAP, USE IN OTHER AREAS IS PROHIBITED. EXCEPTIONS MAY BE GRANTED BY THE CITY OF ATHENS' SUPERVISOR OF PUBLIC WORKS. ANY DAMAGE TO THE ROAD SURFACE MUST BE REPAIRED TO THE SATISFACTION OF THE CITY OF ATHENS.
 - BACKFILLING:**
TECHNICAL REQUIREMENTS, AS SPECIFIED IN THE CONTRACT DOCUMENTS, SHALL BE STRICTLY ENFORCED. BACKFILLING SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS. ALL BACKFILL SHALL BE COMPACTED TO THE PROPER DENSITY AND NONPAYMENT OF THE VARIOUS BID ITEMS AFFECTED BY SUCH WORK. ALL BACKFILL UNDER OR WITHIN 2' OF ROADS, DRIVES, AND PARKING LOTS SHALL BE GRANULAR BACKFILL PER SPECIFICATIONS.
 - LINE CROSSINGS:**
1) THICK SAND ENVELOPE SHALL BE USED AROUND ALL WATER AND GAS LINES TO PROTECT SAND LINES FROM ABRASIVE AND PROTRUDING AGGREGATE. THIS SAND SHALL BE FINE GRADED AGGREGATE PER ODOT 703.02 A AND FREE OF LARGE PARTICLES.
 - PAVEMENT CLEANING:**
CONTRACTOR SHALL BE RESPONSIBLE TO KEEP STREETS AND ROADS CLEAR OF ALL MUD, DIRT, GRAVEL, AND/OR STONES OF ANY KIND DEPOSITED AS A RESULT OF HISHER OPERATIONS. PAVEMENTS SHALL BE CLEANED AT THE END OF EACH WORK DAY.
 - STORM SEWER PIPE SHALL BE SMOOTH INTERIOR DIA. WALL CORRUGATED HDPE OR PP PIPE MEETING ASTM F2928 WITH WATER TIGHT JOINTS MEETING ASTM D3212. GROUT ALL OPENINGS IN MANHOLES AROUND PIPE WITH NON-SINK GROUT.**
 - CONCRETE COLLARS:**
PROVIDE CONCRETE COLLARS AROUND ALL STRUCTURE WITHIN PAVEMENT PER DETAIL PROVIDED.



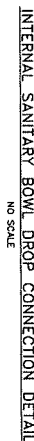
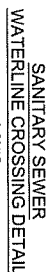
CLASSIFICATION ODOT TYPE 2, AND MEET OR EXCEED SDR-35 PVC

- ## SANITARY CONSTRUCTION & TESTING NOTES

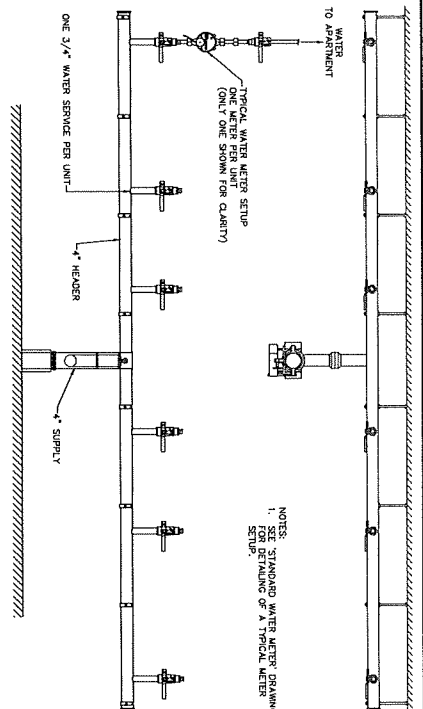
10. CONSIDERATION OF SAME PRIOR TO ACCEPTANCE. THE AIR TEST SHALL CONFORM TO ASTM F-4417 FOR PLASTIC PIPE. ALL SEWERS OVER 21 INCH DIAMETER SHALL BE SUBJECT TO INFLATATION TESTS. ALL SEWERS OF 14 INCH DIAMETER OR LESS, WHERE THE ROUNDWATER LEVEL ABOVE THE TOP OF THE SEWER IS OVER 2 FEET, SHALL BE SUBJECT TO INFLATATION TESTS. ALL SEWERS OF 21 INCH OR MORE DIAMETER SHALL BE SUBJECT TO AIR TESTS OR INFLATATION TESTS. EXHALTATION PER UNIT PER INCH LEAKAGE SHALL NOT EXCEED 100 GALLONS PER INCH OF PIPE DIAMETER PER MILE PER DAY FOR ANY SECTION OF THE SYSTEM. AN EXHALTATION OR INFLATATION TEST SHALL BE PERFORMED WITH A MINIMUM POSITIVE HEAD OF 2 FEET.

- NOTE:
-
- SEWER

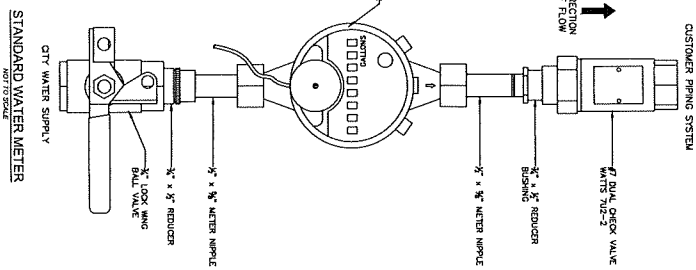
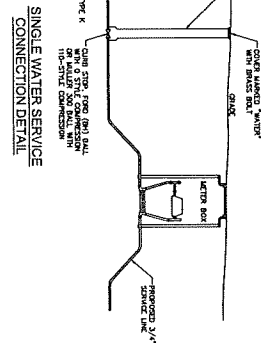
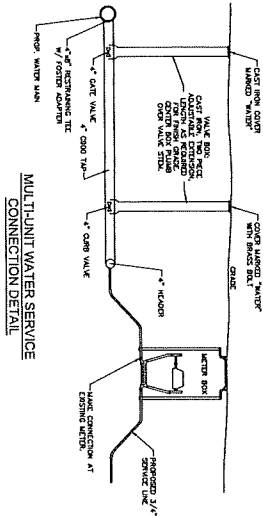
SANITARY SEWER
WATERLINE CROSSING DETAIL
NO SCALE



THE CONTRACTOR SHALL PROVIDE 48 HOURS OF ADVANCE NOTICE TO THE CITY ENGINEERING AND PUBLIC WORKS DEPARTMENT TO WITNESS THE INSTALLATION AND TESTING OF ALL SANITARY SEWER.



NOTES:
1. SEE STANDARD WATER METER DRAWING FOR REMAINING OF A TYPICAL METER SETUP.



- | | | | | | |
|--------------------|---|---|---------------------------------------|----------------|--|
| DATE
07/31/2023 | UNIVERSITY ESTATES PHASE II
BROADMOOR CT & HOMESTEAD CT

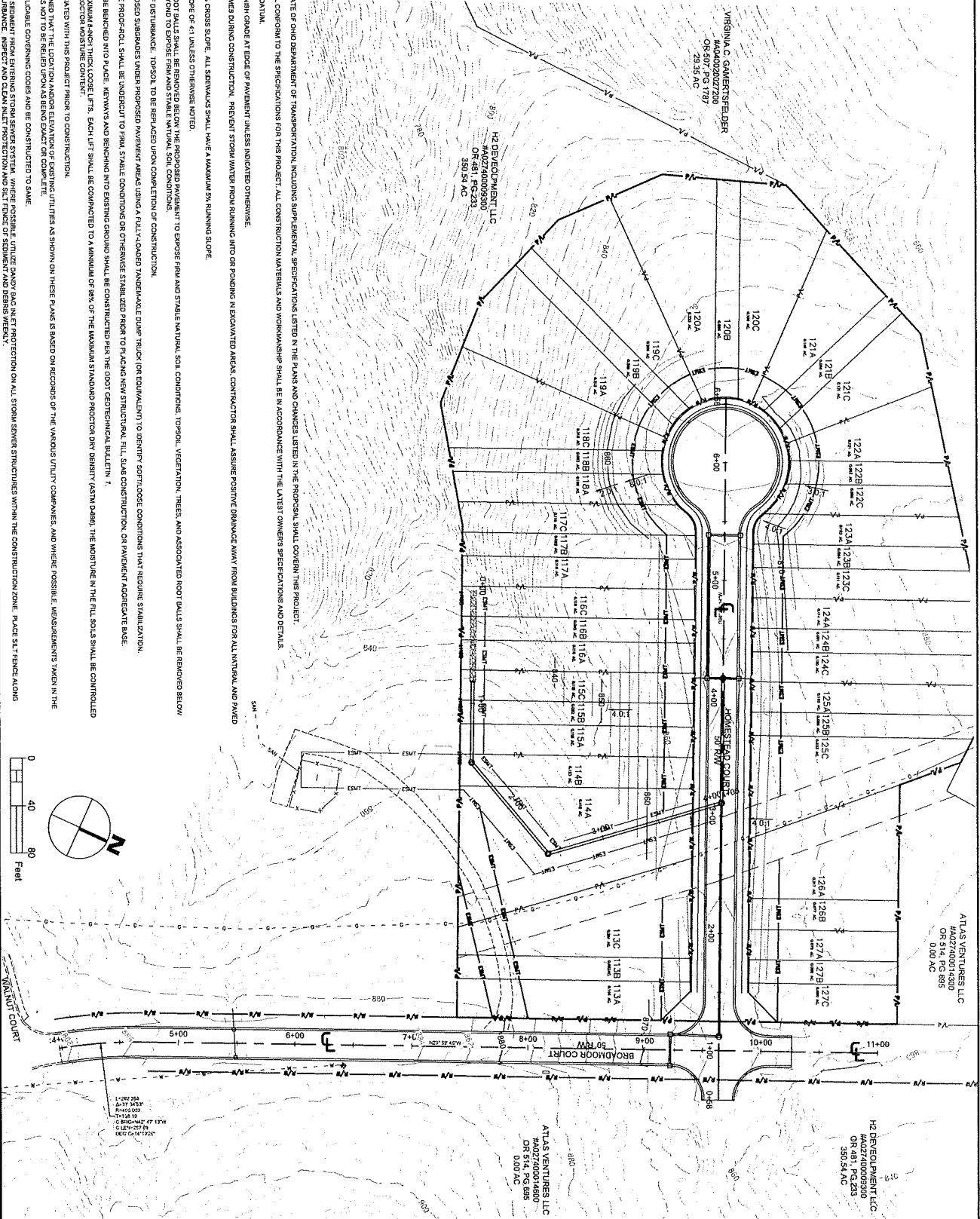
GENERAL NOTES |  buckleygroup
engineering+surveying
6801 STATE ROUTE 56, ATHENS, OH 45701 (740) 589-5001 - www.buckleygroup.com | CITY OF ATHENS
ATHENS COUNTY, OHIO | REVISION DATES | DRAWN BY: MJS
CHECKED BY: JMS
DATE: 07/21/23 |
|--------------------|---|---|---------------------------------------|----------------|--|

LEGEND

- C CENTERLINE
- RW RIGHT OF WAY
- P PROPERTY LINE
- EX SAN. SEWER
- EX GAS LINE
- EX CONTOUR
- PR CATCH BASIN
- PR SAN. SEWER
- PR CONTOUR

GENERAL GRADING NOTES

1. THE STANDARD SPECIFICATIONS OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION, INCLUDING SUPPLEMENTAL SPECIFICATIONS LISTED IN THE PLANS AND CHANGES LISTED IN THE PROPOSAL SHALL GOVERN THIS PROJECT.
2. ALL GRADING AND SITE PREPARATION SHALL CONFORM TO THE SPECIFICATIONS FOR THIS PROJECT. ALL CONSTRUCTION MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE LATEST OWNER'S SPECIFICATIONS AND DETAILS.
3. ALL ELEVATIONS ARE BASED ON WADSWORTH DATUM.
4. ALL PROPOSED ELEVATIONS ARE TOP OF FINISH GRADE AT EDGE OF PAVEMENT UNLESS INDICATED OTHERWISE.
5. MAINTAIN PROPER SITE DRAINAGE AT ALL TIMES DURING CONSTRUCTION. PREVENT STORM WATER FROM RUNNING INTO OR PONDING IN EXCAVATED AREAS. CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS.
6. ALL SIDEWALKS SHALL HAVE A MAXIMUM 2% CROSS SLOPE. ALL SIDEWALKS SHALL HAVE A MAXIMUM 5% RUNNING SLOPE.
7. ALL CUT AND FILL SLOPES SHALL HAVE A SLOPE OF 4:1 UNLESS OTHERWISE NOTED.
8. TOPSOIL, VEGETATION AND ASSOCIATED ROOT BALLS SHALL BE REMOVED BELOW THE PROPOSED PAVEMENT AND STABLE NATURAL SOIL CONDITIONS. TOPSOIL, VEGETATION, TREES, AND ASSOCIATED ROOT BALLS SHALL BE REMOVED BELOW ALL FILL AREAS PLUS 3 FEET LATERALLY BEYOND TO EXPOSE FIRM AND STABLE NATURAL SOIL CONDITIONS.
9. STRIP AND STOCKPILE TOPSOIL IN AREAS OF DISTURBANCE. TOPSOIL TO BE REPLACED UPON COMPLETION OF CONSTRUCTION.
10. CONTRACTOR SHALL PROTECT THE EXPOSED SUBGRADE UNDER PROPOSED PAVEMENT AREAS USING A POLY-ETHYLENE THICKNESS DUMP TRUCK (OR EQUIVALENT) TO DIRECTLY COVER EXPOSED SUBGRADE THAT REQUIRES STABILIZATION.
11. SOFT-FOOT AREAS IDENTIFIED DURING THE PRELIMINARY SHALL BE UNDERGO TO FIRM STABLE CONDITIONS OR OTHERWISE STABILIZED PRIOR TO PLACING NEW STRUCTURAL FILL. SLAB CONSTRUCTION OR PAVEMENT AGGREGATE BASE.
12. FILL PLACED INTO EXISTING SLOPES SHALL BE BENCHMARKED INTO PLACE. KETTLES AND BENCHMARKING INTO EXISTING GRADING SHALL BE CONSTRUCTED PER THE 2007 GEOTECHNICAL BULLETIN 7.
13. CONTROLLED FILL CONSTRUCTION SHALL BE PLACED IN MINIMUM 15% DENSITY. EACH LIFT SHALL BE COMPACTED TO A MINIMUM OF 95% OF THE MAXIMUM STANDARD PROCTOR DRY DENSITY (ASTM D698). THE MOISTURE IN THE FILL SOILS SHALL BE CONTROLLED WITHIN TWO PERCENTAGE POINTS OF THE MAXIMUM STANDARD PROCTOR MOISTURE CONTENT.
14. LOCATE AND PROTECT ALL UTILITIES ASSOCIATED WITH THIS PROJECT PRIOR TO CONSTRUCTION.
15. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, RECONSTRUCTIONS TAKEN IN THE FIELD. THE EXISTING UTILITY INFORMATION IS NOT TO BE RELIED UPON AS BASIS FOR COMPLETE.
16. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE COVERING CODES AND BE CONSTRUCTED TO SAME.
17. CONTRACTOR TO PREVENT CONSTRUCTION SEGMENT FROM ENTERING STORM SEWER SYSTEM. WHERE POSSIBLE, UTILIZE SANDY BAG INLET PROTECTION ON ALL STORM SEWER STRUCTURES WITHIN THE CONSTRUCTION ZONE. PLACE ST.7 FENCE ALONG CONTOUR AT THE EXTENTS OF EARTH DISTURBANCE. INSPECT AND CLEAN INLET PROTECTION AND SETBACK OF SEWERS AND DRAINAGE.



[illegible]

A cross-sectional diagram of the storage server grate assembly. The assembly consists of a top plate, a middle grate, and a bottom plate. The top plate is labeled 'STORAGE SERVER GRATE'. The middle grate is labeled 'LIFT STRIPS USED FOR MOVEMENT AND INSPECTION'. The bottom plate is labeled 'VELCRO CLOSURE'. Arrows point from the labels to the corresponding parts of the assembly.

Diagram illustrating the installation of a Storm Sewer Grate using a Sandy Bag. The grate is shown with the bag inserted into its frame.

NOTE: THE DANCY BAG WILL BE MANUFACTURED IN THE U.S.A. FROM A WOMEN WORKWEAR FABRIC THAT MEETS OR EXCEEDS THE FOLLOWING SPECIFICATIONS:

Mechanical Properties	Test Method	Units	Value
Grip Tensile Strength	ASTM D 4632	N (lb)	1.8 (402)
Elongation at Break	ASTM D 4632	%	1.0 (22)
Flexural Modulus	ASTM D 790	MPa (ksi)	5.40 (48)
Flexural Strength	ASTM D 790	MPa (ksi)	3.97 (45)
Modulus Rupture	ASTM D 790	MPa (ksi)	3.97 (45)
Tensile at Break	ASTM D 790	MPa (ksi)	6.31 (72)
Tensile at Yield	ASTM D 790	MPa (ksi)	6.31 (72)
Apparent Operating Size	ASTM D 790	mm (in)	0.635 (0.25)
Modulus of Elasticity	ASTM D 790	GPa (ksi)	3.97 (57)
Modulus of Rupture	ASTM D 790	MPa (ksi)	3.97 (45)
Modulus of Elasticity	ASTM D 4641	GPa (ksi)	2.1

***Note:** All Dandy Bogs® can be ordered with our optional oil absorbent pillow.

1. ACTUAL LAYOUT DETERMINED IN THE FIELD.

2. SPACING GOVERNING THE CONCRETE WASHOUT AREA SHALL BE PROVIDED WITHIN 5' OF THE WASHOUT FACILITY.

SECTION A-A
NOT TO SCALE

CONCRETE WASHOUT DETAIL

The diagram consists of two parts. The top part is a cross-section of a concrete washout system. It shows a concrete box labeled 'CONCRETE WASHOUT' with 'FILLERS' at the bottom. Above the box is a 'WASHOUT' area with a 'WATER' supply. To the left, a 'CONCRETE WASHOUT' is shown with a 'WATER' supply and a 'WASHOUT' area. The bottom part is a plan view of a 'TEMPORARY CONSTRUCTION ROAD'. It shows a road with a 'PAVED ROAD' on the left and a 'TEMPORARY DRAINAGE' on the right. The road is 20' wide. The drainage is 4' wide. The road is 2' to 4' deep. The drainage is 2' to 4' deep. The road is 2' to 4' deep. The drainage is 2' to 4' deep.

CONCRETE WASHOUT
WATER
WASHOUT
FILLERS
CONCRETE WASHOUT
WATER
WASHOUT

TEMPORARY DRAINAGE
TO 4" 8" DEPTH WITH COARSEST FILLING
PIPE WIDTH NEEDED
TEMPORARY DRAINAGE
PIPE WIDTH NEEDED
PAVED ROAD
20' WIDE
TEMPORARY DRAINAGE
TO 4" 8" DEPTH WITH COARSEST FILLING
PIPE WIDTH NEEDED
TEMPORARY DRAINAGE
PIPE WIDTH NEEDED
CONCRETE WASHOUT
WATER
WASHOUT
FILLERS
CONCRETE WASHOUT
WATER
WASHOUT

1. ACTUAL LAYOUT DETERMINED IN THE FIELD.

2. SPACING GOVERNING THE CONCRETE WASHOUT AREA SHALL BE PROVIDED WITHIN 5' OF THE WASHOUT FACILITY.

SECTION A-A
NOT TO SCALE

CONCRETE WASHOUT DETAIL

[illegible][illegible]

PROPOSED DRAINAGE STRUCTURE

PROPOSED SILT FENCE

00000000 CALIBRE WASMOUT

PROPOSED EROSION CONTROL MA

—

☒ Existing
_____ New

5

LOW BRANDED
ONE WITH METAL
OF 1,200 POUNDS -

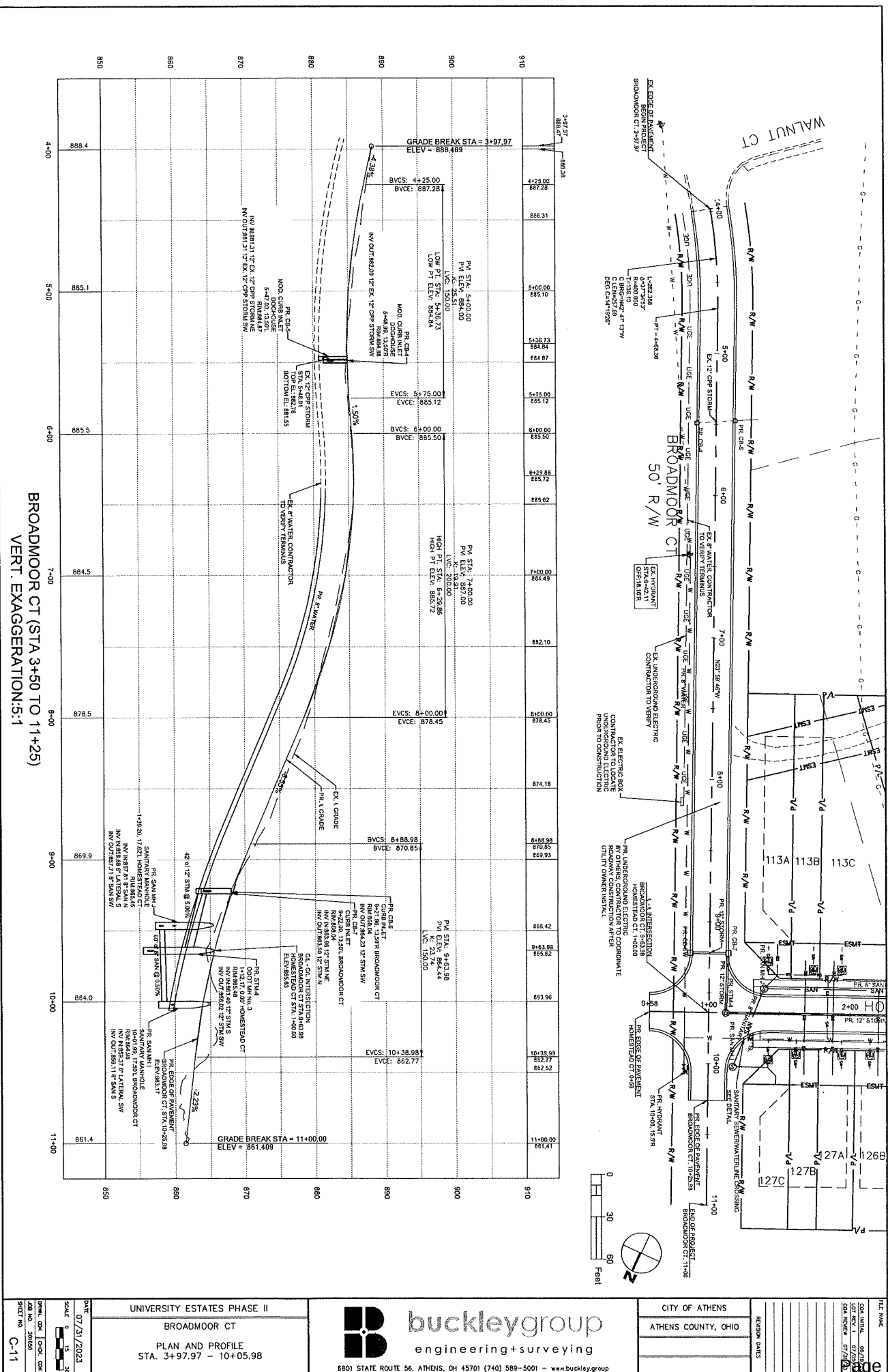
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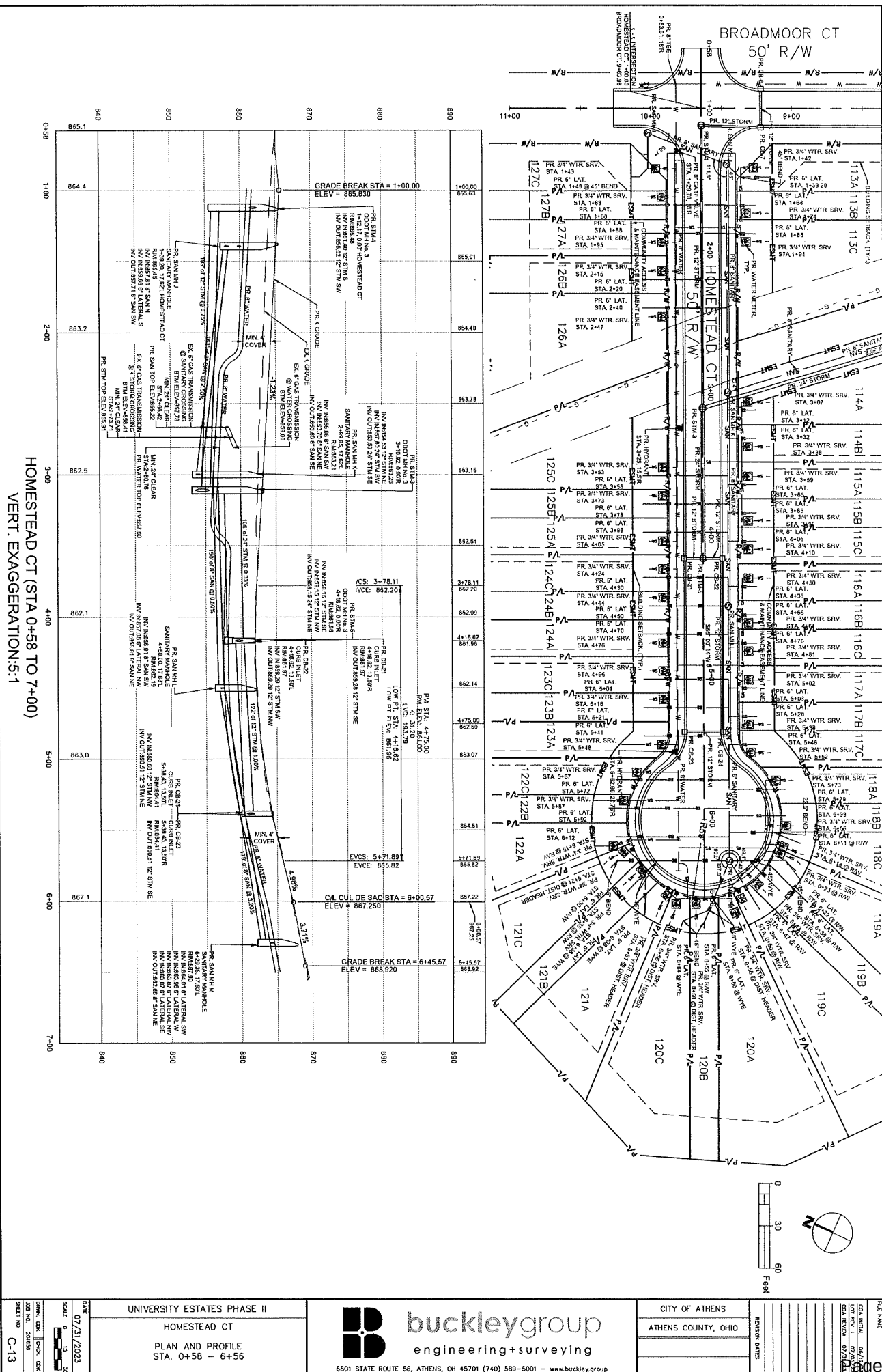
SILT FENCE TIEBACK
STEEL POSTS OR WOOD PO

DO NOT INCLUDE IN THE INDEX FOR SALT WATER.

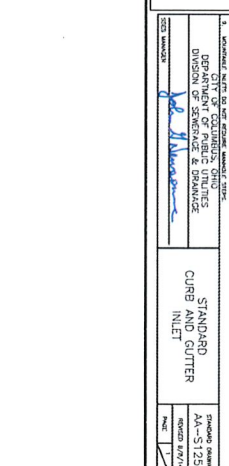
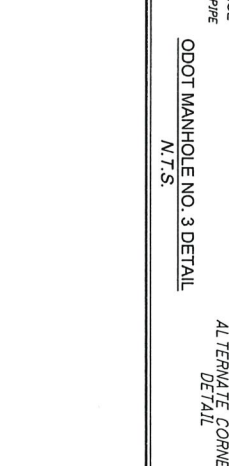
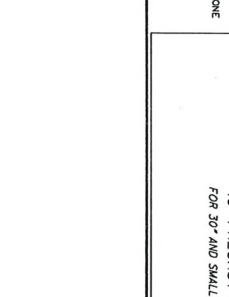
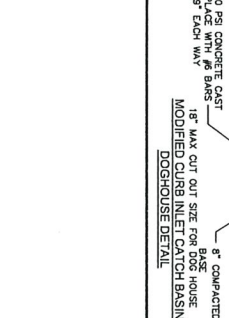
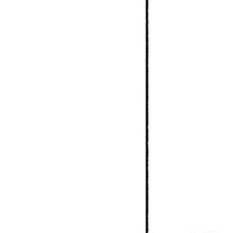
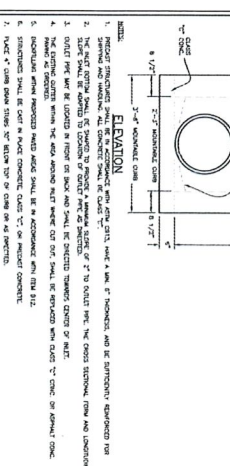
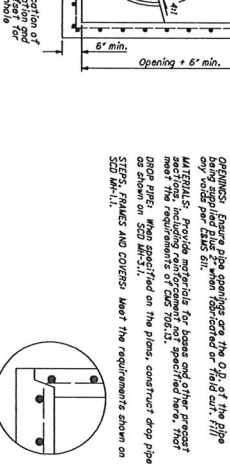
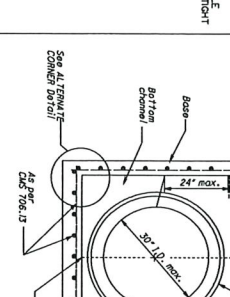
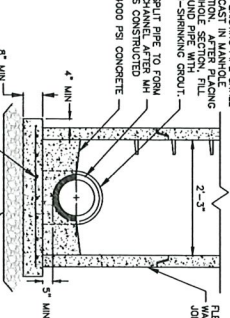
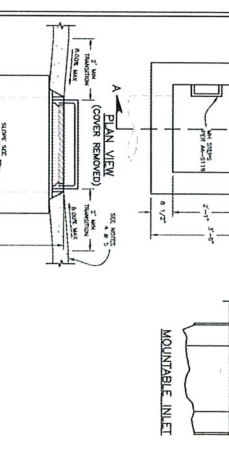
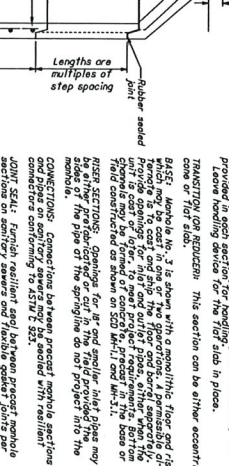
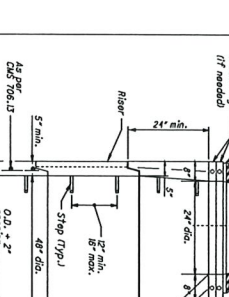
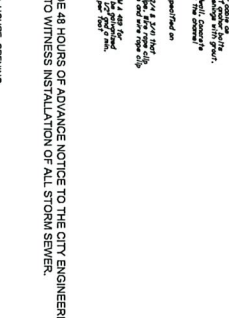
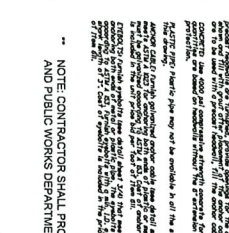
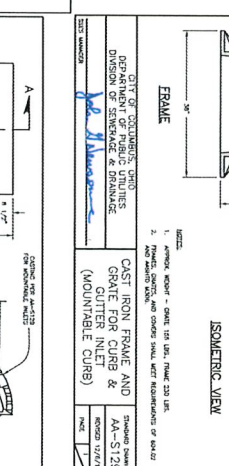
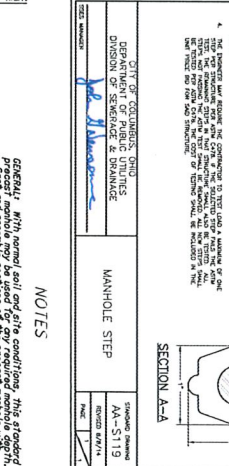
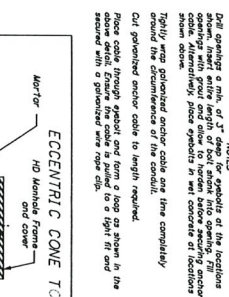
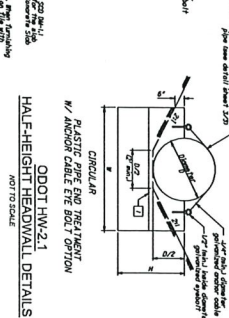
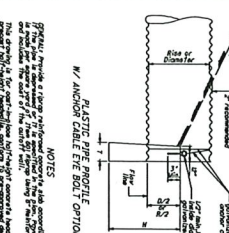
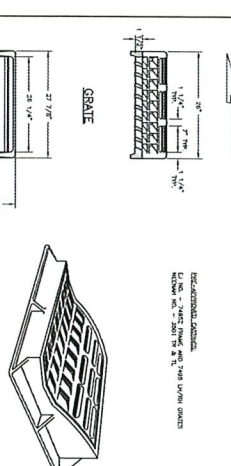
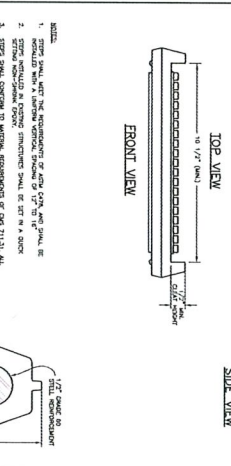
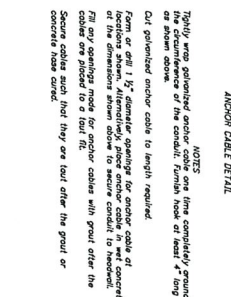
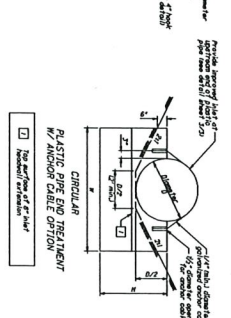
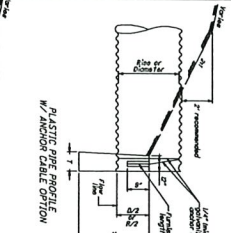
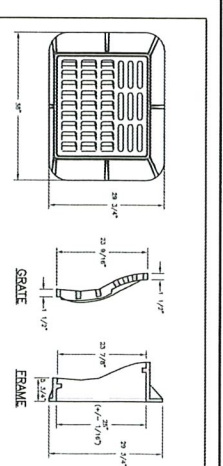
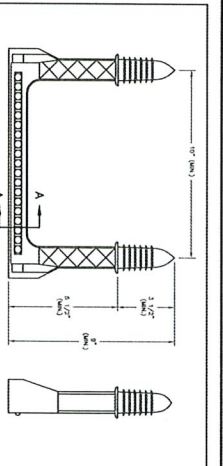
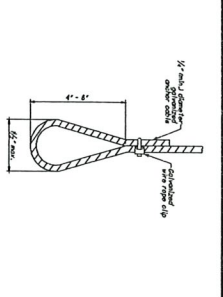
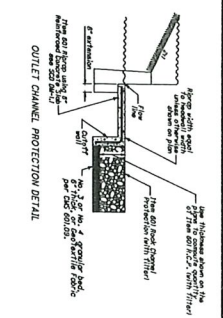
CITY OF ATHENS
ATHENS COUNTY, OH

FILE NAME	
COA INITIAL	06/16/06
LOT REV. 1	07/05/06
COA REVIEW	07/31/06

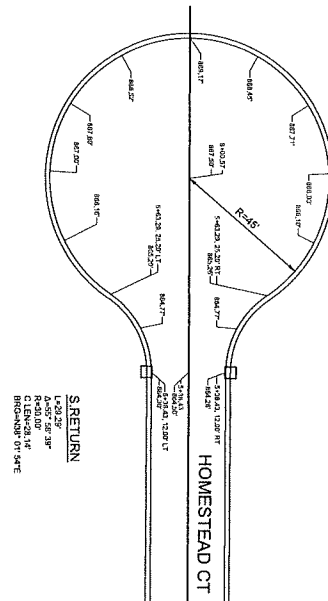




CAST-IN-PLACE HW FOR CORRUGATED PLASTIC PIPE					
CIRCULAR					
D	W	H	T	CONC.	
6"	2'-0"	3'-0"	2"	0.33	
8"	2'-0"	3'-0"	2"	0.33	
10"	2'-0"	3'-0"	2"	0.33	
12"	2'-0"	3'-0"	2"	0.33	
14"	2'-0"	3'-0"	2"	0.33	
16"	2'-0"	3'-0"	2"	0.33	
18"	2'-0"	3'-0"	2"	0.33	
20"	2'-0"	3'-0"	2"	0.33	
22"	2'-0"	3'-0"	2"	0.33	
24"	2'-0"	3'-0"	2"	0.33	
26"	2'-0"	3'-0"	2"	0.33	
28"	2'-0"	3'-0"	2"	0.33	
30"	2'-0"	3'-0"	2"	0.33	
32"	2'-0"	3'-0"	2"	0.33	
34"	2'-0"	3'-0"	2"	0.33	
36"	2'-0"	3'-0"	2"	0.33	
38"	2'-0"	3'-0"	2"	0.33	
40"	2'-0"	3'-0"	2"	0.33	
42"	2'-0"	3'-0"	2"	0.33	
44"	2'-0"	3'-0"	2"	0.33	
46"	2'-0"	3'-0"	2"	0.33	
48"	2'-0"	3'-0"	2"	0.33	
50"	2'-0"	3'-0"	2"	0.33	

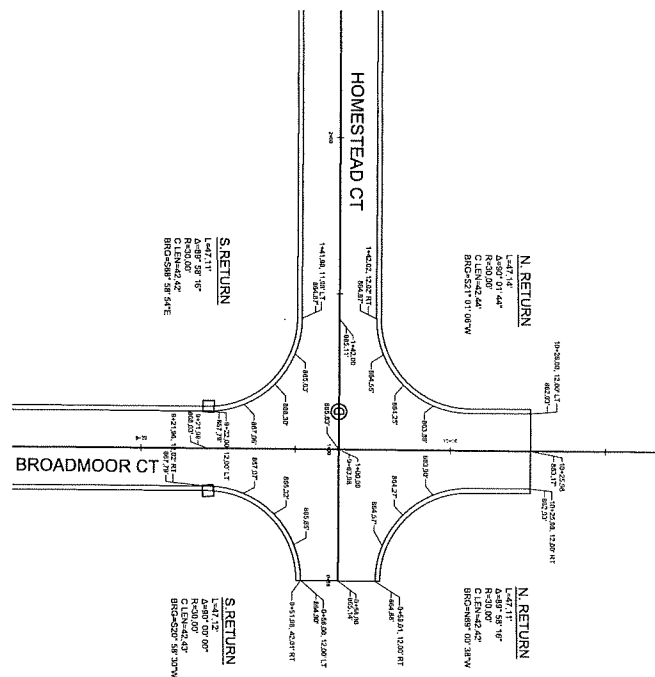
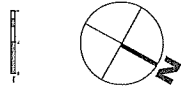


CUL-DE-SAC
 L=201.88'
 A=90.00°
 C LEM=54.00°
 BRG=252.59.42°E



N. RETURN
 L=201.88'
 A=90.00°
 C LEM=54.00°
 BRG=252.59.42°W

S. RETURN
 L=201.88'
 A=90.00°
 C LEM=54.00°
 BRG=252.59.42°E



N. RETURN
 L=487.14'
 A=90.00°
 C LEM=42.44°
 BRG=264.17.01°W

S. RETURN
 L=487.14'
 A=90.00°
 C LEM=42.44°
 BRG=264.17.01°E

N. RETURN
 L=487.14'
 A=90.00°
 C LEM=42.44°
 BRG=264.17.01°W

S. RETURN
 L=487.14'
 A=90.00°
 C LEM=42.44°
 BRG=264.17.01°E

0-119-23

Introduced by Sam Crawl, Member
Planning & Development Committee

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 3, ADMINISTRATIVE PROVISIONS, CHAPTER 3.07, ADMINISTRATIVE DEPARTMENTS; BOARDS AND COMMISSIONS, SECTION 3.07.74, ESTABLISHMENT OF COMMISSION.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Athens City Code Title 3, Administrative Provisions, Chapter 3.07, Administrative Departments; Boards and Commissions, Section 3.07.74, Establishment of Commission, is hereby amended to read as follows:

3.07.74. - Establishment of **the environment and sustainability** commission.

(A) There is hereby created and established a commission to be known as the Athens City Environment and Sustainability Commission consisting of 11 members, nine to be appointed by Athens City Council of which at least six members shall be residents of the city and three members may reside outside the corporate limits, and one shall be an Ohio University student; one member shall be a representative of Athens City Council; and one member shall be a representative of the mayor of Athens. The mayor's representative will serve at the pleasure of the mayor.

(B) Appointed members will serve a term of three years with initial appointments of two appointed members serving three years, two serving two years, and one serving one year. After the initial appointments all members shall be appointed for three-year terms. Members may be considered for reappointment and may serve consecutive three-year terms. Vacancies on the commission occurring otherwise than by the expiration of terms shall be filled for the unexpired term of the person being replaced. All members shall serve without compensation.

If a voting member who misses three (3) unexcused consecutive meetings during the year, the commission may request the resignation of that member and petition City Council to declare a vacancy. ~~without an excused absence shall automatically cease to be a member and their seat shall become vacant.~~

(C) All meetings are open to the public in accordance with applicable state and federal laws and regulations.

The commission shall elect its own chairperson from among its members, shall maintain a record of its proceedings, and shall adopt such rules and regulations of self-government as may be necessary to carry out the purposes and provisions of this section.

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-120-23

Introduced by Sam Crawl, Chair
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING THE AUDITOR TO REDUCE 2023 YEAR-END APPROPRIATIONS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The Auditor is hereby authorized to reduce the 2023 appropriations where anticipated receipts are not adequate and, when combined with the carry forward balance, not sufficient to approve the full appropriation of funds.

SECTION II: This Ordinance shall be in full force and effect at the earliest moment permitted by law upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-121-23

Introduced by Sam Crawl, Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING THE 2023 APPROPRIATION ORDINANCE 155-22,
AND AUTHORIZING AN INTERFUND TRANSFER.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: The 2023 Appropriation Ordinance 155-22 is hereby amended by appropriating from the unappropriated balance the following sums:

Forty Thousand Dollars (\$40,000.00) to General Fund, Police, 101.207, T.C. 100, to cover year-end payroll expenses;

Thirty Thousand Dollars (\$30,000.00) to General Fund, Fire, 101.208, T.C. 100, to cover year-end payroll expenses;

Fifty-One Thousand Dollars (\$51,000.00) to Community Center Fund, 271, T.C. 100, to cover year-end payroll expenses; and

Eighty Thousand Dollars (\$80,000.00) to Sewer Fund, Plant, 750.637, T.C. 300, to cover increased electricity generation rates at the Waste Water Treatment Plant, and increasing the total appropriations by the same amount.

SECTION II: The Auditor is hereby authorized to make the following interfund transfer:

FROM	TO	AMOUNT
Street Fund, 220	Capital Improvements Fund, 580	\$100,000.00

SECTION III: This Ordinance shall be in effect and full force upon passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-122-23

Introduced by the Finance & Personnel Committee

**AN ORDINANCE AMENDING THE 2023 STAFFING LEVELS AUTHORIZED BY
ORDINANCE 147-22; AND DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: An Ordinance amending the 2023 Staffing levels and Pay Grades, authorized by Ordinance 147-22, to read as attached hereto and incorporated herein by reference.

SECTION II: This Ordinance shall be an emergency measure necessary for the preservation of the health, welfare and safety of the residents of the City of Athens, Ohio, in order to continue to provide efficient delivery of services, and it shall be in full force and effect upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

2023 FUND	DEPARTMENT	POSITION	F.T.E.
101.101 General	Mayor	Executive Asst.	1
101.101 General	Mayor	Administrative Coordinator	1
101.101 General	Mayor	Grants Administrator	1
101.101 General	Mayor	Human Resources Director	1
101.101 General	Mayor	Deputy Service-Safety Dir.	0.7
101.101 General	Mayor	Service-Safety Director	1
101.101 General	Mayor	City Planner	1
101.101 General	Mayor	DEIA/Training Coordinator	1
101.101 General	Mayor	Receptionist	0.73
101.102 General	Auditor	Executive Administrator	1
101.102 General	Auditor	Account Administrator I	1
101.102 General	Auditor	Deputy Auditor	1
101.102 General	Auditor	Income Tax Administrator	2
101.104 General	Law Director	Legal Sec'y I	1
101.104 General	Law Director	Legal Sec'y II	1
101.104 General	Law Director	Prosecutor	1
101.104 General	Law Director	Asst. Law Director/Part Time Prosecutor	1
101.104 General	Law Director	Chief City Prosecutor	1
101.105 General	Council	Government Channel Director	1
101.105 General	Council	Clerk of Council	1
101.105 General	Council	TGC Technician	1
101.105 GENERAL	COUNCIL	PRODUCTION SPECIALIST	0.73
101.106 General	Muni. Court	Clerk of Court	0.6
101.112 General	Lands & Bldgs.	Custodian	3
101.112 General	Lands & Bldgs.	Building Projects Supervisor	1
101.112 General	Lands & Bldgs.	Building Projects Technician	1
101.112 General	Lands & Bldgs.	Electrician Trainee	0.5
101.112 General	Lands & Bldgs.	Electrician	0.5
101.112 General	Lands & Bldgs.	Groundskeeper	2
101.207 General	Police	Data Entry Operator	1
101.207 General	Police	Communication Officer	4
101.207 General	Police	Lieutenant	6
101.207 General	Police	Patrol Officer	19
101.207 General	Police	Social Worker (Grant)	1
101.207 General	Police	Police Captain	1
101.207 General	Police	Police Chief	1
101.207 General	Police	Administrative Assistant II	1
101.208 General	Fire	General Secretary	1
101.208 General	Fire	Fire Chief	1
101.208 General	Fire	Captain	1

2023 FUND	DEPARTMENT	POSITION	F.T.E.
101.208 General	Fire	Firefighter	18
			sunset to 15 through attrition
101.208 General	Fire	Lieutenant	6
101.351 General	Code	General Secretary	0.5
101.351 General	Code	Administrative Assistant	1
101.351 General	Code	Code Inspector	4
101.351 General	Code	Director Development, Enforcement and Facilities	1
101.351 GENERAL	CODE	ASSISTANT DIRECTOR OF DEVELOPMENT ENFORCEMENT	1
101.718 General	Parking Enforcement	Parking Enforcement Officer	5
101.718 General	Parking Enforcement	Data Entry Operator-Parking	1
210.115 General	Cemetery	Cemetery Maintenance	0.73
210.115 General	Cemetery	Cemetery Maintenance	0.73
210.115 General	Cemetery	Cemetery Maintenance	0.365
210.115 General	Cemetery	Labor Supervisor	0.1
220.717 Street	Street	City Engineer/Dir. of Public Works	0.30
220.717 Street	Street	Asst. City Engineer	0.30
220.717 Street	Street	Asst. Director Public Works	0.30
220.717 Street	Street	Construction Coordinator PROJECT ASSISTANT	0.30
220.717 Street	Street	Maint Tech/Trainee/Laborer	10
220.717 Street	Street	Labor Supervisor	1
220.717 Street	Street	Electrician Trainee	0.5
220.717 Street	Street	Electrician	0.5
220.717 Street	Street	Instrument Technician PROJECT INSPECTOR	0.5 0.35
220.717 Street	Street	Administrative Coordinator	0.30
270.940 Recreation	Recreation	APR Director	0.5
270.940 Recreation	Recreation	Assistant Director	0.5
270.940 Recreation	Recreation	Program Specialist - APR	0.5
270.940 Recreation	Recreation	Program Specialist - Arts	4 0.5
270.940 Recreation	Recreation	Rec. Maint. Specialist	2
270.940 Recreation	Recreation	Custodian	0.25
270.940 Recreation	Recreation	Labor Supervisor	0.9
271.940 Community Center	Community Center	APR Director	0.5
271.940 Community Center	Community Center	Assistant Director	0.5
271.940 Community Center	Community Center	PROGRAM SPECIALIST - CHILDCARE	1
271.940 Community Center	Community Center	Program Specialist - APR	0.5
271.940 Community Center	Community Center	Program Specialist - Arts	4 0.5
271.940 Community Center	Community Center	Operations Specialist	2
271.940 Community Center	Community Center	Custodian	1.75
271.940 Comm. Ctr.	Maintenance	Maint Tech/Trainee/Laborer	5
740.635 Water	Maintenance	Labor Supervisor	1
740.635 Water	Administration	Deputy Service-Safety Dir.	0.1
740.636 Water	Administration	Account Admin. I (Util. Bill.)	0.35
740.636 Water	Administration	Account Admin. II (Util. Bill.)	0.35
740.636 Water	Administration	City Engineer/Dir. of Public Works	0.35
740.636 Water	Administration	Asst. City Engineer	0.35

2023 FUND	DEPARTMENT	POSITION	F.T.E.
740.636 Water	Administration	Construction Coordinator PROJECT ASSISTANT	0.35
740.636 Water	Administration	Administrative Coordinator	0.35
740.636 Water	Administration	Asst. Dir. Of Public Works	0.35
740.636 Water	Administration	Meter Reader	1
740.637 Water	Treatment Plant	Instrument Technician PROJECT INSPECTOR	0.5 0.35
740.637 Water	Treatment Plant	Lab Technician	1
740.637 Water	Treatment Plant	Oper/PI Mech/Relief Oper/PI Mech	7-8
740.637 Water	Treatment Plant	Master Mechanic	1
740.637 Water	Treatment Plant	WTP Plant Manager	1
740.637 Water	Treatment Plant	Environmental Coordinator	0.25
750.635 Sewer	Maintenance	Maint Tech/Trainee/Laborer	5
750.635 Sewer	Maintenance	Labor Supervisor	1
750.636 Sewer	Administration	Administrative Coordinator	0.35
750.636 Sewer	Administration	Deputy Service-Safety Dir.	0.1
750.636 Sewer	Administration	Account Admin. I (Util. Bill.)	0.35
750.636 Sewer	Administration	Account Admin. II (Util. Bill.)	0.35
750.636 Sewer	Administration	City Engineer/Dir. of Public Works	0.35
750.636 Sewer	Administration	Asst. Dir. Of Public Works	0.35
750.636 Sewer	Administration	Asst. City Engineer	0.35
750.636 Sewer	Administration	Construction Coordinator PROJECT ASSISTANT	0.35
750.636 Sewer	Administration	Meter Reader	1
750.637 Sewer	Treatment Plant	Instrument Technician PROJECT INSPECTOR	0.5 0.3
750.637 Sewer	Treatment Plant	Lab Technician	1
750.637 Sewer	Treatment Plant	Oper/PI Mech/Relief Oper/PI Mech	7
750.637 Sewer	Treatment Plant	Master Mechanic	1
750.637 Sewer	Treatment Plant	WWTP Plant Manager	1
750.637 Sewer	Treatment Plant	Environmental Coordinator	0.25
755.637 Storm Sewer	Maintenance	Environmental Coordinator	0.5
760.636 Sanitation	Administration	Account Admin. I (Util. Bill.)	0.3
760.636 Sanitation	Administration	Account Admin. II (Util. Bill.)	0.3
760.636 Sanitation	Administration	Deputy Service-Safety Dir.	0.1
760.636 Sanitation	Administration	Solid Waste/LITTER Control INSPECTOR	2
760.636 Sanitation	Administration	General Secretary	0.5
865.645 Int. Service	Int. Service	Master Mechanic	2
865.647 Internal Svc.	Internal Svc.	IT Technician	1
865.647 Internal Svc.	Internal Svc.	IT System Administrator	1
	TOTAL		171.89

PART-TIME AND SEASONAL EMPLOYEES

FUND	DEPARTMENT	POSITION	NUMBER	HOURLY RATE
101.101 General	Mayor	Intern	5	\$12.00- \$2.50 above
101.102 General	Auditor	Intern	1	\$12.00- \$2.50 above
101.104 General	Law Director	Intern	2	\$12.00- \$2.50 above
270.940 Recreation	Recreation	Intern	1	\$12.00- \$2.50 above
101.105 General	Council	Aides	4	\$12.00- \$2.50 above
101.112 Lands & Bld.	Lands & Buildings	Lands & Building Maintenance	1	\$12.00- \$2.50 above
101.112 General	Lands & Buildings	Seasonal Worker	1	\$12.00- \$2.50 above
101.112 General	Lands & Buildings	Seasonal Landscaper	1	\$12.00- \$2.50 above
101.115 General	Cemetery	Seasonal Worker	1	\$12.00- \$2.50 above
101.207 General	Police	Aux. Officer Non-Sworn	2	Starting pay is \$1.00 less than a FT Patrol Off.
101.207 General	Police	Aux. Officer "Active"	10	Starting pay for FT Patrol Off.
101.207 General	Police	Aux. Officer "Call-In"	10	Starting pay for FT Patrol Pff.
101.207 General	Police	Aux. Dare Officer	1	Starting pay for FT Patrol Off.
101.207 General	Police	Aux. Major Events	50	Up to \$350 per event day
101.207 General	Police	Intern	1	\$12.00- \$2.50 above
101.208 General	Fire	Intern	1	\$12.00- \$2.50 above
220.717 Street	Street	Intern	2	\$12.00- \$2.50 above
220.717 Street	Street	Seasonal Worker	8	\$12.00- \$2.50 above
270.940 Recreation	Recreation	Seasonal-Maintenance SEASONAL WORKER	5	\$12.00- \$2.50 above
740.637 Water	Water	Seasonal Worker	1	\$12.00- \$2.50 above
740.637 Water	Treatment Plant	Seasonal Worker	1	\$12.00- \$2.50 above
740.637 Water	Treatment Plant	Intern	1	\$12.00- \$2.50 above
750.637 Sewer	Treatment Plant	Seasonal Worker	1	\$12.00- \$2.50 above
750.637 Sewer	Treatment Plant	Intern	1	\$12.00- \$2.50 above
865.647 Int. Service	Int. Service	IT Intern	1	\$12.00- \$2.50 above

Arts/Recreation Fund

DEPARTMENT	POSITION	RATE
A, P & R	Cashiers POOL ATTENDANTS, Preschool Aides,	\$12.00- \$2.50 above
A, P & R	Day Care/Camp Instructors, Fitness	\$12.00- \$2.50 above
A, P & R	Supervisor, Building & League Supvs.	\$12.00- \$2.50 above
A, P & R	Youth Referee, Score Keepers	\$12.00- \$2.50 above
A, P & R	Lifeguards/Swim Instructors	\$12.00- \$2.50 above
A, P & R	Pool Manager	\$16.00- \$4.00 above
A, P & R	Head Life Guard(s)	\$13.00- \$2.50 above
A, P & R	LEAD LIFE GUARD	\$13.00- \$2.50 above
A, P & R	HEAD POOL ATTENDANT	\$13.00- \$2.50 above
A, P & R	LEAD POOL ATTENDANT	\$13.00- \$2.50 above
A, P & R	Programs Coordinator	\$12.00- \$2.50 above
A, P & R	Personal Trainer	\$14.00- \$3.00 above
A, P & R	Pre School Teacher	\$12.00- \$2.50 above
A, P & R	Program Instructors	\$12.00- \$2.50 above

Number of employees for each position will vary to meet program needs

City of Athens PAY GRADES

Pay Grade	MIN	MID	MAX	Title(s)
1	\$15.37	\$18.06	\$20.76	General Secretary; Legal Secretary I; Executive Secretary ASSISTANT(Mayor); Data Entry Operator; Receptionist; CEMETERY MAINTENANCE
2	\$16.76	\$19.69	\$22.62	Operations Specialist; PRODUCTION SPECIALIST (TGC) ; Administrative Assistant; Legal Secretary II
3	\$18.27	\$21.46	\$24.66	Administrative Assistant II; Account Administrator I (Utilities Billing); Administrative Coordinator (EPW)
4	\$19.92	\$23.40	\$26.89	IT Technician; Administrative Coordinator (HR); TGC Technician; Solid Waste/ LITTER Control Inspector; Building Projects Technician; DEIA/Training Coordinator
5	\$21.71	\$25.50	\$29.30	Account Administrator I (Auditor); Executive Administrator (Auditor) Account Administrator II (Utilities Billing); Program Specialist (Arts/ West); Program Specialist (APR); Construction Coordinator PROJECT ASSISTANT; PROGRAM SPECIALIST (CHILDCARE)
6	\$23.66	\$27.80	\$31.94	Grants Administrator (Mayor); Social Worker, Instrument Technician PROJECT INSPECTOR ; Income Tax Administrator; IT System Administrator
7	\$25.79	\$30.95	\$36.11	Building Project Supervisor; Clerk of Council*; Lab Technician; Labor Supervisor (APR); Environmental Coordinator; Labor Supervisor (Sewer, Street, Water)
8	\$28.11	\$33.73	\$39.36	Assistant Director of Public Works; Assistant Director (APR); ASSISTANT DIRECTOR OF DEVELOPMENT ENFORCEMENT
9	\$30.64	\$36.77	\$42.90	Prosecutor; Assistant Law Director/Part-Time Prosecutor; Fire Captain; Police Captain; Assistant City Engineer; WTP Manager; WWTP Manager; City Planner
10	\$33.40	\$40.91	\$48.43	Human Resources Director; Deputy Auditor; APR Director; Director of Code Enforcement DEVELOPMENT, ENFORCEMENT AND FACILITIES ; Government Channel Director; Deputy Service Safety Director;
11	\$36.41	\$44.60	\$52.80	City Engineer / Director of Public Works; Fire Chief; Police Chief; Chief City Prosecutor
12	\$39.42	\$47.79	\$56.17	Service Safety Director

* This position is a direct appointment of Council, and is exempt from coverage under FLSA [per FLSA § 3(e)(2)(C)(i)(II)]. Due to the critical nature of this position, it is the Consultant's recommendation it be placed in Pay Grade 8 7.

0-123-23

Introduced by Micah McCarey, Chair
City & Safety Services Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE AN EASEMENT AND RIGHT-OF-WAY AGREEMENT WITH THE OHIO POWER COMPANY (AEP) FOR INSTALLATION OF ELECTRICAL SERVICE TO THE NEW FIRE STATION ON STIMSON AVENUE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Athens City Council does hereby authorize the Service-Safety Director to execute an easement and right-of-way agreement with the Ohio Power Company an Ohio corporation and a unit of American Electric Power, for installation of electrical service to the new Fire Station on Stimson Avenue, a copy of said easement and accompanying plat are attached hereto and incorporated herein by reference.

SECTION II: This Ordinance shall be in effect and full force upon passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor



Eas. _____

Easement & Right of Way

CITY OF ATHENS, a Statutory Municipal Corporation, "Grantor(s)", in consideration of \$1.00, the easement terms, and other good and valuable consideration from Ohio Power Company an Ohio corporation and a unit of American Electric Power, 700 Morrison Road, Gahanna, OH 43230, "Grantee", the receipt and sufficiency of which is acknowledged, grants and conveys with general warranty covenants to Grantee its successors, assigns, lessees, licensees and tenants, a right of way and easement, "Easement" for electric and other current/future energy or communication purposes, overhead and underground, in, on, over, through and across the following described lands situated in ATHENS Township, ATHENS County, Ohio, and being part of Section No(s)9 Township No(s)9, Range No(s)14. Being part of a 10.3685 acre tract of land as described in Official Records Volume 609 Page 66 of the ATHENS County Recorder's Office (Parcel # A027130000200,A027130000201,A027130000100 & A027180001501).

The easement shall be 40 feet wide, lying 20 feet on each side of the overhead facilities and 20 feet wide, lying 10 feet on each side of the underground facilities as constructed. The approximate location of said easement is depicted on Exhibit A, attached hereto and incorporated herein.

This Easement conveys all necessary and convenient rights for the Easement's use, including, without limitation, the rights to: construct, operate, maintain, inspect, protect, repair, replace, enlarge, upgrade, extend and remove utility facilities and relocate within the Easement, all necessary and convenient facilities which include but are not limited to: poles, anchors, guys, supporting structures, conductors, conduits, enclosures, grounding systems, foundations, manholes, transformers, and associated equipment, adding thereto from time to time; perform grading or filling for such facilities; cut, trim, remove and/or otherwise control, with herbicides or by other means, at Grantee's option (without any liability to Grantor), any trees, limbs or branches, brush, shrubs, undergrowth, of whatever size, buildings, structures, or other obstructions that in Grantee's reasonable judgment endanger or interfere with the safety or use of its facilities, both within and adjoining the Easement. Within the Easement, Grantor shall not: place any structures, piles or debris, interfere with lateral support, change the level of the ground by excavation or mounding without Grantee's written consent, allow any construction that would be inconsistent with the National Electric Safety Code or Grantee's design standards, and, for underground lines, permit or cause any excavation, except for other utilities, provided such utilities rights do not conflict with this Easement. This Easement also conveys the right of ingress and egress in and over any reasonable routes at all times. Grantor intends to use a portion of the easement area for future construction of an access road. Grantee agrees to work with

Grantor on future plans and to relocate facilities in conflict at Grantee's cost during the initial construction of the roadway. This does not apply to costs associated with any subsequent roadway improvements.

Grantor may use its property for all purposes not inconsistent with the full enjoyment of the Easement, but Grantor acknowledges high voltage electric lines will be constructed within the Easement and Grantor shall use its property in a manner consistent with all applicable safety rules and regulations for working near electric lines. Safety/required clearance issues may be referred to Grantee's Engineering Group. Grantee shall restore the premises or pay reasonable damages done to fences, drains, seeded lawns (not landscaping), gates, ditches and crops caused by Grantee's use of the Easement. Grantor has authority to grant this Easement. No delay or omission by Grantee in exercising any right hereunder shall operate as a waiver or forfeiture of such right. This Easement grant is effective and binding upon the parties, their successors, assigns, lessees, licensees, heirs and legal representatives, and if any term hereunder is held invalid, the remainder shall not be affected thereby.

WITNESS, Grantor(s) signed this Easement on the _____ day of _____, 20__.

CITY OF ATHENS, a Statutory Municipal Corporation

By: _____

Print Name: _____

Title: _____

STATE OF OHIO, }

COUNTY OF _____ }

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, [Name], _____ [Title of officer], of City of Athens, a Statutory Municipal Corporation, on behalf of the corporation.

Notary Public

Printed Name

My Commission Expires _____

Easement prepared by Ohio Power Company BAA

CALL BEFORE YOU DIG !!! Address 120 E Stimson Dwg. No. 85577603 W003496401



MORRIS AVE

S MAY AVE

TOP: 2116358485734

SEVENTH DAY ADVENTIST CHURCH
PARCEL # A027130000500

128'+/-

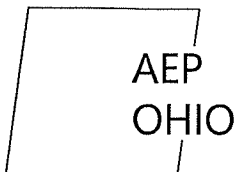
40'+/-

175'+/-

20'+/-

OHIO UNIVERSITY
PARCEL # A027130000201

OHIO UNIVERSITY
PARCEL # A027130000200



OHIO POWER COMPANY

DRAWN BY: Blake Lindner

COUNTY: ATHENS

WR#:85577603

CITY/TWP:ATHENS

DATE: 8/7/2023

STATE: Ohio

SCALE: NTS

0-124-23

Introduced by Micah McCarey, Chair
City & Safety Services Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE AN EASEMENT AND RIGHT-OF-WAY AGREEMENT WITH COLUMBIA GAS OF OHIO, INC., FOR SERVICE TO THE NEW FIRE STATION ON STIMSON AVENUE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATHENS, OHIO:

SECTION I: Athens City Council does hereby authorize the Service-Safety Director to execute an easement and right-of-way agreement with Columbia Gas of Ohio, Inc., for service to the new Fire Station on Stimson Avenue, a copy of said easement is attached hereto and incorporated herein by reference.

SECTION II: This Ordinance shall be in effect and full force upon passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

Easement No. _____

EASEMENT

FOR AND IN CONSIDERATION of One Dollar (\$1.00) and other good and valuable consideration to it in hand paid, receipt of which is hereby acknowledged, **CITY OF ATHENS** (hereinafter called the Grantor), does hereby grant to **COLUMBIA GAS OF OHIO, INC.**, with principal offices at 290 West Nationwide Boulevard, Columbus, Ohio 43215, (hereinafter called the Company), its successors and assigns, the right to lay pipelines, including lateral pipeline connections, together with service connections, over and through the premises hereinafter described, and to operate and maintain without restriction or limitation, repair, replace, or change the size of its pipes without interruption to service and remove same, together with valves and other necessary appurtenances on lands situated in City of Athens, Athens County, State of Ohio, and more particularly described as follows:

Recorded In: Instrument No.: 202300004140 OR 609, Pg. 66

Permanent Parcel No.: A027130000201

Property Address: 0 Stimson Avenue E, Athens, Ohio 45701

Containing: Approximately 1.9 acres more or less, being located in N Corp Line PT OL 7 & 8 or as legally description as state in the prior deed.

The pipelines laid pursuant to the terms and conditions of this Easement Agreement shall be located within the limits of a twenty-foot (20') wide easement as shown on Exhibit A attached hereto and made part hereof; the twenty-foot wide area is referred to as the "Easement Area."

In addition to the permanent twenty-foot wide Easement Area defined above, Grantor hereby grants Company, its successors and assigns, an easement to temporarily use an additional ten-feet of space adjoining said permanent Easement Area as also shown on Exhibit A, for the purpose of enabling Company to alter, replace, repair or relocate an existing pipeline (within the permanent Easement Area) and to conduct all activities incident thereto, including restoration or clean-up activities. Each time such temporary construction easement is utilized, Company shall replace the area disturbed to as near as practical to its original condition.

With the right of ingress and egress to and from the same, the Grantor may fully use and enjoy the said premises, except for the purposes hereinbefore granted to the Company and will not in any way impair the ability of the Company to operate, maintain, repair, replace or remove any such pipeline facility.

Grantor shall not construct or permit to be constructed or place any house, structure, trees, shrubbery taller than five (5) feet, leach beds, septic tanks, or other obstructions, with the exception of existing city-owned utilities on or over the Easement Area that will interfere with the construction, maintenance, operation, replacement or repair of the pipelines or appurtenances constructed hereunder.

Grantor acknowledges and agrees that Company has the right from time to time to: (a) clear the Easement Area of all obstructions and (b) clear, cut, trim and remove any and all vegetation, trees, brush, and overhanging branches from the Easement Area by various means, however, the company shall not use any herbicide without express written consent of Grantor.

All pipes shall be buried so as not to interfere with the present use of the land.

The Company shall replace the area disturbed by the laying, construction, operation, and maintenance of said pipelines to as near as practical to its original condition.

The Grantor and the Company have agreed as a part of the consideration hereof that any damages to lawn, driveways, permitted shrubbery, drain tiles, crops, or permitted fences on said premises, the amount of which cannot be mutually agreed upon, shall be determined by a panel of arbitrators composed of three disinterested persons, of whom the Grantor and the Company shall appoint one each and the two arbitrators so appointed shall appoint the third, the award of any two of whom shall be final and a condition precedent to the institution of any legal proceedings

hereunder.

With regard to the lands encompassed by this Easement, Grantor represents that, to the best of its knowledge:

1. No pollutants, contaminants, petroleum or hazardous substances have been disposed or released on or under the Easement Area which would cause or threaten to cause an endangerment to human health or the environment or require clean up;
2. Neither the Easement Area, nor any portion thereof, is legally or contractually restricted as to its use or is subject to special environmental protection that would affect the use of the Easement Area for Company's intended use; and,
3. The Easement Area is not currently and has not previously been used for commercial or industrial purposes.

Grantor further represents that it has informed Company, prior to execution of this Easement Agreement, of any and all pollutants, contaminants, petroleum, hazardous substances and endangerments which the Grantor knows or has reason to know exist or may exist on or under the Easement Area.

Grantor and Company agree that, except to the extent caused by the acts or omissions of the Company or its representatives and contractors, the Company shall not be liable for, and is hereby released from, any and all claims, damages, losses, judgments, suits, actions and liabilities, whether arising during, prior to or subsequent to the term of this Easement Agreement, related to the presence of pollutants, contaminants, petroleum, hazardous substances, or endangerments in, beneath or along the Easement Area. Company acknowledges that said pipeline already exists in the Easement location and shall be responsible for any pollutants, contaminants, petroleum, hazardous substances, or endangerments directly caused by the existing pipeline

The rights, privileges and terms hereby shall extend to and be binding upon the Grantor and the Company and their respective representatives, heirs, successors, and assigns.

IN WITNESS WHEREOF, the Grantor hereto has hereunto set its hand this _____ day of _____, 20____.

CITY OF ATHENS

By: _____

Print Name: _____

Print Title: _____

STATE OF OHIO

COUNTY OF _____

)

) SS:

)

This is an acknowledgment. No oath or affirmation was administered for this notarial act.

Before me, a Notary Public in and for said County and State personally appeared _____
Name(s) of the aforementioned,

_____, who represented that _____
Company he/she/they is/are
duly authorized in the premises, and who acknowledged that _____ did
sign the foregoing instrument, and that the same is _____
his/her/their free act and deed as such

Title(s) and the free act and deed of said

Company

IN TESTIMONY WHEREOF, I hereunto set my hand and official seal this _____ day
of _____ 20____.

My Commission Expires:

Notary Public

Print Name _____

THIS INSTRUMENT PREPARED BY:
COLUMBIA GAS OF OHIO, INC.
JO#: 23-01681502-00