



AGENDA
ATHENS CITY COUNCIL
MONDAY, FEBRUARY 5, 2024 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 January 2, 2024
- Regular Session held January 16, 2024

3. Communications

4. Reports and Communications from Other Elected Officials

5. Ordinances for Second Reading:

0-02-24

AN ORDINANCE AMENDING ORDINANCE 05-22 AUTHORIZING A CITY FIBER NETWORK, PROJECT 347.

Introduced by Council Member McCarey

0-03-24

AN ORDINANCE AUTHORIZING EXPENDITURES FOR THE RICHLAND AVENUE PLAYGROUND RENOVATION PROJECT #368.

Introduced by Council Member McCarey

0-04-24

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 9, GENERAL REGULATIONS, CHAPTER 9.15, PARKS, OPEN SPACES, AND NATURE PRESERVES, SECTIONS 9.15.02, 9.15.03, AND 9.15.04, AND TITLE 13, GENERAL OFFENSES, CHAPTER 13.07, MISCELLANEOUS OFFENSES, SECTION 13.07.06.

Introduced by Council Member McCarey

0-05-24

AN ORDINANCE AUTHORIZING ENGINEERING DESIGN SERVICES FOR THE COLUMBUS ROAD SHARED USE PATH PROJECT #365.

Introduced by Council Member Spjeldnes

0-06-24

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

Introduced by Council Member Spjeldnes

0-07-24

AN ORDINANCE AUTHORIZING UNNEEDED OR OBSOLETE MUNICIPAL PERSONAL PROPERTY TO BE SOLD BY INTERNET AUCTION.

Introduced by Council Member Risner

0-08-24

AN ORDINANCE AMENDING ORDINANCE 50-23 AUTHORIZING WASTEWATER REMOTE SITE TELEMETRY IMPROVEMENTS, PROJECT #339.

Introduced by Council Member Risner

6. Ordinances for First Reading:

0-11-24

AN ORDINANCE AMENDING THE 2024 APPROPRIATION ORDINANCE 130-23, AND AUTHORIZING INTERFUND TRANSFERS.

Introduced by Council Member Risner

0-12-24

AN ORDINANCE CONVEYING CITY-OWNED PROPERTY LOCATED AT 83 COLUMBUS ROAD, TO THE ATHENS COMMUNITY IMPROVEMENT CORPORATION (ACIC).

Introduced by Council Member Swank

0-13-24

AN ORDINANCE AUTHORIZING THE ANNUAL PURCHASE OF WATER SOFTENING SALT FOR THE WATER TREATMENT PLANT.

Introduced by Council Member McCarey

0-14-24

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE AND ACCEPT BIDS, WHERE NECESSARY, AND ENTER INTO CONTRACTS FOR THE EAST STATE STREET SIGNAL IMPROVEMENTS PROJECT (#367); AND AUTHORIZING THE AUDITOR TO MAKE AN INTERFUND TRANSFER.

Introduced by Council Member Spjeldnes

0-15-24

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO CLOSE STREETS IN THE UPTOWN AREA FOR SPECIAL EVENTS DURING THE 2024 CALENDAR YEAR, AND TO CHANGE REQUESTED DATES OR CANCEL EVENTS AS NECESSARY.

Introduced by Council Member Spjeldnes

0-16-24

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN DESIGNATED EVENT AREAS.

Introduced by Council Member Spjeldnes

0-17-24

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE TITLE 13, GENERAL OFFENSES, CHAPTER 13.04, OFFENSES AGAINST PUBLIC PEACE, SECTION 13.04.10, UNNECESSARY NOISE, IN DESIGNATED EVENT AREAS.

Introduced by Council Member Spjeldnes

0-18-24

AN ORDINANCE SUSPENDING ATHENS CITY CODE SECTION 7.05.03, CONTINUOUS PARKING IN THE SAME LOCATION, FROM SUNDAY, DECEMBER 15, 2024, THROUGH MIDNIGHT ON SUNDAY, JANUARY 12, 2025.

Introduced by Council Member Spjeldnes

0-19-24

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO SUSPEND, TEMPORARILY, THE FEE FOR PARKING AT METERED SPACES IN THE MUNICIPAL PARKING GARAGE ON CERTAIN DATES IN DECEMBER 2024.

Introduced by Council Member Spjeldnes

7. Announcements & Other Business:

- MacShack TREX Permits

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

9. Adjournment

Sam Crowl
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.

0-02-24

Introduced by Micah McCarey, Chair
City & Safety Services Committee

AN ORDINANCE AMENDING ORDINANCE 05-22 AUTHORIZING A CITY FIBER NETWORK, PROJECT 347.

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

SECTION I: Sections II and III of Ordinance 05-22 are hereby amended to read as follows:

Section II: The 2022 Appropriation Ordinance 150-21, is hereby amended by appropriating from the unappropriated balance the sum of Five Hundred Thousand Dollars (\$500,000.00) to ARPA Fund, 286, T.C. 500, **and the 2024 Appropriation Ordinance 130-23 by One Hundred Ten Thousand Dollars (\$110,000.00) to ARPA Fund, 286, T.C. 500,** and increasing the total appropriations by said amount.

Section III: The Service-Safety Director is hereby authorized to expend up to ~~Five Hundred Thousand Dollars (\$500,000.00)~~ **Six Hundred Ten Thousand Dollars (\$610,000.00)** from ARPA Fund, 286, T.C. 500, for said project.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-03-24

Introduced by Micah McCarey, Chair
City & Safety Services Committee

AN ORDINANCE AUTHORIZING EXPENDITURES FOR THE RICHLAND AVENUE PLAYGROUND RENOVATION PROJECT #368.

WHEREAS, this project will offer a new accessible playground and related accessible features; and

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

WHEREAS, a \$50,000 T-Mobile grant application has been submitted, and if awarded, would reduce the cost to the City;

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

SECTION I: The 2024 Appropriation Ordinance, 130-23, is hereby amended by appropriating from the unappropriated balance the sum of One Hundred Seventy Thousand Dollars (\$170,000.00) to APR Income Tax Fund, 273, T.C. 500, to support the Richland Avenue Playground Renovation Project #368, and increasing the total appropriations by said amount.

SECTION II: The Service-Safety Director is hereby authorized to expend up to One Hundred Seventy Thousand Dollars (\$170,000.00) from APR Income Tax Fund, 273, T.C. 500, for said Project #368.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-04-24

Introduced by Micah McCarey, Chair
City & Safety Services Committee

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 9, GENERAL REGULATIONS, CHAPTER 9.15, PARKS, OPEN SPACES, AND NATURE PRESERVES, SECTIONS 9.15.02, 9.15.03, AND 9.15.04, AND TITLE 13, GENERAL OFFENSES, CHAPTER 13.07, MISCELLANEOUS OFFENSES, SECTION 13.07.06.

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

SECTION I: Athens City Code Title 9, General Regulations, Chapter 9.15, Parks, Open Spaces, and Nature Preserves, Sections 9.15.02, 9.15.03, and 9.15.04, and Title 13, General Offenses, Chapter 13.07, Miscellaneous Offenses, Section 13.07.06 to read as follows:

9.15.02. - Definitions.

[The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

"Use of any form of tobacco" means all uses of tobacco, including inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, other lighted smoking device or papers for burning tobacco, or any other plant; chewing tobacco, snuff, or any other matter or substances that contain tobacco, **including but not limited to vaping.**

"Use of any form of recreational marijuana" includes inhaling, exhaling, burning, edibles, liquid, vapes, other lighted smoking device of papers for burning marijuana, or any other matter or substance that contains marijuana, including but not limited to vaping.

9.15.03. - Use of tobacco, **recreational marijuana**, tobacco products, **recreational marijuana products**, or tobacco **or recreational marijuana** derivatives prohibited.

(A) No person shall use any form of tobacco **or recreational marijuana** at or on any city-owned or operated outdoor recreational facilities, including parking areas, restrooms, spectator, and concession areas, ~~O~~**Outdoor recreation facilities includeing** playgrounds, athletic fields, aquatic areas, parks, pavilions, shelters, and walking/hiking trails or paths.

9.15.04. - Posting of signs.

(A) City-owned or operated outdoor recreational facilities shall cause to be conspicuously posted "tobacco/**recreational marijuana**-free", "no smoking", or "smoking prohibited" signs at the entrance to each such facility.

13.07.06. - Littering public ways.

No person shall place or dispose of in any manner any garbage, waste, or peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, oil, tobacco products, **marijuana**, **marijuana paraphernalia**, or anything else of an unsightly or unsanitary nature along or near or on any public road, street, parkway, park, drive, highway, ditch, or any land adjoining any public road or highway or ditch, except on land provided by a zoning commission, city ordinance, or other governmental authority, unless directed to do so by public officials on special cleanup days. Citations for violations of this section may be issued by code enforcement officers, police officers, meter attendants, sanitarian litter control officer, and others assigned by the service-safety director.

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

President of Council

ATTEST:

Clerk of Council

APPROVED:

Mayor

0-05-24

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

**AN ORDINANCE AUTHORIZING ENGINEERING DESIGN SERVICES FOR THE
COLUMBUS ROAD SHARED USE PATH PROJECT #365.**

WHEREAS, ODOT has awarded the City safety funds for 90% of the eligible construction costs up to a cap of \$1,032,881;

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

SECTION I: The Service-Safety Director is hereby authorized to enter into contract for engineering design services for the Columbus Road Shared Use Path Project #365.

SECTION II: The 2024 Appropriation Ordinance 130-23 is hereby amended by appropriating from the unappropriated balance the sum of One Hundred Sixty Thousand Dollars (\$160,000.00) to Street Fund, 220, T.C. 500, and increasing the total appropriations by said amount.

SECTION III: The Service-Safety Director is further authorized to expend up to One Hundred Sixty Thousand Dollars (\$160,000.00) from Street Fund, 220, T.C. 500 for said Project (#365).

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-06-24

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE AUTHORIZING DISPOSAL OF A VEHICLE AND EQUIPMENT 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 vehicle and equipment no longer needed for a municipal purpose:

<u>VEHICLES</u>	<u>SERIAL/VIN #</u>	<u>FIXED ASSET#</u>
2016 City Bus #1602	1FD4E4FS8GDC54937	850329
<u>EQUIPMENT</u>	<u>SERIAL/VIN #</u>	<u>FIXED ASSET#</u>
(Fire) Ventilation Fan	1WC200K23N1056259	801357

SECTION II: The above-listed vehicle has reached its useful life (273,559 miles) and will be sold for scrap, and the equipment will be an even trade with the Waterloo Volunteer Fire Department, and are hereby authorized for disposal.

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

0-07-24

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING UNNEEDED OR OBSOLETE MUNICIPAL
PERSONAL PROPERTY TO BE SOLD BY INTERNET AUCTION.

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

SECTION I: Athens City Council, in accordance with Ohio Revised Code Section 721.15(D), hereby authorizes the Service-Safety Director, or their designee, to enter into an agreement with a government auction service to conduct Internet Auctions for the selling of unneeded or obsolete municipal personal property, and shall require the bidder to pay all fees, taxes, and charges. Auction items will be advertised for no less than ten (10) days, including Saturdays, Sundays, and legal holidays.

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

0-08-24

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING ORDINANCE 50-23 AUTHORIZING WASTEWATER
REMOTE SITE TELEMETRY IMPROVEMENTS, PROJECT #339.

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

SECTION I: Section II of Ordinance 50-23 is hereby amended to read as
follows:

Section II: The Service-Safety Director is hereby authorized to expend up to ~~One
Million Seventy-Five Thousand Dollars (\$1,075,000.00)~~ **One Million One Hundred Fifty
Thousand Dollars (\$1,150,000.00)**, from Sewer Plant Fund, 750.637, T.C. 500, for said
~~purchase~~ **project**.

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

President of Council

ATTEST:

Clerk of Council

APPROVED:

Mayor

0-11-24

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING THE 2024 APPROPRIATION ORDINANCE 130-23,
AND AUTHORIZING INTERFUND TRANSFERS.

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

SECTION I: The 2024 Appropriation Ordinance 130-23 is hereby amended by appropriating from the unappropriated balance the sum of Twenty Thousand Four Hundred Thirty-Two Thousand and 70/100 Dollars (\$20,432.70) to ARPA Fund, 286, T.C. 500, and increasing the total appropriations by the same amount.

SECTION II: The 2024 Appropriation Ordinance 130-23 is further amended by decreasing Diversion Fund, 232, T.C. 100, by Forty-Four Thousand Nine Hundred Dollars (\$44,900.00), decreasing Court Community Corrections Fund, 235, T.C. 100, by Sixty-Six Thousand Five Hundred Dollars (\$66,500.00), and increasing General Fund, Court, 101.106, T.C. 100, by One Hundred Fifteen Thousand Dollars (\$115,000.00), and decreasing and increasing the total appropriations by said amounts.

SECTION III: The Auditor is hereby authorized to make the following interfund transfers:

FROM	TO	AMOUNT
General Fund, 101	Cemetery Fund, 210	\$ 75,000.00
Parking Garage Fund, 730	General Fund, 101	\$ 80,000.00
Parking Garage Fund, 730	Parking Garage Debt Fund, 733	\$161,000.00
Water Fund, 740	WTP Improvement Fund, 744	\$396,000.00

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

RECORD OF ORDINANCES

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROR11

Ordinance No. **0-12-24** Passed _____, 20____

Introduced by Alan Swank, Chair
Planning & Development Committee

AN ORDINANCE CONVEYING CITY-OWNED PROPERTY LOCATED AT 83 COLUMBUS ROAD, TO THE ATHENS COMMUNITY IMPROVEMENT CORPORATION (ACIC).

WHEREAS, the CIC can offer economic development options that might not otherwise be possible should this property remain municipally-owned;

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

SECTION I: The Mayor is hereby authorized to convey City-owned property located at 83 Columbus Road, to the Athens Community Improvement Corporation (ACIC), an Ohio non-profit corporation, a copy of the General Warranty Deed and the Court of Common Pleas Amended Journal Entry, Order of Forfeiture, recorded as Instrument 201200006898, Book 479, Pages 1608,1609,1610,1611, and 1612 are attached hereto and incorporated herein by reference.

SECTION II: In the event that the Athens Community Improvement Corporation (CIC) ceases to exist, the property, more fully described in the attachments, will revert to the City of Athens.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

GENERAL WARRANTY DEED

(O.R.C. §5302.05 and §5302.06)

THE CITY OF ATHENS, OHIO, a municipal corporation, for valuable consideration paid, grants with general warranty covenants to the **ATHENS COMMUNITY IMPROVEMENT CORPORATION**, an Ohio non-profit corporation, whose tax mailing address is 8 E. Washington St., Athens, Ohio 45701, the following real property:

Being in lots number 3085 and 3086 in Terrace Heights Subdivision of the City of Athens, Ohio.

No intoxicating liquor shall be manufactured or sold for consumption on said premises.

Prior Instrument References: OR Book 479, Page 1608, Instrument No. 201200006898; Official Records of Athens County

OR Book 175, Page 20 of the Official Records of Athens County

**Parcel ID Nos. A028200005000
A028200005100**

Commonly known as: 83 Columbus Road, Athens, Ohio 45701

This conveyance is being made subject to any and all legal easements, rights of way, zoning ordinances, leases of record, and any other restrictions and conditions of record, if any.

The attorney preparing this instrument makes no warranties as to title to the above-described property and the attorney does not certify the accuracy of the legal description herein.

In the event the Athens Community Improvement Corporation ceases to exist, the above-described property will revert back to the City of Athens, Ohio.

Executed this ____ day of _____, 2024.

THE CITY OF ATHENS, OHIO

By: Steve Patterson, Mayor

STATE OF OHIO :
: SS
COUNTY OF ATHENS :

The foregoing instrument was acknowledged before me this ____ day of _____ 2024 by **STEVE PATTERSON**, the Mayor of **THE CITY OF ATHENS, OHIO**. He personally appeared before me and is known to me. He acknowledged that he executed the same for the purposes expressed herein. This is an acknowledgement clause. No oath or affirmation was administered to the signer with regard to this notarial act.

Notary Public

Print name: _____

My commission expires: _____

*This instrument is two pages in length. It was prepared by:
Jessica Branner Hittle (0090497), Asst. Law Director, City of Athens, 8 E. Washington St.,
Athens, Ohio 45701*

Book Page
Instrument 479 1608
20120006298 DR

This Conveyance has been examined
and the Grantor has complied with
Section 319.202 of the Revised Code

No. EX Transfer Fee Paid \$ 0
Jill A. Thompson, Athens County Auditor

By JN Deputy Auditor

#1,00
transferred
12-13-12

IN THE COURT OF COMMON PLEAS

ATHENS COUNTY, OHIO

FILED
ATHENS COUNTY, OHIO

DEC 10 2012

Arthur, CLERK
OF COMMON PLEAS COURT

Javon Kittle-Cooper
Athens County Treasurer

Plaintiff

vs.

Delmer E. Hicks, et al.,

Defendants.

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Case No. 11CI0183

JUDGE L. ALAN GOLDSBERRY

AMENDED JOURNAL ENTRY
ORDER OF FORFEITURE

Pursuant to the Ohio Revised Code 5723.01, the Court having received the Certification of the Prosecuting Attorney and having notified the City of Athens that the following described property was twice offered for sale without bidder, and further having timely received the Petition of the City of Athens, the Court hereby ORDERS that the following property is hereby forfeited to the City of Athens:

Situated in the City of Athens, State of Ohio, and being in lots numbered 3085 and 3086 in Terrace Heights Subdivision of the City of Athens, Ohio.

Last Reference: Volume 175 Page 20, Official Records of Athens County, Ohio
Parcel ID Nos. A02-82000050-00 (Lot 3085) and Parcel ID No. A02-82000051-00 (Lot 3086)

*NOTE - On the Deed referenced above, there is a deed restriction that no intoxicating liquor shall be manufactured or sold for consumption on said premises.

The Court further Orders that the following lien(s) are hereby marshaled and released as to Parcel ID#(s) A02-82000050-00 (Lot 3085) and A02-82000051-00 (Lot 3086):

Federal Tax Lien filed on December 4, 2009, in the original sum of \$285,860.35, in Volume 441, Page 2502, of the Official Records of Athens County, Ohio

Federal Tax Lien filed on February 1, 2010, in the original sum of \$10,167.98, in Volume 443, Page 2062, of the Official Records of Athens County, Ohio.

The Court further Orders that a copy of this Entry be certified to the Auditor of Athens County, and that thenceforth all the rights, title, claims and interest of Delmer E. Hicks, et al., their heirs, successors and assigns, in the real estate described herein is transferred to and vested in the City of Athens.

KELLER J. BLACKBURN
Athens County Prosecuting Attorney
Courthouse • Athens, Ohio 45701 • 740-592-3208

ORDER
PAGE TWO

The City of Athens shall be responsible for the recording of this document
with the Athens County Recorder's Office for the real estate.

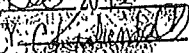
Pursuant to O.R.C. 5722.04, all taxes and assessments through tax year 2012 for
the real estate are ordered remitted.


Judge L. Alan Goldsberry

KELLER J. BLACKBURN (#0080777)
ATHENS COUNTY PROSECUTING ATTORNEY

Prepared and Submitted by:


Elizabeth L. Pepper
Reg. No. (0085297)
Assistant Athens County Prosecuting Attorney

STATE OF OHIO, ATHENS COUNTY
I, THE UNDERSIGNED, HEREBY
CERTIFY THE FOREGOING AS A
TRUE COPY OF THE ORIGINAL
16 DAY OF DEC 2012
CLERK/DEPUTY: 

cc: City of Athens
Mayor Paul Wiehl
8 East Washington Street
Athens, OH 45701

Delmer E. Hicks
Jane Doe, Unknown Spouse if any
of Delmer E. Hicks
5501 Gallia Street
P.O. Box 1068
Portsmouth, OH 45662
DEFENDANTS

201200006878
Filed for Record in
ATHENS COUNTY, OHIO
JESSICA MARKINS, RECORDER
12-13-2012 At 09:34 am.
JUDGE ENTRY 60.00
DR Book 479 Page 1608 - 1612

201200006878
LISA ELIASON
PICK UP

Agnes Hicks
John Doe, Unknown Spouse
if any of Delmer E. Hicks
5501 Gallia Street
P.O. Box 1068
Portsmouth, OH 45662
DEFENDANTS

Bethany J. Hamilton, Esq.
Assistant United States Attorney
303 Marconi Blvd., Suite 200
Columbus, Oh 43215
ATTORNEY FOR DEFENDANT

KELLER J. BLACKBURN
Athens County Prosecuting Attorney
Courthouse • Athens, Ohio 45701 • 740-592-3208

RECEIVED
APR 04 2012
CITY OF ATHENS

FILED
ATHENS COUNTY, OHIO

NOV 14 2012

IN THE COURT OF COMMON PLEAS
ATHENS COUNTY, OHIO

Arthur, CLERK
OF COMMON PLEAS COURT

Book Page
479, 1610
Instrument
201200006892 OK

Javon Kittle-Cooper
Athens County Treasurer

Plaintiff

vs.

Delmer E. Hicks, et al.,

Defendants.

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Case No. 11CI0183

JUDGE L. ALAN GOLDSBERRY

PETITION

Now comes the City of Athens and hereby Petitions the Court pursuant to
Ohio Revised Code 5723.01(A)(3), for forfeiture to the City of Athens the following
described real estate:

Situated in the City of Athens, State of Ohio, and being in lots numbered 3085 and 3086 in
Terrace Heights Subdivision of the City of Athens, Ohio.

Last Reference: Volume 175 Page 20, Official Records of Athens County, Ohio
Parcel ID Nos. A02-82000050-00 (Lot 3085) and Parcel ID No. A02-82000051-00 (Lot
3086)

*NOTE - On the Deed referenced above, there is a deed restriction that no intoxicating liquor
shall be manufactured or sold for consumption on said premises.

CITY OF ATHENS

BY: *Paula Horan Moseley*

RECORD OF ORDINANCES

Instrument
201200006898 OR

Book Page
479 1611

DARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6220

Ordinance No. 0-104-12

Passed October 15, 2012

Introduced by Chris Fahl, Chair
Planning & Development Committee

AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY AT 83 COLUMBUS ROAD; AND DECLARING AN EMERGENCY.

WHEREAS, due to a delinquent tax foreclosure action, this property has been twice offered for sale and not sold for want of a bidder; and

WHEREAS, the Court of Common Pleas offers to forfeit said property to the City of Athens, the political subdivision in which the property is located; and

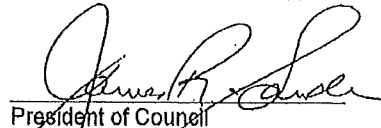
WHEREAS, if the City of Athens does not petition the Court pursuant to ORC 5723.01(A)(3), the Court shall forfeit the property to the State of Ohio; and

WHEREAS, it is in the best interest of the residents of the City of Athens that every possible effort be made to support the Wellhead Protection Ordinance and protect the wellfield and buffer zone;

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

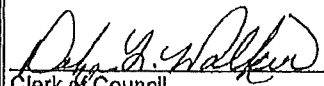
SECTION I: The Service-Safety Director is hereby authorized to acquire the legal rights to property located at 83 Columbus Road (former Buy Low), and is further authorized to petition the Court pursuant to Ohio Revised Code 5723.01(A)(3), for forfeiture to the City of Athens the described real estate, a copy of the plat is hereby attached and incorporated herein by reference.

SECTION II: This Ordinance shall be an emergency measure necessary for the preservation of the City of Athens well fields and in order to meet acquisition deadlines, and that it shall be in full force and effect upon its passage and approval by the Mayor.

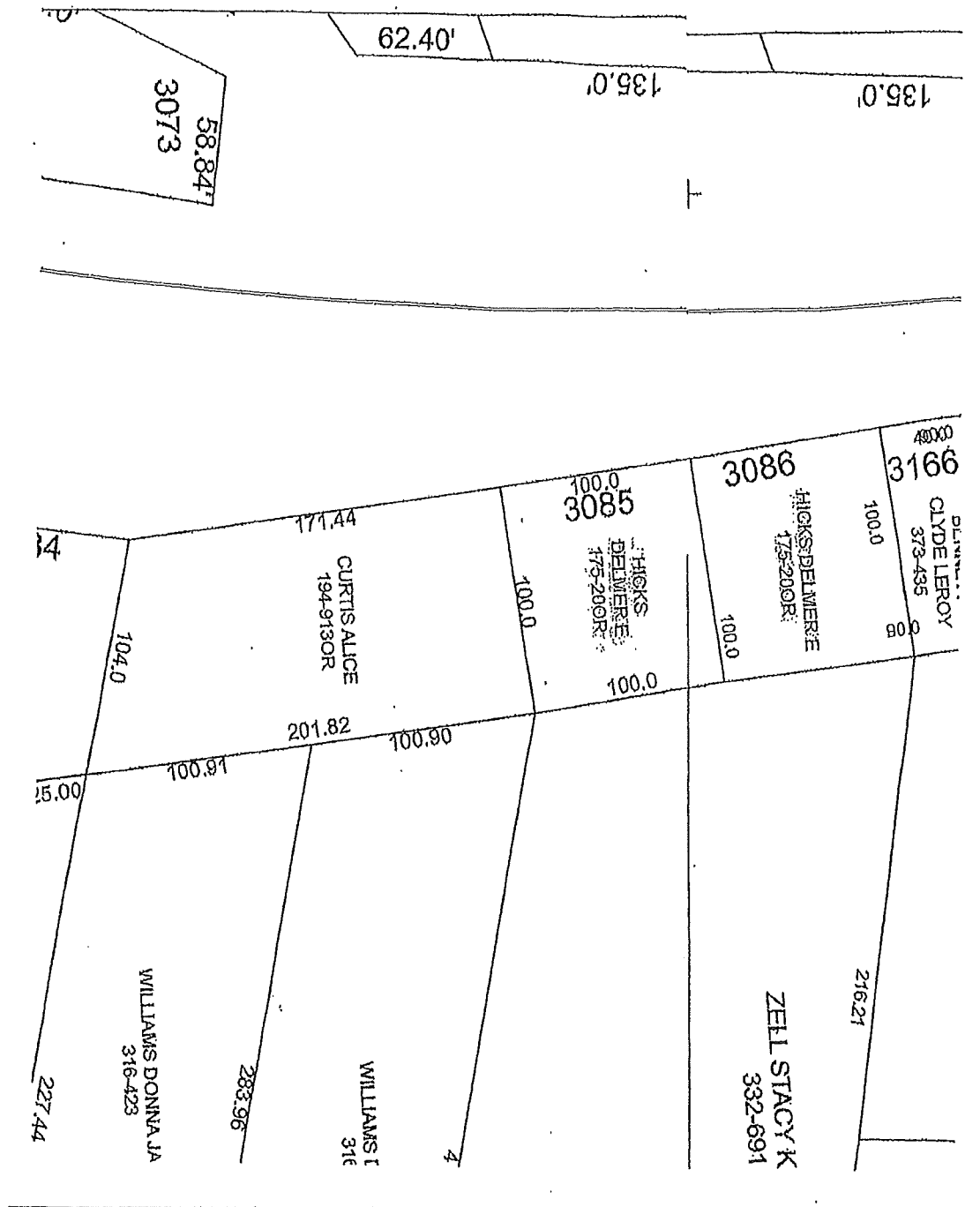

President of Council

ATTEST:

APPROVED:


Clerk of Council


Mayor



0-13-24

Introduced by Micah McCarey, Chair
City & Safety Services Committee

**AN ORDINANCE AUTHORIZING THE ANNUAL PURCHASE OF WATER
SOFTENING SALT FOR THE WATER TREATMENT PLANT.**

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

SECTION I: The Service-Safety Director is hereby authorized to advertise and accept bids, where necessary, and enter into contract with the lowest and best bidder for the purchase of the City's annual water softening salt for the Water Treatment Plant.

SECTION II: The Service-Safety Director is hereby authorized to expend up to One Hundred Eighty-Four Thousand Eight Hundred Sixty Dollars (\$184,860.00), from Water Fund, Plant, 740.637, T.C. 300, for said purchase.

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

President of Council

ATTEST:

Clerk of Council

APPROVED:

Mayor

0-14-24

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE AND ACCEPT BIDS, WHERE NECESSARY, AND ENTER INTO CONTRACTS FOR THE EAST STATE STREET SIGNAL IMPROVEMENTS PROJECT (#367); AND AUTHORIZING THE AUDITOR TO MAKE AN INTERFUND TRANSFER.

WHEREAS, the City has received and appropriated in the 2024 Appropriation Ordinance (\$429,658.00) for construction through ODOT's Small Cities Congestion Mitigation Grant;

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

SECTION I: The Service-Safety Director is hereby authorized to advertise and accept bids, where necessary, and enter into contract with the lowest and best bidder for design, construction and construction engineering of the East State Street Signal Improvements Project (#367).

SECTION II: The 2024 Appropriation Ordinance 0-130-23, is hereby amended by appropriating from the unappropriated balance the sum of Two Hundred Twenty Thousand Dollars (\$220,000.00) to TIF Fund, 593, T.C. 600, for transfer, and increasing the total appropriations by said amount.

SECTION III: The Auditor is hereby authorized to make the following interfund transfers:

FROM	TO	AMOUNT
TIF Fund, 593	Street Fund, 220	\$ 220,000.00

SECTION IV: The Service-Safety Director is hereby authorized to expend up to Six Hundred Forty-Nine Thousand Six Hundred Fifty-Eight Dollars (\$649,658.00) for said project as follows:

Four Hundred Twenty-Nine Thousand Six Hundred Fifty-Eight Dollars (\$429,658.00) from Small Cities ODOT Fund, 589, T.C. 500; and Two Hundred Twenty Thousand (\$220,00.00) Dollars from Street Fund, 220, T.C. 500, for said Project (#367).

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-15-24

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO CLOSE STREETS IN THE UPTOWN AREA FOR SPECIAL EVENTS DURING THE 2024 CALENDAR YEAR, AND TO CHANGE REQUESTED DATES OR CANCEL EVENTS AS NECESSARY.

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

SECTION I: The Service-Safety Director is hereby authorized to close streets in the uptown area for special events during the 2024 calendar year, to change requested dates or cancel events, and implement the following:

A. Close designated streets to vehicular traffic in the City of Athens no earlier than 6:00 a.m. and no later than midnight, and maintain cross traffic wherever practicable, for the following events:

- Ohio University International Street Festival, 4/6/2024, Union Street from College to Court
- Athens Film Festival Court Street Screening, 4/13/2024, Court Street from Union to Washington
- DORA Days – (rotating by street to support uptown establishments), 5/17/2024, 5/31/2024, 6/28/2024, 7/12/2024
- Boogie on the Bricks, 6/15/2024, Court Street from Washington to State
- The Plains Lions Club Cruise-ins, 6/7/2024, 7/26/2024, 9/6/2024, Court Street from Washington to State
- Ohio Brew Week Last Call, 7/20/2024, Court Street from Washington to Carpenter
- Athens County Convention and Visitors Bureau – Athena Ride for Women, 8/2/2024, Union Street from Court to Congress
- Athens Arts & Music Festival, 8/3/2024, Union Street from Court to Congress
- OhioHealth Bounty on the Bricks, 8/10/2024, Court Street from Union to Washington

- Ohio University Welcome Weekend – Student Fair, 8/25/2024, Union Street from College to Court
- Oktoberfest Event – supporting Ohio Brew Week, 9/21/2024, Union Street from Congress to Court
- City of Athens Halloween/AUBA Trick or Treat, 10/26/2024, full uptown area
- Annual Holiday Tree Lighting, 12/6/2024, lane closure on Court Street in front of Courthouse; and

B. Ban parking on designated streets beginning no earlier than 3:00 a.m. and no later than 1:00 a.m. the following day to accommodate said events.

SECTION II: This Ordinance is only applicable to the above-listed events.

SECTION III: 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

0-16-24

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN DESIGNATED EVENT AREAS.

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

SECTION I: The enforcement of Athens City Code Chapter 11.04, Vending, Peddling and Soliciting, is hereby suspended from 8:00 a.m. to 11:00 p.m. to allow vending in the designated street closure areas, authorized by Ordinance 15-24, at such times and areas determined appropriate by the Administration for the following events:

- Ohio University International Street Festival
- Athens Film Festival Court Street Screening
- DORA
- Boogie on the Bricks
- City of Athens Halloween
- Ohio Brew Week Last Call
- Bounty on the Bricks
- Athens Arts & Music Festival
- Octoberfest
- Annual Holiday Tree Lighting

SECTION II: Prospective vendors shall register their name, address and items to be vended with the Code Enforcement Office on or before two (2) business days prior to the listed events, by 2:00 p.m.. Vendors shall be entitled to vending spots on a first come basis, as determined by the Code Enforcement Office. Vendors must comply with all rules and regulations established by the Office of Code Enforcement.

SECTION III: Vending shall be subject to the following:

- those vendors currently holding a license to vend on East Union Street shall be allowed to continue to operate, at a time and location determined by the Service-Safety Director and the event organizer;

- a fee of \$25.00 per vendor and food license permit from the Athens City-County Health Department shall be established for all others per trailer, and paid to the City of Athens Code Enforcement Office; and
- any such additional administrative rules and regulations as may be established by the Service-Safety Director.

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

0-17-24

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE TITLE 13, GENERAL OFFENSES, CHAPTER 13.04, OFFENSES AGAINST PUBLIC PEACE, SECTION 13.04.10, UNNECESSARY NOISE, IN DESIGNATED EVENT AREAS.

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

SECTION I: The enforcement of Athens City Code Title 13, General Offenses, Chapter 13.04, Offenses Against Public Peace, Section 13.04.10, Unnecessary Noise, is hereby suspended until midnight for the following events, authorized by Ordinance 15-24.

- Athens Film Festival Court Street Screening
- DORA Events
- Boogie on the Bricks
- Ohio Brew Week Last Call
- Octoberfest
- Athens Arts & Music Festival
- City of Athens Halloween

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

0-18-24

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE SUSPENDING ATHENS CITY CODE SECTION 7.05.03,
CONTINUOUS PARKING IN THE SAME LOCATION, FROM SUNDAY, DECEMBER
15, 2024, THROUGH MIDNIGHT ON SUNDAY, JANUARY 12, 2025.

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

SECTION I: Athens City Code Section 7.05.03, Continuous Parking in the
Same Location, is hereby suspended from Sunday, December 15, 2024, through
midnight on Sunday, January 12, 2025.

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

0-19-24

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO
SUSPEND, TEMPORARILY, THE FEE FOR PARKING AT METERED SPACES IN
THE MUNICIPAL PARKING GARAGE ON CERTAIN DATES IN DECEMBER 2024.

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

SECTION I: The Service-Safety Director is hereby authorized to suspend the
fee for parking in the Municipal Parking Garage, excluding 2-hour metered spaces on
(1 upper), as follows:

Friday, December 6, after 5:00 p.m.

Saturday, December 7, all day

Thursday, December 12, after 5:00 p.m.

Saturday, December 14, all day

Thursday, December 19, after 5:00 p.m.

Saturday, December 21, all day

Monday, December 23, all day

Tuesday, December 24, all day

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