

RECORD OF PROCEEDINGS

Minutes of ATHENS CITY COUNCIL (REG. SESS.)

BARRETT BROTHERS - DAYTON, OHIO

Meeting

Form 6101

Held MARCH 4, 2024

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, MARCH 4, 2024, 7:00 P.M.

Athens City Council met in Regular Session at the above hour with the following members present: Clodfelter, McCarey, Risner Swank, and Thomas.

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

DISPOSITION OF MINUTES:

Clodfelter moved approval of the minutes of the Regular Session of Council held February 19, 2024; Swank seconded. The minutes were approved as presented.

COMMUNICATIONS:

President Crowl is in receipt of the following:

- Notification from the Division of Liquor Control of the planned C1 and C2 liquor permit **transfers from** C J Janes, Inc., dba Athens Save A lot, 910 E. State Street **to** Sal Acquisition One, LLC, dba Athens Save A Lot, same address. If there are no objections the Clerk will return the notice with no request for a hearing.
- Notice from PLAT Communities, LLC to apprise the Council of their plan to submit an application to utilize the multifamily funding programs of the Ohio Housing Finance Agency (OHFA) for the rehabilitation of an existing 40-unit affordable housing development for seniors, known as Beaumont Greene, located at 13710 Della Drive (see attached).
- Notice from Spire Development, Inc., of its plans to submit an application to utilize the multifamily funding programs of the Ohio Housing Finance Agency (OHFA) for a new construction, Blackburn Landing. This project will contain 50 units with a mix of one-, two-, and three-bedroom units ranging from 30% AMI to 80% AMI, a 2.32-acre parcel located at 142 Albany Road (see attached).

Council Member Swank announced the partial road closure currently in effect on West Union Street from Herrold Avenue to State Route 682. Access to businesses located in this area can only be reached from the west via State Route 682, eastbound traffic is closed.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson announced that next week he will be attending the National League of Cities, Congressional Cities Conference, in Washington, D.C. He then requested time during the March 18 meeting to

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provide a report on his recent visit to the City's Sister City of Ostroh, Ukraine.

ORDINANCES FOR THIRD READING:

0-13-24

AN ORDINANCE AUTHORIZING THE ANNUAL PURCHASE OF WATER SOFTENING SALT FOR THE WATER TREATMENT PLANT. McCarey moved for Adoption; Swank seconded. Adoption was approved unanimously.

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. McCarey moved for Adoption; Risner seconded. Adoption was approved unanimously.

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. McCarey moved for Adoption; Clodfelter seconded. Adoption was approved unanimously.

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. McCarey moved for Adoption; Clodfelter seconded. Adoption was approved unanimously.

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. McCarey moved for Adoption; Thomas seconded. Adoption was approved unanimously.

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. McCarey moved for Adoption; Swank seconded. Discussion: Clodfelter expressed concern from citizens that this action may promote storage parking.

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Thomas pointed out this is just in residential areas, not uptown or metered spaces.

Mayor noted this has been ongoing for a number of years.

A resident of West State Street believes it would be helpful to widely advertise the suspension of this regulation to make citizens aware of this parking information.

President indicated the notice will be available on the City's public website.

Adoption was approved unanimously.

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. McCarey moved for Adoption; Clodfelter seconded. Adoption was unanimously approved.

ORDINANCES FOR SECOND READING:

0-12-24

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

0-20-24

AN ORDINANCE ACCEPTING PERMANENT BIKE PATH AND UTILITY RIGHT OF WAY EASEMENTS FROM THE ATHENS COUNTY PUBLIC LIBRARIES.

ORDINANCES FOR FIRST READING:

0-24-24

AN ORDINANCE APPROVING THE UNNAMED RIGHT OF WAY ON HERROLD AVENUE TO BE DAVISON COURT. Discussion: Swank noted that Andrew Jackson Davison was the first Black attorney in Athens, and his wife Eliza Brown Davison was employed by George Armstrong Custer and his wife as their housekeeper. He believes this is a meaningful recognition.

Mayor thanked Ohio Health (O'Bleness) who deeded this property to the City, extending Herrold Avenue from West Union Street to West State Street.

0-25-24

AN ORDINANCE AMENDING ORDINANCE 62-23; AUTHORIZING PRELIMINARY ENGINEERING SERVICES FOR THE STATE ROUTE 682/56 INTERSECTION IMPROVEMENTS, PROJECT (#357). McCarey explained the need for increasing the City's cost of this project by approximately \$400,000 to expand the project scope that will include select improvements to State

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Route 682, north of the intersection to the City limits, in support of traffic, and bike and pedestrian safety, and that the City Administration will approach ODOT to increase their award of outside funding to address these various needs.

Swank questioned what happens if the outside funding is not increased.

Mayor responded that this legislation is simply for preliminary design to determine the actual project cost. The Administration will continue to work with ODOT on several different funding streams. There is plenty of time to put together an appropriate capital stack for this project.

0-26-24

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 17, MUNICIPAL INCOME TAX, CHAPTER 17.01, [IN GENERAL], SECTIONS 17.01.011(B), AUTHORITY TO LEVY TAX, AND 17.01.012, PURPOSES OF TAX; RATE; AND CHAPTER 17.01.09, ANNUAL RETURN, SECTION 17.01.091(A)(1), RETURN AND PAYMENT OF TAX.

0-27-24

AN ORDINANCE AMENDING THE 2024 APPROPRIATION ORDINANCE 130-23.

ANNOUNCEMENTS & OTHER BUSINESS:

Thomas moved to Remove Ordinance 10-24 from the Table; Risner seconded. The motion was approved unanimously.

0-10-24

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO CONTRACT(S) FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE CITY SEWER SYSTEM IMPROVEMENTS, PROJECT #330; AND DECLARING AN EMERGENCY. Risner moved to Amend Sections I and II to increase the amount from (\$1,700,000.00) to (\$2,107,350.00); Swank seconded.

The amendment was approved unanimously.

McCarey moved to Accept the December 2023 Financial Reports; McCarey seconded. The motion was approved unanimously.

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

Eliot Kalman, Mulligan Road, an honorably discharged Vietnam combat veteran and Jewish, questioned the recent adoption of a ceasefire in Israel and occupied Palestine Resolution. He shared a poem he wrote soon after the October 7 invasion of Israel by Hamas (see attached).

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At approximately 8:00 p.m. McCarey moved to Adjourn; Thomas seconded. The motion was approved unanimously.



President of Council

ATTEST:



Clerk of Council

Beaumont Greene
PLAT Communities LLC
5723 Ridgewood Avenue
Westerville, OH 43082
(614) 406-0562

February 27, 2024

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Debbie Walker
Clerk of Council
City of Athens
8 E. Washington St.
Athens, OH 45701

RE: Beaumont Greene

Dear Clerk Debbie Walker,

The purpose of this letter is to apprise your office that PLAT Communities LLC and Provident Management, Inc. plan to be the general partners of a residential rental development located in or within a one-half mile radius of your political jurisdiction, and will submit an application to utilize the multifamily funding programs of the Ohio Housing Finance Agency (OHFA) for the development of this property.

Beaumont Greene is an existing 40-unit affordable housing development for seniors consisting of four (4) one-bedroom and thirty-six (36) two-bedroom. Beaumont Greene will include the substantial rehabilitation of all 40 units in one building while replacing major building systems and components at or near the end of their effective useful life. Amenities include the following: on-site management office, community room, and more. The project is strategically located Holzer Athens Urgent Care, the Ohio State Highway Patrol, The Market on State Shopping Mall, Kroger, as well as dozens of other amenities on E State St.

The proposed development will be financed with Housing Tax Credit Proceeds, Permanent First Mortgage, Assumed First Soft Debt Mortgage – OHFA HDAP, GP Loan, and Deferred Development Fee.

Development Team:

PLAT Communities LLC

Provident Management, Inc.

Woda Construction, Inc.

Woda Management & Real Estate, LLC

Project Address: 13710 Della Dr, Athens, Athens County, Ohio 45701

Number of Units: 40 units

Program(s) to be utilized

in the Project: Low Income Housing Tax Credits, Housing Development Loan Program and
Housing Development Assistance Program

Right to Submit

Comments:

You have the right to submit comments to OHFA regarding the proposed project's impact on the community. Any objection to the project must be submitted in writing and signed by a majority of the voting members of the legislative body. Comments must be received by OHFA within 30 days of the mailing date of this notice.

The person to be notified at OHFA and their address is:

Director of Multifamily Housing
Ohio Housing Finance Agency
2600 Corporate Exchange Drive, Suite 300
Columbus, Ohio 43231

OHFA will provide a written response to any objections submitted under the terms outlined above.

Sincerely,

PLAT Communities LLC



Thomas Simons
Managing Member
5723 Ridgewood Ave
Westerville, OH 43082
(614) 406-0562
platcommunities@yahoo.com



Blackburn Landing
Spire Development, Inc.
330 W Spring Street, Suite 430
Columbus, OH 43215
PH: (614) 350 – 0391
E: info@livespired.com

February 26, 2024

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Debbie Walker
Clerk of Council
City of Athens, OH
8 E. Washington St.
Athens, OH 45701

RE: Blackburn Landing
142 Albany Road
Athens, OH 45701

Dear Ms. Walker,

The purpose of this letter is to apprise your office that Spire Development, Inc. plans to be the general partner and developer of a residential rental development located in or within a one-half mile radius of your political jurisdiction and will submit an application to utilize the multifamily funding programs of the Ohio Housing Finance Agency (OHFA) for the development of this property.

Blackburn Landing is a new construction, general occupancy housing community located in Athens, Athens County, Ohio. The project will contain 50 units with a mix of one-, two-, and three-bedroom units ranging from 30% AMI to 80% AMI. Unit amenities include refrigerator, microwave, range, dishwasher, blinds, in-unit washer/dryer, and walk-in closet. Project amenities include an exercise room, outdoor playground, outdoor covered picnic area, broadband infrastructure, and on-site management and maintenance.

The proposed development will be financed with proceeds from the Ohio Housing Finance Agency's Housing Credit Program and Housing Development Loan Program.

Development Team:

General Partners/Developer

Spire Development, Inc.
330 W Spring Street, Suite 430
Columbus, OH 43215
Phone: 614-350-0391

County Corp

130 West 2nd Street, Suite 1420
Dayton, Ohio 45402
Phone: 957-531-7026

Contractor:

To-Be-Determined

Property Manager:

RLJ Management Company, Inc.
3021 E Dublin Granville Rd #200

Columbus, OH 43231
Phone: 614-942-2020

Project Address: The project is located on a 2.32-acre parcel at 142 Albany Road, Athens, Athens County, OH 45701

Number of Units: 50

Program(s) to be utilized in the Project: The project will utilize sources from the Ohio Finance Agency's Housing Credit Program and Housing Development Loan Program.

Right to Submit Comments: You have the right to submit comments to OHFA regarding the proposed project's impact on the community. Any objection to the project must be submitted in writing and signed by a majority of the voting members of the legislative body. Comments must be received by OHFA within 30 days of the mailing date of this notice.

The person to be notified at OHFA and their address is:

Director of Multifamily Housing
Ohio Housing Finance Agency
2600 Corporate Exchange Drive, Suite 300
Columbus, Ohio 43231

OHFA will provide a written response to any objections submitted under the terms outlined above.

Sincerely,



Scott Harrold
Executive Vice President and COO
Spire Development, Inc.
330 W Spring Street, Suite 430
Columbus, OH 43215
(614) 350-0391
Scott@livespired.com

RES IPSA LOQUITUR

Poem by Eliot Kalman © November 2023

Consider Gazans in chains; hear their plaintive plea,
“Release us from Hamas’ tyrannical thugocracy.”
It’s for them, for myself, and our common legacy,
That I protest whenever I hear and whenever I see,
Someone malevolently declaring “Palestine must
 be set free,
From the Jordan River to the Mediterranean Sea.”

It’s Hamas’ threats, that I ask you to see,
Are directed at all Jews and Jewish society,
And at every pacifist Israeli;
We’re the ones they’d drown in the river and the sea;
We’re the imprisoned who should righteously be
 set free,
From the Hamas imposed *nakba* catastrophe.

Hamas must bear full responsibility,
For their sadistic and callous theocracy,
For its brutal and wanton criminality,
That pretends Gaza’s an Israeli penitentiary,
When it’s them, Hamas, who hold the prison’s key;
If they’d just turn the lock, we could all walk free.