

MINUTES
CITY & SAFETY SERVICES COMMITTEE
JANUARY 8, 2024
7:00 p.m.

Members in Attendance:

Micah McCarey, Chair
Alan Swank, Member
Jeff Risner, Member
Jessica Thomas, Member

Administrators and
Other Elected Officials:

Acting Mayor Crowl
Service-Safety Director Stone

ITEMS DISCUSSED:

- City Fiber Network, Project #347 (amend 0-05-22)
 - Service-Safety Director Stone – City has used line of sight microwave network for a data signal to connect our buildings for both internet and telephone service for many years – OARnet, the City's internet access to the outside is provided through Ohio University at no charge – the microwave is old technology and difficult to maintain – a couple of years ago the City purchased excess fiber-optic cable at a low price – Phase I of Project #347 is complete, connecting City Hall to ARTS/West, the Water Treatment Plant, the Service Garage, and for future use at the Armory – Phase II will connect the east side facilities, the Wastewater Treatment Plant, Community Center, City Pool, as well as the new fire station -- \$500,000 was appropriated initially – as we enter into Phase II the current estimate will require an additional \$103,000 more than is currently appropriated – he would like to use the ARPA Fund -- \$250,000 was appropriated in the annual budget, and there is an unappropriated balance of \$20,432.70 that is the end of the ARPA Fund
 - Clodfelter – asked if any General Fund money has been used for this project, or just dollars from the ARPA Fund
 - Stone – only the ARPA Fund
- Updated Fire Station Easement (amend 0-123-23)
 - Stone – due to the lack of acquiring an easement required from a property owner, a different route is needed – this amendment will simply attach the updated documents
 - Swank – asked if the original easement would be rescinded

-Stone – he does not believe the first easement has been recorded, but he will check into it

- Richland Avenue Playground Renovation, Project #368

-Stone – need to appropriate and authorize \$170,000 for this project to improve the Southside Park on Richland Avenue with modern and accessible playground equipment – the APR Director has applied for a \$50,000 grant through T-Mobile and if successful will reduce the City's cost – this will be built through a Sourcewell collective purchasing agreement and does not require bidding

-McCarey – noted that letters of support have been received from the Athens County Board of Developmental Disabilities, the Commission on Disabilities, the Child Development Center, the Recreation Advisory Board and the Mayor – he asked about the timeline of the grant award

-Stone – will check on that

-McCarey – asked whether the playground area would be turf or grass

-Stone – will check on that

-Risner – recalls Rotary making improvements to this park and asked if those will be changed or eliminated

-Stone – believes these are two separate parts of the park, but will follow up on that

-Swank – asked whether the rusted chain link fence along the Richland Avenue side can be replaced – needs to be consistent with the rest of the fencing

-Stone – explained that the chain link fencing is an ODOT limited access right-of-way fence dating back to 1970 – he will check with ODOT

- Amend ACC Titles 9 and 13 (recreational marijuana)

-McCarey – need to update with current Ohio Law – use of any form of tobacco will now include but not be limited to vaping, and the use of any form of recreational marijuana that includes inhaling, exhaling, burning, edibles, liquid vapes and other lighted smoking devices or papers for burning marijuana or any other substance that contains marijuana, including but not limited to vaping

-Spjeldnes – questioned why the City is doing this locally, when the State Legislature is working on this – edibles are different from smoking and vaping and questioned whether the City can regulate that

-McCarey – noted that you cannot chew tobacco, which would be similar

-Spjeldnes – doesn't see those as comparable, one is spit out and the other is swallowed

-Stone – City thought it appropriate to add marijuana to our non-smoking ban – does not believe the State Legislature is considering a ban in public places, but more along the line of issuing licenses, adding there is no rush on this legislation

-Risner – believes edibles would be similar to the ban on drinking alcohol in our public areas – thinks this should move forward

- Swank – agrees it should be put it in place now
- Clodfelter – trying to police edibles would be very difficult – not in favor of passing laws that cannot be enforced – people might be looked at suspiciously if they just have candy at the park
- Wood – agrees, edibles don't seem like something the City would want to regulate, seems unnecessary
- McCarey – understands this is a possession issue, a violation driven by complaint – adding, if this legislation is changed, the City's posted signs would be updated to read "tobacco/recreational marijuana-free"
- Swank – pointed out that edibles are a recreational marijuana product and Section 9.15.03 addresses that without specifically naming it
- Clodfelter – feels it would be clearer to the general public if this was just an extension of the non-smoking ban – if you can't smoke tobacco, you can't smoke marijuana, effectively, no smoking in the parks – again, questioned enforcement of edibles
- Swank – the City cannot police every activity 24/7 all over the City, but when we are policing our parks these prohibited activities should not be allowed
- Spjeldnes – agrees with Clodfelter on a simple no smoking ban – would still like to hold off to see what is passed by the State – thinks the edibles should be removed
- Stone – this legislation is a tool that can be used by APD if there is a complaint – the question should not be about enforcement, it should be about whether Council feels it is appropriate to use edibles in our parks
- Wood – expressed concern about targeted enforcement
- Thomas – need to consider behavior in the park after consuming edibles – may not be a good setting for children – doesn't believe it hurts leaving the term in the legislation

- Swank – asked how this relates to the initiative petition to decriminalize the use of marijuana previously approved by voters and a part of our City Code
- Stone – believes this is a different penalty – will check with the Law Director

- McCarey – updating our local law to reflect what we do not want in our parks makes sense

ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:

1. City Fiber Network
2. Update Easement
3. Southside Park Playground Renovation
4. Amend ACC to include Recreational Marijuana

MINUTES JANUARY 8, 2024 COMMITTEE OF THE WHOLE 7:00 P.M.

Council Members in Attendance: Beth Clodfelter
Micah McCarey
Solveig Spjeldnes
Jessica Thomas
Michael Wood

Administrators and/or
Other Elected Officials: President Pro Tem Risner
Acting Mayor Crowl
Service-Safety Director Stone

Items Discussed:

- Council of Governments (solid waste, recycling and composting management)
 - President Pro Tem Risner – this is a topic of public interest, and City Council will be required to approve legislation to create a Council of Governments (COG)
 - Crissa Cummings, Executive Director of the Athens Hocking Recycling Centers (AHRC) – explained that the formation of a Council of Governments (COG) would allow for municipalities as part of the Athens Hocking Solid Waste District (AHSWD) to come together and offer a menu of services to their residents, at cost, for those services – each community could tailor their services – it would also allow a regional approach to waste management – the governing board would be made up of members from each community and representation from the AHSWD – several costs can be reduced when operations are handled by a COG (she prepared packets for the Council outlining these cost savings and financials for the remainder of this year, 2025 and 2026) – AHRC and the City of Athens partnered when the AHSWD was formed in the late 1980's and the nonprofit (AHRC) was created to offer support services – in 2014 the AHSWD transferred operation to AHRC – the COG would be similar to those services returning prior to 2014 – AHRC and its operations were centered on the City of Athens and has since grown to include other communities and County residents – the organization is currently solvent and would be able to support the transition, but as time goes on and in order to keep AHRC afloat, they will need to spend their cash reserves and start cutting operations, leaving the COG with a more challenging financial start – making a decision sooner rather than later would be really useful, as would giving them a sense of timeline moving forward, so they know what to do to stay solvent in the short term – in closing, she reiterated that

the COG would allow for significant cost savings compared to AHRC, it would also preserve the City's ability to promote sustainability and continue to be a leader throughout the region through waste diversion – it would also prevent the loss of a significant number of good Union jobs – AHRC takes pride in offering personal service to their customers – the formation of a COG as opposed to returning to the AHSWD would give the City of Athens a seat at the table for long range planning – the City would have a say in rates and services along with other communities in the area

-Swank – appreciates the public turning out and showing an interest in our community, it's very important – asked whether the menu of services, and we're talking about four municipalities, Athens, Logan, Nelsonville and Amesville, would be uniform across those municipalities

-Cummings – the services do not have to be uniform – each community can select their own services – earlier today the AHSWD approved a Resolution to move forward as founding members of the COG, and designated Director of the AHSWD Jane Redfern and Athens County Commissioner Lenny Eliason to work out the details on the agreement and bylaws

-Spjeldnes – asked about the minimum number of cities needed to form the COG, if others can be invited to join (whether there are boundaries to the AHSWD), and a definition of a franchise district

-Cummings – the COG would need just two governmental entities to form – there is a mechanism for other communities to join – it can be as big or small as the founding members decide – the initial founding members will be the initial voting members and they would be able to decide whether to admit other members as time goes on

-Spjeldnes – asked if the cost would vary depending on the number of members

-Cummings – explained the AHSWD and the City of Athens could form the COG – the COG would then inherit all of the nonprofit's individual customers throughout Athens and Hocking counties – she explained that while Ohio University cannot be a member of the COG as a voting member, they can contract for services through the COG – having the same service provider for the City of Athens and Ohio University would be a cost savings and reduce the carbon footprint – a franchise district limits the number of haulers that can provide services within city boundaries

-Clodfelter – asked how the current Rumpke contract plays into the City joining a COG

-Stone – there is a provision in the Rumpke contract that the City can terminate the contract with 60 days' notice

-Swank – asked about the end dates of the current Nelsonville and Ohio University contracts

Cummings – the Nelsonville contract ends in March 2024 and they have not currently put it out to bid – they have expressed interest in the COG, and the

Ohio University contract has one year remaining with the possibility of two one-year extensions

-Clodfelter – asked if AHRC can hang on until decisions are made about the COG

-Cummings – operations have already been reduced with the loss of the City of Athens – this reduction will work through May 2024, so it depends on the timing of the COG -- any further reduction, and the selling of unused trucks, would require a lot more planning in making the transition

-Acting Mayor Crawl – questioned whether it would be helpful for the City to adopt a Resolution similar to that of the AHSWD – understands that City Council would need to finalize establishment of the COG by legislation

-Cummings – next steps and timeline: the founding members will need to draft an agreement, decide the Board's structure and bylaws (the framework is already in place) – once the final agreement has been reviewed, legislation will need to be adopted and, once filed with the State, the COG can be operational after 30 days – notice of termination of the City's current contract should not happen until the documents have been filed with the State

-Crawl – the Mayor is very interested as is Service-Safety Director Stone in exploring this possibility of a COG – questioned who would sit on the exploratory committee, Members of Council or the City Administration

-Cummings – does not know of any legal precedent

-Swank – should defer to the Law Director – questioned if Athens and the AHSWD begin negotiating and come to an agreement without including the other interested parties, whether those entities would still have the opportunity to be considered charter members

-Jane Redfern, Director of AHSWD – commented that AHSWD has been involved in the recycling business from the very beginning and sees AHRC as a major asset to our community and critical to the future of the District – the AHSWD is comprised of the three County Commissioners from Athens and the three County Commissioners from Hocking, and they felt very strongly that they wanted to be the founding members of the COG because of their history in building this nonprofit, and long range planning for our District – next steps for AHSWD will be to communicate with the other jurisdictions – the beauty of moving forward is that everyone can come to the table that would like to be part of the discussion – we could do so much more through the COG – clarified that the COG can partner with governmental entities outside the District

-Swank – if we can form a COG with the requisite number of members to make it economically feasible, and we do it in such a time period that there are still assets from AHRC, asked how the bidding requirement would work under ORC 167.08

-Cummings – the purpose of the COG is to provide those members with the services, so it would not need to be bid

-Charlie Adkins, Athens County Commissioner – supports the AHSWD – reiterated that time is of the essence for AHRC

MINUTES: JANUARY 8, 2024

FINANCE & PERSONNEL COMMITTEE

Members in Attendance:

Jeff Risner, Chair
Beth Clodfelter, Member
Micah McCarey, Member
Michael Wood, Member

Administrators and/or
Other Elected Officials:

Acting Mayor Crowl
Service-Safety Director Stone

ITEMS DISCUSSED:

- City Sewer System Improvements, Project #330 (Water Pollution Control Loan; Tentative Award of Contract; and authorize appropriation and expenditure)

-Service-Safety Director Stone – this has been an ongoing project addressing improvements to the sewer system to support the receipt of County sewage, as well as to improve our system with significant upgrades that are necessary to support growth of The Ridges, University Estates and to the western portion of the City, and will upgrade the Bedrock lift station on Union Street/St.Rt. 56; a force main on Union Street to bypass the Depot Street lift station, and the Richland Avenue lift station at the St.Rt. 682 roundabout – will be using a regionalization zero percent loan, through a Water Pollution Control Loan Fund (WPCLF) to extend municipal sewer service beyond the corporate boundary (Project #330) – the following legislation is needed:

1. Update to 0-144-19, to make application for the zero percent interest loan (requests Suspension of the Rules to meet the loan application timeline)
2. Resolution of Tentative Award (bid opening on January 12)
3. Appropriation/Expenditure for construction from the Sewer Fund, Plant, 750.637, T.C. Fund (\$1.73 million)

-Clodfelter – asked about the timeline of this project

-Stone – it will be completed in 2026

-Wood – asked about the zero percent loan, and whether it covers the \$1.7 million

-Stone – it is zero percent for 30 years (one-time regionalization loan) for up to \$1.7 million

-Spjeldnes – asked about the size of the lift stations

-Stone – explained it needs to be tall enough for line of sight to the tower – he will check on the height and provide that information to her for the Bedrock Lift Station

-Clodfelter – asked about City funds that will be used for the loan

-Stone – there are two funds used to service sewer debt, (70%) to the Sewer Fund and (30%) to the Sewer Debt Fund

- Wastewater Remote Site Telemetry Improvements (amend 0-50-23)
 - Stone – need to modify to increase the appropriation and authorization by \$75,000 to allow the correction of (4) additional sites that weren't envisioned when this project started – this is untethering our sewer telemetry system from our water telemetry system
 - Clodfelter – asked about the benefit of making this change
 - Stone – this will avoid risk of a cyber-attack to remote sites
- Property Sold by Internet Auction
 - Stone – governed by the ORC, this will allow for the sale of items no longer needed for a municipal purpose by internet auction if the city chooses to do so
 - Swank – asked about a dollar limit whereby it would have to come to City Council
 - Stone – any one item valued greater than \$1000 must be approved by the legislative authority

ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:

1. Project #330
2. Amend 0-50-23
3. Internet Auction

MINUTES TRANSPORTATION COMMITTEE JANUARY 8, 2024

Members in Attendance: Solveig Spjeldnes, Chair
Beth Clodfelter, Member
Micah McCarey, Member
Jeff Risner, Member

Administrators and/or

Other Elected Officials: Acting Mayor Crowl
Service-Safety Director Stone

ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:

- Columbus Road Shared Use Path, Project #365
 - Spjeldnes – need to appropriate and authorize funds for engineering design services for this 2025 construction project – this is a major corridor into the City
 - Service-Safety Director Stone – requested \$160,000 be appropriated for expenditure – this project would go from approximately the intersection of the Hockhocking Adena Bikeway Spur near AceNet to Theater Lane – it will be on the river side of the road – if funding is available, would like to construct some sidewalk area on the other side of the road – Columbus Road is a former highway and the ultimate goal is to make it feel more like a City street
 - Risner – asked if this would connect to the new emergency hospital currently under construction
 - Stone – yes, it will pass in front of the facility
 - Clodfelter – likes the idea of adding pedestrian friendly sidewalk area
 - Thomas – asked about the possibility of extending this shared use path up to where Columbus Road turns into North Lancaster Street
 - Stone – that is where we envision Phase II
 - Spjeldnes – this improvement will provide an opportunity for economic development in this corridor
 - Rob Delach, Morris Avenue, member of the Athens Pedestrian Accessibility and Bicycle Task Force – believes this shared use path is a good design, as it separates the cyclist from the traffic

- Vehicle & Equipment Disposals
 - Spjeldnes – Fire Department would like to trade one of their ventilation fans to the Waterloo Volunteer Fire Department – it would be an even trade
 - Stone – a request has also been made to dispose of Athens Public Transit Bus, 1601 – this is a 2016 bus and has 273,000 miles on it
 - Spjeldnes – asked if HAPCAP will be purchasing a second electric bus
 - Stone – he will pose that question to them

ITEMS NEEDED ON AN UPCOMING CITY COUNCIL AGENDA:

1. Columbus Road Shared Use Path
2. Disposals