

RECORD OF PROCEEDINGS

Minutes of

ATHENS CITY COUNCIL (REG. SESS.)

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held OCTOBER 7,

20 24

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, OCTOBER 7, 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, Thomas, Wood.

Also present: President Crowl, Mayor Patterson, Law Director Eliason, Auditor Hecht, and Treasurer Thomas.

DISPOSITION OF MINUTES:

Risner moved to approve the minutes of the Regular Session held September 16, 2024; McCarey seconded. The minutes were unanimously approved as presented.

COMMUNICATIONS:

Council Member Swank shared that the first week in October is Fire Prevention Week. Our local Lowe's store plans to donate 350 smoke detectors for use by private residences, with distribution to begin as early as this weekend.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson introduced the soon to be Rector of the National University Ostroh Academy in Ukraine, Edward Balashov.

Dr. Balashov is pleased and honored to visit the City of Athens and appreciates its continuing partnership with Ostroh, Ukraine. The City of Athens and the City of Ostroh have many commonalities in teaching and research and in many other areas that can be shared. Earlier today he had the pleasure of meeting with Ohio University President Gonzalez, University Student Senate, and College Faculty, and signed a memorandum of understanding, the first step in this cooperation, which he hopes will be fruitful and useful for both universities.

Swank asked about Dr. Balashov's thoughts on our community.

Dr. Balashov likes the characteristics of our City and the many architectural resemblances to Ostroh, noting that Ohio University is the oldest university in the state, as the National University Ostroh Academy is the oldest educational institution in Ukraine. The Cities populations are similar, but he enjoys the widespread space we have in the City of Athens, as Ostroh is a much smaller territory.

President Crowl extended the Council's warm welcome.

Dr. Balashov expressed that the Ukranian Nation is truly thankful and appreciates America's support.

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ORDINANCES FOR THIRD READING:

0-84-24

AN ORDINANCE AMENDING THE 2024 APPROPRIATION ORDINANCE 130-23; AND AUTHORIZING AN INTERFUND TRANSFER. Risner moved for Adoption; Clodfelter seconded. Discussion: Clodfelter is pleased with the continued maintenance of the bike path.

Adoption was approved unanimously.

0-86-24

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL 2403(1) CONCERNING WAGES AND WORKING CONDITIONS. Risner moved for Adoption; Thomas seconded. Adoption was approved unanimously.

0-87-24

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 21, SUBDIVISION REGULATIONS, CHAPTERS 21.03, APPLICATION, PROCEDURE FOR SUBDIVISION APPROVAL, 21.04, DESIGN AND CONSTRUCTION STANDARDS, AND 21.10, HILLSIDE REGULATIONS. Discussion: Swank hopes these changes will address some of our community's housing issues. The biggest change is with lot size. Currently the lot size minimum is 8000 square feet, and this change reduces that to 4000, which on the far east side alone could potentially open as many as 25 lots for new housing sites.

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

0-88-24

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 23, ZONING, CHAPTER 23.03, GENERAL REGULATIONS AND PERMITTED MODIFICATIONS, SECTIONS 23.03.08(C), YARD REGULATIONS, AND 23.03.14, FENCES, WALLS, TERRACES, AND STOOPS; AND TABLE A, SCHEDULE OF BULK CONTROLS. Swank moved for Adoption; Thomas seconded. Adoption was approved unanimously.

0-89-24

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ANNEXATION AGREEMENT WITH THE ATHENS TOWNSHIP TRUSTEES FOR PROPERTY LOCATED EAST OF CABLE LANE. Discussion: Attorney Mott indicated that the owner has already begun receiving interested potential buyers for building if the annexation is approved.

Swank noted this will not be a large development; a large portion of the area will be maintained as a conservation area, adding, a utility easement will be provided to the City. Swank moved for Adoption; Risner seconded.

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The Mayor believes the annexation of this land will be great for the City as it provides an opportunity for the possibility of additional housing stock.

Adoption was approved unanimously.

0-90-24

AN ORDINANCE AMENDING TITLE 7, TRAFFIC CODE, SECTIONS 7.02.11, 7.02.17, 7.02.23, 7.03.07, 7.03.07.1, 7.03.25, 7.04.58, AND 7.05.31; AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH.

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

0-91-24

AN ORDINANCE AMENDING TITLE 13, GENERAL OFFENSES, SECTIONS 13.02.04, 13.03.01, 13.05.01, 13.05.08, AND 13.05.13; AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH. Swank moved for Adoption; McCarey seconded. Adoption was approved unanimously.

0-92-24

AN ORDINANCE AMENDING THE 2024 APPROPRIATION ORDINANCE 130-23.

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

0-93-24

AN ORDINANCE AMENDING ORDINANCES 74-21, 116-22, and 36-24; AUTHORIZING ATHENS UPTOWN DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) HOURS OF OPERATION. Discussion: Thomas

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

ORDINANCE FOR SECOND READING:

0-94-24

AN ORDINANCE AMENDING THE 2024 APPROPRIATION ORDINANCE 130-23.

ORDINANCES FOR FIRST READING:

0-95-24

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

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0-96-24

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO A BUYOUT AGREEMENT FOR THE CARPORT-MOUNTED SOLAR ARRAY AT THE COMMUNITY CENTER. Discussion: Clodfelter asked the Mayor to explain why it makes sense for the City to buyout this solar array.

The Mayor indicated that currently a third party owns the solar array. The City has negotiated an agreement with the owner, and the cost will be roughly equivalent to the energy generation and revenue that the company would have received through the end of their contract (approximately \$232,000). Upon purchase, the City will be 100% behind the meter with this solar array into the Community Center which continues to offset the City's expenses. Along with this renewable energy source comes solar renewable energy credits (S-RECS). An added value is the City will now acquire these S-RECS which have value on the market, showing that the City is using renewable energy and reducing the City's carbon emissions. The City also negotiated with Kokosing, retention of the S-RECS for the 2.1-megawatt solar array feeding a lot of our government accounts. The City continues to reduce its carbon emissions by 50% by the year 2030, and in fact may have already surpassed that goal. The Council may want to consider legislation to change that to zero by 2040.

McCarey asked whether the Center's solar return will ever reach 100%.

Mayor Patterson responded that the newest solar array is powering about 95% of the seasonal swimming pool, explaining that hundred percent (100%) power from renewable energy can only be achieved with having a micro-grid system that assists during the dark hours of the day.

0-97-24

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 5, PUBLIC UTILITIES, CHAPTER 5.07, STORM WATER REGULATIONS, SECTIONS 5.07.14, APPEAL OF NOTICE OF VIOLATION, AND 5.07.15, ENFORCEMENT MEASURES AFTER APPEAL. Discussion: McCarey noted that this amendment simply adds a thirty (30) day period for appealing the date of the notice of violation.

0-98-24

AN ORDINANCE APPROVING THE ATHENS-HOCKING SOLID WASTE MANAGEMENT PLAN.

0-99-24

AN ORDINANCE AMENDING ORDINANCE 15-24, 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. Risner moved to amend to add an emergency clause; Swank seconded. The amendment was approved unanimously. Swank moved for Suspension of the Rules in order to meet the date of the event; Clodfelter seconded. Suspension of the Rules was approved unanimously. Swank moved for Adoption; McCarey seconded.

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Sara Quoia Bryant would like clarification on whether the Administration can add new events to the earlier adopted legislation, or if it is exclusive to changing or canceling events.

President Crowl noted that this would be researched.

Adoption was approved unanimously.

0-100-24

AN ORDINANCE AMENDING ORDINANCE 16-24, SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN DESIGNATED EVENT AREAS. Risner moved to amend to add an emergency clause; McCarey seconded. The amendment was approved unanimously. Swank moved for Suspension of the Rules; Clodfelter seconded. Suspension of the Rules was approved unanimously. Swank moved for Adoption; McCarey seconded. Adoption was approved unanimously.

RESOLUTION FOR THIRD READING:

R-06-24

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. Risner moved for Adoption; Thomas seconded. Adoption was approved unanimously.

ANNOUNCEMENTS & OTHER BUSINESS:

Swank moved to remove from the Table, Reappointments to the Board of Zoning Appeals; Thomas seconded. Discussion: The Mayor asked if information about the candidates for reappointment has been adequately resolved.

Swank responded that further discussion would take place during Committee.

The motion to Remove from the Table was approved unanimously.

Swank then moved that this issue be referred to Committee of the Whole; McCarey seconded. The motion was approved unanimously.

Thomas moved approval of the edits regarding the gendered language be added to the Rules of Council; Swank seconded. The motion was approved unanimously.

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

Chris Miles, N. McKinley Avenue, representing Indivisible Appalachian Ohio, requested City Council adopt a Resolution urging state leaders and local governments across Ohio to support creating a citizen-led, transparent commission to draw legislative districts. The City of Athens has a duty to stand up for fair representation

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and set an example by condemning the unfair process for drawing legislative districts that take away power from voters across Ohio.

EXECUTIVE SESSION:

At approximately 8:30 p.m., McCarey moved to go into Executive Session for the purpose of considering two items of Pending Litigation, and invited the President, Mayor, Law Director, Auditor, and Treasurer to attend; Thomas seconded. A roll call vote was taken as follows: Risner, aye; Wood, aye; Swank, aye; McCarey, aye; Clodfelter, aye; and Thomas, aye.

At approximately 8:55 p.m., Clodfelter moved to come out of Executive Session; Thomas seconded. The motion was approved unanimously. The Regular Session reconvened, and Swank moved to adjourn the meeting; McCarey seconded. The motion was approved unanimously.



President of Council

ATTEST:



Clerk of Council

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

Council Members in Attendance: Beth Clodfelter
Micah McCarey
Jeff Risner
Alan Swank
Jessica Thomas
Michael Wood

Administrators and/or
Other Elected Officials: President Crowl
Mayor Patterson
Law Director Eliason
Auditor Hecht
Treasurer Thomas

Items Discussed:

- Street Closure (Cool Digs, Union Street, between Congress and Court)
 - Swank – provided an overview of the requested closure – has visited Cool Digs and discussed the closure with other businesses in the area – this event (a gemstone showing) has taken place at the Cool Digs location on the far east side since approximately 2013 – Cool Digs recently opened an uptown store and would like to hold this event at their new location – there will be music during the Cool Digs event – a bandstand will be set up on the west end of this block of Union, and there will be food trucks available
 - Risner – asked about the change in venue from the east side to Union
 - Sara Quoia Bryant, owner of Cool Digs, would like to showcase her business on Union Street, and she believes it will be a fun uptown event
 - Swank – the event is to be held, Saturday, October 19 – the closure legislation is on tonight's agenda for first reading – the Council will need to suspend the rules and adopt the ordinances tonight – recognizes this will be a boost for those businesses that are experiencing construction impacts at this time
 - Mayor – this closure is making an exception to the full slate of events that was presented to the Council in February this year – it takes a lot of administrative hours to close streets, and the administrative policy in 2025

will not entertain exceptions beyond the initial slate for the calendar event street closings once approved by the Council – closures will not be permitted if the event is hosted by one business

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**ATHENS CITY COUNCIL: PUBLIC HEARING, MONDAY, OCTOBER 7, 2024,
7:00 P.M. – AMENDMENTS TO THE CITY’S ZONING CODE SCHEDULE OF BULK
CONTROLS, FRONT YARD SETBACK, AND REMOVAL OF THE GROUND STORY
HEIGHT OF TERRACES, STEPS, OR STOOPS.**

Council Members in Attendance: Clodfelter, McCarey, Risner, Swank, Thomas, and Wood.

Also Present: President Crawl, Mayor Patterson, Law Director Eliason, Auditor Hecht, and Treasurer Thomas.

Attendance by the Public: (see attached list)

President Crawl opened the Public Hearing to discuss amendments to the City’s zoning code schedule of bulk controls, front yard setback, and removal of the ground story height of terraces, steps, or stoops, a recommendation from the City Planning Commission.

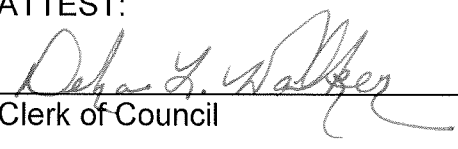
He read an email of support from Rob Delach (see attached).

Hearing no further questions or comments from the public, the hearing was adjourned at approximately 7:05 p.m.



Sam Crawl
President of Council

ATTEST:



Clerk of Council

ATTENDANCE SHEET PUBLIC HEARING

Monday, October 7, 2024

ATHENS CITY COUNCIL: PUBLIC HEARING, MONDAY, OCTOBER 7, 2024,
7:00 P.M. – AMENDMENTS TO THE CITY'S ZONING CODE SCHEDULE OF
BULK CONTROLS, FRONT YARD SETBACK, AND REMOVAL OF THE
GROUND STORY HEIGHT OF TERRACES, STEPS, OR STOOPS.

7:00 p.m.

NAME:

- | | |
|------------------------------|------------------------------|
| 1. <u>Drew Longaberger</u> | 16. <u>Maggie Valentine</u> |
| 2. <u>Mary Abel</u> | 17. <u>Peggy Gish</u> |
| 3. <u>Steven Saines</u> | 18. <u>Brish Manuvaran</u> |
| 4. <u>Brandon Gross</u> | 19. <u>Miles Hatley</u> |
| 5. <u>Vernon Eymann</u> | 20. <u>Maggie Bonfiglio</u> |
| 6. <u>Anthony Bray</u> | 21. <u>Katany Snaffer</u> |
| 7. <u>Charlie James</u> | 22. <u>Maggie Allwein</u> |
| 8. <u>Donald Theisen</u> | 23. <u>Daphne Braetler</u> |
| 9. <u>Mark Vitelli</u> | 24. <u>Kennedy Masterson</u> |
| 10. <u>Jack Meermans</u> | 25. <u>Jessica Rotundo</u> |
| 11. <u>Azure Hane</u> | 26. <u>David McCoy</u> |
| 12. <u>Andersen Beck</u> | 27. <u>ALAN MILES</u> |
| 13. <u>Norah Truex</u> | 28. <u>Sophia Anderson</u> |
| 14. <u>Elizabeth Wolford</u> | 29. <u>Kayla Estbough</u> |
| 15. <u>Olivia Kaiser</u> | 30. <u>BRIAN LONG</u> |

(OVER)

Ted Bernard

Kellan Paley

Chris Miles

Alexis Medley

Melissa Barrett

Jack Greene

Meghan Kuczinski

Haley Richardson

Carol Sanborn

Sara Rose Bryant

Debbie Walker

From: Rob Delach <rdelach@gmail.com>
Sent: Monday, October 7, 2024 2:40 PM
To: Sam Crowl
Cc: Debbie Walker
Subject: Submission for the Bulk Controls (0-88-24) Public Hearing

President of Council Sam Crowl,

I am out of town and am unable to attend the public hearing this evening at city council. Can you please read the follow letter into the record during the hearing? Thanks in advance for your assistance.

rdelach@gmail.com
cell: 703.727.0321

I am writing to City Council to submit my support for the recommendation of the City Planning Commission to amend the city's zoning code Schedule of Bulk Controls, Front Yard Setback, and to Remove the Ground Story Height of Terraces, Steps, or Stoops.

The changes to city code as recommended by the planning commission are much needed to allow existing property owners to build additions, porches, and other property enhancing amenities in the city of Athens. In addition, the city has a well-known housing shortage, especially for family type residences. This proposal will also make it easier for in-fill development in our residential zones that will encourage gentle densification to provide much needed additional housing.

This proposal is an excellent, common sense first step toward helping to address the housing shortage in Athens, and I encourage City Council to adopt the proposed changes to city zoning code.

Rob Delach
124 Morris Ave, City of Athens