AGENDA
ATHENS CITY COUNCIL
TUESDAY, FEBRUARY 18, 2025 AT 7:00 PM

e-mail: dwalker@ci.athens.oh.us
Streaming is available at www.ci.athens.oh.us/video

1. **FINANCE & PERSONNEL COMMITTEE:**
    - Then & Now Certificates
    - Appropriation
        - ($10,000) to Indigent Drivers (Alcohol) Fund
    - Mansfield House (lease agreement)
2. **REGULAR SESSION OF COUNCIL**
3. **Establish Quorum**
4. **Disposition of Minutes:**
    - Regular Sessions of City Council held January 13 and 21, and February 3, 2025
5. **Communications**
6. **Reports and Communications from Other Elected Officials**
7. **Ordinances for Third Reading:**

0-06-25
AN ORDINANCE TO REZONE UNDEVELOPED LOTS ON POMEROY ROAD FROM R-1 TO R-3.
Introduced by Council Member Swank

0-07-25
AN ORDINANCE AMENDING ATHENS CITY ZONING CODE, TITLE 23, CHAPTER 23.03, GENERAL REGULATIONS AND PERMITTED MODIFICATIONS, SECTION 23.03.13 (L) (2), SIGN REGULATIONS.
Introduced by Council Member Swank

0-08-25
AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE, 115-24 AND ORDINANCE 30-24; AUTHORIZING ENGINEERING SERVICES FOR REHABILITATION OF THE STIMSON AVENUE BRIDGE, PROJECT (#358).
Introduced by Council Member Spjeldnes

0-09-25
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE, ACCEPT BIDS WHERE NECESSARY, AND ENTER INTO CONTRACT(S) FOR DESIGN, MAINTENANCE, AND ADDITIONS TO THE RICHLAND BRIDGE OVER THE HOCKING RIVER AND THE STROUDS RUN BRIDGE OVER US33, PROJECT (#381).
Introduced by Council Member Spjeldnes

0-10-25
AN ORDINANCE AMENDING ORDINANCE 15-22, TO AUTHORIZE AN INCREASE IN THE EXPENDITURE FOR A NEW RESTROOM FACILITY AT THE WEST STATE PARK, PROJECT #349.
Introduced by Council Member McCarey

0-11-25
AN ORDINANCE AMENDING ORDINANCE 56-22, TO AUTHORIZE AN INCREASE IN THE EXPENDITURE FOR TENNIS AND PICKLEBALL COURTS, PROJECT #350.
Introduced by Council Member McCarey

0-12-25
AN ORDINANCE AUTHORIZING UNNEEDED OR OBSOLETE MUNICIPAL PERSONAL PROPERTY TO BE SOLD BY INTERNET AUCTION.
Introduced by Council Member Risner

0-13-25
AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE 115-24; AND AUTHORIZING AN INTERFUND TRANSFER.
Introduced by Council Member Risner

8. Ordinances for Second Reading:

0-14-25
AN ORDINANCE AUTHORIZING THE ANNUAL PURCHASE OF WATER SOFTENING SALT FOR THE WATER TREATMENT PLANT.
Introduced by Council Member McCarey

0-15-25
AN ORDINANCE AMENDING ORDINANCE 121-24; AUTHORIZING 2025 STAFFING LEVELS.
Introduced by the Finance & Personnel Committee

0-16-25
AN ORDINANCE AUTHORIZING COMPENSATION FOR THE RECENTLY PROMOTED DIVERSION PROGRAM COORDINATOR IN MUNICIPAL COURT AT A RATE IN ACCORDANCE WITH ORDINANCE 117-24, THE NON-UNION PERSONNEL FRINGE BENEFITS PACKAGE, SECTION 22, PROMOTION.
Introduced by Council Member Risner

0-17-25
AN ORDINANCE CLOSING EAST UNION STREET BETWEEN COURT AND UNIVERSITY TERRACE ON SATURDAY, APRIL 5, 2025, FROM 7:00 A.M. TO 6:00 P.M. FOR THE INTERNATIONAL STREET FAIR.
Introduced by Council Member Spjeldnes

0-18-25
AN ORDINANCE SUSPENDING THE ENFORCEMENT OF ATHENS CITY CODE CHAPTER 11.04, VENDING, PEDDLING AND SOLICITING, TO ALLOW VENDING IN A DESIGNATED AREA DURING THE INTERNATIONAL STREET FAIR.
Introduced by Council Member Spjeldnes

9. Ordinances for First Reading:

0-19-25
AN ORDINANCE ACCEPTING THE PETITION FOR ANNEXATION OF APPROXIMATELY 34.874 ACRES, OWNED BY FRANDER PROPERTIES, LLC, EAST OF CABLE LANE.
Introduced by Council Member Swank

0-20-25
AN ORDINANCE DESIGNATING THE ZONE FOR THE CABLE LANE ANNEXATION AREA.
Introduced by Council Member Swank

0-21-25
AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE A PERPETUAL RIGHT-OF-WAY UTILITY EASEMENT WITH FRANDER PROPERTIES, LLC, ON PROPERTY ANNEXED INTO THE CITY ON CABLE LANE.
Introduced by Council Member Swank

0-22-25
AN ORDINANCE APPROVING THEN-AND-NOW CERTIFICATES FOR PAYMENT; AND DECLARING AN EMERGENCY.
Introduced by Council Member Risner

0-23-25
AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE 115-24.
Introduced by Council Member Risner

0-24-25
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT FOR THE MANSFIELD HOUSE; AND DECLARING AN EMERGENCY.
Introduced by Council Member Risner

10. Announcements & Other Business:

- Motion to Approve a new Appointment and Reappointments to the Community Relations Commission

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

12. 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.

0-06-25

Introduced by Alan Swank, Chair
Planning and Development Committee

AN ORDINANCE TO REZONE UNDEVELOPED LOTS ON POMEROY ROAD FROM R-1 TO R-3.

WHEREAS, on December 23, 2024, the Athens City Planning Commission made a recommendation to rezone an 8.237-acre parcel located at 0 Pomeroy Road from R-1 to R-3; and

WHEREAS, said rezoning would allow for the development of affordable multifamily housing to serve below median income residents, and is consistent with the Athens 2040 Comprehensive Plan; and

WHEREAS, Athens City Council has scheduled a public hearing on February 3, 2025, in accordance with the Planning Commission's recommendation;

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

SECTION I: Undeveloped lots on Pomeroy Road, described more particularly in the map attached hereto, and highlighted in yellow, and incorporated herein by reference, are hereby rezoned from R-1 to R-3.

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.

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President of Council

ATTEST:

APPROVED:

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Clerk of Council

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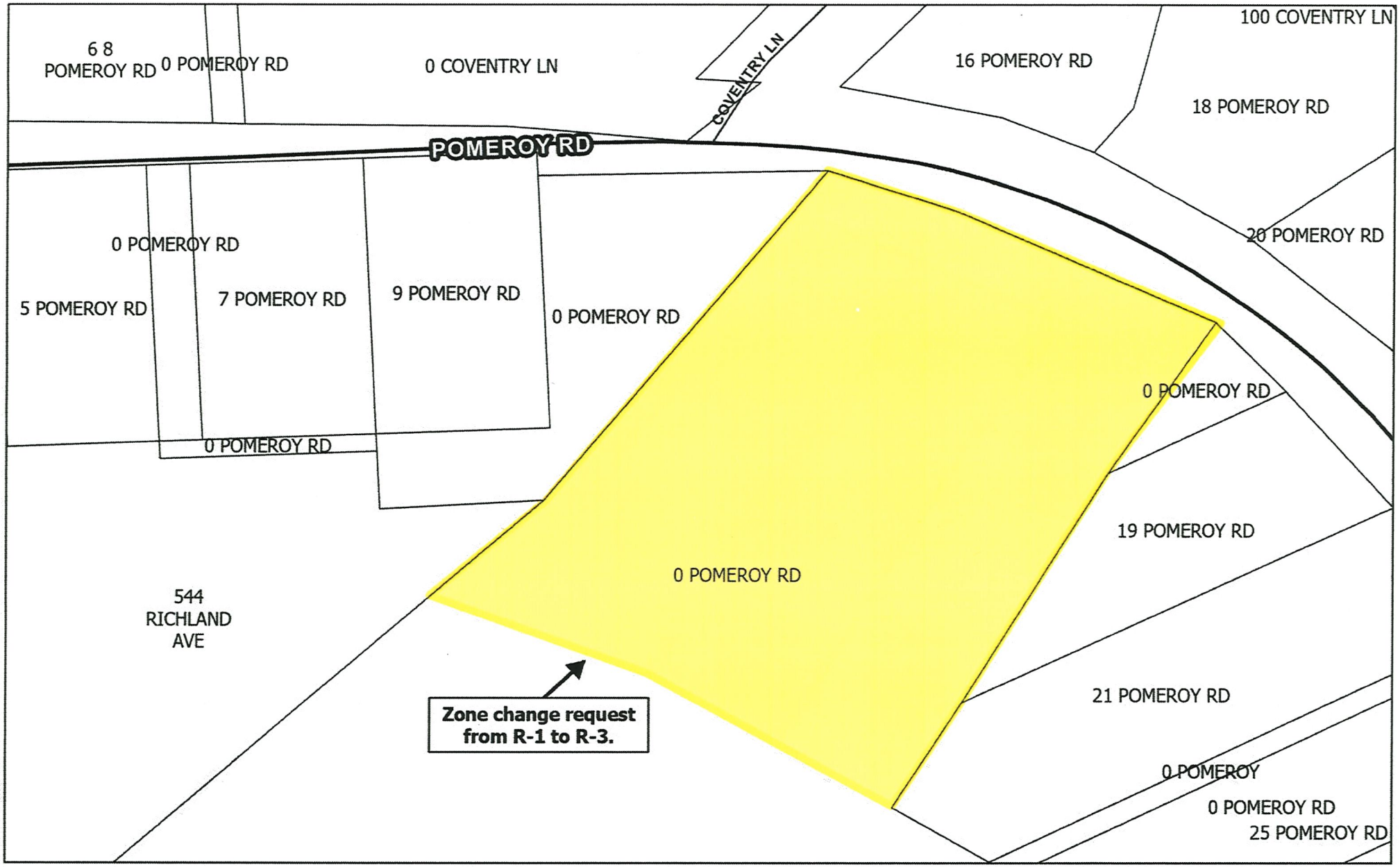
Mayor



Pomeroy Rd. Zone Change

Request to rezone an undeveloped lot on Pomeroy Road from R-1 Residential Zone (One-Family) to R-3 Residential Zone (Multi-Family).

Map created by Athens City Planner. Data recent as of 1/22/2025.

0-07-25

Introduced by Alan Swank, 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) (2), SIGN REGULATIONS.

WHEREAS, Athens City Council held a public hearing on January 21, 2025;

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) (2), Sign Regulations, is hereby amended to read as follows:

23.03.13 (L) (2) – Sign Regulations.

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

(2)
Political or ideological signs. Any political sign, circular, banner, poster, handbill, pennant or other similar sign of a temporary nature which by design is calling attention to an upcoming election may be placed in any zones. Signs posted under this provision may be placed on poles or lamp posts only with the written permission of the owner. Signs may not be larger than ~~350~~ 432 square inches.

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

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-08-25

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE, 115-24 AND ORDINANCE 30-24; AUTHORIZING ENGINEERING SERVICES FOR REHABILITATION OF THE STIMSON AVENUE BRIDGE, PROJECT (#358).

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

SECTION I: The 2025 Appropriation Ordinance 115-24 is hereby amended by appropriating from the unappropriated balance the following sums:

Four Million Four Hundred Seventy Thousand Five Hundred Ninety and 19/100 Dollars ($4,470,590.19) to Small Cities ODOT Fund, 589, T.C. 500; and

Two Hundred Fifty Thousand Dollars ($250,000.00) to Street Rehab Fund, 572, T.C. 500, and increasing the total appropriations by said amounts.

SECTION II: Section II of Ordinance 30-24 is hereby amended to read as follows:

Section II: The Service-Safety Director is further authorized to expend up to Five Million Three Hundred Thousand Five Hundred Ninety and 19/100 Dollars ($5,300,590.19) as follows:

Four Million Four Hundred Seventy Thousand Five Hundred Ninety and 19/100 Dollars ($4,470,590.19) to Small Cities ODOT Fund, 589, T.C. 500, and

~~Five Hundred Eighty Thousand Dollars ($580,000.00)~~ Eight Hundred Thirty Thousand Dollars ($830,000.00) from Street Rehabilitation Fund, 572, T.C. 500, for said Project (#358).

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

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-09-25

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE, ACCEPT BIDS WHERE NECESSARY, AND ENTER INTO CONTRACT(S) FOR DESIGN, MAINTENANCE, AND ADDITIONS TO THE RICHLAND BRIDGE OVER THE HOCKING RIVER AND THE STROUDS RUN BRIDGE OVER US33, PROJECT (#381).

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

SECTION I: The Service-Safety Director is hereby authorized to advertise, accept bids where necessary, and enter into contract(s) for design, maintenance, and additions to the Richland Bridge over the Hocking River and the Strouds Run Bridge over US33, Project (#381).

SECTION II: The 2025 Appropriation Ordinance 115-24 is hereby amended by appropriating from the unappropriated balance the sum of Two Hundred Forty Thousand Dollars ($240,000.00) 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 Two Hundred Sixty-Two Thousand Dollars ($262,000.00) from Street Fund, 220, T.C. 500, for said Project (#381).

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

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-10-25

Introduced by Micah McCarey, Chair
City & Safety Services Committee

AN ORDINANCE AMENDING ORDINANCE 15-22, TO AUTHORIZE AN INCREASE IN THE EXPENDITURE FOR A NEW RESTROOM FACILITY AT THE WEST STATE PARK, PROJECT #349.

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

SECTION I: Section III of Ordinance 15-22 is hereby amended to read as follows:

Section III: The Service-Safety Director is further authorized to expend up to ~~Two Hundred Fifty~~ Three Hundred Thousand Dollars ~~($250,000.00)~~ ($300,000.00) from APR Income Tax Fund, 273, T.C. 500, for said Project #349.

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

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-11-25

Introduced by Micah McCarey, Chair
City & Safety Services Committee

AN ORDINANCE AMENDING ORDINANCE 56-22, TO AUTHORIZE AN INCREASE IN THE EXPENDITURE FOR TENNIS AND PICKLEBALL COURTS, PROJECT #350.

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

SECTION I: Section III of Ordinance 56-22 is hereby amended to read as follows:

Section III: The Service-Safety Director is hereby authorized to expend up to Three Hundred ~~Twenty-Eight~~ Fifty Thousand ~~Two Hundred Fifty~~ Dollars ~~($328,250.00)~~ ($350,000.00) as follows: ~~Two~~ Three Hundred Thousand ~~Seventy-Eight Thousand Two Hundred Fifty~~ Dollars ~~($278,250.00)~~ ($300,000.00) from APR Income Tax Fund, 273, T.C. 500, and Fifty Thousand Dollars ($50,000.00) from ARPA Fund, 286, T.C. 500, for said project #350.

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

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-12-25

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.

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-13-25

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE 115-24; AND AUTHORIZING AN INTERFUND TRANSFER.

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

SECTION I: The 2025 Appropriation Ordinance 115-24 is hereby amended by appropriating from the unappropriated balance the sum of One Hundred Twenty Thousand Dollars ($120,000.00) to General Fund, 101, 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	Cemetery Fund, 210	$120,000.00
Parking Garage Fund, 730	Parking Garage Debt Fund, 733	$163,000.00
Water Fund, 740	WTP Improvement Fund, 744	$399,000.00

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

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-14-25

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 Ninety Thousand Two Hundred Forty-Four Dollars ($190,244.00), 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.

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-15-25

Introduced by the Finance & Personnel Committee

AN ORDINANCE AMENDING ORDINANCE 121-24; AUTHORIZING 2025 STAFFING LEVELS.

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

SECTION I: Effective the first pay period in 2025, authorized staffing levels in the Municipal Court are hereby amended to read as follows:

FUND		DEPARTMENT	POSITION	F.T.E.
101.106	General	Muni. Court	Clerk of Court	0.6
101.106	General	Muni. Court	Probation Officer	0.5
237.106	DUI Court	Muni. Court	Probation Officer	0.5
237.106	DUI Court	Muni. Court	Diversion Program Coordinator	0.5
235.106	Court CCA	Muni. Court	Intensive Probation Officer	1
232.106	Underage Drinkers	Muni. Court	Diversion Program Coordinator	~~0.75~~ **0.62**
101.106	General	Muni. Court	Diversion Program Coordinator	~~0.75~~ **0.63**
101.106	General	Muni. Court	Court Administrator	1
101.106	General	Muni. Court	Court Reporter	1
101.106	General	Muni. Court	Court Security	1

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

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-16-25

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING COMPENSATION FOR THE RECENTLY PROMOTED DIVERSION PROGRAM COORDINATOR IN MUNICIPAL COURT AT A RATE IN ACCORDANCE WITH ORDINANCE 117-24, THE NON-UNION PERSONNEL FRINGE BENEFITS PACKAGE, SECTION 22, PROMOTION.

WHEREAS, the new Diversion Program Coordinator was promoted to this position after the pay rate for this position was approved by the Council;

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

SECTION I: In accordance with the Non-Union Personnel Fringe Benefits Package, Ordinance 117-24, Section 22 (A)(1), Promotion, Lateral Transfer, and Demotion of New Hires and Current Employees, Athens City Council does hereby authorize compensation at a rate higher than 10% for the recently promoted Diversion Program Coordinator in Municipal Court, from $19.89 to $22.00, and that the new pay rate will be made retroactive to the first pay period in 2025.

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

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President of Council

ATTEST: APPROVED:

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Clerk of Council Mayor

0-17-25

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE CLOSING EAST UNION STREET BETWEEN COURT AND UNIVERSITY TERRACE ON SATURDAY, APRIL 5, 2025, FROM 7:00 A.M. TO 6:00 P.M. FOR THE INTERNATIONAL STREET FAIR.

WHEREAS, a request has been received from the Ohio University International Student Union, to close a portion of East Union Street in order that the International Street Fair may be held;

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

SECTION I: The Mayor and Service-Safety Director are hereby authorized, at their discretion, to implement the following:

- Close East Union Street, between Court and University Terrace to vehicular traffic in the City of Athens from 7:00 a.m. to 6:00 p.m. on Saturday, April 5, 2025, for the International Street Fair, except for necessary fire lanes at the intersections, and any other essential streets, deemed necessary, for effective and safe management of this event.

- Ban public parking on East Union Street in the City of Athens between Court and University Terrace on Saturday, April 5, 2025, from 6:00 a.m. to 7:00 p.m. for the International Street Fair.

- Employ, as necessary, uniformed members of the Athens City Police Department and other City employees to preserve peace and public order.

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

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-18-25

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 A DESIGNATED AREA DURING THE INTERNATIONAL STREET FAIR.

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 as follows:

- on Saturday, April 5, 2025, from 7:00 a.m. to 6:00 p.m., to allow vending in the designated International Street Fair street closure area, as determined appropriate by the Administration.

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.

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

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Mayor

0-19-25

Introduced by Alan Swank, Chair
Planning & Development Committee

AN ORDINANCE ACCEPTING THE PETITION FOR ANNEXATION OF APPROXIMATELY 34.874 ACRES, OWNED BY FRANDER PROPERTIES, LLC, EAST OF CABLE LANE.

WHEREAS, a petition for annexation of approximately 34.874 acres was filed by Frander Properties, LLC; and

WHEREAS, Ordinance 89-24 authorized the Mayor to enter into an annexation agreement with the Athens Township Trustees for said property; and

WHEREAS, the Board of Commissioners of Athens County has released said acreage for annexation into the City of Athens; and

WHEREAS, sixty (60) days from the date of the filing have now lapsed in accordance with Section 709.04 of the Ohio Revised Code; and

WHEREAS, the City has agreed to provide City water, sewer, fire and police services immediately upon successful completion of the annexation process;

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

SECTION I: The petition for annexation of approximately 34.874 acres, owned by Frander Properties, LLC, and located east of Cable Lane, situated in Athens County, Athens Township, Town 9, Range 14, Farm Lot 43. Said 34.874 acres, more or less, are contained in Auditor's Parcel Number #A01-00100821-00, as recorded in Official Record Book 600, Pages 936-939, of the Athens County Recorder's Office, and in accordance with the map attached hereto, is hereby accepted in the City of Athens.

SECTION II: The Clerk of Athens City Council is hereby authorized to make three (3) copies of the petition, the plat accompanying the petition, the transcript of the proceedings of the Athens County Commissioners, and this Ordinance with a certificate to each copy that it is correct and to deliver one copy to the Athens County Recorder, one copy to the Athens County Auditor, and one copy to the Secretary of the State of Ohio.

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.

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President of Council

ATTEST:

APPROVED:

_____
Clerk of Council

_____
Mayor

C. TIM NEWMAN
Professional Surveyor
66 Elmwood Place
Athens, Ohio 45701
740-594-1884
FAX 740-594-9413

Plat of Survey of 34.874 Acres.
Situate Ohio Company Purchase, Town 9, Range 14, Farm Lot 43,
Athens Township, Athens County, Ohio.
Deeded to: Frander Properties LLC, Official Record Book 600, pages 936-939.
Parcel A010010082100.

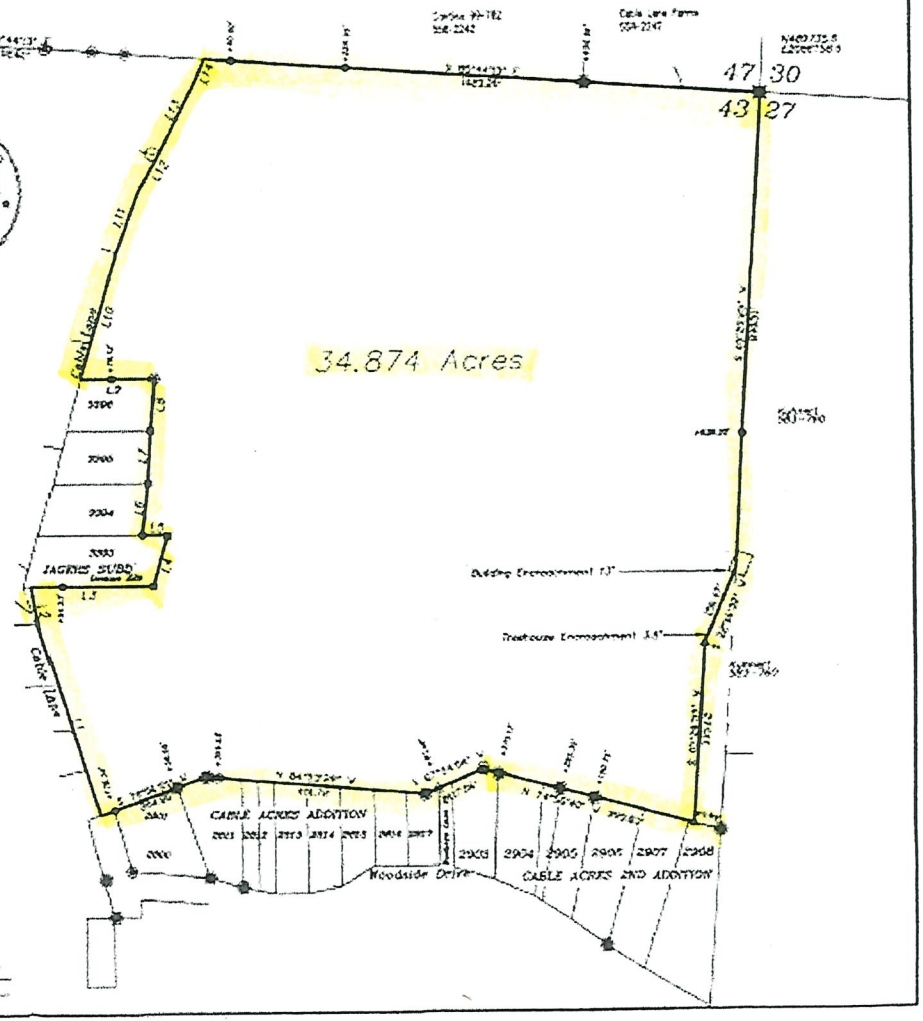
Basis of Bearings: Ohio State Plane Coordinate System, South Zone, NAD83
Survey Reference: Prior Surveys and Deeds as noted on Plat

Charles T. Newman
Surveyed Jan. 2023

STATE OF OHIO
Charles T. Newman
S-8043
REGISTERED SURVEYOR

LINE TABLE		
LINE	BEARING	LENGTH
L1	N17°37'49"W	352.58'
L2	N30°25'58"W	90.10'
L3	S89°33'53"E	220.78'
L4	N15°33'24"E	100.52'
L5	N89°53'53"W	46.96'
L6	N06°37'07"E	97.82'
L7	N01°35'07"E	96.77'
L8	N04°43'07"E	96.90'
L9	N89°33'53"W	134.54'
L10	N15°21'31"E	248.15'
L11	N16°48'23"E	116.39'
L12	N28°29'04"E	84.10'
L13	N27°25'21"E	155.63'
L14	N21°42'54"E	39.50'

- One-inch Square Steel
- Iron Pin Found capped England
- Iron Pin Found capped Highland
- Iron Pin Found #5 Rebar
- Iron Pin Set capped Newman
- Stone Found
- One-inch OD Pipe Found
- Iron Pin Found capped Buckley



GRAPHIC SCALE
(IN FEET)
1 inch = 200 ft.

Description Checked for Mathematical Accuracy
Athens County
ENGINEER'S OFFICE
BY:
DATE: 1/24/23

0-20-25

Introduced by Alan Swank, Chair
Planning Development Committee

AN ORDINANCE DESIGNATING THE ZONE FOR THE CABLE LANE ANNEXATION AREA.

WHEREAS, on February 5, 2025, the Athens City Planning Commission recommended the Cable Lane annexation area be zoned R-1; and

WHEREAS, the Athens City Council has scheduled a public hearing on March 10, 2025, to discuss designating the zone for the annexation area;

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

SECTION I: The approximately 34.874 acres of the Cable Lane annexation area is hereby zoned R-1.

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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.

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President of Council

ATTEST:

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Clerk of Council

APPROVED:

_____
Mayor

0-21-25

Introduced by Alan Swank, Chair
Planning & Development Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE A PERPETUAL RIGHT-OF-WAY UTILITY EASEMENT WITH FRANDER PROPERTIES, LLC, ON PROPERTY ANNEXED INTO THE CITY ON CABLE LANE.

WHEREAS, Ordinance 19-25 annexed approximately 34.874 acres, owned by Frander Properties, LLC, East of Cable Lane;

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 a perpetual right-of-way utility easement with Frander Properties, LLC, with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove utility lines, including without limitation a water line, a sanitary sewer line and a storm sewer line, together with other necessary equipment, in accordance with the map 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:

_____
Clerk of Council

APPROVED:

_____
Mayor

RIGHT-OF-WAY EASEMENT

Frander Properties LLC, an Ohio limited liability company ("Grantor"), for valuable consideration received, hereby grants to the **City of Athens, Ohio** ("Grantee") a perpetual easement with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove utility lines, including without limitation a water line, a sanitary sewer line, and a storm sewer line, together with other necessary equipment over, across, and through the following described land of Grantor:

Being a strip of land 200 feet in width lying immediately adjacent to and south of Grantor's northern property line, as shown on the attached plat.

Subject to easements, rights of way, reservations, restrictions, conditions, covenants, and leases of record.

Grantor's Parcel ID No.: A010010082100
Last Transfer: Volume 600, Page 936, Official Records of Athens County, Ohio.

In consideration of this grant, Grantee agrees to restore said easement premises in the approximate prior condition after laying, repairing, or maintaining said utility lines and agrees to compensate Grantor for all damages caused by virtue thereof, *provided* that Grantee shall have no obligation to replace or compensate Grantor for trees or other vegetation removed in furtherance of the purposes of this easement, except to seed grass or take such other preventive or remedial steps as may be reasonably necessary to reduce erosion and slippage. At Grantor's option, Grantee shall allow Grantor not less than thirty (30) days to remove trees identified by Grantee, or Grantee shall cut said trees and leave them on Grantor's property at a mutually acceptable location, which cut trees shall remain the property of Grantor. Grantee shall not clearcut the easement premises. Grantee covenants to maintain the easement premises in good repair so that no unreasonable damage will result from its use to the adjacent land of Grantor, its successors and assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of Grantee, its successors and assigns.

EXECUTED this _____ day of _____, 2025.

Frander Properties LLC

_____ _____

By: Elizabeth Franjola, Member By: Mark V. Snider, Member

STATE OF OHIO, COUNTY OF ATHENS, SS:

The foregoing instrument was acknowledged before me this ____ day of _____, 2025 by Elizabeth Franjola and Mark V. Snider, Members of Frander Properties LLC, an Ohio limited liability company, on behalf of the limited liability company.

_____

Notary Public

(seal)
My commission expires:

City of Athens, Ohio

_____

By:

STATE OF OHIO, COUNTY OF ATHENS, SS:

The foregoing instrument was acknowledged before this ____ day of _____, 2025 by _____, _____ of the City of Athens, Ohio.

_____

Notary Public

(seal)
My commission expires:

THIS INSTRUMENT PREPARED BY:

David J. Mott, Attorney at Law
MOLLICA GALL SLOAN & SILLERY CO. LPA
35 North College Street
Athens, Ohio

C. TIM NEWMAN
Professional Surveyor

66 Elmwood Place
Athens, Ohio 45701

740-594-1884
FAX 740-594-9413

Plat of Survey of 34.874 Acres.
Situate Ohio Company Purchase, Town 9, Range 14, Farm Lot 43,
Athens Township, Athens County, Ohio.
Deeded to: Frander Properties LLC, Official Record Book 600, pages 936-939.
Parcel A010010082100.

Basis of Bearings: Ohio State Plane Coordinate System, South Zone, NAD83
Survey References: Prior Surveys and Deeds as noted on Plat

STATE OF OHIO
Charles T. Newman
S-8043
REGISTERED SURVEYOR

Charles T. Newman
Surveyed Jan. 2023

LINE TABLE		
LINE	BEARING	LENGTH
L1	N17°37'40"W	352.58'
L2	N10°25'58"W	95.10'
L3	S89°53'53"E	220.78'
L4	N15°33'24"E	100.52'
L5	N89°53'53"W	46.96'
L6	N06°37'07"E	97.22'
L7	N03°35'07"E	96.77'
L8	N04°43'07"E	96.90'
L9	N89°53'53"W	134.54'
L10	N15°21'31"E	248.15'
L11	N18°48'23"E	116.39'
L12	N28°29'04"E	84.10'
L13	N27°25'21"E	155.63'
L14	N21°42'54"E	39.50'

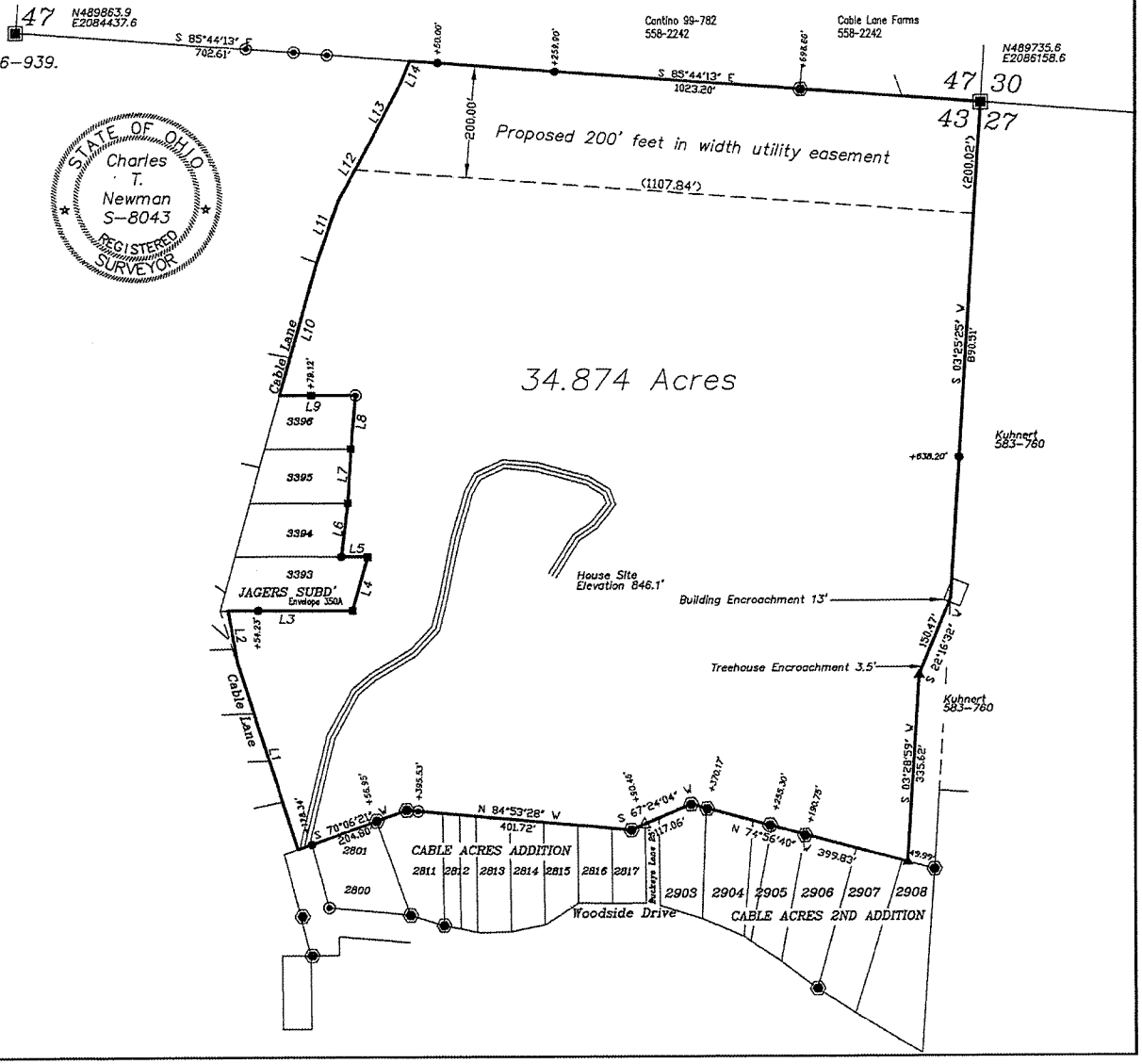
L12 21.09 easement

- ■ One-Inch Square Steel
- ◬ Iron Pin Found capped England
- ▲ Iron Pin Found capped Highland
- ◉ Iron Pin Found #5 Rebar
- ● Iron Pin Set capped Newman
- ▣ Stone Found
- ◉ One-Inch OD Pipe Found
- ○ Iron Pin Found capped Buckley

GRAPHIC SCALE

200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.



0-22-25

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE APPROVING THEN-AND-NOW CERTIFICATES FOR PAYMENT; AND DECLARING AN EMERGENCY.

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

SECTION I: An Ordinance authorizing Then-and-Now Certificates for purchases with no purchase orders in place for the following:

Company Name	**Amount**	**Purpose**
Accent Information	$16,025.00	Shortel Maintenance
AEP	$15,463.81	Electric
Athens Area Mediation	$ 9,500.00	Mediation Services
Castus Corporation	$12,797.00	Closed Captioning Service
Cellebrite, Inc.	$ 6,500.00	Investigations
Civica North America	$ 3,870.00	CMI Maintenance
Civic Plus	$16,091.79	City App Services
Corrections Commission	$ 5,670.00	Jail Bill
Enterprise FM Trust	$31,328.31	Monthly Vehicle Lease Charge
Everbridge, Inc.	$ 6,180.00	Nixle 360
Granicus	$17,448.28	EASE Custom & Sound Search
IPS Group, Inc.	$ 9,008.54	IPS Fees
Ohio University	$ 5,496.75	Fuel Admin. Fees
Ohio University	$ 9,773.38	Fuel Charges
Otis Elevator Co., Inc.	$ 9,298.08	Elevator Maintenance
Treasurer of State	$ 4,800.00	Chemistry Certifications
Treasurer of State	$ 5,496.75	LEADS

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 maintain fiscal integrity, and it shall be in full force and effect upon its passage and approval by the Mayor.

_____
President of Council

ATTEST:

_____
Clerk of Council

APPROVED:

_____
Mayor

0-23-25

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE 115-24.

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

SECTION I: The 2025 Appropriation Ordinance 115-24 is hereby amended by appropriating from the unappropriated balance the sum of Ten Thousand Dollars ($10,000.00) to Indigent Drivers (Alcohol) Fund, 260, T.C. 200-300, to cover the expenses of the driver intervention programs, and increasing the total appropriations by said amount.

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

_____
President of Council

ATTEST:

_____
Clerk of Council

APPROVED:

_____
Mayor

0-24-25

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT FOR THE MANSFIELD HOUSE; AND DECLARING AN EMERGENCY.

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

SECTION I: The Mayor is hereby authorized to enter into a lease agreement for the Mansfield House with the Athens County Convention & Visitors Bureau beginning January 2, 2025, and continuing month-to-month thereafter until terminated, a copy of the lease is 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 that the tenant is currently occupying the premises without a lease, and it shall be in full force and effect upon its passage and approval by the Mayor.

_____
President of Council

ATTEST:

_____
Clerk of Council

APPROVED:

_____
Mayor

Lease Agreement

This Lease Agreement is entered into as of _____, 2025, by and between the City of Athens ("Landlord") and The Athens County Convention and Visitors Bureau ("Tenant").

Upon the terms and subject to the conditions hereinafter set forth, Landlord leases to Tenant and Tenant leases from Landlord, the real property described as:

"The Mansfield House"
667 E. State Street
Athens, OH 45701
Parking – Space for 12 cars

together with all improvements now or hereafter located thereon and all appurtenances and privileges related thereto, all of which area is hereinafter referred to as the "Premises" and further subject to all restrictions of record, City Ordinances, and historic preservation guidelines.

Section 1: **Lease Term**. This lease shall create a month-to-month tenancy beginning on January 2, 2025, and continuing month-to-month thereafter until terminated. Either party may terminate this lease by providing at least 30 days' written notice to the other party prior to the end of any monthly term. Notice of termination must be delivered personally or sent by certified mail, return receipt requested, to the other party at the address provided in Section 14.

Section 2. **Rent.** The annual rent for the lease term shall be $20,000, payable in equal monthly installments of $1,666.66, each in advance of the first day of each calendar month throughout the lease term. If the lease term commences on a day other than the first day of a calendar month, the first month's rent shall be adjusted accordingly. Tenant shall pay the rent at the Office of the Landlord, c/o City Auditor, in Athens Ohio, or to such other place in said City as the Landlord may hereinafter designate in writing.

Section 3. **Use of Premises.** Tenant's use of the Premises shall be in a lawful, careful, safe, and proper manner, and Tenant shall carefully preserve, protect, control and guard the same from damage. Tenant shall not use the parking area or ingress and egress area of the Premises in an unreasonable manner so as to interfere with the normal flow of traffic or the use of such area by visitors to property adjacent to the Premises. Tenant shall occupy and use said premises for the purpose of the Athens County Convention and Visitors Bureau. This rental agreement shall be forfeited if said premises cease to be used for the offices of the Athens County Convention and Visitors Bureau.

Section 4. **Taxes and Assessments.** Tenant shall pay all real estate taxes and assessments becoming due and payable with respect to the Premises during the lease term and any extension thereof, and all taxes or other charges imposed during the lease term or any extension thereof with respect to any business conducted on the Premises by Tenant or any personal property used by Tenant in connection therewith.

Section 5. **Utilities.** Tenant shall promptly pay, or cause to be paid all charges incurred for all utility services furnished to the Premises, including without limitation: telephone service, cable, internet, sanitary sewer, water, natural gas, and electricity. Tenant shall also provide replacement light bulbs and tubes and pay for all maintenance of all utilities during the lease term and any extension thereof.

Landlord shall have no responsibility or liability for the failure of any public or private utility to supply sufficient or adequate utility services to the Premises.

Section 6. **Compliance with Laws.** If any law, ordinance, order, rule or regulation is passed or enacted by any governmental agency or department having jurisdiction over the Premises or Tenant's use of the same which requires Tenant to modify or alter its operations or use of the Premises, this Lease shall in no way be affected and Tenant shall, at its sole cost and expense, promptly comply with such law, ordinance, order, rule or regulation.

Section 7. **Maintenance and Repairs.** Tenant shall, at its sole cost and expense, keep and maintain the Premises, including without limitation, the roof, exterior, foundation, structural and operational parts (cooling, heating, air conditioning, plumbing equipment and fixtures), paving and landscaping, snow and ice removal, interior maintenance (floors, doors, toilets, light replacements, etc.), and all other elements or systems of the Premises, in a condition and repair similar to its original condition and repair, reasonable wear and tear excepted. Replacement and repair parts, materials, and equipment used by Tenant to fulfill its obligations hereunder shall be a quality equivalent to those initially installed within the Premises. All repair and maintenance work shall be done in accordance with the then existing federal, state, and local laws, regulations and ordinances pertaining thereto. Landlord shall have no obligation whatsoever with respect to the maintenance and repair of the Premises.

Section 8. **Indemnity and Insurance.** Tenant shall indemnify Landlord for, defend Landlord against, and save Landlord harmless from any liability, loss, cost, injury, damage, or other expense that may occur or be claimed by or with respect to any person or property on or about the Premises resulting from the use, misuse, occupancy, possession, or unoccupancy of the Premises by Tenant, its agents, employees, licensees, invitees or guests. Except where any loss, cost, injury or damage is the result of Landlord's sole fault or negligence, Landlord shall not have any liability for any loss, cost, injury or damage to the Premises, to Tenant or Tenant's employees, agents, licensees, invitees or guests or to any property of such persons. Landlord shall not be responsible or liable for loss or damage to the contents of any improvements on the Premises, regardless of who owns the contents and regardless of how or by whom the loss or damage is caused.

At its sole cost and expense, Tenant shall obtain and thereafter maintain in full force and effect, at all times during the lease term and any extension thereof, the following insurance with respect to the Premises:

(a) Comprehensive liability insurance having limits of not less than $500,000 for bodily injury or death to one person, $500,000 for bodily injuries or death arising out of one occurrence, and $200,000 for property damage;
(b) Fire and extended coverage insurance in an amount equal to at least 85 percent of the current replacement value of the Premises, which replacement value shall be redetermined by Landlord at the beginning of each year of the lease term and any extension thereof.

Each insurance policy shall be issued by a responsible insurance company acceptable to Landlord which company shall be authorized to do business in Ohio. Tenant shall furnish Landlord with memorandum copies of such insurance policies prior to the commencement of the lease term.

Section 9. Alterations and Improvements. Tenant shall have the right to make, at no expense to Landlord, improvements, alterations, or additions (hereinafter collectively referred to as "Alteration") to the Premises, whether structural or nonstructural, interior or exterior, provided that:

(a) No alterations shall be made without the prior written consent of Landlord which consent shall not be unreasonably withheld;
(b) No alteration shall reduce or otherwise impair the value of the Premises;
(c) No alteration shall be commenced until Tenant has first obtained and paid for all required permits and authorizations of all governmental authorities having jurisdiction with respect to such alterations;
(d) Any alterations shall be made in good workmanlike manner and in compliance with all laws, ordinances, regulations, codes, and permits;
(e) Tenant shall hold Landlord harmless from and against any liens and claims for work, labor, or materials supplied to the Premises at the direction of Tenant, and in the event that any such liens or claims shall be filed for work, labor, or materials supplied to the Premises at the direction of Tenant, Tenant shall, at Landlord's option, either escrow an amount equal to the amount of the lien or claim being filed, or obtain a bond for the protection of the Landlord in an amount not less than the amount of the lien being filed, and;
(f) Any alteration shall become and remain the property of Landlord unless Landlord otherwise agrees in writing.
(g) Any alteration shall preserve and maintain the structure in accordance with the recommended approaches in "The Secretary of the Interior's Standards for Rehabilitation of Historic Buildings" as required in the deed from the State of Ohio to the City of Athens, found in OR, Volume 38, Page 180.

Section 10. Signs. Tenant shall have the right to install and operated, at its sole cost and expense, any sign or signs on the Premises which shall not be in violation of any law, statute or ordinance, and Tenant shall have the right to remove the same, provided that Tenant must repair any damage to the Premises caused by such removal.

Section 11. Damage to Premises. If by fire or other casualty the Premises are destroyed or damaged to the extent that Tenant is deprived of occupancy or use of the Premises, meaning such destruction cannot be repaired or restored within 120 days of the occurrence of the fire or other casualty, Landlord may elect to:

(a) Cause the restoration of the Premises to substantially the same condition as existed before such damage or destruction; or
(b) Cancel this Lease as of the date of such fire or casualty by giving written notice to Tenant not more than 30 days thereafter.

Section 12. Default. If the Tenant fails to pay any installment of rent or make any other payment required to be made by Tenant when the same shall become due and payable hereunder, or if Tenant fails to observe and perform any other provision, covenant, or condition of this Lease required under this Lease to be observed and performed by Tenant within 15 days after Landlord shall have given notice to Tenant of the failure of Tenant to observe and perform the same, or if Tenant abandons or vacates the Premises during

the continuance of this Lease, or if Tenant makes an assignment for the benefit of creditors or enters into a composition agreement with its creditors, or if the interest of Tenant in the Premises is attached, levied upon, or seized by legal process, or if this Lease is assigned in violation of the terms hereof of is terminated by operation of law, then, in any such event, immediately or any time thereafter, at the option of Landlord, Landlord shall, as it elects, either:

(a) Declare this lease to be in default, in which event this Lease shall immediately cease and terminate, and Landlord may possess and enjoy the Premises as though this Lease has never been made, without prejudice, however, to any and all rights of action when Landlord may have against Tenant for rent and other charges payable by Tenant hereunder (both past due and future rent due Landlord and past due and future charges payable by Tenant), damages, or breach of covenant, in respect to which Tenant shall remain and continue liable notwithstanding such termination; or

(b) Relet the Premises, or any part thereof, for such term or terms and on such conditions, as Landlord deems appropriate for and on behalf of Tenant, for the highest rental reasonably attainable in the judgment of Landlord, which reletting shall not be considered as a surrender or acceptance back of the Premises or a termination of this lease.

Section 13. Severability. If any provision of this Agreement shall be held or made invalid by a court decision, statute or rule, or shall be otherwise rendered invalid, the remainder of this Agreement shall not be affected thereby.

Section 14. Notices. All notices required or permitted under this lease shall be in writing and delivered personally or sent by certified mail, return receipt requested, to the following addresses:

Landlord: Service Safety Director
8 E. Washington Street
Athens, Ohio 45701

Tenant: Boone Troyer
Executive Director
The Athens County Convention and Visitors Bureau
667 E. State Street
Athens, Ohio 45701

Section 15. Governing Law. This lease shall be governed by and construed in accordance with the laws of the State of Ohio.

IN WITNESS WHEREOF, the Tenant and the Landlord have set their hands to duplicates hereof this _____ day of _____, 2025.

ATHENS COUNTY CONVENTION AND VISITORS BUREAU:

_____
Boone Troyer, Executive Director, Athens County Convention and Visitor's Bureau

STATE OF OHIO)
) ss:
ATHENS COUNTY)

Sworn to and subscribed before me a Notary public by _____, Executive Director of Athens County Convention and Visitors Bureau, this _____ day of _____, 2025.

_____
Notary Public

CITY OF ATHENS:

_____
Steve Patterson, Mayor, City of Athens

STATE OF OHIO)
) ss:
ATHENS COUNTY)

Sworn to and subscribed before me a Notary public by _____, Mayor, City of Athens, Ohio, this _____ day of _____, 2025.

_____
Notary Public

Approved as to Form:

_____ _____
Lisa Eliason, Athens City Law Director Date