



AGENDA
ATHENS CITY COUNCIL
MONDAY, SEPTEMBER 15, 2025 AT 7:00 PM

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

1. Establish Quorum

2. Disposition of Minutes:

- Regular Session of City Council held August 18, 2025
- Regular Session of City Council held September 2, 2025

3. Communications

4. Reports and Communications from Other Elected Officials

5. Ordinances for Third Reading:

0-82-25

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE TITLE 9, GENERAL REGULATIONS, CHAPTER 9.10, CUTTING WEEDS, SECTION 9.01.05, COSTS.

Introduced by Council Member McCarey

0-83-25

AN ORDINANCE AMENDING TITLE 9, GENERAL REGULATIONS, CHAPTER 9.01, ANIMALS, SECTION 9.01.01(E), ANIMALS AT LARGE.

Introduced by Council Member McCarey

0-84-25

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 7, TRAFFIC CODE, CHAPTER 7.05, PARKING REGULATIONS.

Introduced by Council Member Spjeldnes

0-85-25

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE TITLE 9, GENERAL REGULATIONS, CHAPTER 9.12, STREETS AND SIDEWALKS, SECTION 9.12.18, MATERIALS ON STREET OR SIDEWALK.

Introduced by Council Member Spjeldnes

0-87-25

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE TO REMOVE GENDERED LANGUAGE AND REPLACE WITH GENDER NEUTRAL LANGUAGE.

Introduced by All Members of Council

0-88-25

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PARTICIPATION AGREEMENT IN THE NEW NATIONAL OPIOIDS PURDUE DIRECT SETTLEMENT, AND ACKNOWLEDGING THAT ALLOCATION AND DISTRIBUTION OF POTENTIAL SETTLEMENT FUNDS WILL BE PURSUANT TO THE GOVERNMENTAL ENTITY AND SHAREHOLDER DIRECT SETTLEMENT AGREEMENT (GESA) AVAILABLE AT [HTTPS://NATIONALOPIOIDSETTLEMENT.COM/PURDUE-SACKLERS-SETTLEMENTS/](https://nationalopioidsettlement.com/purdue-sacklers-settlements/); AND DECLARING AN EMERGENCY.

Introduced by All Members of Council

6. Ordinances for Second Reading:

0-80-25

AN ORDINANCE DECLARING PROPERTIES LOCATED AT 25 CENTRAL AVENUE AND 458 RICHLAND AVENUE NO LONGER NEEDED FOR A MUNICIPAL PURPOSE; AND AUTHORIZING THE MAYOR TO SELL SAID PROPERTIES TO ANOTHER POLITICAL SUBDIVISION.

Introduced by Council Member Risner

0-86-25

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED.

Introduced by All Members of Council

0-89-25

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A COMBINED PARTICIPATION AGREEMENT IN THE NEW NATIONAL OPIOID SETTLEMENT SECONDARY MANUFACTURERS WITH ALVOGEN, AMNEAL, APOTEX, HIKMA, INDIVIOR, MYLAN, SUN, AND ZYDUS, AND ACKNOWLEDGING THAT ALLOCATION AND DISTRIBUTION OF POTENTIAL SETTLEMENT FUNDS WILL BE PURSUANT TO THE GOVERNMENTAL ENTITY AND SHAREHOLDER DIRECT SETTLEMENT AGREEMENT (GESA) AVAILABLE AT [HTTPS://NATIONALOPIOIDSETTLEMENT.COM/](https://nationalopioidsettlement.com/); AND DECLARING AN EMERGENCY.

Introduced by All Council Members

0-90-25

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE AND ACCEPT BIDS, AND ENTER INTO A LEASE AGREEMENT WITH THE HIGHEST BIDDER FOR THE FORMER FIRE DEPARTMENT HEADQUARTERS ON COLUMBUS ROAD.

Introduced by Council Member McCarey

0-94-25

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 29, HOUSING REGULATIONS, CHAPTER 29.03, RENTAL DWELLING, SHORT TERM RENTAL, AND HOUSING PERMIT, SECTION 29.03.05, AUTHORIZED AGENT, AND TITLE 1, CHAPTER 29.03.

Introduced by Council Member Swank

0-95-25

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY USE PERMIT AT 22 WEST STIMSON AVENUE TO PLACE AN IN-GROUND SIGN IN FRONT OF THE BUILDING IN THE CITY'S RIGHT-OF-WAY.

Introduced by Council Member Swank

7. Ordinances for First Reading:

0-96-25

AN ORDINANCE AMENDING THE 2025 APPROPRIATION ORDINANCE 115-24.

Introduced by Council Member McCarey

0-97-25

AN ORDINANCE AMENDING ORDINANCE 104-24 TO CAPTURE ALL PHASES OF DESIGN, CONSTRUCTION, AND CONSTRUCTION ENGINEERING OF THE CITY SEWER SYSTEM IMPROVEMENTS, PROJECT #330; AND DECLARING AN EMERGENCY.

Introduced by Council Member McCarey

0-98-25

AN ORDINANCE AMENDING ORDINANCE 130-24; AUTHORIZING A WATERLINE REPLACEMENT ON FACTORY STREET.

Introduced by Council Member Thomas

0-99-25

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

Introduced by Council Member Thomas

8. Announcements & Other Business:

- Motion to Approve the August 2025 Financial Reports
- Motion to Approve the July 2025 Credit Card Transactions

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

10. 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.

0-82-25

Introduced by Micah McCarey, Chair
City and Safety Services Committee

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE
TITLE 9, GENERAL REGULATIONS, CHAPTER 9.10, CUTTING WEEDS, SECTION
9.01.05, COSTS.

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

SECTION I: Athens City Code, Title 9, General Regulations, Chapter 9.10,
Cutting Weeds, Section 9.10.05, Costs, is hereby amended to read as follows:

The code enforcement office shall keep accurate record of the cost of such
cutting and shall immediately cause to be sent to the proper person as required by
Section 731.53 of the Ohio Revised Code a statement for such cost of each cutting be
immediately due and payable.

~~The minimum fee to be charged shall in no case be less than \$100.00 for the
first hour or portion thereof, and a maximum of \$50.00 for each additional hour or
portion thereof.~~ Fees shall be set by separate ordinance.

A second notice of payment due may be sent not later than the first day of
October each year for the total cost of each and every cutting not paid, which shall be
immediately due and payable.

All payments received shall be credited to the general fund, but no payments
shall be accepted after the certification to the county auditor as hereinafter provided.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-83-25

Introduced by Micah McCarey, Chair
City and Safety Services Committee

AN ORDINANCE AMENDING TITLE 9, GENERAL REGULATIONS, CHAPTER 9.01, ANIMALS, SECTION 9.01.01(E), ANIMALS AT LARGE.

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

SECTION I: Athens City Code, Title 9, General Regulations, Chapter 9.01, Animals, Section 9.01.01(E), Animals at Large, is hereby amended to read as follows:

(E) The service-safety director shall supply code enforcement officers, police officers, parking enforcement, and dog warden with citation tickets for the purpose of notice to persons violating Section 9.01.01(A), (B), or (D). The notice may be given by delivering such ticket to the violator or by affixing it to the dwelling unit housing said violator. The ~~penalty~~ **citation** for violating Section 9.01.01 (A), (B), or (D), shall be ~~\$20.00, for the first offense; \$30.00, for the second offense; and \$40.00, for the third offense, and subsequent offenses shall be charged as a minor misdemeanor.~~ **set by separate ordinance.** Whoever violates Section 9.01.01(C) shall, upon conviction, be guilty of a minor misdemeanor as defined in Section 2929.21 of the Ohio Revised Code.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-84-25

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 7, TRAFFIC CODE,
CHAPTER 7.05, PARKING REGULATIONS.

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

SECTION I: Athens City Code, Title 7, Traffic Code, Chapter 7.05, Parking Regulations, Section 7.05.18, Construction of Meters and Signs for Pay Parking, is hereby amended to include the following:

(C) The fee for City contractor bags shall be established by separate ordinance.

SECTION II: Athens City Code, Title 7, Traffic Code, Chapter 7.05, Parking Regulations, Section 7.05.26, Regulation of City Parking Garage is hereby amended to read as follows:

(A) The service-safety director of the city, unless the council of the city shall direct otherwise, is empowered to regulate, control, police and maintain parking facilities as they may deem necessary for the proper control of the parking lot on Inlot No. 89 on Washington Street, the City of Athens, Ohio.

(B) The city parking garage rates are established by separate ordinance. Regulations are established as follows:

(1) Reserved space parking is restricted to levels lower B, upper B, and lower 1 only.

(2) ~~Except for elected officials, e~~ Employees of the city whose primary duty-work site is in City Hall, City Hall Annex, the city parking garage or a downtown office leased by the city may park on level 3 or above without charge in the city parking garage during official work time only. This privilege applies only to permanent employees and does not apply to vehicles operated by other than city employees.

(3) **Elected Officials of the City of Athens may park without charge in the City Parking Garage during meeting times and while on official business.** ~~It shall be unlawful to park a motor vehicle in a metered space for more than two consecutive hours on level 1 upper or any metered pay parking space, signed or bagged as two-hour limit within the parking garage. Said vehicle must be~~

~~moved from its present parking space to a parking space that is not marked, signed or bagged as a two-hour limit.~~

(4) Members of City Boards and Commissions and their support staff whose primary meeting location is in City Hall may park without charge in the City Parking Garage during meeting times only.

(C) The provisions relating to city parking garage rates apply 24 hours per day, Monday through Saturday. Sundays, and holidays, and dates determined by the Service-Safety Director are exempt from charges.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-85-25

Introduced by Solveig Spjeldnes, Chair
Transportation Committee

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE
TITLE 9, GENERAL REGULATIONS, CHAPTER 9.12, STREETS AND SIDEWALKS,
SECTION 9.12.18, MATERIALS ON STREET OR SIDEWALK.

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

SECTION I: Athens City Code, Title 9, General Regulations, Chapter 9.12, Streets and Sidewalks, Section 9.12.18, Materials on Street or Sidewalk, is hereby amended to add Sections (G) and (H):

(G) No dumpsters, moving pods, or construction trailers may be set on sidewalks or public streets without first being permitted by the Service-Safety Director or their designee. The fees for said permits shall be established by separate ordinance.

(H) No temporary closure of any street, alley, or sidewalk may be allowed unless permitted by the Service-Safety Director or their designee. Any temporary closure request shall include a pedestrian and vehicle maintenance of traffic plan and follow the Manual on Uniform Traffic Control Devices (MUTCD). Sidewalks closed for extended periods must be appropriately barricaded and signed. Special event street closures are not regulated by this section. The fee for the temporary closure of any street, alley, or sidewalk per day shall be established by separate ordinance.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-87-25

Introduced by All Members of Council

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ATHENS CITY CODE TO REMOVE GENDERED LANGUAGE AND REPLACE WITH GENDER NEUTRAL LANGUAGE.

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

SECTION I: In all places where Athens City Code has gendered language, i.e. He/Him/She/Her, the following code sections are being amended to remove such language and replaced with They/Them/Their.

7.03.07.1(H)(2) - ...the person's initial appearance on the charge resulting from the arrest shall be held within five days of the person's arrest or the issuance of the citation to ~~him or her~~ **them**...

7.04.54(A) - ...less than 15 feet from the nearest rail of the railroad, and shall not proceed until ~~he~~ **they** can do so safely. The foregoing requirements shall apply when:

7.09.99(J) - ...guilty of a first offense for a violation of Section 7.04.01 of the Athens City Code upon a finding that ~~he~~ **they** operated a motor vehicle faster than 35 miles an hour in a business district of a municipal...

9.01.06 - Whenever the mayor or the board of health shall deem it necessary for the protection of the public, ~~he or it~~ **the mayor or board** shall issue an order prohibiting...

9.06.08(D)(2) - ...or campground by presenting identification that falsely indicates that ~~he is~~ **they** are 21 years of age or older for the purpose of violating this section.

11.08.03(A) - The trade name under which ~~he~~ **the person** intends to do business;

13.03.04(A) - No person with purpose to defraud or knowing that ~~he is~~ **they** are facilitating a fraud, shall do either of the following:

13.03.21(A) - No person, knowing ~~he has~~ **they** have no privilege to do so, and with purpose to defraud or knowing that they are facilitating a fraud...

15.01.02(U) – “Nonresident”: An individual living outside the city, or domiciled outside the city. A domicile is a principal residence that the taxpayer intends to use for an indefinite time, and to which whenever ~~he is~~ **they** are absent, ~~he~~ intends to return. A taxpayer has only one domicile even though ~~he~~ **they** may have more than one residence.

15.02.09(C)(2) - Once a taxpayer has filed under a substitute method, ~~he~~ **they** must continue to file until given permission to change by the administrator.

15.03.07 - The tax administrator, if ~~he~~ **they** deems it necessary in order to insure the payment of the tax imposed by this chapter...

15.03.08 - ...the vendor shall be personally liable for any amount collected which ~~he~~ **they** failed to remit.

17.03.07 - Any vendor who fails to file a return under this chapter shall, for each day ~~he~~ **they** so fails, forfeit and pay into the city treasury the sum of \$100.00.

17.03.08 - ...the vendor shall be personally liable for any amount collected which ~~he~~ **they** failed to remit.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-88-25

Introduced by All Council Members

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PARTICIPATION AGREEMENT IN THE NEW NATIONAL OPIOIDS PURDUE DIRECT SETTLEMENT, AND ACKNOWLEDGING THAT ALLOCATION AND DISTRIBUTION OF POTENTIAL SETTLEMENT FUNDS WILL BE PURSUANT TO THE GOVERNMENTAL ENTITY AND SHAREHOLDER DIRECT SETTLEMENT AGREEMENT (GESA) AVAILABLE AT [HTTPS://NATIONALOPIOIDSETTLEMENT.COM/PURDUE-SACKLERS-SETTLEMENTS/](https://nationalopioidsettlement.com/purdue-sacklers-settlements/); AND DECLARING AN EMERGENCY.

WHEREAS, the City of Athens, Ohio (herein "Municipality") is a municipal entity formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, Council wishes to agree to the material terms of the proposed New National Opioids Settlement Agreement;

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

SECTION I: Athens City Council does hereby authorize the Mayor to execute a Participation Agreement in the New National Opioid Settlement with Purdue Direct Settlement, acknowledging allocation and distribution of potential settlement funds pursuant to the terms of the Governmental Entity and Shareholder Direct Settlement Agreement (GESA), a copy of the Subdivision Participation and Release Form is attached hereto and incorporated herein by reference.

SECTION II: It is found and determined that all formal actions of the Council relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION III: This Ordinance shall be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of the City of Athens, Ohio, in order to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio, and it shall be in full force and effect upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

EXHIBIT K**Subdivision Participation and Release Form**

Governmental Entity: Athens city	State: OH
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to that certain Governmental Entity & Shareholder Direct Settlement Agreement accompanying this participation form (the “*Agreement*”)¹, and acting through the undersigned authorized official, hereby elects to participate in the Agreement, grant the releases set forth below, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Agreement, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the Agreement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly after the Effective Date, and prior to the filing of the Consent Judgment, dismiss with prejudice any Shareholder Released Claims and Released Claims that it has filed. With respect to any Shareholder Released Claims and Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopiodsettlement.com>.
3. The Governmental Entity agrees to the terms of the Agreement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the Agreement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning following the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Agreement solely for the purposes provided therein.
6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity’s state where the Consent Judgment is filed for purposes limited to that court’s role as and to the extent provided in, and for resolving disputes to the extent provided in, the

¹ Capitalized terms used in this Exhibit K but not otherwise defined in this Exhibit K have the meanings given to them in the Agreement or, if not defined in the Agreement, the Master Settlement Agreement.



Agreement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Agreement.

7. The Governmental Entity has the right to enforce the Agreement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Agreement, including without limitation all provisions of Article 10 (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in his or her official capacity whether elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Subdivision Releasor, to the maximum extent of its authority, for good and valuable consideration, the adequacy of which is hereby confirmed, the Shareholder Released Parties and Released Parties are, as of the Effective Date, hereby released and forever discharged by the Governmental Entity and its Subdivision Releasors from: any and all Causes of Action, including, without limitation, any Estate Cause of Action and any claims that the Governmental Entity or its Subdivision Releasors would have presently or in the future been legally entitled to assert in its own right (whether individually or collectively), notwithstanding section 1542 of the California Civil Code or any law of any jurisdiction that is similar, comparable or equivalent thereto (which shall conclusively be deemed waived), whether existing or hereinafter arising, in each case, (A) directly or indirectly based on, arising out of, or in any way relating to or concerning, in whole or in part, (i) the Debtors, as such Entities existed prior to or after the Petition Date, and their Affiliates, (ii) the Estates, (iii) the Chapter 11 Cases, or (iv) Covered Conduct and (B) as to which any conduct, omission or liability of any Debtor or any Estate is the legal cause or is otherwise a legally relevant factor (each such release, as it pertains to the Shareholder Released Parties, the “Shareholder Released Claims”, and as it pertains to the Released Parties other than the Shareholder Released Parties, the “Released Claims”). For the avoidance of doubt and without limiting the foregoing: the Shareholder Released Claims and Released Claims include any Cause of Action that has been or may be asserted against any Shareholder Released Party or Released Party by the Governmental Entity or its Subdivision Releasors (whether or not such party has brought such action or proceeding) in any federal, state, or local action or proceeding (whether judicial, arbitral, or administrative) (A) directly or indirectly based on, arising out of, or in any way relating to or concerning, in whole or in part, (i) the Debtors, as such Entities existed prior to or after the Petition Date, and their Affiliates, (ii) the Estates, (iii) the Chapter 11 Cases, or (iv) Covered Conduct and (B) as to which any conduct, omission or liability of any Debtor or any Estate is the legal cause or is otherwise a legally relevant factor.
9. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Shareholder Released Claims or Released Claims against any Shareholder Released Party or Released Party in any forum whatsoever, subject in all respects to Section 9.02 of the Master Settlement Agreement. The releases provided for herein (including the term “Shareholder Released



Claims” and “Released Claims”) are intended by the Governmental Entity and its Subdivision Releasers to be broad and shall be interpreted so as to give the Shareholder Released Parties and Released Parties the broadest possible release of any liability relating in any way to Shareholder Released Claims and Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Agreement shall be a complete bar to any Shareholder Released Claim and Released Claims.

10. To the maximum extent of the Governmental Entity’s power, the Shareholder Released Parties and the Released Parties are, as of the Effective Date, hereby released and discharged from any and all Shareholder Released Claims and Released Claims of the Subdivision Releasers.
11. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Agreement.
12. In connection with the releases provided for in the Agreement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releaser may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Shareholder Released Claims or such other Claims released pursuant to this release, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Shareholder Released Claims or such other Claims released pursuant to this release that may exist as of such date but which Releasers do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities’ decision to participate in the Agreement.

13. Nothing herein is intended to modify in any way the terms of the Agreement, to which Governmental Entity hereby agrees. To the extent any portion of this Participation and Release Form not relating to the release of, or bar against, liability is interpreted differently from the Agreement in any respect, the Agreement controls.
14. Notwithstanding anything to the contrary herein or in the Agreement, (x) nothing herein shall (A) release any Excluded Claims or (B) be construed to impair in any way the rights and obligations of any Person under the Agreement; and (y) the Releases set forth herein shall be subject to being deemed void to the extent set forth in Section 9.02 of the Master Settlement Agreement.



I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



0-80-25

Introduced by Jeff Risner, Chair
Finance & Personnel Committee

AN ORDINANCE DECLARING PROPERTIES LOCATED AT 25 CENTRAL AVENUE AND 458 RICHLAND AVENUE NO LONGER NEEDED FOR A MUNICIPAL PURPOSE; AND AUTHORIZING THE MAYOR TO SELL SAID PROPERTIES TO ANOTHER POLITICAL SUBDIVISION.

WHEREAS, said properties were purchased initially to create affordable housing opportunities; and

WHEREAS, the City has historically allowed the Athens Metropolitan Housing Authority to manage the properties for that purpose; and

WHEREAS, the City has determined the properties would better meet the original intent if transferred to a different political subdivision;

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

SECTION I: Athens City Council hereby declares the properties located at 25 Central Avenue, Parcel #'s A028020005000 and A028020005100, and 458 Richland Avenue, Parcel # A029090003900, no longer needed for a municipal purpose, copies of the General Warranty Deeds are attached hereto and incorporated herein by reference.

SECTION II: The Mayor is hereby authorized to sell said properties at 25 Central Avenue and 458 Richland Avenue to the Athens Metropolitan Housing Authority, another political subdivision, for the sum of Two Hundred Seventy-Five Thousand Six Hundred Ten Dollars (\$275,610.00).

SECTION III: The following deed restriction shall be included as part of the sale:

1. Should Athens Metropolitan Housing Authority wish to sell the property, the City of Athens shall have the right of first refusal.

SECTION IV: The City Auditor is hereby directed to receipt the proceeds from the sale of the properties into CDBG Fund, 248, then appropriated into 248, T.C. 600, and transferred into the ACIC Fund, 906, upon completion of the sale.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-86-25

Introduced by All Members of Council

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 1, GENERAL PROVISIONS, CHAPTER 1.03, CODE FEES ESTABLISHED.

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

SECTION I: Effective January 1, 2026, certain sections of Athens City Code Title 1, General Provisions, Chapter 1.03, Code Fees Established, are hereby amended to read as attached hereto and incorporated herein by reference.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

Section [5.02.03](#)(D), Citation for garbage and rubbish violation.

~~\$50.00~~ **\$75.00** for first offense

~~\$75.00~~ **\$100.00** for second offense

~~\$100.00~~ **\$125.00** for third offense

~~\$125.00~~ **150.00** for fourth offense

~~\$150.00~~ **\$175.00** for fifth and subsequent offenses

Section [5.03.04](#), Water rates.

\$35.00 Transfer/turn on charge.

An additional ten percent shall be added to water bills not paid on or before the due date. Additional fees shall be charged for the following:

\$15.00 Red tag fee

\$40.00 Delinquency turn-on penalty

\$33.00 Non-sufficient funds charge

~~\$100.00~~ **\$50.00** After hours turn on

\$50.00 After hours turn off

Customers served outside the corporation limits of the City of Athens, Ohio, shall be charged the above rates, plus an additional 20 percent.

[Section 5.04.08](#), Sewer Rates.

Residential	\$6.18	\$6.24
Commercial	\$6.99	\$7.20
Industrial	\$7.71	\$7.94

The monthly base rate charge is as follows:

Base Rate per 1000 gallons (metered amounts as noted above)		Monthly Base Rate Charge	
0	- 15	\$ 32.28	\$ 32.60
16	- 50	\$ 55.81	\$ 57.48
51	- 100	\$ 143.40	\$ 147.70
101	- 200	\$ 231.15	\$ 238.08
201	- 500	\$ 444.38	\$ 457.71
501	- 1000	\$ 914.37	\$ 941.80
1001	- 2500	\$1,614.06	\$1,662.48
2501	- 5000	\$1,991.94	\$2,051.70
5000+		\$2,555.01	\$2,627.54

Section [5.04.09](#), Cost of sewer connection.

\$3,000.00 per equivalent EPA residential unit, plus labor and costs for installation of new sanitary sewer taps/connections, or when a new development is unclear about the occupancy/use of the building and it is not possible to calculate equivalent single-family homes (ESFH), the administration may choose to apply the following schedule. As with the ESHF method, credit may be granted for existing uses.

Domestic Water Tap Size (in)	Water capacity fee	Sewer Capacity Fee
5/8 or 3/4	\$ 1,300	\$ 3,000
1	\$ 2,200	\$ 5,000
1½	\$ 4,500	\$ 10,000
2	\$ 7,000	\$ 16,000
3	\$ 14,000	\$ 32,000
4	\$ 22,800	\$ 50,000
6	\$ 43,600	\$ 100,000
8	\$ 69,800	\$ 160,000
10	\$ 100,000	\$ 231,000
12	\$ 187,000	\$ 432,000

Note on fire suppression taps – if a building requires a larger tap due to fire suppression, the water capacity fee shall be one half of the rate shown above, and the sewer capacity fee shall be based upon the size of the domestic water tap needed if fire suppression were not being installed.

Section 7.05.18(C)

Contractor bags shall cost ~~\$8.00~~ \$15.00 per day.

~~Section 7.05.22, Pay parking, regulations and penalties.~~

Section [7.05.22\(A\)](#), City pay parking rates.

High intensity zones shall cost \$1.25 per hour (\$0.25 per 12 minutes);

Moderate intensity zones shall cost \$1.00 per hour (\$0.25 per 15 minutes);

Low intensity zones and all accessible parking spaces shall cost \$0.75 per hour (\$0.25 per 20 minutes);

Single space short term parking meters shall be not more than a 20-minute time limit and shall cost \$0.75 per 20 minutes (\$0.40 per 10 minutes)

~~Contractor bags shall cost \$8.00 Per day.~~

The following rates shall be in effect upon implementation of the new parking garage system and removal of the parking meters:

Section [7.05.26\(B\)](#), Rates and regulations.

0-1 hours - \$1.00 regardless of time

1-10 hours - \$1.00 per hour, or any portion thereof, up to 10 hours

10-24 hours – day rate of \$20.00 Resets to the hourly rate after 24 hours

\$175.00 per month for Parking Garage Reserved Spaces plus any transactional fees

\$150.00 per month for Parking Garage Non-Reserved Spaces plus any transactional fees per space

The Service-Safety Director may introduce a Commerce Validation Discount Program to promote businesses in the uptown area.

The service-safety director is hereby authorized to enter into written agreements to lease multiple non-reserved parking spaces, and offer an appropriate discount. However, the minimum cost per space may not be less than \$100.00 plus any transactional fees.

The following rates and regulations shall be repealed upon implementation of the new parking garage system and removal of the parking meters:

7.05.26. - Regulation of city parking garage.

(B), Rates and regulations

(1) \$1.00 per hour and \$0.25 cents per 15 minutes.

(2) Card system charges will be \$1.00 per hour and refunds will be in 20-minute increments.

(3) \$150.00 per month to reserve a space on levels Lower B, Upper B, and Lower 1.

(4) \$125.00 plus any transactional fees per space per month for up to 150 non-reserved spaces above Level 3.

Section 9.01.01(E), Animals at large.

\$75.00 for first offense.

\$100.00 for second offense.

\$125.00 for third offense.

150.00 for fourth offense.

\$175.00 for fifth and subsequent offenses.

Section 9.10.05, Costs.

Minimum fee = No less than \$100 for the first hour or portion thereof, and a maximum of \$50 for each additional hour or portion thereof.

Section 9.12.03, Opening permit required.

~~\$400~~ \$125, Opening permit into ROW

Section 9.12.18 (G), Temporary Dumpsters.

\$15 for temporary dumpster, moving pod, or construction trailer per week. Meter fees may apply if parked in a metered parking space.

Section 9.12.18 (H), Temporary Street/Alley/Sidewalk Closure.

\$25 for temporary closure of any street, alley, or sidewalk per day.

Section [11.10.04](#), Annual Fee.

~~\$100.00~~ **\$125.00** Contractor Registration

Section [13.07.07](#), Citation for littering violation.

~~\$50.00~~ **\$75.00** for first offense

~~\$75.00~~ **\$100.00** for second offense

~~\$100.00~~ **\$125.00** for third offense

~~\$125.00~~ **\$150.00** for fourth offense

~~\$150.00~~ **\$175.00** for fifth and subsequent offenses

Section [21.02.08](#), Fees.

~~\$100.00~~ **\$150.00** Minor lot split

Section, [23.03.13\(M\)](#), Sign Application & Permit.

Sign permit – Permanent ~~\$400~~ **\$150**

Sign permit – Temporary ~~\$50~~ **\$75**

Section [23.06.02](#)(~~H~~ **E**), Fees.

\$80.00 Application fee

\$100.00 Use permit

~~\$150.00~~ **\$175** New construction permit, plus \$.10 per square foot of gross floor area

~~\$100.00~~ **\$125** Alteration permit, plus \$1.50 per thousand dollars of improvement or portion thereof

\$100.00 Accessory structure permit, **plus \$1.50 per thousand dollars of improvement**

Section [23.07.08\(D\)\(4\)](#), Application and standards for variances.

Zoning board variance request - ~~\$100~~ **\$125** plus advertising costs.

Section [25.03.04](#)(F), Floodplain **Development**.

~~\$100.00~~ **\$125.00** Land Permit Application

Section [29.02.03\(J\)](#), Inspections.

Failure to appear for a scheduled inspection - ~~\$25.00~~ **\$40.00** per unit

Section [29.12.02](#), Citation for Sanitary Violation.

~~\$50.00~~ **\$75.00** for first offense

~~\$75.00~~ **\$100.00** for second offense

~~\$100.00~~ **\$125.00** for third offense

~~\$125.00~~ **\$150.00** for fourth offense

~~\$150.00~~ **\$175.00** for fifth and subsequent offenses

Section [37.02.04](#), Native and pollinator – Friendly program.

Registration fee \$25.00

Section [41.04 \(B\)](#), Procedure for approval.

~~\$125.00~~ **\$150.00** Application fee

Section [45.07\(B\)\(1\)](#), Historic preservation design review application.

~~\$70~~ **\$100** **Application fee**

Section [49.03.01](#), Special right-of-way permit.

~~\$50.00~~ **\$75.00** Application permit fee

Section [49.03.02](#), Certificate of registration application.

Registration certificate \$50.00

Micro-wireless cell tower permit ~~\$75.00~~ **\$100**

Introduced by All Council Members

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A COMBINED PARTICIPATION AGREEMENT IN THE NEW NATIONAL OPIOID SETTLEMENT SECONDARY MANUFACTURERS WITH ALVOGEN, AMNEAL, APOTEX, HIKMA, INDIVIOR, MYLAN, SUN, AND ZYDUS, AND ACKNOWLEDGING THAT ALLOCATION AND DISTRIBUTION OF POTENTIAL SETTLEMENT FUNDS WILL BE PURSUANT TO THE GOVERNMENTAL ENTITY AND SHAREHOLDER DIRECT SETTLEMENT AGREEMENT (GESA) AVAILABLE AT [HTTPS://NATIONALOPIOIDSETTLEMENT.COM/](https://nationalopioidsettlement.com/); AND DECLARING AN EMERGENCY.

WHEREAS, the City of Athens, Ohio (herein "Municipality") is a municipal entity formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, Council wishes to agree to the material terms of the proposed New National Opioids Settlement Secondary Manufacturers' Agreement:

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

SECTION I: Athens City Council does hereby authorize the Mayor to execute a Combined Participation Agreement in the New National Opioid Settlements Secondary Manufacturers with Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus, acknowledging allocation and distribution of potential settlement funds, a copy of the Secondary Manufacturers' Combined Subdivision Participation and Release Form is attached hereto and incorporated herein by reference.

SECTION II: It is found and determined that all formal actions of the Council relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION III: This Ordinance shall be an emergency measure, necessary for the preservation of the public peace, health, welfare and safety of the City of Athens, Ohio, in order to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio, and it shall be in full force and effect upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

EXHIBIT K

Secondary Manufacturers' Combined Subdivision Participation and Release Form
("Combined Participation Form")

Governmental Entity: Athens city	State: OH
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to each of the settlements which are listed in paragraph 1 below (each a "Secondary Manufacturer's Settlement" and collectively, "the Secondary Manufacturers' Settlements"), and acting through the undersigned authorized official, hereby elects to participate in each of the Secondary Manufacturers' Settlements, release all Released Claims against all Released Entities in each of the Secondary Manufacturers' Settlements, and agrees as follows.

1. The Participating Entity hereby elects to participate in each of the following Secondary Manufacturers' Settlements as a Participating Entity:
 - a. Settlement Agreement for Alvogen, Inc. dated April 4, 2025.
 - b. Settlement Agreement for Apotex Corp. dated April 4, 2025.
 - c. Settlement Agreement for Amneal Pharmaceuticals LLC dated April 4, 2025.
 - d. Settlement Agreement for Hikma Pharmaceuticals USA Inc. dated April 4, 2025.
 - e. Settlement Agreement for Indivior Inc. dated April 4, 2025.
 - f. Settlement Agreement for Viatris Inc. ("Mylan") dated April 4, 2025.
 - g. Settlement Agreement for Sun Pharmaceutical Industries, Inc. dated April 4, 2025.
 - h. Settlement Agreement for Zydus Pharmaceuticals (USA) Inc. dated April 4, 2025.

2. The Governmental Entity is aware of and has reviewed each of the Secondary Manufacturers' Settlements, understands that all capitalized terms not defined in this Combined Participation Form have the meanings defined in each of the Secondary Manufacturers' Settlements, and agrees that by executing this Combined Participation Form, the Governmental Entity elects to participate in each of the Secondary Manufacturers' Settlements and become a Participating Subdivision as provided in each of the Secondary Manufacturers' Settlements.

3. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed against any Released Entity in each of the Secondary Manufacturers' Settlements. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity



Claims and extend to the full extent of the power of the Governmental Entity to release claims. Each of the Secondary Manufacturers' Settlements shall be a complete bar to any Released Claim against that manufacturer's Released Entities.

10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in each of the Secondary Manufacturers' Settlements.
11. In connection with the releases provided for in each of the Secondary Manufacturers' Settlements, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims in each of the Secondary Manufacturers' Settlements, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in each of the Secondary Manufacturers' Settlements.

12. The Governmental Entity understands and acknowledges that each of the Secondary Manufacturers' Settlements is an independent agreement with its own terms and conditions. Nothing herein is intended to modify in any way the terms of any of the Secondary Manufacturers' Settlements, to which Governmental Entity hereby agrees, aside from the exceptions in paragraph 13 below. To the extent this Combined Participation Form is interpreted differently from any of the Secondary Manufacturers' Settlements in any respect, the individual Secondary Manufacturer's Settlement controls.
13. For the avoidance of doubt, in the event that some but not all of the Secondary Manufacturers' Settlements proceed past their respective Reference Dates, all releases and other commitments or obligations shall become void *only as to* those Secondary Manufacturers' Settlements that fail to proceed past their Reference Dates. All releases and other commitments or obligations (including those contained in this Combined Participation Form) shall remain in full effect as to each Secondary Manufacturer's Settlement that proceeds past its Reference Date, and this Combined Participation Form need not be modified, returned, or destroyed as long as any Secondary Manufacturer's Settlement proceeds past its Reference Date.



I have all necessary power and authorization to execute this Combined Participation Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____



0-90-25

Introduced by Micah McCarey, Acting Chair
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE AND ACCEPT BIDS, AND ENTER INTO A LEASE AGREEMENT WITH THE HIGHEST BIDDER FOR THE FORMER FIRE DEPARTMENT HEADQUARTERS ON COLUMBUS ROAD.

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 a lease agreement with the highest bidder for the former Fire Department Headquarters located on Columbus Road.

SECTION II: Said lease shall be subject to the following conditions:

1. The Administration shall evaluate and advertise conditions and a minimum bid that ensures the City does not incur costs beyond the revenue generated by the lease under normal conditions.
2. The lease term shall be for a minimum of one-year and up to six years. A term beyond six years will require future City Council approval.

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.

ATTEST:

Clerk of Council

President of Council

APPROVED:

Mayor

0-94-25

Introduced by Alan Swank, Chair
Planning & Development Committee

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 29, HOUSING REGULATIONS, CHAPTER 29.03, RENTAL DWELLING, SHORT TERM RENTAL, AND HOUSING PERMIT, SECTION 29.03.05, AUTHORIZED AGENT, AND TITLE 1, CHAPTER 29.03.

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

SECTION I: Athens City Code, Title 29, Housing Regulations, Chapter 29.03, Rental Dwelling, Short Term Rental, and Housing Permit, Section 29.03.05, Authorized Agent, is hereby amended to read as follows:

29.03.05 ~~Authorized Agent~~ **Designated Local Emergency Contact.**

No rental dwelling, short term rental, or rooming house permit shall be issued or received unless the applicant designates, in addition to himself **themselves**, ~~an agent~~ **a designated local emergency contact** for the receipt of process pursuant to this Code. Said ~~agent~~ **local emergency contact** must be designated in writing on the application for said permit. Such ~~agent~~ **designated local emergency contact** must reside within the county. **A fee shall be established by separate ordinance for any rental, short term rental, or rooming house that is owned by a person residing 50 miles or more outside of the corporation limit. Apartment complexes with a local office manager are exempt. Rentals with a contract with a local rental management company are exempt.**

SECTION II: Athens City Code, Title 1, Chapter 1.03, Code Fee Established, Section 29.03.08, Rental permit fee, to read as follows:

Section 29.03.08, Rental permit fee.

\$175.00 per unit for up to 10 units in one building

\$100.00 per housekeeping unit or owner-occupied unit keeping renters

\$75.00 per unit for over 10 units in one building

\$100.00 per unit for over 10 units in more than one building at one location

\$40.00 per bedroom for rooming houses, or short-term rentals

\$100.00 rental permit reinstatement fee

\$25.00 per unit for each unit owned by a person or business residing 50 miles or more outside the corporation limit, in addition to standard rental permit fee

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-95-25

Introduced by Alan Swank, Chair
Planning & Development Committee

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY USE PERMIT AT 22 WEST STIMSON AVENUE TO PLACE AN IN-GROUND SIGN IN FRONT OF THE BUILDING IN THE CITY'S RIGHT-OF-WAY.

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

SECTION I: Having satisfactorily met the regulations established pursuant to Title 49, Management, Administration, and Control of the Use of the City's Public Rights-of-Way, a special right-of-way use permit is hereby granted at 22 West Stimson Avenue, owner, Ric Wasserman, Ric Wasserman Group, LLC, to place an in-ground sign in front of the building in the City's right-of-way, as indicated on the application attached hereto and incorporated herein by reference.

SECTION II: Owner Ric Wasserman, Ric Wasserman Group, LLC, shall agree to indemnify, and save the City of Athens harmless from all claims, demands, costs, expenses, real estate taxes, if any, and compensation which might arise from the encroachment of permittee upon property of the City of Athens that is the subject of this ordinance.

SECTION III: Said permit shall be subject to the following conditions:

1. This special right-of-way permit is personal in nature and will be in effect for a maximum of seven (7) years from the date of issuance unless revoked by City Council ordinance, or there is a change of ownership or use, whichever comes first.
2. Owner Ric Wasserman, Ric Wasserman Group, LLC, shall be responsible for the maintenance and upkeep of said right-of-way.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor



TITLE 49 APPLICATION

Use of the City's Public Rights of Way

In accordance with Title 49, Application Fee: "At the time that a person submits an application for Use of Right of Way Permit, such person shall pay a non-refundable application fee of \$50 payable to the City of Athens."

(For Office Use Only)

Permit # T4924-000007

Date Rec'd 9/9/2024

Applicant shall comply with all sections of Athens City Code Title 49 Right of Way. All required information shall be attached to application, including such things as but not limited to detailed site plans, a certificate of liability insurance listing City of Athens Ohio as certificate holder. Property owner shall be solely responsible for the maintenance and upkeep of said right-of-way.

Applicant Wasserman Group, LLC Phone 740-594-5722
Mailing Address 38 N. Court Street c/o The Pigskin, Athens
Email Address Ric@ThePigskin.com
Address of Project/ Site 22 W. Stimson Ave
Parcel Number _____ Zoning Designation B-3
Property Owner Wasserman Group, LLC Phone 7405945722
Property Owner Mailing Address 38 N. Court Street c/o The Pigskin, Athens
Project Description Wooden sign in the ground with the name of the building

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED AND ATTACHED REQUIRED DOCUMENTATION ARE TO THE BEST OF MY KNOWLEDGE TRUTHFUL AND ACCURATE.

By signing this application, the applicant agrees to comply with all facets of Athens City Code Title 49.

Applicant Signature [Signature] Date 8/27/24

By signing property owner agrees to indemnify, and save the City of Athens harmless from all claims, demands, costs, expenses, real estate taxes, if any, and compensation which might arise from the encroachment of permittee upon property of the City of Athens that is the subject of this application.

Property Owner Signature _____ Date 8/27/24

For Official Use Only

1. Code Enforcement Admin: Signature [Signature] Date 9/9/24

☒ Supporting Documents Attached ☒ Fee Paid Amount \$ 50

2. Code Directors Review: ☒ Approved ☐ Refused ☐ Missing Documentation

Remarks _____

Signature [Signature] Date 9-25-24

3. City Engineer Review: ☐ Approved ☐ Refused ☐ Missing Documentation

Remarks _____

Signature [Signature] Date 9-25-24

4. Service Safety Director: ☐ Approved ☐ Refused ☐ Missing Documentation

Remarks _____

Signature [Signature] Date 9/25/24

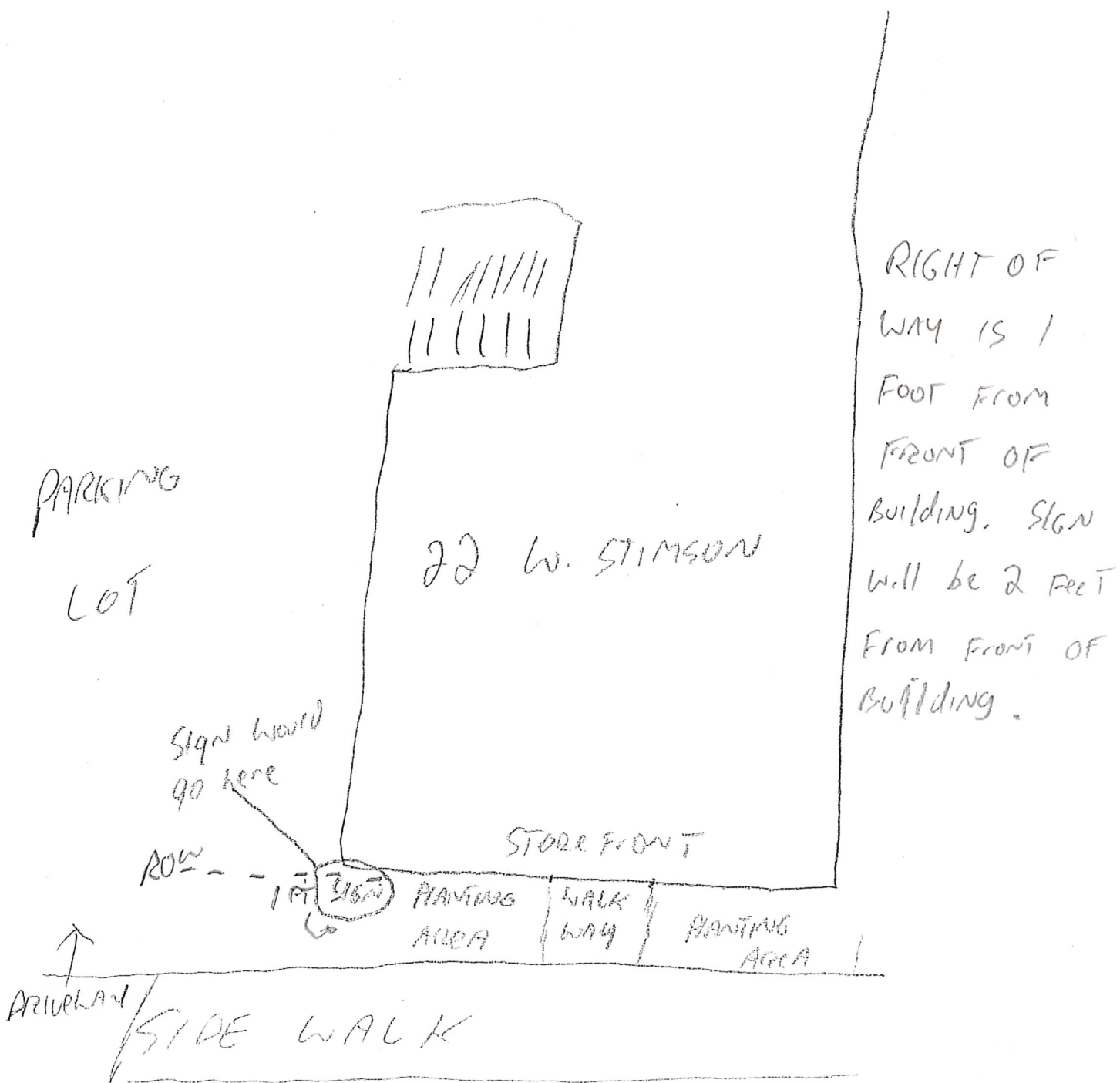
RECEIVED
SEP 10 2024
BY:



24IN

36IN

RECEIVED
SEP 20 2024
BY:





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

09/09/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER  Shawna Stump 328 West Union Street Athens OH 457012312	CONTACT NAME: Shawna Stump PHONE (A/C, No, Ext): 740-593-6882 FAX (A/C, No): E-MAIL ADDRESS: shawna.stump.l8e7@statefarm.com INSURER(S) AFFORDING COVERAGE INSURER A : State Farm Fire and Casualty Company INSURER B : INSURER C : INSURER D : INSURER E : INSURER F : NAIC # 25143
INSURED THE WASSERMAN GROUP, LLC 38 N COURT ST ATHENS OH 457012419	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD INSD	SUB WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☒ LOC OTHER:	N	N	95-AP-G486-2	10/01/2023	10/01/2024	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	☐ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y ☒ N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

CITY OF ATHENS 8 E WASHINGTON ST ATHENS OH 45701	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  This form was system-generated on 09/09/2024
--	--

© 1988-2015 ACORD CORPORATION. All rights reserved.

ACORD 25 (2016/03)

The ACORD name and logo are registered marks of ACORD

1001486 2005 155279 205 01-19-2023

0-96-25

Introduced by Micah McCarey, Acting 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 General Fund, Other Administrative, 101.120, T.C. 300, for the Ohio Governor's Imagination Library, and increasing the total appropriation 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:

APPROVED:

Clerk of Council

Mayor

0-97-25

Introduced by Micah McCarey, Acting Chair
Finance & Personnel Committee

AN ORDINANCE AMENDING ORDINANCE 104-24 TO CAPTURE ALL PHASES OF DESIGN, CONSTRUCTION, AND CONSTRUCTION ENGINEERING OF THE CITY SEWER SYSTEM IMPROVEMENTS, PROJECT #330; AND DECLARING AN EMERGENCY.

WHEREAS, the City has separated Project #330 into multiple phases in order to attract more contractors and secure better bids; and

WHEREAS, the funding source for all phases are 0% interest regionalization loans from the Ohio Water Development Authority's (ODWA) Water Pollution Control Loan Fund (WPCLF); and

WHEREAS, the City has received debt forgiveness under this program for \$8 million of the overall loan amount, which is effectively a post-construction grant; and

WHEREAS, the City must appropriate and authorize all funds required for Project #330, including those previously paid directly from OWDA to the contractor(s) for accounting purposes;

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 Seventeen Million Two Hundred Thousand Dollars (\$17,200,000.00) to Sewer Fund, Plant, 750.637, T.C. 500, for all phases of the project, and increasing the appropriations by said amount.

SECTION II: Section II of Ordinance 104-24 is hereby amended to read as follows:

(Section II) The Service Safety Director is hereby authorized to expend up to ~~Three Million Eight Hundred Ninety Four Thousand Five Hundred Sixty Five Dollars (\$3,894,565.00)~~ **Seventeen Million Two Hundred Thousand Dollars (\$17,200,000.00)** from Sewer Fund, Plant, 750.637, T.C. 500, for **all phases of** said Project #330.

SECTION III: 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 that bids can be accepted as soon as the City receives OEPA approval

to do so, and it shall be in full force and effect upon its passage and approval by the Mayor.

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-98-25

Introduced by Jessica Thomas, Acting Chair
City Services Committee

AN ORDINANCE AMENDING ORDINANCE 130-24; AUTHORIZING A
WATERLINE REPLACEMENT ON FACTORY STREET.

WHEREAS, this waterline was designed as an alternate bid for the Ohio
University HCOM building; and

WHEREAS, this 10" waterline connection on Factory Street will connect
the 12" line on West Union Street to the 14" line that runs through the Ohio
University Central Plant complex and serves the southside of the City;

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

SECTION I: The Service-Safety Director is hereby authorized to expend
up to ~~Two Hundred Twenty-Two Thousand Dollars (\$222,000.00)~~ **Two Hundred
Twenty-Two Thousand Five Hundred Dollars (\$222,500.00)** from the 2025
budget, Water Fund, Maintenance, 740.635, T.C. 500, for said waterline
replacement on Factory Street.

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

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

0-99-25

Introduced by Jessica Thomas, Acting Chair
City & Safety Services Committee

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

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

SECTION I: An Ordinance authorizing a Then-and-Now Certificate for a payment to Ohio University in the amount of \$220,500 for the Factory Street Waterline Connection/Extension.

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:

APPROVED:

Clerk of Council

Mayor