



**AGENDA**  
**ATHENS CITY COUNCIL**  
**MONDAY, AUGUST 3, 2026 AT 7:00 PM**

e-mail: [dwalker@ci.athens.oh.us](mailto:dwalker@ci.athens.oh.us)

Streaming is available at [www.ci.athens.oh.us/video](http://www.ci.athens.oh.us/video)

**FINANCE & PERSONNEL COMMITTEE:**

- Data Center Moratorium
- Public Defender Agreement FY 2026-27
- Appropriations

**CITY & SAFETY SERVICES COMMITTEE:**

- Community Pavilion (design & construction, Phase I)
- Public Safety Training Facility (amend 0-68-25)

**REGULAR SESSION OF COUNCIL**

**Call to Order**

**Establish Quorum**

**Approval of Agenda**

**Disposition of Minutes:**

- Special Session of City Council held June 8 and Regular Session held June 15, 2026

**Communications**

**Reports and Communications from Other Elected Officials**

**Ordinances for First Reading:**

**0-68-26**

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO SUBMIT AN APPLICATION AND ENTER INTO AN AGREEMENT FOR A STATE INFRASTRUCTURE BANK (SIB) LOAN FOR THE STATE ROUTE 682 MAJOR REHABILITATION PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

Introduced by Council Member Thomas

**0-69-26**

AN ORDINANCE AUTHORIZING PAYMENT TO THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, TO COVER THE LOCAL SHARE OF THE STATE ROUTE 682 MAJOR REHABILITATION PROJECT.

Introduced by Council Member Thomas

**Announcements & Other Business:**

- -Reappointment to the Affordable Housing Commission
- Appointment to the Shade Tree Commission
- Motion to Accept the May and June 2026 Financial Reports
- Motion to Accept the May 2026 Credit Card Transactions

**Opportunity for Citizens to Speak on Legislative Items and City Services Not Covered on the Agenda****Executive Session: Pending Litigation****Adjournment**

Micah McCarey  
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.

Introduced by Jessica Thomas, Chair  
Finance & Personnel Committee

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM NOT TO EXCEED ONE YEAR ON THE GRANTING/ISSUING OF ANY PERMITS FOR ARTIFICIAL INTELLIGENCE DATA CENTERS WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS; AND DECLARING AN EMERGENCY.

**WHEREAS**, the City of Athens is a municipal corporation organized and existing under the Constitution and laws of the State of Ohio, possessing all powers of local self-government granted by Article XVIII, Section 3, of the Ohio Constitution; and

**WHEREAS**, the Council of the City of Athens has the authority to enact zoning regulations and land use controls pursuant to Ohio Revised Code Sections 713.06 through 713.14, including the power to regulate the location, construction, and use of buildings and structures in the interest of promoting the public health, safety, convenience, comfort, prosperity, and general welfare; and

**WHEREAS**, artificial intelligence (AI) data centers are large-scale facilities that house computing infrastructure designed to support machine learning, neural network training, large language model operations, and other artificial intelligence processing activities, and such facilities typically consume extraordinary amounts of electrical power, generate significant heat requiring extensive cooling systems, impose substantial demands on water resources, and create unique land use impacts; and

**WHEREAS**, the rapid development and deployment of AI data center facilities nationwide has created urgent land use planning challenges for municipalities, including but not limited to impacts on electrical grid capacity and reliability, water supply and wastewater infrastructure, traffic and transportation systems, noise and vibration, cybersecurity and public safety considerations, and compatibility with surrounding residential, commercial, and institutional uses; and

**WHEREAS**, the City of Athens currently lacks comprehensive zoning regulations, performance standards, and site plan review criteria specifically addressing the unique characteristics and impacts of AI data centers, and the existing zoning code provisions applicable to general industrial or commercial uses may not adequately protect the public health, safety, and welfare in relation to this emerging land use category; and

**WHEREAS**, the Council finds that immediate action is necessary to prevent the establishment of AI data centers while the City conducts a comprehensive study of the land use, infrastructure, environmental, economic, and community impacts of such facilities and develops appropriate regulations to address them; and

**WHEREAS**, the Council has determined that this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health, and safety, in that the absence of a moratorium could result in the establishment of AI data center facilities before adequate regulations are in place, potentially causing irreversible impacts to the City's infrastructure, environment, and community character;

**BE IT ORDAINED** by the Council of the City of Athens, State of Ohio:

SECTION I: "Data Center" means a facility used for storage, management, and dissemination of digital data, which houses computer, telecommunications, and/or network equipment, systems, servers, appliances, and other associated components related to digital data operations, and/or facility designed or modified to house networked computers and data and transaction processing equipment and related infrastructure support equipment, including but not limited to power and cooling equipment to provide data and transaction processing services, outsource information technology services, and computer equipment colocation services, as well as server farms, cloud computing hubs and colocation centers.

SECTION II: The Council of the City of Athens imposes a temporary moratorium not to exceed one year on the granting/issuing of any permits, as well as the receipt and processing of applications for permits, under the Athens City Codified Ordinances for proposed Data Centers within the corporate limits of the City of Athens.

SECTION III: This temporary moratorium suspends and tolls any time periods, prescribed by law, within which any city department, any official or official body of the City of Athens, is required to take action, upon an application and/or site plan review approval process during the time this moratorium is in effect.

SECTION IV: The Council of the City of Athens hereby imposes a temporary moratorium in order to allow Council, any of its committees, and the Planning Commission to review applicable Ohio statutes and undertake a review and/or study of the Codified Ordinances of the City of Athens, and perform further due diligence on Data Centers to determine how Data Centers will impact the City's infrastructure, utilities, environment, residents, and the long-term planning goals, as well as to protect the public health, safety, and general welfare.

SECTION V: 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 continue to provide efficient delivery of services, and it shall be in full force and effect 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

0--26

Introduced by Jessica Thomas, Chair  
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BOARD OF ATHENS COUNTY COMMISSIONERS FOR THE PURPOSE OF OBTAINING THE SERVICES OF THE PUBLIC DEFENDER'S OFFICE THROUGH DECEMBER 31, 2026, AND TO EXTEND SAID AGREEMENT THROUGH JUNE 30, 2027; 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 an agreement with the Board of Athens County Commissioners for the purpose of obtaining the services of the Public Defender's Office through December 31, 2026, and to extend said agreement through June 30, 2027.

SECTION II: The Mayor is hereby authorized to expend up to One Hundred Twenty Thousand Dollars for said FY 26-27 agreement and extension as follows:

up to Fifty-Four Thousand Two Hundred Thirty-Seven and 68/100 (\$54,237.00) from the 2026 General Fund, 101-106, and

up to Sixty-Five Thousand (\$65,000.00) Dollars from the 2027 General Fund, 101-106, T.C. 300.

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 to continue to provide efficient delivery of services, and it shall be in full force and effect 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

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Introduced by Jessica Thomas, Chair  
Finance & Personnel Committee

AN ORDINANCE AMENDING THE 2026 APPROPRIATION ORDINANCE 120-25.

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

SECTION I: The 2026 Appropriation Ordinance 120-25 is hereby amended by appropriating from the unappropriated balance the following sums:

Six Hundred Fifteen Dollars (\$615.00) to CDBG Formula Grant Fund, 248, T.C. 300, to cover property taxes for the sale of 458 Richland Avenue; and

Sixty-Four Thousand Nine Hundred Seventy-Five and 22/100 Dollars (\$64,975.22) to PACE Fund, 350, T.C. 400, for the Property Assessed Clean Energy (PACE) loan payment; and

One Thousand Dollars (\$1,000.00) to Parking Garage Fund, 730, T.C. 600, refund line; and increasing the total appropriations by said amounts.

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

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Mayor

Introduced by Paul Isherwood, Chair  
City & Safety Services Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ADVERTISE AND ACCEPT BIDS, WHERE NECESSARY, AND ENTER INTO CONTRACT(S) FOR DESIGN AND CONSTRUCTION OF THE COMMUNITY PAVILION PROJECT #397, PHASE I; AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio has awarded the City of Athens (\$300,000) in the State Fiscal Year 2026-2027 State Operating Budget for the purpose of an agricultural economy initiative; and

WHEREAS, said award is on a reimbursement basis; and

WHEREAS, the City continues to work with partners to seek external funds for the estimated \$1 million project to build a Community Pavilion at the East State Street Park complex for use by the Athens Farmers' Market and other community purposes; and

WHEREAS, in order to use the State funding in the prescribed timeframe, the City will begin design and early site construction prior to securing the additional funds needed;

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(s), with the lowest and best bidder, for design and construction of the Community Pavilion Project #397, Phase I.

SECTION II: The 2026 Appropriation Ordinance 120-25 is hereby amended by appropriating from the unappropriated balance the sum of Three Hundred Thousand Dollars (\$300,000.00) to Capital Improvements Fund, 580.580, T.C. 600, and increasing the total appropriations by said amount.

SECTION III: The Auditor is hereby authorized to make the following interfund transfer:

| FROM                        | TO                              | AMOUNT       |
|-----------------------------|---------------------------------|--------------|
| Cap. Improvements Fund, 580 | Multipurpose Pavilion Fund, 908 | \$300,000.00 |

SECTION IV: The 2026 Appropriation Ordinance 120-25 is further amended by appropriating from the unappropriated balance the sum of Three Hundred Thousand Dollars (\$300,000.00) to Athens Multipurpose Pavilion Fund, 908, T.C. 300, and increasing the total appropriations by said amount.

SECTION V: The Service-Safety Director is hereby authorized to expend up to Three Hundred Thousand Dollars (\$300,000.00) from Athens Multipurpose Pavilion Fund, 908, T.C. 300, on said Project #397, Phase I.

SECTION VI: Upon reimbursement by the State, the City Auditor is hereby directed to receipt said funds into Capital Improvements Fund, 580.580, and increasing the total appropriations by said amount.

SECTION VII: 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, for the purpose of meeting the project schedule within the confines of the grant period, and it shall be in full force and effect 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

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Introduced by Paul Isherwood, Chair  
City & Safety Services Committee

AN ORDINANCE AMENDING ORDINANCE 68-25; AUTHORIZING DESIGN AND CONSTRUCTION OF A PUBLIC SAFETY TRAINING FACILITY, PROJECT #373.

WHEREAS, the City received 2024 State Capital Bill funding in the amount of \$2.5 million; and has been awarded ODOT Office of Jobs and Commerce Funding of \$200,000 to be reimbursed to the Street Fund upon completion of the project;

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

SECTION I: The 2026 Appropriation Ordinance 120-25 is hereby amended by appropriating from the unappropriated balance the sum of Thirty-One Thousand (\$31,000.00) to Safety Services Fund, 206, T.C. 500, for repaving of the EMS lot and TS Tech access road from damage caused during construction, and increasing the total appropriations by said amount.

SECTION II: Section II of Ordinance 68-25 is hereby amended to read as follows:

Section II: The Service Safety Director is hereby authorized to expend up to ~~Five Million Eighty-One Thousand Dollars (\$5,081,000.00)~~ **Five Million One Hundred Twenty-One Thousand Dollars (\$5,121,000.00)** as follows:

~~Two Million Five Hundred Thousand Dollars (\$2,500,000.00)~~ **Two Million Five Hundred Forty Thousand Dollars (\$2,540,000.00)** from Safety Services Fund, 206, T.C. 500;

One Million Dollars (\$1,000,000.00) from Street Fund, 220, T.C. 500;

Eight Hundred Thousand Dollars (\$800,000.00) from Water Fund, 740, T.C. 500;

Four Hundred Thousand Dollars (\$400,000.00) from Sewer Fund, 750, T.C. 500;  
and

Three Hundred Eighty-One Thousand Dollars (\$381,000.00) from Storm Sewer Fund, 755.635, T.C. 500; for Project #373.

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:

APPROVED:

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Clerk of Council

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Mayor

**0-68-26**

Introduced by Jessica Thomas, Chair  
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO SUBMIT AN APPLICATION AND ENTER INTO AN AGREEMENT FOR A STATE INFRASTRUCTURE BANK (SIB) LOAN FOR THE STATE ROUTE 682 MAJOR REHABILITATION PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

WHEREAS, small city State Infrastructure Bank (SIB) loans offer a zero percent interest rate, for up to \$500,000, for a loan term of five (5) years or less, fully amortized; and

WHEREAS, Ordinance 59-26 authorized an LPA/Federal Local-Let Project agreement with ODOT for major rehabilitation of the State Route 682 Project;

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

SECTION I: The Service-Safety Director is hereby authorized to submit an application and enter into a small city State Infrastructure Bank (SIB) loan agreement for the State Route 682 Major Rehabilitation Project in the amount of up to Four Hundred Ninety-Nine Thousand Dollars (\$499,000.00).

SECTION II: The 2026 Appropriation Ordinance 120-25 is hereby amended by appropriating from the unappropriated balance the following sums:

Two Thousand Dollars (\$2,000.00) to Street Rehabilitation Fund, 572, T.C. 500, for the loan origination fee; and

Four Hundred Ninety-Nine Thousand Dollars (\$499,000.00) to Small Cities ODOT Fund, 589, T.C. 500, and increasing the total appropriations by said amounts.

SECTION III: The dedicated source of the loan repayment will be derived from Small Cities ODOT Fund, 589.

SECTION IV: 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

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Mayor

**0-69-26**

Introduced by Jessica Thomas, Chair  
Finance & Personnel Committee

AN ORDINANCE AUTHORIZING PAYMENT TO THE STATE OF OHIO,  
DEPARTMENT OF TRANSPORTATION, TO COVER THE LOCAL SHARE OF THE  
STATE ROUTE 682 MAJOR REHABILITATION PROJECT.

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 Four Hundred Ninety-Nine Thousand Dollars (\$499,000.00) from Small Cities ODOT Fund, 589, T.C. 500, in accordance with Ordinance 68-26, the LPA/Federal Local-Let Project Agreement, to cover the City's cost share for the State Route 682 Major Rehabilitation Project.

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