

Council Members in attendance via videoconference: Clodfelter, Crawl, Fahl, Grace, Kotses, Risner and Smedley.

Also present via videoconference: President Knisely, Mayor Patterson, and Law Director Eliason.

Attendance via videoconference by the Public: Eric Boll, Meladi Brewer, Hunter Dorner, Nia Dumas, Alejandro Figueroa, Kaitlin Fochesato, Mackenzie Harris, Fallon Howard, Abby Ludwig, Mackenzie Mayer, Chloe Meyers, Delaney Murray, Kimberly Newton, Justin Thompson, Sarah Volk, Thomas Suddes, Chad Kister, Beth Amoriya, Genesis Vaughn, Kyra Leckrone, Maxine Ramlo, and Rob Delach.

President Knisely opened the public hearing to discuss the Athens Downtown Historic District, Local Historic Designation.

Fahl noted that this designation was approved by the City Planning Commission upon a recommendation by our Historic Preservation Commission. This designation will allow local oversight, review, and assistance with exterior architecture, and protect and preserve the character of our uptown.

Hearing no questions or comments from the public, the hearing was adjourned at approximately 7:15 p.m.

President of Council

ATTEST:

Clerk of Council

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President Knisely opened the public hearing to discuss designating Seaman's Grocery, located at 305 West Union Street, as a local historic designation.

Fahl noted that this designation was approved by the City Planning Commission upon a recommendation by our Historic Preservation Commission. The neon Seaman's sign is iconic and this early 1950's building is worthy of preserving.

President Knisely added that Seaman's is a third generation family business that has been operating at this location since 1951, and is the longest running grocery store in Athens.

Hearing no questions or comments from the public, the hearing was adjourned at approximately 7:10 p.m.

President of Council

ATTEST:

Clerk of Council

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President Knisely opened the public hearing to discuss adding Solar Energy Systems to our Athens City Code.

Council Member Fahl commented that this was approved by the City Planning Commission upon a recommendation from the Environment & Sustainability Commission. This addition will make it easier to allow the installation of solar panels, and will move the City from a SolSmart bronze to silver designation, and closer to our goals for sustainability.

Council Member Crawl serves as Council Representative on the Environment & Sustainability Commission, and indicated that the Commission is excited about these changes to the City Code.

Chad Kister, Bessemer Road, Nelsonville, Ohio, feels this is a step in the right direction and appreciates the improvements.

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

President of Council

ATTEST:

Clerk of Council

ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, OCTOBER 19 2020, 7:00 P.M.

Athens City Council met in Regular Session at the above hour. Due to concerns with COVID-19 the following members met via videoconference: Clodfelter, Crowl, Fahl, Kotses, Grace, Risner and Smedley.

Also present via videoconference: President Knisely, Mayor Patterson, and Law Director Eliason.

Clodfelter moved to remove the Executive Session from the Agenda; Smedley seconded. Motion was approved unanimously.

DISPOSITION OF MINUTES:

Fahl moved approval of the minutes of the Regular Sessions of City Council held on September 21 and October 5, 2020; Kotses seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

COMMUNICATIONS:

President Knisely reported the following:

- Receipt of a notice from the Ohio Division of Liquor Control of a transfer from John Pantakis, dba Atheneon Carryout & Deli, 74 N. Court Street to TSMB Carryouts, LLC at the same address. Responses must be postmarked no later than October 26, 2020.
- The 2019 audit has been received for the City of Athens with no findings.
- Halloween Guidelines are available on the City's website.

Council Member Fahl has worked with the Police Chief to put together a frequently asked questions (FAQ) document that is now available on the City's website.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Wednesday at 8:00 a.m. through Thursday, October 22, North Court Street will be closed (open only to local traffic) from Rose Alley to Carpenter Street for a waterline installation, with brick replacement to be done at a later date.
- Richland Avenue Passageway asphalt completion has been delayed a couple of days due to weather.

- Leaf pickup is underway and will continue into the first week in December. Pickup this week will be in Area 2 (north side) and October 29-November 2 pickup will be in Area 3 (south side).
- Aside from residential trick or treat, all other Halloween events have been canceled this year due to the pandemic, with the exception of the Honey for the Heart (drive-through) Parade at the West State Street Park from 1-3 p.m. on October 31st.

ORDINANCES FOR THIRD READING:

0-103-20

AN ORDINANCE AUTHORIZING THE CREATION OF THE UNIVERSITY ESTATES INCENTIVE DISTRICT WITHIN THE CITY OF ATHENS; DECLARING IMPROVEMENTS TO CERTAIN REAL PROPERTY WITHIN SUCH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE; DESCRIBING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS TO BE MADE TO BENEFIT OR SERVE THE REAL PROPERTY WITHIN SUCH INCENTIVE DISTRICT; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; CREATING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS; AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING (TIF) AGREEMENT WITH THE PROPERTY OWNERS IN SUCH INCENTIVE DISTRICT.

Fahl moved for Adoption; Grace seconded. Discussion: This (TIF) agreement allows for the residential development of affordable, accessible housing.

Adoption was approved unanimously.

0-104-20

AN ORDINANCE AMENDING ATHENS CITY CODE, TITLE 23, ZONING CODE, TO INCLUDE SOLAR ENERGY SYSTEMS. Fahl moved for Adoption; Crowl seconded. Adoption was approved unanimously.

0-105-20

AN ORDINANCE DESIGNATING SEAMAN'S GROCERY, LOCATED AT 305 WEST UNION STREET, AS A LOCAL HISTORIC DESIGNATION. Fahl moved for Adoption; Kotses seconded. Adoption was approved unanimously.

0-106-20

AN ORDINANCE DESIGNATING THE ATHENS DOWNTOWN HISTORIC DISTRICT AS A LOCAL HISTORIC DESIGNATION. Fahl moved for Adoption Clodfelter seconded. Adoption was approved unanimously.

0-109-20

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO, OR TO EXTEND THE AGREEMENT WITH THE BOARD OF ATHENS COUNTY COMMISSIONERS FOR THE PURPOSE OF OBTAINING THE SERVICES OF THE PUBLIC DEFENDER'S OFFICE THROUGH DECEMBER 31, 2021. Crowl moved for Adoption; Risner seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-111-20

AN ORDINANCE ACCEPTING THE PLAT OF THE HERROLD AVENUE COMMERCIAL SUBDIVISION.

0-115-20

AN ORDINANCE AMENDING ATHENS CITY CODE TITLE 7, TRAFFIC CODE, CHAPTER 7.05, PARKING REGULATIONS, SECTION 7.05.13, IMPOUNDING OF VEHICLES. Discussion: Kotses noted that Athens Transit On Demand is now available to the public.

0-117-20

AN ORDINANCE ESTABLISHING A "COMPLETE STREETS" POLICY FOR THE CITY OF ATHENS. Discussion: Rob Delach, Morris Avenue, wants to be sure this policy contains reporting language on "exceptions" that was not included in the legislation that was tabled by City Council last year. There needs to be accountability.

Kotses responded that the status of complete street projects will be prepared and delivered to City Council as part of the Mayor's annual report.

0-119-20

AN ORDINANCE ESTABLISHING GUIDELINES FOR APPROVAL AND INSTALLATION OF TEMPORARY SIDEWALK EXTENSIONS (PARKLETS) FOR USE BY THE GENERAL PUBLIC AT APPROPRIATE LOCATIONS WITHIN THE PUBLIC RIGHTS-OF-WAY; AND AMENDING ATHENS CITY CODE TITLE 11, BUSINESS REGULATIONS, CHAPTER 11.06, MISCELLANEOUS BUSINESS REGULATIONS; SECTION 11.06.02, EXCEPTIONS.

ORDINANCES FOR FIRST READING:

0-120-20

AN ORDINANCE AUTHORIZING THE ARTS/WEST FIBER BROADBAND PROJECT (#334); AND DECLARING AN EMERGENCY. Grace moved for Suspension of the Rules in order to meet the guidelines of the CARES Act; Smedley seconded. Suspension of the Rules was approved unanimously. Grace moved for Adoption; Smedley seconded. Discussion: Alan Swank,

Townsend Place, asked if any thought has been given to doing the same to the Community Center.

Mayor Patterson responded that the current system being used by The Government Channel is presenting challenges, in particular with Zoom meetings, will be moved and repurposed for programming at the Community Center.

Adoption was approved unanimously.

0-121-20

AN ORDINANCE AUTHORIZING A CARES ACT EXPENDITURE NECESSARY TO UPDATE THE GOVERNMENT CHANNEL (TGC) EQUIPMENT FOR REMOTE/IN-PERSON BROADCASTING CAPABILITY; AND DECLARING AN EMERGENCY. Grace moved for Suspension of the Rules in order to meet guidelines of the CARES Act; Clodfelter seconded. Suspension of the Rules was approved unanimously.

Grace moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-122-20

AN ORDINANCE AUTHORIZING CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE DEWATERING FACILITIES AT THE WASTEWATER TREATMENT PLANT (PROJECT (#320).

0-123-20

AN ORDINANCE GRANTING SPECIAL EMERGENCY POWERS TO THE SERVICE-SAFETY DIRECTOR DUE TO THE CONTINUING SPREAD OF THE COVID-19 PANDEMIC; AND DECLARING AN EMERGENCY. Kotses moved for Suspension of the Rules as an added safety measure during this unprecedented time; Grace seconded. Kotses moved for Adoption; Crowl seconded.

Discussion: Kotses indicated that this is a short-term measure that will sunset on January 30, 2021.

Clodfelter asked for clarification.

Kotses explained that City Council holds the power to close streets within the City, and this temporary legislation will allow the Service-Safety Director some latitude over the next few months to close streets to vehicular traffic as need for public safety.

Adoption was approved unanimously.

0-124-20

AN ORDINANCE AMENDING THE 2020 APPROPRIATION ORDINANCE. Crowl moved for Suspension of the Rules in order to have the CARES Act funding in place for immediate use; Risner seconded. Suspension of the Rules was approved unanimously. Crowl moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-125-20

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY PERMIT TO JOHN HANSEN, OWNER, 110 MORRIS AVENUE, TO ALLOW A FENCE.

0-126-20

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO EXECUTE A PERMANENT EASEMENT AND RIGHT-OF-WAY AGREEMENT WITH THE OHIO POWER COMPANY (AEP) FOR INSTALLATION OF OVERHEAD ELECTRICAL SERVICE AT 21 KENNY DRIVE; AND DECLARING AN EMERGENCY. Fahl moved for Suspension of the Rules in order to keep this project moving forward without delay; Grace seconded. Fahl moved for Adoption; Clodfelter seconded. Adoption was approved unanimously.

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

Beth Amoriya, Hudson Avenue, is a founding member of “Showing Up For Racial Justice” an active chapter in Athens since October 2016. There are many challenges being raised in many cities about the functions, budgets and the policies of police. It appears that the Council is planning to move forward with renewal of the current police contract. She understands that the 3-year renewal is usual practice, but these are unusual times. She asked that the City give notice to the Union that the contract renewal will be for only one year to give time for a careful and conscientious review of the next contract period.

Damon Krane, Hudson Avenue, Member of Athens County Cop Watch, reminded Council of its recent resolution and commitment to racial justice as stated in R-10-20, “Athens City Council is committed to a review of all portions of the Athens City Code with a racial equity lens, and conducting all human resources, vendor selection, and grant management activities with a racial equity lens, including reviewing all internal policies and practices such as hiring, promotion, leadership appointments, and funding.” The Athens Police Department’s union contract expires December 2020 and during these negotiations he would like the City to consider the following as outlined in the current contract:

1. Records of police misconduct can be destroyed after 12 to 24 months.
2. Overtime pay to officers for overtime shifts that officers decline to work.
3. The generous allowances for “uniforms and equipment,” 3-times the allowances that OUPD officers receive.

The current contract shields police from public accountability and allows for excessive and wasteful spending.

In light of Council’s commitment made on June 22, 2020, he urged the Council to renegotiate the APD contract with R-10-20 in mind.

Chad Kister requested a no-knock ban on warrants.

Brendan Moran, West State Street, would like the community to be allowed input in the negotiation of the APD contract. Current contract Article 14, Personnel File, allows special privilege to police officers with regard to disciplinary action, and he asked for special scrutiny. Article 16(B), Overtime Opportunities, Refusal/No Response, states the following, "An employee who refuses or fails to respond to a scheduled overtime assignment shall be credited with the amount of overtime refused as if it has been worked." From 2015 to 2020, APD has spent over \$1.1 million in overtime costs.

Article 24(A), Uniforms, Allowance, approved \$1200 per officer and \$1100 per communication officers for uniform purchases and maintenance. APD already provides these officers with standard equipment and replaces all equipment and uniforms damaged in the line of duty. OUPD only provides each officer with \$325 per year for dry cleaning purposes. From 2015 to 2020 this cost was nearly a quarter million dollars.

Finally, he agrees with Article 29(4), Substance Abuse Testing, that strongly encourages the City to send officers to rehabilitation for substance abuse issues rather than pursuing disciplinary action, and is treated as a medical issue. He believes this same kind of substance abuse policy should be extended to constituents.

At approximately 8:15 p.m. Fahl moved to Adjourn; Kotses seconded. Motion was approved unanimously.

President of Council

ATTEST:

Clerk of Council

**MINUTES
OCTOBER 19, 2020
COMMITTEE OF THE WHOLE
7:00 P.M.**

Council Members in Attendance via Videoconference: Beth Clodfelter
Sam Crowl
Chris Fahl
Peter Kotses
Sarah Grace
Jeff Risner
Arian Smedley

Administrators and/or
Other Elected Officials via Videoconference: President Knisely
Mayor Patterson
Law Director Eliason

Items Discussed:

- Ohio Power (easement)
 - President – legislation is needed to provide a 20' wide electric power easement for the new EMS Station – this will allow approximately 60' of overhead conductors terminating at a new transformer pole – work is ready to begin and timely approval of this easement will keep the project moving forward without any delays in construction
 - Risner – asked about the location of the lines
 - Mayor – the easement is not along Kenny Drive, but on the backside of the property that have frontage on Kenny Drive