

**ATHENS CITY COUNCIL: REGULAR SESSION, MONDAY, NOVEMBER 16
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, and Risner.

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

DISPOSITION OF MINUTES:

Fahl moved approval of the minutes of the Regular Sessions of City Council held on October 19 and November 2, 2020; Crowl seconded. Minutes were unanimously approved as presented.

COMMUNICATIONS:

President Knisely reported that the Luhrig Road annexation material forwarded from the Athens County Commissioners has now been held the required 60 days by City Council and is being presented at this meeting for first reading.

REPORTS AND COMMUNICATIONS FROM OTHER ELECTED OFFICIALS:

Mayor Patterson reported the following:

- Noted the following Orders that have been changed by the Governor: no social activities in open congregate areas, and the Health Department will reissue the mask order to include the following new provisions:
 1. Each business is required to post a face covering requirement sign at each public entrance.
 2. Each business will be responsible for ensuring its employees and customers are wearing masks.
 3. A new retail compliance unit led by the Bureau of Workers Compensation will be inspecting to ensure retail compliance. A first violation of this Order will bring with it a written warning and a second violation will be a 24-hour business closure
- Notice has been received from Athens Public Transit (APT), effective November 21, that their services will be reduced for Line 7 (between Albany and Nelsonville through Athens) to one bus alternating hourly, and APT's hours will be reduced on Saturday. These are cost saving measures.

- The Athens Commission on Disabilities has a call out for artists for the next round of (6) Athena Awards. The most recent recipient is Patty Mitchell.
- Shared that 35-40 years ago, mid-80's, a commissioned work was designed by Judy Morgan of a distinguished pewter key for the City that will soon be on display in the City Building.

ORDINANCES FOR THIRD READING:

0-122-20

AN ORDINANCE AUTHORIZING CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE DEWATERING FACILITIES AT THE WASTEWATER TREATMENT PLANT (PROJECT (#320). Grace moved for Adoption; Clodfelter 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. Fahl moved for Adoption; Grace seconded. Adoption was approved unanimously.

ORDINANCES FOR SECOND READING:

0-117-20

AN ORDINANCE ESTABLISHING A "COMPLETE STREETS" POLICY FOR THE CITY OF ATHENS.

0-127-20

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY PERMIT TO HOCKING RIVER DEVELOPMENT, OWNER, 26 EAST PARK DRIVE, TO ALLOW DIRECTIONAL SIGNAGE FOR MARIETTA MEMORIAL HOSPITAL, ATHENS DEPARTMENT OF PRIMARY CARE. Introduced by Council Member Fahl

0-128-20

AN ORDINANCE GRANTING A SPECIAL RIGHT-OF-WAY PERMIT TO HOCKING RIVER DEVELOPMENT, OWNER, 26 EAST PARK DRIVE, TO ALLOW DIRECTIONAL SIGNAGE FOR MARIETTA MEMORIAL HOSPITAL, ATHENS DEPARTMENT OF PRIMARY CARE, AT THE INTERSECTION OF EAST STATE STREET AND EAST PARK DRIVE.

0-130-20

AN ORDINANCE AMENDING THE 2020 APPROPRIATION ORDINANCE; AND AUTHORIZING THE AUDITOR TO MAKE INTERFUND TRANSFERS.

0-133-20

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO SUSPEND, TEMPORARILY, THE FEE FOR PARKING AT METERED SPACES IN THE MUNICIPAL PARKING GARAGE AND ON-STREET METERED PARKING; AND DECLARING AN EMERGENCY. Discussion: Kotses moved for Suspension of the Rules in order to meet the November 28th timeline; Clodfelter seconded. Suspension of the Rules was approved unanimously. Kotses moved for Adoption; Fahl seconded. Adoption was approved unanimously.

ORDINANCES FOR FIRST READING:

0-135-20

AN ORDINANCE ACCEPTING THE PETITION FOR ANNEXATION OF APPROXIMATELY 24.942 ACRES ON LUHRIG ROAD. Discussion: Fahl noted that the annexation process is quite lengthy, is well-vetted and publicized. This annexation is needed to construct an affordable, universally designed, multi-family project.

Grace relayed that Developer Joseph McCabe attended a recent Affordable Housing Commission meeting to discuss the plans for this project, and the Commission is comfortable moving forward with this planned low-income housing development.

McCabe indicated that the qualifications for low-income housing in the current environment can be 30% to 80% of the Area Median Income (AMI), or between \$15,000 to \$60,000+ for a household income, adding there is no Section 8 or other subsidy committed to the project. This is a \$21 million investment in building 100 units of housing. This will be a Lead certified development. They're also looking to integrate public transit with a stop at the development site.

Grace appreciates their multi-faceted approach in building an affordable, sustainable and accessible development.

Crowl asked about the level of Lead certification.

McCabe responded that traditionally they have always committed to at least silver, but in past projects have been able to attain both gold and platinum, and believes this development should at least meet the gold level. They are middle market family-housing developers and take great pride in being a sustainable builder, and unlike many other builders, they hold onto their projects long-term with a good community relationship.

Crowl asked about any renewable energy plans.

McCabe indicated that there are none at this time.

Crowl asked if there is a planned Luhrig Road entrance, and whether maintenance will become a City responsibility.

Fahl responded that the Athens Township will continue to be responsible for maintenance on Luhrig Road.

0-136-20

AN ORDINANCE DESIGNATING THE ZONE FOR THE LUHRIG ROAD ANNEXATION AREA.

0-137-20

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AN LPA/STATE PROJECT AGREEMENT (PID No. 113410) WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO INSTALL WET REFLECTIVE PAVEMENT MARKINGS ON STATE ROUTES 33 AND 50; AND DECLARING AN EMERGENCY.

0-138-20

AN ORDINANCE AMENDING THE 2020 APPROPRIATION ORDINANCE.

Crowl moved for Suspension of the Rules in order to meet the December 20th payroll at the Community Center; Risner seconded. Suspension of the Rules was approved unanimously. Crowl moved for Adoption; Fahl seconded. Adoption was approved unanimously.

0-139-20

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO FORMALLY ACCEPT A SOUTHEAST OHIO PUBLIC ENERGY COUNCIL (SOPEC) GRANT ISSUED TO THE CITY; AND DECLARING AN EMERGENCY. Crowl moved for Suspension of the Rules in that this grant was approved in late July and this legislation is needed to receipt these funds into the City; Fahl seconded. Suspension of the Rules was approved unanimously. Crowl moved for Adoption; Clodfelter seconded. Discussion: Crowl noted that this micro-grid installation at the Water Treatment Plant is resilience infrastructure and this grant from SOPEC will cover the City's match. Adoption was approved unanimously.

0-140-20

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ATHENS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2021.

0-141-20

AN ORDINANCE AUTHORIZING 2021 STAFFING LEVELS AND NON-UNION COMPENSATION; REPEALING ALL ORDINANCES INCONSISTENT THEREWITH; AND DECLARING AN EMERGENCY. Discussion: Crowl noted that a 2% increase will be in effect next year. He encouraged Council Members to review the document indicating that all changes have been outlined in red.

In response to a question asked at the last meeting, Mayor Patterson reported that the City has 71 full time Non-Union employees and 104 full time Union employees.

0-142-20

AN ORDINANCE ADOPTING A FRINGE BENEFITS PACKAGE FOR NON-UNION PERSONNEL WITHIN THE CITY OF ATHENS AND REPEALING ALL ORDINANCES INCONSISTENT THEREWITH; AND DECLARING AN EMERGENCY. Discussion: Crawl, again, encouraged Council Members to closely examine the document and updates outlined in red.

0-143-20

AN ORDINANCE AUTHORIZING INTERFUND TRANSFERS AND FINAL APPROVAL OF CARES ACT FUND EXPENDITURES. Crawl moved for Suspension of the Rules in order to meet the allocation deadline of November 20th; Fahl seconded. Suspension of the Rules was approved unanimously. Crawl moved for Adoption; Clodfelter seconded.

Mayor Patterson clarified that the City has until December 30th, to expend these funds.

Grace understands that the funds provided to HAPCAP for emergency rent/mortgage relief (\$25,000) and utility assistance relief (\$75,000) were not fully expended and asked for an update.

Mayor Patterson responded that this afternoon checks in the amount of (\$10,000) and (\$70,000), respectively, were returned to the City by HAPCAP as unspent funds, and will be reallocated.

Clodfelter asked about any plans for the returned (\$80,000).

Auditor Hecht responded that public safety services are an allowable expense for the CARES Act funding, so any funds not used for other purposes can go into our General Fund to cover those services.

Mayor Patterson added, funds have been requested by the Athens County United Senior Center, located in our Community Center, for equipment to allow connectivity with seniors, approximately (\$30,000).

Adoption was approved unanimously.

ONE-READING RESOLUTION:

R-14-20

A RESOLUTION URGING GOVERNOR DEWINE AND THE OHIO LEGISLATURE TO EXTEND THE DEADLINE FOR OPERATING PUBLIC MEETINGS ELECTRONICALLY. Fahl moved for Adoption; Grace seconded. Discussion: President Knisely commented that this request is to extend the current remote meeting deadline of December 1st.

Kotses questioned if City Council returns to in-person meetings whether TGC access to our meetings will continue online for the public.

President Knisely responded that City Council/TGC staff has met with Athens City-County Health Administrator Jack Pepper about the layout of the Council Chambers. City Council Members, elected officials, and approximately eight (8) members of the public will be able to socially distance for meetings.

Masks would be required at all times, a temperature check at the door, and a list of all attendees along with their contact information will be needed. Also, the remote Zoom meetings will be extended to others interested in attending.

Grace asked if the Law Director or Mayor had any updates on where this issue stands with our lawmakers.

Law Director Eliason responded that Substitute Senate Bill 358 is likely to pass tomorrow extending electronic meetings through the end of the declared emergency or until September 30, 2021.

Adoption was approved unanimously.

ANNOUNCEMENTS & OTHER BUSINESS:

Risner moved to Accept the October, 2020, Credit Card Transactions; Fahl seconded. Motion was approved unanimously.

At approximately 8:10 p.m., Fahl moved to Adjourn; Grace seconded. Adjournment was approved unanimously.

President of Council

ATTEST:

Clerk of Council