

Nelsonville City Council will meet in regular session Monday April 26, 2021 at 7 pm. Due to COVID-19 Pandemic the public may not attend the meeting in person. The meeting will be live streamed from the City of Nelsonville Facebook page (City of Nelsonville, Ohio, @nelsonvillecity).

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Opening Prayer
4. Roll Call
5. Minutes from the last regular meeting
6. Executive Session O.R.C. 121.22(g) for Personnel and Legal Matters
7. Auditor's/Treasurer's Report
8. Mayor's Court Report and Roll Call
9. Citizen's Comments
10. Business and Organizational Comments
11. Committee Discussion: Recreation, Street, Utility, Finance, Judiciary, Planning & Development, Police & Fire
12. Police Department and Utility Department Update
13. First Reading
ORDINANCE 32-21. AN ORDINANCE AMENDING THE 2021 APPROPRIATIONS ORDINANCE TO APPROPRIATE FROM THE UNAPPROPRIATED BALANCE THE FOLLOWING: ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE SANITATION FUND #730 TO LINE ITEM # 730-730-21100 (SANITATION CONTRACT SERVICES); THE SUM OF FIVE THOUSAND DOLLARS (\$5,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE SANITATION FUND # 730 TO LINE ITEM # 730-730-21110 (BILLING EXPENSE); AND TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE WATER FUND TO LINE ITEM #700-730-70030 (WATER UPGRADES)

ORDINANCE 33-21. AN ORDINANCE PERMITTING THE CITY MANAGER OR THE CITY AUDITOR TO FILE A LIEN AGAINST THE PROPERTY TAXES OF PROPERTY FOR NON-PAYMENT OF SANITATION BILLS.
14. City Manager's Report
15. Good of the Order
16. Adjourn

Nelsonville City Council met in regular session Monday, April 12, 2021 at 7PM. President Dunfee called the meeting to order. All stood to recite the Pledge of Allegiance. Mr. Taylor offered the opening prayer. **ROLL CALL:** All Council members were present except Ms. Jones.

Mr. Taylor made a motion to excuse Ms. Jones. Mr. Dunfee seconded the motion. **ROLL CALL:** All Council members voted yea.

Mr. Sherman made a motion to approve the minutes of the last regular meeting as presented. Mr. Dunfee seconded the motion. **ROLL CALL:** All Council members voted yea.

CITIZEN'S COMMENTS

Athens County Commissioner Chris Chimel was present by phone to offer an apology for his recent remarks about Nelsonville. He did not want to offend the City and said he regretted his words. He asked Council to accept his sincere apology. He is here to serve and would like to work with the City of Nelsonville and possibly attend some Council meetings. Mr. Dunfee accepted his apology and would like Mr. Chimel to attend some future Council meetings. Mr. Sherman agreed and said he has regretted some remarks he himself has made. He asked if Mr. Chimel would attend Council committee meetings because that is where the real work is done. Mr. Chimel agreed.

Missy Perez Clement asked when the Mayor's Court Report would reflect expenses as well as revenue, if the Mayor's Court Clerk is bonded and what progress has been made on Council rules and procedures. Mr. Frank will post the Council rules and procedures on the City's website and look into the other questions.

COMMITTEE DISCUSSION

Ms. Grant reported the **Finance Committee** met April 7. The meeting can be viewed on the City's Facebook page.

Mr. Dunfee reported on a **Recreation Committee** meeting where the use of Crabtree Field and Polley Field 4 by Hocking College and the American Legion hanging American flags from City light poles was finalized. There was no opposition to either and there is legislation tonight.

Mr. Booth reported on a **Planning and Development Committee** meeting where there was ongoing discussion of ATV friendly and camping in the City. Mr. Dunfee asked Mr. Hunter to write a legal opinion for ATV friendly and camping in the City.

A **Street Committee** meeting will be held tomorrow night at 7 PM.

Mr. Frank indicated that the pool rates were discussed at the Finance and Recreation Committee meetings.

AUDITOR REPORT

Auditor's and Treasurer's Reports were deferred until the next meeting.

FIRE DEPARTMENT UPDATE

Chief Barber reported there is one FEMA grant in process and to date grants awarded to the Fire Department total \$400,000.

Marx pagers have been programmed and are in service.

The department is down one part time position and he has just received notice that one full time firefighter is leaving the department for a non-fire related position. The Chief indicated his eligibility list has been exhausted and he will request a Civil Service Test.

The Fire Department is now an accredited training facility, and all City employees are certified in CPR and AED. The training facility will save the City money because training can now be done in-house and can offer training to other departments.

The department responded to a Buchtel fire on March 31 as part of a mutual aid agreement. The fire was quickly extinguished which minimized the damage to the structures.

Last Saturday the department responded to a call on West Washington Street where they found power lines and poles down. The fire crew stayed until 7:30 am on Sunday morning and power was restored to the area by early afternoon Sunday.

The department is responding to more EMS and fire rescue calls. About 14% of their calls are overlapping calls for fire and EMS.

The Fire Department has revamped a military vehicle from the Police Department. They are working to get one utility truck back in service however all critical vehicles are in service.

In the event more Cares Act Funds are received by the City Chief Barber is working on proposals to present to the City Manager.

UTILITY DEPARTMENT UPDATE

New Service Director, Jason Coen, reported for the Utility Department. He asked that when people see a road closed sign, they pay attention to it. People have been driving around the signs on Jefferson and Fayette Streets where there was a recent watermain break. The break undermined the entire area that was closed off and it was a hazard to drive on. With that said, the road has been repaired and will be open on Thursday.

Woodlane Drive closed today and will be closed for 90 days for the bridge replacement.

Pothole patching will begin next week. They will begin on Canal Street with concrete patching and then work to fill other potholes with asphalt.

Rock River will be back next month to finish up the work on Chestnut Street.

Church Street slip repair work will begin next week.

There are two water services that have to be done. One on Burr Oak Blvd. and the other at Rt. 691 and Hocking Parkway. That work will begin this week.

There is a water leak on Frank Street. They plan to replace the main and are waiting for parts to arrive to begin.

We have five fire hydrants that are defective and will be addressed next week. All of the hydrants in Buchtel are being checked.

Mr. Sherman asked how residents will negotiate Church Street. Mr. Coen said the street will not be totally closed. Mr. Taylor asked how the patching on Canal Street will affect traffic flow. Mr. Coen said they will begin in the middle lane and once that is completed traffic in the lane being worked on will be pushed to the middle. There will be two lanes open at all times. Mr. Booth asked how long the repairs would take and was told without emergencies they would need a full week.

SECOND READING

ORDINANCE 17-21. AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH AMERICAN LEGAL PUBLISHING.

Mr. Sherman made the motion to adopt. Mr. Dunfee seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Ordinance 17-21 adopted on second reading.

ORDINANCE 18-21. AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH SOFTWARE SOLUTION.

Mr. Sherman made the motion to adopt. Mr. Dunfee seconded the motion. Discussion: Mr. Sappington said the main part of this, which is utility billing, will be free to the City because originally, years ago, the City was offered to be the Beta test. We will only be paying for cloud, workorders and purchasing, and we received a \$2,000 discount on that portion. **ROLL CALL:** All Council members voted yea.

Ordinance 18-21 adopted on second reading.

ORDINANCE 20-21. AN ORDINANCE CREATING THE 925 AMERICAN RESCUE PLAN FUND.

Mr. Taylor made the motion to adopt. Mr. Booth seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Ordinance 20-21 adopted on second reading.

ORDINANCE 22-21. AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF NELSONVILLE TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT ON BEHALF OF THE CITY OF NELSONVILLE FOR THE CONSTRUCTION OF THE 2020 WATER SYSTEM IMPROVEMENTS PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

Mr. Taylor made the motion to adopt. Ms. Grant seconded the motion. Discussion: Ms. Grant asked if this was all loan funds? Mr. Frank said it is 50% grant and 50% loan, and the loan is 0%. **ROLL CALL:** All Council members voted yea.

Ordinance 22-21 adopted on second reading.

RESOLUTION 2241. A RESOLUTION GRANTING PERMISSION FOR HOCKING COLLEGE TO USE CRABTREE FIELD AND FIELD 4 AT POLLEY AND FOR THE AMERICAN LEGION TO HANG FLAGS FROM CITY LIGHT POLES.

Mr. Sherman made the motion to adopt. Mr. Dunfee seconded the motion. Discussion: Mr. Dunfee said Hootie Wend attended the Recreation Committee meeting and they had a good discussion about the use of the fields. Ms. Grant asked that the agreement between Hocking College and the City for the use of Crabtree Field and Field 4 at Polley be read into the record, which Mr. Dunfee did. **ROLL CALL:** All Council members voted yea.

Resolution 2244 adopted on second reading.

FIRST READING

Mr. Sherman introduced Ordinance 27-21

ORDINANCE 27-21. AN ORDINANCE THAT THE CITY OF NELSONVILLE, OHIO WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES OF THE CITY OF NELSONVILLE, OHIO PURSUANT TO INTERNAL REVENUE CODE SECTION 414(h)(2).

Mr. Sappington explained this is to rectify a major reporting error to OPERS. When the Auditor reports the contributions to OPERS he does not report them as pre or post tax and OPERS now is going through all the City's contributions for the past decade and fixing them. OPERS needs this legislation as soon as possible.

Mr. Taylor made a motion to suspend the rules. Mr. Booth seconded the motion. There was no further discussion. **ROLL CALL:** All Council members voted yea.

Mr. Taylor made the motion to adopt. Mr. Sherman seconded the motion. There was no further discussion. **ROLL CALL:** All Council members voted yea.

Ordinance 27-21 adopted on first reading under suspension of the rules.

Mr. Sherman introduced Ordinance 28-21.

ORDINANCE 28-21. AN ORDINANCE ADOPTING A LABOR CONTRACT WITH POLICE DEPARTMENT AND DECLARING AN EMERGENCY.

Mr. Sherman made a motion to suspend the rules. Mr. Taylor seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Mr. Dunfee made the motion to adopt. Ms. Grant seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Ordinance 28-21 adopted on first reading under suspension of the rules.

The Auditor asked that **Ordinance 29-21** be adopted this evening because it is due this month.

Mr. Booth introduced Ordinance 29-21.

ORDINANCE 29-21. AN ORDINANCE ALLOWING THE AUDITOR TO ACCEPT A 0-2% PREMIUM INCREASE FOR MEDICAL INSURANCE AND DECLARING AN EMERGENCY.

Mr. Taylor made a motion to suspend the rules. Mr. Booth seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Mr. Taylor made the motion to adopt. Mr. Dunfee seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Ordinance 29-21 adopted on first reading under suspension of the rules.

Mr. Taylor introduced Ordinance 30-21.

ORDINANCE 30-21. AN ORDINANCE ESTABLISHING A POLICY AND PROCEDURE FOR FUEL USE AND DECLARING AN EMERGENCY.

Mr. Frank explained that the procedure was not written in the Ordinance. This is basically putting the policy on paper. The Auditor said this will remove a major deficiency in our audit.

Mr. Taylor made a motion to suspend the rules. Mr. Dunfee seconded the motion. **ROLL CALL:** All Council members voted yea.

Mr. Taylor made the motion to adopt. Mr. Dunfee seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Ordinance 30-21 adopted on first reading under suspension of the rules.

Mr. Sherman introduced Ordinance 31-21.

ORDINANCE 31-21. AN ORDINANCE REVISING THE SALARY STEP SYSTEM FOR THE POLICE AND FIRE CHIEFS; SLOTTING THE POLICE AND FIRE CHIEFS AND DECLARING AN EMERGENCY.

Ms. Grant ask if this means that someone who is here or a year and someone who is here for 10 years would be making the same amount of money, which is the correct.

Mr. Sherman made a motion to suspend the rules. Mr. Taylor seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Mr. Sherman made the motion to adopt. Mr. Taylor seconded the motion. **ROLL CALL:** All Council members voted yea.

Ordinance 31-21 adopted on first reading under suspension of the rules.

CITY MANAGER'S REPORT

Mr. Frank said we are working on a project with Michael Betts which is a Small City's bid through ODOT. We are proposing Canal Street from the roundabout to Rt. 691 and Burr Oak Blvd from the bottom to halfway down the far side. It is a 95/5 match but will not be awarded until 2023.

Mr. Frank addressed the possibility of having recycle bins at Polley Field. There was a short discussion by Council as to whether that should be done but Council decided to put the bins at the water plant. If the bins and the area are not taken care of they will be taken away.

GOOD OF THE ORDER

Mr. Booth was told about an accident on the east end of Nelsonville shortly after he passed by the area on his way into town. He said two police cruisers and a fire truck were on the scene within three minutes. He also said the Police Department was the subject of criticism on social media this week. Most of the people making the comments don't live here and see the struggle in the City with crime and drugs.

Ms. Grant said its nice to have all the department updates on a regular basis. She also asked everyone to support Mr. Sherman’s Chili Cook-off on April 17. Proceeds will go to the City for pool passes for children this summer.

Mr. Dunfee said the City has some of the best employees around. The Police, Fire, Code, and Utility departments are also the best. He thanked them all for their hard work and working as a team.

Mr. Sherman said Pee Wee baseball will be starting soon and coaches are still needed. He also reminded everyone about the Chili Cook-off on Saturday. Congratulations to all City Departments for their hard work He also echoed Mr. Booth’s and Mr. Dunfee’s comments about the Police Department. They are not picking on homeless people, but offering assistance to them every time, whether it be food or another place to stay, but the people don’t want it because they don’t want to give up the drugs. He supports the Police Department for trying to get drug out of our town.

Mr. Taylor echoed the previous comments also. The Chief responded well to the criticism and agrees that his comment about a majority of the people commenting were misinformed. He also appreciates all the City employees. They have been under a lot of stress juggling different projects.

Mr. Taylor congratulated the N-Y Football Buckeyes. They were finally able to have their banquet from the fall. He appreciated all the Seniors for their efforts and keeping the tradition alive. A lot of our players are all academic TVC (must maintain a 3.5 grade point average) which is a great accomplishment.

Mr. Dunfee let everyone know there has been a lawsuit filed by a former Council member. They are in litigation.

Mr. Taylor made a motion to adjourn. Mr. Booth seconded the motion. **ROLL CALL:** All council members voted yea.

NELSONVILLE CITY COUNCIL

President of Council

Clerk of Council

ORDINANCE 32-21

AN ORDINANCE AMENDING THE 2021 APPROPRIATIONS ORDINANCE TO APPROPRIATE FROM THE UNAPPROPRIATED BALANCE THE FOLLOWING: ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE SANITATION FUND #730 TO LINE ITEM # 730-730-21100 (SANITATION CONTRACT SERVICES); THE SUM OF FIVE THOUSAND DOLLARS (\$5,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE SANITATION FUND # 730 TO LINE ITEM # 730-730-21110 (BILLING EXPENSE); AND TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE WATER FUND TO LINE ITEM #700-730-70030 (WATER UPGRADES)

WHEREAS, the appropriations ordinance needs to be amended to appropriate moneys for refuse and recycling collection and billing and to repair Fayette Street due to a water line break;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, ATHENS COUNTY, OHIO AS FOLLOWS:

1. The 2021 appropriations are amended to appropriate the following sums from the unappropriated balance to the designated line items:

ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE SANITATION FUND #730 TO LINE ITEM #730-730-21100 (SANITATION CONTRACT SERVICES);

THE SUM OF FIVE THOUSAND DOLLARS (\$5,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE SANITATION FUND # 730 TO LINE ITEM # 730-730-21110 (BILLING EXPENSE); AND,

TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00) FROM THE UNAPPROPRIATED BALANCE OF THE WATER FUND TO LINE ITEM #700-730-70030 (WATER UPGRADES).

2. The total appropriations are increased by said amount.
3. This Ordinance shall become effective at the earliest date provided by law.

Duly enacted by Council on first reading under suspension of the rules on the 26th day of April, 2021.

NELSONVILLE CITY COUNCIL

President of Council

Clerk of Council

First Reading: 04/26/21

Adopted Under Suspension of the Rules

ORDINANCE 33-21

AN ORDINANCE PERMITTING THE CITY MANAGER OR THE CITY AUDITOR TO FILE A LIEN AGAINST THE PROPERTY TAXES OF PROPERTY FOR NON-PAYMENT OF SANITATION BILLS.

WHEREAS, it is desirable to permit the City Manager or the City Auditor to file a lien against the property taxes of property for non-payment of Sanitation bills;

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, ATHENS COUNTY, OHIO AS FOLLOWS:

1. The City Manager or the City Auditor are permitted to file a lien against the property taxes of property for non-payment of sanitation bills.
2. This Ordinance shall become effective at the earliest date provided by law.

Duly enacted by Council on second reading on the 10th day of May, 2021.

NELSONVILLE CITY COUNCIL

President of Council

Clerk of Council

First Reading: 04/26/21
Second Reading: 05/10/21