

Nelsonville City Council will meet in regular session Monday May 24, 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 and May 13 special meeting
6. Auditor's/Treasurer's Report
7. Mayor's Court Report and Roll Call
8. Citizen's Comments
9. Business and Organizational Comments
10. Committee Discussion: Recreation, Street, Utility, Finance, Judiciary, Planning & Development, Police & Fire
11. Police Department and Code Enforcement Update
12. Second Reading
ORDINANCE 39-21. AN ORDINANCE AMENDING THE 2021 APPROPRIATIONS ORDINANCE TO APPROPRIATE FROM THE UNAPPROPRIATED BALANCE THE FOLLOWING: THE SUM OF SEVEN THOUSAND DOLLARS (\$7,000.00) FROM THE GENERAL FUND #100 TO LINE ITEM # 100-370-21100 (AUDIT FEE); SEVEN THOUSAND DOLLARS (\$7,000.00) FROM THE WATER FUND #700 TO LINE ITEM #700-370-21100 (AUDIT FEES); AND SEVEN THOUSAND DOLLARS (\$7,000.00) FROM THE SEWER FUND #750 TO LINE ITEM #750-370-21100 (AUDIT FEES).
13. First Reading
ORDINANCE 41-21. AN ORDINANCE ESTABLISHING FEES FOR THE NELSONVILLE WATER PARK AND DECLARING AN EMERGENCY.
14. City Manager's Report
15. Good of the Order
16. Executive Session O.R.C. 121.22(g) for Personnel and Legal Matters
17. Adjourn

Nelsonville City Council met in regular session Monday, May 10, 2021 at 7PM. President Dunfee called the meeting to order. All stood to recite the Pledge of Allegiance. Mr. Taylor offered the opening prayer and a moment of silence for firefighter Jeff Armes. **ROLL CALL:** All Council members were present except Mr. Sherman, who will arrive later. City Manager, Mr. Scott Frank and City Attorney, Mr. Garry Hunter were also present.

Mr. Taylor made a motion to approve the minutes of the last regular. Mr. Booth seconded the motion. **ROLL CALL:** All Council members voted yea.

COMMITTEE DISCUSSION

Mr. Dunfee announced a **Utility Committee** meeting for Monday, May 17 at 7:30 pm.

Ms. Jones announced a **Planning and Development Committee** meeting for Monday, May 17 at 6:30 pm.

Ms. Grant will call a **Finance Committee** meeting after the other committees meet next week.

Mr. Dunfee said the old pool house at Polley Field was broken into and \$1500 worth of equipment was stolen, and the new bathrooms were vandalized at one time or another. Mr. Frank said it has been secured and the police check it multiple times each night.

DEPARTMENT UPDATES

Utility Department supervisor, Jason Coen, told Council that as of last Friday 52 potholes on Canal Street had been patched. Tomorrow they will work on Canal Street and move into other areas of the City.

The new pump for the pool will be installed this week. Next week a new meter will be installed which will help account for water loss. The pool needs to be power washed and filled.

Church Street should be completed Wednesday, weather permitting. Mr. Coen talked to Rock River today and lower Chestnut Street should also be completed next week, weather permitting.

The backboards at Polley Field were in need of repair and Tri County's carpentry class volunteered to fix them, and they should also be up by the end of this week or early next week.

The Street Sweeper has been out Monday through Friday and it is working out well. Since the last meeting there have been 20 water leaks. Ms. Grant asked that Poplar Street be added to the pothole patching schedule.

Fire Chief Harry Barber gave an update for the Fire Department and gave a review of the fire on the Pleasantview because there have been rumors of negligence. Chief Barber was the second to arrive on the scene and was inside the structure with other firefighters when they heard firefighter Jeff Armes was down. CPR was begun immediately and continued until Athens County EMS arrived. The firefighter was transported to the hospital by EMS with several firefighters in attendance and continuing to work on Jeff. Rumors of negligence are unfounded. Nelsonville FD did an extraordinary job.

SECOND READING

ORDINANCE 33-21. 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.

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

Ordinance 33-21 adopted on second reading.

FIRST READING

Ms. Jones introduced Ordinance 34-21.

ORDINANCE 34-21. AN ORDINANCE CONSENTING TO THE ASSIGNMENT OF ENGINEERING CONTRACTS WITH STANTEC TO DLZ AND DECLARING AN EMERGENCY.

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

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

Ordinance 34-21 adopted on first reading under suspension of the rules.

Ms. Jones introduced Ordinance 35-21.

ORDINANCE 35-21. AN ORDINANCE ENGAGING DENNIS SCHWALLE OF DENSMORE LAW FIRM AS BOND COUNSEL FOR THE ISSUANCE OF \$6,706,00.00 BOND ISSUUE AND DECLARING AN EMERGENCY.

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

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

Ordinance 35-21 adopted on first reading under suspension of the rules.

Mr. Booth introduced Ordinance 36-21.

ORDINANCE 36-21. ORDINANCE AUTHORIZING THE ISSUANCE OF \$6,706,000 SANITARY SEWER SYSTEM REVENUE BONDS, SERIES 2021 BY THE CITY OF NELSONVILLE, OHIO, PURSUANT TO ARTICLE XVIII OF THE OHIO CONSTITUTION FOR THE PURPOSE OF PAYING PART OF THE COST OF CERTAIN SANITARY SEWER IMPROVEMENTS OF THE CITY; AS ADDITIONAL PARITY BONDS SECURED BY THE PROVISIONS OF ORDINANCE NO. 14-20, PASSED MAY 10, 2020; PRESCRIBING THE FORMS OF SUCH BONDS; AND DECLARING AN EMERGENCY.

Ms. Jones 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. Mr. Taylor seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea.

Ordinance 36-21 adopted on first reading under suspension of the rules.

Mr. Booth introduced Ordinance 37-21.

ORDINANCE 37-21. AN ORDINANCE ADOPTING THE LOAN RESOLUTION AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING AND/OR EXTENDING ITS CONSTRUCTION OF THE NEW REGIONAL SANITARY SEWER SYSTEM FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE BY ISSUANCE OF BONDS IN THE AMOUNT OF \$2,000,000.00; AND DECLARING AN EMERGENCY.

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

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

Ordinance 37-21 adopted on first reading under suspension of the rules.

Ms. Grant introduced Ordinance 38-21.

ORDINANCE 38-21. AN ORDINANCE TENTATIVELY AWARDDING THE WATERLINE CONSTRUCTION CONTRACT TO ROCK RIVER CONSTRUCTION, LTD AND THE WATER METER CONSTRUCTION

CONTRACT TO FERGUSON WATERWORKS, SUBJECT TO FINAL APPROVAL OF FUNDING FOR THE PROJECT FROM THE OHIO EPA 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. Ms. Jones seconded the motion. Discussion: Michael Betts with DLZ told Council the project is \$150,000 under the engineers estimate. Funding will be officially approved on the last Thursday in June, and construction most probably begin in July. The City decided to go with Mastermeter. **ROLL CALL:** All Council members voted yea.

Ordinance 38-21 adopted on first reading under suspension of the rules.

Mr. Taylor introduced Ordinance 39-21.

ORDINANCE 39-21. AN ORDINANCE AMENDING THE 2021 APPROPRIATIONS ORDINANCE TO APPROPRIATE FROM THE UNAPPROPRIATED BALANCE THE FOLLOWING: THE SUM OF SEVEN THOUSAND DOLLARS (\$7,000.00) FROM THE GENERAL FUND #100 TO LINE ITEM # 100-370-21100 (AUDIT FEE); SEVEN THOUSAND DOLLARS (\$7,000.00) FROM THE WATER FUND #700 TO LINE ITEM #700-370-21100 (AUDIT FEES); AND SEVEN THOUSAND DOLLARS (\$7,000.00) FROM THE SEWER FUND #750 TO LINE ITEM #750-370-21100 (AUDIT FEES)

Discussion: Mr. Sappington said part of this cost is for the state audit this year The other part of the cost is for the investigation of the previous Deputy Auditor, which is part of her restitution, and the City received the first payment of \$100 today.

Ms. Jones introduced Ordinance 40-21.

ORDINANCE 40-21. AN ORDINANCE PURSUANT TO OHIO REVISED CODE SECTION 124.39 (C) ADOPTING A POLICY THAT EMPLOYEES WHO DIE WHILE EMPLOYED BY THE CITY SHALL RECEIVE PAYMENT FOR UNUSED SICK LEAVE THE SAME AS IF THEY HAD RETIRED AND DECLARING AN EMERGENCY.

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

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

Ordinance 40-21 adopted on first reading under suspension of the rules.

Mr. Sherman joined the meeting.

CITY MANAGER'S REPORT

Mr. Frank said the death of Senior Firefighter Jeff Armes sent shockwaves through the City Hall. Everyone has come together to give him the respect he deserves. The Fire Department did a phenomenal first-class job considering the circumstances. The family is being taken care of using the multitude of resources available. All the benefits due the family have been paid out.

The auction of City excess equipment will be held next week.

On the recommendation of Fire Chief Barber, Mr. Frank nominated Gardner Briggs as a temporary part-time firefighter with the Nelsonville Fire Department. The appointment will be for six months and he is temporary because he has not taken a test. Mr. Booth made a motion to appoint Gardner Briggs as a temporary part-time firefighter with the Nelsonville Fire Department on the recommendation of the Fire Chief. Ms. Jones seconded the motion. There was no further discussion. **ROLL CALL:** All Council members voted yea. **Motion passed.**

The Nelsonville Green Team is looking for volunteers to help with monthly clean up in the City. They will meet May 15 and 22 on the Public Square at 10 am. Anyone with questions can contact Nan Shafer.

Michael Betts introduced Mr. Ram Rajadhyaksha, owner of DLZ. Mr. Rajadhyaksha thanked the City and said they will do a fantastic job.

GOOD OF THE ORDER

Mr. Taylor was speechless.

Mr. Sherman reiterated the City Managers remarks about the Fire Department. They should all be proud. The Vintage Camper show will be on the Square June 5. Mr. Dunfee echoed Mr. Sherman's comments. The funeral was well organized, but he hopes we don't have to go through anything like that again. He thanked the Fire Chief and the Fire Department for organizing everything. He also thanked the Jeff Armes and his family.

Ms. Grant asked that we keep our Fire Department and Firefighter Armes family in our prayers.

Mr. Booth said bless the Armes family.

Ms. Jones extended her condolences to the Armes family. She thanked Chief Barber and the Fire Department and said if they needed anything Council will be there for them. She also reminded everyone the Nelsonville High School Alumni Association will not hold the reunion banquet this year due to Covid-19.

Mr. Taylor made a motion to go into Executive Session under O.R.C. 121.22 (g) for personnel and legal matters. Mr. Hunter and Mr. Frank were invited to attend. Mr. Booth seconded the motion. **ROLL CALL:** All Council members voted yea.

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

Mr. Dunfee made the motion to adjourn. Ms. Grant seconded the motion. **ROLL CALL:** All council members voted yea.

NELSONVILLE CITY COUNCIL

President of Council

Clerk of Council

Nelsonville City Council will meet in a special session Thursday May 13, 2021 at 6:30 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).

The purpose of the meeting was to review a Resolution rescinding the removal of Gregory Smith from the Nelsonville City Council.

Mr. Dunfee called the meeting to order. All present stood and recited the Pledge of Allegiance. Mr. Taylor offered the opening prayer. **ROLL CALL:** All Councilmembers were present. Mr. Scott Frank, City Manager, was also present.

Mr. Taylor made a motion to go into Executive Session under O.R.C. 121.22 (g) for personnel and legal matters. The City Manager and Attorney Tom Spyker, via virtual connection, were invited to attend. Ms. Grant seconded the motion. **ROLL CALL:** All Council members voted yea.

Mr. Booth made a motion to return to open session. Ms. Jones seconded the motion. **ROLL CALL:** All Council members voted yea. **Motion passed.**

Ms. Jones introduced Resolution 2242.

RESOLUTION 2242. A RESOLUTION RESCINDING THE REMOVAL OF GREGORY SMITH FROM THE CITY OF NELSONVILLE CITY COUNCIL.

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

Resolution 2242 adopted on first reading.

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 41-21

AN ORDINANCE ESTABLISHING FEES FOR THE NELSONVILLE WATER PARK AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to adjust the daily entry, swimming and water aerobic lessons, poll rentals and special events fees for the Nelsonville Water Park last adjusted in 2019;

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

1. The following rates are established for the use of the Nelsonville Water Park:

<u>Daily Entry Fee</u>	<u>In Town</u>	<u>Out of Town</u>
Age 0-2	Free	Free
Age 3 & Up	\$5.00	\$5.00
Adults	\$4.00	\$5.00
Seniors (over 60)	\$4.00	\$5.00

For in town rates: Must have Nelsonville address or School ID as shown on Water bill or tax return.

Seasonal Pass Rates:

Household		
Maximum number 6 people	\$250.00	\$275.00
Over 6 in household-		
Additional \$20.00/person		
Adult	\$150.00	\$175.00
Youth	\$ 125.00	\$ 150.00
Senior (over 65)	\$ 50.00	not available

Pool Rental Fees

Pool Rental Rate is \$300 for two hours

Maximum of 2 hours

\$225.00 up to 25 people

\$300.00 26 to 50 people

\$350.00 51 to 100 people

\$425.00 101 to 250 people

\$500.00 over 250 people

*A \$100.00 additional security fee will be charged
if there is less than 1 adult per 25 youth

Special Events

\$2.00 per person

Swimming Lessons/Water Aerobics

All ages \$50.00

\$ 5.00 water aerobics sessions

2. This Ordinance is being passed as an emergency measure pursuant to O.R.C. 731.30 because the immediate passage of the Ordinance is necessary so that the Water Park can be opened on time, and this Ordinance shall be in full force and effect upon its adoption.

Duly enacted by Council on first reading on suspension of the rules this 24th day of May, 2021.

NELSONVILLE CITY COUNCIL

President of Council

Clerk of Council

First Reading: May 24, 2021