Nelsonville City Council met in regular session Monday, February 22, 2021 at 7PM. President Dunfee called the meeting to order. All stood to recite the Pledge of Allegiance. Mr. Booth offered the opening prayer. ROLL CALL: All Council members were present.
Mr. Sherman made a motion to approve the minutes of the last regular meeting and the two special meetings held February 19, 2021. Mr. Taylor seconded the motion. ROLL CALL: All Council members voted yea.

AUDITOR'S/TREASURER'S REPORT
The Auditor explained that the fund balances had some large payments due to large projects in the City. Capital Improvements Fund had one large expense due to the Woodlane Bridge project. The difference between revenue and expenses is -$69,005.
Year-to-date revenue total is $602,369.34 and year-to-date expenses total $671,374.34. The state audit is complete. Utility bills are being reviewed, one by one, for accuracy, and tax reminders are going out this week.
The Treasurer presented the Treasurer's Report for the month ending January 31, 2021. Total funds as of months end was $2,688,986.22. The invested funds total $1,713,008.62 of which $189.11 is interest earned.
Mr. Taylor made a motion to approve the Auditor's/Treasurer's reports as presented. Mr. Sherman seconded the motion. ROLL CALL: All Council members voted yea.

MAYOR'S COURT REPORT AND ROLL CALL
Mr. Sherman said the Mayor's Court report was not ready, but he will have it for the next meeting or send the report to Council via email.

BUSINESS AND ORGANIZATIONAL COMMENTS
Mr. Bernie Roell and his daughter Sarah spoke to Council about their new business, Adventure Pro Outdoors. They are excited about the new business. The outdoor industry is booming, and as they grow, they will bring more people to Nelsonville. A soft opening is planned in mid-March and the grand opening in April. Besides being a sporting goods store they are planning other activities such as guided ATV tours in Wayne National Forest. There will be equipment for rent. They are also renovating a pole barn on the property for a farmer's market, and they hope to have events to bring the locals together. They want to also support local businesses and hope to have a discount coupon book for patrons of the area.

COMMITTEE DISCUSSION
Ms. Jones said there will be a Planning and Development Committee meeting tomorrow night at 7 pm. Camping, ATV friendly and trash receptacles will be discussed.
Mr. Dunfee said there will be a Recreation Committee meeting following the P&D meeting tomorrow night at 8 pm.
Mr. Taylor said the Judiciary Committee will meet Thursday at 5 pm, A code of conduct will be discussed.

FIRE DEPARTMENT UPDATE
Fire Chief Barber reported he sent his report to Council in their email to help expedite the meeting and the department's year-end report will be on the Fire Department page in the morning.

SECOND READING
ORDINANCE 08-21. AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A COMMERCIAL AND RESIDENTIAL RUBBISH, REFUSE, AND RECYCLE COLLECTION CONTRACT WITH ATHENS-HOCKING RECYCLING CENTERS, INC. FOR THE THREE-YEAR PERIOD FROM APRIL 1, 2021 TO MARCH 31, 2024.

Bruce, with Athens-Hocking Recycling said they would do everything they can to get communications out and make a smooth transition. They will work closely with the City and he will speak with the local businesses to make sure their needs are met.
Mr. Smith asked where people should call if they already have toters. Bruce said that is something still to be worked out and will depend on how the billing and when they get the communications out to customers. Mr. Sappington said the other question to be resolved by Council is who is going to do the billing and Council will also have to get the sanitation rates. He hopes to have it this week. Mr. Smith said it would have to be done by March 1 because that legislation cannot be passed
Ms. Jones made the motion to adopt. Mr. Taylor seconded the motion. There was no discussion. ROLL CALL: All Council members voted yea.
Ordinance 08-21 adopted on second reading.

FIRST READING
Ms. Jones introduced Ordinance 09-21.
AN ORDINANCE 09-21. AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDERS #4 FOR PHASE 1 OF THE NELSONVILLE REGIONAL SEWER COLLECTION SYSTEM AND DECLARING AN EMERGENCY.
Mr. Sherman made a motion to suspend the rules. Mr. Dunfee seconded the motion. There was no discussion. ROLL CALL: All Council members voted yea.
Mr. Sherman made the motion to adopt. Mr. Booth seconded the motion. There was no discussion. ROLL CALL: All Council members voted yea.
Ordinance 09-21 adopted on first reading under suspension of the rules.

Ms. Jones introduced Resolution 2240.
RESOLUTION 2240. A RESOLUTION DESIGNATING DEPOSITORIES FOR ACTIVE MONIES FOR DEPOSIT IN PUBLIC DEPOSITORIES PURSUANT TO OHIO REVISED CODE CHAPTER 135; AND DECLARING AN EMERGENCY.
Discussion: Ms. Grant asked why this wasn’t done earlier so it would not have to be an emergency. Mr. Hunter said there had been some confusion and he had to recommunicate with the banks.
Mr. Sherman made a motion to suspend the rules. Mr. Taylor seconded the motion. There was no further discussion. ROLL CALL: All Council members voted yea.
Mr. Dunfee made the motion to adopt. Mr. Booth seconded the motion. There was no discussion. ROLL CALL: All Council members voted yea.
Resolution 2240 adopted on first reading under suspension of the rules.

Ms. Jones asked to return to the discussion regarding the trash billing and utility rates. Mr. Smith said the Utility Committee agreed that as long as the City does not exceed the price the trash hauler gave us for billing it was fine for the City to do the billing. Mr. Sappington said Council also needs to set up a proprietary fund for that money for future use. Mr. Smith said it could be done in one meeting and suspend the rules without emergency. Mr. Hunter suggested a special Council meeting next Monday, March 1. Mr. Smith made a motion to bring the necessary legislation on Monday, March 1. Mr. Taylor seconded the motion. ROLL CALL: All Council members voted yea. Motion passed.

CITY MANAGER’S REPORT
Mr. Frank has looked into the cost to fix the problems with the sound quality of the meetings, which is about $2900. After some discussion it was decided to put the expense off for a while.
Mr. Frank said there have been some discussion about trash pick-up in the alleys. The new hauler agreed that trash pick-up will be curbside only. There are a few homes that have difficulty getting their trash to the curb and he asked those residents to contact the code officer in order to resolve the issue. Athens Hocking

Recycling liked the idea of the recycling dumpsters at City Hall. Mr. Frank knew that was a problem, so it was suggested putting them at Polley Field. The company suggested four dumpsters, but Council thought two was enough. There will be cameras on them, and the trash company will maintain them. The dumpsters will near the old basketball courts. If this doesn't work the company will remove them. Ms. Jones said one of the reasons they went with Athens-Hocking Recycling was to encourage residents to recycle and dumpsters may prohibit some from doing curbside recycling. She is afraid the dumpsters will create a dump site. Mr. Taylor agreed with Ms. Jones. There was a discussion of the problems the dumpsters present, and Mr. Smith said we need to have legislation and be specific about what can go in the dumpsters. Mr. Frank will also check on dumpsters that can be locked. Mr. Frank said the last of the tree stumps from his list will be removed tomorrow and there are only a few more to remove before the stump remover is returned. The City has only a small amount of salt left, and all the suppliers are out. They have been adding grit to the salt to extend what we have. He hopes we have no more big snows!

GOOD OF THE ORDER
Mr. Booth thanked all City workers for making strides forward. We are on the right path.
Ms. Jones thanked City crews for their hard work keeping the streets clean and drivable. They look great.
Mr. Smith thanked Athens-Hocking Recycling. This is the first time in his memory that the contract prices have gone down. and curbside recycling is free. Rumpke did a great job. He thanked all the companies that bid for the contract.
Mr. Taylor agreed with Mr. Smith. He also said the streets are in great shape. He is beginning to see potholes and can't wait to the asphalt box and grinder in use.
Mr. Sherman thanked Athens-Hocking Recycling for a great bid. He also thanked Jason Cohn and the Street Department for keeping the streets clean.
Mr. Dunfee and the Street and Utility Departments for their continued efforts during the bad weather.
Ms. Grant said she is pleased with new local business. She urged everyone to support our local businesses.

Mr. Taylor made a motion to approve the decision of Nelsonville City Council in the matter of Mr. Smith's residency. Mr. Sherman seconded the motion. Mr. Smith was present with his attorney, Mr. Klos. Mr. Klos asked to present more evidence arguing the meeting was adjourned, not closed. Mr. Dunfee overruled Mr. Klos saying it had been an administrative hearing and they were told there would be a decision tonight. Mr. Dunfee proceeded to read the decision:
"It is the decision of Nelsonville City Council there ither is sufficient unrefuted evidence that Greg Smith resides at 238 Adams Street, Nelsonville, Ohio, as his voting residence with his wife, but that he does not reside there continuously, also residing at 608 Elm Street, Belpre, Ohio with his self-identified girlfriend, Beth Tyson, and part time with his self-identified girlfriend Beth Tyson at 1690 Clark Hill Road, Waterford, Ohio. It is Nelsonville City Council's decision pursuant to Nelsonville City Charter Section 4.02 that Councilperson Greg Smith does not meet the requirement of being a continuous resident of Nelsonville, Ohio, and that pursuant to Nelsonville City Charter provision 11.08 (B) (1) he fails to possess or maintain the qualification of the Office prescribed by this Charger. As such he is removed from the office of Nelsonville City Councilperson subject to review by the Athens County Board of Elections. He is suspended from acting as Nelsonville City Councilperson until the Athens County Board of Elections make a decision on the matter."
ROLL CALL: Council voted 6-0 to adopt the decision.

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

NELSONVILLE CITY COUNCIL

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President of Council

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Clerk of Council