Nelsonville City Council met in regular session Monday, December 27, 2021, at 7PM. President Dunfee called the meeting to order. All stood to recite the Pledge of Allegiance. Mr. Dunfee offered the opening prayer. ROLL CALL: All Council members were present. Mr. Scott Frank, City Manager, and Mr. Bob Toy, City Attorney, were also present.
Mr. Sherman made a motion to excuse Mr. Taylor. Mr. Dunfee seconded the motion. ROLL CALL: All Council members voted yea.

Mr. Taylor made a motion to approve the minutes of the December 13 meeting and the December 15 special meeting. Ms. Jones seconded the motion. ROLL CALL: All Council members voted yea.

AUDITOR/TREASURER'S REPORT
In the absence of the Treasurer Mr. Sappington gave the Treasurer's Report. Total funds as of November 30, 2021, is $4,845,302.64. Total interest of investments is $1,535.14 for a total of invested funds of $1,714,354.65.
Mr. Sappington also gave the Auditor's Report. Year-to-date expenses totaled $8,194,228.03 and year-to-date revenue totaled $9,319,631.54. He also talked about our fund balances. In November he encumbered $160,000 for the end of the year expenses. Mr. Sappington reported that the abatement letters have gone out to residents and are due back to him by January 10, 2022.The new utility shutoff procedures go into effect on January 1, 2022.
Five years ago today Mr. Sappington introduced a resolution regarding suicide prevention, and he wanted to revisit the seriousness of suicide. Suicide rates increase in the winter and spring. It also encourages businesses to offer mental health services.
In relation to a question from Ms. Jones, Mr. Sappington said the vacant property fees are being put in the General Fund.
Mr. Sherman made a motion to accept the Auditor's/Treasurer's Report as presented. Mr. Taylor seconded the motion. ROLL CALL: All Council members voted yea.

MAYOR'S COURT REPORT
There was no Mayor's Court report. Mr. Dunfee said Mayor's Court is now being held once a month, and there have been a lot of people showing up. He has recently signed 88 warrants for arrest.

Ms. Jones asked where we are with the Regional Income Tax Authority. Mr. Sappington said the Finance Committee has discussed it several times, but nothing has been brought forward.
Ms. Jones also asked about the codification of ordinances. Mr. Sappington said the company is working on it There have been delays due to the amount of text there was to go through.

COMMITTEE DISCUSSION
Mr. Dunfee said committee assignments will be available later tonight.

POLICE DEPARTMENT UPDATE
Chief Fitch announced that Mayor's Court is now being held once a month, on Tuesday following the first Council meeting of the month. At the last court attendance was about 40% so he is working on a strategy to increase attendance. Repercussions in the past have been lax and people seem to just dismiss it. The Mayor's Court Clerk is sending letters to those who have failed to show to let them know their licenses can be suspended for failure to appear in court or pay their fines. Another strategy was to arrest seven people one morning. Three went to the regional jail, and four posted bonds on their fines. They took in $1100 as a result of the arrests. He hopes it will send a message to make people aware that they will be

held accountable for their appearances in Mayor's Court and their fines. There are 88 new Mayor's Court warrants.
On Christmas Eve the police Department did a narcotics search warrant on Madison Street. Heroin and Fentanyl were both found along with cash and a handgun. Three people were charged with drug offences.
There will be a retest of the Sergeant's test. He will be meeting with the Civil Service Commission and hopes to be able to have the testing done in January.
Radios and radar for the cruisers are on backorder.
The Nelsonville Police Department will begin patrolling in Buchtel January 1, 2022.
There have been several break ins recently. Two have been solved and property has recovered. They have gotten criminal charges on those involved.
Chief Fitch said each officer has been assigned his own cruiser and it is working out well. He has been doing random inspections to be sure equipment is being maintained and the cruisers are clean. We just need to get the radios and radar.
Ma. Jones asked about the Civil Service Test. The Chief said candidates will be retested. There were issues with the test and after discussion with the Civil Service Commission it was decided to retest. Some officers did not do as well as they had hoped, and this will give them additional study time. She also asked about the unnamed office that Council approved to be hired. Chief Fitch said Civil Service is aware that there will be another test, hopefully in the spring.

CODE ENFORCEMENT UPDATE
The Code Officer provided a 3-year date review for the Code Office. In her absence Mr. Frank reported statistics for the various segments associated with Code Enforcement. She is working on three projects to find out-of-town property owners of vacant property. The properties are being boarded up and will most likely be demolished. she is work. She has also worked with the Fire Department on their Christmas programs. Mr. Frank believes the decline in numbers for 2021 is due to compliance. Mr. Frank is also appointing Ms. Barber as the prevailing wager coordinator.

SECOND READING
ORDINANCE 101-21. AN ORDINANCE ADOPTING TEMPORARY APPROPRIATIONS FOR 2022.
Mr. Booth made the motion to adopt. Mr. Taylor seconded the motion. There was o discussion. ROLL CALL: All Council members voted yea.
Ordinance 101-21 adopted on second reading.

ORDINANCE 102-21. AN ORDINANCE AMENDING THE 2021 APPROPRIATIONS ORDINANCE TO AMEND THE APPROPRIATIONS AT THE CLOSE OF BUSINESS ON DECEMBER 31, 2021, TO MATCH THE ACTUAL EXPENDITURES AND ANTICIPATED RECEIPTS THROUGH DECEMBER 31, 2021.
Mr. Taylor made the motion to adopt. Ms. Jones seconded the motion. Mr. Sappington said this is a clean-up ordinance for year-end that we do every year. There was no further discussion. ROLL CALL: All Council members voted yea.
Ordinance 102-21 adopted on second reading.

FIRST READING
Mr. Booth introduced Ordinance 103-21.
ORDINANCE 103-21. AN ORDINANCE AUTHORIZING CITY MANAGER SCOTT FRANK TO ACCEPT AND ENTER INTO CONTRACT FOR THE ELECTRIC VEHICLE CHARGING STATIONS AND DECLARING AN EMERGENCY.
Mr. Sherman made a motion to suspend the rules. Mr. Taylor seconded the motion. ROLL CALL: All Council members voted yea.

Mr. Sherman made the motion to adopt. Mr. Booth seconded the motion. Discussion: The winning bid was from E V United for $176,000. AEP will fund $150,000 for the project leaving the City with about $26,000 to pay. The project is for two Class 3 charging stations. The project should be completed the end of January 2022. ROLL CALL: All Council members voted yea.
Ordinance 103-21 adopted on first reading under suspension of the rules.

Mr. Taylor introduced Resolution 2258.
RESOLUTION 2258. A RESOLUTION APPOINTING THE ATTORNEYS OF REMINGER CO., L.P.A., AS SPECIAL PROSECUTOR TO PROSECUTE THE PENDING REMOVAL PROCEEDINGS, AS WELL AS ANY FUTURE REVIEWS THEREOF, OF COUNCILMEMBER GREGORY SMITH.
Mr. Booth made the motion to adopt. Mr. Taylor seconded the motion. There was no discussion. ROLL CALL: All Council members voted yea.
Resolution 2258 adopted on first reading.

Ms. Jones introduced Resolution 2259.
RESOLUTION 2259. A RESOLUTION PURSUANT TO OHIO REVISED CODE 5705.03(B) REQUESTING THE ATHENS COUNTY AUDITOR TO CERTIFY THE AMOUNT OF REVENUES GENERATED BY A .5 MILL RENEWAL LEVY FOR RECREATION.
Ms. Jones made a motion to amend the Ordinance to reflect the date 2022 instead of 2018. Mr. Taylor seconded the motion. There was no further discussion. ROLL CALL: All Council members voted yea.
Mr. Booth made the motion to adopt. Mr. Taylor seconded the motion. There was no discussion. ROLL CALL: All Council members voted yea.
Resolution 2259 adopted on first reading.

Ms. Jones introduced Resolution 2260.
RESOLUTION 2260. A RESOLUTION PURSUANT TO OHIO REVISED CODE 5705.03(B) REQUESTING THE ATHENS COUNTY AUDITOR TO CERTIFY THE AMOUNT OF REVENUES GENERATED BY A .5 MILL REPLACEMENT LEVY FOR RECREATION.
Mr. Sherman made the motion to adopt. Mr. Booth seconded the motion. There was no discussion. ROLL CALL: All Council members voted yea.
Resolution 2260 adopted on first reading.

CITY MANAGER’S REPORT
Mr. Frank addressed an article in the Athens Messenger regarding a false story about the hiring of an unnamed police officer at the August 9, 2021, regular Council meeting. He played a short clip from that meeting of the reading of the ordinance and the unanimous vote of Council to approve the hiring so that everyone would know what actually happened. The unnamed Council person who was not in attendance at tonight’s meeting has caused a considerable amount of undue drama and chaos within the City. Mr. Frank went on to say this same person has filed code violation complaints against two other Council persons. He seems to be trying to turn Council members against one another and is tying up resources. Not on Team Nelsonville. Mr. Frank feels he is using City resources as a game. He wanted to bring this to Council’s attention or there would not be a remedy for the situation. Mr. Frank asked for an executive session with regard to the Mill Street project as well another construction projects in the City.
Mr. Frank will have a final report on the City pool at the next meeting.

Mr. Dunfee read a letter for Mr. Greg Smith serving notice of a public hearing on January 12, 2022, in Council Chambers at 6:30 PM

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

Mr. Taylor made a motion to return to regular session Mr. Booth seconded the motion. ROLL CALL: All Council members voted yea.

GOOD OF THE ORDER
Regarding Mr. Frank's statements, Mr. Taylor said Mr. Smith is coming after him with code complaints. He did a public records request for code complaints in the last 12 months. Mr. Smith made two complaints in that time, one was Mr. Taylor's, and the other was for another Council member. He feels this is retaliatory to bog down the City. He is not for the City of Nelsonville.
Mr. Clement, Mr. Sherman an Mr. Booth wish everyone a safe and Happy New Year.
Mr. Dunfee said his uncle died last week of Covid related problems; he was 57 years old. He appreciates the outpouring of sympathy. Covid is real, especially when it hits home in this way. He wished a Happy and safe New Year to everyone.

Mr. Sherman 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