

Unified Government of Athens-Clarke County, Georgia  
Mayor and Commission  
Tuesday, March 3, 2015  
7:00 p.m.  
City Hall

The Unified Government of Athens-Clarke County, Georgia met this date in regular session. Present: Mayor Denson; Commissioners Dickerson, Sims, Link, Wright, Bailey, NeSmith, Bell, Girtz, and Hamby. Absent: Commissioner Herod.

A motion was made by Commissioner Bailey, seconded by Commissioner Sims, to approve Minutes of meetings of Tuesday, February 3 and Tuesday, February 10, 2015. The motion passed by unanimous vote.

## RECOGNITIONS

### Athens-Clarke County Library

Mayor Denson announced the Athens Clarke County Library Addition and Renovation SPLOST 2005 – Project #26 has fulfilled the requirements of the following level of certification established by the U. S. Green Building Council in the LEED Green Building Rating System™ and verified by the Green Building Certification Institute: LEED (Leadership in Energy and Environmental Design) for new construction: Silver

Wally Eberhard, Library Board Chairman; Craig Pascoe, Vice Chair; Julie Darnell, Treasurer; and Kathryn Ames, Director accepted the award.

With careful planning and coordination, the newly renovated and expanded library saves both water and energy. The building has a new high-efficiency HVAC system and now has automatic shut-off for lighting in unoccupied areas. During the project, 82% of the construction waste was either recycled or diverted from the landfill, and the new materials used in construction included 32% recycled content. All of these new materials are low VOC-emitting, and 42% of the materials were made or harvested within a 500-mile radius. In addition, the library is setting an example for energy conservation by offering designated parking spaces for low-emission vehicles and a new electric vehicle charging station.

### Sandy Creek Nature Center

Scott Collins, President Sandy Creek Nature Center, presented Mayor Denson with a check in the amount of \$55,100 which the center raised for the recently approved managed forest project.

### Written communications

There were no written communications.

### Old business – Consent

Items under this section were discussed at prior public meetings and were presented for consideration as a single item. Only one vote was taken.

### Citizen input

The following citizens supported Sunday transit service.

1. Adam Lassila, 552 Pulaski Street #2
2. Kelly Happy
3. Rick Viock, 485 Oak Tree Square
4. Paul Brenovitz
5. Tim Denson, 290 Midway Road
6. Chris Dowd, 245 North Harris

A motion was made by Commissioner Sims, seconded by Commissioner Bailey, to consent to action on the following 10 items. The motion passed by unanimous vote.

- 1 ADOPT: The following ordinance (#03-03-09) which was presented by title only transferring funds from the General Fund Contingency Fund to the Economic Development FY15 General Fund Operating Budget to support a new position; and APPROVE the addition of a new position, Development Coordinator, for the Economic Development Department (EDD) beginning May 1, 2015 to act as a point of contact for business and development projects seeking permits or other assistance from the Unified Government as per agenda report dated February 5, 2015.

AN ORDINANCE TO AMEND THE 2015 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING TO THE ECONOMIC DEVELOPMENT DEPARTMENT FOR EXPENSES RELATED TO ONE ADDITIONAL POSITION TO ACT AS POINT OF CONTACT FOR BUSINESS AND DEVELOPMENT PROJECTS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Fund provide additional funding to the Economic Development Department for expenses related to one additional position to act as point of contact for business and development projects. Said Operating and Capital budget is hereby amended as follows:

General Fund:

INCREASE:

|                                  |          |
|----------------------------------|----------|
| Economic Development Department: |          |
| Personal Services (2 months)     | \$10,155 |

DECREASE:

|                               |            |
|-------------------------------|------------|
| Other General Administration: |            |
| Operating Contingency         | (\$10,155) |

(NOTE: This Budget Ordinance will increase the full-time authorized positions for the Economic Development Department by one.)

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

2. ADOPT: The following resolution authorizing the submission of an application to the Georgia Department of Transportation (GDOT) for Federal Transit FY16 Supplemental Capital (\$1,895,000) funding assistance and FY17 (July 1, 2016-

June 30, 2017) Formula Operating (\$2,068,000) for a total amount of \$3,963,000 as per agenda report dated January 22, 2015; AUTHORIZE acceptance of the subject grant at the currently projected level or alternative level, if awarded; and AUTHORIZE the Mayor and appropriate staff to execute the resulting contract between the Unified Government of Athens-Clarke County and GDOT.

#### AUTHORIZING RESOLUTION

Resolution authorizing the execution of contracts between the Department of Transportation, United States of America, and the Georgia Department of Transportation, for a grant under the Title 49 U.S.C., Section 5307.

WHEREAS, the Secretary of Transportation and the Commissioner of the Georgia Department of Transportation are authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Title 49 U.S.C. the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and other pertinent directives and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that Minority Business Enterprise, Disadvantaged Business Enterprise and Women Business Enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts and purchase orders when procuring construction contracts, supplies, equipment contracts, or consultant and other services:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of the Unified Government of Athens-Clarke County:

That the Mayor and appropriate staff, is authorized to execute and file an application and assurance or any other document required by the U.S. Department of Transportation and Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.

That the Mayor and appropriate staff, is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation and Georgia Department of Transportation effectuating the purpose of this grant; A: Supplemental Capital funds for July 1, 2015 – June 30, 2016; B: Operating funds for July 1, 2016 – June 30, 2017;

That the staff of the Athens Transit System, is authorized to furnish such additional information as the U.S. Department of Transportation and the Georgia Department of Transportation may require in connection with the application or the project;

That the Mayor and appropriate staff, is authorized to set forth and execute Minority Business Enterprise, DBE (Disadvantaged Business Enterprise), and WBE (Women Business Enterprise) policies and procedures in connection with the projects procurement needs.

That the Mayor and appropriate staff, is authorized to execute these grant agreements on behalf of the Unified Government of Athens-Clarke County with the Georgia Department of Transportation to aid in the financing of the marketing, planning, capital and/or operating assistance requested in the Program of Projects and Budget.

3. ADOPT: The Athens Transit Department's Title VI Plan, as proposed in Attachment #1 of agenda report dated January 21, 2015, in order to bring the department into compliance with the most recent updates to the Federal Transit

Administration and Georgia Department of Transportation Title VI Civil Rights programs requirements.

4. APPROVE: Tower lease agreement with Athens Cellular, Inc., d/b/a Verizon Wireless, for the installation and operation of a cellular communications site on the radio communications tower at 3035 Lexington Road as per Attachment #1 of agenda report dated January 27, 2015; and AUTHORIZE the Mayor and appropriate staff to execute all necessary documents.
  
5. APPROVE: Award of a construction contract for the Whitehall Road Hill Reduction Project to E.R. Snell Contractor, Inc. for a unit cost not to exceed \$561,701 as per agenda report dated February 5, 2015; and AUTHORIZE the Mayor and appropriate staff to execute all related documents.
  
6. APPROVE: The selection of New World Systems as the vendor offering the most responsive proposal to Request for Proposal (RFP) #00721, Jail Management Software (JMS) as per agenda report dated January 28, 2015; AUTHORIZE staff to negotiate and finalize a contract for a JMS in accordance with RFP #00721 with New World Systems for a not-to-exceed value of \$750,000; and AUTHORIZE the Mayor and appropriate staff to execute all related documents.
  
7. APPROVE: Award of contracts for FY16 employee and retiree benefits as per agenda report dated January 28, 2015:
  - a. Approve award of Third Party Administrator contract for health insurance coverage to Blue Cross Blue Shield of Georgia, with an approximate annual cost to the Unified Government of Athens-Clarke County of \$717,000 based on current enrollment levels;
  - b. Approve award of dental insurance contract to Delta Dental with a first year annual employee paid premium of \$772,000 based on enrollment levels;
  - c. Approve award of vision insurance contract to Blue Cross Blue Shield of Georgia with a first year annual employee paid premium of \$108,000 based on current enrollment levels;
  - d. Approve award of life insurance contract to Unum with a total annual premium of \$562,000 (Athens-Clarke County = \$298,000; Employee paid premium = \$264,000), based on current enrollment levels;
  - e. Approve award of Long Term Disability contract to Unum with an annual employee paid premium of \$260,000 based on current enrollment levels; and
  - f. Authorize Mayor and appropriate staff to execute all related documents.
  
8. APPROVE: Renewal of Athens-Clarke County Police Department west precinct /wellness center lease under the terms provided by the current owner of the Georgia Square Mall Property (KDI Athens Mall, LLC) with a five year extension to the current lease, and two optional renewal terms of five years each as per agenda report dated January 22, 2015; and authorize the Mayor and appropriate staff to execute all documents associated with the renewal.

9. APPROVE: Naming of the Athens-Clarke County Library property near the corner of Baxter Street and Dudley Drive as the "Kathryn S. Ames Plaza" as requested by the Athens-Clarke County Library Board as per agenda report dated January 28, 2015.
  
10. APPROVE: Staff to initiate the process to abandon the associated right-of-way and public infrastructure within the right-of-way of Pauldoe Circle, the remainder of Pauldoe Street, and a portion of the old Helen Street alignment as shown in Attachment #1 of agenda report dated February 5, 2015.

#### Old and new business – Discussion

#### Citizen input

The following citizen input was received.

1. Tyler Dewey, 149 Tracy Street – supported bike lanes in transportation plans.

A motion was made by Commissioner Bailey, seconded by Commissioner NeSmith, to approve the quitclaim request for the unopened right of way running directly behind 165 Willow Run and 180 Westover Drive to its end behind 115 Willow Run and 130 Westover Drive as requested in Attachment #1 of agenda report dated January 7, 2015; and authorize the Mayor and appropriate staff to sign any future requests for quitclaim relative to this unopened right of way for any of the other adjacent property owners as shown by numbered address on Attachment #3. The motion passed by unanimous vote.

A motion was made by Commissioner Wright, seconded by Commissioner Girtz, to adopt the following ordinance (#03-03-10) which was presented by title only. The motion passed by unanimous vote. This proposed charter amendment requires adoption at two separate meetings. Final reading will be held Tuesday, April 7, 2015. The ordinance with regard to Code of Ordinances Section 3-103 renaming the Auditor's Office will be considered Tuesday, April 7.

AN ORDINANCE UNDER THE HOME RULE POWERS GRANTED TO ATHENS-CLARKE COUNTY TO AMEND THE CHARTER OF THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO THE POSITION OF AUDITOR, AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

SECTION 1. The Charter of the Unified Government of Athens-Clarke County is hereby amended by striking Section 4-104, which section is entitled "Auditor; appointment; term; duties; qualifications; compensation," in its entirety, by substituting the following new title in lieu thereof:

Section 4-104. "Internal Auditor; appointment; term; duties; qualifications; compensation,"

and substituting the following text of such section in lieu thereof:

"(a) The Mayor shall make nonbinding recommendations to the Commission for the "internal auditor" of the unified government (referred to at times in this Charter as the "internal auditor"). The internal auditor shall be appointed by a majority vote of

the entire Commission on or before the first voting meeting in June of the year the term expires with the appointment to be effective July 1 of said year; shall be appointed for a term of two (2) years, beginning on July 1, 2009; may succeed himself or herself; and at any time may be removed by a majority vote of the entire Commission.

“(b) The qualifications, duties and compensation of the internal auditor shall be as prescribed in a duly adopted ordinance.”

SECTION 2. The Charter of the Unified Government of Athens-Clarke County is hereby amended by striking sub-paragraphs (2) and (3) of paragraph (b) of Section 2-105, which section is entitled “Powers of the commission,” in their entirety and substituting the following in lieu thereof:

“(2) Approve or reject recommendations concerning the appointments of the manager, attorney and internal auditor;

“(3) Remove from office the manager, attorney and internal auditor by majority vote of the entire commission; and”

SECTION 3. The Charter of the Unified Government of Athens-Clarke County is hereby amended by striking paragraph (b) of Section 3-104, which section is entitled “Powers and duties,” in its entirety and substituting the following in lieu thereof:

“(b) Initiate the process, with the involvement of commission members and appropriate staff, to search and screen candidates for the positions of manager, attorney, and internal auditor and to recommend candidates for these positions to the commission (appointment requires concurrence of a majority of the entire commission);”

SECTION 4. The Charter of the Unified Government of Athens-Clarke County is hereby amended by striking Section 7-410, which section is entitled “Continuing audit,” in its entirety and substituting the following in lieu thereof:

“The internal auditor shall conduct a continuing internal audit of the fiscal affairs and operations of every department, office and agency of the unified government.”

SECTION 5. All ordinances or local laws and parts of ordinances or local laws in conflict with this Ordinance are hereby repealed.

A motion was made by Commissioner Bailey, seconded by Commissioner Hamby, to approve FY16 Mayor and Commission goals and objectives as follows. The motion passed by unanimous vote.

#### MAYOR AND COMMISSION FY16 BUDGET GOALS AND OBJECTIVES Adopted March 3, 2015

*Goal A: Engage the Community in Visioning the Future of Athens-Clarke County.  
Short Term Strategy:*

- In FY16, research best practices and assess the status and progress of past visioning efforts to glean lessons learned.
- Participate in the National Citizen Survey.
- Develop a dashboard system to track goals and strategies and implementation status of various plans.

*Long Term Strategy:*

- Engage the community in a visioning process rather than announcing the M&C’s plan. Use such a process and initiative to create a long-term plan that utilizes community buy-in and coordinates more effectively with other community institutions.

*Goal B: Provide infrastructure that is supportive of sustainable growth, is environmentally sensitive, and is fiscally sound.*

#### Objectives

Energy Conservation:

*Short Term Strategy:*

- Research feasibility of solar and other alternative/renewable energy sources in high energy consumption facilities.
- Evaluate and create a phased implementation plan for energy conservation measures where practical in all Unified Government operations in conjunction with life-cycle replacement programs and capital renovations and improvements for the purpose of reducing energy consumption by 15% per square foot as compared to FY07.

*Water Supply:*

*Short Term Strategy:*

- In FY16, educate citizens and constituents on conservation and protection efforts.
- In FY 16, identify additional water supply resources and begin preliminary evaluation of those resources.

*Long Term Strategy:*

- Explore reuse opportunities for commercial and residential users.
- Survey old sewer lines and develop replacement strategies with funding options.

*Solid Waste Management:*

*Short Term Strategy:*

- In FY16, maintain reductions of not less than 45% per capita in the amount (measured in pounds), of Athens-Clarke County community generated solid waste directed toward landfills compared to such volumes in FY10 and continue positive efforts in support of achieving 2018 reduction goals.
- Implement the CHaRM facility.
- More aggressively pursue partnerships and educational opportunities with multi-family housing complexes.

*Long Term Strategy:*

- Achieve reductions of not less than 60% by 2018, and 75% by 2020 per capita in the amount (measured in pounds) of Athens-Clarke County community generated solid waste directed toward landfills compared to such volumes in FY10.

*Greenway Master Plan:*

*Short Term Strategy:*

- In FY16, submit a comprehensive update to the Greenway Master Plan and Level 1 and Level 2 maps.

*Long Term Strategy:*

- Continue to develop and implement the Greenway Master Plan and Rail to Trail Corridor.

*Sustainability Plan:*

*Short Term Strategy:*

- In FY16, work with community environmental and transportation groups and Unified Government staff, define the major components of a sustainability plan, and identify benchmarks for success.

*Goal C: Enhance and sustain the quality of life in Athens-Clarke County.*

Objectives:

*Reverse the Deterioration of Multi-Family Housing*

*Short Term Strategy:*

- In FY 16, engage housing partners to discuss issues identified in the multi-family housing inventory/survey, as well as strategies recommended in the Workforce Housing Study.
- Apply for Georgia Initiative for Community Housing (GICH) grant program.
- Work with the state to develop incentives for public/private solutions.
- Evaluate and report the impact of implementing principles of inclusionary zoning to new developments.

*Long Term Strategy:*

- Integrate an improvement strategy into land use planning processes, considering the strategies recommended from the Workforce Housing Study.

Improve Multi-Transportation Programs in ACC:

*Short Term Strategy:*

- In FY16, complete study of local transportation systems to identify potential efficiency improvements.
- In FY16, identify and evaluate the cost and benefits of additional alternative transportation options that could be accelerated within the SPLOST program.
- Continue to explore options for traffic calming, pedestrian safety measures, and sidewalk projects and sidewalk installations to include amending ordinance language as necessary to encourage more sidewalk development.
- Implement a Complete Streets Ordinance applicable to all development.

*Long Term Strategy:*

- Evaluate different opportunities to increase the frequency and scope of transit service.
- Seek funding to preserve and protect current transportation infrastructure.
- Implement strategies and track progress of recommendations from completed Transit Development Plans.

Planning Special Works Projects:

*Short Term Strategy:*

- Allocate resources for the development and implementation of the Planning Department special works programs as approved and scheduled (Infill development, Prince and Oak/Oconee Corridor studies, etc.)
- Conduct a study recommending improvements of downtown design guidelines.

Workforce Housing Assessment:

*Short Term Strategy:*

- In FY16, Complete a workforce housing needs assessment to identify deficiencies within the existing housing stock and development strategies to encourage housing diversity.

Community Internet Access Assessment:

*Short Term Strategy:*

- Explore the status of internet access in rural areas to determine potential opportunities for providing broadband and fiber in underserved areas.

*Goal D: Recruit and retain a workforce with the skills to meet the diverse needs of the Athens Clarke County Community.*

Objectives

Pension Benefits:

*Long Term Strategy:*

- Amend the Defined Benefit Pension Plan to provide incentives for retaining long-term employees.

Compensation and Benefits Plan:

*Short term Strategy:*

- Examine ongoing education opportunities for current employees (i.e. tuition reimbursement program) to enhance career training.

*Long Term Strategy:*

- Annually adopt, as part of the budget process, adjustments to the Unified Government's compensation and benefits plan to retain a competitive compensation position with peer communities.

*Goal E: Establish more efficient criminal justice processes.*

*Short Term Strategy:*



- In FY16, appoint a Criminal Justice Coordinating Committee to identify any remaining Criminal Justice Task Force recommendations that should be implemented; to define and track measurable objectives using data throughout the local criminal justice system; and to seek input from the system's key agency officials on a quarterly basis to promote continuous process improvements and reduce recidivism.
- Examine findings and identify potential strategies from research performed by the Youth Development-gang prevention initiative.

*Goal F: Develop and implement corridor plans for areas such as Prince Avenue, Jefferson Road, Lexington Highway, and Atlanta Highway which are expected to experience heavy growth over the next 20 years.*

Objectives:

Corridor Plans:

*Short Term Strategy:*

- In FY16, identify and select the next corridors, or business district, for study under ACCUG gateway and corridor program
- Identify funding and partnership opportunities to implement corridor study recommendations.

*Long Term Strategy:*

- Work with the State of Georgia to identify tax incentives to retain existing jobs and business along commercial corridors.

*Goal G: Ensure continued efficiency and effectiveness of ACC Government Departments, Offices, and Agencies.*

*Short Term Strategy:*

- Examine the economic development department to determine need for small business development support staff.
- Explore different models for program delivery for Leisure Services activities and programs.
- Better define economic development incentives and outreach strategy that would be responsive to industry and small business needs for use by the Economic Development Department.
- Review the annual distribution of hotel motel tax funds and develop a plan for future distribution of these funds.

New business – Consider under suspension of rules

There was no new business.

Public hearing and deliberation on recommendations from the Athens-Clarke County Planning Commission.

A public hearing was held on proposed text amendments regarding site design and use standards.

Planning Commission recommendation: Approve (unanimous)

Citizen input

The following citizen input was received.

1. Michael Songster, 249 Hillcrest Avenue – need more than two levels of corridor designations.
2. Amy Kissane, 526 Highland Avenue, representing Athens-Clarke Heritage Foundation – corridor study is needed.

3. Tyler Dewey, 149 Tracy Street - supported commission-defined option
4. Gretchen Elsner , 480 Stanton Way – supported commission-defined option.

A motion was made by Commissioner Link, seconded by Commissioner NeSmith, to adopt the commission-defined option as amended on the floor with the request the Mayor set a joint meeting with the Mayor and Commission and the Planning Commission to discuss zoning and design guidelines details.

The motion failed by roll call vote with Commissioners Link and NeSmith voting YES; and Commissioners Dickerson, Sims, Wright, Bailey, Bell, Girtz, and Hamby voting NO. (2 YES; 7 NO)

A motion was made by Commissioner Girtz, seconded by Commissioner Hamby, to approve the Planning Commission recommendation regarding designated corridor standards and refer to the Planning Commission a review of site design standards for projects adjacent to RS zones in all commercial districts, to include Floor Area Ratio, setbacks, building height, planting requirements, placement of parking areas and structures, and related standards, with the goal of protecting RS zones from negative impacts such as noise, disruption of view shed, and aesthetic incompatibility.

Commissioner Dickerson offered an amendment that the Mayor schedule a joint meeting of the Mayor and Commission with the Planning Commission to discuss Prince Avenue by September 2015.

The amendment was accepted by Commissioners Girtz and Hamby.

The following ordinance (#03-03-11) which was presented by title only was declared adopted.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO SITE DESIGN AND USE STANDARDS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 9-25-8 of the Code of Athens-Clarke County, Georgia, entitled "*Site Design Standards*" subsection E. thereof, paragraph 1 thereof entitled "*Orientation and scale.*" item d. thereof is hereby deleted in its entirety and the following substituted therefor:

Development of properties in "C" zones and abutting a Level One corridor type shall have a minimum floor area ratio of 0.25. Development of properties in "C" zones and abutting a Level Two corridor type shall have a minimum floor area ratio of 0.15. Plazas conforming to the standards of section 9-25-8 F.2. may count toward a maximum of 20 percent of the minimum floor area ratio square footage. Reductions of the lot area calculation shall be allowed for floodplain, bodies of open water, wetlands, riparian buffers, slopes greater than 25 percent, buffers required by section 9-15-3 and public utility easements, if these areas remain vegetative or landscaped. For properties with frontage on more than one street, the minimum floor area ratio shall apply if the primary building orientation faces a designated corridor.

SECTION 2. Section 9-25-8 of the Code of Athens-Clarke County, Georgia, entitled "*Site Design Standards*" subsection E. thereof, paragraph 1 thereof entitled "*Orientation and scale.*" item f. thereof is hereby deleted in its entirety and the following substituted therefor:

Any wall which is facing toward and within 75 feet of a street shall contain at least 30 percent of the wall area at the first level of the building and 20 percent of the wall area at upper levels of the building in display areas, windows or doorways. The first level shall be measured from the finished building grade to ten feet above grade for the entire width of the wall. Windows must allow views into working areas or lobbies, pedestrian entrances or display areas. Display means the displaying of goods,

merchandise or products that are readily available for sale at retail on the same lot.

SECTION 3. Section 9-25-8 of the Code of Athens-Clarke County, Georgia, entitled "*Site Design Standards*" subsection E. thereof, paragraph 1 thereof entitled "*Orientation and scale.*" item i. thereof is hereby deleted in its entirety.

SECTION 4. Section 9-25-8 of the Code of Athens-Clarke County, Georgia, entitled "*Site Design Standards*" subsection F. thereof, paragraph 2 thereof entitled "*Public spaces.*" is hereby amended by deleting therefrom the title "Public spaces" and substituting therefore the title "Plazas" and by deleting item b thereof in its entirety and substituting the following therefor:

b. Plazas shall be designed to encourage pedestrian use and activity, shall serve as a link between a development and the public right-of-way, and shall meet the following standards:

- (1) The plaza shall be at least 100 square feet in area with minimum width and length dimensions of 10 feet, and
- (2) The plaza shall consist of one contiguous space to be located between and connecting the public right-of-way to which the primary building is oriented and the public entrance on such façade, unless the planning director determines that access problems make such contiguity impractical, with any resulting separate areas connected by a raised pedestrian walkway, and
- (3) The plaza shall be accessible per the Georgia Accessibility Code and shall be demarcated by the application of distinctive hardscape (paving material) consisting of unit pavers or concrete with special textures, patterns and/or decorative features, and
- (4) The plaza shall provide no less than one sitting space for each 100 square feet of plaza area, and plaza seating shall not be used for, nor count towards, restaurant seating, and
- (5) The plaza shall provide shading relief by either incorporating trees in accordance with the Athens-Clarke County tree management ordinance, or a permanent overhead structural element, such that the shaded area is equivalent to 15 percent of the provided plaza area, and
- (6) In addition to the required seating, the plaza shall incorporate at least two of the following elements: dining table, art work, water feature, planters, or trees at a minimum of one tree per 800 square feet, and
- (7) The plaza shall have an illumination level of at least 1.0 foot candle, and
- (8) The plaza area shall not be used for product display areas, product advertising or product sales.

SECTION 5. Section 9-25-8 of the Code of Athens-Clarke County, Georgia, entitled "*Site Design Standards*" subsection J thereof entitled "*Athens-Clarke County corridor designations.*" is hereby deleted in its entirety and the following substituted therefor:

- J. Athens-Clarke County corridor designations. The following chart identifies corridor types for specific streets and street sections within Athens-Clarke County. All other streets within Athens-Clarke County are considered as "undesignated corridors". Corridors designated as Level One or Level Two are subject to additional building mass standards in order to encourage pedestrian accessibility and to reinforce the relationship between the built environment and the adjacent major transportation corridors. Corridors not in the "C-D" zone and not designated shall follow design guidelines that typically result in less restrictive building mass requirements.

| Street                  | From                                    | To  | Corridor Designation |
|-------------------------|---|---|----------------------|
| Alps Road               | Broad Street                            | Baxter Street/<br>Riverhill Drive           | Level Two            |
| Barber Street           | Prince Avenue                           | Athens Perimeter                            | Level Two            |
| Barnett Shoals Road     | Research Drive                          | College Station<br>Road/Greencrest<br>Drive | Level Two            |
| Baxter Street           | Lumpkin Street                          | Magnolia Street                             | Level One            |
|                         | Magnolia Street                         | Alps Road                                   | Level Two            |
| Broad Street            | Finley Street                           | Holman Avenue                               | Level One            |
|                         | Holman Avenue                           | Camellia Drive/<br>Briarcliff Road          | Level Two            |
| Chase Street            | Prince Avenue                           | Dubose Avenue                               | Level One            |
| College Station<br>Road | International Drive                     | Barnett Shoals<br>Road                      | Level Two            |
| Gaines School Road      | Lexington Road                          | Briarcliff Lane                             | Level Two            |
|                         | Cedar Shoals Drive                      | Barnett Shoals<br>Road                      | Level Two            |
| Hawthorne Avenue        | Broad Street                            | Old Epps Bridge<br>Road                     | Level Two            |
|                         | Old Epps Bridge<br>Road                 | Hawthorne Park                              | Level One            |
|                         | Hawthorne Park                          | Prince Avenue                               | Level Two            |
| Lumpkin Street          | Baxter Street                           | Westview Drive/<br>Carlton Terrace          | Level One            |
| Macon Highway           | Milledge Avenue                         | Middle Oconee<br>River                      | Level Two            |
| Milledge Avenue         | Prince Avenue                           | Broad Street                                | Level One            |
|                         | Lumpkin Street                          | Milledge Heights                            | Level One            |
|                         | Woodland Hills Drive                    | Athens Perimeter                            | Level Two            |
| Mitchell Bridge Road    | Atlanta Highway                         | Athens Perimeter                            | Level Two            |
| North Avenue            | North Oconee River                      | Athens Perimeter                            | Level Two            |
| Oak Street              | Oconee Street                           | Oconee Street                               | Level Two            |
| Oconee Street           | Eastern intersection<br>with Oak Street | Athens Perimeter                            | Level One            |
| Oglethorpe Avenue       | Clover Street                           | Brooklyn Road                               | Level One            |
| Old Epps Bridge<br>Road | Old West Broad<br>Street                | Broad Street                                | Level Two            |
| Prince Avenue           | Pulaski Street                          | Sunset Drive                                | Level One            |
|                         | Sunset Drive                            | Jefferson Road                              | Level Two            |
| Timothy Road            | Atlanta Highway                         | Timothy<br>Court/Idlewilde<br>Drive         | Level Two            |

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A public hearing was held on a proposed text amendment regarding definition of agriculture.

Planning Commission recommendation: Approve (unanimous)

### Citizen input

The following citizen input was received.

1. Pete Yunyongying - public health issues should be considered before allowing backyard chickens.
2. Kristen Morales, 338 Satula Avenue – supported backyard chickens and bees.
3. Chad Whitley, Lumpkin Street - supported backyard chickens and bees.
4. Debbie Mitchell, 242 Tawnyberry Drive – supported backyard chickens.
5. Michael Bruger, 325 Deertrigger Landing – supported backyard chickens.
6. Molly Canfield, Hendrix Avenue - supported backyard chickens and bees.
7. Joe Walsh, 165 Danbury Court – opposed backyard chickens.
8. Adam Lassila, 552 Pulaski Street – supported backyard chickens and bees.
9. Mary Songster, 249 Hillcrest – supported backyard chickens.
10. Russell Gabriel, 111 Bob Wages Road – opposed Planning Commission recommendation.
11. Mark McConnell, 2510 Commerce Road – supported backyard chickens and bees.
12. Greg Riley, Hendrix Avenue – supported backyard chickens.
13. Michael Songster, 249 Hillcrest Avenue - supported backyard chickens and bees.
14. Amanda McKay, Huntington Road – supported backyard chickens.
15. Tim Denson, 290 Midway Road – supported backyard chickens.
16. Stephanie Bolton, 340 Hull Road – supported backyard chickens.

A motion was made by Commissioner Link, seconded by Commissioner Wright, to DENY the text amendment as recommended by the Planning Commission and refer back to the Planning Commission a rewritten definition of agriculture which includes chickens, bees, and ornamental fish ponds along with a regulatory ordinance by the June 2, 2015 Mayor and Commission meeting.

A substitute motion was made by Commissioner NeSmith, seconded by Commissioner Girtz, to adopt the Planning Commission's recommendation for proposed amendment to the definition of Agriculture in Chapter 9-2 and direct staff to draft and submit to the Planning Commission a proposed ordinance as part of Chapter 9-15 General Regulations in a new Section 9-15-25 entitled "Urban Agriculture" to include regulations for beekeeping and raising chickens in Residential and other zoning districts, together with such changes to any other provisions of the zoning ordinance that may be required as a result of such ordinance.

Further, staff shall submit such proposed ordinance to the Athens-Clarke County Planning Commission for review and recommendation by the Planning Commission no later than at its April 2015 meeting for submission to the Mayor and Commission for review and consideration no later than at the May 2015 agenda setting meeting and the June 2015 Mayor and Commission regular monthly meeting. The Planning Department is authorized to adjust its staff work plans to accommodate the above schedule.

The motion passed by roll call vote with Commissioners Dickerson, Sims, Link, Bailey, NeSmith, Bell, Girtz, and Hamby voting YES; and Commissioner Wright voting NO. (8 YES; 1 NO)

The following ordinance (#03-03-12) which was presented by title only was declared adopted.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO THE DEFINITION OF AGRICULTURE; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Chapter 9-2 of the Code of Athens-Clarke County, Georgia, entitled “DEFINITIONS”, Section 9-2-1 thereof entitled “General” is hereby amended by adding to the definition of agriculture therein the words “Nothing herein shall preclude any person from growing, maintaining or harvesting trees, fruits, vegetables, or florals or other ornamental plants as an accessory use to a permitted principal use and for only non-commercial purposes on property in a zoning district in which agriculture is prohibited.” so that such definition of agriculture is:

*Agriculture:* The production, raising, breeding or maintenance of plants and animals including, but not limited to: forage and sod crops; grain and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, or goats, game animals, exotics, fish, and any mutations or hybrids thereof, including the breeding and grazing of any or all such species; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts, and berries; vegetables; nurseries; florals; ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program. This does not include the commercial slaughter of poultry, livestock, or other animals. Nothing herein shall preclude any person from growing, maintaining or harvesting trees, fruits, vegetables, or florals or other ornamental plants as an accessory use to a permitted principal use and for only non-commercial purposes on property in a zoning district in which agriculture is prohibited.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Commissioners Bailey and Wright were excused at 8:34 p.m.

Citizen input on items other than those listed on this agenda

1. Landon Bubb, 270 Cobb Street – opposed state legislation prohibiting of plastic bags
2. Josh Lane, 125 Greek Club Circle – supported decriminalization of marijuana
3. Shawn Poller, 515 Baxter Street - supported decriminalization of marijuana
4. Morgan King, UGA student - supported decriminalization of marijuana
5. Gretchen, 480 Stanton Way – supported ban on plastic bags
6. Jordan, 365 River Road - supported decriminalization of marijuana
7. Chris Dowd , 245 North Harris #2 - supported decriminalization of marijuana and ban on plastic bags
8. Mark McConnell, 2510 Commerce Road – supported ban on plastic bags
9. Anna Hudson, 515 Baxter Street - supported decriminalization of marijuana
10. Stephanie Bolton, 340 Hull Road - supported decriminalization of marijuana
11. Tiffany Eberhart, 195 Kingswood – supported ban on plastic bags
12. Juan Rehavecce, 340 Hull Road - supported decriminalization of marijuana

13. Paulina Yacovalva, 505 Baxter Street - supported decriminalization of marijuana
14. Amy Kissane, 526 Highland Avenue - stated work on bridge at Beech Haven project is completed; raised \$30,000 of \$50,000 goal; may need financial assistance from Athens-Clarke.

FROM MAYOR DENSON:

1. Announced proclamations will be issued to the following organizations recognizing their participation in the Adopt Athens Program.

| <u>Adopting Organization</u>      | <u>Location</u>                                     |
|-----------------------------------|---|
| Lambda Theta Phi Latin Fraternity | Riverbend Parkway from Riverbend Road to road's end |
| Service Ambassadors at UGA        | MLK Parkway from the Loop to North Avenue           |
| The Solomon Family                | North Avenue from MLK Parkway to Old Hull Road      |

2. Announced appointment of Commissioner NeSmith to the Advantage Behavioral Board.
3. Referred to the Government Operations Committee a review of food trucks.
4. Referred to the Legislative Review Committee a review of the taxi ordinance.

FROM MANAGER REDDISH:

The following reports were received for information.

- Status report of standard utility contracts for January 2015
- Contract awards in excess of \$10,000 for January 2015

FROM COMMISSIONER HAMBY:

1. Announced the Downtown Master Plan Committee will meet Thursday, March 5.
2. Announced the Atlanta Highway Redevelopment Committee is tentatively scheduled to meet Monday, March 16.

FROM COMMISSIONER NESMITH:

1. Stated a responsibility of government is to protect our natural resources for generations to come.

FROM COMMISSIONER LINK:

1. Stated she looks forward to discussion on design guidelines, food trucks, budget related to public safety spending on non-violent crimes such as marijuana possession, plastic bag ban, and options for landfill expansion while not breaking agreements with area citizens as before.

FROM COMMISSIONER GIRTZ:

1. Stated Sunday transit service will be discussed during upcoming budget work sessions.
2. Encouraged attendance at upcoming Slingshot Festival.

FROM COMMISSIONER DICKERSON:

1. Stated opposition to HB444 regarding plastic bags; decisions should be left to local governments.
2. Stated she was involved when the landfill was expanded and no prior agreements were broken.

The meeting adjourned at 9:25 p.m.

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Clerk of Commission