

Unified Government of Athens-Clarke County, Georgia
Tuesday, September 1, 2015
7:00 P.M.
City Hall

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

A motion was made by Commissioner Herod, seconded by Commissioner Bailey, to approve Minutes of meeting of August 4, 2015. The motion passed by unanimous vote.

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

There was no citizen input.

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

1. ADOPT: The following ordinance (#15-09-35) which was presented by title only.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO TRAFFIC CONTROL CHANGE AT THE EAST BROAD STREET RAILROAD CROSSING; AND FOR OTHER PURPOSES.

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

SECTION 1. Pursuant to Section 3-3-50 of the Code of Athens-Clarke County, Georgia, the existing requirement for traffic on East Broad Street to stop at the railroad crossing is hereby removed, and traffic on East Broad Street is hereby required to yield to rail traffic, as shown on Attachment #1 hereto, incorporated herein by reference.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

2. ADOPT: The following ordinance (#15-09-36) which was presented by title only.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO PARKING FOR PERSONS WITH DISABILITIES ON RIGHT-OF-WAY TO BE DEDICATED IN THE FUTURE TO BE KNOWN AS GREEN LANE; AND FOR OTHER PURPOSES.

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

SECTION 1. Pursuant to Section 3-3-50 of the Code of Athens-Clarke County, Georgia, two parking spaces reserved for use by persons with disabilities are hereby designated on the future Green Lane, as shown on Exhibit A hereto, incorporated herein by reference.

This designation is contingent on the grant of variances from building setback requirements for two buildings located in the vicinity of such parking spaces, the conveyance of necessary additional right-of-way on Green Lane to the Unified Government of Athens-Clarke County, and the dedication of Green Lane as a public street.

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

3. APPROVE: Appointment of Larry Magers to the Community Service Board for Advantage Behavioral Health Systems for a three-year term expiring June 30, 2018.

Old/new business – Discussion

Citizen input

The following citizen input was received.

1. Clint McCrory, 390 Franklin Street – supported commission-defined option for Chase Street.
2. Tyler Dewey, 149 Tracy Street – supported commission-defined option for Chase Street.
3. Tony Eubanks, 785 North Pope Street – supported commission-defined option for Chase Street.
4. Peter Dale, 650 Boulevard – opposed closing of Newton Street.
5. Bill Bushnell, 175 Devonshire Drive – opposed closing of Newton Street.
6. Jon Williams, Williams and Associates – supported rezoning for Gaines School Road.

Commissioner Wright was excused at 7:15 p.m.

7. Gretchen Elsner, P.O. Box 562 - supported commission-defined option for Chase Street.
8. Tim Denson, 290 Midway Road - supported commission-defined option for Chase Street, supported rezoning for Gaines School Road, opposed jail inmate phone service contract.
9. Laura Connery, 436 Hill Street #5 - supported commission-defined option for Chase Street.
10. Krista Haag, 137 Herman Street – supported complete streets policy.

A motion was made by Commissioner Sims, seconded by Commissioner NeSmith, to adopt the following ordinance (#15-09-37) which was presented by title only. The motion passed with eight YES votes. Commissioner Wright was temporarily absent from the Chamber.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO AMENDING THE OFFICIAL FUTURE DEVELOPMENT MAP OF ATHENS-CLARKE COUNTY BY CHANGING THE DESIGNATION OF AN APPROXIMATE 4.065-ACRE PORTION OF THE APPROXIMATE 7.07-ACRE TRACT OF LAND AT 450 GAINES SCHOOL ROAD FROM TRADITIONAL NEIGHBORHOOD TO MAIN STREET BUSINESS; AND FOR OTHER PURPOSES.

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

SECTION 1. The Official Future Development Map referred to in the Zoning Ordinance of Athens-Clarke County, Georgia, as specifically identified in Section 9-3-3(A) (2) thereof, is hereby amended by changing the future development map designation of an approximate 4.065-acre portion of the approximate 7.07-acre tract located at 450 Gaines School Road, Athens-Clarke County tax map number 233D1 B001, from Traditional Neighborhood to Main Street Business, as more particularly shown on Exhibit A, attached hereto and incorporated herein by reference.

The date of this amendment to the Official Future Development Map of Athens-Clarke County as shown by Exhibit A shall be duly noted in the minutes of the Commission meeting. The Official Future Development Map and Exhibit A hereto are available for inspection in said Clerk's Office, 301 College Avenue, Athens, Georgia.

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

A motion was made by Commissioner Sims, seconded by Commissioner Herod, to adopt the following ordinance (#15-09-38) which was presented by title only. The motion passed with eight YES votes. Commissioner Wright was temporarily absent from the Chamber.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO REZONING AN APPROXIMATE 4.065-ACRE PORTION OF AN APPROXIMATE 7.07-ACRE TRACT OF LAND LOCATED AT 450 GAINES SCHOOL ROAD FROM RS-15, GSRC, AZ3 (SINGLE-FAMILY RESIDENTIAL, GAINES SCHOOL ROAD CORRIDOR, AIRPORT OVERLAY) TO C-O, GSRC, AZ3 (COMMERCIAL-OFFICE, GAINES SCHOOL ROAD CORRIDOR, AIRPORT OVERLAY); AND FOR OTHER PURPOSES.

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

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by changing the zoning of an approximate 4.065-acre portion of an approximate 7.07-acre tract of land located at 450 Gaines School Road from RS-15, GSRC, AZ3 (Single-Family Residential, Gaines School Road Corridor, Airport Overlay) TO C-O, GSRC, AZ3 (Commercial-Office, Gaines School Road Corridor, Airport Overlay) as shown on Attachment A hereto. Said affected parcel of land being more fully described as follows:

All that tract of land in Athens-Clarke County, Georgia, consisting of approximately 4.065 acres of land, as described in the drawing entitled "Rezone Concept Plan – Hospital Authority of Clarke County, GA; Address: 450 Gaines School Road, Athens-Clarke County, GA; Project No. 15054, GMD: 1899" dated March 20, 2015, prepared by Williams & Associates, on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

Said tract also being known as p/o parcel number 233D1 B001 on the Athens-Clarke County tax maps being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the Clerk of Commission's Office at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The conditions of zoning associated with this ordinance are as follows:

1. No non-residential driveways shall access Sunnyview Road further than 200 feet from its intersection with Gaines School Road.
2. At the time of development, except for the first 200 feet from its intersection with Gaines School Road, the frontage along Sunnyview Road shall have a screening buffer meeting the requirements of Section 9-12-6.E.2 of the Code of Athens-Clarke County, Georgia.
3. Prior to development, an additional 18 feet of right-of-way along the Gaines School Road frontage shall be dedicated to address the future 100-foot standard right-of-way requirement for Gaines School Road.

4. Prior to development, the 4.065-acre tract of land that is the subject of this amendment shall be subdivided from the 7.07-acre tract of land in accordance with the Athens-Clarke County subdivision regulations.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A motion was made by Commissioner Hamby, seconded by Commissioner Sims, to approve the list of events shown in Attachment #1 of agenda report dated July 27, 2015 for the Athens Downtown Development Authority's FY16 Community Events Program. The motion passed with seven votes. Commissioner Wright was temporarily absent from the Chamber. Commissioner NeSmith abstained.

A motion was made by Commissioner Link, seconded by Commissioner Bailey, in reference to lane reconfigurations as part of the FY2016 Pavement Management Project as follows:

Remove item C regarding Chase Street and delay the repaving to FY17 to allow ACC Transportation & Public Works staff the opportunity to conduct analysis of the entire road from Newton Bridge/Dairy Pak to Prince Avenue and fully engage the public in the planning and design process to incorporate appropriate traffic calming and bike and pedestrian infrastructure improvements along the entire corridor;

Approve the creation of a dedicated left-turn lane on East Hancock Avenue into the Courthouse Parking Deck by removing a westbound travel lane as shown in Attachment #1 of agenda report dated August 6, 2015; and

Approve the addition of a buffered bike lane along Riverbend Parkway between Riverbend Road and Woodstone Drive within the wide travel lane as shown in Attachment #2 of said agenda report.

The motion passed with eight votes. Commissioner Wright was temporarily out of the Chamber.

Commissioner Wright returned to the Chamber at 7:46 p.m.

A motion was made by Commissioner Hamby, seconded by Commissioner Link, to reject a bid and to not award a construction services contract in the amount of \$12,863,802.00 to Kiewitt Infrastructure South Company for required construction of (1) the Business Corridor Infrastructure Improvements (SPLOST 2005 Project #010, Sub-project B), and (2) City Hall Streetscape Sub-project (SPLOST 2000 Project #026); and authorize staff to develop alternative approaches for implementation of project construction for approval by the Mayor and Commission. The motion passed by unanimous vote.

A motion was made by Commissioner Hamby, seconded by Commissioner Sims, to approve the selection of Securus Technologies, Inc. as the vendor offering the most responsive proposal to Request for Proposal (RFP) #00770, Inmate Telephone Services as per agenda report dated August 3, 2015; authorize staff to negotiate and finalize a contract for Inmate Telephone Service in accordance with RFP#00700 to Securus Technologies, Inc. for the remainder of FY16 (with the option for four one-year renewals for a maximum of five years) for inmate telephone services for the Clarke County Jail; and authorize the Mayor and appropriate staff to execute all related documents. The motion passed by roll call vote with Commissioners Dickerson, Sims, Wright, Bailey, NeSmith, Bell, Herod, and Hamby voting YES; and Commissioner Link voting NO. (8 YES; 1 NO)

A motion was made by Commissioner Hamby, seconded by Commissioner Herod, to

Approve the candidate sites described on Attachment #1 of agenda report dated July 23, 2015 and recommended by the Site Selection Committee in accordance with Stage II of the Unified Government of Athens-Clarke County (ACCUG) Site Selection Process for the Cooperative Extension Service Center (SPLOST 2011 Project #10) with the following adjustment:

Remove: 562 Research Drive

Add: 2665 Lexington Road; so that the candidate sites are:

0 Ben Burton Circle
0 Ben Burton Circle
255/259 Research Drive
Milledge Avenue – UGA Farm
450 Gaines School Road
2665 Lexington Road; and

Authorize the Site Selection Committee to enter Stage III of the Athens-Clarke County Site Selection Process, Evaluation of Candidate Sites, to include technical and cost evaluations, candidate site rankings and recommendation to the Mayor and Commission of site acquisition for the Cooperative Extension Service Center (SPLOST 2011 Project #10).

The motion passed by unanimous vote.

A motion was made by Commissioner NeSmith, seconded by Commissioner Bailey, to

Approve the candidate sites described on Attachment #1 of agenda report dated July 23, 2015 and recommended by the Site Selection Committee in accordance with Stage II of the Unified Government of Athens-Clarke County (ACCUG) Site Selection Process for the Fire Station #2 replacement facility (SPLOST 2011 Project #03) with the following adjustment:

Remove: 299 Commerce Boulevard; so that the candidate sites are:

0 Ben Burton Circle
0 Ben Burton Circle
165 Mill Center Boulevard
160 Mill Center Boulevard; and

Authorize the Site Selection Committee to enter Stage III of the Athens-Clarke County Site Selection Process, Evaluation of Candidate Sites, to include technical and cost evaluations, candidate site rankings and recommendation to the Mayor and Commission of site acquisition for the Fire Station #2 replacement facility (SPLOST 2011 Project #03).

The motion passed by unanimous vote.

A motion was made by Commissioner Hamby, seconded by Commissioner Wright, to approve the following recommendations from the Downtown Master Plan Committee.

- 1) Request that Athens-Clarke County staff analyze the expanded crosswalk and median project proposed in the Downtown Master Plan on Broad Street to include pedestrian safety enhancements such as an exclusive pedestrian interval and a landscape refuge for the median, identify estimated cost for an expanded crosswalk, conduct public input forums typically held for such projects, and discuss with Georgia Department of Transportation the requirements for approval for construction of the project.
- 2) Request that Athens-Clarke County staff analyze the cost, traffic flow, and public safety impact of closing Newton Street from Prince Avenue to Meigs Street to allow

for a public space as recommended on page 8 of the Downtown Master Plan.
Conduct public input forums typically held for such projects.

- 3) Request that staff develop an agenda that addresses all of the above items for the Mayor and Commission to consider for approval not later than the January/February 2016 meeting cycle.

A substitute motion was made by Commissioner Link, seconded by Commissioner Bailey, to include staff analysis of the entire downtown block of Prince Avenue for traffic calming and pedestrian and bicycle infrastructure.

The substitute motion failed by roll call vote with Commissioners Link, Bailey, and NeSmith voting YES; and Commissioners Dickerson, Sims, Wright, Bell, Herod, and Hamby voting NO. (3 YES; 6 NO)

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

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 request of Ella Clarke for special use in the RS-5 District (Single-family residential) on 0.187 acres known as 527 Odd Street. Proposed use is an individual personal care home. Type II

Planning Commission recommendation: Approve (unanimous)

Citizen input

There was no citizen input.

A motion was made by Commissioner Sims, seconded by Commissioner Bailey, to adopt the following ordinance (#15-09-39) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO SPECIAL USE APPROVAL IN THE RS-5 (SINGLE-FAMILY RESIDENTIAL) DISTRICT ON THE APPROXIMATE 0.187-ACRE PARCEL OF LAND LOCATED AT 527 ODD STREET; AND FOR OTHER PURPOSES.

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

SECTION 1. The current RS-5 (Single-Family Residential) District in which is located an approximate 0.187-acre parcel of land at 527 Odd Street in Athens-Clarke County, Georgia is hereby amended to provide for Special Use approval for said 0.187-acre parcel to permit the operation of an individual personal care home in the existing single-family dwelling located thereon. The subject approximate 0.187-acre parcel is more fully described on the drawing entitled, "Survey & Site Plan for Special Use Application for Robert & Ella Clarke, Lot 4, Zion Hill – 527 Odd Street, Athens," dated May 11, 2015, and prepared by Ben McLeroy & Associates, Inc., and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

Said approximate 0.187-acre parcel of land at 527 Odd Street in Athens-Clarke County, Georgia is designated as tax parcel number 163D2 G025 on the Athens-Clarke County tax map, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as

shown by Attachment A hereto shall be noted on said Official Zoning map in the Clerk of Commission's Office and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding site plan associated with this ordinance and incorporated herein by reference consists of one sheet entitled, "Survey & Site Plan for Special Use Application for Robert & Ella Clarke, Lot 4, Zion Hill – 527 Odd Street, Athens," dated May 11, 2015, and prepared by Ben McLeroy & Associates, Inc., and stamped, "Binding 8/10/15", and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The binding written report associated with this ordinance and incorporated herein by reference consists of three pages entitled, "Special Use Information," dated May 7, 2015 stamped, "Binding 8/10/15," prepared by Ella Clarke, and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A public hearing was held on request of Cary Halpern as agent for Halpern Enterprises, Chick-Fil-A, and Wal-Mart Stores, Inc. for an amendment to CG-(PD) (Commercial-General – Planned Development) on 34 acres known as 4365, 4375, 4405, and 4425 Lexington Road. Proposed uses are commercial retail, restaurants, offices, and services. Type II

Planning Commission recommendation: Approve w/conditions (unanimous)

Citizen input

There was no citizen input.

A motion was made by Commissioner Dickerson, seconded by Commissioner Sims, to HOLD this item until October 6. The motion passed by unanimous vote.

A public hearing was held on request of Smith Planning Group for Ernest M. Brackett, Jr. and Benjamin G. Brackett for rezoning from RS-15 (Single-Family Residential) to RS-5 (PD) (Single-Family Residential Planned Development) on 3.21 acres known as 338 and 348 Springdale Street. Proposed use is single-family attached residential. Type II

Planning Commission recommendation: Approve (4-3)

Citizen input

The following citizen input was received.

1. Mari Braveheart-Dances, 406 Springdale Street – opposed.
2. Elle Roushanzamir, 375 Springdale Street – opposed.
3. Jared York, petitioner, 497 West Rutherford Street – supported.
4. Michael Smith – opposed.
5. Susan Field, 150 Cloverhurst Terrace – opposed.
6. Kristen Morales, 338 Satula Avenue – opposed.
7. Paula Loniak, 445 Ruth Street – supported tiny houses.
8. David Matheny, 200 Mt. Vernon Place – supported.
9. Scott Reed, 70 and 80 Springdale Street - opposed.

10. Katrina Evans, 240 Oglethorpe Avenue – supported.
11. Cuyler Marshall Adams, Cloverhurst Avenue – opposed.
12. Kathy Hoard, 248 Springdale Street – opposed.
13. O. C. Carlisle, 155 Stratford Drive – opposed.

A motion was made by Commissioner Hamby, seconded by Commissioner Bell, to DENY the request for rezoning from RS-15 (Single-Family Residential) to RS-5 (PD) (Single-Family Residential Planned Development) on 3.21 acres known as 338 and 348 Springdale Street. The motion passed by unanimous vote.

Citizen input on items other than those listed on this agenda

The following citizen input was received.

1. Amy Kissane, 546 Highland Avenue - supported infill housing ordinance.
2. Jesse Houle - address poverty/inequality.
3. Russell Edwards, 400 Duncan Springs Road – supported infill housing.
4. Tim Denson, 290 Midway Road – against contract for inmate phone services.
5. Mark McConnell, 2510 Commerce Road – against contract for inmate phone services.
6. Gretchen Elsner, P.O. Box 542 – concerned about wetlands.

FROM MAYOR DENSON:

Mayor Denson announced the appointment of Commissioners Dickerson and Bell to the Georgia Initiative for Community Housing.

FROM MANAGER REDDISH

1. A report of contract awards in excess of \$10,000 for July 2015 was entered into the record.
2. A report of Manager proposed capital contingency transfer for August 2015 was entered into the record.

FROM COMMISSIONER DICKERSON:

1. Expressed appreciation to Planning and Community Protection Division for assistance with a problem on Snapfinger.
2. Thanked Athens Land Trust, Housing and Community Development, and Manager for arranging a recent trip to Chapel Hill, NC to discuss inclusionary zoning.
3. Invited everyone to the 20th anniversary of the ACC Recycling Facility on Sunday, September 27, 2:00 PM.
4. Stated the recent action on wetlands offers more protection.
5. Stated charging for inmate phone calls is a typical process and offsets costs.

FROM COMMISSIONER LINK:

1. Requested an update on an infill housing ordinance and a review of housing related options such as tiny houses, density bonuses, and trees.

FROM COMMISSIONER WRIGHT:

1. Requested an update on an infill housing ordinance.

FROM COMMISSIONER HAMBY:

1. Requested Manager provide an update on an infill housing ordinance.
2. Expressed appreciation to Police Department and Public Works Department for their assistance with downed trees and limbs during a recent heavy rain event.
3. Expressed appreciation to Public Works Department, David Clark, Brad Griffin, and Blaine Williams for assistance with a problem in Anna's Walk.
4. Recognized Representative Chuck Williams' attendance and stated he, along with Mr. Williams and Commissioners Dickerson and Link, will host the September 15 program for the Federation of Neighborhoods.

FROM COMMISSIONER BELL:

1. Congratulated Oconee Street United Methodist Church on the rededication of their sanctuary which replaced the original one destroyed earlier by fire.

FROM COMMISSIONER HEROD:

1. Stated wetlands are important to water quality and this item will be discussed further.

The meeting adjourned at 9:40 p.m.

Clerk of Commission