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Unified Government of Athens-Clarke County, Georgia  
Mayor and Commission  
Tuesday, January 5, 2016  
7:00 p.m.  
City Hall

The Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia met this date in regular monthly business session. Present: Mayor Denson; Commissioners Dickerson, Sims, Link, Wright, Bailey, NeSmith, Bell, Herod, Girtz, and Hamby. No one was absent.

A motion was made by Commissioner Sims, seconded by Commissioner Bailey, to approve Minutes of meetings of Tuesday, December 1 and Tuesday, December 15, 2015. The motion passed by unanimous vote.

Written communications

Entered into the record was notification from Transportation and Public Works Director David Clark of acceptance of the following rights of way for streets in Columbia Brookside Subdivision:

Brookside Avenue  
Summerbrook Circle  
Green Lane  
Barnett Trail

A motion was made by Commissioner Hamby, seconded by Commissioner Girtz, to elect Commissioner Sims as Mayor Pro tem for 2016. The motion passed by unanimous vote.

Old business - Consent agenda

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 five items. The motion passed by unanimous vote.

1. ADOPT: The following ordinance (16-01-01) which was presented by title only as per agenda report dated November 30, 2015.

AN ORDINANCE TO AMEND THE FY2016 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR OPERATING EXPENSES RELATED TO JUVENILE COURT; 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 to provide funding operating expenses for Fees – Court Ordered and Fees – Court Appointed Indigent Defense. Said Operating and Capital budget is hereby amended as follows:

General Fund:

EXPENDITURES:

Decrease:

General Fund Contingency	\$78,000
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Increase:

Juvenile Court- Fees – Court Ordered	\$17,000
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Juvenile Court – Fees – Court Appointed	<u>\$61,000</u>
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Indigent Defense	
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Total	\$78,000
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SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

2. ADOPT: The following resolution authorizing the Housing Authority of the City of Athens use of eminent domain to clear clouds on the title for the acquisition of 170 Dublin Street as per agenda report dated December 2, 2015.

RESOLUTION

BE IT HEREBY RESOLVED by the UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, that the HOUSING AUTHORITY OF THE CITY OF ATHENS (the "Authority") has found the fee simple title to the below described property necessary for the performance of its duties in the operation of the Authority.

WHEREAS, the Authority has attempted to pay just and adequate compensation for the below described property through negotiation with the owner, but has encountered problems with the record title; and

NOW THEREFORE, BE IT HEREBY RESOLVED that the Authority, in the exercise of its power of eminent domain, is authorized to bring a condemnation action of the below described property at such time as J. Richard Parker, II, the Director of the Authority, deems appropriate in accordance with the State law providing for eminent domain.

All that tract or parcel of land, containing 0.383 acre, more or less, situate, lying and being in the 216th District, G.M., Athens-Clarke County, Georgia, as shown on a plat of survey entitled "Survey for Athens Housing Authority," dated November 12, 2015, prepared by Ben McLeroy & Associates, Inc., and being more particularly described as follows:

Beginning at a reinforcing rod found on the southerly side of the right-of-way of Dublin Street North 31 Degrees 10 Minutes 47 Seconds East 136.24 feet from intersection of the center line of Arch Street and the centerline of Dublin Street; running thence South 48 Degrees 28 Minutes 51 Seconds East 131.98 feet to a 5/8" spindle; running thence South 38 Degrees 29 Minutes 44 Seconds West 110.18 feet to a 5/8" spindle; continuing South 37 Degrees 40 minutes 38 seconds West 11.89 feet to reinforcing rod; running thence North 49 Degrees 11 Minutes 31 Seconds West 140.16 feet to a reinforcing rod; running thence North 42 Degrees 14 Minutes 31 Seconds East 123.63 feet to the beginning reinforcing rod.

Included in this matter is the 1970 American Homemaker 12'x36' mobile home s/n G61799K located on the property.

The above described property is known as 170 Dublin Street, according to the present system of numbering houses in Athens-Clarke County, Georgia.

3. APPROVE: The selection of Journal Technologies as the most responsive proposal for the development and implementation of new Case Management Systems for Magistrate, Probate, and Juvenile Courts (SPLOST 2011 Sub-Project #04-04, #04-05, #04-06) as per agenda report dated December 2, 2015;

AUTHORIZE: Magistrate, Probate, and Juvenile Court Judges and appropriate staff to negotiate the contract amount and annual maintenance fees; and

AUTHORIZE: The Mayor and Magistrate, Probate, and Juvenile Court Judges and appropriate staff to award the contract for software and professional services to Journal Technologies for an amount not to exceed \$305,000.

4. APPROVE: Qualifying fees for 2016 elections as per agenda report dated November 2, 2015; and authorize appropriate staff to publish the subject fees.

Judge of Probate Court	\$2,173.02
Clerk of Superior Court	\$2,173.02
Chief Magistrate	\$2,173.02
Tax Commissioner	\$2,173.02
Sheriff	\$2,424.58
State Court Judge (to succeed Charles E. Auslander, III)	\$3,658.31
State Court Judge (to succeed Ethelyn N. Simpson)	\$3,987.52
Coroner	\$ 461.57
Commissioner	\$ 450.00
School Board Member	\$ 108.00

5. APPROVE: Approve a 10 year land lease extension and amend Mustang Realty's current 20 year land lease agreement with the Unified Government of Athens-

Clarke County as per agenda report dated November 20, 2015 and; authorize the Mayor and appropriate staff to execute all documents related to the lease extension.

Old business – Discussion

Citizen input

The following citizen input was received.

1. Lebeau Bryan, 30 Jefferson Circle – supported yellow curb on Sylvia Circle.
2. Kristen Morales, 338 Satula Avenue - supported yellow curb on Sylvia Circle.
3. Ann Woodruff Conley, 203 South Finley Street, representing Five Points Business Association – supported Five Points parking study.
4. Corky Sams, 1110 Wild Azalea Lane – supported Five Points parking study.

A motion was made by Commissioner Link, seconded by Commissioner Sims, to adopt the following ordinance (#16-01-02) which was presented by title only as per agenda report dated December 3, 2015. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO PARKING RESTRICTIONS ON SYLVIA CIRCLE; 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, parking is hereby prohibited in the following five locations on Sylvia Circle, as further shown on Attachment 1, incorporated herein by reference:

1. Beginning at a point on the northwestern side of Sylvia Circle at its intersection with Prince Avenue and extending therefrom along said street in a northeasterly direction a distance of 130 feet;
2. Beginning at a point on the southeastern side of Sylvia Circle at its intersection with Prince Avenue and extending therefrom along said street in a northeasterly direction a distance of 130 feet;
3. Beginning at a point on Sylvia Circle at the northeastern corner of the southernmost driveway of 1650 Prince Avenue and extending therefrom along the southeastern side of Sylvia Circle in a northeasterly direction a distance of 74 feet more or less to a point at the southwestern corner of the northernmost driveway of 1650 Prince Avenue;
4. Beginning at a point at the southwestern corner of the intersection of Jefferson Circle and Sylvia Circle and extending therefrom along Sylvia Circle in a southwesterly direction a distance of 480 feet;
5. Beginning at a point on the northern side of Sylvia Circle, such point being located 70 feet more or less in a southwesterly direction from the southwestern corner of the driveway of 101 Sylvia Circle, and extending from said point along said street in a northwesterly direction a distance of 146 feet.

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

A motion was made by Commissioner Bell, seconded by Commissioner Wright, to identify the Five Points Commercial District as a business district for study under the Athens-Clarke County gateway and corridor program as per Attachment #1 of agenda report revised December 31, 2015; approve the allocation of \$23,500 from the Corridor Improvement Program to fund a parking study; and authorize the Mayor and appropriate

staff to sign all related documents associated with undertaking this study. The motion passed by unanimous vote.

New business – Consider under suspension of Rules

A motion was made by Commissioner Sims, seconded by Commissioner Herod, to suspend Rules of Commission for consideration of items remaining on this agenda. The motion passed by unanimous vote.

Citizen input

The following citizens supported resolution on discrimination

1. Jesse Houle, 436 Hill Street
2. Tim Denson, 290 Midway Road
3. Noah B. Johnson, Athens Hip Hop Awards Founder
4. Mark Bell, 120 Cypress Manor
5. Houston Gaines, 250 McWhorter Drive, University of Georgia Student Government Association Vice President
6. Jasmine Johnson, 372 North Bluff Road

The following citizen opposed resolution on discrimination.

7. Jared Zomer, 110 Green Top Way

A motion was made by Commissioner Dickerson, seconded by Commissioner Sims, to approve the Solicitor General's application for and, if awarded, acceptance of a Prosecuting Attorneys' Council of Georgia Grant in the amount of \$50,000 to be used to fund one victim advocate position and necessary supplies for the assistance of crime victims in calendar year (CY) 2016 as per agenda report dated December 8, 2015; approve the addition of one full-time grant funded position for the Solicitor General's Office for CY16; adopt the following ordinance (#16-01-03) which was presented by title only; and authorize the Mayor and appropriate staff to execute all related documents.

The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE FY2016 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING FROM THE PROSECUTING ATTORNEYS' COUNCIL OF GEORGIA FOR ONE FULLTIME POSITION AND ASSOCIATED EXPENSES TO SUPPORT ASSISTANCE TO CRIME VICTIMS; 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 Grants Special Revenue Fund to provide grant funding from the Prosecuting Attorneys' Council of Georgia for one fulltime position and associated expenses to support domestic violence cases. Said Operating and Capital budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:

Increase:  
Victims of Crime Act Grant (PAC)                      \$50,000

EXPENDITURES:

Increase:  
Solicitor Personal Services                      \$50,000

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

A motion was made by Commissioner Dickerson, seconded by Commissioner Sims, to approve the creation of one additional Fulltime Victim Advocate Position in the District Attorney's Office funded entirely through the Victim of Crime Act (VOCA) grant funds in the same manner as other Athens-Clarke paid, Oconee County reimbursed positions as per agenda report dated December 18, 2015; and adopt the following ordinance (#16-01-04) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE 2016 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING TO THE DISTRICT ATTORNEY'S OFFICE FOR EXPENSES RELATED TO AN ADDITIONAL FULLTIME VICTIM ADVOCATE POSITION; 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 Special Programs Special Revenue Fund to provide additional funding to the District Attorney's Office for expenses related to an additional fulltime victim advocate position. Said Operating and Capital budget is hereby amended as follows:

Special Programs Fund:

REVENUES:

Increase  
Intergovernmental Revenue (Oconee County)                      \$80,200

EXPENDITURES:

Increase  
District Attorney's Office:  
Personal Services    \$80,200

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

**CONTINUED IN BOOK #14, PAGE #1**

TUESDAY, JANUARY 5, 2016

CONTINUED FROM BOOK #13, PAGE #500

A motion was made by Commissioner Herod, seconded by Commissioner Hamby, to adopt the following resolution. The motion passed by unanimous vote.

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND COMMISSION OF ATHENS-CLARKE COUNTY:

WHEREAS, the United States Civil Rights Act of 1964 requires nondiscrimination in facilities that are open to the public, and

WHEREAS, our community benefits from a pluralistic environment composed of individuals with diverse backgrounds and experiences, where individual differences are recognized, understood, and valued, and

WHEREAS, discrimination against individuals upon the basis of race, color, sex, sexual orientation, gender identity, religion, national origin, citizenship, age, disability, or pregnancy does not reflect the community values that should be upheld in Athens-Clarke County, and

WHEREAS, the Mayor and Commission have a particular concern with regard to any alleged discrimination that occurs within a business establishment and public accommodation holding an alcoholic beverages license issued by the Unified Government of Athens-Clarke County, such license being a privilege and not a right, and bestowed and regulated by the Unified Government, and

WHEREAS, prohibiting discrimination in public accommodations possessing an alcoholic beverages license issued by the Unified Government of Athens-Clarke County, Georgia, is for the benefit of the public health, safety and welfare,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commission of the Unified Government of Athens-Clarke County condemns unlawful discrimination in any form and hereby call upon all businesses serving the public within the boundaries of Athens-Clarke County to act in a non-discriminatory fashion with regard to race, color, sex, sexual orientation, gender identity, religion, national origin, citizenship, age, disability, or pregnancy, as those terms are defined in applicable federal law and in Athens-Clarke County Code Section 1-17-1;

BE IT FURTHER RESOLVED that the Mayor and Commission of the Unified Government of Athens-Clarke County support any investigation into violations of federal or state non-discrimination laws, statutes, and constitutional requirements;

BE IT FURTHER RESOLVED that the Mayor and Commission of the Unified Government of Athens-Clarke County direct the Attorney and the Manager of the Unified Government of Athens-Clarke County to study and make recommendations to the Mayor and Commission for actions that may be taken at the local level to facilitate the values expressed in this Resolution, including but not limited to the ongoing consideration of possible revision to the county alcohol licensing ordinance to make a violation of local, state or federal anti-discrimination or civil rights ordinances or laws a basis for the denial, suspension or revocation of an alcoholic beverages license.

Citizen input on items other than those listed on this agenda

The following citizen input was received.

1. Jesse Houle – thanks for discrimination resolution.
2. Jared Zomer - opposed discrimination resolution.

3. Mark Bell, Clayton Street – opposed mandatory purchase of trash bags for downtown pickup.
4. Paula Laniak, 448 Ruth Street – interested in Workforce Housing Study.
5. Paul Dorsey, 1600 Campbell Lane – supported tiny houses.

FROM MAYOR DENSON:

1. A proclamation will be issued to LEAD Athens Class of 2016 recognizing participation in the Adopt-A-Highway program.
2. Congratulated Commissioner Wright for completion of all of the courses required for a certificate of recognition as a Certified County Commissioner.
3. Reminded everyone of the special called session Tuesday, January 12, 4:00 p.m. to consider appeal of a Historic Preservation Commission decision.
4. Reminded everyone of the 25<sup>th</sup> anniversary celebration of the Unification of Athens-Clarke County, Thursday, January 14, 12 noon.
5. Stated Manager Reddish's final workday will be Friday, February 5. Advertising for the manager position is underway.
6. Stated there will be a special called session Tuesday, January 19 for the purpose of receiving her recommendation that Blaine Williams be appointed as Acting Manager effective February 6, 2016.

FROM MANAGER REDDISH:

1. Entered into the record was a report of contract awards in excess of \$10,000 for October 2015.

FROM COMMISSIONER BAILEY:

1. Requested consideration of planting a live tree a City Hall for Christmas.
2. Stated positive citizen comments have been received regarding the Tallassee Road roundabout.

FROM COMMISSIONER NESMITH:

1. Stated he looks forward to completion of the Mitchell Bridge Road project.

FROM COMMISSIONER HAMBY:

1. Requested downtown lights placed at Christmas remain year round.
2. Started Workforce Housing Study will be on the January 12 work session.

FROM COMMISSIONER BELL:

1. Expressed appreciation to Manager Alan Reddish.

FROM COMMISSIONER HEROD:

1. Requested Mayor assign to Government Operations Committee a review of the Neighborhood Parking Management Program. Mayor Denson agreed.



2. Stated the discrimination resolution is constructive.

FROM COMMISSIONER WRIGHT:

1. Stated the Audit Committee will meet next week to review bids.

FROM COMMISSIONER LINK:

1. Stated workforce housing study will be on the January 12 work session.
2. Stated at their January 7 meeting the Planning Commission will consider accessory structure guidelines.
3. Stated an anti-discrimination march is scheduled January 18.
4. Requested Mayor assign to the Government Operations Committee a review of the downtown design guidelines.

FROM COMMISSIONER GIRTZ:

1. Requested an update on Business Corridor Infrastructure Improvements on Clayton Street.
2. Requested consideration of tree canopy expansion to help improve water quality.
3. Stated during February/March the Legislative Review Committee will discuss sidewalks.

FROM COMMISSIONER SIMS:

1. Expressed appreciation for confidence shown by electing him Mayor Pro tem for 2016.

FROM COMMISSIONER DICKERSON:

1. Stated the Five Points traffic study will be good for economic development.
2. Expressed appreciation to Manager Alan Reddish.

FROM COMMISSIONERS GIRTZ AND HAMBY:

1. Requested update on plans for T-SPLOST referendum.

The meeting adjourned at 8:20 p.m.

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Clerk of Commission