

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Tuesday, March 7, 2017
6:00 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, Bailey, NeSmith, Bell, Girtz, and Hamby. Absent: Commissioners Wright and Herod.

A motion was made by Commissioner NeSmith, seconded by Commissioner Girtz, to approve Minutes of meeting of Tuesday, February 7, 2017. 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

The following citizen input was received.

1. Marilyn Wolf-Ragatz, 345 Beechwood Drive – supported Athens Cultural Affairs Commission report.
2. Mark McConnell, 2510 Commerce Road – supported managed natural landscape.

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

1. ADOPT: The following ordinance (#17-03-13) which was presented by title only.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO PARKING RESTRICTIONS ON WHIT DAVIS ROAD; AND FOR OTHER PURPOSES.

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

SECTION 1. Pursuant to Section 3-3-50(a)(1)e. of the Code of Athens-Clarke County, Georgia, parking is hereby prohibited on the east side of Whit Davis Road beginning at a point at the northerly intersection of the sidewalk that extends along the frontage of Southeast Clarke Park and Whit Davis Road and extending along the easterly side of said road and adjacent to said sidewalk south a distance of 2,450 feet, as further shown on Attachment 1 incorporated herein by reference.

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

2. ADOPT: The following ordinance (#17-03-14) which was presented by title only; approve the Unified Government of Athens -Clarke County to apply for and, if awarded, accept a US Department of Transportation Small Community Air Service Development Grant in an amount up to \$750,000 as per agenda report dated February 1, 2017 and; authorize the Mayor and appropriate staff to sign all documents related to this request.

AN ORDINANCE TO AMEND THE FY2017 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR THE AIRPORT AIR SERVICE DEVELOPMENT PROGRAM; 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 Hotel/Motel Tax Special Revenue Fund to provide funding for the Airport Air Service Development Program. Said Operating and Capital budget is hereby amended as follows:

Hotel/Motel Tax Special Revenue Fund:

Fund Balance

Decrease:

Unappropriated Fund Balance (\$65,000)

Expenditures:

Increase:

Airport – Operating Expenses
Air Service Development Program \$65,000

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

3. APPROVE: Declare Athens Transit buses #111 and #112 as surplus as per agenda report dated January 31, 2017; approve the transfer of buses #111 and #112 to Ozark Regional Transit in Springdale, Arkansas with a finding that such transfer is in the public interest; and authorize the Mayor and appropriate staff to execute all necessary documents.
4. APPROVE: Amendment to the land exchange agreement between Unified Government of Athens-Clarke County and HP Athens, LLC as generally described in Facts and Issues #4 and as shown on Attachment #1 of agenda report dated January 30, 2017; and authorize the Mayor and appropriate staff to execute all related documents.
5. APPROVE: A location correction for the currently approved pedestrian refuge island and crosswalk on North Avenue to approximately 100 feet south of Evelyn Neely Drive, as shown in Attachment #1 of agenda report dated January 18, 2017.
6. APPROVE: Submission of an application by the Athens-Clarke County Police Department (ACCPD) for the Bureau of Justice Assistance's FY17 Body-Worn Camera Policy and Implementation Program under the terms of the "Implementation or Expansion of BWC Programs for Mid-Sized Agencies" offering as per agenda report dated January 24, 2017; accept the grant funds, if awarded; and authorize the Mayor and appropriate staff to execute all documents associated with the grant.
7. APPROVE: An exception to Policy/Procedure Statement WS-011: Water and/or Sanitary Sewer Services to allow public water service to be provided to 2740 Winterville Road as per agenda report dated February 9, 2017, subject to the property owner meeting the following conditions: Submittal of properly executed private service line easement conveyances in a form acceptable to the Athens-Clarke County Attorney and the Chief Plumbing Inspector; and payment of the appropriate fees as identified under Facts and Issues No. 5 for the property.
8. APPROVE: Award of a contract for the Bicycle and Pedestrian Master Plan (RFP #000830) with Toole Design Group, LLC at a cost not to exceed \$207,823 as per agenda report dated January 31, 2017; and authorize the Mayor and appropriate staff to execute all related documents.

9. ACCEPT: Athens Public Art Master Plan prepared for the Athens Cultural Affairs Commission (ACAC) as described in Attachment #1 of agenda report dated January 10, 2017; and authorize the Mayor and appropriate staff to execute all related documents.

10. PASS OUT WITH NO ACTION: Government Operations Committee report dated January 20, 2017 on Leisure Services Scholarship Program and Cost Recovery as related to the “Green Play” report.

Old and new business – Discussion

Citizen input

The following citizen input was received.

The following citizens expressed concern with insurance requirements for special events.

1. Julie Roth, 595 Hill Street, AthFest Educates
2. Daniel Robertson, 5822 Jefferson River Road, AthFest events
3. Jim Anderson, 186 Hidden Hills Lane
4. Mark McConnell, 2510 Commerce Road

A motion was made by Commissioner NeSmith, seconded by Commissioner Sims, to adopt the following ordinance (#17-03-15) which was presented by title only as recommended by the Legislative Review Committee who also voted to have the ordinance reviewed for its effectiveness in 12 months. The motion passed by unanimous vote.

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

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

SECTION 1. Section 3-5-9 of the Code of Athens-Clarke County, Georgia, entitled “Reserved” is hereby deleted in its entirety and the following section 3-5-9 is inserted in lieu thereof:

“3-5-9 Control of vegetation.

“(a) Definitions.

“The following definitions shall apply to this section:

“(1) “Managed natural landscapes” means a designed, intentional and maintained cultivation of native or non-native grasses, sedges, wildflowers, forbs, ferns, shrubs, or trees that is self-sustaining with minimal resort to artificial methods of plant care and that serves at least one of the following purposes:

- a. The attraction and aid of wildlife;
- b. The offset and control of a potential or existing soil loss program;
- c. The enrichment or stabilization of soil fertility;
- d. Pest control;
- e. Governmental programs, including without limitation stormwater control;
- f. Educational studies;
- g. Food production;
- h. Establishment of or restoration of native plant habitats.

“(2) “Ornamental plants” means perennials, annuals, shrubs and woody plants, and groundcovers purposefully planted, cultivated and managed for aesthetic reasons.

“(3) “Owner” means the current owner of record as shown by the records of the tax commissioner and by the deed records of the clerk of superior court for the current calendar year.

“(4) “Person in possession of property” means a person or persons or entity in physical possession or control of a property pursuant to lease or other lawful possessory interest.

“(5) “Structure” shall mean any structure attached to the ground which has a roof and which is designed for the shelter, housing or enclosure of persons, animals or property of any kind.

“(6) “Turf grass” means grasses commonly used in regularly-cut lawns or play areas, whether alive, dormant or dead, including the following types: fescue, Bermuda, ryegrass, centipede, bluegrass or zoysia or blends thereof, intended to be maintained at a height of no more than 10 inches.

“(7) “Weeds” means any and all vegetation, including without limitation honeysuckle, kudzu, jimson, burdock, ragweed, thistle, cocklebur, dandelion, crabgrass, or Johnson grass, that is not managed or maintained by the owner or person in possession of property on which all such vegetation is located which exceeds the height restrictions in this section, but shall exclude trees, ornamental plants, vegetable gardens and managed natural landscapes.

“(b) Height restrictions.

“(1) Except as otherwise provided in subparagraph (2), every owner or person in possession of a lot or lands within Athens-Clarke County shall cause the lot or lands to be kept free from weeds and turf grasses over 10 inches in height by cutting and disposing of said cut weeds and turf grasses immediately. Such cut weeds and turf grasses may be removed from the lot or parcel and disposed in accordance with applicable law or maintained onsite as mulch.

“(2) The prohibition in the preceding sub-paragraph shall not apply to the following:

- a. Any parcel in the Agricultural Residential (AR) zone greater than one acre in size;
- b. Any parcel within a single-family residential zoning classification that is greater than three acres in size;
- c. Forest regeneration areas or future forest areas established and approved in accordance with Chapter 8-7 of this code;
- d. A parcel that is undeveloped as defined in § 5-5-3 (a) of this code;
- e. Stormwater management facilities permitted in accordance with Chapter 5-4 of this code.

“(c) Vegetation adjacent to structures. Every owner or person in possession of a lot or lands within Athens-Clarke County shall maintain such property so that any type of vegetation described in this section (i) shall remain clear of a structure’s windows, doors, eaves, soffits, fascia, roof, utility meters, or exterior air conditioning units, or (ii) shall not obstruct or impede pedestrian or vehicular passage upon driveways and at least one pedestrian walkway serving an entrance door of a structure.

“(d) Managed natural landscapes.

“(1) Vegetation within managed natural landscapes shall not be permitted to overhang or encroach onto any public or private properties or public sidewalks or streets adjacent to such lots or lands.

“(2) Managed natural landscapes shall not include turf grass lawns or areas left unattended for the purpose of returning to a natural state.

“(e) A violation of this section shall be punished as provided for in section 1-1-5 of this Code. No citation shall be issued for a violation of this section until oral or written notice of such violation has first been given to the owner or person in possession of the property that is the subject of the violation.”

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 Athens-Clarke County Police Department School Resource Officer (SRO) Program contract for 2017-2018 school with the Clarke County School District for the 2017-2018 school year as per Attachment #1 of

agenda report dated January 25, 2017; and authorize the Mayor and appropriate staff to execute the contract and all related documents. The motion passed by unanimous vote.

A motion was made by Commissioner Link, seconded by Commissioner NeSmith, to approve changes to the Leisure Services Department scholarship program as per agenda report dated February 16, 2017 to include:

- 1) Requiring the most recent Tax Form 1040 and recent utility bill (last 90 days) for income, dependency, and residency verification
- 2) Eliminating the 100% discount scholarships
- 3) Changing discount categories to 25%, 50% and 75%
- 4) Setting the maximum scholarship discount at \$400 per child per year;

Authorize staff to implement changes beginning July 1, 2017; and

Direct management to devise a sponsorship and/or gift certificate program through which additional assistance can be granted to families qualifying for scholarships as well as to those with multiple children enrolled. This program should be ready for implementation by Summer 2018 program registration (Spring 2018).

The motion passed by unanimous vote.

A motion was made by Commissioner Dickerson, seconded by Commissioner Bailey, to:

- a) Approve the addition of the proposed expansion of the parking lot in support of the World of Wonder (WOW) Park as part of SPLOST 2011 Project #16 Sub-Project #5, as generally shown in Attachment #1 of agenda report dated February 9, 2017;
- b) Authorize staff to advance the proposed expansion of the WOW parking lot to final design and bid and award; and
- c) Authorize the Mayor and appropriate staff to execute all related documents.

Commissioner Dickerson offered an amendment to her motion to include placement of a small marker/plaque at the base of one of the saved trees as shown on Attachment #1 entitled *Supplemental attachment – existing trees within construction zone* in recognition of Friends of Southeast Clarke Park, Inc. who were instrumental in development of the World of Wonder Park.

The amendment was accepted by Commissioner Bailey.

The motion as amended passed by unanimous vote.

A motion was made by Commissioner Dickerson, seconded by Commissioner Sims, with reference to the Runway 9-27 rehabilitation project design as per agenda report dated February 1, 2017:

- a) Approve Holt Consulting Company, LLC, to provide design through bidding phase services for the Runway 9-27 Rehabilitation and Overlay Project in an amount not to exceed \$375,500;
- b) Authorize Athens-Clarke County to fund the full design cost of \$375,500 with 90% to be reimbursed by the Federal Aviation Administration (FAA) and 5% by the Georgia Department of Transportation (GDOT) in FY18;
- c) Authorize staff to establish a project budget based on the FAA and GDOT grant awards and reimbursements; and
- d) Authorize the Mayor and appropriate staff to sign all related documents and accept all awarded grants for this project.

The motion passed by unanimous vote.

A motion was made by Commissioner Link, seconded by Commissioner Hamby, with reference to the Government Operations Committee review of special events permit process.

- a) Adopt the following ordinance (#17-03-16) which was presented by title only;
- b) Approve a policy that special events will not be charged for lost revenue from on-street parking meters; and
- c) Delay insurance requirements to be reconsidered after allowing the Mayor and Commission to consider an FY18 budget allocating resources for additional insurance coverage for special events.

The motion passed by unanimous vote.

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

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

SECTION 1. Section 6-5-1 of the Code of Athens-Clarke County, Georgia, entitled "*Definitions*" is hereby amended by deleting the sub-paragraph thereof entitled "*Special event*" in its entirety and substituting the following sub-paragraph in lieu thereof:

"*Special event*: The term 'special event' or 'event' shall mean any organized activity having as its primary purpose entertainment, recreation and/or education which provides a substantial public and community benefit, such as a festival, celebration, foot or vehicle race, parade, march, rally or assembly, which takes place in whole or in part on a public street, sidewalk or right-of-way, or any organized activity that occurs on private property and impacts government services on public rights-of-way."

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

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

- a) Approve the recommendation of the Transportation Special Purpose Local Option Sales Tax (TSPLOST) Citizens Advisory Committee (CAC) to proceed with the TSPLOST 2018 Program; and,
- b) Approve the TSPLOST CAC's recommended revisions to the TSPLOST 2018 Program Goals and Project Selection Criteria as noted in Attachment #1 of agenda report dated January 30, 2017 with amendments to the Specific Goals and Project Selection Criteria to read as follows:

SPECIFIC GOALS and PROJECT SELECTION CRITERIA

Project applications should address sustainability by identifying components within the proposed project that will accomplish one or more of the following criteria:

- Improve safety for all roadway / rights of way users including motorists, cyclists, pedestrians, transit users, disabled, and others in Athens-Clarke County
- Significantly improve the pavement maintenance schedule
- Maintain or improve air quality, environmental health, and sustainability
- Promote the upgrade and continued use of alternative transportation facilities amenities currently owned by ACCUG and seek expansion opportunities
- Reduce traffic congestion by improving intersections and traffic control devices
- Increase effectiveness and convenience of Transit System routes and infrastructure
- Provide and improve infrastructure that promotes economic activity, economic re-development and economic growth in Athens-Clarke County

The motion passed by unanimous vote.

New business – Consider under suspension of Rules

A motion was made by Commissioner Sims, seconded by Commissioner Bailey, to suspend Rules of Commission for consideration of one item of new business. The motion passed by unanimous vote.

A motion was made by Commissioner Girtz, seconded by Commissioner Sims, to adopt the following resolution approving the proposed boundary change of the Downtown Athens Development Authority's district as depicted in Attachment #2 of agenda report dated March 1, 2017. The motion passed by unanimous vote.

STATE OF GEORGIA,
ATHENS-CLARKE COUNTY

RESOLUTION

WHEREAS, the map of the revised boundary of the DOWNTOWN ATHENS DEVELOPMENT AUTHORITY (the "Authority") previously approved by UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, has changed due to certain land owners opting out of being included in the new boundary; and

WHEREAS, the map attached hereto as Exhibit A is a correct depiction of the revised boundary of the Authority reflecting those who opted out of being included,

BE IT HEREBY RESOLVED by the UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, that the revised boundary of the Authority as shown on Exhibit A is hereby approved and the General Assembly of the State of Georgia is requested to enact the same as the revised boundary for the Authority.

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

A public hearing was held on request of David Matheny (Armentrout Matheny Thurmond, P.C.) for John Barrett for special use in C-N (Commercial-Neighborhood) on 0.258 acres known as 1595 South Lumpkin Street. Proposed use is commercial parking. Type II

Planning Commission recommendation: Approve (unanimous)

Citizen input

The following citizen input was received.

1. David Matheny, 200 Mount Vernon Place, representing petitioner – supported.

A motion was made by Commissioner Bell, seconded by Commissioner Sims, to adopt the following ordinance (#17-03-17) 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 C-N (COMMERCIAL NEIGHBORHOOD) DISTRICT ON THE PARCEL OF LAND LOCATED AT 1595 S. LUMPKIN STREET; AND FOR OTHER PURPOSES.

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

SECTION 1. The current C-N (Commercial Neighborhood) district in which is located an approximate 0.258 acre parcel of land at 1595 S. Lumpkin Street in Athens-Clarke County, Georgia, is hereby amended to provide for Special Use approval for said 0.258-acre parcel to permit the construction of a commercial parking lot thereon. The subject 0.258-acre parcel is more fully described on the drawing entitled, "Barrett Investment Properties, LLC, Site/Tree Management Plan," dated December 19, 2016, prepared by Armentrout, Matheny, Thurmond, Michael Bret Thurmond, registered professional engineer, and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

Said approximate 0.258-acre parcel of land at 1595 S. Lumpkin Street is designated as tax parcel number 173A3 B007 on the Athens-Clarke County tax map, 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 plan associated with this ordinance and incorporated herein by reference consists of one sheet entitled, "Barrett Investment Properties, LLC, Site/Tree Management Plan," dated December 19, 2016, prepared by Armentrout, Matheny, Thurmond, Michael Bret Thurmond, registered professional engineer, being stamped, "Binding 2/7/17" and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The binding report associated with this ordinance and incorporated herein by reference consists of eight pages entitled, "Report to Support the Special Use Application, 1595 S. Lumpkin Street, Athens, Georgia," dated December 19, 2016, and being stamped "Binding 2/7/17," 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 proposed text amendments to zoning ordinance chapter 9-25 (Site Design and Use Standards) regarding building materials and transit amenities.

Planning Commission recommendation: Approve (unanimous)

Citizen input

There was no citizen input.

A motion as made by Commissioner Girtz, seconded by Commissioner Bailey, to adopt the following ordinance (#17-03-18) 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 SITE DESIGN STANDARDS; AND FOR OTHER PURPOSES

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

SECTION 1. Section 9-25-8 entitled "*Site design standards*" of the Code of Athens-Clarke County, Georgia, subsection E. 6. thereof is hereby amended by deleting subsection E. 6. in its entirety and substituting the following subsection E. 6. in lieu thereof:

"Sec. 9-25-8. - Site design standards.

"6. Building materials. Building facades if visible from the front or side yard adjacent to a street may not be clad in non-architectural metal siding, plain concrete block, or plain concrete walls. Fabricated architectural building materials are permitted for architectural detailing or for wall, fascia and soffit applications so long as such materials have a gauge value of 24 or less and have no exposed fasteners after installation is complete. Provided, however, that fabricated architectural metal siding panels may be used as wall cladding for building façades only if such metal cladding makes up less than 40% of an individual façade. Decorative concrete block or concrete walls with textured surface materials are permitted.

"a Building frontages greater than 100 feet in length shall have offsets or other distinctive changes in the building façade.

"b. Buildings may not incorporate glass for more than 70 percent of the building exterior."

SECTION 2. Section 9-25-8 entitled "*Site design standards*" of the Code of Athens-Clarke County, Georgia, subsection E is hereby amended by adding a new sub-paragraph 7 to such subsection E, to-wit:

"Sec. 9-25-8. - Site design standards.

"7. Transit amenities. Transit amenities, such as bus stops, benches, shelters, bus bays, and other transit-related improvements, and easements for future transit amenities, shall be required if deemed necessary by the Athens-Clarke County Transit Director or authorized designee."

SECTION 3. Section 9-25-8 entitled "Site design standards" of the Code of Athens-Clarke County, Georgia, subsection F. 3. thereof is hereby amended by deleting subsection F. 3. in its entirety and substituting the following subsection F. 3. in lieu thereof:

"Sec. 9-25-8. - Site design standards.

"3. Transit amenities. Transit amenities, such as bus stops, benches, shelters, bus bays, and other transit-related improvements, and easements for future transit amenities, shall be required if deemed necessary by the Athens-Clarke County Transit Director or authorized designee."

SECTION 4. All ordinances or parts of ordinance in conflict herewith are hereby repealed.

A public hearing was held on proposed text amendments to Community Tree Management (Chapter 8-7) regarding streetscape trees and timber harvesting.

Planning Commission recommendation: Approve (unanimous)

Citizen input

The following citizen input was received.

1. Mark McConnell, 2510 Commerce Road – concerned about planting of large trees under power lines.

A motion was made by Commissioner Link, seconded by Commissioner NeSmith, to adopt the two following ordinances (#17-03-19) and #17-03-20) which were presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO COMMUNITY TREE MANAGEMENT—STREET TREES; AND FOR OTHER PURPOSES.

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

SECTION 1. Section 8-7-15 entitled "*Tree canopy cover*" of the Code of Athens-Clarke County, sub-paragraph (5) of sub-section (k) entitled "*Streetscape trees*" is hereby amended by deleting sub-paragraph (5) of sub-section (k) thereof in its entirety and substituting the following sub-paragraph (5) of sub-section (k) in lieu thereof:

"Sec. 8-7-15. – Tree Canopy Cover.

"(5) Street trees shall be planted within ten feet of the lot line or within the public street right-of-way. Street trees required along private drives or private streets shall be within ten feet of the edge of pavement. The Athens-Clarke County community forester or arborist may waive the standards in section 8-7-15(k)(5) to best meet the purpose and intent of this chapter. When granted, waivers shall be recorded in writing on the application for the tree management plan or other permanent record."

SECTION 2. Section 8-7-15 entitled "*Tree canopy cover*" of the Code of Athens-Clarke County, sub-section (k) is hereby amended by adding a new sub-paragraph (7) to sub-section (k), to-wit:

"Sec. 8-7-15. – Tree Canopy Cover.

"(7) Street trees planted in the public street right-of-way must be approved by the community forester."

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

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO COMMUNITY TREE MANAGEMENT—DEVELOPMENT LIMITATIONS; AND FOR OTHER PURPOSES.

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

SECTION 1. Section 8-7-18 entitled "*Forest management activities*" of the Code of Athens-Clarke County, sub-paragraph (1) of sub-section (i) thereof entitled "*development limitations*" is hereby amended

by deleting sub-paragraph (1) of sub-section (i) in its entirety and substituting the following sub-paragraph (1) of sub-section (i) in lieu thereof:

“Sec. 8-7-18. – Forest management activities.

“(1) If a tree management plan or notice of timber harvest is required but has not been submitted and approved prior to timber harvesting activity, no development activity may occur on a site for a period of five years after the commencement date of the timber harvesting or tree cutting or removal. The five-year development limitation described herein shall not apply with regard to construction of a single-family residence on the property subject to the limitation that all required applications for permits associated with the timber harvest shall have been submitted and approved within 60 days following imposition of the five-year development limitation.”

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

Citizen input on items other than those listed on this agenda

The following citizen input was received.

1. Tim Denson, 290 Midway Road – supported formation of a civil rights committee.
2. Russell Edwards, 400 Duncan Springs Road – supported 4th of July fireworks.
3. John Becker, east side – more parking is needed at WOW playground.
4. Devin Clower, 375 1/2 Holman Avenue, owner Frontier – supported 4th of July fireworks.
5. Mark McConnell, invited attendance at showing of Before the Flood on March 15.
6. Homer Wilson, Hot Corners – supported 4th of July fireworks.
7. Rusty Heery, 479 Cobb Street – supported 4th of July fireworks.

FROM MAYOR DENSON:

1. Announced notification has been received from the Arbor Day Foundation that Athens-Clarke County has earned recognition as a 2016 Tree City USA.
2. Announced a proclamation will be issued recognizing participation in the Adopt A Highway Program:

Adopting Organization

Location

Falling Shoals Homeowners Association

Whit Davis Road from Barnett Shoals Road to Old Lexington Road

FROM ASSISTANT MANAGER JOHNSON:

1. Received for information was a report of acceptance of grant funding and related budget amendments for a Georgia Municipal Association Liability Management grant for Human Resources, and a Foodservice Packing Institute, Inc. (FPI) Foam Recovery grant for Solid Waste.

FROM AUDITOR MADDOX:

1. The audit report on boards, authorities, and commission will be presented at the March 14 work session.

FROM COMMISSIONERS NESMITH, BAILEY, AND HAMBY:

1. Requested removal of mistletoe in Athens-Clarke County trees to prevent damage.

FROM COMMISSIONER LINK:

1. Supported formation of a civil rights committee.

2. Supported funding for 4th of July fireworks.

FROM COMMISSIONER SIMS:

1. Requested consideration of request to rename Trail Creek Park to Virginia Callaway-Cofer Walker Park. Mayor Denson referred this request to the Government Operations Committee.

FROM COMMISSIONER DICKERSON:

1. Stated Envision Athens will conduct a community summit Thursday, April 20, 5:30 p.m. at the Classic Center.

FROM COMMISSIONER BELL:

1. Expressed appreciation for the rectangular rapid flashing beacons recently installed in Five Points.

FROM COMMISSIONER HAMBY:

1. Requested Timothy Road be reviewed for possible reduction in speed limit for additional safety.

The meeting adjourned at 7:40 p.m.

Clerk of Commission