

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Tuesday, April 3, 2018
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, Link, Wright, Bailey, NeSmith, Bell, Herod, Girtz, and Hamby. No one was absent.

Recognitions

Fire Chief Jeff Scarbrough described the circumstances surrounding a vehicle crash on February 11 which involved a jeep on fire, injured people including a small child that was not moving, and some of the people trapped inside the heavily damaged vehicles. Several members of the community decided to get involved and make a difference. Mayor Denson presented the following individuals with a Citizen Award.

Vicki Bishop
Michael Derricotte
Emma Strong

Mayor Denson also recognized and thanked the Fire Department personnel who responded.

A motion was made by Commissioner Girtz, seconded by Commissioner Bailey, to approve Minutes of meeting of Tuesday, March 6, 2018 and a correction to August 7, 2017 with reference to an ordinance entitled An Ordinance to Amend the Code of Athens-Clarke County, Georgia, with Respect to Special Use Approval in the C-O (MAC) (Commercial-Office, Milledge Avenue Corridor) District on the Approximate 1.483 Acre Parcel of Land Located at 387 South Milledge Avenue; and for Other Purposes. 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 Girtz, seconded by Commissioner Herod, to consent to action on the following four items. The motion passed by unanimous vote.

1. ADOPT the following ordinance (#18-04-13) which was presented by title only.

AN ORDINANCE WITH RESPECT TO ESTABLISHING RESIDENTIAL PARKING PERMITS FOR COBB STREET RESIDENTIAL PARKING DISTRICT TO INCLUDE THE 700 BLOCK OF COBB STREET BETWEEN ITS INTERSECTION WITH HILLCREST AVENUE AND ITS INTERSECTION WITH KING AVENUE, THE 900 BLOCK OF HILL STREET BETWEEN ITS INTERSECTION WITH HILLCREST AVENUE AND ITS INTERSECTION WITH KING AVENUE, AND THE 100 BLOCK OF HILLCREST AVENUE BETWEEN ITS INTERSECTION WITH HILL STREET AND ITS INTERSECTION WITH COBB STREET ; AND FOR OTHER PURPOSES.

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

SECTION 1. Pursuant to the provisions of Section 3-3-48 of the Code of Athens-Clarke County entitled, "Privileges and Restrictions on Residential Parking Permits," the following Cobb Street Residential Parking District is hereby established:

"Cobb Street Residential Parking District is the residential area that includes the 700 block of Cobb Street from its intersection with Hillcrest Avenue to its intersection with King Avenue, the 900 block of Hill Street from its intersection with Hillcrest Avenue and its intersection with King Avenue, and the 100 block of Hillcrest Avenue from its intersection with Hill Street and its Intersection with Cobb street, as more fully delineated on the drawing attached hereto, labeled Attachment 1, entitled "Cobb St. Permit Parking" dated December 27, 2017, and incorporated herein by reference."

Said Residential Parking District shall be subject to the privileges and restrictions concerning parking set forth in Section 3-3-48 of the Code of Athens-Clarke County.

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

2. ADOPT: Resolution authorizing Athens Housing Authority to acquire the property located at 300 Paris Street by use of eminent domain (condemnation) to clear clouds on the title as per agenda report dated March 2, 2018.

STATE OF GEORGIA,
ATHENS-CLARKE COUNTY

RESOLUTION

BE IT HEREBY RESOLVED by the UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, that the ATHENS HOUSING AUTHORITY (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, situate, lying and being in the 216th District, G.M., Athens-Clarke County, Georgia, and being more particularly described as Tract "6" according to a plat entitled "Survey for Estate of Herbert Griffith, "prepared by Landmark Engineering Corporation, dated January 18, 1978, and recorded in the office of the Clerk of Superior Court of Athens-Clarke County, Georgia in Plat Book 16, page 312.

Tract 6 includes a lot with a house and an extra lot.

The above described property is known as 300 Paris Street, according to the present system of numbering houses in Athens-Clarke County, Georgia.

The above described property is known as 300 Paris Street, according to the present system of numbering houses in Athens-Clarke County, Georgia.

3. APPROVE: Donation of a Battalion Chief vehicle from Athens-Clarke County Fire and Emergency Services to the Winterville Volunteer Fire Department as per agenda report dated February 27, 2018 by:
 - a) Declaring the vehicle as surplus property,
 - b) Authorizing staff to donate the vehicle to the Winterville Volunteer Fire Department at no cost; and
 - c) Authorizing the Mayor and appropriate staff to execute the necessary documents to transfer ownership of the vehicle to the Winterville Volunteer Fire Department.

4. APPROVE: Leisure Services Department scholarship voucher program as per agenda report dated March 13, 2018:
 - a) Provide an annual \$20 voucher to each Athens-Clarke County Leisure Services Department (ACCLS) scholarship recipient who qualifies at the 75% level which can be applied to their existing account. Accept any vouchers redeemed in the current fiscal year as lost revenue.
 - b) Authorize staff to establish a designated fund with Athens Area Community Foundation (AACF) beginning in FY19 that will allow ACCLS to receive and accept donations in support of the scholarship program.
 - c) Apply funds raised through AACF to reimburse the voucher program as needed and accept that any deficiency in funds would result in lost revenue for ACCLS.

Public hearing

A public hearing was held on the FY19 Community Development Block Grant (CDBG) Annual Action Plan for the Housing and Community Development Department (HCD).

Public input

There was no public input.

A motion was made by Commissioner Girtz, seconded by Commission Dickerson, to

- a) Approve the proposed FY19 Annual Action Plan for submission to HUD as per agenda report dated February 22, 2018 and as follows;
- b) Authorize acceptance of the associated HUD Grant Awards;
- c) Authorize FY18 carry-forward sub-recipient balances and allocation of any additional awarded funds; and
- d) Authorize the Mayor and appropriate Athens-Clarke County staff to execute all related contracts and documents.

Projected CDBG Funding FY19 (July 1, 2018 – June 30, 2018).....\$1,187,911

Affordable Housing Priorities and Agencies Responsible for Addressing Needs

1. ACTION, Inc.....	\$115,000
2. Athens Area Habitat for Humanity	\$140,000
3. Athens-Clarke Heritage Foundation	\$40,000
4. Athens Housing Authority.....	\$120,000
5. Athens Land Trust.....	\$150,000
Total Affordable Housing	\$565,000

Micro-enterprise, Economic Development, and Neighborhood Revitalization Objectives

6. Athens Land Trust.....	\$80,000
7. East Athens Development Corporation, Inc.	\$20,000
8. East Athens Development Corporation, Inc.	\$35,000
9. Goodwill of North Georgia.....	\$50,000
Total Economic Development and Neighborhood Revitalization	\$185,000

Public Facilities and Improvements Objectives

10. Athens-Clarke County Leisure Services	\$45,329
Total Public Facilities and Improvements.....	\$45,329

Public Services Objectives – Subject to the 15% Cap

11. ACTION, Inc.	\$20,000
12. Athens Area Homeless Shelter	\$20,000
13. Athens Community Council on Aging	\$20,000
14. Athens Land Trust	\$30,000
15. Athens Nurses Clinic	\$15,000
16. Casa de Amistad.....	\$20,000
17. Family Connection	\$15,000
18. The Ark UMOG	\$15,000
Total Public Services	\$155,000

The motion passed by unanimous vote.

Old and new business – Discussion

Public input

There was no citizen input.

A motion was made by Commissioner Herod, seconded by Commissioner Dickerson, to HOLD for 30 days the red light camera program: Reconditioning of system at West Broad Street and Alps Road. The motion passed by unanimous vote.

A motion was made by Commissioner NeSmith, seconded by Commissioner Girtz, to authorize staff to enter into a ten-year System Upgrade Agreement (SUA) with Motorola Solutions, Inc., for the 800 MHz radio system as per agenda report revised March 27, 2018; and authorize the Mayor and appropriate staff to execute all necessary documents. The motion passed by unanimous vote.

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

- a) Adopt the following resolution authorizing approval of the 2018 Service Delivery Strategy as per agenda report dated February 27, 2018 on behalf of the Unified Government of Athens-Clarke County, fulfilling a requirement of the State of Georgia, in cooperation with City of Winterville and the Town of Bogart;
- b) Authorize Mayor and staff to formally submit the 2018 Service Delivery Strategy to the appropriate reviewing authorities on behalf of the Unified Government, the City of Winterville, and the Town of Bogart; and
- c) Authorize Mayor and staff to execute all related documents, including any mandatory edits deemed necessary by the reviewing authorities.

The motion passed by unanimous vote.

A RESOLUTION AUTHORIZING THE ADOPTION OF THE
2018 SERVICE DELIVERY STRATEGY FOR THE UNIFIED GOVERNMENT ATHENS-CLARKE
COUNTY, THE CITY OF WINTERVILLE, AND THE TOWN OF BOGART

WHEREAS, in 1997, the Georgia General Assembly passed House Bill 489 (“The Service Delivery Strategy Law”), requiring each county and the municipalities within its jurisdiction to adopt a service delivery strategy.

WHEREAS, the Unified Government of Athens-Clarke County, the City of Winterville, and the Town of Bogart have prepared an updated service delivery strategy (“2018 Service Delivery Strategy”) in accordance with O.C.G.A. § 36-70-20, certifying that:

1. Agreements have been executed for the implementation of a service delivery strategy and the attached forms provide an accurate depiction of the agreed upon strategy (O.C.G.A. § 36-70-21);
2. The service delivery strategy promotes the delivery of local government services in the most efficient, effective, and responsive manner (O.C.G.A. § 36-70-24(1));
3. The service delivery strategy provides that water or sewer fees charged to customers located outside the geographic boundaries of a service provider are reasonable and are not arbitrarily higher than the fees charged to customers located within the geographic boundaries of the service provider (O.C.G.A. § 36-70-24(2)(A)); and
4. The service delivery strategy ensures that the cost of any services the county government provides (including those jointly funded by the county and one or more municipalities) primarily for the benefit of the unincorporated area of the county are borne by the unincorporated area residents, individuals, and property owners who receive such service (O.C.G.A. § 36-70-24(3));

WHEREAS, per O.C.G.A. § 36-70-26, the Unified Government of Athens-Clarke County shall submit the 2018 Service Delivery Strategy to the Georgia Department of Community Affairs for review and verification that the 2018 Service Delivery Strategy meets the requirements of The Service Delivery Strategy Law, such submit to coincide with the submittal of a comprehensive plan update; and

WHEREAS, the signed original of the 2018 Service Delivery Strategy shall be maintained on file and available for inspection in the office of the Clerk of the Athens-Clarke County Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia, and in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

NOW THEREFORE, the Mayor and Commission of Athens-Clarke County, Georgia hereby resolve to adopt the 2018 Service Delivery Strategy.

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 James C. Warnes, for Alewine Enterprises, Inc., for rezoning from Conditional Use in E-O (Employment-Office) to C-G (PD) (Commercial-General, Planned Development) on six acres known as 4300 Atlanta Highway. Proposal is auto sales. Type II

Planning Commission recommendation: Approval w/conditions (unanimous)

Citizen input

The following citizen input was received.

1. Jim Warnes, representing petitioner – supported.

A motion was made by Commissioner NeSmith, seconded by Commissioner Hamby, to adopt the following ordinance (#18-04-14) 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 REZONING A PARCEL OF LAND COMPRISED OF APPROXIMATELY SIX ACRES LOCATED AT 4300 ATLANTA HIGHWAY FROM E-O (EMPLOYMENT-OFFICE) TO C-G (PD) (COMMERCIAL-GENERAL, PLANNED DEVELOPMENT); 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 a parcel of land from E-O (Employment-Office) to C-G (PD) (Commercial-General, Planned Development) as shown on Attachment A hereto. Said affected parcel of land is more fully described in that certain site plan entitled "Master Site Plan," said site plan being initially dated November 30, 2017 and revised on December 4, 2017, January 26, 2018, and March 5, 2018, designated in the lower right-hand corner as sheet number "C2.0," prepared by Haines, Gipson & Associates of Lawrenceville, Georgia, and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

The subject parcel of approximately 6 acres is part of a larger tract of land comprising approximately 24.59 acres located at 4300 Atlanta Highway and also known as parcel number 044 027 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 Street, 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 office of the Clerk of Commission at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding master site plan associated with this ordinance and incorporated herein by reference consists of five pages in total, the first sheet of which is entitled "Site Plan," last revised March 5, 2018, and designated in the lower right-hand corner as sheet number "C2.0"; the second sheet of which is entitled "Master Landscape Plan," dated March 2, 2018, prepared by Steve L. Manley, registered landscape architect, and designated in the lower right-hand corner as sheet number "L-1.0"; the third sheet of which is entitled "Lighting Proposal LO-137590-8," last revised January 25, 2018, and designated in the lower right-hand corner as sheet "1 of 1"; the fourth sheet of which is entitled "Lighting Proposal LO-137590-8A," last revised January 25, 2018, and designated in the lower right-hand corner as sheet "1 of 1"; the fifth sheet of which is entitled "Master Conceptual Elevations," dated March 2, 2018, prepared by Pieper, O'Brien Herr Architects, and designated in the lower right-hand corner as sheet "A3.0." All five sheets of the binding master site plan are stamped "Binding 3-6-18" and are on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

The binding written report associated with this ordinance and incorporated herein by reference is entitled "CarMax Planned Development Application Report," date stamped January 26, 2018, comprised of six pages in total, stamped "Binding 3-6-18," and is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

SECTION 3. The condition of zoning associated with this ordinance is as follows:

During operational hours, lighting in the sales display spaces as designated in the binding master site plan shall not exceed nineteen (19) foot-candles. Beginning no later than 10:00 p.m. each night and until operations begin the next morning, lighting in such sales display spaces shall comply in all aspects with the outdoor lighting and glare standards of Chapter 9-19 of the Code of Ordinances of Athens-Clarke County, Georgia.

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

A public hearing was held on a proposed text amendment to section 9-4-15 Applications and deadlines – demolitions.

Planning Commission recommendation: Approval (unanimous)

Citizen input

There was no citizen input.

A motion was made by Commissioner NeSmith, seconded by Commissioner Bailey, to approve proposed text amendment with new paragraph 9 reading as follows:

“9. Approval of any exterior demolition or relocation review application granted in accordance with the terms of this title shall expire if not used within 18 months from date of approval. Said approval shall not be deemed used until a demolition or relocation permit has actually been issued, if applicable, and the approved demolition or relocation completed.”

A substitute motion was made by Commissioner Wright, seconded by Commissioner Link, to approve proposed text amendment with change in wording in new paragraph 9 from “18 months” to “24 months”.

The substitute motion passed by unanimous vote and the following ordinance (#18-04-15) which was presented by title only was declared adopted.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO APPLICATIONS AND DEADLINES-- REVIEW OF EXTERIOR DEMOLITION OR RELOCATION APPLICATIONS; AND FOR OTHER PURPOSES

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

SECTION 1. Paragraph 1. of Subsection C. of Section 9-4-15 of the Code of Athens-Clarke County, Georgia, is hereby amended by adding the words “an exterior” so that said Paragraph 1. reads as follows:

“1. Prior to submittal of an exterior demolition or relocation permit, all requests which include exterior demolitions or relocations shall first obtain approval of an exterior demolition or relocation review application from the Planning Department.”

SECTION 2. Paragraph 2. of Subsection C. of Section 9-4-15 of the Code of Athens-Clarke County, Georgia, is hereby amended by deleting said Paragraph 2 in its entirety and substituting the following Paragraph 2. in lieu thereof:

“2. For applications that do not involve manufactured homes and structures locally designated as part of a historic district or as an individually designated landmark, complete applications shall include all of the information requested on the application form, including photographs of all affected exterior elevations, a site plan indicating the structure(s) and a floor plan, if partial demolition is proposed, indicating the portions thereof affected, and information pertaining to the age of the structure (if available).”

SECTION 3. Paragraph 5. of Subsection C. of Section 9-4-15 of the Code of Athens-Clarke County, Georgia, is hereby amended by deleting Sub-paragraph c. in its entirety and re-designating Sub-paragraph d., so that Paragraph 5. reads as follows:

“5. The following applications shall be exempt from the 90-day review period:
“a. Accessory structures of less than 500 square feet of gross floor area;

“b. Any structure determined by the Chief Building Official to be hazardous; or

“c. Any structure located within E-O (Employment-Office); E-I (Employment-Industrial), or I (Industrial) zones.”

SECTION 4. Paragraph 6. of Subsection C. of Section 9-4-15 of the Code of Athens-Clarke County, Georgia, is hereby amended by deleting the word “the” and substituting the word “a” and adding the words “considered eligible for a complete 90-day review” so that Paragraph 6 reads as follows:

“6. Within ten days of the receipt of a complete application, the Planning Director shall send written notice of a proposed demolition considered eligible for a complete 90-day review to the Athens-Clarke County Commissioner in whose district the affected property is located.”

SECTION 5. Subsection C. of Section 9-4-15 of the Code of Athens-Clarke County, Georgia, is hereby amended by adding a new Paragraph 8. as follows:

“8. In the event of a vacant position on the Commission for the district in which the affected property lies, the Planning Director shall send written notice of the proposed demolition to the Mayor as set forth above, and for the purposes of this Subsection C, the Mayor shall perform the duties of the Athens-Clarke County Commissioner for that district until such time as the vacant position is filled in accordance with the Charter.”

SECTION 6. Subsection C. of Section 9-4-15 of the Code of Athens-Clarke County, Georgia, is hereby amended by adding a new Paragraph 9. as follows:

“9. Approval of any exterior demolition or relocation review application granted in accordance with the terms of this title shall expire if not used within 24 months from date of approval. Said approval shall not be deemed used until a demolition or relocation permit has actually been issued, if applicable, and the approved demolition or relocation completed.”

SECTION 7. 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. Adam Lewis Gregory – supported parallel ordinance.
2. Sam Rafal – concerned about EMS response time.

FROM MAYOR DENSON:

1. Announced the following appointments to the SPLOST 2011 Oversight Committee.
Joel Katz – District 4
Amy Andrews – District 5
Dennis Hopper – District 6
Lee Smith – District 9
2. Reminded everyone applications for Airport Authority, Classic Center Authority, Historic Preservation Commission, and Planning Commission are due Friday, April 6.
3. Stated she will not place on the agenda consideration of a parallel ordinance.

FROM MANAGER WILLIAMS:

- 1, Received for information were proposed operating transfers.

<u>Amount</u>	<u>To</u>	<u>For</u>
\$15,000	Central Services	ADDA parking management software and hardware
\$5,000	Transportation and Public Works	Grant acceptance of Domino’s “Paving for Pizza” grant
2. Received for information was a report of contract awards in excess of \$10,000 for the month of February 2018.

FROM COMMISSIONER HEROD:

1. Reminded everyone of the Spring Fling at Southeast Clarke Park on Saturday.

FROM COMMISSIONER HAMBY:

1. Requested status report on Athens Land Trust Youth Build Program.
2. Requested status report on corridor beautification project.
3. Requested information as to alternatives for employee insurance program.

FROM COMMISSIONER NESMITH:

1. Requested update on DOT gateway project.
2. Thanked Drew Raessler, Jason Mize, and Blaine Williams for meeting on-site with him regarding a street paving issue.
3. Thanked Transportation and Public Works for replacement of street signs in several locations.
4. Stated EMT training for Fire Department personnel is paying off.

FROM COMMISSIONER BAILEY:

1. Thanked staff for their cooperation and efficient service.

FROM COMMISSIONER WRIGHT:

1. Thanked Domino's Pizza for paving grant for Jackson Street.

FROM COMMISSIONER LINK:

1. Requested update on Vision Zero grant.
2. Requested data on response times for emergency medical services.
3. Requested planning staff reach out to Reese Street residents with reference to rezoning to single family.

FROM COMMISSIONER GIRTZ:

1. Requested data on response times for emergency medical services.
2. Requested template for low maintenance plantings in medians.

FROM COMMISSIONER DICKERSON:

1. Requested status report on Georgia Power REDI Program.
2. Requested consideration of a crosswalk on Whit Davis Road at the dog park (Wiggly Field).
3. Requested consideration of an on-demand traffic signal at Southeast Clarke Park.
4. Requested update on possible fireworks regulations.
5. Reminded everyone of the Spring Fling at Southeast Clarke Park on Saturday.

The meeting adjourned at 7:00 p.m.

Clerk of Commission