

Unified Government of Athens-Clarke County, Georgia  
Mayor and Commission  
Tuesday, May 7, 2019  
6:00 p.m.  
City Hall

The Unified Government of Athens-Clarke County, Georgia met this date in regular monthly session. Present: Mayor Girtz; Commissioners Davenport, Parker, Link, Wright, Denson, NeSmith, Edwards, Herod, Thornton, and Hamby. No one was absent.

A motion was made by Commissioner NeSmith, seconded by Commissioner Herod, to approve Minutes of meetings of Tuesday, April 2; Monday, April 15; Tuesday, April 16; and Tuesday, April 23, 2019. The motion passed by unanimous vote.

#### Written communications

Received for information was notification from Transportation and Public Works Director Drew Raessler of acceptance of the following streets in Creekside Manor, Phase II.

Morning Drive  
Fitzroy Drive  
Holly Springs Court  
Greenlee Road  
Meadowbend Circle  
Creekview Road  
Druid Hills Circle

#### 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 Parker, seconded by Commissioner Denson, to consent to action on the following four items. The motion passed by unanimous vote.

1. APPROVE: Award of purchase contract to Yancey Company in the amount of \$345,842 for a Caterpillar twenty-five yard articulated dump truck for use by the Solid Waste Department's Landfill Division, and approve funding through the Georgia Municipal Association (GMA) Equipment Lease Program for the purchase as per agenda report dated April 4, 2019.
2. APPROVE: Georgia Accountability Court funding program grants – Western Judicial Circuit as per agenda report dated March 26, 2019
  - a. Authorize Superior Court to submit an application to the Criminal Justice Coordinating Council for an Accountability Court Grant in an amount of \$197,000 to continue current funding and operation of Felony Drug Court;
  - b. Authorize Superior Court to submit an application to the Criminal Justice Coordinating Council for an Accountability Court Grant in an amount of \$100,000 to continue current funding and operation of Treatment and Accountability Court;
  - c. Authorize Superior Court to submit an application to the Criminal Justice Coordinating Council for an Accountability Court Grant in an amount of \$112,000 to continue current funding and operation of Veterans Court;

- d. Authorize State Court to submit an application to the Criminal Justice Coordinating Council for an Accountability Court Grant in an amount of \$68,000 to continue current funding and operation of DUI/Drug Court;
  - e. Authorize Juvenile Court to submit an application to the Criminal Justice Coordinating Council for an Accountability Court Grant in an amount of \$170,000 to continue current funding and operation of Family Dependency Treatment Court;
  - f. Authorize staff to accept the grant funds, if awarded; and
  - g. Authorize the Mayor, Superior Court Judges, State Court Judge, Juvenile Court Judge and appropriate staff to execute all related documents.
  - h. Authorize Superior, State and Juvenile Courts to apply for supplemental grant funding if it becomes available for these purposes; and
  - i. Authorize staff to accept the supplemental funds, if awarded; and
  - j. Authorize the Mayor, Superior Court Judges, State Court Judge and Juvenile Court Judge and appropriate staff to execute all related documents.
3. APPROVE: Georgia Juvenile Justice Incentive Grant as per agenda report dated March 29, 2019.
- a) Authorize the submittal of an FY20 grant application in the amount of approximately \$75,000 to continue evidence-based or evidence-informed program models that have been shown to reduce juvenile recidivism.
  - b) Authorize staff to accept the grant funds, if awarded; and
  - c) Authorize the Mayor, Juvenile Court Judge, and appropriate staff to execute all related documents.
4. APPROVE: SPLOST 2011 Project #03, Fire Station #2 and Cooperative Extension proposed public art and artists as per agenda report dated March 27, 2019
- a) Approve the recommendations of the Athens Cultural Affairs Commission for the selection of ApH Studio, Aaron P. Hussey, as the artist to provide the public art and the art shown in Attachment #1 for Fire Station #2;
  - b) Approve the recommendations of the Athens Cultural Affairs Commission for the selection of David Hale and Peter McCarron (Artists) and Dave Harrison (Project Supervisor) as the artists to provide the public art and the art shown in Attachment #2 for Cooperative Extension Service Center; and
  - c) Authorize the Mayor and appropriate staff to execute all related documents.

Public hearing and deliberation on proposed road abandonment for approximately 169 feet at the dead-end on Overlook Drive.

Citizen input

There was no citizen input.

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

- a) Authorize the abandonment of approximately 169 feet of public roadway at the dead-end on Overlook Drive, as shown on Attachment #1 of agenda report dated March 26, 2019;
- b) Approve the disposal of approximately 169 feet of public roadway on Overlook Drive, as outlined within the attached resolution (Attachment #2) and in compliance with Sections 32-7-4 and 36-9-3 of the Georgia Code, or as otherwise authorized by applicable law for such disposition; and

- c) Adopt the following above-referenced resolution and direct staff to record the resolution in the official Mayor and Commission meeting minutes.

The motion passed by unanimous vote.

A RESOLUTION AUTHORIZING THE CLOSING, VACATING, AND ABANDONMENT OF APPROXIMATELY 169 FEET AT THE DEAD-END OF OVERLOOK DRIVE AND AUTHORIZING THE DISPOSAL OF THE ABANDONED PORTION OF SAID ROAD BY EXCHANGE TO THE ABUTTING PROPERTY OWNER.

WHEREAS, the Mayor and Commission of Athens-Clarke County, Georgia, after notice and public hearing on May 7th, 2019, have determined that approximately 169 feet at the dead-end of the public road in Athens-Clarke County, Georgia, known as Overlook Drive, as more fully shown on the plat attached hereto as Exhibit A, has ceased to be used by the public to the extent that no substantial public purpose is served thereby and therefore should be formally closed, vacated, and abandoned; and

WHEREAS, Athens-Clarke County has complied with all requirements of state law and the Charter of the Unified Government of Athens-Clarke County concerning the abandonment of this portion of road that is part of the county road system; and

WHEREAS, Athens-Clarke County has determined that the abandoned portion of said road shall be disposed of pursuant to the requirements of O.C.G.A. Section 32-7-4;

NOW THEREFORE, The Commission of Athens-Clarke County, Georgia hereby resolves as follows:

1. The 169 foot dead-end of Overlook Drive as described herein above and more fully shown on the attached plat is hereby closed, vacated and abandoned. Hereafter, said portion of Overlook Drive shall no longer be a part of the county road system, and the rights of the public in and to that portion of road as a public road shall cease, except that Athens-Clarke County expressly reserves unto itself and does not convey any and all interest that it may have in and to any public water, stormwater or sanitary sewer line or lines or any recorded, unrecorded or prescriptive easements for public water, stormwater or sanitary sewer lines together with any and all fixtures, appliances and appurtenances thereto situate within or burdening the above-described property. Said portion of Overlook Drive shall be disposed of by exchange to the abutting property owner for additional right of way needed and construction of a turn-around at the end of Overlook Drive at the time of this abandonment; and

2. The Mayor and the Clerk of Commission may execute a quitclaim deed conveying said portion of Overlook Drive to the adjoining property owner upon exchange of right of way deed and plat for the turn-around area at the re-defined end of Overlook Drive and any other reasonable and necessary expenses of the exchange.

#### Old and new business – Discussion

##### Citizen input

The following citizens supported holding the West Broad area pedestrian improvements.

1. Johanna Gardner
2. Sean Wessling
3. Charlie Maddox
4. Chris Dowd
5. Michael Songster

#### Old/new business - Discussion

A motion was made by Commissioner Link, seconded by Commissioner NeSmith, to HOLD: SPLOST 2018, Project #13 - West Broad area pedestrian improvements project concept approval with the request staff provide additional information. The motion passed by unanimous vote.

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

- a) Adopt the following ordinance (#19-05-30) which was presented by title only allocating \$17,500 of General Fund Contingency to fund a FY19 expansion of the police department's Assigned Vehicle Program to allow for officers that live outside of Athens-Clarke County to drive assigned vehicles to and from their residences;
- b) Approve revised programmatic limits such that vehicles may be assigned to residences of critical incident responders and general sworn personnel that live outside the jurisdictional boundaries of Athens-Clarke County; and
- c) Authorize the Mayor and appropriate staff to execute all documents and policies necessary for the operation of an expanded Assigned Vehicle Program for the police department.

The motion passed by unanimous vote and the following ordinance (#19-05-30) which was presented by title only was declared adopted.

**AN ORDINANCE TO AMEND THE FY2019 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR OPERATING EXPENSES RELATED TO EXPANDING THE ASSIGNED VEHICLE PROGRAM FOR THE POLICE DEPARTMENT; 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 expansion of the Police Department's Assigned Vehicle Program. Said Operating and Capital budget is hereby amended as follows:

General Fund:

EXPENDITURES:

Decrease:

Other General Administration	
General Fund Contingency	\$17,500

Increase:

Police Department	
Operating Expenses	\$17,500

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

A motion was made by Commissioner Herod, seconded by Commissioner Davenport, to approve the Boards, Authorities, and Commissions Handbook as recommended by the Government Operations Committee in report dated April 4, 2019; and adopt the following resolution amending the Rules of Commission. The motion passed by unanimous vote.

**RESOLUTION**

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

WHEREAS, one of the responsibilities of the Mayor and Commission is to appoint members of the community to positions on various boards, authorities and commissions ("Boards, Authorities, and Commissions") pursuant to authority vested in the Mayor and Commission by law, ordinance or resolution, and

WHEREAS, the Mayor and Commission desire to assure that positions on Boards, Authorities, and Commissions be filled by a broad cross-section of the community, and

WHEREAS, the Mayor and Commission desire to amend the Rules of Procedure of the Commission (the "Rules") to provide that no individual shall serve on more than one such Board, Authority, or Commission simultaneously, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Commission do hereby amend the Rules by adding a new Rule 32, which hereafter shall read as follows:

"§32. Appointments to Boards, Authorities or Commissions.

“In making appointments to boards, authorities or commissions, the Commission shall not appoint any person to a board, authority, or commission who, upon such appointment and taking the position, would thereby serve on more than one such board, authority or commission for which the Commission has appointment authority. Provided, however, that the Commission may appoint a person who serves on another such board, authority, or commission at the time of appointment to a different board, authority, or commission position contingent upon such appointee resigning from such current position prior to accepting the new appointment. This Rule shall not apply to the Mayor or a Commissioner.”

BE IT FURTHER RESOLVED that except as amended hereby, all other provisions of the Rules shall remain of full force and effect.

New business – Consider under suspension of Rules

Under suspension of Rules, a motion was made by Commissioner Wright, seconded by Commissioner Thornton, to approve the Nominating Committee report for appointments. The motion passed by unanimous vote.

Airport Authority	Diane Napier Four-year term expiring 06-30-23
Classic Center Authority	Jack Crowley Four-year term expiring 06-30-23
	Jennifer Zwirn Four-year term expiring 06-30-23
Department of Behavioral Health and Developmental Disabilities Region 2 Advisory Council	Rebecca Bacon Three-year term expiring 06-30-22
Hearings Board	Carrie Pucko Four-year term expiring 06-30-23
	Stephen Jacques Four-year term expiring 06-30-23
Planning Commission	Alice Kinman (reappointment) Five-year term expiring 06-30-24
	Joey Tucker Five-year term expiring 06-30-24

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

A public hearing was held on request of Smith Planning Group, for Steve & Dale Tingle; JIL Automotive Maintenance & Repair, for rezoning from RS-8 (Single-Family Residential) and C-G (Commercial-General) to RS-5 (PD) (Single-Family Residential, Planned Development) on 1.02 acres known as 413 Millard Avenue, 347 Sunset Drive, and 350 Hawthorne Avenue. Proposed use is a single-family residential subdivision. This will require an amendment to the Future Development Map from Traditional Neighborhood and Main Street Business to Traditional Neighborhood. Type I

Planning Commission recommendation:	
Future Development Map	Approve: (7-1)
Rezoning	Approve: w/conditions (7-1)

Citizen input

The following citizen input was received.

1. Alison Smith – opposed
2. Bob Smith, representing petitioner – supported
3. Adrian Soll – opposed
4. Matt Tingle, petitioner – supported

A motion was made by Commissioner Link, seconded by Commissioner Denson, to adopt the following ordinance (#19-05-31) 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 AMENDING THE OFFICIAL FUTURE DEVELOPMENT MAP OF ATHENS-CLARKE COUNTY BY CHANGING THE DESIGNATION OF THREE PARCELS OF LAND TOTALING APPROXIMATELY 1.02 ACRES LOCATED AT 413 MILLARD AVENUE, 347 SUNSET DRIVE, AND PART OF 350 HAWTHORNE AVENUE FROM TRADITIONAL NEIGHBORHOOD AND MAIN STREET BUSINESS TO TRADITIONAL NEIGHBORHOOD; AND FOR OTHER PURPOSES.

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

SECTION 1. The Future Development Map referred to in the Code 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 three parcels of land located at 413 Millard Avenue, 347 Sunset Drive, and part of 350 Hawthorne Avenue, currently designated as either Traditional Neighborhood or Main Street Business, to solely Traditional Neighborhood as shown in Exhibit A, which is attached hereto and incorporated herein by reference. The subject parcels totaling approximately 1.02 acres are also known as parcel numbers 122A3 A019 (413 Millard Avenue), 122A3 A016A (347 Sunset Drive), and 122A3 A001B (part of 350 Hawthorne Avenue) 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 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 the office of the Clerk of Commission, 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 Link, seconded by Commissioner Denson, to adopt the following ordinance (#19-05-32) which was presented by title only. The motion passed 9-1. Commissioner Thornton voted NO.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO REZONING THREE PARCELS OF LAND TOTALING APPROXIMATELY 1.02 ACRES LOCATED AT 413 MILLARD AVENUE, 347 SUNSET DRIVE, AND PART OF 350 HAWTHORNE AVENUE FROM RS-8 (SINGLE-FAMILY RESIDENTIAL) AND C-G (COMMERCIAL-GENERAL) TO RS-5 (PD) (SINGLE-FAMILY RESIDENTIAL, 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 three parcels of land comprising approximately 1.02 acres in total, located at 413 Millard Avenue, 347 Sunset Drive, and part of 350 Hawthorne Avenue from RS-8 (Single-Family Residential) and C-G (Commercial-General) to RS-5 (PD) (Single-Family Residential, Planned Development) as shown on Attachment A hereto. Said affected parcels of land are more fully described in that certain document entitled "Existing Conditions," said document having an original issue date of March 1, 2019, prepared by Smith Planning Group, designated in the lower right-hand corner as Sheet No. PD-1, 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 parcels totaling approximately 1.02 acres are also known as parcel numbers 122A3 A019 (413 Millard Avenue), 122A3 A016A (347 Sunset Drive), and 122A3 A001B (part of 350 Hawthorne Avenue) 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 plan associated with this ordinance and incorporated by reference herein consists of three pages in total, with each sheet being numbered and titled in the lower-right hand corner. The respective number, title, and date of each sheet is listed below.

Sheet No.:	Title:	Date:
PD-2	Master Development Site Plan	March 1, 2019
PD-3	Architectural Character	March 1, 2019
TMP-1	Master Tree Management Plan	March 1, 2019

Each sheet listed above is stamped "Binding 4-8-19," 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.

The binding written report associated with this ordinance and incorporated herein by reference consists of seven pages in total, is entitled "413 Millard Ave Master Planned Development Application Report," is dated March 1, 2019, and is stamped "Binding 4-8-19." Said report 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 conditions of zoning associated with this ordinance are as follows:

1. In order to provide alternate compliance with the tree canopy cover requirements of Section 8-7-15 of the Code of Athens-Clarke County, Georgia, the applicant shall provide additional plantings in areas where critical root zones will not be compromised. In order to satisfy this condition, the applicant shall comply with any specifications from the Athens-Clarke County Arborist.
2. The applicant shall ensure that the entirety of the driveway shown on the western side of the planned development (Sheet No. PD-2) has a minimum improved width of sixteen feet in order for emergency vehicles to have full access to the property.
3. The architectural elevations that applicant has submitted as part of its application (Sheet No. PD-3) shall be binding, and the structures applicant has illustrated thereon shall be constructed in accordance therewith.

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

A public hearing was held on request of James C. Warnes, for Episcopal Diocese of Atlanta, for amendment to C-N (PD) (Commercial-Neighborhood, Planned Development) on 1.130 acres known as 980, 984, and 994 South Lumpkin Street. Proposed uses are residential, retail and institutional. Type II

Planning Commission recommendation: Approve w/conditions (unanimous)

Citizen input

The following citizen input was received.

1. Jim Warnes, representing petitioner – supported
2. Chaplain Clayton Harrington - supported

A motion was made by Commissioner Edwards, seconded by Commissioner Link, to adopt the following ordinance (#19-05-33) 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 AMENDING A PLANNED DEVELOPMENT FOR THREE PARCELS OF LAND COMPRISING APPROXIMATELY 1.130 ACRES LOCATED AT 980, 984, AND 994 SOUTH LUMPKIN STREET IN THE C-N (PD) (COMMERCIAL-NEIGHBORHOOD, PLANNED DEVELOPMENT) DISTRICT; 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 modifying a planned development for three parcels of land comprising approximately 1.130 acres located at 980, 984, and 994 South Lumpkin Street in the C-N (PD) (Commercial-Neighborhood, Planned Development) District. Said affected parcels of land being more fully described in that certain survey entitled "Survey For: Episcopal Student Center," said survey dated January 11, 2017, designated in the lower right-hand corner as sheet "C0.0," prepared by Ben McElroy & Associates, Inc., 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 three parcels comprising the subject 1.130-acre tract of land are also known as parcel numbers 173A2 A027, 173A2 A027A, and 173A2 A026 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 original planned development amended by this ordinance is described in that certain ordinance entitled “AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO REZONING THREE PARCELS OF LAND COMPRISING APPROXIMATELY 1.130 ACRES LOCATED AT 980, 984, AND 994 SOUTH LUMPKIN STREET FROM COMMERCIAL-OFFICE (COMMERCIAL-OFFICE) TO C-N (PD) (COMMERCIAL-NEIGHBORHOOD, PLANNED DEVELOPMENT); AND FOR OTHER PURPOSES,” which was adopted by the Commission on March 6, 2018 (hereinafter the “March 2018 Ordinance”).

SECTION 2. The binding amended master site plan associated with this ordinance and incorporated by reference herein consists of twelve pages in total, with each sheet being numbered and titled in the lower-right hand corner. The respective number, title, and date of each sheet is listed below.

Sheet No.:	Title:	Date:
CVR	Cover	March 1, 2019
A0.01	Renderings	March 1, 2019
A0.02	Renderings	March 1, 2019
A1.10	Floor Plans	March 1, 2019
A1.20	Floor Plans	March 1, 2019
A1.30	Floor Plans	March 1, 2019
A2.01	Building Elevations	March 1, 2019
A2.02	Building Elevations	March 1, 2019
A3.01	Building Sections	March 1, 2019
A3.02	Building Sections	March 1, 2019
C1.0	Site Plan	March 1, 2019; revised April 8, 2019
C2.0	Tree Management Plan	March 1, 2019

Each sheet listed above is stamped “Binding 4-8-19,” 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.

The binding written report associated with this ordinance and incorporated herein by reference is entitled “The Episcopal House, Addendum to Master Plan dated 2/6/2018,” consists of three pages in total, is stamped “Binding 4-8-19,” 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 (hereinafter the “Addendum”). Said Addendum is intended to amend that certain written report entitled “The Episcopal House, Application Report Revised for the Master Plan,” consisting of fifteen pages in total, stamped “Binding 2-6-18,” and incorporated by reference into the March 2018 Ordinance (hereinafter the “Original Written Report”).

SECTION 3. The conditions of zoning associated with this ordinance are as follows:

1. The applicant shall only construct compact parking, as that term is used in Section 9-30-6 of the Code of Athens-Clarke County, Georgia, as indicated on the sheet numbered C1.0 and entitled “Site Plan.”
2. Prior to permitting and in order to ensure an adequate, well-defined record, the applicant shall submit to the Athens-Clarke County Planning Department a binding document combining the information in the Original Written Report and the Addendum. Said document shall accurately describe the planned development as approved in the March 2018 Ordinance and subsequently amended herein.

SECTION 4. Except as specifically modified or amended herein, the March 2018 Ordinance is saved from repeal and shall remain in full force and effect.

SECTION 5. Except as described in Section 4 above, all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A public hearing was held on proposed text amendment – preliminary plat staff conference.

Planning Commission recommendation: Approve (unanimous)

Citizen input



There was no citizen input.

A motion was made by Commissioner Herod, seconded by Commissioner Wright, to adopt the following ordinance (#19-05-34) 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 PUBLIC NOTICE FOR STAFF-PERMITTED VARIANCES AND PRELIMINARY PLATS FOR SUBDIVISIONS OF FIVE OR MORE LOTS; AND FOR OTHER PURPOSES.

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

SECTION 1. Section 9-4-9 of the Code of Athens-Clarke County, Georgia, entitled "*Public Notice*," is hereby amended by deleting therefrom sub-section (B) and replacing such sub-section as follows:

B. Public notice for staff-permitted variances and preliminary plats for subdivisions of five or more lots:

1. Notice shall be published in a newspaper of general circulation in Athens-Clarke County at least seven days, but not more than 45 days, before the date of the staff conference with the applicant, and shall contain the location of the property by street address and tax map number, the date, time, place, and purpose of the staff conference, and the Planning Department contact information.

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

A public hearing was held on proposed text amendment – Type I and Type II application withdrawal.

Planning Commission recommendation: Approve (unanimous)

Citizen input

There was no citizen input.

A motion was made by Commissioner NeSmith, seconded by Commissioner Denson, to adopt the following ordinance (#19-05-35) 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 TYPE I AND TYPE II APPLICATION WITHDRAWAL; AND FOR OTHER PURPOSES.

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

SECTION 1. Section 9-4-12 entitled "*Limited withdrawal of amendment after hearing*" of the Code of Athens-Clarke County, Georgia, is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

"Sec. 9-4-12.—Limited withdrawal of amendment after hearing.

A Type 1 or Type II application may not be withdrawn or amended by the applicant after the advertising for public hearing required by this chapter has been submitted to a newspaper of general circulation in Athens-Clarke County for publication. However, the mayor and commission of Athens-Clarke County may by a majority vote allow an application to be withdrawn without causing the petition to comply with the designated waiting period prior to a rehearing as specified above."

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

Citizen input on items other than those listed on this agenda

The following citizen input was received.

1. Carry Ritzler - supported 100% clean energy.
2. Nnene Clayton – supported 100% clean energy.
3. David Block – supported combined dispatch for police and EMS calls.
4. Sam Raffel – supported combined dispatch for police and EMS calls.
5. Chris Dowd - supported combined dispatch for police and EMS calls and free transit.
6. Dennis Holmes – opposed racism.
7. Broderick Flanagan – supported youth development and affordable housing.
8. Allen Jones – supported reduction of speed limit from 45 to 35 on Timothy Road.
9. Laurel Yen - supported pedestrian safety improvements on Riverbend Parkway.

FROM MAYOR GIRTZ:

1. Announced the following Planning Commission Inclusionary Development Charge.

Develop policies and practices that will encourage mixed-income development across zones allowing for single family and multi-family residential units. This should include:

- examination of current impediments to site development and related solutions that provide the underlying framework for residential development (e.g. grading schedule, road interconnectivity, application of single-family height restrictions in greenfield development, minimum lot and home sizes, development of Accessory Dwelling Units on owner-occupied lots), while maintaining strong environmental protections
- by-right density increases for inclusion of permanently affordable units, while maintaining appropriate setbacks and buffers to support existing developments
- public infrastructure cost participation with inclusion of affordable units, along with identified sources of funding, such as SPLOST, Tax Allocation Districts, and other funds
- a partnership framework with local affordable housing providers to ensure permanent or long-term status of affordable units

The Planning Commission (potentially including designation of a sub-committee, or through joint Work Sessions with the Mayor and Commission) shall work with staff to explore examples from peer communities, seek input from development professionals and affordability advocates, and present draft ordinance language to the Mayor and Commission by November 2020.

FROM MANAGER WILLIAMS:

1. Received for information was a report of contract awards in excess of \$10,000 for March 2019.

FROM COMMISSIONERS EDWARDS, DAVENPORT, AND DENSON:

1. Requested manager investigate the possibility of co-locating E-911 and EMS communications officers.

FROM COMMISSIONER NESMITH:

1. Expressed appreciation to Chief of Police Spruill and his command staff for District 6 neighborhood meeting.

FROM COMMISSIONER EDWARDS:

1. Thanked Manager Williams for work on safety measures on Riverbend Parkway.

FROM COMMISSIONER THORNTON:

1. Stated the recent employee appreciation picnic was a success.

2. Expressed appreciation to First Presbyterian Church for their recent Blessing Prayer for Public Officials service.
3. Stated she recently met with members of SPLOST 2020 Committee and positive comments were made.
4. Stated she attended Districts 1 and 5 Meet the Chief meetings and was impressed with Chief of Police Spruill.
5. Stated high crime rates in Bethel Homes need to be addressed.
6. Stated she and Commissioner Davenport will distribute food at Rhema Church, Friday, May 10 between the hours of 3 and 5:00 p.m.
7. Stated she recently attended an accountability court graduation and was impressed with some of the success stories.

FROM COMMISSIONER HAMBY:

1. Expressed concern for Timothy Road speed reduction.

FROM COMMISSIONER DAVENPORT:

1. Requested review of process related to permitted but uncompleted projects.
2. Expressed appreciation to Chief of Police Spruill for recent community meeting.
3. Invited everyone to the Marigold Festival Saturday, May 11.
4. Stated Dr. Maxine Pinson Easom and Patsy Hawkins Arnold have recently completed a book *Across the River – The People, Places, and Culture of East Athens*. It is available for pre-order.
5. Supported safety measures for Riverbend and Timothy Roads.

FROM COMMISSIONER PARKER:

1. Requested 100% renewable energy resolution reflect all parties.

FROM COMMISSIONER LINK:

1. Stated she wishes to explore alternatives for speed limit enforcement, particularly in residential areas.
2. Expressed appreciation to everyone for concern shown during her recent surgery.

FROM COMMISSIONER DENSON:

1. Expressed appreciation for employee appreciation picnic.
2. Requested consideration be given to a non-discrimination ordinance.

A motion was made by Commissioner Wright, seconded by Commissioner Parker, to enter into executive session for discussion of real estate acquisition and/or disposal. The motion passed by unanimous vote.

The meeting adjourned at 8:05 p.m.

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Clerk of Commission