

AN ORDINANCE TO AMEND THE FY2023 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FROM THE LAKE MEELER HOA FOR EXPENSES RELATED TO PURCHASING MATERIALS FOR SIDEWALK INSTALLATION; 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 Operating Budget to provide funding from the Lake Meeler HOA for expenses related to purchasing materials for sidewalk installation and related expenses. Said Operating and Capital budget is hereby amended as follows:

General Fund:

REVENUES:

Increase:

Miscellaneous Revenue: \$10,217

EXPENDITURES:

Increase:

Transportation & Public Works Department
Operating Expenses \$10,217

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM**

SUBJECT: Lake Meeler HOA Voluntary Sidewalk Agreement

DATE: June 23, 2022

BUDGET INFORMATION:

REVENUES: \$10,217 HOA Contribution

EXPENSES:

ANNUAL:

CAPITAL:

OTHER:

FUNDING SOURCE: Owner contribution

COMMISSION ACTION REQUESTED ON: August 2, 2022

PURPOSE:

To request that Mayor and Commission:

- a. Approve an Agreement between the Unified Government of Athens-Clarke County (ACCGov) and Steve Horton, representing Lake Meeler Homeowners Association (HOA) Board of Directors (**Attachment #1**);
- b. Authorize the Mayor and appropriate staff to execute the Agreement and receive a contribution in the amount of \$10,217 from Steve Horton on behalf of Lake Meeler HOA Board of Directors;
- c. Adopt a budget amendment ordinance in the amount of \$10,217 (**Attachment #2**);
- d. Approve the project concept as shown in **Attachment #3**, which includes the installation of 328 feet of sidewalk and four ADA ramps.

HISTORY:

1. Prior to February 25, 2021, Lake Meeler HOA contacted Commissioner Houle for assistance with getting a sidewalk installed along Cleveland Rd. connecting Kittle Ln and Meeler Cir.
2. On February 25, 2021, Lake Meeler HOA Board of Directors President, Steve Horton, received an email from Commissioner Houle which included the Voluntary Sidewalk Assessment District.
3. In April 2021, Lake Meeler HOA Board of Directors unanimously voted to proceed with the Cleveland Rd. sidewalk project.

4. Prior to May 3, 2021, Steve Horton contacted Streets & Drainage to discuss the Voluntary Sidewalk process. A site visit was scheduled for May 3, 2021.
5. On May 3, 2021, Streets & Drainage staff met with Steve Horton on site and measured for the proposed sidewalk.
6. On May 25, 2021, the Lake Meeler HOA Board of Directors received the Streets and Drainage construction estimate. At that time, the HOA could not afford the cost of the project and put the plans on hold.
7. In April 2022, Lake Meeler HOA Board of Directors voted to reinstate the project. They contacted their HOA management company's manager (Compass Association Manager) Ansley Irvin and asked her to make contact with Streets & Drainage.
8. On April 25, 2022, Compass Association Manager, Ansley Irvin, requested an updated quote for the Lake Meeler HOA Board of Directors for the sidewalk installation.
9. On May 4, 2022, Streets & Drainage staff completed the estimate and sent it to Ansley Irvin.
10. On May 20, 2022, Ansley Irvin notified Streets & Drainage staff of the Lake Meeler HOA Board of Directors' approval for the installation of the sidewalk along Cleveland Rd. Streets & Drainage requested the minutes from this meeting.
11. On May 31, 2022, the Lake Meeler Board of Directors voted unanimously to approve funding and to proceed with the sidewalk project using Athens-Clarke County as the contractor, as shown in **Attachment #4**.
12. On June 1, 2022, Streets & Drainage staff received meeting minutes from the Lake Meeler Board of Directors showing unanimous approval to proceed with the Voluntary Sidewalk.

FACTS & ISSUES:

1. Lake Meeler is a single family neighborhood located off of Cleveland Road and represented by an HOA. The proposed sidewalk will be installed completely within ACCGov Right-of-Way.
2. The Lake Meeler HOA will fund all of the material costs for the project up to \$10,217, as shown in **Attachment #1**.
3. The Lake Meeler HOA has unanimous Board of Directors approval for the sidewalk project agreement, as shown in **Attachment #4**.
4. The proposed sidewalk will connect Kittle Ln. and Meeler Cir. along Cleveland Rd.

5. Four ADA ramps will be installed per T&PW guidelines.
6. Estimated cost of construction materials are \$10,217 and are to be paid by Lake Meeler HOA.
7. The sidewalk will be completely installed by Streets & Drainage staff.
8. Upon completion of the sidewalk, any funds remaining of the \$10,217 will be refunded to Lake Meeler HOA.
9. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
 - Safely Move Around Athens Goal, Strategy A: *Improve, expand and maintain sidewalks, shared-use paths, and bike facilities to provide greater opportunities for residents to use active transportation safely.*

OPTIONS:

1. Mayor and Commission:
 - a. Approve an Agreement between the Unified Government of Athens-Clarke County (ACCGov) and Steve Horton, representing Lake Meeler Homeowners Association (HOA) Board of Directors (**Attachment #1**);
 - b. Authorize the Mayor and appropriate staff to execute the Agreement and receive a contribution in the amount of \$10,217 from Steve Horton on behalf of Lake Meeler HOA Board of Directors;
 - c. Adopt a budget amendment ordinance in the amount of \$10,217 (**Attachment #2**); and
 - d. Approve the project concept as shown in **Attachment #3**, which includes the installation of 328 feet of sidewalk and four ADA ramps.
2. Mayor and Commission do not approve the Agreement between Athens-Clarke County Unified Government (ACCGov) and the Lake Meeler HOA Board of Directors.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1a, b, c, and d.

DEPARTMENT: Transportation & Public Works
Prepared by: Wayne Mead, Streets & Drainage Superintendent



Stephen Bailey

June 23, 2022

Date:

Director

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, c, and d



Manager

July 14, 2022

Date:

ATTACHMENTS:

Attachment #1: Agreement between ACCGov and Steve Horton and Lake Meeler HOA Board of Directors

Attachment #2: Budget Amendment Ordinance

Attachment #3: Conceptual Drawing of Proposed Sidewalk Connection

Attachment #4: Lake Meeler HOA Meeting Minutes

GEORGIA, ATHENS-CLARKE COUNTY.

AGREEMENT

This Agreement, made this ____ day of _____, 2022, by and between the Unified Government of Athens-Clarke County, a body politic and corporate and a political subdivision of the State of Georgia (“ACCGov”) and Lake Meeler Homeowners Association, Inc., a Georgia non-profit corporation (the “Association”), each a “Party” and collectively the “Parties”,

WITNESSETH :

WHEREAS, the Association is the homeowners’ association for the Lake Meeler subdivision in Athens-Clarke County, and

WHEREAS, the Lake Meeler subdivision is located off of Cleveland Road, Bogart, Georgia, within Athens-Clarke County, and

WHEREAS, the Association wishes to have a sidewalk installed within the Athens-Clarke County right-of-way along Cleveland Road, and

WHEREAS, the ACCGov, by and through the Transportation and Public Works Department, is willing to cause the sidewalk to be constructed on the condition that the lot owners within Lake Meeler subdivision bear the total cost of that sidewalk, with the lot owners’ total cost not to exceed Ten-Thousand Two-Hundred Seventeen and no/100ths Dollars (\$10,217.00).

WHEREAS, the Association’s Board of Directors met on May 31, 2022 and unanimously voted to approve the installation of a sidewalk between the two Lake Meeler subdivision entrances and to contract with ACCGov to construct the sidewalk, and

WHEREAS, the parties hereto desire to set forth their agreement regarding the sidewalk installation,

NOW THEREFORE, for and in consideration of the mutual covenants contained herein, the sufficiency of such consideration being hereby acknowledged, the parties do hereby agree as follows:

(1) *Sidewalk.* Athens-Clarke County will take such action as is necessary to install the three-hundred twenty-eight (328) feet of sidewalk along Cleveland Road to tie into an existing sidewalk near the intersection of Kittle Lane and continuing north along Cleveland Road until it joins the existing sidewalk on Meeler Circle. The cost of the sidewalk installation on the public right-of-way will be advanced by the Association to ACCGov. The total amount shall not exceed Ten-Thousand Two-Hundred Seventeen and no/100ths Dollars (\$10,217.00).

(2) *Maintenance of sidewalk.* From and after the completion of the sidewalk, Athens-Clarke County shall be responsible for the maintenance and upkeep of the sidewalk on the public right-of-way along Cleveland Road.

(3) *Entire agreement.* This Agreement contains the entire understanding of the parties hereto and shall not be amended except in writing executed by all parties and duly approved by the Mayor and Commission.

In Witness Whereof, the parties hereto have executed this Agreement under seal on the day above written.

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY

By: _____
Mayor

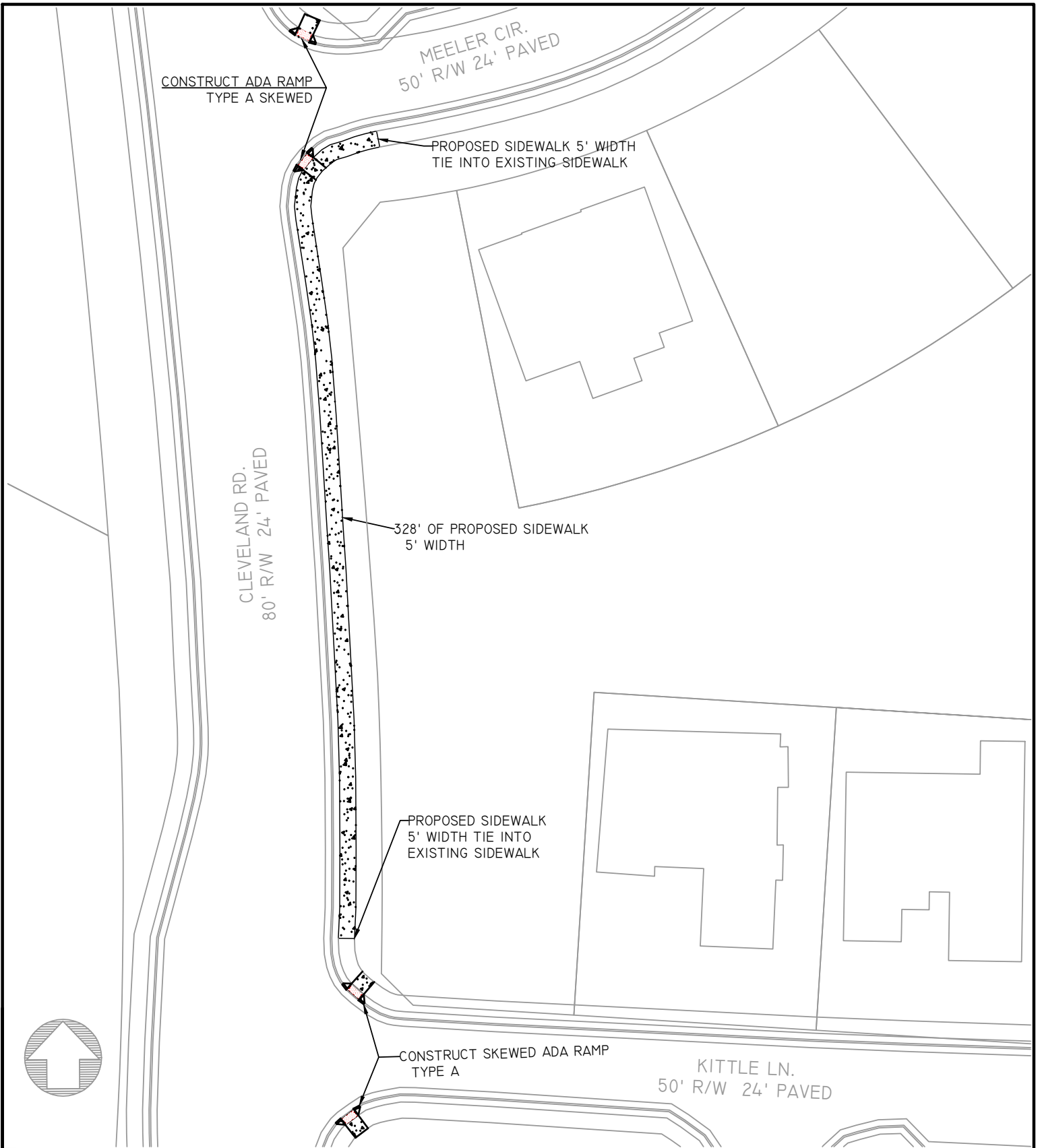
Attest: _____
Clerk of Commission

SEAL

LAKE MEELER HOMEOWNERS ASSOCIATION, INC.

By: _____
Steve Horton, President

Attest: _____
Derek Jesweak, Vice President



MEELER CIR. AT CLEVELAND RD. SIDEWALK CONCEPT

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
120 W. DOUGHERTY ST, ATHENS, GA 30601, 706-613-3440

DRAWN BY:
JRA, TMM
DESIGNED BY:
JRA, TMM, JMJ
CHECKED BY:
JMJ
REFERENCES:
ACC GIS



**Lake Meeler Homeowners Association
Board of Directors Meeting
May 31, 2022 via Zoom**

In Attendance:

The meeting was called to order at 5:03 p.m. by Steve Horton, Board President.

A quorum was established with Steve Horton, Derek Jesweak, Sean Pelkey, Chris Gary and Al Lester to comprise the full HOA Board in attendance. Ansley Irvin of Compass Association Management was also in attendance.

The minutes from the February 24, 2022, Board meeting were previously approved.

President's Report:

The Board President presented the Board with a brief synopsis of the history and current circumstances regarding the sidewalk install project with Athens Clarke County.

The Board reviewed bids from Athens Clarke County as well as a private vendor.

Although the Board has previously voted to have a sidewalk constructed between the two Lake Meeler entrances and to contract with Athens-Clarke County to build the sidewalk, Steve asked the Board for a re-commitment vote for the project. Therefore, a motion was made to accept the bid of \$10,217.65 submitted by Athens-Clarke County and to move forward with the sidewalk install between the two front entrances on Cleveland Road. The motion was seconded and passed unanimously by all Board members.

Having no further business, the meeting was adjourned at 5:23 p.m.

Minutes respectfully submitted by Ansley Irvin of Compass Association Management.