
Unified Government of Athens-Clarke County, Georgia
Tuesday, September 2, 2003
7:00 p.m.
City Hall

The Unified Government of Athens-Clarke County, Georgia met this date in regular session. Present: Mayor Davison; Commissioners Carter, Sims, Maxwell, Barrow, Lynn, Jordan, Hoard, McCarter, Chasteen, and Kilpatrick. No one was absent.

The meeting was opened with silent meditation.

A motion was made by Commissioner Sims, seconded by Commissioner Chasteen, to approve Minutes of meetings of Tuesday, August 5; and Thursday, August 21, 2003. The motion passed by unanimous vote.

Manager Reddish introduced Mr. John Dargle, Jr. who recently assumed the position of Director of Leisure Services.

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 (1) vote was taken.

CITIZEN INPUT

There was no citizen input.

A motion was made by Commissioner Sims, seconded by Commissioner Maxwell, to consent to action on the following 18 items. The motion passed by unanimous vote.

1. ADOPT: The following ordinance (#03-09-071) which was presented by title only.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO PROHIBITING PARKING ON THE ENTIRE CUL-DE-SAC LOCATED ON INTERNATIONAL DRIVE; AND FOR OTHER PURPOSES.

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

SECTION 1. Section 3-3-3 of the Code of Athens-Clarke County entitled, "Parking Prohibited," is hereby amended by adding the following language thereto:

"INTERNATIONAL DRIVE - Parking shall be prohibited at all times on the entire cul-de-sac located on International Drive, as more specifically shown on the Attachment #1 hereto."

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 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

2. ADOPT: The following ordinance (#03-09-072) which was presented by title only.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO PROHIBITING PARKING ON THE WESTERN SIDE OF MELL STREET FROM ITS INTERSECTION WITH SPRINGDALE STREET TO ITS INTERSECTION WITH CLOVERHURST AVENUE; AND FOR OTHER PURPOSES.

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

SECTION 1. Section 3-3-3 of the Code of Athens-Clarke County entitled, "Parking Prohibited," is hereby amended by adding the following language thereto:

"MELL STREET - Parking shall be prohibited at all times on the western side of Mell Street from its intersection with Springdale Street to its intersection with Cloverhurst Avenue, as more specifically shown on the Attachment #1 hereto."

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

3. ADOPT: The following ordinance (#03-09-073) which was presented by title only; accept funds if awarded; and authorize Mayor and appropriate personnel to execute related documents.

AN ORDINANCE TO AMEND THE FY2004 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING, CONTINGENT ON GRANT AWARD, FROM THE U.S. DEPARTMENT OF JUSTICE LOCAL LAW ENFORCEMENT BLOCK GRANT FOR SUPPLIES 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 Grants Special Revenue Fund of the fiscal year 2004 operating and capital budget of Athens-Clarke County to provide funding, contingent on grant award, from the U.S. Department of Justice Local Law Enforcement Block Grant for supplies for the Police Department. Said operating and capital budget is hereby amended as follows:

Grants Special Revenues Fund:

REVENUES

INCREASE:

Transfer In From General Capital Proj. Fund	\$ 9,059
Local Law Enforcement Block Grant	<u>\$81,538</u>
Total	\$90,597

EXPENDITURES

INCREASE:

Police Department-	
Personal Services	\$40,822
Local Law Enforcement Block Grant	<u>\$49,775</u>
Total	\$90,597

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

4. ADOPT: The following ordinance (#03-09-074) which was presented by title only; accept funds if awarded; and authorize Mayor and appropriate personnel to execute related documents. No matching funds are required.

AN ORDINANCE TO AMEND THE FY2004 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING, CONTINGENT ON GRANT AWARD, FROM THE GEORGIA EMERGENCY MANAGEMENT AGENCY AND THE OFFICE OF DOMESTIC PREPAREDNESS FOR THE PURCHASE OF EMERGENCY RESPONSE EQUIPMENT AND SUPPLIES 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 Grants Special Revenue Fund of the fiscal year 2004 operating and capital budget of Athens-Clarke County to provide funding, contingent on grant award, from the Georgia Emergency Management Agency and the Office of Domestic Preparedness for the purchase of emergency response equipment and supplies for the Police Department. Said operating and capital budget is hereby amended as follows:

Grants Special Revenues Fund:

REVENUES

INCREASE:

GEMA-Office of Domestic Preparedness	\$195,877
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EXPENDITURES

INCREASE:

Police Department	\$195,877
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SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

5. ADOPT: The following ordinance (#03-09-075) which was presented by title only; accept funds if awarded; and authorize Mayor and appropriate personnel to execute related documents. No matching funds are required.

AN ORDINANCE TO AMEND THE FY2004 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING, CONTINGENT ON GRANT AWARD, FROM THE GEORGIA EMERGENCY MANAGEMENT AGENCY AND THE OFFICE OF DOMESTIC PREPAREDNESS FOR THE PURCHASE OF EMERGENCY RESPONSE EQUIPMENT AND SUPPLIES FOR THE FIRE 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 Grants Special Revenue Fund of the fiscal year 2004 operating and capital budget of Athens-Clarke County to provide funding, contingent on grant award, from the Georgia Emergency Management Agency and the Office of Domestic Preparedness for the purchase of emergency response equipment and supplies for the Fire Department. Said operating and capital budget is hereby amended as follows:

Grants Special Revenues Fund:

REVENUES

INCREASE:

GEMA-Office of Domestic Preparedness \$788,269

EXPENDITURES

INCREASE:

Fire Department \$788,269

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

6. ADOPT: The following ordinance (#03-09-076) which was presented by title only; accept funds if awarded; and authorize Mayor and appropriate personnel to execute related documents. No matching funds are required.

AN ORDINANCE TO AMEND THE FY2004 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING, CONTINGENT ON GRANT AWARD, FROM THE GEORGIA EMERGENCY MANAGEMENT AGENCY AND THE OFFICE OF DOMESTIC PREPAREDNESS FOR THE PURCHASE OF EMERGENCY RESPONSE EQUIPMENT AND SUPPLIES FOR THE SHERIFF'S OFFICE; AND FOR OTHER PURPOSES.

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

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the Grants Special Revenue Fund of the fiscal year 2004 operating and capital budget of Athens-Clarke County to provide funding, contingent on grant award, from the Georgia Emergency Management Agency and the Office of Domestic Preparedness for the purchase of emergency response equipment and supplies for the Sheriff's Office. Said operating and capital budget is hereby amended as follows:

Grants Special Revenues Fund:

REVENUES

INCREASE:

GEMA-Office of Domestic Preparedness \$84,777

EXPENDITURES

INCREASE:

Sheriff's Office

\$84,777

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

7. ADOPT: The following project resolution for the FY03 Sidewalk Improvement Program per agenda report dated August 12, 2003 - Whit Davis Road from Jockey Club Drive to the Southeast Clarke Park, Roberts Road between Roundtable Road and Lavender Road, and Old West Broad Street between Hawthorne Avenue and King Avenue with alternative designs for protection of the existing oak trees; authorize staff to acquire the necessary right-of-way and construction easements; and direct staff to solicit bids for construction once all the right-of-way and construction easements have been acquired.

PROJECT RESOLUTION
FY03 Sidewalk Improvement Program

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

WHEREAS, The Mayor and Commission of the Unified Government of Athens-Clarke County have specifically determined and found that it is in the public interest to acquire properties identified within this document as the FY03 Sidewalk Improvement Program projects on Whit Davis Road, Old West Broad Street, and Roberts Road (hereinafter referred to as "the project"); and

WHEREAS, The Mayor and Commission of the Unified Government of Athens-Clarke County have further found that the project is necessary and appropriate to meet the needs of the citizens of Athens-Clarke County;

WHEREAS, The Mayor and Commission of the Unified Government of Athens-Clarke County has determined in order to accomplish the public purpose of the project, it is necessary to acquire fee simple title to portions of, or easements through, the specific lands and all other rights and interests in said lands identified in Attachment #6.

WHEREAS, The Mayor and Commission of the Unified Government of Athens-Clarke County further finds that the projects are necessary and appropriate to meet the needs of the citizens of Athens-Clarke County and that the acquisition of lands and/or easements are necessary for the completion of the project.

WHEREAS, All questions of necessity, public purpose, and public convenience in respect to said project and the necessity of acquiring the lands and/or easements herein before described, have been determined by the Mayor and Commission of the Unified Government of Athens-Clarke County.

NOW THEREFORE BE IT HEREBY RESOLVED that this project is authorized and approved as an official project of the Unified Government of Athens-Clarke County; and

BE IT FURTHER RESOLVED that the Mayor, Clerk of Commission, and Manager, or their lawful designees are hereby expressly authorized to initiate, certify and execute all documents and to perform all lawful acts necessary and appropriate to secure funds from the State of Georgia, or the United States of America or from any department, agency, or subdivision thereof or from any private individual or entity, to defray in whole or in part, the cost of the said project; and

BE IT FURTHER RESOLVED that the Manager or his lawful designees are hereby expressly authorized to acquire appropriate interest or fee simple title to all real estate necessary for the reasonable implementation of said project, by the most appropriate means allowed by law without limitation,

and that the Mayor and Commission are authorized to execute any and all related documents; and

BE IT FURTHER RESOLVED that the Mayor and Clerk of Commission are hereby authorized to execute and file all documents and certifications, contracts for services, and take all other lawful actions necessary and appropriate for the proper and timely completion of the said project provided that the cost of the project shall not exceed the Project Budget as currently approved, unless otherwise amended by the Mayor and Commission.

8. APPROVE: Staff submittal of a permit request to the Georgia Department of Transportation for traffic signal installation at the intersection of US78/SR10 (Lexington Road) and Morton Road/Robert Hardeman Road; and authorize the Mayor and appropriate staff to sign the permit request and all related contracts and documents.

9. APPROVE: List of surplus property (vehicles, equipment, parts, accessories, miscellaneous office supplies, etc) as per agenda report dated July 25, 2003, and available for auction which is tentatively scheduled for November 1, 2003.

10. APPROVE: SPLOST 2000 Project No. 02 - Police east and west sub-stations - Project Planning, Phase I - Pre-design, Task 3.0 - Conceptual design as per agenda report dated August 07, 2003; and authorize staff to proceed into Project Planning, Phase II - Design Phase, Task 1.0 - Schematic Design.

11. APPROVE: SPLOST 2000 Project No. 32 - East Athens Dance Center - Project Planning, Phase II - Design, Task 1 - Schematic design as per agenda report dated July 31, 2003; and authorize staff to complete the Project Planning, Phase II, Design Phase, Tasks 2 through 3.4.

12. APPROVE in connection with Service Delivery Plan - Middle Oconee River/Ben Burton Park Interceptor Sewer Rehabilitation project: Rejection of the low bid submitted by Integral Municipal Services Corporation due to non-response to the bid requirements; approve recommendation of Finance and Public Utilities Departments to award a contract to Southeast Pipe Surveys in the amount of \$1,083,231.50; authorize Mayor and appropriate staff to execute contract documents; and approve construction budget in an amount not to exceed \$1,137,393 (\$1,083,231.50 + 5% contingency).

13. APPROVE: 2003 Nulla bona list as recommended by Tax Commissioner Denson per agenda report dated July 22, 2003; and authorize removal of said properties from the Athens-Clarke County tax digest.

14. APPROVE: Adoption of budget for Athens Downtown Development Authority FY04 Community Events Program with the addition of three (3) new programs (Farmers Market, Family Day, and Tour De Sprawl); and removal of two discontinued events (Athens Film Festival and

Dance Athens Festival) as per agenda report dated August 18, 2003 revised.

15. APPROVE: Submission by the Police Department for extension of the Highway Safety (GOHS) grant to continue alcohol and other drugs countermeasures program; accept funds if awarded; and authorize Mayor and appropriate personnel to execute related documents. Savings will be 60% of local funding for period October 1, 2003 through September 30, 2004.

16. APPROVE in connection with SPLOST 2000 Project No. 29 Southeast Clarke Park:

- a) Conceptual designs for dog park, skate park, nature trails, picnic area, playground complex, and 100 parking spaces as per agenda report dated August 25, 2003 revised;
- b) Advancement of these projects into Project Planning Phase II - Design Phase, Task 1.0 - Schematic design;
- c) Allocation of available funds (net) as follows:

<u>Amenity</u>	<u>ACC Infra-structure Budget</u>	<u>User Group Budget</u>	<u>Total</u>
Dog park	\$ 19,000	\$ 0	\$ 19,000
Skateboard park	\$ 60,000	\$ 85,000	\$145,000
Nature trails	\$ 5,000	\$ 0	\$ 5,000
Playground complex	\$ 85,000	\$ 48,000	\$133,000
General parking	\$ <u>75,000</u>	\$ <u>0</u>	\$ <u>75,000</u>
Totals	\$244,000	\$133,000	\$377,000

- d) Funding of the above with the understanding that by separate action the Mayor and Commission is allocating \$21,000 to this project budget.

17. APPROVE: SPLOST 2000 Project No. 30 Greenway land acquisition- Group C - Williams Street Connector - Project planning - Phase III - bid and award - Task 1 - Project description as per agenda report dated August 07, 2003.

18. APPROVE: Auditor's FY04 work plan as per agenda report dated August 11, 2003.

Old business and new business - Discussion

Citizen input

The following citizen input was received.

- 1. Sandi Turner, 131 East Broad Street, President, Junior League of Athens - supported option 2 lease agreement for Taylor-Grady House.
- 2. Bill Prokasy, 263 Woodlake - member ACC Library Board - supported continued SPLOST funding.

3. Kathryn Ames, 4715 Barnett Shoals Road, Director ACC Library - supported continued SPLOST funding.
4. Frank Golley, 517 Hampton Court, representing Friends of the Library - supported continued SPLOST funding.
5. Brent Berlin, 161 Valley Road - member ad hoc committee task force for international center - supported use of Farmer's Market for an international community center.
6. Marion Stroud, 1185 Barnett Shoals Road - supported review of zoning in area of Stroud and Barnett Shoals Roads.
7. Tim Johnson, 640 Cobb Street - ACC Family Connection Partnership - supported SPLOST funding for family protection center.
8. Gwen O'Looney, 626 Cobb Street - Director Department of Family & Children Services - supported SPLOST funding for family protection center.
9. Ken Mauldin, 615 Riverbottom Road - Clarke County District Attorney - supported SPLOST funding for family protection center.
10. Elois Ann Berlin, 161 Valley Road - supported use of Farmer's Market for an international community center.
11. Enrique Romero, 211 North Avenue - supported use of Farmer's Market for an international community center.
12. Ira Edwards, 117 Chadds Walk, Clarke County Sheriff - supported award of contract for design services for jail services; supported diversion center.
13. Erin Thompson, Madison County - supported use of Farmer's Market for an international community center.
14. Jorge Atilas, 110 Lenox Place - supported use of Farmer's Market for an international community center.
15. Anna Watkins, 675 Belvoir Heights - Director Victim/Witness Program through District Attorney's office - supported SLOST funding for family protection center.
16. Deborah Dantzler, President-elect Junior League of Athens - supported SPLOST funding for Taylor-Grady House.
17. Paul Duncan, 272 Cavalier Road - supported use of Farmer's Market for an international community center.

Old business - Discussion

A motion was made by Commissioner Jordan, seconded by Commissioner Lynn, to adopt resolution authorizing submittal of Solid Waste Management Plan Report of Accomplishments for 1998-2003 and short term work program update for 2004-2008 to the Northeast Georgia Regional Development Center and the Georgia Department of Community Affairs for review and approval with the following amendment:

ADD to the Waste Reduction element: Evaluate adopting a county-wide requirement that all refuse pick up be separated for recyclable products.

The motion passed by unanimous vote.

RESOLUTION

The Commission of Athens-Clarke County, Georgia hereby adopts the following as a resolution:

Whereas, the Short Term Work Program (STWP) for Athens-Clarke has been prepared in accordance with the Georgia Solid Waste Minimum Planning Standards developed by the Georgia Department of Community Affairs; and

Whereas, two public hearings have been held to receive input from the public in the development of the STWP;

Now, therefore, be it resolved by the Commission of Athens-Clarke County that the updated Short Term Work Program of the Northeast Georgia Regional Solid Waste Management Plan be submitted to the Northeast Georgia Regional Development Center and the Georgia Department of Community Affairs for review and approval.

A motion was made by Commissioner Kilpatrick, seconded by Commissioner Chasteen, to approve a lease agreement with the Junior League of Athens, Inc. for property located at 634 Prince Avenue and known as the Taylor-Grady House as recommended with the following modifications as requested by the Junior League:

- Athens-Clarke County to be responsible for utility expenses up to \$8,000 per year;
- Athens-Clarke County to continue the current level of grounds maintenance efforts; and
- Athens-Clarke County to be responsible for the repair of water and sewer lines.

A substitute motion was made by Commissioner McCarter, seconded by Commissioner Jordan, to approve a model lease agreement with standard terms and conditions with the Junior League of Athens, Inc. for property located at 634 Prince Avenue and known as the Taylor-Grady House.

The substitute motion failed by roll call vote with Commissioners Maxwell, Jordan, and McCarter voting YES; and Commissioners Carter, Sims, Barrow, Lynn, Hoard, Chasteen, and Kilpatrick voting NO. (3 YES; 7 NO)

The original motion passed by roll call vote with Commissioners Carter, Sims, Barrow, Lynn, Hoard, Chasteen, and Kilpatrick voting YES; and Commissioners Maxwell, Jordan, and McCarter voting NO. (7 YES; 3 NO)

A motion was made by Commissioner McCarter, seconded by Commissioner Sims, to approve designation of Rosser International, Inc. to provide professional architectural/engineering design services in connection with the jail renovation/expansion, judicial outpost and community corrections (diversion) center project - Project Planning Phase I - Pre-design - Task 3.0 - Conceptual design; and authorize Mayor and appropriate staff to execute a master agreement in an amount not to exceed \$245,000 as per agenda report dated August 07, 2003. The motion passed by roll call vote with Commissioners Carter, Sims, Maxwell, Barrow, Lynn, Hoard, McCarter, Chasteen, and Kilpatrick voting YES; and Commissioner Jordan voting NO. (9 YES; 1 NO)

A motion was made by Commissioner McCarter, seconded by Commissioner Barrow, to HOLD use of the former Farmer's Market property for formal proposal from the International Community Center group.

A substitute motion was made by Commissioner Hoard, seconded by Commissioner Carter, that the Commission continue to work with the interested parties to develop an international center at an alternate location, while asking the state to put the Farmer's Market property on the market for commercial sale at the earliest possible date.

The substitute motion failed by roll call vote with Commissioners Carter, Hoard, and Kilpatrick voting YES; and Commissioners Sims, Maxwell, Barrow, Lynn, Jordan, McCarter, and Chasteen voting NO. (3 YES; 7 NO).

Commissioner McCarter amended his motion as follows: HOLD use of the former Farmer's Market property for formal proposal from the International Community Center group or other interested groups.

The original motion as amended passed by unanimous vote.

A motion was made by Commissioner Sims, seconded by Commissioner Chasteen, with regard to SPLOST 2000 Program - Cash flow analysis update, budget status report, modified master implementation plan, and project budget amendments:

- a) Adopt the following ordinance (#03-09-077) which was presented by title only to adjust budgets as per agenda report dated August 25, 2003 (revised) with the following revisions:
 - Neighborhood Traffic Management - reduction of \$50,253 rather than \$63,253
 - Library Resource Centers - reduction of \$94,468 rather than \$124,468; and
- b) HOLD the following Tier Year 5 - FY05 project budgets:

- Project No. 20 - Storm drainage improvements
- Project No. 37 - Taylor-Grady House renovation
- Project No. 06 - Diversion center/criminal justice
- Project No. 08 - Environmental compliance and remediation
- Project No. 23 - Local road improvement projects
- Project No. 25 - Intersection improvement projects
- Project No. 38 - Family protection center

The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE FY2004 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO ADJUST THE BUDGETS FOR VARIOUS SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) 2000 PROJECTS AS A RESULT OF SALES TAX REVENUE RECEIPTS LOWER THAN ANTICIPATED; 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 SPLOST 2000 Capital Projects Fund of the fiscal year 2004 operating and capital budget of Athens-Clarke County to adjust the budgets for various Special Purpose Local Option Sales Tax (SPLOST) 2000 projects as a result of sales tax revenue receipts lower than anticipated. Said operating and capital budget is hereby amended as follows:

SPLOST 2000 Capital Projects Fund:

REVENUES

DECREASE: (See attached schedule for details) (\$5,556,026)

EXPENDITURES

DECREASE: (See attached schedule for details) (\$5,556,026)

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

Schedule of Adjustments for SPLOST 2000 Budget Amendment (9/2/03)

SPLOST 2000 Capital Projects Fund: (As amended at 9-2-03 M&C meeting)

Proj #	Project Name	Current SPLOST 2000 Budget	Reductions from Tier 6 (variable projects)	Added Interest, Transfers and Other Reductions Tier 5	Total Adjustment Amount	Revised SPLOST 2000 Budget
<u>Revenues:</u>						
	SPLOST	\$99,000,000	(\$4,978,839)	(\$1,897,187)	(\$6,876,026)	\$92,123,974
	Interest Revenues	\$131,000		\$1,320,000	\$1,320,000	\$1,451,000
Adjusted Revenue Totals		\$99,131,000	(\$4,978,839)	(\$577,187)	(\$5,556,026)	\$93,574,974
<u>Expenditures:</u>						
00	Program Management	\$2,593,723				\$2,593,723
1	Police Vehicle Program	\$2,479,268		(\$497,767)	(\$497,767)	\$1,981,501
2	Police East & West Sub-Stations	\$2,561,392		\$303,000	\$303,000	\$2,864,392
3	Fire Stations # 3, 4, 8 & 9	\$11,519,879	(\$1,700,000)	(\$614,360)	(\$2,314,360)	\$9,205,519
4	Fire Apparatus & Equipment	\$1,398,455		(\$377,339)	(\$377,339)	\$1,021,116
5	Public Utilities - Water Enhancements	\$6,616,865				\$6,616,865
6	Diversion Ctr & Other Criminal Justice	\$1,361,897		\$0	\$0	\$1,361,897
7	Corrections Ctr. Food Prep Facility	\$3,506,962				\$3,506,962
8	Environmental Compliance & Remed.	\$4,647,400		\$0	\$0	\$4,647,400
9	Airport Water Main	\$758,121		(\$150,000)	(\$150,000)	\$608,121
10	Airport Sanitary Sewer	\$853,063		(\$150,000)	(\$150,000)	\$703,063
11	Airport Land Acquisition	\$1,040,124				\$1,040,124
12	Streets & Drainage Service Center	\$2,934,951				\$2,934,951
13	E. Athens/Lay Park Community Ctrs.	\$3,806,879				\$3,806,879
14	Memorial Pk. Operations Ctr.	\$1,706,232		\$50,000	\$50,000	\$1,756,232
15	Athens Welcome Ctr. Improvements	\$264,701				\$264,701
16	Bus Stop Improvements	\$1,137,463	(\$137,392)		(\$137,392)	\$1,000,071
17	Athens Multimodal Transportation Ctr.	\$6,785,563				\$6,785,563
18	Bridge & Guardrail Improvements	\$533,257	(\$66,669)		(\$66,669)	\$466,588
19	Bicycle Transportation Improvements	\$1,042,300	(\$125,338)		(\$125,338)	\$916,962
20	Storm Drainage Improvement Program	\$6,648,595	(\$800,029)		(\$800,029)	\$5,848,566
21	Local Road Resurfacing Program	\$4,465,960	(\$533,353)		(\$533,353)	\$3,932,607
22	Dirt Road Program	\$1,093,175	(\$133,338)		(\$133,338)	\$959,837
23	Local Road Improvement Projects	\$4,438,298	(\$533,353)	\$0	(\$533,353)	\$3,904,945
24	Sidewalk and Other Improvements	\$889,395	(\$106,670)		(\$106,670)	\$782,725
25	Intersection Improvements	\$2,201,815	(\$266,676)	\$0	(\$266,676)	\$1,935,139
26	Downtown Infrastructure Improvements	\$4,440,066	(\$533,353)		(\$533,353)	\$3,906,713
27	Neighborhood Traffic Mgmt. Program	\$342,310	(\$42,668)	(\$50,253)	(\$92,921)	\$249,389
28	East Athens Community Park	\$523,173		\$983,000	\$983,000	\$1,506,173
29	Southeast Clarke Community Park	\$523,173		\$21,000	\$21,000	\$544,173
30	Greenway Land Acquisition	\$1,342,214				\$1,342,214
31	Winterville Park & Other Improvements	\$549,946				\$549,946
32	East Athens Dance Center	\$2,936,482				\$2,936,482
33	Library Resource Centers	\$591,143		(\$94,468)	(\$94,468)	\$496,675
34	Classic Center Parking Deck & Plaza	\$4,887,398				\$4,887,398
35	Classic Center Energy Mgmt. Imprvmts.	\$665,389				\$665,389
36	Classic Center Surface Parking Lot	\$1,830,568				\$1,830,568
37	Taylor Grady House Renovations	\$1,444,669				\$1,444,669
38	Family Protection Center	\$1,301,109		\$0	\$0	\$1,301,109
39	Sandy Creek Greenway/Buffer Expan.	\$351,145				\$351,145
40	Lyndon House Arts Ctr. Improvements	\$116,482				\$116,482
Adjusted Expenditure Totals		\$99,131,000	(\$4,978,839)	(\$577,187)	(\$5,556,026)	\$93,574,974

Mayor and Commission HELD the following items.

- Public Utilities Service Delivery Plan infrastructure element update.
- Acceptance for public maintenance of an unnamed private access drive off Double Bridges Road.

New business - Consider under suspension of rules

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

A motion was made by Commissioner Jordan, seconded by Commissioner Sims, to adopt a resolution requesting the Planning Department and Planning Commission study zoning in the area bounded by Barnett Shoals Road, Stroud Road, and Park Ridge Drive; and request they consider rezoning to a RS-8 (single-family residential) designation.

Commissioner Sims withdrew his second. The motion died for lack of a second.

A motion was made by Commissioner Jordan, seconded by Commissioner Sims, to adopt a resolution requesting the Planning Department and Planning Commission study zoning in the area bounded by Barnett Shoals Road, Stroud Road, and Park Ridge Drive; and request they consider rezoning to a RS-8 or other appropriate single-family designation. The motion passed by unanimous vote. The following resolution was declared adopted.

RESOLUTION

The Commission of Athens-Clarke County, Georgia hereby adopts the following as a resolution:

WHEREAS, pursuant to the provisions of the Zoning Code, the Mayor and Commission may initiate requests for the zoning of property to be studied for further recommendation by the Planning Department and the Planning Commission;

IT IS HEREBY RESOLVED that the Mayor and Commission of Athens-Clarke County request that public meetings be held concerning the zoning on parcels of land in an area bounded by Barnett Shoals Road, Stroud Road, and Park Ridge Drive and that after the public meetings further study be conducted and recommendations for rezoning to RS-8 or other appropriate single-family residential zoning districts be given by the Athens-Clarke County Planning Department and the Athens-Clarke County Planning Commission concerning the zoning classification on said parcels.

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

A public hearing was held on proposed amended zoning map incorporating amendments from December 2000 to August 2003.

Planning Commission recommendation: Approve (unanimous)

There was no citizen input.

A motion was made by Commissioner Sims, seconded by Commissioner Kilpatrick, to adopt the following ordinance (#03-09-078) 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 ZONING - REPLACEMENT OF OFFICIAL ZONING MAP; AND FOR OTHER PURPOSES.

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

SECTION 1. Legislative Purpose and Findings. Pursuant to the provisions of Section 9-3-7, entitled "Replacement of Official Zoning Map," of the Code of Athens-Clarke County, the Mayor and Commission find that the Official Zoning Map, adopted December 19, 2000, pursuant to Section 9-3-3, of the Code of Athens-Clarke County, has become difficult to interpret because of the number of changes and additions to said Official Zoning Map since its adoption. In addition, the legend of the original map needs to be corrected. Therefore, the Mayor and Commission find it necessary to adopt a new Official Zoning map, which shall supercede the prior official zoning map, and shall be considered an integral part of Title 9 of the Code of Athens-Clarke County.

SECTION 2. Section 9-3-3, entitled "Official Zoning Map," of the Code of Athens-Clarke County, paragraph (A), subpart (1) is hereby amended by deleting said subpart (1) in its entirety and substituting the following in lieu thereof:

"(1) The location and boundaries of the districts designated in section 9-3-2 are established as shown on the map entitled the "Official Zoning Map of Athens-Clarke County" (hereafter referred to as the "zoning map"), dated as of the adoption date of this ordinance, and signed by the Athens-Clarke County Mayor and Clerk of Commission, with the following certification: "This is to certify that this is the Official Zoning Map referred to in the Zoning Ordinance of Athens-Clarke County, Georgia. Pursuant to Section 9-3-7 of such ordinance, this map supersedes the Official Zoning Map certified December 19, 2000." Said map is made a part of this Title by reference and incorporation as if fully set forth herein."

SECTION 3. The signed original of said map 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.

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

A public hearing was held on proposed amendment to Code Section 9-15-18 regarding definition of family to include occupants in the prohibitions contained in the section that presently applies only to owners; and to consider allowing minor children to reside with the one unrelated individual allowed to reside with family.

Planning Commission recommendation: Approve (unanimous)

Citizen input

The following citizen input was received.

1. Beverly King, 425 Ponderosa Drive - supported option B.
2. Patrick Fraser, 665 King Avenue - supported option B; consider exception for owner-occupied property.
3. William Thompson, 125 Jennings Mill Parkway - supported amendment regarding minors; consider exception for owner-occupied property.
4. Kryisia Haag, 137 Herman Street - supported amendment regarding minors; consider exception for owner-occupied property.

A motion was made by Commissioner McCarter, seconded by Commissioner Sims, to the following ordinance (#03-09-079) (option B) 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 ZONING - DEFINITION OF FAMILY RESTRICTIONS IN AR NEIGHBORHOODS WITHIN THE AR (AGRICULTURAL-RESIDENTIAL) ZONING DISTRICT AND WITHIN RS (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICTS; AND FOR OTHER PURPOSES.

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

SECTION 1. Section. 9-15-18, entitled "Definition of Family Restrictions in AR and RS Zones," paragraph A is hereby amended by adding the following definition alphabetically thereto:

"Minor child: a person under the age of 19 living with a parent or other legal guardian or in foster care."

SECTION 2. Section 9-15-18, entitled "Definition of Family Restrictions in AR and RS Zones," paragraph B and paragraph C are hereby amended by deleting paragraph B in its entirety and adding new paragraphs B, C, and D thereto as follows and designating the former paragraph C as paragraph E:

- "B. It shall be unlawful for the occupants residing in or for the owner of any single dwelling unit located in any RS zoning district or any "AR neighborhood" to have more than two unrelated individuals residing therein, nor shall any family as defined in this section have, additionally, more than one unrelated individual residing with such family. For the purposes of this paragraph B, one unrelated individual residing with a family shall include the minor children of such unrelated individual residing with him or her. _
- C. When a dwelling is located in any zoning district other than RS or "AR neighborhood," one of the following is permitted:
 - 1. Family related by blood, marriage, adoption or foster care may have two additional unrelated individuals; or
 - 2. Unrelated individuals not exceeding four.
- D. Any nonconforming use created by the definition of "family" adopted June 5, 2001 and the regulations related thereto which was a legal use at the time of adoption shall be permitted to continue through July 31, 2002.

After which date, the use of such dwelling shall be in compliance herewith. Any use established prior to or subsequent to the adoption of this definition of "family," which use did violate and continues to violate the standards of this chapter, is illegal, not nonconforming, and shall be handled in accordance with section 9-22-8 (Enforcement--Penalties)."

SECTION 3. The effective date of this ordinance shall be October 1, 2003.

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

Citizen comments on any items other than those listed on this agenda.

There was no citizen input.

FROM MAYOR DAVISON:

- 1. Appreciation was expressed to the Planning Department staff for handling of extra assignments over the past several months; to the Fire Department for their excellent handling of a recent chemical spill into Hunnicutt Creek; to the Oconee Rivers Greenway Commission for getting information to the public regarding the spill; and to the Police Department and Sheriff's Office for their sensitive handling of a recent incident involving a barricaded individual.

2. Request Commissioners review Georgia Municipal Association legislative platform and recommend items for discussion with the local legislative delegation.
3. Request the Government Operations Committee review the Auditor's report on the Marshal Services, as well as the Manager's response, and forward items to the Legislative Review Committee as appropriate.
4. Request Attorney Berryman and Clerk Spratlin meet with the Mayor to discuss revisions to the Commission Rules of Procedure.
5. Request Commissioners be notified of agendas for proposed subdivision review by the Planning Department.

FROM MANAGER REDDISH:

The following status report of standard utility contracts for August 2003 was presented for information only.

I. OPTIONAL PROCEDURE CONTRACTS (For Information Only)

The following are developments where the developers have elected to contract with the Unified Government under optional procedures for the installation of water and/or sanitary sewer line extensions.

A. Projects Initiated:

Name:	Thornhill Circle/Hodgson's Place Phase Five, water only
Developer:	Henry Logan and Lorenzo Moss
Contractor:	Unknown
Administrative Fees:	\$785.00
Date Initiated:	August 25, 2003

Name:	Whitehead Road/Velez/Zornig Office Residential Development, water and sewer
Developer:	Mark Zornig
Contractor:	Unknown
Administrative Fees:	\$3,159.00
Date Initiated:	August 11, 2003

B. Projects Completed:

Name:	Danielsville Road/Burkland Hills, Section 6, water only
Developer:	George W. Westbrook and A. J. Floyd
Contractor:	J & K Utilities
Administrative Fees:	\$1,199.00
Date Accepted:	August 13, 2003

Name:	Lavender Road/Northeast Georgia Catholic High School, water and sewer
Developer:	Northeast Georgia Catholic High School, Inc.
Contractor:	Reynolds Grading, Inc.
Administrative Fees:	\$2,930.00
Date Accepted:	August 22, 2003

II. STANDARD GOVERNMENTAL CONTRACTS (For Information Only)

A. Projects Initiated: None

B. Projects Completed: None

III. CONSTRUCTION FUND PROJECTS (For information only)

A. Projects Initiated: None

B. Projects Completed: None

The following status report of contracts in excess of \$10,000.00 awarded by the Purchasing Division during July 2003 was presented for information only.

<u>Contract Award Date</u>	<u>Vendor Name</u>	<u>Commodity or Service</u>	<u>Amount</u>
07/01/2003	Heil Environmental Ind. Ltd.	Dump truck body	12,975.00
07/01/2003	Hanson Aggregates Southeast, Inc.	Various stone	12,000.00
07/01/2003	Morgan Concrete Company	Concrete	15,000.00
07/01/2003	Jarod Environmental, Inc.	Chemical degreaser	12,000.00
07/01/2003	Rider Grinding Services, LLC	Grinding limb debris	25,000.00
07/01/2003	Trugreen Landcare Regional	Landscape maintenance Department of Family & Children Services	12,585.00
07/01/2003	Swift Sweep	Street sweeping services	58,354.01
07/01/2003	Dusk to Dawn	Janitorial Services East Athens & Lay Parks	32,000.00
07/01/2003	Technical Forestry Service	Forestry services	33,000.00
07/01/2003	Control Concepts, Inc.	HVAC & control system maintenance Lyndon House Arts Center	30,240.00
07/01/2003	Carus Chemical Company	Water treatment chemicals liquid polyphosphate	24,120.00
07/01/2003	DPC Enterprises	Water treatment chemicals chlorine gas cylinders	32,490.00
07/01/2003	Industrial Chemicals, Inc.	Water treatment chemicals hydrofluosilicic acid Granular chlorine	13,610.00
07/01/2003	Carmeuse Lime & Stone, Inc.	Water treatment chemicals calcium oxide	17,010.00
07/01/2003	F2 Industries	Water treatment chemicals activated carbon potassium permanganate	91,460.00
07/01/2003	Harcros Chemicals, Inc.	Water treatment chemicals hydrated lime	14,850.00
07/01/2003	Kronos, Inc.	Access control system station 4	12,160.00
07/01/2003	Digital Corporation	Telecommunication system for Police Westside Precinct	33,567.52
07/01/2003	Heyward Allen Motor Company, Inc.	Pickup truck	16,995.00
07/02/2003	D & D Lawn Service	Lawn maintenance service Water Treatment Plant	24,000.00
07/02/2003	Pond & Company, Inc.	Phase IV construction management Eastside Fuel Facility	10,000.00

07/07/2003	Lumpkin Cleaning Service	Janitorial Services Lyndon House Arts Center	12,160.00
07/07/2003	Dell Marketing LP	Laptop computers	14,607.60
07/08/2003	Eco Partners, Inc.	Annual publication	12,600.00
07/08/2003	Phoenix Recycling	Commercial curbside bags	25,340.00
07/10/2003	Sutherlands Foodservice, Inc.	Food supplies	13,008.00
07/10/2003	Carl Black GMC	Compact extended cab truck	26,356.00
07/10/2003	Applied Technical Systems	Testing & maintenance of fire alarm systems & other security related equipment at the Jail	26,235.00
07/10/2003	A-Z Services, Inc.	Janitorial services Dougherty Street governmental building	17,274.85
07/10/2003	A-Z Services, Inc.	Janitorial services Satula Avenue governmental building	20,979.25
07/10/2003	Lumpkin Cleaning Service	Janitorial services courthouse parking deck & Veteran plaza	14,160.00
07/10/2003	Honeywell Inc. Building Service Division	HVAC system maintenance courthouse facility	68,263.00
07/31/2003	Boswell Oil Company	Regular unleaded & low sulfur diesel fuel	15,807.32
07/11/2003	Gray Calhoun & Associates, Inc.	Professional services Lexington Highway, Robert Hardeman & Morton Road Realignment study	60,676.97
07/14/2003	Stiles Heating & Cooling	HVAC system maintenance Morton Theater, Harris Pharmacy & Burney Building	16,380.00
07/14/2003	Athens Janitor Supply Company, Inc.	Janitorial supplies	19,621.54
07/16/2003	Neptune Technology Group, Inc.	Meters	10,600.00
07/16/2003	Freeman Lawn Care	Lawn maintenance service Water Pollution Control Plants	23,000.00
07/16/2003	Fairbanks Scales, Inc.	Steel deck above ground scale	32,681.00
07/24/2003	Riverside Mower, Inc.	Dixie chopper mowers	15,898.00
07/25/2003	Neptune Technology Group, Inc.	Meters	35,312.89
07/28/2003	Carl Eric Johnson, Inc.	Pump replacement	19,354.00
07/28/2003	Electronic Maintenance Associates	Vertical pump & installation	19,600.00

07/28/2003	Heyward Allen Motor Company, Inc.	Sedan	13,405.00
07/28/2003	Carl Black GMC	Utility truck	27,670.33
		TOTAL:	\$1,094,407.28

FROM COMMISSIONER SIMS:

1. Central Services staff was commended for excellent job with right-of-way clearing on Oak and Oconee Streets.

FROM COMMISSIONER MAXWELL:

1. Request check of Plaza and North Rocksprings Streets to see why excess gravel and tar was left after minor street repairs.
2. Request enforcement of ordinance requiring wrecker services to remove glass from street following a vehicle accident.
3. Request review of several recently missed solid waste pick ups in the 100 block of Rocksprings Street.
4. Request check of property to rear of Magnolia Street which is being bulldozed and developed apparently without a permit.

FROM COMMISSIONER BARROW:

1. Commendation is in order to ACC Police Department for their performance during the recent 12-hour stand-off situation at Tallassee Club Villas.

FROM COMMISSIONER LYNN:

1. Request information regarding the recent oil spill at Hunnicutt Creek, i.e. short and long-term effects, clean up efforts, etc.
2. Request "children at play" signs on Quail Run and Mallard Drive.

FROM COMMISSIONER JORDAN:

1. Request update on renewal of franchise agreement for cable TV.
2. Expressed concern that there is no appeal procedure for the subdivision review process (Type IV).

FROM COMMISSIONER HOARD:

1. Request traffic study on Highland Avenue with regard to speeding.
2. Get well wishes were extended to Ms. Betty Mitchell.

FROM COMMISSIONER CHASTEEN:

1. Request update on East Athens Fall Festival as to involvement of Human and Economic Development and/or Mayor's office.

The meeting adjourned at 11:33 p.m.