

Due to the COVID-19 pandemic, the March 2 Mayor and Commission session was remote. The meeting could be viewed live at www.accgov.com/videos, on YouTube at www.youtube.com/accgov, on Facebook at www.facebook.com/accgov, and on ACTV Cable Channel 180 or the live ACTV stream at www.accgov.com/actvlive

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Tuesday, March 2, 2021
6:27 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, Houle, Edwards, Myers, Thornton, and Hamby. No one was absent.

A motion was made by Commissioner Houle, seconded by Commissioner Edwards, to approve Minutes of meetings of Tuesday, February 2 and Tuesday, February 16, 2021. The motion passed by unanimous vote.

A motion was made by Commissioner Parker, seconded by Commissioner Link, to approve Minutes of meeting of Tuesday, February 9, 2021. There was a tie roll call vote with Commissioners Parker, Link, Denson, Houle and Edwards voting YES and Commissioners Davenport, Wright, Myers, Thornton, and Hamby voting NO. (5 YES; 5 NO). Mayor Girtz broke the tie with a vote of YES.

Written communications

Entered into the record was notice of acceptance of the following streets.

The Cottages/Ridge Point Phase III
Creek Pointe Drive
Pointe View Way
Shumard Drive
Red Maple Drive
Zelkova Ridge
Creek Ridge Lane

The Haven of Athens
Kentucky Circle (additional right of way)

A public hearing was held on request of Jeff Carter/Carter Engineering Consultants, Inc. for Living Hope Church for amendment to RS-5(PD) (Single-Family Residential, Planned Development) on 5.058 acres known as 2150 Lexington Road. Proposed use is a church. Type II

Planning Commission recommendation: Approval w/conditions (unanimous)

Citizen input

The following citizen input was received.

1. Kevin Stout, representing petitioner – supported.

A motion was made by Commissioner Parker, seconded by Commissioner Thornton, to HOLD this request until Tuesday, April 6. The motion passed by unanimous vote.

A public hearing was held on request of Frank Pittman/Pittman Engineering, PC for Jefferson Road Associates, LLC and AMSP Condominium Association, Inc. for amendment to E-I* (Employment-Industrial with conditions) on 15.428 acres known as 3320 Old Jefferson Road. Propose use is a medical center. Type II

Planning Commission recommendation: Approval w/conditions (unanimous)

Citizen input

The following citizen input was received.

1. Frank Pittman, representing petitioner – requested permitted uses include standalone parking lot.

A motion was made by Commissioner Link, seconded by Commissioner Wright, to adopt the following ordinance (#21-03-23) 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 CONDITIONS OF ZONING ASSOCIATED WITH TWO PARCELS OF LAND COMPRISING APPROXIMATELY 15.428 ACRES IN TOTAL AND LOCATED AT 3320 OLD JEFFERSON ROAD IN THE E-I* (EMPLOYMENT-INDUSTRIAL WITH CONDITIONS) ZONING 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 changing conditions of zoning associated with two parcels of land totaling approximately 15.428 acres and located at 3320 Old Jefferson Road, Athens, Georgia as shown on Attachment A. Said affected parcels are more fully described in that certain document entitled “University Cancer and Blood Center, sheet title: Rezone Concept Plan” having a date of December 22, 2020, and prepared by Pittman Engineering, PC. Said document is also 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 are also known as Tax Parcel Nos. 111 005A and 111 005C 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 shall be duly noted in the minutes of the Commission meeting.

SECTION 2. The conditions of zoning in that certain ordinance entitled “AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO REZONING FROM RM-1 (MULTIFAMILY RESIDENTIAL) TO O-1 (OFFICE-INSTITUTIONAL) ON 3.191 ACRES OF LAND LOCATED AT 3320 OLD JEFFERSON ROAD; AND FOR OTHER PURPOSES,” which was adopted by the Commission on April 4, 2000 (hereinafter referred to as the “April 2000 Ordinance”), is hereby amended by modifying certain conditions, so that the following conditions apply on Tract 1A, also known as Tax Parcel no. 111 005A:

1. Any future development on the property shall be limited to the following uses: medical centers, professional services and office, administrative or research facilities, broadcasting or production studios, business/trade schools, colleges, nursing homes, and commercial parking structures or lots.
2. The development must provide a primary entrance from Kathwood Drive and a secondary entrance from Old Jefferson Road.
3. All building facades will be of brick veneer, stone, and/or stucco, though building styles may vary.
4. Building heights will not exceed three (3) stories or 45 feet.
5. A bus bay will be included as part of the development and will be located on Kathwood Drive near the primary entrance.
6. A five-foot sidewalk will be constructed along the main driveway and will connect the bus bay to the primary use structures.
7. A minimum of three waste dumpsters will be provided and all medical waste will be handled as required by the Georgia Environmental Protection Division (EPD).
8. A deceleration lane will be constructed at the primary entrance on Kathwood Drive.
9. A five-foot sidewalk will be provided along Old Jefferson Road from the secondary entrance to the intersection of Kathwood Drive.
10. Where the subject property adjoins a residential zoning district, the development shall provide for either a 50’ undisturbed buffer or a 20’ planted buffer per the standards of Sec. 9-15-3-A.

The April 2000 Ordinance is further amended by modifying certain conditions, so that the following conditions apply on Tract 3, also known as Tax Parcel no. 111 005C:

1. Any future development on the property shall be limited to the following uses: medical centers, professional services and office, administrative or research facilities, broadcasting or production studios, business/trade schools, colleges and nursing homes.

2. The development will provide an interconnection through adjacent property. There will be no access from Club Drive.
3. All building facades will be of brick veneer, stone, and/or stucco, though building styles may vary.
4. A five-foot sidewalk will be constructed along the main driveway and will connect to the sidewalk in the adjacent development.
5. Waste dumpsters will be provided and all medical waste will be handled as required by the Georgia Environmental Protection Division (EPD).
6. All streets/drives within the development are proposed as private drives.
7. Where the subject property adjoins a residential zoning district, the development shall provide for either a 50' undisturbed buffer or a 20' planted buffer per the standards of Sec. 9-15-3-A.

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

A public hearing was held on request of Frank Pittman/Pittman Engineering, PC for VMW Properties, LLC for rezoning from I (Industrial) to E-I (Employment-Industrial) on 4.44 acres known as 235 and 245 Floyd Drive. Proposed use is a medical center. Type II District 3

Planning Commission recommendation: Approval w/conditions (unanimous)

Citizen input

The following citizen input was received.

1. Frank Pittman, representing petitioner – requested stand-alone parking lot be added as an approved use.

A motion was made by Commissioner Link, seconded by Commissioner Thornton, to adopt the following ordinance (#21-03-24) 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 TWO PARCELS OF LAND COMPRISING APPROXIMATELY 4.44 ACRES LOCATED AT 235 & 245 FLOYD DRIVE FROM I (INDUSTRIAL) TO E-I* (EMPLOYMENT-INDUSTRIAL WITH CONDITIONS); 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 Sections 9-3-3 and 9-3-6 thereof, is hereby amended by changing the zoning of two parcels of land located at 235 and 245 Floyd Drive, Athens, Georgia from I (Industrial) to E-I* (Employment-Industrial with conditions) as shown on Attachment A hereto.

The two parcels are more particularly described in that certain document entitled "University Cancer and Blood Center, sheet title: Rezone Concept Plan," labeled in the lower right-hand corner as "CP08," prepared by Pittman Engineering PC, dated December 22, 2020, 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 affected property is also known as Tax Parcel Nos. 111 009C and 111 009D 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, 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The conditions of zoning associated with this ordinance are as follows:

1. Prior to the occupancy of any new development, the developer shall be responsible for completing the pavement of Floyd Drive in accordance with current Transportation and Public Works pavement standards.
2. Development shall be limited to the following use: medical centers, professional services and office, administrative or research facilities, broadcasting or production studios, business/trade schools, colleges, nursing homes and commercial parking structures or lots.

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

Citizen input

The following citizen input was received regarding Fire Fly Trail options.

1. Teresa Friedlander – supported A
2. Winston Parker – supported C
3. Clint Moore – supported A
4. Caitlyn Gegen – supported A
5. Timothy Bermisderfer – supported C
6. Paul Bunce – supported C
7. Katie Bermisdefer – Supported C
8. Ann Bunce – supported C
9. Ian Schmutte – supported A
10. James Barlament – supported A
11. Nancy Hunter – supported A
12. Marla Star – supported C

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.

A motion was made by Commissioner Edwards, seconded by Commissioner Denson, to consent to action on the following seven items. The motion passed by unanimous vote.

1. APPROVE: Developer installation of a traffic signal at the intersection of SR 15 ALT (Jefferson Road) at Lavender Road as per Attachment #1 of agenda report dated January 27, 2021, and Traffic Engineering to assume annual maintenance and power cost pursuant to standard GDOT signal maintenance agreement; and authorize the Mayor to sign Georgia Department of Transportation (GDOT) traffic signal operational permit as shown in Attachment #2.
2. APPROVE: a) Award a purchase contract to Sansom Equipment Company in the amount of \$897,744.80 for two automated collection vehicles and one commercial front end load vehicle for use by the Solid Waste Department's Collection Division as per agenda report dated February 5, 2021;
b) Approve financing through the Georgia Municipal Association (GMA) Equipment Lease Program for the purchase of the collection vehicles;
c) Authorize the sale of the surplus solid waste collection vehicles; and
d) Authorize the Mayor and appropriate staff to execute all documents related to the purchase.
3. APPROVE: Legislative Review Committee recommendation to PASS OUT WITH NO ACTION the topic "Establish a minimum drink price and revise alcohol-related ordinances/policies to reduce overconsumption of alcohol and improve Athens-Clarke County Government's ability to monitor and regulate alcohol handlers/establishments as per report dated February 10, 2021.
4. APPROVE: Athens-Clarke County Police Department (ACCPD) School Resource Officer (SRO) program contract as per revised agenda report dated February 12, 2021 with the Clarke County School District for the 2021-2022 academic year; and authorize the Mayor and appropriate staff to execute the contract and all related documents.
5. APPROVE: FY22 revisions to water and wastewater connection fees, to be implemented July 1, 2021 as per agenda report dated January 26, 2021.

6. APPROVE: Updated 2020 Greenway Network Plan maps as per Attachment #1 of agenda report dated January 27, 2021; and direct staff to amend the Transportation Corridor Concept Map to include the trail corridors shown on the updated maps with the high priority projects clearly identified.

7. APPROVE: Extension of leases for \$1/year for non-profit agencies leasing space in ACCGov facilities in FY22 as per agenda report dated January 27, 2021; Implement the policy objective to discontinue utility support for ACCGov leases in FY22; and authorize the Mayor and appropriate staff to execute all necessary documents.

Old and new business – Discussion

A motion was made by Commissioner Wright, seconded by Commissioner Thornton, to return to the Planning Commission the request of Core Spaces, LLC Owner: Mitchell Street Properties, LLC for amendment to C-D (RIV) (PD) (Commercial-Downtown, River Downtown Design Area, Planned Development) on 1.7 acres known as 155 Mitchell Street. (Tuesday, January 19, 2021). The motion passed by unanimous vote.

A motion was made by Commissioner Denson, seconded by Commissioner Thornton, to approve commission-defined options for Athens-Clarke County Street Name Changing Policy and Policy and Procedure Statement: Naming and Renaming of Public Facilities, Parks, Natural Areas and Amenities. The motion passed by unanimous vote.

A motion was made by Commissioner Edwards, seconded by Commissioner Thornton, with reference to TSPLOST 2018, Project 11 & Project 12 - Bicycle & Pedestrian Improvement Programs, -- Riverbend Road Sidewalk Improvement, Sub-Project #2 proposed Project concept:

- a) Approve Proposed alternative Project Concept, as generally shown in Attachment #1a of commissioned-defined option, which supports a Multi-Use Path along Riverbend Road from College Station Road to Riverbend Parkway, and includes additional Multi-Use Path considerations from Lakeside Drive to South Milledge Avenue, for TSPLOST 2018, Project 11, Bicycle Improvement Program & Project 12 – Pedestrian Improvement Program Riverbend Road sidewalk improvements, Sub-Project #2 (SP#2);
- b) Direct staff to incorporate improved bike facilities during future repaving and restriping along Riverbend Road from South Milledge Ave to College Station Road;
- c) Authorize staff to advance the Proposed Project Concept layout for Riverbend Road Multi-Use Path improvements SP#2, as generally shown in Attachment #1a to Preliminary Design Phase; and
- d) Authorize the Mayor and appropriate staff to execute any and all other project related documents.

The motion passed by unanimous vote.

A motion was made by Commissioner Myers, seconded by Commissioner Edwards, to

- a. Approve the Preliminary Plans for TSPLOST 2018 Project 06 - Sub-Project #3, beginning at Station 139+50 at the southeastern corner of Parcel 222 018 generally following the historic railbed (Alternate Alignment A) to the Athens Road/Cherokee Road/Moore's Grove Road intersection Station 178+33, for the Firefly Trail Project as generally shown on Attachment #1, that directs staff to protect the existing conditions on Parcel 222A1 A004 between stations 154+00 and 156+00 and allow trail adjustment between stations 157+00 and 163+00 to facilitate reducing direct impacts to Parcel 283A1 B007;
- b. Authorize staff to develop final storm water management plans outside the defined trail alignment, as necessary, to minimize stormwater impacts due to trail development;

- c. Authorize staff to advance the proposed Preliminary Plans for the portion, noted above, of the TSPLOST 2018 Project 06 - Sub-Project #3 - Firefly Trail Project (TSPLOST 2018 Project #06) to the Bid & Award Phase;
- d. Authorize staff to begin acquisition of right-of-ways for the portion, noted above, of the TSPLOST 2018 Project 06 - Sub-Project #3 - Firefly Trail Project; and
- e. Authorize the Mayor and appropriate staff to execute all related documents.

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

- a. Approve Alternative Alignment "C" the Preliminary Plans for TSPLOST 2018 Project 06 - Sub-Project #3, beginning at Station 2000+00 on Parcel 222 018 generally following an alignment on the Northside of Moore's Grove Road (Alternate Alignment C) to the Athens Road/Cherokee Road/Moore's Grove Road intersection Station 2056+44, for the Firefly Trail Project as generally shown on Exhibit #1;
- b. Authorize staff to make final plan adjustments, as necessary, for the purposes of minimizing utility and stormwater impacts due to trail development and creating an improved mid-block road crossing to reduce potential roadway conflicts with trail users;
- c. Authorize staff to advance the proposed Preliminary Plans for the portion, noted above, of the TSPLOST 2018 Project 06 - Sub-Project #3 - Firefly Trail Project (TSPLOST 2018 Project #06) to the Bid & Award Phase;
- d. Authorize staff to begin acquisition of right-of-ways for the portion, noted above, of the TSPLOST 2018 Project 06 - Sub-Project #3 - Firefly Trail Project; and
- e. Authorize the Mayor and appropriate staff to execute all related documents.

The substitute motion failed by roll call vote with Commissioners Davenport, Wright, Thornton, and Hamby voting YES; and Commissioners Parker, Link, Denson, Houle, Edwards, and Myers voting NO. (4 YES; 6 NO).

The original motion passed by roll call vote with Commissioners Parker, Link, Denson, Houle, Edwards, Myers, and Hamby voting YES; and Commissioners Davenport, Wright, and Thornton voting NO (7 YES; 3 NO)

A motion was made by Commissioner Houle, seconded by Commissioner Link, to approve the proposed public art from Eric Leshinsky, as generally shown in Attachment #1 of agenda report dated January 25, 2021 for the Clayton Streetscape Improvements as part of the TSPLOST 2018 Project 09 Downtown Transportation Improvements Program; and authorize the Mayor and appropriate staff to execute any related documents. The motion passed by unanimous vote.

A motion was made by Commissioner Thornton, seconded by Commissioner Wright, to accept the North Downtown Athens Master Plan, for SPLOST 2020 Project 02 – Affordable Housing, as generally described in Attachment #1 of agenda report revised February 25, 2021; and authorize the Mayor and appropriate staff to execute all necessary documents. The motion passed by unanimous vote.

A motion was made by Commissioner Thornton, seconded by Commissioner Houle, to

- a) Approve the proposed project concept, for SPLOST 2020 Project 02 - Affordable Housing, as generally described in Attachment #1 of agenda report dated January 27, 2021, for the installation of public infrastructure to support a mixed-income housing and mixed-use redevelopment;

b) Authorize staff to advance the Proposed Project Concept for SPLOST 2020 Project 02 - Affordable Housing, as generally described in Attachment #1, to the Preliminary Plan Phase; and

c) Authorize the Mayor and appropriate staff to execute all necessary documents.

The motion passed by unanimous vote.

A motion was made by Commissioner Thornton, seconded by Commissioner Link, to approve an Intergovernmental Agreement with the Athens Housing Authority to design the public infrastructure required to support a mixed income housing and mixed-use redevelopment in the amount of \$550,000 for SPLOST 2020 Project 02 Affordable Housing as per Attachment #1 of agenda report revised February 26, 2021; 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 Myers, to return to Legislative Review Committee a review of LEED Certification Program. The motion passed by unanimous vote.

A motion was made by Commissioner Hamby, seconded by Commissioner Thornton, to adopt the following resolution. The motion passed by unanimous vote.

A RESOLUTION OF THE COMMISSION OF ATHENS-CLARKE COUNTY, GEORGIA REQUESTING THE LEGISLATIVE DELEGATION OF ATHENS-CLARKE COUNTY INTRODUCE LOCAL LEGISLATION IN THE GEORGIA GENERAL ASSEMBLY TO AMEND AN ACT TO CREATE THE CLASSIC CENTER AUTHORITY FOR CLARKE COUNTY, APPROVED MARCH 10, 1988, (GA. L. 1988, P.3799) AS AMENDED, SO AS TO CHANGE CERTAIN PROVISIONS RELATIVE TO THE PURPOSE AND POWERS OF THE AUTHORITY IN ACCORDANCE WITH EXHIBIT "A" ATTACHED HERETO; AND FOR OTHER PURPOSES

WHEREAS, the governing body of the Unified Government of Athens-Clarke County, Georgia, is the Commission of Athens-Clarke County, Georgia (the "Commission"); and

WHEREAS, the Classic Center Authority for Clarke County (the "Authority") was created by an Act approved March 10, 1988, (Ga. L. 1988, p. 3799) as amended (the "Authority's Enabling Legislation"); and,

WHEREAS, the Authority submitted a letter to the Commission, a copy of which is attached hereto as Exhibit "A", requesting that the Commission support an amendment to the Authority's Enabling Legislation so as to expand and clarify the CCA's purpose so as to permit the Authority to undertake development projects thereby raising funds to support CCA's mission; and,

WHEREAS, it is the desire of the Commission to support the Authority and request that the Legislative Delegation of Athens-Clarke County amend the Authority's Enabling Legislation, as set forth in Exhibit "B" attached hereto, so as to expand and clarify the CCA's purpose so as to permit the Authority to undertake development projects thereby raising funds to support CCA's mission;

NOW, THEREFORE, BE IT RESOLVED THAT the Commission hereby requests that the legislative delegation of Athens-Clarke County, Georgia sponsor and introduce a local legislative act before the Georgia General Assembly to amend the Authority's Enabling Legislation, as set forth in Exhibit "B" attached hereto, so as to expand and clarify the CCA's purpose so as to permit the Authority to undertake development projects thereby raising funds to support CCA's mission; and,

BE IT FURTHER RESOLVED the Commission hereby declares that the foregoing preamble and whereas provisions set forth hereinabove constitute, and shall be considered to be, substantive provisions of this Resolution and are hereby incorporated by reference into this Resolution; and,

BE IT FURTHER RESOLVED that in the event scrivener's errors shall be discovered in this Resolution or in the Exhibits hereto after the adoption hereof, the Commission hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this Resolution; and,

BE IT FURTHER RESOLVED the Commission grants the Mayor the authority to take any and all further actions necessary to carry out the intents and purposes of this Resolution; and,

BE IT FURTHER RESOLVED that except as specifically provided herein, any and all ordinances or resolutions or parts of ordinances or resolutions in conflict with this Resolution, shall be and the same hereby are repealed, and this Resolution shall be in full force and effect from and after its adoption; and,

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its approval by the Mayor or upon its adoption into law without such approval.

New business – Consider under suspension of Rules

A motion was made by Commissioner Denson, seconded by Commissioner Parker, to suspend Rules of Commission for items of new business. The motion passed by unanimous vote.

A motion was made by Commissioner Denson, seconded by Commissioner Parker, with reference to Athens Eats Program.

1. Approve the proposed Athens Eats Together contract extension in the amount of \$510,000
2. Organizations listed, or others who can provide Food, Housing and Homeless Services, may submit a proposed scope of work to HCD, that may include partnerships, no later than March 16 for the remaining \$460,000.
3. Mayor and Commission shall consider and vote on proposals no later than April 6th.

A substitute motion was made by Commissioner Hamby, seconded by Commissioner Wright, to

1. Approve the proposed Athens Eats Together contract extension in the amount of \$510,000.

Habitat for Humanity	\$ 40,000
Athens Area Homeless Shelter	\$ 40,000
Casa de Amistad	\$ 40,000
EADC	\$ 40,000
Farm to Neighborhood	\$ 40,000
Sparrow's Nest	\$ 40,000
Council on Athens Eats	\$510,000
Athens Land Trust	\$ 40,000
ABHS Hotel Shelter Program	\$ 20,000
Live Forward	\$ 40,000
The ARK	\$ 40,000
Project Safe	\$ 40,000
Athens Alliance Coalition	\$ 40,000
People Living in Recovery (PLR)	\$ 20,000
Total assistance	\$970,000

2. Develop and execute contracts for the other Community Partners listed and assistance Indicated
3. Authorize the Mayor and ACCGov staff to execute all related contracts and documents.

The substitute motion failed by roll call vote with Commissioners Link, Wright, Thornton, and Hamby voting YES and Commissioners Davenport, Parker, Denson, Houle, Edwards, and Myers voting NO. (4 YES; 6 NO)

The original motion passed by roll call vote with Commissioners Parker, Link, Denson, Houle, Edwards, Myers, Thornton, and Hamby voting YES; and Commissioners Davenport and Wright voting NO. (8 YES; 2 NO)

A motion was made by Commissioner Edwards, seconded by Commissioner Wright, to adopt the following resolution. The motion passed by unanimous vote.

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS, on or about May 19, 2020, Plaintiff Jamonte Smith ("Plaintiff") initiated a lawsuit in the State Court of Athens-Clarke County, Georgia, styled Jamonte Smith vs. Athens-Clarke County, Georgia, and assigned Civil Action File No. ST20CV0305 (hereinafter, the "Litigation") by filing a complaint in said court; and

WHEREAS, the Litigation arises out of Athens-Clarke County Police Officer Joey Lewis's alleged careless operation of his ACCPD motorcycle during the early morning hours of September 22, 2019, causing personal injuries to the Plaintiff; and

WHEREAS, in accordance with Section 1-20-1 of the Code of Athens-Clarke County, Georgia, the Unified Government has an obligation to indemnify Officer Lewis, and has done so by providing defense counsel and resolving said Litigation as set forth below; and

WHEREAS, the attorneys for the Plaintiff and the attorneys for the Unified Government have negotiated a resolution of the Litigation; and

WHEREAS, without admitting liability or fault, the Commission finds it to be in the best interests of the Unified Government to resolve the Litigation as set forth below; and

WHEREAS, it is the intention and understanding of the Commission that adoption and approval of the settlement terms below shall fully and completely resolve any claims or causes of action, whether asserted or not, arising from or out of the events described in the complaint filed by Plaintiff in the Litigation

NOW, THEREFORE, the Commission hereby resolves as follows:

SECTION 1.

The Commission does hereby approve and authorize the payment of the sum of Twenty Thousand and No/100 Dollars (20,000.00) to Plaintiff, and his attorneys, said amount to encompass any damages that Plaintiff allegedly suffered and attorney's fees.

SECTION 2.

As part of this resolution to the Litigation, Plaintiff must agree that the monetary relief described above affords him complete and total relief for the claims asserted in the Litigation, and any other claims, whether asserted or not, arising from or out of the events that occurred on or about September 22, 2019, and on behalf of himself, his heirs, and his assigns, forever releases and discharges the Unified Government of Athens-Clarke County, Georgia and Officer Lewis from any further claims, causes of action, judgments, damages, or costs of Litigation (including attorney's fees) arising from or out of the events that occurred on or about September 22, 2019, and must agree to dismiss his claims with prejudice at an appropriate time as set forth in a written settlement agreement or consent order.

SECTION 3.

The County Attorney and outside counsel retained for purposes of this Litigation shall have authority to prepare, or to cause to be prepared, any and all documents and court filings necessary to effectuate the resolution of the Litigation as described herein, and to make such filings with the court as may be necessary or appropriate. The Mayor of Athens-Clarke County, Georgia, shall have authority to sign any documents as may be necessary or appropriate to effectuate the resolution of the Litigation as described herein.

A motion was made by Commissioner Edwards, seconded by Commissioner Houle, to adopt the following ordinance (#21-03-25) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE FOR THE FOURTEENTH DECLARATION OF A LOCAL STATE OF EMERGENCY RELATED TO COVID-19; AND FOR OTHER PURPOSES.

WHEREAS, Athens-Clarke County, Georgia has experienced an event of critical significance as a result of the Coronavirus (COVID-19) disease ("COVID-19"); and

WHEREAS, the Centers for Disease Control and Prevention, (the "CDC") indicates that COVID-19 is a new and contagious respiratory disease caused by a novel (new) coronavirus that was first detected in China and which has now been detected in more than 100 locations around the world, including in the United States; and

WHEREAS, COVID-19 is officially a global pandemic according to the WHO; and

WHEREAS, COVID-19 can spread from person to person, and can result in no symptoms, minor symptoms, or serious illness causing permanent organ damage and death; and

WHEREAS, individuals age 65 or over or living with certain medical conditions identified by the CDC (members of Vulnerable Populations) and members of other populations identified by the CDC (“Other Populations at Risk”) are at risk of severe and lasting harm to health or death from COVID-19; and

WHEREAS, COVID-19 also has been reported to cause severe and permanent damage to some children; and

WHEREAS, there is no vaccine or approved treatment for COVID-19; and

WHEREAS, the CDC has noted that COVID-19 spreads very easily and sustainably when an infected person (who may not exhibit symptoms at all, or only minor symptoms) talks, sneezes, or coughs in close proximity with others (within six feet); and

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency for the United States of America in response to COVID-19; and

WHEREAS, on March 14, 2020 Governor Brian Kemp declared a Public Health State of Emergency in Georgia and renewed his declaration on April 8, 2020, April 30, 2020, May 28, 2020, June 29, 2020, July 31, 2020, August 31, 2020, September 30, 2020, October 30, 2020, November 30, 2020, December 30, 2020, January 29, 2021 and again on February 26, 2021 so that it will remain in effect at least through Sunday, April 6, 2021; and

WHEREAS, on March 16, 2020, the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia adopted an Ordinance for the Declaration of Local State of Emergency related to COVID-19;

WHEREAS, on March 19, 2020, pursuant to their authority under the Athens-Clarke County Emergency Management Ordinance, the Athens-Clarke County Mayor and Commission adopted a Second Declaration of Local Emergency activating certain emergency powers in order to allow Athens-Clarke County to quickly respond to the COVID-19 pandemic and renewed that declaration on April 21, 2020, June 2, 2020, July 7, 2020, July 30, 2020, August 18, 2020, September 15, 2020, October 6, 2020, November 4, 2020, December 1, 2020, January 6, 2021 and again on February 2, 2021; and

WHEREAS, the Governor, through Executive Orders 04.30.20.01, 05.12.20.02, 05.28.20.02, 06.11.20.01, 06.29.20.02, 07.15.20.01, 08.15.20.01, 08.31.20.02, 09.30.20.02, 10.15.20.01, 10.30.20.02, 11.13.20.01, 12.30.20.02, 01.15.21.01, 01.29.21.02, 02.26.21.02 has recognized the need to take extra precautions to protect certain vulnerable populations who meet the criteria for higher risk of severe illness as defined by the CDC and identified in Section III of the Governor’s Executive Order 02.26.21.02 (“Vulnerable Populations”); and

WHEREAS, Executive Orders 04.30.20.01, 05.12.20.02, 05.28.20.02, 06.11.20.01, 06.29.20.02, 07.15.20.01, 08.15.20.01, 08.31.20.02, 09.30.20.02, 10.15.20.01, 10.30.20.02, 11.13.20.01, 12.30.20.02, 01.15.21.01, 01.29.21.02, 02.26.21.02 required Vulnerable Populations to continue to shelter in place, with exceptions that include participating in essential services and working, through March 15, 2021; and

WHEREAS, the Mayor and Commission desire to protect individuals in said Vulnerable Populations and Other Populations at Risk in a reasonable manner and as recommended by the CDC and by the Georgia Department of Public Health, while such individuals are participating in essential services and working; and

WHEREAS, the CDC¹, Dr. Kathleen Toomey (Georgia’s Commissioner of Public Health), and Governor Kemp through Executive Order 05.12.20.02, and subsequent Executive Orders, have recommended that individuals wear facial coverings over the nose and mouth to mitigate the spread of COVID-19 when they are in public places where they cannot practice social distancing (i.e., stay at least six feet away from other individuals who do not share the same household); and

WHEREAS, the CDC states that wearing a facial covering over the nose and mouth is a recommended precaution designed to prevent symptomatic and asymptomatic individuals who have contracted COVID-19 from spreading it to other individuals; and

WHEREAS, evidence from the South Carolina Department of Health and Environmental Control announced on August 12, 2020, that parts of the State of South Carolina under public mask-wearing mandates registered a 46.3% drop in coronavirus cases in the four weeks after they were introduced as compared to areas of the state which did not impose such mandates;

WHEREAS, evidence from data from the State of Alabama shows a 11/% drop in COVID-19 cases in the four weeks since the state’s mandate went into effect; and

WHEREAS, according to a Vanderbilt University study, hospitals in the State of Tennessee where at least 75% of

¹ CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies), especially in areas of significant community-based transmission.

“In light of new data about how COVID-19 spreads, along with evidence of widespread COVID-19 illness in communities across the country, CDC recommends that people wear a cloth face covering to cover their nose and mouth in the community setting. This is to protect people around you if you are infected but do not have symptoms.”

A cloth face covering should be worn whenever people are in a community setting, especially in situations where you may be near people. These settings include grocery stores and pharmacies. These face coverings are not a substitute for social distancing. Cloth face coverings are especially important to wear in public in areas of widespread COVID-19 illness.

Yes. Wearing cloth face coverings is an additional public health measure people should take to reduce the spread of COVID-19. CDC still recommends that you stay at least 6 feet away from other people (social distancing), frequent hand cleaning and other everyday preventive actions. A cloth face covering is not intended to protect the wearer, but it may prevent the spread of virus from the wearer to others. This would be especially important if someone is infected but does not have symptoms.

patients came from mask-mandate counties reported hospitalizations rising by only 30% since July 1, 2020, as compared to a rise of 200% in the same time period when 75% or more of patients came from counties without mask mandates in the State of Tennessee; and

WHEREAS, Dr. Toomey and Governor Kemp have modeled the behavior of wearing facial coverings as examples for Georgians to follow; and

WHEREAS, according to the Georgia Department of Public Health COVID-19 update on Sunday, February 28, 2021, Georgia now has 818,516 confirmed cases of COVID-19, including 11,991 confirmed cases in Athens-Clarke County; and

WHEREAS, according to the Georgia Department of Public Health COVID-19 update, 15,068 individuals in Georgia have died and 56,039 have been hospitalized after contracting COVID-19; and

WHEREAS, as indicated above, the state of Georgia remains under a state of emergency as a result of the COVID-19 pandemic; and

WHEREAS, Governor Brian Kemp has relaxed and/or removed many restrictions on businesses resulting in citizens and visitors interacting in public and commercial establishments; and

WHEREAS, the guidelines promulgated by the White House on re-opening America specifically call for a 14-day downward trajectory among other gating criteria, which guidelines are specifically incorporated by reference; and

WHEREAS, the incidence of infection and death in the territorial limits of the Unified Government of Athens-Clarke County, hereinafter referred to as "Athens-Clarke County," continues to increase, signifying the continued spread of the highly contagious and deadly disease; and

WHEREAS, this continued increase is a threat to the health, safety, and welfare of the Athens-Clarke County community, especially individuals in Vulnerable Populations and Other Populations at Risk; and

WHEREAS, the number of cases is growing rapidly; and if COVID-19 continues to spread in Athens-Clarke County and the surrounding communities, the number of persons relying on medical, pharmaceutical, and general cleaning supplies will increase, the private and public sector work force will be negatively impacted by absenteeism, and the demand for medical facilities may exceed locally available resources; and

WHEREAS, the CDC indicates that there is evidence of widespread community transmission in Georgia; and

WHEREAS, the CDC and public health officials expect that additional cases of COVID-19 will be identified in the coming days; and

WHEREAS, the CDC advises that the use of masks or cloth facial coverings will slow the spread of COVID-19, and the CDC recommendations on PPE usage are hereby incorporated by reference; and

WHEREAS, taking measures to control outbreaks minimizes the risk to the public, maintains the health and the safety of the residents of Athens-Clarke County, and limits the spread of infection in our communities and within the healthcare delivery system; and

WHEREAS, it is vitally important that we all work together to decrease the widespread proliferation of COVID-19 among us all now rather than suffer the unfortunate and devastating medical and economic consequences later; and

WHEREAS, pursuant to the authority of O.C.G.A. § 38-3-28(a), local governments are specifically empowered to enact rules and regulations as may be necessary for emergency management purposes; and

WHEREAS, O.C.G.A. § 38-3-28(a) also grants political subdivisions the power to supplement the Governor's Executive Orders; and

WHEREAS, this order is intended to be entered with due regard to the uniform principle that masks or facial coverings will slow the spread of COVID-19 as contemplated by O.C.G.A. § 38-3-28(c); and

WHEREAS, this emergency order is authorized by O.C.G.A. §§ 38-3-4 and 38-3-28 and the local control provisions of Governor Kemp's Executive Order of February 28, 2021, and it is specifically intended to supplement such declaration, as amended, and should not be construed to be inconsistent therewith; and

WHEREAS, notwithstanding the foregoing, the Supreme Court of Georgia has noted that the Unified Government of Athens-Clarke County, Georgia, is neither a county nor a municipal government, but rather a "new political entity" formed in accordance with "the constitutionally-sanctioned consolidation of municipal and county governmental and corporate powers and functions";² and

WHEREAS, pursuant to O.C.G.A. § 38-3-51, the Governor's declared public health emergency authorizes the Mayor and Commission to use emergency powers in O.C.G.A. §§ 38-3-1 through 38-3-64; and

WHEREAS, pursuant to O.C.G.A. § 38-3-6, during an emergency, O.C.G.A. §§ 38-3-1 through 38-3-64 are supposed to be liberally construed to effectuate their purposes; and

WHEREAS, pursuant to Section 1-104 (d) of the Charter of the Unified Government of Athens-Clarke County, Georgia, the Mayor and Commission have the right, duty, power, privilege and authority to exercise and enjoy all other powers, duties, functions, rights, privileges, and immunities necessary and proper to promote or protect the safety, health, peace, security and general welfare of said government and its inhabitants and to exercise all implied powers necessary to carry into execution all powers granted in this Charter as fully and completely as if such powers were fully enumerated herein and to do and perform all of the acts pertaining to its property, affairs and local government which are necessary or proper in the legitimate exercise of its corporate powers and governmental duties and functions; and

WHEREAS, pursuant to Sub-Sections (36) and (39) of Section 8-114 of the Charter of the Unified Government of Athens-Clarke County, Georgia, the Mayor and Commission have the following additional powers:

(17) Health: To prescribe and enforce health and sanitation standards; and

(36) Emergencies: To provide for the determination, proclamation and combatting of emergencies; and

(39) General health, safety, and welfare: To define, regulate and prohibit any act, practice, conduct or use which is detrimental to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the unified government; and

WHEREAS, the United States Supreme Court has previously held that "[u]pon the principle of self-defense, of paramount necessity, a community has the right to protect itself against an epidemic of disease which threatens the safety of its members"; and

WHEREAS, the Mayor and Commission of Athens-Clarke County, Georgia have determined that it is necessary to continue its Declaration of a Local State of Emergency; and

² *Athens-Clarke County v. Walton Electric Membership Corporation*, 265 Ga. 229, 230 (1995).

WHEREAS, the following actions related to requiring facial coverings in public are necessary and appropriate to balance the public's interest in being free from undue restrictions with the compelling public interest of providing for the health, safety and welfare of the residents of Athens-Clarke County and the surrounding communities, particularly those individuals who are members of Vulnerable Populations and Other Populations at Risk; and

WHEREAS, in the judgment of the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia, with advice from other subject matter experts, there exist emergency conditions as a result of COVID-19 within the geographical boundaries of the Unified Government as described in Section 1-102 of the Charter requiring extraordinary and immediate corrective actions for the protection of the health, safety, and welfare of the citizens of Athens-Clarke County and the surrounding communities;

NOW, THEREFORE, the Commission of Athens-Clarke County, Georgia hereby ordains and declares that a local state of emergency continues to exist within the territorial limits of the Unified Government of Athens-Clarke County, Georgia, and shall continue until the conditions requiring this declaration are abated.

NOW, THEREFORE, because of the local state emergency ordained and declared above, the Commission of Athens-Clarke County, Georgia hereby ordains and orders the following:

SECTION 1.

The Athens-Clarke County Office of Emergency Management shall continue with its activation of the Emergency Operations Plan and that the following sections of the Code of Athens-Clarke County, Georgia, shall continue to be implemented:

- (a) Section 3-4-5 Additional Emergency Powers
- (b) Section 3-4-9. Authority to Waive Procedures and Fee Structures

SECTION 2.

Any provisions of the Alcoholic Beverages Ordinance, Chapter 6-3 of the Code of Athens-Clarke County, Georgia, prohibiting an establishment licensed to sell beer or wine on premises from selling unopened bottles, cans, or growlers of beer and wine for take-out consumption off premises shall be temporarily suspended for the duration of this local declaration. It is the intent of this order that any establishment licensed to sell beer and/or wine shall be authorized to sell unopened bottles or cans and sealed growlers of such beverages for take-out consumption off premises through the duration of the declared Local Emergency, including any extension thereof. All other provisions of the Alcoholic Beverages Ordinance not in conflict with this order shall remain in full force and effect.

SECTION 3.

Any provisions of the Alcoholic Beverages Ordinance which requires that each applicant for a new alcohol license submit to the Finance Department classifiable sets of fingerprints be temporarily suspended for the duration of the COVID-19 Local Emergency where said required sets of fingerprints are already on file with the Finance Department. It is the intent of this order that applicants who already possess a current alcoholic beverage license and whose sets of fingerprints are already on file with the Finance Department shall not have to provide new classifiable sets of fingerprints for the duration of the Local Emergency. All other provisions of the Alcoholic Beverages Ordinance not in conflict with this order shall remain in full force and effect.

SECTION 4.

Any provisions of the Alcoholic Beverages Ordinance which prohibit any person from having in his or her possession any alcoholic beverages in any open container be temporarily suspended as it applies to patrons or employees of any restaurant possessing a Class D (retail liquor by the drink), D1 (retail liquor by the drink, low volume restaurant), E (retail beer by drink), or F (retail wine by the drink) license who are transporting, serving, or consuming alcoholic beverages in an outdoor seating area within 100 feet of the outer wall of licensed premises or who are transporting alcoholic beverages across public streets, sidewalks or rights-of-way for the purpose of serving or consuming said beverages as described herein.

SECTION 5.

Any provisions of the Alcoholic Beverages Ordinance which prohibit any person from having in his or her possession any alcoholic beverages in any open container be temporarily suspended as it applies to patrons or employees of any licensee possessing a Class D (retail liquor by the drink), D1 (retail liquor by the drink, low volume restaurant), E (retail beer by drink), or F (retail wine by the drink) license who is participating in the Outdoor Retail Area Program pursuant to policy number MGR-008D entitled "A Policy to Extend the Outdoor Retail Areas Pilot Program for the Remainder of 2020," and who are transporting, serving, or consuming alcoholic beverages in the Outdoor Retail Area as approved by the Athens-Clarke County Central Services Department or who are transporting alcoholic beverages across public streets, sidewalks or rights-of-way for the purpose of serving or consuming said beverages in said Outdoor Retail Area.

SECTION 6.

The April 1, 2020 and the April 1, 2021 deadlines for payment of 2020 and 2021 Occupation Tax and regulatory fees is extended to and including Sunday April 11, 2021. Any provisions of Athens-Clarke County's Occupation Tax in conflict in with the extension granted herein are hereby temporarily suspended. All other provisions of the Occupation Tax Ordinance, Chapter 6-1 of the Code of Athens-Clarke County, Georgia, remain in full force and effect.

SECTION 7.

For the protection of members of the public, including members of Vulnerable Populations and members of other Populations at Risk, facial coverings or masks shall be required within Athens-Clarke County to slow the spread of the novel coronavirus disease known as COVID-19 as follows:

- (a) The provisions of this Ordinance shall only be enforced when the prevalence in Athens-Clarke County of confirmed cases of COVID-19 over the previous fourteen (14) days is equal to or greater than one hundred (100) cases per one hundred thousand (100,000) people according to the Georgia Department of Public Health.
- (b) For purposes of this Ordinance, the following terms are hereby defined as follows:
 - (1) *Entity* means any private business, establishment, corporation, non-profit corporation, or organization, including the curtilage thereof.
 - (2) *Facial covering or mask* means a device to cover the nose and mouth of a person and impedes the spread of saliva, respiratory droplets, or other fluids during speaking, coughing, sneezing or other intentional or involuntary action. Medical grade masks are not required; coverings may be fashioned as advised by the CDC and from other suitable fabrics. The mask must cover the mouth and nose of the wearer.
 - (3) *Polling place* means the room provided in each precinct for voting at a primary or election.
 - (4) *Public place* means any place other than a personal vehicle, residential property, or an entity including the curtilage thereof.
- (c) Except as otherwise provided in this Ordinance all persons in an entity or a public place shall wear a facial covering or mask over the mouth and nose at all times where other physical distancing measure may be difficult to maintain from non-cohabitating persons.
- (d) Facial coverings or masks are not required in the following circumstances:
 - (1) In personal vehicles or upon residential property;
 - (2) When a person is alone in enclosed spaces or only with other household members;
 - (3) When the individual has a bona fide religious objection to wearing a facial covering or mask;
 - (4) While drinking or eating;
 - (5) When a licensed healthcare provider has determined that wearing a facial covering or mask causes or aggravates a health condition for the individual or when such person has a bona fide medical reason for not wearing a facial covering or mask;
 - (6) When wearing a facial covering or mask would prevent the receipt of personal services or performing work in the course of employment;
 - (7) When complying with the directions of a law enforcement officer or for the purposes of verifying a person's identity, such as when purchasing alcohol, tobacco, or prescription drugs or when engaging in a financial transaction;
 - (8) Children under the age of ten (10) years;
 - (9) When the individual is having difficulty donning or removing a face mask or face covering without assistance;
 - (10) At any polling place and no individual shall be denied ingress or egress to or from a polling place for failure to wear a facial covering or mask; and
 - (11) When outdoors and maintaining social distancing from anyone other than individuals with whom they cohabitate.
- (e)
 - (1) Every entity subject to this Ordinance which does not consent to enforcement of this Ordinance upon its property shall post a clearly legible sign in one inch Arial font at all public entrances of such entity stating the following: "This location does not consent to enforcement of any local face covering requirement upon this property."
 - (2) If an entity does not post the signage described in subparagraph (1) of this paragraph it shall be conclusively presumed to have consented to enforcement of this Ordinance on its property and failures by individuals to wear facial coverings or masks as required by this ordinance shall be determined to be violations and enforced as contemplated in paragraph (f).
- (f) Violations of this Section 6 may be enforced by a notice of ordinance violation issued by any police officer, code enforcement officer, or other authorized law enforcement official, as provided below:
 - (1) A person who fails to comply with paragraph (c) of Section 6 of this Ordinance shall be first given a warning and an opportunity to put on a facial covering or mask, leave the entity, or comply with one of the exceptions in paragraph (d) of Section 6.
 - (2) If the person violating this Ordinance refuses or fails to comply with this Ordinance after being given a warning pursuant to subparagraph (1) of this paragraph then such person may be subject to a civil penalty of not more than \$25.00 on the first offense and not more than \$50.00 on the second and any subsequent offenses.
 - (3) A notice of violation may be served by delivery into the hands of the suspected violator or by other reasonable process for serving notice of ordinance violations used by Athens-Clarke County.

- (4) Violations of this ordinance shall not be enforced against any entity and shall not be taken against any owner, director, officer, or agent of an entity for the failure of their customers to comply with this ordinance.
 - (5) Notwithstanding the foregoing, every effort shall be made to bring an individual into voluntary compliance with the terms of this Ordinance prior to issuance of any notice of violation, including providing complimentary masks, explaining the importance of wearing facial coverings during this pandemic, and issuing verbal and written warnings.
- (g) In all locations where facial coverings or masks are not required to be worn pursuant to this Ordinance, they are strongly encouraged to be worn.

SECTION 8.

This Ordinance shall become effective at 8:00 a.m. on the next day following the Mayor's approval, and will continue to be in effect until 11:59 p.m. on Sunday, April 11, 2021, or until it is extended, rescinded, superseded, or amended by an ordinance of the Commission.

Should any provision, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, paragraphs, sentences, or words of this Ordinance as hereby issued shall remain in full force and effect.

All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed or set aside.

SECTION 9.

Copies of this Ordinance shall be: (1) promptly posted at Athens-Clarke County City Hall, 301 College Avenue, Athens, Georgia; (2) promptly posted on the www.accgov.com website; and (3) provided to any member of the public requesting a copy of this Order.

Citizen input on items other than those listed on this agenda

The following citizen input was received.

- 1. Sam Rafal – concerned about EMS response time.

FROM MAYOR GIRTZ:

- 1. Announced proclamations will be issued recognizing participation in the Adopt-A-Highway Program.

<u>Adopting Organization</u>	<u>Location</u>
B Local Georgia	Hancock Road between Hancock Industrial Way and Winterville Road
Delta Sigma Phi	Kathwood Drive between Old Jefferson Road and Newton Bridge Road

- 2. Announced appointment of Commissioners Houle and Davenport to the EMS Oversight Committee.
- 3. Stated he will send a charge to the Inclusionary Zoning Committee.

FROM MANAGER WILLIAMS:

- 1. Received for information was a report of contracts awarded over \$10,000 for months of December 2020 and January 2021,
- 2. Announced acceptance of an ACCG Civic Affairs Foundation grant.

Commissioners stated their goal should be to work together while respecting differing opinions.

FROM COMMISSIONER EDWARDS:

1. Thanked Bill and John from Public Utilities for recent assistance.

FROM COMMISSIONER THORNTON:

1. Thanked Attorney Drake and TPW Director Decker for recent assistance.

FROM COMMISSIONER DENSON:

1. Stated TPW and Manager are reviewing Tallassee Road for vehicular safety.

A motion was made by Commissioner Denson, seconded by Commissioner Houle, to enter into executive session for an attorney/client conference to discuss threatened or pending litigation. The motion passed by unanimous vote.

The meeting adjourned at 11:45 p.m.

Clerk of Commission