

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Tuesday, April 4, 2023
6:00 p.m.
City Hall

The Unified Government of Athens-Clarke County, Georgia met this date in a special called session. Present: Mayor Pro Tempore Thornton; Commissioners Davenport, Taylor, Wright, Fisher, Houle, Culpepper, Myers, and Hamby. Mayor Girtz was absent.

The purpose of the meeting was to consider an intergovernmental agreement with the Development Authority of the Unified Government of Athens-Clarke County; amend an agenda item on judiciary request for ARPA funds; and any other item in proper order.

A motion was made by Commissioner Wright, seconded by Commissioner Fisher, to enter special called session. The motion passed by unanimous vote.

A motion was made by Commissioner Houle, seconded by Commissioner Hamby, to suspend the Rules of Commission for consideration of items of new business. The motion passed by unanimous vote.

A motion was made by Commissioner Houle, seconded by Commissioner Davenport, to amend the agenda to add the swearing-in of Commissioner-Elect Melissa Link prior to consideration of item #1. The motion passed by unanimous vote.

Probate Judge Susan Schaffer administered the Athens-Clarke County oath of office to newly elected District 2 Commissioner Melissa Link.

Public input on Item #1

There was none.

New Business- Discussion

A motion was made by Commissioner Hamby, seconded by Commissioner Houle, to:

- a) Authorize the execution of an intergovernmental agreement (IGA) between the Unified Government of Athens-Clarke County (ACCGov) and the Development Authority of the Unified Government of Athens-Clarke County (Authority) for the purposes of certain infrastructure improvements that are needed to make the project site a viable option for a potential economic development project that will develop trade, commerce, industry, and employment opportunities in Athens-Clarke County, Georgia, as per Attachment #1 in the agenda report dated March 15, 2023;
- b) Adopt the budget ordinance, which was presented by title only;
- c) Authorize Mayor and appropriate staff to execute all related documents and to allocate the capital funds based on the intergovernmental agreement.

The motion passed by unanimous vote.

Public input on Item #2

There was none.

A motion was made by Commissioner Houle, seconded by Commissioner Myers, to:

- a) Approve amending their prior approval of Superior Court's agenda item from January 11, 2022 – Judiciary Request for American Rescue Plan Act Funds through the State of Georgia Administrative Office of the Courts, as follows:
 - i. Amend the agenda item authorizing the creation of two full-time staff attorney positions (Probate and Juvenile Court) to also allow for Judicial ARPA funds to be used to hire independent contractors per U.S. Treasury guidelines, as shown in Attachment #1 of the agenda report dated March 28, 2023; and
 - ii. The Attorney's Office, pursuant to Sec. 1-9-1(c)(12) of ACCGov's personnel system, recommends that any ARPA-funded full-time/part-time employment positions be exempted from coverage under ACCGov's personnel system.

The motion passed by unanimous vote.

A motion was made by Commissioner Fisher, seconded by Commissioner Myers, to adjourn the special called session.

Acting Clerk of Commission

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Tuesday, April 4, 2023
6:15 p.m.
City Hall

The Unified Government of Athens-Clarke County, Georgia met this date in regular monthly session. Present: Mayor Pro Tempore Thornton; Commissioners Davenport, Link, Taylor, Wright, Fisher, Houle, Culpepper, Myers, and Hamby. Mayor Girtz was absent.

A motion was made by Commissioner Myers, seconded by Commissioner Houle, to approve Minutes of voting meetings of Tuesday, March 7 and Tuesday, March 21, 2023; minutes from work session of Tuesday, March 14, 2023; and minutes from agenda setting session of Tuesday, March 21, 2023.

Written communications

There were none.

Civility Pledge

Commissioner Myers recited the Civility Pledge.

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.

Public input

1. Willie Green- requested to be put on the May agenda regarding his proposal for development of a youth development facility
2. Dr. Tawana Maddox – supported expansion of youth development and violence prevention programming funding recommendations

A motion was made by Commissioner Houle, seconded by Commissioner Link, to amend the agenda to add an opportunity for general public input after the close of old business and before the Mayor Pro Tempore's report, using the usual rules of procedure regarding speakers and timing. The motion passed by unanimous vote.

A motion was made by Commissioner Hamby, seconded by Commissioner Myers, to consent to action on the following fourteen items. The motion passed by unanimous vote.

1. a) ADOPT: The following ordinance (#23-04-15), which was presented by title only, for transfer of funding from the Airport Enterprise Fund to the Grants Fund for the Runway 9-27 Extension Project to cover the project deficiency;
- b) Approve the transfer of funds from the Airport Enterprise Fund to the Grants Funds – g0611 for the Runway 9-27 Extension Project; and
- c) Authorize the Mayor and appropriate staff to execute all documentation required with this action.

AN ORDINANCE TO AMEND THE FY2023 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO TRANSFER FUNDING FROM THE AIRPORT ENTERPRISE FUND TO THE GRANTS FUND FOR THE RUNWAY 9-27 EXTENSION PROJECT TO COVER THE PROJECT DEFICIENCY; 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 Airport Enterprise Fund and Grants Fund Budgets to transfer funding from the Airport Enterprise fund to the Grants Fund for the runway 9-27 extension project to cover the project deficiency.

Said Operating & Capital budget is hereby amended as follows:

Airport Enterprise Fund:

EXPENDITURES

Increase:
Transfer to Grants Fund \$594,919

Grants Fund:

REVENUES

Increase:
Transfers from Airport Ent. Fund \$594,919

EXPENDITURES

Increase:
Airport
Capital Expenses
Runway 9-27 Extension Project \$594,919

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

2. a) ADOPT: The following ordinance (#23-04-16), which was presented by title only, to provide grant funding, if awarded, from the Georgia Governor's Office of Highway Safety (GOHS) Innovation Grants Program for expenses related to create and implement a driver and pedestrian safety training program for teens and young adults, including one additional fleet vehicle
- b) Approve the submission of an application by the Clarke County Sheriff's Office (CCSO) for the Georgia Governor's Office of Highway Safety (GOHS) Innovation Grants FY2024, as per Attachment #1 in the agenda report dated March 6, 2023;
- c) Accept the grant funds, if awarded;
- d) Authorize an increase of one (1) fleet vehicle for the Clarke County Sheriff's Office, if awarded; and
- e) Authorize the Mayor and appropriate staff to execute all documents associated with the grant award.

AN ORDINANCE TO AMEND THE FY2024 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING IF AWARDED, FROM THE GEORGIA GOVERNOR'S OFFICE OF HIGHWAY SAFETY (GOHS) INNOVATION GRANTS PROGRAM FOR EXPENSES RELATED TO CREATE AND IMPLEMENT A DRIVER AND PEDESTRIAN SAFETY TRAINING PROGRAM FOR TEENS AND YOUNG ADULTS, INCLUDING ONE ADDITIONAL FLEET VEHICLE; 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 to provide grant funding, if awarded, from the Georgia Governor's Office of Highway Safety (GOHS) Innovation Grants Program for expenses related to create and implement a driver and pedestrian safety training program for teens and young adults, including one additional fleet vehicle. Said Operating budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:

Increase:
GOHS Innovation Grant \$147,575

EXPENDITURES:

Increase:

Sheriff's Office:	
Operating Expenses	\$102,925
Capital – Vehicle	<u>\$44,650</u>
Total	\$147,575

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

3. a) ADOPT: The following ordinance (#23-04-17), which was presented by title only, so as to provide grant funding, if awarded from the Georgia Administrative Office of the Courts (AOC) for the purpose of updating the audio-visual equipment in existing courtrooms in the Western Circuit;
- b) Authorize Superior Court to submit an application for CY23 Judicial ARPA funds during the next regularly scheduled application period of April 1, 2023 to April 15, 2023 for the purpose of updating the audio-visual equipment in existing courtrooms in the Western Judicial Circuit. Grant funds would be for grant period starting May 2023 through December 31, 2023 to include the authorization and creation of two A/V positions – one position for Athens-Clarke and one for Oconee County;
- c) Authorize staff to accept the grant funds, if awarded;
- d) Authorize the Mayor and appropriate staff to execute all related documents and to allocate the budget based on the final grant award.

AN ORDINANCE TO AMEND THE FY2023 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING, IF AWARDED, FROM THE GEORGIA ADMINISTRATIVE OFFICE OF THE COURTS(AOC)FOR THE PURPOSE OF UPDATING THE AUDIO-VISUAL EQUIPMENT IN EXISTING COURTROOMS IN THE WESTERN CIRCUIT; 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 Funds Operating Budget to provide funding from Georgia AOC to update the audio-visual equipment in existing courtrooms in the Western Judicial Circuit.

Said Operating & Capital budget is hereby amended as follows:

Grants Fund:

REVENUES:

Increase:

State Grants:

Georgia AOC up to \$1,176,211

EXPENDITURES

Increase:

Superior Court (and Others) up to \$1,176,211

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

4. a) APPROVE: The proposed Parking Management Agreement, as per Attachment #1 in the agenda report dated February 27, 2023, with Athens Downtown Development Authority; and
- b) Authorize the Mayor and appropriate staff to execute all necessary documents.
5. a) APPROVE: Upgrades to the two Unified Government of Athens-Clarke County-owned Variable Frequency Drives (VFD) at the Bear Creek Reservoir in the amount of \$540,000; and
- b) Authorize the Mayor and appropriate staff to sign all documents related to the work authorization.
6. a) APPROVE: The request to exempt the wastewater connection fees at 320, 325, 330, 335, and 340 Hawthorne Extension based on Athens Land Trust (ALT) providing additional affordable housing resources of substantial benefit to the Athens-Clarke County community;

- b) Approve the request to exempt the wastewater connection fees at 250 Dublin Street based on Athens Land Trust (ALT) providing additional affordable housing resources of substantial benefit to the Athens-Clarke County community; and
 - c) Authorize the Mayor and ACCGov staff to execute all related documents.
7.
 - a) APPROVE: Appointments of Dr. John Schelhas and Ed Maioriello to fill vacant positions on the Oconee Rivers Greenway Commission beginning in January 2023, the reappointment of Dr. Jennifer Gray for a second five-year term, and the appointment of Alexandra Jane Doherty beginning February 2023 for a five-year appointment, as well as the appointments from the University of Georgia including Kristen Linthicum, Brittany Standifer, and Ben Liverman.
 8.
 - a) APPROVE: An extension of the FY23 non-profit leases for an additional six months from expiration, or until December 31, 2023; and
 - b) Authorize the Mayor and appropriate staff to execute all necessary documents.
 9.
 - a) APPROVE: The addition of one full-time Case Manager/Peer Support Specialist position for the COSSAP program in Superior Court, fully funded by the grant; and
 - b) Authorize the Mayor and appropriate staff to execute all necessary documents.
 10.
 - a) APPROVE: The Public Pedestrian Connector Acquisition Policy, as recommended by the Government Operations Commission report dated March 3, 2023.
 11.
 - a) APPROVE: The Expansion of Youth Development and Violence Prevention Programming contract award for the Athens Land Trust, as per Attachment #1 in the agenda report dated March 22, 2023, in the amount of \$48,709;
 - b) Approve the Expansion of Youth Development and Violence Prevention Programming contract award for Timothy Baptist Church for Camp Timothy, as per Attachment #1 in the agenda report dated March 22, 2023, in the amount of \$32,665;
 - c) Approve the Expansion of Youth Development and Violence Prevention Programming contract award for College Factory, as per Attachment #1 in the agenda report dated March 22, 2023, in the amount of \$52,852;
 - d) Approve the Expansion of Youth Development and Violence Prevention Programming contract award for Destined, Inc., as per Attachment #1 in the agenda report dated March 22, 2023, in the amount of \$71,550;
 - e) Approve the Expansion of Youth Development and Violence Prevention Programming contract award for Divas Who Win, as per Attachment #1 in the agenda report dated March 22, 2023, in the amount of \$40,388;
 - f) Approve the Expansion of Youth Development and Violence Prevention Programming contract award for East Athens Development Corporation, as per Attachment #1 in the agenda report dated March 22, 2023, in the amount of \$90,000; and
 - g) Authorize the Mayor and appropriate staff to execute all related contracts and documents.
 12.
 - a) APPROVE: A designation of Singer Equipment as the highest scoring firm and award of the Food and Bar Equipment Services contract to Singer Equipment for SPLOST 2020 Project 03 Classic Center Arena;
 - b) Authorize the Manager, staff, and Classic Center representatives to negotiate with Singer Equipment to develop a final Scope of Services and Fees for a not-to-exceed contract amount of \$1,500,000; and
 - c) Authorize the Mayor and appropriate staff to execute all necessary documents.
 13.
 - a) APPROVE: The recommended Project Site Selection Criteria for the Fire Station #5 Replacement (SPLOST 2020 Project #06), as shown in Attachment #1, and the proposed search area map shown in Attachment #3, as reported by the Site Selection Committee, as per the agenda report dated March 22, 2023;
 - b) Authorize the Site Selection Committee and staff to enter Stage II of the Major Project Site Selection Process to identify potential sites and subsequently develop a Candidate Site list for the Site Selection Criteria (SPLOST 2020 Project #06) to be presented for review and approval by the Mayor and Commission; and

- c) Authorize the Mayor and appropriate staff to execute all necessary documents.
14. a) ADOPT: The following resolution, which was presented by title only, to agree to participate in the national Teva, Allergan, CVS, Walgreens, and Walmart settlements and agree to be bound by an anticipated Memorandum of Understanding between the State of Georgia and Georgia Subdivisions regarding the national TEVA, Allergan, CVS, Walgreens, and Walmart settlements.

A RESOLUTION OF THE COMMISSION OF ATHENS-CLARKE COUNTY, GEORGIA (“COUNTY”) AGREEING TO PARTICIPATE IN THE NATIONAL TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART SETTLEMENTS AND AGREEING TO BE BOUND BY AN ANTICIPATED MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE OF GEORGIA AND GEORGIA SUBDIVISIONS REGARDING THE NATIONAL TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART SETTLEMENTS.

WHEREAS, the County initiated litigation against certain manufacturers and distributors of prescription opioids in *In re: National Prescription Opiate Litigation*, MDL 2804, to hold them accountable for the opioid epidemic and to seek equitable and monetary relief;

WHEREAS, Defendants Teva, Allergan, CVS, Walgreens, and Walmart have reached national settlement frameworks (collectively referred to as the “New Opioid Settlements”) with certain states, including the State of Georgia, and certain subdivisions, and Georgia subdivisions now have the option to join;

WHEREAS, the State of Georgia and certain Georgia subdivisions anticipate reaching a Memorandum of Understanding regarding the New Opioid Settlements, the purpose of which is to maximize funds available under the New Opioid Settlements and control how funds from the New Opioid Settlements are allocated between the State of Georgia and Georgia subdivisions, and the form of which is expected to be identical in all material respects to the “State of Georgia and Local Governments: Memorandum of Understanding Concerning National Distributor and Johnson & Johnson Opioid Settlements” previously agreed to by the County; and

WHEREAS, the County desires to participate in the New Opioid Settlements and intends to agree to be bound by the anticipated Memorandum of Understanding with the State of Georgia regarding the New Opioid Settlements;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF ATHENS-CLARKE COUNTY, GEORGIA, AS FOLLOWS:

Section 1. The Commission of Athens-Clarke County, Georgia, as the governing body of the County, hereby agrees to participate in the New Opioid Settlements.

Section 2. The Commission of Athens-Clarke County, Georgia, as the governing body of the County, hereby agrees to be bound by the anticipated Memorandum of Understanding with the State of Georgia regarding the New Opioid Settlements.

Section 3. The Commission of Athens-Clarke County, Georgia, hereby appoints Mayor Kelly Girtz as the duly-appointed representative of the County for the purposes of participating in the New Opioid Settlements and agreeing to be bound by the anticipated Memorandum of Understanding with the State of Georgia regarding the New Opioid Settlements.

Section 4. Once a Memorandum of Understanding with the State of Georgia has been reached regarding the New Opioid Settlements, the Commission of Athens-Clarke County, Georgia, directs the duly-appointed representative of the County to execute any document necessary to demonstrate the County’s agreement to be bound by the Memorandum of Understanding.

Section 5. Once a Memorandum of Understanding with the State of Georgia has been reached regarding the New Opioid Settlements, the Commission of Athens-Clarke County, Georgia, directs the duly-appointed representative of the County to execute the requisite Participation Forms for the New Opioid Settlements, which can be executed via DocuSign (the preferred method). For illustrative purposes, blank versions of the Participation Forms for the New Opioid Settlements are attached hereto as **Exhibit 1**.

Section 6. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 7. This Resolution shall be in full force and effect from and after its adoption as provided by law.

Family Residential –25) on 118.355 acres known as 1125 Newton Bridge Road. This will require an amendment to the Future Land Use Plan from Employment to Traditional Neighborhood. Proposed use is single family detached subdivision. Type I

Planning Commission recommendation:
Future Land Use: Approval with Conditions
Zoning: Approval with Conditions

Public input

1. Aiden Hysjulien – opposed rezoning request and future land use change for 1125 Newton Bridge Road.
2. Ellie Swensson – opposed rezoning request and future land use change for 1125 Newton Bridge Road and supported tabling the item.
3. Tiffany Hogan, representing petitioner- supported rezoning request and future land use change for 1125 Newton Bridge Road.

A motion was made by Commissioner Link, seconded by Commissioner Houle, to deny the request of Tiffany Hogan / D.R. Horton, Owner: Jane H. and William D. Young Foundation, for rezoning from E-I (Employment- Industrial with Conditions) to RS-25 (Single-Family Residential –25) on 118.355 acres known as 1125 Newton Bridge Road.

A substitute motion was made by Commissioner Fisher, seconded by Commissioner Culpepper, to **HOLD** the request of Tiffany Hogan / D.R. Horton, Owner: Jane H. and William D. Young Foundation, for rezoning from E-I (Employment- Industrial with Conditions) to RS-25 (Single-Family Residential –25) on 118.355 acres known as 1125 Newton Bridge Road for up to 40 days. The motion passed by roll call vote with Commissioners Fisher, Houle, Culpepper, Myers, Hamby, Davenport, Link, Taylor, and Wright voting YES, and no commissioners voting NO (9 Yes, 0 No).

A public hearing was held on the request of Heather Benham / Athens Land Trust, Owner: Lacy L. Johnson Trustee, for rezoning from RS-5 (Residential Single-Family-5) to RM-2 (Mixed-Density Residential-2) on 3.582 acres known as 195 Bray Street. Proposed use is multi-family. Type II

Planning Commission recommendation:
Zoning: Approval

Public input

1. Heather Benham, representing petitioner – supported request for rezoning at 195 Bray Street.
2. Lacy Johnson, owner – supported request for rezoning at 195 Bray Street.
3. Lara Mathes, President of Athens Land Trust – supported request for rezoning at 195 Bray Street.

A motion was made by Commissioner Link, seconded by Commissioner Davenport, to adopt the following ordinance (#23-04-19), which was presented by title only, to approve the request of Heather Benham/Athens Land Trust, Owner: Lacy J. Johnson Trustee, to rezone 195 Bray Street from RS-5 (Residential Single-Family) to RM-2 (Mixed-Density Residential).

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO REZONING A PARCEL OF LAND COMPRISING APPROXIMATELY 3.6 ACRES LOCATED AT 195 BRAY STREET FROM RS-5 (RESIDENTIAL SINGLE-FAMILY) TO RM-2 (MIXED-DENSITY RESIDENTIAL); 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 a parcel of land comprising approximately 3.6 acres located at 195 Bray Street from RS-5 (Residential Single-Family) to RM-2 (Mixed-Density Residential) as shown on Attachment A hereto.

Said parcel is more particularly described according to that certain document entitled “Apartments on Bray St.,” dated January 4, 2023, made by Martin Riley Associates – Architects, P.C., 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. Said parcel is known as parcel number 164A3 A008 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. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Public input on Old or New Business items

The following resident input was received in support of the ordinance agreeing for the Unified Government of Athens-Clarke County, Georgia to be covered by the Firefighter's Mediation Act unless otherwise noted.

1. Kathryn Fowler- concerned about funding for senior transportation not being recommended for funding for CDBG funding
2. Peter Norris – supported pedestrian improvements for W. Broad St. and Hancock Ave.
3. Sidney Waters
4. Kathryn Grace Farmer
5. Madison Farmer
6. Dylan Woolsey
7. Julie Jaeger
8. Brendan Dula
9. Linda Krotki
10. Jeremy Williams
11. Judy Gray
12. Tony Fouche
13. Bill Coleman
14. Gordon Rhoden
15. Connie Thompson
16. Emily Thompson, President of Professional Firefighters of Athens-Clarke County
17. Mara Zuniga
18. Nate Bailey, President of Professional Firefighters of Georgia
19. Renee Hodnett
20. Joan Rhoden
21. Haley Fouche
22. Christopher Dorsey
23. James William Faulkner
24. William Ryland
25. Raquel Durden
26. Dave Durden
27. Wendell Faulkner
28. Miguel Mendez

Old Business - Discussion

A motion was made by Commissioner Link, seconded by Commissioner Hamby, to adopt the following ordinance (#23-04-18) to approve the installation of an all-way stop at the intersection of East Broad Street at North Peter Street and South Peter Street, as shown on Attachment #1 in the agenda report dated February 20, 2023, and the removal of the warning device installed at the intersection of East Broad Street and North Peter Street and South Peter Street. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO ALL-WAY STOP CONTROL AT THE INTERSECTION OF EAST BROAD STREET AND NORTH PETER STREET AND SOUTH PETER STREET; AND FOR OTHER PURPOSES.

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

SECTION 1. Pursuant to Section 3-3-50 of the Code of Athens-Clarke County, Georgia, stop control is hereby established for all three approaches to the intersection of East Broad Street and North Peter Street and South Peter Street as shown in Attachment #1, entitled "E. Broad St. at Peter St. Proposed All-way Stop" attached hereto and incorporated herein by reference.

SECTION 2. Pursuant to Section 3-3-50 of the Code of Athens-Clarke County, Georgia, the warning device installed at the intersection of East Broad Street and North Peter Street and South Peter Street shall be removed.

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

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

- a) Approve the proposed Project Concept for SPLOST 2020 Project 16, Memorial Park Improvements Project, as provided on Attachment #1 of the agenda report dated February 28, 2023;
- b) Authorize staff to advance the "Must Have" project items to the schematic design phase, based on funding availability and in accordance with the Proposed Project Concept for SPLOST 2020 Project 16, Memorial Park Improvements Project;
- c) Approve the Athens Cultural Affairs Commission (ACAC) recommendation that SPLOST 2020 Project 16, Memorial Park Improvements be designated as appropriate for public art with a budget amount of \$35,700 (1% of the proposed construction budget); and
- d) Authorize the Mayor and appropriate staff to execute all related documents.

A motion was made by Commissioner Houle, seconded by Commissioner Myers, to adopt the ordinance agreeing for Unified Government of Athens-Clarke County, Georgia to be covered by the Firefighter's Mediation Act (O.C.G.A. Sec. 25-5-1, et seq.) so as to provide firefighters with the right to bargain collectively with the Unified Government of Athens-Clarke County, Georgia and to be represented by a labor organization in such collective bargaining as to wages, rates of pay, hours, working conditions, and all other terms and conditions of employment.

A substitute motion was made by Commissioner Fisher, seconded by Commissioner Culpepper, to HOLD the vote on the Firefighters Mediation Act until June 6, 2023 Regular Voting Session and ask staff to present a work session for the Mayor and Commission on May 9, 2023 related to the employee engagement plan that the Manager is in the process of implementing. This work session should give the Mayor and Commission an opportunity to hear the details of the Manager's employee outreach plan and to ask questions regarding the plan, especially as it relates to specific employee outreach initiatives being implemented to address the concerns being expressed to commissioners by the Athens-Clarke County firefighters.

A motion was made by Commissioner Houle, seconded by Commissioner Myers, to divide the question. Commissioner Houle withdrew their motion to divide the question.

A motion was made by Commissioner Fisher to call the question. The motion failed due to lack of a second.

Commissioner Fisher withdrew his substitute motion.

A substitute motion was made by Commissioner Fisher, seconded by Commissioner Hamby, to HOLD the vote on the Firefighters Mediation Act until June 6, 2023 Regular Voting Session and to ask the staff to present a Work Session for the commissioners in May and also give the Professional Firefighters of Athens-Clarke County Local 2795 the chance to present at the May 9, 2023 Work Session also. This will give both the County and the Firefighters an opportunity to present their presentation and for the Commissioners to ask questions during the Work Session. The motion passed by roll call vote with Commissioners Fisher, Houle, Culpepper, Myers, Hamby, Davenport, Link, Taylor, and Wright voting YES, and no commissioners voting NO (9 Yes, 0 No).

A motion was made by Commissioner Myers, seconded by Commissioner Link, to:

- a) Authorize an appropriation of \$5,500,000 for the FY 23 Water Line Upgrades;
- b) Award a unit price construction work order to the apparent low bidder, Strickland and Sons Pipeline Inc. for \$2,521,198;
- c) Award a unit price construction work order to the apparent second lowest bidder, RDJE, Inc. for \$2,477,657;
- d) Authorize staff to approve project change orders that do not collectively exceed the overall appropriation of \$5,500,000;
- e) Approve a one-year extension to the current RDJE On-call Water Line construction contract; and
- f) Authorize the Mayor and appropriate staff to execute all related contract documents.

The motion passed by unanimous vote.

A motion was made by Commissioner Wright, seconded by Commissioner Link, to:

- a) Approve the TSPLOST 2018, Project 13, W. Broad Area Pedestrian Improvements Sub-Project #1, Preliminary Plans and Rights-of-Way (ROW) Plans for the Roundabout at W. Broad St. and W. Hancock Ave., as generally shown on Attachment #1 in the agenda report dated February 28, 2023;
- b) Authorize staff to advance the Preliminary Plans for TSPLOST 2018, Project 13, W. Broad Area Pedestrian Improvements Sub-Project #1, Preliminary Plans, as generally shown on Attachment #1, to the Final Design, ROW Acquisition, and Construction Advertisement Phases following the Georgia Department of Transportation (GDOT) Plan Development Process for State Funded Projects;
- c) Authorize the Mayor and appropriate staff to continue using the on-call designers, Alfred Benesch & Company (Benesch), to continue advancing the project into the Final Design Phase as required by GDOT, for a not to exceed contract in the amount of \$50,000;
- d) Authorize the Mayor and appropriate staff to utilize Benesch to perform the ROW Acquisition phase services as required by GDOT, with hourly rate design services contract in the amount not to exceed \$350,000; and
- e) Authorize Mayor and appropriate staff to execute all related documents.

The motion passed by unanimous vote.

A motion was made by Commissioner Hamby, seconded by Commissioner Myers, to:

- a) Approve the proposed FY24 Annual Action Plan IV for submission to HUD as shown in Attachment #1 of the agenda report dated February 10, 2023;
- b) Authorize acceptance of the associated HUD Grant Awards;
- c) Authorize FY24 carryforward subrecipient balances and authorize allocation of remaining reprogrammable funds for public facilities and improvements projects; and
- d) Authorize the Mayor and appropriate ACCGov staff to execute all related contracts and documents.

The motion passed by unanimous vote.

A motion was made by Commissioner Hamby, seconded by Commissioner Fisher, to:

- a) Approve the list of roadways and associated maintenance activities recommended for the CY23 Pavement Maintenance Program (PMP) project, as shown in Attachment #1 of the agenda report dated March 29, 2023;
- b) Adopt the Project Resolution, as shown in Attachment #2, authorizing the Mayor and appropriate staff to sign all related contracts, documents, and certifications associated with funding for this project;
- c) Authorize the Mayor to execute a one-year extension to the construction contract with Pittman Construction Company, Inc. for the CY23 PMP project at a cost not to exceed \$7,324,779.92; and
- d) Authorize Mayor and appropriate staff to execute all related documents.

The motion passed by unanimous vote.

A motion was made by Commissioner Hamby, seconded by Commissioner Myers, to:

- a) Approve the Intergovernmental Agreement between the Tax Commissioner, the Unified Government of Athens-Clarke County (ACCGov), and the City of Winterville for Collection of Municipal Ad Valorem Taxes, as shown in Attachment #1 in agenda report dated April 4, 2023, and
- b) Authorize the Mayor and other relevant officials to execute the necessary and related documentation.

The motion passed by unanimous vote.

A motion was made by Commissioner Houle, seconded by Commissioner Hamby, to:

- a) Approve the Intergovernmental Agreement between the Tax Commissioner, the Unified

Government of Athens-Clarke County (ACCGov), and the Town of Bogart for Collection of Municipal Ad Valorem Taxes, as per Attachment #1 in the agenda report dated April 4, 2023, and

- b) Authorize the Mayor and other relevant officials to execute the necessary and related documentation.

The motion passed by unanimous vote.

Commissioner Wright left the Chamber at 9:41 p.m.

Public input on items other than those listed on this agenda

1. Danielle Calenti – opposes hosting July 4th fireworks display at the Airport due to its proximity to the animal shelter
2. Dylan Woolsey– shared that there may not be as much public input at June 6, 2023 meeting for the firefighter ordinance; however, he hopes it is known by the commission that the support will still remain.
3. Broderick Flanigan- opposes hosting July 4th fireworks display at the Airport due to its proximity to the animal shelter.

FROM MAYOR PRO TEMPORE THORNTON:

1. Acting Clerk Sarah George announced the following Adopt-a-Highway Proclamations on behalf of Mayor Girtz:
 - a. Athens Area Democratic Socialists of America adopted Vine Street (between Peter St. and Nellie B. Ave.) and Nellie B. Avenue (between Vine St. and Winterville Rd.) for a total of 1.0 miles;
 - b. Creature Comforts Brewing Company adopted the four Chase Street GA. Loop 10 on/off ramps for a total of 0.5 miles;
 - c. Mi Familia Vota adopted Baxter Street (between Alps Rd and Columbus Ave.) for a total of 0.8 miles; and
 - d. On-Line Instrument Systems, Inc. adopted Whitehead Road (between Tallassee Rd. and Jefferson Rd.) for a total of 1.55 miles.
2. On April 14, they will be holding the second annual Fair Housing Conference. Staff from Senator Warnock's team, professional architects, and other experts will be in attendance. ACCGov staff will also be present to discuss zoning.

FROM MANAGER WILLIAMS:

1. Contract awards in excess of \$10,000 for the month of February 2023

FROM COMMISSIONER HOULE:

1. Shared there are ten openings on six Boards, Authorities, and Commissions. Encouraged residents to apply at accgov.com/bacs.
2. Noted that Housing & Community Development Department has put together a couple of workshops for Fair Housing month on April 6 and April 13.
3. Shared the Federation of Neighborhoods will be hosting a panel discussion focused on the mall redevelopment on April 10 at Ciné
4. Explained the next District 6 Community Cleanup will be held on April 23rd. It will focus on Lavender Road, and they will be partnering with Christine Buice, Neighborhood Leader.
5. Shared that the next District 6 Town Hall will be held on May 22 from 6:00 p.m. – 8:00 p.m. at the Cooperative Extension building.

FROM COMMISSIONER MYERS:

1. Expressed gratitude for staff for the Local Road Safety Plan session held by Transportation & Public Works staff.
2. Shared gratitude for a neighborhood group that is forming to work on beautification and sense of place on the east side.
3. Thanked Leisure Services for the Firefly Latin parade.

4. Noted that the opening of the Firefly bridge over Trail Creek will be held on April 20 at 4:00 p.m.

FROM COMMISSIONER HAMBY:

1. Expressed gratitude to David Linder and Tina Vickery for their help with the Development Authority.
2. Requested staff consider that there may need to be an extra trip by Solid Waste to pick up all the debris left behind by the microburst.
3. Congratulated Commissioner Link.

FROM COMMISSIONER DAVENPORT:

1. Welcomed Commissioner Link back.
2. Shared gratitude for Mayor Pro Tempore Thornton for helping with the meeting.
3. Expressed gratitude for Commissioner Taylor, Mike Mathews, and Airport staff for providing a private tour for Representative Collins.
4. Shared that he was very proud of ACCGov staff and the work that is done.

FROM COMMISSIONER LINK:

1. Expressed gratitude for individuals that helped her on her reelection campaign.
2. Shared gratitude for the Local Road Safety Plan session held by Transportation & Public Works staff.

FROM COMMISSIONER TAYLOR:

1. Shared that Mayor Pro Tempore did a great job during the meeting.

FROM COMMISSIONER FISHER:

1. Shared that the Publix on Jefferson Road will be having a grand opening on April 5.
2. Noted that CCSD will be hosting a town hall on April 11.
3. Shared that he and Commissioner Myers will be beginning Interviews for Internal Auditor beginning on April 14.

A motion was made by Commissioner Hamby, seconded by Commissioner Davenport, to adjourn. The motion passed by unanimous vote.

The meeting adjourned at 10:13 p.m.

Acting Clerk of Commission