

# ATLANTA CITY COUNCIL

## ACTION/MINUTES

### OCTOBER 21, 2002

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, October 21, 2002. The Meeting convened at 1:00 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

**PRESIDER:** **The Honorable Cathy Woolard, Council President** presided. **The Honorable Cleta Winslow, Council President Pro-Temp** presided a portion of the meeting.

**Attendance:**

The following (15) voting members were present at the Meeting:

<b>The Honorable Carla Smith</b>	<b>The Honorable Felicia Moore</b>
<b>The Honorable Debi Starnes</b>	<b>The Honorable C. T. Martin</b>
<b>The Honorable Ivory Lee Young, Jr.</b>	<b>The Honorable Jim Maddox</b>
<b>The Honorable Cleta Winslow</b>	<b>The Honorable Derrick Boazman</b>
<b>The Honorable Natalyn Mosby Archibong</b>	<b>The Honorable Ceasar C. Mitchell</b>
<b>The Honorable Anne Fauver</b>	<b>The Honorable Mary Norwood</b>
<b>The Honorable Charles Howard Shook</b>	<b>The Honorable H. Lamar Willis</b>
<b>The Honorable Clair Muller</b>	

**INVOCATION:** **Thomas E. Houston** of the Atlanta Fire Department Chaplaincy Program gave the invocation.

**PLEDGE OF ALLEGIANCE:** **In unison**, the **Council** recited the Pledge of Allegiance to the flag of the United States of America.

**REPORT OF THE JOURNAL:** **Mrs. Rhonda Dauphin Johnson, Municipal Clerk**, certified to the Council and the Committee on Council, that the **Action/Minutes** of the **October 07, 2002** Regular Meeting of the Atlanta City Council are true and correct. The Minutes were **FILED** without objection.

**THE ADOPTION OF THE AGENDA:** The **Agenda** for the **October 21, 2002** meeting was **ADOPTED** without objection.

# COMMUNICATIONS

Council President Cathy Woolard Presided

**COMMUNICATIONS**

- 02-C-1865 ( 1) A Communication by **Councilmember Cleta Winslow** submitting her nomination of Mrs. Carolyn Long Banks to serve as a member of the Atlanta Commission of Women. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 02-C-1866 ( 2) A Communication by **Councilmember Derrick Boazman** submitting his nomination to re-appoint Mrs. Olivia Parks Woods to serve as a member of the Atlanta Commission on Women. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 02-C-1867 ( 3) A Communication by **Councilmembers Clair Muller, Howard Shook and Mary Norwood** submitting their nomination of Mr. Abe J. Schear to fill the attorney position on the Urban Design Commission.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**
- 02-C-1868 ( 4) A Communication by **Felicia Strong-Whitaker**, Director for the Bureau of Purchasing and Real Estate submitting the monthly contract status report for September 2002 to the Atlanta City Council and Clerk of Council in accordance with Section 2-1142 of the Code of Ordinances for the City of Atlanta.  
**FILED WITHOUT OBJECTION**
- 02-C-1899 ( 5) A Communication by **Mayor Shirley Franklin** appointing Mr. Adam L. Smith as Chief Procurement Officer for the City of Atlanta.  
**REFERRED TO FINANCE/EXECUTIVE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**

# **VETOED LEGISLATION**

**Council President Cathy Woolard Presided**

**VETOED LEGISLATION**

**NONE**

# **UNFINISHED BUSINESS**

Council President Cathy Woolard Presided

**UNFINISHED BUSINESS**

02-O-0883 ( 1)  
CDP-02-15

An **Amended** Ordinance by **Community Development/ Human Resources Committee** to amend the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **54 and 34 Fairburn Road, SW**, from the “Single Family Residential” Land Use Designation to the “Low Density Commercial” Land Use Designation; and for other purposes. **(Public Hearing held on 6/10/02) (Favorable by CD/HR Committee 6/11/02)**

NPU-H

Council District 10

**Councilmember Martin made a Motion for the above item to remain on the Table. It was properly Seconded and CARRIED Without Objection.**

**TABLED AS AMENDED WITHOUT OBJECTION**

02-O-0477 ( 2)  
Z-02-13

A **Substitute** Ordinance by **Zoning Committee** to rezone from the RG-2 (Residential General-Sector 2) District to the C-1 (Community Business) District, property located at **18-34-54 Fairburn Road, SW**, fronting 406.32 feet on the east side of Fairburn Road beginning 243.2 feet south from the southeast corner of Martin Luther King, Jr. Drive.

Depth: Varies  
Area: 2.19 Acres More or Less  
Land Lot: 243, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Dwight Jackson  
Applicant: Byron Washington  
NPU-H Council District 10

**Councilmember Martin made a Motion for the above item to remain on the Table. It was properly Seconded and CARRIED Without Objection.**

**TABLED SUBSTITUTE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**UNFINISHED BUSINESS (CONT'D)**

02-O-0083 ( 3) An Ordinance by **Councilmember Clair Muller as Substituted #2 by Finance/Executive Committee** amending Section 2-1292 of the City's Code of Ordinances to clarify procedures for authorizing the City's Purchasing Agent's execution of contract modifications and change orders to City contracts; to clarify certain errors and inconsistencies in the Code Section; and for other purposes.

**Councilmember Muller made a Motion for the above item to remain on the Table. It was properly Seconded and the Motion CARRIED Without Objection.**

**TABLED SUBSTITUTE WITHOUT OBJECTION**



**CONSENT AGENDA  
SECTION I**

Council President Cathy Woolard Presided

**CONSENT AGENDA**

There was no separate discussion of the following items with the exception of items 02-O-1643, 02-O-1795, 02-R-1803 and 02-R-1729, which were removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **12 Yeas:** *Councilmembers Smith, Starnes, Young, Winslow, Archibong, Shook, Muller, Moore, Maddox, Mitchell, Norwood and Willis* **0 Nays.**

**SECTION I**

**ORDINANCES FOR SECOND READING**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**CEASAR C. MITCHELL, CHAIR**

02-O-1368 ( 1) A **Substitute** Ordinance by **Public Safety and Legal Administration Committee** authorizing the Mayor or her designee to execute employment contracts with nine (9) retired Atlanta Police Officers and five (5) Security Guards to serve at the City of Atlanta Municipal Court, for a total cost to the City not to exceed \$116,275.00 to be charged to and paid from Account No. 1A01 524001 S11001; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-O-1710 ( 2) An Ordinance by **Public Safety and Legal Administration Committee** authorizing settlement of all claims of Gustaf Lindstrom Welch, in the case of Welch V. Crawford, Civil Action File No. 2000CV03686D, in the State Court of Clayton County, State of Georgia, to cause payment to be made in the amount of \$57,500.00; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**TRANSPORTATION COMMITTEE**

**H. LAMAR WILLIS, CHAIR**

- 02-O-1674 ( 3) A Ordinance by **Transportation Committee** amending the 2002 (Airport Passenger Facility Charge Fund) Budget by transferring to and from appropriations the amount of \$38,315,118.00 to provide adequate funding for the Architectural and Engineering (A&E) Design Services for Concourse "E" Expansion and Landside Access (CEELA) for the Hartsfield Atlanta International Airport; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**

**FINANCE/EXECUTIVE COMMITTEE**

**FELICIA A. MOORE, CHAIR**

- 02-O-1643 ( 4) A **Substitute** Ordinance by **Finance/Executive Committee as Amended** to authorize the Director of the Bureau of Purchasing to purchase approximately 100 acres in the City of Atlanta known as the Lionel Hampton Tract, whereas the total price of acquisition is \$1,650,000.00 for the purposes set forth in the City of Atlanta Community Greenspace Program Application and the Supplemental Environmental Project (SEP) pursuant to the Consent Decree; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Martin.**

**SEE FINANCE/EXECUTIVE COMMITTEE REPORT**

- 02-O-1645 ( 5) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to refund \$13,354.91 to Ansley Monroe Corporation for overpayment of year 2000 Sanitary Service Charges for 269 Parcels located at 1616 Piedmont Avenue.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**
- 02-O-1646 ( 6) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to refund \$6,808.18 to John S. Gumperts for overpayment of 2001 Sanitary Service Charges located at 3924 Paces Ferry Road.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**FELICIA A. MOORE, CHAIR**

- 02-O-1647 ( 7)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer, to refund \$22,267.12 to Countrywide Tax Service for overpayment of 2001 Sanitary Service Charges for parcels located at 323 8<sup>th</sup> Street, #7, 890 Glendale Terrace-Units 1 and 3 and 668 Park Village Drive.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-O-1648 ( 8)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to refund \$76,860.61 to H. J. Russell, owners of Central Methodist Two, Inc., for overpayment of the years 2000 and prior Sanitary Service Charges.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-O-1672 ( 9)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to refund \$101,970.08 to H, J. Russell, for overpayment of years 2000 and 1999 Sanitary Service Charges for 160 parcels located at 2591 Etheridge Drive.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-O-1726 (10)      An Ordinance by **Finance/Executive Committee** to amend Ordinance No. 02-O-0791 which made certain clarifications to Ordinance No. 01-O-0064 establishing the City of Atlanta's Defined Contribution Retirement Plan, the purpose of this amendment being to make a further clarification to said plan with respect to officers' or employees' eligibility to continue their participation in the City's previously Approved Defined Benefit Plan (i.e. The General Employees Pension Fund); to repeal conflicting ordinances; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**FELICIA A. MOORE, CHAIR**

- 02-O-1728 (11) An Ordinance by **Finance/Executive Committee** to amend Subsection (a) of Section 114-363 of the Code of Ordinances of the City of Atlanta, Georgia, so as to add "separation" from city employment under certain conditions as an additional factor which would cause the three year reemployment rights period to apply to any employee so separated; to repeal conflicting ordinances; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 02-O-1776 (12) An Ordinance by **Councilmember Natalyn Mosby Archibong** transferring \$763.98 from the District Five Tire Abatement Expense Account to the District Five Operating Expense Account; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 02-O-1779 (13) An Ordinance by **Councilmembers Ivory Lee Young and Cleta Winslow as Substituted by Finance/Executive Committee** amending the 2002 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations the amounts of \$436,037.00 from the Georgia Emergency Management Agency and \$10,000.00 from the Fannie Mae Foundation a total of \$446,037.00 in order to provide relief and assistance to residents of the City of Atlanta impacted by storm damage during the weekend of September 20-22, 2002; and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 02-O-1781 (14) An Ordinance by **Councilmembers Cleta Winslow, Ivory Lee Young and Ceasar C. Mitchell as Amended by Finance/Executive Committee** to amend the 2002 (Trust Fund) Budget by transferring appropriations in the amount of \$290,391.32 to establish the "Flood Disaster Relief" Fund implemented by the City of Atlanta; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**FELICIA A. MOORE, CHAIR**

02-O-1783 (15) An Ordinance by **Councilmember Ceasar C. Mitchell as Amended by Finance/Executive Committee** to amend Chapter Two, Section 2-220 of the Code of Ordinances related to the appointment and removal of Deputy Commissioners, Assistant Commissioners, Bureau Directors and Office Heads so as to be consistent with Section 3-305 of the Charter, 1996 Ga. Laws P 4469, et seq.; to repeal conflicting ordinances; and for other purposes.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-O-1790 (16) An Ordinance by **Councilmember Felicia Moore** to amend the 2002 (Intergovernmental Service Fund) Budget, Bureau of Motor Transport Services, by adding to anticipations and appropriations in the amount of \$1,100,000.00; to provide additional operating funds for the Bureau of Motor Transport Services; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-O-1791 (17) An Ordinance by **Councilmember Felicia Moore** to amend the 2002 (Internal Service Fund) Budget, Non-Departmental and Bureau of Management Information Services, by transferring appropriations in the amount of \$1,250,000.00 to provide for proper budgeting and accounting for expenses of the Bureau of Management Information Services; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**FELICIA A. MOORE, CHAIR**

02-O-1795 (18) An Ordinance by **Councilmembers Derrick Boazman, Felicia A. Moore, Jim Maddox, Ivory Lee Young, Jr., H. Lamar Willis, Carla Smith, Ceasar C. Mitchell, Howard Shook, Natalyn Mosby Archibong, Anne Fauver, Debi Starnes and Clair Muller as Substituted by Finance/Executive Committee** amending the 2002 (Intergovernmental Grant Fund) Budget, Department of the Mayor by adding to anticipations and appropriations in the amount of \$1,000,101.00 from the Governor's Office of Community Affairs Emergency Grant and Local Assistance Grant Funds for Senior Citizens Center, the City of Atlanta/Old Fourth Ward Neighborhood, Progressive Hope House, Morehouse College, West Fulton Family Support Center, Kids In Discovery of Self, Morris Brown College, Jericho Road Project, Vine City Health and Housing Ministry, Trinity House, Southwest YMCA, Southside Cultural Awareness, Piedmont Park, Reynoldstown Community, Pittsburgh Community Improvement Association, Nonprofits, Inc., National Black Arts Festival, City of Atlanta/Iverson Park, Georgia Coalition on Hunger, Community Care, David T. Howard National Alumni Association, Clark Atlanta University, City of Atlanta/Dunbar Neighborhood Center, Cascade United Methodist Community Outreach Program, Cascade Leadership Institute, City of Atlanta/Candler Park, Butler Street YMCA/Westside Branch, City of Atlanta/Bureau of Cultural Affairs, Atlanta Health Ministries, Antioch Urban Ministries, City of Atlanta/Atlanta Fire Department, Simpson Road House of Hope; City of Atlanta/Department of Parks and Recreation – Garden Hills; to authorize the Mayor to sign all necessary grant agreements; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Moore.**

**SEE FINANCE/EXECUTIVE COMMITTEE REPORT**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**CLETA WINSLOW, CHAIR**

02-O-1661 (19) A **Substitute** Ordinance by **Community Development/Human Resources Committee** amending the 2002 (Community Development Fund) Budget by transferring appropriations in the amount of \$23,000.00 from various project closeouts to cover the Low Bid for CD-708, Gilbert House Improvements; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-O-1793 (20) An Ordinance by **Councilmembers Felicia A. Moore, Cleta Winslow, Derrick Boazman, Ivory Lee Young, Jr., Mary Norwood, H. Lamar Willis, Debi Starnes, Howard Shook and Ceasar C. Mitchell** to provide for the notification of property owner of Comprehensive Development Plan Amendment; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-O-1584 (21) An Ordinance by **Councilmembers Debi Starnes, Howard Shook, Derrick Boazman, C. T. Martin, H. Lamar Willis, Mary Norwood, Carla Smith, Ceasar C. Mitchell and Jim Maddox** to amend Section 8-2094(c) of the Code of Ordinances of the City of Atlanta, Georgia (The Atlanta Commercial, Institutional and Industrial Building Maintenance Code, hereinafter, the "The Code") so as to impose minimum penalties for the violation thereof; to repeal conflicting ordinances; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-O-1636 (22) An Ordinance by **Councilmembers Felicia A. Moore and H. Lamar Willis** as **Substituted** by **Community Development/Human Resources Committee** amending the 2002 (Community Development Fund) Budget by transferring \$200,000.00 from CD-645, Homeownership Assistance Program and \$63,000.00 from CD-07, Housing Rehabilitation Administration to Fund CD-610, Housing/Demolition/Reclamation; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**



Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**CITY UTILITIES COMMITTEE**  
**CLAIR MULLER, CHAIR**

- 02-O-1788 (23) An Ordinance by **Councilmember Debi Starnes** authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph seven (7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to the National Collegiate Athletic Association (NCAA); and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

**RESOLUTIONS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**  
**CEASAR C. MITCHELL, CHAIR**

- 02-R-1176 ( 1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to apply for and, once approved, accept from the Edward Byrne Memorial Grant Program, a grant for Criminal Justice Records Improvements (CJRI) in the amount of \$62,808.00; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-R-1736 ( 2) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to apply for and accept a Grant from the U. S. Department of Justice in the amount of \$250,000.00 for a program in collaboration with Morris Brown College to reduce gun violence in the neighborhood surrounding Morris Brown College in conjunction with the U. S. Attorney's Project Safe Neighborhoods Initiative and the Atlanta Police Department Comprehensive Homicide Initiative; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**CEASAR C. MITCHELL, CHAIR**

02-R-1737 ( 3) An **Amended** Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into agreement FC-7096-99B with Wrecker Services for vehicles over two (2) tons with Hi-Class Towing Services, Inc., for Zones 1, 2, and 5; all work for said contracts shall be paid to Fund, Account and Center Number: Towing 1A01 462316 B00001, Sales Overages: 1A01 469101 B0001.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-R-1745 ( 4) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to apply for and accept a grant from the Governor's Office of Highway Safety Programs in the amount of \$50,000.00 for a program in collaboration with Fulton County to improve pedestrian safety in the Atlanta area, and for other purpose.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-R-1769 ( 5) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of the claim of Joyce Elaine Walker in the amount of \$4,500.00 against the City of Atlanta.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**TRANSPORTATION COMMITTEE**

**H. LAMAR WILLIS, CHAIR**

02-R-1716 ( 6) An **Amended** Resolution by **Transportation Committee** authorizing the Mayor to execute an appropriate contractual agreement for FC-7320-01, Architectural and Engineering Design Services for Concourse "E" Expansion and Landside Access (CEELA) RFP with a Joint Venture comprised of Leo A. Daly/Khafra Engineering Consultants, Browder + Leguizmon & Associates and Anthony C. Baker Architects & Planners, to provide Architectural and Engineering Design Services for Concourse "E" Expansion and Landside Access for the Department of Aviation in accomplishing the Capital Expansion Program and other Passenger and Facility Improvements at Hartsfield Atlanta International Airport in an amount not to exceed \$38,315,118.00. All contracted work shall be charged to and paid from Various Fund, Account and Center Numbers; and for other purposes.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-R-1740 ( 7) A Resolution by **Transportation Committee** giving consent and approval of the sublease between Delta Air Lines, Inc., as Landlord and the United States of America (USA) Federal Aviation Administration (FAA), as tenant, for a portion of that land known as the Delta General Office located at 1030 Delta Boulevard in Fulton County, City of Atlanta, Georgia; authorizing the Aviation General Manager to execute an appropriate instrument evidencing such consent and approval on behalf of the City of Atlanta, the Ground Lease Landlord; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE**

**FELICIA A. MOORE, CHAIR**

02-R-1735 ( 8) An **Amended** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Wayne Evans Auction Company, for FC-7424-02, Auctioneer and Auctioneering related services on behalf of the Department of Administrative Services. The contract is revenue generating. All revenues generated under this contract shall be deposited into various Fund Account Centers.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-R-1797 ( 9) A Resolution by **Finance/Executive Committee** authorizing the Mayor or her designee to amend the Master Lease Agreement with Powertel/Atlanta, Inc., to add City Hall South to the Master Lease Site Lease; and to co-locate on City Hall South certain antennas and communication equipment in the leased space; and for other purposes; all revenue generated plus escalations as called for in the Master Lease Agreement shall be deposited into the General Fund, Account and Center Number 1A01 462201 B00001.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-R-1800 (10) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute an Appropriate Contractual Agreement for FC-7442-02-A, Financial Collection Agencies (RFP) with ACS State and Local Solutions, to provide financial collection services for delinquent account receivables on behalf of the Department of Finance; all funds shall be deposited in Fund, Account and Center Numbers.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**CLETA WINSLOW, CHAIR**

02-R-1663 (11) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into Change Order #1 with Capricorn Construction Company, Inc., for FC-7154-99, Anderson Park Recreation Center Improvements, on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$318,937.50; all contracted work shall be charged to and paid from Fund, Account and Center Numbers: 1C22 573001 N12D09B69999 (\$298,710.89); and 3P02 521105 N11S0609QNA0 (\$20,226.61); and for other purposes.  
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-R-1729 (12) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to apply for and accept grant funds from the Georgia Greenspace Program; adopting the City of Atlanta's portion of Fulton and DeKalb Counties' Greenspace Programs; authorizing the Mayor to submit the program application to Fulton and DeKalb Counties and to the Georgia Department of Natural Resources; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Winslow.**

**SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE REPORT**

02-R-1780 (13) A Resolution by **Councilmembers Cleta Winslow, Ivory L. Young, Jr. and Cesar C. Mitchell** authorizing the Mayor to design a plan for rehabilitation of storm damaged neighborhoods; authorizing the Mayor to identify and reallocate financial resources for the rehabilitation project; authorizing the Mayor and Chief Financial Officer to identify unencumbered funds for reallocation to relief efforts in an amount not to exceed \$5.25 million; authorizing the Mayor to continue to seek federal, state and private financial assistance for this effort; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**CLETA WINSLOW, CHAIR**

02-R-1802 (14) A Resolution by **Community Development/Human Resources Committee** scheduling a Public Hearing in connection with the proposed adoption of the Princeton Lakes Redevelopment Plan and creation of Tax Allocation District Number Four – Princeton Lakes; to establish the purpose of said Public Hearing; to direct the Municipal Clerk to advertise the Public Hearing; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**

02-R-1803 (15) A Resolution by **Community Development/Human Resources Committee** scheduling a Public Hearing in connection with the proposed adoption of the Heman E. Perry Redevelopment Plan and creation of Tax Allocation District Number Three – Heman E. Perry; to establish the purpose of said Public Hearing; to direct the Municipal Clerk to advertise the Public Hearing; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Moore.**

**SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES  
COMMITTEE REPORT**

**CITY UTILITIES COMMITTEE**  
**CLAIR MULLER, CHAIR**

02-R-1588 (16) A Resolution by **Councilmember Clair Muller as Substituted and Amended by City Utilities Committee** authorizing the Mayor or designee to enter into an appropriate contractual agreement with Brown and Caldwell for FC-7401-02, Long Term Wastewater System Master Plan on behalf of the Department of Watershed Management in an amount not to exceed \$3,500,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J27 524001 M24I22029999.

**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A  
ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**CITY UTILITIES COMMITTEE (CONT'D)**

**CLAIR MULLER, CHAIR**

02-R-1773 (17) A Resolution by **Councilmember Clair Muller as Amended by City Utilities Committee** authorizing reimbursement to the City for work undertaken by a City Contractor to relocate an existing sewer line at 2586 Habersham Road by the City's acceptance of a check (#8809828533) in the amount of \$13,758.86 from Weidmann & Associates, Inc., to be deposited in Fund, Account and Center Number: 2J24 469116 M24I02109999; further authorizing the City to accept a relocated sewer easement and to execute and deliver to the owners of 2586 Habersham Road any documents necessary to evidence the City's relinquishment of the prior sewer easement and acceptance of the new sewer easement; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-R-1787 (18) A Resolution by **Councilmember Debi Starnes** to authorize the City of Atlanta to accept from Midtown Alliance the Donation of Thirteen Trash Cans and their installation in the public-right-of-way in various designated places within the City, at no cost to the City; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-R-1799 (19) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an Encroachment Agreement with PPM Consultants, Inc., or its designee(s) for the installation of private utility facilities crossing under Cheshire Bridge Road in the City of Atlanta; and for other purposes.  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**  
**CEASAR C. MITCHELL, CHAIR**

**Claims with Favorable Recommendations:**

- 02-R-1760 ( 1) Claim of **Renae Westbrook**, for damages alleged to have been sustained as a result of vehicular damages from an automobile accident on August 24, 2002 at Ashby Street and Sells Avenue, SW. **\$1,894.39**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-R-1761 ( 2) Claim of **Larry J. Ferrell, through his attorney, James D. Hollingsworth**, for damages alleged to have been sustained as a result of a vehicular accident on October 30, 2001 at Courtland Avenue and Ellis Street. **\$2,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-R-1762 ( 3) Claim of **Daniel Lowe, through his attorney, William S. Sarandis**, for damages alleged to have been sustained as a result of a vehicular accident on March 4, 2002 at Martin Luther King, Jr. and James P. Brawley Drives. **\$2,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-R-1763 ( 4) Claim of **Clyde Moore**, for damages alleged to have been sustained as a result of a vehicular accident on September 9, 2002 at 230 Forsyth Street. **\$1,058.44**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-R-1764 ( 5) Claim of **Keith I. Minton**, for damages alleged to have been sustained when a limb fell from a tree located in the public right-of-way and struck the trunk of a vehicle on June 3, 2002 at 658 Killian Street. **\$612.73**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**



Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**CEASAR C. MITCHELL, CHAIR**

**Claims with Favorable Recommendations: (Cont'd)**

02-R-1765 ( 6) Claim of **Rodney Jones, through his attorney, Betty B. Walker**, for damages alleged to have been sustained as a result of a vehicular accident on August 5, 2002 at R. D. Abernathy Boulevard, SW and Central Avenue, SW. **\$2,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

02-R-1766 ( 7) Claim of **Clarence E. Roberson**, for damages alleged to have been sustained as a result of an automobile accident on August 5, 2002 at 1300 South Loop Road. **\$1,132.82**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

02-R-1767 ( 8) Claim of **Raymond Gray**, for damages alleged to have been sustained as a result of an automobile accident on July 28, 2002 at 61 Peachtree Street. **\$1,065.66**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

02-R-1768 ( 9) Claim of **Alvin Calloway, through his attorney, Betty B. Walker** for damages alleged to have been sustained as a result of a vehicular accident on August 5, 2002 at R. D. Abernathy Boulevard, SW and Central Avenue, SW. **\$2,000.00**  
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

**Claims with Unfavorable Recommendations:**

02-R-1746 (10) Claim of **Georgia Power Company, c/o David Wood**, for damages alleged to have been sustained as a result of damage to an underground cable during excavation on October 4, 2001 at 1455 Helen Lane.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**CEASAR C. MITCHELL, CHAIR**

**Claims with Unfavorable Recommendations: (Cont'd)**

- 02-R-1747 (11) Claim of **Ernest P. Jones, through his attorney, Dustin S. Tapps**, for damages alleged to have been sustained as a result of personal injuries on May 10, 2002 at the Socks Factory in Griffin, Georgia.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-R-1748 (12) Claim of **Deirdre Haynes**, for damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on September 10, 2001 at Auburn Avenue and Courtland Street.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-R-1749 (13) Claim of **Kamal Mansour, MD**, for damages alleged to have been sustained as a result of sewer construction on June 15, 2002 at 823 Lullwater Parkway, NE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-R-1750 (14) Claim of **Jennifer L. Middlebrooks**, for damages alleged to have been sustained from driving over a stake that was left on the side of a driveway by the City on March 29, 2002 at 256 Springside Drive, SE.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**
- 02-R-1751 (15) Claim of **Fireman's Fund Insurance Company, as subrogee of LeSaint Logistics, Inc., through their agent Craig/IS Ltd.**, for damages alleged to have been sustained as a result of property damage due to an undisclosed event on February 12, 2002 at an undisclosed location.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;**  
**0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**CEASAR C. MITCHELL, CHAIR**

**Claims with Unfavorable Recommendations: (Cont'd)**

- 02-R-1752 (16) Claim of **American National Property and Casualty Company as subrogee of Deborah Mincey, through its agent Certified Credit Services, Inc.**, for damages alleged to have been sustained as a result of a vehicular accident on December 8, 2000 at Interstate 75 and Peachtree Battle Avenue, NW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**
- 02-R-1753 (17) Claim of **Kevin Kuritzky**, for damages alleged to have been sustained as a result of vehicular damage due to driving over unraised water valves in the roadway on June 21, 2002 at 10<sup>th</sup> and Fowler Streets.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**
- 02-R-1754 (18) Claim of **Diann Swinney, Marilyn Ballard, Martavious Buchanan & Shontarian Byrd through their attorney, C. T. Ejisoby-Nwosu**, for damages alleged to have been sustained as a result of a vehicular accident on April 30, 2002 at 225 H. E. Holmes Drive.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**
- 02-R-1755 (19) Claim of **Rita Sands**, for damages alleged to have been sustained as a result of a sewer backup on April 29, 2002 at 1399 Jones Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**
- 02-R-1756 (20) Claim of **Gloria Mitchell**, for damages alleged to have been sustained as a result of striking a tree stump from a fallen tree on July 24, 2002 at 1107 Moores Mill Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**CEASAR C. MITCHELL, CHAIR**

**Claims with Unfavorable Recommendations: (Cont'd)**

- 02-R-1757 (21) Claim of **Stella M. Jones**, for damages alleged to have been sustained as a result of vehicle damage from a fallen tree on July 23, 2002 at 1562 Beecher Street, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**
- 02-R-1758 (22) Claim of **Marcus L. Burnett** for damages alleged to have been sustained as a result of a tree falling down and striking his vehicle on July 23, 2002 at 2304 Herring Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**
- 02-R-1759 (23) Claim of **William D. Temple and Laryssa M. Temple through their attorneys, Temple, Strickland, Dinges & Schwartz**, for damages alleged to have been sustained as a result of a sewer excavation project in June 2001 at 4000 Whitewater Creek Road.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**
- 02-R-1366 (24) Claim of **John Parks**, for damages alleged to have been sustained as a result of a limb from a tree located in the City's right-of-way falling on a vehicle on July 23, 2001 at 2310 Beecher Road, SW.  
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;  
0 NAYS**

**CONSENT AGENDA  
SECTION II**

Council President Cathy Woolard Presided

**CONSENT AGENDA**

**SECTION II**

**ORDINANCES FOR FIRST READING**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**CLETA WINSLOW, CHAIR**

02-O-1730 ( 1) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to grant a permanent construction and maintenance easement to Georgia Power Company, for the purpose of moving existing overhead utility poles from behind the curb to a point thirteen feet behind the curb and installing the utility poles approximately three feet behind the City right-of-way on City of Atlanta parkland, so as to allow Georgia Power Company to move the utility line to improve the appearance of the line and reduce the number of utility poles by five, located in Land Lots 54 and 106 of the 17<sup>th</sup> District, Fulton County, Georgia; the Piedmont Park Conservancy, Inc., organization and the Midtown Alliance Group will pay all costs associated with this removal, installation and maintenance services required for this easement request on behalf of the Department of Parks, Recreation and Cultural Affairs, Bureau of Parks; and for other purposes  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

02-O-1731 ( 2) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to direct the Department of Planning and Community Development to clean the premises and close the various structures pursuant to Article III of the Atlanta Housing Code and a hearing conducted by the In Rem Review Board on August 29, 2002.

956 Beckwith Street, SW	04
909 Cherokee Avenue, SE	01
653 Clifton Road, SE	05
2 Felker Ward St., NW (a.k.a. 2 Pittman St.)	09

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**CLETA WINSLOW, CHAIR**

02-O-1732 ( 3) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to direct the Department of Planning and Community Development to demolish and clean the various structures pursuant to Article III of the Atlanta Housing Code and a hearing conducted by the In Rem Review Board on August 29, 2002.

2160 Spinks Street, NW 09  
292 Hasty Place, NW (a.k.a. 1626 Hasty Pl.) 03

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

02-O-1733 ( 4) An Ordinance by **Community Development Human Resources Committee** amending the 2002 (Home Investment Trust Fund) Budget by anticipating and appropriating \$101,515.28 and transferring to and from appropriations in the amount of \$298,484.72 to HM-10, Multi-Unit Housing Program for the purpose of funding the Moreland Square Project in Reynoldstown for an amount not to exceed \$400,000.00; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

02-O-1734 ( 5) An Ordinance by **Community Development/Human Resources Committee** amending the 2002 (Community Development Fund) Budget by reducing anticipations and reducing appropriations in the amount of \$30,000.00 for the HUD Special Purpose Grant (B-00-SP-GA-0100) for the Martin Luther King, Jr. Community Center; anticipating and appropriating \$249,450.00 for HUD Special Purpose Grant (B-00-SP-GA-0152) for the Martin Luther King, Jr. Community Center; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)**  
**CEASAR C. MITCHELL, CHAIR**

Attendance at the October 15, 2002 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Mitchell (Chair), Martin, Smith, Shook, Archibong, Winslow and Young

Absent: None

**ORDINANCES FOR SECOND READING**

**The following items (02-O-1139 and 02-O-1292) were taken as a collective vote.**

02-O-1139 ( 1) An Ordinance by **Councilmember Debi Starnes** amending Section 10-88.1, Subsection 1, to add the Sweet Auburn Curb Market to the list of retail stores exempt from the 1,500 feet distance requirement between package stores.

**The above item was forwarded from committee with a Favorable on Condition recommendation. However, Councilmember Starnes made a Motion to Refer 02-O-1139 back to the Public Safety and Legal Administration Committee. It was Seconded by Councilmember Mitchell and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.**

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

02-O-1292 ( 2) An Ordinance by **Councilmember Debi Starnes** to amend the Code of Ordinances, City of Atlanta, Georgia, Chapter 10, Article II, Division 5, Section 10-207, applicable to lessees of premises licensed for the sale of alcoholic beverages; and for other purposes.

**The above item was forwarded from committee with a Favorable on Condition recommendation. However, Councilmember Starnes made a Motion to Refer 02-O-1292 back to the Public Safety and Legal Administration Committee. It was Seconded by Councilmember Mitchell and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.**

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**



Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (2)**  
**CEASAR C. MITCHELL, CHAIR**

**ORDINANCES FOR SECOND READING (CONT'D)**

O2-O-1784 ( 3)      A **Substitute** Ordinance and Charter Amendment by **Councilmember Ceasar C. Mitchell** adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1963, O.C.G.A. Section 36-35-1, et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws P.4469, et. seq., by amending Article Three, Chapter Five, Section 3-505(a) so as to exempt retired sworn public safety personnel from the 520 business day limitation of temporary employment; to repeal conflicting ordinances; and for other purposes.

**REFERRED SUBSTITUTE TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS FOR 3<sup>RD</sup> READING/FINAL ADOPTION**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**TRANSPORTATION COMMITTEE (1)**

**H. LAMAR WILLIS, CHAIR**

Attendance at the October 16, 2002 meeting of the Transportation Committee was as follows:

Present: Councilmembers Willis (Chair), Martin, Smith, Shook, Martin and Fauver

Absent: Councilmember Boazman

**ORDINANCE FOR SECOND READING**

02-O-1265 ( 1) An Ordinance by **Councilmember Felicia A. Moore** authorizing the Mayor or her designee to install a painted crosswalk at 55 Trinity Avenue for the protection and general welfare of the Citizens and Employees of the City of Atlanta; and for other purposes. **(Held 7/10/02)**  
**FILED BY A ROLL CALL VOTE OF 11 YEAS; 2 NAYS**

**RESOLUTIONS**

02-R-1738 ( 1) A Resolution by **Transportation Committee** authorizing the Mayor to enter into a revised Memorandum of Agreement (MOA) with the Federal Aviation Administration (FAA) and DeKalb County, for the City of Atlanta to use FAA Automated Radar Terminal System Data and continue sharing it with DeKalb County for use at DeKalb-Peachtree Airport subject to the provisions of the agreement.

**The above item was forwarded from committee with a Favorable recommendation. A discussion ensued, in which, Councilmember Shook Called the Question. The Motion of the Question was then CARRIED by Voice Vote. Subsequently, the Motion to Adopt CARRIED by a roll call vote of 13 yeas; 1 nay.**

**ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

02-R-1739 ( 2) A Resolution by **Transportation Committee** authorizing the Mayor to enter into a revised Intergovernmental Agreement (IGA) with DeKalb County to continue to sharing the Federal Aviation Administration (FAA) Automated Radar Terminal System (ARTS) Data with Dekalb County for use at DeKalb-Peachtree Airport.  
**ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 1 NAY**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (1)**  
**DEBI STARNES, CHAIR**

Attendance at the October 16, 2002 meeting of the Zoning Committee was as follows:

Present: Councilmembers Starnes (Chair), Young, Archibong, Willis, Smith, Shook and Norwood

Absent: None

**ORDINANCES FOR SECOND READING**

02-O-0872 ( 1) An **Amended** Ordinance by **Zoning Committee** to rezone  
Z-02-34 from the R-4 (Single Family Residential) and the I-1 (Light Industrial) Districts to the PD-MU (Planned Development-Mixed Use) District, property located at **Redwine Road, SW**, Tract 1, fronting approximately 1,145.41 feet on the southeasterly side of Fairburn Road, SW, beginning approximately 1,025.6 feet from the southeast corner of Welcome All Road. Property also fronts approximately 439.21 feet on the southeasterly side of Hogan Road; Tract 2, fronting approximately 193.63 feet on the southwesterly side of Fairburn Road beginning approximately 305 feet from the southeast corner of Hogan and Fairburn Roads.

Depth:	Varies
Area Tract 1:	409.03 Acres
Tract 2:	19.3 Acres
Land Lots:	35, 36 & 254 of the 14 <sup>th</sup> District, and
Land Lots:	2, 3 & 4 of the 14FF District, Fulton
County, Georgia	
Owner:	Larry Nelson
Applicant:	The Bentley Group, Ltd.
By:	Larry M. Dingle
NPU-P	Council District 11

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS;**  
**0 NAYS**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (2)**  
**DEBI STARNES, CHAIR**

**ORDINANCES FOR SECOND READING (CONT'D)**

02-O-0879 ( 2)  
Z-02-41 An Ordinance to by **Zoning Committee** to rezone from the Fulton County Zoning Classification of AG-1 (Agriculture) District to the PD-MU (Planned Development-Mixed Use) District, property being annexed into the City of Atlanta located in **Unincorporated Fulton County north of Camp Creek Parkway in Land Lot 1 of the 14FF District**, fronting 3,185.22 feet on the northerly side of Camp Creek Parkway beginning at the northwest corner of Land Lot 1 of the 14FF District.

Depth: Varies  
Area: 41.49 Acres  
Land Lot: 1 of the 14FF District, Fulton County, Georgia  
Owner: Larry Nelson  
Applicant: The Bentley Group, Ltd.  
By: Larry M. Dingle  
NPU-P Council District 11

**ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

02-O-1720 ( 3) An Ordinance by **Zoning Committee** to amend Ordinance 02-O-0686 to extend interim development controls on permits for new construction, exterior rehabilitation and modifications to the exterior of existing structures in the Mechanicsville Neighborhood and to give the Director of the Bureau of Buildings certain emergency repair powers; and for other purposes.

**ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS**

**ORDINANCES FOR FIRST READING**

02-O-1798 ( 1) An Ordinance by **Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, by deleting in its entirety Section 16-20A.001 through 16-20A.008(4) and enacting a new Section 16-20A.001 through 16-20A.008; and for other purposes.

**REFEREED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (3)**  
**DEBI STARNES, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

02-O-1804 ( 2)  
Z-02-67            An Ordinance by **Zoning Committee** to rezone from the R-3 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **3821-3823 N. Stratford Road, NE, two (2) unnumbered parcels at the rear of the previous addresses, and the rear of 646, 660 and 670 Old Ivy Road, NE**, fronting approximately 200 feet on the southerly side of North Stratford Road beginning 1,030.5 feet westerly from the southwest corner of Wieuca Road.

Depth:            Varies  
Area:             4.101 Acres  
Land Lot:        44, 17<sup>th</sup> District, Fulton County, Georgia  
Owner:           Three Point Properties, LLC  
Applicant:      Kevin C. Dillon  
NPU-B            Council District 7

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**

02-O-1805 ( 3)  
Z-02-68            An Ordinance by **Zoning Committee** to rezone from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **976 Seaboard Avenue, NW and 969, 971 and 981 Mantissa Street, NW**, fronting 180.14 feet on the south side of Seaboard Avenue beginning 169.47 feet west from the southwest corner of Woodland Hills Avenue, property also front 194.32 feet on the northwesterly side of Mantissa Street.

Depth:            Varies  
Area:             1.659 Acres  
Land Lot:        186, 17<sup>th</sup> District, Fulton County, Georgia  
Owner:           Mamie Poss  
Applicant:      Charles C. Harrison  
NPU-D            Council District 9

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (4)**  
**DEBI STARNES, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

02-O-1806 ( 4)  
Z-02-69      An Ordinance by **Zoning Committee** to rezone from the R-4 (Single-Family Residential) District to the O-I (Office-Institutional) District, property located at **2342 Ben Hill Road, SW**, fronting 99.74 feet on the northeasterly side of Ben Hill Road beginning 404.50 feet northwesterly from the northeast corner of Headland Drive.

Depth:            249.38 Feet  
Area:             .569 Acre  
Land Lot:        219, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:           Cleophus McCoy and David G. Gay  
Applicant:      Cleophus McCoy  
NPU-R            Council District 11

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**

02-O-1807 ( 5)  
Z-02-70      An Ordinance by **Zoning Committee** to rezone from the R-4 (Single-Family Residential) District to the RG-2 (Residential General-Sector 2) District, property located at **978 North Avenue, NE**, fronting 450.07 feet on the north side of North Avenue beginning 318 feet east from the northeast corner of Linwood Avenue.

Depth:            220.50 Feet  
Area:             2.2777 Acres  
Land Lot:        16, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:           Atlanta Public Schools  
Applicant:      Blair Schlossberg and Steven Demby  
NPU-N            Council District 2

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (5)**  
**DEBI STARNES, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

02-O-1808 ( 6)      An Ordinance by **Zoning Committee** to rezone from the RG-3  
Z-02-71              (Residential General-Sector 3) District to the PD-H (Planned  
Development-Housing) District, property located at **3301-3315  
Roswell Road, NE**, fronting 494.35 feet on the northeasterly side  
of Roswell Road beginning approximately 210 feet southeasterly  
from the southeast corner of Alberta Drive.

Depth:              Varies  
Area:                4.82 Acres  
Land Lots:        98 and 99, 17<sup>th</sup> District, Fulton County,  
Georgia  
Owner:             Marty Storch  
Applicant:        Archstone Communities  
NPU-B              Council District 7

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE WITHOUT OBJECTION**

02-O-1809 ( 7)      An Ordinance by **Zoning Committee** to rezone from the I-1  
Z-02-72              (Light Industrial) District to the SPI-1 (Special Public Interest-  
Central Core) District, property located at **263 Decatur Street,  
SE**, fronting 666.75 feet on the south side of Decatur Street  
beginning at the southeast corner of Bell Street.

Depth:              242.51 Feet  
Area:                4.554 Acres  
Land Lot:         52, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:             Johnson Properties  
Applicant:        M. Hakim Hilliard  
NPU-M              Council District 5

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (6)**  
**DEBI STARNES, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

02-O-1810 ( 8)      An Ordinance by **Zoning Committee** granting a Special Use  
U-02-25              Permit for an Impound Lot for Automobiles (Section 16-  
17.005(1)(c)), property located at **1140 South River Industrial  
Boulevard, SE**, fronting 668.29 feet on the north side of South  
River Industrial Boulevard beginning 250 feet west from the east  
line of Land Lot 5.

Depth:            610.21 Feet  
Area:             10.03 Acres  
Land Lot:        5, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:          South River Properties, LLC  
Applicant:      South Metro Towing  
By:               Gregory Greeson  
NPU-Z            Council District 1

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE WITHOUT OBJECTION**

02-O-1811 ( 9)      An Ordinance by **Zoning Committee** granting a Special Use  
U-02-26              Permit for a Poolroom and Game Room (Section 16-11.005(1)(d)),  
property located at **2721 Metropolitan Parkway, SW**, fronting  
125 feet on the west side of Metropolitan Parkway beginning 300  
feet south from the southwest corner of Cleveland Avenue.

Depth:            181.5 Feet  
Area:             .52 Acre  
Land Lots:      93 and 100, 14<sup>th</sup> District, Fulton County,  
Georgia  
Applicant:      Cliff F. Entrekin  
By:               Alan Begner, Esq., Attorney  
NPU-X            Council District 12

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE WITHOUT OBJECTION**



Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (7)**  
**DEBI STARNES, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

02-O-1812 (10)      An Ordinance by Zoning Committee granting a Special Use  
U-02-29              Permit for a Community Service Facility (Section 16.06.005(1)(k)),  
property located at **577 Fairburn Road, SW and 3370-3440  
Hardin Drive, SW**, fronting 115 feet on the east side of Fairburn  
Road beginning at the southeast corner of Hardin Drive.

Depth:            708.93 Feet  
Area:              2.63406 Acres  
Land Lot:        242, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:           Carrie Steele-Pitts Home  
Applicant:       Same  
By:                M. Hakim Hilliard  
NPU-H            Council District 10

**REFERRED TO ZONING REVIEW BOARD AND ZONING  
COMMITTEE WITHOUT OBJECTION**

Council President Pro-Temp Cleta Winslow Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (1)**  
**FELICIA A. MOORE, CHAIR**

Attendance at the October 16, 2002 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Moore (Chair), Starnes, Martin, Muller, Maddox, Norwood and Fauver

Absent: None

**The following items (1; 1-3; 5-8) were taken as a collective vote.**

**REPORT**

02-TR-1813 ( 1) A Report of the **Chief Financial Officer** of the transfer of appropriations from one Line Item to another Line Item to various funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

**FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

**ORDINANCES FOR SECOND READING**

02-O-0373 ( 1) An Ordinance by **Councilmember C. T. Martin as Amended by Finance/Executive Committee** to establish an Atlanta in Fulton County, and an Atlanta in DeKalb Taxation Commission to undertake a comprehensive review of the appraisal and assessment process.

**FILED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

02-O-0375 ( 2) An Ordinance and Charter Amendment by **Councilmember Clair Muller** adopted under and by Virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, P. 298, et seq.) as amended, to amend Section 6-302 (entitled Adoption of Budget) of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, P. 4469, et Seq.), approved April 15, 1996, as amended so as to change the dates by which the Mayor shall prepare and submit the Proposed Annual Budget Ordinance to the governing body as provided in Subsection (A) thereof, and to change the date by which the governing body shall adopt the annual budget of the ensuing Fiscal Year as provided in Subsection (D) thereof; to repeal conflicting ordinances and Charter Provisions; and for other purposes. **2<sup>nd</sup> Reading, 1<sup>st</sup> Adoption**

**FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (2)**  
**FELICIA A. MOORE, CHAIR**

**ORDINANCES FOR SECOND READING (CONT'D)**

02-O-0385 ( 3) An Ordinance by **Councilmember Howard Shook** to create a Task Force to identify city services that may be more efficiently provided through privatization and consolidation, and committing to a mechanism and timetable for enactment; and for other purposes.

**FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

02-O-0679 ( 4) An Ordinance by **Councilmember Clair Muller** to amend Ordinance No. 94-O-0445 so as to provide that any contract between the City of Atlanta and the City of Atlanta Solid Waste Management Authority be for any purpose for which the authority is authorized to undertake pursuant to O.C.G.A. §12-8-56, to repeal conflicting ordinances; and for other purposes. (No Recommendation by City Utilities 4/9/02) (Referred to Finance/Executive Committee 5/6/02) (Held 5/15/02)

**Chairperson Moore noted the above item should not have been on the Agenda with a File recommendation. Therefore, Councilmember Moore made a Motion to Refer 02-O-0679 back to the Finance/Executive Committee. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays.**

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

02-O-0683 ( 5) An Ordinance by **Councilmember Clair Muller** amending Article 1, Section 2 of the Code of Ordinances to add a new provision requiring the registration and identification of Lobbyists on City property; to repeal conflicting ordinances to the extent of the conflict with this ordinance; and for other purposes.

**FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

02-O-0955 ( 6) An Ordinance by **Councilmember Derrick Boazman** to amend Section 2-1105(b) of the Code of Ordinances of the City of Atlanta, so as to require that all persons, organizations/entities which operate, oversee or otherwise with the City, adhere to the rules, regulations and the operational procedures of the City's Purchasing Code

**FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

02-O-0963 ( 7) An Ordinance by **Councilmember Clair Muller** authorizing the Mayor or her designee to implement an environmentally responsible purchasing policy; and for other purposes.

**FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (3)**  
**FELICIA A. MOORE, CHAIR**

**ORDINANCES FOR SECOND READING (CONT'D)**

02-O-0965 ( 8) An Ordinance by **Councilmember Clair Muller as Substituted by Finance/Executive Committee** to amend the Festival Ordinance to provide for additional permit requirements for municipal services for festival organizers.

**FILED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

02-O-1489 ( 9) An Ordinance by **Finance/Executive Committee** amending the 2002 (Park Improvement Fund) Budget, so as to transfer appropriations in the amount of \$352,156.71 to Anderson Park Recreation Center Improvements; Lang Carson Park Recreation Center Improvements; and the Brownwood Park Recreation Center Improvements Account identified as Construction of Buildings Citywide, Fund, Account and Center Number: 1C22 773001 N12D09B69999 on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes.

**ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

02-O-1499 (10) A **Substitute (2)** Ordinance by **Finance/Executive Committee** to amend the FY2002 Special Revenue Fund Budget for the Traffic Court Operations by transferring the amount \$1,880,240.00 from the Reserve Designated Account-Lease/Purchase New Traffic Court Facility to appropriate additional funds for the purpose of funding certain programs for Traffic Court Operations; and for other purposes.

**The above item was forwarded from committee with a Favorable on Substitute on Condition recommendation. The condition (responses from TDC) was met as stated by Chairperson Moore. A brief discussion ensued, during which, Councilmember Boazman Called the Question. The Motion of the Question was then CARRIED by Voice Vote. Subsequently, the Motion to Adopt on Substitute CARRIED by a roll call vote of 12 yeas; 1 nay.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 1 NAY**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (4)**  
**FELICIA A. MOORE, CHAIR**

**ORDINANCES FOR SECOND READING (CONT'D)**

02-O-1627 (11) An Ordinance by **Councilmembers Cleta Winslow, Felicia Moore and Jim Maddox as Substituted by Finance/Executive Committee** providing the for issuance of \$8,000,000.00 in Aggregate Principal Amount of City of Atlanta General Obligation Bonds for various purposes, pursuant to and in accordance with Amendments to the Constitution of the State of Georgia ratified at the General Election held on November 5, 1968, and proclaimed by the Governor of the State of Georgia on December 13, 1968 (1968 GA. Laws 1582 to 1584, Inclusive and 1968 GA. Law 1586 to 1587 Inclusive.) **(Advertised for a Public Hearing 10/21/02 at 1:00 p. m. in Council Chamber)**

**The above item was forwarded from committee with a Favorable on Substitute recommendation. A public hearing was scheduled for today at 1:00p.m. Therefore, Chairperson Moore opens the public hearing and called for anyone to speak regarding 02-O-1627. No one to speak from the public, Ms. Moore closed the public hearing and resumed her committee report. A brief discussion ensued, in which, a Call of the Question was moved and CARRIED by Voice Vote. Subsequently, the Motion to Adopt on Substitute was CARRIED by a roll call vote of 10 yeas; 3 nays.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 10 YEAS; 3 NAYS**

02-O-1785 (12) An Ordinance by **Councilmember Ceasar C. Mitchell as Substituted by Finance/Executive Committee** to amend Article "V", Classification Plan, Section 114-477 of the Code of Ordinances, City of Atlanta, Georgia, so as to create the positions of Assistant Police Chief, Administrative Assistant Sr., Program Management Officer, Project Manager, Constituent Services Specialist and Ethics Officer; and for other purposes.

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 2 NAYS**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (5)**  
**FELICIA A. MOORE, CHAIR**

**RESOLUTIONS**

02-R-1464 ( 1) A Resolution by **Councilmembers Felicia A. Moore and H. Lamar Willis** to declare the result of the public offering of \$300,000,000.00 Aggregate Principal Amount of City of Atlanta Airport Limited Obligation Bond Anticipation Notes, Series 2002; to accept the best bid to purchase said bond anticipation notes; to provide for the delivery of said bond anticipation notes; and for other purposes.

**The above item was forwarded from committee with No Recommendation. Chairperson Moore made a Motion to bring forth a Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays; 1 abstention. The Substitute was then before the Council. Following, an extensive discussion ensued, in which, Councilmember Moore made a Motion to enter Committee of the Whole. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays; 1 abstention. Therefore, Council entered Committee of the Whole.**

**Note: Councilmember Mitchell served notice of his abstention to the above item due to a potential conflict of interest.**

***COMMITTEE OF THE WHOLE***

**In Committee of the Whole, Council posed questions to Contract Compliance representative, Hubert Owens, as well as, Chief Financial Officer, Richard Anderson; Temp Deputy Chief Financial Officer, Reggie Grant and Deputy City Attorney, Robert Godfrey. In discussion, Councilmember Martin made a Motion to Adopt. It was Seconded by Councilmember Moore. Discussion continued, in which, Councilmember Moore withdrew her Second, like wise; Councilmember Martin withdrew his Motion to Adopt. A Motion was moved to exit Committee of the Whole, properly Seconded, and CARRIED by a roll call vote of 14 yeas; 0 nays; 1 abstention. Council then entered Regular Session.**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (6)**  
**FELICIA A. MOORE, CHAIR**

**RESOLUTIONS (CONT'D)**

02-R-1464 ( 1)  
(Cont'd)

A Resolution by **Councilmembers Felicia A. Moore and H. Lamar Willis** to declare the result of the public offering of \$300,000,000.00 Aggregate Principal Amount of City of Atlanta Airport Limited Obligation Bond Anticipation Notes, Series 2002; to accept the best bid to purchase said bond anticipation notes; to provide for the delivery of said bond anticipation notes; and for other purposes.

***REGULAR SESSION***

**Returning to Regular Session, Councilmember Maddox offered an Amendment to insert the firm "Loop Capital" after Goldman, Sachs & Co. in the Now Therefore Be It Resolved Clause." And at the end of the paragraph add, "Loop Capital will receive 10 percent of the bond anticipation notes." It was properly Seconded and a discussion ensued, in which, Councilmember Fauver Called the Question. Properly Seconded, the Motion of the Question was CARRIED by a hand count of 11 yeas; 0 nays; 1 abstention. Subsequently, the Maddox Amendment CARRIED and FAILED by a roll call vote of 2 yeas; 12 nays; 1 abstention. Following, Councilmember Moore made a Motion to Adopt on Substitute. It was properly Seconded and the Motion FAILED by a roll call vote of 6 yeas; 8 nays; 1 abstention. Thereafter, Councilmember Martin was on the prevailing side and made a Motion to Reconsider 02-R-1464. It was Seconded by Councilmember Maddox and the Motion to Reconsider CARRIED by a roll call vote of 11 yeas; 3 nays; 1 abstention. The legislation was then before Council. Councilmember Martin made a Motion to Adopt on Substitute. It was properly Seconded and a brief discussion ensued, in which, Councilmember Fauver Called the Question. The Motion of the Question was CARRIED by Voice Vote. Subsequently, the Motion to Adopt on Substitute CARRIED by a roll call vote of 9 yeas; 5 nays; 1 abstention.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 9 YEAS; 5 NAYS; 1 ABSTENTION**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (7)**  
**FELICIA A. MOORE, CHAIR**

**RESOLUTIONS (CONT'D)**

**The following items (1, 3-5) were taken as a collective vote.**

- 02-R-1579 ( 1) A Resolution by **Councilmember Jim Maddox as Amended by Finance/Executive Committee** requesting that the Georgia State Legislature, at its 2003 Legislative Session, amend Article 1, Section 2, Paragraph 8 of the Georgia Constitution so as to authorize municipalities with Special Entertainment Districts the authority to institute pari-mutuel betting and/or casino gambling; and for other purposes.  
**REFERRED AS AMENDED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 02-R-1789 ( 2) A Resolution by **Councilmember Debi Starnes** requesting that the City of Atlanta's 2003 Legislative Package include a request that the Georgia General Assembly adequately appropriate funds in the State's Budget to offset cost in the production of supporting housing needed by the chronically mentally ill citizens who live in the State of Georgia; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 02-R-1137 ( 3) A Resolution by **Councilmembers Clair Muller and C. T. Martin as Substituted by Finance/Executive Committee** by the Atlanta City Council to include in the 2003 City Legislative Package a request to the Fulton County Delegation to conduct a study and hold Public Hearings on an exemption on School Ad Valorem Taxes for those Senior Citizens 65 years of age and over. (Referred back from Council 9/03/02) (Substituted and held 9/11/02) (Held 10/16/02) SEND TO NPU'S FOR INPUT  
**REFERRED SUBSTITUTE TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 02-R-1470 ( 4) A Resolution by **Councilmembers C. T. Martin and Derrick Boazman** submitting a request to the 2003 Georgia General Assembly to amend the Georgia State Code to require that landlords, when evicting a tenant, store the tenant's belongings; to make said request a part of the City's 2003 Legislative Package; and for other purposes. (Held 10/16/02)  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**



Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (8)**  
**FELICIA A. MOORE, CHAIR**

**RESOLUTIONS (CONT'D)**

02-R-1814 ( 5)      A Resolution by **Finance/Executive Committee** urging the 2003 Georgia General Assembly to support the City of Atlanta's 2003 Legislative Package. (Held 10/16/02)  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**ITEMS REMOVED FROM CONSENT AGENDA**

02-O-1643 ( 1)      A **Substitute Ordinance** by **Finance/Executive Committee as Amended** to authorize the Director of the Bureau of Purchasing to purchase approximately 100 acres in the City of Atlanta known as the Lionel Hampton Tract, whereas the total price of acquisition is \$1,650,000.00 for the purposes set forth in the City of Atlanta Community Greenspace Program Application and the Supplemental Environmental Project (SEP) pursuant to the Consent Decree; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Martin. Mr. Martin made a Motion to hold the ordinance in the breast of Council. It was properly Seconded and CARRIED Without Objection. However, later during the meeting, Councilmember Moore made a Motion to Refer 02-O-1643 back to the Finance/Executive Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays; 1 abstention.**

**Note: Councilmember Maddox served notice of his abstention to the above item due to a potential conflict of interest.**

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS; 1 ABSTENTION**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (9)**

**FELICIA A. MOORE, CHAIR**

**ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)**

02-O-1795 ( 2)

An Ordinance by **Councilmembers Derrick Boazman, Felicia A. Moore, Jim Maddox, Ivory Lee Young, Jr., H. Lamar Willis, Carla Smith, Ceasar C. Mitchell, Howard Shook, Natalyn Mosby Archibong, Anne Fauver, Debi Starnes and Clair Muller as Substituted by Finance/Executive Committee** amending the 2002 (Intergovernmental Grant Fund) Budget, Department of the Mayor by adding to anticipations and appropriations in the amount of \$1,000,101.00 from the Governor's Office of Community Affairs Emergency Grant and Local Assistance Grant Funds for Senior Citizens Center, the City of Atlanta/Old Fourth Ward Neighborhood, Progressive Hope House, Morehouse College, West Fulton Family Support Center, Kids In Discovery of Self, Morris Brown College, Jericho Road Project, Vine City Health and Housing Ministry, Trinity House, Southwest YMCA, Southside Cultural Awareness, Piedmont Park, Reynoldstown Community, Pittsburgh Community Improvement Association, Nonprofits, Inc., National Black Arts Festival, City of Atlanta/Iverson Park, Georgia Coalition on Hunger, Community Care, David T. Howard National Alumni Association, Clark Atlanta University, City of Atlanta/Dunbar Neighborhood Center, Cascade United Methodist Community Outreach Program, Cascade Leadership Institute, City of Atlanta/Candler Park, Butler Street YMCA/Westside Branch, City of Atlanta/Bureau of Cultural Affairs, Atlanta Health Ministries, Antioch Urban Ministries, City of Atlanta/Atlanta Fire Department, Simpson Road House of Hope; City of Atlanta/Department of Parks and Recreation – Garden Hills; to authorize the Mayor to sign all necessary grant agreements; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Moore. Ms. Moore made a Motion to bring forth a Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. The Substitute was before the Council. Councilmember Moore then made a Motion to Adopt on Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays; 1 abstention.**

**Note: Councilmember Boazman served notice of his abstention to the above item due to a potential conflict of interest.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS; 1 ABSTENTION**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (1)**  
**ANNE FAUVER, CHAIR**

Attendance at the October 21, 2002 meeting of the Committee on Council was as follows:

Present: Councilmembers Fauver (Chair), Boazman, Muller, Maddox, Mitchell, Archibong and Norwood

Absent: None

**COMMUNICATIONS**

**The following items (1 – 6) were taken as a collective vote.**

- 02-C-1618 ( 1) A Communication by **Councilmembers Natalyn M. Archibong, Anne Fauver and Mary Norwood** to appoint Mr. Young T. Hughley to serve as a member of the People TV Board of Directors. This appointment is scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by City Utilities Committee 10/1/02) (Held, 10/7/02)**  
**CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 02-C-1622 ( 2) A Communication by **Mayor Shirley Franklin** to reappoint Ms. Lisa P. Haygood to serve as a member of the Keep Atlanta Beautiful Board. This reappointment is for a term of two (2) years, scheduled to begin on the date of Council. **(Forwarded Without Recommendation by City Utilities Committee 10/1/02) (Held 10/7/02)**  
**CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 02-C-1624 ( 3) A Communication by **Mayor Shirley Franklin** appointing Mr. John Aderhold to serve as a member of the Woodruff Park Advisory Board of Directors. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Community Development/Human Resources Committee, 10/1/02) (Held 10/7/02)**  
**CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**
- 02-C-1742 ( 4) A Communication by **Mayor Shirley Franklin** appointing Dr. Said L. Sewell to serve as a member of the Civilian Review Board of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Public Safety and Legal Administration Committee 10/15/02)**  
**CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (2)**  
**ANNE FAUVER, CHAIR**

**COMMUNICATIONS (CONT'D)**

02-C-1743 ( 5) A Communication by **Mayor Shirley Franklin** appointing Mr. James R. Cothran to serve as a member of the Woodruff Park Board of Directors of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 10/15/02)**  
**CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

02-C-1771 ( 6) A Communication by **Councilmember Natalyn Archibong** nominating Ms. Cheryl B. Cowherd to the Atlanta Commission on Women. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.  
**CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

**ORDINANCE FOR SECOND READING**

02-O-1722 ( 1) An Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precinct and Polling Places in Precincts 3J, 3T, 3N1, 3N2, 3V, 7E1, 7E2, 7K, 8F, 8R, 9E & 9J; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)**  
**CLETA WINSLOW, CHAIR**

Attendance at the October 15, 2002 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Winslow (Chair), Archibong, Moore, Starnes, Norwood and Young

Absent: Councilmember Boazman

**ORDINANCE FOR SECOND READING**

02-O-1539 ( 1) An Ordinance by **Community Development/Human**  
UEZ-02-05 **Resources Committee** to create the **“Holly Ridge Apartments Housing Enterprise Zone”**; to be located at 1620 Hollywood Road, NW; and for other purposes. **(Public Hearing held 9/23/02)**

NPU-G

Council District 9

**The above item was originally Adopted by a roll call vote of 14 yeas; 0 nays. However, Councilmember Moore made a Motion to Reconsider. It was properly Seconded and the Motion of the Reconsideration CARRIED by a roll call vote of 14 yeas; 0 nays. Ms. Moore then made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. The Substitute was before the Council. A discussion ensued, during which, the call of the vote to Adopt on Substitute CARRIED by a roll call of 14 yeas; 0 nays.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (2)**  
**CLETA WINSLOW, CHAIR**

**ITEMS REMOVED FROM CONSENT AGENDA**

02-R-1729 ( 1) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to apply for and accept grant funds from the Georgia Greenspace Program; adopting the City of Atlanta's portion of Fulton and DeKalb Counties' Greenspace Programs; authorizing the Mayor to submit the program application to Fulton and DeKalb Counties and to the Georgia Department of Natural Resources; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Winslow. Ms. Winslow made a Motion to Refer 02-R-1729 back to the Community Development/Human Resources Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.**

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

02-R-1803 ( 2) A Resolution by **Community Development/Human Resources Committee** scheduling a Public Hearing in connection with the proposed adoption of the Heman E. Perry Redevelopment Plan and creation of Tax Allocation District Number Three – Heman E. Perry; to establish the purpose of said Public Hearing; to direct the Municipal Clerk to advertise the Public Hearing; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Moore. Ms. Moore offered an Amendment to delete the words "Heman E. Perry wherever it appears in the resolution; and insert in lieu thereof the words "Northwest Atlanta." It was properly Seconded and the Moore Amendment CARRIED by a roll call vote of 14 yeas; 0 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 14 yeas; 0 nays.**

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**COMMITTEE REPORTS (CONT'D)**

**CITY UTILITIES COMMITTEE (1)**  
**CLAIR MULLER, CHAIR**

Attendance at the October 15, 2002 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Muller (Chair), Willis, Shook, Smith, Winslow and Maddox

Absent: Councilmember Mitchell

**ORDINANCE FOR SECOND READING**

02-O-1774 ( 1) An Ordinance by **Councilmember Clair Muller** to amend the City of Atlanta Code of Ordinances by establishing and adopting a new Article VIII of Chapter 74 entitled "Wetland Protection Regulations"; and for other purposes.

**The above item was forwarded from committee with a Favorable on Condition recommendation. Chairperson Muller stated the condition (provide a revised map) has been met. Therefore, made a Motion to Adopt. However, Councilmember Moore made a Substitute Motion to Refer 02-O-1774 back to the City Utilities Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.**

**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

# **PERSONAL PAPERS**



Council President Cathy Woolard Presided

**PERSONAL PAPERS**

**RESOLUTIONS/ADOPTED**

02-R-1884 ( 1) A Resolution by **Councilmembers Howard Shook and Clair Muller** authorizing the creation of a task force/review group for the purpose of reviewing the City's SPI-9 Buckhead Commercial Core District Zoning Regulations; and for other purposes.

**Councilmember Shook made a Motion to Adopt the above item. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS**

02-R-1898 ( 2) A Resolution by **Councilmember Ivory Lee Young, Jr.** authorizing the Mayor to declare November 1<sup>st</sup> of each calendar year Homeless Persons Memorial Day in the City of Atlanta; and for other purposes.

**Councilmember Young made a Motion to Adopt the above resolution. It was properly Seconded followed by a friendly Amendment to correct a clerical error. Without Objection, the Amendment was accepted. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 13 yeas; 0 nays.**

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

**PERSONAL PAPERS (CONT'D)**

**RESOLUTIONS/ADOPTED (CONT'D)**

02-R-1900 ( 3) A Resolution by **Councilmembers Felicia A. Moore, Debi Starnes and H. Lamar Willis as Amended by Full Council** changing the meeting days and/or times of the Transportation, Zoning and Finance/Executive Committee meetings for the last cycle in November from Wednesday to Monday and Tuesday; and for other purposes.

**Councilmember Moore made a Motion to Adopt the above item. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 2 nays. Later during the meeting, Councilmember Moore made a Motion to Reconsider. It was properly Seconded and the Reconsideration Vote CARRIED by a roll call vote of 9 yeas; 1 nay. 02-R-1900 was before the Council. Councilmember Starnes offered an Amendment to change the meeting date of Zoning to Tuesday at 5:00p.m. It was Seconded by Councilmember Moore. Subsequently, the Starnes' Amendment CARRIED by a roll call vote of 12 yeas; 1 nay. Thereafter, the Motion to Adopt as Amended CARRIED by a roll call vote of 10 yeas; 0 nays.**

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 10 YEAS;  
0 NAYS.**

**RESOLUTIONS/REFERRED**

02-R-1871 ( 1) A Resolution by **Councilmembers Clair Muller, Howard Shook, Anne Fauver, Carla Smith, Ceasar C. Mitchell, Cleta Winslow, Debi Starnes, H. Lamar Willis and Jim Maddox** supporting Mayor Shirley Franklin and the Clean Water Atlanta Five Point Plan.

**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT  
OBJECTION**

Council President Cathy Woolard Presided

**PERSONAL PAPERS (CONT'D)**

**RESOLUTIONS/REFERRED (CONT'D)**

02-R-1874 ( 2) A Resolution by **Councilmember Cleta Winslow** authorizing the acceptance of a Quit Claim Deed from Mechanicsville Renovation Venture, Inc. for various residential properties in the Mechanicsville Community known as The Mekenzie Place Development; to authorize the issuance of a request for proposals to developers interested in acquiring and developing/redeveloping said properties or in the alternative, authorizing the Mayor to execute a Quit Claim Deed conveying said properties to either the Land Bank Authority, The Housing Authority of the City of Atlanta, or to The Atlanta Development Authority for development/redevelopment and/or reconveyance to an interested developer; to rescind conflicting resolutions; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

02-R-1876 ( 3) A Resolution by **Councilmembers H. Lamar Willis, Carla Smith, Derrick Boazman, Cleta Winslow, Mary Norwood, Jim Maddox, Howard Shook, Anne Fauver, Natalyn Archibong, Ivory Lee Young, Jr., and Debi Starnes** expressing the City Council's support for the establishment of a National Housing Trust Fund, which would serve as a source of revenue for the production of new housing, and the preservation and/or rehabilitation of existing housing that is affordable for low income persons.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

02-R-1877 ( 4) A Resolution by **Councilmembers Ceasar C. Mitchell, C. T. Martin and Anne Fauver** to add to the City's 2003 Legislative Package a request that the Georgia State Legislature reevaluate the prescribed use of funds by the City Court of Atlanta generated by the collection of fines as outlined by the Georgia Constitution; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

02-R-1883 ( 5) A Resolution by **Councilmember Debi Starnes** authorizing the Mayor to negotiate and execute temporary and permanent easements and deeds to the Georgia Department of Transportation as needed to accomplish the 17<sup>th</sup> Street Bridge and Extension Project in the City of Atlanta; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**PERSONAL PAPERS (CONT'D)**

**RESOLUTIONS/REFERRED (CONT'D)**

02-R-1885 ( 6) A Resolution by **Councilmembers Mary Norwood, H. L. Willis and Ceasar C. Mitchell** expressing the intent of the City Council to give priority funding to the essential functions of Atlanta City government as mandated by the City Charter.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

02-R-1888 ( 7) A Resolution by **Councilmembers C. T. Martin, Jim Maddox and Derrick Boazman** to add to the City's 2003 Legislative Package a request to adopt legislation authorizing counties and municipalities, in their discretion, to prohibit the placement of the possessions of evicted persons and/or entities within the right-of-way of such counties and municipalities; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

02-R-1894 ( 8) A Resolution by **Councilmember Ivory Lee Young, Jr.** establishing a City of Atlanta Hosea Williams Feed The Hungry and Homeless Fund with proceeds from voluntary contributions; to authorize the Chief Financial Officer to set up such fund; to disburse such funds; and for other purposes.

**Councilmember Young made a Motion to Adopt the above resolution. It was properly Seconded and an extensive discussion ensued, during which, Councilmember Maddox made a Substitute Motion to Refer 02-R-1894 to the Finance/Executive Committee. It was properly Seconded and the Call of the Question was then moved by Councilmember Boazman. The Motion of the Question was CARRIED by Voice Vote. Subsequently, the Motion to Refer CARRIED by a roll call vote of 7 yeas; 7 nays. Councilmember Woolard voting to break the tie and in the affirmative, the final roll call vote of 8 yeas; 7 nays was CARRIED.**

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 8 YEAS; 7 NAYS**

02-R-1895 ( 9) A Resolution by **Councilmember Clair Muller** to amend the operation contract for the Chastain Amphitheater to set a permanent maximum sound level that is allowed to escape from the Amphitheater into the neighborhood.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED**

- 02-O-1872 ( 1) An Ordinance by **Councilmember Derrick Boazman** authorizing the Mayor or her designee to pursue complete sewer separation of the City's Stormwater and Wastewater Processing System as the remedial method of choice; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**
- 02-O-1873 ( 2) An Ordinance by **Councilmember Derrick Boazman** authorizing the Mayor or her designee to pursue complete sewer separation of the City's Stormwater and Wastewater Processing System as the remedial method of choice in Council District 12; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**
- 02-O-1875 ( 3) An Ordinance by **Councilmembers Cleta Winslow and Ivory Lee Young Jr.** to waive building permit fees for homeowners whose residences were flooded on September 21, 2002; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 02-O-1878 ( 4) An Ordinance by **Councilmember Felicia A. Moore** to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at Spink Street, N. W. West of The Georgia Power Transmission Line from the Low Density Residential and Industrial Land Use Designations to the Single Family Residential Land Use Designation; and for other purposes. NPU-D Council District 9.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURECES COMMITTEE WITHOUT OBJECTION**
- 02-O-1879 ( 5) An Ordinance by **Councilmember Felicia A. Moore** to anticipate and appropriate proceeds of the Series 2002 Airport Bond Anticipation Notes (BAN's) in the amount of \$300,000,000; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 02-O-1880 ( 6) An Ordinance by **Councilmember Debi Starnes** to abandon all or portions of the following streets in and around the Georgia Tech campus – Lamber St., Strong St., Techway Dr., Gray St., McAfee St., Ponders Ave., Plum St., Peachtree Place.  
**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

- 02-O-1881 ( 7) An Ordinance by **Councilmember Debi Starnes** to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, enacting a new 16-20C.005 (2) (e); and for other purposes.  
**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**
- 02-O-1882 ( 8) An Ordinance by **Councilmember Debi Starnes** to clarify the legislative intent of Section 106-85, Begging and Soliciting Alms by accosting or forcing oneself upon the company of another, so that an offense of this ordinance is one conducted at one of the specified prohibited locations or conducted in one of the specified prohibited manners.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION**
- 02-O-1886 ( 9) An Ordinance by **Councilmembers C. T. Martin and Jim Maddox** to amend the Pension Acts applicable to the City of Atlanta, so as to provide for a Permanent Early Retirement Program based upon a combination of age and years of service for employees in the General Employees Pension Fund; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 02-O-1887 (10) An Ordinance by **Councilmembers C. T. Martin and Jim Maddox** to amend the Pension Acts applicable to the City of Atlanta, so as to provide for a retirement program for employees separated to balance the 2003 budget; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 02-O-1889 (11) An Ordinance by **Councilmember Jim Maddox** to amend Article IX, Division 4, Borrowing and Indebtedness so as to pre-determine minority participation of underwriters of municipal bonds; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 02-O-1890 (12) An Ordinance by **Councilmember Carla Smith** to amend Section 110-89 of the Atlanta City Code of Ordinances so as to prohibit the parking of any vehicle on the grassy area of any public park; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

- 02-O-1891 (13) An Ordinance by **Councilmember Carla Smith** to amend Appendix E, Atlanta Housing Code, Article II, Section 25 so as to prohibit the repair or servicing of a motor vehicle on private property; to repeal conflicting ordinances; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**
- 02-O-1892 (14) An Ordinance by **Councilmember Natalyn M. Archibong** to amend the Land Use Map of the 2003 City of Atlanta Comprehensive Development Plan (CDP) as amended so as to re-designate certain property in Land Lot 209 of the 15<sup>th</sup> District DeKalb County, City of Atlanta to the Mixed-Use Land Use Designation, with specific provisions; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**
- 02-O-1893 (15) An Ordinance by **Councilmember Natalyn Archibong** to authorize the purchase of property, known as the Grant Park Primary School from the Atlanta Board of Education, located at **701 Kirkwood Avenue, S.E.**, in Land Lot 20 of the 14<sup>th</sup> District, Fulton County, Georgia; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**
- 02-O-1896 (16)  
Z-02-80 An Ordinance by **Councilmember Clair Muller** to rezone from the R-4A (Single-Family Residential) District to the C-2 (Commercial Service) District, property located at **652 Bellemeade Avenue, N.W.**, fronting 110 feet on the South side of Bellemeade Avenue beginning at the Southeast corner of Leona Street. Depth: 170 feet; Area: 18,700 square feet; Land Lot 152, 17<sup>th</sup> District, Fulton County, Georgia. Owner: Van Winkle Construction Company, Inc.; Applicant: same; NPU-D Council District 8.  
**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION**
- 02-O-1897 (17) An Ordinance by **Councilmember Clair Muller** amending Chapter 138, Division 5 "Vending Devices and Telephones" of the Code of Ordinances to update the requirements necessary to install/place vending boxes in the City's rights-of-way; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**

# **ADJOURNMENT**



**Council President Cathy Woolard Presided**

**ADJOURNMENT**

There being no further business to discuss the October 21, 2002 meeting of the Atlanta City Council was adjourned at 6:17 p.m.

**ADJOURNMENT ROLL CALL: Council President Cathy Woolard (1); Councilmembers Smith, Starnes, Young, Winslow, Archibong, Fauver, Shook, Muller, Moore, Maddox, Boazman, Mitchell, Norwood and Willis (14); Councilmember Martin was excused (1).**