

ATLANTA CITY COUNCIL

ACTION/MINUTES

MARCH 04, 2002

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, March 04, 2002. The Meeting convened at 1:05 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.

Attendance:

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

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

INVOCATION: Chaplain Kenny Rodgers of the Atlanta Police 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: Ms. Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council, that the **Action Minutes** of the **February 18, 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 **March 04, 2002** meeting was **ADOPTED** without objection.

COMMUNICATIONS

Council President Cathy Woolard Presided

COMMUNICATIONS

02-C-0454 (1) A Communication by **Felicia Strong-Whitaker**, Director for the Bureau of Purchasing and Real Estate submitting the monthly contract status report for January 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-0453 (2) A Communication by **Council President Cathy Woolard** appointing Councilmember Felicia Moore to the Midtown Community Improvement District Board; scheduled to begin on the date of Council confirmation.

Councilmember Muller made a Motion to approve the above item, Properly Seconded and confirmed by Voice Vote.

CONFIRMED BY VOICE VOTE

02-C-0455 (3) A Communication by Municipal Clerk **Rhonda Dauphin Johnson** submitting the Administrative Corrections to previously adopted legislation during the time period occurrence between the regular Council meeting dates of February 18, 2002 and March 04, 2002 to the Atlanta City Council in accordance with Section 2-275 of the Code of Ordinances of the City of Atlanta.

FILED WITHOUT OBJECTION

VETOED LEGISLATION

Council President Cathy Woolard Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Cathy Woolard Presided

UNFINISHED BUSINESS

NONE

**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-0364, 02-O-0249 and 02-O-0380 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: **15 Yeas:** *Councilmembers Smith, Starnes, Young, Winslow, Archibong, Fauver, Shook, Muller, Moore, Martin, Maddox, Boazman, Mitchell, Norwood and Willis;* **0 Nays:** with the exception of items 02-R-0348; 02-R-0350; and 02-R-0387 in which Councilmember Young noted his abstention on all three items due to a potential conflict of interest. Therefore, a separate vote was taken on said items by a roll call vote of **14 Yeas:** *Councilmembers Smith, Starnes, Young, Winslow, Archibong, Fauver, Shook, Muller, Moore, Martin, Maddox, Mitchell, Norwood and Willis;* **0 Nays: 1 Abstention:** *Councilmember Young.*

SECTION I

ORDINANCES FOR SECOND READING

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

- 02-O-0370 (1) An Ordinance by **Councilmember Debi Starnes as Amended by Transportation Committee** authorizing the installation of five (5) parking meters with fifteen minute limits on the eastern side of Pryor Street between Alabama Street and Decatur Street; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 02-O-0155 (2) An Ordinance by **Finance/Executive Committee** amending the 2002 (1997 G. O. Public Improvement Bond) Budget in the amount of \$276,284.76 for storm drainage construction; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0200 (3) An **Amended** Ordinance by **Finance/Executive Committee** amending the 2002 (1994 G. O. Referendum Bond Fund) Budget in the amount of \$702,917.82 for the purpose of funding the Bitsy Grant Tennis Center Erosion and Flood Control Project within the Flood and Erosion Control Category of the 1994 Public Improvement Program on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes.

ADOPTED AS AMENDED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-O-0243 (4) A **Substitute** Ordinance by **Councilmembers Carla Smith and Derrick Boazman as Amended by Finance/Executive Committee** authorizing the Mayor to execute an Intergovernmental Agreement by and between the Housing Authority of the City of Atlanta, Georgia ("The Authority") and the City of Atlanta pertaining to the performance of certain public improvements by the Authority for the benefit of the City of Atlanta; transferring appropriations in the amount of \$3,680,000.00 to fund a portion of said public improvements; and for other purposes.

ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-O-0364 (5) An Ordinance by **Councilmembers Carla Smith and Derrick Boazman as Amended by Finance/Executive Committee** authorizing the Mayor to execute an Intergovernmental Agreement by and between the Housing Authority of the City of Atlanta, Georgia (the "Authority") and the City of Atlanta pertaining to the performance of certain public improvements by the Authority for the benefit of the City of Atlanta; transferring appropriations in the amount of \$950,000.00 to fund a portion of said public improvements; 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)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 02-O-0374 (6) An Ordinance by **Councilmember C. T. Martin as Amended by Finance/Executive Committee** anticipating and appropriating the proceeds in the amount of \$55,195,000.00 from the Georgia Municipal Association, Inc., Installment Sale Program Certificates of Participation (City Court of Atlanta Project) Series 2002 Issue which closed on January 3, 2002; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

CITY UTILITIES COMMITTEE

CLAIR MULLER, CHAIR

- 02-O-0371 (7) 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 UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-O-0372 (8) 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 March of Dimes; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

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

02-O-0249 (9) An Ordinance by **Councilmembers Cleta Winslow, Carla Smith, Ceasar C. Mitchell and Mary Norwood** amending Section 78-57 of the Code of Ordinances for the City of Atlanta in order to adjust Fire Permit Fees, and for other purposes.

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

SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT

02-O-0380 (10) An Ordinance by **Councilmembers Debi Starnes, Carla Smith and Ivory L. Young, Jr. as Substituted by Public Safety and Legal Administration Committee** to amend Sections 18-7 and 18-37 of the Code of Ordinances of the City of Atlanta so as to allow citizens to keep a Miniature Pot-Bellied Pig as a pet; and for other purposes.

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

SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

02-R-0348 (1) A Resolution by **Transportation Committee** authorizing the Mayor to execute an agreement with College Park Power for the removal and relocation of three (3) distribution power lines, poles and related equipment necessitated by the construction of the Fifth Runway Project at Hartsfield Atlanta International Airport, for a cost to the City of a lump sum amount of \$1,449,365.00 for cost incurred by College Park Power in conjunction therewith; to be paid from Fund, Account and Center Number: 2H27 574001 R21E050693CG; and for other purposes.

Councilmember Young noted for the record of his abstention to the above item due to a potential conflict of interest.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS; 1 ABSTENTION

02-R-0350 (2) A Resolution by **Transportation Committee** establishing the compensation limits for International Aviation Consultants, L.L.C. under Contract FC-7068-99, Program Management Services for the Hartsfield Development Program, during the third year of the term from February 1, 2002, through January 31, 2003, pursuant to the terms and conditions of the Contract, in an amount not to exceed \$19,300,000.00, to be charged to and paid from Fund, Account and Center Number: 2H21 524001 R21E10409999; and for other purposes.

Councilmember Young noted for the record of his abstention to the above item due to a potential conflict of interest.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS; 1 ABSTENTION

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

H. LAMAR WILLIS, CHAIR

02-R-0387 (3) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to extend the Banking Service Contract with First Union National Bank at Atlanta Hartsfield International Airport on a day to day basis, for a period of four weeks time certain; and for other purposes.

Councilmember Young noted for the record of his abstention to the above item due to a potential conflict of interest.

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

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

02-R-0199 (4) An **Amended** Resolution by **Finance/Executive Committee** to authorize the Mayor to enter into an appropriate contractual agreement for FC-6958-98, Bitsy Grant Tennis Center Erosion and Flood Control Improvements with Phillips & Jordan, Inc., in an amount not to exceed \$959,178.00. All contracted work shall be charged to and paid from the following Fund, Account and Center Numbers: 1C33 574001 M221030292BC - \$415,082.18 and 1C39 574001 M221030292BC- \$544,096.02.

**ADOPTED AS AMENDED ON CONSENT BY A UNANIMOUS
ROLL CALL VOTE OF 15 YEAS; 0 NAYS**

02-R-0209 (5) An **Amended** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into Renewal Agreement No. 1 with Shaw's Body Shop, Inc., for FC-6975-97, Automotive Body and Frame Repairs; on behalf of the Department of Administrative Services, for an amount not to exceed \$50,000.00; all contracted work to be charged to and paid from Fund, Account and Center Number: 2M01 523001 G62001.

**ADOPTED AS AMENDED ON CONSENT BY A UNANIMOUS
ROLL CALL VOTE OF 15 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 02-R-0353 (6) A Resolution by **Finance/Executive Committee** to authorize the acceptance of monies from Citizens and Developers removing trees in the City of Atlanta as a means to recompense for the loss of said trees when replacing trees on property is not feasible; and to authorize the Chief Financial Officer to establish a Tree Trust Fund to which said contributions shall be deposited; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEARS; 0 NAYS
- 02-R-0367 (7) A Resolution by **Councilmember Jim Maddox** to oppose House Bill 1248 which decreases the membership of the Atlanta/Fulton County Library Board of Trustees from seventeen (17) to seven (7); and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEARS; 0 NAYS
- 02-R-0383 (8) A Resolution by **Councilmember Clela Winslow as Amended by Finance/Executive Committee** authorizing the Mayor to execute a Replacement Warranty Deed conveying property titled in the name of the City of Atlanta (said property being known as Disposition Parcel 15, Area 3, of the then designated Model Cities Urban Redevelopment Area (the current address being 388 Glenn Street, SW) to Greater Mount Calvary Baptist Church, the execution of said replacement warranty deed being necessary due to the fact that the original warranty deed has been lost and cannot be found in the City's records; to rescind conflicting resolutions; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEARS; 0 NAYS
- 02-R-0386 (9) An **Amended** Resolution by **Finance/Executive Committee** expressing the intent of the Atlanta City Council that the proceeds of the General Obligation Public Improvement Bonds Quality of Life sales be distributed equally among the twelve City Council Districts; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEARS; 0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE
CLAIR MULLER, CHAIR

- 02-R-0327 (10) A Resolution by **City Utilities Committee** authorizing the Mayor or her designee to place a manhole on the brick trunk in Centennial Olympic Park Drive to serve property located at 121 Baker Street as requested by the property owner.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02 R-0328 (11) A Resolution by **City Utilities Committee** authorizing the Mayor to execute a Local Assistance Road Program Agreement for Project No. LAU 32-8532-79 (121), for the purpose of resurfacing city streets; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0329 (12) A Resolution by **City Utilities Committee** authorizing the Mayor to execute a Local Assistance Road Program Agreement for Project No. LAU 32-8531-82 (089), for the purpose of resurfacing city streets; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0330 (13) A Resolution by **City Utilities Committee** authorizing the Mayor or her designee to enter into an appropriate contractual agreement with WWPS, Inc. for FC-7357-01, Hemphill Water Treatment Plant Clearwell #1 Remediation/Leakage Repair on behalf of the Department of Water in amount not to exceed \$1,427,008.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 574001 Q24J05029999.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0331 (14) A Resolution by **City Utilities Committee** authorizing the Mayor or her designee to approve a Notice to Proceed with Jordan, Jones and Goulding, Inc./Engineering Design Technologies, Inc., JV for FC-6710-96D, Annual Contract for Architectural and Engineering Services to provide Civil Engineering Services for Intersection Improvement Project at Cheshire Bridge Road and Lindbergh Drive in an amount not to exceed \$128,120.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 1C28 574001 M23F01719985.

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

02-R-0333 (15) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Greenville Rooter, Inc., for FC-6820-97, Tenth Ward Sanitary Sewer Improvements, Phase II, Contract 4, in an amount not to exceed \$986,198.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 573001 M24I02469999.

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

02-R-0334 (16) A Resolution by **City Utilities Committee** authorizing the purchase of property located at 750 Selig Drive, from M. D. Hodges Enterprises, Inc. for the Utoy Creek Water Reclamation Center Improvements Project located in Land Lot 82 of the 14FF District, Fulton County, Georgia.

ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0339 (17) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a Lease Agreement with the Northside Youth Organization, Inc. for the purpose of joint use of certain fields, the gymnasium, buildings and other facilities as a recreational facility located in the Chastain Park on behalf of the Department of Parks, Recreation and Cultural Affairs.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

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

- 02-R-0325 (18) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of the claim of USAA as subrogee of Myron Shultz in the amount of \$10,000.00, against the City of Atlanta arising from two sewer backups.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0326 (19) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$2,971.00 to Mark W. Wagner in settlement of his claim against the City of Atlanta.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0345 (20) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to extend a Lease Agreement with the Georgia Tech Foundation Real Estate Holding Corporation, for the rental of 2,665 square feet of office space located at 398 Techwood Drive, Atlanta, Georgia, for the Police Zone Five Mini Precinct, from April 1, 2002 until March 31, 2003, in the amount not to exceed \$1 a year, to be charged and paid from Account Number 1A01 525001 X25001.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0203 (21) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$2,436.86 in settlement of the claim of Morris Smith, through his attorney, Colette R. Steel against the City of Atlanta.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0365 (22) A Resolution by **Councilmember Ivory L. Young, Jr.** authorizing the Mayor to execute a Memorandum of Understanding on behalf of the City of Atlanta, among the City, Atlanta High Intensity Drug Trafficking Area, the Metro Atlanta Crime Commission and the Georgia National Guard to provide for the demolition of residential dwellings identified as drug havens/crack houses located in the English Avenue Community, at no cost to the city; and for other purposes.
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Claims with Favorable Recommendations:

02-R-0315 (1) Claim of **Stuart Bailey**, for damages alleged to have been sustained as a result of a vehicular accident on January 14, 2002 at 23 Claire Drive. **\$2,000.00**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0316 (2) Claim of **Progressive Insurance Company as subrogee of Franklin D. Long**, for damages alleged to have been sustained as a result of a vehicular accident on November 19, 2001 at Moreland and Seaboard Avenues. **\$2,000.00**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0317 (3) Claim of **Gloria Faye Barnes**, for damages alleged to have been sustained as a result of tripping and falling on a sidewalk on September 27, 2001 at Marietta and Cone Streets. **\$1,328.05**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0318 (4) Claim of **Huda Abdullah**, for damages alleged to have been sustained as a result of a vehicular accident on January 10, 2002 at Campbellton Road and Ryan Street, SW.
\$2,000.00
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0319 (5) Claim of **Christopher Lowell Brown**, for damages alleged to have been sustained as a result of a pothole that was located in the roadway on June 15, 2001 at 3369 Lenox Road, NE.
\$1,442.02
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0320 (6) Claim of **Mary F. Evans**, for damages alleged to have been sustained as a result of an automobile accident on December 12, 2001 at Ponce de Leon Avenue and Briarcliff Avenue.
\$871.90
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0321 (7) Claim of **Farm Bureau of Georgia as Subrogee of Robert Nelson**, for damages alleged to have been sustained as a result of a vehicular accident on December 4, 2001 at Decatur and Hilliard Streets, SE.
\$2,000.00
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0322 (8) Claim of **Willie R. Primm**, for damages alleged to have been sustained as a result of a metal plate that was not properly covering a construction cut on September 25, 2001 at Ralph David Abernathy Boulevard and Evans Street. **\$1,050.00**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0323 (9) Claim of **Joseph Flagg**, for damages alleged to have been sustained as a result of a sewer backup on January 16, 2001 at 2891 Diana Drive, SW. **\$1,193.68**
ADOPTED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Claims with Unfavorable Recommendations:

02-R-0284 (10) Claim of **Progressive Insurance Company as subrogee of insured, Cameron Watson**, for damages alleged to have been sustained from a broken storm drain that was located in the roadway on February 24, 2000 at Centennial Olympic Park and Nelson Street, SW.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0285 (11) Claim of **Cameron Watson**, for damages alleged to have been sustained as a result of a broken storm drain that was located in the roadway on February 24, 2000 at Centennial Olympic Drive and Nelson Street, SW.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0286 (12) Claim of **Travelers Property Casualty Group, as subrogee of Donald Johnson**, for damages alleged to have been sustained as a result of an automobile accident due to a missing stop sign on April 24, 1999 at Allegheny Street, SW and Rochelle Drive.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0287 (13) Claim of **Enterprise Rent-A-Car**, for damages alleged to have been sustained as a result of a vehicular accident on November 24, 2001 at North Avenue and Peachtree Street.

ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0288 (14) Claim of **David Penfield, through his insurance carrier, Windsor Auto**, for damages alleged to have been sustained as a result of a vehicular accident on November 24, 2001 at North Avenue and Peachtree Street.

ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0289 (15) Claim of **Kathleen Grindle**, for damages alleged to have been sustained as a result of striking a piece of broken curbing in the roadway on January 30, 2002 at 350 Moreland Avenue, NE.

ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0290 (16) Claim of **Catherine Daniels, through her attorney, Jack Perlmutter**, for damages alleged to have been sustained as a result of personal injuries due to an undisclosed event on November 21, 2000 at the Atlanta Airport.

ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0291 (17) Claim of **Andre Harris**, for damages alleged to have been sustained as a result of vehicular damage due to a pothole in the roadway on January 19, 2002 at North Druid Hills Road at Buford Highway.

ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0292 (18) Claim of **Kouame Marc, individually and parent of Belly Marc, a minor, through their attorney, William D. Holman**, for damages alleged to have been sustained as a result of a vehicular accident on October 13, 2001 at Metropolitan Parkway and Fair Drive.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0293 (19) Claim of **Angela D. Burris**, for damages alleged to have been sustained as a result of driving over a bump in the roadway on October 18, 2001 at Peters and Fair Streets, SW.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0294 (20) Claim of **Evelyn Huggins**, for damages alleged to have been sustained as a result of driving over a bump in the roadway on November 28, 2001 at 244 Peters Street, SW.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0295 (21) Claim of **United Services Automobile Association, as subrogee of Daron Deon Cheney**, for damages alleged to have been sustained as a result of a vehicular accident on March 14, 2001 at 2555 Bolton Road, NW.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0296 (22) Claim of **270 L.P. and 270 Properties, Inc, through their attorney, Stephen Dermer**, for damages alleged to have been sustained as a result of property damage due to a sewer backup on April 1-2, 2000 at 271 Spring Street.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0297 (23) Claim of **Hau T. Pham, through his insurance carrier State Farm Insurance Company**, for damages alleged to have been sustained as a result of a vehicular accident on July 28, 2001 at Medlock Bridge Road and Old Alabama Road.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0298 (24) Claim of **Robin Waldorf, through her attorney, Jeffrey Flynn**, for damages alleged to have been sustained as a result of a vehicular accident on September 26, 2001 at Memorial Drive and Abernathy Street.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0299 (25) Claim of **Willis Jackson**, for damages alleged to have been sustained as a result of driving over unsecured construction plates in the roadway on October 26, 2001 at Marietta Boulevard and Fairlie Street.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0301 (26) Claim of **Clara Horaj, through her attorney, Patrick J. Walsh**, for damages alleged to have been sustained as a result of personal injuries due to a fall at the Atlanta Airport on March 14, 2001.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0302 (27) Claim of **Patricia Gieseler**, for damages alleged to have been sustained as a result of personal injuries due to an incident with a cleaning contractor on December 28, 2001 at the Atlanta Airport.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-R-0303 (28) Claim of **Coach, Inc., through its insurance carrier, Sedgewick Claims Management Services, Inc.**, for damages alleged to have been sustained as a result of a vehicular accident on July 23, 2001 at Courtland Street and Ralph McGill Boulevard.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0304 (29) Claim of **Timothy Sean Fogarty, Reg. No. 35622-019, Jesup Federal Correctional Institution**, for damages alleged to have been sustained as a result of violation of his civil rights resulting in exposure to environmental tobacco smoke during an incarceration from May 1999 through March 2000 at the Atlanta City Detention Center.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0305 (30) Claim of **Brandon Elliott**, for damages alleged to have been sustained as a result of being repeatedly slammed to the trunk of a vehicle by a police officer during a routine traffic stop on November 22, 2001 at Barrett Parkway and Highway 41.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0306 (31) Claim of **Juan Anzora**, for damages alleged to have been sustained as a result of a vehicle driving over a manhole that was under construction on May 17, 2001 at 3733 Peachtree Road, NE.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0307 (32) Claim of **Jeff Davis**, for damages alleged to have been sustained as a result of a vehicle driving over a manhole that was elevated higher than the street surface on May 18, 2001 on Piedmont Avenue.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0308 (33) Claim of **Prince West**, for damages alleged to have been sustained as a result of a stolen vehicle that was being pursued by police struck a fence, mailbox, and ruined landscaping on November 29, 2001 at 1663 Mary George Avenue, NW.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0309 (34) Claim of **Ken Morrison, individually, and his capacity as a representative of the Estate of Josephine Morrison, deceased, through his attorney, Randall F. Rogers, Esq.**, for damages alleged to have been sustained as a result of a vehicular accident on May 12, 2001 at Glendridge Drive and Interstate 285.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0310 (35) Claim of **Jacques W. LeGette**, for damages alleged to have been sustained as a result of a vehicle driven over a construction site in the roadway that was partially covered on November 5, 2001 at 3024 Peachtree Road, NE.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0311 (36) Claim of **Rahul Gogate, through his attorney, Howard Manchel, Esq., & Mark Spix, Esq.**, for damages alleged to have been sustained as a result of being unjustly attacked by a police officer that was on duty at an authorized security job on June 15, 2001 at 225 Pharr Road, NE.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0312 (37) Claim of **Jason C. Barnes**, for damages alleged to have been sustained as a result of a police officer using excessive force during a false arrest and imprisonment incident on February 4, 2001 at Bankhead Highway, NW.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS
- 02-R-0313 (38) Claim of **Orlando Taylor**, for damages alleged to have been sustained as a result of a construction cut that was left open and in an unsafe condition on March 4, 2001 at the intersection of Peachtree Road, NE and Terrace Drive, NE.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0314 (39) Claim of **GEICO Direct, as subrogee of insured Danny Williams**, for damages alleged to have been sustained as a result of an automobile accident that occurred on May 3, 2001 at 3909 Campbellton Road, SW.
ADVERSED ON CONSENT BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

**CONSENT AGENDA
SECTION II**

Council President Cathy Woolard Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

02-O-0352 (1) An Ordinance by **Transportation Committee** authorizing the Mayor to accept two grants from Atlanta Regional Commission (ARC) to conduct separate Livable Community Initiatives Studies (LCI) for the Hamilton Holmes MARTA Station Area and the Bolton Road Project Area; and authorizing the Mayor to sign a Contract Agreement with ARC for each study; and transferring to and from appropriations in the General Government Capital Outlay Fund \$37,000.00 to provide the City of Atlanta's Matching Funds Obligation and increasing estimated receipts in the 2002 Intergovernmental Grant Fund by \$148,000.00; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

CITY UTILITIES COMMITTEE

CLAIR MULLER, CHAIR

02-O-0335 (2) An Ordinance by **City Utilities Committee** to amend the City of Atlanta Code of Ordinances, Chapter 74, Article VI Flood Area Regulations; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-O-0336 (3) An Ordinance by **City Utilities Committee** to abandon a portion of the right-of-way of Englewood Avenue said portion being approximately 0.354 acre in area, running between Chadwick Street and Milton Terrace a distance of approximately 197 feet and located in Land Lot 55 & 56 of the 14th District, Fulton County, Georgia; and for other purposes. **(Advertised for a Public Hearing 3/12/02 at 9:00 a. m. in Committee Room #2)**

REFERRED TO CITY UTILITIES 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
CLETA WINSLOW, CHAIR

02-O-0277 (4)
CDP-02-01 An 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 **3217-3269 Browns Mill Road, SE**, from the "Industrial" Land Use Designation to the "Mixed Use" Land Use Designation; and for other purposes. NPU-Z Council District 12

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-0278 (5)
CDP-02-02 An 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 **130 and 215 Arizona Avenue, NE**, from the "Industrial" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. NPU-O Council District 5

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-0279 (6)
CDP-02-03 An 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 **514-540 Moreland Avenue, NE**, From the "Low Density Residential" Land Use Designation to the "Mixed Use" Land Use Designation; and for other purposes. NPU-N Council District 2

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-0280 (7)
CDP-02-04 An 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 **806 Murphy Avenue, SW**, from the "Industrial" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. NPU-V Council District 4

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-0281 (8)
CDP-02-05 An 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 **882-966 Marietta Street, NW**, from the “Industrial” Land Use Designation to the “Mixed Use” Land Use Designation; and for other purposes. NPU-E Council District 3
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-0282 (9)
CDP-02-06 An 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 **585 Ezzard Street, SE**, from the “Low Density Residential” Land Use Designation to the “Low Density Commercial” Land Use Designation; and for other purposes. NPU-M Council District 2
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-0283 (10)
CDP-02-07 An 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 **1023 Dill Avenue, SW**, from the “Single Family Residential” Land Use Designation to the “Low Density Commercial” Land Use Designation; and for other purposes. NPU-X Council District 12
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-0342 (11) An Ordinance by **Community Development/Human Resources Committee** providing procedures for enforcing standards for collecting, handling, storing and disposing of scrap tires in the City of Atlanta; and for other purposes.
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-0343 (12) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to direct the Department of Planning, Development and Neighborhood Conservation (Bureau of Neighborhood Conservation) to demolish and clean the premises of various structures, pursuant to Article III of the Atlanta Housing Code and a hearing conducted by the In Rem Review Board on January 31, 2002.

683 D'Alvigney Street, NW 03
696 English Avenue, NW 03
33 Gould Street, SE 01
1344 Simpson Road, NW 03

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-0344 (13) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to direct the Department of Planning, Development and Neighborhood Conservation (Bureau of Neighborhood Conservation) 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 January 31, 2002.

2099 Claude Street, NW 09
997 Dunning Street, SE 02
86 Mortimer Street, SE 05
216 Newport Street, NW 03

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-0378 (14) An Ordinance by **Community Development/Human Resources Committee** anticipating and appropriating \$240,000.00 in the 2002 (Community Development Fund) Budget to fund CD-730, Youth Recreation Program under the Social Service category of the 2002 Community Development Block Grant (CDBG) Program; and for other purposes.

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)

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

02-O-0324 (15) An Ordinance by **Public Safety and Legal Administration Committee** authorizing the settlement of the claim of Susan Chana Elliott in an amount not to exceed \$3,115.80 authorizing the Chief Financial Officer to disburse the settlement amount; to waive City of Atlanta Code of Ordinances Sections 2-4 and 2-783 for this instance only; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

02-O-0346 (16) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2002 (Intergovernmental Grant Fund) Budget, Judicial Agencies, by adding to anticipations and appropriation in the amount of \$46,667.00 from the Criminal Justice Coordinating Council (CJCC) for the purpose of providing temporary protective services for victims of domestic violence; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

COMMITTEE REPORTS

Council President Cathy Woolard Presided

COMMITTEE REPORTS

TRANSPORTATION COMMITTEE (1)

H. LAMAR WILLIS, CHAIR

Attendance at the February 27, 2002 meeting of the Transportation Committee was as follows:

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

Absent: None

RESOLUTION

02-R-0347 (1) A Resolution by **Transportation Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Logistic Systems, Inc., for the upgrade of the Computer Aided Dispatch (CAD) System at Hartsfield Atlanta International Airport on behalf of the Department of Aviation in an amount not to exceed \$141,339.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 575001 X24002.

Councilmember Young noted for the record of his abstention to the above item due to a potential conflict of interest.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

DEBI STARNES, CHAIR

Attendance at the February 27, 2002 meeting of the Zoning Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

The following items (1 – 4) were taken as a collective vote.

02-O-0051 (1)
Z-01-97 An Ordinance by **Zoning Committee** designating the Wimbish House (A/K/A Atlanta Woman's Club), located at **1150 Peachtree Street, NE**, Land Lot 106, of the 17th District of Fulton County, Georgia and certain real property on which it is located, to the overlay zoning designation of landmark building or site pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta and rezoning from C4 (Central Area Commercial Residential) to C4/LBS (Central Area Commercial Residential/Landmark Building or Site); to repeal conflicting laws; and for other purposes.
ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-O-0114 (2)
U-01-57 An Ordinance by **Zoning Committee** granting a Special Use Permit for a community recreation facility (Section 16-07.005 (1) (k)) property located at **181 Flat Shoals Avenue, S.E.**, fronting 213.99 feet on the Southwesterly side of Howell Drive beginning at the Southeast corner of Wilbur Avenue. Depth: varies; Area: 0.91 acre; Land Lot 13, 14th District, Fulton County, Georgia; Owner: Andrew P. Stewart Center, Inc.; Applicant: same; By: Carl E. Westmoreland, Jr.; NPU-N Council District 5.
ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-O-0115 (3)
U-01-58 An Ordinance by **Zoning Committee** granting a Special Use Permit for a day care center (Section 16-05.005 (1) (b)), property located at **3050 Cascade Road, S.W.**, fronting 428.12 feet on the South side of Cascade Road beginning at the Southwest corner of Adams Drive. Depth: 550 feet; Area: 5.24 acres; Land Lot 233, 14th District, Fulton County, Georgia; Owner: Emmanuel Lutheran Church; Applicant: Jane Moyo; NPU-I Council District 11.
ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 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-0116 (4)
U-01-59 An Ordinance by **Zoning Committee** granting a Special Use Permit for a community service facility (Section 16-07.005 (1) (k)), property located at **327 Saint Paul Avenue, S.E.** fronting 100 feet on the South side of Saint Paul Avenue beginning 115 feet West from the Southwest corner of Grant Street. The property also fronts 30 feet on the North side of Orleans Street. Depth: 238 feet; Area: approximately 19,100 square feet; Land Lot 44, 14th District, Fulton County, Georgia; Owner: Federal Home Loan Mortgage Corp.; Applicant: Atlanta Preservation Center; NPU-W Council District 1.

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

02-O-0106 (5)
Z-01-95 A **Substitute** Ordinance by **Zoning Committee** to rezone from the R-4 (Single-Family Residential) District to the R-LC (Residential-Limited Commercial) District, property located at **2030 Rockledge Street, N.E.**, fronting 49.22 feet on the Northwesterly side of Rockledge Street beginning 100 feet Southwesterly from the Southwest corner of Bismark Road; Depth: 149.92 feet; Area: 7,379 square feet; Land Lot 50, 17th District, Fulton County, Georgia; Owner: Maxwell R. Calloway; Applicant: same; By: G. Douglas Dillard, Attorney NPU-F Council District 6.

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

The following items (02-O-0045 and 02-O-0049) were taken as a collective vote.

02-O-0045 (6)
Z-01-71 An Ordinance by **Zoning Committee** rezoning from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **McDonough Boulevard, S.E.** fronting 678.94 feet on the Southwesterly side of McDonough Boulevard beginning 612.40 feet Northwesterly from the Southwest corner of Henry Thomas Drive; Depth: varies; Area: 24.35 acres; Land Lots 8, 25, 26, 14th District, Fulton County, Georgia; Owner: William Freemans; Applicant: Dianna S. Johnson; NPU-Z Council District 1.

ADOPTED SUBSTITUTE AS AMENDED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)
DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0049 (7)
Z-01-63 A **Substitute Ordinance as Amended by Zoning Committee** to rezone from the R-4 (Single-Family Residential) District to the R-4A (Single-Family Residential) District, property located at **460 Patterson Avenue, S.E.**, fronting 284 feet on the East side of Patterson Avenue beginning 291.60 feet South from the Southeast corner of Metropolitan Avenue; Depth: 263.78 feet; Area: 1.708 acres; Land Lot 177, 15th District, DeKalb County, Georgia; Owner: Grayson Communities, Inc.; Applicant: same; By Gus Pounds; NPU-W Council District 5.

ADOPTED SUBSTITUTE AS AMENDED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-O-0047 (8)
Z-01-80 An Ordinance by **Zoning Committee** to rezone from the R-5 (Two-Family Residential) District to the PD-MU (Planned Development-Mixed Use) District, property located at **514-540 Moreland Avenue, N.E.** fronting 299.77 feet on the West side of Moreland Avenue beginning 150 feet North from the Northwest corner of Mansfield Street; Depth: 235.46 feet; Area: 1.509 acres; Land Lot 15, 14th District, Fulton County, Georgia; Owner: Joyce Mitchell et. al.; Applicant: Robert E. Reed for Preston and Associates, Architects; NPU-N Council District 2.

The above item came from committee with an Adverse recommendation; however, Councilmember Young offered a Substitute Motion to Adopt. Following, Council President Woolard ruled Mr. Young's Motion out of order; therefore, the Motion to Adverse was before the Council. After which, Councilmember Smith offered an amendment which consisted of nine (9) conditions. Properly Seconded, a discussion ensued. During the discussion, Councilmember Archibong made a Substitute Motion to Refer the ordinance back to the Zoning Committee. Council President Woolard ruled again stating the Archibong Motion was out of order. Thereafter, another discussion ensued followed by the Call of the Question by Councilmember Young. The Motion of the Question was then CARRIED by Voice Vote. Subsequently, the Smith Amendment was approved by a roll call vote of 12 yeas; 3 nays. The Motion before the Council was to Adverse as Amended. Councilmember Archibong offered her Substitute Motion again to Refer the item back to the Zoning Committee. It was Seconded by Councilmember Fauver and

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)
DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0047 (8)
Z-01-80
(Cont'd) An Ordinance by **Zoning Committee** to rezone from the R-5 (Two-Family Residential) District to the PD-MU (Planned Development-Mixed Use) District, property located at **514-540 Moreland Avenue, N.E.** fronting 299.77 feet on the West side of Moreland Avenue beginning 150 feet North from the Northwest corner of Mansfield Street; Depth: 235.46 feet; Area: 1.509 acres; Land Lot 15, 14th District, Fulton County, Georgia; Owner: Joyce Mitchell et. al.; Applicant: Robert E. Reed for Preston and Associates, Architects; NPU-N Council District 2.

an extensive discussion ensued in which during the discussion Councilmember Archibong withdrew her Motion to Refer as well as the Second by Councilmember Fauver. Therefore, the Motion to Adverse as Amended was before the Council. After a brief discussion, Councilmember Maddox Called the Question and the Motion CARRIED by Voice Vote. Consequently, the Motion to Adverse as Amended CARRIED by a roll call vote of 13 yeas; 2 nays.

**ADVERSED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
2 NAYS**

02-O-0052 (9)
U-01-44 An Ordinance by **Zoning Committee** granting a Special Use Permit for a rehabilitation center (Section 16-06.005 (1) (g), property located at **3557 Valeland Avenue, S. W.** fronting 162.2 feet on the Northside of Valeland Avenue beginning 380 feet East from the Northeast corner of Barge Road; Depth: 200 feet; Area: 32,440 square feet; Land Lot 252, 14th District, Fulton County, Georgia; Owner: Archie J. Harris; Applicant: same; NPU-P Council District 11.

ADVERSED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (5)
DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0054 (10) An Ordinance by **Councilmember Debi Starnes** granting a
U-01-49 Special Use Permit for a Telecommunications Tower (Co-Location)
(Section 16-16.005(1) (h)), property located at **2370 (a.k.a. 2392)**
Verbena Street, SW, fronting 627.68 feet on the south side of
Verbena Street beginning at the southwest corner of Fairfield
Place.

Depth: Varies
Area: 3.83 Acres
Land Lot: 180, 14th District, Fulton County, Georgia
Owner: Heritage Propane
Applicant: Group EMF, Inc. Agent for Metro PCS Georgia,
Inc.
NPU-J Council District 3

FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

02-O-0055 (11) An Ordinance by **Councilmember Debi Starnes** granting a
U-01-50 Special Use Permit for a Telecommunications Tower (Co-Location)
(Section 16-07.005 (1) (i), property located at **1689 (a.k.a. 1669-
1671) Pryor Road, SW**, fronting approximately 325 feet on the
west side of Pryor Road beginning at the northwest corner of Hipp
Street.

Depth: 373.05 Feet
Area: 2.70 Acres
Land Lot: 72, 14th District, Fulton County, Georgia
Owner: Kim Jong
Applicant: Group EMF, Inc., Agent for Metro PCS of
Georgia
NPU-Y Council District 12

FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (6)
DEBI STARNES, CHAIR

ORDINANCES FOR FIRST READING

02-O-0356 (1) An Ordinance by **Zoning Committee** to amend Ordinance Z-99-02, adopted by City Council April 5, 1999 and approved by Operation of Law April 13, 1999, rezoning from the RG-2 (Residential General-Sector 2) District to the RG-3-C (Residential General-Sector 3-Conditional) District, property located at **3655 Peachtree Road, NE**, for the purpose of approving a Revised Site Plan and Change of Conditions.

| | |
|------------|--------------------|
| Owner: | Fred Filsoof |
| Applicant: | David Green |
| NPU-B | Council District 7 |

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0357 (2) An Ordinance by **Zoning Committee** to rezone from the R-4A (Single-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **the rear of 1780 Metropolitan Parkway, SW (a.k.a. 1914, 1922 and 1970 Metropolitan Parkway and Various Additional Addresses)**. Property has no frontage on Metropolitan Parkway, but has various frontages on Leola Street, Spring Place, Climax Place, Adams Street and Saint Johns Avenue.

| | |
|------------|-------------------------------------------------------|
| Depth: | Varies |
| Area: | Approximately 15 Acres |
| Land Lot: | 90, 14 th District, Fulton County, Georgia |
| Owner: | Bertrand M. Parks |
| Applicant: | David H. Dixon |
| By: | Carl E. Westmoreland, Jr., 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-0358 (3)
Z-02-03/
Z-84-52

An Ordinance by **Zoning Committee** to amend Ordinance Z-84-52, adopted by City Council August 6, 1984 and approved by the Mayor August 8, 1984, rezoning from the C-3 (Commercial-Residential) District to the PD-OC (Planned Development-Office Commercial) District, property located at **3060 Peachtree Road, NW**, for the purpose of approving a Revised Site Plan and Change of Conditions.

Owner: Buckhead Plaza Land Trust
Applicant: Realty Development Corporation
By: Nathan V. Hendricks III, Esq., Attorney
NPU-B Council District 8

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0359 (4)
Z-02-02/
Z-84-52

An Ordinance by **Zoning Committee** to amend Ordinance Z-84-52, adopted by City Council August 6, 1984 and approved by the Mayor August 8, 1984, rezoning from the C-3 (Commercial-Residential) District to the PD-OC (Planned Development-Office Commercial) District, property located at **3060 Peachtree Road, NW**, for the purpose of approving a Revised Site Plan and Change of Conditions.

Owner: Buckhead Plaza Land Trust
Applicant: Stafford Plaza LLC and TCRA Properties
By: Carl E. Westmoreland, Esq., Attorney
NPU-B Council District 8

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (8)
DEBI STARNES, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

02-O-0360 (5) An Ordinance by **Zoning Committee** to amend Ordinance Z-
Z-02-01/ 86-34, adopted by City Council July 7, 1986 and approved
Z-86-34 by the Mayor July 8, 1986, rezoning from the C-3 (Commercial-
Residential) and C-1-C (Community Business-Conditional)
Districts to the PD-OC (Planned Development-Office Commercial)
District, property located at **3260-3316 Peachtree Road, NE and
3317 and 3349 Piedmont Road, NE**, for the purpose of
approving a Revised Site Plan and Change of Conditions.

Owner: BRE/Atlanta LLC
Applicant: Same
By: Charles F. Palmer, Esq., Attorney
NPU-B Council District 7

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

02-O-0354 (6) An Ordinance by **Zoning Committee** granting a Special Use
U-02-03 Permit for a Church (Section 16-07,005(1)(c)), property located at
**956-978 Metropolitan Parkway, SW/597-603 Arthur Street,
SW/ 951-967 Dewey Street, SW**, fronting 255 feet on the north
side of Arthur Street beginning at the northeast corner of
Metropolitan Parkway.

Depth: Varies
Area: 1.626 Acres
Land Lot: 87, 14th District, Fulton County, Georgia
Owner: The Salvation Army, A Georgia Corporation
Applicant: Same
NPU-V Council District 4

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (8)
DEBI STARNES, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

02-O-0355 (7) An Ordinance by **Zoning Committee** granting a Special Use
U-02-02 Permit for a Truck Terminal (Section 16-17.005(1)(p)), property
located at **1045 South River Industrial Boulevard, SE**, fronting
558.59 feet on the east side of Forest Park Road beginning at the
southeast corner of South River Industrial Boulevard.

Depth: 864.86 Feet
Area: 10.138 Acres
Land Lot: 5, 14th District, Fulton County, Georgia
Owner: The 4M Operating Corp.
Applicant: Benton Express, Inc.
By: Stephen F. Fusco Esq., Attorney
NPU-Z Council District 1

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the February 27, 2002 meeting of the Finance/Executive Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

02-O-0186 (1) An Ordinance by **Finance/Executive Committee as Amended by the Atlanta City Council** to amend the Charter of the City of Atlanta 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 Part 1, Subpart A, Article VI, Chapter 3, Section 6-301(b)(2), Section 6-302(c) and Section 6-304(b) 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 add a requirement for the Budget Commission to allocate funds for a restricted General Fund Reserve equal to five (5) percent of the proposed General Fund Budget; and for other purposes.
ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS FOR 3RD READING, FINAL ADOPTION

02-O-0187 (2) An **Amended** Ordinance by **Finance/Executive Committee** to amend the Charter of the City of Atlanta 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 Part 1, Subpart A, Article VI, Chapter 3, Section 6-301(b) 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 add a Section 6-301(b)(6), which reads "The Members of the Budget Commission shall be personally liable for the over-anticipation of receipts."

The above item was forwarded from committee Favorable as Amended for 3rd Reading, Final Adoption. A brief discussion ensued followed by the Call of the Question by Councilmember Shook. The Motion of the Question was then CARRIED by Voice Vote. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 13 yeas; 2 nays.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 2 NAYS FOR 3RD READING, FINAL ADOPTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0091 (3) An Ordinance by **Councilmember Clair Muller** anticipating and appropriating the proceeds of the \$61,220,000.00 (2000 Quality of Life Improvement Bonds) sold on December 5, 2001 and closed on December 20, 2001; amending the 2002 (Sinking Fund) Budget for the purpose of anticipating the accrued interest and the appropriation of these funds toward payment of interest on the Bonds; and for other purposes.

The above item was forwarded from committee with No Recommendation. Councilmember Moore, as prerogative as Chair, made a Motion to Refer 02-O-0091 back to the Finance/Executive Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-O-0258 (4) An Ordinance by **Councilmember C. T. Martin as Substituted and Amended by Finance/Executive Committee**, to amend Article "V", Classification Plan, Section 114-447, of the Code of Ordinances, City of Atlanta, Georgia, so as to Abolish vacant positions (Part A); Abolish filled positions (Part B); Create, Reclassify, transfer salary and grade adjust positions (Part C); Introduce personnel policy amendments and new initiatives (Part D); and for other purposes. **(Referred from Council, 2/4/02) (Forward with No Recommendation from Finance/Executive 2/13/02) (Referred back from Council, 2/25/02)**

The above item was forwarded from committee with No Recommendation on Substitute as Amended. Chairperson Moore made a Motion to enter Executive Session for the purpose of potential litigation on Ordinance 02-O-0258. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0258 (4)
(Cont'd)

An Ordinance by **Councilmember C. T. Martin as Substituted and Amended by Finance/Executive Committee**, to amend Article "V", Classification Plan, Section 114-447, of the Code of Ordinances, City of Atlanta, Georgia, so as to Abolish vacant positions (Part A); Abolish filled positions (Part B); Create, Reclassify, transfer salary and grade adjust positions (Part C); Introduce personnel policy amendments and new initiatives (Part D); and for other purposes. **(Referred from Council, 2/4/02) (Forward with No Recommendation from Finance/Executive 2/13/02) (Referred back from Council, 2/25/02)**

Exiting Executive Session and reconvening the full Council meeting, Councilmember Moore offered an Amendment package that included changing specified positions. It was brought forth Without Objection. The Motion to approve the Moore Amendment package was then CARRIED by a roll call vote of 14 yeas; 1 nay. After which, Councilmember Winslow offered Amendments to specific positions. A friendly Amendment was offered by the law dept. and accepted for the Project Specialist position be on a pay grade of 17. The Amendments were properly Seconded and CARRIED by a roll call vote of 13 yeas; 1 nay. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 12 yeas; 2 nays. Following a brief discussion, Councilmember Maddox made a Motion to Reconsider 02-O-0258. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. The ordinance was before the Council. A discussion ensued followed by Councilmember Starnes offering an Amendment to delete the ROA's; Rec. Center positions. It was Seconded by Councilmember Muller and a brief discussion ensued in during Ms. Starnes withdrew her Amendment as well as Ms. Muller her Second. Councilmember Starnes then remade her Motion to Amend to delete the ROA's; Rec. Center positions. It was properly Seconded and following a discussion, Councilmember Young Called the Question. It was properly Seconded and the Motion of the Question CARRIED by Voice Vote.

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-0258 (4)
(Cont'd)

An Ordinance by **Councilmember C. T. Martin as Substituted and Amended by Finance/Executive Committee**, to amend Article "V", Classification Plan, Section 114-447, of the Code of Ordinances, City of Atlanta, Georgia, so as to Abolish vacant positions (Part A); Abolish filled positions (Part B); Create, Reclassify, transfer salary and grade adjust positions (Part C); Introduce personnel policy amendments and new initiatives (Part D); and for other purposes. **(Referred from Council, 2/4/02) (Forward with No Recommendation from Finance/Executive 2/13/02) (Referred back from Council, 2/25/02)**

The Starnes' Amendment was then CARRIED and FAILED by a roll call vote of 3 yeas; 12 nays. Councilmember Martin was recognized and made a Motion to Adopt on Substitute as Amended. It was properly Seconded and followed by the Call of the Question by Councilmember Boazman. The Motion of the Question CARRIED by Voice Vote. Subsequently, the Motion to Adopt of Substitute as Amended CARRIED by a roll call vote of 11 yeas; 4 nays.

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 4 NAYS

02-O-0362 (5)

An Ordinance by **Councilmember Felicia Moore as Amended by Finance/Executive Committee** to amend Atlanta City Code Section 2-105(a) so as to delete the words "for service" wherever they appear; to delete subsection (4) of Atlanta City Code Section 2-105(a) and substitute a provision in lieu thereof requiring that upon introduction of such legislation proposing a new fee or charge or to increase the amount of any existing fee or charge, each Neighborhood Planning Unit shall be notified and notice of such proposed legislation may be placed on the Neighborhood Planning Unit Agenda for information purposes only; to repeal conflicting ordinances; and for other purposes.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ITEM REMOVED FROM CONSENT AGENDA

02-O-0364 (1) An Ordinance by **Councilmembers Carla Smith and Derrick Boazman as Amended by Finance/Executive Committee** authorizing the Mayor to execute an Intergovernmental Agreement by and between the Housing Authority of the City of Atlanta, Georgia (the "Authority") and the City of Atlanta pertaining to the performance of certain public improvements by the Authority for the benefit of the City of Atlanta; transferring appropriations in the amount of \$950,000.00 to fund a portion of said public improvements; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Moore. Ms. Moore stated the ordinance was not ready to move forward; therefore, she made a Motion to Refer 02-O-0364 back to the Finance/Executive Committee. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

REFERRED AS AMENDED TO FINANCE/EXECUTIVE COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)
ANNE FAUVER, CHAIR

Attendance at the March 04, 2002 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Boazman

ORDINANCE FOR FIRST READING

02-O-0377 (1) An Ordinance by **Committee on Council** amending the Code of Ordinances of the City of Atlanta so as to delete Chapter 2, Article VII, Division 2, Standards of Conduct in its entirety and replace it with new Standards of Conduct; to amend the oath taken by members of Boards and Commissions; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)
CLAIR MULLER, CHAIR

Attendance at the February 26, 2002 meeting of the City Utilities Committee was as follows:

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

Absent: Councilmember Willis

RESOLUTION

02-R-0332 (1) A **Substitute** Resolution by **City Utilities Committee** authorizing the Mayor to execute a Change Order to Contract FC-7134-99, Design/Build of Nancy Creek Trunk Sewer Capacity Management Facility with Western Summit Constructors, Inc., on behalf of the Department of Public Works in an amount not to exceed \$2,316,827.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J27 573001 M24I02429999.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the February 26, 2002 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: Councilmember Starnes

ORDINANCES FOR SECOND READING

02-O-0197 (1) A **Substitute** Ordinance by **Community Development/Human Resources Committee** amending the 2002 (Community Development Fund) Budget by anticipating and appropriating \$1,920,250.00, 2002 (HOME Investment Fund) Budget by anticipating and appropriating \$406,400.00, and 2002 (Intergovernmental Grant Fund) Budget by Anticipating and appropriating \$116,520 and transferring appropriations from Reserve Accounts to Administrative Accounts in the 2002 CDBG, HOME and HOPWA Programs; and for other purposes.
ADOPTED SUBSTITUTE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

02-O-0198 (2) A **Substitute** Ordinance by **Community Development/Human Resources Committee** anticipating and appropriating \$10,136,750.00 in the 2002 Community Development Block Grant Program (CDBG), \$426,000.00 in the 2002 Emergency Shelter Grant (ESG) Program, \$3,657,600.00 in the 2002 HOME Investment Partnership Program (HOME) and \$3,767,480.00 in the 2002 Housing Opportunities for Persons with AIDS (HOPWA) Grant Program; and for other purposes.
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

RESOLUTIONS

02-R-0337 (1) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into various contractual agreements for the implementation of projects under the 2002 Community Development Block Grant (CDBG), 2002 Home Investment Partnership Program (HOME), 2002 Emergency Shelter Grant (ESG), and the 2002 Housing Opportunities for Persons With Aids (HOPWA) Programs; and for other purposes.

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

02-R-0338 (2) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a contract with the Summech Development Corporation (Summech) to implement acquisition activities under the Mechanicsville Urban Redevelopment/Section 108 Project in an amount not to exceed \$1,250,000.00; and for other purposes.

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

02-R-0340 (3) A Resolution by **Community Development/Human Resources Committee** certifying to the operation of the Revolving Loan Fund (RLF), EDA Project Number 04#-3904038 by the City of Atlanta; and for other purposes.

The above item came from committee with No Recommendation. Chairperson Winslow, as prerogative as Chair, made a Motion to Adopt. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 1 nay.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (3)
CLETA WINSLOW, CHAIR

RESOLUTIONS (CONT'D)

02-R-0341 (4) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to sign a Grant Extension for time only, for the City's Brownfield's Grant (BP-98403696-4) with the U.S. Environmental Protection Agency; and for other purposes.

The above item was forwarded from committee with No Recommendation. Councilmember Winslow, as prerogative as Chair, made a Motion to Adopt. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the February 26, 2002 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

ITEMS REMOVED FROM THE CONSENT AGENDA

02-O-0249 (1) An Ordinance by **Councilmembers Cleta Winslow, Carla Smith, Ceasar C. Mitchell and Mary Norwood** amending Section 78-57 of the Code of Ordinances for the City of Atlanta in order to adjust Fire Permit Fees, and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Boazman. Mr. Boazman removed the ordinance to record his Nay vote.

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 1 NAY

02-O-0380 (2) An Ordinance by **Councilmembers Debi Starnes, Carla Smith and Ivory L. Young, Jr. as Substituted by Public Safety and Legal Administration Committee** to amend Sections 18-7 and 18-37 of the Code of Ordinances of the City of Atlanta so as to allow citizens to keep a Miniature Pot-Bellied Pig as a pet; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Moore. After a brief discussion, the Motion to Adopt on Substitute was CARRIED by a roll call vote of 13 yeas; 1 nay.

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

PERSONAL PAPERS

Council President Cathy Woolard Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

02-R-0450 (1) A Resolution by **Councilmember Felicia Moore** authorizing the City Attorney to settle the case of Charles L. Henry, III v. The City of Atlanta, Civil Action No. 1:00-cv-1002-CAP, in the United States District Court for the Northern District of Georgia; and for other purposes.

Councilmember Moore made a Motion to Adopt the above resolution. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays.

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

02-R-0451 (2) A Resolution by **Councilmember Jim Maddox** to oppose House Bill 1348 which decreases the membership of the Atlanta/Fulton County Library Board of Trustees from seventeen (17) to seven (7); and for other purposes.

Councilmember Maddox made a Motion to Adopt the above resolution. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 1 nay.

ADOPTED BY A ROLL CALL VOTE OF 10 YEAS; 1 NAY

RESOLUTION/FAILED

02-R-0452 (1) A Resolution by **Councilmembers H. L. Willis, Mary Norwood, C. T. Martin and Ceasar Mitchell** directing the Chief Financial Officer of the City of Atlanta to provide financial information concerning the 2002 Early Retirement Program Ordinance; and for other purposes.

Councilmember Willis made a Motion to Adopt the above resolution. It was properly Seconded and a discussion ensued in which Councilmember Boazman made a Motion to Call the Question. The Motion of the Question was then CARRIED by Voice Vote. After which, the Motion to approve CARRIED and FAILED by a roll call vote of 7 yeas; 4 nays.

FAILED BY THE LACK OF A MAJORITY VOTE OF 7 YEAS; 4 NAYS

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED

- 02-O-0456 (1) An Ordinance by **Councilmember Howard Shook** to authorize the Mayor to enter into an intergovernmental agreement with DeKalb County, Georgia, and Ashwood Development Company consenting to the allocation of governmental services to be provided to property owned and developed by Ashwood Development Company which is located both in the City of Atlanta and DeKalb County which will traverse jurisdictional boundaries; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0458 (2) An Ordinance by **Councilmembers Ceasar Mitchell, H. L. Willis, Jim Maddox, Mary Norwood, Derrick Boazman, Clela Winslow, C. T. Martin, Howard Shook, Debi Starnes, Ivory Lee Young and Carla Smith** to amend Chapter 62, Article II of the Code of Ordinances of the City of Atlanta, as to create therein a new Section which shall provide that a fee may imposed as a condition of completion of the Pretrial Diversion Program; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 02-O-0459 (3) An Ordinance by **Councilmembers H. L. Willis, Mary Norwood, C. T. Martin, Ceasar Mitchell and Ivory Lee Young** to amend the pension acts applicable to the City of Atlanta, so as to provide for a temporary 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-0460 (4) An Ordinance by **Councilmembers Clela Winslow and Jim Maddox** to amend Article "V", Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to abolish, create, reclassify, create new classes, adjust salary grades and to approve above entry hiring of certain positions; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0461 (5) An Ordinance by **Councilmember Clair Muller** setting City of Atlanta policy regarding land inventory at Hartsfield International Airport.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 02-O-0462 (6) An Ordinance by **Councilmember Clair Muller** amending the 2001 (1999 Water and Wastewater Bond Construction Fund) budget by transferring appropriations in the amount of \$5,386,273.00. To provide funding needed for the Utoy Creek Water Reclamation Center Improvements Phase 2A; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 02-O-0463 (7) An Ordinance by **Councilmember Felicia A. Moore** amending Section 2-2, Article I, Chapter 2, Part II of the City Code of Ordinances, to provide that the City Council shall not adopt any ordinance or resolution for the purpose of naming any public facility or street in honor of person unless it is placed on one agenda of the affected Neighborhood Planning Unit(s) and discussed at one meeting scheduled for said agenda; to repeal conflicting ordinances; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-0465 (8) An Ordinance by **Councilmember Felicia A. Moore** requiring that the City Internal Auditor shall receive copies of all audits and reviews of the City of Atlanta; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0466 (9) An Ordinance by **Councilmember Felicia A. Moore** to repeal in its entirety Code Sections, 2-153, 3-351 and 3-375 which were made obsolete by the provisions of the Charter; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0467 (10) An Ordinance by **Councilmembers Felicia A. Moore and H. Lamar Willis** to amend Section 2-1206 extension and expiration of contracts, of the Code of Ordinances of the City of Atlanta, so as to prohibit the extension of any contract beyond one year; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0468 (11) An Ordinance by **Councilmembers Felicia A. Moore and H. L. Willis** amending Division 4 of the Code of Ordinances so as to require the sunset of all resolutions and ordinances authorizing contracts, contract renewals and notices to proceed on the 61st calendar day after the date of adoption; providing for reconsideration of said resolutions and ordinances and reauthorization by Council; requiring language that shall be added to all authorizing resolutions and ordinances and bid documents; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-0469 (12) An Ordinance by **Councilmembers Felicia A. Moore and H. Lamar Willis** requesting the purchasing agent to provide a complete list of all expired contracts with the City within 30 days of the adoption of this ordinance; authorizing the extension of contracts expired less than 60 days; requiring the re-bid of contracts expired more than 60 days; providing for a waiver of re-bid requirement; establishing a sunset provision for this ordinance; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-0470 (13) A Resolution by **Councilmembers Felicia A. Moore and Howard Shook** stating the intent of the Council to establish an independent "Financial Review Taskforce" for the purpose of auditing the City's General and Sanitary Services Fund budgets for the last 5 years, specifically, and the trend of the past 10 - 20 years, in general; seeking "Pro Bono" Assistance from the business community and individuals to become members of said taskforce; providing for the appointment of said taskforce members by the audit committee and confirmation by the Council and Mayor; requiring the development of a work plan to be accepted by the Council and Mayor; requesting a final report of the taskforce's findings; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-0471 (14) An Ordinance by **Councilmember Debi Starnes** authorizing the Mayor to enter into an amended and restated Water/Sewer Reimbursement agreement with Atlantic Station, L.L.C.; amending Ordinance 00-O-1963; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED

02-R-0457 (1) A Resolution by **Councilmembers H. L. Wills, Mary Norwood, C. T. Martin and Ceasar Mitchell** directing the Chief Financial Officer of the City of Atlanta to provide financial information concerning the 2002 Early Retirement Program ordinance; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-R-0464 (2) A Resolution by **Councilmember Felicia A. Moore** requesting that the Mayor and/or her designee give priority hiring status to those RIF'd employees with fifteen (15) years of service; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Cathy Woolard Presided

ADJOURNMENT

There being no further business to discuss the March 04, 2002 meeting of the Atlanta City Council was adjourned at 4:39 p.m.

ADJOURNMENT ROLL CALL: Council President Cathy Woolard (1); Councilmembers Smith, Starnes, Young, Winslow, Fauver, Shook, Muller, Maddox, Boazman, Mitchell, Norwood and Willis (12); Councilmember Moore was excused (1); Councilmembers Archibong and Martin did not record their vote (2).