

ATLANTA CITY COUNCIL

ACTION/MINUTES

FEBRUARY 18-22-25 2002

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, February 18, 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. After discussion and actions taken on majority of the items, Council then recessed the meeting until February 22, 2002 to continue public hearings for budget related items by a roll call vote of 13 yeas; 0 nays. On February 22, 2002 Council reconvened at 1:30 p.m. in the Council Chambers to finish discussion of budget related items and any amendments to the budget; Council recessed the meeting again until February 25, 2002 by a roll call vote of 11 yeas; 0 nays for a public hearing on permit fee increases to be held on said date.

PRESIDER: The Honorable Cathy Woolard, Council President presided.

Attendance:

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

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|--|---|
| 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: Reverend Thomas Houston of the Atlanta Fire Department 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 04, 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 **February 18, 2002** meeting was **ADOPTED** without objection.

COMMUNICATIONS

Council President Cathy Woolard Presided

COMMUNICATIONS

02-C-0376 (1) 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 04, 2002 and February 18, 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-R-0238, 02-R-0204, 02-R-0206, 02-R-0235 and 02-O-0255 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: **14 Yeas:** *Councilmembers Smith, Starnes, Young, Winslow, Archibong, Shook, Muller, Moore, Martin, Maddox, Boazman, Mitchell, Norwood and Willis;* **0 Nays**, with the exception of items 02-O-0151; 02-R-0205; 02-R-0208 and 02-R-0207 in which Councilmember Young noted his abstention on all four 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, Winslow, Archibong, Fauver, Shook, Muller, Moore, Martin, Maddox, Boazman, Mitchell, Norwood and Willis;* **0 Nays; 1 Abstention;** *Councilmember Young.* There was also a separate vote taken for ordinances 02-O-0259 and 02-O-0260 to reflect Councilmember Boazman's Nay vote on the items. The following roll call vote was **14 Yeas:** *Councilmembers Smith, Starnes, Young, Winslow, Archibong, Fauver, Shook, Muller, Moore, Martin, Maddox, Mitchell, Norwood and Willis;* **1 Nay,** *Councilmember Boazman.*

SECTION I

ORDINANCES FOR SECOND READING

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

02-O-0151 (1) An Ordinance by **Transportation Committee** amending the Code of Ordinances of the City of Atlanta, Georgia, Chapter 22, Aviation, Section 22-85, Aircraft Parking Fees and Section 22-168, Taxiing and Ground Rules, so as to ratify and affirm existing fees and to require Aircraft Operators to pay Aircraft and Equipment Parking Fees established by the Aviation General Manager for the use of common-use aircraft parking and equipment storage areas; 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)

ORDINANCES FOR SECOND READING (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

H. LAMAR WILLIS, CHAIR

02-O-0162 (2) An Ordinance by **Councilmembers Ivory L. Young, Jr. and H. Lamar Willis** authorizing the Mayor or her designee to make the intersection at Pinedale Drive, NW and Dixie Hill Circle, NW an All-Way Stop; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

02-O-0239 (3) An Ordinance by **Councilmember Clair Muller as Substituted by Transportation Committee** to remove the All-Way Stop signs at the northernmost intersection of Ridgewood Circle, NW and Ridgewood Road and to install a Stop sign at Ridgewood Circle, NW and Ridgewood Road.
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

02 O-0255 (4) An Ordinance by **Councilmember Howard Shook as Substituted by Transportation Committee** amending the 2002 (1994 General Obligation Bond Fund) Budget in the amount of \$2,000,000.00 as a part of the City of Atlanta's Obligation to provide for relocation of Water and Sewer Utilities for the Roxboro Road Widening; and for other purposes.

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

SEE TRANSPORTATION COMMITTEE REPORT

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

02-O-0188 (5) An Ordinance by **Finance/Executive Committee** reaffirming the necessity of the \$1.50 monthly surcharge on telephone bills for the operation of the "911" System and directing Southern Bell, a Bellsouth Company, and all of the telephone companies providing telephone service in the City of Atlanta, to continue collecting the surcharge for the period January 1 through December 31, 2002
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0189 (6) An Ordinance by **Finance/Executive Committee** reaffirming a \$1.00 surcharge upon each wireless telecommunication connection subscribed to telephone subscribers, whose billing address within the City of Atlanta pursuant to the authorization granted in Sections 46-5-133 (A) and 46-5-134 (A)(2)(A) of the official Code of Georgia annotated; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-0269 (7) An Ordinance by **Councilmember Felicia A. Moore as Amended by Finance/Executive Committee** to grant amnesty of late fees for the Sanitary Service Fee Payment; to provide that no late payment fees or penalties shall be assessed against a property owner for monies due through December 31, 2001; to repeal conflicting ordinances; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-0259 (8) An Ordinance by **Councilmember C. T. Martin as Amended by Finance/Executive Committee** to amend Part 2, Section 2-783 of the Code of Ordinances of the City of Atlanta so as to increase the waiver of Governmental Immunity for the settlement of claims arising from the operation of motor vehicles from \$2,000.00 to \$25,000.00; to repeal conflicting ordinances; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 1 NAY
- 02-O-0260 (9) An Ordinance by **Councilmember C. T. Martin as Amended by Finance/Executive Committee** amending Section 2-4 of the City of Atlanta Municipal Code of Ordinances to increase the waiver of Governmental Immunity for the settlement of Motor Vehicle collision claims from \$2,000.00 to \$25,000.00; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 1 NAY

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-0154 (10) An **Amended** Ordinance by **City Utilities Committee** authorizing the City Attorney to institute condemnation proceedings under the Declaration of Taking Method authorized by O.C.G.A § 32-3-1, et seq. to acquire a certain parcel of land located near the intersection of Welcome All Road and Fairburn Road, SW, for the purpose of constructing a Water Booster Pump Station; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-0156 (11) An Ordinance by **City Utilities Committee** amending the 2002 (1994 Referendum General Obligation Bond Fund) Budget in the amount of \$894,930.08 for closeout of accounts associated with completed projects; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-0157 (12) An Ordinance by **City Utilities Committee** amending the 2002 (1994 Referendum General Obligation Bond Fund) Budget in the amount of \$1,832,441.18 for Program Management Services; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-0158 (13) An Ordinance by **City Utilities Committee** amending the 2002 (1994 Project Bond Funds) Budget in the amount of \$401,108.78 for construction services for Lakewood Avenue Bridge Replacement; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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-0148 (14) A **Substitute** Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a contract amendment with Habitat for Humanity, Inc. for CD-542, Habitat for Humanity Acquisition in an amount not to exceed \$218,749.00 and to enter into a contract amendment with Alternate Life Paths, Inc., for CD-700, Independent Living Skills Apartments in an amount not to exceed \$191,329.75; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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

- 02-R-0201 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to accept a donation of an interactive, Child Safety Training Device, valued at \$5,395.00 and named “Blinkie” from the Martin Luther King Community Development Corporation, and the Mental Health and Retardation Substance Abuse Board, for use by the Atlanta Police Department in promoting Child Safety and Education.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-R-0202 (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 an amount not to exceed \$600,000.00 to implement a Comprehensive Homicide Initiative designed to substantially reduce homicide and violent crime in the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0236 (3) A Resolution by **Public Safety and Legal Administration Committee** authorizing the City Attorney to undertake settlement of all claims arising from the case of Private Mini Storage Realty, L.P. v. City of Atlanta, pending in the Superior Court of Fulton County, Civil Action File No. 2001CV34504 for the amount of \$183,392.50; authorizing the Chief Financial Officer to disburse the settlement amount; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

- 02-R-0204 (4) An **Amended** Resolution by **Transportation Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Georgia Power Company on behalf of the Department of Aviation for the relocation of temporary overhead transmission lines to underground duct banks in the Fifth Runway Project Area; Phase 2, in an amount not to exceed \$11,359,208.00. All contracted work shall be charged to and paid from the following Fund, Account and Center Numbers: 2H27 574001 R21E050693CG (\$8,459,208.00) and 2H21 574001 R21E0506AZY0 (\$2,900,000.00); and for other purposes.

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

SEE TRANSPORTATION COMMITTEE REPORT

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-0205 (5) A Resolution by **Transportation Committee** authorizing the Mayor to execute an agreement with Delta Air Lines, Inc., covering the relinquishment to the City of approximately 6.1 acres of land leased to Delta by the City under the amended and restated lease agreement, dated December 1, 1989, for Delta's Technical Operations Center ("TOC Lease") at Hartsfield Atlanta International Airport, for a cost to the City not to exceed \$14,889,214.00, to be charged to and paid from Fund, Account and Center Number: 2H26 571001 R21E052096AA; and for other purposes.

Councilmember Young noted for the record of his abstention on 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-0206 (6) A Resolution by **Transportation Committee** authorizing the Mayor to enter into an appropriate contractual agreement with The Lions Group, Inc., for FC-7349-01, Taxiway N5, M14 and Intersection Upgrades on behalf of the Department of Aviation in an amount not to exceed \$14,262,695.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H27 574001 R21E050693CG.

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

SEE TRANSPORTATION COMMITTEE REPORT

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-0207 (7) A Resolution by **Transportation Committee** authorizing the Mayor to enter into an amendment to Exhibit D Intergovernmental Agreement with Clayton County, Georgia Water Authority for the relocation of the existing water main and water meter on behalf of the Department of Aviation in an amount not to exceed \$1,145,632.00. All contracted work shall be charged to and 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-0208 (8) A Resolution by **Transportation Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Atlanta Gas Light Resources on behalf of the Department of Aviation for the abandonment and relocation of a Natural Gas High Pressure Transmission Main necessitated by the construction of the Fifth Runway Project at Hartsfield Atlanta International Airport, in an amount not to exceed \$1,500,000.00. All contracted work shall be charged to and 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**

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-0235 (9) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute Change Order No. 1 FC-7241-00, 5th Runway Trunk Drainage and Sewers with Thalle Construction/Artis Group JV, a Joint Venture on behalf of the Department of Aviation in an amount not to exceed \$3,200,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number 2H27 574001 R21E050693CG; and for other purposes.

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

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

CITY UTILITIES COMMITTEE

CLAIR MULLER, CHAIR

- 02-R-0195 (10) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 with GinArc Construction, Inc., for FC-7036-98B, Annual Contract for sidewalks, driveways and curbs on behalf of the Department of Public Works in an amount not to exceed \$1,419,684.46. All contracted work shall be charged to and paid from Various Funds, Accounts and Center Numbers.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

- 02-R-0196 (11) A Resolution by **City Utilities Committee** to authorize the Mayor to execute a Consent Order issued by the Department of Natural Resources of the State of Georgia, Environmental Protection Division (EPD) covering unpermitted discharges from the City's Sanitary Sewerage System into waters of the State at 1725 Northwest Drive (Bolton Road Pump Station) and 944 Crane Road; to authorize the Chief Financial Officer to issue a check in the amount of \$45,000.00 payable to the Georgia Department of Natural Resources to defray the cost of the fines levied against the City because of the unpermitted discharges; to identify the source of funding; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0234 (12) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Site Engineering, Inc., for FC-6803-97, Tenth Ward Sanitary Sewer Improvements, Phase 1, in an amount not to exceed \$1,966,458.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 573001 M24I02469999.

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

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CLETA WINSLOW, CHAIR

02-R-0241 (13) A Resolution by **Councilmember Debi Starnes** to amend the resolution creating and activating the Downtown Atlanta Community Improvement District to provide for additional purposes of the Downtown Atlanta Community Improvement District.

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

02-R-0238 (14) A Resolution by **Councilmember Clair Muller** requesting a study of the West Paces Ferry Road Corridor as a part of the Buckhead Action Plan; and for other purposes.

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

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

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

CEASAR C. MITCHELL, CHAIR

Claims with Favorable recommendations:

- 02-R-0210 (1) Claim of **Nancy Dye**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on December 13, 2001 at 4011 Roswell Road. **\$534.18**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0211 (2) Claim of **Marsha Hege**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on December 13, 2001 at 4011 Roswell Road. **\$1,580.38**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0212 (3) Claim of **Brent J. Jones**, for damages alleged to have been sustained as a result of a vehicle driving over a defective manhole in the roadway on August 31, 2001 at Simpson and Gray Streets, NW. **\$687.60**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0213 (4) Claim of **Beverly D. Bowman**, for damages alleged to have been sustained when a limb broke and struck the hood of a vehicle during the removal of debris by sanitation workers on September 13, 2001 at 3643 Bolfair Drive, NW. **\$654.67**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0214 (5) Claim of **Donald Keith Hagler**, for damages alleged to have been sustained as a result of an automobile accident on October 15, 2001 at Interstate 75/85 Southbound Expressway, NE. **\$1,460.60**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0215 (6) Claim of **Peter Adams, through his attorney, William D. Holman**, for damages alleged to have been sustained as a result of a vehicular accident on October 9, 2000 at 14th and Holly Streets. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0216 (7) Claim of **Henry Antonio Thornton and Stephanie Heath**, for damages alleged to have been sustained as a result of a vehicular accident on October 9, 2001 at 1707 Metropolitan Parkway and Casplan Street, SW. **\$1,138.77**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-0217 (8) Claim of **State Farm Insurance Companies as subrogee for David Edwards**, for damages alleged to have been sustained as a result of a vehicular accident on August 12, 2001 at 2025 Hosea L. Williams Drive, SE. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-0218 (9) Claim of **Benjamin Edenfield**, for damages alleged to have been sustained as a result of an automobile accident on July 30, 2001 at Pryor and Tennessee Streets, SW. **\$800.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Claims with Unfavorable recommendations:

02-R-0219 (10) Claim of **Kristye Addison**, for damages alleged to have been sustained when a vehicle drove over debris that was located in the roadway on September 4, 2001 at Roswell Road (south of I-285).
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-0220 (11) Claim of **Carolyn C. Byl**, for damages alleged to have been sustained as a result of damaging her bumper on a brick wall on November 2, 2001 at 837 Durant Place.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0221 (12) Claim of **Dana Thomas, through his attorney, Calvin D. Lowery**, for damages alleged to have been sustained as a result of personal injuries during an arrest on June 2, 2001 at 3071 Peachtree Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0222 (13) Claim of **Maxine Grant N'Diaye**, for damages alleged to have been sustained as a result of falling debris on April 12, 2000 at Sylvan Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0223 (14) Claim of **Sari McCorkle**, for damages alleged to have been sustained as a result of falling down on April 24, 2001 at the entranceway into Lake Claire Park at Lakeshore Drive near McLendon Avenue, NE.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0224 (15) Claim of **Tamara Siler, through her attorney, Robert Beauchamp, Beauchamp & Associates**, for damages alleged to have been sustained as a result of being struck by the driver of a City vehicle on October 25, 2001 at Peachtree Street and Martin Luther King, Jr. Drive, SW.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0225 (16) Claim of **Atlanta Parking Services, Inc., D/B/A. CID Parking Enforcement, C/O Stephen N. Perkins, President**, for damages alleged to have been sustained as a result of the City refusing to issue its business license permit on July 2, 2001 at 3286 Buckeye Road, Suite 203.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0226 (17) Claim of **Chandra Gordon**, for damages alleged to have been sustained from an automobile accident on September 29, 2001 at Cone and Poplar Streets, NW.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0227 (18) Claim of **Nationwide Mutual Fire Insurance Company, as subrogee of Chandra Gordon**, for damages alleged to have been sustained from an automobile accident on September 29, 2001 at Cone and Poplar Streets, NW.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0228 (19) Claim of **Charles Richardson, through his attorney, Joel and Associates**, for damages alleged to have been sustained as a result of the claimant's minor son falling at the airport on October 25, 2001.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0229 (20) Claim of **Horace Woodard**, for damages alleged to have been sustained as a result of a sewer backup on February 3, 2001 at 1482 Memorial Drive, NW.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0230 (21) Claim of **Elijah J. Johnson**, for damages alleged to have been sustained as a result of his tools being stolen in February, 1996 at 23 Claire Drive, SE.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0231 (22) Claim of **Kimberly A. Moore**, for damages alleged to have been sustained as a result of a tree falling on her fence during a heavy rainstorm on July 1, 2001 at 1239 Lockwood Drive.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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-0232 (23) Claim of **R. K. White, attorney for Direct Insurance Company, as subrogee of Antoine Durden**, for damages alleged to have been sustained in an automobile accident on January 27, 2001 at 2301 Mountain Industrial Boulevard.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

**CONSENT AGENDA
SECTION II**

Council President Cathy Woolard Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 02-O-0200 (1) An 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.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CLETA WINSLOW, CHAIR

- 02-O-0197 (2) An Ordinance by **Community Development/Human Resources Committee** amending the 2002 (Community Development Fund), 2002 (HOME Investment Fund) and 2002 (Intergovernmental Grant Fund) Budgets by transferring appropriations from Reserve Accounts to Administrative Accounts in the 2002 CDBG, HOME and HOPWA Programs; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-0198 (3) An Ordinance by **Community Development/Human Resources Committee** anticipating and appropriating \$12,297,000.00 in the 2002 Community Development Block Grant Program (CDBG), \$426,000.00 in the 2002 Emergency Shelter Grant (ESG) Program, \$4,064,000.00 in the 2002 HOME Investment Partnership Program (HOME) and \$3,884,000.00 in the 2002 Housing Opportunities for Persons with AIDS (HOPWA) Grant Program; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

COMMITTEE REPORTS

Council President Cathy Woolard Presided

COMMITTEE REPORTS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)

CEASAR C. MITCHELL, CHAIR

Attendance at the February 12, 2002 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

02-O-0250 (1) An Ordinance by **Councilmembers Clea Winslow, Carla Smith, Mary Norwood and Ceasar C. Mitchell as Substituted by Public Safety and Legal Administration Committee** to amend Part II, Chapter 78 of the Code of Ordinances of the City of Atlanta, so as to create Article IV to be known as the Fire Alarm Ordinance; to require a permit to install, operate or maintain a fire alarm system and to assess a schedule of fees for false fire alarms; and for other purposes.

FEBRUARY 18, 2002 REGULAR SESSION

The above item was forwarded from committee with a Favorable on Substitute recommendation. However, Councilmember Boazman made a Substitute Motion to Refer Ordinance 02-O-0250 back to the Public Safety and Legal Administration Committee. It was Seconded by Councilmember Maddox and a brief discussion ensued. After which, Councilmember Starnes made a Substitute Motion to defer the ordinance until the end of the recessed meeting of 2-18-02. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 1 nay.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (2)

CEASAR C. MITCHELL, CHAIR

ORDINANCE FOR SECOND READING (CONT'D)

02-O-0250 (1)
(Cont'd)

An Ordinance by **Councilmembers Cleta Winslow, Carla Smith, Mary Norwood and Ceasar C. Mitchell as Substituted by Public Safety and Legal Administration Committee** to amend Part II, Chapter 78 of the Code of Ordinances of the City of Atlanta, so as to create Article IV to be known as the Fire Alarm Ordinance; to require a permit to install, operate or maintain a fire alarm system and to assess a schedule of fees for false fire alarms; and for other purposes.

FEBRUARY 22, 2002 RECONVENED SESSION

Council reconvened on February 22, 2002 to continue discussion of the above item. Councilmember Moore was recognized and made a Substitute Motion to Refer 02-O-0250 back to the Public Safety and Legal Administration Committee. It was Seconded by Councilmember Maddox and 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 Refer was carried by a tie roll call vote of 7yeas; 7 nays. Due to the tie vote, President Woolard recorded her nay vote and the Motion to Refer FAILED by a roll call vote of 7yeas; 8 nays. Therefore, the original Motion to Adopt on Substitute was before the Council Without Objection. After which, Councilmember Boazman Called the Question and the Motion CARRIED by Voice Vote. Subsequently, the Motion to Adopt on Substitute CARRIED by a roll call vote of 10 yeas; 4 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 10 YEAS; 4 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (3)

CEASAR C. MITCHELL, CHAIR

ITEMS REMOVED FROM HELD STATUS

02-R-0153 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to apply for and accept funding from the Office of the Governor’s Children and Youth Coordinating Council for the continuation of the Weed and Seed Intensive Surveillance Officers Program. (Held 1/29/02)

Councilmember Mitchell made a Motion to remove the above item from Held Status. It was Seconded by Councilmember Martin and the legislation was brought forth Without Objection. Mr. Mitchell offered a Substitute and it was brought forth Without Objection. Following, Mr. Mitchell made a Motion to Adopt on Substitute Resolution 02-R-0153. It was Seconded by Councilmember Maddox. After which, Councilmember Martin Called the Question and the Motion CARRIED by Voice Vote. Subsequently, the Motion to Adopt on Substitute CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

H. LAMAR WILLIS, CHAIR

Attendance at the February 13, 2002 meeting of the Transportation Committee was as follows:

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

Absent: Councilmembers Martin and Fauver

RESOLUTION

02-R-0233 (1) An **Amended** Resolution by **Transportation Committee** authorizing the Mayor or her designee to apply for, to accept and to execute all Grant Agreements offered to the City of Atlanta by the Federal Aviation Administration (FAA) for projects at Hartsfield Atlanta International Airport during the Federal Fiscal Year, from October 1, 2001, through September 30, 2002, subject to the availability of matching funds in the Airport Budget; and for other purposes.

An extensive discussion ensued on the above item followed by Councilmember Boazman offering an Amendment to change the commencing date to 02-26-02 and ending 09-30-02. It was properly Seconded and a discussion ensued. During the discussion, Council deferred item to later during the meeting. Later during the meeting, a response was given by acting City Attorney Ross Ruebens-Newell and the Boazman Amendment was then CARRIED by a roll call vote of 10 yeas; 1 nay; 1 abstention. After which, a brief discussion ensued followed by a Call of the Question by Councilmember Boazman. The Motion was CARRIED by Voice Vote. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 8 yeas; 2 nays; 1 abstention.

***Note – Councilmember Young noted for the record of his abstention due to a potential conflict of interest.**

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 8 YEAS; 2 NAYS; 1 ABSTENTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (2)

H. LAMAR WILLIS, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA

02-R-0204 (1) An **Amended** Resolution by **Transportation Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Georgia Power Company on behalf of the Department of Aviation for the relocation of temporary overhead transmission lines to underground duct banks in the Fifth Runway Project Area; Phase 2, in an amount not to exceed \$11,359,208.00. All contracted work shall be charged to and paid from the following Fund, Account and Center Numbers: 2H27 574001 R21E050693CG (\$8,459,208.00) and 2H21 574001 R21E0506AZY0 (\$2,900,000.00); and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Willis. Mr. Willis offered a Substitute to Resolution 02-R-0204 and it was brought forth Without Objection. Mr. Willis then made a Motion to Adopt on Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays; 1 abstention.

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

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS; 1 ABSTENTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (3)
H. LAMAR WILLIS, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)

02-R-0206 (2) A Resolution by **Transportation Committee** authorizing the Mayor to enter into an appropriate contractual agreement with The Lions Group, Inc., for FC-7349-01, Taxiway N5, M14 and Intersection Upgrades on behalf of the Department of Aviation in an amount not to exceed \$14,262,695.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H27 574001 R21E050693CG.

The above item was removed from the Consent Agenda by request of Councilmember Willis. Mr. Willis offered a Substitute to Resolution 02-R-0206 and it was brought forth Without Objection. Mr. Willis then made a Motion to Adopt on Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays; 1 abstention.

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

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS; 1 ABSTENTION

02-O-0255 (3) An Ordinance by **Councilmember Howard Shook as Substituted by Transportation Committee** amending the 2002 (1994 General Obligation Bond Fund) Budget in the amount of \$2,000,000.00 as a part of the City of Atlanta's Obligation to provide for relocation of Water and Sewer Utilities for the Roxboro Road Widening; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Shook. Mr. Shook offered an Amendment to change the Account Number in the Ordinance. It was properly Seconded and the Shook Amendment CARRIED by a roll call vote of 14 yeas; 0 nays. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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 (1)
DEBI STARNES, CHAIR

Attendance at the February 13, 2002 meeting of the Zoning Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

Council President Pro-Temp Cleta Winslow Presided

02-O-0244 (1) An Ordinance by **Councilmember Anne Fauver** to amend Chapter 20B Druid Hills Landmark District, of the 1982 Zoning Ordinance of the City of Atlanta, as amended, by modifying the Statement of Intent, correcting certain references within said Chapter 20B, amending the Landscape Standards, providing for all variances to be heard and decided by the Urban Design Commission; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Pro-Temp Cleta Winslow Presided

02-O-0042 (2)
Z-01-87 A **Substitute Ordinance as Amended** by **Zoning Committee** to rezone from the LD-20A, Subarea 3 (Cabbagetown-Shotgun and Cottage Housing) District to the LD-20A, Subarea 4 (Cabbagetown-Neighborhood Commercial/ Services-Conditional) District, property located at **154-158 Carroll Street, SE**, fronting 84 feet on the east side of Carroll Street beginning 41.91 feet south from the southeast corner of Tenelle Street. **(Held 1/30/02)**

Depth: 90.68 Feet
Area: 15,666 Square Feet
Land Lot: 20, 14th District, Fulton County, Georgia
Owner: Elizabeth Kane
Applicant: Same
NPU-N Council District 5

ADOPTED ON 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 (2)
DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0074 (3) An Ordinance by **Councilmember Debi Starnes as Amended**
U-01-30 **by Zoning Committee** granting a Special Use Permit for a Church
(Sections 16-05.005(1)(c) and 16-06.005(1)(c)), property located at
2075 Austin Road, SW, fronting approximately 600 feet on the
west side of Austin Road beginning approximately 320 feet south
from the southwest corner of King Arthur Road. **(Held 1/16/02)**

Depth: Varies
Area: Approximately 45.25 Acres
Land Lots: 7 and 31, 14thFF, District, Fulton County,
Georgia
Owner: Ben Hill United Methodist Church
Applicant: John R. Mapp, Jr.
NPU-P Council District 11

The above item was forwarded from committee with an Adverse as Amended recommendation. An extensive discussion ensued followed by Councilmember Boazman Call of the Question. It was properly Seconded and CARRIED by Voice Vote. Subsequently, the Motion to Adverse as Amended CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

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

02-O-0253 (4) An Ordinance by **Councilmembers Clela Winslow, Jim Maddox,**
Natalyn Archibong, H. Lamar Willis, Derrick Boazman, Anne
Fauver and Ceasar C. Mitchell to amend the City of Atlanta
Zoning Ordinance, as amended, so as to rezone certain properties
within the Pittsburgh Redevelopment Plan Area from various
Districts to various Districts to implement the Pittsburgh
Redevelopment Plan; and for other purposes. **(Held 2/13/02)**

The above item was in the Held Status by error in the Committee report. Therefore, Chairperson Starnes reported the item out and Referred Ordinance 02-O-0253 to the Zoning Review Board and Zoning Committee. The Motion CARRIED Without Objection.

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 13, 2002 meeting of the Finance/Executive Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

02-O-0090 (1) An Ordinance by **Councilmember Clair Muller** anticipating and appropriating bond proceeds in the amount of \$8,000,000.00 from the Annual 2001 General Obligation Bond Issue to fund various municipal projects; and for other purposes. **(Forward on Substitute with No Recommendation 1/16/02) (Referred from Full Council 1/22/02) (Held 1/30/02)**

FEBRUARY 18, 2002 REGULAR SESSION

The above item was forwarded from committee as Favorable. Councilmember Norwood made a Motion to hold the above item until the end of the committee report. The Motion was CARRIED Without Objection. Later during the meeting, Councilmember Norwood offered a Substitute. A discussion ensued followed by Council deferring ordinance 02-O-0090 until the end of the recessed meeting of February-18, 2002.

FEBRUARY 22, 2002 RECONVENED SESSION

At the February 22, 2002 reconvening of the recessed February 18, 2002 Regular Council Meeting, A Motion to Adopt on Substitute was before the Council Without Objection. Properly Seconded, the Motion CARRIED by a roll call vote of 13 yeas; 1 nay.

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

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 (2) An Ordinance by **Councilmember Clair Muller** anticipating and appropriating Bond 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 with No Recommendation from committee on the condition of receiving a correct list of projects from the Department. Not receiving the corrected list, Chairperson Moore 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 13 yeas; 1 nay.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

02-O-0092 (3) An Ordinance by **Councilmember Clair Muller as Substituted (#2) by Finance/Executive Committee** establishing the 2001 (Water and Wastewater Bond Construction Fund) Budget by anticipating and appropriating Bond Proceeds, Premiums and Accrued Interest in the amount of \$971,039,183.59; to fund various consent decree projects to refund certain outstanding Water and Wastewater Revenue Bonds; and for other purposes. **(Forwarded With No Recommendation On Condition on further explanation of projects) (Referred back from Council 2/04/02)**

Chairperson Moore offered a Substitute to the above item and it was brought forth Without Objection. Ms. Moore then made a Motion to Adopt on Substitute. It was properly Seconded and CARRIED by a roll call vote 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)

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

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0186 (4) An 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)(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.

The above item was previously adopted by a roll call vote of 12 yeas; 0 nays. However, Councilmember Moore made a Motion to Reconsider 02-O-0186. It was properly Seconded and the ordinance was before the Council Without Objection. Ms. Moore then offered an Amendment to change “1966” in the caption to “1996”. It was properly Seconded and CARRIED Without Objection. Subsequently, the Motion to Adopt as Amended for 2nd Read/1st Adoption CARRIED by a roll call vote of 11 yeas; 0 nays.

REFERRED AS AMENDED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS FOR 2ND READ/1ST ADOPTION

02-O-0187 (5) 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.”

REFERRED AS AMENDED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS FOR 2ND READ/1ST ADOPTION

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-0243 (6) 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 \$1,680,000.00 to fund a portion of said public improvements; and for other purposes.

The above item was forwarded from committee with No Recommendation as Amended. Chairperson Moore, as prerogative as Chair, made a Motion to Refer 02-O-0243 back to the Finance/Executive Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 10 yeas; 0 nays; 1 abstention.

***Note – Councilmember Mitchell noted for the record of his abstention of the above item due to a potential conflict of interest.**

REFERRED AS AMENDED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS; 1 ABSTENTION

RESOLUTION

02-R-0256 (1) A Resolution by **Councilmember Jim Maddox** to provide for the creation of a Committee to explore the feasibility of a surcharge on Parking Fees in the City of Atlanta; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ORDINANCES FOR SECOND READING

02-O-0185 (1) A **Substitute** Ordinance by **Finance/Executive Committee** to amend Section 146-26 (b), (c), (d) and (f) of the Code of Ordinances of the City of Atlanta so as to change the Ad Valorem Tax Rate of Real and Personal Property for the General Levy, Debt Levy, City Parks Levy and the Special Tax District Levy for providing library services in that portion of the City of Atlanta, which lies within Dekalb County; to provide that the tax rates established herein shall remain fixed each year until amended or repealed; to repeal conflicting laws; and for other purposes.

FEBRUARY 18, 2002 REGULAR SESSION

At the February 18, 2002 Regular Council Meeting, the above item came forward from Committee without recommendation. Without Objection, discussion was deferred on the above item to a reconvening of the February 18 meeting on a date and time to be announced.

FEBRUARY 22, 2002 RECONVENED SESSION

The recessed February 18, 2002 Regular Council Meeting reconvened on Friday, February 22, 2002 at 1:30 p.m. Ordinance 02-O-0185 was sounded and a Motion to defer discussion until later during the meeting CARRIED Without Objection.

COMMITTEE OF THE WHOLE

While within the Committee of the Whole, discussion of 02-O-0185 was entertained.

Councilmember Martin offered Amendment #1 to Amend Section 3 to read that “the millage rate increase in the 2002 budget shall be for the Year 2002 only.” It was properly Seconded and during a brief discussion, Councilmember Muller offered a friendly Amendment to add the words “even if the 2003 millage is more or less than 2002.” Councilmember Martin accepted the Muller friendly Amendment. Following, Councilmember Martin Called the Question on the Motion to Approve the offered amendment. Properly Seconded, the Call of the Question CARRIED by Voice Vote. Subsequently, the Martin Amendment #1 CARRIED by a roll call vote of 9 yeas; 4 nays.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0185 (1)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to amend Section 146-26 (b), (c), (d) and (f) of the Code of Ordinances of the City of Atlanta so as to change the Ad Valorem Tax Rate of Real and Personal Property for the General Levy, Debt Levy, City Parks Levy and the Special Tax District Levy for providing library services in that portion of the City of Atlanta, which lies within Dekalb County; to provide that the tax rates established herein shall remain fixed each year until amended or repealed; to repeal conflicting laws; and for other purposes.

Councilmember Moore made a Motion to exit the Committee of the Whole. It was properly Seconded and CARRIED Without Objection.

FULL COUNCIL

A Motion to recess was then Made, properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Consequently, further discussion of the above item was deferred until Council reconvenes on February 25, 2002, as previously scheduled.

FEBRUARY 25, 2002 RECONVENED SESSION

Council reconvened on February 25, 2002 and continued discussion of 02-O-0185. The following Amendment was offered:

Amendment #1:

Councilmember Starnes offered Amendment # 1 to change the general levy from \$16.70 to \$16.97 and change \$9.08 to \$9.35. Properly Seconded, followed by a friendly Amendment offered by Councilmember Moore to change the said amounts everywhere they appear in the legislation. The friendly Amendment was accepted by Councilmember Starnes. The Motion to Approve Starnes' Amendment #1 then CARRIED by a roll call vote of 12 yeas; 2 nays.

Following the adoption of Starnes Amendment #1, Council had a 10-minute recess for the budget commission to meet.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0185 (1)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to amend Section 146-26 (b), (c), (d) and (f) of the Code of Ordinances of the City of Atlanta so as to change the Ad Valorem Tax Rate of Real and Personal Property for the General Levy, Debt Levy, City Parks Levy and the Special Tax District Levy for providing library services in that portion of the City of Atlanta, which lies within Dekalb County; to provide that the tax rates established herein shall remain fixed each year until amended or repealed; to repeal conflicting laws; and for other purposes.

Council reconvening from the 10-minute recess, Councilmember Moore made a Motion to Adopt on Substitute as Amended. It was properly Seconded and the Motion FAILED by a roll call vote of 7 yeas; 4 nays. Later during the meeting, Councilmember Smith made a motion to Reconsider 02-O-0185. It was properly Seconded and the Motion CARRIED by a roll call vote of 9 yeas; 6 nays. The legislation was before the Council. Councilmember Moore then made a Motion to Adopt on Substitute as Amended. It was properly Seconded and the Motion CARRIED by a roll call vote of 9 yeas; 6 nays.

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 9 YEAS; 6 NAYS

02-O-0184 (2)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

FEBRUARY 18, 2002 REGULAR SESSION

At the February 18, 2002 Regular Council Meeting, the above item came forward from Committee without recommendation. Without Objection, discussion was deferred on the above item to a reconvening of the February 18 meeting on a date and time to be announced.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2) A **Substitute** Ordinance by **Finance/Executive Committee** to
(Cont'd) adopt the 2002 Recommended Budget; and for other purposes.

FEBRUARY 22, 2002 RECONVENED SESSION

The recessed February 18, 2002 Regular Council Meeting reconvened on Friday, February 22, 2002 at 1:30 p.m. Ordinance 02-O-0184 was sounded and discussion of the ordinance was entertained. Councilmember Moore offered Amendment #1 which included: (1) reducing the Finance Dept. budget for elimination of 4 positions and furloughs; (2) reducing the budget of the Bureau of Sanitary Services and (3) reducing the recycling contract funds. It was properly Seconded and a discussion ensued. Following which, Councilmember Martin offered Amendment #1 for a two-day furlough; reduction in overtime and exempting employees with a salary of 23,444 and less from the anticipated furloughs. It was properly seconded and an extensive discussion ensued followed by Councilmember Martin's Motion to enter Committee of the Whole. It was properly Seconded by Councilmember Winslow and the Motion CARRIED by a roll call vote of 13 yeas; 1 nay.

COMMITTEE OF THE WHOLE

Within the Committee of the Whole, Ordinance 02-O-0184 was Amended as follows:

Amendment #1:

Councilmember Martin posed the first Amendment to the Budget. Amendment #1 was discussed including responses to Council's questions made by directors of the corresponding departments. Following, Councilmember Maddox Called the Question and the Motion CARRIED by Voice Vote. The Martin Amendment #1 was then CARRIED by a tie roll call vote of 7 yeas; 7 nays. Due to the tie vote, Council President Woolard recorded her nay vote. Therefore, the Martin Amendment #1 FAILED by a roll call vote of 7 yeas; 8 nays.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (9)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Amendment #2:

The Moore Amendment #1 was then before the Council Without Objection. The Moore Amendment #1 was subsequently CARRIED by a unanimous roll call vote of 14 yeas; 0 nays.

Amendment #3:

Councilmember Moore offered Amendment #2 to adjust and make corrections to the 2002 recommended budget. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

Amendment #4:

Councilmember Moore offered Amendment #3 regarding Council's proposed 2002 budget. It was properly Seconded followed by Councilmember Archibong offering an Amendment to decrease her expenditure account. It was accepted by Ms. Moore as a friendly Amendment. Thereafter, Councilmember Boazman Called the Question and the Motion CARRIED by Voice Vote. Subsequently, Moore Amendment #3 CARRIED by a unanimous roll call vote of 14 yeas; 0 nays. Following, there was a Motion to Reconsider Moore Amendment #3 by Councilmember Maddox. It was properly Seconded and CARRIED Without Objection. Moore Amendment #3 was before the Council. An Amendment was offered to correct the Municipal Clerk's personnel staff by reducing it by \$10,000. It was properly Seconded and accepted as a friendly Amendment by Councilmember Moore. After a brief discussion, Councilmember Boazman was recognized and Called the Question and the Motion CARRIED by Voice Vote. Moore Amendment #3 was then CARRIED by a unanimous roll call vote of 14 yeas; 0 nays.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (10)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Amendment #5:

Councilmember Maddox offered Amendment #4 which included: (1) increasing the millage rate from 2.89 to 2.98; (2) increasing the personnel in the Dept. of Police for E911 dispatchers; and (3) increasing Parks, Recreation, and Cultural Affairs to fund maintenance and operations of swimming pools. It was properly Seconded and a discussion ensued but during the discussion Councilmember Maddox yielded his Amendment to consider Muller Amendment #5 which consisted of more Amendments entitled “consensus Amendments.”

It was properly Seconded followed by Councilmember Boazman offered Amendment #1 to Muller Amendment #5 to add the monies from the reserve for appropriations and add it to the funding for the recreation centers. It was properly Seconded and the Boazman Amendment #1 CARRIED by a roll call vote of 13 yeas; 0 nays. Following, Councilmember Moore offered a friendly Amendment to correct the Municipal Clerk’s personnel staff appropriations. The Moore Amendment was accepted as a friendly amendment Without Objection.

Amendment #6:

Councilmember Winslow was recognized and offered Amendment #1 to add \$265,000 to the recreation centers from the consolidated plan. It was properly Seconded by Councilmember Boazman and an extensive discussion ensued including responses from directors of corresponding departments. After further discussion, Councilmember Winslow withdrew her Amendment #1 and Councilmember Boazman withdrew his Second.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (11)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Councilmember Muller then made a Motion to Adopt as Amended her Amendment #5. It was properly Seconded. Mr. Boazman was recognized and he offered Amendment #2 to add \$146.611 to the funding for Recreation Centers. A brief discussion ensued followed by Councilmember Starnes offering a friendly Amendment that the budgeted items be changed to Parks and Recs. and not just for recreation centers. Mr. Boazman did not accept Ms. Starnes friendly Amendment and another discussion ensued. Councilmember Starnes offered another friendly Amendment to read that the budgeted items be for the personnel of Parks and Recs. Mr. Boazman did accept Councilmember Starnes' friendly Amendment and following an extensive discussion, Councilmember Young Called the Question and the Motion CARRIED by Voice Vote. Boazman Amendment #2 was then CARRIED by a roll call vote of 10 yeas; 4 nays.

The Muller Amendment #5 was before the Council as Amended. Subsequently, The Motion to Adopt Muller Amendment#5 was then CARRIED by a roll call vote of 12 yeas; 2 nays.

Following, Councilmember Moore made a Motion to Reconsider Muller Amendment #5. It was Seconded by Councilmember Maddox and brought forth Without Objection. Ms. Moore offered an Amendment to reflect the correct account numbers as offered in the Starnes' friendly Amendment. The corrections were accepted Without Objection and the Muller Amendment #5 was CARRIED by a roll call vote of 13 yeas; 1 nay.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (12)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Amendment #7:

After which, Councilmember Starnes re-introduced her Amendment #6 which included: (1) increase the millage rate by .29 mills, to 3.18 mills and (2) eliminate furloughs for all employees. It was Seconded by Councilmember Smith and an extensive discussion ensued followed by Councilmembers Norwood/Willis offering a friendly Amendment to reduce the number of furloughs days and reducing the reserve account by \$2,913,618.00. Councilmember Starnes did not except the friendly Amendment. Another discussion ensued and during the discussion, Councilmember Starnes withdrew her Amendment#6, like wise, Councilmember Smith withdrew her Second.

Amendment #8:

Councilmembers Norwood/Willis re-introduced their Amendment #7 which reduced the furlough days and reduced the reserve account. It was properly Seconded and a brief discussion ensued followed by Councilmember Boazman Calling the Question. The Motion was then CARRIED by Voice Vote. Subsequently, the Norwood/Willis Amendment #7 CARRIED by a tie vote of 7 yeas; 7 nays. Due to the tie vote, Council President Woolard voted in the affirmative to Adopt the Norwood/Willis Amendment #7 by a roll call vote of 8 yeas; 7 nays.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (13)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Amendment #9:

Following, Councilmember Muller offered Amendment #8 to abolish certain vacant positions and add other specific positions in the budget. It was properly Seconded and an extensive discussion ensued. After which, Councilmember Shook Called the Question and the Motion CARRIED by Voice Vote. Thereafter, The Muller Amendment #8 CARRIED by a roll call vote of 9 yeas; 5 nays. Councilmember Winslow was recognized and offered an Amendment but was withdrawn because her Amendment did not apply to Ordinance 02-O-0184. After which, Councilmember Starnes made a Motion to Reconsider the Norwood/Willis Amendment #7. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 3 nays. The Norwood/Wills Amendment #7 was before the Council. After Council had a brief discussion, Councilmember Boazman Called the Question. The Motion of the Question was then CARRIED by Voice Vote. Subsequently, the Norwood/Willis Amendment #7 CARRIED and FAILED by a roll call vote of 4 yeas; 9 nays.

Amendment #10:

After the vote, Councilmember Starnes offered her Amendment #6 which increased the millage rate and eliminated the furloughs for all City employees. It was properly Seconded and a discussion ensued. Councilmember Smith was recognized and Called the Question and that Motion was CARRIED by Voice Vote. The Motion to Adopt the Starnes' Amendment #6 CARRIED and FAILED by a roll call vote of 6 yeas; 8 nays.

Amendment #11:

A discussion ensued by Council in which Councilmember Muller was recognized and made a Motion to Reconsider her Amendment #8 in which she was abolishing vacant positions and adding specific positions. It was properly Seconded and the Motion to Reconsider CARRIED by a roll call vote of 13 yeas; 0 nays. Muller Amendment #8 was before the Council. Ms. Muller then withdrew her Amendment and the Motion CARRIED Without Objection.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (14)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Amendment #12:

After which, Councilmember Moore offered Amendment #9 to add the correct language in Aviation, Internal Service and Parks and Recs. proposed 2002 budget items. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays.

Subsequently, Councilmember Moore made a Motion to exit the Committee of the Whole. It was properly Seconded and CARRIED Without Objection.

FULL COUNCIL

A Motion to recess was then Made, Properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Consequently, further discussion of the above item was deferred until Council reconvenes on February 25, 2002, as previously scheduled.

FEBRUARY 25, 2002 RECONVENED SESSION

At the February 25, 2002 reconvening of the recessed February 18, 2002 Regular Council meeting, Councilmember Moore made a Motion to Adopt on Substitute as Amended. It was properly Seconded followed by the following Amendments offered:

Amendment #1:

Councilmember Muller offered Amendment #1 to correct the language in the "Consensus Amendment" (Muller Amendment #5) that was passed on the February 22, 2002 recessed meeting. The corrective Muller Amendment #1 increase the funding in the Traffic Court operations fund to fund the operations of the Traffic Court public defender's office which was eliminated from the General Fund. After which, Councilmember Boazman Called the Question and the Motion CARRIED by Voice Vote. Muller Amendment #1 was then CARRIED by a roll call vote of 11 yeas; 1 nay.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (15)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Amendment #2:

Following, Councilmember Norwood offered her Amendment #1 to eliminate the 20-day furlough and reinstate a 13-day furlough with the exception of sworn personnel in Police, Fire and Corrections. It was properly Seconded and a discussion ensued followed by Councilmember Smith's Call of the Question. The Motion of the Question was CARRIED by Voice Vote. Subsequently, the Motion to Adopt Norwood Amendment #1 CARRIED by a roll call vote of 8 yeas; 7 nays.

After the vote, Councilmember Martin made a Motion to Reconsider the Starnes' Amendment #6 which FAILED at the February 22, 2002 recessed meeting. Starnes' Amendment #6 eliminated furloughs and increased the mill rate to 3.18. Martin's Motion of the reconsideration was properly Seconded. Following, Councilmember Martin made a Motion to recess for a Substitute Amendment to Starnes' Amendment #6. The Council recessed Without Objection.

Amendment #3:

Returning from recess, the Motion to Reconsider Starnes' Amendment #6 CARRIED by a roll call vote of 11 yeas; 1 nay. The Starne's Amendment #6 was before Council. Following, Councilmember Young made a Motion to Adopt the Starnes' Amendment #6. It was Seconded by Councilmember Moore and an extensive discussion ensued followed by the Call of the Question by Councilmember Smith. The Motion of the Question was then CARRIED by Voice Vote. Subsequently, Starnes' Amendment #6 CARRIED and FAILED by a roll call vote of 7 yeas; 8 nays.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (16)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Amendment #4:

Councilmember Martin offered Amendment #1 to (1) propose a 5-day furlough beginning August 1, 2002; (2) exempt employees whose salary is 23,444 or less; (3) exempt Police, Fire, Corrections; (4) increase the 2002 millage levy by .27 mills; and (5) add six operation assistants, add five code enforcement inspectors, and add twelve grass cutting positions. It was properly seconded and Councilmember Moore was recognized to offer a friendly Amendment to exempt the Judicial Agencies and Internal Auditor. Mr. Martin accepted as a friendly Amendment. After which, Councilmember Boazman Called the Question and the Motion CARRIED by Voice Vote. Subsequently, the Motion to Adopt Martin Amendment #1 CARRIED by a roll call vote of 10 yeas; 5 nays.

Amendment #5:

Councilmember Fauver was recognized and offered Amendment #1 that all printing and binding fees be reduced by 1/3; saving to be applied to park 911 programs. President Woolard suggested Ms. Fauver find another source to place savings. Therefore, the Amendment was deferred to find a program for the saving to be applied.

Amendment #6:

Councilmember Fauver then offered Amendment #2 to delete from the 2002 budget all funding for professional licenses and professional dues; also delete all funding for continuing education for professional licensing and or certification or enhanced professional knowledge from the 2002 budget. Amendment #2 was also deferred to later during the meeting until a program is listed for the savings to be applied.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (17)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Amendment #7:

Following a brief discussion, Councilmember Mitchell offered Amendment #1 to add a 3rd Whereas clause in the budget to read “the Mayor and Council will continue to review other revenue enhancement measures, including an early out retirement program, and aggressive collection of delinquent fees and taxes to continue to strengthen the City’s financial position.” It was properly Seconded and the Call of the Question was then called by Councilmember Boazman. The Motion of the Question was CARRIED by Voice Vote. The Motion to Adopt Mitchell Amendment #1 was CARRIED and FAILED by a roll call vote of 7 yeas 4 nays.

Amendment #8:

Councilmember Maddox was recognized and offered Amendment #1 to add a 3rd Whereas clause that included the elimination of furloughs should funds become available. It was properly Seconded and the Call of the Question was called by Councilmember Boazman. The Motion of the Question was CARRIED by Voice Vote. Maddox Amendment #1 was then CARRIED and FAILED by a roll call vote of 7 yeas; 4 nays.

Amendment #9:

Following, Councilmember Fauver offered her Amendment #1 to read “the savings are to be applied to the park fund to be contracted with the 911 park account.” It was properly Seconded and a discussion ensued. Following, the Call of the Question was made by Councilmember Smith. The Motion of the Question was CARRIED by Voice Vote. The Fauver Amendment #1 FAILED by a roll call vote of 4 yeas; 10 nays.

Amendment #10:

Councilmember Fauver offered her Amendment #2 regarding the deletion of funding for professional licenses.... The Motion FAILED due to the Lack of a Second.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (18)

FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Amendment #11:

Thereafter, Councilmember Starnes offered Amendment #1 to reduce funding for ROA's by \$146,611.00 and increase appropriations for cultural affairs service grants by \$146,611.00. It was properly seconded. After a brief discussion, Councilmember Young Called the Question and the Motion CARRIED by Voice Vote. Starnes' Amendment #1 was CARRIED by a tie vote of 7 yeas; 7 nays. Due to the tie vote, Council President Woolard recorded her affirmative vote to Adopt Starnes' Amendment #1 by a roll call vote of 8 yeas; 7 nays.

Amendment #12:

Councilmember Maddox re-introduced his Amendment #1 that included the elimination of furloughs if funds should become available. It was properly Seconded. Councilmember Boazman was recognized and Called the Question and the Motion CARRIED by Voice Vote. Subsequently, Maddox Amendment #1 CARRIED by a roll call vote of 9 yeas; 4 nays.

Amendment #13:

Councilmember Winslow then made a Motion to Reconsider Starnes' Amendment #1 which reduced funding for ROA's by \$146,611.00 and increased appropriations for cultural affairs service grants by \$146,611.00. The Reconsideration was properly Seconded. After which, Councilmember Boazman Called the Question and the Motion CARRIED by Voice Vote. The Motion to Reconsider was then CARRIED by a roll call vote of 9 yeas; 5 nays. Therefore, Starnes' Amendment #1 was before the Council. Councilmember Boazman being recognized Called the Question and the Motion CARRIED by Voice Vote. The Starnes' Amendment #1 subsequently FAILED by a roll call vote of 5 yeas; 10 nays.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (19)

FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd)

A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Amendment #14:

Following, Councilmember Young made a Motion to Reconsider Fauver Amendment #2 regarding the deletion of funds for professional dues.... It was properly Seconded. Upon further discussion, Mr. Young withdrew his Motion as well as the Second was withdrawn. Thereafter, Councilmember Young offered Amendment #1 to reduce printing and binding by 1/3 and apply the savings to cultural affairs. It was properly Seconded and a discussion ensued followed by Councilmember Boazman offering a friendly Amendment to exempt the Dept. of Planning and the Law Dept. from the reduction. Councilmember Young did not accept Mr. Boazman's friendly Amendment. Another discussion ensued as Mr. Willis was recognized and offered a friendly Amendment to add the words "service grants" behind cultural affairs. Mr. Young did accept Mr. Willis' friendly Amendment. Following, Councilmember Muller Called the Question and the Motion CARRIED by Voice Vote. Subsequently, Young Amendment #1 CARRIED by a roll call vote of 11 yeas; 4 nays.

Amendment #15:

After the vote, Councilmember Fauver offered Amendment #3 to delete funding from the professional fees and educational dues and apply the savings to Land Escape Architect Sr. and the balance to purchase equipment. It was properly Seconded and a discussion ensued followed by the Call of the Question by Councilmember Maddox. The Motion of the Question was then CARRIED by Voice Vote. Fauver Amendment #3 CARRIED and FAILED by a roll call vote of 6 yeas; 9 nays.

Council confirming all amendments have been acted on, the legislation was deferred until the Adoption of the budget; approval of Ordinance 02-O-0185; and for the budget commission to meet.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (20)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0184 (2)
(Cont'd) A **Substitute** Ordinance by **Finance/Executive Committee** to adopt the 2002 Recommended Budget; and for other purposes.

Later during the meeting, Councilmember Moore made a Motion to Adopt on Substitute as Amended. It was Seconded by Councilmember Maddox and after the reading of the Budget Commission Report, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 10 yeas; 5 nays.

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 10 YEAS; 5 NAYS

02-O-0190 (3) An Ordinance by **Finance/Executive Committee** to amend Chapter 10 and Appendix B of the City of Atlanta Code of Ordinances to delete existing fees pertaining to certain types of Alcoholic Beverage Licenses; and to increase existing fees pertaining to various types of Alcoholic Beverage Licenses. **(Public hearing to be held February 25, 2002 @ 6:00 p.m., Council Chambers)**

FEBRUARY 18, 2002 REGULAR SESSION

At the February 18, 2002 Regular Council Meeting, the above item came forward from Committee without recommendation. It was noted that a Public Hearing regarding 02-O-0190 was scheduled for February 25, 2002 at 6:00 p.m. in the Council Chambers. Without Objection, discussion was deferred on the above item to a reconvening of the February 18 meeting at a to be announced date and time occurring after the referenced public hearing.

FEBRUARY 22, 2002 RECONVENED SESSION

At the February 22, 2002 reconvening of the recessed February 18, 2002 Regular Council Meeting, discussion was again deferred, Without Objection, to a second reconvening of that meeting scheduled for February 25, 2002 at 6:30 p.m. (or immediately following the public hearing.)

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (21)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0190 (3)
(Cont'd) An Ordinance by **Finance/Executive Committee** to amend Chapter 10 and Appendix B of the City of Atlanta Code of Ordinances to delete existing fees pertaining to certain types of Alcoholic Beverage Licenses; and to increase existing fees pertaining to various types of Alcoholic Beverage Licenses. **(Public hearing to be held February 25, 2002 @ 6:00 p.m., Council Chambers)**

FEBRUARY 25, 2002 RECONVENED SESSION

Following the public hearing, at the February 25, 2002 reconvening of the recessed February 18, 2002 Regular Council Meeting, Councilmember Moore made a Motion to Adopt 02-O-0190. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

02-O-0191 (4) An Ordinance by **Finance/Executive Committee** to amend Section 8-2071, Building Code; Section 8-2101, Electrical Code; Section 8-2141, Plumbing Code; Section 2161, Heating, Ventilation and Air Conditioning Code; Section 8-2221, Gas Code, of the Atlanta City Code of Ordinances; to increase fees; and for other purposes. **(Public Hearing to be held February 25, 2002 @ 6:00 p.m. Council Chambers)**

FEBRUARY 18, 2002 REGULAR SESSION

At the February 18, 2002 Regular Council Meeting, the above item came forward from Committee without recommendation. It was noted that a Public Hearing regarding 02-O-0191 was scheduled for February 25, 2002 at 6:00 p.m. in the Council Chambers. Without Objection, discussion was deferred on the above item to a reconvening of the February 18 meeting at a to be announced date and time occurring after the referenced public hearing.

FEBRUARY 22, 2002 RECONVENED SESSION

At the February 22, 2002 reconvening of the recessed February 18, 2002 Regular Council Meeting discussion was again deferred, Without Objection, to a second reconvening of that meeting scheduled for February 25, 2002 at 6:30 p.m. (or immediately following the public hearing.)

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (22)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0191 (4)
(Cont'd) An Ordinance by **Finance/Executive Committee** to amend Section 8-2071, Building Code; Section 8-2101, Electrical Code; Section 8-2141, Plumbing Code; Section 2161, Heating, Ventilation and Air Conditioning Code; Section 8-2221, Gas Code, of the Atlanta City Code of Ordinances; to increase fees; and for other purposes. (**Public Hearing to be held February 25, 2002 @ 6:00 p.m. Council Chambers**)

FEBRUARY 25, 2002 RECONVENED SESSION

Following the public hearing, at the February 25, 2002 reconvening of the recessed February 18, 2002 Regular Council Meeting, Councilmember Moore made a Motion to Adopt 02-O-0191. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays.

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

02-O-0245 (5) An Ordinance by **Councilmembers Anne Fauver, Cleta Winslow, Natalyn Mosby Archibong, Carla Smith, Howard Shook, Debi Starnes, Clair Muller, H. Lamar Willis and Ceasar C. Mitchell as Amended by Finance/Executive Committee** to amend Section 2-308(b) of the Code of Ordinances of the City of Atlanta so as to restructure the Personnel Operations in the Office of the President of the Atlanta City Council; and for other purposes

FEBRUARY 18, 2002 REGULAR SESSION

On February 18, 2002, the above item was forwarded from committee with No Recommendation as Amended. Councilmember Moore offered a Substitute to 02-O-0245. The Substitute was accepted Without Objection. Discussion was then deferred on the above item to a reconvening of the February 18 meeting at a to be announced date and time Without Objection.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (23)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0245 (5)
(Cont'd) An Ordinance by **Councilmembers Anne Fauver, Cleta Winslow, Natalyn Mosby Archibong, Carla Smith, Howard Shook, Debi Starnes, Clair Muller, H. Lamar Willis and Ceasar C. Mitchell as Amended by Finance/Executive Committee** to amend Section 2-308(b) of the Code of Ordinances of the City of Atlanta so as to restructure the Personnel Operations in the Office of the President of the Atlanta City Council; and for other purposes.

FEBRUARY 22, 2002 RECONVENED SESSION

Council President Pro-Temp Winslow Presided

Council reconvened on February 22, 2002 from the recessed Regular Council Meeting of February 18 to continue discussion on the above item. Following, Councilmember Moore offered the same Amendment as was in Ordinance 02-O-0246 to delete Section 2 in its entirety which stated “this ordinance shall remain in effect through the completion of the term of the current Council President.” It was properly Seconded and the Moore Amendment CARRIED by a roll call vote of 12 yeas; 1 nay. Subsequently, the Motion to Adopt on Substitute as Amended was then CARRIED by a roll call vote of 13 yeas; 1 nay.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (24)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0246 (6) An Ordinance by **Councilmembers Anne Fauver, Clela Winslow, Natalyn Mosby Archibong, Carla Smith, Howard Shook, Debi Starnes, Clair Muller, H. Lamar Willis and Ceasar C. Mitchell as Amended by Finance/Executive Committee** to amend the Code of Ordinances of the City of Atlanta so as to add a new Section 2-309 President's expense accounts; appropriations; funding; and for other purposes.

FEBRUARY 18, 2002 REGULAR SESSION

On February 18, 2002, the above item was forwarded from committee with No Recommendation as Amended. Councilmember Moore offered a Substitute to 02-O-0246. The Substitute was accepted Without Objection. Discussion was then deferred on the above item to a reconvening of the February 18 meeting at a to be announced date and time Without Objection.

FEBRUARY 22, 2002 RECONVENED SESSION

Council President Pro-Temp Winslow Presided

Council reconvened on February 22, 2002 from the recessed February 18 meeting to continue discussion on the above item. Following, Councilmember Starnes offered an Amendment to delete Section 2 in its entirety which stated "this ordinance shall remain in effect through the completion of the term of the current Council President." It was seconded by Councilmember Maddox and after a brief discussion, the Starnes' Amendment CARRIED by a roll call vote of 12 yeas; 1 nay. After which, Councilmember Moore made a Motion to Adopt on Substitute as Amended. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 1 nay.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (25)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0247 (7) An Ordinance by **Councilmembers Anne Fauver, Clea Winslow, Natalyn Mosby Archibong, Carla Smith, Howard Shook, Debi Starnes, Clair Muller, H. Lamar Willis and Ceasar C. Mitchell as Amended by Finance/Executive Committee** to repeal Ordinance 98-O-0865, which created a Councilmember Postage Expense Account; and for other purposes.

The above item was forwarded from committee with No Recommendation as Amended. Chairperson Moore made a Motion to File. It was properly Seconded and the Motion CARRIED by a roll call vote of 10 yeas; 1 nay.

FILE AS AMENDED BY A ROLL CALL VOTE OF 10 YEAS; 1 NAY

02-O-0248 (8) An Ordinance by **Councilmembers Anne Fauver, Natalyn Mosby Archibong, Carla Smith, Howard Shook, Debi Starnes, Clair Muller, H. Lamar Willis and Ceasar C. Mitchell as Amended by Finance/Executive Committee** amending the 2002 Proposed Budget, as substituted, to decrease appropriations to the City Council; and for other purposes.

FILE AS AMENDED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

02-O-0258 (9) An Ordinance by **Councilmember C. T. Martin** 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.

FEBRUARY 18, 2002 REGULAR SESSION

At the February 18, 2002 Regular Council Meeting, the above item came forward from committee without recommendation. Councilmember Moore offered a Substitute to 02-O-0258 and the Substitute was accepted Without Objection. Discussion was deferred on the above item to a reconvening of the February 18 meeting on a date and time to be announced.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (26)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0258 (9)
(Cont'd) An Ordinance by **Councilmember C. T. Martin** 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.

FEBRUARY 22, 2002 RECONVENED SESSION

Council reconvened on February 22, 2002 from the recessed meeting of February 18 to continue discussion on 02-O-0258. Councilmember Martin then made a Motion to enter Committee of the Whole and the Motion CARRIED by a roll call vote of 13 yeas; 1 nay.

COMMITTEE OF THE WHOLE

Within Committee of the Whole, 02-O-0258 was Amended as follows:

Amendment: #1:

Councilmember Winslow offered Amendment #1 to exempt Aviation from the premium holiday pay budget requirement. It was properly Seconded and after a brief discussion, Councilmember Muller Called the Question. The Motion of the Question was then CARRIED by Voice Vote. The Motion to Adopt Amendment #1 was CARRIED by a roll call vote of 9 yeas; 3 nays.

Amendment #2:

Councilmember Winslow offered Amendment #2 which exempts the Water Resource Commission from the proposed furloughs and premium holiday pay. It was properly Seconded and the Motion to Adopt CARRIED by a roll call vote of 11 yeas; 1 nay.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (27)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0258 (9)
(Cont'd)

An Ordinance by **Councilmember C. T. Martin** 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.

Amendment #3:

Councilmember Winslow offered Amendment #3 for the judicial agencies to be exempted from the proposed furloughs. It was properly Seconded and a discussion ensued. After which, Councilmember Martin Called the Question and the Motion CARRIED by Voice Vote. The Motion to Adopt then CARRIED and FAILED by a roll call vote of 6 yeas; 6 nays.

Amendment #4:

Councilmember Winslow offered Amendment #4 to correct clerical errors in certain personnel positions. It was properly Seconded and thereafter, Councilmember Martin Called the Question. The Motion of the Question CARRIED by Voice Vote. Subsequently, the Motion to Adopt Amendment #4 CARRIED by a roll call vote of 12 yeas; 0 nays.

Councilmember Moore made a Motion to exit Committee of the Whole. It was properly Seconded and CARRIED Without Objection.

FULL COUNCIL

A Motion to recess was then Made, properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Consequently, further discussion of the above item is deferred until Council reconvenes on February 25, 2002, as previously scheduled.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (28)
FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0258 (9)
(Cont'd)

An Ordinance by **Councilmember C. T. Martin** 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.

FEBRUARY 25, 2002 RECONVENED SESSION

Council reconvened on February 25, 2002 from the recessed meeting of February 18 to continue discussion of Ordinance 02-O-0258. The following Amendments were offered:

Amendment #1:

Councilmember Moore offered Amendment #1 which included the transfer of a position number. It was properly Seconded and the Motion to Adopt Moore Amendment #1 CARRIED by a roll call vote of 11 yeas; 2 nays.

Amendment #2:

Following, Councilmember Martin offered Amendment #1 to Part D; Section 4 to state the 1-day furlough as referenced in the budget ordinance. It was properly Seconded and a brief discussion ensued followed by a friendly Amendment by Councilmember Moore to include in the exemption of furloughs; “the Municipal Clerk staff and Council staff.” Mr. Martin accepted the Moore friendly Amendment and the Motion to adopt Martin Amendment#1 CARRIED by a roll call vote of 11 yeas; 2 nays.

After a brief discussion, Councilmember Moore made a Motion to Refer the legislation back to the Finance/Executive Committee. It was Seconded by Councilmember Martin and the Motion CARRIED by a roll call vote of 14 yeas; 1 nay.

REFERRED SUBSTITUTE AS AMENDED TO
FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE
OF 14 YEAS; 1 NAY

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (29)
FELICIA A. MOORE, CHAIR

RESOLUTION

- 02-R-0261 (1) A Resolution by **Councilmember Felicia Moore, Debi Starnes, Ceasar C. Mitchell, Ivory Lee Young, Jr., Derrick Boazman, Mary Norwood, Carla Smith, C. T. Martin, Anne Fauver and H. Lamar Willis**, directing the Department of Finance to exempt those employees who make \$22,000.00 per year or less from the proposed furlough included in the Proposed 2002 Budget; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

ITEM REMOVED FROM CONSENT AGENDA

- 02-R-0235 (1) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute Change Order No. 1 FC-7241-00, 5th Runway Trunk Drainage and Sewers with Thalle Construction/Artis Group JV, a Joint Venture on behalf of the Department of Aviation in an amount not to exceed \$3,200,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number 2H27 574001 R21E050693CG; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Moore. Ms. Moore offered a Substitute to 02-R-0235 and it was brought forth Without Objection. Ms. Moore then made a Motion to Adopt on Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 10 yeas; 0 nays; 1 abstention.

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

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS; 1 ABSTENTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

ANNE FAUVER, CHAIR

Attendance at the February 18, 2002 meeting of the Committee on Council was as follows:

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

Absent: None

COMMUNICATIONS

02-C-0272 (1) A Communication by **Mayor Shirley Franklin** appointing Ms. Linda Sessler to serve as a member of the Zoning Review Board in the Districts 7, 8 and Post 2 At Large category. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Forwarded with No Recommendation by Zoning Committee 2/13/02)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-C-0273 (2) A Communication by **Council President Cathy Woolard** appointing Councilmember Felicia A. Moore and Commissioner Karen Webster as members of the Downtown Community Improvement District Board; scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 2/12/02)**
CONFIRMED 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 February 12, 2002 meeting of the City Utilities Committee was as follows:

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

Absent: None

RESOLUTION

02-R-0276 (1) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Industrial Furnace Company for the repair of the existing Thermal Mass Reduction Units and appurtenances at the R. M. Clayton Wastewater Treatment Plan on behalf of the Department of Public Works, Wastewater Services Division in an amount not to exceed \$1,500,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J27 573001 M52I20219999.

The above item was forwarded from committee with No Recommendation. As prerogative as Chair, Councilmember Muller made a Motion to Refer 02-R-0276 back to the City Utilities Committee. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays. Later during the meeting, Councilmember Muller made a Motion to Reconsider the above resolution. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 1 nay. After which, Ms. Muller made a Motion to Adopt. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 1 nay

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the February 12, 2002 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

02-O-0242 (1) An Ordinance by **Councilmember Debi Starnes** to name the new playground built in Freedom Park, by Poplar Circle, “Urban Nirvana – in memory of Christine Sibley”.

The above item came from committee with a Favorable recommendation. An extensive discussion ensued followed by Councilmember Boazman Call of the Question. The Motion of the Question was CARRIED by Voice Vote. Subsequently, the Motion to Adopt CARRIED by a roll call vote of 14 yeas; 1 nay.

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

The following items (02-O-0149 and 02-O-0150) were taken as a collective vote.

02-O-0149 (2) An **Amended** 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 December 27, 2001.

| | |
|-----------------------------|----|
| 1307 Chattahoochee Avenue | 09 |
| 961 Conley Road, SE | 12 |
| 1925 Harbin Road, SW | 11 |
| 2940 Old Jonesboro Road, SE | 12 |
| 1255 Plaza Avenue, SW | 04 |

ADOPTED AS AMENDED 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

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0150 (3) 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 December 27, 2001.

| | |
|-------------------------|----|
| 2390 Baker Road, NW | 09 |
| 3387 Oakcliff Road, NW | 10 |
| 1175 Osborne Street, SW | 12 |

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

The following items (02-O-0265 and 02-R-0266) were taken as a collective vote.

02-O-0265 (4) An Ordinance by **Councilmember Derrick Boazman** to
CDP-02-10 amend the 2002 Comprehensive Development Plan, as Amended, so as to incorporate Land Use Amendments for certain properties in the **Stewart Avenue Corridor Redevelopment Plan (Z-96-52)** from Single Family Residential Land Use Designation to the Medium Family Residential Land Use Designation; and for other purposes.

NPU-X Council District 12

FILED 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 (3)
CLETA WINSLOW, CHAIR

RESOLUTION

02-R-0266 (1) A Resolution by **Councilmember Derrick Boazman** to amend the Stewart Avenue Corridor Redevelopment Plan (Resolution 96-R-1515 and CDP-96-35) so as to incorporate a Land Use Amendment for certain property that lies in Land Lot 14-103, Fulton County, Georgia and that fronts Stewart Avenue (Metropolitan Parkway) and is bounded by Saint John Street on the west and certain rear properties off Grant Street on the east; and for other purposes.

NPU-X

Council District 12

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

ITEM REMOVED FROM CONSENT AGENDA

02-R-0238 (1) A Resolution by **Councilmember Clair Muller** requesting a study of the West Paces Ferry Road Corridor as a part of the Buckhead Action Plan; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Muller. Ms. Muller offered Amendments to the above item and they were brought forth Without Objection. Ms. Muller then made a Motion to Adopt the Amendments. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. After which, Ms. Muller made a Motion to Adopt as Amended. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

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

PERSONAL PAPERS

Council President Cathy Woolard Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

02-R-0366 (1) A Resolution by **Councilmembers C. T. Martin, H. Lamar Willis, Howard Shook, Natalyn Archibong, Anne Fauver, Jim Maddox and Ceasar Mitchell** requesting Bellsouth to maintain its current facilities and workforce in the corporate boundaries of the City of Atlanta; and for other purposes.

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

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

02-R-0368 (2) A Resolution by **Councilmembers Mary Norwood, Clela Winslow, C. T. Martin, Jim Maddox, H. Lamar Willis, Derrick Boazman, Ceasar Mitchell, Howard Shook and Anne Fauver** authorizing the Urban Design Commission, on behalf of the Mayor, to apply for, accept and sign all necessary grant agreements with the Georgia Department of Natural Resources for funding in an amount not to exceed \$20,000.00 for assisting with the City of Atlanta's Comprehensive Historic Resource Survey; and for other purposes.

Councilmember Norwood made a Motion to Adopt the above item. 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-0369 (3) A Resolution by **Councilmembers Natalyn Archibong, Anne Fauver, Clela Winslow and Ivory Lee Young, Jr.** supporting the cooperative efforts of the DeKalb County and Fulton County Boards of Tax Assessors to comply with the requirements of State Law in making timely adjustments to the assessments of homes in Atlanta-DeKalb for Year 2002 City of Atlanta property tax purposes; and for other purposes.

Councilmember Archibong made a Motion to Adopt the above item. It was properly Seconded and a discussion ensued. After which, Councilmember Young Called the Question. It was properly Seconded and CARRIED by Voice Vote. Subsequently, the Motion to Adopt 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

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFEREED

- 02-O-0361 (1) An Ordinance by **Councilmember Derrick Boazman** to authorize the Director of the Bureau of Purchasing to purchase from the trust for public land approximately 57 acres in the City of Atlanta known as the Swann Preserve; for the purposes set forth in the City of Atlanta Community Greenspace Program Application, the Supplemental Environmental Project pursuant to the consent decree, the Quality of Life Bond, and the Urban Development Action Grant; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0362 (2) An Ordinance by **Councilmember Felicia Moore** 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, penalty, charge or fine or to increase the amount of any existing fee, penalty, charge or fine, 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.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0364 (3) An Ordinance by **Councilmembers Carla Smith and Derrick Boazman** 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 to fund a portion of said public improvements; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0370 (4) An Ordinance by **Councilmember Debi Starnes** authorizing the installation of six (6) parking meters with fifteen minute limits on the Eastern side of Pryor Street between Alabama Street and Decatur Street; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFEREED (CONT'D)

02-O-0371 (5) 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.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-O-0372 (6) 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.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-O-0373 (7) An Ordinance by **Councilmember C. T. Martin** to establish an Atlanta in Fulton County Taxation Commission to undertake a comprehensive review of the appraisal and assessment process.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-0374 (8) An Ordinance by **Councilmember C. T. Martin** anticipating and appropriating the proceeds 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.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFEREED (CONT'D)

- 02-O-0375 (9) An Ordinance to effectuate a Home Rule Charter Amendment by **Councilmember Clair Muller** an Ordinance and Charter Amendment 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 for the ensuing fiscal year as provided in Subsection (D) thereof; to repeal conflicting ordinances and charter provisions; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-0380 (10) An Ordinance by **Councilmember Debi Starnes** to allow an addition to the domesticated pet list, for the City of Atlanta, to include pot-bellied pigs.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 02-O-0381 (11)
Z-02-16 An Ordinance by **Councilmember Carla Smith** to amend Ordinance Z-82-34, adopted by City Council May 3, 1982 and approved by the Mayor May 4, 1982, rezoning from the R-5 (Two-Family Residential) District to the O-I-C (Office-Institutional-Conditional) District (Now Zoned O-I-C/HD-Office-Institutional-Conditional/Grant Park Historic District); property located at **355 Georgia Avenue, S.E.** for the purpose of approving a change of conditions. NPU-W Council District 1.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 02-O-0385 (12) 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.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED

- 02-R-0363 (1) A Resolution by **Councilmembers Felicia Moore, Derrick Boazman, C. T. Martin, Mary Norwood, Carla Smith, Natalyn Archibong, H. Lamar Willis, Ceasar Mitchell, Jim Maddox, Anne Fauver, Cleta Winslow and Ivory Lee Young, Jr.** urging the Fulton County Commission and the Fulton County Tax Commissioner to terminate the practice of selling tax liens against owner-occupied residential properties to third parties; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-R-0365 (2) A Resolution by **Councilmember Ivory Young** 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.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 02-R-0367 (3) 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.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-R-0379 (4) A Resolution by **Councilmember Derrick Boazman** to re-bid the Airport Banking Services Contract; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-R-0382 (5) A Resolution by **Councilmember Clair Muller** requesting a performance audit for programmatic changes in City of Atlanta services for the purposes of having an open public policy discussion of which services this municipality should perform and for the purpose of aiding in the reorganization of City government with the intent of decreasing the milage rate for the taxpayers of the City of Atlanta in the 2003 budget.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

02-R-0383 (6) A Resolution by **Councilmember Cleta Winslow** 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, S.W.) 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.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-R-0384 (7) A Resolution by **Councilmember Howard Shook** requesting that the City of Atlanta, audit committee consult with the City Auditor to include in the audit schedule for 2002, audits of City expenditures for the years 1998 thru 2001; 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 February 18, 2002 meeting of the Atlanta City Council was adjourned at 10:18 p.m.

ADJOURNMENT ROLL CALL: Council President Cathy Woolard (1); Councilmembers Smith, Starnes, Young, Winslow, Archibong, Fauver, Shook, Muller, Moore, Martin, Maddox, Boazman, Mitchell, Norwood, and Willis (15).