

**BOARD OF MAYOR AND COMMISSIONERS
REGULAR MEETING**

December 15, 2008 7:30 p.m.

Minutes

Members Present: Ed Rieker, Mayor
David Milliron, Commissioner
Michael Payne, Commissioner
Lyda Steadman, Commissioner

Members Absent: Sandra Varian, Mayor Pro tem

Staff Present: Clai Brown, City Manager
Juliette Sims, City Clerk

Item No. 1 Meeting called to order at 7:30 p.m. by Mayor Rieker

Item No. 2 Invocation (Commissioner Payne)

Item No. 3 Pledge to the Flag

Item No. 4 Adoption of Agenda

A motion to adopt the agenda as presented was made by Commissioner Steadman, seconded by Commissioner Milliron; passed with all ayes (4-0).

Item No. 6 Approval of Minutes:

November 5, 2008 Special Called Meeting
November 5, 2008 Special Called "Budget" Work Session

A motion to approve the minutes as presented was made by Commissioner Steadman, seconded by Commissioner Payne; passed with all ayes (4-0).

Item No. 7 Commissioner Updates – Subjects of General Interest and Concern

Mayor Rieker noted that Mayor Pro tem Varian is still recovering from her surgeries, she is doing well but thought it best to stay home tonight.

Commissioner Steadman noted that she spoke to Mayor Pro tem Varian this evening and she is doing great and will be up and about on Thursday.

Commissioner Milliron commended the Avondale Community Club for a splendid Tour of Homes yesterday.

Commissioner Payne gave kudos for the tree lighting event and the City staff who have to stay after and put everything up.

Item No. 8

Monthly Report by the City Manager Concerning the Status of Matters in Progress and Upcoming Issues and Events

City Manager Brown thanked Chief Broden for being here tonight and noted that Bryan Armstead is not here tonight due to his sister being ill.

City Manager Brown read a letter thanking Corporal Conroy for assistance with a flat tire.

City Manager Brown gave his monthly update:

- Thank you to Robert and Virginia James for donating a wireless router for the City. City Manager Brown noted that a passcode is needed to get in and that can be obtained from City Hall. City Manager Brown noted that the passcode is good for 60 days and then the City will change it.
- New directory inserts are at the printer and the City should have those by the end of the year.
- Associates Christmas Lunch will be held Thursday at 12 Noon at the Community Club.
- Mark your calendars for January 17, 2009 from 8:00 a.m. to 12:00 Noon, the City is having a "Save the Canopy". The City will be planting 70 trees from the town clock, down Clarendon all the way to Wiltshire. The Tree Board, Arboguard and Trees Atlanta are all involved in this event and the City needs volunteers. City Manager Brown noted what an excellent job the Tree Board is doing.
- Christmas Spirit Award winners were announced tonight. City Manager Brown noted that he and Juliette personally took the spirit awards around to every house with a bouquet of flowers. Winners were: 900 Nottingham Drive, 3 Windsor Terrace, 14 Berkeley Road, 40 Berkeley Road, 37 Clarendon Avenue, 3205 Wynn Drive.

Item No. 9

Citizens' Comments

Charles Blalock, 116 Maple Street noted that Avondale is talking about annexing Laredo Drive and College Avenue. Mr. Blalock noted that the economy is real bad at this time and these are small business on these streets and some of them might not survive with the 21% tax rate. Mr. Blalock asked the citizens to ask the commissioners and the Mayor to hold off for a year before thinking about annexation until we get out this economy.

Mayor Rieker noted that the City is considering several annexation options. Mayor Rieker stated that what precipitated all this is that Decatur has announced they are coming this way and wants to meet our City boundaries. Mayor Rieker noted that more information will be provided as the City studies the issue.

Mayor Rieker stated that if the annexation happens it will happen sometime next year during the legislative session.

Tom Samford, 890 Stratford Road stated that sometime between January 30th and November 30th, an unknown person relieved the City of the underwater power cable for the Lake Christmas Tree. Mr. Samford noted that it was replaced at a cost of a little over \$700. Mr. Samford asked for those who enjoy the Lake Christmas Tree, donations are welcome, make the check payable to the City of Avondale Estates Lake Christmas Tree. Mr. Samford noted that the cable had been in the Lake for 11 or 12 years. Mr. Samford noted that the letter Clai read about the officer changing the tire for an individual, sure makes it a beautiful day in Avondale.

Mayor Rieker asked Mr. Samford if he bought the cable.

Mayor Rieker asked if the City bought the cable.

City Manager Brown stated that Mr. Samford bought it.

Allan Kirwan, 12 Clarendon Avenue noted how good it is to have Mr. Samford back.

Item No. 10

Old Business:

- a) 3rd and final reading and adoption of the 2009 Budget Ordinance.

City Manager Brown read the 3rd and final reading of the 2009 Budget Ordinance.

Mayor Rieker commended City Manager Brown and Ken Turner, Finance Director for putting together a solid budget this year.

A motion to adopt the 2009 Budget Ordinance was made by Commissioner Steadman, seconded by Commissioner Milliron; passed with all ayes (4-0).

Item No. 11

New Business:

- a) Century/AG-Avondale LLC Development Agreement Signing

Mayor Rieker introduced Nayef Haddad of Century/AG.

Mayor Rieker noted that the City has received the signed development agreement back from Century/AG and tonight the board will sign it.

Mr. Haddad gave a brief update on the status of the development. Mr. Haddad noted that they are working on the bank financing and hope to have that soon.

Mayor Rieker noted that Century/AG has applied for their conditional use permit. City Manager Brown noted that there will be a Public Hearing on the Conditional Use Application on January 5, 2009 at 6:00 p.m.

b) 1st reading of the 2008 Budget Amendment

Mayor Rieker noted that every year the City has to adjust the previous year's budget so the City zero balances to comply with the law.

City Manager Brown read the 1st of three readings of the 2008 Budget Amendment.

c) Consideration of a Resolution to Adopt the Lake Master Plan

City Manager Brown read the resolution to Adopt the Lake Master Plan.

Public Comment:

Tom Samford, 890 Stratford Road asked if there was money in the Lake budget and if the BOMC could have the Lake board do the lawn in front of the clubhouse as a priority item because it is on the plan as an engineered lawn.

City Manager Brown stated there is about \$72,000 in the budget now and there will be another \$50,000 next year.

Commissioner Steadman stated that she thinks, unless that has changed, the first priority was the bank along Berkeley due to a lot of bad erosion closer to the dam.

Mayor Rieker stated that the first piece they are contemplating doing is more of a test strip.

A motion to approve the Resolution to Adopt the Lake Master Plan was made by Commissioner Steadman, seconded by Commissioner Milliron; passed with ayes (4-0).

d) BOMC approval of the improvement to the alleyway located at 151 Locust Street, property of Mayor Ed Rieker.

Mayor Rieker noted that this item is about a commercial property that he owns, so he recused himself and turned the meeting over to Commissioner Steadman.

Commissioner Steadman stated this item is regarding the improvement of an alleyway at Locust Street and Oak Street. Commissioner Steadman noted that the alleyway goes from Locust Street and attaches behind the Post Office where it is already paved. Mayor Rieker is paying for the improvement but it will be the cities property.

City Manager Brown noted that in the Charter the board has to approve any improvements to any City property.

Commissioner Milliron noted so there was no transparency, he asked that agenda reflect that this was the Mayor's property. Commissioner Milliron noted that for the confidence of the residents, this is a City owned alleyway and the Mayor plans to make improvements to his property that will allow parking behind it. Commissioner Milliron stated they are in their forthright legally, they can actually drive on that alleyway but it would become muddy over time, so working through the City Manager they came up with an improvement plan which will include a guardrail because there is a large drop off. Commissioner Milliron noted that he also inquired about the long-term maintenance and was told it would be very little due to the traffic flow pattern and would not cause any additional burden to the City.

Public Comment: None

A motion to approve the improvement to the alleyway located at 151 Locust Street was made by Commissioner Milliron, seconded by Commissioner Payne; passed all ayes (3-0)

Item No. 12

Announcements (Commissioner Payne)

- a) Reminder: The Mayors Motorcade will be Thursday, December 18th. Please remember the Christmas Wish List Items are due at City Hall by Wednesday, December 17th. Monetary donations are also acceptable, please make checks out to the Patient Benefit Fund. A copy of the wish list items is available on the City Hall website.
- b) The Menorah Lighting will be held, Monday December 22nd from 5:00pm-7:00pm.
- c) City Hall will be closed Thursday, December 25th and Friday, December 26th in observance of Christmas.
- d) City Hall will be closed on Thursday, January 1st in observance of New Year's.
- e) We regretfully announce the deaths of:
Kathryn Danyo, 1127 Bromley Road
Mildred Cavette, 1153 Chatsworth Drive
Al Buckler, 11 Berkeley Road

Item No. 13

Adjournment

It was the consensus of the board to adjourn the meeting at 7:53 p.m.

Approved this 26th day of January 2009

Ed Rieker, Mayor

ATTEST:

Juliette Sims-Owens, City Clerk