

**BOARD OF MAYOR AND COMMISSIONERS
REGULAR MEETING**

January 26, 2009
7:30 p.m.

MINUTES

Members Present: Ed Rieker, Mayor
Sandra Varian, Mayor Pro tem
David Milliron, Commissioner
Michael Payne, Commissioner
Lyda Steadman, Commissioner

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 (Ted Penrod)

Item No. 3 Pledge to the Flag

Item No. 4 Adoption of Agenda

A motion to adopt the agenda as presented was made by Mayor Pro Tem Varian, seconded by Commissioner Steadman; passed with all ayes (5-0).

Item No. 6 Approval of Minutes:

November 11, 2008 Regular Work Session
November 17, 2008 Public Hearing "2009 Proposed Budget"
December 15, 2008 Regular Meeting
January 5, 2009 Public Hearing "Publix Conditional Use Application"

Mayor Rieker noted that he would like to defer the approval of the November 11th Regular Work Session Minutes in order to confirm item.

A motion to approve the minutes of November 17, 2008, December 15, 2008 and January 5, 2009 was made by Commissioner Steadman, seconded by Commissioner Payne; passed with all ayes (5-0).

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

Commissioner Steadman noted how disappointed she is that Laura Leckband is resigning from the Downtown Development Authority but she understands why. Commissioner Steadman noted that Laura has been a driving force on the Charter School Initiative and is the most energetic and tenacious person she has ever met, she really knows how to get the job done and she is looking forward to great things from the Charter School.

Commissioner Milliron commended the Neighborhood Watch Program. Commissioner Milliron noted that the crime numbers are way down in Avondale Estates and that is in combination of the public being very involved, the crime watch signs going up and the police being vigilant. Commissioner Milliron noted that there is a lot of crime going on right around our City but nothing compared to the neighboring areas.

Commissioner Milliron gave an update on development. The Pine Street Market is set to open in February with a grand opening in March. The Pizza Café is pushing to be open for the Super Bowl. Savage Pizza broke ground, they are starting to work on the roof, they will offer delivery service in Avondale Estates and they plan to open if all goes well in June.

Commissioner Steadman followed up regarding the Pizza Café, she noted that they plan to be open through Friday night at their current location and if all the permitting goes well, then they will be open on Sunday in the new location.

Mayor Pro tem Varian noted that she did a drive around the City with City Manager Brown and she was pleasantly pleased with the status of the empty buildings that the developer bought, she had some concerns about busted windows, fences down, etc. Mayor Pro tem Varian noted that City Manager Brown has been very productive; they were cleaning Mooney's today and blowing off parking lots. Mayor Pro tem Varian noted that she was in the Pizza Café today and it is going to be smashing when it is completed.

Mayor Rieker read a proclamation for Arbor Day, which will be held on February 20, 2009 in the City of Avondale Estates.

Mayor Rieker stated that Stacie Bearden who has been chairing the planning and zoning board, has resigned from that committee due to her work commitments. Mayor Rieker noted that she has done a terrific job and the City really appreciates everything she has done.

Mayor Rieker noted that Laura Leckband has also done a tremendous job with the Charter School. Mayor Rieker stated that the school effort has been tremendous and he believes there are about 170 volunteers that are working on it now, they also received a grant for about \$5,000 and he wishes them all the luck while moving forward.

Item No. 8

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

City Manager Brown introduced Gary Broden, Chief of Police and Bryan Armstead, Director of Public Works and Code Enforcement.

- There will be a Public Hearing on February 9th at 6:00 p.m. to hear public comments on the proposed zoning map and ordinance and there will be a Special Called Meeting on February 11th at 5:30 p.m. to vote on the proposed zoning map and ordinance.
- The City of Avondale Estates has the following Board or Commission openings: Downtown Development Authority, Lake Avondale Advisory Board, Planning and Zoning. City Manager Brown noted that anyone who knows someone who might be interested or they would like to be on a board, to please visit the City website and download a board application. City Manager stated that the application can be dropped off at City Hall, faxed, or individuals can contact him directly regarding their interest and he will let the Board of Mayor and Commissioners know.
- City Hall is now sending out emails frequently to residents regarding City Updates, Crime Alerts, and Crime Advisories. If you have not been receiving the email blasts and you wish to be added to the City Email List, please send an email to info@avondalestates.org which goes directly to the City Clerk, Juliette and state that you want to be added to the email list. City Manager Brown noted that the City Email List currently contains about 600 email addresses.
- The City has advertised for competitive sealed bids for the City's Property and Casualty Insurance, the deadline is March 31st everyone has to meet the conditions and guidelines. City Manager Brown noted that the City pays about \$100,000 for our property and casualty insurance and if the City can save some money with the right company that will be a savings to the City.
- The deadline for the March/April Newsletter is February 10th. City Manager Brown noted that with the new City website, we have the newsletter on-line and if anyone wishes to unsubscribe to the receiving the newsletter in the mail and just view it on-line, please send an email to info@avondalestates.org requesting to unsubscribe receiving the newsletter by mail. City Manager Brown noted that it saves on recycling paper and it will save the City some money.
- City Manager Brown noted that the 2nd Annual Rail Arts District (RAD) Studio Cruise will be held on February 7th from 5:00 p.m. to 10:00 p.m. featuring artists, exhibits, demonstrations, etc. There will be 4 locations: Location #1 is Scottsdale on 3172 E. Ponce, Location #2 is Mudfire at 175 Laredo Drive, Location #3 is the Academy Theater, Avondale Estates, Location #4 is the Art building on the corner of Franklin and Pine Street in Avondale Estates.

Mayor Rieker noted that City Manager Brown and his team have finished the 2007 City audit. Mayor Rieker stated that it was a very meticulous audit and it is very complete and available for viewing on the City website.

Item No. 9

Citizens' Comments

Charles Blalock, 126 Maple Street spoke about his concerns regarding annexation. Mr. Blalock noted that the City has a fine Mayor, Commissioners, City Manager and City Clerk. Mr. Blalock noted that he is hoping since Decatur has tabled their annexation for 2 years that Avondale would do the same due to the economy.

Mayor Rieker gave an update, from what he is hearing from the City of Decatur and he talked to Mayor Floyd last Wednesday at a county tax meeting, is that their commission a week ago last Tuesday, voted not to do the big annexation that they were attempting to do and put that off for 2 years. Mayor Rieker noted what they have agreed to move forward on some commercial areas and they still want to meet Avondale's borders so they are still coming this way from what he understands. Mayor Rieker noted that their State of the City Address is tomorrow night and Mayor Floyd is going to call him this week sometime so they can get together and find out exactly what they are thinking about in terms of how these two cities are going to meet. Mayor Rieker stated that process is still moving forward from the Decatur side and we are still looking at from the Avondale side.

Ted Penrod, 62 Lakeshore Drive stated he wanted to add something to what Commissioner Milliron said earlier about the crime in the City. Mr. Penrod noted that he has lived in the City for a pretty good while and he has seen a lot more presence of the Avondale Police then he has in the last couple of years and that does not hurt anything as far as deterring crime and keeping everything going on a level field. Mr. Penrod stated that the Police Department should be commended for doing a super job and he really appreciates them. Mr. Penrod stated he knows they can't catch everyone but he wishes they could catch more around Clarendon, around the high school running the stop sign.

The board thanked Chief Broden.

Item No. 10

Old Business:

- a) 2nd of three readings of the 2008 Budget "Adjustment" Amendment.

City Manager Brown read the 2nd of three readings of an Ordinance to Amend the Ordinance Adopting the Budget for FY 2008 for the City of Avondale Estates. City Manager Brown noted that there will be another reading in February.

Mayor Rieker noted that City has to do this as a mechanical thing to balance last year's budget for the purposes of following the law.

Item No. 11

New Business:

- a) Approval of Conditional Use Application for "Publix".

City Manager Brown stated this is a vote to approve the conditional use application to build a Publix grocery store in conformance with the terms of the development agreement.

Commissioner Milliron explained to the public that the reason for this vote is that you have either permitted or conditional uses for developments in downtown and this happens to be one listed as a conditional permit so the board has to take a vote to actually approve the permit.

Public Comment: None

A motion to approve the Conditional Use Application for Publix was made by Commissioner Steadman; seconded by Mayor Pro tem Varian; passed with all ayes (5-0).

- b) Consideration of a resolution to set qualifying fees for the November 2009 Municipal General Elections.

City Manager Brown read the resolution to set the qualifying fees for the November 2009 Municipal General Elections.

Mayor Rieker noted that the City has to set the qualification fees for this year's election.

Public Comment: None

A motion to approve the Resolution to Set Qualifying Fees for the November 2009 Municipal General Elections was made by Mayor Pro tem Varian; seconded by Commissioner Steadman; passed with all ayes (5-0).

- c) Consideration of an Agreement with Avondale Arts Alliance (AEAA) for the 2009 calendar year.

City Manager Brown noted that this is an agreement with the City of Avondale Estates and the Avondale Arts Alliance (AEAA) to donate \$10,000, \$5,000 for Avondale-in-Bloom and \$5,000 for AutumnFest for 2009.

Commissioner Payne noted what a good job they are doing.

Public Comment: None

A motion to approve the 2009 Agreement with Avondale Arts Alliance (AEAA) was made by Commissioner Payne; seconded by Commissioner Steadman; passed with all ayes (5-0).

- d) Consideration of the Renewal of the Contract of Monica Callahan of Piedmont Preservation for preservation services for the 2009 calendar year.

City Manager Brown noted that this is an agreement with Piedmont Preservation who has been the City's consultant for several years for the Historic Preservation Commission and Architectural Review Board this is an agreement to renew the services for 2009.

Commissioner Steadman stated that Monica is a real asset.

Public Comment: Someone in the audience asked how much is she getting paid.

City Manager Brown stated Ms. Callahan gets around \$5000 to \$6000 annually. City Manager Brown noted that there are two breakdowns, she is paid for her services for the Historic Preservation Commission which is \$480 per hour and her services are not just for coming to the meeting but it is all the leg work that she does prior to the meeting, and on the Architectural Review Board, she is paid \$80/hr and there are her travel fees.

Mayor Rieker stated that it is a bargain.

A motion to approve the renewal of the contract Monica Callahan of Piedmont Preservation for preservation services for the 2009 calendar year was made by Commissioner Steadman; seconded by Commissioner Payne; passed with all ayes (5-0).

- e) Consideration of the Renewal of the Contract of Bill Johnston of Strategic Planning Initiatives LLC for On Demand Planning and Zoning Services for the 2009 calendar year.

City Manager Brown stated that this is the renewal of the 2009 contract with Bill Johnston of Strategic Planning Initiatives LLC who has been the City's consultant for several years for zoning, review of site development plans, technical compliance, etc.

Mayor Pro tem Varian noted for the residents, that Bill Johnston only gets paid by the hour. Mayor Pro tem Varian noted that he has been doing a lot of work helping the City with the new zoning ordinance and has been invaluable.

Mayor Rieker noted that the City is getting very, very close in getting the zoning voted on and the board will probably vote on that next month. Mayor Rieker noted that the City will look at doing a little more zoning to incapacitate any changes that need to be made if there is an annexation to make sure that those properties come in correctly. Mayor Rieker noted that he anticipates Mr. Johnston's fees dropping for the rest of the year because the City will be through with zoning for awhile.

Public Comment: None

A motion to approve the renewal of the contract of Bill Johnston of Strategic Planning Initiatives LLC for On Demand Planning and Zoning Services for the 2009 calendar year was made by Commissioner Payne seconded by Mayor Pro tem Varian; passed with all ayes (5-0).

- f) Consideration of a Contract from Ackerman Security for the monitoring of the Fire Alarm System at City Hall.

City Manager Brown noted that this is a contract for Ackerman to install fire alarm dialer and monitoring for one year for City Hall.

Mayor Pro tem Varian stated this is good deal the City is getting and she thanked City Manager Brown because City Hall was not being protected.

Public Comment: None

A motion to approve the contract from Ackerman Security for the monitoring of the Fire Alarm System at City Hall was made Commissioner Steadman seconded by Commissioner Payne; passed with all ayes (5-0).

Item No. 12

Announcements (Mayor Pro tem Varian)

- a) "Save the Canopy" tree planting day for Avondale Estates will be Saturday, January 31st from 9:00 am to 12:30 pm on Clarendon Avenue between the clock tower and Wiltshire Drive. The meeting place for that day will be the grassy area at Clarendon Avenue and Clarendon Place.
- b) Arbor Day in Avondale Estates will be Friday, February 20, 2009.
- c) The Avondale Ladies Tea will be held on Sunday, February 8th from 3:00 p.m. to 5:00 p.m. at the Avondale Estates Community Club.
- d) We regretfully announce the death of:
Tom Ingram, 3250 Wiltshire Drive
Mildred Moore, 24 Clarendon Avenue
Bessie Mae Williams, former resident
Elma Koerber, 40 Dartmouth Avenue

Item No. 13

Adjournment

There being no further business, a motion to adjourn at 8:01 p.m. was made by Commissioner Steadman, seconded by Mayor Pro tem Varian; passed with all ayes (5-0).

Approved this 23rd day of February 2009

Ed Rieker, Mayor

ATTEST:

Juliette Sims-Owens, City Clerk