

BOARD OF MAYOR AND COMMISSIONERS
REGULAR MEETING
April 27, 2009 - 7:30 p.m.

MINUTES

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

Members Absent: Ed Rieker, Mayor

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

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

Mayor Pro tem Varian noted that Mayor Rieker would not be at the meeting tonight because he is out of town.

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 Payne, passed with all ayes (4-0).

Item No. 5 Approval of Minutes:

November 20, 2008 Special Called "Annexation" Work Session
January 14, 2009 Special Called Work Session
January 14, 2009 Special Called Meeting
January 21, 2009 Regular Work Session
February 9, 2009 Public Hearing
February 11, 2009 Special Called Meeting
February 18, 2009 Regular Work Session
February 23, 2009 Regular Meeting
March 18, 2009 Regular Work Session
March 23, 2009 State of the City
March 24, 2009 Special Called Work Session

Commissioner Milliron noted that he had one correction to the March 24, 2009 Special Called Work Session. Commissioner Milliron noted that there was an omission and part of it was the proposed zoning of the Avondale First Baptist Church and the marriage proposal of the \$100,000 over two years of financial support to the Charter School Initiative. Commissioner Milliron stated that there is an omission on the zoning portion where he stated he wanted communication out to the residents about the fast pace that the City was moving on that. Commissioner Milliron noted that the AEA had a

a Press Release person to assist with that, he believed her name was Karen, and they would have a communication go out through the Mayor. Commissioner Milliron stated that the second thing was that he stated that the board would obviously run all that through legal. Commissioner Milliron noted that the reason for that is to put into the chronology because immediately following the board did get legal correspondence back from Bob Wilson and there is no frame of reference as to how that happened and he wanted to make sure that was properly reflected in the minutes.

Commissioner Steadman noted that what she would like is to engross the other minutes and pull the March 24th minutes out for further review.

A motion to engross the minutes with the exception of the Special Called Work Session on March 24, 2009 was made by Commissioner Milliron, seconded by Commissioner Payne, passed with all ayes (4-0).

Item No. 6

Commissioner Updates – Subjects of General Interest and Concern

Commissioner Payne thanked City Manager Brown and the entire City Staff for all their hand work during the wind storm the City recently had. Commissioner Payne noted that he noticed that the police staff was around almost 24/7 doing traffic. Commissioner Payne noted that the tree debris was cleaned up right away by the Public Works staff. Commissioner Payne knows that City Manager Brown had many conversations with the local utility companies on various matters of interest and many residents contacted Commissioner Payne to say how much they appreciated the City's very proactive involvement. Commissioner Payne also commended the City, the Mayor and others when Bob Gross died, the flag coming to half mass which was a very appropriate action and very much appreciated by the family.

Mayor Pro tem Varian commended Public Works and the Police Department for their diligence during the storm. Mayor Pro tem Varian also commended the City staff for the way they handled the death of Bob Gross.

Item No. 7

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

City Manager Brown gave his monthly report.

- City Manager Brown thanked the Police Department and Public Works for their diligence during the recent storm. City Manager Brown noted that there were five streets completely blocked with trees knocked down and Bryan and his crew had those streets cleared up quickly. City Manager Brown commended the Police Department for all their hard work. City Manager Brown noted that the police department stood at the intersection directing traffic for 36 hours straight. City Manager Brown noted that they found out that the North Avondale Plaza/N. Clarendon Avenue intersection, houses on Exeter, houses on Lakeshore, houses on

South Avondale, houses on Dartmouth are all ran by one transformer behind 13/14 South Avondale Plaza.

- City Manager Brown noted that the Mayor is going to sign a proclamation acknowledging Municipal Clerks Week which is May 3 through May 9. City Manager Brown extended appreciation to our City Clerk Juliette Sims-Owens for her services that she performs and her dedication to our City.
- City Manager Brown noted that the City Finance Director Ken Turner, applied for a health grant and the City was awarded a \$4000 health promotion grant from the Local Government Risk Management Service which will be used to assist in promoting good health in our community association. City Manager Brown noted that every associate in the City is going to get a healthwise self-care handbook. City Manager Brown stated that the City is in the process now setting up lipid profiles for the staff to help prevent heart disease, diabetes, check cholesterol, etc. City Manager Brown stated that each employee is in the process of filling out a two page questionnaire to see what other needs that they might want. City Manager Brown thanked Finance Director Ken Turner for getting the grant.
- City Manager Brown stated that Finance Director Ken Turner sent out an RFP for a bid for our property and casualty insurance back in February. City Manager Brown noted that the City received many bids back and to the good, the City is going to save \$24,000 in our property and casualty insurance.
- City Manager Brown noted that today the City started the 2008 audit with the new audit firm, Clifton, Lipford, Hardison and Parker, LLC.

Item No. 8

Citizens' Comments

Kenny Newman, 7 Lakeview Place, Ms. Newman commended the police department and public works department for their hard work during the storm.

Ted Penrod, 62 Lakeshore Drive, noted that there was an article in today's paper about re-evaluating property reassessments. Mr. Penrod asked if he is not mistaken the county does the appraisals, is that correct, how does that work?

Commissioner Steadman stated yes, the county does all the assessments and then they give the City the digest and we set our millage.

Ted Penrod, 62 Lakeshore Drive, and they will redo Avondale?

City Manager Brown noted that they are going back and reassessing everything. City Manager Brown noted that the reason they are going back is because a new law just passed in legislation and the way they did the assessments in the beginning they did not include foreclosures, distressed properties and bank owned properties and now they are going back and if we had any of those in the City then there is a possibility that might bring our property values down some. City Manager Brown noted that on the first assessment for the properties in Avondale they have already reassessed them at \$1.2 million less from last year. City Manager Brown stated that he does not know if that is going to stick but they are going back

through all the municipalities and re-do everything. City Manager Brown noted that there are six municipalities, Decatur went up, Lithonia went up and Avondale went down. City Manager Brown noted that a lot of it does not make sense and they have a new deadline of May 18th.

Ted Penrod, 62 Lakeshore Drive noted zip code 30032 had the highest number of foreclosures and defaults in the state.

Layne Whitehead-Lee, noted that tonight on Channel 2 Action News there will be a story about a man who was running a scam regarding Elton John Charity. Ms. Lee noted that the man came to her bakery and tried to bilk them out of thousands of dollars worth of produces. Ms. Lee noted that she notified the Avondale Police Department and Officer Gillis came to her shop and interviewed her about and did so much leg work. Ms. Lee wanted to commend Officer Gillis on the superb job he did and she was very impressed.

Commissioner Milliron noted that Layne is being very modest about what happened which didn't say is that she helped tip off some of the scam and help break open the case. Kudos to her!

Mayor Pro tem Varian stated that the board would like to hear more from the Police Department regarding the scam as well as the residents.

Gloria Stone, 4 Exeter, wondered if there is some recognition that the City could give the power company for the great job they did in getting the lights turned back on so quickly. Ms. Stone noted that she heard it was a power company from Virginia that actually got the lights back on. Ms. Stone asked if there was an address that she can send a letter to commending them.

City Manager Brown noted that there were nine crews from nine different states that came into our area and the crew the City ended up with was from southern Virginia and it was a crew of 25 people. City Manager Brown noted that he has a meeting this Wednesday with Georgia Power and he will pass Ms. Stone's comments along to them. City Manager Brown noted he will also provide Ms. Stone with an address to mail her letter personally to them.

Commissioner Payne asked if there is any possibility to get the power company to bury these utilities. Commissioner Payne asked if there is any grant, etc.

City Manager Brown stated that he will look into it but he knows it will be very costly.

Mayor Pro tem Varian noted that City Manager Brown also sent a letter to Georgia Power thanking them for their good service.

Tom Samford, 890 Stratford Road commended the City staff for the work they do week end and week out. Mr. Samford noted providing his health holds up he is planning on doing some maintenance work on the bridge this summer and he does not know if it comes under the auspicious of the Lake Board or not. Mr. Samford noted that "if you just look around, it is another beautiful day in Avondale Estates."

City Manager Brown stated that he will get in touch with the Chairman of the Lake Board, Sandra Neuse and get them as a partner for the project.

Mayor Pro tem Varian noted to Mr. Samford that she too did not appreciate the bridge being fenced in with the extra bars, etc.

Keith Brown, 8 Lakeshore Drive, stated that he just wanted clarity on something that was said at last weeks meeting in terms of a \$100,000 number for a 200 yard sample of the sidewalk, for lack of better word around the lake.

Mayor Pro tem Varian stated yes, he did hear that correctly, that was for 200 ft.

Commissioner Steadman stated that is going to be grading down to the lake. Commissioner Steadman noted that it is going to grade that shoreline where it is eroding badly and the pathway through there.

Keith Brown, 8 Lakeshore Drive stated that he can went a bobcat and do that to save the City a little bit of money....laughter.

Commissioner Steadman stated to Mr. Brown that he should speak to the lake committee about his concerns.

Mayor Pro tem Varian stated that she kind of agrees with Mr. Brown on that and he should attend one of their meetings and note his concerns.

Commissioner Milliron stated just to clarify, this board has approved and adopted the Lake Avondale Plan so it is actually in their hands if he is not mistaken. Commissioner Milliron asked City Manager Brown if that was correct it is now in the City purview now to move forward on that plan.

City Manager Brown stated that was correct, City Manager Brown noted that the original lake plan that came back was close to 4 million dollars and the reason they are doing a sample is to give everyone an idea on what it is going to look like eventually.

Commissioner Steadman stated that she did not realize it was \$100,000 and asked City Manager Brown if there was enough in that budget.

City Manager Brown noted that by the end of the year there will be enough, there will be \$120,000 in there.

Commissioner Milliron noted that obviously there has been a lot of time effort, knowledge and resources that have gone into the lake plan. Commissioner Milliron noted that he feels that the City should implement the plan based on the plan itself. Commissioner Milliron noted that he is not really in the opinion that the City should just do a show place, just to show the public. Commissioner Milliron noted that the City should take the items as priority as to those that are most damaging and put the funds there but obviously it comes down to a board vote and City direction. Commissioner Milliron noted that the lake plan is available from the City and he believes it is also on the website he believes and

certainly anyone can meet with the City staff and ask them to review the plan and see the prioritized game plan for resolving it. Commissioner Milliron noted that it is pretty extensive and is not something that will happen overnight, probably a multi-year plan.

Mayor Pro tem Varian noted that she was on the previous board when the plan first came about and she asked the lake board to show them something as to where all the money was going. Mayor Pro tem Varian noted a lot of the money is going toward consultants. Mayor Pro tem Varian noted that this is a very big project. Mayor Pro tem Varian stated that it takes a team effort and if residents would like to do some weeding, etc. anything is of help.

Tom Samford, 890 Stratford Road stated that the portion of the lake that would benefit the people of Avondale the most is the lawn in front of the community club. Mr. Samford noted it is used more 4th of July and other times it is crowded also. Mr. Samford noted that it is a mess and if the Lake Committee is going to spend any money he would like the Lake Committee to fix that lawn first.

Mayor Pro tem Varian noted that unfortunately the community club owns that lawn in front of there, most of it anyway and public works just goes and mow it. Mayor Pro tem Varian noted that when it rains it is a mud hole.

Tom Samford, 890 Stratford Road Mr. Samford noted that the plan calls for an engineered lawn.

Commissioner Steadman stated that the City will have to work that in with the other projects for the lake.

Kenny Newman, 7 Lakeview Place noted that on the lake master plan there a lot of trees.

City Manager Brown stated that at the next lake committee meeting they are going to come up with a date to do a forum for the City down at the lake.

Item No. 9

Old Business:

- a) 3rd of three readings of the 2008 Budget “Adjustment” Amendment.

City Manager Brown stated that this is the third and final reading of an ordinance to amend the ordinance adopting the budget for the fiscal year 2008 for the City of Avondale Estates. City Manager Brown noted that this is relocating of all the departmental expenditures by line item, any appropriation over \$1000 is being brought down to balance the budget.

A motion to adopt the 2008 Budget “Adjustment” Amendment was made by Commissioner Milliron, seconded by Commissioner Steadman; passed with all ayes (4-0).

Item No. 10

New Business:

a) Unopened Stratford Road Quitclaim Deed

City Manager Brown stated that back in August of 2008 it was decided that the City did not own the unopened Stratford stub so instead the property reverted back to private ownership. City Manager Brown noted that the City has had some property owners submit a quitclaim deed with the legal descriptions to the City for the Board of Mayor and Commissioners to transfer its interests if any of the portion of the unopened Stratford Road.

City Manager Brown stated that the purpose of a quitclaim deed is to basically clear up title for the benefit of the property owner. City Manager Brown stated that this was brought to the board at their Wednesday work session. City Manager Brown noted that this has already been through the legal counsel for the City and they have signed off on it.

Commissioner Milliron noted that he read the quitclaim deed and he listened to the audio from Wednesday's meeting and he moves that the board approve.

A motion to adopt the Unopened Stratford Road Quitclaim Deed was made by Commissioner Milliron, seconded by Commissioner Steadman, passed with all ayes (4-0).

b) Consideration of Lake Management Agreement with Aquascape Environmental

City Manager Brown stated that this is the environmental group that will control the algae and any shoreline weeds, they will test the water; remove any trash, and any spillway maintenance. City Manager Brown noted that the City has used this group several years ago. City Manager Brown stated that the lake board brought it to his attention and the City went out and got several proposals which were submitted to the lake board and they came back wanting Aquascape Environmental to do the services down at the lake.

Mayor Pro tem Varian stated that she had spoken to Ted Penrod and she put this forth to City Manager Brown that the City needs to restock some of the carp in the lake. Mayor Pro tem Varian noted that they help clean the algae.

City Manager Brown stated that he has already spoken to Mr. Penrod about that issue.

Commissioner Steadman asked if that would be part of the contract with Aquascape because in the past when the City had a lake management company that was part of their services.

City Manager Brown stated that Aquascape will give the City monthly recommendations and he is going to bring up the carp to them. City Manager Brown noted that the carp is going to cost the City money because it is not provided in the contract.

Mayor Pro tem Varian stated that she looked over the contract and it was pretty basic service for almost \$4000. Mayor Pro tem Varian stated that she noticed it was extra for several items and she did express her concerns at the last work session that she wants a lot more than them just coming down there every couple of months.

City Manager Brown noted that the contract cost \$3090.

A motion to adopt the Lake Management Agreement with Aquascape Environmental was made by Commissioner Payne, seconded by Commissioner Steadman, passed with all ayes (4-0).

c) Board Appointments to Downtown Development Authority and Lake Avondale Advisory Board

Mayor Pro tem Varian stated that there are two appointees one to the Downtown Development Authority and one to the Lake Avondale Advisory Board.

Mayor Pro tem Varian stated that there was another excellent candidate for the DDA and that was Hal Johnson of Godfather Vans, Inc. who she acknowledged in the audience.

Hal Johnson, 29 Dartmouth Avenue, thanked the board for considering him.

Mayor Pro tem Varian stated to Mr. Johnson to keep coming to the meetings because the City was built on volunteers like him.

A motion to appoint Layne Whitehead-Lee to the Downtown Development Authority and Daniel Deocampo to the Lake Avondale Advisory Board was made by Commissioner Milliron, seconded by Commissioner Steadman, passed with all ayes (4-0).

Item No. 11

Announcements (Commissioner Payne)

a) Avondale In Bloom will be held May 16-17, 2009. Gardenwalk hours are from 10:00am to 6:00 p.m. on Saturday, May 16th and from Noon to 5:00 p.m. on Sunday, May 17th.

We regretfully announce the death of:
Edward Glascoe, son of Roy and Ruth Ann Glascoe of 16 Lakeshore Drive
Martha Ella “Marty” Rodi, former resident
Jeffrey Jacka, son of Joanne Jacka of 104 Sutton Place
Bob Gross, 117 Berkeley Road

Item No. 12

Adjournment

There being no further business, a motion to adjourn at 8:06 p.m. was made by Commissioner Steadman, seconded by Commissioner Payne, passed with all ayes (4-0).