

**BOARD OF MAYOR AND COMMISSIONERS  
REGULAR MEETING**

July 27, 2009 - 7:30 p.m.

**MINUTES**

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

**Members Absent:** David Milliron, 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 (Commissioner Payne)

*Item No. 3* Pledge to the Flag

*Item No. 4* Adoption of Agenda

A motion to adopt the agenda as amended was made by Mayor Pro tem Varian, seconded by Commissioner Steadman, passed with all ayes (4-0).

*Item No. 5* Approval of Minutes  
April 1, 2009 Special Called Meeting  
April 1, 2009 Special Called Work Session with Downtown Development Authority  
April 22, 2009 Regular Work Session  
May 13, 2009 Regular Work Session  
May 18, 2009 Regular Meeting  
June 11, 2009 Special Called Meeting "Millage"  
June 17, 2009 Public Hearing "Millage"  
June 17, 2009 Public Hearing "Conditional Use Application of One Step Ahead"  
June 17, 2009 Special Called Meeting "Millage"  
June 17, 2009 Regular Work Session  
June 17, 2009 Special Called Meeting "Millage Adoption"  
June 22, 2009 Regular Meeting

A motion to engross the minutes as presented by Commissioner Steadman, seconded by, Mayor Pro tem Varian, passed with all ayes (4-0).

*Item No. 6*

## Commissioner Updates – Subjects of General Interest and Concern

Mayor Pro tem Varian noted that she would not be running another term for Commissioner. Mayor Pro tem stated that after 8 years she feels that it is time for other people to get involved in the City. Mayor Pro tem Varian stated that she has enjoyed her eight years and if anyone else decides to run she hopes that they will not make it a personal agenda it is doing what is best for the City. Mayor Pro tem Varian thanked everyone who voted for her.

Commissioner Steadman stated that there will be two seats available because she will not be running another term for Commissioner. Commissioner Steadman noted that she will make a more public speech later on.

Commissioner Steadman also noted that the James Joyce had its 7<sup>th</sup> anniversary a couple of weeks ago and she was disappointed at how poorly Avondale showed out for that. Commissioner Steadman stated that the James Joyce has a new managing partner up there who has been working really hard to draw back in the community and he has improved things a lot. Commissioner Steadman hopes the community will give them another chance and check them out again.

Commissioner Steadman stated that her mother wanted her to state tonight that she has a good friend who lives in Decatur, her friend was leaving her hairdresser and ended up in Avondale and became disoriented so she called 911 and the Avondale Police showed up and took her home and one of the officer's drove her car. Commissioner Steadman stated that her mother's friend raved about how wonderful our police were. Commissioner Steadman thanked the police department for giving our community that type of service.

Commissioner Steadman noted that her son Chris Hodder and his wife Mary Beth are now residents of Avondale they bought one of the condos.

Mayor Rieker stated that Savage Pizza opened up a couple of weeks ago and he encouraged the community to try them.

Mayor Rieker noted that there was an incident in town a week or so ago and two people passed away. Mayor Rieker thanked the Chief and his team for doing a terrific job in a very bad situation. Mayor Rieker noted that we have a really good team in our City protecting us.

*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 introduced Chief Broden and Bryan Armstead Director of Public Works.
- City Manager Brown read letters commending City staff; the Public Works Department for trimming the trees on the verge of a residents property, Juliette Owens, City Clerk for the a quick email regarding a lost cat that was found, and Officer Gillis for apprehending a hit and run driver while off-duty in Gwinnett County.

- City Manager Brown noted that the City of Avondale Estates has set-up a Child is Missing Program. City Manager Brown stated that the Chief, Detective Gillis and he have been working on this program for about four months now. City Manager Brown noted that the next few days they will be sending something out to everyone explaining the program.
- City Manager Brown stated that the deadline for requests for the Stormwater Utility Proposals was Friday and the City has received 9 proposals. The City is going to have an engineering firm do inventory, survey and map the entire City stormwater infrastructure.
- City Manager Brown noted that the salary survey has been done by the Atlanta Regional Commission and the results will be presented at the Board of Mayor and Commissioners Work Session on August 19<sup>th</sup>.
- City Manager Brown stated that the June lighting strike that City Hall encountered caused \$11,000 in damage. City Manager Brown noted that the insurance paid for it, the City had to pay a \$1000 deductible.

Mayor Pro tem Varian commended the Chief, Detective Gills and City Manager Brown for implementing the Child is Missing Program. Mayor Pro tem Varian also commended Bryan Armstead and his staff,

*Item No. 8*

Citizens' Comments

Sidney Murphey, 5 Clarendon Place, thanked the Public Works Department for cutting the vines.

Keith Brown, 8 Lakeshore Plaza, spoke about a conditional use permit application that he and his girlfriend, Karen Hennessey submitted that was scheduled for a public hearing on July 22<sup>nd</sup> but he withdrew on July 6<sup>th</sup>. Mr. Brown noted that he was not at the July 22<sup>nd</sup> meeting and it has come to his attention that there was discussion about the conditional use permit and he noted that he was sorry he was not at the meeting to answer questions and to ease some of the concerns that have been raised by some of the residents. Mr. Brown stated that regarding the event they hosted at their house this past Saturday, they successfully entertained about 200 people, a significant amount of people were from Avondale considering what had been spreading throughout the community. Mr. Brown noted that they worked with the City to come up with an agreement to be able to host an event that did not require them to have a conditional use permit. Mr. Brown noted that they hired an off duty police officer to manage the traffic. Mr. Brown thanked Sgt. Lynn Thomas and Ssgt. Jason Brown for monitoring traffic control the night of the event. Mr. Brown noted that they have done everything that they were requested to do in working with the City to design an event that was agreed upon to then have a letter be circulated to a select group of people by Commissioner Milliron who unfortunately is not here tonight. Mr. Brown read the email that was sent by Commissioner Milliron. Mr. Brown noted that he did not think it was appropriate that the email to be sent out by any Commissioner. Mr. Brown also noted that it was announced in Commissioner Milliron's newsletter that his company had applied for a conditional use permit and that was not correct Mr. Brown and his girlfriend applied for the conditional use permit.

Mayor Rieker asked Mr. Brown for a copy of the email for the City. Mayor Rieker noted that in no way does David Milliron speak on behalf of the City in that email that he received nor does he speak on behalf of the City in any of his publications which are his own private publication. Mayor Rieker stated that it is unfortunate that there is confusion in the City regarding these publications that somehow these are official standings from the City or some sort of official information from the City. Mayor Rieker noted that he knows that in the case of the conditional use permit the information that Commissioner Milliron published was actually published ahead of what the City was going to publish, before the sign went up in the yard and before the neighbors got letters and that is exactly how we do not operate. Mayor Rieker noted that he is very frustrated on many levels with hearing this sort of thing over and over again where information either gets misrepresented, distorted, or gets a political agenda. Mayor Rieker stated there are so many positive things we can do working together.

Mayor Pro tem Varian stated that Commissioner Milliron does not speak for her. Mayor Pro tem Varian noted that she has been frustrated more than once by the emails Commissioner Milliron sends out before the City. Mayor Pro tem Varian noted that the City has more effective communication now. Mayor Pro tem Varian noted that in the last month Commissioner Milliron has put out things in his City Happenings that were not his place to do so, it should have come from the City. Mayor Pro tem Varian noted that Commissioner Milliron does not speak for the board.

Commissioner Steadman concurs with Mayor Pro tem Varian that Commissioner Milliron does not speak her or the board and no board member can go out and speak on behalf of the board unless they received approval by this board and that has not been the case in a number of things that have gone out in Commissioner Milliron's City Happenings. Commissioner Steadman noted that this is a role that a Commissioner has taken on that the board has never experienced before and she feels it is something that needs to be addressed.

Commissioner Payne stated that he feels when there is an issue it is for the City Manager and the owner of that business to resolve not the board. Commissioner Payne noted that the City has been more and more effective with communication.

Tom Samford, 890 Stratford Road noted that he is about to finish the bridge and encouraged everyone to come by and see it.

Ted Penrod, 62 Lakeshore Drive spoke about a yard sale that was held on the corner of Wiltshire & Clarendon and the regulations regarding yard sales.

City Manger Brown will put something in the next newsletter to remind the residents of the ordinance regarding yard sales.

*Item No. 9*

Old Business: NONE

*Item No. 10*

New Business

- a) 1<sup>st</sup> Reading of the Ordinance to Increase the City Manager's Threshold Limit

City Manager Brown read of the 1<sup>st</sup> reading of the Ordinance to Increase the City Manager's Threshold Limit.

- b) 1<sup>st</sup> Reading of the Ordinance Amend the Ordinance to Establish Due Compensation Applicable to any Telegraph or Telephone Company

City Manager Brown read the 1<sup>st</sup> reading of the Ordinance Amend the Ordinance to Establish Due Compensation Applicable to any Telegraph or Telephone Company.

*Item No. 11*

Announcements (Commissioner Payne)

- a) The annual Labor Day Race will be held on Monday, September 7, 2009. Registration begins at 7:30 a.m. Please see the July/August Newsletter for entry forms and other race information. Entry forms are also available on the website. The City is in need of volunteers to assist with getting sponsorships, donations and set-up, please contact Clai Brown or Karen Holmes if interested.

We regretfully announce the deaths of:  
Anne Travis and Edward Travis, 34 Clarendon Avenue  
Tom Chaney, 91 Sutton Place

*Item No. 12*

Adjournment

There being no further business, a motion to adjourn at 8:10 p.m. was made by Commissioner Steadman, seconded by Commissioner Payne, passed with all ayes (4-0).

Approved this 24<sup>th</sup> day of August, 2009

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Ed Rieker, Mayor

ATTEST:

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Juliette Sims-Owens, City Clerk