

**BOARD OF MAYOR AND COMMISSIONERS
REGULAR WORK SESSION**

October 21, 2009
5:30 p.m.

MINUTES

Members Present: Ed Rieker, Mayor
Sandra Varian, Mayor Pro tem
Lyda Steadman, Commissioner
Michael Payne, Commissioner
David Milliron, Commissioner
Terry Giager, Commissioner-Elect
Gene Lee, Commissioner-Elect (arrived at 5:55 p.m.)

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

Item No. 1 Meeting called to order at 5:30 p.m. by Mayor Rieker

Item No. 2 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 (5-0).

Commissioner Steadman would like an update on the LEED Ordinance. Mayor Rieker asked that this be placed as Item No. 13 on the agenda.

City Manager Brown thanked Bonnie Kallenberg, Karen Holmes, Jill Joyner-Bush and Rusty Bowers for putting together the new business guide. City Manager Brown commented on how professional the guide is and noted that the guide is also on the Avondale Estates Business Association website.

Item No. 3

Board Update:

- a) Downtown Development Authority – George Kennedy
George Kennedy stated that there was very little to update this month from the DDA. Mr. Kennedy noted that the DDA will be having a Mill District tour soon and they will let the board know when a date is confirmed.

Item No. 4

Conditional Use Permit Application - Hairston Lofts, 100 N. Avondale Rd.

City Manager Brown stated that Alan Gay of 100 N. Avondale Road has submitted a conditional use permit application for his property which consists of two dwelling units and a single commercial space. City Manager Brown noted that the two dwelling units are not physically connected to the commercial space. City Manager Brown stated that Article 9 of the Zoning Ordinance states that apartments may be allowed in the Central Business District as conditional use, the dwelling units conform to the ordinance definition of apartment house. City Manager Brown noted that he has personally inspected the units and recommends to the board to approve Mr. Gay's application.

Mayor Pro tem Varian stated what Mr. Gay has done with that property is wonderful.

Mayor Rieker noted that the board does have a public hearing tonight at 6:00 p.m. on this application.

Item No. 5

Floodplain Ordinance/Resolution

City Manager Brown stated that he is recommending to the board that the City of Avondale Estates participate in the National Flood Insurance Program. City Manager noted that for the City to participate we have to do two things, first, pass a resolution of intent which indicates a desire to participate and second, the City must adopt a Floodplain Management Ordinance. City Manager Brown stated that one of the biggest things in participating is our residents will have the opportunity to purchase flood insurance to protect themselves from flood losses. City Manager Brown noted that once the ordinance and resolution are passed, the City will complete an application and send that in with the resolution and ordinance to FEMA and it will take about six months to pass. City Manager explained that the reason the City has never participated is because the City is not in the 100 year floodplain. City Manager Brown showed on the floodplain map a wooded area in Avondale that is in the floodplain.

Commissioner Payne asked is there any burden on the City to maintain the area.

City Manager Brown stated that if something is built in that spot then the City would have to make sure that we had floodplain management procedures in place.

Mayor Rieker asked who makes the map.

City Manager Brown stated FEMA.

Commissioner Payne stated that the bottom line is nothing in Avondale is in the floodplain except for the tiny wooded area.

City Manager Brown stated that is correct.

Commissioner Payne asked if it would cover any type of rain damage, water in basement, etc.

Commissioner Milliron stated it would cover any type of flooding regardless.

Mayor Rieker stated yes, it would cover it but you would have to have the flood insurance.

City Manager Brown noted that residents will be able to obtain flood insurance at a very low cost.

Commissioner Milliron stated that the existing approved floodplain can obviously change so in enacting this ordinance we have to be cognizant that when FEMA comes in especially with the most recent flooding we had and the flooding six or seven years ago those things are going to be taken into account. Commissioner Milliron stated that a lot of the information that the City transferred to DeKalb and the residents who contacted FEMA, those issues are now in their database and in his conversations with FEMA in trying to understand some of this there may be other floodplain areas because of developments that have occurred in and around us because we have not been participating and we have not been on the flood map. Commissioner Milliron stated that this is a gamble for us because this could change.

Mayor Rieker asked City Manager Brown if FEMA had suggested they were changing the map for Avondale.

City Manager Brown stated no.

Commissioner Milliron stated that we will not know until they come in to do the work.

Mayor Rieker stated that he feels it is fair to pass this ordinance/resolution and if FEMA comes back and changes the map then we will un-pass the ordinance/resolution.

Mayor Rieker asked that this item be moved to the October 26th agenda.

Item No. 6

2010 Budget Ordinance

City Manager Brown stated that the 1st reading of the budget will be on Monday, October 26th and this is the ordinance to adopt the 2010 budget for the City of Avondale Estates.

Mayor Rieker noted that the board has a Special Called Budget Meeting on November 4th. Mayor Rieker asked the board if they have anything regarding the budget that the City Manager should know.

Commissioner Steadman stated that she feels because of how things have evolved with development the City should consider hiring a Downtown Development Coordinator and include this in the budget. Commissioner Steadman noted that she had already spoken to City Manager Brown about this. Commissioner Steadman stated that we rely so much on our boards and the BOMC that things sometimes things don't happen and this person would have the focus, energy and skill sets to help us realize our vision. Commissioner Steadman stated this person could also help save money with consultants over time.

Commissioner Payne stated that he does not disagree with this in theory but feels that it is a bad time and we should wait until the market is better because he does not think there is any bank lending money on a commercial loan.

Commissioner Steadman stated that the problem with that is there is so much planning and preparation that goes into being prepared to deal with developers that we have missed out on in the past. Commissioner Steadman stated that now is a good time to regroup and have this person get us ready.

Mayor Rieker asked Commissioner Steadman what salary range she was looking at.

Commissioner Steadman stated that the City could get someone starting in the mid 40's to mid 50's depending on what we are looking for.

Mayor Pro tem Varian asked if this position would be full-time.

Commissioner Steadman said ultimately they should be full-time but we could start them off part-time. Commissioner Steadman reiterated again the City could save a lot of money on planning consultants if this person was hired.

Mayor Rieker asked if Commissioner Steadman envisioned this person going to the Planning and Zoning meetings.

Commissioner Steadman stated that in the job descriptions she has reviewed, yes they would attend these meetings.

Mayor Rieker stated they would have a very deep knowledge of planning and zoning.

Commissioner Steadman stated yes to help facilitate the Planning and Zoning needs as well as the Downtown Development Authority needs. Commissioner Steadman stated she feels it would be worth the investment over time.

Commissioner Milliron stated that he does not think it is the appropriate time to ask for this type of position. Commissioner Milliron stated we could look at it next year when we look at the 2011 budget; he cannot see it in this current economy.

Commissioner-Elect Giager stated that he feels it is a position that the City should look at but timing wise we have to look at the economy. Commissioner-Elect Giager stated he would have to do a little more research to see exactly what it is they actually do to set things up and what benefit we would actually achieve and if we could put some dollar value to that then he does not think it would make a difference if we see a dollar value.

City Manager Brown stated that after he had spoken to Commissioner Steadman he did some research on his own. City Manager Brown stated that he feels it would be a valuable position but right now we are trying to grow our 40 plus acres, we don't know about the annexation and when all that meshes together you might need someone out there being proactive doing those types of things but right now development is very, very slow. City Manager Brown stated if there is not a lot going on he does not feel we would need that position.

Commissioner Steadman stated that in one of the job descriptions she reviewed it states to handle annexation and things of that nature. Commissioner Steadman stated that she just wanted to put it on the table.

Mayor Rieker asked if there were any other top level budget items the board had to discuss before they get to the Special Called Meeting on November 4th.

Mayor Rieker stated that Savage Pizza along Laredo needs lighting.

City Manager Brown stated that he had Georgia Power come out a couple of months ago and the cost would be \$12,000 for the installation/poles and \$32.00/month for electricity.

Mayor Rieker stated they have put a lot of money into that building and property and if the City is talking about being good partners to investors in the downtown area then we should consider doing something for them. Mayor Rieker asked if TAD money could be used.

City Manager Brown stated that he and Finance Director Turner are looking into it.

Commissioner Payne stated this is safety factor as well.

Commissioner Steadman stated one thing to remember is that the City does not have streetscape finished from the hedge down to our border and that may be a contentious for some people.

Commissioner-Elect Giager stated that the pathway between the lake and the Avonwood neighborhood through the bird sanctuary, there is no lighting at all on that pathway.

Commissioner Steadman and Mayor Pro tem Varian stated that this had been talked about before and they thought a general agreement had been made to put in low voltage lights on the path.

Mayor Rieker asked City Manager Brown to look into putting low voltage lights on the path.

Item No. 7

2010 Census Resolution

City Manager Brown read the 2010 Census Resolution.

Commissioner Milliron asked if a Complete Count Committee had been selected.

City Manager Brown stated that a committee of seven had been selected.

Commissioner Milliron stated that he knows they have mentioned money for advertising and things such as that and asked if there are any opportunities there.

City Manager Brown stated that Juliette is looking into donation money from the Census Bureau to purchase promotional items such as t-shirts, pens, hats, etc. to promote the 2010 Census.

Break: 5:56 p.m. to enter into Public Hearing

Resumed: 6:07 p.m.

Item No. 8 Cornerstone Bank for fund investment

City Manager Brown noted that all of the City CD's expired at the end of September and the City was making 4 ½ % on those but right now we are making .014 so we are not making any money. City Manager Brown and Finance Director Turner have searched out Cornerstone Bank who will give the City 2 ½% interest and is the best the City can get anywhere. City Manager Brown stated that there are two things they would like to do, first the Dottie Holmes Fund they would like to move that into a CD and leave it there and second, take \$250,000 out the general fund because that is the limit with the FDIC and put that in a money market account. City Manager Brown stated that he has some things out there with some MARTA property, etc. where we don't want to tie our cash up right now. City Manager Brown said the City just hates making less than a ½ of percent when we have a chance to make 2 ½ % on some of the money.

Mayor Rieker asked if that was a money market that we can take money out tomorrow.

City Manager Brown stated you can take it out any day, it is not tied up, if we need it we can get it.

Commissioner Steadman said she is fine with that but since Dottie Holmes was brought up she knows that when the board had the lake walk it was noted that the roadadendrum garden wasn't being maintained and that is what the Dottie Holmes Fund is for. Commissioner Steadman asked if that has come up anymore.

City Manager Brown stated no.

Mayor Rieker stated that he thinks it is the interest only that is available for that sort of thing.

City Manager Brown stated that he thinks it is mainly for the hedges up here.

Commissioner Steadman stated that the Dottie Holmes Fund is specifically for a roadadendrum garden down by the lake. Commissioner Steadman feels that some of the money should be used to tidy that area up.

Mayor Rieker asked that City Manager Brown contact Roger Holmes to let know him know what he plans on doing with that money in the Dottie Holmes Fund.

Item No. 9

Quit Claim Deed 3123 and 3133 Wiltshire Drive for unopened Stratford Road

City Manager Brown noted that the property owner of 3123 and 3133 Wiltshire Drive have submitted a quitclaim deed with a legal description and survey for the Board of Mayor and Commissioners to transfer its interest if any of the portion of the unopened Stratford Road stub. City Manager Brown stated that this is probably the last of the quitclaim deeds relating to the unopened Stratford Road. City Manager Brown noted that the purpose of this quitclaim deed is to simply clear up title for the benefit of the property owner. City Manager Brown stated that City Attorney Bob Wilson has approved it and City Manager Brown is recommending that the board approve.

Mayor Rieker asked that this item be added to the October 26th agenda.

Item No. 10

Service Delivery Strategy (SDS)

City Manager Brown stated he is a little ahead on this because DeKalb County is not going to make their decision until October 27th and the expiration on the current SDS is October 31st.

Mayor Rieker stated that the City has to renew the SDS to give the county another chance to do some of the things. Mayor Rieker noted at the Mayor's meeting DeKalb County came to the table to let them know that they are working on formula for this and currently the hit on Avondale Estates is \$300,000. Mayor Rieker noted that instead of extending it for another full year it will be extended until the end of January.

City Manager Brown stated what hopefully is going to happen is that it is going to be extended until January 31st and from now until January 31st what all the municipalities have said to DeKalb County in the letter that they wrote to them is they want to make three special tax districts, Law

Enforcement, Parks & Recreation and Public Works which is roads and drainage and have the municipalities be able to opt into them or opt out of them.

Mayor Rieker asked that this item be added to the October 26th agenda.

Item No. 11

Personnel Board Applicant

City Manager Brown noted that the board received a couple of weeks ago an application for the Personnel Board from Lindsay Forlines which will fill that entire board up.

Mayor Rieker asked that this item be added to the October 26th agenda.

Item No. 12

Halloween Prep

City Manager Brown stated that the Neighborhood Watch has already gotten several volunteers for Halloween. City Manager Brown noted that he has already met with the police and this is normal duty for them, all the post are mapped out, road closures, and flashlights. City Manager Brown noted that the City also sent out information requesting volunteers for Halloween on our e-blast.

Commissioner-Elect Lee asked what the official time for Halloween is.

City Manager Brown stated 6:00 p.m. to 8:30 p.m.

Mayor Rieker stated that he just wants to ensure that the happy time we had last year will happen this year.

City Manager Brown stated it absolutely will happen.

Item No. 13

LEED Ordinance

Commissioner Steadman stated we had the discussion on LEED's and then they came and did a presentation and her understanding was the board was waiting to hear back from certain boards on their recommendations and she does not recall hearing back from those boards.

Mayor Rieker stated we did hear back from the boards

Commissioner Milliron stated we did hear back the boards this was a meeting Commissioner Steadman and Mayor Pro tem Varian were not in attendance.

Mayor Rieker stated that what the board got back was now is not the time. Mayor Rieker stated the other piece that was never resolved was the Ad Hoc Environmental Committee which should be dissolved. Mayor Rieker asked that a letter be written to the Environmental Committee dissolving the committee.

City Manager noted that he has had City Hall inspected by LEED certified technicians to see what it will cost to get City Hall up to LEED.

Commissioner-Elect Lee stated he is all for LEED but bringing things up to LEED compliance can be costly and very timely.

Item No. 14

Public Comment

Kenny Newman, 7 Lakeview Place, spoke about the gentlemen from Day Spa who had the platinum LEED compliance done. Ms. Newman stated she does not know how much it cost him but he did not complain about the cost.

Commissioner-Elect Lee stated that he is not saying it can't be done.

Theresa Mitzel, 7 South Avondale Road asked for clarification on the poles for the lighting and Savage Pizza.

Mayor Rieker stated that they are for safety along Laredo because it is dark there at night. Mayor Rieker stated that he thinks there is a pole in the front but on the side of Laredo there is no street lighting there.

Theresa Mitzel, 7 South Avondale Road stated that in her experience with commercial development, maybe not in Avondale there is bond set aside whenever you do major projects like that for those types of improvements.

Mayor Rieker stated the City does not have that.

Theresa Mitzel, 7 South Avondale Road thanked Clai for the process of the unopened Stratford Road and getting it resolved. Ms. Mitzel stated how very professional City Manager Brown was during the entire process.

Mayor Rieker asked Ms. Mitzel to send an email so he can say that at the Monday, October 26th meeting.

Item No. 15 **Adjournment**

There being no further business, a motion to adjourn at 8:15 p.m. was made by Commissioner Payne, seconded by Commissioner Steadman, passed with all ayes (5-0).

Approved this 14th day of December, 2009

Ed Rieker, Mayor

ATTEST:

Juliette Sims-Owens, City Clerk