

**BOARD OF MAYOR AND COMMISSIONERS
REGULAR MEETING**

October 26, 2009
7:30 p.m.

MINUTES

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

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

Item No. 1 Meeting called to order at 7:31 p.m. by Mayor Rieker

Item No. 2 Invocation (Tom Samford)

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. 5 Commissioner Updates – Subjects of General Interest and Concern

Mayor Pro tem Varian thanked Chief Broden and his staff for all they did at AutumnFest and Bryan Armstead, Director of Public Works and his staff for being out in the City collecting the leaves. Mayor Pro tem Varian thanked Harold Anderson, Supervisor of Sanitation and his crew for all their hard work at AutumnFest. Mayor Pro tem Varian spoke about dogs barking in particular one near her home that barks from 7:30 a.m. until noon. Mayor Pro tem Varian asked residents who have indoor dogs and put them out to be aware of their barking and how it is a nuisance to others. Mayor Pro tem Varian asked City Manager Brown to put something in the newsletter regarding the ordinance regarding barking dogs.

Commissioner Milliron thanked Spence Rosenfeld, owner of Arboguard. Commissioner Milliron stated that Mr. Rosenfeld teamed up with the Avondale Estates Business Association on October 17th to do a pruning workshop. Commissioner Milliron noted there was a lot of participation from the residents and community and that was done with Avondale Estates Tree Board and Avondale Estates Garden Club. Commissioner Milliron thanked the Avondale Arts Alliance for AutumnFest and the city workers for the set-up and tear down of the event it was a great event. Commissioner Milliron noted that on November 10th he will be representing the board at a county meeting with the City of Decatur and Avondale Estates regarding annexation. Commissioner Steadman and City Manager Brown will be attending as well. Commissioner Milliron stated he has heard from quite a few residents over issues over the sign ordinance in the residential community and he does not know what the pulse of the community is over yard signs but given that the ARC is looking at the zoning ordinance and sign ordinance the City should probably visit and see where residents are about some guidelines as to whether or not we should be allowing yard sale signs in this community.

Commissioner Steadman stated residents are allowed one yard sign but it is the directional signs that are a problem.

Commissioner Milliron stated the directional's are quite the concern.

Commissioner Payne stated that there is an Avondale Booster Club. Commissioner Payne noted that the booster club had a golf tournament fundraiser today. Commissioner Payne noted that a lot of money they have raised is going to Avondale Estates High School for certain activities. Commissioner Payne stated that the club has a lot of individuals who went to Avondale High School. Anyone who would like information on the club can email Commissioner Payne.

Commissioner Steadman stated what a wonderful time she had at AutumnFest.

Mayor Pro tem Varian thanked Commissioner-Elect Giager and Commissioner-Elect Lee for their comments this evening at the Meet and Greet. Mayor Pro tem Varian stated that she feels both of them will do very well on the Board of Mayor and Commissioners.

Mayor Rieker stated that AutumnFest was fun and it was a great job by the City Manager and associates. Mayor Rieker noted that The Museum School is progressing well and they interviewed for the Head of the school this past weekend. Mayor Rieker noted that the school will have a fundraiser on November 14th and he encouraged everyone to get tickets. Mayor Rieker commended City Manager Brown for all his work on the quitclaim deed for Stratford Road, all those involved in the quitclaim had some very nice things to say about our City Manager which the board all believes in and the board appreciates everything that City Manager Brown does.

Item No. 6

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

City Manager Brown read a letter regarding thanking Officers Findley, Conroy and Burton for how they handled a domestic dispute. City Manager Brown also noted the following:

- The engineering firm Corporate Environmental Risk Management (C.E.R.M.) has started the mapping of the stormwater infrastructure in the city. The process should take approximately 5-6 weeks based off the structures they think are in the City. City Manager Brown noted that they are estimating between 800 and 1200 structures. There will be some areas where they will have to enter private property to conduct the mapping. They will have been given an official Avondale Estates letter from the City and will have an identification badge. They will not enter a property without permission from the resident.
- The City received an exceptional score (the highest you can get) from the Georgia Soil and Water Conservation Commission for the Avondale Estates Erosion and Sediment Control Program. City Manager Brown thanked Bryan Armstead and his staff for this outstanding score.
- Tomorrow, October 27th, City Staff are doing a lipid profile blood work-up and a personal health analysis. The test will help with determining risk with coronary heart disease, cholesterol, body fat, glucose, etc. This is being given to the associates for free from the City receiving the Health Grant.
- The Tree Planting will be held on November 7th at 9:00 a.m. and 57 trees will be planted. City Manager Brown stated that coffee, donuts and lunch will be provided. City Manager Brown noted that volunteers are still needed.
- City Manager Brown stated that the City had a very successful Labor Day Race and next year we will have a Race Director. City Manager Brown stated that the City donated to the ALS Foundation \$4343.
- City Manager Brown presented Chief Broden with a Certificate of Merit for doing an outstanding job in implementing the Child Is Missing Program and Nixel Program. City Manager Brown noted that these two programs are emergency communication programs that will notify a resident on their cell phone, home phone or by email of an emergency. City Manager Brown encouraged everyone to sign up. Chief Broden thanked everyone and noted that he has a great group of guys that he works with that wear many hats. City Manager Brown presented Bryan Armstead with a Certificate of Merit for doing an outstanding job and the exceptional rating the City received for the Erosion and Sedimentation Control.

Mayor Rieker stated that Wednesday, November 4th is the budget meeting and asked that the budget be put on the website. Mayor Rieker stated if anyone has questions about the budget to call him or the City Manager. Mayor Rieker introduced Ralph McCumber who is with the program DEAM who is here to explain what his program does.

Ralph McCumber stated that he is with Decatur-area Emergency Assistance Ministry (DEAM) which is a nonprofit organization supported by 22 Decatur-area churches. DEAM provides emergency food, financial aid for rent, utilities and prescriptions, clothing and volunteer support to qualifying residents in the Decatur and Avondale area. Mr. McCumber noted that annually DEAM donates over 80,000 pounds of food, supports 3000 to 4000 families with three days of food every month, they help take care of 600-700 households a year with respect to paying for their gas, electrical or water services and prescriptions, and they help 150 families a year to defray from having to move out when they have a judgment against them when they are

behind in their rent. Mr. McCumber noted that he is also the Troop Master for troop 6 in Avondale and they will be coming door to door in Avondale the first two Tuesday's in December from 7:30 p.m. to 9:00 p.m. to collect non-perishable food and other items for DEAM. Mr. McCumber stated that the food can be left outside and the scouts will pick it up. Mr. McCumber stated they are also in need of furniture, bedding, pots & pans and mattresses and if residents have any of these items he would be happy to come and pick them up. Mr. McCumber asked everyone to talk to their friends about DEAM. Mr. McCumber stated they also have a pantry where items can be dropped off at Holy Trinity and Avondale 1st Baptist.

Item No. 7

Citizens' Comments

George Kennedy, 116 Center Street stated that he will miss Commissioner Steadman and Mayor Pro tem Varian and welcomed Commissioner-Elect Lee and Commissioner-Elect Giager. Mr. Kennedy commended City Manager Brown on the job he is doing no one can get things done like City Manager Brown.

Sid Thompson, 3240 Majestic Circle spoke about the flooding on his property and the installation of a pipe he put in on his property to divert the water so it won't come into his basement in which the police department was called due to him possibly not being on his property line. Mr. Thompson stated the reason he was here tonight is regarding the manner in which the police department handles calls. Mr. Thompson stated that the best sanitation department is right here in the City.

Mayor Rieker stated that the board will talk to the City Manager about this issue.

Mayor Pro tem Varian stated to the residents that this is their forum where they can come and speak up and have it put in the record any issues they might have and she thanked Mr. Thompson for coming tonight.

Tom Samford, 890 Stratford Road asked if the dates had been set for the tree lightings.

Barbara Milliron, 37 Clarendon Avenue stated the lake tree lighting will be held on Sunday, December 6th at 6:00 p.m. The annual City tree lighting will be held on Monday, November 30th.

City Manager Brown stated that the City moved the time up to light the tree at 7:00 p.m. instead of 8:00 p.m. since it is a school night.

Tom Samford, 890 Stratford Road stated that volunteers are needed to put the lake Christmas tree in the lake and that will be done the weekend after Thanksgiving. Mr. Samford stated it is another beautiful day in Avondale.

Kenny Newman, 7 Lakeview Place stated that it would be nice to write to the servicemen who live in Avondale Estates that have been deployed. Ms. Newman stated that Tom Merriam of 8 Lakeview Place is in Afghanistan and it would be nice to put this in City Hall News and ask of others who might be deployed.

Carolyn Chandler, 2996 Majestic Circle asked that when the City is looking at yard sale signs that the City look at college flags as not advertising.

Lindsey Forlines, 9 Sussex Road thanked the City for the 9/11 Ceremony it was a very nice event.

Item No. 8

Old Business

- a) 3rd and final reading of the Graffiti Ordinance

City Manager Brown read the third and final reading of the Graffiti Ordinance.

Mayor Rieker stated that this is the third and final reading of this ordinance and it has been discussed in a couple of work sessions and it deals with trying to diminish the impact of graffiti in the City.

A motion to adopt the Graffiti Ordinance was made by Commissioner Steadman, seconded by Commissioner Payne, passed with all ayes (5-0).

Item No. 9

New Business

- a) Conditional Use Permit Application for Hairston Lofts

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 Rieker stated that this has been discussed in a work session and if you have not had a chance to look at the Hairston Building they have done a tremendous job of bringing that building back to life.

Mayor Pro tem Varian stated that Mr. Gay has owned this property for quite sometime and what he has done is wonderful and it just goes to show you that people that have owned property in Avondale are interested in keeping their property values up.

A motion to adopt the Conditional Use Application Permit for 100 N. Avondale Road was made by Mayor Pro tem Varian, seconded by Commissioner Steadman, passed with all ayes (5-0).

- b) 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 stated that this is an issue that has been around for a long time and this is the last one.

A motion to adopt the Quitclaim deeds for 3123 and 3133 Wiltshire Drive was made by Commissioner Steadman, seconded by Commissioner Payne, passed with all ayes (5-0).

c) 2010 Census Resolution

City Manager Brown read the 2010 Census Resolution. City Manager Brown stated that the City is also participating in a Complete Count Committee in support of the 2010 Census Partnership.

A motion to adopt the 2010 Census Resolution was made by Commissioner Steadman, seconded by Commissioner Payne, passed with all ayes (5-0).

d) 1st Reading of the Floodplain Ordinance

City Manager Brown read the first of three readings of the Floodplain Ordinance. City Manager Brown stated what this does for the City it allows any resident to go out and get flood insurance.

Mayor Rieker stated that this is something that was discussed at the last work session and the board did review the FEMA flood map and there is a tiny area by Hess and Memorial Drive that is in the floodplain.

e) Floodplain Resolution

City Manager Brown stated that the Floodplain Resolution is part of the process for the City of Avondale Estates to participate in the National Flood Insurance (NFIP). City Manager Brown stated that it is a resolution of intent which must be passed which indicates the City's desire to participate in a National Flood Insurance Program.

A motion to adopt the Floodplain Resolution was made by Commissioner Steadman, seconded by Mayor Pro tem Varian, passed with all ayes (5-0).

f) 1st Reading of the 2010 Budget Ordinance

City Manager Brown read the first reading of the 2010 Budget Ordinance.

Mayor Rieker stated that this will be read two more times and there will be an in depth budget meeting on November 4th at 5:30 p.m.

City Manager Brown noted that there will be a Public Hearing on the 2010 Budget on November 16th.

g) Service Delivery Strategy (SDS) Resolution

City Manager Brown stated that the municipalities within DeKalb County have requested an extension in which to complete ongoing modifications to the Service Delivery Strategy between DeKalb County and the municipalities. City Manager Brown stated that a resolution must be passed for the extension period proposed January 31, 2010.

Mayor Rieker stated that this is something the City has been working with the county for many years to try to resolve an issue where residents of the City are paying extra taxes into the county and our cost is about \$300,000 a year. Mayor Rieker noted that the Mayor's had a meeting with the CEO about a week ago and the county has moved on their thinking and they are now ready to separate some of the components such as police, parks streets and roads into separate components so the City can choose to participate or not participate. Mayor Rieker stated that the new CEO has done a good job in bringing all the cities together and actually listening.

A motion to adopt the Service Delivery Strategy (SDS) Resolution was made by Commissioner Steadman, seconded by Mayor Pro tem Varian, passed with all ayes (5-0).

h) Personnel Board Applicant

City Manager Brown stated that there is one opening on the Personnel Board and Lindsey Forlines has requested to fill that position.

Mayor Pro tem Varian stated that she has known Lindsey Forlines since she was a little girl and she is glad she is getting involved in the City.

A motion to approve Lindsey Forlines to fill the Personnel Board vacancy was made by Mayor Pro tem Varian, seconded by Commissioner Steadman, passed with all ayes (5-0).

Item No. 10 Announcements (Commissioner Steadman)

- a) The Halloween home decorating contest will be held on, Friday, October 30th. Halloween trick-or-treating hours is from 6:00 p.m. to 8:30 p.m. on Saturday, October 31st.
- b) The Avondale Estates Garden Club will have its Annual Holiday Bazaar on Friday, November 20, 2009 at the Avondale Community Club from 11:30 a.m. – 3:30 p.m. There will be a lot of gift items and sweet treats in all price ranges, everyone is invited.
- c) The Avon Garden Club’s Annual Pancake and Sausage Breakfast will be held on Saturday, November 21, 2009 at the Avondale Community Club from 8:00 a.m. to 11:00 a.m. Further details will be in the November/December newsletter which will be delivered the week of November 9th.

We regretfully announce the death of:
Phyllis Jordan Deckner, 96 Dartmouth Avenue
Walter “D” Arnold, former resident

Item No. 11 Adjournment

There being no further business, a motion to adjourn at 8:20 p.m. was made by Commissioner Payne, seconded by Commissioner Steadman, passed with all ayes (5-0).

Approved this 14th December, 2009

Ed Rieker, Mayor

ATTEST:

Juliette Sims-Owens, City Clerk