

BOARD OF MAYOR AND COMMISSIONERS
REGULAR MEETING
November 16, 2009
Immediately Following Public Hearing

MINUTES

Members Present: Sandra Varian, Mayor Pro tem
Lyda Steadman, Commissioner
Michael Payne, Commissioner
David Milliron, Commissioner
Terry Giager, Commissioner-Elect
Gene Lee, Commissioner-Elect

Members Absent: Ed Rieker, Mayor

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

Item No. 1 Meeting called to order at 7:32 p.m. by Mayor Pro tem Varian.

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 Commissioner Steadman, seconded by Commissioner Payne, passed with all ayes (4-0).

Item No. 5 Approval of Minutes

Regular Work Session – September 17, 2009
Regular Meeting – September 28, 2009
Special Called Work Session/Lake Walk – October 1, 2009

Commissioner Steadman noted that she had one change on page 7 of the September 28th minutes. Commissioner Steadman stated that she would like to strike her second statement.

A motion to engross the minutes with the noted change to the September 28th minutes was made by Commissioner Steadman, seconded by Commissioner Payne, passed with all ayes (4-0).

Item No. 5

Commissioner Updates – Subjects of General Interest and Concern

Mayor Pro tem Varian wished Ted Penrod a Happy Birthday.

Commissioner Milliron commended the Tree Board, Trees Atlanta, City Workers, the condo residents and the many, many volunteers who participated in the tree planting. Commissioner Milliron commended everyone behind the Museum School for the fantastic fundraiser they had at Bart Webb Studios on Saturday.

Mayor Pro tem Varian stated that City Manager Brown along with Bryan Armstead and Chief Broden have started going out and welcoming new residents to the City. Mayor Pro tem Varian noted that if no one is home, a letter is mailed to the resident. Mayor Pro tem Varian feels that it is just another personal touch and thinks it is wonderful gesture.

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 thanking Bryan Armstead for getting the curb repaired promptly and a letter from a resident who was a victim of fraud, commending Officer Henise for his thoroughness and professionalism. City Manager also noted the following:

- The engineering firm C.E.R.M. (Corporate Environmental Risk Management) has been out in the City inspecting the stormwater structures and to date they have inspected 238 structures. Depending on the weather and holidays they should be completed within the next 2 to 3 weeks.
- The United States Census 2010 is just around the corner. The census questionnaire will be mailed out in March 2010. It is short questionnaire with only 10 questions. City Manager Brown encouraged everyone to complete the questionnaire and mail it back. Households that do not respond may receive a replacement questionnaire in April and if that one is not completed then Census takers will visit households that do not return questionnaires to ensure that everyone is counted. All the counts have to be to the President by December 2010
- Sidewalk repair of damaged sidewalks is being conducted throughout the City. The City is replacing 69 sidewalks and the repairs should be done within 2 weeks. City Manager Brown noted that the City has Curb Specialists doing the work and they are doing an outstanding job making sure everything is safe during these repairs cones, safety tape, etc.
- The walking path at the Bird Sanctuary between Berkeley Road is going to have lighting installed for safety purposes within the week. The lights will not be lit all night they will go out about 10:00 p.m.
- There has been a new member added to the Tree Board, congratulations goes out to Margaret Winzeler.

Mayor Pro tem Varian commended City Clerk Owens for an outstanding job on the November/December newsletter.

Item No. 7 Citizens' Comments

Ted Penrod, 62 Lakeshore Drive, commended whoever scheduled the work on the lake and how beautiful it looks.

City Manager Brown noted that Bryan and his crew in Public Works did the work.

Kenny Newman, 7 Lakeview Place noted that there are a lot of sidewalks torn up right now and cones will not help because of the poor lighting and it is very dangerous especially over at Lakeshore. City Manager Brown will check into this.

Tom Samford, 890 Stratford Road stated that it is another beautiful day in Avondale Estates. Mr. Samford noted that on Saturday, November 28th they will be meeting at the City garage to load the Lake Tree at 8:00 a.m. and they will unload the Lake tree into the lake at 9:00 a.m. Mr. Samford stated that if anyone would like to volunteer to please contact him.

Item No. 8 Old Business

- a) 2nd Reading of the Floodplain Ordinance

City Manager Brown read the second of three readings of the Floodplain Ordinance.

- b) 2nd Reading of the 2010 Budget Ordinance

City Manager Brown read the second of three readings of the 2010 Budget Ordinance.

Item No. 9 New Business

- a) Bring One for the Chipper Proclamation

Mayor Pro tem Varian read the Proclamation to Bring One for the Chipper 2010.

- b) Memorandum of Agreement with Century for LCI Application

City Manager Brown stated that this is a Memorandum of Agreement between the City of Avondale Estates and Century. The City of Avondale Estates is in the process of sending the last step for an LCI Grant to the Atlanta Regional Commission (A.R.C.) in which A.R.C. will pay approximately \$2.5 million dollars for the relocation of Franklin Street Phase I and Phase II. The City will have to guarantee a 20% match of the \$2.5 million. This agreement states that Century has agreed to pay on behalf of the City to the City the 20% match of the LCI Grant in advance of the City paying this amount to the A.R.C.

A motion to adopt the Memorandum of Agreement with Century for the LCI Application was made by Commissioner Payne, seconded by Commissioner Milliron, passed with all ayes (3-1).

Commissioner Steadman abstained from the vote.

Commissioner Milliron stated point of clarification.

Commissioner Steadman stated that she did not feel Commissioner Milliron was right with the clarification. Commissioner Steadman stated you reclude yourself when you have a conflict of interest and you can abstain from a vote if you want to.

Commissioner Milliron stated that Robert's Rules of Order states that it is either yea or nay and you can only abstain from conflict of interest

Commissioner Steadman stated she will have to see that in writing.

Mayor Pro tem Varian asked that it be put in the record that Commissioner Steadman abstained with questions by Commissioner Milliron on legality.

c) 1ST Reading of Solicitation Ordinance Amendment

City Manager Brown read the first of three readings of the Solicitation Ordinance Amendment. City Manager Brown noted that City staff has added some items to the Solicitation Ordinance that we felt needed to be added for example, photographic identification, background checks on all individuals soliciting in our community, permits will expire within 60 days versus if someone got a permit in January they would not expire until the end of the year.

Mayor Pro tem Varian asked if organizations such as the Jehovah Witnesses are excluded.

City Manager Brown stated yes.

d) Local Elected Official Agreement

City Manager Brown stated that this is an agreement to support DeKalb County with the Workforce Investment Act Fund. It is a federal program commonly known as Job Core whereby the federal government provides grants to local governments which are used to set-up facilities that would help unemployed individuals. City Manager Brown stated that the county has submitted for this and they are looking for municipalities to support them. City Manager Brown noted that the possible benefits to Avondale Estates is that if we have citizens who are unemployed they could take advantage of going to the DeKalb meetings to help them try to find work. City Manager Brown stated it does not cost the City anything.

A motion to adopt the Local Elected Official Agreement was made by Commissioner Steadman, seconded by Commissioner Payne, passed with all ayes (4-0).

Item No. 10

Announcements (Commissioner Milliron)

- a) 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.
- b) 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.
- c) City Hall will be closed Thursday, November 26th and Friday, November 27th in Observance of Thanksgiving.
- d) The Avondale Estates Annual Tree Lighting will be on Monday, November 30th at 7:00 p.m. Starting at 5:30 p.m. Boy Scout Troop 6 will be selling hot dog dinners and hot chocolate as part of the festivities. At 6:30 pm The First Baptist Church of Avondale Estates will begin caroling and at 7:00 pm the tree lighting followed by hot cider and donuts and a special guest appearance by Santa Claus.
- e) The Mayors Motorcade will be Wednesday, December 2nd. Please remember the Christmas Wish List items are due at City Hall by Tuesday, December 1st. A copy of the wish list items is in the November/December Newsletter.
- f) The Lake Christmas Tree Lighting will be held on Sunday, December 6th at 6:00 p.m.
- g) Boy Scout Troop 6 will conduct a food collection drive on Tuesday, December 8th and Tuesday, December 15th they will be going door-to-door from 7:30 p.m.-9:00 p.m. Any non-perishable food item is acceptable. This year there is also a need for hand soap, toothpaste and toothbrushes. Donations can be left on the front porch, appropriately labeled for pick-up.
- h) The Christmas Spirit Home Decorating Contest: Judging will be on Wednesday, December 9th and the awards presented on Friday, December 11th.
- i) There will be Adult Safety Awareness Class given by Corporal Phillip Findley on Saturday, December 12, 2009 from 3:00 p.m. to 4:30 p.m. at City Hall.
- j) The Holiday Market will be held on Sunday, December 13th from Noon to 6:00 p.m. at the Avondale Community Club.
- k) The Avondale Estates Tour of Homes will be held Sunday, December 13th from 3:00 p.m. to 8:00 p.m.
- l) The Menorah Lighting will be held on Wednesday, December 16th at 6:00 p.m.

We regretfully announce the death of:

Lola A. Parker, 3261 Covington Highway

Item No. 11

Adjournment

There being no further business, a motion to adjourn at 7:50 p.m. was made by Commissioner Steadman, seconded by Commissioner Payne, passed with all ayes (4-0).