

**BOARD OF MAYOR AND COMMISSIONERS  
REGULAR MEETING**

**June 28, 2010**

**7:30 p.m.**

**MINUTES**

**Members Present:** Ed Rieker, Mayor  
Terry Giager, Commissioner  
Michael Payne, Commissioner  
Gene Lee, Commissioner

**Members Absent:** David Milliron, Mayor Pro Tem

**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 Lee)

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

*Item No. 5* Approval of Minutes

May 12, 2010 Special Called Work Session  
May 19, 2010 Special Called Meeting  
May 19, 2010 Regular Work Session  
May 24, 2010 Public Hearing  
May 24, 2010 Regular Meeting  
June 9, 2010 Public Hearing  
June 9, 2010 Special Called Meeting

A motion to engross and approve the minutes as presented was made by Commissioner Payne, seconded by Commissioner Giager; passed with all ayes (4-0).

*Item No. 6* Commissioner Updates – Subjects of General Interest and Concern

Mayor Rieker noted that Art-B-Que was held a couple weeks ago and it was another successful event. Mayor Rieker stated that over 7000 people from all over attended the event and there were over 100 vendors. Mayor Rieker commended Bart Webb for doing such an outstanding job on setting up the event.

*Item No. 7* Monthly Report by the City Manager Concerning the Status of Matters in Progress and Upcoming Issues and Events

City Manager Brown recognized Oscar Griffin, Supervisor for Public Works who was filling in tonight for Bryan Armstead, Director of Public Works who is on vacation this week. City Manager Brown also recognized Chief Gary Broden.

City Manager Brown and Mayor Rieker presented awards to Chief Gary Broden Cpl. Paul Conroy, Cpl. Phillip Findley and Investigator Tracy Conroy for the outstanding job they did in organizing and preparing the Citizens' Police Academy. City Manager Brown stated that he received a tremendous amount of feedback on the great job they did not just from the participants but from others throughout the community.

City Manager Brown gave the following monthly report:

- The City applied for the 2010-COPS Hiring Program (CHP) Grant. If awarded, the CHP Grant would provide 100 percent funding for an additional entry level full-time sworn officer (salaries and fringe benefits) for three years. The awards will be made by September 30, 2010.
- The City's 2009 Comprehensive Annual Financial Report (CAFR) and audit report has been completed and is on the City's website. The CAFR represents the final audited financial statements and supplementary information for 2009. The auditor (Clifton, Lipford, Hardison & Parker, LLC) reported no deficiencies in the City's system of internal control and no material weakness (no audit findings).
- The Lake construction drawings have been completed. The City will send them out for sealed bids. The goal would be to start in August and be completed by the end of the year depending on costs and BOMC approval.

*Item No. 8*

Citizens' Comments

Ruth McCann, 864 Stratford Road stated that she has an ownership of the building located at 106 Clarendon Avenue on the corner of Laredo Way which has been under contract for some time with Century Development Company. Ms. McCann stated that everyone was overjoyed when they saw the article that came out in the Atlanta Journal Constitution and the Champion magazine a week or so ago about how well things were proceeding with our downtown development. Ms. McCann noted that this ownership was part of her retirement plan to be able to sell that property. Ms. McCann stated that this afternoon she called the attorney who is representing Century and she had been under the impression as well as City Manager Brown and other business owners that financing had been arranged by Century and they were proceeding along to announce plans in August for a timetable. Ms. McCann stated that when she spoke to the attorney this afternoon he informed her that they do not have financing and no loan has been arranged and she was unaware of this. Ms. McCann stated that she feels it is time for the citizens here in Avondale to back up the Commissioners and City Manager Brown and become united and put some pressure on Century Development Company to get them to stop dragging their feet. Ms. McCann feels that Century Development needs help with finding financing and with all the contacts the City has maybe the City can assist them in finding financing and also make demands on them and ask them to report to the City at least once a month on the status of the development and show proof that they are applying for loans otherwise the development will still be sitting here next year. Ms. McCann asked Commissioner Payne for his thoughts.

Commissioner Payne stated that what Ms. McCann stated was news to him and the board and they will have to look into it.

Betty Jones, 10 Lakeview Place stated that for years she has stated that she has not been happy with the City advertising all over about our fireworks at the lake and other activities because there is not a lot of room down at the lake and it has gotten out of hand with people coming from all over and areas being blocked off due to entire groups attending the events. Ms. Jones stated that she also does not like the sign at the main intersection regarding the upcoming concert at the lake. Ms. Jones stated that everyone in the City knows about the concert and Avondale does not have a big square like Decatur we have a neighborhood.

Tom Samford, 890 Stratford Road stated that DeKalb County has disposed of most of their Inspection Department. Mr. Samford stated that he has heard that inspections have been difficult to get and is there anything the City can do about that. Mr. Samford stated that “it has been another hot day in Avondale Estates.”

Mayor Rieker stated that because we have the best City Manager there is probably an answer for that.

City Manager Brown stated that he had felt this was coming and for the last six months he has been interviewing companies and he has narrowed it down to two to do the City inspections. City Manager Brown stated that currently we are in an agreement with the county and he has to work through that agreement. City Manager Brown stated that DeKalb County has lost a lot of people and they are going through a third party for their inspections.

Mayor Rieker stated that we also have a new City Planner starting July 13<sup>th</sup>.

*Item No. 9*

Old Business

- a) Second of three readings of the Soil Erosion, Sedimentation and Pollution Control Ordinance

City Manager Brown read the second of three readings of the Soil Erosion, Sedimentation and Pollution Control Ordinance.

Mayor Rieker stated that this is the second of three readings that has to be done on this ordinance before the board can take action.

*Item No. 10*

New Business

- a) First of three readings of the Alcohol Ordinance

City Manager Brown read the first of three readings of the Alcohol Ordinance.

- b) Quitclaim Deeds Unopened Stratford Road

City Manager Brown stated these are two quitclaim deeds for Ms. Nelson’s and Ms. Clinkscales’ portion of the unopened Stratford Road at 7 Lakeshore Drive and 3012 Majestic Circle. The City does not hold any ownership interest in the property and the purpose of these quitclaim deeds is to simply clear up title for the benefit of Ms. Nelson and Ms. Clinkscales.

Mayor Rieker stated this is the last of 6 or 7 quitclaim deeds for the unopened Stratford Road area.

Public Comment: None

A motion to approve the Quitclaim Deeds for 7 Lakeshore Drive and 3012 Majestic Circle, was made by Commissioner Payne, seconded by Commissioner Giager; passed with all ayes (4-0).

- c) Resolution for addition of two speed humps on Wells Street

City Manager Brown stated that DeKalb County has requested to install two speed humps on Wells Street for traffic calming purposes. City Manager Brown stated that since a portion of Wells Street is in the City this is a resolution for the board to approve the installation of two speed humps. City Manager Brown stated that it does not cost the City any money.

Mayor Rieker stated that this has been requested by the residents on that street and they already have a couple of speed humps.

City Manager Brown stated that the street already has two speed humps and they are going to install three more, one of which is inside the county limits and two inside the Avondale Estates limits.

Public Comment: None

A motion to adopt the Resolution for the addition of two speed humps on Wells Street was made by Commissioner Payne, seconded by Commissioner Giager; passed with all ayes (4-0).

- d) Reappointment of two members to the Board of Appeals and one member to the Planning and Zoning Board

City Manager Brown stated that the following board members have terms expiring June 30, 2010: Amy Abrames and Jim Davis on the Board of Appeals and Keith Melton on the Planning and Zoning Board. City Manager Brown noted that all of the members wish to be reappointed.

Public Comment: None

A motion to Reappoint Amy Abrames and Jim Davis to the Board of Appeals and Keith Melton to the Planning and Zoning Board was made by Commissioner Giager, seconded by Commissioner Payne; passed with all ayes (4-0).

*Item No. 11*

Announcements (Commissioner Lee)

- a) Break out your tie-dye, love beads, and bell bottoms. It's time for Avondale's Summer of Love 2. Back by popular demand, Cruis-o-matic will be playing a free concert at Lake Avondale on Friday, July 2<sup>nd</sup> at 7:00 p.m.
- b) 4<sup>th</sup> of July Activities, Saturday, July 3<sup>rd</sup>:
  - 9:15 a.m. - Parade line-up at Avondale High School
  - 10:00 a.m. - Parade begins up Clarendon Avenue & ends at clock tower
  - 6:30 p.m. to 8:30 p.m. – Avondale Baptist Church sells hamburgers, hot dogs and cokes at the Lake
  - 7:30 p.m. - Atlanta Blue Notes perform at the Lake
  - Dusk - FIREWORKS at the Lake!
- c) City Hall will be closed on Monday, July 5<sup>th</sup> in observance of the 4<sup>th</sup> of July

- d) We regretfully announce the death of:  
Hayes Drake, Jr., 32 Chelsea Court

*Item No. 12*

Adjournment

There being no further business, a motion to adjourn at 7:48 p.m. was made by Commissioner Payne, seconded by Commissioner Giager, passed with all ayes (5-0).