

1. Agenda

Documents:

[BOMC-1-27-21-WS-AGENDA.PDF](#)

2. Meeting Called To Order/Adoption Of Agenda

3. Project Management Agreement With Fabric Developers

4. Policy For Expressing Condolences

Documents:

[RES TO SET CONDOLENCES POLICY.PDF](#)

5. Discussion Of Change In Ordinance Reading Process

Documents:

[CHARTER AMENDMENT -- ORDINANCE ADOPTION PROCESS.FINAL.PDF](#)

6. Sanitation Fees For 2021

Documents:

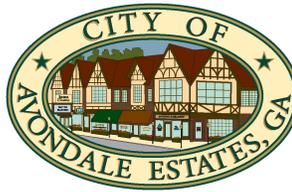
[SANITATION POLICY MEMO 012221.PDF](#)

7. Zoning Review Process

8. Public Comment

9. Executive Session – Real Estate

10. Adjournment



**BOARD OF MAYOR AND COMMISSIONERS
WORK SESSION
JANUARY 27TH, 2021
IMMEDIATELY FOLLOWING REGULAR MEETING
VIA ZOOM**

AGENDA

- Item #1 Meeting Called to Order
- Item #2 Adoption of Agenda
- Item #3 **Project Management Agreement with Fabric Developers**
An agreement between the Urban Redevelopment Agency (URA) and the developer is necessary to facilitate the construction of the Town Green.
- Item #4 **Policy for Expressing Condolences**
The BOMC will discuss a policy for paying respects when any employee of DeKalb County or any of its cities dies or is killed in the line of duty. They will have a draft resolution to review.
- Item #5 **Discussion of Change in Ordinance Reading Process**
Discussed at previous meetings, the BOMC is considering decreasing the number of readings required to pass an ordinance.
- Item #6 **Sanitation Fees for 2021**
First discussed at the previous work session, staff and the BOMC will continue to talk about sanitation fees for the coming year. Commercial sanitation fees need to be set at the first regular meeting in February.
- Item #7 **Zoning Review Process**
A discussion of the current and possible changes to the zoning review and approval process.
- Item #8 Public Comment
- Item #9 Executive Session – Real Estate
- Item #10 Adjournment

**A RESOLUTION
TO SET A POLICY FOR EXPRESSING CONDOLENCES**

WHEREAS, the City of Avondale Estates is one of many cities within DeKalb County;
and

WHEREAS, the Avondale Estates Board of Mayor and Commissioners understands the importance of building and maintaining strong relationships with our neighbors, both in the cities and countywide; and

WHEREAS, part of that relationship building includes showing support and compassion in times of tragedy and grief; and

WHEREAS, these times include the death of fellow leaders or the passing of city and county employees in the line of duty; and

WHEREAS, while steps taken may vary on a case-by-case basis, correspondence sent to the leader of the fellow organization shall be standard procedure;

NOW THEREFORE, BE IT RESOLVED that a condolence letter on behalf of the Board of Mayor and Commissioners, signed by the Mayor, shall be sent in the occurrence of a DeKalb municipality or county leader's death or an employee's passing in the line of duty.

SO RESOLVED, this 27th day of January 2021.

**CITY OF AVONDALE ESTATES BOARD OF
MAYOR AND COMMISSIONERS**

Jonathan Elmore, Mayor

ATTEST:

Gina Hill, City Clerk

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY OF AVONDALE ESTATES TO AMEND SECTION 2.21 OF THE CITY CHARTER TO REDUCE THE REQUIREMENT THAT AN ORDINANCE MUST BE READ AT THREE MEETINGS BEFORE IT MAY BE ADOPTED TO REQUIRE READING AT ONE PRIOR MEETING BEFORE ADOPTION, WITH AN EXCEPTION WHEN THE BOARD OF MAYOR AND COMMISSIONERS VOTES UNANIMOUSLY TO PROCEED WITHOUT A PRIOR READING; TO REQUIRE INTRODUCED ORDINANCES TO BE POSTED ON THE CITY'S WEBSITE; AND TO REPEAL CONFLICTING CHARTER PROVISIONS.

WHEREAS, the City Charter, Section 2.21(b), currently requires an ordinance to be read at three separate meetings (i.e., two prior meetings) before it may be adopted; and

WHEREAS, this “three readings requirement” has proven to be an undue impediment to the efficient administration of City business; and

WHEREAS, the Board of Mayor and Commissioners desires to eliminate the “three readings requirement” while still providing ample opportunity for public input and participation; and

WHEREAS, the City Charter provides for reasonable means of providing notice of introduced ordinances under consideration to the public but has not been updated to address the role of the internet in modern life; and

WHEREAS, the City is authorized to amend its Charter by adopting an ordinance to such effect at two consecutive regular meetings pursuant to its home rule powers as set forth in O.C.G.A. § 36-35-3.

NOW THEREFORE, BE IT ORDAINED by the City of Avondale Estates as follows:

SECTION 1. Subsection (b) of City Charter Section 2.21, City of Avondale Estates, is hereby amended to read as follows:

“(b) An ordinance may be introduced by any member of the board of mayor and commissioners and be read at a regular or special meeting of the board of mayor and

commissioners. Upon introduction of any ordinance, the city clerk shall as soon as possible: (i) distribute a copy to the mayor and to each commissioner, (ii) make available to the public a reasonable number of copies of the ordinance at city hall and (iii) post an electronic copy of the introduced ordinance in a prominent place on the city’s official website. Ordinances shall be considered and adopted or rejected by the board of mayor and commissioners in accordance with the rules which it shall establish; provided, however, an ordinance shall not be adopted until such time that the title and purpose of the ordinance has been read at a prior regular or special meeting of the board of mayor and commissioners. However, this requirement that the ordinance have been read at a prior meeting shall not apply when the board of mayor and commissioners votes unanimously to waive the requirement, or in the case of an emergency ordinance as provided for in Section 2.23 of this charter.”

SECTION 2. All charter provisions, ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This Charter amendment shall become effective upon its final adoption by the Board of Mayor and Commissioners at the second of two consecutive regular meetings.

First Reading: _____
Second Reading: _____
Third Reading: _____

FIRST APPROVED THIS _____ DAY OF _____, 20__.

FINAL ADOPTION THIS _____ DAY OF _____, 20__.

**BOARD OF MAYOR AND COMMISSIONERS
CITY OF AVONDALE ESTATES, GEORGIA**

Jonathan Elmore, Mayor

ATTEST:

Gina Hill, City Clerk

APPROVED AS TO FORM:

Stephen G. Quinn
Stephen G. Quinn, City Attorney

**BOARD OF MAYOR AND
COMMISSIONERS**

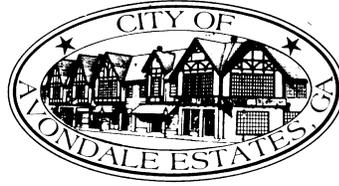
Jonathan Elmore
Mayor

Brian Fisher
Mayor Pro Tem

Lionel Laratte
Commissioner

Dee Merriam
Commissioner

Lisa Shortell
Commissioner



Patrick Bryant
City Manager

Robert E. Wilson
City Attorney

Stephen W. Nicholas
City Judge

MEMORANDUM

January 22, 2021

TO: Board of Mayor and Commissioners

FROM: Paul Hanebuth, Assistant City Manager for Finance and Administration

CC: Patrick Bryant, City Manager

RE: Considerations in setting 2021 Commercial Sanitation fees

To ensure businesses receive adequate notice of sanitation fees due for 2021, the BOMC will need to determine the appropriate fee at the February 10. City staff will then notify businesses of fee levels by the beginning of March, allowing 30 days before the fees will be due. Board members are invited to consider the following to help inform their collective decision:

In 2020, the City provided sanitation service to 62 businesses, which each paid the base fee of \$895 (which includes one trash receptacle), for a total of \$55,490. The City also collected about \$8,000 from businesses that requested additional receptacles - a total of 42 receptacles at \$190 each. So, total revenues were somewhat more than \$63,000, about 60% of 2019 revenues and about 90% of 2018 revenues. Staff believes the 2019 level to be a fair approximation of both prevailing market rates and the proportion of City resources devoted to commercial collection as opposed to residential. The 2020 decline was due to three factors, two of which were anticipated and one of which was not:

- 1) some businesses decreased their usage volume in response to the linkage of volume and fees;
- 2) some businesses elected to procure sanitation service from a provider other than the City in response to being billed directly for sanitation service; and
- 3) the COVID-19 pandemic caused some businesses to close – whether temporarily or permanently – and a higher percentage than usual to become delinquent in paying City taxes and fees.

Staff regards factor 1 as positive, factor 2 as neutral, and factor 3 as highly negative but temporary.

In general, staff recommends continuing upon the path suggested in 2020: gradually moving towards a per-can fee, which is the most equitable way of tying fees to service levels with current technology. To generate the same level of revenue in 2021 as in 2020 (assuming the same level of service), this would mean an average fee per can of about \$610 annually. However, as discussed a year ago, this simplistic solution would lead to a greatly increased fee for the heaviest users; for example, a business that has 10 carts serviced each day would see its fee rise from \$2600 (\$895 + \$190 for each of 9 additional cans) to \$6100 annually. Therefore, staff recommends the following options:

- **Option 1 (staff preference):** Decrease the base fee to \$845 and increase the fee for additional receptacles to \$260. This would increase the fee for the hypothetical heavy user from \$2600 to

\$3185 – a more manageable increase – while reducing the fee for light users, which comprise the largest number of businesses served.

Staff believes this option strikes a fair balance between equity and gradual change, but also wishes to present other options for consideration:

- **Option 2** (*more aggressive equalization*): Decrease the base fee to \$795 and increase the fee for additional receptacles to \$340. This would increase the hypothetical heavy user fee to \$3855, a substantial increase, but tie fees to service levels more equitably.
- **Option 3** (*outsourcing*): The BOMC could choose to outsource commercial sanitation service and charge a fee directly based on a proposal from a service provider, assuming one or more viable proposals are received in response to the currently open RFP. After proposals are received on January 27, staff can provide a recommendation on the relative merits of this option if desired.

While a decision about 2021 fees is needed more immediately, the BOMC could direct staff to examine other options for the City's commercial sanitation service for subsequent years. For example, the City could consider:

- 1) significantly changing the amount of revenue generated from commercial entities, either positively or negatively, which would alter the relative cost burden assumed by residents and businesses;
- 2) changing service levels offered, e.g., M-W-F collection rather than every-business-day collection; or
- 3) developing service level tiers to better customize service levels to the needs of individual businesses.

These fundamental changes would require significant analysis and communication efforts and could therefore not feasibly be implemented until at least 2022.