

1. Agenda

Documents:

[BOMC-2-24-20-RM-AGENDA.PDF](#)

2. Meeting Called To Order

3. Invocation/Pledge To The Flag

4. Adoption Of Agenda

5. Commissioner Updates

6. Citizens' Comments

7. Old Business

7.I. Third And Final Reading Of Revised Sanitation Ordinance

Documents:

[SANITATION ORDINANCE AMENDMENT 1.6.20.PDF](#)

8. New Business

8.I. Resolution To Adopt University Of Georgia Archives Record Retention Schedule

Documents:

[RES TO ADOPT RETENTION SCHEDULE.PDF](#)

8.II. Resolution In Opposition To Pending State Legislation Regarding Design Standards

Documents:

[RES OPPOSING DESIGN STANDARDS.PDF](#)

8.III. Resolution In Opposition To Pending State Legislation Regarding Short-Term Rentals

Documents:

[RES SHORT TERM RENTAL LEGISLATION.PDF](#)

8.IV. Arbor Day Proclamation

Documents:

[ARBOR DAY PROC.PDF](#)

9. Announcements

10. Executive Session – Real Estate

11. Adjournment



**BOARD OF MAYOR AND COMMISSIONERS
REGULAR MEETING
February 24, 2020
6:30 p.m.**

AGENDA

- Item No. 1 Meeting Called to Order
- Item No. 2 Invocation (Commissioner Shortell)
- Item No. 3 Pledge to the Flag
- Item No. 4 Adoption of Agenda
- Item No. 5 Commissioner Updates – Subject of General Interest and Concern
- Item No. 6 Citizens' Comments:
"It's another beautiful day in Avondale Estates" – Thomas P. Samford
- Item No. 7 Old Business:

Third and Final Reading of Revised Sanitation Ordinance

This ordinance changes the regulations and payment structure for commercial entities.

- Item No. 8 New Business:

Resolution to Adopt University of Georgia Archives Record Retention Schedule

This retention schedule is the gold standard for agencies on the local and state level. By officially adopting it, city staff can manage documents more efficiently, free up space in city hall, and respond more quickly to open records requests, for example.

Resolution in Opposition to Pending State Legislation Regarding Design Standards

HB 302 AND SB 172 would prohibit cities from establishing building design elements for single and double-family dwellings.

Resolution in Opposition to Pending State Legislation Regarding Short-Term Rentals

HB 523 would pre-empt local elected leaders from establishing oversight of short-term rental properties like AirBnB lodging.

Arbor Day Proclamation

Item No. 9 Announcements (Commissioner Shortell)

There are many opportunities coming up for residents and business owners to learn about and weigh in on the zoning rewrite and town green plans. For dates and times, please check the calendar on the homepage of the city's website.

And don't forget to vote in the presidential primary election on Tuesday, March 24th. The polling place for residents is right here in the courtroom of city hall. It will be open from 7 a.m. to 7 p.m. For a sample ballot and early voting details, visit: <https://www.dekalbcountyga.gov/voter-registration-elections/current-election-information>

Item No. 10 Executive Session – Real Estate

Item No. 11 Adjournment

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ARTICLE V OF CHAPTER 9 OF THE CITY CODE, CONCERNING SANITATION FEES; TO REPEAL CONFLICTING PROVISIONS; AND FOR OTHER PURPOSES.

WHEREAS, City Charter Section 6.15 authorizes the City to assess and collect a fee for sanitation services; and

WHEREAS, the Board of Mayor and Commissioners desires to make sanitation fees for businesses more equitable by assessing the fee on a usage (“per can”) basis.

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

SECTION 1. City Code section 9-82 is hereby repealed in its entirety and replaced with the following language:

“Sec. 9-82. – Sanitation fee rate.

(a) The annual sanitation fee rate shall be determined by the character and use of each parcel or lot. Every property use in the city shall be assigned to one of the following two categories for sanitation fee purposes:

- (1) *Residential* means any place where persons reside, including but not limited to single-family houses, apartments and condominiums.
- (2) *Commercial* means any use of property within the City for purposes other than Residential as defined in this section.”

(b) For residential property uses, a separate fee shall be imposed for each housing unit. For commercial property uses, a separate fee shall be imposed on each business unit, with an additional fee levied for each additional receptacle required by and licensed to the business.

(c) The amount of the annual sanitation fees shall be set by properly adopted resolution of the Board of Mayor and Commissioners and may be amended at the discretion of the Board of Mayor and Commissioners.”

SECTION 2. City Code subsection 9-84(a) is hereby amended to read as follows:

“(a) Residential sanitation fees shall be due and payable by November 15th of each year, without discount, with interest at one (1) percent per month if not paid when due, with a minimum interest of one dollar (\$1.00), plus a late payment penalty of five (5) percent of the fee due. Commercial sanitation fees shall be due and payable on the same schedule and with the same delinquency penalty as occupation tax, as specified in Section 14-41 (a).”

SECTION 3: New Code subsection 9-84(d) is hereby adopted, to read as follows:

“(d) Commercial entities receiving service from a sanitation provider other than the City shall be deemed exempt from City sanitation fees upon providing proof of that service,

such as a current bill and canceled check. When such alternative service begins during a year for which the sanitation fee has already been paid, the commercial organization shall be entitled to a prorated refund for the remainder of that year.”

SECTION 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. This ordinance shall become effective immediately upon its adoption by the Board of Mayor and Commissions.

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

ADOPTED THIS _____ DAY OF _____, 2020.

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

Jonathan Elmore, Mayor

ATTEST:

Gina Hill, City Clerk

Approved As To Form:

 1-6-2020

Stephen G. Quinn, Assistant City Attorney

A RESOLUTION

TO ADOPT RECORDS RETENTION SCHEDULE

WHEREAS, The Georgia Records Act, O.C.G.A. § 50-18-90 requires that all local governments adopt a records management plan; and

WHEREAS, the records of the City of Avondale Estates are public property; and

WHEREAS, some of these records are essential for varying lengths of time for continuity of government or for the protection of the rights and privileges of our citizens; and

WHEREAS, the Avondale Estates Board of Mayor and Commissioners has determined it in the best interest of the citizens that a records retention schedule be officially adopted and implemented which will cause any records whose usefulness has ended to be destroyed and which will cause those records which have enduring value to be identified and preserved; and

WHEREAS, city staff has identified the records retention schedule created by Georgia Archives, part of the University of Georgia System, as the standard among agencies, both at the local and state level;

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Mayor and Commissioners of the City of Avondale Estates that the city follow the record retention schedule provided by the Georgia Archives.

RESOLVED this 24th day of February 2020

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

Jonathan Elmore, Mayor

ATTEST:

Gina Hill, City Clerk

A RESOLUTION

OPPOSING HB 302 AND SB 172 REGARDING DESIGN STANDARDS

WHEREAS, the Georgia General Assembly has before it proposed legislation that would prohibit local governments from establishing residential building design standards for single and double-family dwellings; and

WHEREAS, should these become law, local governments could no longer enact design standards on:

- Exterior building color
- Type or style of exterior cladding material
- Style or materials of roof structures or porches
- Exterior non-structural architectural ornamentation
- Location or architectural styling of windows and doors, including garage doors
- Types of foundation structures approved under state minimum standard codes; and

WHEREAS, the City of Avondale Estates believes that local governments are best positioned to know the unique needs of a community; and

WHEREAS, the City of Avondale Estates does not support the erosion of local control that would occur under HB 301 and SB 172 and does not believe a one-size-fits-all approach to design quality protects individual communities across the state; and

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Mayor and Commissioners of the City of Avondale Estates opposes HB 301 and SB 172.

RESOLVED this 24th day of February 2020

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

Jonathan Elmore, Mayor

ATTEST:

Gina Hill, City Clerk

A RESOLUTION

OPPOSING HB 523 REGARDING STORM-TERM RENTALS

WHEREAS, the Georgia General Assembly has before it proposed legislation that would prohibit local governments from regulating the use of certain real estate as short-term rental property; and

WHEREAS, the City of Avondale Estates believes that local governments are best positioned to know the unique needs of a community and determine the delicate balance between residential and commercial uses, and between residents and investment property owners; and

WHEREAS, the City of Avondale Estates does not support the erosion of local control that would occur under HB 523 and does not believe a one-size-fits-all approach to local land use and zoning decisions protect the health, safety or welfare of individual communities across the state; and

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Mayor and Commissioners of the City of Avondale Estates opposes HB 523 banning local regulation of short-term rentals within the jurisdiction.

RESOLVED this 24th day of February 2020

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

Jonathan Elmore, Mayor

ATTEST:

Gina Hill, City Clerk

A PROCLAMATION

GEORGIA ARBOR DAY

WHEREAS: The first Arbor Day was celebrated in 1872 as a special day for planting trees. Since then, it has grown to thousands of celebrations in communities across our nation each year; and

WHEREAS: Community trees improve public health and air and water quality, reduce the erosion of precious topsoil, and increase property values and economic vitality in business areas. They also increase energy efficiency through shade, provide habitats for wildlife, and beautify neighborhoods, parks, streets and residential developments; and

WHEREAS: All of Georgia benefits from urban and community forestry, which contributes more than \$4 billion to our state's economy and provides employment for more than 46,000 people;

WHEREAS: Community forestry leaders and partners will come together at the annual statewide Arbor Day celebration in Macon, Georgia to celebrate the Arbor Day Foundation's Tree City USA;

THEREFORE: I, Jonathan Elmore, Mayor of the City of Avondale Estates, do hereby proclaim February 21st, 2020 as Arbor Day and encourage our citizens to plant trees, thus leaving a legacy for present and future generations.

Jonathan Elmore, Mayor