



**BOARD OF MAYOR AND COMMISSIONERS
REGULAR MEETING
January 22nd, 2018
*Immediately Following Public Hearing***

MINUTES

Members Present: Jonathan Elmore, Mayor
Brian Fisher, Mayor Pro Tem
Adela Yelton, Commissioner
Lionel Laratte, Commissioner
Lisa Shortell, Commissioner

Staff Present: Clai Brown, City Manager
Gina Hill, City Clerk
Lynn Thomas, Police Chief

Item No. 1 Meeting Called to Order

Item No. 2 Invocation (Commissioner Yelton)

Item No. 3 Pledge to the Flag

Item No. 4 Adoption of Agenda
Mayor Pro Tem Fisher moves to add an executive session on personnel and litigation at the end of the meeting. Commissioner Shortell seconds. All ayes.

Mayor Pro Tem Fisher moves to remove Resolution by the City of Avondale Estates from the agenda. Commissioner Shortell seconds. All ayes.

Mayor Pro Tem Fisher moves to adopt. Commissioner Laratte seconds. All ayes.

Item No. 5 Approval of Minutes:
December 6th Work Session
December 11th Public Hearing
December 11th Regular Meeting
Commissioner Shortell moves to engross. Commissioner Yelton seconds. All ayes.

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

Commissioner Laratte: I went to a show at the Towne Cinema recently and it made me feel good that I could walk to a concert from my home. I couldn't say that when I first moved here.

Commissioner Yelton: I want to give a shout out to the Avondale Elementary School Foundation. I was at one of their meetings recently and I think they're going to do great things.

Commissioner Shortell: I was at the Ad Hoc Committee for Greenspace workshop Saturday and they're having another one tomorrow night. I encourage everyone to go. They're doing a lot of great work.

Mayor Elmore: I'd like to thank everyone for being here. It's great to see this kind of turnout.

Item No. 7

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

City Manager Brown: I'd like to thank Chief Thomas for being here. I'd like to read a letter from a resident recounting an incident where code enforcement officer Caryl Albarran left a note of concern on the resident's door because she hadn't seen her in a while and wanted to make sure she was ok. I also want to thank all the staffers that worked during the last winter storm. Our public works and police associates came to work at three in the morning. I want to give an update on the US 278 road project going from five lanes to three. The City received a proposal from one company for the design portion of the project and it was over budget. Staff had a conference call with the second most responsive firm and we're waiting to hear back from them as to whether they can come closer to our budget. We've also talked to the Atlanta Regional Commission (ARC) about the risk of our funds being de-obligated.

Item No. 8

Citizens' Comments:

"It's another beautiful day in Avondale Estates" – Thomas P. Samford

Joe Anziano/3242 Wiltshire Dr: How did the public works staff like the money collected for them before Christmas?

City Manager Brown: They were really excited. There were tears. It was unbelievable.

Sid Thompson/3240 Majestic Cir: Where do things stand with given the public works employees a raise?

City Manager Brown: There is a 3% raise in the current draft budget.

Donna Fay/3243 Kensington Rd: Is there any consideration for how to deal with cut-through traffic if the road diet goes through?

Mayor Elmore: There has not. I think the US 278 redesign team will just look at traffic counts on that road.

Donna Fay/3243 Kensington Rd: I'm disappointed that hasn't been considered.

City Manager Brown: Public meetings are scheduled as part of the proposal. We have to get traffic counts first and GDOT has to approve them. They want them done by March 31st.

Doug Harmon/3266 Wiltshire Dr: There is a limit to what the City can afford to pay a city manager. A city manager who claims to be fiscally conservative and have the City's best interest in mind should not have signed that compensation package that Clai Brown has. This seems to be all about money.

Lyda Steadman/3118 Majestic Cir: I don't think this is only about the budget. But I take issue with the fact that the Mayor and Mayor Pro Tem Fisher met with City staff about the budget, just the two of them. That's a violation of the City charter. I think this is an ongoing problem.

Frank Jones/14 Berkeley Rd: Did the City's finance director know about the arrangement? If so, why wasn't it disclosed in the financials?

Mayor Elmore: I truly don't know the answer to that question.

Hoyt Young/3140 Majestic Cir: The Board renewed the contract each year. Didn't you read it?

Mayor Elmore: We didn't see the contract or amendment. We agreed to keep Mr. Brown for another year. I didn't know the addendum existed until about a month ago.

Hoyt Young/3140 Majestic Cir: That's poor business.

Bill Frazier/3042 Oakham: Where does responsibility lie that all the City's liabilities make it into the budget?

Commissioner Yelton: The city manager and finance director put together the financial reports.

Bill Frazier/3042 Oakham: Was the severance included in the budget for financial reports as a future liability? I feel misguided and blindsided by this.

Commissioner Yelton: That's valid and we need answers to those questions.

Commissioner Shortell: All the financial documents are on the website. I'm not an accountant but I have looked at the information and I do have questions.

Bill Frazier/3042 Oakham: Did any of you see in any of those documents a line item about the future liability of this severance?

Commissioner Yelton: No.

Bill Frazier/3042 Oakham: Whose responsibility is it to supply that information?

Commissioner Yelton: City staff.

Bill Frazier/3042 Oakham: And who oversees city staff? I want a verbal answer for the minutes please.

Commissioner Yelton: The city manager.

Mary Ellen Cates/3187 Majestic Cir: Will you honor other contracts or is it just Mr. Brown's?

Mayor Elmore: We'll honor all the contracts that are enforceable.

Larry Minnix/99 Berkeley Rd: It looks like you're trying to work things out. It looks like it's a communication problem. I suggest a workshop to show residents how to read the financial statements.

Josh Norris/14 Exeter Rd: When it comes to future liability, I have a serious problem with how this severance package is structured. You have to stop being clouded by emotions and step back and look at what actually happened. The deal in 2008 is fair but the amendment executed in 2015 is warped. Oversight and accountability was not functioning. It's the city manager's job to inform the Board about things like this along with the city attorneys. This amendment violates the law. It is not enforceable. I would like to know what the attorney knew, when and what was he telling the Board. It's unbelievable that the contract says the city manager can walk away with all this money whenever he wants, without conditions. But no one knew about this deal. From what I can tell, Mr. Brown, Mr. Giager and the city attorney are the only ones that knew about it. That's unacceptable.

Chris Hess/1094 Chatsworth Dr: Mr. Brown, in your years as a businessman have you heard of a deal like yours?

City Manager Brown: No.

Chris Hess/1094 Chatsworth Dr: I would like to hear what you have to say about how this situation came about.

Mayor Pro Tem Fisher: I don't think this is the right forum to do that.

Mayor Elmore: This is not yet fully resolved.

Lyda Steadman/3118 Majestic Cir: You should go back and look at the minutes from that time. I'm sure it was voted on.

Item No. 9 Old Business: None

Item No. 10 New Business:

106 N. Clarendon Ave Suite B Conditional Use Application

The applicant, Martin Read, would like to open a hair salon in this space to the right of the fire station. Mr. Read presented his plans and answered questions at the Board of Mayor and Commissioners (BOMC) work session on January 17th.

Commissioner Yelton moves to approve. Commissioner Shortell seconds. All ayes.

Resolution to Reappoint One Member and Appoint Two New Members to the Historic Preservation Commission (HPC)/Architectural Review Board (ARB)

The HPC/ARB had three terms expire at the end of October. Two of the three members requests new terms. After advertising the vacancies, the City received two applications. Those applicants were interviewed at the HPC/ARB meeting December 4th and the Chair of the HPC, Christine McMahan, presented their recommendations to the BOMC at the January 17th work session. Those applicants were Frank Brown and Kathleen Minnix.

Commissioner Shortell moves to approve. Commissioner Laratte seconds. All ayes.

Commissioner Yelton: I'd like to thank the appointees and everyone on the board for their continued volunteerism.

Mayor Elmore: I agree. It's a tough but important job.

Resolution to Appoint Additional Member to the Tree Board

The Tree Board would like to add resident Christi Granger to its membership. The addition requires an appointment by the Mayor. Mayor Elmore approves the resolution.

Commissioner Yelton: Thanks again for volunteering.

Resolution of Support Downtown Development Revolving Loan Fund (DDRLF)

Brewkraft L.L.C. plans to construct a new building at 2866 Washington Street and 161 and 163 Pine Street. In order to help Brewkraft L.L.C. finance the project, the Downtown Development Authority has applied

for a DDRLF from the Department of Community Affairs (DCA). The application also requires this declaration of support from the City. Mayor Pro Tem Fisher moves to adopt. Commissioner Laratte seconds. All ayes.

City Manager Brown: This allows for the owners of the brewery to apply for a loan through the DCA at a very low interest rate. Thanks to the DDA since they were also involved.

Mayor Pro Tem Fisher: This is a great benefit of the Main Street program of which the City is a member.

Commissioner Shortell: Just to clarify, this doesn't put any responsibility on the City or the DDA.

Resolution by the City of Avondale Estates

This is a resolution regarding the employment of City Manager Clai Brown. (Item removed from the agenda).

- Item No. 11 Announcements (Commissioner Yelton)
- Item No. 12 Adjournment

Mayor Elmore: There will be no action taken tonight after the executive session. You're free to wait in the lobby but we'll just be adjourning the meeting.

Mayor Pro Tem Fisher moves to adjourn into executive session. Commissioner Yelton seconds. All ayes.

APPROVED THIS 23rd DAY OF MAY 2018



Jonathan Elmore, Mayor

ATTEST:



Gina Hill, City Clerk