

**BOARD OF MAYOR AND COMMISSIONERS  
WORK SESSION  
January 23, 2019  
5:30 p.m.**

**MINUTES**

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

Staff Present: Patrick Bryant, City Manager  
Keri Stevens, Asst. City Manager  
Paul Hanebuth, Finance Director  
Stephen Quinn, City Attorney  
Gina Hill, City Clerk

Item No. 1 Meeting Called to Order

Item No. 2 Adoption of Agenda  
Commissioner Laratte moves to adopt. Commissioner Shortell seconds. All ayes.

Item No. 3 **Zoning Rewrite**  
Assistant City Manager Stevens will review a draft scope for discussion regarding the zoning rewrite.

City Planner Stevens says City staff hopes to have this project out for bid by mid-February. She goes over some of the items listed being requested for the final product. She added that the zoning code audit will be included in the information sent out with the Request for Proposals (RFP). Commissioner Shortell asked Ms. Stevens to send them the list she just read. Candace Jones asked if there will be a process where residents can add to that list of things they would like to see in the rewrite, such as stormwater. Ms. Stevens says they have not come up with a process yet but that should all come out in the public input meetings. She notes the RFP process will be staff-driven. Ms. Jones feels specific examples should be included in the RFP. Commissioner Laratte responds that usually you can ask firms to include certain things if they're not listed in their first proposal. He says it's probably best to be less specific in the RFP to elicit more proposals. Ms. Jones asks if the public will get to review the proposals. City Manager Bryant says that's usually done by City staff until one proposal is chosen. Commissioner

Shortell agrees the RFP should be more open. Kathy Kingsbury asks if the stormwater should even be addressed in the zoning RFP. Mr. Bryant agrees and says that stormwater is usually covered in documents outside of the zoning code. There was discussion about what items could be negotiated after the RFP process versus what would be included in the initial RFP.

Item No. 4

### **Possible Joint Economic Development Position**

In the 2019 budget, funds were allocated for an Associate City Planner. The recent resignation of David Burt, Downtown Development Authority (DDA) Economic Development Consultant, prompted a discussion and review of the best allocation of existing resources for City staff to handle upcoming development projects. City staff is proposing the Board of Mayor and Commissioners (BOMC) consider creating a new Economic Development position, funded jointly by the City and the DDA. The remaining budget funds would be used to hire a part-time City Planning contractor to assist with normal operating needs.

City Manager Bryant says members of the DDA have discussed a possible shared position with him. The thinking is that the City, BOMC and DDA mostly share the same goals and could split the cost. He explains that money has been set aside for more planning staff so there would also be funds to contract with a planner on a part-time basis who would strictly work for the City. Commissioner Fisher says he likes the idea and explains ways he sees it being beneficial. Commissioner Yelton agrees. She would like to see someone in that role who could serve as a facilitator who could manage issues between the two entities. Ms. Yelton asked if any more details had been discussed, such as employee status, benefits, etc. Mr. Bryant says he believes the person should be a City employee. City Planner Stevens explained the benefits of hiring a contract employee for the part-time position. Mr. Bryant says he is working on finding more office space within City Hall. Commissioner Shortell voices her support. She thinks the position could help communication between the BOMC and DDA. She adds that both bodies should have input on a job description. Commissioner Laratte says he's concerned about tying the BOMC and the DDA closer together. He feels the BOMC has an oversight responsibility. Mr. Bryant agrees and believes sharing a staff member will help that. Mr. Laratte says the idea of the DDA being its own entity was discussed last year and seeks clarification. Mr. Bryant says the DDA is not its own entity. Mr. Laratte wonders if this could be seen as the City subsidizing the DDA. Mr. Bryant feels everyone works on the same team toward the same goals. Synergy is key to success, he adds. Commissioner Shortell says this kind of arrangement is very common. Mr. Laratte concludes he currently doesn't support the move but will keep an open mind. Commissioner Yelton adds that everyone should take into consideration where the DDA is in their life cycle as well, pointing out that they are a very young group. Mayor Elmore points out that every City has a different relationship to their DDA. He feels annual written agrees are important outlining goals and responsibilities. Mr. Bryant says his opinion is that two separate

economic development directors would make it more difficult for the BOMC and DDA to work together. Mayor Elmore asks Ms. Shortell if the DDA was in favor of this idea and she said yes. Candace Jones says she also has concerns about the arrangement. She thinks the relationship between the BOMC and DDA needs to be clarified before moving forward. She thinks having two people working on economic development would be redundant and is wary of getting too large of a staff. She adds the need is in planning more than economic development. Jan Hover sees both sides of the issue. She wonders if a shared employee would be torn should the BOMC and DDA have a disagreement.

Item No. 5

### **Proposed Noise Ordinance**

The existing noise ordinance does not address the unique conditions in the City's Central Business District (CBD). The proposed ordinance will specifically address the CBD. The public hearing, final reading, and vote will be at the regular meeting Monday, January 28<sup>th</sup> starting at 6:30 p.m.

City Manager Bryant explains the proposed changes to the noise ordinance. Commissioner Shortell says she had expressed concerns about how this change would impact the Avondale Swim and Tennis Club and the Community Club. Mr. Bryant says parks and clubs would be considered commercial so would be subject to having their sound objectively measured. Mayor Pro Tem Fisher asked how festivals would be handled. Mr. Bryant suggested an ordinance could be temporarily lifted to accommodate that. He adds that should be decided by the BOMC. Commissioner Yelton says that would also allow for public comment. Kathy Kingsbury asks if anyone has spoken to residents who live in the commercial district. Mr. Bryant says the change is being advertised and there will be a public hearing.

Item No. 6

### **Qualifying Fees for November Election**

Per state law, the fee paid by candidates running for Commissioner or Mayor must be set by February 1<sup>st</sup>, 2019. The same law also requires the fee be 3% of the annual pay for that position. A resolution setting the fee will be voted on by the current BOMC at the January 28<sup>th</sup> regular meeting.

City Manager Bryant explains that because now the BOMC receives a stipend, state law requires that the qualifying fee be raised.

Item No. 7

### **Arbor Day Proclamation**

The City of Avondale Estates is a Tree City USA. Each year, the City celebrates Arbor Day with a proclamation and planting event in February. This year in Georgia, Arbor Day falls on Friday, February 15<sup>th</sup>.

Melissa O'Shields says explains that she has been trying to get trees planted along Clarendon Avenue in the Avonwood area for a long time with no success. There was discussion about who owned that property

and who would need to approval a planting. City Manager Bryant says City staff will research the matter.

Item No. 8

**Contract for July 4<sup>th</sup> Fireworks at Lake Avondale**

The City has received a quote in the amount of \$15,500 from Pyrotecnico for the 4<sup>th</sup> of July fireworks. A resolution to authorize the City Manager to sign a contract in this amount has been provided.

City Manager Bryant says this is the same company the City has been using for several years at least. He adds the cost has risen by \$500 over 2018. Dee Merriam asked if the issue of street painting would be discussed again ahead of the holiday. It was agreed to add the topic to a spring meeting agenda.

Item No. 9

**Changing the Process of Approving Ordinances**

The Official Code of Ordinance of the City of Avondale Estates, under Section 2-21 (b), requires that any change to the Official Code of Ordinances be read at three separate meetings. Staff would like to have a discussion about amending this section.

City Manager Bryant says this item is just to further discussion. He proposes different ways the process of approving ordinances could be more efficient. His recommendation is to change the process to two readings instead of three with an option to only do one if the BOMC votes unanimously to do so. He adds that the City Attorney has approved this process. Mayor Elmore supports the move. Mayor Pro Tem Fisher likes parts of the idea. However, he's concerned about that preventing public participation at times. Kathy Kingsbury explains that some other governments introduce an ordinance and leave it open for discussion for a certain period of time before voting on it. There is lots of discussion within the BOMC and with Ms. Kingsbury. Joe Anziano voices his support of Mr. Bryant's proposal. Jan Hover is concerned the public may get shortchanged by speeding up the process and she feels such a change could stir mistrust from the community. Commissioner Laratte says he has confidence in this change since all it would take is one BOMC member to slow the process. Dee Merriam shares her concerns about the proposal. Candace Jones feels two reading is sufficient as long as there is enough time for the public to be aware. There is talk about the possibility of needing to pass an ordinance quickly, like in an emergency. Mr. Bryant says that's one reason not to have timing requirements. Martha McDermott asked about the advertising process for proposed ordinances. Mr. Bryant answered and also said City staff would be willing to increase that communication.

Item No. 10

**Status of the ArtLot**

A discussion will be held about the future of the City-owned property known as the ArtLot located at 70 North Avondale Road.

Mayor Elmore comments that artists continue to reach out to various people connected to the City and ArtLot. City Manager Bryant says effort

is underway to develop a process by which people can request to participate in the ArtLot as it currently exists. City staff will present the new system once it's been developed. Mayor Pro Tem Fisher suggests City staff not spend too much time developing the process since the area may become something else soon. Other members of the Board and Candace Jones agree.

Item No. 11

### **Entertainment District**

The DDA passed a resolution in favor of pursuing an Entertainment District in the Central Business District which will allow for open-container alcoholic beverages. Staff will further investigate best practices and provide amendment language at the next BOMC meeting if this change is recommended to move forward.

Assistant City Manager Stevens says this idea was brought to her attention last fall by the DDA. She describes what entertainment districts are and their prevalence. She adds that staff will continue to investigate this if the Board wishes. If so, staff will bring back recommendations for the BOMC to consider. The Board agrees staff should continue looking into the matter. There was discussion about some of the questions that need to be answered. Joe Anziano asked a question about events and how they've worked in the past. Kathy Kingsbury asks if this change would apply to special events or every day. City Manager Bryant says that's yet to be determined. Business owner Stacia Hopek is supportive and says it makes an area more of a destination.

Item No. 12

### **Annual Agreement to Audit City Finances**

The City has received a quote in the amount of \$17,000 from Clifton, Lipford, Hardison & Parker, LLC for the required 2018 Audit. A resolution to authorize the City Manager to sign a contract in this amount has been provided.

City Manager Bryant says this contract is exactly as it was last year with the same firm used several years in a row. He adds he would like to bid this service out again for the next audit. He feels it's best to wait since the City is transitioning to a new Finance Director currently. Commissioner Yelton agrees and adds she'd like to meet with the auditors at some point. Mr. Bryant says he'll explore having the auditors present their findings to the BOMC in a public meeting.

Item No. 13

### **Sign Ordinance Amendment**

The Sign Ordinance requires any monument sign to be setback 10' from the right of way (Section 5-368 (c)). The right of way (ROW), in many cases, substantially exceeds the width of the pavement. This regulation is causing sign visibility problems for new and existing businesses. Staff proposes a change to the ordinance to read as follows: "No portion of any monument sign may be located within a public ROW, unless the entire sign is set back at least ten (10) feet from the curb of the street (or where no curb, the edge of the pavement used for vehicular travel).

Signs located near a State ROW may be subject to approval by the Georgia Department of Transportation.”

Assistant City Manager Stevens explains the problem at hand. Signs currently have to be a certain distance from the right of way, not necessarily the pavement. That can make it difficult for a business sign to be seen. City Manager Bryant says if the Board approves, staff will continue to look into this and bring back a proposed ordinance amendment. There was discussion about how this change fit in to potentially updating the sign ordinance. The Board supports City staff moving forward in this effort. Commissioner Laratte says a diagram of the issue would've been helpful to visualize the problem. Stacia Hopek says the issue arose for her because, according to the rules, the sign for her business would need to be in the parking lot behind a tall wall. There is discussion about the role of sidewalks. Dee Merriam offers a suggestion about any changes.

Item No. 14

**Resolution of Support for Design Guideline Grant Application**

Georgia's Historic Preservation Division has funds available to update design guidelines through their Historic Preservation Fund Grant Program. The City would be required to cover 40% of the project cost which could include some cash and some in-kind services. The grant application is due on February 1<sup>st</sup>, 2019. The City estimates \$17,000, which is the high end for this type of service based on recent projects, leaving a match of \$6,800 (cash or in-kind).

Assistant City Manager Stevens explains the grant and the BOMC supports submitting an application. City Manager Bryant announces the City has moved forward in the process of getting a grant to help fund the North Woods drainage project. Candace Jones thanks Ms. Stevens for her work.

Item No. 15

Public Comment

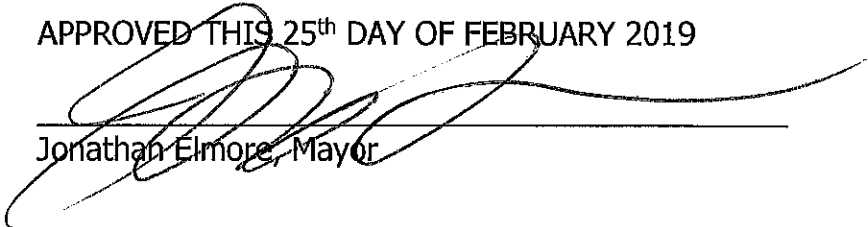
Candace Jones asks the Board why they are holding their strategic planning retreat in Duluth rather than Avondale. Commissioner Yelton explains the reasons behind the decision. Ms. Jones feels the retreat should take place in city limits. Commissioner Shortell confirms the retreat will be recorded and posted on the City website. Joe Anziano supports the decision to have the retreat in another city. Martha McDermott points out that Duluth officials spoke at a forum in Avondale and she found it very informative. Dee Merriam announced the details of an upcoming forum on walkability.

Item No. 16

Adjournment

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

APPROVED THIS 25<sup>th</sup> DAY OF FEBRUARY 2019



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Jonathan Elmore, Mayor

ATTEST:



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Gina Hill, City Clerk