

**BOARD OF MAYOR AND COMMISSIONERS
SPECIAL CALLED MEETING
June 13, 2019
*Immediately Following Public Hearing***

MINUTES

Members Present: Jonathan Elmore, Mayor
Adela Yelton, Commissioner
Lionel Laratte, Commissioner
Lisa Shortell, Commissioner

Member Absent: Brian Fisher, Mayor Pro Tem

Staff Present: Patrick Bryant, City Manager
Keri Stevens, Assistant City Manager
Paul Hanebuth, Finance Director
Lynn Thomas, Police Chief
Gina Hill, City Clerk

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
Commissioner Laratte moves to adopt. Commissioner Yelton seconds.
All ayes.

Item No. 5 Public Comment

Clai Brown said transparency in government was very important and he disagreed with how the issue of incorrect sanitation fees was handled. He offered to discuss details with anyone who wanted to speak with him. Ed Reiker felt the stormwater improvements should be paid for from reserves in the stormwater fund. He also doesn't feel like there will be enough money for debt service and those payments would preclude other purchases like police cars.

Item No. 6 **2019 Tax Millage Rate Ordinance – First of Three Required Readings**

The millage rate is a number set each year to calculate property taxes. A millage rate of 9.8 mills is proposed for 2019. This is the same as the

2018 millage rate. The rate in 2017 was 9.957 mills. City staff estimates this will result in a 3.4% increase in total property tax revenues.

From 2014 to 2018, City expenditures have increased by an average of 6.53 percent, so a similar increase in the dollar amount collected from property tax is likely necessary to maintain the same level of service to City residents and businesses.

This is the first of three readings before the Board of Mayor and Commissioners votes to set the millage rate. The other readings are on Thursday, June 20th and Monday, July 1st, both following public hearings at 6:01 p.m. The BOMC will vote to set the millage rate at the regular meeting on July 1st immediately following the public hearing.

Liz Goodstein again said tax income would already be higher because of increasing property values. She didn't feel the BOMC should keep increasing spending. Ed Reiker requested that taxes be lowered. Candace Jones encouraged the BOMC to explore a tax break for certain seniors. Paul Dorroh shared that many seniors might not be taking full advantage of available exemptions.

Item No. 7

Resolution Reaffirming Downtown Urban Redevelopment Area

Commissioner Laratte moved to approve. Commissioner Yelton seconds. Three ayes, one nay (Mr. Laratte)

Commissioner Shortell explained this resolution. City Manager Bryant elaborated. George Kennedy asked if this area was established via a windshield survey. Mr. Bryant explained what was meant by a windshield survey. Mr. Kennedy noted that some buildings on the attached map had been leveled years ago.

Item No. 8

Resolution Creating Stormwater Urban Redevelopment Area

Commissioner Laratte moved to approve. Commissioner Yelton seconds. Three ayes, one nay (Mr. Laratte)

Commissioner Shortell asked City Attorney Stephen Quinn his opinion on the legal language used to describe the stormwater urban redevelopment area (URA). Mr. Quinn believed the area meets what is required by the law. City Manager Patrick Bryant elaborated that deteriorated stormwater infrastructure is unsafe, unsanitary and hazardous to residents' property and that is why staff recommends moving forward. Paul Dorroh asked if the City would be pursuing this if there was plenty of cash to pay for it. Mr. Bryant did not want to speculate about hypothetical situations. Mr. Dorroh again suggested an alternate way to pay for stormwater improvements. Mayor Elmore responded that consultants and experts were hired and the BOMC wants to follow those recommendations. He added he feels the BOMC is moving forward in a very professional, transparent way to achieve goals everyone has agreed to over a long period of time. Mr. Dorroh said he didn't think the word "blight" was mentioned previously. Mr. Bryant

clarified that declaring an area blighted does not refer to any individual property, it is just a legal definition. Kathy Kingsbury said residents in the URA should be sent a letter informing them of this plan and more research should be done. Candace Jones suggested altering the plan to clarify that property values will not be affected. Ed Reiker asked the BOMC to use stormwater reserves to pay for the projects. He added that money could be borrowed in case of emergency. Liz Goodstein was against this plan and felt there was a better way to achieve City goals. George Kennedy agreed that the stormwater fund should be used for pay for these projects. Ms. Shortell explained that the experts hired by the BOMC advised them to leave that money in the stormwater fund for emergencies. She added that she thinks borrowing is a smart strategy so that future residents help pay some of the costs. Ms. Shortell went on to say she would like to know more about how using the term "blight" would affect property owners and that the stormwater area is very specific about what can be done and where. The stormwater improvements will actually increase property values, said Mr. Bryant, and there will be no changes to current eminent domain powers. Jan Hover asked for clarification of the eminent domain language. Bond Attorney Teri Finister explained the language in the URA resolution.

Item No. 9

Resolution Adopting the Amendment of the Downtown Urban Redevelopment Plan (URP)

The original Urban Redevelopment Plan for the downtown area was passed in 2012 in association with the Opportunity Zone. The plan establishes specific urban redevelopment projects the Board of Mayor and Commissioners, through adopted planning documents, may pursue in the established Downtown Urban Redevelopment Area. Commissioner Shortell moves to adopt. Commissioner Yelton seconds. All ayes.

Commissioner Laratte wanted to explain his nay votes on the previous two items. He said there were minor issues with the area sizes that he did not feel comfortable with. However, he does support borrowing money and he doesn't think the park could be feasible otherwise. Mr. Laratte added that whether it's best to borrow for stormwater improvements was debatable but he supports the general direction. After more explanation about this item from Mr. Bryant, Ms. Shortell reminded the audience that this was just a plan and actual borrowing money has not happened yet. Candace Jones had issues with the plan on the website being a draft. Mr. Bryant explained it's only a draft because it hasn't been adopted yet. Kathy Kingsbury asked if the projects in question could be included in the resolution. The resolution adopts the plan where the projects are described so doing so would be redundant, explained Mr. Bryant. In response to a question from Ed Reiker, City Planner Keri Stevens explained that some projects in the back of the plan was only part of reference material in an appendix. Liz Goodstein said she is in favor of downtown development but not with these methods.

Item No. 10

Resolution to Approve an Urban Redevelopment Plan (URP) for the Stormwater Urban Redevelopment Area

The plan establishes specific urban redevelopment projects the Board of Mayor and Commissioners may pursue in the established Stormwater Urban Redevelopment Area.

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

Ms. Yelton said this is a very strategic move to solve problems that have been discussed for years. Commissioner Laratte thought the plan would be more narrow in scope but it will help a lot of people. Commissioner Shortell explained more work than expected may need to be done to ease stormwater and that is why she thought the map was as large as it was. City Manager Patrick Bryant agreed.

Paul Dorroh asked a question about certain language in the proposed plan (ownership of two parcels). Assistant City Manager Keri Stevens responded that one is the North Woods area and the other describes the property purchased to build the detention pond near the First Baptist Church. Mr. Dorroh was bothered by language indicating the City could sell that property. Mr. Bryant said that's applicable to any property the City owns. Mr. Dorroh felt the wording was too broad. Bond Attorney Teri Finister provided clarification.

Item No. 11

Resolution to Activate the Urban Redevelopment Agency (URA) of the City of Avondale Estates

The resolution activates the URA and allows the URA to transact business and exercise urban redevelopment powers under the provisions of the Urban Redevelopment Law.

Commissioner Laratte moves to adopt. Commissioner Yelton seconds. All ayes.

Ms. Yelton said this path may not be the only way to accomplish the City's goals but it is the one put forth by staff and hired experts and consultants who successfully do this work for other cities. While some think the BOMC is moving too fast, Ms. Yelton also has heard from residents who think they're moving too slow. Commissioner Shortell asked City Manager Patrick Bryant some technical questions about how the URA would work. Mr. Bryant responded that the URA will meet separately but following the same rules as the BOMC regarding public notice, voting, etc. Ms. Shortell also noted that the URA must file and publish reports annually. Mayor Elmore agreed with Ms. Yelton and he was excited to move forward. Commissioner Laratte said he was very skeptical of creating this agency but he now is comfortable supporting it after asking lots of questions.

George Kennedy asked who would make up the URA and Mr. Bryant said it was staff's recommendation that it be the members of the BOMC. Mr. Kennedy had follow up questions about eminent domain powers and Mr. Bryant reiterated that there will be no change to those powers after the URA is established. He also responded to Mr. Kennedy's question about the purpose of the URA. Liz Goodstein asked if the makeup of the URA could change and if it did, would that group have eminent domain powers. Mr. Bryant said they would not. Ms. Goodstein continued that she was against the URA and lack of a referendum to borrow money. She was concerned about many topics in relationship to this plan and listed them. Mayor Elmore recapped why this mechanism was recommended to the BOMC by the financial advisors. Jan Hover is worried that the zoning has not been updated and that developers will end up doing whatever they want. Candace Jones was unconvinced this was the only way to move forward. Ms. Shortell reminded the group that it is still unknown how much money will be borrowed. Mr. Bryant listed the pitfalls of borrowing with a typical bond. Jennifer Pindyk asked the Board to keep the cost of other projects in mind when moving forward. Lindy Newman asked a process question and Mr. Bryant explained how the URA would go about drawing against the line of credit. There was discussion about the legally required notice for any actions by the BOMC. Dee Merriam wanted to discuss the URA bylaws but was told that is not up for discussion at this time.

Item No. 12

Resolution to Allow City Manager to Execute an Agreement with Bleakly Advisory Group

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

Ms. Yelton is pleased to have Bleakly's expertise guide the BOMC during this complicated process. Commissioner Shortell and City Manager Patrick Bryant agreed.

Candace Jones doesn't feel Bleakly's cost estimate is accurate. She asked who is currently in conversations with Avilla and who exactly is Bleakly advising. Mr. Bryant said it was the BOMC that is ultimately responsible for entering into a development agreement with any developer. He also emphasized that only certain discussions are done in executive session and all votes must be public. No City staff is currently in discussions with Avilla or Fabric, said Mr. Bryant. Dee Merriam requested that other planning board members be assigned to the URA. She also wanted to ensure there would be public input and that Bleakly will consider various building concepts. Ed Reiker asked if the future development agreement will go before other planning boards. City Attorney Stephen Quinn responded that that would be the case with the Planning and Zoning Board and it would also go before other boards if items in the development agreement were within their jurisdiction. Liz Goodstein is dismayed that the City Manager is doing most of the talking at this meeting. Commissioner Yelton told her than staff was doing their job and she requested courtesy from her and the other members of the

public. Ms. Goodstein didn't feel she was being respectful and the staff should be working at the direction of the BOMC. She was unhappy that updated zoning is not yet in place and is concerned about doing another planned development zoning project. She was suspect about hiring Bleakly since they were involved with the Trammel Crow project. Mayor Elmore expressed his confidence in Bleakly's firm.

Item No. 13

Resolution to Allow City Manager to Execute a Classification and Compensation Study

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

City Manager Patrick Bryant recounted how this item was put into this year's budget. He added the City has not undergone this process in ten years. He explained the process of this study and a timeline. There will likely be extra compensation for some positions in the public works department because Mr. Bryant felt that those in that department were underpaid, causing turnover. Commissioner Yelton was happy to see this project undertaken. She asked if the consultant will look at fringe benefits and Mr. Bryant said that would be examined by a different division of the Carl Vinson Institute. The City is also looking at decreasing the cost of employee health insurance, he said. Ms. Shortell thanked Mr. Bryant for doing this project. Ms. Yelton clarified that BOMC stipends will not be part of the study. Mr. Laratte supports the study and asked about the severity of turnover in public works.

Ed Reiker thought this study was a good idea. Candace Jones agreed but doesn't remember seeing this item in the budget. Christine McMahon wondered if the City could attract workers who have left. Mr. Bryant couldn't predict.

Item No. 14

Resolution to Ratify Sanitation Fees Set by Resolution on July 9, 2018

Commissioner Laratte moves to adopt. Commissioner Yelton seconds. All ayes.

City Manager Patrick Bryant spoke about indirectly receiving an email alleging an error in establishing sanitation fees in 2018. After researching the issue, he believed the intent of the resolution was misunderstood and the money collected in 2018 was to go towards 2019 expenses. This resolution was meant to ratify that intent. City Attorney Steven Quinn explained the concept of ratification.

Kathy Kingsbury asked for the dates in 2018 where this item was discussed. Ed Reiker asked why this resolution wasn't posted on the website ahead of the meeting. He added that since the sanitation fund collected extra money last year, the BOMC should consider lowering the sanitation fee. Mr. Bryant said the fund has actually lost money and the current fee structure is problematic and has been for years. He explained how the residents have been subsidizing commercial trash pickup and

said those fees will be adjusted and approved at the next regular meeting. Finance Director Paul Hanebuth explained how the sanitation fund works and its relationship to the general fund. Staff will also move towards having a reserve in this fund for emergencies, said Mr. Bryant.

Item No. 15

Resolution Related to the DeKalb County Transit Master Plan

According to County officials, the Transit Master Plan will address the County's mobility challenges, help enhance future development opportunities, and improve the quality of life within each of DeKalb's cities and unincorporated communities, both north and south. The plan will identify transit service enhancements for today and expansion opportunities for tomorrow to create a 3-year cost-feasible vision for transit investments. An official working on this project will give a presentation at the June 20th work session. For more information, go to <http://www.dekalbtransitmasterplan.com/>
Commissioner Shortell moves to adopt. Commissioner Laratte seconds.
All ayes.

City Manager Patrick Bryant said this resolution is a formality to show support to the County's efforts to develop a transit master plan.

Item No. 16

A Resolution to Amend the 2018 Capital Budget

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

Finance Director Paul Hanebuth described the need for this resolution and amendment. City Manager Patrick Bryant also explained how it was staff's goal to separate the capital and operating budgets in the future. Candace Jones requested the budget process begin earlier this year and asked when it would begin. Mr. Bryant said that has not been scheduled.

Joe Anziano suggested perhaps giving public works employees a bonus while the compensation study is being conducted as a way to reduce turnover.

Item No. 17

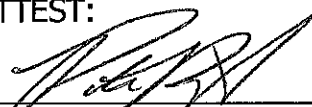

Adjournment

Commissioner Yelton moved to adjourn. Commissioner Laratte seconds.
All ayes.

APPROVED THIS 1st DAY OF JULY 2019


Jonathan Elmore, Mayor

ATTEST:


Gina Hill, City Clerk

Patrick Bryant, City Manager