



**BOARD OF MAYOR AND COMMISSIONERS
WORK SESSION
July 18, 2018
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: Keri Stevens, City Planner

Item No. 1 Meeting Called to Order

Item No. 2 Adoption of Agenda
Mayor Pro Tem Fisher moves to adopt. Commissioner Shortell seconds. All ayes.

Item No. 3 **Icon Residential Townhomes at Hobbs Street & Wells Street**
Developer Icon Residential has proposed townhomes at this location. The project has been recommended by the Planning and Zoning Board (PZB) and now must be voted on by the Board of Mayor and Commissioner (BOMC). The builder has also requested a road abandonment and disposal of a portion of the cul-de-sac at the end of Hobbs Street. Representatives from Icon will be present.

Mayor Elmore says the developer agreement will be voted on Monday. City Planner Keri Stevens adds that there will be a resolution as well on Monday regarding the road abandonment request. Kenneth Wood with Icon Residential gave a presentation about the project. Discussion topics included trees, streets, connectivity, greenspace, parking. He said how they lowered the number of units after meeting with the Planning and Zoning Board and getting public input. Mayor Pro Tem Fisher said he likes the changes and asked how storm water was handled. Wood said there is an underground vault. Fisher was told the developer was going before the Architectural Review Board (ARB) on August 6th and the development would all be built at once. Commissioner Shortell clarified that the roads will be private for maintenance but open to the public. Listing prices start in the high 300's and go to the low 500's. Average square footage is 2,100 square feet. Fisher was told the developer has an internal sales force that sells the properties.

A homeowner on Wells Street said he thought the number of units had been reduced to 32 and wondered how it ended up at 33. One resident asked if there was a certain number of units that needed to be sold for the project to be completed. The answer was that the project was already fully funded. Resident Kathy Kingsbury asked if the developer had already reached out to the PATH Foundation about connecting to the path and was told they had not yet. She also wanted to ensure no fence was ever built around the property. She was also told there had not yet been an appraisal to see if the land swap was equal between the City and the developer. City Planner Stevens said no appraisal was required. A member of the Icon team explained that because each townhome owner would be paying property taxes there was no need to ask for a tax abatement. The development would use the City's sanitation services.

Item No. 4

Approval for City Manager to Obtain Appraisal in Regard to Detention Pond Easement

The City purchased property from the First Baptist Church Avondale to build a retention pond in hopes of alleviating flooding in the area of Covington Highway, Kensington Road, and beyond. Easements were required from several residents for underground pipes. All but one easement has been completed and paid for through the City's Stormwater Fund.

Interim City Manager Ken Turner said this was the first step in the condemnation process. Commissioner Yelton said she is excited to see this project move forward. She hears about the flooding from her neighbors when it rains a lot. Suzanne Sen, who owns the property in question at 3200 Kensington Road, says she consulted other engineers who say the plan could actually increase flooding at her property. She requests changes made to the plan. She says she just found out the City planned to take her to court and that seems unreasonable and the plan should be changed instead. She offered to sign the easement if language was included to protect her from the cost of any future damages due to flooding. Mayor Elmore suggests having the City's engineers write a letter or explain to the BOMC the rationale behind their plan. Turner said he would still like the authority to get an appraisal. He proposes that Ms. Sen submit to him in writing what she would like to see added to the easement agreement. Mayor Pro Tem Fisher says there is no time to wait and if there is a design issue it needs to be fixed. Other BOMC members agree. Commissioner Laratte asked if there has been an analysis of the plan Ms. Sen proposes. Clark Patterson Lee Engineer Rich Edinger says their plan will reduce flooding about 70% with Ms. Sen's property getting the most benefit. He agrees more infrastructure needs to be replaced but budget constraints means it needs to be phased in.

Next steps: Ms. Sen says she will get the language she would like to see in the easement agreement to Mr. Turner before Monday. Mayor Elmore

says he will reach out to Mr. Edinger immediately to learn more about the thinking behind this storm water plan.

Item No. 5

City-Owned Four Acres Development Update

A member of the BOMC will present proposed changes to the process to move forward with this project.

Commissioner Laratte gives a slide presentation of the process map he developed. He wants the process to be more predictable for members of the public. He said timelines can vary. The goal is to move ahead on part of the four acres ahead of any zoning rewrite because there's some urgency to take the next steps. Laratte says, in his opinion, it makes sense to have the DDA weigh in on what could go there. In response to an audience question, Laratte says he's operating off of design #9 as a guide. Resident Candace Jones asked Laratte to be specific by using parcel numbers. The Commissioner suggests using the request for proposals (RFP) process for developers. He clarifies that his timeline only includes the portion of the four acres bordering US278. There is some discussion among the group about "place making". Mayor Pro Tem Fisher notes the City needs to make sure they can afford place making with more balanced tax revenue. Resident Dee Merriam suggests having a few public meetings to get everyone comfortable with a similar vision. Commissioner Shortell says the next step may be to do a letter of intent. She also suggests having the creator of design #9, Sheri Locke, at a kickoff type meeting. The deliverable is a document saying what the community would like to see in that space, says Laratte. There is discussion about scheduling meetings and next steps. DDA Consultant David Burt says he's confused and would like more direction. He advises the BOMC to figure out what questions need to be answered in any upcoming meetings.

Next steps: Burt and City Planner Keri Stevens will meet to make a list of proposed questions to be answered in upcoming meetings about the development of the part of the City-owned four acres abutting US278.

Item No. 6

Proposed Trammell Crow Development Discussion

The developers will soon be providing the City with a financial impact study. Also, the PZB and Architectural Review Board (ARB) need to weigh in with their recommendations. In the meantime, this will be a chance for attendees to weigh in and ask questions.

Mayor Pro Tem Fisher says there was a public hearing about this a couple of days previously. He has a copy of their presentation that could be put on the City website. A development agreement is currently going back and forth between the City Attorney and Trammell Crow's attorneys. Representatives from Trammell Crow tell Fisher that the economic studies should be done in the next couple of days. Commissioner Yelton says any tax abatement to be considered would be separate from the development agreement.

Resident Alan Harvey wonders how this development could help existing Avondale businesses if the developer is saying their building can only support two restaurants. He also cautions against future developers suing the City if they approve this development and not theirs. Mayor Pro Tem Fisher says another similar development coming to the City would be unlikely because of what's outlined in the Downtown Master Plan (DMP), including the establishment of the street grid. He adds that retail is always challenging and gave some reasons why. He does advocate for senior housing. Business owner Rachel Herzog says her shop, Garage Door Studio, has been much more successful after they moved to a more visible location. Resident Mike Herzog said that just because a certain segment of the City doesn't come to a lot of meetings doesn't mean they don't care or have opinions. He says it difficult to be involved when families work and have small children. Apparently, at the public hearing the previous Monday a resident said those in favor of the development must not care enough to come to the meetings. Commissioner Shortell says that residents should not be characterizing or judging other residents in the meetings. Resident Bill Frazier comments that if there is going to be a development with the density like Trammell Crow's, the location they've chosen for it is the best place. He thinks the tax revenue would also help the City. Frazier supports the development as is. John Pomberg asks how the offer for Trammell Crow to clear the City-owned four acres came about. Fisher explains it was an option arrived at jointly during a meeting with Trammell Crow. Resident Sharon Saliba says she feels there's a disconnect between the older and younger Avondale generations. Mr. Herzog says lack of attendance does not mean those residents are not informed. Mayor Elmore says Avondale is one community and he wishes it would not be regarded as young versus old.

Item No. 7

Rural Zone Application

A bill has passed in Georgia calling for the development of "Rural Zones." The Department of Community Affairs, in partnership with the Georgia Department of Economic Development, will designate up to 10 zones each year. Tax credits and other incentives will be available for job creation activities, investment in downtown properties, and renovation of properties to make them usable. The City is eligible because of size and will apply in August. It will be another economic development tool to entice development.

City Planner Stevens explains this program and asks that a resolution be signed on Monday. She said the application is due on August 17th.

Item No. 8

Communications Plan & Public Comment Policy

These documents were first discussed at the April 18th work session and the BOMC requested more discussion and public input. It has been discussed several times since. The City Attorney has reviewed the drafts and the BOMC will discuss his changes.

Commissioner Shortell explains that this is something that other cities have. She said this plan had been refined over the last few months and she hoped it would be voted on soon. Interim City Manager Ken Turner said the public comment policy is a reflection of Roberts Rules of Order. Shortell asked if there was a legal reason that the City Attorney added advance reservations to speak at meetings. Turner said those were just suggestions. Mayor Elmore said he was leaning away from having people sign up to speak ahead of meetings. He feels it stifled input. Mr. Turner agreed. Elmore felt time limits would be more appropriate. He also feels that regular meetings are the best time to discuss items that are not on the agenda and work sessions should be limited to topics just discussed. Commissioner Yelton said she would like to see the public comment time after each agenda item eliminated but she doesn't think that's possible. She adds that condensing the meetings might encourage more people to attend. The draft public comment policy has a limit of three minutes of speaking time per person. The Mayor would prefer one minute and Shortell suggested a compromise at two. Shortell and Mayor Pro Tem Fisher both say they prefer the original draft of the policy. Turner comments that the BOMC can always change the policy if need be in the future. Yelton says she would still like to see a strategic communications plan with tactical items added to this at some point, as well as roles and responsibilities. She said the communications manager could recruit others to be on this team. Commissioner Laratte says he would like to see the meetings streamed live. He asked if that could be incorporated into this plan. Turner said the last time he looked into that the equipment was very expensive. But he said they could look into it. There was discussion about what would be voted on and signed and when.

Next steps: The public comment policy will be voted at the next regular meeting.

Item No. 9

Draft Tree Ordinances & Tree Officer Proposal

The City Attorney has suggested edits to the drafts. A proposal from Arboguard for providing a tree officer will also be discussed.

Interim City Manager Ken Turner explains the proposal from Arboguard. He says the cost would be incorporated into permitting fees. The cost is \$125 per hour. The Board agrees approves of that. The Board agrees with the attorney's changes and moving forward.

Next steps: The first reading of the tree ordinance will be at the following regular meeting.

Item No. 10

Ratify Laredo Drive Study Contract

Due to a technical defect in approving this contract at the previous regular meeting, this agreement needs to be ratified.

City Clerk Gina Hill explained this and the following contract needed to be ratified since no motions were made at a previous meeting when the vote took place.

Next steps: This contract and the one below will be ratified at the next regular meeting.

Item No. 11

Ratify Agreement with Stevens & Wilkinson, Inc. for 3D Modeling of Downtown

Due to a technical defect in approving this contract at the previous regular meeting, this agreement needs to be ratified.

Item No. 12

Ethics Board and Planning and Zoning Board (PZB) Appointments

On the Ethics Board, the seat of Patrick O'Connor expired at the end of June. He would like a new term. There is one other applicant, Meghan Gurley. Terms are also ending for two members of the PZB – John Pomberg and Keith Melton. They both request new terms. There are two other applicants, Dee Merriam and Vivian Fisher. Both boards have submitted recommendations to the BOMC. The process by which board seats are filled will also be discussed.

Mayor Elmore reviewed the current process of taking the board's recommendation as to who should be appointed or reappointed to a seat. Commissioner Shortell read the guidelines and they surmised that it was the individual board that interviewed applicants, not the BOMC. She added that she would still like to receive copies of the applications and resumes, if possible. They discussed reformatting the application so applicants have more room to explain why they would be a good fit for that board. They talk about making resumes mandatory as part of the process as well. When it comes to interviews, the BOMC talks about whether they should require the individual committees to interview new applicants, sitting members who want a new term, or both. The Mayor asks if the PZB and/or Ethics Board interviewed their applicants. The Chair of the PZB, Martha Teal, said no but this conversation was very helpful. The Mayor agrees that conducting this process in public is uncomfortable and perhaps members could write their selection on a piece of paper and the board's secretary reads them aloud. Meghan Gurley asked that applicants not selected be notified. Alan Harvey clarified that an incumbent would not vote on their own seat. The Board and audience discussed other variables and unique situations. Ms. Teal asked for clarification on the next steps. Candace Jones says she has been through this process before and has been inconsistent.

Next steps: The Board agrees to have City staff reformat the application with a resume being optional. Sitting members wanting new terms will have to reapply. The individual board must interview all candidates. Interviews will need to be held publicly. There is a consensus that this new policy will be drafted by City staff for BOMC review. No changes or appointments will be made in the meantime. There is also agreement to change the Ethics Board from three members to five.

Item No. 13

Phoenix Station Letter

Phoenix Station is the name of a proposed development near the intersection of Covington Highway and Memorial Drive in unincorporated DeKalb County. The development would include 244 apartments. The BOMC sent a letter to county decision-makers outlining their concerns. An Avondale group opposed to the project has asked the BOMC to send a follow-up letter now that there has been progress towards its approval.

Commissioner Shortell recaps the last letter sent to County officials on this topic. She says they would like to send one more updated version before the vote. Shortell reminds the rest of the BOMC that she sent them each a draft letter and if they approve of it then it would need to be signed and she will send it. The Mayor instructed the BOMC to read the letter and get back to Shortell. He also asks that the letter be posted on the website. Resident Dee Merriam clarified that Friends of Kensington is an advocacy group and not just made up of Avondale residents. She also gave an update on the project's status.

Item No. 14 Public Comment: None

Item No. 15 Adjournment
Commissioner Laratte moves to adjourn. Mayor Pro Tem Fisher seconds.
All ayes.

APPROVED THIS 30th DAY OF AUGUST 2018



Jonathan Elmore, Mayor

ATTEST:



Gina Hill, City Clerk