



**BOARD OF MAYOR AND COMMISSIONERS  
WORK SESSION  
SEPTEMBER 16<sup>TH</sup>, 2020  
5:30 p.m.  
VIA ZOOM**

**MINUTES**

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

Staff Present: Patrick Bryant, City Manager  
Paul Hanebuth, Asst. City Manager  
Shannon Powell, Asst. City Manager  
Rebecca Long, Communications Manager  
Gina Hill, City Clerk  
Stephen Quinn, City Attorney

Item #1 Meeting Called to Order

Item #2 Adoption of Agenda  
Mayor Elmore moved to adopt. Mayor Pro Tem Fisher seconded. All ayes.

Item #3 **Discussion of Amendments to 2020 Capital and Operating Budgets**  
Using the same procedure as last year, staff is proposing to amend the 2020 budget to accurately reflect revenue and expenditures.

City Manager Bryant recapped how this process worked in 2019. The goal is to amend the current budgets every fall while also putting together a budget for the following year. Assistant City Manager/Finance Director Hanebuth gave a presentation about the current state of the 2020 budget. Mr. Bryant told the group that staff has engaged the company that owns Arboguard about developing a maintenance plan for city-owned rights-of-way and greenspaces. That estimated cost has been added to the budget. He added there's a possibility that touchless bathrooms could be installed in city hall. Commissioner Shortell asked a question about paving and roadwork. Mr. Hanebuth said it would be more cost effective to wait until there is more paving to be done at one time. Mayor Pro Tem Fisher asked about CARES Act funds, revenue from traffic citations, money spent on professional services, and various projects. Commissioner Laratte asked about revenue from alcohol sales and staff's opinion about the state of the city's financial health compared to 2019. Mr. Bryant thinks the city's position will be at least as strong or stronger this year.

Commissioner Merriam asked if the project manager was included in the professional services total and how an Atlanta Regional Commission grant was going to be used (it will be for US278). Mayor Elmore said the budget will continue to be discussed in upcoming meetings. Members of the BOMC thanked Mr. Hanebuth for his presentation.

Item #4      **Contract Extension to Conduct Re-evaluation of Tier 1 and Tier 2 Homes**

Lord Aeck Sargent completed the rewrite of the Historic Preservation Guidelines adopted by the Board of Mayor and Commissioners (BOMC) last month. This request is an extension of that contract to conduct a survey of historic residential properties.

City Manager Bryant explained that there was consensus to undertake this re-evaluation before launching the new historic preservation guidelines. He said some additional public meetings could be added for a total cost not to exceed \$16 thousand. Including Majestic Acres and Avonwood in the survey would raise the cost upwards of \$40 thousand. Assistant City Manager Powell elaborated. Commissioner Merriam asked questions about the process of informing the public. Commissioner Laratte was supportive as was Mayor Pro Tem Fisher. He suggested fliers be sent to residents. Commissioner Shortell suggested a web link be added to fliers where residents could find more information. This will be voted on at the next regular meeting.

Item #5      **Conditional Use Permits**

There are currently two applications for consideration. One is for a brewery at 120 Olive Street, suite 500-600. The other is for a pharmacy at 4 N. Clarendon Avenue, the former location for Sunbrimmer Records.

Members of the BOMC were supportive of these applications. These will be voted on at the next regular meeting.

Item #6      **Resolution for Rights-of-Way Contract**

This would authorize the City Manager to contract with BM&K Construction and Engineering for rights-of-way acquisition services in relation to the US 278 Complete Streets project.

City Manager Bryant explained that this contract was the result of a Request for Proposals (RFP) now that the city is entering the right-of-way acquisition phase of this project and others in the future. Mayor Elmore noted this was a per parcel fee and asked about the number of parcels involved. Assistant City Manager Powell provided some detail about cost. She estimated a total of about \$150 thousand. Members of the BOMC had a couple of questions but were supportive. Commissioner Shortell was told this was all grant funded. Mr. Bryant closed by saying this would be up for a vote at the next regular meeting.

Item #7      **Non-Discrimination Ordinance**

As discussed at a previous work session, the City Attorney has provided the BOMC with a memo outlining considerations for a non-discrimination ordinance.

Mayor Elmore listed some of the topics addressed in the memo and City Attorney Quinn's recommendations. Mr. Quinn suggested handling discrimination complaints through business licenses. Mr. Elmore felt municipal court would be the best route to address them as well. Commissioner Shortell agreed and Mr. Quinn elaborated on his suggestions and fielded questions from the BOMC. There was a discussion between him and Mr. Fisher about the pros and cons of mediation. Commissioner Laratte asked about race versus skin color. He also had questions about the proposed mediation process. More discussion continued about mediation and associated costs. Mr. Quinn felt there needs to be at least one more discussion on this matter. In the meantime, he will continue to work on a draft ordinance.

Item #8

**Lake Avondale Advisory Board (LAAB) Ordinance Discussion**

The City Attorney has opined that a section of the ordinance governing the LAAB is invalid and needs to be revised.

City Manager Bryant explained that the current ordinance allows the LAAB to direct city staff which goes against the city's charter. He added that small changes to the language can correct the issue. Commissioner Merriam said the changes seem reasonable. The other commissioners agree. The amended ordinance will have its first reading at the next regular meeting.

Item #9

**Usage of CARES Act Funds**

City Manager Bryant gave an update on the status of the CARES Act. He said the city should receive about \$350 thousand in funds. Staff consulted the city attorney about permitted uses for the funds. Mr. Bryant recommends using the funds to reimburse the city for Covid-related expenses such as personal protection equipment (PPE), relocating municipal court to the American Legion, construction of lobby payment windows, and personnel pay. He added all of this would be handled in the budget amendment process. Members of the BOMC were in support of using the funds to reimburse the city first and foremost.

Item #10

**Public Comment**

Lisa Cottrell has some questions and comments about the proposed non-discrimination ordinance. Klaus van Den Berg urged the BOMC to include some newer homes in those protected by the historic preservation guidelines.

Item #11

**Adjournment**

Mayor Elmore motioned to adjourn. Mayor Pro Tem Fisher seconded. All ayes.

APPROVED THIS 29th DAY OF SEPTEMBER 2020

  
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Jonathan Elmore, Mayor

ATTEST:

*Gina Hill*

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Gina Hill, City Clerk