



**BOARD OF MAYOR AND COMMISSIONERS
WORK SESSION
November 7th, 2018
5:30 p.m.**

MINUTES

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

Member Absent: Lionel Laratte, Commissioner

Staff Present: Patrick Bryant, City Manager
Keri Stevens, Asst. City Manager
Ken Turner, Deputy City Manager
Lynn Thomas, Police Chief
Gina Hill, City Clerk

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 **Downtown Development Authority (DDA) and Trammell Crow Residential (TCR) Bonds for Title Memorandum of Understanding (MOU)**

The DDA is scheduled to vote on a proposed MOU at a special called meeting on Monday, November 5th. If approved by the DDA, the matter will be discussed by the Board of Mayor and Commissioners since it will also require their approval as well.

Dave Deiters, DDA Chair, says the DDA did approve this and believes that TCR is a quality developer. While not perfect, he says they feel like the development is a vast improvement over what is there now. He adds that, in principal, it matches what the Downtown Master Plan (DMP) calls for at the Western Gateway. Mr. Deiters explains that the current taxes the City gains from the property is over \$5,000 and that even with the tax abatement, the first year of operation the projection is they will pay almost \$91,000 in taxes. He added that TCR will pay \$280,000 in additional fees that were negotiated. This is a very good thing for the City, he concludes. Mayor Elmore agrees. Commissioner Yelton thanks Mr. Deiters and DDA member Matt Delicata and everyone else involved

in negotiating this deal. She asks where the extra funds from fees will be kept. Mr. Deiters says that those funds are subject to BOMC oversight and can be wherever they and the City's finance director feel comfortable. Finance Director Ken Turner says the money can be put into a restricted fund. Ms. Yelton comments that she would have liked to have seen that structured a different way. Mr. Deiters responds that it would done this way on advice of counsel. Mayor Pro Tem Fisher thanks the DDA for negotiating this deal. He discussed how the development benefits the County as well. Commissioner Shortell thanks Mr. Delicata for his expertise. She points out that if TCR's investment falls short there is wording in the contract that protects the City. She asks about permitting fees and is told that amount is included in the fee amount mentioned earlier. She concludes that it's a good deal and she's supportive. Resident Candace Jones is against the abatement and feels it's too favorable to the developer.

Next Steps: The BOMC will vote on this MOU at the next regular meeting.

Item No. 4

Discussion of Ordinance Adoption Process

City Manager Patrick Bryant proposes crafting an ordinance to change the process of enacting future ordinances. If the Board approves, the process would be reduced from three readings to two, with an option for immediate consideration if the vote is unanimous. The Mayor asks City Attorney Stephen Quinn about how the process would work if this change is made. Mayor Elmore explains to the audience that he's discovered that other cities do not conduct three readings of proposed ordinances. He feels making this change would be more efficient. Mayor Pro Tem Fisher asks if the ordinance being voted on would have previously been discussed in a work session and the response was yes. Mr. Fisher says he wants to make sure there is time for public comment. There is more discussion about the mechanics of this proposed change. Mr. Bryant add that this process is the most commonly used and still allows for multiple opportunities for public input. Ms. Yelton is supportive of the change. Commissioner Shortell says a lack of public comment was her concern as well. Resident Kathy Kingsbury offers an alternative process. Dee Merriam asks about length of notice for such items and Mr. Quinn responds. Candace Jones agrees that often items aren't posted with enough notice for people to review them. Ms. Jones agrees with efficiency being a positive but thinks safeguards need to be put into place. Mayor Elmore requests a memo outlining the proposed change as well as some alternatives. Mr. Bryant agreed and said he would like to also have the attorney draft an ordinance just for discussion. Mr. Fisher is supportive but wishes to continue the discussion.

Item No. 5

Discussion of Draft 2019 Budget

City Manager Patrick Bryant says it's staff's intention to have a second and final draft of the budget available at the next work session. Mr. Bryant wants to continue the discussion about some proposed changes. One of those changes involved sidewalk funding. He also announced

staff changes, including promotions for City Planner Keri Stevens to Assistant City Manager and Finance Director Ken Turner to Deputy City Manager. There are plans to hire an additional staffer for the planning department. Mr. Bryant also discusses a take-home car program in the police department and staff's desire to institute one as a way to recruit and maintain officers. That would require purchasing eight more police vehicles. There will be extra funds for staff salary increases which Mr. Bryant would like to keep in place since some roles and responsibilities will change. He also distributed a list of capital needs for review and clarifies that all costs listed are just estimates. Mr. Bryant tells the BOMC that City staff will be meeting with a financial advisor who specializes in strategic municipal finance. Commissioner Shortell is pleased with the staff changes and would like to take time to review the capital needs list. Since a capital budget doesn't need to be approved before the end of the year, Mayor Po Tem Fisher suggests separating it from the operating budget. He is also pleased with the staff promotions and the funding for sidewalks but needs time to consider the funding for more police vehicles. Mr. Bryant explains the unique wear and tear on police vehicles and says the life of one if a take-home program was instituted would be about seven years. He added that three new cars are currently needed. Commissioner Yelton congratulates promoted City staffers. She also asks questions about the line item for land acquisition and would like to see more breakdowns on paper. Mayor Elmore supports talking to a financial planner, funding sidewalks and leaving the capital budget approval for later. Ms. Shortell asks if the police department is fully staffed. Police Chief Thomas says there have been two resignations in the last two weeks. Joe Anziano asks about budgeting for the zoning code rewrite and also comments on the police car take-home program. Candace Jones comments that the list of capital needs was not posted on the website and the last budget posted was on August 31st. She's concerned there will not be enough time for public input before the budget is approved and also about the new expenditures. The City is not big enough to require an assistant and deputy city manager, she adds. She questions how many police officers live inside the City. Mr. Fisher points out that nothing from the operating budget would cause the City to go into reserves. Kathy Kingsbury has a question about salaries and how raises are being paid for. Mr. Bryant says that money is being redistributed from what was budgeted for additional police officers. Business owner Stacia Hopek asks what motivates officers for wanting take-home cars. There was discussion about the advantages being financial, psychological (such as promoting pride of ownership), and logistical. Mayor Elmore points out that officer turnover also costs money. Ms. Shortell is told that the City's salaries for police is competitive and she requested a list of pros and cons for a take-home program. Resident Jan Hover is concerned that police turnover could lead to a crisis with so many additional residents moving into new developments. Dee Merriam asks if enterprise fund items like dredging the lake are on the capital needs list. Some are, she is told.

Next Step: This will be discussed again at a future work session.

Item No. 6

Zoning Code Rewrite

City Manager Patrick Bryant says this project is currently budgeted at a cost of \$75,000 although that's just an estimate. He asks for any input from the Board for the request for proposals (RFP). Mayor Elmore says he would like to move forward. When Commissioner Yelton asks if the planned development (PD) zoning would be included, Mr. Bryant says everything will be under review. Commissioner Shortell asks about the historic preservation and architectural review guidelines. Mr. Bryant said the goal is to update everything at the same time. There is also discussion of street typology. Ms. Shortell would like to see that incorporated into the zoning. Mr. Bryant said that could be an option put into the RFP. When Mr. Fisher asks if the Central Business District (CBD) zoning was only being considered, Mr. Bryant says residential could be done as well depending on resources. The consensus is that the CBD is the priority. Mr. Fisher requests that the Historic Preservation Commission (HPC), Architectural Review Board (ARB) and Planning and Zoning Board (PZB) all be involved in the process. City Planner Keri Stevens tells the group the zoning code will be shortened and streamlined, including diagrams and graphics. Mayor Elmore asked about the process of zoning issues and who is on point to update that. He wants a roadmap of sorts laid out for those interested in developing in the future. Mr. Bryant says City staff will work with the consultant on the matter and it will be included in the RFP. Martha Teall asks a question about the price quote from Calfee and what that included. Ms. Stevens listed everything that estimate includes. Jan Hover says she hopes the BOMC doesn't diminish the input from the advisory boards such as the HPC. Dee Merriam had questions about the timeline for the RFP. City staff says they can move quickly once given the go ahead by the BOMC. Ms. Merriam requests the related advisory boards get a chance to comment on the scope of work before it's advertised. Commissioner Yelton asks if this project will address storm water at all. Ms. Stevens says not currently. Mr. Bryant suggests that be a separate project. She mentions how building taller homes on the residential side can affect storm water. Ms. Stevens says she will look into the matter. Ms. Shortell discussed streetscapes that could impact storm water and that go ahead and be putting into the zoning update.

Item No. 7

Potential Sunday Alcohol Sales Ordinance Change

Commonly referred to as the "Sunday Brunch Bill", this new law allows restaurants to begin selling alcohol on Sundays starting at 11am instead of 12:30pm. In a local referendum, voters decide on November 6th whether or not to allow the practice in Avondale Estates. If approved, the BOMC and City staff will discuss the process going forward.

City Attorney Stephen Quinn tells the Board that this change to the ordinance will require three readings. Mayor Elmore is in favor of accelerating the process. He believes the local businesses need the change as soon as possible. Mayor Pro Tem Fisher mentions prohibitions

on businesses like the Beer Growler that he would like to look into. City Manager Patrick Bryant says staff is looking into it. Commissioners Shortell and Yelton support the measure and expediting it. Lost Druid Owner Stacia Hopek explains there is a difference between retail and manufacturing where alcohol is concerned. Mr. Fisher also requests that staff reach out to the Avondale Estates Business Association to keep them informed.

Item No. 8

Future of the Ad Hoc Committee for Greenspace

This committee was formed by a BOMC resolution in October of 2015. The group has submitted their final report on greenspace within the City limits. The BOMC will discuss the future of the committee.

Mayor Elmore thanks the Committee for all they've done. He thinks they were very successful. He adds that the BOMC and City staff need time to digest their final report. The Mayor would like to hear from City staff as to whether they feel the Greenspace Committee needs to be permanent or if the City should rely on paid consultants. Commissioner Shortell agrees. She suggests City staff actually meet with the Greenspace Committee. City Manager Patrick Bryant offers that the BOMC also has decisions to make about the Committee. Mayor Pro Tem Fisher feels the focus for the foreseeable future needs to be on developing the town green on the City-owned four acres. He believes consultants should work on that and adding another committee to the process could slow things down. Commissioner Yelton thanks the Committee, would like to hear from them and wouldn't want them to get burnt out. Dee Merriam wants the greenspace requirements to be looked at.

Next step: City staff will meet with the Greenspace Committee to discuss their role in the future.

Item No. 9

Update on Other Boards & Committees

City staff will update the BOMC on the status of openings on the Personnel Board, Ethics Board, Planning & Zoning Board, and the Historic Preservation/Architectural Review Board. The BOMC will also discuss the efforts to assemble an Arts Council.

Mayor Elmore discusses the proposed Arts Committee. There were only three applicants and considering all the projects underway he feels it's best to put the Arts Committee on the back burner. Commissioner Shortell agrees but wants to make sure the BOMC keeps the arts in mind. Mayor Elmore discusses how the Avondale Estates Business Association (AEBA) was revived and perhaps some of the local arts groups could be revitalized as well. Mayor Pro Tem Fisher agrees. Commissioner Yelton understands there were not many applicants but she also feels that arts plays a role in everything they do. City Clerk Gina Hill gives an update on the other boards and their open seats, status of interviews, etc. There is discussion about the Personnel Board and whether or not it is required by law or the City's charter or ordinances. City Manager Bryant adds that next year, he would like to get the

employee policies updated. Ms. Yelton would like to revive the Education Ad Hoc Committee or at least start that conversation. Martha Teall, Chair of the Planning & Zoning Board, asks procedural questions about filling that board's openings. City Attorney Stephen Quinn answers a question about what happens if the BOMC has to make a board appointment decisions. Resident Klaus Van Den Berg says the arts plays a large role in economic development.

Item No. 10

Regulation of Short-Term Rentals

Many communities are now home to short-term rentals, such as properties listed with Airbnb and VRBO. At the BOMC's request, City staff has researched how other cities in the state have approached this trend.

City Manager Patrick Bryant explains that the Georgia State Legislature is due to put out a report on this matter by December 1st. City staff is waiting for that before making any recommendations. Mayor Elmore asks some questions about what is meant by owner occupied. Mayor Pro Tem Fisher asks about the purpose of this matter being brought up for discussion. Mr. Bryant lists the potential issues involved that could potentially be problematic. Commissioner Yelton would like to see data about the number of these rentals in Avondale. City Planner Keri Stevens suggested just looking on the rental websites and searching for the Avondale zip code. Kathy Kingsbury asks if the report is for the upcoming legislative session. Ms. Hill answers that it's her impression that the report is just for guidance. Ms. Kingsbury said there is an ordinance that doesn't allow for renting accessory buildings and she feels it needs to be enforced. Candace Jones agrees.

Item No. 11

Highway US 278/Clarendon Avenue Road Milling

The City selected POND to complete the engineering drawings and work with Georgia Department of Transportation (GDOT) to permit the North Clarendon/US 278 Approach and Intersection Project. POND has submitted all documents to GDOT and is waiting for approval. POND has also suggested milling the road as part of the improvements and while GDOT is funding the project, milling is not something they will pay for. The BOMC will decide if they wish to proceed with milling the road, which is projected to cost about \$10,000.

City Manager Patrick Bryant explains this item. There was some questions posed to City Manager Keri Stevens. Ultimately, each member of the Board says they support moving forward with the milling. Kathy Kingsbury has more questions about cost, answered by Ms. Stevens.

Item No. 12

Open Area, Deck and/or Patio Alcohol Sales – Kafenio

The restaurant owner has proposed outdoor patio sales at Kafenio at the new development on the corner of East College and Sams Crossing (The Willis). Section 3-73 of Official Code of Ordinances states that: "No consumption and/or sale of alcoholic beverages shall be allowed in open areas, decks, patios or similar unenclosed spaces on the premises of an establishment licensed to sell alcoholic beverages unless

written application is made to and approved by the governing authority under such conditions as it may deem appropriate for the protection of public health, safety and welfare including, but not limited to, maximum capacity, ingress and egress."

Board members each says they support this application. It will be voted on at the next regular meeting.

Item No. 13

Open Area, Deck and/or Patio Alcohol Sales – Banjo Coffee

The owners of Banjo Coffee have also submitted an application for patio sales (see above). These applications are subject to approval by the BOMC.

Board members each says they support this application. It will be voted on at the next regular meeting.

Item No. 14

Open Area, Deck and/or Patio Alcohol Sales – The Lost Druid

The owner of The Lost Druid has also submitted an application for patio sales (see above). These applications are subject to approval by the BOMC.

Board members each says they support this application. It will be voted on at the next regular meeting.

Item No. 15

Public Comment

Item No. 16

Adjournment

Mayor Pro Tem Fisher moved to adjourn. Commissioner Shortell seconds. All ayes.

APPROVED THIS 10th DAY OF DECEMBER 2018


Jonathan Elmore, Mayor

ATTEST:


Gina Hill, City Clerk