



# CITY COUNCIL MEETING

Donna Pittman-Mayor

Robert J. Patrick-District 1

Trudy Jones Dean – District 2

Karen Pachuta – District 3

Pam Fleming – District 1

Brian Bates – District 2

Maria Alexander – District 3

Mayor Pro-Tem

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## AGENDA

September 3, 2013. 6:30PM

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**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF MINUTES:**

- a) July 15, 2013
- b) August 5, 2013

**5. APPROVAL OF MEETING AGENDA**

**6. PUBLIC COMMENT**

**7. CONSENT AGENDA**

**8. ORGANIZATIONAL AND PROCEDURAL ITEMS**

**9. REPORTS AND PRESENTATIONS**

- a) City Manager Update

**10. UNFINISHED BUSINESS**

- a) Credit Cards Fees-Lisa Ferguson
- b) Temporary Structures/Pop Canopies- Councilmember Pam Fleming
- c) Text Amendment to § 23-702- Councilmember Trudy Jones Dean

**11. NEW BUSINESS**

- a) Planning Commission Member Appointment-Councilmember Brian Bates
- b) Amending Chapter 5 to Add Minimum Space Requirements for Business Establishments

**12. OTHER BUSINESS**

**13. COUNCIL COMMENTS**

**14. ADJOURNMENT**



**AGENDA ITEM REQUEST SHEET**

**Subject: Resolution to add Fees for Credit Card Transactions to the Fee Schedule**

**Date of Meeting:** August 19, 2013

**Budget Impact:**  Yes  N/A

- Regular
- Work Session
- Recommendation
- Policy/Discussion
- Report
- Ceremonial
- Other

**Budget Impact Amount:** \$ \_\_\_\_\_

**Funding Source:**

- Annual
- Capital
- Grant(s)/ Technical Assistance
- N/A

**Department:** Finance

**Department Head:** Lisa Ferguson

**Background:**

During the most recent fiscal year, the City of Doraville processed over 5,700 credit card transactions, which resulted in merchant service fees and bank fees totaling over \$18,000.

The City pays an average of \$3.73 per credit card transaction for face to face transactions. Because the fee structure charged by Visa/MasterCard is so complex, it is nearly impossible to determine how much any given transaction actually costs. During FYE 2013, our cost per transaction ranged from a low of \$2.06 per transaction to \$41.21 per transaction on the high end. Departments like the Jail and Court process a large number of transactions so their "per transaction" costs are much lower. The fixed components of the merchant service bills cause the "per transaction" cost for lower volume departments to average a much higher cost per transaction.

These cost estimates cover only the actual costs charged to the city by the bank and merchant card processor. They do not include any component of staff time needed to administer the credit card program.

Until recently, governments were prohibited from charging fees for face to face credit card transactions. Fees were only allowed on online transactions. We currently charge fees for court and recreation transactions that are paid via credit card using online payment gateways.

A processing fee of \$4.00 per transaction would generate approximately \$13,000 to offset the City's costs for credit card processing. This estimate is less than the total cost of \$18,000 noted above because the online portion of the transactions is already being charged this fee.

**Recommendation:**

Approve the resolution to add a \$4.00 per transaction fee for face to face credit card transactions to the Citywide Fee Schedule.

**RESOLUTION TO AMEND A SCHEDULE OF FEES  
FOR THE CITY OF DORAVILLE TO ADD CREDIT CARD TRANSACTION FEES**

**WHEREAS,** the Mayor and City Council previously adopted a schedule of fees for all fees assessed by the City; and

**WHEREAS,** the City currently charges a credit card transaction fee for credit card payments for Municipal Court and Recreational Programs that are paid for online in order to offset the cost of credit card transactions for the City; and

**WHEREAS,** The Mayor and City Council desire to extend the fee to all credit card transactions without regard as to whether they are charged online or in person, in order to offset the cost of credit card transactions for the City.

**THEREFORE, BE IT RESOLVED,** that the MAYOR AND COUNCIL OF THE CITY OF DORAVILLE does hereby amend the schedule of fees, as attached hereto and incorporated herein, to add a \$4.00 processing fee per face-to-face credit card transaction performed by the City, and hereby readopt the attached Fee Schedule as amended by this Resolution.

**BE IT FURTHER RESOLVED** by the Mayor and Council for the City of Doraville that the attached revised fee schedule, and as further amended in the future, shall be kept on file with the City Clerk and available upon request.

Approved:

\_\_\_\_\_  
Donna Pittman, Mayor

Attest:

\_\_\_\_\_  
Sandra Bryant, City Clerk  
(Seal)

**Summary of Credit Card Transactions**  
**For the period July 1, 2012 through June 30, 2013**

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Total number of transactions processed		5,762
Total dollar amount of transactions processed	\$	1,440,077
Total amount of fees charged to the City	\$	18,120

**Face to Face Credit Card Transactions**

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Total number of transactions processed		3,262
Total dollar amount of transactions processed	\$	881,162
Total amount of fees charged to the City	\$	12,177
Average cost per transaction	\$	3.73



THE CITY OF DORAVILLE  
AGENDA ITEM SHEET

Subject: Temporary Structures/PopUp Canopies

Date of Meeting: August 5, 2013

Budget Impact: \_\_\_Y \_\_\_x N

Budget Impact Amount: \_\_\_\_\_

Funding Source:

- Annual
- Capital
- N/A

- Regular Meeting ( x)
- Work Session ( )
- Recommendation ( )
- Policy/Discussion ( )
- Report ( )
- Other ( )

**CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE**

**Action Requested:** Approve the temporary use for PopUp Canopies, Tents, Gazebos in all residential districts to include Churches/Worship Centers for a permitted period of no greater than three days.

**History, Facts, Issues:** The word "tent" is not defined in section 402 Definitions of Chapter 23 Zoning Code of Doraville nor used outside of Chapter 23. The only time the word "tent" is used is prohibited for various uses. It has come to my attention that PopUp Canopies being used for Yard Sales and outdoor Church functions have been prohibited and asked to be removed. These canopies serve as shade for Vendors as well as light protection from rain. Group gatherings such as Park picnics, Art & Craft shows, Book sales commonly use what is termed the "PopUp Tent".

**Options:**

**Recommended Action:** Approve sending the request to the Planning Commission for evaluation and Legal Counsel to draft Ordinance. Allow a maximum 12'x12' "PopUp Tent" to be permitted in all residential districts and Worship Centers. See picture for example.



Department: City Council

Department Head: Mayor Donna Pittman

Submitted by: Pam Fleming



THE CITY OF DORAVILLE
AGENDA ITEM SHEET

Subject: Text Amendment to § 23-702.
Meeting (X)

Regular

Date of Meeting: August 5, 2013

Budget Impact: Y X N

Budget Impact Amount: \$

- Work Session ( )
Recommendation ( )
Policy/Discussion ( )
Report ( )
Other ( )

Funding Source:

- ( ) Annual
( ) Capital
( ) N/A

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Action Requested: Recommend staff and Planning Commission review and amend or delete text of the following Section of the Code:

"Sec. 23-702. - Yard space, general rule.

Any building, structure or use hereafter erected, altered or established shall comply with the yard space requirements of the district in which it is located except as specified below. The required yard space for any building, structure, or use shall be contained on the same lot as the building, structure or use and such required yard space shall fall entirely upon land in a district or districts in which the principal use is permitted.

(1) The front yard requirements of this chapter shall not apply on any lot where the average depth of the front yards of existing buildings on adjoining lots located wholly or in part within two hundred (200) feet on each side of such lot within the same block and zoning district and fronting on the same side of the street is either greater or less than the minimum required front yard depth.

If the average depth of the front yard is less than the required minimum front yard depth, the depth of the front yard of such lot may be less than the average of the front yards of the aforementioned buildings.

(2) If two (2) or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this chapter, and if all or part of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purpose of this chapter, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this chapter, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this chapter.

(3) In the case of a double frontage lot, the minimum front yard shall be provided on each fronting street."

I believe this provision is, and has been a problem. The community does not want to replicate the existing development pattern, and this contradicts other sections of the

Code. There are many buildings along Buford Highway that have a setback of 40+ feet. The vision (as I understand it) is to pull buildings up to the street. By not changing this section of the Code, we are allowing buildings to match the existing undesirable condition.

Department: City Council/Trudy Jones Dean

Administrative Comments and Recommendation:

Delete this Section of the Code to make it conform to the higher standards we are seeking.

Action Taken By Board: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Subject: Planning Commission Member Appointment

Date of Meeting: 9-3-16

Budget Impact:  Yes  No

Budget Impact Amount: \$                     

Funding Source:

Annual  Capital  Grant  N/A

- Regular Meeting
- Work Session
- Recommendation
- Policy/Discussion
- Report
- Other

**CITY OF DORAVILLE CITY OF DORAVILLE CITY OF DORAVILLE CITY OF DORAVILLE CITY OF DORAVILLE**

**Action Requested:**

Council Members Dean and Bates met with several interested and qualified candidates to fill the open Planning Commission seat. Based upon our interviews, we are recommending that Danielle Brown be appoint to fulfill the term.

**History, Facts, Issues:**

Seat was vacated when Commissioner Brown was appointed to the DDA.

Danielle is Real Estate Closing Attorney and lives in Chestnut Place.

**Options:** Approve Danielle Brown to fulfill the vacant seat or not.

**Recommended Action:**

We strongly recommend approving Danielle Brown for the vacant Planning Commission seat with an effective start date of October 1, 2013.

**Department:** Brian Bates, Council Member District 2

**Department Head:** Mayor

**Administrative Comments and Recommendation:** \_\_\_\_\_

\_\_\_\_\_

**Action Taken By Board:** \_\_\_\_\_

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\_\_\_\_\_



THE CITY OF DORAVILLE  
AGENDA ITEM SHEET

Subject: <b>Amending Chapter 5 to add minimum</b>	Regular Meeting	(X)
<b>Space requirements for business establishments</b>	Work Session	( )
Date of Meeting: September 3, 2013	Recommendation	(X)
Budget Impact: ___Y ___X___ N	Policy/Discussion	( )
	Report	( )
	Other	( )

Budget Impact Amount: \$ \_\_\_\_\_

Funding Source:  
( ) Annual  
( ) Capital  
( ) N/A

**CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE**

**An issue has been identified regarding use of space in commercial establishments. The attached Ordinance presents a regulatory solution that provides for minimum square footage requirements for business use.**

Options: \_\_\_To adopt this Ordinance or leave regulations as is.

Recommended Action: \_\_\_Adoption of this Ordinance.

Department: Planning                      Department Head: Joe Cooley

Administrative Comments and Recommendation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Action Taken By Board: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATE OF GEORGIA  
CITY OF DORAVILLE**

**ORDINANCE NO. 2013-\_\_\_\_\_**

AN ORDINANCE TO AMEND CHAPTER 5 OF THE CITY OF DORAVILLE, GEORGIA CODE OF ORDINANCES TO REGULATE REQUIREMENTS FOR MINIMUM SPACE FOR COMMERCIAL ESTABLISHMENTS; AND FOR OTHER PURPOSES

**WHEREAS**, the City of Doraville is tasked with preserving the health, safety, working conditions and welfare of the citizens of the City; and

**WHEREAS**, the Mayor and Council find that in order to protect commercial property from blight and depreciation, a requirement for minimum square footage of retail and commercial space is necessary to protect property values and provide for a more aesthetically and commercially useful construction; and

**WHEREAS**, in order to encourage the most appropriate use of land in the City, as well as mitigate effect of multi-business commercial establishments on accessory parking facilities, traffic and safety, it is necessary to require an enclosed space of minimum size for commercial establishments; and

**WHEREAS**, the Mayor and City Council find that a minimum space of 800 square feet for each business space is a rational floor space requirement and provides a proper balance between preservation of available space as well as the health, safety and welfare of the employees, customers and citizens of the City.

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DORAVILLE, GEORGIA HEREBY ORDAIN:

**Section 1**

Chapter 5 (“Buildings and Building Regulations”), Article III (“Other Building Regulations”) of the Code of Ordinances, City of Doraville, is hereby revised by adding new section 5-80 (“Minimum Non-Residential Floor Area Requirements”) to read as follows:

***Sec. 5-80. Minimum Non-Residential Floor Area Requirements.***

*Any single retail, service or wholesale business shall have a minimum of 800 square feet of gross floor space, which shall be fully enclosed on all sides and contain a ceiling that is fully enclosed and separated from any other business or common public space, if located in a new building or an existing building in which the number of business occupants is increased as a result of remodeling. Co-location of any such businesses into an existing business space or building after the date of adoption of this regulation shall require the minimum 800 gross square feet and required enclosed space for each business. In buildings or businesses with shared facilities, square footage of common public areas and/or facilities shall not be counted towards the minimum requirement of 800 square feet per individual business.*

**Section 2**

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 3**

This Ordinance shall be codified in accordance with state law and the Code of the City of Doraville, Georgia. This Ordinance shall become effective upon its adoption by the Mayor and Council.

SO ORDAINED, this \_\_\_\_ day of \_\_\_\_\_, 2013.

**CITY OF DORAVILLE, GEORGIA**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
First Reading

\_\_\_\_\_  
Second Reading

ATTEST:

\_\_\_\_\_  
(SEAL)  
Sandra Bryant, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Cecil G. McLendon, Jr., City Attorney

	Yea	Nay
Maria Alexander	<input type="checkbox"/>	<input type="checkbox"/>
Brian Bates	<input type="checkbox"/>	<input type="checkbox"/>
Pam Fleming	<input type="checkbox"/>	<input type="checkbox"/>
Karen Pachuta	<input type="checkbox"/>	<input type="checkbox"/>
Trudy Jones Dean	<input type="checkbox"/>	<input type="checkbox"/>
Robert Patrick	<input type="checkbox"/>	<input type="checkbox"/>