

CITY OF DORAVILLE
CITY COUNCIL MEETING MINUTES
FEBRUARY 7, 2005

Present: Mayor, Ray Jenkins
Mayor Pro-tem, Lamar Lang
Council, David Weese
Marlene Hadden
Jason Anavitarte
Donna Pittman
Ed Lowe
City Attorney, Rick Powell

Mayor Jenkins called the meeting to order at 7:00 p.m.

Council Member Anavitarte made a motion to approve the January 18, 2005 minutes as written. Council Member Lowe seconded the motion. Motion carried unanimously.

Jimmy Whitaker, with Meeks and Whitaker, PC, gave the annual audit report. Mr. Whitaker stated that the audit was conducted in accordance with standard accounting principles. Mr. Whitaker stated that the City was in great financial condition with excess revenue for the last audit year of \$1,972,000.00. Mr. Whitaker stated that with over \$4,000,000.00 in cash assets the city was 50% funded for a year. Mr. Whitaker explained that the City owned \$45,000.00 in common stock form Prudential Insurance Company. Mr. Whitaker suggested that the City sell the stock.

Mr. Whitaker stated that the City had no long term debt other than accrued vacation and sick leave balances. The sanitation department was losing money due to giving the Senior Citizens free garbage service and all the citizens free chipping services.

Mr. Whitaker went over his findings for items in lack of internal control and non compliance items. Council Member Hadden suggested that the Council have a work session with the Auditor to review the finding. A work session was set for February 17, 2005 at 10:00 a.m.

Mayor Jenkins thanked the Auditor and all of the employees who had worked to help Mr. Whitaker with the audit. Mayor Jenkins stated that the audit was good for the City and the City's future.

The City Clerk stated that each Council Member had a copy of the revised administrative and court amended budgets. \$10,000.00 would be move from general funds to the arena budget to fund to start up the sports program. \$30,000.00 had been allocated for the Livable Center Grant match. \$29,092.49 of the excess Insurance Premium Tax would be allocated to the general fund budget for an amended budget total of \$1,542,896.89.

The amended court budget amounted to \$1,565,087.26.

The City Clerk stated that an extra \$ 156,000.00 needed to be added to the Police Department budget for salaries and benefits for three approved positions. Mayor Pro-Tem made the motion to approve the budget amendments as written. Council Member Anavitarte seconded the motion. Motion carried unanimously.

Mayor Jenkins opened the public hearing for a rezoning request from Raymond Kuo For 1 & ½ acres 3529 and 3539 Shallowford Road to be rezoned from C-1 to C-2.

Lee Walton, with Robert & Company, stated that he had reviewed the rezoning application in accordance with the City of Doraville Zoning Ordinance. Mr. Walton recommended to the City Council that the rezoning request be approved. The rezoning was in compliance with the Future Land Use Map. Mr. Walton again stated that the rezoning should be approved with the following condition:

1. Sidewalks will be installed on Buford Highway and Shallowford Road.
2. The curb-cut on Buford Highway will be approved by DOT and the City of Doraville.

Mr. Kuo presented a picture of the proposed project.

Residents had the following concerns:

1. Parking
2. Greenspace
3. Height of the buildings
4. Storm water run-off
5. Turning lanes

The project will have a two story parking deck that will accommodate approximately 100 parking spaces.

There will be a detention pond on the property.

There will be some landscaping.

Mayor Jenkins closed the public hearing and stated that the second public hearing will be held on February 22, 2005 at 7:00 p.m.

Ennis Kerr was not present at the meeting so item 4 was taken off the agenda.

Hermie Noonan was not present at the meeting and asked for this item to be placed on the February 22, 2005 meeting.

Representatives from the McDonalds Corporation were present and asked for the City to grant a buffer variance on the existing property when the new McDonalds building is built.

The City Attorney stated that this item would have to be advertised. City Attorney will advertise the variance hearing.

Council Member Anavitarte stated that 2-1-71 of the Ethics Ordinance needed to be amended to allow for filling vacancies on the Ethics Board and set terms of service. Council Member Anavitarte made the motion to approve the amendments to the Ethics Ordinance. Council Member Hadden seconded the motion. Motion carried unanimously.

The City Clerk stated that K-Mart had gone into bankruptcy in 2001. The City had put an attachment to the bankruptcy for the 2001 property taxes but an attachment to the bankruptcy for the 2002 property taxes was never filed. The City Clerk asked the council to write off \$6,926.73 for the 2002 property taxes owed by the K-Mart Corp. Mayor Pro-Tem Lang made the motion to approve writing off the 2002 property taxes owed by the K-Mart Corp. Council Member Weese seconded the motion. Motion carried unanimously.

Mayor Jenkins stated that Council Member Pittman had requested a street light on Redwood. Council Member Hadden made a motion to approve the \$10.00 per month cost for the streetlight on Redwood. Council Member Lowe seconded the motion. Motion carried unanimously.

Mayor Jenkins stated that Waste Management had increased their fees by .54 per household per month. Mayor Jenkins asked the Council to pass this extra cost along to the sanitation customers. Mayor Pro-Tem made a motion to increase the sanitation fees by .54 per month per customer. Council Member Pittman seconded the motion. Motion passed with Council Members Lowe and Anavitarte voting no.

Council Member Hadden gave a brief update on new development within the City. Council Member Hadden stated that she and the Mayor Pro-Tem had visited Jack Halpern, the largest commercial real estate owner in the City concerning any plans for redevelopment. Mr. Halpern would be willing to participate in the Keep Doraville Beautiful Program.

Council Member Hadden stated that the City is in the process of getting help for the City Building Inspector.

The City attorney stated that each Council Member had received a copy of the proposed Internet Use Policy. The City Attorney asked the Council to review the policy. The Policy will be on the next Council meeting agenda.

Council Member Anavitarte stated that each Council Member had a copy of the amendments to the Sign Ordinance. The amendments deal with banners and flags.

The City Attorney stated that the City needed to change its Hotel/Motel Tax Ordinance. The one that the City adopted does not comply with State Law. The City Attorney suggested that the City go back to the 5% Hotel/Motel Tax. The City Attorney will draft an Ordinance for the February 22, 2005 meeting.

The City Clerk asked the Council to approve the job descriptions and make the job descriptions a part of the Employee Manual. Council Member Anavitarte made a motion to approve the job descriptions and make the job descriptions a part of the Employee Manual. Council Member Hadden seconded the motion. Motion carried unanimously.

The City Clerk asked the Council to approve adding a section to the Employee Manual requiring all employees who drive a City vehicle to have an annual MVR. Council Member Hadden made a motion to approve Ordinance # 05-03 to require all employees who drive a City vehicle to have an annual MVR. Council Member Anavitarte seconded the motion. Motion carried unanimously.

Acting Police Chief McElroy gave a brief report on the call statistics for the month of January. The Acting chief also gave a brief report on an incident that happened last week between two Asian males. One of the males ended up committing suicide.

Chris Avers came up to the podium to speak on the Planning commission. Mayor Jenkins asked if Ms. Avers had anything new to report concerning the Planning Commission. Ms. Avers did not.

Citizen's comments: One citizen stated that if the property on every street in the City was as well maintained as Park Avenue then the City would be beautiful.

One citizen reported that she saw two tanker trucks run a red light at the same time this past week. Acting chief McElroy stated that he would alert his Officers to this incident.

One citizen asked about the red light cameras. Acting Chief McElroy stated that the cameras should be in place by July.

One citizen asked why Dekalb County had not responded to the request for help at the English Oak Park.

Mayor Pro-Tem Lang stated that he knew of several businesses in the City that had not paid the business license fees.

Council Member Weese reported that the sinking problem at the English Oak Tennis Court was getting worse.

One citizen stated that the City did not need a Planning Commission. The citizens paid the Council to make those decisions and that a Planning commission was not necessary.

Mayor Jenkins adjourned the meeting.

Approved

Attest

Mayor, Ray Jenkins

City Clerk