

CITY OF DORAVILLE
CITY COUNCIL MEETING MINUTES
FEBRUARY 22, 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 February 7, 2005 minutes as written. Council Member Pittman seconded the motion. Motion carried unanimously. Council Member Hadden requested that the 18 reportable conditions be made a part of the minutes and attached thereto.

The City Clerk asked the Council to approve the Corrective Action Plan so she could mail it along with the audit to the Georgia Department of Audits and Accounts. Council Member Hadden made a motion to approve the Corrective Action Plan. Council Member Pittman seconded the motion. Motion carried unanimously.

The City Clerk asked the Council to approve the Dekalb County Board of Registration & Elections holding the 2005 City of Doraville Municipal Election at a cost of approximately \$2,400.00. Mayor Pro-Tem Lang made a motion to contract with the Dekalb County Board of Registration & Elections to hold the 2005 City of Doraville Municipal Election. Council Member Lowe seconded the motion. Motion carried unanimously.

The City Clerk asked the Council to approve the bid from Howard Brothers for a riding lawn mower at the cost of \$5,769.20. Council Member Hadden made the motion to approve the bid from Howard Brothers for the riding lawn mower at the cost of \$5,769.20. Council Member Weese 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 and landscaping 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.
3. The land disturbing permit must be obtained from Dekalb County within 12 months of rezoning and construction on the project must be started within 18 months of rezoning.
4. The parking deck not be visible from Buford Highway and include usable space.
5. The project must meet Dekalb County's standards for storm water management and the detention pond will be landscaped and shielded from the highway.
6. All existing trees and landscaping will be preserved.
7. The building shall have a maximum height limitation of 46'.
8. The design of the building and the landscaping will be approved by the City of Doraville inspection staff.

Mayor Jenkins closed the public hearing and asked for a motion from the Council..

Council Member Hadden made a motion to approve the rezoning of the property from C-1 to C-2 with all of the above conditions. Council Member Pittman seconded the motion. Motion carried with Council Member Anavitarte voting no.

Hermie Noonan asked the Council to waive the \$5.00 sanitation penalty because she did not receive her bill in the mail. Mayor Pro-Tem Lang made a motion to deny Ms. Noonan's request to have the \$5.00 penalty removed from her sanitation bill. Council Member Weese seconded the motion. Motion carried with Council Members Hadden and Lowe voting no.

Council Member Hadden reported that the City of Doraville had received an application to construct a cell tower on Peachtree at Tilly Mill. Council Member Hadden stated that the City should receive revenue from parking lots that charged a fee for parking.

Council Member Hadden requested that an RFP be sent out for a part-time building inspector.

Council Member Hadden stated that the question from the audit had been satisfied at the work session. Some of the reportable conditions were easy to fix while others were not so easy. Council Member Hadden stated that the current Bookkeeper was ineffective at doing her job. Council Member Hadden made a motion to send out RFP's immediately for a bookkeeping service. Council Member Anavitarte seconded the motion after

stating that the City had addressed the issue with the former City Clerk and the Court Clerk. Council Member Anavitarte stated that the negativities going back and forth with the Council were affecting the City employees. One employee in City Hall had turned in her resignation.

Mayor Jenkins stated that Mrs. Murphy had done a great job for the 12 years that she had been with the City.

Mayor Pro-Tem Lang stated that he was for keeping Ms. Murphy as the Bookkeeper. She had done a wonderful job for the City especially through out the audit process.

Council Member Lowe stated that most of the reportable conditions had already been corrected and he saw no reason to hire a new Bookkeeper.

Mayor Jenkins called for a vote. Council Member Hadden and Council Member Anavitarte voted yes. Council Members Lang, Lowe, Pittman and Weese voted no. Motion did not carry.

Council Member Hadden stated that she would like to have a work session to discuss Policies and Planning Procedures. Lee Walton had submitted a seven step policy for all rezoning applications and variance request. Mrs. Hadden would like to have a work session on Thursday February 24, 2005 at 10:30 a.m. She would like for Lee Walton to be present at the work session.

Council Member Anavitarte made a motion to put a four (4) month moratorium on all commercial rezoning, variances, and development, including the issuance of permits. The moratorium would allow for the development of the Comprehensive Land Use Plan and the LCI Study. Council Member Pittman seconded the motion. Motion carried unanimously.

Council Member Anavitarte stated that the City of Doraville had received an \$ 80,000.00 Transportation Grant for the Atlanta Regional Commission. There will be a 20% match from the City of Doraville. Once the LCI Study is finished the City can apply for more grant money.

The City Attorney stated that each Council Member had received a copy of the proposed Internet Use Policy and that this was the second reading of Ordinance 05-02. Council Member Anavitarte made a motion to adopt the Internet Use Policy and make it Section 11 of the Employee Manual. Council Member Lowe seconded the motion. Motion carried unanimously.

The City Attorney stated that the City needed to appoint a Judge for the Municipal Court. The City Attorney recommended Norm Quadra. Council Member Hadden made a motion to appoint Norm Quadra as the Municipal Judge. Mayor Pro-Tem Lang seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to adopt the revision to the Sign Ordinance, #05-03. Council Member Hadden seconded the motion. Motion carried unanimously.

Council Member Lowe made a motion to approve Ordinance # 05-06, Hotel/Motel Tax. The Hotel/Motel Tax will be 5% and distributed according to the Ordinance. Council Member Anavitarte seconded the motion. Motion carried unanimously.

The Inter-governmental agreement between the City of Doraville and Dekalb County was tabled until the February 27,2005, work session.

Council Member Lowe made a motion to adopt the Record Retention Resolution. The Resolution is stating that the City of Doraville will use the State minimum standards for record retention and disposition. Council Member Anavitarte seconded the motion. Motion carried unanimously.

Council Member Hadden made the motion to adopt Ordinance # 05-04. Council Member Lowe seconded the motion. Motion carried unanimously.

Council Member Hadden made the motion to adopt Ordinance # 05-05. Council Member Pittman seconded the motion. Motion carried unanimously.

Acting Chief McElroy asked the Council to approve a one-time bonus for Amy Clark , who has been filling in as acting Court Clerk. Council Member Hadden made the motion to approve the one-time bonus for Amy Clark. Council Member Anavitarte seconded the motion. Motion carried unanimously.

Acting Chief McElroy stated that he had hired a new Court Clerk with a starting pay of \$35,000.00. The new court Clerk will start immediately.

Acting Chief McElroy thanked Tom Hart for all of his help with the gasoline tanks.

The City Clerk stated that each Council Member had received a copy of the financial report. A listing of all checks written for the month of January was on the counter in City Hall for review. The City Clerk asked the Council to review the financial reports and if they had any questions please ask. All the budget amendments have not been entered into the accounting system yet.

Chris Avers asked the City Council to consider hiring a City Manager. Ms. Avers stated that all of the other cities had City Managers and she thought the City would run more efficiently with a City Manager.

Mayor Jenkins stated that he had spoken with some of the other cities that had City Managers and some of the other cities were unhappy with their City Managers. Mayor Jenkins stated that he and the City Clerk could handle anything that came up.

Mayor Pro-Tem Lang stated the citizens of Doraville had voted to have a full time Mayor instead of a City Manager. The citizens would have to vote to change to a City Manager type government.

Council Member Hadden announced that Senior & Friends would be having a St. Patrick's Day luncheon on March 16, 2005 at 11:30 a.m. Everyone is invited. This is a pot-luck type luncheon, so bring a dish.

A work session will be held at the Civic Center on March 2, 2005, for discussion on the structure of a citizen's panel.

Citizens Comments: A gentleman stated that the sound had improved and everyone could hear tonight.

A lady asked if the LCI Study was already in process. Council Member Anavitarte stated that the contract with ARC would have to be completed and then RFP's will be sent out for qualified companies to do the study.

A gentleman ask the status of English Oak Park. Mayor Jenkins explained that the City did not have the money to re-pipe the creek. The Mayor stated that the City was working on a storm water contract with Dekalb County but that it would be some time before there would be enough money to replace the pipe.

A lady asked if there was any plans to finish repaving Tilly Mill Rd. Mayor Pro-Tem Lang stated that the repaving should be finished shortly.

Mayor Jenkins adjourned the meeting.

Approved

Attest

Mayor, Ray Jenkins

City Clerk