

**Minutes
City of Doraville
Council Meeting
March 1, 2004**

Those present:

Mayor Ray Jenkins

Mayor Pro Tem Lamar Lang

Councilmember Jason Anavitarte

Marlene Hadden

David Weese

Ed Lowe

Attorney Rick Powell

Not Present: Thurman Roach

1. The meeting was called to order by Mayor Jenkins.

2. The reading of the minutes of the regular meeting of February 17, 2004 were amended with regard to the increase in sanitation fees. The minutes should have also stated the increase was reflective of an increase in the contracted amount with Waste Management. The motion to approve the minutes as amended was made, followed by a second.
The motion carried unanimously.

3. Mr. James Gielghem of 3158 Moss Oak Drive came before the Mayor and Council to question the ethics of enforcing the City ordinance regarding commercial vehicles. Mr. Gielghem sighted City ordinance 19-63, 1-1-4, and the State of Georgia code 40-5-1437a and 7b. He felt the ordinance was unfair to persons with commercial vehicles. The primary problem seemed to be an unclear definition of a commercial vehicle. The cited State codes were in regard to driver's license section of the state law. After the allotted time Mr. Gielghem was thanked for his time and advised if he wished to come before the council at a later time he could do so.

4. Councilman Anavitarte brought up amending the city ordinance to protect property values as well as environmental issues. The ordinance concerns automotive repairs in the neighborhoods. It would be an adoption of DeKalb County's ordinance which places a 72 hour limit on automotive repairs being done on residential property and restrict automotive repairs being made on residential streets as well. Basically the ordinance would allow for a 72 hour period before a warning prior to a citation being issued. This ordinance is in the zoning section of the City and would have to be advertised. The ordinance would be drafted and ready for the first meeting in April.

Councilman Anavitarte made the motion to adopt the ordinance on restricting automotive repairs being done on residential property and streets.

Seconded by Mayor Pro Tem Lamar Lang.

The motion carried unanimously.

The second issue Councilman Anavitarte brought up was the littering fines imposed on violators. The proposed fine of \$500 would balance DeKalb County's ordinance in state and county roadways which defines littering in residential and commercial areas. The City's ordinance would encompass tossing litter from the window of a vehicle, or posting signs on telephone poles or other places in residential and commercial areas which could result in

littering. These code sections would be 04-05 and 04-06. These are two separate littering statutes.

Councilwoman Hadden made the motion to adopt the ordinance 04-05 placing littering fines at \$500.00

Seconded by Councilman Anavitarte.

The motion carried unanimously.

Councilwoman Hadden made the motion to adopt ordinance 04-06 with similar language placing littering fines at \$500.00

Seconded by Councilman Anavitarte.

The motion carried unanimously.

Councilman Anavitarte formally introduced for review the banning of gravel driveway. It is the intent to not cause harm to any resident with a gravel driveway. The proposal would grandfather in those residents currently with gravel substance driveway with a six (6) year phase out period for the gravel driveways.

Lastly, Councilman Anavitarte said excessive speeds in residential areas would be monitored. He has requested "strictly enforced" signs be installed in these areas.

5. Councilwoman Hadden reported the intersection of Buford Highway and I-285 was not a very pleasant site as motorists enter the City. She is looking into options for improving that section.

6. Mayor Jenkins said he was glad to report after a lengthy inspection and review of the mid-year budget the financial situation of the City was in good standing. He asked for a motion to accept the mid-year budget as it stands.

Councilman Anavitarte made the motion to approve the mid-year budget

Seconded by Mayor Pro Tem Lang.

The motion carried unanimously.

7. Chief King reported to the Mayor and Council funds in the amount of \$424,221.49 have been distributed as a result of the efforts of the FBI in Atlanta and the Doraville Police Department. Chief King gave special commendations to Lt. Josh Sellers and Detective John Kanupke for their hard work and dedication on drug control. From these funds received the Chief will reimburse to the City \$30,000 for the newly constructed narcotics building, and purchase two motorcycles for the COPS program. He would also like to proceed with the 911 program with the initial cost of \$10,000 to be paid from the asset funds awarded to the City.

Chief King formally requested the Council to allow the police department to begin to manage a 911 system to the City's switchboard directly. A conservative calculation from Bell South would be \$5445.00 per month. The cost to the City would be between \$3000 to \$3500 per month. There are other phone service carriers (such as MCI or cell phone users) which would also generate 911 service funds as well.

Councilwoman Hadden made the motion to proceed with the installation of the 911 service.

Seconded by Councilman Anavitarte.

The motion carried unanimously.

Chief King said expectations for implementation would be 90-100 days.

Chief King also reported he has a shortage of uniformed officers. Primarily due to injuries the department is short the necessary patrolmen. Chief King has re-assigned officers from various task forces to cover. Two persons are at the academy now and then one more will go. After

these persons finish and complete field training the department will better be able to meet the demands of the City. The shortage of personnel will result in less time to the special needs such as the neighborhood patrolling by COPS and Traffic. It will be mid-May before the department will be back to full staffing of the Police Department.

8. Mayor Jenkins said the furnace had gone out at the Library. Seals bids from two companies for replacement were opened. Due to the emergency situation the council proceeded with these bids. Bids were from Poland Heating and Air at \$2442.00 and United Maintenance, Inc. at \$2550.00.

Mayor Pro Tem Lang made the motion to accept the low bid from Poland Heating and Air. Seconded by Councilman Lowe.

The motion carried unanimously.

9. Attorney Rick Powell reported the Kupkowski case settlement agreement has not come in yet. As soon as it is available he would report to the Mayor and Council.

10. Approval of the payment of the bills.

Councilman Weese made the motion to approve the payment of the bills

Seconded by Mayor Pro Tem Lang.

The motion carried unanimously.

11. Resident time. A resident from Johnny's Lane requested the area on Beacon Drive be cleaned up. A Moss Oak resident had a warning sticker on an older vehicle which falls into the status of antique cars. The car must still be operable. The flat tire has been fixed. The resident will talk with Attorney Powell after the meeting. Mrs. Jett reported her street needs to be repaired, and other houses need to be cleaned up in the neighborhood. Mr. Hart ask the "no parking" signs be re-installed on Chestnut Drive.

Councilwoman Hadden announced Wednesday March 17th at the Civic Center there would be a pot luck meal and a book swap for the Doraville Seniors.

There being no further business, the meeting was adjourned.