

CITY OF DORAVILLE  
CITY COUNCIL MEETING MINUTES  
March 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 Lowe made a motion to approve the February 22, 2005 minutes and the minutes from the Called Council meeting on March 3, 2005 as written. Council Member Pittman seconded the motion. Motion carried unanimously.

George Awuku stated that he was requesting that the property located at 7170 Johnson Drive be rezoned from R-1 to C-1. Mr. Awuku stated that the City Council had previously rezoned the property to C-1, but the property was never developed, so the zoning reverted back to R-1. The property is approximately 1.2 acres and the proposed use of the property will be a wholesale jewelry store and warehouse...

Council Member Anavitarte asked about a buffer between the Commercial property and the residential apartments. Mr. Awuku stated that there would be a twenty (25) foot buffer between the commercial property and the residential property.

A woman who manages the apartment complex on English Oak Drive asked if the lights in the parking lot could be directed away from the residential property. Mr. Awuku stated that it was possible to direct the lights away from the residential property.

Mayor Pro-Tem Lang asked if Mr. Awuku would plant 6' Leland Cyprus trees in the buffer. Mr. Awuku stated that if that was what the Council wanted, then he would plant the 6' Leland Cyprus trees.

The hours of operation for the jewelry store would be from 8:00 am until 6 pm. One gentleman asked if a quiet zone could be put in effect from 7pm until 7am.

Mayor Jenkins stated that this was the first reading for the proposed rezoning. The second reading will be held on March 21, 2005.

Mayor Pro-Tem Lang made a motion to approve the McDonalds buffer variance. Council Member Hadden seconded the motion. Motion carried unanimously.

Council Member Hadden made a motion to ratify the contract with Ray Campbell. Council Member Pittman seconded the motion. Motion carried unanimously.

Council Member Hadden made a motion to adopt the policies and procedures written by Lee Walton. Council Member Anavitarte seconded the motion. Motion carried with Mayor Pro-Tem Lang voting no.

Council Member Hadden asked the Council to approve creating the Doraville Development Community Panel. Council Member Anavitarte asked if this was a planning commission or was it a steering committee. Council Member Hadden stated that it was a planning commission. The City Attorney stated that the Georgia Department of Community Affairs had specific guidelines for a planning commission and these guidelines had to be adhered to.

Council Member Anavitarte made a motion to table this item until the next work session. Council Member Lowe seconded the motion. Motion carried unanimously.

Council Member Hadden stated that there was no development to report.

Council Member Hadden read the job description for a Permit Clerk. Mayor Jenkins asked that this item be tabled until the work session.

The Financial Policies were tabled until the next meeting.

The City Clerk asked the Council to amend the agenda to include a representative from PSIP, LLC, to discuss non-compliance at Peachtree Square. Council Member Hadden made a motion to amend the agenda to allow the PSIP representative to speak. Council Member Lowe seconded the motion. Motion carried unanimously.

The PSIP representative stated that his company had purchased the Peachtree Square development. The development was built under the Dekalb County regulations and was in compliance when it was built. The City of Doraville's regulations called for a 50' set-back. Two the buildings had been built in the middle of the 50' set-back and a corner of the third building was in the 50' set-back. If the buildings were destroyed they could not be built back under current regulations. The representative asked the Council to reduce the set-back to 0'.

The City Attorney stated that this was a variance request and would have to advertised and a public hearing set up. The City currently has a four month moratorium on variances.

Council Member Hadden made a motion to give PIP, LLC a letter of intent, stating that the City of Doraville would grant the variance request when the moratorium was lifted. Mayor Pro-Tem Lang seconded the motion. Motion carried with Council Member Anavitarte voting no.

Council Member Lowe made a motion to approve the format for the new sanitation bill. The reduced cost of the bill would off set the extra postage. Council Member Pittman seconded the motion. Motion carried unanimously.

Mayor Pro-Tem Lang made a motion to approve the Driveway Ordinance # 05-07 and waive the second reading. Council Member Hadden seconded the motion. Motion carried unanimously.

The City Attorney stated that the Intergovernmental Agreement, Service Delivery Strategy, need to be reviewed and if necessary, changes should be made before signing the agreement. The City Attorney stated that the City of Doraville should be giving Dekalb County a certified audit of the Library each year and should have someone from Doraville on the Library Board. The City Attorney also stated the Dekalb County Board of Commissioners was having a Commission Meeting on March 9, 2005, and someone from the City needed to be present at the meeting.

Council Member Hadden made a motion to appoint Andrew Fernandez as the Public Defender. Council Member Lowe seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to approve the contract with ARC subject to the City Attorney developing an Affirmative Action Policy. Council Member Hadden seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to approve the letting of the RFP for the LCI grant study. Council Member Lowe seconded the motion. Motion carried unanimously.

The MIS contracts were tabled until the next meeting.

Council Member Anavitarte made the motion to amend the agenda to include Matthew Harner's nominee for the Ethics Committee. Council Member Lowe seconded the motion. Motion carried unanimously.

Mr. Harner introduced Martha Gilbert as the other member of the Ethics Committee and recommended that Charles Livingston be appointed as the third member of the Ethics Committee. Council Member Weese made a motion to approve the nomination of Charles Livingston as the third member of the Ethics Committee. Mayor Pro-Te Lang seconded the motion. Council Members Lowe, Hadden, Pittman and Anavitarte voted no. Motion failed.

Acting Chief McElroy had nothing to report.

Citizens Comments: A Lady asked about the Commercial Vehicle Ordinance. Mayor Jenkins stated that the Council was working on it and hoped to have it ready for the March 21, 2005 meeting.

A gentleman asked the Council if they were not going to fast. Mayor Jenkins stated that the Council had an all day work session on Thursday before the Council Meeting. All the items on the agenda had been discussed at the work session. The gentleman was welcome to attend the work sessions.

Doraville Senior and Friends are having a luncheon at the Civic Center on March 16, 2005. Everyone is welcome.

A lady thanked the Police department for their fast response when two teenagers set her front yard on fire.

The lady who manages the apartments on English Oak Drive stated that her tenants had no parking space because the ballroom customers were parking in their parking spaces. Acting Chief McElroy stated that he would take care of the situation. She also stated that Waste management was emptying the dumpsters at 3:00 am. She wanted to know if they could empty the dumpsters at a later time since this was disrupting her sleep.

Mayor Jenkins adjourned the meeting.

Approved

Attest

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Mayor, Ray Jenkins

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City Clerk