

**Minutes
City of Doraville
Council Meeting
March 15, 2004**

Those present:

Mayor Ray Jenkins

Mayor Pro Tem Lamar Lang

Councilmember's: Thurman Roach

Jason Anavitarte

Marlene Hadden

David Weese

Ed Lowe

Attorney Rick Powell

1. The meeting was called to order by Mayor Jenkins.
2. The minutes of the regular meeting of March 1, 2004 were approved as read. The motion to approve the minutes was followed by a second. The motion carried unanimously.
3. Mr. Ted Reinhardt of DeKalb Public Works and Mr. Taylor Wright with Post Buckley better known as PPS&J, which is the design engineers firm for DeKalb County presented the sidewalk construction proposal. Panoramic visuals were presented to the Mayor and Council which depicted the proposed sidewalk construction in the City beginning at Shallowford Terrace proceeding north to I-285. Funding of \$1.7 million is approved for the construction. Additional cost will be involved for the landscaping project. The time schedule for beginning the sidewalk construction project is February 2005. Cooperation between city property owners and the county is encouraged due to driveways being involved in the right of way for the sidewalk construction. A positive aspect of the project is the driveways not in compliance with the disability act would be brought up to code as the construction progresses. A safety feature of the design would be 5 mid-block crossings. Mid-block crossing is an area where pedestrians could cross in a raised median in the center of the street so as to be protected. Also overhead flashing lights to warn oncoming motorist there is a pedestrian in the area would be installed. These mid block crossings will be located at Shallowford Terrace across from the CDC, 2nd is IRS and CDC property at Beverly Hills Drive, 3rd is just north of Chamblee Tucker Rd., 4th is just up from McClave Drive across from Asian Square, and the next is at Pinetree Plaza across from the Evangelical Lutheran Church. These locations will be button activated, so as to allow the pedestrian to use them as necessary. The construction material will be similar to what was used north of I-285, concrete and brick.

The objective is to sell all the property owners along the roadway the positive aspects of constructing sidewalks for the overall improvements for the area. There are approximately 100 parcels to be acquired. The Post Buckley staff would be available to organize and facilitate meetings with small groups to

present the sidewalk design and construction to the parcel owners. Since the landscaping cost is not in the construction funds, there are several ideas of how these funds could be obtained to complete the landscaping of islands along the construction corridor.

4. Councilwoman Marlene Hadden discussed the call for proposals for a new auditor. Councilwoman Hadden requested the criteria for eligibility include not being related to anyone at the city, either by family or friendship. Attorney Powell will draft the proposal letter to be sent to the auditors. There has been no more contact with Don Briscoe. Proceeding forward with the proposal process it was believed the state of Georgia form would be used. The time frame is scheduled for the mid-month meeting of April. A minimum of 5 bids should be obtained.

Motion made by Councilwoman Hadden to approve sending the request for proposal to perspective auditor firms.

Second made by Councilman Ed Lowe.

Motion carried unanimously.

5. Councilwoman Marlene Hadden discussed establishments which sell alcohol in the City attracting illicit behavior. After 3 violations the owner would have to come before the council and show cause why they should be allowed to retain the privileged alcohol license. An egregious offense could warrant immediate action by the council to suspend the alcohol privilege license. After the court trial the offender would have to come before the council for determination if the license could be retained.

6. Councilwoman Marlene Hadden addressed the problem of rats in the neighborhoods. The rodent problem has become a major concern. Poisoning is not effective. A contributor to the rat problem is from the shopping areas which leaves open containers of garbage in the dumpsters. Contacting business owners and requesting a more stringent clean-up in the commercial districts was suggested along with contacting the DeKalb County Health Department. Residential garbage is also a contributor as well. Residents should be informed and encouraged to place household garbage into plastic bags and then place the bags in a trash can rather than just placed on the curb in the plastic bag. The bags can get torn and garbage strewn up and the down streets and attract rats.

7. Mayor Jenkins discussed the use of the City van by the boxing club volunteer. The city's insurance policy does not include a city vehicle being used by a non-employee. A separate policy can be purchased by an individual to cover the liability associated with an organized group. Information will be given to Bernard Styles, the volunteer at the boxing club which could allow him to get proper insurance if he so desires. It was the consensus of the council that use of any city vehicle by non-employees would not be allowed due to the liability placed on the city.

Councilman Jason Anavitarte made the motion to set a policy disallowing any person not employed with the City nor would the policy allow uninsured passengers the approval to use any City vehicle.

Seconded by Mayor Pro Tem Lamar Lang.

Motion passed unanimously.

8. Mayor Jenkins presented a letter from Georgia Power Company which called for a 35 year contract to place power poles in the city limits. Due to time limits placed on elected officials certain contracts can not be entered into. The council will review the letter more carefully and make a decision at a later time.

9. Mr. Noonan at 4316 Winters Chapel Road came before the council with a challenge on the commercial vehicle ordinance. His main statement dealt with *expo facto* laws. It was Mr. Noonan understanding the ordinance could not be enforced after the fact since he had his business license and vehicle. He cited many state and federal laws regarding definitions of commercial vehicles. The city ordinance stands as written and will continue to be enforced accordingly.

Councilman Jason Anavitarte requested to be placed on the agenda to speak regarding police personnel.

Councilwoman Marlene Hadden made the motion to allow Councilman Anavitarte to be on the agenda.

Seconded by Mayor Pro Tem Lang.

The motion carried unanimously.

Councilman Jason Anavitarte discussed the need for additional police personnel. He felt the need to give the Chief the approval to proceed with hiring the necessary patrolmen to continue with the progress began in the neighborhoods and as well as addressing security concerns. Chief King said the demand from the neighborhood calls has increased. Chief King said he needed 4 officers. The payroll budget was intact for additional personnel. When calls come into the police department prioritization is first to life threatening situations.

Councilman Thurman Roach made the motion to allow Chief King to hire 3 officers now before the end of the fiscal year, and then review the status of the staffing needs with the Chief to determine additional needs at that time.

For the record Councilman Jason Anavitarte said with regard to the rat problems and the clean up efforts in the commercial districts should be on-going. The future of the City was at the center of the efforts and the Police Department would be on the forefront to bring about these changes for a better City.

With having made the statement for the record:

Councilman Jason Anavitarte made the motion to allow Chief King to hire 4 additional patrolmen. However the motion had already been made to allow for 3 patrolmen to be hired.

Seconded by Councilwoman Marlene Hadden.

The motion carried unanimously.

10. Councilman Jason Anavitarte brought ordinance 04-06 regarding banning gravel for the driveway substance. The purpose is to enhance the beauty and protect the property values in the residential areas only. It would phase out gravel driveways over a 6 year period. Also the amendment would allow for a sunshine clause which calls for a review in September 2004, for effectiveness of the ordinance. The ordinance would also affect the zoning ordinance currently in place. The ordinance would also have to be advertised and require a second reading.

Motion made by Councilman Jason Anavitarte for adoption of ordinance of the first reading of 04-06.

Seconded by Mayor Pro Tem Lamar Lang.

The motion carried unanimously.

Mayor Jenkins asked that Councilman Weese be allowed to be placed on the agenda.

Motion made by Councilman Jason Anavitarte.

Seconded by Councilwoman Marlene Hadden.

The motion carried unanimously.

Councilman Weese asked if the consensus of the Council will like to continue with the Shrine Parade. Mr. Jim Atkinson said the Shrine Bowl is the actual football games played at the Forest Fleming Arena. Mr. Lang said he thought the city should do the clean up with the maintenance department and security provided by the police department. There are volunteers now involved to bring more children into the North DeKalb Athletic Association. There was applause from the attendees in support of the Shrine Bowl. The Shrine Bowl has been in Doraville for 29 years and Mr. Atkinson expressed sincere thanks to the City for supporting Honeysuckle Park. Volunteer recruitment is needed to bolster the sports program in the City. Mrs. Pam Fleming gave a financial report to the Council.

Mr. Lang said a special meeting will be arranged with the Officers of the Association to outline the needs of the program and discuss the degree of sponsorship of the City.

Councilman David Weese made the motion to arrange a special meeting to further discuss the Shrine Bowl.

Seconded by Mayor Pro Tem Lamar Lang.

The motion carried unanimously.

11. Chief King reported current crime statistics. A total of 87 cases are being worked by the Police Department.

The motorcycles are ready and the COPS program is ready to go. The same officers will also work the permitting of taxi cabs, alcohol and petroleum tanker drivers. The procedure has been changed to have permits issued on the birthdays of the applicants. Also the Chief is working on dividing the city into patrol beats.

Attorney Rick Powell brought Ordinance 04-07 regarding parking on the grass. Also the fines will be set for first and subsequent offences.

Mayor Pro Tem Lamar Lang made the motion for adoption of Ordinance 04-07. Seconded by Councilman Jason Anavitarte.

The motion carried unanimously.

Ordinance 04-08 is in regard to vehicle repair in residential areas. There is a part of this Ordinance which also amends (section 610) of the Zoning Ordinance. After advertising and a second reading, the ordinance will be presented for adoption.

Motion was made by Mayor Pro Tem Lamar Lang to approve the first reading of Ordinance 04-08.

Seconded by Councilman Thurman Roach.

The motion carried unanimously.

Approval of the payment of the bills.

The motion was made by Councilman David Weese.

Seconded by Councilman Thurman Roach.

The motion carried unanimously.

Motion made by Councilman Jason Anavitarte to resend the moratorium on issuing drive way construction permits.

Seconded by Councilman Ed Lowe.

The motion carried unanimously.

Resident Time: Patrolling stop sign area on Addison Drive was requested. A request was made for a sign to be placed on Oakcliff Road alerting drivers of persons turning into their driveways. Noise problems with loud music disturbing residential areas in District 1. Thanks were given for the new playground equipment at English Oak Park. Also traffic concerns in the English Oak area.

There being no further business the meeting was adjourned.