

CITY OF DORAVILLE  
CITY COUNCIL MEETING MINUTES  
March 20, 2006

Present: Mayor, Ray Jenkins  
Council, Marlene Hadden  
Jason Anavitarte  
Donna Pittman  
Ed Lowe  
Bob Spangler  
Tom Hart

City Attorney, Rick Powell

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

Council Member Hart made a motion to approve the minutes from the March 6, 2006 meeting. Council Member Spangler seconded the motion. Motion carried unanimously.

Mayor Jenkins stated that the Intergovernmental Agreement for Stormwater requires the City to send DeKalb County the storm water money by March 31, 2006.

Council Member Hadden made a motion to send DeKalb County a check for the storm water maintenance under the Intergovernmental Agreement. Council Member Spangler seconded the motion. Motion carried with Council Member Hart abstaining.

Council Member Hart passed out information that quotes the State Law pertaining to creeks being piped. The law states that only 200' of a creek can be piped. The existing pipe at English Oak Park is over 400'.

Mayor Jenkins announced that he would be meeting with representatives from the Carl Vinson Institute to discuss a quote for compiling an impact study in reference with the GM plant closing. Council Member Anavitarte asked the Mayor to also discuss studies that would be needed in connection with the proposed annexations.

Mayor Jenkins stated that he would be holding meetings with the Department Heads in conjunction with the proposed budget. Mayor Jenkins asked that the Mayor Pro-Tem be present at these meetings.

Mayor Jenkins announced that the Financial Committee had obtained interest quotes, from local banks, for the five (5) CD's that were coming due. American United and Summit Bank gave the same interest rate quotes. American United and Summit Banks gave the highest interest rate quotes. It was decided to leave the CD's plus interest at the American United Bank at an annual yield of 5.25%.

Council Member Hart made a motion to adopt the LCI Study as a Study only. The LCI Study has no legal standing. The City Council can pick and choose which of the projects

listed in the LCI Study will be incorporated into the Comprehensive Land Use Plan Update. Council Member Lowe seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to amend the agenda to include a Resolution that would allow the Mayor to apply for and accept grant money from ARC for the Zoning Ordinance Update. Council Member Hadden seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to approve a Resolution that would allow the Mayor to apply for and accept grant money from ARC for the Zoning Ordinance Update. Council Member Spangler seconded the motion. Motion carried unanimously.

Item #4 was tabled until the April 3, 2006 Council Meeting.

Thomas Stockton came forth and asked the Council to approve the rezoning of property located at 6101 Buford Highway from C-1 to C-2. The existing auto repair shop will be torn down and a new auto repair shop will be built plus two retail businesses. The proposed building will be approximately 3600 sq. ft. The property will be cleaned up and have a whole new look.

Dan Cohen, with Pond & Company, told the Council that he had reviewed the zoning request per the requirements in the City's Zoning Ordinance. Mr. Cohen asked the Council to deny the rezoning request. The commercial property to the sides of this property is zoned C-1 and in the rear of the property is zoned residential. This would be pocket zoning. The existing auto repair shop is grandfathered in but if the building is torn down then an auto repair shop would be a non-conforming use in C-1 zoning.

Council member Anavitarte made a motion to deny the rezoning request for 6101 Buford Highway. Council Member Hadden seconded the motion. Motion carried unanimously.

Johnny Lawler told the Council that he was not an expert in soil and erosion control or in stream bank buffers. Mr. Lawler stated that he had learned to depend on the experts and that Mr. Toning with the State Water and Soil Commission was an expert and asked Mr. Toning to come up to the podium.

Mr. Toning gave each of the Council Members a packet containing information and laws concerning stream bank buffers, soil and erosion control and state waters. Mr. Toning stated that the City of Doraville was responsible for issuing land disturbing permits and was also responsible for getting the site plans approved by the DeKalb Water and Soil Commission before a land disturbing permit could be issued by the City.

Mr. Toning also stated that House Bill 285 required all developers, contractors, and inspectors to be certified in soil and erosion control by December 31, 2006. Mr. Toning stated that the City did not have any employees that were certified in soil and erosion control.

Mr. Toning stated that the City had a 50' stream bank buffer. The buffer is measured 25' from the wretched vegetation line of each side of the stream bank.

Mr. Toning was asked the following questions from residents:

What is a riparian buffer?

Can you mow the vegetation that is located in the stream buffer?

How can you tell if a stream is a state water way?

Can the existing pipe in English Oak Park be replaced?

What if a parking lot is within two feet of a stream bank?

Mr. Toning referred to the EPD website for answers to all of the questions with the exception of the pipe at English Oak Park. Mr. Toning suggested that someone contact the EPD directly for an answer to that question.

Johnny Lawler referred to a Model Ordinance pertaining to stream bank buffers. Most of the Metropolitan Cities and Counties have passed this Ordinance.

Council Member Hart asked the Council to consider the Stream Buffer Ordinance that he had drafted. The City Clerk suggested that the Council take a look at the Model Stream Bank Buffer Ordinance. Johnny Lawler suggested that the City look at DeKalb County Stream Bank Buffer Ordinance. Normally the Cities within the County have the same Stream Bank Buffer Ordinance. This item was tabled.

Council Member Lowe asked that the Redwood Street area be cleaned up and the drainage problem that is causing water to stand be fixed immediately.

Item #8 was tabled until the next meeting.

Item # 9 was stricken at the work session.

Council Member Anavitarte stated that he would like to see the City give incentives to Police Officers who are willing to make their home in Doraville. Council Member Anavitarte asked the Council to think about this because it will be brought up again.

Council Member Anavitarte gave a brief update on the clean-up project for I 285, Buford Highway, and Peachtree Industrial Blvd. Council Member Anavitarte thanked Lt. Brinkley and Chuck Atkinson for getting these areas cleaned up.

Council Member Anavitarte gave a brief update on the proposed annexations and made a motion that the City move forward with any studies needed in conjunction with the annexation, and any public hearings that need to be held. Council Member Hadden seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to accept the quote from DeKalb Roads and Drainage Division (\$178,302.50) to replace the pipe in English Oak Park. The pipe will

be coated aluminum. Pending EPD approval to replace the pipe. Council Member Spangler seconded the motion. Motion carried with Council Member Hart abstaining.

Item # 16 was stricken at the work session.

Council Member Lowe made a motion to table the Commercial Vehicle Ordinance. Council Member Hart seconded the motion. Motion carried unanimously.

The City Attorney stated that this was the second reading for an amendment to the Code Book Section 15-12 that would allow pine straw and mulch to be used for landscaping purposes at residences and businesses. Council Member Lowe made a motion to approve the amendment to the Code Book, Section 15-12. Council Member Anavitarte seconded the motion. Motion carried unanimously.

Council Member Hadden made a motion to waive the first reading of an Ordinance that would require grease traps to be placed in the dumpster pad for food service type businesses. The Ordinance would also allow for a dumpster to be placed at the rear of the building without an enclosure. Council Member Hart seconded the motion. Motion carried unanimously.

Council Member Lowe made a motion to approve an Ordinance that would require grease traps to be placed in the dumpster pad for food service type businesses and allow for a dumpster to be placed at the rear of the building without an enclosure. Council Member Hart seconded the motion. Motion carried unanimously.

Council Member Lowe reported that his committee was still working on the Employee Hand Book.

Stewart Anderson reported that the Planning Commission would meet next Thursday.

Council Member Hart reported that he had gotten a firm to draw up the sidewalk plans for Chestnut Drive for \$1,200.00.

Acting Chief McElroy had nothing to report.

Bonita Hoffmeister asked about the red light cameras at the intersection of I 285 and Buford Highway. Acting Chief McElroy reported that over 800 citations had been issued since January.

A gentleman thanked the Police Department for being as efficient as they are. It had taken the Police Department 15 minutes from the time the 911 call was made to apprehend a flim-flam artist.

A gentleman thanked Council Members Spangler and Anavitarte for getting the Green Oak area cleaned up.

A lady asked about the pick up day for white goods. The City clerk explained that the Maintenance Department will pick up white goods the day after the normal household garbage is picked up.

A lady asked if something could be done about the commercial dumpsters. The truck comes to pick them up at 2:00 am.

Bonita Hoffmeister thanked Council Member Anavitarte for getting the I 285, Buford Highway, and Peachtree Industrial Blvd. area cleaned up. Ms. Hoffmeister asked if Longmire Way could be cleaned up also.

Mayor Jenkins adjourned the meeting.

\_\_\_\_\_Ray Jenkins, Mayor

Attest; \_\_\_\_\_  
City Clerk