

Minutes
City of Doraville
August 2, 2004

Those Present: Mayor Jenkins
Mayor Pro Tem Lamar Lang

Council members: Thurman Roach
Ed Lowe
Jason Anavitarte
Marlene Hadden
David Weese

City Attorney: Rick Powell

The meeting was called to order by Mayor Jenkins.

The minutes of July 6, 2004 and July 14, 2004 were read with a motion by Councilman Anavitarte and seconded by Councilwoman Hadden to approve. The motion carried unanimously.

Mr. Lee Anderson came before the Mayor and Council to discuss reconsideration of his application for the Doraville Police Department to issue him a Petroleum Identification Card to access terminal property. Mr. Anderson had previously been denied because he did not give correct information on his application. Mr. Anderson had met with Chief King and had numerous phone calls with the Police Department. The Mayor and Council had several questions for Chief King and Mr. Anderson. After that time it was brought to the table and motion was made by Councilman Anavitarte to deny Mr. Anderson a permit and seconded by Councilwoman Hadden. The motion carried unanimously.

Ms. Patty Barker came before the Mayor and Council to request an annual Doraville Police Appreciation Day be established. She suggested a committee be composed of four (4) Doraville citizens, one (1) member of the City Council, and one (1) employee of the Police Department to arrange the annual event and that this committee be voluntary. The committee will work together to draft a proclamation. A motion was made by Councilwoman Hadden to approve the Doraville Police Appreciation Day and seconded by Councilman Anavitarte. The motion carried unanimously.

The scheduled appearance of a representative of Romans VIII, LLC to discuss the rezoning consensus of seven (7) acres on Chestnut Drive did not appear and therefore the item was removed from the agenda.

Mr. John Hammontree appeared before the Mayor and Council to discuss the rezoning consensus

for a potential loft development at 5911 New Peachtree Road. He discussed that the site is a little more than 3 ½ acres. The City of Chamblee's ordinance allows for 30 units per acre. The City of Doraville does not have a zoning ordinance for this type of development. He brought City of Chamblee and Dekalb County ordinances for review by the Council to inquire if 30 units per acre would be appropriate for this type of development. The development he described is intended as a mixed use development with commercial frontage on New Peachtree Road together with residential. The Mayor and Mayor Pro Tem Lang indicated that the City only allows 16 units per acre under the current C-2 classification and that the C-2 classification will not allow the residential portion of the potential development. A concern that will need to be addressed was parking. The Mayor announced that a committee would need to be established to review any plans for the development and appointed council members Lowe, Hadden and Anavitarte to work with the City Planner and City Attorney.

Mr. Clint Howard came before the Mayor and Council to discuss the denial of the sponsorship of the Shriner Bowl. Councilwoman Hadden and Councilman Anavitarte indicated to Mr. Howard that the denial was based on the legalities of the Shriner Bowl.

Mayor Pro Tem Lang was called to discuss lawn care expense for weed control, repair of retention wall at the Police Department and the increase of the \$1,000.00 bid amount to a higher dollar amount. Mayor Pro Tem Lang felt that picking the least expensive company to do the weed control and repairs would be best for the City. Councilman Anavitarte suggested that the City get bids on weed killer. Attorney Powell announced that if the Council were willing to adopt the ordinance to raise the spending limit of the Mayor to \$5,000.00 that it would also contemplate getting bids or requests for proposals for things in excess of that and it also eliminates the needs for bids or certain items. Such as items that are single source vendor, state or federal contracts, buying from state or federal government, purchases under a contract. Councilwoman Hadden made a motion to waive a second reading of ordinance 04-19 and have ordinance passed, the motion was seconded by Mayor Pro Tem Lang. The motion carried unanimously. After the motion was passed, Councilwoman Hadden brought up that at sometime the Council needs to define an emergency situation and put that into the ordinance. Attorney Powell agreed and mentioned that with the work that we are doing we likely may end up amending this again.

Councilman Anavitarte was called to discuss the property located at 3310 Shady Oak. Attorney Powell indicated that he had talked with the appropriate people in the Police Department and they are going to arrange to have the lady served personally with a citation. After being served she will come before the court and the Judge will rule. As solicitor, Attorney Powell indicated that he will recommend as strong a penalty as possible.

Councilman Anavitarte next discussed the code enforcement in Oakcliff subdivision. He indicated that several individuals in the community are unhappy with the efforts of our City law enforcement. It also appears that individuals are taking matters into their own hands and confronting the neighbor. Chief King indicated that he would rather not have any citizen go and give someone a warning, that is strictly the job of the Police Department. The Mayor expressed that he felt the officers are not following through after the warning or citation had been given. Chief King indicated that the ordinances are sometimes not very clear, but that they do need to

work on an approach.

Councilman Anavitarte then requested the opening of the bids for City Planning and Engineering. All bids were reviewed. A motion by Councilman Anavitarte is made to accept the bid from Robert and Company and seconded by Councilwoman Hadden. The motion carried unanimously.

Mayor Jenkins then requested the opening of the bids for a new chipper truck. All bids are reviewed. A motion by Councilman Roach is made to accept the bid from Nalley Motor Trucks and seconded by Mayor Pro Tem Lang. The motion carried unanimously.

Chief King announced the opening of the bids for new police cars. Chief King indicated that the Council should pick the lowest bid, but that he had her that Ford is dropping their production of police vehicles by 5,000 and that it may take a while to get new cars. The Council reviewed the bids. Councilwoman Hadden makes a motion to accept the bid from Allen Vigil Ford in the amount of \$19,978 per police car, seconded by Mayor Pro Tem Lang. The vote carried unanimously.

Chief King indicated that now they need to select a bid for the City Inspectors vehicle. The Council reviewed the bids. Councilman Anavitarte made a motion to accept the bid from Allen Vigil Ford in the amount of \$19,667, seconded by Councilwoman Hadden. The motion carried unanimously.

Attorney Powell announced that he had two items to discuss. First item discussed was the second reading of the Offenses Against Property Rights ordinance. Attorney Powell recommended that the ordinance be passed. Motion was made by Mayor Pro Tem Lang to pass ordinance 04-18, seconded by Councilwoman Hadden. The motion carried unanimously.

Attorney Powell reviewed the revisions to the Financial Policy. He indicated that the policy was adopted June 21, 2004 and also that it was last revised as of this meeting. He also informed the Mayor and Council that it will continue to be revised as it gets developed. He recommended that the current revisions be adopted. Motion made by Councilwoman Hadden to adopt the revised policy, seconded by Councilman Roach. The motion carried unanimously.

Chief King began his presentation by announcing his commitment of \$36,000.00 from the asset forfeiture fund to the 911 system. The City will then be required to enter into an agreement to pay approximately \$9,000.00 per month for the services. The Council and the Police Department have discussed this situation during the last year and the initiative to get the red light cameras on Buford Hwy. and I-285. I would like to get a motion from the Council so that we can get the red light camera set up so that if you run a red light you will receive a ticket through the mail and if that works 6 months later go through a light at Peachtree Industrial Blvd. and I-285. Motion made by Councilman Anavitarte to accept the Red Light Camera Agreement, seconded by Councilwoman Hadden. The motion carried unanimously.

Chief King then gave a report on the financials, the payment of bills, and the asset forfeiture account. He stated that he will probably be required to return about \$45,000 to a drug dealer that appealed his case and beat the Dekalb County D.A.'s office in Court.

Chief King presented an update for crime statistics. He indicated to the Mayor and Council that Oakcliff is one of the hot topic areas and currently there were zero residential burglaries for the last month. That there have been four (4) commercial burglaries on Buford Hwy. in that area on Shallowford Road which is the Zone 3 area. He reported that the apartment complexes in the area are presenting the most serious problem with burglaries. So far the increased patrolling in the neighborhoods is starting to pay off a little bit.

Chief King then made mention to the Mayor and Council that it is important to get the retaining wall taken care of so that no one gets hurt and also to think about initiating the red light camera.

The Mayor then turned the floor over to the residents who wanted to speak.

Ms. Davis was called to speak and stated that she is in a run off for State Court Judge of Dekalb County. She gave her background. She then politely asked the community for their votes.

Clint Howard was called to speak and he stated that he would like to see the Council adopt a policy that if there is a special meeting called for a certain item, that only that item would be discussed unless an emergency item came up. The Mayor advised Mr. Howard that was already the City's policy and that the meetings are recorded.

A woman then spoke and complimented the City Attorney and stated that she was glad that a City Planner had finally been put in place. She also mentioned that the house that was going to be the greenspace on Red Oak Drive is falling apart.

Ms. Louise Allison was called to speak and she brought up the Raymond Drive property. The Mayor informed her that the City is already working on it.

Linda Rawlins was called to speak and she informed the Council that at 3158 Oakcliff Road the kids are continuing to have parties and it needs to stop. Councilman Anavitarte mentioned that a "No Parking" sign should be placed 50 feet from the stop sign.

A gentleman then spoke about the intersection of Chesnut and McClave and that everyone runs the stop sign in the mornings.

There being no further business the meeting adjourned.