

CALLED COUNCIL MEETING

August 21, 2006

5:30 P.M.

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.

Mayor Jenkins stated that he would like to amend the agenda to include an item that would rescind a Resolution that was passed in 1999 that disallowed cameras and recording equipment in the Council Chambers.

Council Member Hadden made a motion to amend the agenda to add an item to rescind the Resolution that was passed in 1999 that disallowed cameras and recording equipment in the Council Chambers. Council Member Lowe seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to rescind the Resolution that was passed in 1999 that disallowed cameras and recording equipment in the Council Chambers. Council Member Hadden seconded the motion. Motion carried unanimously.

Council Member Hart made a motion to amend the agenda to allow the video of each Council meeting to be sent to Comcast Cable to be run on channel 25 for public viewing. Council Member Pittman seconded the motion. Motion carried unanimously.

Council Member Hart made a motion to allow the video of each Council meeting to be sent to Comcast Cable to be run on channel 25 for public viewing. There will be no cost incurred for the video being placed on channel 25. Council Member Pittman seconded the motion. Motion carried unanimously.

Council Member Hadden made a motion to amend the agenda to add the annexation process to the agenda. Council Member Pittman seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to approve the annexation of parcels of land as defined in the August 11, 2006 map prepared by Keck & Wood and attached to the minutes. Council Member Hadden seconded the motion. Motion carried with Council Member Hart and Lowe voting no.

Council Member Anavitarte described the annexation map in detail and stated that it was basically what the Council had voted on last year with a slight change to add a definite line of continuity. The annexation map will be presented to the State Legislature later on this year.

Council Member Hart asked that the map be amended to include the I-85 corridor, the North West portion of Parson, Johnson Circle, Johnson Drive, and Shallowford over to North Peachtree and Peachtree over to I-285 to the Chamblee City limits.

Council Member Anavitarte stated that the City of Chamblee had begun the annexation process and annexation study of those areas described by Council Member Hart. Council Member Anavitarte stated that the City of Doraville's annexation map did not need to conflict with the City of Chamblee's annexation map

Council Member Hart stated that Doraville should bring the owners of the car dealerships, on Peachtree Industrial Boulevard to the next Council Meeting concerning this map. Council Member Anavitarte stated that they needed to take that issue up with the City of Chamblee. The City of Doraville does not need to be involved in that issue. If these car dealerships want to be in the City of Doraville, then they need to petition the City of Doraville.

Council Member Anavitarte made a motion to approve the map as drawn by Keck & Wood on August 11, 2006. Council Member Hadden seconded the motion.

Cat Sherlock asked if the annexation map included a portion of I285 to Chamblee Tucker North to I-285. Council Member Anavitarte stated that it did include that area.

Bonita Hoffmeister asked about a prostitute problem on Northcrest, would it be easy to monitor that area if it was in the City. Chief King stated that the map did not include the other side of I-85. Ms. Hoffmeister asked the Council if they were going to include all of I-85. Council Member Hart stated that both sides of I-85 needed to be included on the map.

Johnny Lawler stated that the annexation law states that if the City annexes both sides of a road then the road is in the City. If the City only annexes one side of the road the boundaries go into ½ of the right-of-way. The map shows that I-85 is ½ way into the right-of-way. Does the City want to include both sides of I-85 or not. Mr. Lawler stated that the City wanted clear boundaries but now is not the time to create friction with the City of Chamblee.

Mr. Lawler stated that you want logical boundaries to describe the City to state that the boundaries of the City are: I-85, Peachtree Industrial Boulevard, I-285, and Chamblee Tucker.

Council Member Anavitarte stated that the issue is that we are trying to resolve service deliver issues and create an area that is going to have parity with Community Development and Economic Development. If we go outside this area then we do harm to our City.

Tom, representing the City of Dunwoody stated that they commissioned the Carl Vinson Institute to do a violability study and found that they do have the resources to become a City. They are surrounded on 2 sides by Sandy Springs. The area that comes into play with the City of Doraville is the Peachtree Industrial Corridor. He had met with Jason and Mr. Lawler to look at the Peachtree Industrial area and got a description of the borders for the most contiguous area. The line is basically drawn the Nancy Creek line. Dunwoody is not an incorporated City yet and will need to go through the State Legislative process. Bills will be filed with the State Legislator in January.

Council Member Hart wanted to know where the borders were on the North Western part. The border will be on the access road on the North side of I-285.

There will be public hearings on the proposed City of Dunwoody and anyone from the City of Doraville is welcome to attend these meetings. A meeting schedule will be developed and sent to the City of Doraville.

Ben Crawford asked about the properties that were in conflict with the City of Chamblee. Council Member Anavitarte stated that if any of these properties in question wanted to come into the City of Doraville then they would have to petition The City of Doraville.

The City Attorney stated that in regard to I-85, is the County going to think that the City is taking too much property. Council Member Anavitarte stated that with the efforts of the City of Dunwoody, Chamblee, and Doraville, that the County would be supportive. There has been some talk of creating a City of DeKalb and the City of Doraville would be supportive of the County's efforts to create a City of DeKalb.

Mayor Jenkins stated that he was in contact with Vernon Jones and that he would be talking with him on the annexation issue.

Mayor Jenkins asked if there was any more discussion on the annexation map. There was none. Motion carried with Council Members Hart and Lowe voting no.

The City read the Resolution approving the annexation map. Resolution read as follows:

A RESOLUTION APPROVING ANNEXATION MAP

WHEREAS, the proposed annexation into the City of Doraville of the property described on the attached map will extend the boundaries of the City east to the Gwinnett County line, north to the subdivisions along Peachtree Industrial Blvd., and south to Interstate 85; and

WHERE AS, the residents and business owners of the property to be annexed will benefit from the services provided by the City; and

WHEREAS, the Mayor and City Council believe that the proposed annexation is also in the best interest of the residents of the City.

NOW, 'THEREFORE, BE IT RESOLVED, by the City Council of the City of Doraville, and it is hereby resolved by authority of the same that the attached map which defines the proposed annexed parcels is hereby adopted.

BE IT FURTHER resolved, by the City Council of the City of Doraville that the Georgia General Assembly is requested by the City of Doraville to annex into the City the property as described on the attached map.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to furnish copies of this resolution to the members of the Georgia General Assembly.

ADOPTED by the City Council this 21st day of August, 2006.

The City Attorney stated that the map needed to be amended to take out 50' of the 250' of right-of-way on the south bound access road along Peachtree Industrial Blvd. from the Gwinnett County line to old Chestnut Dr. This 50' of right-of-way remains in unincorporated DeKalb County at this time. The right -of-way will be needed by the City of Dunwoody so that they will not have to go out of the city limits into unincorporated DeKalb County and back into the city limits to get to certain property.

Council Member Anavitarte made a motion to approve the Resolution with the amendment. Council Member Hart seconded the motion. Motion carried with Council Member Lowe voting no.

Council Member Hadden stated the fee schedule for site, development and building plan reviews needed to be

amended. Some of the site and development reviews might require more than others.

Council Member Hart stated that he County had been reviewing the site ,development and building plan reviews at no cost to the City. Council Member Hart wanted to know why we would pay someone else to review plans when the County would do it for free.

Building Official Entsminger stated that the County was not going to review building drawings anymore. Mr. Entsminger stated that he needed a written policy on who is to review these plans in the future and what to charge.

The Mayor stated that the City had a contract with Pond & Co and the plans should go to Pond & Co. to be reviewed.

Council Member Anavitarte asked the Building Official what the current policy or process was if we have not changed or adopted anything. What is on the books right now on where the plans should go and how it should be handled. The Building Official stated that there was no policy or procedure on the books right now.

Council Member Hadden stated that the builder or the developers was supposed to be paying for the reviews.

The Building Official asked how much he was supposed to charge the builder or developer.

Council Member Anavitarte asked about the fee schedule that was recently adopted by the Council.

The Building Official stated that the adopted fee schedule does not cover the costs that are charged by Pond & Co.

Council Member Hadden stated that was why this item was on the agenda.

Council Member Hart stated that he had copies of bills from Pond & Co. and there were some duplicates, some were high, some were low and some were all over the place.

A committee was appointed to develop policies and procedures for the review of site and development and building plans. The committee is made up of Council Members Hadden, Spangler, Hart and Lowe.

Mayor Jenkins asked the Council to amend the agenda to allow Council Member Pittman to address the Council. Council Member Hadden made a motion to amend the agenda to allow Council Member Pittman to address the Council. Council Member Hart seconded the motion. Motion carried unanimously.

Council Member Pittman stated that Patty Barker could no longer chair the Police Appreciation Day. Chief King wants to change the Police Appreciation Day to Citizens Appreciation Day.

Chief King stated that he wanted to have an open house at the Police Department to allow the citizens to come in and get familiar with what the Police Department does and how it operates. Chief King wants the Police Department to focus on the community.

Bonita Hoffmeister stated that she would like for at least one Police Officer to be recognized.

Mayor Jenkins adjourned the meeting.

Ray Jenkins, Mayor

Attest: _____

Annexation map attached to minutes