

Minutes
Regular Meeting
September 20, 2004

Those Present: Mayor Jenkins
Mayor Pro Tem Lamar Lang

Council members: Thurman Roach
Jason Anavitarte
Marlene Hadden

City Attorney: Rick Powell

Absent: David Weese
Ed Lowe

The meeting was called to order by Mayor Jenkins.

The first order of business was Ms. Edie Warwick's second appearance before the Council to request additional severance pay and health insurance coverage. The Mayor requested Attorney Powell to read a memorandum regarding the granting of the requested items. Ms. Warwick made her presentation. No Council person moved to grant Ms. Warwick's request and the matter was concluded.

Steve Edwards came before the Mayor and Council to request permission to run his loading trucks from 3:00 a.m. to 5:00 a.m. from September 22, 2004 through November 30, 2004. Mayor Pro Tem Lang made a motion to extend the time as requested, but that if any complaints were made that he would immediately stop, seconded by Councilman Roach. The vote carried unanimously.

Eddie Raines with EMC Consultants and Al Hill with Global Brokers came before the Mayor and Council for a consensus on PUD zoning for 32 lots located at the NW corner of I-285. The project would provide condominiums to be sold starting in the price range of \$300,000.00.

Mayor Pro Tem Lang discussed the City's finances. He advised the Mayor and Council that the finances are real good and he would like to audit some of the firms in Doraville with the assistance of the bookkeeper. If audits are performed, it may generate in excess of \$225,000.

Vincent Ford who serves in the Georgia General Assembly as a State Senator came before the Mayor and Council representing Adelina Nichols and the coordinating Council of Latino Community leaders to discuss monies requested by the City in connection with a permit to march in the City on October 12, 2004 for Hispanic Heritage Day. Mr. Ford stated that without a law on the books and given no history of assessing a fee in the past, that this action would be

arbitrary. Attorney Powell informed Mr. Ford that Chief King had attempted to accommodate the march, however, without sufficient police staff on duty, the City does have the legal right to refuse the permit. The \$1,998.00 was not a permit fee rather reimbursement of the overtime of the City of Doraville Police officers which would be required to staff the march. The Mayor and Council agreed that upon the DOT issuing a permit to cross Buford Highway and the Council of Latino Community providing certified police force and upon the approval of Chief King a permit would be given. The Mayor and Council tabled the discussion until Chief King returns.

Jeff Nichols with Nichol Commercial came before the Mayor and Council for a variance consensus to allow a side yard set back on six buildings located at Peachtree Square Industrial Park. The request is to change the side yard from 20 feet to 0 feet. Attorney Powell informed Mr. Nichol that application would need to be made and the City's cost to run an ad in the Champion News would need to be reimbursed.

Bids for refurbishing the hardwood floors in the arena were opened and reviewed by the Mayor and Council. Councilman Roach made a motion to table the bids until all members of the Council were able to visit the arena to see the floors, motion seconded by Councilwoman Hadden. The motion carried unanimously.

Councilman Anavitarte discussed the taxi cab legislation which will be reviewed at the first meeting in October. He suggested that the Council take time to read the new legislation since there will be some drastic changes.

Councilman Anavitarte then inquired about the status of condemning the houses located on Wilton Avenue and 3970 Red Oak. He proposed that the Clerk's Office look into the status and if the properties have not been sold then the City should move forward to having them condemned.

Councilman Anavitarte suggested that the Mayor and Council consider adopting City of Ethics standards. He feels that if the City were to elect City of Ethics legislation it would help to improve the City. The Mayor indicated that this was something to get accomplished and that the City would try to have it established in the next couple of months.

Councilwoman Hadden discussed the residential dwelling space ordinance and the need to have it established so that search warrants may be issued within the City's municipality rather than the process of going through Dekalb County. Attorney Powell suggested that tonight be the first reading of Ordinance No. 04-23 and wait until the next meeting to pass the ordinance.

Councilwoman Hadden informed the Mayor and Council that she and Councilman Anavitarte have been working together on a development committee for the property located on New Peachtree Road. A consensus for the project on New Peachtree had previously been brought before the Mayor and Council. She indicated that the City does not have appropriate zoning ordinances for this project which would require an amendment to the City's C-1 or C-2 zoning ordinance. She requested that the Mayor and Council consider establishing new zoning ordinances to allow this project to be built in the City.

Capt. McElroy was called in place of Chief King. He informed the Mayor and Council that unless the Mayor or Council had any questions that he had nothing to report. Councilman Roach inquired about the murder that took place over the weekend. Capt. McElroy reported that a body of an Hispanic male had been found stabbed at the Catholic Mission and that he was not able to release any specifics.

Attorney Powell informed that Mayor and Council that he would like to wait on the Taxi cab ordinance until Chief King returns with his comments.

Attorney Powell discussed the Red Light Camera Ordinance and Agreement. He asked the Mayor and Council to make a motion to adopt Ordinance No. 04-20 and to approve the Agreement. Councilwoman Hadden made a motion to adopt the Red Light Ordinance with the fine set at seventy dollars (\$70) and to approve the contract, seconded by Mayor Pro Tem Lang. The motion carried unanimously.

Councilman Anavitarte inquired about the notification signs being installed Attorney Powell informed him that after approval by the City, it had to be approved by the DOT which would take approximately two to three months.

There being no further business the meeting was adjourned.