

Minutes
Regular Council Meeting
City of Doraville
November 15, 2004

Those Present: Mayor Jenkins
Mayor Pro Tem Lamar Lang
Councilmembers: Thurman Roach
Ed Lowe
Jason Anavitarte
Marlene Hadden
David Weese
City Attorney: Rick Powell

The meeting was called to order by Mayor Jenkins.

Mayor Pro-tem Lang made the motion to approve the minutes from the November 1, 2004 Council Meeting. Council Member Roach seconded the motion. Motion carried unanimously.

Mayor Pro-tem Lang stated that the Doraville Planning Group was not a board that had been appointed by the Council to represent the City of Doraville. Mayor Pro-tem Lang asked why the Robert & Co. was meeting with the Doraville Planning Group. Who had given the Robert & Co. the authority to meet with the Doraville Planning Group and was the City paying the Robert & Co. for the meetings? Mayor Pro-tem Lang stated that if the City Council wanted a Planning Group then the members should be picked by the Mayor and Council.

Council Member Hadden stated that the Robert & Co. was not charging to meet with the Doraville Vision Planning Group.

Mayor Jenkins stated the City had received only one bid for replacing the Police Department Wall. The City Charter states that the one bid can be accepted. Mayor Pro-tem Lang made a motion to table the bid opening. Council Member Hadden seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to accept bids until Thursday at 4:30 p.m. Mayor Pro-tem Lang seconded the motion. Motion carried unanimously. The deadline for accepting bids is 4:30 p.m. on November 18, 2004. A called Council Meeting will be held to open the bids for the Police Department wall.

The City Clerk stated that she had received a quote for the Municipal Code Corporation to update the City Code Book. Quote is \$9,655.00. The City entered into a contract with the Municipal Code Corporation in 1990, and the last update of the City Code Book was done in 1999.

Motion by Council Member Hadden to approve the \$9665.00 for updating the City Code Book. Council Member Anavitarte seconded the motion. Motion carried unanimously.

The City Clerk stated she had received a quote from the Municipal Code Corporation to put the City Code Book on the City Web Site once the Code Book is updated. The quote is \$995.00 for the first year and \$350.00 for future years. Council Member Roach made the motion to approve the \$995.00 for placing the City Code Book on the City Web Site. Mayor Pro-tem Lang seconded the motion. Motion carried unanimously.

The City Clerk stated that the fee schedule for public hearings need to be changed to include the plan review charges for Robert & Co. The City Clerk had given the Council a copy of the City of Chamblee's fee schedule and noted that Chamblee reviewed the plans in house. The City Clerk suggested a flat fee of \$700.00. Council Member Hadden made the motion to raise the fee for public hearings to \$700.00. Council Member Anavitarte seconded the motion. Motion carried unanimously.

The City Attorney opened the Public Hearing for the First Reading of Ordinance 04-27, an Ordinance to Contract Storm Water Management with DeKalb County. The City Attorney stated that a storm water management fee needed to be established for each piece of property within the City and that the City needed to designate a Storm Water Utility Director. The City Attorney stated that perhaps the City Engineering firm could act as the Storm Water Utility Director. The Second Reading of Ordinance 04-27, an Ordinance to Contract Storm Water Management with DeKalb County, and Public Hearing would be held on December 6, 2004 at 7:00 p.m.

The Council did not vote on the Georgia Power contract.

Chris Avers with the Doraville Vision Planning Group stated that today was Council Member Hadden's birthday and wished her a happy birthday. Ms. Avers stated that she and her neighbors created the Vision Planning Group because she felt that the citizens of Doraville had no input to the planning of the future of Doraville. Ms. Avers commended the Mayor and Council for implementing the Financial Procedures, hiring a Certified City Clerk, and contracting with Robert and Co., who provides the City with engineering and planning services. Ms. Avers asked the Council to create a Planning Board for the City of Doraville with the members of the Planning Board being appointed by the Mayor and Council.

Mayor Pro-tem Lang stated that the City incurred liability every time an individual rode with an on duty Police Officer. The Mayor Pro-tem stated that he would like to implement a policy that required an individual to sign a waiver every time the individual rode with an on duty Police Officer. The waiver would relieve the City of any liability.

Council Member Roach stated that he would like to discuss the legal points connected with the Hightower Elementary School collecting can goods for the needy and bringing the can goods to City Hall to be distributed to the needy. Council Member Roach stated that the business owners in the City of Doraville bought turkeys and hams to be distributed to the needy along with the can goods. Council Member Roach could not understand why the City being the distribution point was a problem.

The City Attorney stated that it was not illegal for the City to be the distribution point but a church or charitable organization should be the distributor of the food for the needy.

Several citizens stated that the feed the needy program should continue and other cities had relief funds and/or programs that helped bring relief to the needy. One gentleman stated that teaching school children to share with others in need during the holidays could not be illegal or a bad thing.

Council Member Hadden made a motion to table the feed the hungry item and have a work session to discuss this item further. Seconded by Council Member Weese. Motion carried unanimously.

Priscilla Murphy asked the Council to remove a line item from revenue and expenses. The line item had a budget amount of \$1,500. The procedure in past years was to accept money from business and citizens to buy turkeys and hams to be distributed along with the can goods to the needy. The donations were listed in the revenue category of the budget and the expense of purchasing the turkeys and hams came out of the expense category. Only the donated money was spent on the turkeys and hams. Motion by Council Member Weese to remove the line item from the budget. Seconded by Council Member Hadden. Motion and second died from lack of vote.

Council Member Anavitarte made a motion to bring up the feed the hungry item again and allow Council Member Lowe to coordinate with the local churches, or the school itself, for the distribution of the food for the needy. City Hall would not take any monetary donations, only food stuff would be accepted by the staff at City Hall. Council Member Lowe seconded the motion. Motion carried unanimously.

The City Attorney opened the public hearing and first reading of amendments to the PUD Ordinance. The City Attorney stated that the amendments to the PUD Ordinance would allow up to 25 units per acre and lower the required acreage from 5 to 3 acres. Unbuildable land could not be used to calculate density. The second reading of amendments to the PUD Ordinance will be held on December 6, 2004.

Council Member Anavitarte made the motion to approve the Ethics Ordinance as written. Council Member Lowe seconded the motion. Motion carried unanimously.

Council Member Anavitarte reported that the LCI Grant application would be submitted on Wednesday of this week. The grant amount applied for is \$150,000.00. The City will do a 20% match.

Council Member Hadden asked the Council to consider purchasing the Lutheran Church property on Chestnut Drive. Ms. Hadden stated that the selling price for the property had been reduced to \$200,000.00 per acre. A rezoning hearing for the referenced property is scheduled for Jan. 3, 2004. A developer has applied to have the property rezoned to build a town home complex.

Council Member Hadden stated that she would like for the Mayor to solicit donations for local business owners to upgrade existing City Parks.

Council Member Hadden thanked all the citizens who had participated in the neighborhood planning sessions.

Mayor Jenkins recognized Jill Chambers and congratulated her on winning in the recent election.

Mayor Jenkins stated that each member had received a copy of the October Financial Statement and asked if anyone had any questions. The Mayor asked the Council to approve the October Financial Statement. Council Member Anavitarte stated that he would like time to review the financial statement before it was approved.

Police Chief King stated that he had three officers out or on light duty. The shift hours would be changed from 12 hour shifts to 10 hour shifts. The shift change would be on a 6 months trial basis.

Police Chief King gave a report on the Asset Forfeiture Account and bank records for referenced account.

Police Chief King reported that his officers were writing more tickets for coded enforcement violations.

Police Chief King stated that he was being called to active duty and would be reporting for duty on January 3, 2005. Chief King asked the Council to promote Tommy McElroy to Major and appoint Mr. McElroy to acting chief during his military absence. Mayor Pro-tem Lang made a motion to promote Tommy McElroy to Major and appoint Major McElroy as acting Chief in Chief King's absence. Council Member Hadden seconded the motion. Motion carried unanimously.

Chief King reported on accidents involving two of the police cars. Chief King stated that the insurance company's payment had exceeded the value of the cars and he would be replacing the cars.

Resident’s forum: A gentleman asked Chief King if he was reducing code violation citations to a warning if the violator had complied before the appointed court date. Chief King stated that he was reducing the citations to a warning if the violator had come into compliance before the appointed court date. Chief King stated that he was trying to work with the citizens.

A lady stated that she hoped that Chief King’s replacement was as wise as Chief King.

A gentleman stated that he was inspired with the City Attorney and thought that the City Attorney should have a round of applause because the City Attorney had the City’s best interest at heart.

Mayor Jenkins adjourned the meeting at 8:45 p.m.

Ray Jenkins, Mayor

Date approved

Attest: