In The Matter Of:

City of Doraville

State of Georgia

Summary of Motions

January 3, 2011

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CITY COUNCIL MEETING

CITY OF DORAVILLE

STATE OF GEORGIA

JANUARY 3, 2011

SUMMARY OF MOTIONS

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MOTION SUMMARY

1. A motion was made by Councilmember Alexander to amend the agenda to add the item of the swearing in of two new employees, Melissa McCain as City Clerk and Tammy Henry as Librarian. The motion was seconded by Councilmember Pachuta. The motion was passed by unanimous vote.

2. A motion was made by Councilmember Pachuta to nominate Donna Pittman as 2011 Mayor Pro Tem. The motion was seconded by Councilmember Bates. The motion was passed by unanimous vote.

3. A motion was made by Councilmember Alexander to approve the minutes of the November 29, 2010 Council meeting. The motion was seconded by Councilmember Pachuta. The motion was passed by unanimous vote.

4. A motion was made by Councilmember Pachuta to approve the minutes of the December 6, 2010 Council meeting. The motion was seconded by Councilmember Alexander. The motion was passed by unanimous vote.

5. A motion was made by Councilmember Pachuta to approve the extension of the MARTA Offset Grant contract. The motion was seconded by Councilmember Alexander. The motion was passed by unanimous vote.

6. A motion was made by Councilmember Pachuta

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to approve the amendment to Keck & Woods' contract for MARTA offset project, to reflect amendment to MARTA agreement. The motion was seconded by Councilmember Bates. The motion passed by a 4-1 vote, Councilmember Fleming dissenting.

7. A motion was made by Councilmember Pachuta to approve the contract amendment with Tunnell Spangler & Walsh for services completed under the LCI study project. The motion was seconded by Councilmember Alexander. The motion was passed by unanimous vote.

8. A motion was made by Councilmember Pachuta to amend the agreement with Empowerment Technology for consultation services covered by GEFA Energy Efficiency Community Block Grant. The motion was seconded by Councilmember Alexander. The motion was passed by unanimous vote.

9. A motion was made by Councilmember Pachuta to approve the contract with Cotangent Technical Services for sidewalk demolition and construction for 2011. The motion was seconded by Councilmember Bates. The motion was passed by unanimous vote.

10. A motion was made by Councilmember Pachuta to turn over to Shanta Wilson, finance director, the opened insurance policy services bids for Ms. Wilson

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to review and report to Council. The motion was seconded by Councilmember Alexander. The motion was passed by unanimous vote.

11. A motion was made by Councilmember Fleming to move forward with writing LWCF grant resolution for adoption at next Council meeting or possibly the next workshop session on January 10, 2011. The motion was seconded by Councilmember Pachuta. The motion was passed by unanimous vote.

12. A motion was made by Councilmember Roche to add the item of zoning appropriateness fee to the agenda. The motion was seconded by Councilmember Fleming. The motion and seconded were then amended by respective councilmembers to hear the item at the end of the agenda. The motion was passed by unanimous vote.

13. A motion was made by Councilmember Bates to allow city attorney to write a letter to Yeshiva High School denying them permission to demolish the sidewalk built in City right-of-way. The motion was seconded by Councilmember Alexander. The motion was passed by unanimous vote.

14. A motion was made by Councilmember Pachuta to change the regulatory fee in the massage ordinance to $1,500. The motion was seconded by Councilmember

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Alexander. The motion was passed by unanimous vote.

15. A motion was made by Councilmember Roche to draft an ordinance limiting the number of currently regulated massage therapy establishments to no more than four per 10,000 population, grandfathering existing establishments.

The motion was then withdrawn by Councilmember Roche.

16. A motion was made by Councilmember Roche to adopt paragraph 6-318(a) of draft massage ordinance which limits the number of massage parlors to four per 10,000, requiring a 150-foot buffer to any residentially zoned property; any legally operating massage parlor in existence prior to January 3, 2011 is exempt from the distance and population requirements. The motion was seconded by Councilmember Fleming.

The motion and second were then withdrawn by the respective councilmembers.

17. A motion was made by Councilmember Fleming to adopt the massage ordinance dated January 3, 2011. The motion was seconded by Councilmember Bates. The motion was passed by a 4-1 vote, Councilmember Roche dissenting.

18. A motion was made by Councilmember Roche to

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limit the number of foot massage establishments in Doraville to four per 10,000 population, grandfathering in the existing legally operating establishments. The motion was seconded by Councilmember Fleming. The motion was passed by a 3-2 vote, Councilmembers Alexander and Pachuta dissenting.

19. A motion was made by Councilmember Bates to adopt the corrected massage ordinance which has been presented to Council. The motion was seconded by Councilmember Pachuta. The motion was passed by unanimous vote.

20. A motion was made by Councilmember Bates that the draft of Hearing Procedures for Regulated Businesses be changed to reflect the change in time period for hearing after date of filing of an appeal from 45 days to 30 days. The motion was seconded by Councilmember Fleming. The motion was passed by unanimous vote.

21. A motion was made by Councilmember Fleming to extend the meeting past 9:00 in order to finish the agenda. The motion was seconded by Councilmember Roche. The motion was passed by a 4-1 vote, Councilmember Pachuta dissenting.

22. A motion was made by Councilmember Fleming to use the alcohol permit from last year, requiring

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permits for only the following: applicant, registered agent, server, cashiers, business/store managers.

The motion was then amended by Councilmember Fleming to allow renewal businesses to use alcohol permit application, Revision 4/2010, to apply for alcohol permitting of employees. The motion was seconded by Councilmember Roche subject to inclusion of the Affidavit Verifying Status for City/Public Benefit.

The motion was then amended by Councilmember Fleming to allow existing businesses to renew employees using permit application Revision 4/2010 and including the Affidavit Verifying Status for City/Public Benefit required by OCGA 50-36-1(E)(2) under the Federal Immigration and Nationality Act. The motion being seconded by Councilmember Roche, the motion then passed by a 4-1 vote with Councilmember Pachuta dissenting.

23. A motion was made by Councilmember Fleming to use last year's alcohol certificate application for existing businesses renewing their alcohol privileged license, which includes Affidavit of Sunday Sales sheet, certificate type with corrections to fee structure, registered agent information, the certificate form and including the Federal Affidavit

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Verifying Status for City/Public Benefit. The motion was seconded by Councilmember Roche. The motion failed by a 2-3 vote, Councilmembers Alexander, Bates and Pachuta dissenting.

24. A motion was made by Councilmember Fleming to draft an amendment to Section 3-13(a) requiring the applicant, registered agent, servers, cashiers and business/store managers to have an employee permit. The motion was seconded by Councilmember Roche. The motion was pasted by a 4-1 vote with Councilmember Bates dissenting.

25. A motion was made by Councilmember Fleming to delete 3-21(f) of alcohol ordinance. The motion was seconded by Councilmember Roche for discussion purposes. The motion was defeated by a 1-4 vote, Councilmembers Alexander, Bates, Pachuta and Roche dissenting.

26. A motion was made by Councilmember Roche to draft an ordinance to create a city administrator position to be budgeted until the end of 2011. City administrator to be responsible for day-to-day operations, management and budget and will have the authority to supervise, hire or fire any employee, maximum salary of $110,000. Requirements: 10 years' experience as a city manager, assistant city manager

or city manager consultant, preferably with an MBA. The motion was seconded by Councilmember Fleming. The motion was defeated by a 2-3 vote with Councilmembers Alexander, Bates and Pachuta dissenting.

27. A motion was made by Councilmember Bates that the Determination of Appropriateness form be used only for new businesses and that any existing businesses legally in occupation in 2010 and that have paid the $50.00 fee for determination of appropriateness will have the money applied to occupation tax balance or be refunded. The motion was seconded by Councilmember Roche. The motion was passed by unanimous vote.

28. A motion was made by Councilmember Pachuta to adjourn the meeting. The motion was seconded by Councilmember Alexander. The motion was passed by unanimous vote.

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