



CITY COUNCIL

Donna Pittman-Mayor

Robert J. Patrick-District 1

Trudy Jones Dean – District 2

Karen Pachuta – District 3

Pam Fleming – District 1

Brian Bates – District 2

Maria Alexander – District 3

Mayor Pro-Tem

AGENDA

November 5, 2012 6:30 PM

- 1) **CALL TO ORDER**
- 2) **PLEDGE OF ALLEGIANCE**
- 3) **CEREMONIAL PRESENTATIONS, CITY ANNOUNCEMENTS, SPECIAL GUESTS:**
- 4) **ROLL CALL**
- 5) **APPROVAL OF MINUTES:**
 - a) October 15, 2012
- 6) **PUBLIC COMMENTS ON AGENDA ITEMS**
- 7) **REPORTS: DEPARTMENTS**
 - a) Mayor
 - i) Christmas Eve
 - b) City Attorney
 - c) Stormwater
 - d) Police
 - i) Water Heater
 - e) Courts
 - f) Public Works
 - g) Library
 - h) Parks & Recreation
 - i) City Hall
 - i) Resolution-Buford Hwy/Peachtree Blvd Connector
 - j) Planning & Zoning
 - k) IT Department
 - l) Finance
- 8) **PUBLIC HEARING**

9) OLD BUSINESS

- a) Ordinance Language regarding \$5,000.00 spending allowance- Councilmember Trudy Jones Dean
- b) Text Amendment to address Signs for Vacant Properties- Director of Planning and Development Joe Cooley
- c) Foreclosure Registry- Councilmember Trudy Jones Dean
- d) White Goods Fees- Councilmember Trudy Jones Dean

10) NEW BUSINESS

- a) First Reading of LED Sign Ordinance- Director of Planning and Development Joe Cooley
- b) Resolution to Revise SOB License Fee-City Attorney Cecil McLendon Jr.
- c) Quality of Life- Councilmember Trudy Jones Dean
- d) Removal of Mayor's Salary from the Charter- Councilmember Trudy Jones Dean

11) REPORTS: COMMITTEES, COMMISSIONS, BOARDS AND APPOINTMENTS

12) PUBLIC COMMENTS:

13) ADJOURNMENT:



THE CITY OF DORAVILLE AGENDA ITEM SHEET

Subject: Water Heater

Date of Meeting: November 5, 2012

Budget Impact: X Y N

Budget Impact Amount: \$ \$7518.00

Funding Source:

☐ Annual

☒ Capital

☐ N/A

Regular Meeting ☒ (x)

Work Session ☐ ()

Recommendation ☐ ()

Policy/Discussion ☐ ()

Report ☐ ()

Other ☐ ()

CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE

Action Requested: Approve the bid from Greater Dekalb Plumbing to install energy efficient tankless water heater in the police department.

History, Facts, Issues: By replacing the old water heaters, we will save on our future gas bills.

Options: _____

Recommended Action: Approve the bid to have the tankless water heaters installed.

Department: Police Department/ Brinkley Department Head: Chief John King

Administrative Comments and Recommendation: _____

Action Taken By Board: _____



AGENDA ITEM REQUEST SHEET
October 31, 2012

Subject: Buford Hwy.-Peachtree Blvd. Connector Resolution of Support

Date of Meeting: November 5, 2012

Budget Impact: ☐ Yes ☒ N/A

Budget Impact Amount: \$ _____

Funding Source:

- ☐ Annual
- ☐ Capital
- ☐ Grant(s)/ Technical Assistance
- ☒ N/A

- Regular ☒
- Work Session ☐
- Recommendation ☒
- Policy/Discussion ☐
- Report ☐
- Ceremonial ☐
- Other ☐

Department: Administrative

Department Head: Mayor

Action Requested: Staff recommends adoption of the resolution reaffirming the City's support for the Buford Hwy.-Peachtree Blvd. arterial connector and bridge project.

Background: In March 2011, Council passed a resolution supporting this project for the TIA list consideration. As you know, the project was included in Regional Roundtable's Investment List; however, since the T-SPLOST referendum failed, its fate is now in question. The Governor has announced that his administration will be evaluating Final List projects. A select few will be prioritized by the Governor and GDOT for state funding. That said, it would be advantageous if Mayor/Council entertained a new resolution, reaffirming the City's support for the project. The ARC's Final List Report project fact sheet, a rendering, the original resolution and the revised resolution are included.

Respectfully,

S/ Luke Howe
Assistant to the Mayor



Transportation Investment Act of 2010 Final Investment List Project Fact Sheet

Identification	TIA-DK-057	On Final Investment List?	Yes	Location:	Central Subregion								
Project Name	US 23 (Buford Hwy) / SR 141 (Peachtree Industrial Boulevard) Connector - New Alignment												
Project Type	Roadway <input checked="" type="checkbox"/> Roadway Capital <input type="checkbox"/> Asset Management <input type="checkbox"/> Safety / Traffic Operations <input type="checkbox"/> Freight / Logistics <input type="checkbox"/> Aviation <input checked="" type="checkbox"/> Bicycle / Pedestrian <input type="checkbox"/> Transit Capital <input type="checkbox"/> Transit Operations / Maint.												
PLAN 2040 Status	Not identified as a line item in PLAN 2040 <i>Related Project Numbers:</i> N/A												
Description, Purpose and Benefits	<p>The project completes a regional link from Buford Hwy. (SR 13) to Peachtree Blvd. (SR 141). It begins at the Shallowford Rd./ Buford Hwy. intersection, then follows Shallowford Rd. and a new roadway to Peachtree Rd. From here, it follows Peachtree Rd. to a new roadway connecting to Clyde Dr., then follows Clyde Dr. to the North Peachtree Rd./ Peachtree Blvd. intersection. The project includes intersection upgrades to Shallowford Rd. at Buford Hwy. and North Peachtree Rd. at Peachtree Blvd., and roadway upgrades to Shallowford & Peachtree roads, Clyde Dr. and North Peachtree Rd. It also includes a bridge over the existing New Peachtree Rd./ rail corridor, and connecting existing roads to the new connector. The proposed typical section includes four travel lanes, two cycle tracks, sidewalks, street trees, lighting & other pedestrian facilities. This new arterial and bridge would not only connect I-85 to Dunwoody, thus alleviating much of the gridlock on I-285; but, more importantly, it would establish crucial connectivity to the GM site from Doraville and Chamblee. This proposed connector also carries the additional advantage of remaining entirely outside the footprint of the GM redevelopment site. The redeveloped GM site has the potential of creating up to 20,000 jobs if the infrastructure is in place.</p>												
Funding Commitments (all amounts shown in current year 2011 dollars)	<table border="1"> <tr> <td>TIA Funds</td> <td>\$25,000,000</td> </tr> <tr> <td>Federal Funds</td> <td>\$0</td> </tr> <tr> <td>Local Funds*</td> <td>\$0</td> </tr> <tr> <td>Total Funding</td> <td>\$25,000,000</td> </tr> </table> <p>* Additional local funds used to deliver some projects within that jurisdiction may not be reflected in TIA documentation yet. These commitments will be formalized in detailed project concept documents or Intergovernmental Agreements to be developing beginning in 2012 between the state (GDOT or GRTA) and that local government.</p>					TIA Funds	\$25,000,000	Federal Funds	\$0	Local Funds*	\$0	Total Funding	\$25,000,000
TIA Funds	\$25,000,000												
Federal Funds	\$0												
Local Funds*	\$0												
Total Funding	\$25,000,000												
Implementation Band	Construction likely to occur in Band 2 (2016-2019)												

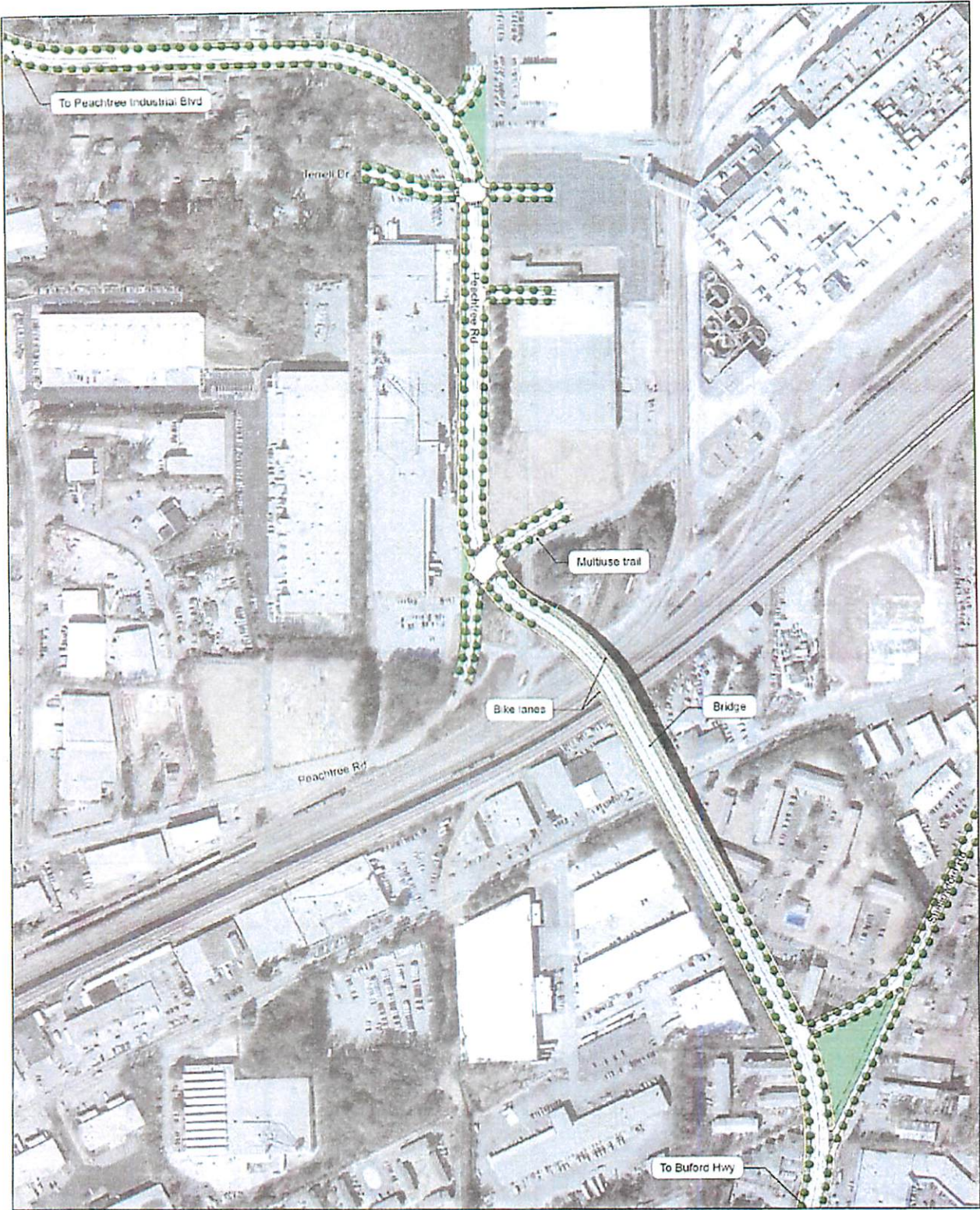


Figure 4.9: Buford Highway-Peachtree Boulevard Connector Option A

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF DORAVILLE**

RESOLUTION NO. 2011-06

A RESOLUTION IN SUPPORT OF THE CITY OF DORAVILLE, GEORGIA'S PROPOSAL FOR THE BUFORD HIGHWAY/ PEACHTREE BOULEVARD CONNECTION AS OUTLINED IN THE 2010 DORAVILLE LIVABLE CENTERS INITIATIVE STUDY KNOWN AS THE DOWNTOWN DORAVILLE MASTER PLAN.

WHEREAS, the 2010 Transportation Investment Act created the Metropolitan Atlanta 10-County Transportation Special Tax District to fund transportation projects of this size and scope; and,

WHEREAS, the Buford Highway – Peachtree Boulevard Connector Road Project will complete a regional link by connecting Buford Highway (State Route 13) to Peachtree Boulevard (SR 141), in addition to creating west side accessibility and main point of vehicular entry to the future General Motors Plant redevelopment; and,

WHEREAS, the proposed connector would remove barriers to alternative transportation through the inclusion of bicycle and pedestrian facilities, as well being available for bus transit; and,

WHEREAS, the proposed connector would begin at the Shallowford Road / Buford Highway intersection, then follow the existing Shallowford Road to a new location roadway (north of Pearl Lane) to Peachtree Road; and,

WHEREAS, said road would then follow Peachtree Road to a new location roadway connecting to existing Clyde Drive, then following Clyde Drive to North Peachtree Road, ending at the North Peachtree Road / Peachtree Boulevard intersection; and,

WHEREAS, the proposed project would include intersection upgrades to Shallowford Road / Buford Highway and North Peachtree Road / Peachtree Boulevard intersections, roadway upgrades to Shallowford Road, Peachtree Road, Clyde Drive and North Peachtree Road; and,

WHEREAS, the project would also include a bridge that would span over the existing New Peachtree Road / MARTA rail / freight rail, thereby connecting existing roads to the new connector; and,

WHEREAS, the proposed connector road would include four travel lanes, bike lines, pedestrian sidewalks, street trees, pedestrian lighting and other pedestrian facilities; and,

MARCH 21, 2011

WHEREAS, currently the Livable Center Initiative study area contains only one urban minor arterial street (Motors Industrial Way) connecting its east and west limits; thus, the new connector will not only establish better accessibility to the future development but also ease congestion at that one existing connection, and keep vehicles from leaving the study area to find a route across the railway; and,

WHEREAS, it will also have a regional significance by creating a link between I-85, Doraville, Chamblee, I-285 and Dunwoody.

SO THEREFORE BE IT RESOLVED THAT THE MAYOR AND COUNCIL OF THE CITY OF DORAVILLE HEREBY SUPPORTS THIS PROPOSAL FOR THE AFOREMENTIONED PROPOSED 10-COUNTY REGIONAL SPECIAL TAX DISTRICT PROJECT, ADOPTED AND EFFECTIVE this 21ST day of March, in the year 2011.

CITY OF DORAVILLE, GEORGIA

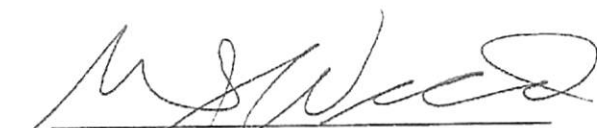

Donna Pittman, Acting Mayor

ATTEST:


Melissa McCain, City Clerk (SEAL)



APPROVED AS TO FORM:


Murray Weed, City Attorney

MARCH 21, 2011

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**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF DORAVILLE**

RESOLUTION NO. 2012-__

**A RESOLUTION REAFFIRMING THE CITY OF DORAVILLE, GEORGIA'S
SUPPORT FOR THE PROPOSED BUFORD HIGHWAY/ PEACHTREE BOULEVARD
CONNECTOR AS OUTLINED IN THE 2010 DORAVILLE LIVABLE CENTERS
INITIATIVE STUDY KNOWN AS THE DOWNTOWN DORAVILLE MASTER PLAN.**

WHEREAS, on March 21, 2011, the Mayor and City Council of the City of Doraville resolved to support the Buford Highway – Peachtree Boulevard Connector Road Project (the “Project”) as a candidate project for the Transportation Investment Act List; and,

WHEREAS, recognizing its regional significance, the Atlanta Regional Roundtable, saw fit to include the Project on the Final Transportation Investment Act List; and,

WHEREAS, with the defeat of the regional T-SPLOST referendum, the fate of this regionally significant Project and its massive job growth potential remains in question, and,

WHEREAS, this Project, described in Exhibit A, was originally identified in the 2010 Downtown Doraville Master Plan, a Livable Centers Initiative Study that charts the redevelopment of a 689 acre area (the “Area”); and,

WHEREAS, bound by Peachtree Boulevard also known as Peachtree Industrial Boulevard (State Route 141) to the north, Interstate 285 to the east, Buford Highway (State Route 13) to the south and Shallowford and Peachtree roads to the west, the 165-acre General Motors property lies at the heart of this strategically located Area; and,

WHEREAS, the Buford Highway – Peachtree Boulevard Connector Road Project would complete a regional link by connecting Buford Highway (State Route 13) to Peachtree Boulevard (SR 141), in addition to creating critical west side accessibility and main point of vehicular entry to the future General Motors Plant redevelopment; and,

WHEREAS, as stated in the LCI, the future General Motors Plant redevelopment area has the potential to support up to seven (7) million square feet of office, research and development and high-tech uses, creating as many as twenty-one thousand (21,000) jobs; and,

WHEREAS, in order to maximize the area’s extraordinary economic potential, investments in critical infrastructure such as the Project must be made; and,

WHEREAS, Peachtree Industrial Boulevard and the General Motors Assembly Plant both opened in 1947, and we must not forget that the promise of Peachtree Industrial Boulevard

DRAFT

several years earlier was a key factor in General Motor's decision to locate its proposed plant in Doraville; and,

WHEREAS, considering the critical role that infrastructure plays in fostering economic development, it is incumbent upon the City to support this Project and urge the State to consider it as a top priority; and,

THEREFORE BE IT RESOLVED THAT THE MAYOR AND COUNCIL OF THE CITY OF DORAVILLE HEREBY REAFFIRMS THEIR SUPPORT FOR THE BUFORD HIGHWAY-PEACHTREE BOULEVARD CONNECTOR AS A TOP PRIORITY PROJECT OF THE UTMOST SIGNIFICANCE TO THE CITY, COUNTY, REGION AND STATE,

ADOPTED AND EFFECTIVE this 8th day of October, in the year 2012.

CITY OF DORAVILLE, GEORGIA

Donna Pittman, Mayor

ATTEST:

(SEAL)
Sandra Bryant, Acting City Clerk

APPROVED AS TO FORM:

Cecil G. McLendon, Jr., City Attorney



THE CITY OF DORAVILLE
AGENDA ITEM SHEET

Subject: Ordinance Language regarding
\$5,000 spending allowance

Date of Meeting: August 20, 2012

Budget Impact: Y X N

Budget Impact Amount: \$ _____

Regular Meeting	(X)
Work Session	()
Recommendation	()
Policy/Discussion	()
Report	()
Other	()

Funding Source:

() Annual

() Capital

() N/A

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Action Requested: Revise current language in Ordinance 2.90 regarding the \$5,000 spending amount that does need Council approval. An example is the language change is:

"Mayor has signing and spending authority for budgeted items, not to exceed \$ _____ within these limits. This spending cannot be used for aggregate services, including the hiring of temporary firms or employees for the City or long-term contracts."

Options: Not change the language

Recommended Action: Change the language

Department: City Council

Department Head: City Council

Administrative Comments and Recommendation: _____

Action Taken By Board: _____

STATE OF GEORGIA

CITY OF DORAVILLE

ORDINANCE NO. 2012-__

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF DORAVILLE, GEORGIA TO ADD NEW SECTION 2-91, PURCHASING AUTHORITY, TO AMEND THE PURCHASING AUTHORITY OF THE MAYOR; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; TO ADOPT A PREAMBLE; TO PROVIDE FOR CODIFICATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the City Charter authorizes the City to enter into contracts and agreements with private parties providing for services to be furnished and payment to be made for such, and all appropriate rules and regulations to accomplish same;

WHEREAS, the duly elected governing authority of the City of Doraville, Georgia are the Mayor and Council thereof;

WHEREAS, the current bid opening procedures in Chapter 2 of the City Code provide for an RFP process for all expenditures above \$5,000;

WHEREAS, the current authority of the Mayor to sign Agreements of \$5,000 or below needs to be clarified to provide proper parameters for use of said authority;

WHEREAS, the City Council wishes to streamline and improve the efficiency of the purchasing power of the City by clarifying the authority of the Mayor to execute Agreements without approval of Council; and

WHEREAS, the health, safety, welfare and aesthetics of the citizens of the City of Doraville shall be improved and protected by adoption and implementation of this Ordinance.

THE MAYOR AND COUNCIL OF THE CITY OF DORAVILLE, GEORGIA
HEREBY ORDAIN:

Section 1

That Chapter 2 (“Administration”) of the Code of Ordinance of the City of Doraville, Georgia, is hereby amended by addition of new Section 2-91 (“Purchasing Authority”), to read as follows:

Sec. 2-91. Purchasing Authority of the Mayor

- (a) *The Mayor is authorized to execute agreements for and otherwise approve budgeted capital purchases or expenditures of up to \$5,000.00 without the approval of the City Council. ~~This authorization shall not include spending for continuous services where the aggregate cost to the City would be more than \$5,000.00 in a calendar year.~~ Unbudgeted items of whatever amount must be approved by Council prior to expenditure.*
- (b) *Emergency Purchasing: It is understood that, from time to time, occasions arise at the City which dictate immediate action to purchase items in order to prevent disruption of operations. Notwithstanding the above or anything contrary in the Code, the Mayor shall have the authority to purchase commodities and services where there exists an emergency constituting a threat to public health, safety or welfare or to the soundness and integrity of public property or to the delivery of essential services and where the adverse effect of such emergency may worsen materially with the passage of time. All such emergencies and expenditures related thereto of anything over the authority of the Mayor in this Section shall be immediately reported to the City Council and, if requested by at least two members of the City Council, authorized retroactively by a vote at the next Regularly Scheduled Council Meeting.*

Section 2

a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section paragraph, sentence, clause or phrase of this Ordinance.

c. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 3

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Section 4

The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5

The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Doraville.

Section 6

This Ordinance shall become effective upon its adoption by the Mayor and Council.

SO ORDAINED, this ____ day of _____, 2012.

CITY OF DORAVILLE, GEORGIA

Mayor

First Reading

Second Reading

ATTEST:

_____. (SEAL)
City Clerk

APPROVED AS TO FORM:

Cecil G. McLendon, Jr., City Attorney

	Yea	Nay
Maria Alexander	<input type="checkbox"/>	<input type="checkbox"/>
Brian Bates	<input type="checkbox"/>	<input type="checkbox"/>
Pam Fleming	<input type="checkbox"/>	<input type="checkbox"/>
Karen Pachuta	<input type="checkbox"/>	<input type="checkbox"/>
Trudy Jones Dean	<input type="checkbox"/>	<input type="checkbox"/>
Robert Patrick	<input type="checkbox"/>	<input type="checkbox"/>



THE CITY OF DORAVILLE AGENDA ITEM SHEET

Subject: Text Amendment to address Signs for Vacant Properties

Date of Meeting: 11/5/12

Budget Impact: ☐ Yes ☒ No

Budget Impact Amount: \$ n/a

Funding Source:

- ☐ Annual
☐ Capital
☒ N/A

Regular Meeting	<input checked="" type="checkbox"/>
Work Session	<input type="checkbox"/>
Recommendation	<input type="checkbox"/>
Policy/Discussion	<input type="checkbox"/>
Report	<input type="checkbox"/>
Other	<input type="checkbox"/>

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Action Requested: Text Amendment

History, Facts, Issues: This is a carry over item from previous meetings. The Mayor and staff have been receiving a number of comments regarding the fact that the City sign ordinance does not address signage for vacant properties. Chapter 14 (sign code) addresses signage for businesses, but the code does not address signage for vacant properties. Businesses have been using banners for such purposes in the past, which are not allowed according to City code. Our banner ordinance is written to address special sales, opening and events that are of a fixed date or known time period. The signs are limited to 14 days. Sec. 14-8.1 of our code states:

Flags other than official flags of a governmental entity, banners, pennants, balloons, or streamers, air- or gas-filled figures, or other devices requiring air, gas, wind or other natural means for operating or movement (a "promotional sign") except for a period not to exceed fourteen (14) days for the purpose of drawing attention to a particular event or activity.

A number of large and small businesses have expressed concern about not being able to legally place banners or signs on vacant properties. City Council discussed this item at a council signage workshop, made recommendations and forwarded to the Planning Commission for recommendations.

The City Council reviewed the draft language at their workshop on signs on August 13, staff made modifications accordingly, Planning Commission reviewed the text on Sept. 5 and made attached recommendation of approval with modifications (see attached).

Options: Review recommendations by Planning Commission and staff and decide standards in subsections 1(a); 2(a,b,c); and 4, as well as appropriate fee.

Planning Commission Recommendation: Approval with modifications as shown on attached sheet "Language based Upon Planning Commission Recommendations".

Staff Recommended Action: Approval

Department: Planning & Development

Department Head: Joe Cooley

Administrative Comments and Recommendation:

Action Taken By Board: _____

Language based upon Planning Commission Recommendations

Amend Sec. 14-12 Signs to

Signs-During-Vacancy shall mean a temporary free-standing sign or a temporary wall banner permitted for development with vacant lots, units, and/or tenant spaces.

Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one on-premises temporary Sign-During –Vacancy sign per access-providing street frontage of the development. Said sign may be free-standing or a wall banner subject to the following conditions:

1. Free-standing signs shall not exceed:
 - a. ~~20- 24~~ **sixteen (16)** square feet per face (double faced signs are allowed as long as the sign faces created an angle no greater than 45 degrees between faces),
 - b. shall have a maximum height of ~~five (5)~~ six (6) feet, and
 - c. shall not be internally illuminated.
2. Wall banners shall not exceed:
 - a. ~~24~~ **sixteen (16)** square feet when sign will be on a building wall within 25 feet or less from the road right-of-way.
 - b. ~~40~~ **twenty-four (24)** square feet in area when sign will be on a building wall greater than 25 feet and less than 75 feet from the road right-of-way.
 - c. ~~80~~ **forty (40)** square feet when sign will be on a building wall greater than 75 feet from road right-of-way.
3. All such signs shall be maintained in good condition.
4. All such signs shall be removed upon the development obtaining ~~95%- 90%~~ **seventy-five percent (75%)** occupancy.
5. All such signs shall require a sign permit ~~to be renewed on an annual basis. but no fee shall be assessed.~~ **(Planning Commission also recommended that there be a annual fee to cover the administrative and enforcement costs added to the city fee schedule)**

**DRAFT LANGUAGE FOR SIGNS DURING VACANCY – Staff Revision for
Presentation to Planning Commission**

Amend Sec. 14-12 Signs to

Signs-During-Vacancy shall mean a temporary free-standing sign or a temporary wall banner permitted for development with vacant lots, units, and/or tenant spaces.

Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one on-premises temporary Sign-During –Vacancy sign per access-providing street frontage of the development. Said sign may be free-standing or a wall banner subject to the following conditions:

1. Free-standing signs shall not exceed:
 - a. ~~20~~ 24 square feet per face (double faced signs are allowed as long as the sign faces created an angle no greater than 45 degrees between faces),
 - b. shall have a maximum height of ~~five (5)~~ six (6) feet, and
 - c. shall not be internally illuminated.
2. Wall banners shall not exceed:
 - a. 24 square feet when sign will be on a building wall within 25 feet or less from the road right-of-way.
 - b. 40 square feet in area when sign will be on a building wall greater than 25 feet and less than 75 feet from the road right-of-way.
 - c. 80 square feet when sign will be on a building wall greater than 75 feet from road right-of-way.
3. All such signs shall be maintained in good condition.
4. All such signs shall be removed upon the development obtaining ~~95%~~ 90% occupancy.
5. All such signs shall require a sign permit to be renewed on an annual basis. ~~but no fee shall be assessed.~~

MEMO

To: Mayor and City Council
Date: 6/11/12 – Council Work Session Only
Ref: Signage for Vacant Properties

Mayor and Council;

The Mayor and staff have been receiving a number of comments regarding the fact that the City sign ordinance does not address signage for vacant properties. Chapter 14 (sign code) addresses signage for businesses, but the code does not address signage for vacant properties.

Businesses have been using banners for such purposes in the past, which are not allowed according to City code. Our banner ordinance is written to address special sales, opening and events that are of a fixed date or known time period. The signs are limited to 14 days. Sec. 14-8.1 of our code states:

Flags other than official flags of a governmental entity, banners, pennants, balloons, or streamers, air- or gas-filled figures, or other devices requiring air, gas, wind or other natural means for operating or movement (a "promotional sign") except for a period not to exceed fourteen (14) days for the purpose of drawing attention to a particular event or activity.

A number of large and small businesses have expressed concern about not being able to legally place banners or signs on vacant properties.

This is being brought to the Council work session to make the Council aware of the situation, discuss if the Council sees a need for any corrective action within the code, and if so to brainstorm possibilities that would be viable for the City of Doraville.

Staff has discussed the matter with the City Attorney who provided an example of how another local jurisdiction has approached the issue within their sign ordinance. Sandy Spring's code amendment follows:

City of Sandy Springs – Vacant Property Signage Ordinance

Definitions

Signs during Vacancy (added 04/21/09, TA09-002, Ord. 2009-04-19). Signs permitted for developments with vacant lots, units, and/or tenant spaces.

This language is in relevant zoning classifications.

Signs during Vacancy (added 04/21/09, TA09-002, Ord. 2009-04-19).

Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one such sign per access-providing street frontage of the development. Signs during Vacancy shall not exceed 16 square feet in area, shall have a maximum height of five (5) feet, and shall not be internally illuminated. Signs during Vacancy shall be allowed for a period not exceeding ninety (90) days with no more than two (2) such 90-day periods being permitted per calendar year per lot. Any development with a permit for a Sign during Vacancy shall be prohibited from having Standard Informational Signs, Expanded Informational Signs, Cantilever Signs and/or Banners during the 90-day permit period.

If the City considers any code modification to address vacant properties, staff suggests that the following items should be considered:

- Type of temporary sign to be allowed: street signs, banners, wind motion, etc.;
- Size of individual types of signs. Size of sign may vary depending on setback and configuration of the development. While roadway signs (not in the ROW) may be appropriate with some sites, temporary wall signs may be more appropriate and aesthetically acceptable for other sites;
- Whether the signs should be permitted or exempt from permitting;
- Length of permit time and whether they are renewable and for how long;
- Whether existing signage in good maintenance should be allowed to remain or be removed; and
- Other items as deemed necessary by City Council.

STATE OF GEORGIA

CITY OF DORAVILLE

ORDINANCE NO. 2012 - _

AN ORDINANCE OF THE CITY OF DORAVILLE, GEORGIA, TO AMEND CHAPTER 14, (SIGNS), TO ADD ADDITIONAL REGULATIONS FOR “SIGNS DURING VACANCY” SIGNAGE; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; TO PROVIDE FOR CODIFICATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES

WHEREAS, the City Council of the City of Doraville, Georgia is tasked with the protection of the City’s public health, safety and general welfare; and

WHEREAS, Chapter 14 (Signs) does not currently contain any provisions to allow additional signage in those commercial developments that have vacancies that need to be advertised; and

WHEREAS, the Mayor and City Council desire to help promote economic development in the City of Doraville and find that it is necessary to provide for additional signage allowance for developments with substantial vacancies; and

WHEREAS, a duly advertised public hearing, in accordance with the Georgia Zoning Procedures Act, has been held by the City of Doraville to consider these revisions.

THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DORAVILLE, GEORGIA HEREBY ORDAIN, as follows:

Section 1

That Chapter 14 of the City of Doraville, Georgia Code is hereby amended by revising Section 14-1 (Definitions) to add a definition of “Signs During Vacancy” to read as follows:

Signs-During-Vacancy shall mean a temporary free-standing sign or a temporary wall banner permitted for development with vacant lots, units, and/or tenant spaces.

Section 2

That Chapter 14 of the City of Doraville, Georgia, Code is hereby further amended by revising Section 14-12 (“General Size and Location Requirements on commercial and Industrial Zoned Parcels”) to add subsection (i) to read as follows:

- (i) *Signs-During-Vacancy Signs. Developments in which there are vacant lots, units, and/or tenant spaces shall be entitled to one on-premises temporary Sign-During –Vacancy sign per access-providing street frontage of the development. Said sign may be free-standing or a wall banner subject to the following conditions:*
 - (1) *Free-standing signs shall:*
 - a. *Be no more than sixteen (16) square feet per face (double faced signs are allowed as long as the sign faces created an angle no greater than 45 degrees between faces);*
 - b. *Have a maximum height of six (6) feet; and*
 - c. *Not be internally illuminated.*
 - (2) *Wall banners shall not exceed:*
 - a. *Sixteen (16) square feet in area when a sign will be on a building wall within twenty-five (25) feet or less from the road right-of-way;*
 - b. *Twenty-four (24) square feet in area when the sign will be on a building wall greater than twenty-five (25) feet and less than seventy-five (75) feet from the road right-of-way;*

- c. Forty (40) square feet when the sign will be on a building wall greater than seventy-five (75) feet from the road right-of-way.*
- (3) All such signs shall be maintained in good condition.*
- (4) All such signs shall be removed upon the development obtaining seventy-five percent (75%) occupancy.*
- (5) All such signs shall require a sign permit, to be renewed on an annual basis at a fee as adopted by Mayor and City Council as part of its Fee Schedule.*

Section 3

a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section paragraph, sentence, clause or phrase of this Ordinance.

c. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or

unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5

The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Doraville.

Section 6

It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Doraville, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 7

This Ordinance shall become effective on the date of adoption.

SO ORDAINED AND EFFECTIVE, this ____ day of _____, 2012.

CITY OF DORAVILLE, GEORGIA

Mayor

First Reading

Second Reading

ATTEST:

_____(SEAL)
Sandra Bryant, Acting City Clerk

APPROVED AS TO FORM:

Cecil G. McLendon, Jr., City Attorney

	Yea	Nay
Maria Alexander	<input type="checkbox"/>	<input type="checkbox"/>
Brian Bates	<input type="checkbox"/>	<input type="checkbox"/>
Pam Fleming	<input type="checkbox"/>	<input type="checkbox"/>
Karen Pachuta	<input type="checkbox"/>	<input type="checkbox"/>
Trudy Jones Dean	<input type="checkbox"/>	<input type="checkbox"/>
Robert Patrick	<input type="checkbox"/>	<input type="checkbox"/>



THE CITY OF DORAVILLE AGENDA ITEM SHEET

Subject: White goods fees

Date of Meeting: October 15, 2012

Budget Impact: X Y N

Budget Impact Amount: \$ unknown

Funding Source:

- () Annual
- () Capital
- () N/A

Regular Meeting	(X)
Work Session	()
Recommendation	()
Policy/Discussion	()
Report	()
Other	()

CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE

Action Requested: Revisit the charge on white goods and discuss whether or not it is the best policy for the City. I have received several complaints about people now dumping their white goods rather than pay the fine. It's a problem. We've received about \$3,000 since February 2012, but we've used the City's resources to check and recheck property where dumping is occurring. We should discuss if the time and City's resources used to investigate and correct problems worth the amount the City is collecting.

Options: Eliminate the fee or continue charging for pickup.

Recommended Action: Open for discussion, but I'm inclined to waive the fee and look for alternatives.

Department: City Council/Trudy Jones Dean

Administrative Comments and Recommendation: _____

Action Taken By Board: _____



THE CITY OF DORAVILLE AGENDA ITEM SHEET

Subject: LED Sign Ordinance

Date of Meeting: 11-5-12

Budget Impact: ☐ Yes ☒ No

Budget Impact Amount: \$ n/a

Funding Source:

- ☐ Annual
☐ Capital
☒ N/A

Regular Meeting ☒
Work Session ☐
Recommendation ☐
Policy/Discussion ☐
Report ☐
Other ☐

CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE

Action Requested: Amendment to sign ordinance to address LED signs – first reading; Public Hearing to be held on Nov. 19, 2012.

History, Facts, Issues: The City placed a moratorium on acceptance of all applications for LED signs to allow time Council to address the possible need to further regulate LED signs and staff to respond with recommendations. City Council met in a special workshop to discuss the sign ordinance and specifically in part to discuss LED signs. The attached text amendment was drafted by staff and the city attorney to reflect policies determined by the Council. The moratorium expires on Nov. 30, 2012.

Options: Amend Chapter 14 to add regulations for LED signs as written; amend Chapter 14 with modification; not amend Chapter 14

Recommended Action: Amendment to Chapter 14 (signs) to add regulations for "LED" signs

Department: Planning & Development
Administrator

Department Head: Zoning

Planning Commission Recommendation: Approval (3-0 in favor)

Staff Comments and Recommendation: Approval of text amendment

Action Taken By Board: _____

STATE OF GEORGIA

REDLINED COPY

CITY OF DORAVILLE

ORDINANCE NO. 2012 - _

AN ORDINANCE OF THE CITY OF DORAVILLE, GEORGIA, TO AMEND CHAPTER 14, (SIGNS), TO ADD ADDITIONAL REGULATIONS FOR “LED” SIGNAGE; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; TO PROVIDE FOR CODIFICATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES

WHEREAS, the City Council of the City of Doraville, Georgia is tasked with the protection of the City’s public health, safety and general welfare; and

WHEREAS, Chapter 14 (Signs) does not currently contain any regulations or prohibitions of signs utilizing “LED” technology; and

WHEREAS, the Mayor and City Council find that in order to preserve the aesthetic quality of the City, the Council desire to provide for additional regulations encompassing signs utilizing LED technology; and

WHEREAS, a duly advertised public hearing, in accordance with the Georgia Zoning Procedures Act, has been held by the City of Doraville to consider these revisions.

THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DORAVILLE, GEORGIA HEREBY ORDAIN, as follows:

Section 1

That Chapter 14 of the City of Doraville, Georgia Code is hereby amended by revising Section 14-1 (Definitions) to revise the definition of “Animated Sign” and “Window Sign” and to add the definition for “LED Signs” to read as follows:

“Animated Sign” shall mean a sign ~~with~~ which requires electrical energy and has any of the following: action, motion, ~~or~~ changing colors, or any message which changes more

~~than once every sixty (60) minutes, which requires electrical energy.~~ This definition does not include signs which indicate time, temperature or date.

....

“LED Sign” shall mean an electronically controlled sign utilizing light-emitting diodes to form some or the entire sign message.

....

“Window Sign” shall mean a sign installed in the interior of a building either flush with or on a window or otherwise intended to be viewed from the outside.

Section 2

That Chapter 14 of the City of Doraville, Georgia, Code is hereby further amended by revising Section 14-8 (“Prohibited Signs”) to add subsection (o) to read as follows:

(o) All LED signs except for window signs equal to or less than a total of four (4) square feet in area.

Section 3

a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to

the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section paragraph, sentence, clause or phrase of this Ordinance.

c. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Section 5

The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Doraville.

Section 6

It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Doraville, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 7

This Ordinance shall become effective on the date of adoption.

SO ORDAINED AND EFFECTIVE, this ____ day of _____, 2012.

CITY OF DORAVILLE, GEORGIA

Mayor

First Reading

Second Reading

ATTEST:

_____(SEAL)
Sandra Bryant, Acting City Clerk

APPROVED AS TO FORM:

Cecil G. McLendon, Jr., City Attorney

	Yea	Nay
Maria Alexander	<input type="checkbox"/>	<input type="checkbox"/>
Brian Bates	<input type="checkbox"/>	<input type="checkbox"/>
Pam Fleming	<input type="checkbox"/>	<input type="checkbox"/>
Karen Pachuta	<input type="checkbox"/>	<input type="checkbox"/>
Trudy Jones Dean	<input type="checkbox"/>	<input type="checkbox"/>
Robert Patrick	<input type="checkbox"/>	<input type="checkbox"/>



THE CITY OF DORAVILLE AGENDA ITEM SHEET

Subject: **Resolution to Revise SOB License Fee**

Date of Meeting: November 5, 2012

Budget Impact: ☒ X ☐ Y ☐ N

Budget Impact Amount: \$ _____ \$4,650/Sexually Oriented Business

Regular Meeting	(X)
Work Session	()
Recommendation	(X)
Policy/Discussion	()
Report	()
Other	()

Funding Source:

() Annual

() Capital

() N/A

CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE

The City recently adopted a revised Ordinance for regulation of Sexually Oriented Businesses. The City's current license fee for an SOB is \$5,000 per year. As the regulatory fee for such businesses has to be revenue neutral, it is more reasonable to justify a lower, \$350/year fee for the regulation in order to preserve the enforceability of the regulatory scheme. This Resolution thus revises that fee down to \$350 per license per year.

Options: _____ To adopt this Resolution or keep the fee as it currently stands.

Recommended Action: _____ Recommend adoption.

Department: _____ Legal

Department Head: _____ Cecil G. McLendon, Jr.

Administrative Comments and Recommendation: _____

Action Taken By Board: _____

**RESOLUTION TO REVISE REGULATORY FEE FOR LICENSING OF SEXUALLY
ORIENTED BUSINESSES**

- WHEREAS,** the Mayor and City Council previously adopted an update schedule of fees for all fees assessed by the City by Resolution in early 2012; and
- WHEREAS,** as part of the Schedule of fees, the current licensing fee for Adult Entertainment Establishments/Sexually Oriented Businesses is \$5,000 per year; and
- WHEREAS,** when regulating First Amendment activities, such as adult entertainment, a license fee should be revenue neutral and just enough to merely reimburse the City for the cost of its expenses in maintaining and administering the regulatory scheme; and
- WHEREAS,** the Mayor and City Council find that a license fee of \$350 is currently a reasonable revenue neutral fee to assess on regulation of Sexually Oriented Business licensing.

THEREFORE, BE IT RESOLVED, by the MAYOR AND COUNCIL OF THE CITY OF DORAVILLE that the fee for Adult Entertainment Establishment license on the Fee Schedule shall be amended to \$350/year and that "Adult Entertainment Establishment" shall be referenced on the Fee Schedule as "Sexually Oriented Business."

SO RESOLVED AND EFFECTIVE this ____ day of _____, 2012

Approved:

Donna Pittman, Mayor

Attest:

Sandra Bryant, Acting City Clerk
(Seal)



THE CITY OF DORAVILLE AGENDA ITEM SHEET

Subject: Removal of Mayor's Salary from Charter

Regular Meeting (X)

Date of Meeting: November 5, 2012

Work Session ()

Budget Impact: Y X N

Recommendation ()

Policy/Discussion ()

Report ()

Budget Impact Amount: \$

Other ()

Funding Source:

() Annual

() Capital

() N/A

CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE CITYOFDORAVILLE

Action Requested: Remove the mayor's salary from the Charter and designate the duties for the part time ceremonial mayor position.

Department: City Council/Trudy Jones Dean

Administrative Comments and Recommendation: See above

Action Taken By Board:
