

CITY OF DORAVILLE
CITY COUNCIL MEETING MINUTES
January 2, 2007

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 at 7:00 p.m.

Council Member Hadden made a motion to approve the minutes from the November 6, 2006 Council meeting. Council Member Pittman seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to approve the December 4, 2006 minutes. Council Member Lowe seconded the motion. Motion carried unanimously.

Mayor Jenkins stated that he and Chief King were still working on the COPS Units.

Mayor Jenkins stated that Council Member Hart had asked for three street lights along the new sidewalk on Chestnut Drive. Council Member Hart stated that he was only asking for one lamp to be placed on an existing pole.

Council Member Lowe made a motion to place a lamp on the existing pole. Council Member Pittman asked how much was the lamp going to cost. Mayor Jenkins stated that there would be no charge for installing the lamp on the pole, just the monthly charge.

Council Member Hadden stated that Mr. Noonan had given each Council Member a copy of a CD that he had done that showed that the sidewalk was well illuminated.

Council Member Spangler asked if the sidewalk was well lit.

Council Member Pittman seconded the motion. Motion carried with Council Member Spangler voting no.

Mayor Jenkins stated that according to the Charter the Mayor Pro-Tem must be appointed at the first meeting in January.

Council Member Hadden made a motion to re-appoint Council Member Anavitarte because he has brought monies into the City, he has had good ideas, positive pres on Doraville and because of his abilities, hard work and dedication to the City of Doraville she would like to see him continue in the position of Mayor Pro-Tem. Council Member Hadden stated that Council Member Anavitarte had done more for the City of Doraville than all the Council Members who were sitting here tonight. Council Member Hadden stated that she had come to respect Council Member Anavitarte because of his abilities, hard work, and dedication to the City of Doraville.

Council Member Spangler seconded the motion. Council Members Anavitarte, Hadden and Spangler voted yes. Council Members Hart, Lowe and Pittman voted no. Mayor Jenkins broke the tie by voting no.

Council Member Hart made a motion to appoint Council Member Lowe as Mayor Pro-Tem because he was the senior member of the Council. Council Member Pittman seconded the motion.

Council Member Spangler brought up that this voting item was not listed on the agenda.

The Mayor responded that it was put on the meeting automatically the first meeting in January.

Council Member Hadden stated that Council Member Lowe had recently had an ethics charge brought against him. Council Member Hadden stated that the other Council Members had not been informed of the ethics charges or the outcome.

Council Member Hadden asked why Council was not notified of the meeting. The Mayor said he did not know who was at the meeting and he had been told yesterday that all charges had been dropped "and there is not even a letter". The Mayor again said there was "no letter". Council Member Hadden asked the Mayor if he was sure about that because she had a copy of the letter.

Council Member Lowe stated that the ethics charge had been dismissed by the Ethics Committee.

Council Member Hadden asked Council Member Lowe what he had done for the City over the last seven years.

Council Member Lowe stated that apparently it had not been enough to satisfy Council Member Hadden.

Council Member Anavitarte stated that he would let his record, of the last three and one half years, stand and would challenge Council Member Lowe to match his record against his.

Council Member Hadden stated that Council Member Lowe's conduct toward the Police Department would disqualify him as Mayor Pro-Tem. Council Member Hadden read a memo from Council Member Anavitarte to Council Member Lowe regarding accusations by Mr. Lowe against the Doraville Police. Further, she had followed up in another 30 days with Council Member Lowe regarding the allegations and had received no response. Council Member Lowe has exhibited conduct towards the PD that is often adversarial and this was her big objection to him being Mayor Pro-Tem.

The Mayor recognized Mr. Noonan from the floor with remarks about the Mayor Pro-Tem election. Mr. Noonan stated that he objected because the meeting was out of order and the item was not on the agenda. This comment was met with confirmations by others in attendance.

Council Members Pittman, Hart, and Lowe voted yes. Council Members Anavitarte, Hadden and Spangler voted no. Mayor Jenkins yes, breaking the tie. Mayor Jenkins stated that he had voted yes because of what Council Member Hadden had said about the rest of the Council not doing anything.

Mayor Jenkins stated that this item, according to the Charter, was automatically on the agenda every January. Mayor Jenkins read that portion of the charter.

Stuart Anderson stated that he had known that the Mayor Pro-Tem item would come up at this meeting.

Several people in the audience voiced their concerns about the Mayor Pro-Tem item not being on the agenda.

Council Member Hadden stated that the item could be placed on the agenda but the Council would have to approve it.

The City Attorney stated that the charter had not been changed to reflect the changes in State election laws. If you read the charter literally, this would be the ideal time to vote on the Mayor Pro-Tem issue.

Council Member Hart made a motion to place the Mayor Pro-Tem item on the agenda. Council Member Pittman seconded the motion. Council Members Hart, Lowe, and Pittman voted yes. Council Member Anavitarte, Hadden, and Spangler voted no.

Mayor Jenkins stated that it had to be a unanimous vote to place an item on the agenda. This was not a unanimous vote.

The City Attorney read the section of the charter that referred to the Mayor Pro-Tem. The City Attorney stated that according to the Charter, that if the Council did not pick a Mayor Pro-Tem, then Council Member Anavitarte would be Mayor Pro-Tem since he was an incumbent and was not up for re-election during the last election and had received the most votes in his election.

Council Member Pittman made a motion to place the Mayor Pro-Tem item on the next agenda. Council Member Hart seconded the motion. Council Members Hart, Lowe and Pittman voted yes. Council Member Anavitarte, Hadden and Spangler voted no. Mayor Jenkins broke the tie. Motion carried and the item will be placed on the next agenda,

Council Member Hadden stated that she thought that Council Member Anavitarte should remain Mayor Pro-Tem.

Item # 4 was table

Item # 5 will be discussed later in the meeting.

Council Member Anavitarte made a motion to approve a bid from Consolidated Disposal in the amount of \$133,000.00, for a new street sweeper. Council Member Pittman seconded the motion. Motion carried unanimously. Council Member Spangler stated that he wanted the street sweeper in the neighborhoods more than once a month. Larry White, with the Star Towers project had item # 7 removed from the agenda.

Clint Howard was not present.

Rochelle Valsaint was not present.

The City Clerk asked the Council to approve Department Heads approving the purchase orders for their respective departments. Priscilla Murphy stated that she was worried about a numbering system and asked if the purchase orders could stay at City Hall. The Department Head would have to get a purchase order number themselves.

Council Member Hadden made a motion for the Department Head to be issued a purchase order with a spending limit of \$1,000.00. Council Member Pittman seconded the motion. Motion carried unanimously.

Council Member Anavitarte made a motion to approve the Comp Plan and a Resolution to transmit with the final approved Comp Plan. Council Member Spangler seconded the motion. Motion carried unanimously.

Council Member Hadden stated that she had gotten the Advanced Disposal Representative to agree to hold more public hearings on recycling.

Council Member Pittman stated that she had also been talking to the Advanced Disposal Representative and that it is a good possibility that the City can get curb side recycling for those who are willing to pay for it. The citizens who do not choose curbside recycling will not have to pay.

Council Member Hart stated that the City should look into doing its own recycling. There are grants for recycling bins. There is a recycling company in the City who

recycles all type of paper. Council Member Hart stated that he thought there should be two or three recycling stations in the City.

Council Member Pittman stated that public hearings would be held in the near future to discuss this further.

Council Member Hadden made a motion to have two Council Meetings per month with a work session before each meeting starting at 6:00 p.m. Council Member Hart seconded the motion. Motion carried unanimously.

Council Member Hadden stated that she knew of some incidents, in a City Department, where job vacancies had not been posted. Council Member Hadden stated that two employees from that department were fired recently. One was terminated for stealing and the other one for unauthorized purchases. Council Member Hadden would like to see the mandatory job posting be placed in the Employee Handbook. Council Member Anavitarte will discuss this further under item # 22.

Council Member Hadden stated that Operation Turning Point had been organized to deal with boarding houses and abandoned house. It was more successful than anyone could imagine and was turning into a lot more.

Council Member Hadden stated that she would like for the **City Attorney and Chief King** or someone to get with Court Ware Solutions to see if an update was available for running reports on code violations and how many times an address/owner has been cited.

Council Member Anavitarte stated that he would like to see what the conviction rates were for code violations and how the Judges were handling the code violation cases. The City Attorney will handle this.

Council Member Hadden stated that there was a very special person in our audience. Ms. Charlene Fang. The City would like to honor Ms. Fang for her service to the City of Doraville, its residents, and various departments. Council Member Hadden stated that Ms. Fang had moved to the City of Doraville last year, and lived on Chestnut Street.

Council Member Hadden read the Resolution and stated that the Mayor would have it put on some nice paper and frame it before giving it to Ms. Fang.

Council Member Hadden made a motion to approve the Resolution honoring Charlene Fang. Council Member Hart seconded the motion. Motion carried unanimously.

Susan Fraysee stated that she was a member of the Operation Turning Point committee. Ms. Fraysee stated that a total of 67 problem homes had been reported to the committee. The committee would check the report out and if there was a problem, then the Police Department was notified. Ms. Fraysee thanked all of the citizens who reported the complaints.

Council Member Pittman stated that donation of leave time and disability insurance was discussed at the work session. Council Member Pittman stated that a good policy for donation of leave time would be developed and would be brought back to the Council at a later time. Council Member Pittman stated the C. R. Jones had gotten some figures on employee paid disability insurance. This also would be brought up at a latter time.

Item # 19 was removed form the agenda.

Council Member Anavitarte stated that this was the 2nd reading of an Ordinance that would raise the homestead exemption form \$50,000.00 to \$65,000.00. There has not been a change in the homestead exemption for 20 years.

Council Member Hart asked if this was a wise thing to do in lieu of General Motors closing and the proposed annexation. Council Member Hart stated that the proposed annexation study showed that it would cost the City \$140,000. 00. It is time to ensure revenues and additional cost. There are unknown factors associated the annexation such as storm water infrastructures.

Council Member Anavitarte stated that he wanted to push forward with the increase in homestead exemption to offset the assessment freeze put on the County for five years. The tax bills will increase drastically once the assessment freeze is lifted.

Council Member Hart stated that the Police Department revenue from citations was limited to 40% of the annual budget. The citation revenue is a little over 39%. Once it reaches 40%, the money received will have to be sent to the State.

Chief King stated that it was the traffic citation revenue that was limited. Speeding tickets, etc. Chief King stated that there was still a margin.

Council Member Hart asked the Council to make the homestead exemption effective one year after the GM closing.

Council Member Anavitarte made a motion to approve raising the homestead exemption from \$50,000.00 to \$65,000.00 and make it effective July 1, 2007. Council Member Spangler seconded the motion. Motion carried unanimously. Council Member Spangler stated that he wanted the money to go back to the taxpayers now.

Council Member Anavitarte stated that the Council needed to set the date for the 3rd and final annexation hearing. The public hearing was set for January 10, 2006, at 6:00 p.m. The Council will vote on a Resolution that will transmit the proposed annexation map and boundary lines, to the Georgia General Assembly, on January 16, 2006, so that a bill can be introduced to the General Assembly.

Council Member Anavitarte stated that a committee had been formed, over a year ago, to work on the Employee Handbook. Nothing has been submitted, so Council Member

Anavitarte asked the Council to hire a professional to make the necessary updates or prepare a new manual.

Council Member Lowe stated that he, Council Member Pittman, and Council Member Anavitarte had been appointed as committee members to work on updating the Employee Handbook. Council Member Lowe stated that he had been working on it and would have something ready to submit in about a month.

Council Member Anavitarte again stated that he would like a professional to make the updates or redraft of the Employee Handbook.

Council Member Pittman asked the Council to at least look at what Council Member Lowe had been working on.

This item was tabled until Council Member Anavitarte can look into the cost of getting a professional to update or redraft the Employee Handbook.

Item # 23 was taken of the agenda.

Council Member Anavitarte stated that he had been asked from different generations, culture, and different areas of Doraville should we move towards a different form of government, one that is more responsive day-to-day, more efficient with meeting the present while planning for the future, and doing what is in the City's best interest for now and generations to come. I believe that as Doraville grows and needs to deal with the enormous task of economic development, managing departments for efficient and responsive results to the citizens daily, and countless other activities the City must address to strive forward in a growing manner, it takes a professional with experience to make sure the City is experiencing success day in and day out, keeping Doraville's business and operations amongst the best of the best.

One example of this is through a strong Mayor-Council Administration that operates like that of a Council-Manager form of government where the Mayor is lead Councilmember and day-to-day activities run by a appointed professional City Manager This can give Doraville effective/fair representation and efficient planning. Efficiency in planning gives the City an eye towards the future, greater cooperation with other governments by minimizing collective cost (schools, city, county), greater oversight authority, and accountability over day-to-day operations.

The Mayor's position should have less authority and greater accountability.

A professional with experience should manage, prioritize, balance, and be held accountable to the many things that will need to be addressed in the City once the General Motors site becomes available for development. A City Administrator/Manager could have a greater array of knowledge of dealing with finances, planning, development, and management on a daily basis.

This type is used by 68 percent of Georgia's 159 Counties, while only one County uses our form of government.

What I am proposing is that Mayor Ray Jenkins appoint an independent study committee to investigate the pros and cons of changing our form of government. A study committee could potentially determine if a reorganization of the City's government could facilitate more effective governance and democratic representation of the City of Doraville with issues including the evaluation of the city governments' checks and balances.

A restructuring evaluation of this nature is not at all out of the ordinary when it comes to reviewing a form of government that has been in place for 25 + Years. No specific changes will be made until the evaluation, discussion and debate process have been completed. I hope that this study could begin sometime in January 2007.

A lady in the audience stated that they had voted years ago to have a full time Mayor.

Several of the citizens in the audience stated that they would welcome a referendum to let the citizens decide for themselves.

Council Member Pittman stated that this item needed further discussion.

This item was tabled until the next meeting.

A Blue Ribbon Committee meeting was set for January 23, 2007 at 3:00 p.m. Georgia Tech will present their study on the closing of the GM plant.

Council Member Hart made a motion to approve a Resolution to add the following additional duties to the Planning Commission:

1. To review criteria and make recommendations to the Mayor and City Council for rezoning application.
2. To review criteria and make recommendations to the Mayor and City Council for variance applications.
3. To review zoning and make recommendations to the Mayor and Council for annexations.
4. To review the Zoning Ordinance and make a recommendation to the Mayor and City Council.
5. To review land use plans or changes in land use and recommend to the Mayor and City Council land use updates.

Mayor Jenkins asked the Planning Commission if they were ready to take on the addition duties.

Stuart Anderson stated that all the Members had been to school and that they would welcome the additional duties.

Cat Sherlock stated that the training she had attended had been wonderful. Everyone at the training recommended that Planning Commissions have these duties.

Council Member Hadden stated that the Planning Commission was fairly new and inexperienced and perhaps needed to be given a year to gain experience before the additional duties were added.

Bonita Hoffmeister stated that the Planning Commission should be given the power to do a good job. She recommended that the Planning Commission be given the additional duties.

John Noonan stated the Planning Commission had been in effect for less than a year and had already broken numerous rules. Mr. Noonan stated that you had to learn to walk before you could learn to run.

Susan Fraysee asked the Planning Commission if they had finished developing their by-laws. It was stated that they have.

Susan Fraysee stated that it is normal to expand the job description for the Planning Commission. Ms. Fraysee had attended planning classes and had learned a lot, but she had also learned a lot by listening to what other Municipalities had to say. No other Planning Commission that she knows of only does re-zonings and variances.

Council Member Pittman asked the other Planning Commissioners what they thought about the addition duties. Each member stated that they were ready and willing to take on the additional duties.

Susan Crawford stated that the Planning Commission had very little to do and needed something more to do.

Council Member Pittman seconded the motion. Council Members Hart, Lowe, and Pittman voted yes. Council Members Anavitarte, Hadden, and Spangler voted no. Mayor Jenkins broke the tie by voting yes. Motion carried.

Council Member Hart stated that wireless connection needed to be made at the Civic Center, Library, and City Court. The cost installation of the wireless connection would be \$750.00 for each connection and \$64.00 per month for service.

The City Attorney stated that it would be good for the Judges to have access to online codes, local, state, and federal.

Council Member Hart stated that he would like to see a Comcast camera installed in the Council chamber. Comcast will air the Council meetings.

A representative for Comcast was present and gave a brief overview of the camera, equipment, and cable needed to add a camera in the Council chambers. The discounted price would be \$23,967.00.

Item # 28 was tabled

Item # 29 was tabled.

Item # 30 was tabled.

Another representative from Comcast will be present at the next meeting to discuss this further.

The City Attorney stated that the Mayor had been successful in collecting the back rent at 5921 New Peachtree and that a new lease had been drawn up that included a 5% late charge.

Chief King recognized two of his Sergeants. Sgt. Pilgrim and Sgt. Rodgers. The two supervisors were instrumental in apprehension of a suspect in the robbery of a Waffle House in Sandy Springs and the Waffle House in Doraville. Chief King stated that supervisors handled the matter in a very mature and professional manner and the suspect was apprehended after a chase that ended in a crash on Yuka Road.

Chief King stated that one of his patrol cars had been total in an accident that resulted for a motorist driving approximately 100 miles per hour, running the red light at Buford Highway and Park Avenue, striking another vehicle and then striking the patrol car.

Chief King stated that the City would be reimbursed by the City's insurance carrier but he needed to purchase another vehicle immediately.

Council Member Hadden made a motion to allow Chief King to go ahead and purchase another patrol car. Council Member Pittman seconded the motion. Motion carried unanimously.

Chief King stated that he was waiting on a canceled check. He will forward the cancelled check on and will be reimbursed for the cost of laptops with grant money.

Chief King stated that the City needed to amend its IT Policy so junk emails can be deleted. The junk emails are taking up too much space and causing the servers to crash.

Chief King stated that he would honor Council Member Lowe's request for copies of emails and that his Department was not trying to cover up anything.

Council Member Hadden asked Council Member Lowe if he was doing an investigation. Council Member Lowe stated that he was doing research.

The junk emails are like junk mail that comes each day. We can't keep them all. Chief King asked the Council to give him a policy on the junk emails.

The City Attorney stated that the current IT Policy stated that the City Clerk would delete emails each month. The City Attorney stated that the City's IT Policy had been drafted from three other City or County IT Policies. The other IT Policies had listed an employee who would be in charge of deleting or making the decision for which emails could be deleted. The City of Doraville did not have an employee fitting that description so he had inserted the City Clerk as that designated person. The City Attorney stated that perhaps the IT Policy should be amended to designate the Mayor or his designee to delete or make the decision to delete emails.

Several of the citizens offered advice and/or help.

The City Attorney stated that he would have an amendment to the IT Policy for the next meeting.

Chief King gave the Police Department statistics for year 2006. They are as follows and are made a part of the minutes:

1.	Total CAD incidents	35,541
2.	Total Ordinance calls	1,409
3.	Total residents checks	1,104
4.	Total number of traffic stops	18,809
5.	Total number of arrest	3,279
6.	Total number of fight calls	213
7.	Total number of alarm calls	1,612
8.	Total number of accidents	1,945
9.	Total number of armed robberies	28
10.	Total number of thefts	461
11.	Total number of persons hit by auto	21
12.	Total number of vehicle thefts	140
13.	Total number of domestic calls	120
14.	Total number of 911 hang up calls	458
15.	Total number of assaults	65

A lady stated that the City needed to get a Code Enforcement Officer to take over code enforcement and relieve the Police Department of this duty.

Council Member Pittman stated that she appreciated all the show of Officers on Halloween but the neighborhoods were not seeing Officers patrolling the neighborhoods as much.

Stuart Anderson gave the Planning Commission report and stated that the Planning Commission had received a variance request at 2666 Turner Dr.. The application was not complete but the Planning Commission had received the omitted information.

A citizen asked about the progress at English Oak Park. Mayor Jenkins stated that the tennis court and basketball court had been removed.

A citizen stated that he had had an Attorney visit him. The Attorney had complimented him on his house and wanted to know why nothing was being done about the house next door to him. Mayor Jenkins stated that Chief King would look into the matter.

Mayor Jenkins adjourned the meeting.

Ray Jenkins, Mayor

City Clerk