

Revised 02/21/06
CITY OF DORAVILLE
CITY COUNCIL MEETING MINUTES
February 6, 2006

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 Anavitarte made a motion to approve the minutes from the January 17, 2006, the minutes from the called meeting held on January 17, 2006, and the minutes from the called meeting held on January 27, 2006. Council Member Pittman seconded the motion. Motion carried unanimously.

Mayor Jenkins asked the Council Members to extend John King's pay until he returns from Iraq. Council Member Hadden made the motion to extend John King's pay until he comes back from Iraq. Council Member Pittman seconded the motion. Motion passed with Council Member Lowe voting no.

Council Member Anavitarte made a motion to approve Pond & Co. to revise the Zoning Ordinance at a cost of \$105,000.00. How the revision of the Zoning Ordinance will be paid for will be discussed at the next Council Meeting. Council Member Hadden seconded the motion. Motion carried with Council Member Hart voting no.

Mayor Jenkins presented a plaque to Wan S. Lee for his outstanding service to the Korean Community and the City of Doraville.

Council Member Hart made a motion to approve the Commercial Vehicle Ordinance. Council Member Spangler seconded the motion. Motion carried unanimously.

Council Member Hadden made a motion to deny the request from Community Video & Street Banner Branding Program. Council Member Spangler seconded the motion. Motion carried unanimously.

Insurance Agent, C. R. Jones stated that he had been told by the former Mayor that Council Members and their families received free insurance. Mr. Jones had told Council Member Pittman that her family would be covered by the City's insurance policy at no

cost to Mrs. Pittman. Mr. Jones stated that other Council Members and their families had been covered under the insurance policy at no cost. Mr. Jones stated that he was just doing what he had been told to do.

A gentleman in the audience stated that this issue needs to be resolved without responsibility. The gentleman stated that he knew of other incidences that had been resolved without placing the blame on anyone.

Council Member Anavitarte stated that the Administrator of the City's insurance was responsible for knowing what rules, regulations and Ordinances had been passed by the Council. Council Member Anavitarte stated that we can't do things the way they were done before.

Mr. Jones stated that he was not given any copies of the Ordinances passed by the Council until the current City Clerk was hired.

Chris Avers stated that Administrator of the City's insurance was responsible for paying the \$4,000.00. If it was not paid then all of the Council Members could demand \$4,000.00 be paid to them.

Mr. Jones stated that he had done nothing wrong. He had been with the City for 26 years and never knowingly done anything wrong.

Council Member Anavitarte stated that the issue was responsibility and the Administrator of the City's insurance is responsible for knowing what the rules are.

Council Member Lowe stated that the responsibility falls on the previous Mayor. Mr. Jones was told what to do by the former Mayor and Mr. Jones did not know what the Council had passed because the former City Clerk did not give Mr. Jones copies of the Ordinances that were passed by the Council.

Council Member Hart agreed with Council Member Lowe. Council Member Pittman was offered these benefits when she was asked to serve on the City Council.

Council Member Lowe made a motion to drop the whole thing. Council Member Hart seconded the motion. Council Members Lowe and Hart voted yes. Council Member Anavitarte voted no. Council Members Hadden and Spangler abstained. Council Member Pittman did not vote. Motion died from lack of majority.

Council Member Anavitarte made a motion to hold C.R. Jones responsible for the cost of Council Member Pittman's family coverage. Council Member Hadden seconded the motion. Council Members Anavitarte and Hadden voted yes. Council Members Lowe, Hart and Spangler voted no. Council Member Pittman did not vote. Motion died from lack of majority.

Council Member Anavitarte made a motion to table the Park RFP's. Council Member Hart seconded the motion. Motion carried unanimously.

Council Member Hadden announced that Northwoods and Oakcliff were sponsoring a presentation by MacTech on Atlantic Station type developments. This presentation will be held at the Civic Center on March 13, 2006, at 7:00 p.m.

Council Member Hadden announced that the Northwoods Board of Directors had chosen her to chair a Hero Welcome Home Celebration for John King. The time and place will be announced at a later date.

Council Member Hadden announced that John King had sent an email thanking everyone for their gifts to Iraq. Mr. King asked for donations of shoes, supplies and toys. Anyone who wishes to make a donation must fill out a form at the Post Office describing what is in the package.

Council Member Hadden stated that Northwoods had an Author, who had published several books. Council Member asked for permission to be given to the Library to purchase several of Norm Kohn's books.

Mayor Jenkins stated that the contract with the DeKalb County Library System gave the County the authority to hire the next Library Director. Jim Draper will be retiring on March 31, 2006. The City Attorney had sent a written request for the Service Delivery Strategy document to be amended to allow Doraville to hire their own Library Director. The City Attorney will continue to work on this matter.

Council Member Spangler asked that an Ordinance be written to require property owners to maintain the right-of-way at their property. This will ensure that the grass is being cut and leaves and grass clippings are not being blown into the street and the storm drains. The City Attorney will draft the Ordinance.

Council Member Spangler requested no-parking signs to be placed on upper Pin Oak at Red Oak. **The City Attorney was instructed to draft an Ordinance.**

Council Member Spangler stated that he will meet with the Mayor and the City Inspector concerning the sink holes and drainage problems on Red Oak.

Council Member Spangler stated that Christmas Decorations were still up. The Ordinance requires all holiday decorations to be taken down within 30 day. Mayor Jenkins will contact the Code Enforcement Officer and get this matter taken care of.

Council Member Spangler stated that if any citizens had problems with water meter covers to call their respective Council Members. This matter will be taken care of.

Council Member Pittman asked the Council to approve placing two (2) bronze plaques on each side of the Hugo Arango Bridge. The cost of each plaque is approximately \$500.00.

Council Member Hadden made a motion to approve the plaques for the Hugo Arango Bridge and to get the County's permission to place the plaques on the bridge. Council Member Spangler seconded the motion. Motion carried unanimously.

Council Member Anavitarte stated that the City needed a Mission Statement. Council Member Anavitarte asked all of the Council Member to be thinking about this. Council Member Anavitarte stated that this was a very important issue and needed to be done within the next few months.

The City Attorney stated that this was the 2nd reading of a Planning Commission Ordinance. There had been some changes to the Ordinance since the 1st reading. Terms of office had been included in the Ordinance and limited the Commission to five (5) members. The Council would appoint a member from each district and two members at large.

Council Members discussed two year terms instead of four year terms. Council Member Pittman made a motion to approve the Planning Commission Ordinance with two year terms. Council Member Hart seconded the motion. Council Members Pittman, Hart and Lowe voted yes. Council Members Spangler, Hadden and Anavitarte voted no. Mayor Jenkins broke the tie by voting no. Motion did not pass,

Council Member Anavitarte made a motion to approve the Planning Commission Ordinance with the four year terms. Council Members Anavitarte, Hadden and Spangler voted yes. Council Members Pittman, Hart and Lowe voted no. Mayor Jenkins broke the tie by voting yes. Motion passed by majority vote.

Council Member Anavitarte asked Mayor Jenkins to get with the Maintenance Department about replacing all the old street and traffic signs throughout the City.

Council Member Anavitarte gave a brief update on the Doraville Blue Ribbon Committee meeting. Topics such as Economic Development, Work Force Development, Transportation, and impact on existing businesses were discussed. There was also a presentation by MacTech on the Atlantic Station Development. The next meeting will be held in late March or early April.

Council Member Anavitarte asked for permission to get Johnny Lawler to draw the boundary lines for the annexation of property on the northern side of the City.

Council Member Hadden made a motion for the City Attorney to contact Johnny Lawler about drawing up the boundary lines for the annexation of property along the northern side of the City. Permission is given to Pond & Co. to complete the drawing of the boundary lines if Mr. Lawler is unable to do so. Council Member Pittman seconded the motion. Motion carried unanimously.

Council Member Anavitarte asked the Mayor to contact DeKalb County requesting a public hearing and an update on the New Peachtree/Shallowford Road intersection project.

Council Member Anavitarte asked that Johnny Lawler be present at the public hearing.

Council Member Anavitarte asked the Mayor for an update on the Oakcliff Road Paving Project. Mayor Jenkins stated that DOT did not give a schedule of when Oakcliff Road would be paved.

Council Member Lowe stated that he had been made aware the Council did not vote to lower the sanitation rates when the new sanitation contract was voted in. Council Member Lowe made a motion to lower the sanitation rates from \$51.62 to \$44.00 per quarter retroactive back to January 1, 2006. Motion died from lack of second.

Council Member Pittman made a motion to lower the sanitation rates to \$46.00 per month. Council Member Spangler seconded the motion. Motion died for lack of vote.

Council Member Anavitarte made a motion to table this item until a full cost report can be obtained from the City's Financial Consultant. Council Member Hadden seconded the motion. Motion carried with Council Member Spangler voting no.

Council Member Hart stated that the Steering Committee for the Comprehensive Land Use Plan had been appointed by the previous administration and did not reflect the current administration. Council Member Hart asked the Council to reappoint the Steering Committee for the Comprehensive Land Use Plan.

Susan Fraysee read a list of the original appointed Steering Committee. Ms. Fraysee stated that the list of committee members had been sent to the Atlanta Regional Commission.

Mayor Jenkins stated that every Council Members could be a member of the Steering Committee.

Council Member Anavitarte stated that each Council Members was responsible for the content of the Comprehensive Land Use Plan.

Council Member Hart stated that several black families that lived in the Carver Hills area had been displaced when the General Motors Plants was built. Mrs. Jett is one of those who had been displaced by the GM Plant. Council Member Hart stated that the City of Doraville should recognize Black History Month.

Council Member Hart stated that a committee should be formed to find property for a Fire and EMS Department on Longmire Drive.

Council Member Hart stated that the City Clerk had found a printer who would print a four page newsletter. Council Member Hart made a motion to get a Graphic Artist to

design the format for the new newsletter. Council Member Pittman seconded the motion. Motion carried unanimously.

Council Member Hart stated that his committee was working on the sidewalk and traffic light project. Council Member Hart stated that the committee would sell bricks to raise the money to put in sidewalks. Council Member Hart wanted the Clerks Office to set up a separate bank account and account for all monies taken in from the sale of the bricks.

The City Attorney stated that no one in the Clerks Office, who had bookkeeping experience, had the time to handle another bank account and account for the money from the sale of the bricks.

Council Member Hart stated that he would like to move the Extension Service to another building and renovate the building that the Extension Service is now. The Extension Service building would be used for a coffee and ice cream shop.

Council Member Anavitarte made a motion to allow Council Member Hart to find out what the situation with the Extension Service is and where they could be relocated to. Council Member Spangler seconded the motion with the provision that enough research is done to insure that a coffee and ice cream shop would occupy the current Extension Service building and that the business wishing to move into the Extension Service building would pay for the renovation of the building. Motion carried unanimously.

Council Member Hart stated that he would like to form a committee to research purchasing the Salvation Army property for a Central Park.

Council Member Anavitarte made a motion to form the committee to research purchasing the Salvation Army property for a Central Park and to have Johnny Lawler to serve on this committee. Council Member Hadden seconded the motion. Motion carried unanimously.

Council Member Hart stated that there were restricted truck traffic signs on Woodwin Road. Council Member Hart wants the truck traffic routed out towards the other end of Winters Chapel.

Council Member Anavitarte asked for an Ordinance to be developed to restrict truck traffic on residential streets. A fine schedule be developed, in the Ordinance, for violators and signs posted in these residential areas.

The City Attorney stated that this was the 2nd reading of the updated Zoning Ordinance. Council Member Lowe made a motion to approve the updated Zoning Ordinance. Council Member Hadden seconded the motion. Motion carried unanimously.

The City Attorney stated that this was the 2nd reading of an Ordinance to allow for an administrative variance for accessory structures.

Council Member Hadden stated that she would like to see some design standards for accessory structures included in the Ordinance. The City Attorney stated that the Ordinance could be amended at a later date.

Council Member Hadden made a motion to approve the Accessory Structure Ordinance with an administrative variance. Council Member Spangler seconded the motion. Motion carried unanimously.

The City Attorney stated that the findings from the executive session needed to be made public.

Council Member Hadden agreed with the City Attorney and stated that by law the findings from the executive session had to be made public.

Council Member Pittman stated that no action was taken in the executive session to disclose.

Council Member Spangler stated that he was under the impression that the Council would meet again on this matter.

After a brief discussion the Council decided that they would meet again to decide what action needed to be taken from the executive session.

Council Member Anavitarte asked for this item to be placed on the next Council Meeting Agenda.

Bonita Hoffmeister gave a brief update on the last Neighborhood Planning Commission meeting. The Planning Commission had discussed an Ordinance creating the formal Planning Commission.

Susan Fraysee announced that the next Comprehensive Land Use Plan meeting was scheduled for February 9, 2006. Everyone is invited to attend.

Citizens Report: Linda Rollins asked for a review of the Commercial Vehicle Ordinance that was just passed. Mayor Jenkins stated that he would give her a copy of the Ordinance.

Linda Rollins stated that the City needed a full time code Enforcement Officer separate from the Police Department. Ms. Roberts stated that the Police Department had enough to do. Mayor Jenkins stated that two Police Officers were now handling Code Enforcement.

Bonita Hoffmeister thanked the Police Department for their excellent work and asked that Longmire be cleaned up on the Farmers Market side.

Council Member Anavitarte asked to be placed on the agenda to discuss the sink hole problem on Raymond Drive. Council Member Anavitarte asked the Mayor how he had come up with the information to declare the Raymond Drive project an emergency.

Mayor Jenkins stated that he had given each Council Member a letter describing his meeting with the engineering firm that had built the wall. Mayor Jenkins also gave each Council Member a copy of the engineers report concerning the sink hole and the retaining wall.

Council Member Hart stated that the sink hole had been caused by the collapse of a storm water drain pipe. The collapse of the pipe had stopped the water from flowing thru the pipe and diverted the storm water causing the earth to erode away and creating the sink hole.

A resident on Pineland asked about the tower project. He stated that a creek ran thru the property. The creek is feed by a spring. The resident will do what he has to do to fight this project and asked the Council to help stop the tower project.

Council Member Hadden stated that the property is zoned correctly for this project and there is nothing the Council can do. The height code will regulated by the FAA.

Mayor Jenkins adjourned the meeting.

_____Ray Jenkins, Mayor

Attest; _____
City Clerk

